

Attachment A
Conservation and Scenic
Easement Deed
(Coastal)

Aldo Pini
Antonio & Beverly Pini
And
Medoro & Mary Pagni
PLN040256

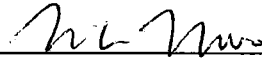
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When recorded return to:
MONTEREY COUNTY RESOURCE
MANAGEMENT AGENCY
PLANNING DEPARTMENT
Attn: Joseph Sidor
168 West Alisal St 2nd Floor
Salinas, CA 93901
(831) 755-5025

Space above for Recorder's Use

Permit No.: PLN040256
Resolution No.: 08016
Medoro Pagni and Mary L.
Pagni or their Successor as
Trustees of the Pagni Family
Trust dated May 19, 1988;
Antonio R. Pini and Beverly J.
Pini, Trustees of the Pini Family
Trust, U/A/D 4/6/2011; and
Aldo C. Pini, as Trustee under
the Terms of the Pini Family
Owner Name: Trust dated February 16, 1996
Project Planner: Sidor
APN: 412-012-042-000

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: Transfer to a governmental entity



Signature of Declarant or Agent

CONSERVATION AND SCENIC EASEMENT DEED (COASTAL)

THIS DEED made this _____ day of _____, 2013, by and between Medoro Pagni and Mary L. Pagni or their Successor as Trustees of the Pagni Family Trust dated May 19, 1988; Antonio R. Pini and Beverly J. Pini, Trustees of the Pini Family Trust, U/A/D 4/6/2011; and Aldo C. Pini, as Trustee under the Terms of the Pini Family Trust dated February 16, 1996; as Grantor(s), 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 Property 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 the Property of the Grantor; and

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

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

WHEREAS, a Coastal Development Permit (File Number PLN040256) (hereinafter referred to as the "Permit") was granted on July 31, 2008, by the Monterey County Minor Subdivision Committee pursuant to the Findings, Evidence and Conditions contained in Resolution No. 08016, attached hereto as Exhibit "B" and hereby incorporated by reference, (hereinafter the "Resolution") subject to the following condition(s): Condition No. 4 - A scenic easement shall be conveyed to the County over those portions of the property where the slope exceeds 25 percent. The easement shall be developed in consultation with a certified professional.

WHEREAS, the County, acting on behalf of the People of the State of California and pursuant to the Act, and in accordance with the findings contained in the Resolution granted the Permit to the Grantor upon condition (hereinafter the "Condition") described above requiring inter alia, that the Grantor record a conservation and scenic easement (hereinafter "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 coastal resources and public access to the coast which could occur if the Property were not restricted in accordance with this easement; and

WHEREAS, the County has placed the Condition on the permit because a finding must be made under the law that the proposed development is in conformity with the provisions of the certified Local Coastal Program and that in the absence of the protections provided by the Condition said finding could not be made; and

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

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

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

NOW, THEREFORE, 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 Property the various acts hereinafter mentioned.

A. PROPERTY SUBJECT TO EASEMENT. The Property 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, hereinafter referred to as the "Conservation and Scenic Easement Area".

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

1. That no structures will be placed or erected upon said Conservation and Scenic Easement Area.

2. That no advertising of any kind or nature shall be located on or within the Conservation and Scenic Easement Area.

3. That the Grantor shall not plant, nor permit to be planted, any vegetation upon the Conservation and Scenic Easement Area.

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 the Conservation and Scenic Easement Area which will or does materially alter the landscape or other attractive scenic features of said Property other than those specified above shall be done or suffered.

C. EXCEPTIONS AND RESERVATIONS. The following are excepted and reserved to the Grantor to be implemented consistent with the objectives, purposes and conditions of this easement:

1. The right to maintain all existing private roads, bridges, trails and structures upon the Conservation and Scenic Easement Area.

2. The use and occupancy of the Conservation and Scenic Easement Area not inconsistent with the conditions and restrictions herein imposed.

3. Management of vegetation within the Conservation and Scenic Easement Area in accordance with the Fuel Management Plan approved with the Permit on file with the Monterey County Planning Department.

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.

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 Conservation and Scenic Easement Area contrary to the terms of this grant of easement 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 Property by virtue of the fact that the right of the Grantee to enter the Property or Conservation and Scenic Easement Area 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 Property or Conservation and Scenic Easement Area 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 03 day of APRIL, 2013, at Crockett, California.

By: Medoro Pagni
Medoro Pagni, Trustee of the Pagni
Family Trust dated May 19, 1988

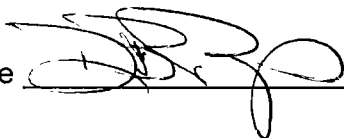
By: Mary L. Pagni
Mary L. Pagni, Trustee of the Pagni
Family Trust dated May 19, 1988

STATE OF CALIFORNIA)
) SS.
COUNTY OF ~~MONTEREY~~)
Contra Costa

On 04/03/2013 before me, Daniel Bryce Bishop, a
Notary Public, personally appeared Medoro Pagni and Mary L. Pagni, who
proved to me on the basis of satisfactory evidence to be the person(s) ~~is~~ are
subscribed to the within instrument and acknowledged to me that ~~he/she~~ they executed the
same in ~~his~~ their authorized capacity(ies), and that by ~~his~~ 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 



(Seal)

Executed this 7th day of APRIL, 2013, at WATSONVILLE, California.

By: Aldo C. Pini, Trustee
Aldo C. Pini, Trustee under the Terms
of the Pini Family Trust dated
February 16, 1996

STATE OF CALIFORNIA)
) SS. JMH
COUNTY OF ~~MONTEREY~~)
) SANTA CRUZ

On APRIL 7, 2013 before me, LOIS M. HAGEN, a
Notary Public, personally appeared ALDO C. PINI, TRUSTEE, 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 Lois M. Hagen



(Seal)

This is to certify that the interest in real property conveyed by the deed or grant dated _____ from Medoro Pagni and Mary L. Pagni or their Successor as Trustees of the Pagni Family Trust dated May 19, 1988; Antonio R. Pini and Beverly J. Pini, Trustees of the Pini Family Trust, U/A/D 4/6/2011; and Aldo C. Pini, as Trustee under the Terms of the Pini Family Trust dated February 16, 1996, as Grantors, to the County of Monterey, a political corporation and/or governmental agency is hereby accepted by order of the Board of Supervisors on _____, (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 _____,) and the grantee consents to recordation thereof by its duly authorized officer.

DATED: _____

Type/Print Name: _____
Chair, Monterey County Board of Supervisors

STATE OF CALIFORNIA)
) SS.
COUNTY OF MONTEREY)

On _____ before me, _____, a Notary Public, personally appeared _____, 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 _____

(Seal)

Document Form/Content Acceptable:

Charles, J. McKee, County Counsel

By: Cynthia L. Hasson

DATED: 4-10-13

Type/Print Name: Cynthia L. Hasson
Deputy County Counsel

Exhibit A

Certain real property located in the County of Monterey, State of California, and more particularly described as follows:

Being the southwest quarter of the southwest quarter, and west ten (10) acres of southeast quarter of southwest quarter, of Section Twenty-Four (24), in Township Twelve (12) South of range Two (2) East, of Mount Diablo Base and Meridian, containing an area of fifty (50) acres of land, according to the United States Government Survey thereof.

APN 412-012-042-000

Exhibit A

Page 1 of 1 Pages

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MINOR SUBDIVISION COMMITTEE
COUNTY OF MONTEREY, STATE OF CALIFORNIA

RESOLUTION NO. 08016

A.P. #: 412-012-042-000

In the matter of the application of
Aldo C. Pini TR ET AL (PLN040256)

FINDINGS AND DECISION

for a **Coastal Development Permit** in accordance with Title 20 (Monterey County Coastal Implementation Plan Ordinances) Chapter 20.70 (Coastal Development Permits) of the Monterey County Code, for a Minor Subdivision Tentative Map to subdivide one 50 acre parcel into three parcels (Parcel A: 39.2 acres, Parcel B: 5.8 acres, and Parcel C: 5.0 acres), and a Local Coastal Program Amendment to rezone the parcels from RDR/10 (CZ) to RDR/10-B-8 (CZ). The property is located at 527 Pini Road, Las Lomas, North County Coastal Land Use Plan, and came on regularly for hearing before the Minor Subdivision Committee on July 31, 2008.

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

FINDINGS OF FACT

1. **FINDING: CONSISTENCY** – The Pini Minor Subdivision (PLN040256), as described in Condition No. 1 and as conditioned, conforms to the policies, requirements, and standards of the Monterey County General Plan, North County Coastal Land Use Plan, Monterey County Coastal Subdivision Ordinance (Title 19), and the Monterey County Zoning Ordinance (Title 20), 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 a site inspection on May 2, 2008, to verify that the project on the subject parcel conforms to the plans listed above.
 - (c) The property is located at 527 Pini Road, Las Lomas (Assessor's Parcel Number 412-012-042-000), North County Coastal Land Use Plan, Coastal Zone. The parcel is zoned Rural Density Residential, 10 acres per unit, Coastal Zone ["RDR/10 (CZ)"], which allows minor subdivisions as a conditional use subject to a Coastal Development Permit. The project, as proposed, is consistent with the applicable zoning policies.
 - (d) The total project area consists of one 50-acre parcel with three existing single family dwellings. Based on current land use designations, the property could allow a density of 10 acres per unit. As designed, this minor subdivision would create three parcels, each with its own existing single family dwelling. Pursuant to Section 20.16.060, the minimum building site in the RDR zoning classification shall be 5 acres, unless otherwise approved as part of clustered residential development. This subdivision is consistent with the North County (Coastal) Land Use Plan which designates the area for rural residential uses.
 - (e) Subdivision Ordinance Section 19.10.030.B establishes minimum and maximum lot dimensions for newly created parcels unless they are created as part of a planned unit development. The minimum lot width required is 60 feet and the minimum depth required is 85 feet, but not more than three times the width. Parcel 'A' is proposed at approximately 1,650 feet in width and at its longest point 1,320 feet in depth, meeting the

Exhibit B

minimum and maximum lot dimensions. Parcel 'B' is proposed at approximately 634 feet in width and 418 feet in depth. Parcel 'C' is proposed at approximately 411 feet in width and 418 feet in depth at its shortest point. All proposed lots will meet the minimum lot width and depth requirement. There are no hardships or unusual circumstances imposed by allowing a parcel of the sizes and dimensions requested.

- (f) Public Access. See Finding No. 9.
- (g) The legality of the subject parcel identified as Assessor's Parcel Number 412-012-042-000 is supported by the 1964 Assessor's Map Book, Volume 6, and the 1972 Assessor's Map Book, Volume 8, which show the parcel under separate ownership from the surrounding parcels. In addition, the property is developed with three single family residences and numerous accessory structures, and is therefore a legal parcel (section 19.14.045.A.2).
- (h) The project was referred to the North County Coastal Land Use Advisory Committee (LUAC), which reviewed and unanimously recommended approval of PLN040256, with the condition that a B-8 overlay district be applied to the property. The LUAC, in its meeting comments, expressed concerns regarding water, wastewater, and traffic. The Negative Declaration (**Exhibit H** of the Staff Report dated July 10, 2008) prepared for this project has addressed these concerns.
- (i) Visual Resources. This project is consistent with North County Coastal Land Use Plan (LUP) policies regarding visual resources. No new structural development is proposed; therefore, the project will not create impacts to visual resources. In addition, per LUP policy 2.2.2.3, the applicant has proposed scenic and conservation easements over those portions of the property containing 25 percent slope or more.
- (j) Environmentally Sensitive Habitat Areas (ESHA). The project, as proposed and conditioned, is consistent with LUP policies regarding ESHA. The property contains no mapped ESHA. Specifically, per LUP policy 2.3.2.3, significant impacts to ESHA will not occur as a result of this minor subdivision.
- (k) Water Resources. The project, as proposed and conditioned, is consistent with LUP policies regarding water resources. Key policy 2.5.1 directs that groundwater aquifers shall be protected, and new development shall be controlled to a level that can be served by identifiable, available, long-term water supplies. Therefore, new habitable structural development shall be limited by application of a B-8 overlay, until such time that water supply issues are resolved for the area.
- (l) Agricultural Resources. The project, as proposed and conditioned, is consistent with LUP policies regarding agricultural resources. The majority of the property is currently and proposed to remain in agricultural production. The property is not designated as prime agricultural soils, nor is it designated for agricultural preservation or conservation.
- (m) 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 PLN040256.

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, North County Fire Protection District, Parks Department, Public Works Department, 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) The property is located at 527 Pini Road, Las Lomas (Assessor's Parcel Number 412-012-042-000), North County Coastal Land Use Plan, Coastal Zone. The parcel is zoned Rural Density Residential, 10 acres per unit, Coastal Zone ["RDR/10 (CZ)"], which allows minor subdivisions as a conditional use subject to a Coastal Development Permit. The project, as proposed and conditioned, is consistent with the requirements for minor subdivisions.
- (c) The North Monterey County area suffers from a groundwater overdraft and contamination problem that represents development constraints within the area. The North County Land Use Plan Specific Policies Section 2.5.3 direct the County to limit groundwater use to safe-yield levels and set a build-out limitation until safe-yields have been established. The proposed project is within the build-out limitation and is being adequately served by Pini Road Water System # 10 (see Finding 5, Evidences a and c).
- (d) The property is located in an area of low archaeological sensitivity. No tree removal or structural development is proposed as part of this minor subdivision. The property contains no mapped environmentally sensitive habitat. Areas of slope greater than 25 percent shall be placed in a scenic easement (Condition No. 4), and the scenic easements will not interfere with any existing agricultural uses on the property. All existing structures are either residential or agricultural in use, and compatible with the existing zoning. The property is screened by existing trees, and is not visible from any public viewing area or public roads. New habitable structural development shall be limited by application of a B-8 overlay, until such time that water supply issues are resolved for the area. As proposed and conditioned, the project is suitable for this site.
- (e) North Monterey County contains some road segments and intersections that operate at unacceptable levels. The proposed minor subdivision would not make a commitment to increased traffic in the area because no structures are proposed and each newly created lot would contain an existing legally constructed single family dwelling.
- (f) Staff conducted a site visit on May 2, 2008, to verify that the site is suitable for this use.
- (g) 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 PLN040256.

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 and conditioned will have a significant effect on the environment. The 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) Monterey County 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. PLN040256). 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 Land Use and Planning. Substantial evidence supports the conclusion that impacts will be less than significant.

(c) The Negative Declaration was circulated for public review from May 23, 2008, to June 22, 2008.

- (d) The Monterey County Resource Management Agency – Planning Department, (located at 168 W. Alisal Street, 2nd 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 Negative Declaration is based.
- (e) 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 PLN040256.
- (f) As of the printing date of the project staff report, no comments had been received.

4. FINDING: ENVIRONMENTAL DOCUMENT FEE - Pursuant to Senate Bill (SB) 1535, all land development projects that are subject to environmental review are now subject to the California Department of Fish and Game (DFG) filing fees, unless the DFG determines that the project will have no effect on fish and wildlife resources. The project is not required to pay the fee.

- EVIDENCE:**
- (a) The proposed site does not contain any mapped environmentally sensitive habitat areas. The project would not have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive or special status species or have a substantial adverse effect on any riparian habitat or other sensitive natural community. The property is a 50 acre parcel that currently supports agricultural production and residential uses. No structural development is proposed.
 - (b) DFG was asked to consider a determination of “no effect” on fish and wildlife resources for the proposed development on the form prescribed by DFG. The “no effect” determination was approved by DFG on June 3, 2008.

5. FINDING: WATER IMPACT/NORTH COUNTY – There presently exists in the North Monterey County area a serious overdraft in the aquifers, together with seawater intrusion problems in the North County Coastal Zone and nitrate pollution problems throughout the area. The North County Land Use Plan and Coastal Implementation Plan recognize the existence of these problems and direct that studies be made to determine the safe-yield of the North Monterey County aquifers and that procedures thereafter be adopted to manage development in the area so as to minimize adverse effects on the aquifers and preserve them as viable sources of water for human consumption.

- EVIDENCE:**
- (a) The existing dwellings and structures at the site are supplied domestic water service by the Pini Road Water System #10 (pending). The existing well was found to have an adequate capacity and water quality to serve the structures connected to the system including the dwellings at the subject property.
 - (b) Potential changes in land use were evaluated in the Negative Declaration prepared for this project: No new habitable structures are proposed or are implicitly permitted as a result of the subdivision. With the proposed zoning, RDR/10-B-8 (CZ), and the existence of three single family dwellings on the subject parcel (proposed to be located on their own lots through this minor subdivision) there is no potential for an increase of water demand due to this subdivision.
 - (c) The proposed project is consistent with Section 20.144.140.B.3.a of the Monterey County Coastal Implementation Plan. This Section establishes a 50% buildout figure which is permitted as the first phase of new development in the North County Land Use Planning Area in an effort to limit groundwater use to the safe yield level. Approximately 250 units out of a maximum of 1,351 new lots or units (excluding one single family dwelling on a vacant lot of record) remain that could be allowed within the 50% buildout limit approved July 1987 in the North County Land Use Planning Area. This project, as proposed and conditioned, will not change the number of units remaining to buildout.

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

EVIDENCE: (a) Section 19.04.025.E requires that the subdivision be denied if any one of the findings is made. Planning staff has analyzed the project against the findings for denial outlined in this section.

(b) The map and its design are consistent with the Monterey County General Plan, North County Land Use Plan, and Coastal Implementation Plan (**Findings 1 and 5**). No specific plan has been prepared for this area.

(c) The site has been determined to be physically suitable for the type and density of development (**Finding 2**).

(d) The design is not likely to cause substantial environmental damage, substantially and avoidably injure fish or wildlife, or their habitat, as considered in the Negative Declaration prepared (**Finding 3**).

(e) The design of the subdivision is not likely to cause serious health problems (**Finding 10**).

(f) Planning staff reviewed applicable recorded documents to identify all easements and ensure that the project does not conflict with existing easements. (see also **Finding 7**).

(g) Planning staff reviewed the tentative map for consistency with the Subdivision Map Act and Monterey County Code Title 19 (Subdivision Ordinance, Coastal Zone). The proposed subdivision complies with the requirements and conditions imposed by the Subdivision Map Act and Monterey County Code Title 19.

(h) 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 PLN040256.

7. **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. The project is exempt under the Inclusionary Housing Ordinance, per Chapter 18.40 of the County Code.

EVIDENCE: (a) Memorandum from the County's Housing and Redevelopment Office, dated June 18, 2008.

(b) Materials in project file PLN040256.

8. **FINDING:** **DEVELOPMENT DENSITY** – The zoning of the subject parcel (Assessor's Parcel Number 412-012-042-000) is "RDR/10 (CZ)" or Rural Density Residential, 10 acres per unit in the Coastal Zone. Monterey County Zoning Ordinance (Title 20), Section 20.16.060 B, states that the maximum development density shall not exceed the acres per unit shown for the specific district as shown on the zoning map. Therefore, the maximum density of development for the subject parcel is 10 acres per unit.

EVIDENCE: (a) The project consists of a Coastal Development Permit for a Minor Subdivision Tentative Map to subdivide a 50 acre parcel (Assessor's Parcel Number 412-012-042-00) into three parcels of 38.9 acres (Parcel A), 6.1 acres (Parcel B), and 5.0 acres (Parcel C). Consistent with the current zoning, a maximum of five parcels could be created through a subdivision. Pursuant to Section 20.16.060.A, the minimum building site in the RDR zoning classification shall be 5 acres; however, the maximum density of development is 10 acres per unit. Based on the maximum density of development, 8.9 acres of Parcel A has been encumbered by the creation of Parcels B and C ($8.9 + 6.1 + 5.0 = 20.0$ acres). Therefore, 30 acres remains available for future development density.

- (b) Based on the current zoning designation and guidelines, Parcels B and C could not be further subdivided. In addition, Parcel A could only be further subdivided into three parcels. Condition Number 6 has been included to ensure the zoning density maximum is not exceeded.
- (c) Additionally, a condition of approval to require a B-8 Overlay District has been added to the subdivided parcels to restrict future development (i.e., no new habitable structures) pending service by an identifiable, available, long-term water supply. Pending resolution of the water supply issues for the area, the B-8 restriction may be removed and Parcel A further subdivided per evidences (a) and (b) above.

9. FINDING: PUBLIC ACCESS - The project is in conformance with the public access and public recreation policies of the Coastal Act and Local Coastal Program, and does not interfere with any form of historic public use or trust rights. No access is required as part of the project as no substantial adverse impact on access, either individually or cumulatively, as described in Section 20.70.050.B.4.c of the Monterey County Coastal Implementation Plan, can be demonstrated.

- EVIDENCE:**
- (a) The subject property is not described as an area where the Local Coastal Program requires access.
 - (b) The subject property is not indicated as part of any designated trails or shoreline access as shown in Figure 6, of the Shoreline Access/Trails Map and complies with the North County Coastal Land Use Plan.
 - (c) No evidence or documentation has been submitted or found showing the existence of historic public use or trust rights over this property.
 - (d) Staff conducted a site visit on May 2, 2008.

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

11. 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 Findings 1, 2, 3, and 5; and supporting evidence.

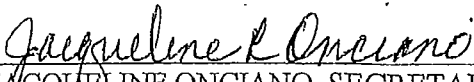
12. FINDING: APPEALABILITY - The decision on this project is appealable to the Board of Supervisors and to the Coastal Commission.

- EVIDENCE:**
- (a) Board of Supervisors: Section 19.01.050.A of Title 19, Monterey County Subdivision Ordinance (Coastal), and Section 20.86.030.A of Title 20, Monterey County Zoning Ordinance.
 - (b) Coastal Commission: Section 20.86.080.A.3 of Title 20, Monterey County Zoning Ordinance. The proposed project involves approval of a conditional use.

DECISION

THEREFORE, it is the decision of the Minor Subdivision of the County of Monterey that the Negative Declaration be adopted and said application for a Coastal Development Permit be granted as shown on the attached sketch and subject to the attached conditions.

PASSED AND ADOPTED this 31st day of July, 2008.


JACQUELINE ONCIANO, SECRETARY

COPY OF THIS DECISION MAILED TO APPLICANT ON **AUG 11 2008**

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

AUG 21 2008

THIS APPLICATION IS ALSO APPEALABLE TO THE COASTAL COMMISSION. UPON RECEIPT OF NOTIFICATION OF THE DECISION BY THE BOARD OF SUPERVISORS, THE COMMISSION ESTABLISHES A 10 WORKING DAY APPEAL PERIOD. AN APPEAL FORM MUST BE FILED WITH THE COASTAL COMMISSION. FOR FURTHER INFORMATION, CONTACT THE COASTAL COMMISSION AT (831) 427-4863 OR AT 725 FRONT STREET, SUITE 300, SANTA CRUZ, CA

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 90th day following the date on which this decision becomes final.

NOTES

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

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

Do not start any construction or occupy any building until you have obtained the necessary permits and use clearances from the Monterey County RMA - Planning Department and RMA - Building Services Department offices in Salinas.

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

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**Monterey County Resources Management
Agency Planning Department
Condition Compliance Plan**

Project Name: Pini

File No: PLN040256

APN: 412-012-042-000

Approved by: Minor Subdivision Committee Date: July 31, 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 Com. 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 Limits	Verification of Compliance (name/date)
1.	<p>PD001 - SPECIFIC USES ONLY</p> <p>This Minor Subdivision (PLN040256) allows the division of a 50 acre parcel into three parcels (Parcel A: 39.2 acres, Parcel B: 5.8 acres, and Parcel C: 5.0 acres), and a Local Coastal Program Amendment to rezone the parcels from RDR/10 (CZ) to RDR/10-B-8 (CZ). The property is located at 527 Pini Road, Las Lomas area (Assessor's Parcel Number 412-012-042-000), North County Coastal Land Use 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</p>	<p>Adhere to conditions and uses specified in the permit.</p>	<p>Owner/ Applicant</p>	<p>Ongoing unless otherwise stated</p>	

	<p>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 Department)</p>		
2.	<p>PD002 - NOTICE-PERMIT APPROVAL The applicant shall record a notice which states: "A Minor Subdivision (Resolution PLN040256) was approved by the Minor Subdivision Committee for Assessor's Parcel Number 412-012-042-000 on July 31, 2008. The Minor Subdivision was granted subject to thirteen (13) conditions of approval which run with the land. A copy of the Minor Subdivision 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. (RMA - Planning Department)</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>PD004 - INDEMNIFICATION AGREEMENT 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</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>	<p>Owner/ Applicant</p> <p>Upon demand of County Counsel or concurrent with the issuance of building permits, use of the property, filing of the parcel map, whichever occurs first and as applicable</p>

Exhibit B

	<p>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. (RMA - Planning Department)</p>				
4.	<p>PD023 - EASEMENT - SCENIC (SLOPE) A scenic easement shall be conveyed to the County over those portions of the property where the slope exceeds 25 percent. The easement shall be developed in consultation with a certified professional. A scenic easement deed shall be submitted to, and approved by, the Director of the RMA - Planning Department prior to issuance of grading or building permits. (RMA - Planning Department)</p>	<p>Submit the scenic easement deed and corresponding map, developed in consultation with a certified professional, to the RMA - Planning Department for review and approval.</p>	<p>Owner/ Applicant/ Certified Professional 1</p>	<p>Prior to the issuance of grading and building permits.</p>	
5.	<p>PDSP001 - "B-8" COMBINING DISTRICT (NON-STANDARD) Prior to recording the parcel map, the applicant shall request in writing that the property currently zoned Rural Density Residential/10 acres per unit "RDR/10 (CZ)" be rezoned to "RDR/10-B-8 (CZ)". (RMA - Planning Department)</p>	<p>Record the deed and map showing the approved scenic easement. Submit a copy of the recorded deed and map to the RMA - Planning Department.</p>	<p>Owner / Applicant</p>	<p>Prior to parcel map or commencement of use.</p>	
		<p>Applicant shall submit an application to the County of Monterey to rezone the property.</p>	<p>Engineer / Owner / Applicant</p>	<p>Prior to recordation of parcel map.</p>	

Exhibit 3

6.	<p>PDSP0002 – DEED NOTIFICATION AND NOTE ON PARCEL MAP - DENSITY (NON-STANDARD)</p> <p>The applicant shall record a notice which states: "A Minor Subdivision (MS Resolution No. 08016) was approved by the Minor Subdivision Committee for Assessor's Parcel Number 412-012-042-000 on July 31, 2008. Finding No. 8 states: FINDING: DEVELOPMENT DENSITY – The zoning of the subject parcel (Assessor's Parcel Number 412-012-042-000) is "RDR/10 (CZ)" or Rural Density Residential, 10 acres per unit in the Coastal Zone. Monterey County Zoning Ordinance (Title 20), Section 20.16.060 B, states that the maximum development density shall not exceed the acres per unit shown for the specific district as shown on the zoning map. Therefore, the maximum density of development for the subject parcel is 10 acres per unit.</p> <p>EVIDENCE: (a) The project consists of a Coastal Development Permit for a Minor Subdivision Tentative Map to subdivide a 50 acre parcel (Assessor's Parcel Number 412-012-042-00) into three parcels of 38.9 acres (Parcel A), 6.1 acres (Parcel B), and 5.0 acres (Parcel C). Consistent with the current zoning, a maximum of five parcels could be created through a subdivision. Pursuant to Section 20.16.060.A, the minimum building site in the RDR zoning classification shall be 5 acres; however, the maximum density of development is 10 acres per unit. Based on the maximum density of development, 8.9 acres of Parcel A has been encumbered by the creation of Parcels B and C (8.9 + 6.1 + 5.0 = 20.0 acres). Therefore, 30 acres remains available for future development density. (b) Based on the current zoning designation and guidelines, Parcels B and C could not be further subdivided. In addition, Parcel A could only be further</p>	<p>Proof of recordation of this notice shall be furnished to the RMA - Planning Department.</p> <p>The applicant shall enumerate on the parcel map as "Density Note", and submit a copy of the parcel map to be recorded, with appropriate note, to the RMA-Planning Department for review and approval.</p>	<p>Owner / Applicant</p> <p>Owner / Applicant</p>	<p>Prior to recordation of parcel map or issuance of building permits.</p>
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	<p>subdivided into three parcels. Condition Number 6 has been included to ensure the zoning density maximum is not exceeded.</p> <p>(c) Additionally, a condition of approval to require a B-8 Overlay District has been added to the subdivided parcels to restrict future development (i.e., no new habitable structures) pending service by an identifiable, available, long-term water supply. Pending resolution of the water supply issues for the area, the B-8 restriction may be removed and Parcel A further subdivided per evidences (a) and (b) above."</p> <p>Proof of recordation of this notice shall be furnished to the Director of the RMA - Planning Department prior to issuance of building permits or recordation of the parcel map. In addition, a note with the same wording shall be placed on the parcel map prior to recordation. (RMA - Planning Department)</p>				
7.	<p>EH1 - WATER SYSTEM PERMIT Obtain a new or amended water system permit from the Division of Environmental Health. (Environmental Health)</p>		<p>Submit necessary application, reports and testing results to EH for review and approval.</p>	<p>CA Licensed Engineer/ /Owner/ Applicant</p>	<p>Prior to issuance of grading/ building permits or prior to filing parcel map.</p>
8.	<p>EHS - INSTALL/BOND WATER SYSTEM IMPROVEMENTS 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. (Environmental Health)</p>		<p>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.</p>	<p>CA Licensed Engineer/ /Owner/ Applicant</p>	<p>Prior to filing parcel map.</p>

Exhibit 6

9.	<p>EH7 - ABANDONED WELLS Destroy the existing abandoned well(s) according to the standards found in State of California Bulletin 74 and all its supplements, and Chapter 15.08 of the Monterey County Code. The well shall not be considered abandoned if satisfactory evidence is provided that the well is functional, is used on a regular basis, and does not act as a conduit for contamination of groundwater. (Environmental Health)</p>	<p>Prior to destruction, a permit for the destruction of the well(s) shall be obtained by a CA licensed well contractor from the Division of Environmental Health. After destruction submit the Well Completion Report to the Division of Environmental Health</p>	<p>CA Licensed Engineer Owner/Applicant</p>	<p>Prior to filing a parcel map and/or issuance of a building permit.</p>
10.	<p>EHP001 - DEED NOTIFICATION - WATER QUALITY (NON-STANDARD) A deed notification shall be recorded prior to filing of the final parcel map with the Monterey County Recorder which states: "The well that serves Pini Road WS #10 exceeds the Maximum Contaminant Level (MCL) for the following secondary constituent: • Manganese (Aesthetic)" (Environmental Health)</p>	<p>The applicant shall submit proof of recordation of this notice to the Environmental Health Division.</p>	<p>Owner / Applicant</p>	<p>Prior to recordation of parcel map.</p>
11.	<p>PW0031 - PARCEL MAP File a parcel map delineating all existing and required easements or rights-of-way and monument new lines. (Public Works)</p>	<p>Applicant's surveyor shall prepare a parcel map, and submit it to DPW for review and approval.</p>	<p>Owner / Applicant / Engineer</p>	<p>Prior to Recordation of Parcel Map.</p>
12.	<p>PW0033 - SURVEYOR CHECK-LIST 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)</p>	<p>Subdivider shall submit items included in County Surveyors Check Off List to DPW for review and approval.</p>	<p>Subdivider</p>	<p>Prior to Recordation of Parcel Map.</p>
13.	<p>PW0036 - EXISTING EASEMENTS AND ROW Provide for all existing and required easements or rights of way. (Public Works)</p>	<p>Subdivider's Surveyor shall include all existing and required easements or rights of way on Parcel Map.</p>	<p>Subdivider/Surveyor</p>	<p>Prior to Recordation of Parcel Map.</p>

END OF CONDITIONS

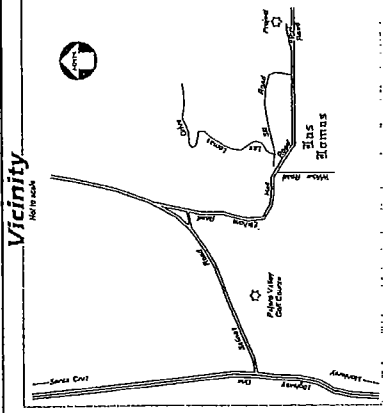
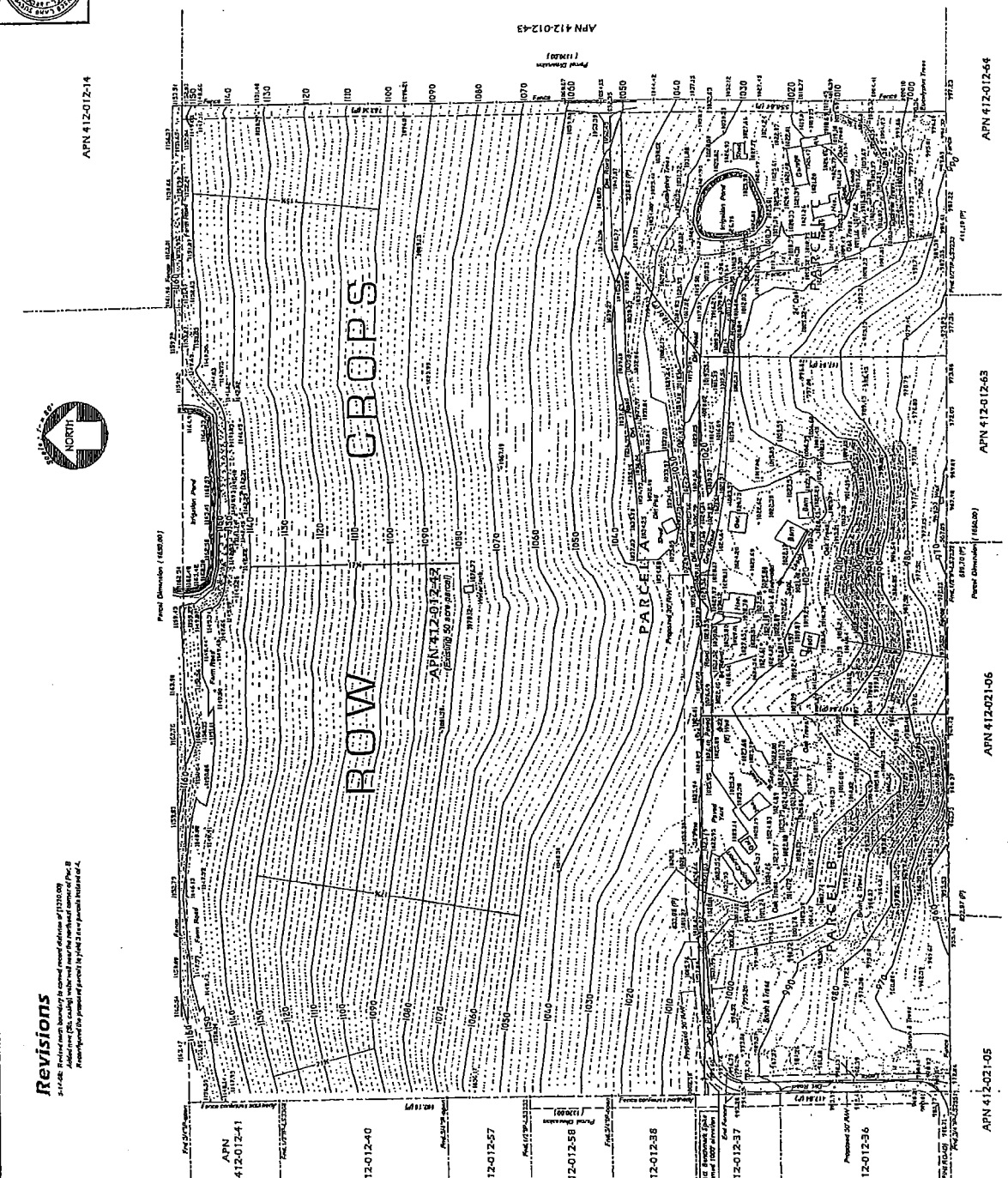


BRIDGETTE LAND SURVEYING
 80 AVENUE SUITE A WATSONVILLE, CA
 95076 / 831-732-9800 / FAX: 831-731-9071

Mr. Aldo Pini
 217 First Street, Watsonville, California 95076

APN 412-012-042
 Watsonville, California Monterey County

SCALE: 1" = 20'
 DATE: 3-25-04
 REVISIONS: 5-14-08
 CONTOUR INTERVAL: 2 FT.
 1
 04.01



Revisions
 2-14-08: Final north boundary to correct record address of 1120.00
 2-14-08: Addition (20, 2000) meters and the north-south corner of Parcel 3
 Prepared for printed parcel by field & map production of A.

Parcel Sizes
 Parcel 1: 21.00 acres (84,000 sq ft)
 Parcel 2: 21.00 acres (84,000 sq ft)
 Parcel 3: 21.00 acres (84,000 sq ft)
 Parcel 4: 21.00 acres (84,000 sq ft)
 Parcel 5: 21.00 acres (84,000 sq ft)
 Parcel 6: 21.00 acres (84,000 sq ft)
 Parcel 7: 21.00 acres (84,000 sq ft)
 Parcel 8: 21.00 acres (84,000 sq ft)
 Parcel 9: 21.00 acres (84,000 sq ft)
 Parcel 10: 21.00 acres (84,000 sq ft)

Notes
 Scale: 1" = 20'
 Contour Interval: 2 feet
 Vertical Datum: NAVD83
 Horizontal Datum: NAD83
 Survey Method: GPS
 Survey Date: 3-25-04
 Surveyor: Bridgette Land Surveying
 Project: APN 412-012-042
 Prepared by: Aldo Pini
 Checked by: [Name]
 Approved by: [Name]

Legend
 AC: Public Access
 CR: Contour
 E: Easement
 F: Fence
 G: Gravel
 H: Highway
 I: Irrigation
 L: Lot
 M: Meadow
 N: Natural
 O: Other
 P: Power
 R: Road
 S: Stream
 T: Trail
 U: Utility
 V: Vegetation
 W: Water
 X: Xmas Tree
 Y: Yard
 Z: Zone

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Legal Description for Pini Scenic Easements

SITUATE in Section 24, Township 12 South, Range 2 East, Mount Diablo Meridian, County of Monterey, State of California.

BEING easements for conservation and scenic purposes over a portion of the lands of Pini as described in that deed recorded in Document Number 2011020548, Monterey County Records and more particularly described as follows:

Scenic Easement Parcel 1

BEGINNING at the southwest corner of Section 24, Township 12 South, Range 2 East, Mount Diablo Meridian, thence from said Point of Beginning, along the south boundary of the aforesaid lands of Pini N 89°26'40" E 435.05 feet to the True Point of Beginning at an angle point in Scenic Easement Parcel 1, thence from said True Point of Beginning, leave said south boundary of Pini and along the boundaries of said Scenic Easement Parcel 1 the following courses:

1. N 62°24'36" W 69.07 feet; thence
2. S 85°23'40" W 45.63 feet; thence
3. N 10°59'45" W 37.99 feet; thence
4. N 73°14'41" W 37.68 feet; thence
5. N 16°45'18" E 38.06 feet; thence
6. S 57°29'51" E 22.50 feet; thence
7. N 89°46'00" E 69.55 feet; thence
8. N 20°11'12" E 40.73 feet; thence
9. N 25°29'18" E 38.78 feet; thence
10. N 40°42'55" E 40.42 feet; thence
11. S 43°35'19" E 82.91 feet; thence
12. S 42°33'57" W 35.88 feet; thence
13. S 48°31'46" E 25.44 feet; thence
14. S 35°39'53" E 16.77 feet; thence
15. S 83°54'17" E 22.35 feet; thence
16. N 50°01'30" E 29.70 feet; thence
17. S 40°36'39" E 32.30 feet; thence
18. S 47°31'20" E 30.53 feet; thence
19. S 7°32'35" E 34.41 feet; thence
20. S 2°15'09" W 23.95 feet to the said south boundary of Pini; thence

along said south boundary S 89°26'40" W 160.42 feet to the True Point of Beginning.

Containing 0.73 acres

Exhibit C

Scenic Easement Parcel 2

BEGINNING at the southwest corner of Section 24, Township 12 South, Range 2 East, Mount Diablo Meridian, thence from said Point of Beginning, along the south boundary of the aforesaid lands of Pini N 89°26'40" E 681.74 feet, thence leave said south boundary of Pini N 0°33'20" W 57.80 feet to the True Point of Beginning at an angle point in Scenic Easement Parcel 2, thence from said True Point of Beginning, along the boundaries of said Scenic Easement Parcel 2 the following courses:

21. N 59°00'20" W 31.99 feet; thence
22. S 70°58'51" W 9.52 feet; thence
23. N 17°45'14" E 37.64 feet; thence
24. S 75°07'25" E 24.03 feet; thence
25. N 36°26'32" E 38.75 feet; thence
26. N 49°28'31" W 24.81 feet; thence
27. N 34°49'50" E 34.98 feet; thence
28. S 61°58'02" E 56.08 feet; thence
29. N 56°54'15" E 91.90 feet; thence
30. S 82°02'26" E 81.83 feet; thence
31. S 66°04'12" E 51.03 feet; thence
32. S 82°48'57" E 42.30 feet; thence
33. N 82°59'10" E 56.66 feet; thence
34. N 6°55'12" W 13.53 feet; thence
35. N 87°45'26" E 41.60 feet; thence
36. S 10°14'06" W 25.23 feet; thence
37. S 69°42'03" E 35.19 feet; thence
38. S 58°24'57" W 57.06 feet; thence
39. S 28°17'41" E 36.81 feet; thence
40. S 56°20'38" W 16.35 feet; thence S 88°17'43" W 155.59 feet; thence
41. N 0°50'37" E 35.94 feet; thence
42. N 72°24'45" W 36.81 feet; thence
43. S 83°20'03" W 49.64 feet; thence
44. S 57°25'25" W 58.74 feet; thence
45. S 85°29'57" W 51.08 feet; thence
46. N 70°11'56" W 47.47 feet; thence
47. S 21°08'14" W 38.87 feet to the True Point of Beginning

Containing 0.85 acres

Scenic Easement Parcel 3

BEGINNING at the southwest corner of Section 24, Township 12 South, Range 2 East, Mount Diablo Meridian, thence from said Point of Beginning, along the south boundary of the aforesaid lands of Pini N 89°26'40" E 1450.43 feet, thence leave said south

Exhibit C

Page 2 of 6 Pages

boundary of Pini N 0°33'20" W 68.59 feet to the True Point of Beginning at an angle point in Scenic Easement Parcel 3, thence from said True Point of Beginning, along the boundaries of said Scenic Easement Parcel 3 the following courses:

48. N 4°30'43" W 36.91 feet; thence
49. S 79°00'37" E 11.06 feet; thence
50. N 82°48'24" E 94.44 feet; thence
51. N 61°12'57" E 66.52 feet; thence
52. N 24°54'08" E 60.97 feet; thence
53. N 6°55'40" E 49.06 feet; thence
54. S 0°42'19" E 67.73 feet; thence
55. S 19°31'39" W 52.60 feet; thence
56. S 59°19'11" W 44.54 feet; thence
57. S 1°26'02" W 30.31 feet; thence
58. S 54°40'21" W 14.41 feet; thence
59. N 86°01'57" W 54.75 feet; thence
60. S 83°41'05" W 69.78 feet to the True Point of Beginning

Containing 0.17 acres

Prepared by: Bridgette Land Surveying
May 23, 2011
Job # 11-08

 5-24-11

Michael J. Bridgette, PLS 7329
Renew: 12-31-2011

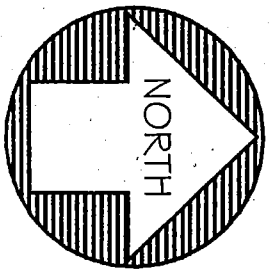


SCENIC EASEMENT PARCEL 1

SCALE: 1" = 80'

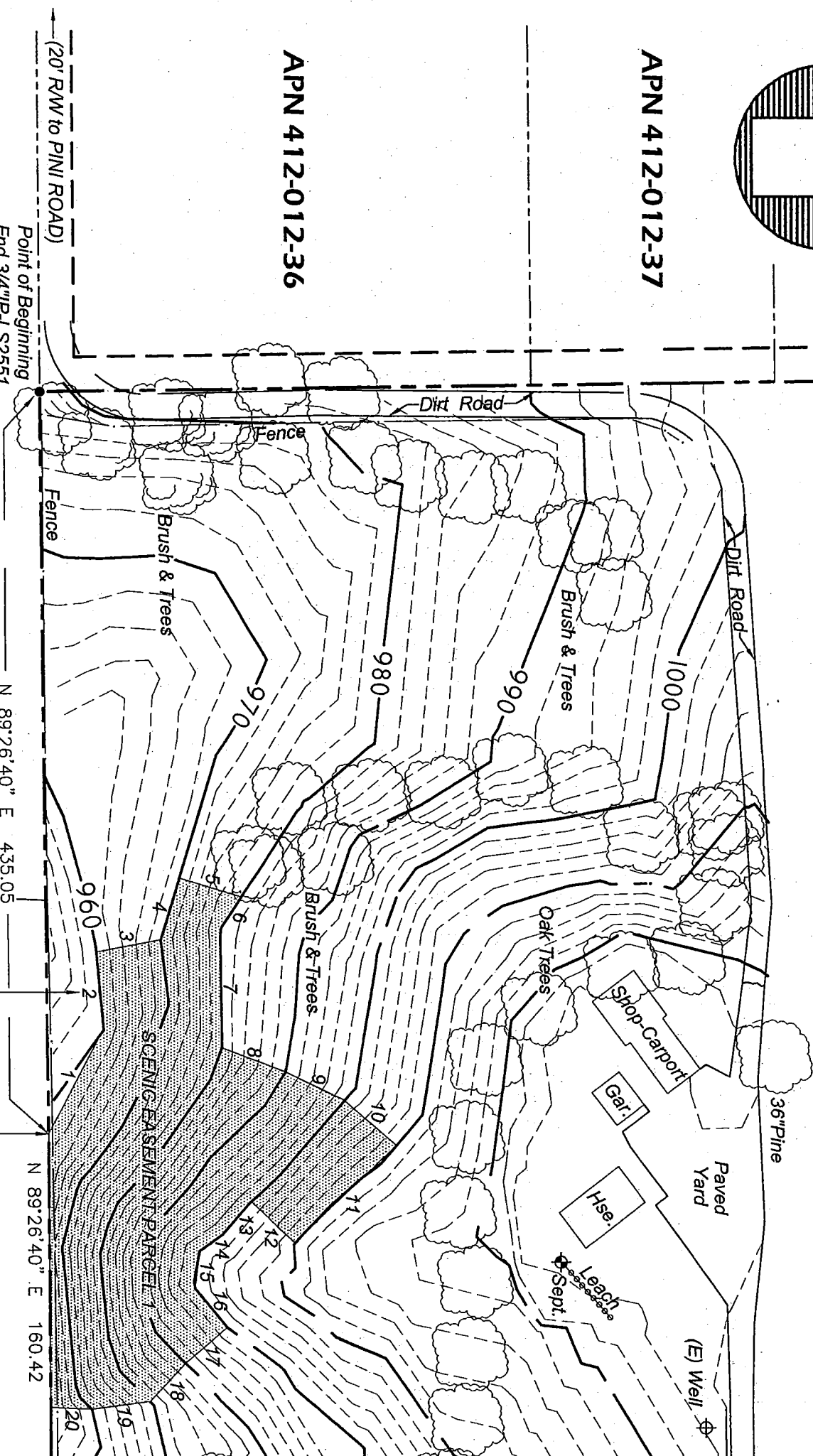
APN 412-012-42

Pini Doc.# 2011020548



APN 412-012-37

APN 412-012-36



(20' RW to PINI ROAD)

Point of Beginning

Fnd. 3/4" P-LS2551

SW corner Section 24

T 12 S, R 2 E, M.D.M.

APN 412-021-05

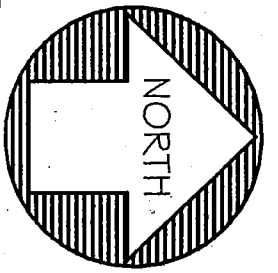
Scenic Easement Parcel 1 Courses 1-20
See Legal Description per EXHIBIT A

N 89°26'40" E 435.05

N 89°26'40" E 160.42

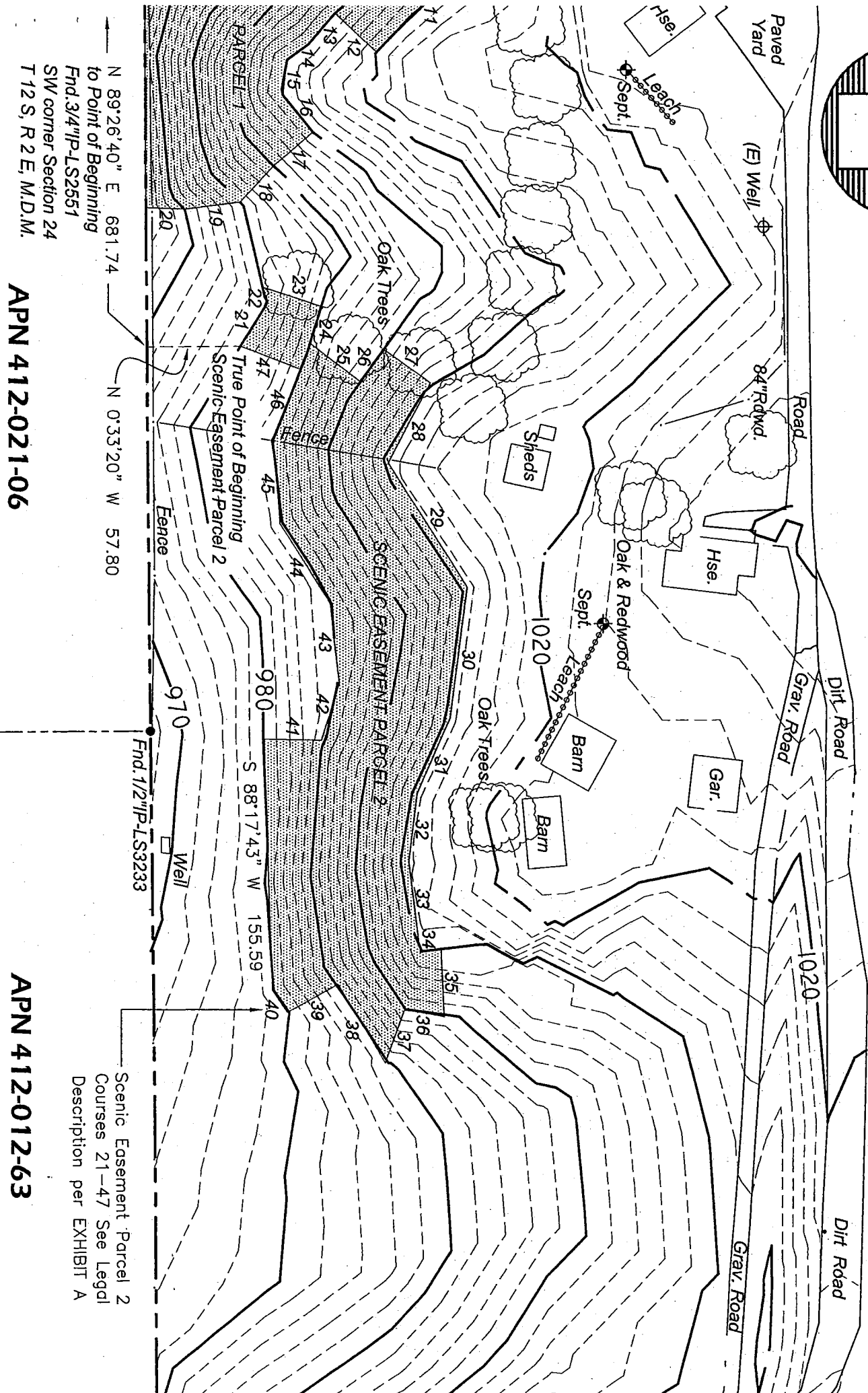
APN 412-021-06

True Point of Beginning
Scenic Easement Parcel 1



SCENIC EASEMENT PARCEL 2
SCALE: 1" = 80'

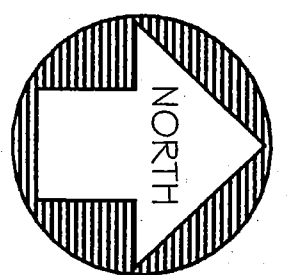
APN 412-012-42
Pini Doc.# 2011020548



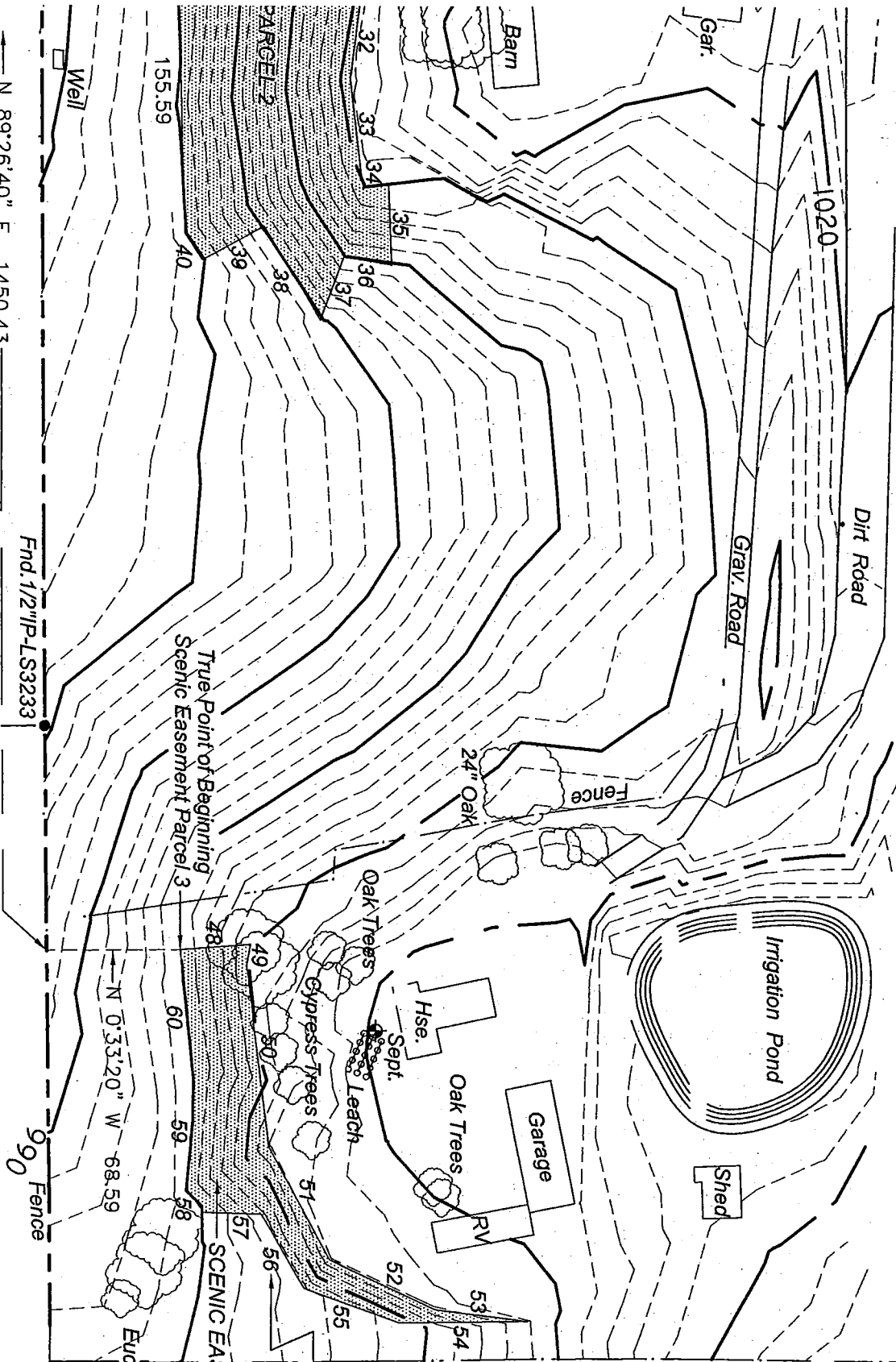
Scenic Easement Parcel 2
Courses 21-47 See Legal
Description per EXHIBIT A

APN 412-021-06

APN 412-012-63



APN 412-012-43



Scenic Easement Parcel :
Courses 48-60 See Lega
Description per EXHIBIT A

N 89°26'40" E 1450.43
to Point of Beginning
Fnd. 3/4" P-LS2551

SW corner Section 24
T 12 S, R 2 E, M.D.M.

APN 412-012-63

Fnd. 1/2" P-LS3233

N 0°33'20" W 68.59

99' Fence

APN 412-012-64

SCENIC EASEMENT PARCEL 3

Eucalyptus Trees

True Point of Beginning
Scenic Easement Parcel 3

155.59

Parcel 2

32 33 34 35 36 37 38 39 40

1020

Dirt Road

Grav. Road

Barn

Gar.

24" Oak

Fence

Irrigation Pond

Shed

Garage

Hse.

RV

Oak Trees

Sept.

Cypress Trees

Oak Trees

Leach

51 52 53 54 55 56 57 58 59 60

1010 1020 1030

Fence

1000

Well