

# Attachment A

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

**Ernest Errol Simard II and Eileen F. Simard, Trustees of the Simard-Simard II 1990 Trust dated June 27, 1990 as to an undivided 25% interest; Sandra Catherine Houde as to an undivided 25% interest; Suzanne Elizabeth Plann Miller as to an undivided 25% interest; Denis H. Simard as Trustee of the Denis H. Simard Revocable Trust dated August 25, 2006 as an undivided 25% interest; and Sandra Houde Moritz. (PLN180398)**

**Resolution No. -**

- Resolution of the Monterey County Board of Supervisors: )
- a. Finding that the project is a Lot Line Adjustment not )  
resulting in a new parcel, which qualifies as a Class 5 )  
Categorical Exemption per California Environmental )  
Quality Act (CEQA) Guidelines Section 15305(a), )  
and there are no exceptions pursuant to CEQA )  
Guidelines Section 15300.2; )
  - b. Approving a Lot Line Adjustment between two (2) )  
existing legal lots of record (under Williamson Act )  
Agricultural Preserve Land Conservation Contract )  
No. 73-30) of approximately 10.03 acres (Existing )  
Lot 1) and 296.90 (Existing Lot 2), resulting in two )  
(2) legal lots of record of 84.53 acres (Proposed Lot )  
1) and 222.40 acres (Proposed Lot 2) with no net )  
decrease in acreage under the Williamson Act )  
Contract; )
  - c. Authorizing the Chair to execute a new or amended )  
Land Conservation Contract(s) in order to rescind a )  
portion of the existing Land Conservation Contract as )  
applicable to the reconfigured lots only and )  
simultaneously execute a new or amended Land )  
Conservation Contract for the reconfigured lots )  
between the County and the property owners )  
reflecting the new legal description, current )  
ownership interests and to incorporate any legislative )  
changes to State Williamson Act provisions and )  
current County Agricultural Preserve Policies or )  
Procedures; and )
  - d. Directing the Clerk of the Board to record the new or )  
amended Land Conservation Contract(s) subject to )  
the submittal of the appropriate recording fees from )  
the property owners of record. )
- PLN180398/ 416-441-045-000 and 416-441-046-000; )  
751 Corral de Tierra Rd (Existing Lot 1) and 701 Corral de )  
Tierra Rd (Existing Lot 2), Salinas, Toro Area Plan. )

## **RECITALS:**

**WHEREAS**, an application was submitted for a Lot Line Adjustment between two (2) legal lots of record involving Lot 1 (APN 416-441-045) and Lot 2 (APN 416-441-046) owned by Ernest Errol Simard II and Eileen F. Simard, Trustees of the Simard-Simard II 1990 Trust dated June 27, 1990 as to an undivided 25% interest; Sandra Catherine Houde as to an undivided 25% interest; Suzanne Elizabeth Plann Miller as to an undivided 25% interest; Denis H. Simard as Trustee of the Denis H. Simard Revocable Trust dated August 25, 2006 as an undivided 25% interest; and Sandra Houde Moritz, hereinafter called “Owner”, and

**WHEREAS**, the legality of the two (2) subject parcels is based on a chain of deeds on file with the County Recorder and found in Planning File No. PLN180398 and incorporated herein by this reference; and

**WHEREAS**, the two parcels, APNs 416-441-045-000 and 416-441-046-000 are subject to Agricultural Preserve Contract (AGP) No. 73-30 originally established by County Board of Supervisors Resolution No. 73-34-30 on February 27, 1973 (Violini- recorded in Reel 830 of Official Records, Page 748), which encompassed a large land area.

**WHEREAS**, it appears that AGP Contract No. 73-30 has been revised by the County Board of Supervisors at two subsequent times, maintaining the same contract number AGP 73-30; on February 24, 1976 (Simard) recorded in Reel 1036 of Official Records, Page 647 under Recorder’s Series No. G 07080; and on August 5, 1980 (Simard) recorded in Reel 1520 of Official Records, Page 749.

**WHEREAS**, the Lot Line Adjustment which will result in two (2) reconfigured lots consisting of approximately 84.53 acres (Lot 1) and 222.40 acres (Lot 2) with no net decrease in acreage under the Williamson Act Contract; and

**WHEREAS**, the Lot Line Adjustment will allow the continued operation of commercial agricultural (grazing) which is consistent with the applicable Williamson Act Agricultural Preserve Land Conservation Contract 73-30 for the respective parcels, and Board approved compatible uses; and,

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

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

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

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

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

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

- EVIDENCE:**
- (a) The text, policies, and regulations in the above referenced documents have been evaluated during the course of review of this application. No conflicts between these documents and this application were found to exist. No communications were received during the course of review of the project indicating any project inconsistencies with the text, policies, and regulations in these documents.
  - (b) The subject lots are located at 751 and 701 Corral de Tierra Rd, Salinas, Toro Area Plan, in unincorporated County of Monterey. The two (2) parcel's current configuration consists of approximately 10.03 acres (APN 416-441-045-Existing Lot 1) and 296.90 acres (APN 416-441-046- Existing Lot 2). The project will result in two (2) reconfigured parcels of 84.53 acres (Proposed Lot 1) and 222.40 acres (Proposed Lot 2). Both parcels have a grazing operation and are under Williamson Act Agricultural Preserve Land Conservation Contract No. 73-30. The zoning for both parcels is Permanent Grazing, 40-acre minimum lot size in a Visually Sensitivity Zoning District or PG/40-VS.
  - (c) The property owners have requested this lot line adjustment for estate planning purposes.
  - (d) The lot line adjustment will increase an undersized property off Coral de Tierra Road, from 10.03 (Existing Lot 1) acres to 84.53 (Proposed Lot 1) acres, bringing that property into conformance with the 40-acre Permanent Grazing minimum lot size. It would also place two existing single family homes, that are currently on separate parcels, on the proposed 84.53 parcel.
  - (e) The second parcel would be reduced in size from 296.90 acres to 222.40 acres and that parcel would no longer have a dwelling on it.
  - (f) Both properties are under a Williamson Act contract and are used for cattle grazing. The lot line adjustment would require that the contract be amended to reflect the new parcel configuration and legal descriptions. The lot line adjustment will not reduce the acreage of property under the contract or effect the grazing operations at the site.
  - (g) The parcels in this lot line adjustment are subject to the 2010 Monterey County General Plan. Goal LU-1 of the General Plan promotes “*appropriate and orderly growth and development while protecting desirable existing land uses*”. Under this goal, *Policy LU-1.16* states that lot line adjustments between or among lots that do not conform to

minimum parcel size standards may be allowed if the resultant lots are consistent with all other General Plan policies, zoning and building ordinances and the lot line adjustment would: Accommodate legally constructed improvements which extend over a property line; or facilitate the relocation of existing utilities, infrastructure, or public utility easements; or resolve boundary issue between or among affected owners; or produce a superior parcel configuration; or reduce the non-conformity of existing legal lots of record; or promote resource conservation, including open space and critical viewshed protection, without triggering eminent domain; or better achieve the goals, policies and objectives of the General Plan; or facilitate routine and ongoing agricultural activities.

- (h) The proposal would eliminate the non-conformity of Existing Lot 1 and facilitate the routine and ongoing agricultural activities of the agricultural operation. This lot line adjustment would result in having two existing homes that are already near each other to be on the same parcel (Proposed Lot 1), which is the intent of Policies LU-1.7 and AG-1.7 which “strongly encourage” the clustering of development to promote the vitality of the agricultural operations. The zoning allows up to three (3) single family dwellings per legal lot of record, accessory to the agricultural use of the property. The primary use of the two (2) existing parcels is grazing and the two (2) existing single family dwellings are accessory to this primary use. Proposed Lot 2 would result in being a vacant parcel at 222.40 acres, with the potential of having up to three (3) residences, if these are accessory to the agricultural use of the property.
- (i) The proposed lot line adjustment would promote appropriate and orderly growth and development while protecting desirable land uses, in this case agricultural land uses. The proposed lot line adjustment would: produce a superior lot configuration; promote resource conservation as agricultural is a resource in this County; better achieve the goals, policies, and objectives of the General Plan; and facilitate routine and ongoing agricultural activities.
- (j) The parcels are not subject to Toro Area Plan Supplemental Policy No. T-1.7, which would limit a legal lot of record to the first single family dwelling.
- (k) The application, plans, and related support materials found in Planning File No. PLN180398.

**2. FINDING: SITE SUITABILITY** – The site is physically suitable for the use proposed.

- EVIDENCE:**(a) The project has been reviewed for site suitability by the following departments and agencies: RMA - Planning Division, Monterey County Regional Fire Protection District, RMA-Public Works, Water Resources Agency and Environmental Health Bureau. There has been no indication from these departments/agencies that the site is not suitable for the proposed Lot Line Adjustment. Conditions have been incorporated accordingly.
- (b) The application, plans, and related support materials found in Planning File No. PLN180398.
  - (c) Access for Proposed Lot 1 and the two (2) single family dwellings would continue through the existing driveway off Corral de Tierra Road, while access to Proposed Lot 2 will be from Corral del Cielo Road.

(d) The Lot Line Adjustment would not result in any new developable parcels or an adjusted lot that is inconsistent with the general plan or with subject Agricultural Preserve Land Conservation Contract No. 73-30.

**3. FINDING: CONFORMANCE WITH SUBDIVISION ORDINANCE AND PARCEL LEGALITY DETERMINATION** - Pursuant to Section 19.09.025.B.1 of the Monterey County Subdivision Ordinance (Title 19), the Lot Line Adjustment is between two (2) or more existing adjacent lots.

**EVIDENCE:** (a) The subject Lot Line Adjustment is between two (2) existing adjacent lots.  
(b) The application, plans, and related support materials can be found in Planning File No. PLN180398.

**4. FINDING: NO NEW LOTS CREATED** – Pursuant to the Monterey County Code (MCC) Section 19.09.025.B.2 (Title 19 – Subdivision Ordinance), a greater number of parcels or lots than originally existed will not be created as a result of the Lot Line Adjustment.

**EVIDENCE:**(a) The existing two (2) contiguous lots of record will be adjusted, resulting in two (2) lots. The proposed Lot Line Adjustment would not result in more developable parcels and would not compromise the long-term agricultural productivity of the existing grazing operation. Furthermore, no agriculture will be taken out of production.  
(b) The application, plans, and related support materials found in Planning File No. PLN180398.

**5. FINDING: CONTIGUOUS LOTS OF RECORD** – Pursuant to MCC Section 19.09.025.B.3 (Title 19 – Subdivision Ordinance), the parcels resulting from the Lot Line Adjustment conform to the County Zoning and Building Ordinances and are contiguous parcels.

**EVIDENCE:** (a) The application and plans for a Lot Line Adjustment found in Planning File No. PLN180398.  
(b) See evidence in Finding 1, above.

**6. FINDING: California Environmental Quality Act (CEQA)** – The project is categorically exempt from environmental review.

**EVIDENCE:**(a) Guidelines for CEQA, California Code of Regulations, Title 14, Chapter 3, Section 15305(a) categorically exempts Lot Line Adjustments, side yard, and setback variances in areas with an average natural slope of less than 20% not resulting in the creation of any new parcel.  
(b) Section 15317 of the CEQA Guidelines categorically exempts the establishment of agricultural preserves, the making and renewing of Open Space Contracts under the Williamson Act, or the acceptance of easements or fee interests in order to maintain the open space character of the area.  
(c) Based on a review of the project plans, approval of the project would not result in any potentially adverse impacts. No additional development is proposed with this project.  
(d) See preceding findings and related evidence.

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

**EVIDENCE:** Materials in Planning File No. PLN180398.

- 8. FINDING: NO VIOLATIONS** - The subject property is in compliance with all rules and regulations pertaining to zoning uses, subdivision, and any other applicable provisions of the County's Zoning Ordinance (Title 21). No violations exist on the property.
- EVIDENCE:** Staff has reviewed Monterey County RMA - Planning Division and Building Services Division records and is not aware of any violations existing on the subject property.
- 9. FINDING: HEALTH AND SAFETY** - The establishment, maintenance, or operation of the project applied for will not under the circumstances of this particular case be detrimental to the health, safety, peace, morals, comfort, and general welfare of persons residing or working in the neighborhood of such proposed use, or be detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the County.
- EVIDENCE:** See preceding findings #1, #2, #3, #4 and #5 and supporting evidence.
- 10. FINDING: WILLIAMSON ACT – CONTRACTS** – Pursuant to California Government Code Section 51257(a)(1), the new or amended Contract or Contracts would enforceably restrict the adjusted boundaries of the parcel for an initial term for at least as long as the unexpired term of the rescinded Contract or Contracts, but for not less than ten (10) years.
- EVIDENCE:** (a) The proposed amendment to Agricultural Preserve Land Conservation Contract No. 73-30 shall be applicable to reconfigured parcels.
- (b) The term of the original Land Conservation Contract renews annually on each succeeding January 1; the term of the new or amended Contract or Contracts shall be automatically renewed on January 1 and one (1) additional year shall be added automatically to the initial term unless notice of nonrenewal is given.
- 11. FINDING: WILLIAMSON ACT – NO NET ACREAGE DECREASE** - Pursuant to California Government Code Section 51257(a)(2), there is no net decrease in the amount of the acreage restricted.
- EVIDENCE:** (a) The Lot Line Adjustment will reconfigure the lots but will not result in a net loss of acreage currently under Contract. Therefore, the Lot Line Adjustment would not result in a net decrease in the amount of the acreage restricted.
- (b) A condition of approval shall require that a surveyor prepare legal descriptions for each newly configured parcel and submit them to RMA-Planning for review and approval for recordation with the Monterey County Recorder's office as attachments to the Certificates of Compliance for the reconfigured parcels.
- (c) The application, plans, and related support materials found in Planning File No. PLN180398.
- 12. FINDING: WILLIAMSON ACT – NEW CONTRACTS** - Pursuant to California Government Code Section 51257(a)(3), at least 90 percent of the land under the former Contract or Contracts remains under the new or amended Contract or Contracts.
- EVIDENCE:** (a) The proposed new or amended Contract will continue to cover at least 90 percent of the subject lots under Agricultural Preserve Land Conservation Contract No. 73-30.



- (b) The application and plans for a Lot Line Adjustment found in Planning File No. PLN180389.

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

**EVIDENCE:** (a) The proposed Lot Line Adjustment shall reflect the redistribution of 306.93 acres of land under a Williamson Act Land Conservation Contract.

(b) Pursuant to California Government Code Section 51222 (Williamson Act), “agricultural land shall be presumed to be in parcels large enough to sustain their agricultural use if the land is (1) at least 10 acres in size in the case of prime agricultural land, or (2) at least 40 acres in size in the case of land which is not prime agricultural land.” The total acreage involved in the subject Lot Line Adjustment is 306.93 acres in total and 306.93 acres of this sum is currently under a Contract.

(c) County of Monterey Board of Supervisors Resolution No. 01-485 requires that agricultural preserves will not be considered unless the group of contiguous parcels included in the preserve contains 100 or more acres, or 40 or more acres if the Board finds that smaller preserves are necessary due to the unique characteristics of the agricultural enterprises in the area. The subject Lot Line Adjustment will retain all of the 306.93 acres in farmland production within Agricultural Preserve Land Conservation Contract No. (Ag Preserve No. 73-30).

(d) The application plans, and related support materials found in Planning File No. PLN180389.

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

**EVIDENCE:** (a) The purpose for the Lot Line Adjustment is for estate planning reasons. The proposed Lot Line Adjustment is a compatible use pursuant to the Board approved list of compatible uses and consistent with Ag Preserve No. 73-30. The resultant parcels would allow the property owners to efficiently sustain their agricultural operation.

(b) The application plans, and related support materials found in Planning File No. PLN180389.

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

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

(b) The application and plans for a Lot Line Adjustment found in Planning File No. PLN180389.

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

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

(b) The application, plans, and related support materials found in Planning File No. PLN180389.

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

- a. Find that the project is a Lot Line Adjustment not resulting in a new parcel, which qualifies as a Class 5 Categorical Exemption per California Environmental Quality Act (CEQA) Guidelines Section 15305(a), and there are no exceptions pursuant to CEQA Guidelines Section 15300.2;
- b. Approve a Lot Line Adjustment between two (2) existing legal lots of record (under Williamson Act Agricultural Preserve Land Conservation Contract No. 73-30) of approximately 10.03 acres (Existing Lot 1) and 296.90 (Existing Lot 2), resulting in two (2) legal lots of record of 84.53 acres (Proposed Lot 1) and 222.40 acres (Proposed Lot 2) with no net decrease in acreage under the Williamson Act Contract;
- c. Authorize the Chair to execute a new or amended Land Conservation Contract in order to rescind a portion of the existing Land Conservation Contract as applicable to the reconfigured lot only and simultaneously execute a new or amended Land Conservation Contract for the reconfigured lots between the County and the property owners reflecting the new legal description, current ownership interests and to incorporate any legislative changes to State Williamson Act provisions and current County Agricultural Preserve Policies or Procedures; and
- d. Direct the Clerk of the Board to record the new or amended Land Conservation Contract subject to the submittal of the appropriate recording fees from the property owners of record.

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

PASSED AND ADOPTED this 12<sup>th</sup> day of February 2019, upon motion of Supervisor \_\_\_\_\_, seconded by Supervisor \_\_\_\_\_, by the following vote, to-wit:

AYES:

NOES:

ABSENT:

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

Dated:

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

By \_\_\_\_\_  
Deputy

# Monterey County RMA Planning

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

PLN180398

### 1. PD001 - SPECIFIC USES ONLY

**Responsible Department:** RMA-Planning

**Condition/Mitigation Monitoring Measure:** This lot line adjustment permit (PLN180398) allows a Lot Line Adjustment between two (2) existing legal lots of record (under Williamson Act Agricultural Preserve Land Conservation Contract No. 73-30) of approximately 10.03 acres (Existing Lot 1) and 296.90 (Existing Lot 2), resulting in two (2) legal lots of record of 84.53 acres (Proposed Lot 1) and 222.40 acres (Proposed Lot 2) with no net decrease in acreage under the Williamson Act Contract. The properties are located at 751 and 701 Corral de Tierra Road, Salinas, Toro Area Plan (Assessors Parcel Numbers 416-441-045-000 and 416-441-046-000). This permit was approved in accordance with County ordinances and land use regulations subject to the terms and conditions described in the project file. Neither the uses nor the construction allowed by this permit shall commence unless and until all of the conditions of this permit are met to the satisfaction of the Director of RMA - Planning. Any use or construction not in substantial conformance with the terms and conditions of this permit is a violation of County regulations and may result in modification or revocation of this permit and subsequent legal action. No use or construction other than that specified by this permit is allowed unless additional permits are approved by the appropriate authorities. To the extent that the County has delegated any condition compliance or mitigation monitoring to the Monterey County Water Resources Agency, the Water Resources Agency shall provide all information requested by the County and the County shall bear ultimate responsibility to ensure that conditions and mitigation measures are properly fulfilled. (RMA - Planning)

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

## 2. PD002 - NOTICE PERMIT APPROVAL

**Responsible Department:** RMA-Planning

**Condition/Mitigation** The applicant shall record a Permit Approval Notice. This notice shall state:

**Monitoring Measure:**

"A Lot Line Adjustment (Resolution Number \_\_\_\_\_) was approved by Monterey County Board of Supervisors for Assessor's Parcel Numbers 416-441-045-000 and 416-441-046-000 on February 12, 2019. The permit was granted subject to six (6) conditions of approval which run with the land. A copy of the permit is on file with Monterey County RMA - Planning."

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

**Compliance or  
Monitoring  
Action to be Performed:**

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

## 3. CC01 INDEMNIFICATION AGREEMENT

**Responsible Department:** County Counsel

**Condition/Mitigation  
Monitoring Measure:**

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

**Compliance or  
Monitoring  
Action to be Performed:**

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

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

#### 4. PD006(A) - CONDITION COMPLIANCE FEE

**Responsible Department:** RMA-Planning

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

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

#### 5. PD037 - WILLIAMSON ACT

**Responsible Department:** RMA-Planning

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

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

#### 6. PD045 - COC (LOT LINE ADJUSTMENTS)

**Responsible Department:** RMA-Planning

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

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

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

**SURVEY SITE COORDINATES:**

N: 2,089,500  
E: 5,780,300  
ZONE: IV  
DATUM: NAD 1983

**PROPOSED USES:**

BUILDING AREAS:  
OPEN SPACE:  
STREETS:

**PROPOSED WASTEWATER/SEWAGE:**

EXISTING

**PROPOSED WATER SUPPLY LOCATION:**

EXISTING

**DRAINAGE, EXISTING AND PROPOSED:**

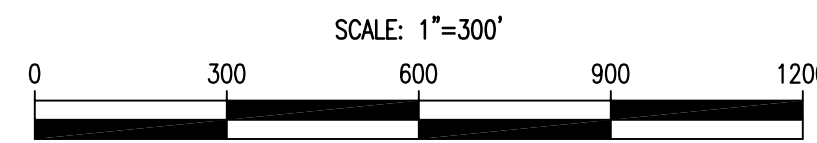
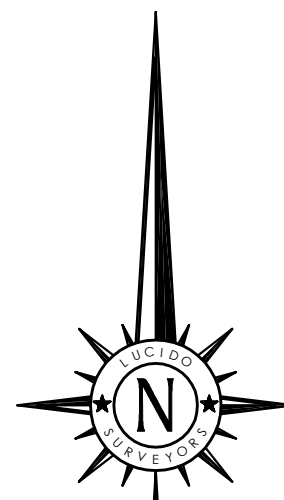
EXISTING

**SUMMARY TABLE:**

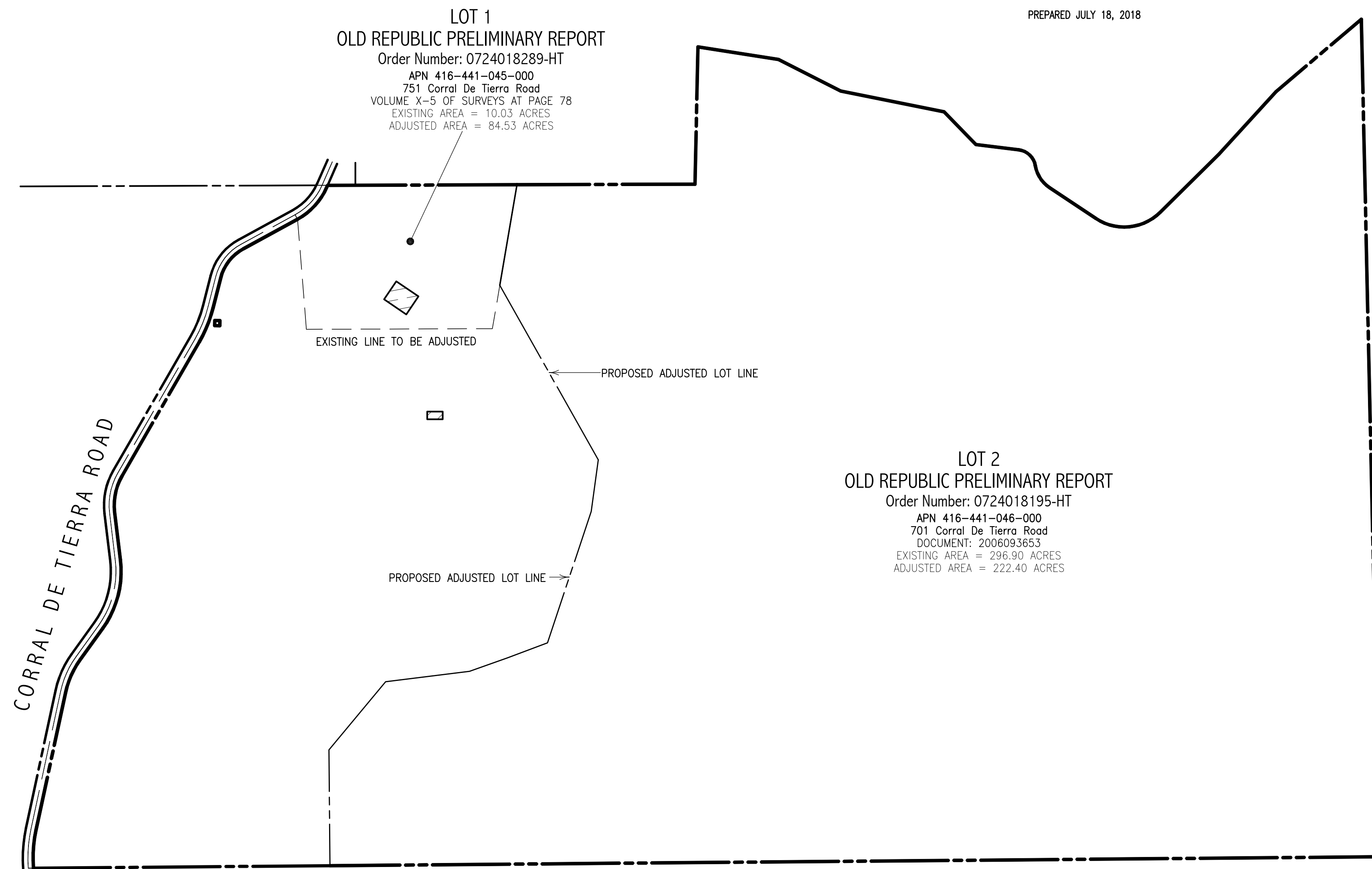
TOTAL NUMBER OF PARCELS: 2  
  
LOT 1 BEFORE ADJUSTMENT: 436,906 SQUARE FEET or 10.03 ACRES  
LOT 1 AFTER ADJUSTMENT: 3,682,126 SQUARE FEET or 84.53 ACRES  
  
LOT 2 BEFORE ADJUSTMENT: 12,932,964 SQUARE FEET or 296.90 ACRES  
LOT 2 AFTER ADJUSTMENT: 9,687,744 SQUARE FEET or 222.40 ACRES  
  
LAND USE DESIGNATION: EXISTING AND PROPOSED

**LEGEND:**

- RECORD BOUNDARY
- RECORD RIGHT OF WAY
- RECORD LOT LINE
- EXISTING LINE TO BE ADJUSTED
- BUILDING OUTLINE



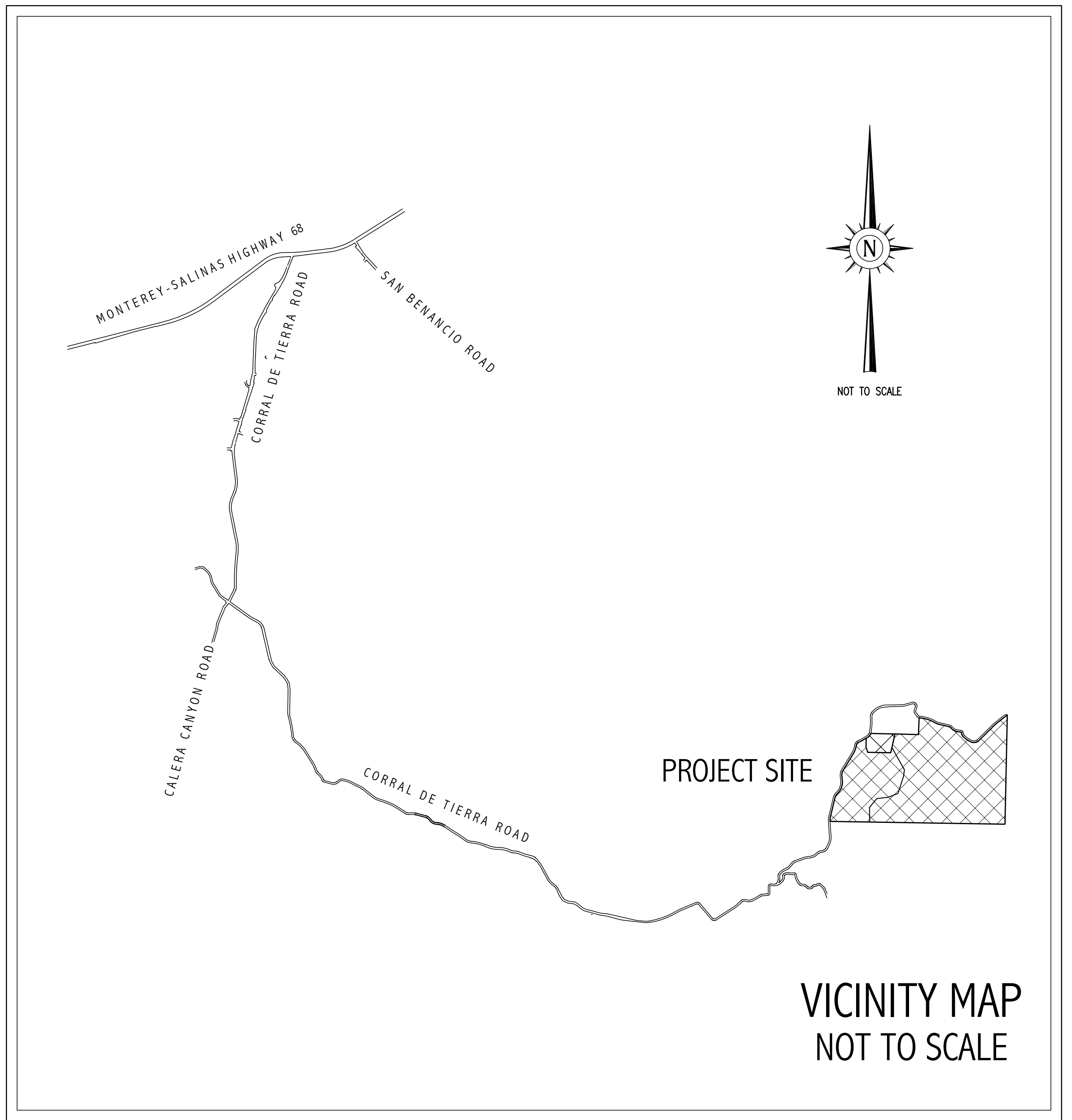
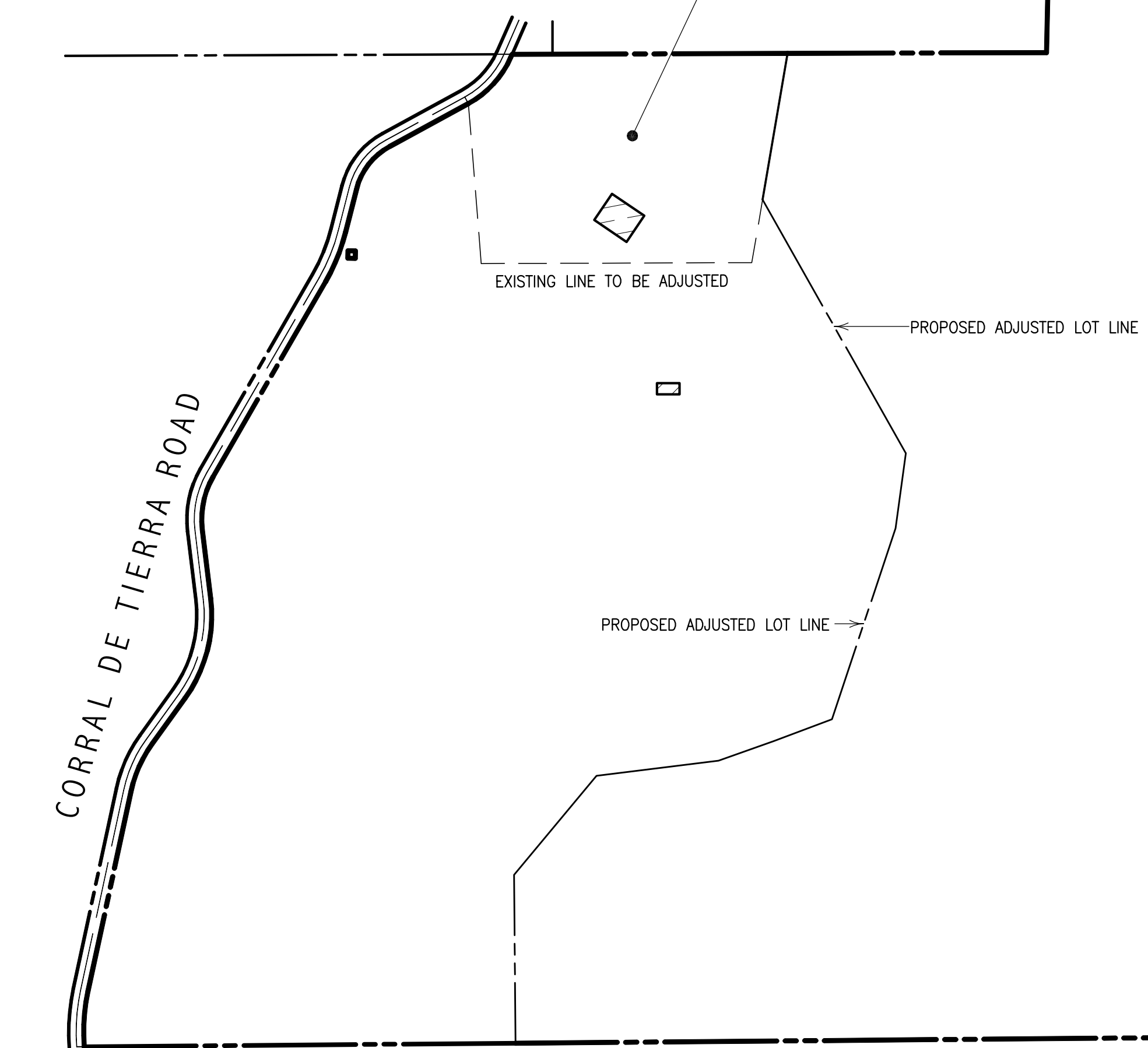
PREPARED JULY 18, 2018



**LOT 1**  
**OLD REPUBLIC PRELIMINARY REPORT**  
 Order Number: 0724018289-HT  
 APN 416-441-045-000  
 751 Corral De Tierra Road  
 VOLUME X-5 OF SURVEYS AT PAGE 78  
 EXISTING AREA = 10.03 ACRES  
 ADJUSTED AREA = 84.53 ACRES

**LOT 2**  
**OLD REPUBLIC PRELIMINARY REPORT**  
 Order Number: 0724018195-HT  
 APN 416-441-046-000  
 701 Corral De Tierra Road  
 DOCUMENT: 2006093653  
 EXISTING AREA = 296.90 ACRES  
 ADJUSTED AREA = 222.40 ACRES

CORRAL DE TIERRA ROAD



PROJECT SITE

VICINITY MAP  
NOT TO SCALE

**NOTES:**

1. THIS IS NOT AN ALTA/NSPS SURVEY.
2. ENTITLEMENTS OR ENCUMBRANCES AFFECTING THIS PROPERTY MAY NOT NECESSARILY BE SHOWN.
3. DISTANCES ARE EXPRESSED IN FEET AND DECIMALS THEREOF.

Owners at 701 Corral De Tierra Road:

Ernest Erol Simard II and Eileen F. Simard, Trustees of the Simard-Simard II 1990 Trust dated June 27, 1990 as to an undivided 25 % interest

Sandra Catherine Houde as to an undivided 25 % interest

Suzanne Elizabeth Plann Miller as to an undivided 25 % interest

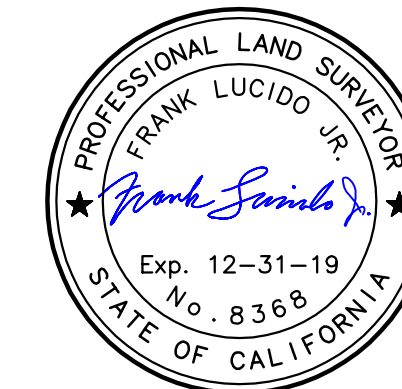
Denis H. Simard as Trustee of the Denis H. Simard Revocable Trust dated August 25, 2006 as to an undivided 25% interest

Owner at 751 Corral De Tierra Road:

Sandra Houde Moritz, a married person as her sole and separate property

**SURVEYOR'S STATEMENT**

THIS MAP CORRECTLY REPRESENTS A SURVEY MADE BY ME OR UNDER MY DIRECTION IN CONFORMANCE WITH THE REQUIREMENTS OF THE PROFESSIONAL LAND SURVEYOR'S ACT AT THE REQUEST OF Sandra Moritz IN July of 2018.



**LOT LINE ADJUSTMENT MAP**

IN THE COUNTY OF MONTEREY  
 PLN \_\_\_\_\_  
 BETWEEN  
 296.90 ACRE PARCEL  
 PER  
 OLD REPUBLIC PRELIMINARY REPORT  
 Order Number: 0724018195-HT  
 ALSO DESCRIBED IN DOCUMENT: 2006093653  
 AND  
 10.03 ACRE PARCEL  
 PER  
 OLD REPUBLIC PRELIMINARY REPORT  
 Order Number 0724018289-HT  
 ALSO SHOWN ON  
 VOLUME X-5 OF SURVEYS AT PAGE 78  
 AS FILED IN  
 THE OFFICE OF THE COUNTY RECORDER  
 COUNTY OF MONTEREY, STATE OF CALIFORNIA

by LUCIDO SURVEYORS Del Rey Oaks, California

SCALE: AS SHOWN PROJECT No. 2087 JULY 2018

ONE SHEET ONLY



**SURVEY SITE COORDINATES:**

N: 2,089,500  
E: 5,780,300  
ZONE: IV  
DATUM: NAD 1983

**PROPOSED USES:**

BUILDING AREAS:  
OPEN SPACE:  
STREETS:

**PROPOSED WASTEWATER/SEWAGE:**

EXISTING

**PROPOSED WATER SUPPLY LOCATION:**

EXISTING

**DRAINAGE, EXISTING AND PROPOSED:**

EXISTING

**SUMMARY TABLE:**

TOTAL NUMBER OF PARCELS: 2

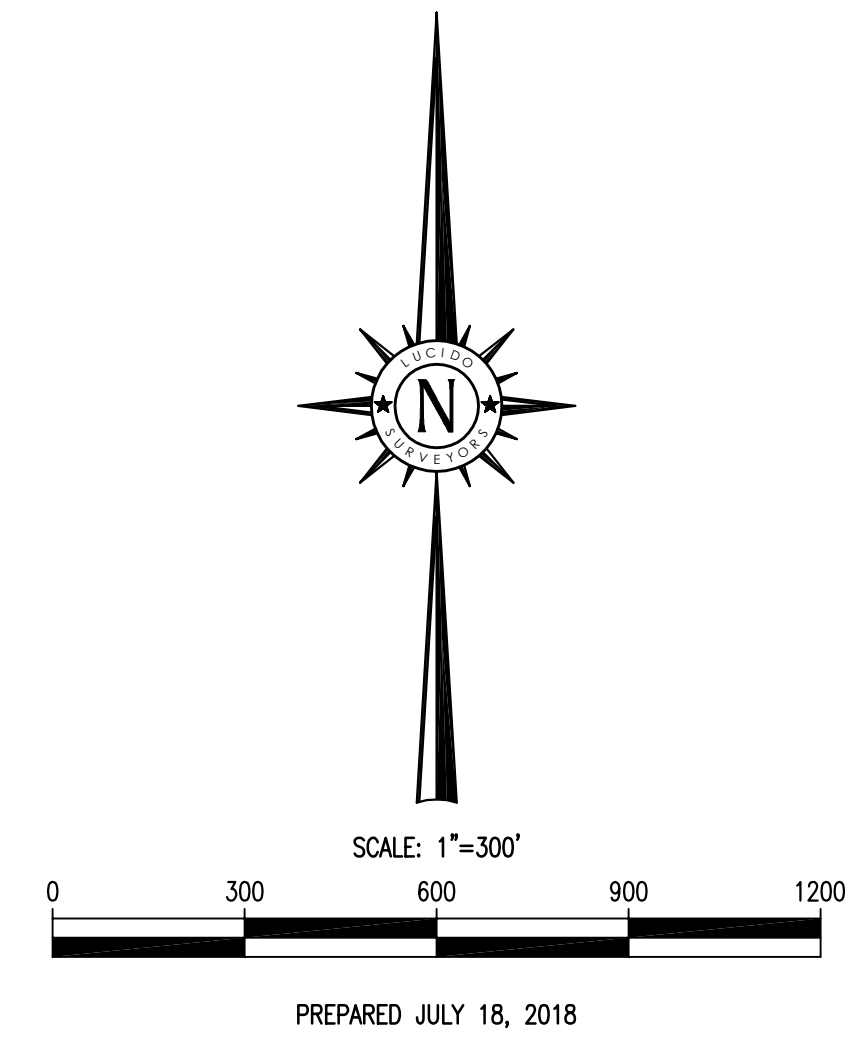
LOT 1 BEFORE ADJUSTMENT: 436,906 SQUARE FEET or 10.03 ACRES  
LOT 1 AFTER ADJUSTMENT: 3,682,126 SQUARE FEET or 84.53 ACRES

LOT 2 BEFORE ADJUSTMENT: 12,932,964 SQUARE FEET or 296.90 ACRES  
LOT 2 AFTER ADJUSTMENT: 9,687,744 SQUARE FEET or 222.40 ACRES

LAND USE DESIGNATION: EXISTING AND PROPOSED

**LEGEND:**

- — — — — RECORD BOUNDARY
- — — — — RECORD RIGHT OF WAY
- — — — — RECORD LOT LINE
- - - - - EXISTING LINE TO BE ADJUSTED



CORRAL DE TIERRA ROAD

CORRAL DEL CIELO RD

LOT 1  
 OLD REPUBLIC PRELIMINARY REPORT  
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 APN 416-441-045-000  
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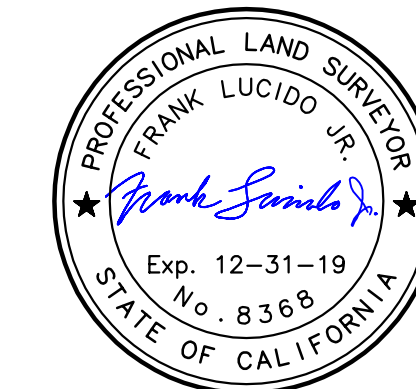
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**Aerial Photo Map**

**LOT LINE ADJUSTMENT MAP**

IN THE COUNTY OF MONTEREY

PLN \_\_\_\_\_

BETWEEN

296.90 ACRE PARCEL

PER

OLD REPUBLIC PRELIMINARY REPORT  
Order Number: 0724018195-HT

ALSO DESCRIBED IN DOCUMENT: 2006093653

AND

10.03 ACRE PARCEL

PER

OLD REPUBLIC PRELIMINARY REPORT  
Order Number 0724018289-HT

ALSO SHOWN ON

VOLUME X-5 OF SURVEYS AT PAGE 78

AS FILED IN

THE OFFICE OF THE COUNTY RECORDER  
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