

MONTEREY COUNTY RESOURCE MANAGEMENT AGENCY

Carl P. Holm, AICP, Director



LAND USE & COMMUNITY DEVELOPMENT | PUBLIC WORKS & FACILITIES | PARKS

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MEMORANDUM

Date: September 12, 2019

To: Monterey County Board of Supervisors

From: Nadia Garcia, Planning

Subject: PLN180103 Copley Lot Line Adjustment- AGENDA ITEM #13 on Sept. 17, 2019

cc: File

Dear Board of Supervisors,

Staff would like to correct errors to the distributed staff report, specifically to the *Resolution of Approval* and the recommended *Conditions of Approval*.

Attached, please find a redline version of the Resolution of Approval and a revised (un-redlined) version of the recommended Conditions of Approval. The revisions corrected transposed parcel descriptions.

The Clerk to the Board of Supervisors will receive and process the revised documents.

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Attachment A

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Draft Resolution
Before the Board of Supervisors in and for the
County of Monterey, State of California

Copley Land Company (PLN180103)

Resolution No. -

Resolution of the Monterey County Board of Supervisors:)
PLN180103: APNs 420-091-015; 420-091-022; 420-091-023;)
420-091-016; 420-091-017; and 420-091-021)

- a. Finding that the project is a Lot Line Adjustment not)
resulting in a new parcel, which qualifies as a Class 5)
Categorical Exemption per California Environmental)
Quality Act (CEQA) Guidelines California Code of)
Regulations (CCR) Section 15305(a), and there are no)
exceptions pursuant to CEQA Guidelines CCR Section)
15300.2;)
- b. Approving a Lot Line Adjustment between two (2))
existing legal lots of record (under Williamson Act)
Agricultural Preserve and Land Conservation Contract)
(LCC) No. 69-23 established pursuant to Board)
Resolution No. 69-35-23, Document No. G 05477,)
recorded at Reel 595, Page 616 (between the County and)
Jack Copley) and LCC No. 69-23 established pursuant to)
Board Resolution No. 69-35-23, Document G 05480,)
recorded at Reel 595, Page 638 (between the County and)
J. W. McKinsey and Claribel C. McKinsey) of)
approximately 803.5 acres (Existing Parcel ~~IV~~) and)
1,440.5 acres (Existing Parcel ~~IV~~), resulting in two (2))
legal lots of record of 1,295 acres (Proposed Parcel 1))
and 949 acres (Proposed Parcel 2) with no net decrease)
in acreage under the Williamson Act Contracts;)
- c. Authorizing the Chair to execute a new or amended Land)
Conservation Contract or Contracts in order to rescind a)
portion of the existing Land Conservation Contract as)
applicable to the reconfigured lots only and)
simultaneously execute a new or amended Land)
Conservation Contract or Contracts for the reconfigured)
lots between the County and the property owners)
reflecting the new legal description, current ownership)
interests and to incorporate any legislative changes to)
State Williamson Act provisions and current County)
Agricultural Preserve Policies or Procedures; and)
- d. Directing the Clerk of the Board to record the new or)
amended Land Conservation Contract or Contracts)
subject to the submittal of the appropriate recording fees)
from the property owners of record.)

Wildhorse Canyon Road, Southeast of King City (Central)
Salinas Valley Area Plan))

RECITALS:

WHEREAS, an application was submitted for a Lot Line Adjustment between two (2) legal lots of record involving Existing Parcel II (APN 420-091-015; 420-091-022; and 420-091-023) of ~~803.5~~1,440.5 acres; and Existing Parcel IV (APN 420-091-016; 420-091-017; and 420-091-021) of ~~1,440.5~~803.5 acres, owned by Copley Land Company, hereinafter called “Owner”, and

WHEREAS, the legality of the two (2) legal lots of record are based on a chain of deeds on file with the County Recorder and found in Planning File No. PLN180103 and incorporated herein by this reference; and

WHEREAS, the legal lots of record are under Land Conservation Contracts (LCC) No. 69-23 established pursuant to Board Resolution No. 69-35-23, Document No. G 05477, recorded at Reel 595, Page 616 (between the County and Jack Copley) and LCC No. 69-23 established pursuant to Board Resolution No. 69-35-23, Document G 05480, recorded at Reel 595, Page 638 (between the County and J. W. McKinsey and Claribel C. McKinsey), which encompassed a large land area; and

WHEREAS, the zoning for all parcels is Permanent Grazing, 40 acre minimum (PG/40); and

WHEREAS, the Lot Line Adjustment which will result in two (2) reconfigured parcels consisting of approximately 1,295 acres (Proposed Parcel 1) and 949 acres (Proposed Parcel 2) with no net decrease in acreage under the Williamson Act Contract; and

WHEREAS, The Lot Line Adjustment would align the parcels to run along Wild Horse Canyon Road and; therefore, increase the utility of the grazing land, as each ranch will be defined and fenced on each side of Wild Horse Canyon Road. The grazing operations will continue on the reconfigured parcels.

WHEREAS, the Board of Supervisors finds that the proposed Lot Line Adjustment of property is consistent with policies of the 2010 Monterey County General Plan, the Central Salinas Valley Area Plan, regulations in the Zoning Ordinance (Title 21 of the Monterey County Code) and the Subdivision Ordinance (Title 19 of the Monterey County Code), and Section 51257 of the California Government Code (Williamson Act), and current County Agricultural Preserve Policies or Procedures as evidenced below; and,

WHEREAS, California Government Code Section 51257 requires that certain findings be made by the Board of Supervisors to facilitate Lot Line Adjustments of land under Williamson Act Contract; and

WHEREAS, the Board of Supervisors further finds that the request for a Lot Line Adjustment is consistent with California Government Code Section 51257 (Williamson Act); and

WHEREAS, the Board of Supervisors further finds that the request for a Lot Line Adjustment is consistent with Board Resolution No. 00-462 (Resolution relating to the processing of Lot Line Adjustment affecting property under Agricultural Preserve Contract pursuant to the Williamson Act); and

WHEREAS, the Board of Supervisors, having considered the application and the evidence related thereto, finds and declares that:

1. FINDING: CONSISTENCY – The project, as described in Condition No. 1 and as conditioned, conforms to the policies, requirements, and standards of the 2010 Monterey County General Plan, Central Salinas Valley Area Plan, the Monterey County Zoning Ordinance (Title 21), the Monterey County Subdivision Ordinance (Title 19 - Inland Subdivision Ordinance), and Section 51257 of the California Government Code (Williamson Act).

EVIDENCE: (a) The text, policies, and regulations in the above referenced documents have been evaluated during the course of review of this application. No conflicts between these documents and this application were found to exist. No communications were received during the course of review of the project indicating any project inconsistencies with the text, policies, and regulations in these documents.

(b) The subject parcels are located on Wildhorse Canyon Road, Southeast of King City in unincorporated County of Monterey. The two (2) parcel's current configuration consists of approximately ~~803.5~~1,440.5 acres (APNs 420-091-015; 420-091-022; and 420-091-023-Existing Parcel II) and ~~1,440.5~~803.5 acres (APNs 420-091-016; 420-091-017; and 420-091-021-Existing Parcel IV). The project will result in two (2) reconfigured parcels of 1,295 acres (Proposed Parcel 1) and 949 acres (Proposed Parcel 2). Both parcels have a grazing operation and are under Williamson Act Agricultural Preserve Land Conservation Contract No. 69-23 established pursuant to Board Resolution No. 69-35-23, Document No. G 05477, recorded at Reel 595, Page 616 (between the County and Jack Copley) and LCC No. 69-23 established pursuant to Board Resolution No. 69-35-23, Document G 05480, recorded at Reel 595, Page 638 (between the County and J. W. McKinsey and Claribel C. McKinsey). The zoning designation for both parcels is Permanent Grazing, 40-acre minimum lot size PG/40.

(c) The property owners have requested this lot line adjustment in order to align the parcels to run along Wild Horse Canyon Road and; therefore, increase the utility of the grazing land, as each ranch will be defined and fenced on each side of Wildhorse Canyon Road, and to better continue the grazing operations on the reconfigured parcels.

(d) The reconfigured parcels would continue to meet the minimum parcel size requirement of 40 acres per the PG/40 zoning designation.

(e) Both properties are under Land Conservation Contracts (LCC) No. 69-23 established pursuant to Board Resolution No. 69-35-23, Document No. G 05477, recorded at Reel 595, Page 616 (between the County and Jack Copley) and LCC No. 69-23 established pursuant to Board Resolution No. 69-35-23, Document G 05480, recorded at Reel 595, Page 638 (between the County and J. W. McKinsey and Claribel C. McKinsey).

(f) The proposed lot line adjustment would promote appropriate and orderly growth and development while protecting desirable land uses, in this case agricultural land uses. The proposed lot line adjustment would: produce a superior lot configuration; promote resource conservation as agricultural is a resource in this County; better achieve the goals, policies, and objectives of the General Plan; and, facilitate routine and ongoing agricultural activities.

(g)The application, plans, and related support materials found in Planning File No. PLN180103.

2. **FINDING: SITE SUITABILITY** – The site is physically suitable for the use proposed.
- EVIDENCE:**(a) The project has been reviewed for site suitability by the following departments and agencies: RMA - Planning Division, South County Fire Protection District, RMA-Public Works, RMA- Environmental Services and Environmental Health Bureau. There has been no indication from these departments/agencies that the site is not suitable for the proposed Lot Line Adjustment. Conditions have been incorporated accordingly.
- (b) The application, plans, and related support materials found in Planning File No. PLN180103.
- (c) The Lot Line Adjustment would not result in any new developable parcels or an adjusted lot that is inconsistent with the general plan or with the subject Agricultural Preserve LCC No. 69-23 established pursuant to Board Resolution No. 69-35-23, Document No. G 05477, recorded at Reel 595, Page 616 (between the County and Jack Copley) and LCC No. 69-23 established pursuant to Board Resolution No. 69-35-23, Document G 05480, recorded at Reel 595, Page 638 (between the County and J. W. McKinsey and Claribel C. McKinsey).
3. **FINDING: CONFORMANCE WITH SUBDIVISION ORDINANCE AND PARCEL LEGALITY DETERMINATION** - Pursuant to Section 19.09.025.B.1 of the Monterey County Subdivision Ordinance (Title 19), the Lot Line Adjustment is between two (2) or more existing adjacent lots.
- EVIDENCE:** (a) The subject Lot Line Adjustment is between two (2) existing adjacent parcels.
- (b) The application, plans, and related support materials can be found in Planning File No. PLN180103.
4. **FINDING: NO NEW LOTS CREATED** – Pursuant to the Monterey County Code (MCC) Section 19.09.025.B.2 (Title 19 – Subdivision Ordinance), a greater number of parcels or lots than originally existed will not be created as a result of the Lot Line Adjustment.
- EVIDENCE:**(a) The existing two (2) contiguous parcels of record will be adjusted, resulting in two (2) parcels. The proposed Lot Line Adjustment would not result in more developable parcels and would not compromise the long-term agricultural productivity of the existing grazing operation. Furthermore, no agriculture will be taken out of production.
- (b) The application, plans, and related support materials found in Planning File No. PLN180103.
5. **FINDING: CONTIGUOUS LOTS OF RECORD** – Pursuant to MCC Section 19.09.025.B.3 (Title 19 – Subdivision Ordinance), the parcels resulting from the Lot Line Adjustment conform to the County Zoning and Building Ordinances and are contiguous parcels.
- EVIDENCE:** (a) The application and plans for a Lot Line Adjustment found in Planning File No. PLN180103.
- (b) See evidence in Finding 1, above.
6. **FINDING: California Environmental Quality Act (CEQA)** – The project is categorically exempt from environmental review.
- EVIDENCE:**(a) Guidelines for CEQA, California Code of Regulations, Title 14, Chapter 3, Section 15305(a) categorically exempts Lot Line Adjustments, side yard,

and setback variances in areas with an average natural slope of less than 20% not resulting in the creation of any new parcel.

- (b) Section 15317 of the CEQA Guidelines categorically exempts the establishment of agricultural preserves, the making and renewing of Open Space Contracts under the Williamson Act, or the acceptance of easements or fee interests in order to maintain the open space character of the area.
- (c) Based on a review of the project plans, approval of the project would not result in any potentially adverse impacts. No additional development is proposed with this project.
- (d) See preceding findings and related evidence.

7. **FINDING: PUBLIC NOTICE** - Public notice of the pending Lot Line Adjustment was provided pursuant to MCC Section 19.01.055, (Title 19 - Subdivisions).

EVIDENCE: Materials in Planning File No. PLN180103.

8. **FINDING: NO VIOLATIONS** - The subject property is in compliance with all rules and regulations pertaining to zoning uses, subdivision, and any other applicable provisions of the County's Zoning Ordinance (Title 21). No violations exist on the property.

EVIDENCE: Staff has reviewed Monterey County RMA - Planning Division and Building Services Division records and is not aware of any violations existing on the subject property.

9. **FINDING: HEALTH AND SAFETY** - The establishment, maintenance, or operation of the project 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 of such proposed use, or be detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the County.

EVIDENCE: See preceding findings #1, #2, #3, #4 and #5 and supporting evidence.

10. **FINDING: WILLIAMSON ACT – CONTRACTS** – Pursuant to California Government Code Section 51257(a)(1), the new or amended Contract or Contracts would enforceably restrict the adjusted boundaries of the parcel for an initial term for at least as long as the unexpired term of the rescinded Contract or Contracts, but for not less than ten (10) years.

EVIDENCE: (a) The proposed amendment or amendments to Agricultural Preserve LCC No. 69-23 (initially established between the County and Copley and between the County and McKinsey) shall be applicable to the reconfigured parcels.

(b) The terms of the original Land Conservation Contracts renew annually on each succeeding January 1; the terms of the new or amended Contract or Contracts shall be automatically renewed on January 1 and one (1) additional year shall be added automatically to the initial terms unless notice of nonrenewal is given.

11. **FINDING: WILLIAMSON ACT – NO NET ACREAGE DECREASE** - Pursuant to California Government Code Section 51257(a)(2), there is no net decrease in the amount of the acreage restricted.

EVIDENCE: (a) The Lot Line Adjustment will reconfigure the lots but will not result in a net loss of acreage currently under Contract. Therefore, the Lot Line

Adjustment would not result in a net decrease in the amount of the acreage restricted.

- (b) A condition of approval shall require that a surveyor prepare legal descriptions for each newly configured parcel and submit them to RMA-Planning for review and approval for recordation with the Monterey County Recorder's office as attachments to the Certificates of Compliance for the reconfigured parcels.
- (c) The application, plans, and related support materials found in Planning File No. PLN180103.

12. FINDING: WILLIAMSON ACT – NEW CONTRACTS - Pursuant to California Government Code Section 51257(a)(3), at least 90 percent of the land under the former Contract or Contracts remains under the new or amended Contract or Contracts.

- EVIDENCE:**
- (a) The proposed new or amended Contract or Contracts will continue to cover at least 90 percent of the subject lots under Land Conservation Land Conservation Contracts (LCC) No. 69-23 established pursuant to Board Resolution No. 69-35-23, Document No. G 05477, recorded at Reel 595, Page 616 (between the County and Jack Copley) and LCC No. 69-23 established pursuant to Board Resolution No. 69-35-23, Document G 05480, recorded at Reel 595, Page 638 (between the County and J. W. McKinsey and Claribel C. McKinsey).
 - (b) The application and plans for a Lot Line Adjustment found in Planning File No. PLN180103.

13. FINDING: WILLIAMSON ACT – SUSTAIN AGRICULTURAL USE - Pursuant to California Government Code Section 51257(a)(4), after the Lot Line Adjustment, the parcels of land subject to Contract will be large enough to sustain their agricultural use, as defined in Section 51222.

- EVIDENCE:**
- (a) The proposed Lot Line Adjustment shall reflect the redistribution of 306.93 acres of land under a Williamson Act Land Conservation Contract.
 - (b) Pursuant to California Government Code Section 51222 (Williamson Act), "agricultural land shall be presumed to be in parcels large enough to sustain their agricultural use if the land is (1) at least 10 acres in size in the case of prime agricultural land, or (2) at least 40 acres in size in the case of land which is not prime agricultural land." The total acreage involved in the subject Lot Line Adjustment is 2,244 acres in total and 2,244 acres of this sum is currently under a Contract.
 - (c) County of Monterey Board of Supervisors Resolution No. 01-485 requires that agricultural preserves will not be considered unless the group of contiguous parcels included in the preserve contains 100 or more acres, or 40 or more acres if the Board finds that smaller preserves are necessary due to the unique characteristics of the agricultural enterprises in the area. The subject Lot Line Adjustment will retain all of the 2,244 acres in commercial agricultural production within Agricultural Preserve No. 69-23 under LCC No. 69-23 established pursuant to Board Resolution No. 69-35-23, Document No. G 05477, recorded at Reel 595, Page 616 (between the County and Jack Copley) and LCC No. 69-23 established pursuant to Board Resolution No. 69-35-23, Document G 05480, recorded at Reel 595, Page 638 (between the County and J. W. McKinsey and Claribel C. McKinsey).

(d) The application plans, and related support materials found in Planning File No. PLN180103.

14. FINDING: WILLIAMSON ACT – LONG-TERM AGRICULTURAL PRODUCTIVITY - Pursuant to California Government Code Section 51257(a)(5), the Lot Line Adjustment would not compromise the long-term agricultural productivity of the parcel or other agricultural lands subject to a Contract or Contracts.

EVIDENCE: (a) The purpose of the Lot Line Adjustment is for estate planning reasons. The Lot Line Adjustment will align the parcels to run along Wild Horse Canyon Road and; therefore, increase the utility of the grazing land, as each ranch will be defined and fenced on each side of Wild Horse Canyon Road. The grazing operations will continue on the reconfigured parcels. The resultant parcels would allow the property owners to efficiently sustain their agricultural operation.

(b) The application plans, and related support materials found in Planning File No. PLN180103.

15. FINDING: WILLIAMSON ACT – ADJACENT AGRICULTURAL LAND USE - Pursuant to California Government Code Section 51257(a)(6), the Lot Line Adjustment is not likely to result in the removal of adjacent land from agricultural use.

EVIDENCE: (a) The subject parcels and surrounding area are designated as Permanent Grazing – 40 acre minimum Zoning District (“PG/40”). The Lot Line Adjustment will not affect current agricultural operations on the subject properties and on adjacent properties. No physical development is proposed. The adjustment would not allow any uses that could not also occur under the current configuration.

(b) The application and plans for a Lot Line Adjustment found in Planning File No. PLN180103.

16. FINDING: WILLIAMSON ACT – NO NEW DEVELOPABLE PARCELS - Pursuant to California Government Code Section 51257(a)(7), the Lot Line Adjustment does not result in a greater number of developable parcels than existed prior to the adjustment, or an adjusted lot that is inconsistent with the general plan.

EVIDENCE: (a) The two (2) reconfigured lots do not result in a greater number of developable parcels than existed prior to the adjustment. See Finding 4.

(b) The application, plans, and related support materials found in Planning File No. PLN180103.

NOW THEREFORE, BE IT RESOLVED that the Board of Supervisors hereby:

- a. Finds that the project is a Lot Line Adjustment not resulting in a new parcel, which qualifies as a Class 5 Categorical Exemption per California Environmental Quality Act (CEQA) Guidelines California Code of Regulations (CCR) Section 15305(a), and there are no exceptions pursuant to CEQA Guidelines CCR Section 15300.2;
- b. Approves a Lot Line Adjustment between two (2) existing legal lots of record (under Williamson Act Agricultural Preserve No. 69-23 under LCC No. 69-23 established pursuant to Board Resolution No. 69-35-23, Document No. G 05477, recorded at Reel

595, Page 616 (between the County and Jack Copley) and LCC No. 69-23 established pursuant to Board Resolution No. 69-35-23, Document G 05480, recorded at Reel 595, Page 638 (between the County and J. W. McKinsey and Claribel C. McKinsey) of approximately 803.5 acres (Existing Parcel ~~IV~~) and 1,440.5 acres (Existing Parcel ~~IV~~), resulting in two (2) legal lots of record of 1,295 acres (Proposed Parcel 1) and 949 acres (Proposed Parcel 2) with no net decrease in acreage under the Williamson Act Contracts;

- c. Authorizes the Chair to execute a new or amended Land Conservation Contract or Contracts in order to rescind a portion of the existing Land Conservation Contracts as applicable to the reconfigured lots only and simultaneously execute a new or amended Land Conservation Contract or Contracts for the reconfigured lots between the County and the property owners reflecting the new legal description, current ownership interests and to incorporate any legislative changes to State Williamson Act provisions and current County Agricultural Preserve Policies or Procedures; and
- d. Directs the Clerk of the Board to record the new or amended Land Conservation Contract or Contracts subject to the submittal of the appropriate recording fees from the property owners of record.

In general conformance with the attached sketch and plans, and subject to the attached conditions all being attached hereto and incorporated herein by this reference.

PASSED AND ADOPTED this 17th day of September 2019, upon motion of Supervisor _____, seconded by Supervisor _____, by the following vote, to-wit:

AYES:
NOES:
ABSENT:

I, Valerie Ralph, Clerk of the Board of Supervisors of the County of Monterey, State of California, hereby certify that the foregoing is a true copy of an original order of said Board of Supervisors duly made and entered in the minutes thereof of Minute Book___ for the meeting on _____.

Dated:

Valerie Ralph, Clerk of the Board of Supervisors
County of Monterey, State of California

By _____
Deputy

Monterey County RMA Planning

DRAFT Conditions of Approval/Implementation Plan/Mitigation Monitoring and Reporting Plan

PLN180103

1. PD001 - SPECIFIC USES ONLY

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: This lot line adjustment permit (PLN180103) allows a lot line adjustment between two (2) existing legal lots of record (under Williamson Act Agricultural Preserve Land Conservation Contract Nos. 69-23 (Copley and McKinsey) of approximately 803.5 acres (Existing Parcel IV) and 1,440.5 acres (Existing Parcel II), resulting in two (2) legal lots of record of 1,295 acres (Proposed Parcel 1) and 949 acres (Proposed Parcel 2) with no net decrease in acreage under the Williamson Act Contract; The property is located on Wildhorse Canyon Road, Southeast of King City (Assessor's Parcel Numbers: Existing Parcel II: 420-091-015; 420-091-022; and 420-091-023; Existing Parcel IV: 420-091-016; 420-091-017; and 420-091-021, Central Salinas Valley Area Plan. This permit was approved in accordance with County ordinances and land use regulations subject to the terms and conditions described in the project file. Neither the uses 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 RMA - Planning. 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. To the extent that the County has delegated any condition compliance or mitigation monitoring to the Monterey County Water Resources Agency, the Water Resources Agency shall provide all information requested by the County and the County shall bear ultimate responsibility to ensure that conditions and mitigation measures are properly fulfilled. (RMA - Planning)

Compliance or Monitoring Action to be Performed: The Owner/Applicant shall adhere to conditions and uses specified in the permit on an ongoing basis unless otherwise stated.

2. PD002 - NOTICE PERMIT APPROVAL

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: The applicant shall record a Permit Approval Notice. This notice shall state:
"A lot line adjustment (Resolution Number ***) was approved by the Monterey County Board of Supervisors for Assessor's Parcel Numbers 420-091-015; 420-091-022; and 420-091-023 (Existing Parcel II) and 420-091-016; 420-091-017; and 420-091-021 (Existing Parcel IV) on September 17, 2019. The permit was granted subject to 6 conditions of approval which run with the land. A copy of the permit is on file with Monterey County RMA - Planning."

Proof of recordation of this notice shall be furnished to the Director of RMA - Planning prior to issuance of grading and building permits, Certificates of Compliance, or commencement of use, whichever occurs first and as applicable. (RMA - Planning)

Compliance or Monitoring Action to be Performed: Prior to the issuance of grading and building permits, certificates of compliance, or commencement of use, whichever occurs first and as applicable, the Owner/Applicant shall provide proof of recordation of this notice to the RMA - Planning.

3. CC01 INDEMNIFICATION AGREEMENT

Responsible Department: County Counsel-Risk Management

Condition/Mitigation Monitoring Measure: The property owner agrees as a condition and in consideration of approval of this discretionary development permit that it will, pursuant to agreement and/or statutory provisions as applicable, including but not limited to Government Code Section 66474.9, defend, indemnify and hold harmless the County of Monterey or its agents, officers and employees from any claim, action or proceeding against the County or its agents, officers or employees to attack, set aside, void or annul this approval, which action is brought within the time period provided for under law, including but not limited to, Government Code Section 66499.37, as applicable. 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. The County may, at its sole discretion, participate in the defense of such action; but such participation shall not relieve applicant of his/her/its obligations under this condition. An agreement to this effect shall be recorded upon demand of Office of the County Counsel-Risk Management or concurrent with the issuance of building permits, use of property, filing of the final map, recordation of the certificates of compliance whichever occurs first and as applicable. The County shall promptly notify the property owner of any such claim, action or proceeding and the County shall cooperate fully in the defense thereof. If the County fails to promptly notify the property owner of any such claim, action or proceeding or fails to cooperate fully in the defense thereof, the property owner shall not thereafter be responsible to defend, indemnify or hold the County harmless. (Office of the County Counsel-Risk Management)

Compliance or Monitoring Action to be Performed: Upon demand of Office of the County Counsel-Risk Management or concurrent with the issuance of building permits, use of the property, recording of the final/parcel map, or recordation of Certificates of Compliance, whichever occurs first and as applicable, the Owner/Applicant shall submit a signed and notarized Indemnification Agreement to the Office of the County Counsel-Risk Management for review and signature by the County.

Proof of recordation of the Indemnification Agreement, as outlined, shall be submitted to the Office of the County Counsel-Risk Management

4. PD006(A) - CONDITION COMPLIANCE FEE

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: The Owner/Applicant shall pay the Condition Compliance fee, as set forth in the fee schedule adopted by the Board of Supervisors, for the staff time required to satisfy conditions of approval. The fee in effect at the time of payment shall be paid prior to clearing any conditions of approval.

Compliance or Monitoring Action to be Performed: Prior to clearance of conditions, the Owner/Applicant shall pay the Condition Compliance fee, as set forth in the fee schedule adopted by the Board of Supervisors.

5. PD037 - WILLIAMSON ACT

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: The property owner shall enter into a new or amended Agricultural Preserve Land Conservation Contract or Contracts with the Board of Supervisors of the County of Monterey for the Lot Line Adjustment of Williamson Act lands deemed necessary by the Office of the County Counsel. (RMA - Planning)

Compliance or Monitoring Action to be Performed: Upon demand of County Counsel, the property owners of record shall execute a new or amended contract or contracts to be prepared by the Office of the County Counsel, which shall be recorded after the recordation of the Certificates of Compliance and subject to the submittal of the appropriate recording fees by the property owners of record.

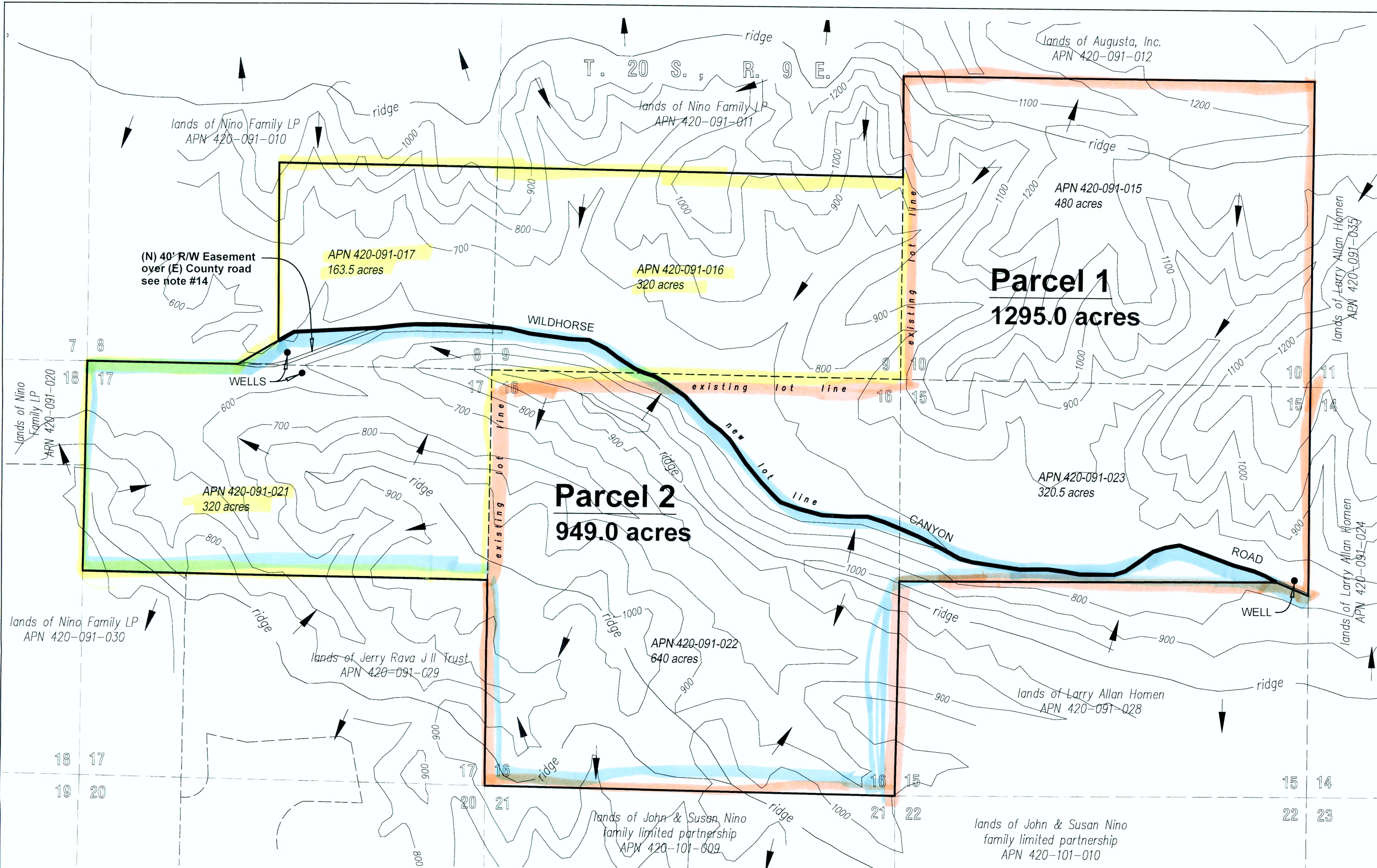
6. PD045 - COC (LOT LINE ADJUSTMENTS)

Responsible Department: RMA-Planning

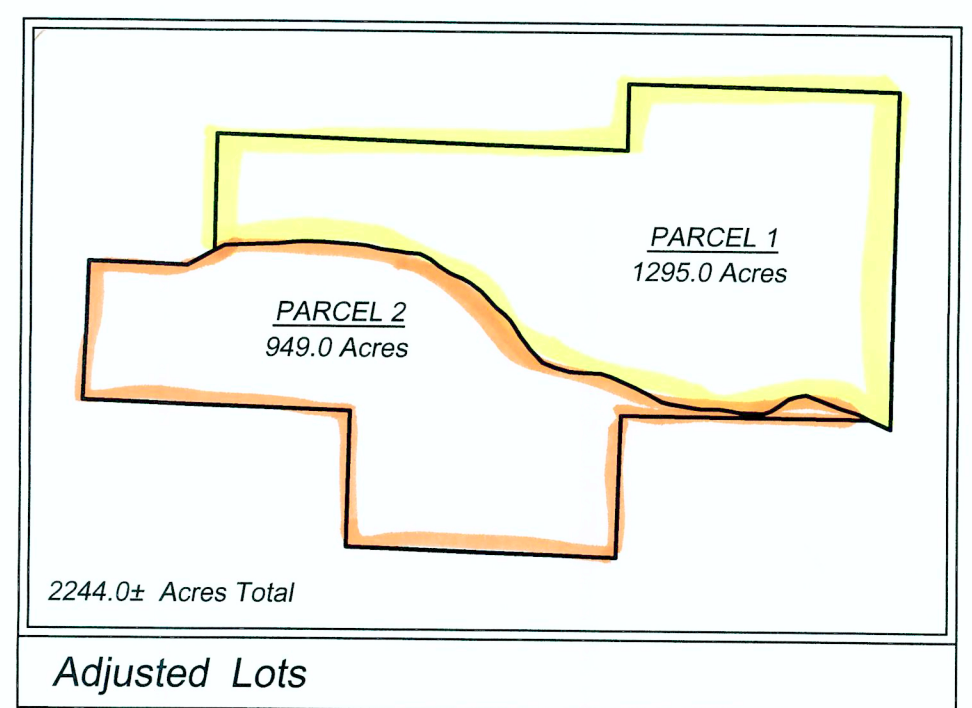
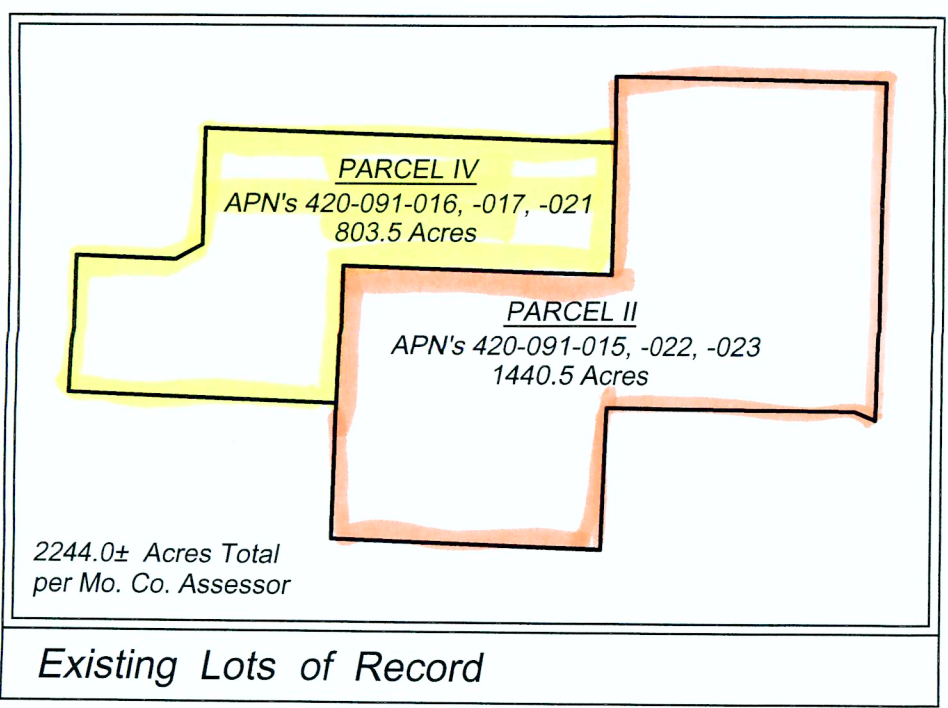
Condition/Mitigation Monitoring Measure: The applicant shall request unconditional Certificates of Compliance for the newly configured parcels. (RMA - Planning)

Compliance or Monitoring Action to be Performed: Prior to the expiration of the entitlement, the Owner/Applicant/Surveyor shall prepare legal descriptions for each newly configured parcel and submit them to RMA-Planning for review and approval. The legal descriptions shall be entitled "Exhibit A." The legal description shall comply with the Monterey County Recorder's guidelines as to form and content. The Applicant shall submit the legal descriptions with a check, payable to the Monterey County Recorder, for the appropriate fees to record the Certificates of Compliance.

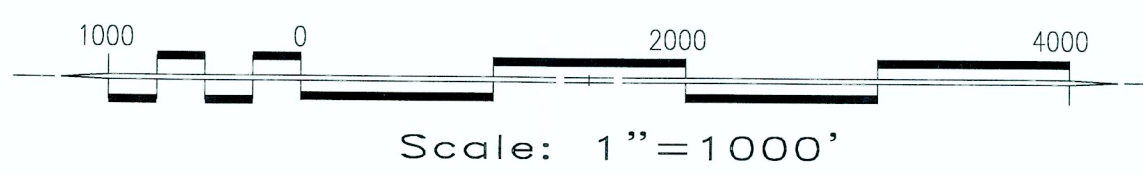
Prior to the expiration of the entitlement and after the Certificates are recorded, the Owner/Applicant shall file a request and pay the fees for separate assessments or combination assessments (for lot mergers) with the Assessor's Office.



- NOTES:**
- THIS APPLICATION WILL ADJUST THE LOT LINE BETWEEN PARCEL II AND PARCEL IV DESCRIBED IN DOC. 2014021195 FROM THE CURRENT POSITION AND CREATE ONE PARCEL NORTH OF WILDHORSE ROAD AND ONE PARCEL SOUTH OF WILDHORSE ROAD.
 - ALL AREAS ARE APPROXIMATE ONLY, AND WILL BE REVISED UPON COMPLETION OF A BOUNDARY SURVEY.
 - DISTANCES AND DIMENSIONS SHOWN ARE EXPRESSED IN FEET AND DECIMALS THEREOF.
 - DATUM IS NGVD 1929, SOURCED FROM USGS 7.5' QUADRANGLE SHEETS SAN LUCAS AND MATTRAS VALLEY, CA. CONTOUR INTERVAL IS 100 FOOT.
 - THIS PROPERTY MAY BE SUBJECT TO EASEMENTS OF RECORD NOT SHOWN UPON THIS MAP. THE OWNER SHALL BE RESPONSIBLE FOR FURNISHING A TITLE REPORT TO DISCLOSE SUCH EASEMENTS WHICH MAY OR MAY NOT EXIST, AND MONTEREY COUNTY SURVEYORS, INC. SHALL BEAR NO RESPONSIBILITY FOR NON DISCLOSURE OF SAID EASEMENT(S), THEIR EXISTENCE OR LOCATION.
 - BOUNDARY LOCATION IS BASED UPON RECORD DATA. NO BOUNDARY SURVEY HAS BEEN COMPLETED.
 - EXISTING LAND USE IS GRAZING; NO CHANGE TO THE LAND USE IS PROPOSED.
 - NO CHANGE TO EXISTING SURFACE DRAINAGE, UTILITY SERVICES, OR WASTEWATER DISPOSAL IS PROPOSED WITH THIS APPLICATION.
 - OWNERSHIP INTEREST OF THE PARCELS IN QUESTION ARE AS INDICATED IN THE TABLE BELOW. NO CHANGE IN SAID INTERESTS IS PROPOSED.
 - SEWAGE DISPOSAL BY EXISTING SEPTIC TANK/LEACH FIELD SYSTEM. NO CHANGE IS PROPOSED.
 - WATER SUPPLY BY EXISTING WELLS, LOCATION AS SHOWN HEREON. NO CHANGE IS PROPOSED.
 - NO CHANGE TO THE EXISTING DRAINAGE PATTERN IS PROPOSED.
 - ELECTRIC SERVICE IS BY PG&E, VIA EXISTING POWER POLES ALIGNED ADJACENT TO WILDHORSE CANYON ROAD. NO CHANGE IS PROPOSED.
 - WILDHORSE CANYON ROAD WAS ACCEPTED BY MONTEREY COUNTY ON BEHALF OF THE PUBLIC BY VIEWERS REPORT. THIS APPLICATION INCLUDES AN OFFER OF EASEMENT RIGHT TO A 40 FOOT WIDE STRIP OF LAND CENTERED UPON THE ADJUSTED LOT LINE ALONG THE CENTER OF THE CURRENTLY TRAVELLED ROAD.



Owners Data	
APNs 420-091-015/016/017, 021/022/023	
EDWIN H. COPLEY TRUST Edwin H. Copley, Trustee	
IRVING J. COPLEY & PATRICIA A. COPLEY REVOCABLE LIVING TRUST Janet B. McConnel, Trustee	
c/o Timothy J. Baldwin, Esq. Noland, Hamerly, Etienne & Hoss 333 Salinas Street, Salinas, CA. 93901 ph. 831.424.1414	



MCS inc MONTEREY COUNTY SURVEYORS, INC.
 235 Salinas Street, Salinas, CA 93901 831.424.1984(v)
 831.424.4099(f) email: MCS@montereycountysurveyors.com

Lot Line Adjustment
 Adjusting the line between Parcels II and IV of the lands of the Copley Revocable Trust, described in Corrective Quitclaim Deed recorded as Doc. No. 2014021195, situate in Sections 8-10 & Sections 15-17 of Township 20 South, Range 9 East, MDB&M, Monterey County, California.

MADE FOR: **Edwin H. Copley Revocable Trust**

SCALE: 1"=1000' JOB NO. 2017085 DATE: FEBRUARY 2019

Serving Monterey County since 1937 SHEET 1 OF 1

2017.085 LLA

FEB 22 2019
 MONTEREY COUNTY
 COUNTY CLERK

PUN/201903