

Stephen L. Vagnini  
Monterey County Recorder  
Recorded at the request of  
**Chicago Title**

RANJELIQUE  
5/26/2010  
13:35:29

WHEN RECORDED MAIL TO:

Robert Rivas, Senior Board Clerk

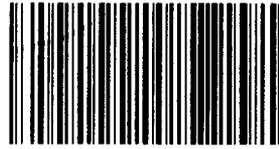
Office of the Clerk to the Board

168 W. Alisal Street, 1<sup>st</sup> Floor

Salinas, CA 93901

DOCUMENT: **2010029476**

Titles: 1/ Pages: 42



Fees . . .

Taxes . . .

Other . . .

AMT PAID \_\_\_\_\_

THIS SPACE FOR RECORDER'S USE ONLY

**Conservation and Scenic Easement Deed  
(Saddle Road Group, LLC)**

When recorded return to:  
MONTEREY COUNTY RESOURCE  
MANAGEMENT AGENCY  
PLANNING DEPARTMENT  
168 West Alisal St 2<sup>nd</sup> Floor  
Salinas, CA 93901  
(831) 755-5025

Space above for Recorder's Use

Permit No.: PLN050469  
Resolution No.: 08014  
Owner Name: SADDLE ROAD GROUP LLC  
Project Planner: MACK, DAVID  
APN: 416-122-020-000

The Undersigned Grantor(s) Declare(s):  
DOCUMENTARY TRANSFER TAX OF \$ 0  
[ ] computed on the consideration or full value of  
property conveyed, OR  
[ ] computed on the consideration or full value less  
value of liens and/or encumbrances remaining at  
time of sale,  
[ ] unincorporated area; and  
[X] Exempt from transfer tax,  
Reason: Governmental Entity



Signature of Declarant or Agent

## CONSERVATION AND SCENIC EASEMENT DEED (INLAND)

THIS DEED made this 5 day of April, 2010, by and between  
SADDLE ROAD GROUP, LLC (a California limited liability company), as **Grantor**, and  
the COUNTY OF MONTEREY, a political subdivision of the State of California, as  
**Grantee**,

### WITNESSETH:

**WHEREAS**, said Grantor is the owner in fee of the real property more particularly  
described in Exhibit "A" attached hereto and made a part hereof, situated in Monterey  
County, California (hereinafter "**the property**"); 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**, a discretionary development permit (Permit No. PLN050469) was granted on June 12, 2008, by the Monterey County Minor Subdivision Committee pursuant to the Findings, Evidence and Conditions contained in Resolution No. 08014, attached hereto as Exhibit "B" and hereby incorporated by reference, subject to the following condition(s):

**Mitigation Measure No.1:** In order to minimize impacts to visual and biological resources, a conservation and scenic easement shall be conveyed to the County over those portions of the property, containing Oak Woodland habitats and areas where slopes exceed 30 percent.

**WHEREAS**, the County, acting on behalf of the People of the State of California and in accordance with the Findings, Evidence and Conditions contained in Resolution No. 08014 attached hereto as Exhibit "B" and hereby incorporated by reference, granted the discretionary development permit to the Grantor upon condition (hereinafter the "**Condition**") requiring inter alia, that the Grantor record a conservation and scenic easement over the property as shown 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 natural resources and public access to those resources which could occur if the property were not restricted in accordance with this easement; 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

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.
2. That no advertising of any kind or nature shall be located on or within said property.
3. That the Grantor shall not plant nor permit to be planted any vegetation upon said premises.
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 maintain all existing private roads, bridges, trails and structures upon said land.
2. The use and occupancy of said land not inconsistent with the conditions and restrictions herein imposed.

D. 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.

E. 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 document 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.

F. 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 reasonably acceptable to the Grantor.

G. 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.

H. 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.

I. 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, the property is not "property of a public entity" or "public property," and Grantee's rights herein do not include the right to enter the land for the purposes of correcting any "dangerous condition" as those terms are defined by California Government Code Section 830.

J. 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.

K. 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 5 day of April, 10, at SALINAS, California.

Signed: Nader Daliri

Nader Daliri, Saddle Road Group LLC, Executive Manager

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und

und  
und  
und  
und

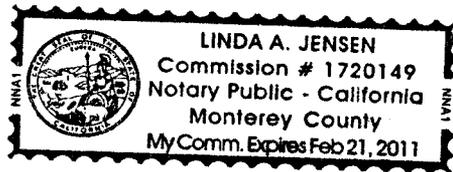
STATE OF CALIFORNIA )  
 ) SS.  
COUNTY OF MONTEREY )

On April 5, 2010 before me, Linda A. Jensen, a Notary Public, personally appeared Nader Daliri, who 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.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature Linda A. Jensen

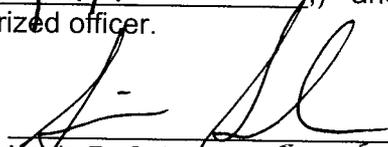


(Seal)

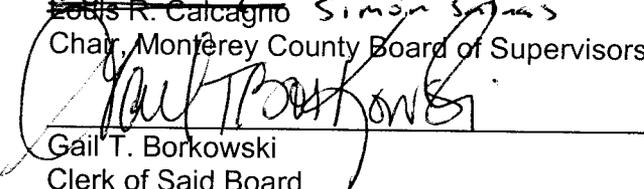
ACCEPTATION

This is to certify that the interest in real property conveyed by the deed or grant dated April 5, 2010 from **Saddle Road Group LLC** to the **County of Monterey**, a political corporation and/or governmental agency is hereby accepted by order of the Board of Supervisors on May 11, 2010, (or by the undersigned officer or agent on behalf of the County of Monterey pursuant to authority conferred by resolution of the Board of Supervisors adopted on May 11, 2010) and the grantee consents to recordation thereof by its duly authorized officer.

DATED: 5-13-10

  
Louis R. Calcagno *Simon Simon*  
Chair, Monterey County Board of Supervisors

ATTEST:  
DATED: 5-13-10

  
Gail T. Borkowski  
Clerk of Said Board

Document Form/Content Acceptable:

Charles J. McKee, County Counsel

By: Cynthia L. Hason  
Type/Print Name: Cynthia L. Hason  
Deputy County Counsel

DATED: 4-22-10

RMA: Planning Department

By: Mike Novo  
Type/Print Name: Mike Novo, Director

DATED: 4/23/10

**LEGAL DESCRIPTION**

**EXHIBIT "A"**

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE UNINCORPORATED AREA, COUNTY OF MONTEREY, STATE OF CALIFORNIA, AND IS DESCRIBED AS FOLLOWS:

Certain real property situate in Section 9, Township 16 South, Range 2 East, Mount Diablo Base and Meridian in County of Monterey, State of California, particularly described as follows:

Beginning at the point of intersection of the South boundary of that certain 1200.020 acre parcel with the Northeastern line of Saddle Road, as said boundary and parcel are described in Deed from Utah Construction and Mining Company to Hidden Hills Land Company, dated December 20, 1966 and recorded January 25, 1967 in Reel 491, at Page 279, Official Records of Monterey County, California, also said line and road are shown on that certain Map entitled, "Tract No. 554, Hidden Hills No. 3", filed for record August 17, 1967 in Volume 9 of Cities and Towns, at Page 31, Records of Monterey County, California; thence, from said point of beginning, along said boundary,

- (1) S. 89° 18' 17" W., 412.25 feet to the Southeast corner of a parcel of land described in a Deed from A.A. Maida to Jairo Mejia and Geraldine R. Mejia recorded December 7, 1979 in Reel 1377 Page 80, Official Records of Monterey County, thence along the East line of said parcel,
- (2) N. 00° 45' 10" W., 238.41 feet; thence
- (3) N. 73° 00' 00" 113.97 feet; thence
- (4) N. 2° 37' 08" W., 330 feet; thence
- (5) N. 45° 00' 00" W., 174.94 feet to the Eastern line of Parcel II as shown in Volume 9 of Parcel Maps, Page 30, thence following said line of Parcel II,
- (6) N. 33° 55' 00" E., 443.07 feet; thence
- (7) N. 85° 36' 45" E., 259.13 feet to a point on the Southwestern line of Parcel D, as shown in Volume 10 of Surveys, Page 88; thence following the Southwestern line of Parcel D,
- (8) S. 54° 41' 26" E., 164.77 feet thence following the Southwestern line of said Parcel D,
- (9) S. 1° 23' 00" E., 359.84 feet; thence
- (10) S. 41° 59' 25" E., 351.40 feet; thence
- (11) S. 81° 34' 05" E., 440.63 feet to the Southeast corner of Parcel D, this is also a point on the Western line of Los Laureles Grade Road, thence leaving the line of Parcel D and following the Western line of Los Laureles Grade Road,
- (12) S. 2° 07' 30" W., 355 feet to a point on the North line of Lot 5, Block 1, as shown on Map entitled, Tract No. 554 Hidden Hills No. 3 filed for record August 17, 1967 in Volume 9 of Cities and Towns, at Page 31, Records of Monterey County, also being a point on the South section line of Section 9 T. 16 R. 2 E., M. D. B. & M.; thence following said South section line,
- (13) S. 89° 18' 17" W., 670.23 feet to the Northwest corner of Lot II in aforementioned Tract 554; thence
- (14) N. 0° 41' 43" W., 41.85 feet; thence
- (15) S. 88° 58' 15" W., 214.60 feet to a point on the Northeastern line of Saddle Road; thence following said Northeast line of Saddle Road,
- (16) S. 15° 46' 51" E., 8.29 feet; thence
- (17) Southeasterly 35.67 feet along the arc of a non-tangent curve to the left (center bears N. 74° 24' 48" E., 270.00 feet distant), through a central angle of 6° 05' 13" to the point of beginning and being a portion of said

EXHIBIT "A" (continued)

Title No. 08-**52605587Z**-B-RS  
Locate No. CACTI7727-7727-4526-052605587Z

1200.020 acre parcel.

APN: 416-122-020

**STANDARD SUBDIVISION COMMITTEE  
COUNTY OF MONTEREY, STATE OF CALIFORNIA**

RESOLUTION NO. 08014

AP # 416-122-020-000

**FINDINGS AND DECISION**

In the matter of the application of  
**Saddle Road Group LLC (PLN050469)**

for a **Standard Subdivision Tentative Map** in accordance with Chapter 19.03, Title 19 (Subdivision) of the County of Monterey Code, to allow the subdivision of a 20.4 acre lot into four 5.1 acre lots. The property is located at 12173 Saddle Road, (Assessor's Parcel Number 416-122-020-000) between Saddle Road and Laureles Grade, Hidden Hills, Greater Monterey Peninsula Area, and came on regularly for hearing before the Standard Subdivision Committee on June 12, 2008.

Said Standard Subdivision Committee, having considered the application and the evidence presented relating thereto,

**FINDINGS OF FACT**

1. **FINDING: CONSISTENCY** – The subject Minor Subdivision (PLN050469), as described in Condition No. 1 and as conditioned, conforms to the policies, requirements, and standards of the Monterey County General Plan, Greater Monterey Area Plan, Monterey County Non-Coastal Subdivision Ordinance (Title 19), and the Monterey County Zoning Ordinance (Title 21), which designates this area as appropriate for residential development.

- EVIDENCE:**
- (a) The text, policies, and regulations in the above referenced documents have been evaluated during the course of review of applications. No conflicts were found to exist. No communications were received during the course of review of the project indicating any inconsistencies with the text, policies, and regulations in these documents.
  - (b) The project planner conducted several site inspections over the several years that the project proposal has been active to verify that the project on the subject parcel conforms to the plans listed above.
  - (c) The zoning for the subject parcel is "RDR/5.1 VS (20)." Parcels are proposed that meet the 5.1 minimum parcel size and mitigation has been proposed to assure less than significant impacts under the VS Visually Sensitive overlay designation. Furthermore, no residential development is proposed at this time. Future residential developments are subject to project specific review and approval of Administrative Permits from the County of Monterey.
  - (d) The project is consistent with the Lot Design Standards of Section 19.10.030 of the Subdivision Ordinance. Lot size, width, and depths have been met and there are no double frontage lots. To the extent practicable, the sidelines of lots run at right angles (perpendicular) to the streets upon which the lots face. The

**Exhibit B**

property is to be served by on-site wells and individual lots include septic systems

- (e) The project was referred to the Greater Monterey Peninsula Land Use Advisory Committee (LUAC) for review September 21, 2005 and was continued to October 5, 2005. The Land Use Advisory Committee recommended approval of the minor subdivision, 3-0 with 1 absent.
- (f) The application, project plans, and related support materials submitted by the project applicant to the Monterey County Resource Management Agency – Planning Department for the proposed development found in Project File PLN050469.

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 Department, Fire Protection District, Parks Department, Public Works, Environmental Health Division, Water Resources Agency and Housing & Redevelopment. There has been no indication from these departments/agencies that the site is not suitable for the proposed development. Conditions recommended have been incorporated.
  - (b) While there is the potential for seismic hazards, these impacts are considered less than significant as future build-out of the project site would be required to be in conformance with the Uniform Building Code, which contains regulations to protect structures within active or potentially active seismic areas. Further, County Policy requires that a note be placed on the map stating that a project-specific geotechnical analysis has been prepared for the project and that all development be in accordance with the report recommendations. A project-specific Geological Hazards Assessment was prepared by Craig S. Harwood (January 21, 2004) and a Geotechnical and Percolation Investigation with Geoseismic Analysis was conducted by Soil Survey, Inc (February 20, 2004).
  - (c) The subject parcel is located within an area of moderate archaeological sensitivity as identified by the Monterey County Geographic Information System. A Preliminary Archaeological Reconnaissance has been prepared for the project by Archaeological Consulting (September 30, 2003). According to the report, the project area does not contain surface evidence of potentially significant archaeological resources. The project would not affect known historic resources, paleontological resources, unique geologic features, or human remains. An ongoing condition of approval would require that land disturbance activities be halted in the event that cultural resources are found.
  - (d) Development restrictions are currently in place for new developments located within groundwater depleted areas of the Hidden Hills Unit water system, Laguna Seca Subarea and the Carmel Valley Watershed. The Monterey Peninsula Water Management District (MPWMD) has determined that the project

property would not be serviced by any new connections to the Hidden Hills Unit water system, the Laguna Seca Subarea, or the Carmel Valley watershed. Therefore, MPWMD has concluded that the proposed project would not further deplete groundwater supplies within these areas. The existing residence on Lot C currently has water supplied by the California-American Water Company (Cal-Am) through an existing legal water connection. The three remaining lots would be supplied by existing wells, one on each lot. While a small portion of the property is located in the Carmel Valley watershed, the wells that would provide water to those lots are located in the Canyon Del Rey watershed, which has no development restrictions at this time. Further, the hydrogeologic report determined that there is sufficient water supply for the proposed project and future development. As a condition of approval, Environmental Health has required that the three wells on Lots A, B, and D be connected to ensure that a consistent and sufficient water supply is available for future build-out. Additionally, the connection of the wells will facilitate treatment measures required by Monterey County. Based upon these standard requirements for the well connection and treatment, water supply and quality impacts would be maintained at a less than significant level.

- (e) The site is physically suitable for residential development in that the property has appropriate areas where protected slopes and trees can be avoided to accommodate new residences.
- (f) Technical reports by outside consultants indicated that there are no physical or environmental constraints that would indicate that the site is not suitable for the use proposed. County staff concurs. The following reports have been prepared:
  - i. Geotechnical and Percolation Investigation with Geoseismic Analysis, prepared by Soil Surveys, Inc., dated February 20, 2004.
  - ii. Preliminary Archaeological Reconnaissance of APNs 416-122-018-000, 416-122-019-000, and 416-122-020-000 in Hidden Hills, Monterey County, California, prepared by Archaeological Consulting, dated September 30, 2003.
  - iii. Geological Hazards Assessment, prepared by Craig S. Harwood, dated January 21, 2004.
  - iv. Biological Resources Survey, prepared by Craig Hohenberger, dated October 10, 2003.
  - v. Project Specific Hydrogeologic Report Saddle Road Group, LLC 4-Lot Subdivision (PLN No. 050469), Monterey County, California, prepared by PES Environmental, INC., dated February 20, 2007.
  - vi. Draft Project Specific Hydrogeologic Report Memorandum, Saddle Road Group Subdivision (PLN No. 050469) Memorandum, prepared by Water Resources Agency, dated August 16, 2006.
- (g) The project is located in the Hidden Hills Area of the Greater Monterey Peninsula Area Plan on Assessors Parcel Number 416-

122-020-000. The Subdivision proposal to divide the 20.4 acre parcel into four 5.1 acre parcels in the RDR/5.1 VS (20) district is consistent with the minimum parcel size requirements of the zoning district.

- (h) The project planner conducted several site inspections over the several years that the project proposal has been active to verify that the project on the subject parcel conforms to the plans listed above.
- (i) The application, project plans, and related support materials submitted by the project applicant to the Monterey County Resource Management Agency – Planning Department for the proposed development found in Project File Number PLN050469.

3. **FINDING:** CEQA – On the basis of the whole record before the Monterey County Minor Subdivision Committee, there is no substantial evidence that the proposed project as designed, conditioned, and mitigated, will have a significant effect on the environment. The Mitigated Negative Declaration reflects the independent judgment and analysis of the County.

- EVIDENCE:**
- (a) The proposed project is subject to environmental review due to the potential for significant environmental effects pursuant to CEQA Guidelines Section 15070 (Decision to Prepare a Negative or Mitigated Negative Declaration).
  - (b) Potentially adverse environmental effects were identified during staff review of the development application.
  - (c) Monterey County with assistance from Denis Duffy Associates, prepared an Initial Study pursuant to CEQA. The Initial Study is on file in the office of the RMA – Planning Department and is hereby incorporated by reference (File No. PLN050469). All project changes required to avoid significant effects on the environment have been incorporated into the project and/or are made conditions of approval. The Initial Study identified potentially significant effects relative to aesthetics, biological resources, hydrology/water quality, and transportation/traffic. Substantial evidence supports the conclusion that impacts will be less than significant with mitigation incorporated for these issues.
  - (d) The Mitigated Negative Declaration was circulated for public review from April 28, 2008 to May 27, 2008.
  - (e) The Monterey County Resource Management Agency – Planning Department, (located at 168 W. Alisal Street, 2<sup>nd</sup> Floor, Salinas, CA, 93901) is the custodian of documents and other materials that constitute the record of proceedings upon which the decision to adopt the Mitigated Negative Declaration is based.
  - (f) A Mitigation Monitoring and Reporting Program (MMRP) has been prepared and is designed to ensure compliance with conditions and that mitigation measures are monitored and reported during project implementation. The applicant must enter into an “Agreement to Implement a Mitigation Monitoring and Reporting Program” as a condition of project approval.
  - (g) For purposes of implementing Section 753.5 of Title 14, California Code of Regulations, the project may cause changes to the resources listed under Section 753.5. Therefore, payment of the Fish and Game fee is required.

- (h) Evidence that has been received and considered includes the application, plans, materials, and technical reports, which are listed under Section IX (References) of the Initial Study and contained in Project File Number PLN050469.
- (i) To mitigate the physical impacts of the project, the following is a summary of the mitigation measures proposed:
  1. **Aesthetics. Mitigation Measure No. 1:** In order to minimize impacts to visual and biological resources, a conservation and scenic easement shall be conveyed to the County over those portions of the property, containing Oak woodland habitats and areas where slopes exceed 30 percent.
  2. **Biology. Mitigation Measure No. 2:** In order to adequately determine the presence of active raptor nests within the Oak woodland habitat, the applicant shall arrange for a pre-construction raptor survey to be prepared by a County-approved biological consultant prior to the initiation of development activities. If active raptor nests are found and the biologist determines that construction development activities would remove the nest or have the potential to cause abandonment, then those activities shall be avoided until the raptor young have fledged as determined through monitoring of the nest. Once the raptor young have fledged, development activities may resume.
  3. **Biology. Mitigation Measure No. 3:** In order to avoid impacts to Oak woodlands habitat, the applicant shall locate septic envelopes within areas that avoid impacts to Oak woodland habitat and shall delineate these envelopes on the Final Parcel Map for County approval.
  4. **Transportation/Traffic. Mitigation Measure No. 4** In order to minimize project specific impacts resulting from the project, the developers of the individual lots shall pay fees to the County of Monterey Public Works Department that have been assigned to address physical improvements to intersection projects along the Highway 68 corridor.
  5. **Transportation/Traffic. Mitigation Measure No. 5** In order to minimize cumulative traffic impacts resulting from the project, the applicant shall pay Transportation Agency of Monterey County (TAMC) fees to the County of Monterey. These fees pay for regional transportation infrastructure projects.

4. **FINDING: CEQA** – Comments received on the project did not present substantial evidence of any unmitigated significant environmental effects.

**EVIDENCE:** (a) Letter Received from the California Regional Water Quality Control Board, Central Coast Region (CRWQCB)

1. The letter incorrectly states that the project includes the development of three single family residences on three lots within the City of Salinas.
2. The project is not within the City of Salinas and proposes the subdivision of a 20.4 acre property to become four 5.1

acre residential lots. No home construction is proposed at this time.

3. The balance of the letter is informational and recommends that the project incorporate an alternative site design strategy called Low Impact Development (LID). The primary components of LID include a) Runoff Volume Control, b) Peak Runoff Rate Control, and c) Flow Frequency Duration Control.
4. While the letter is incorrect as to the appropriate jurisdiction and the scope of the present project, county staff has analyzed surface water quality issues and has required conditions of approval be included in the project.
5. The Monterey County Water Resources Agency determined that new run off could be retained onsite through implementation of a drainage plan.
6. As a standard condition of approval for future permits for development of the lots, the applicant would be required to submit a drainage plan to the Water Resources Agency for review and approval. Implementation of a drainage plan meeting code requirements would in drainage impacts that would be considered less than significant.

5. **FINDING: SUBDIVISION ORDINANCE (TITLE 19)** – None of the findings found in Section 19.04.025.I of the Subdivision Ordinance can be made.

**EVIDENCE:** (a) *The proposed map is not consistent with the general plan, area plan, coastal land use plan, or specific plan.*

The Project is consistent with the General Plan, Greater Monterey Peninsula Area Plan in that the project area is designated for Rural Density Residential Development subject to the standards of the Visually Sensitive area overlay. The proposed subdivision map will provide for three new single family rural density developments meeting the minimum lot area requirements of 5.1 acres.

(b) *That the design or improvements of the proposed subdivision is not consistent the applicable general plan, area plan, coastal land use plan, master plan or specific plan.*

The design and improvements of the proposed Saddle Road Group LLC subdivision have been reviewed by Monterey County land use review staff, and as conditioned, will be consistent with the General Plan, and the Greater Monterey Peninsula Area Plan.

(c) *That the site is not physically suitable for the type of development.*

The site is physically suitable for residential development in that the property has appropriate areas where protected slopes and trees can be avoided to accommodate new residences. Additionally, Monterey County land use agencies have reviewed the proposal and have determined that standard conditions of approval are appropriate for single family residential use of the site.

(d) *That the site is not physically suitable for the proposed density of development.*

The site is physically suited for the proposed density of development in that the 20.4 acre site can be divided evenly to four

5.1 acre parcels, each intended to accommodate one single family residence. These parcel sizes are in keeping with the 5.1 acre minimum parcel size standard of the zoning code and map. Additionally each of the proposed parcels has sufficient developable areas to accommodate the residential development of a size and square footage in keeping with the Hidden Hills Neighborhood without impacting protected trees or slopes.

- (e) *That the design of the subdivision or type of improvements is likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.*

The project's design and type of improvements is not likely to cause environmental damage or injure fish or wildlife or their habitat in that mitigation measures addressing aesthetics, biological resources and traffic impacts have been added to the project. In order to minimize impacts to visual and biological resources, a conservation and scenic easement shall be conveyed to the County over those portions of the property, containing Oak woodland habitats and areas where slopes exceed 30 percent (MM No. 1). In order to adequately determine the presence of active raptor nests within the Oak woodland habitat, the applicant shall arrange for a pre-construction raptor survey to be prepared by a County-approved biological consultant prior to the initiation of development activities (MM No. 2). In order to avoid impacts to Oak woodlands habitat, the applicant shall locate septic envelopes within areas containing minimal Oak woodland habitat and shall delineate these envelopes on the Final Parcel Map for County approval (MM No. 3). In order to minimize project specific impacts resulting from the project, the developers of the individual lots shall pay fees to the County of Monterey Public Works Department that have been assigned to address physical improvements to intersection projects along the Highway 68 corridor (MM No. 4). In order to minimize cumulative traffic impacts resulting from the project, the applicant shall pay Transportation Agency of Monterey County (TAMC) fees to the County of Monterey. These fees pay for regional transportation infrastructure projects (MM No. 5).

- (f) *That the design of the subdivision or type of improvements is likely to cause serious public health problems.*

The design of the project and type of improvements is not likely to cause serious public health concerns. An Initial Study and proposed Mitigated Negative Declaration has been prepared that has analyzed environmental factors potentially affected by the proposal, including potential environmental effects which may cause substantial adverse effects on human beings either directly or indirectly. The Initial Study and proposed Mitigated Negative Declaration conclude a less than significant impact in this regard. Additionally, Mitigation Measures have been agreed to by the applicant that address potential Impacts to aesthetics, biology and traffic and transportation. Implementation of these measures will assure a less than serious impact to the public health.

- (g) *That the design of the subdivision or the type of improvements will conflict with easements, acquired by the public at large, for access through or use of, property within the proposed subdivision.*

The project will not conflict with easements acquired by the public at large, for access through or use of, property within the proposed subdivision. Staff has added a condition of approval to assure that the applicant and project bear their fair share burden of maintaining the non-County maintained roads that provide project access, via Ned Lane and Saddle Road. Staff has included a condition of approval that the subdivider enter into an agreement with the Los Laureles Homeowners Association to provide a fair share responsibility with other property owners who use these private road facilities. The applicant will be required to demonstrate that an agreement has been reached and that each of the four proposed parcels will be subject to the membership and responsibilities of the Los Laureles Homeowners Association.

- (h) *That the subdivision fails to meet any of the requirements or conditions imposed by the Subdivision Map Act or this Title (Title 19)*

The proposed subdivision map meets the requirements and conditions of the California Subdivision Map Act and Monterey County Subdivision Ordinance (Title 19) in that the map has been prepared by the applicant according to the required form and contents of the Act and Ordinance and conditions of approval and mitigation measures have been proposed by staff to assure compliance with codes.

6. **FINDING: INCLUSIONARY HOUSING REQUIREMENT** – Subdivisions in Monterey County are subject to review by the Resource Management Agency – Housing and Redevelopment Office for conformance to the Inclusionary Housing Ordinance as codified in Chapter 18.40 of the Monterey County Code.

**EVIDENCE:** (a) The project, as conditioned, conforms with the policies and requirements of Section 18.40 of the Monterey County Code (Inclusionary Housing Ordinance No. 04185).

7. **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. No violations exist on the property. Zoning violation abatement costs, if any, have been paid.

**EVIDENCE:** (a) Staff reviewed Monterey County RMA – Planning Department and Building Services Department records and is not aware of any violations existing on subject property.

8. **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:** Preceding findings and supporting evidence.

9. **FINDING: APPEALABILITY** - The decision on this project is appealable to the Board of Supervisors.

**EVIDENCE:** (Title 19 Section 19.16.020 B Monterey County Subdivision Ordinance and Title 21, Section 21.80.040 D of the Zoning Code).

### DECISION

**THEREFORE**, it is the decision of the Standard Subdivision Committee of the County of Monterey that the Mitigated Negative Declaration and Program for Mitigation Monitoring and/or Reporting on Conditions of Approval be adopted and said application for a Standard Subdivision be granted as shown on the attached sketch and subject to the attached conditions.

**PASSED AND ADOPTED** this 12th day of June, 2008 by the following vote:

AYES: Hori, Onciano, McPharlin, Juarez, Van Horn  
NOES: None  
ABSENT: Vandever

  
JACQUELINE ONCIANO, SECRETARY

COPY OF THIS DECISION WAS MAILED TO THE APPLICANT ON: JUN 23 2008

IF ANYONE WISHES TO APPEAL THIS DECISION, AN APPEAL FORM MUST BE COMPLETED AND SUBMITTED TO THE CLERK TO THE BOARD OF SUPERVISORS ALONG WITH THE APPROPRIATE FILING FEE ON OR BEFORE JUL 03 2008

This decision, if this is the final administrative decision, is subject to judicial review pursuant to California Code of Civil Procedure Sections 1094.5 and 1094.6. Any Petition for Writ of Mandate must be filed with the Court no later than the 90<sup>th</sup> day following the date on which this decision becomes final.

**EXHIBIT D**

**Monterey County Resources Management Agency  
Planning Department  
Condition Compliance and Mitigation Monitoring  
Reporting Plan**

Project Name: Saddle Road Group LLS Subdivision Proposal

File No: PLN050469 APN: 416-122-020-000

Approved by: Minor Subdivision Committee Date: June 12, 2008

*\*Monitoring or Reporting refers to projects with an EIR or adopted Mitigated Negative Declaration per Section 21081.6 of the Public Resources Code.*

Permit Control Number	Mitig. Number	Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department	Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for actions to be accepted.	Responsible Party for Compliance	Timing	Verification of Compliance (Name/Date)
1.		<p><b>PD001 - SPECIFIC USES ONLY</b></p> <p>This Tentative Parcel Map approval allows the subdivision of a 20.42 acre lot into four 5.1 acre lots (Planning File No. PLN050469). The property is located at 12173 Saddle Road, Salinas (Assessor's Parcel Number 416-122-020-000), Greater Monterey Peninsula Area Plan. This permit was approved in accordance with County ordinances and land use regulations subject to the following terms and conditions. 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 the RMA - Planning Department. 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</p>	<p>Adhere to conditions and uses specified in the permit.</p>	<p>Owner/ Applicant</p>	<p>Ongoing unless otherwise stated</p>	

Permit Cond. Number	Mitig. Number	Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department	Compliance of Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.	Responsible Party for Compliance	Timing	Verification of Compliance (Date/Date)
2.		<p>ultimate responsibility to ensure that conditions and mitigation measures are properly fulfilled. <b>(RMA - Planning Department)</b></p> <p><b>PDSP01 - NOTICE-PERMIT APPROVAL (NON-STANDARD)</b>  The applicant shall record a notice which states: "A Tentative Subdivision Map (Resolution 050469) was approved by the Minor Subdivision Committee for Assessor's Parcel Number 412-122-020 on June 12, 2008). The permit was granted subject to 37 conditions of approval which run with the land. A copy of the Tentative Subdivision Map is on file with the Monterey County RMA - Planning Department." Proof of recordation of this notice shall be furnished to the Director of the RMA - Planning Department prior to issuance of building permits or commencement of the use. <b>(RMA - Planning Department)</b></p>	<p>Proof of recordation of this notice shall be furnished to the RMA - Planning Department.</p>	<p>Owner/ Applicant</p>	<p>Prior to the issuance of grading and building permits or commencement of use.</p>	
3.		<p><b>PD003(A) - CULTURAL RESOURCES - NEGATIVE ARCHAEOLOGICAL REPORT</b>  If, during the course of construction, cultural, archaeological, historical or paleontological resources are uncovered at the site (surface or subsurface resources) work shall be halted immediately within 50 meters (165 feet) of the find until a qualified professional archaeologist can evaluate it. The Monterey County RMA - Planning Department and a qualified archaeologist (i.e., an archaeologist registered with the Society of Professional Archaeologists) shall be immediately contacted by the responsible individual present on-site. When contacted, the project planner and the archaeologist shall immediately visit the site to determine the extent of the resources and to develop proper mitigation measures required for the discovery. <b>(RMA - Planning Department)</b></p>	<p>Stop work within 50 meters (165 feet) of uncovered resource and contact the Monterey County RMA - Planning Department and a qualified archaeologist immediately if cultural, archaeological, historical or paleontological resources are uncovered. When contacted, the project planner and the archaeologist shall immediately visit the site to determine the extent of the resources and to develop proper mitigation measures required for the discovery.</p>	<p>Owner/ Applicant/ Archaeologist</p>	<p>Ongoing</p>	

Permit Cond. Number	Timing Number	Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department	Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.	Responsible Party for Compliance	Timing	Verification of Compliance (time/date)
4.		<p><b>PD004 - INDEMNIFICATION AGREEMENT</b></p> <p>The property owner agrees as a condition and in consideration of the 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. County may, at its sole discretion, participate in the defense of such action; but such participation shall not relieve applicant of his obligations under this condition. An agreement to this effect shall be recorded upon demand of County Counsel or concurrent with the issuance of building permits, use of the property, filing of the final map, 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. <b>(RMA - Planning Department)</b></p>	<p>Submit signed and notarized Indemnification Agreement to the Director of RMA - Planning Department for review and signature by the County.</p> <p>Proof of recordation of the Indemnification Agreement, as outlined, shall be submitted to the RMA - Planning Department.</p>	Owner/ Applicant	Upon demand of County Counsel or concurrent with the issuance of building permits, use of the property, filing of the final map, whichever occurs first and as applicable	
5.		<p><b>PD005 - FISH AND GAME FEE-NEG DEC/EIR</b></p> <p>Pursuant to the State Public Resources Code § 735.5, State Fish and Game Code, and California Code of Regulations, the applicant shall pay a fee, to be collected by the County, within five (5) working days of project approval. This fee shall be paid before the Notice of Determination is filed. If the fee is not paid within five (5) working days, the project shall not be operative, vested or final until the filing fees are paid. <b>(RMA - Planning Department)</b></p>	<p>The applicant shall submit a check, payable to the <i>County of Monterey</i>, to the Director of the RMA - Planning Department.</p> <p>If the fee is not paid within five (5) working days, the applicant shall submit a check, payable to the <i>County of Monterey</i>, to the Director of the RMA -</p>	Owner/ Applicant	Within 5 working days of project approval.  Prior to the recordation of	

Permit Cont. Number	Mitig. Number	Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department	Compliance or Monitoring Actions to be performed. Where applicable, a certificate of professional liability is required for action to be accepted.	Responsible Party for Compliance	Timing	Verification of Compliance (Date)
			Planning Department.		the final map, the start of use or the issuance of building or grading permits	
6.		<p><b>PD006 - MITIGATION MONITORING PROGRAM</b></p> <p>The applicant shall enter into an agreement with the County to implement a Mitigation Monitoring and/or Reporting Plan in accordance with Section 21081.6 of the California Public Resources Code and Section 15097 of Title 14, Chapter 3 of the California Code of Regulations. Compliance with the fee schedule adopted by the Board of Supervisors for mitigation monitoring shall be required and payment made to the County of Monterey at the time the property owner submits the signed mitigation monitoring agreement. <b>(RMA - Planning Department)</b></p>	<p>1) Enter into agreement with the County to implement a Mitigation Monitoring Program.</p> <p>2) Fees shall be submitted at the time the property owner submits the signed mitigation monitoring agreement.</p>	Owner/Applicant	Within 60 days after project approval or prior to the issuance of grading and building permits, whichever occurs first.	
7.		<p><b>PDSP03 - ENTER INTO AGREEMENT WITH THE LOS LAURELES HOMEOWNERS ASSOCIATION.</b></p> <p>The applicant will be required to demonstrate that an agreement has been reached and that each of the four proposed parcels will be subject to the membership and responsibilities of the Los Laureles Homeowners Association. <b>(RMA - Planning Department)</b></p>	<p>Documents to demonstrate this fair share burden shall be prepared by the applicant and reviewed by the Monterey County RMA Agency prior to the Final Map recordation. Documents shall be recorded concurrently with Final Map recordation.</p>	Developer/Subdivider	Prior to recordation of the Final Map.	

Permit Cond. Number	Mitig. Number	Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department	Compliance or Monitoring Actions to be Implemented Where applicable, a certified professional is required for action to be accepted.	Responsible Party for Compliance	Timing	Verification of Compliance (date/due)
<b>Environmental Health Division</b>						
8.		<b>EH2 - WATER SYSTEM IMPROVEMENTS (CO. PERMITTED SYSTEM)</b> Design the water system improvements to meet the standards as found in Chapter 15.04 of the Monterey County Code, Titles 17 and 22 of the California Code of Regulations and as found in the Residential Subdivision Water Supply Standards. Submit engineered plans for the water system improvements, including plans for secondary treatment, and any associated fees to the Director of Environmental Health for review and approval prior to installing (or bonding) the improvements. <b>(Environmental Health)</b>	Submit engineered plans for the water system improvements, including plans for secondary treatment, and any associated fees to EH for review and approval prior to installing (or bonding) the improvements.	CA Licensed Engineer /Owner/ Applicant	Prior to issuance of grading/building permit or Prior to filing final map	
9.		<b>EH4 - FIRE FLOW STANDARDS</b> Design the water system improvements to meet fire flow standards as required and approved by the local fire protection agency. <b>(Environmental Health)</b>	Submit evidence to the Division of Environmental Health that the proposed water system improvements have been approved by the local fire protection agency.	CA Licensed Engineer /Owner/ Applicant	Prior to installing or bonding water system improvements	
10.		<b>EH5 - INSTALL/BOND WATER SYSTEM IMPROVEMENTS</b> The developer shall install the water system improvements to and within the subdivision and any appurtenances needed or shall enter into a Subdivision Improvement Agreement with the County to install the water system improvements and provide security guaranteeing the performance of the Agreement. <b>(Environmental Health)</b>	The developer shall install the water system improvements to and within the subdivision and any appurtenances needed or shall enter into a Subdivision Improvement Agreement with the County to install the water system improvements and provide security guaranteeing the performance of the Agreement.	CA Licensed Engineer /Owner/ Applicant	Prior to filing final map	

Permit Cond. Number	Mitig. Number	Conditions of Approval and/or Mitigation Measures and Responsible Party/Department	Compliance/Monitoring Actions to be performed. Where applicable, certified professionals required for action to be accepted.	Responsible Party for Compliance	Timing	Verification of Compliance (date/date)
11.		<b>EH12 - EXISTING SEPTIC SYSTEM</b> Submit a plot plan to the Division of Environmental Health showing the locations of all existing septic systems on the property. Any sewage disposal system or part thereof which crosses property lines or does not meet the setback requirements specified in Monterey County Code, Chapter 15.20 will require proper abandonment and replacement with an approved system. A permit for the system replacement shall be obtained from the Monterey County Health Department. <b>(Environmental Health)</b>	Division of Environmental Health must approve plans.	CA Licensed Engineer /Owner/ Applicant	Prior to filing the final parcel map or issuance of a building permit	
12.		<b>EH13 - DRAINAGE IMPROVEMENTS</b> Submit plans for surface and subsurface drainage improvements for review and approval to the Director of Environmental Health to determine any potential septic system impacts. All improvements shall comply with the regulations found in Chapter 15.20 of the Monterey County Code, and <u>Prohibitions</u> of the Basin Plan, RWQCB. <b>(Environmental Health)</b>	Division of Environmental Health must approve plans.	CA Licensed Engineer /Owner/ Applicant	Prior to filing the final parcel map	
13.		<b>EH14 - ENGINEERED SEPTIC SYSTEM</b> Submit an engineered wastewater disposal system design to the Director of Environmental Health for review and approval meeting the regulations found in Chapter 15.20 of the Monterey County Code, and <u>Prohibitions</u> of the Basin Plan, RWQCB. <b>(Environmental Health)</b>	Division of Environmental Health must approve plans.	CA Licensed Engineer /Owner/ Applicant	Prior to filing the final map/issuance of building permits.	
14.		<b>EH20 - DEED NOTIFICATION - SEPTIC DESIGN</b> The applicant shall record a deed notification with the Monterey County Recorder for parcel(s) A, B and D indicating that: "An approved septic system design is on file at the Division of Environmental Health, File Number PLN050469, and any future development or expansions on this property shall be in compliance with the design and Chapter 15.20 of the Monterey	Submit proposed wording and forms to be recorded to EH and RMA - Planning Department for review and approval. Record deed notification.	Owner/ Applicant	Concurrently with filing of final map.	

Permit Cont. Number	Mitig. Number	Conditions of Approval and/or Mitigation Measures and Responsible Field Use Department	Compliance Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.	Responsible Party/Compliance	Timing	Verification of Compliance (month/date)
		County Code unless otherwise approved by the Director of Environmental Health." (Environmental Health)				
15.		<b>EH21 - SEPTIC ENVELOPES</b> Submit an updated map indicating proposed septic envelopes for parcels A, B and D to the Division of Environmental Health for review and approval. Once approved the septic envelopes shall appear as part of the final/parcel map. (Environmental Health)	Once approved the septic envelopes shall appear as part of the final/parcel map.	Owner/ Applicant	Prior to filing the final/parcel map.	
16.		<b>EH22 - DEED NOTIFICATION - PERC REPORT</b> A deed notification shall be recorded concurrently with the final/parcel map with the Monterey County Recorder which states: "A soils and percolation report has been prepared for this parcel by Soil Surveys Inc, dated February 20, 2004 and is on record at the Division of Environmental Health, Monterey County, File Number PLN050469. All proposed development shall be in compliance with this report and the recommendations therein. (Environmental Health)	Submit proposed wording and forms to be recorded to EH and RMA-Planning Department for review and approval. Record deed notification.	Owner/ Applicant	Concurrently with filing of final map.	
17.		<b>ESP01 - NON-STANDARD</b> Obtain a new water system permit from the Division of Environmental Health (DEH). All three (3) existing wells shall be inter-connected. Prior to the design of the Water Treatment System, obtain General Mineral and Physical and Primary Inorganics for all three (3) existing wells	Submit necessary permit application, reports, testing results and design criteria to DEH for review and approval.	CA License Engineer / Owner/ Applicant	Prior to filing the final map	
<b>Water Resources Agency</b>						
18.		<b>WR7 - DRAINAGE NOTE</b> A note shall be recorded on the final map stating: "Any future development on these parcels will require a drainage plan to be prepared by a registered civil engineer or architect addressing on-site and off-site impacts. The plan shall be submitted to the Water	Submit a copy of the final map to be recorded, with appropriate note, to the Water Resources Agency for review and approval.	Owner/ Applicant	Prior to recording of the final map	

Permit Cond. Number	Mitig. Number	Conditions of Approval (and/or Mitigation Measures and Responsible Land Use Department)	Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.	Responsible Party for Compliance	Timing	Verification of Compliance (Name/Date)
19.		Resources Agency for approval." The applicant shall provide the Water Resources Agency a copy of the map to be recorded. <b>(Water Resources Agency)</b>  <b>WR41 - NOTICE OF WATER CONSERVATION REQUIREMENTS</b> A notice shall be recorded on the deed for each lot stating: "All new construction shall incorporate the use of low water use plumbing fixtures and drought tolerant landscaping, in accordance with County Water Resources Agency Ordinance No. 3932." Prior to recordation of the final map, a copy the completed notice shall be provided to the Water Resources Agency for approval. <b>(Water Resources Agency)</b>	Submit a recorded notice to the Water Resources Agency for review and approval.  (A copy of the County's standard notice can be obtained at the Water Resources Agency.)	Owner/ Applicant	Recordation of the notice shall occur concurrently with the final map	
20.		<b>WR42 - LANDSCAPING REQUIREMENTS</b> A notice shall be recorded on the deed for each lot stating: "The front yards of all homes shall be landscaped at the time of construction. Low water use or drought tolerant plants shall be used together with water efficient irrigation systems." Prior to recordation of the final map, a copy the completed notice shall be provided to the Water Resources Agency for approval. <b>(Water Resources Agency)</b>	Submit the recorded notice to the Water Resources Agency for review and approval.  (A copy of the County's standard notice can be obtained at the Water Resources Agency.)	Owner/ Applicant	Recordation of the notice shall occur concurrently with the final map	
21.		<b>WRSP01 - WELL INFORMATION (NON-STANDARD)</b> The applicant shall provide the Water Resources Agency information on the well to serve the project including a map showing the well location and any available well logs/e-logs. <b>(Water Resources Agency)</b>	Submit all applicable well information to the Water Resources Agency for review and approval.	Owner/ Applicant	Prior to filing the final map	

Permit Cond. Number	Mitig. Number	Conditions of Approval/Additional Mitigation Measures and Responsible Land Use Department	Compliance or Monitoring Actions to be performed. Where applicable, a certified professional's required for action to be accepted.	Responsible Party for Compliance	Timing	Verification of Compliance (Date/Date)
<b>Public Works Department</b>						
22.		<b>PW0031 - PARCEL MAP</b> File a parcel map delineating all existing and required easements or rights-of-way and monument new lines. (Public Works)	Applicant's surveyor shall prepare parcel map, submit to DPW for review and approval.	Owner/ Applicant/ Engineer	Prior to Recordation of Parcel Map	
23.		<b>PW0033 - SURVEYOR CHECK-LIST</b> Thirty days prior to expiration date of the tentative map, Step A (8-Items) of the County Surveyor's Check Off List for Parcel Map Processing shall be completed. (Public Works)	Subdivider shall submit items included in County Surveyors Check Off List to DPW for review and approval.	Subdivider	Prior to Recordation of Parcel Map	
24.		<b>PW0036 - EXISTING EASEMENTS AND ROW</b> Provide for all existing and required easements or rights of way. (Public Works)	Subdivider's Surveyor shall include all existing and required easements or rights of way on Parcel Map.	Subdivider/ Surveyor	Prior to Recordation of Parcel Map	
25.		<b>PW0037 - ROUTE 68 IMPROVEMENT FEE</b> Contribute \$9,750 per lot to County of Monterey for future improvements to State Route 68. (Public Works)	Applicant shall pay to DPW required Traffic Mitigation Fee.	Owner/ Applicant	Prior to Issuance of Building Permits	
<b>Office of Housing and Redevelopment</b>						
26.		<b>HR001 - INCLUSIONARY HOUSING</b> Prior to the recordation of the Final Map the applicant shall comply with the County's Inclusionary Housing Ordinance No.04183.	The applicant shall consult with the Housing and Redevelopment Office and shall comply with and satisfy the requirements of the County's Inclusionary Housing Ordinance No. 04183.	Subdivider/ Applicant	Prior to recordation of the Final Map	

Permit Code Number	Mitig. Number	Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department	Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.	Responsible Party for Compliance	Timing	Verification of Compliance (Name/Date)
<b>Fire Department</b>						
27.		<p><b>FIRE001 - ROAD ACCESS</b></p> <p>Access roads shall be required for every building when any portion of the exterior wall of the first story is located more than 150 feet from fire department access. All roads shall be constructed to provide a minimum of two nine-foot traffic lanes with an unobstructed vertical clearance of not less than 15 feet. The roadway surface shall provide unobstructed access to conventional drive vehicles including sedans and fire apparatus and shall be an all-weather surface designed to support the imposed load of fire apparatus (22 tons). Each road shall have an approved name. (Salinas Rural Fire Protection District)</p>	<p>Applicant shall incorporate specification into design and enumerate as "Fire Dept. Notes" on plans.</p>	Applicant or owner	Prior to issuance of grading and/or building permit.	
28.		<p><b>FIRE002 - ROADWAY ENGINEERING</b></p> <p>The grade for all roads shall not exceed 15 percent. Where road grades exceed 8 percent, a minimum structural roadway surface of 0.17 feet of asphaltic concrete on 0.34 feet of aggregate base shall be required. The length of vertical curves in roadways, exclusive of gutters, ditches and drainage structures designed to hold or divert water, shall not be less than 100 feet. No roadway turn shall have a horizontal inside radius of less than 50 feet. A roadway turn radius of 50 to 100 feet is required to have an additional 4 feet of roadway surface. A roadway turn radius of 100 to 200 feet is required to have an additional 2 feet of roadway surface. Roadway turnarounds shall be required on dead-end roads in excess of 150 feet of surface length. The minimum turning radius for a turnaround shall be 40 feet from the center line of the road. If a hammerhead/T is used, the top of the "T" shall be a minimum of 60 feet in length. (Salinas Rural Fire Protection District)</p>	<p>Applicant shall incorporate specification into design and enumerate as "Fire Dept. Notes" on plans.</p> <p>Applicant shall schedule fire dept. clearance inspection for each phase of development.</p>	Applicant or owner	Prior to final building inspection	

Permit Cond. Number	Mitig. Number	Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department	Compliance or Monitoring Actions to be performed where applicable, a certified professional is required for actions to be accepted.	Responsible Party for Compliance	Timing	Verification of Compliance (Name/Date)
29.		<b>FIRE008 - GATES</b> All gates providing access from a road to a driveway shall be located at least 30 feet from the roadway and shall open to allow a vehicle to stop without obstructing traffic on the road. Gate entrances shall be at least the width of the traffic lane but in no case less than 12 feet wide. Where a one-way road with a single traffic lane provides access to a gated entrance, a 40-foot turning radius shall be used. Where gates are to be locked, the installation of a key box or other acceptable means for immediate access by emergency equipment may be required. (Salinas Rural Fire Protection District)	Applicant shall incorporate specification into design and enumerate as "Fire Dept. Notes" on plans.  Applicant shall schedule fire dept. clearance inspection	Applicant or owner	Prior to issuance of grading and/or building permit.  Prior to final building inspection.	
30.		<b>FIRE010 - ROAD SIGNS</b> All newly constructed or approved roads and streets shall be designated by names or numbers, posted on signs clearly visible and legible from the roadway. Size of letters, numbers and symbols for street and road signs shall be a minimum 4-inch letter height, 1/2-inch stroke, and shall be a color that is reflective and clearly contrasts with the background color of the sign. All numerals shall be Arabic. Street and road signs shall be non-combustible and shall be visible and legible from both directions of vehicle travel for a distance of at least 100 feet. Height, visibility, legibility, and orientation of street and road signs shall be meet the provisions of Monterey County Ordinance No. 1241. This section does not require any entity to rename or renumber existing roads or streets, nor shall a roadway providing access only to a single commercial or industrial occupancy require naming or numbering. Signs required under this section identifying intersecting roads, streets and private lanes shall be placed at the intersection of those roads, streets and/or private lanes. Signs identifying traffic access or flow limitations (i.e., weight or vertical clearance limitations, dead-end road, one-way	Applicant shall incorporate specification into design and enumerate as "Fire Dept. Notes" on improvement plans.  Applicant shall schedule fire dept. clearance inspection for each phase of development.	Applicant or owner	Prior to filing of final map.  Prior to issuance of building permit(s) for development on individual lots within the phase of the subdivision.	

Permit Condition Number	Mitig. Number	Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department	Compliance Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted	Responsible Party for Compliance	Timing	Verification of Compliance (include date)
		road or single lane conditions, etc.) shall be placed: (a) at the intersection preceding the traffic access limitation; and (b) not more than 100 feet before such traffic access limitation. Road, street and private lane signs required by this article shall be installed prior to final acceptance of road improvements by the Reviewing Fire Authority. (Salinas Rural Fire Protection District)				
31.		<b>FIRE016 - SETBACKS</b> All parcels 1 acre and larger shall provide a minimum 30-foot setback for new buildings and accessory buildings from all property lines and/or the center of the road. For parcels less than 1 acre, alternate fuel modification standards or other requirements may be imposed by the local fire jurisdiction to provide the same practical effect. <b>(Salinas Rural Fire Protection District)</b>	Applicant shall incorporate design and specification into design and enumerate as "Fire Dept. Notes" on plans.  Applicant shall schedule fire dept. clearance inspection	Applicant or owner  Applicant or owner	Prior to issuance of grading and/or building permit.  Prior to final building inspection	
<b>Parks Department</b>						
32.		<b>PKS002 - RECREATION REQUIREMENTS/FEES</b> The Applicant shall comply with Section 19.12.010 - Recreation Requirements, of the Subdivision Ordinance, Title 19, Monterey County Code, by paying a fee in lieu of land dedication. The Parks Department shall determine the fee in accordance with provisions contained in Section 19.12.010(D) <b>(Parks Department)</b>	The Applicant shall comply with the Recreation Requirements contained in Section 19.12.010 of the Subdivision Ordinance Title 19, Monterey County Code.	Owner/ Applicant	Prior to the Recordation of the Final Map	

Permit Cond. Number	Mitig. Number	Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department	Compliance or Monitoring Actions to be performed. Where applicable a certified professional is required for action to be accepted.	Responsible Party for Compliance	Timing	Verification of Compliance (time/date)
<b>Mitigation Measures</b>						
33.	MM-1	<b>Mitigation Measure No. 1:</b> In order to minimize impacts to visual and biological resources, a conservation and scenic easement shall be conveyed to the County over those portions of the property, containing Oak woodland habitats and areas where slopes exceed 30 percent.	<b>Mitigation Monitoring Action No. 1:</b> The conservation and scenic easement, with an attached map prepared by a licensed land surveyor or civil engineer in conjunction with a County-approved biologist identifying the restricted areas with Oak woodland habitats and slopes in excess of 30 percent, shall be submitted to the Director of RMA - Planning Department for review and approval and shall subsequently be recorded, concurrently with the recordation of the Final map.			
34.	MM-2	<b>Mitigation Measure No. 2:</b> In order to adequately determine the presence of active raptor nests within the Oak woodland habitat, the applicant shall arrange for a pre-construction raptor survey to be prepared by a County-approved biological consultant prior to the initiation of development activities. If active raptor nests are found and the biologist determines that construction development activities would remove the nest or have the potential to cause abandonment, then those activities shall be avoided until the raptor young have fledged as determined through monitoring of the nest. Once the raptor young have fledged, development activities may resume.	<b>Mitigation Monitoring Action No. 2:</b> Prior to the issuance of a grading or building permit, a pre-construction raptor survey shall be submitted to the Director of RMA - Planning Department and Building Inspection for review and approval.			
35.	MM-3	<b>Mitigation Measure No. 3:</b> In order to avoid impacts to Oak woodlands habitat, the applicant shall locate septic envelopes within areas that avoid impacts to Oak woodland habitat and shall delineate these envelopes on the Final Parcel Map for County approval.	<b>Mitigation Monitoring Action No. 3:</b> Prior to the recordation of the Final Parcel Map, the applicant shall submit a draft Parcel Map to the Director of RMA - Planning Department, which delineates septic envelopes that are			

Permit Cond. Number	Mitig Number	Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department	Compliance or Monitoring Actions to be performed. Where applicable a certified professional is required for action to be accepted.	Responsible Party for Compliance	Filing	Verification of Compliance (name/date)
36.	MM-4	<b>Mitigation Measure No. 4</b> In order to minimize project specific impacts resulting from the project, the developers of the individual lots shall pay fees to the County of Monterey Public Works Department that have been assigned to address physical improvements to intersection projects along the Highway 68 corridor.	located within areas of minimal Oak woodland habitat and are consistent with previous staking and flagging of the site. Accompanying the Parcel Map shall be a letter from a County-approved biological consultant which certifies that the septic envelopes would avoid impacts to Oak woodland habitat.			
37.	MM-5	<b>Mitigation Measure No. 5</b> In order to minimize cumulative traffic impacts resulting from the project, the applicant shall pay Transportation Agency of Monterey County (TAMC) fees to the County of Monterey. These fees pay for regional transportation infrastructure projects.	<b>Mitigation Monitoring Action No. 4: A</b> Notice shall be recorded concurrently for each new parcel with the Final Map notifying subsequent owners of the required payment of fees to the Public Works Department that have been assigned to address physical improvements to intersection projects along the Highway 68 corridor. Prior to the issuance of a Building Permit for new residential construction, the builder or homeowner shall submit payment of the fees to the Public Works Department. <b>Mitigation Monitoring Action No. 5: A</b> Notice shall be recorded concurrently for each new parcel with the Final Map notifying subsequent owners of the required payment of TAMC Fees. Additionally, prior to the issuance of building permits for construction on any of the new lots, the applicant shall submit payment of the TAMC fees to the Public Works Department.			

END OF CONDITIONS

Parcel A  
Scenic Easement  
Sec. 9, T. 16 N., R. 2 E., MDBM  
Monterey County, California

Lying within a portion of the 20.39 acre parcel as described in the deed from Michael Jones to the Saddle Road Group in Document Number 2002051082, Official Records of Monterey County, lying within the southwest quarter of Section 9, T. 16 S., R. 2 E., MDB & M, County of Monterey, State of California; being more particularly described as follows:

Easement A1

A Scenic and Conservation easement over and across the following strip of land, which is more particularly described as follows:

BEGINNING at the most westerly corner of said 20.39 acre parcel and running thence from said Point of Beginning the following courses:

1. North 32° 16' 47" East for a distance of 230.00 feet along the common boundary of Parcel II (Remainder) as it is shown on that certain map recorded in Volume 9 of Parcel Maps at Page 30 and said 20.39 acre parcel to a point; thence leaving said common boundary
2. South 57° 43' 13" East for a distance of 100.00 feet to a point; thence
3. South 32° 16' 47" West for a distance of 249.52 feet, more or less, to a point on the westerly boundary of said 20.39 acre parcel; thence along the common boundary of said 20.39 acre parcel and that certain tract of land described in the deed recorded in Reel 696 of Official Records at Page 181
4. North 46° 40' 16" West a distance of 101.89 feet, more or less, to the Point Of Beginning.

Containing an area of 0.55 acres, more or less.

Easement A2

A Scenic and Conservation easement over and across the following strip of land, which is more particularly described as follows:

BEGINNING at the most northerly corner of said 20.39 acre parcel and running thence from said Point of Beginning the following courses:

1. South 56° 22' 37" East for a distance of 62.62 feet along the common boundary of Parcel D as it is shown on that certain map recorded in Volume 10 of Parcel Maps at Page 88 and said 20.39 acre parcel to a point; thence leaving said common boundary

Parcel A  
Scenic Easement  
Sec. 9, T. 16 N., R. 2 E., MDBM  
Monterey County, California

2. South 83° 55' 22" West for a distance of 338.98 feet, more or less, to a point on the westerly boundary of said 20.39 acre parcel; thence along the common boundary of Parcel II (Remainder) as it is shown on that certain map recorded in Volume 9 of Parcel Maps at Page 30 and said 20.39 acre parcel
3. North 32° 16' 47" East for a distance of 51.01 feet to an angle point in said common boundary; thence continuing along said common boundary
4. North 83° 55' 22" East a distance of 259.14 feet to the Point Of Beginning

Containing an area of 0.27 acres, more or less.

#### Easement A3

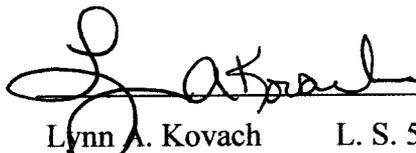
A Scenic and Conservation easement over, under and across the following strip of land, which is more particularly described as follows:

BEGINNING at a point within said 20.39 acre parcel, from which the most northwesterly corner common to said 20.39 acre parcel and Parcel D as it is shown on that certain map recorded in Volume 10 of Parcel Maps at Page 88 bears North 21° 02' 07" East for a distance of 236.91 feet and North 56° 22' 37" West for a distance of 82.36 feet; thence from said Point Of Beginning the following courses:

1. South 21° 02' 07" West for a distance of 148.84 feet to a point; thence
2. North 15° 54' 38" West for a distance of 106.09 feet to a point; thence
3. North 65° 54' 19" East for a distance of 90.38 feet to the Point of Beginning.

Containing an area of 0.11 acres, more or less.

This legal description was prepared by

  
Lynn A. Kovach      L. S. 5321  
My license expires December 31, 2009

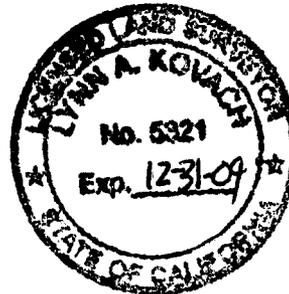
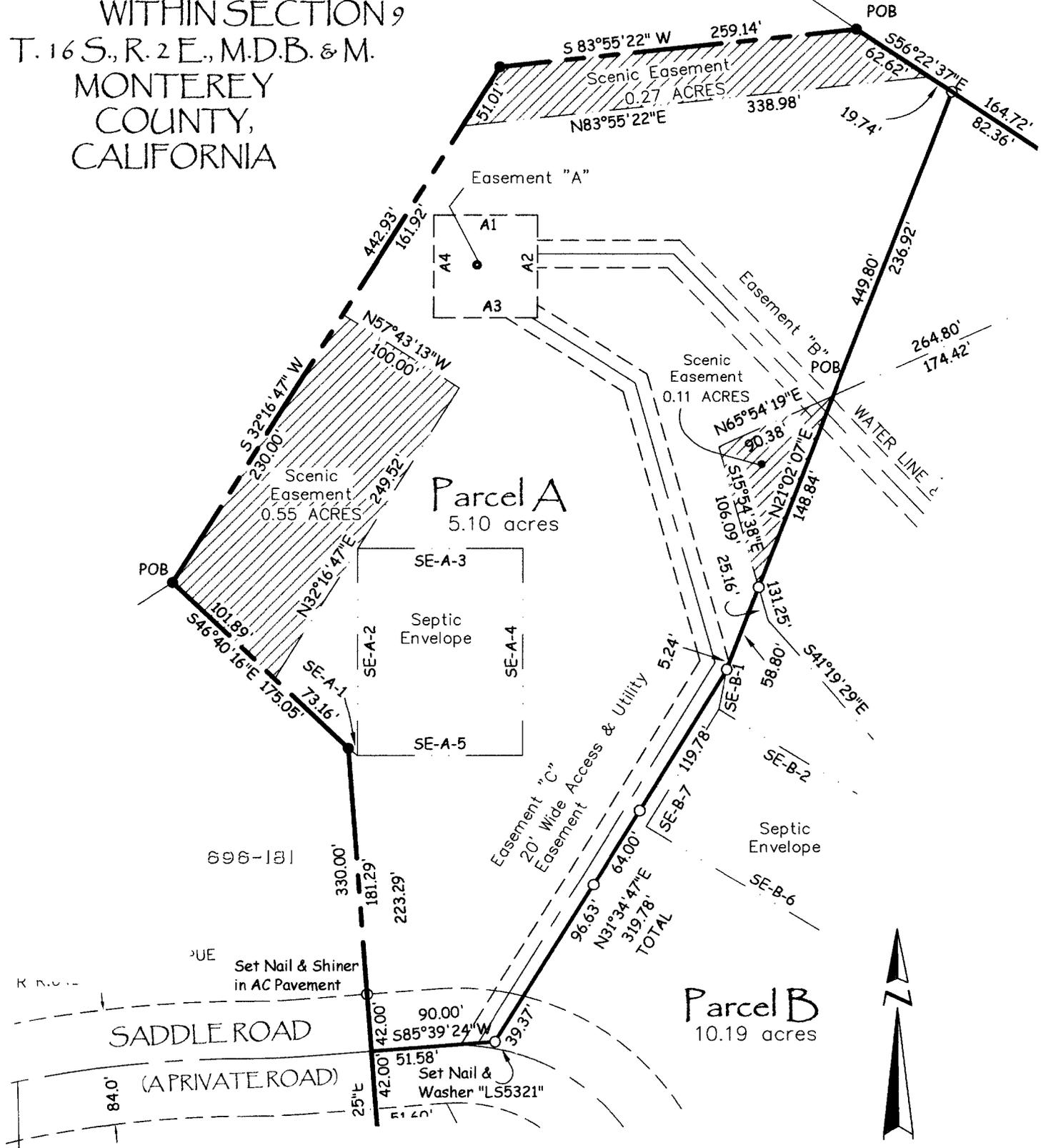


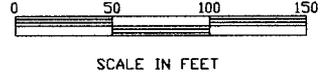
EXHIBIT OF EASEMENT  
 WITHIN SECTION 9  
 T. 16 S., R. 2 E., M.D.B. & M.  
 MONTEREY  
 COUNTY,  
 CALIFORNIA



PREPARED BY:  
**POLARIS CONSULTING**  
 P. O. BOX 1378  
 CARMEL VALLEY, CA 93924

Exhibit C

Page 3 of 9 Pages



SCALE: 1" = 100' VIEW: EX A DATE: 11-9-2009

FILE NAME: Saddle PM.dwg 23139

Parcel B  
Scenic Easements  
Sec. 9, T. 16 N., R. 2 E., MDBM  
Monterey County, California

Situate within a portion of the 20.39 acre parcel as described in the deed from Michael Jones to the Saddle Road Group in Document Number 2002051082, Official Records of Monterey County, lying within the southwest quarter of Section 9, T. 16 S., R. 2 E., MDB & M, County of Monterey, State of California; being more particularly described as follows:

Scenic Easement B1

A Scenic and Conservation Easement over and across the following strip of land, which is more particularly described as follows:

BEGINNING at an angle point in the southeasterly boundary of Parcel D, as it is shown on that certain map recorded in Volume 10 of Surveys at Page 88, Official Records of Monterey County, and running thence from said Point of Beginning along the easterly boundary line of said Parcel D

1. South 43° 40' 51" East for a distance of 168.54 feet to a point; thence leaving said southerly boundary
2. South 02° 24' 22" East for a distance of 529.86 feet to a point; thence
3. South 89° 18' 17" West for a distance of 8.18 feet to a point; thence
4. North 02° 24' 22" West for a distance of 300.00 feet to a point; thence
5. South 87° 35' 38" West for a distance of 200.00 feet to a point; thence
6. North 02° 24' 22" West for a distance of 235.74 feet to a point; thence
7. North 41° 19' 29" West for a distance of 193.24 feet to a point; thence
8. North 15° 54' 38" West for a distance of 25.16 feet to a point; thence
9. North 21° 02' 07" East for a distance of 148.84 feet to a point; thence
10. South 65° 54' 19" West for a distance of 174.42 feet, more or less, to the boundary line of said Parcel D; thence along said boundary line
11. South 22° 42' 57" West a distance of 255.31 feet to the Point Of Beginning.

Containing an area of 2.72 acres, more or less.

Parcel B  
Scenic Easements  
Sec. 9, T. 16 N., R. 2 E., MDBM  
Monterey County, California

Scenic Easement B2

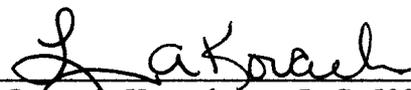
A Scenic and Conservation Easement over and across the following strip of land, which is more particularly described as follows:

BEGINNING at the most southerly corner of said 20.39 acre parcel and running thence from said Point of Beginning along the westerly boundary of said 20.39 acre parcel

1. North 00° 57' 07" West for a distance of 240.14 feet to a point; thence continuing along said westerly line
2. North 71° 17' 43" East for a distance of 113.97 feet to a point; thence continuing along said westerly line
3. North 04° 19' 25" West for a distance of 64.71 feet, more or less, to a point on the southerly boundary line of an 84 foot wide right of way and public utility easement as described in the document recorded in Reel 642 of Official Records at Page 628; thence along said southerly boundary
4. North 85° 39' 24" East a distance of 51.60 feet to a point; thence leaving said southerly boundary
5. South 27° 18' 35" East for a distance of 124.92 feet to a point; thence
6. South 24° 15' 41" West for a distance of 112.46 feet to a point; thence
7. South 59° 40' 02" West for a distance of 83.88 feet to a point; thence
8. South 18° 32' 52" West for a distance of 93.33 feet, more or less, to a point on the southerly boundary of said 20.39 acre parcel; thence
9. South 89° 18' 17" West for a distance of 66.54 feet, more or less, to the POINT OF BEGINNING.

Containing an area of 0.97 acres, more or less.

This legal description was prepared by:

  
Lynn A. Kovach L. S. 5321  
My license expires December 31, 2009



# EXHIBIT OF EASEMENT WITHIN SECTION 9 T. 16 S., R. 2 E., M.D.B. & M. MONTEREY COUNTY, CALIFORNIA



SCALE IN FEET

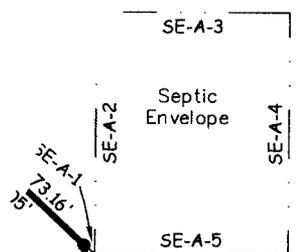
PREPARED BY:

**POLARIS CONSULTING**  
P. O. BOX 1378  
CARMEL VALLEY, CA 93924

SCALE: 1" = 120' VIEW: EX B

DATE: 11-9-2009

**Parcel A**  
5.10 acres



R. 696-181

Set Nail & Shiner  
in AC Pavement

**SADDLE ROAD**  
(A PRIVATE ROAD)

84.0'

Set Nail & Washer "LS5321"

Scenic Easement  
0.97 ACRES

POB

**Parcel B**  
10.19 acres

CL 84' RIGHT OF WAY &  
PUE PER R.642-628

Exhibit **C**

FILE NAME: Saddle PM.dwg 23139

Parcel C  
Scenic Easements  
Sec. 9, T. 16 N., R. 2 E., MDBM  
Monterey County, California

Situate within a portion of the 20.39 acre parcel as described in the deed from Michael Jones to the Saddle Road Group in Document Number 2002051082, Official Records of Monterey County, lying within the southwest quarter of Section 9, T. 16 S., R. 2 E., MDB & M, County of Monterey, State of California; being more particularly described as follows:

Scenic Easement C1

BEGINNING at an angle point in the common boundary of said 20.39 acre parcel and Parcel D, as it is shown on that certain map recorded in Volume 10 of Surveys at Page 88, Official Records of Monterey County, and running thence from said Point of Beginning along said common boundary

1. South 83° 15' 31" East (shown on said map as North 81° 34' 05" West) for a distance of 39.60 feet to a point; thence leaving said common boundary
3. South 29° 26' 15" East for a distance of 164.04 feet to a point; thence
4. South 60° 50' 24" West for a distance of 193.07 feet to a point; thence
5. South 02° 24' 22" East for a distance of 155.00 feet to a point; thence
6. South 89° 18' 17" West for a distance of 61.86 feet to a point; thence
7. North 02° 24' 22" West a distance of 529.87 feet, more or less, to a point on said common boundary; thence along said common boundary
8. South 43° 40' 51" East (shown on said map as North 41° 59' 25" West) for a distance of 182.79 feet to the Point Of Beginning.

Containing an area of 1.38 acres, more or less.

Scenic Easement C2

BEGINNING at most southeasterly corner of said 20.39 acre parcel being also a point on the northerly boundary line of Lot 5, Block 1, as shown on that certain map recorded in Volume 9 of Cities & Towns at Page 31; and running thence from said Point of Beginning

1. South 89° 18' 17" West for a distance of 48.43 feet to a point; thence leaving said northerly boundary

Parcel C  
Volume of Parcel Maps at Page  
Sec. 9, T. 16 N., R. 2 E., MDBM  
Monterey County, California

2. North 21° 26' 20" West for a distance of 196.01 feet to a point; thence
3. North 08° 38' 10" West a distance of 104.39 feet to a point; thence
4. North 62° 50' 21" East for a distance of 155.27 feet, more or less, to the most northeasterly corner of said 20.39 acre parcel; thence along the easterly boundary of said 20.39 acre parcel being also the westerly line of Laureles Grade Road, a County road, as shown on the map recorded in Serial No. 8271 at the Monterey County Surveyor's Office
5. South 00° 23' 15" West for a distance of 355.95 feet to the Point Of Beginning.

Containing an area of 0.77 acres, more or less.

This legal description was prepared by:

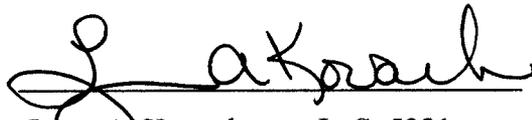
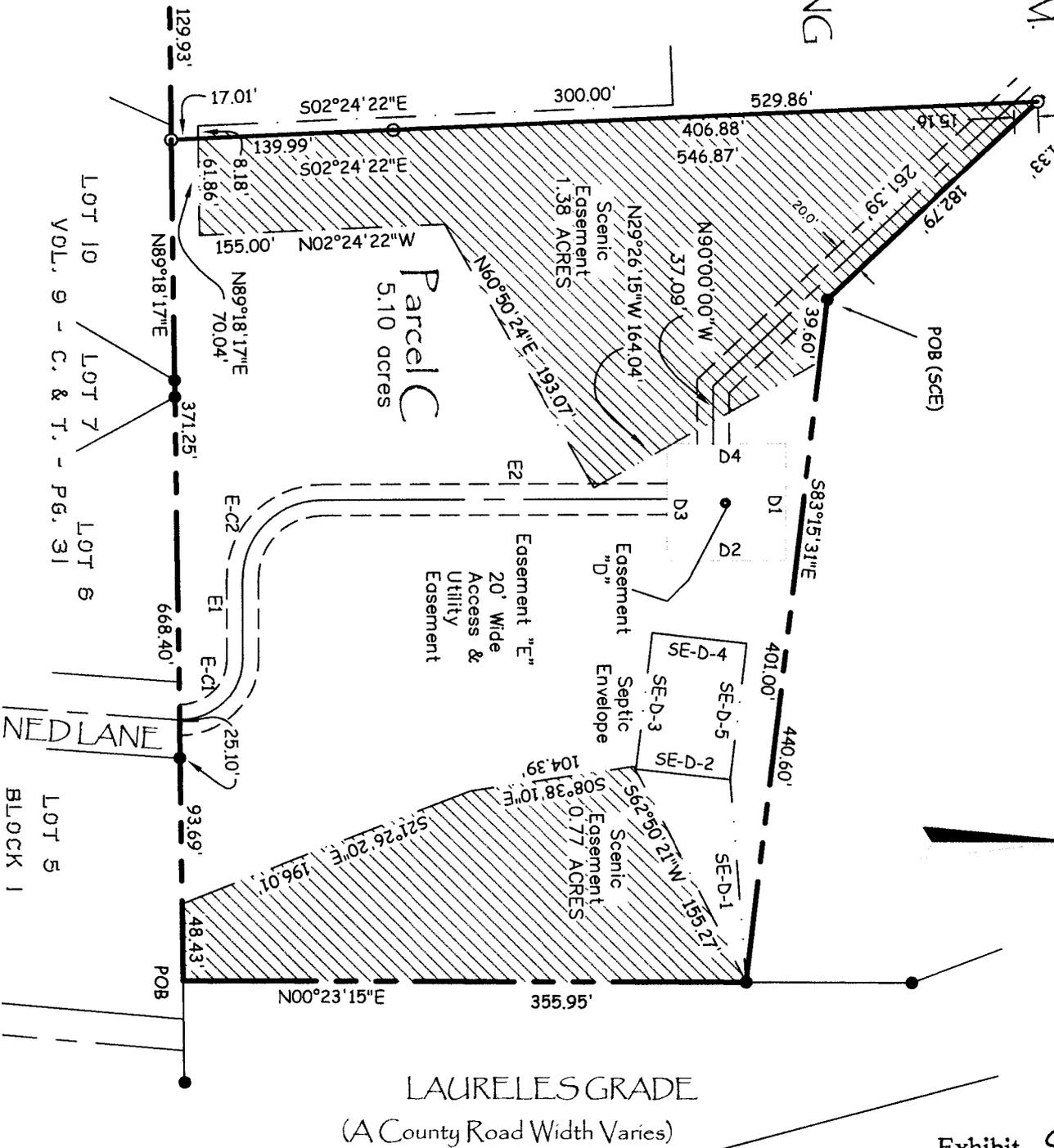
  
Lynn A. Kovach L. S. 5321  
My license expires December 31, 2009



EXHIBIT OF EASEMENT  
 WITHIN SECTION 9  
 T.16 S., R.2 E., M.D.B. & M.  
 MONTEREY  
 COUNTY,  
 CALIFORNIA

PREPARED BY:  
 POLARIS CONSULTING  
 P. O. BOX 1378  
 CARMEL VALLEY, CA 93924



SCALE: 1" = 100' VIEW: EX D DATE: 11-9-2009

FILE NAME: Saddle PM.dwg 23139

Exhibit C

END OF DOCUMENT