

# Exhibit H

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Bruce A. Reeves  
Monterey County Recorder  
Recorded at the request of  
**County of Monterey**

CRKATHLEEN  
6/22/1998  
15:28:13

When recorded return to:

MONTEREY COUNTY PLANNING  
AND BUILDING INSPECTION  
DEPARTMENT  
240 CHURCH STREET, ROOM 116  
P.O. BOX 1208  
SALINAS, CA 93901  
(408) 755-5025

DOCUMENT: **9840220**



\*0009840220\*

Titles: 1 / Pages: 20

Fees....  
Taxes...  
Other...  
AMT PAID

Space above for Recorder's Use

Permit No.: 970138  
Applicant Name: Trois Bois, Ltd.  
Project Planner: Gonzalez

## AMENDMENT TO CONSERVATION AND SCENIC EASEMENT DEED

THIS DEED made this 28th day of April, 1998, by and between TROIS BOIS, LTD. as Grantor, and the COUNTY OF MONTEREY, a political subdivision of the State of California, as Grantee,

### WITNESSETH:

**WHEREAS**, said Grantor is the owner of the fee simple title and estate in and to that certain real property situate in El Pescadero Rancho, Monterey County, California, particularly described as follows: All of Parcels A and B (the "Property"), as said parcels are shown on that certain map entitled, "Parcel Map, Division of 4.82 Acre Parcel," etc., recorded in Book 17 or Parcel Maps at Page 50, Official Records of Monterey County, California, attached hereto as Exhibit "A" and herein incorporated by reference (the "Map");

Parcel A consists of two (2) areas, namely; (1) the "Parcel A Residence Site;" and (2) the "Open Space Property." The Parcel A Residence Site consists of the following areas: (1) those portions of the Property particularly described on the Map as located within Parcel A, and more particularly described on the Map as "Building Envelope" and "Driveway and Utilities Easement;" and (2) that portion of the Property particularly described on the Map as located within Parcel A, on which a caretaker's residence is presently located;

Parcel B consists of two (2) areas, namely: (1) the "Parcel B Residence Site;" and (2) the "Open Space Property." The Parcel B Residence Site consists of that portion of the Property particularly described on the Map as located within Parcel B, and more

particularly described on the Map as "Building Envelope"; and

**WHEREAS**, the said land of said Grantor has certain natural scenic beauty and existing openness; and

**WHEREAS**, the Grantor and the Grantee desire to preserve and conserve for the public benefit the great natural scenic beauty and existing openness, natural condition and present state of use of said Property of the Grantor; and

**WHEREAS**, the California Coastal Act of 1976, (hereinafter referred to as the "Act") requires that any coastal development permit approved by the County must be consistent with the provisions of the certified Local Coastal Program (LCP); and

**WHEREAS**, pursuant to the Act, and the LCP, grantor applied to the County for a permit to undertake development as defined in the LCP; and

**WHEREAS**, a previous Grant of Conservation Easement was recorded in Reel 2153 at Pages 268-281; and

**WHEREAS**, a coastal development permit (Permit No. 970138) was granted on December 18, 1997 by the County in accordance with the provisions of the staff Findings and Decision, attached hereto as Exhibit "B" and hereby incorporated by reference, subject to the following conditions(s):

Prior to the issuance of grading or building permits the applicant shall amend the existing conservation and scenic easement conveyed to the County to allow for the proposed project. (Planning and Building Inspection)

**WHEREAS**, the County, acting on behalf of the People of the State of California and pursuant to the Act, and in accordance with the findings contained in the Zoning Administrator's Findings and Decision attached hereto as Exhibit "B" and hereby incorporated by reference, granted the permit to the Grantor upon condition (hereinafter the "**Condition**") requiring inter alia, that the Grantor record an Amendment to Conservation and Scenic Easement over the Property as described in the legal description in Exhibit "C" attached hereto and hereby incorporated by reference, and agree to restrict development on and use of the Property so as to preserve the open space, scenic, and/or natural resource values present on the Property and so as to prevent the adverse direct and cumulative effects on coastal resources and public access to the coast which could occur if the Property were not restricted in accordance with this easement; and

**WHEREAS**, the County has placed the Condition on the permit because a finding must be made under the law that the proposed development is in conformity with the

provisions of the certified Local Coastal Program and that in the absence of the protections provided by the Condition said finding could not be made; and

**WHEREAS**, Grantor has elected to comply with the Condition and execute this easement so as to enable Grantor to undertake the development authorized by the Permit; and

**WHEREAS**, it is intended that this easement is irrevocable and shall constitute enforceable restrictions within the meaning of Article XIII, Section 8, of the California Constitution and that said easement shall thereby qualify as an enforceable restriction under the provision of the California Revenue and Taxation Code, Section 402.1; and

**WHEREAS**, the said Grantor is willing to grant to the County of Monterey the scenic use as herein expressed of the said land, and thereby protect the present scenic beauty and existing openness by the restricted use and enjoyment of said Property by the Grantor through the imposition of the conditions hereinafter expressed;

**NOW, THEREFORE**, for and in consideration of the premises the Grantor does hereby grant and convey unto the County of Monterey an estate, interest, and Amended Conservation and Scenic Easement in said real property of Grantor of the nature and character and to the extent hereinafter expressed, which estate, interest, and easement will result from the restrictions hereby imposed upon the use of said Property by said Grantor, and to that end and for the purposes of accomplishing the intent of the parties hereto, said Grantor covenants on behalf of itself, its heirs, successors, and assigns, with the said Grantee, its successors and assigns, to do and refrain from doing severally and collectively upon the Grantor's said Property the various acts hereinafter mentioned.

A. **LAND SUBJECT TO EASEMENT.** The land of the Grantor hereinabove referred to and to which the provisions of this instrument apply is situated in the County of Monterey, State of California, and is particularly described in Exhibit "C", attached hereto, and made a part hereof.

B. **RESTRICTIONS.** The restrictions hereby imposed upon the use of said Property by the Grantor and the acts which said Grantor shall refrain from doing upon the said Property in connection herewith are, and shall be, as follows:

1. That no structures will be placed or erected upon said described premises except those specifically described or permitted under the rights reserved in the original Grant of Conservation Easement recorded in Reel 2153 at Pages 268 et seq.

2. That no advertising of any kind or nature shall be located on or within said Property except those specifically described or permitted under the rights reserved in the original Grant of Conservation Easement recorded in Reel 2153 at Pages 268 et seq.

3. That the Grantor shall not plant nor permit to be planted any vegetation upon said premises except those specifically described or permitted under the rights reserved in the original Grant of Conservation Easement recorded in Reel 2153 at Pages 268 et seq.

4. That, except for the construction, alteration, relocation and maintenance of public roads, public and private pedestrian trails, the general topography of the landscape shall be maintained in its present condition and no excavation or topographic changes shall be made.

5. That no use of said described Property which will or does materially alter the landscape or other attractive scenic features of said land other than those specified above shall be done or suffered.

C. EXCEPTIONS AND RESERVATIONS. The following are excepted and reserved to the Grantor:

1. The right to use, maintain and repair the existing roads and water, utilities and other service facilities located on or within the Open Space Property and the right to replace said roads and facilities in the event of destruction thereon. Said rights are reserved for the benefit of Grantor (as appurtenant to the Property) and for all persons entitled to use said roads and facilities pursuant to easements granted or conveyed by Grantor or Grantor's predecessors in interest in the Property.

2. The right to construct, install, use, maintain and repair a driveway and water, utility and other service facilities on or within the Open Space Property for the purpose of serving with access, parking, fire truck turn around, water, utilities and other services each of the single-family residences to be constructed within those areas described on the map as "Building Envelope" and the right to replace said driveway and facilities in the event of destruction thereof. Said rights are reserved for the benefit of Grantor (as appurtenant to the Property) and for all persons entitled to use said driveway and facilities pursuant to easements granted or conveyed by Grantor, its successors or assigns.

3. The right to enter upon and use the Open Space Property for passive recreational purposes (such as hiking, picnicking and nature observation or use by domestic animals) in a manner consistent with the conservation and preservation of the Open Space Property as scenic open space and wildlife and plant habitat. Said rights are reserved for the benefit of the Grantor (as appurtenant to the Property).

4. The right to enter upon the Open Space Property as necessary in order to inspect the Open Space Property and to prevent use of the Open Space Property in a manner inconsistent with public safety needs, the need to protect public rights, and the

rights of other owners in the immediate area where the Property is situated, and the need to protect natural resource areas from overuse as described in Public Resources Code Sections 30210 and 30212.

5. The right to construct, erect and install fencing (e.g. split rail or wire) which is open in an amount sufficient to allow free passage of native wildlife.

6. The right to enter upon and use the Open Space Property as necessary for the proper exercise of all rights reserved hereunder.

D. AMENDMENT. This Amendment to the original Grant of Conservation Easement recorded in Reel 2153 at Page 268-281 shall amend only those provisions as set forth herein. All other provisions remaining of the original Grant of Conservation Easement shall remain in full force and effect.

E. SUBJECT TO ORDINANCES. Land uses permitted or reserved to the Grantor by this instrument shall be subject to the ordinances of Grantee regulating the use of land.

F. BENEFIT AND BURDEN. This Grant of Conservation and Scenic Easement shall run with and burden the Property, and all obligations, terms, conditions, and restrictions hereby imposed shall be deemed to be covenants and restrictions running with the land and shall be effective limitations on the use of the Property from the date of recordation of this documents and shall bind the Grantor and all of its successors and assigns. This Grant shall benefit the County of Monterey and its successors and assigns forever.

G. RIGHT OF ENTRY. The Grantee or its agent may enter onto the Property to ascertain whether the use restrictions set forth above are being observed at times reasonably acceptable to the Grantor. The public may enter onto the Property for scientific research purposes at times reasonable acceptable to the Grantor.

H. ENFORCEMENT. Any act or any conveyance, contract, or authorization whether written or oral by the Grantor which uses or would cause to be used or would permit use of the Property contrary to the terms of this offer will be deemed a breach hereof. The Grantee may bring any action in court necessary to enforce this Grant of Easement, including, but not limited to, injunction to terminate a breaching activity and to force the restoration of all damage done by such activity, or an action to enforce the terms and provisions hereof by specific performance. It is understood and agreed that the Grantee may pursue any appropriate legal and equitable remedies. The Grantee shall have sole discretion to determine under what circumstances an action to enforce the terms and conditions of this Grant of Easement shall be brought in law or in equity. Any forbearance on the part of the Grantee to enforce the terms and provisions hereof

in the event of a breach shall not be deemed a waiver of Grantee's rights regarding any subsequent breach.

I. MAINTENANCE. The Grantee shall not be obligated to maintain, improve, or otherwise expend any funds in connection with the Property or any interest or easement created by this Grant of Easement. All costs and expenses for such maintenance, improvement, use, or possession shall be borne by the Grantor, except for costs incurred by Grantee for monitoring compliance with the terms of this easement.

J. LIABILITY AND INDEMNIFICATION. This conveyance is made and accepted upon the express condition that the Grantee, its agencies, departments, officers, agents, and employees are to be free from all liability and claim for damage by reason of any injury to any person or persons, including Grantor, or property of any kind whatsoever and to whomsoever belonging, including Grantor, from any cause or causes whatsoever, except matters arising out of the sole negligence of the Grantee, while in, upon, or in any way connected with the property, Grantor hereby covenanting and agreeing to indemnify and hold harmless the Grantee, its agencies, departments, officers, agents, and employees from all liability, loss, cost, and obligations on account of or arising out of such injuries or losses however occurring. The Grantee shall have no right of control over, nor duties and responsibilities with respect to the property which would subject the Grantee to any liability occurring upon the land by virtue of the fact that the right of the Grantee to enter the land is strictly limited to preventing uses inconsistent with the interest granted and does not include the right to enter the land for the purposes of correcting any dangerous condition as defined by California Government Code Section 830.

K. SUCCESSORS AND ASSIGNS. The terms, covenants, conditions, exceptions, obligations, and reservations contained in this conveyance shall be binding upon and inure to the benefit of the successors and assigns of both the Grantor and the Grantee, whether voluntary or involuntary.

L. CONSTRUCTION OF VALIDITY. If any provision of this Conservation and Scenic Easement is held to be invalid or for any reason becomes unenforceable, no other provision shall be thereby affected or impaired.

Executed this 19 day of March, 1998, at Los Angeles, California.

TROIS BOIS, LTD.

Signed: André Boivin  
for Trois Bois, Ltd.



STATE OF CALIFORNIA  
COUNTY OF MONTEREY

} ss

On this 28th day of April, 1998, before me, Ernest K. Morishita, clerk of the Board of Supervisors, in and for said County and State, personally appeared DAVE POTTER, known to me to be the Chairperson of said Board of Supervisors of the County of Monterey, and known to me to be the person who executed the within instrument on behalf of said political subdivision, and acknowledged to me that such County of Monterey executed the same.

ERNEST K. MORISHITA, Clerk of the Board  
of Supervisors of Monterey County, State  
of California

By:

Nancy Lukensill  
Deputy Clerk

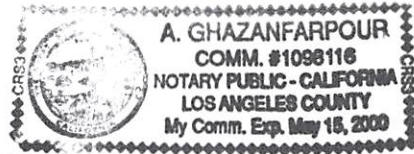
STATE OF CALIFORNIA )  
                  Los Angeles )     SS.  
COUNTY OF MONTEREY )

On 3/19/98 before me, A. Ghazanfarpour, Notary Public, personally appeared

Andie Bessier  
personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

Signature [Handwritten Signature]



(Seal)

This is to certify that the Conservation and Scenic Easement Deed set forth above is hereby acknowledged by he Board Chair on behalf of the Monterey County Board of Supervisors pursuant to the action of the Zoning Administrator when it granted Coastal Development Permit No. 970138 on December 12, 1997 and the Monterey County Board of Supervisors consents to recordation thereof by its duly authorized officer.

DATED: April 28, 1998 [Handwritten Signature: Dave Potter]  
Chair, Monterey County Board of Supervisors

ATTEST:  
DATED: April 28, 1998 [Handwritten Signature: Nancy Lupersill]  
Clerk of Said Board

Document Form/Content Acceptable:

[Handwritten Signature]  
County Counsel [Handwritten Signature]

[Handwritten Signature: Gustavo A. Gonzalez], Associate Planner  
Planning and Building Inspection Department

**BASIS OF BEARINGS:**

The Bearing of S 33° 00' W on the northwesterly boundary of Parcel 2, as said parcel is shown on that certain map entitled "Parcel Map of 4.514 Acre Parcel", etc., recorded in Volume 13 of Parcel Maps at Page 129, as found monumented, was taken as the basis of bearings shown on this map.

**NOTE:**

Underground Utilities are required in this subdivision in accordance with Chapter 19.12.140(M) of the Monterey County Code.

**LEGEND:**

- = Found 1/2" Rebar with plastic plug, LS2369
- = Found 2" x 2", Tag as shown
- = Set 1/2" Pipe, R.C.E. 12805

All other corners in canyon bottom; nothing found or set.

**ENGINEER'S CERTIFICATE**

This map was prepared by me or under my direction and is based upon a field survey in conformance with the requirements of the Subdivision Map Act and local ordinance at the request of Charles Banta in April 1987.

I hereby certify that this parcel map substantially conforms to the approved or conditionally approved tentative map, if any. I heroby state that all the monuments are of the character and occupy the positions indicated and that such monuments are sufficient to enable the survey to be retraced.

Signed: Clayton B. Neill Jr.  
 R.C.E. No. 12805  
 Exp. Date - March 31, 1989

**COUNTY SURVEYOR'S CERTIFICATE**

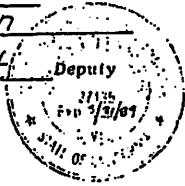
This map conforms with the requirements of the Subdivision Map Act and local ordinance.

Dated: MAY 28, 1987

Bruce W. McClain

County Surveyor

By Ronald J. Rudquist Deputy



**COUNTY RECORDER'S CERTIFICATE**

Filed this 10<sup>th</sup> day of JUNE, 1987  
 at 10 a.m. in Book 17 of Parcel Maps at  
 page 50 at the request of

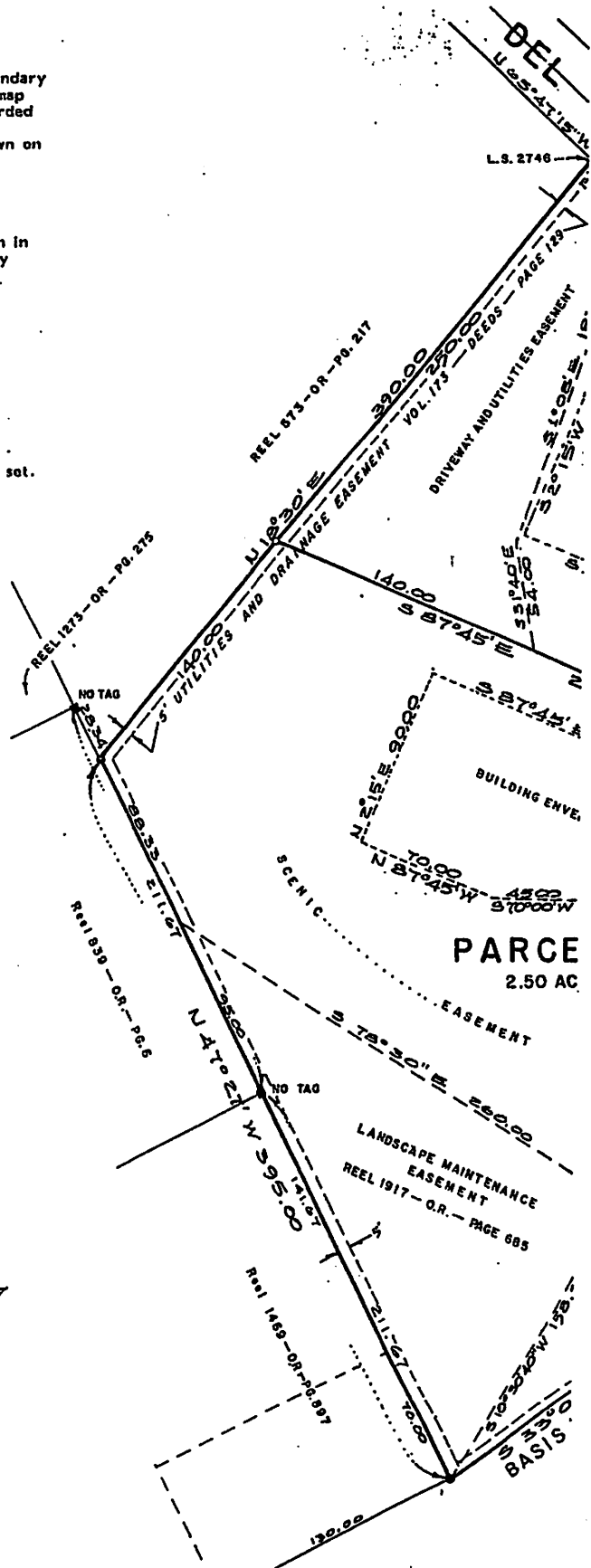
SAFECO TITLE INSURANCE CO

ERNEST A. MAGEE

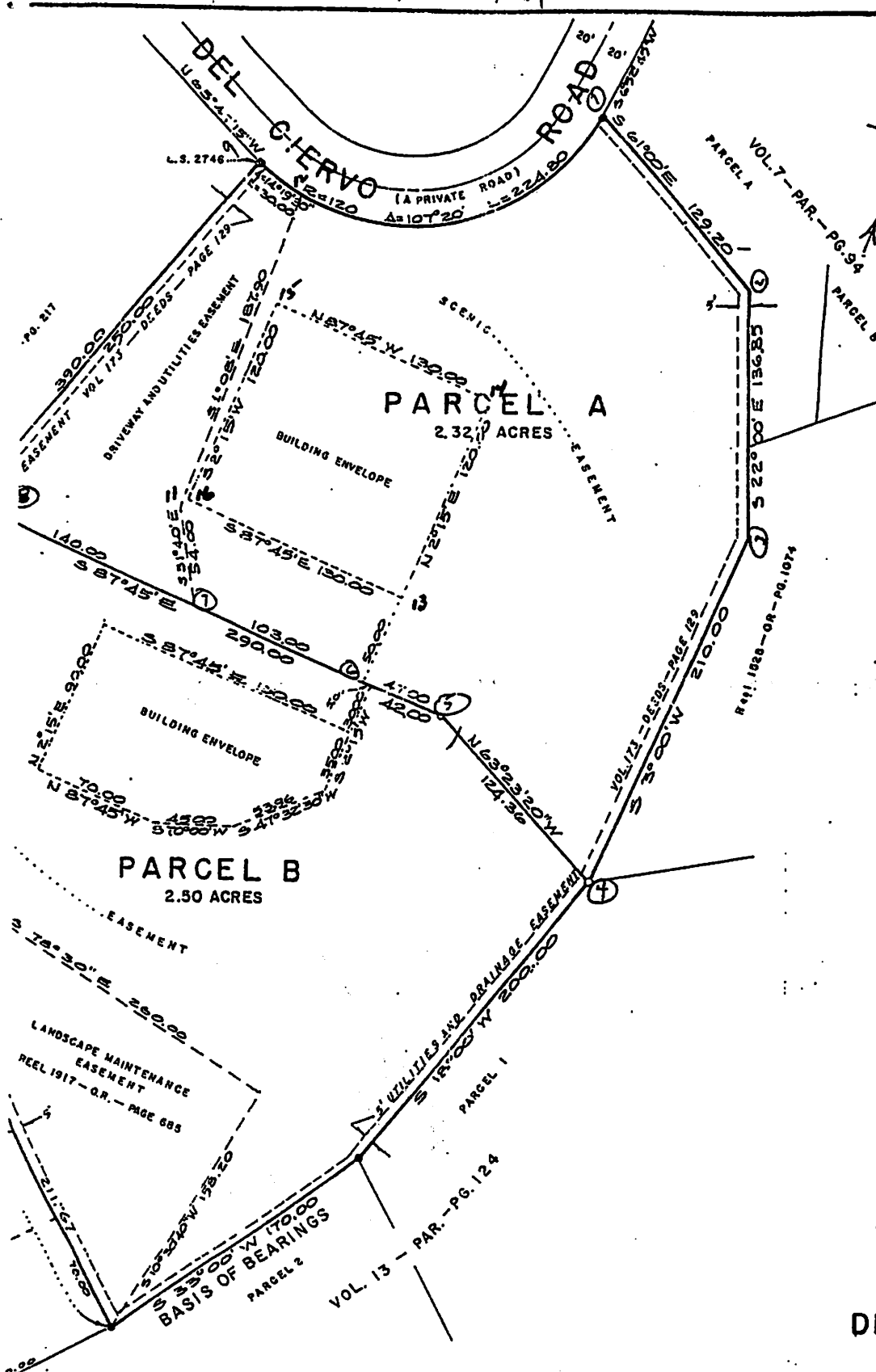
County Recorder

By Rubina Vardagji Deputy

Serial No. 35902 Fee \$600



1 - 11701



**NOTE:**  
 Signatures of  
 interests whi-  
 (1) Lucille  
 recort  
 Montel  
 (2) Del-Hi  
 holder  
 of Det

NEILL ENGI  
  
 DIVISIC  
 IN  
 MOI

DALE ELLIS  
ZONING ADMINISTRATOR

COUNTY OF MONTEREY  
STATE OF CALIFORNIA

NO. 970138

A. P. # 008-371-024-000

In the matter of the application of  
TROIS BOIS, LTD. (970138)

FINDINGS AND DECISION

to allow a Combined Development Permit in accordance with Title 20 (Zoning) Chapter 21.210 (Combined Development Permits) of the Monterey County Code, for a Combined Development Permit to allow a two story single family dwelling addition to an existing single family dwelling and tree removal (2); Design Approval, located on a portion of Lot 10, Block 127, Assessor's Map, El Pescadero Rancho, fronting on and southerly of Del Ciervo Road, Del Monte Forest Area, Coastal Zone, came on regularly for meeting before the Zoning Administrator on December 18, 1997.

Said Zoning Administrator, having considered the application and the evidence presented relating thereto,

1. FINDING: This Coastal Development Permit is for a two-story single family dwelling addition and tree removal (2); Design Approval: colors and materials to match existing. The subject parcel is 2.3 acres and is zoned "LDR/1.5 (CZ)" (Low Density Residential, 1.5 acres per unit, Coastal Zone). The project, as described in the application and accompanying materials, and as conditioned, conforms with the plans, policies, requirements, and standards of the Monterey County Local Coastal Program.

EVIDENCE: The Planning and Building Inspection staff reviewed the project, as contained in the application and accompanying materials, for conformity with:

- 1) The certified Del Monte Forest Area Land Use Plan;
- 2) Title 20 (Zoning Ordinance) of the certified Monterey County Coastal Implementation Plan, Regulations for Low Density Residential Zoning Districts or "LDR (CZ)" Districts in the Coastal Zone;
- 3) Chapter 20.147 of the Monterey County Coastal Implementation Plan, "Regulations for Development in the Del Monte Forest Land Use Plan Area."

EVIDENCE: The site of the proposed project is physically suitable for the type of development proposed. The proposed project area has a slope of less than 30% and 30 cubic yards of grading will be required.

A site visit was conducted by the project planner pursuant to Section 20.147.070.A of the Coastal Implementation in October of 1997. The project is consistent with "Scenic and Visual Resources Development Standards." The proposed development will not be visible from any public viewshed and will not result in ridgeline development. Plans and materials found in Planning File No. 970138.

**EXHIBIT B**  
**TO AMENDMENT**

2. FINDING: The proposed project will not result in a significant environmental impact.  
EVIDENCE: An initial study was prepared and a Negative Declaration filed on October 16, 1997 with the County Clerk as required by the Monterey County CEQA Guidelines. No adverse environmental impacts were identified during project review.
3. FINDING: The establishment, maintenance, or operation of the use or building applied for will not under the circumstances of this particular case, be detrimental to the health, safety, peace, morals, comfort, and general welfare of persons residing or working in the neighborhood or to the general welfare of the County.  
EVIDENCE: The project as described in the application and accompanying materials was reviewed by the California Department of Forestry, Department of Planning and Building Inspection, Health Department, Public Works Department, and the Water Resources Agency. The respective departments have recommended conditions, where appropriate, to ensure that the project will not have an adverse effect on the health, safety, and welfare of persons either residing or working in the neighborhood or to the County in general.
4. FINDING: The proposed project is consistent with the Forest Resources Development Standards of the Del Monte Forest Coastal Implementation Plan. A letter from Hugh Smith, professional forester, dated May 27, 1997 was submitted which states that the proposed project includes the removal of (1) Monterey Pine and (1) coast live oak to accommodate the residential addition. Mitigation measures for tree removal include the requirement to plant replacement trees at a ratio of 1:1.  
EVIDENCE: 1) Said letter as found in Monterey County Planning and Building Inspection Library (33.02.141) and in Planning File 970138.  
2) Condition 15.
5. FINDING: The proposed project is consistent with the Environmentally Sensitive Habitat standards contained in the Del Monte Forest Coastal Implementation Plan. Although the Environmentally Sensitive Habitat Map contained in the Del Monte Forest Area segment of the Local Coastal Program shows a riparian corridor running along the eastern property line of the parcel, a Botanical/Biological Report prepared by Bruce Cowan, dated May 2, 1997, concludes no sensitive habitats or rare/endangered species exist on or near the site and that no impacts will occur to the riparian corridor.  
EVIDENCE: 1) Said Botanical/Biological Report as found in Monterey County Planning and Building Inspection Library (26.08.032) and in Planning File 970138  
2) Site visit by project planner.

6. FINDING: The Combined Development Permit, as approved by the Zoning Administrator, is appealable to the Board of Supervisors and to the California Coastal Commission.

EVIDENCE: Chapter 20.86 of the Monterey County Coastal Implementation Plan, Part 1.

DECISION

It is the decision of the Zoning Administrator of the County of Monterey that said application for a Combined Development Permit be granted as shown on the attached sketch and subject to the following conditions:

1. This Coastal Development Permit is for a two-story single family dwelling addition and tree removal (2); Design Approval: colors and materials to match existing. The subject parcel is 2.3 acres and is zoned "LDR/1.5 (CZ)" (Low Density Residential, 1.5 acres per unit, Coastal Zone). The proposed project is in accordance with County ordinances and land use regulations subject to the following terms and conditions. Neither the use nor the construction allowed by this permit shall commence unless and until all of the conditions of this permit are met to the satisfaction of the Director of Planning and Building Inspection. Any use or construction not in substantial conformance with the terms and conditions of this permit is a violation of County regulations and may result in modification or revocation of this permit and subsequent legal action. No use or construction other than that specified by this permit is allowed unless additional permits are approved by the appropriate authorities. (Planning and Building Inspection)
2. Unobstructed vertical clearance shall not be less than 15 feet for all access roads. (California Department of Forestry)
3. Size of letters, numbers and symbols for addresses shall be a minimum of 3 inch letter height, 3/8 inch stroke, contrasting with the background color of the sign. (California Department of Forestry)
4. All buildings shall have a permanently posted address, which shall be placed at each driveway entrance and visible from both directions of travel along the road. In all cases, the address shall be posted at the beginning of construction and shall be maintained thereafter, and the address shall be visible and legible from the road on which the address is located. (California Department of Forestry)
5. All parcels 1 acre and larger shall provide a minimum 30 foot setback for buildings and accessory buildings from all property lines and/or the center of the road. For parcels less than 1 acre, or when a 30 foot minimum setback cannot be reached, alternate fuel modification standards may be imposed by the local fire jurisdiction to provide the same practical effect. (California Department of Forestry)
6. All new structures, and all existing structures receiving new roofing over 25 percent or more of the existing roof surface, shall require Class A roof construction. (California Department of Forestry)

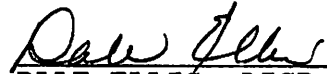
14. All development shall be in accordance with the recommendations in the Botanical/Biological Report prepared by Bruce Cowan on May 2, 1997. Said report is on file in the Monterey County Planning and Building Inspection Library (28.08.032) and in Planning File 970138. (Planning and Building Inspection)
15. The applicant shall plant one 5-gallon size Monterey pine and one 5-gallon coast live oak tree on the property as recommended by Forester Hugh Smith in his May 27, 1997 letter, prior to final inspection of the project.
16. A landscape plan is required. At least 3 weeks prior to occupancy, the applicant shall submit three copies of a landscaping plan to the Director of Planning and Building Inspection for approval. A landscape plan review fee is required for this project. Fees shall be paid at the time of landscape plan submittal. The landscaping plan shall be in sufficient detail to identify the location, specie, and size of the proposed landscaping materials and shall be accompanied by a nursery or contractor's estimate of the cost of installation of the plan. Landscaping shall be either installed or a certificate of deposit or other form of surety made payable to Monterey County for the cost estimate shall be submitted to the Monterey County Planning and Building Inspection Department. (Planning and Building Inspection)
17. All landscaped areas and/or fences shall be continuously maintained by the applicant and all plant material shall be continuously maintained in a litter-free, weed-free, healthy, growing condition. (Planning and Building Inspection)
18. All exterior lighting shall be unobtrusive, harmonious with the local area, and constructed or located so that only the intended area, is illuminated and off-site glare is fully controlled. The applicant shall submit 3 copies of an exterior lighting plan which shall indicate the location, type, and wattage of all exterior light fixtures and include catalog sheets for each fixture. The exterior lighting plan shall be subject to approval by the Director of Planning and Building Inspection, prior to the issuance of building permits. (Planning and Building Inspection)
19. The location, type and size of all antennas, satellite dishes, towers, and similar appurtenances shall be approved by the Director of Planning and Building Inspection. (Planning and Building Inspection)
20. All new utility and distribution lines shall be placed underground. (Planning and Building Inspection)
21. The property owner agrees as a condition of the approval of this permit to defend at his sole expense any action brought against the County because of the approval of this permit. The property owner will reimburse the County for any court costs and attorney's fees which the County may be required by a court to pay as a result of such action. County may, at its sole discretion, participate in the defense of any such action; but such participation shall not relieve applicant of his



obligations under this condition. Said agreement shall be recorded prior to the issuance of building permits or use of the property, whichever occurs first. (Planning and Building Inspection)

22. That the applicant shall record a notice which states: "A permit (Resolution # 970138) was approved by the Monterey County Zoning Administrator for Assessor's Parcel Number 008-371-024-000 on December 18, 1997. The permit was granted subject to 22 conditions of approval which run with the land. A copy of the permit is on file with the Monterey County Planning and Building Inspection Department." Proof of recordation of this notice shall be furnished to the Director of Planning and Building Inspection prior to issuance of building permits or commencement of the use. (Planning and Building Inspection)

PASSED AND ADOPTED this 18th day of December, 1997.

  
 \_\_\_\_\_  
 DALE ELLIS, AICP  
 ZONING ADMINISTRATOR

COPY OF THIS DECISION MAILED TO APPLICANT ON DEC 19 1997

IF ANYONE WISHES TO APPEAL THIS DECISION, AN APPEAL FORM MUST BE COMPLETED AND SUBMITTED TO THE CLERK OF THE BOARD OF SUPERVISORS ALONG WITH THE APPROPRIATE FILING FEE ON OR BEFORE DEC 29 1997

THIS PROJECT IS LOCATED IN THE COASTAL ZONE AND IS APPEALABLE TO THE BOARD OF SUPERVISORS AND THE COASTAL COMMISSION.

NOTES

1. You will need a building permit and must comply with the Monterey County Building Ordinance in every respect.

Additionally, the Zoning Ordinance provides that no building permit shall be issued, nor any use conducted, otherwise than in accordance with the conditions and terms of the permit granted or until ten days after the mailing of notice of the granting of the permit by the appropriate authority, or after granting of the permit by the Board of Supervisors in the event of appeal.


Do not start any construction or occupy any building until you have obtained the necessary permits and use clearances from the Monterey County Planning and Building Inspection Department office in Monterey.

2. This permit expires 2 years after the above date of granting thereof unless construction or use is started within this period.

DATE	APR 24 1974
SCALE	AS SHOWN
PROJECT	PROPOSED ADDITION FOR TROIS BOIS, LTD.
CLIENT	TROIS BOIS, LTD.
DESIGNER	ANDRE BOSSIER
LOCATION	3175 DEL CIERVO ROAD, PEBBLE BEACH
APN	008-371-024

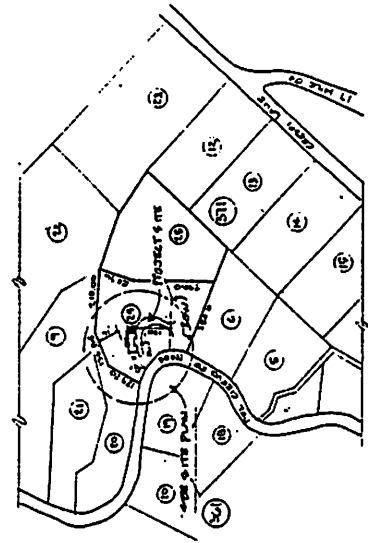
COMPILED BY ARCHITECT  
 TROIS BOIS, LTD.  
 3175 DEL CIERVO ROAD, PEBBLE BEACH, CALIF. 93955  
 APN: 008-371-024

LAND DESIGN  
 A CONSULTING FIRM  
 1750 LAMONT RD., SUITE 207 / MONTECITO CA 93950  
 TEL: 805-461-1111

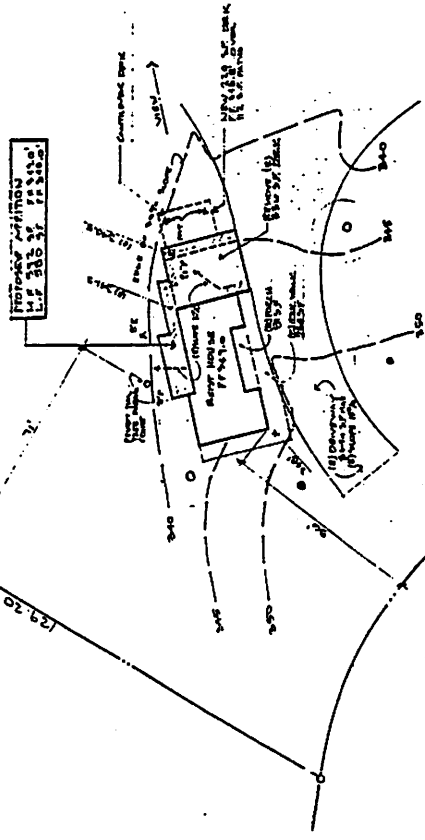


PROPOSED ADDITION FOR:  
 TROIS BOIS, LTD. - ANDRE BOSSIER  
 3175 DEL CIERVO ROAD, PEBBLE BEACH  
 APN: 008-371-024

DATE	APR 24 1974
SCALE	AS SHOWN
PROJECT	PROPOSED ADDITION FOR TROIS BOIS, LTD.
CLIENT	TROIS BOIS, LTD.
DESIGNER	ANDRE BOSSIER
LOCATION	3175 DEL CIERVO ROAD, PEBBLE BEACH
APN	008-371-024



VICINITY MAP & PARCEL PLAN 1/4" = 1'-0"

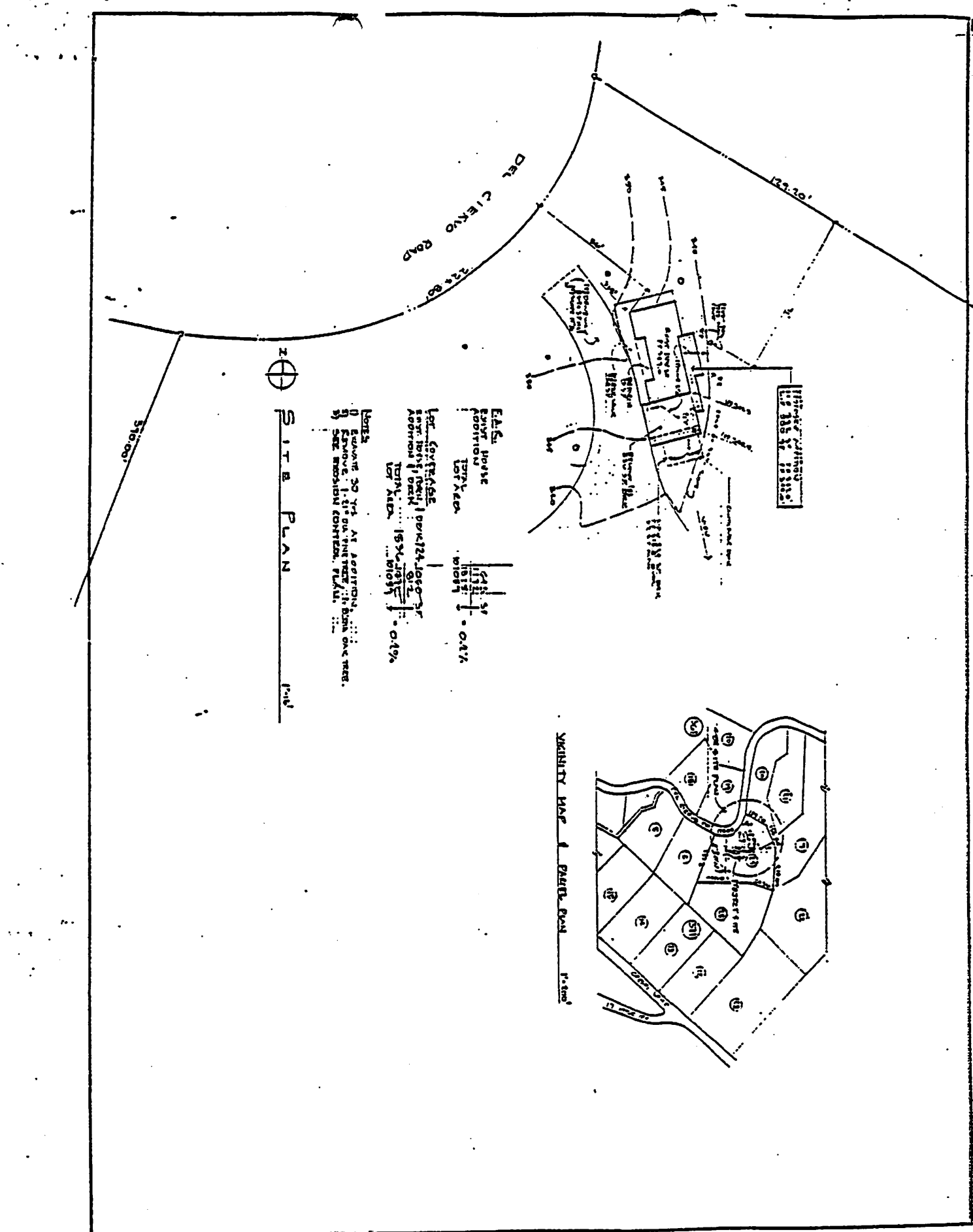


EXIST. HOUSE	
642 SF	
1112	
1818	
101081	
TOTAL	0.07%
LOT AREA	
101081	
LOT COVERAGE	
EXIST. HOUSE, DECK, & DECK	0.07%
ADDITION	0.07%
TOTAL	0.14%
LOT AREA	
101081	

- NOTES
- 1) EXISTING 30 YRS. AT ADDITION.
  - 2) REMOVE 1-2" DIA. PINE TREE, 1" DIA. OAK TREE.
  - 3) SEE EROSION CONTROL PLAN.

SITE PLAN 1/4" = 1'-0"

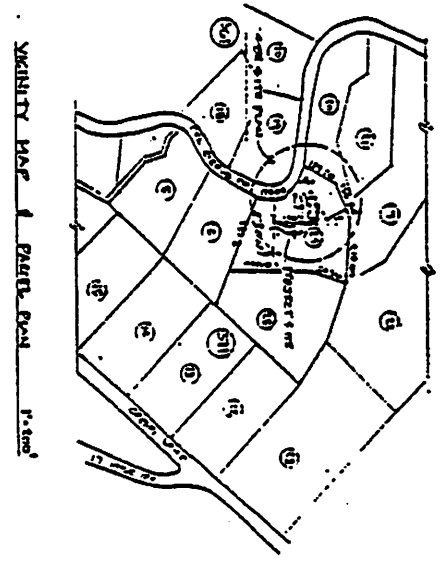
DEL CIERVO ROAD  
 224.80'  
 310.00'



**S I T E P L A N**

Notes:  
 1) Elevation 39 Yrd. At Addition  
 2) Elevation 41-45' on SOUTHWEST CORNER  
 3) SEE EXHIBIT I FOR FULL PLAN

Lot	Area	Total Area	Notes
Lot 1 (Main)	1534.18 sq. ft.	1534.18 sq. ft.	- 0.1%
Lot 2 (Addition)	100.00 sq. ft.		
<b>Total</b>	<b>1634.18 sq. ft.</b>		



VICINITY MAP - PEBBLE BEACH, CALIF.

PROPOSED ADDITION FOR:  
 TRONS BOGS, LTD. - ANDRE BOSSER  
 3178 DEL CIERVO ROAD, PEBBLE BEACH  
 APN: 008-371-024

**ARCHITECT**  
 ANDRE BOSSER  
 3178 DEL CIERVO ROAD, PEBBLE BEACH, CALIF. 95051  
 (415) 922-1111

**ENGINEER**  
 JAMES J. ...  
 1115 ...  
 (415) ...

PROPERTY OF ORRICK  
 CONSULTANTS AND ARCHITECTS  
 1500 ...  
 SAN FRANCISCO, CALIF.

DATE	1970
SCALE	AS SHOWN
BY	J.S.
CHKD BY	J.S.
DATE	7/1/70



December 26, 1997

## Legal Description

A Scenic and Conservation Easement over all of Parcel A as said parcel is shown in Volume 17 of Parcel Maps at Page 50, filed for record June 10, 1987 in the Office of the County Recorder, Monterey County, State of California.

EXCEPTING THEREFROM that portion designated as "Driveway and Utilities Easement" on said Parcel Map.

ALSO EXCEPTING THEREFROM a portion of said parcel A designated hereafter as "Building Envelope" more particularly described as follows:

BEGINNING at a ½" rebar, tagged LS2369, marking the most northerly corner of said Parcel A and the southeasterly sideline of Del Ciervo Drive, a forty-foot wide county road shown on said Parcel Map; thence from said Point of Beginning, southeasterly along the boundary line of said Parcel A

1. South 61°00' East 5.41 feet; thence leaving said boundary line
2. South 26°41'57" East 92.26 feet; thence
3. South 12°01'47" East 47.82 feet; thence
4. South 03°09'22" West 23.00 feet; thence
5. South 21°38'06" East 17.28 feet; thence
6. South 73°24'34" West 62.74 feet to a point on the easterly line of the "Building Envelope" as shown and so designated in said Volume 17 of Parcel Maps at Page 50, distant South 02°15' West 16.96 feet from the northeast corner of said building envelope; thence along said easterly line
7. South 02°15' West 103.04 feet to the southeast corner of said building envelope; thence westerly
8. North 87°45' West 133.44 feet (at 130.00 feet, the southwest corner of said building envelope) to the easterly line of the "Driveway and Utilities Easement" as said easement is shown and so designated in the aforementioned Volume 17 of Parcel Maps at Page 50; thence northerly along the easterly line of said "Driveway and Utility Easement
9. North 01°08'00" West 182.70 feet to the southerly sideline of said Del Ciervo Drive; thence easterly and northerly along said sideline, along a circular curve

to the left (the radius of said circle bears North 09°56'24" East, 120.00 feet)  
through a central angle of 93°00'30", an arc distance of 194.80 feet to the  
Point of Beginning.

END OF DESCRIPTION

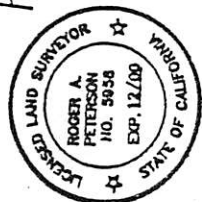
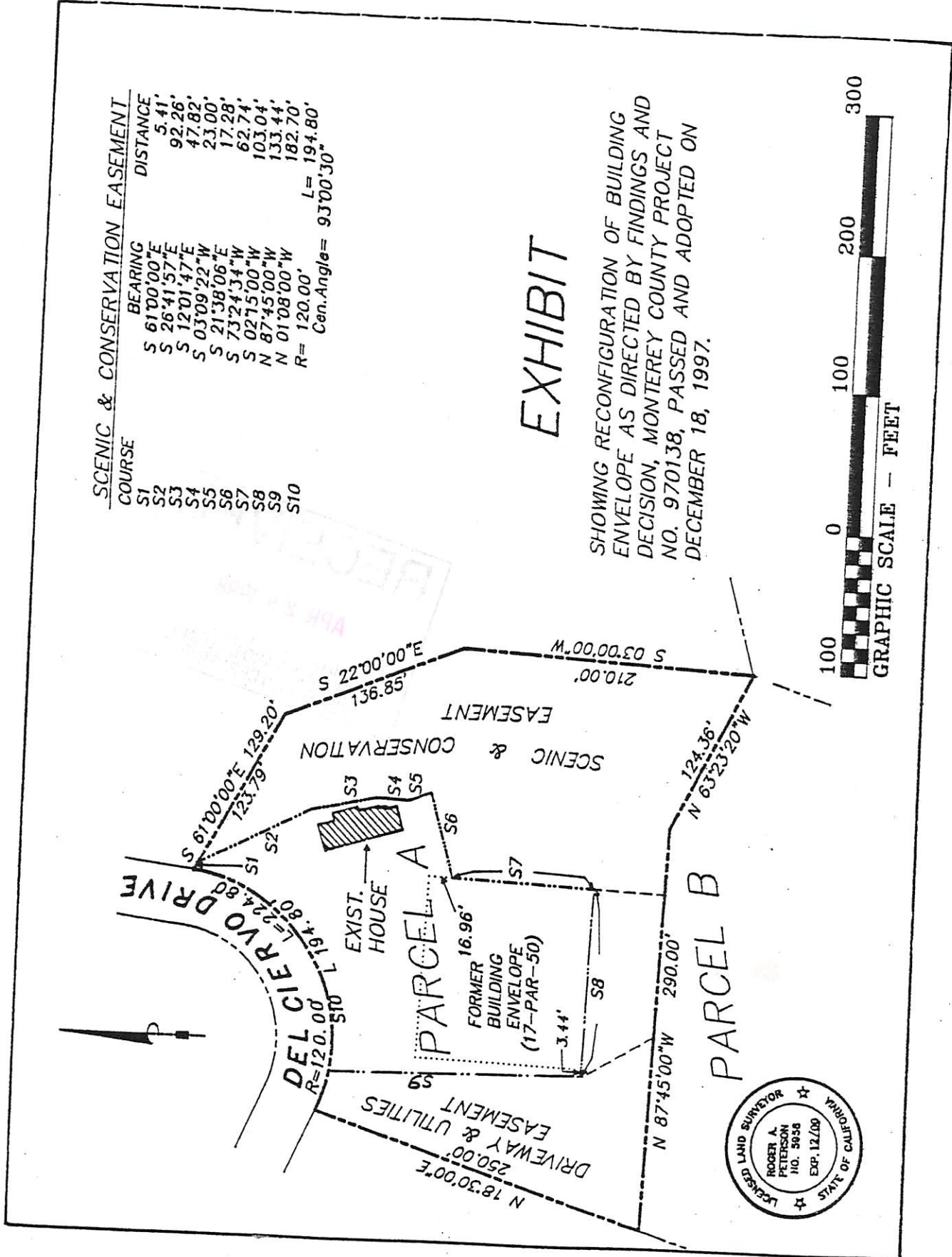
  
Roger Peterson, PLS 5958



SCENIC & CONSERVATION EASEMENT		
COURSE	BEARING	DISTANCE
S1	S 61°00'00"E	5.41'
S2	S 26°41'57"E	92.26'
S3	S 12°01'47"E	47.82'
S4	S 03°09'22"W	23.00'
S5	S 21°38'06"E	17.28'
S6	S 73°24'34"W	62.74'
S7	S 02°15'00"W	103.04'
S8	N 87°45'00"W	133.44'
S9	N 01°08'00"W	182.70'
S10	R= 120.00'	L= 194.80'
Gen. Angle= 93°00'30"		

# EXHIBIT

SHOWING RECONFIGURATION OF BUILDING ENVELOPE AS DIRECTED BY FINDINGS AND DECISION, MONTEREY COUNTY PROJECT NO. 970138, PASSED AND ADOPTED ON DECEMBER 18, 1997.



END OF DOCUMENT