

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

Resolution No.

Resolution of the Monterey County Board of Supervisors to:)

a. Continue two (2) contracts to the 2017 round of applications:)

1. Linda S. De Santiago Living Trust dated)
December 21, 1998 Application No. 2016-001, to)
establish a Farmland Security Zone and Contract,)
and)
2. George R. Work, Colleen M. Work, Jody L. Birks)
and, Johnita A. Fisher Life Estate, Application No.)
2016-002, to establish an Agricultural Preserve)
and Contract to the 2017 round of applications.)

b. Approve nine (9) contracts:)

1. BLS Land Company, LLC, a California limited)
liability company, Application No. 2016-003, to)
establish a Farmland Security Zone and Contract)
as applicable to the real property described in)
Exhibit A “Legal Description” to proposed new)
Farmland Security Zone Contract No. 2016-003)
2. Orradre Ranch L.P., Application No. 2016-004 to)
establish an Agricultural Preserve and Contract as)
applicable to the real property described in Exhibit)
A “Legal Description” to proposed new)
Agricultural Preserve and Land Conservation)
Contract No. 2016-004)
3. Beatty Properties, LP, a California Limited)
Partnership, Nancy V. Larson, Trustee, or their)
successor in trust, under the Shultz-Larson Joint)
Revocable Living Trust dated 9/29/1999, Alice M.)
Kerbo, Trustee of the 2015 Alice M. Kerbo)
Revocable Trust Dated March 31, 2015, and Dale)
Schultz and Nancy Larson Trust dated 9-29-1999,)
Application No. 2016-005, to establish a Farmland)
Security Zone and Contract as applicable to the)
real property described in Exhibit A “Legal)
Description” to proposed new Farmland Security)
Zone Contract No. 2016-005)
4. Hitchcock Children’s Trust #1, UTA dated)
January 11, 2011 and David and Susan Gill)
Family Trust UTA dated January 26, 1983,)
Application No. 2016-006, to establish a Farmland)
Security Zone and Contract as applicable to the)
real property described in Exhibit A “Legal)
Description” to proposed new Farmland Security)
Zone Contract No. 2016-006)

And)

Rescind a portion of Agricultural Preserve and)
Land Conservation Contract No. 2014-003 and)
simultaneously place the property in a new)
Farmland Security Zone and Contract as)

- applicable to the real property described in Exhibit A “Legal Description” to proposed new Farmland Security Zone Contract No. 2016-006.
- 5. Espinosa Road Salinas LP, a Delaware limited partnership, c/o Joseph Van Wingerden, Application No. 2016-007 to establish a Farmland Security Zone and Contract as applicable to the real property described in Exhibit A “Legal Description” to proposed new Farmland Security Zone Contract No. 2016-007
- 6. D’Arrigo Bros. Co. of California, a California Corporation, c/o Michael J. Harrington, Application No. 2016-008 to establish a Farmland Security Zone and Contract as applicable to the real property described in Exhibit A “Legal Description” to proposed new Farmland Security Zone Contract No. 2016-008
- 7. D’Arrigo Bros. Co. of California, a California Corporation, c/o Michael J. Harrington, Application No. 2016-009 to establish a Farmland Security Zone and Contract as applicable to the real property described in Exhibit A “Legal Description” to proposed new Farmland Security Zone Contract No. 2016-009
- 8. John Dalke and Sharren L. Dalke, Trustees of the Dalke Family Living Trust dated September 22, 2005, Tracy G. Foree, and Nicholas Foree aka Nick Foree and, Tim M. Hearne and Kate Hearne, Application No. 2016-010 to establish an Agricultural Preserve and Land Conservation Contract as applicable to the real property described in Exhibit A “Legal Description” to proposed new Agricultural Preserve Contract No. 2016-010
- 9. Araich Limited, S.A. f.n.a. Anstalt Araich Ltd. c/o Randy Meyenberg, Esq., Application No. 2016-012 to establish a Farmland Security Zone and Contract as applicable to the real property described in Exhibit A “Legal Description” to proposed new Agricultural Preserve Contract No. 2016-012
- And*
- Rescind a portion of Agricultural Preserve and Land Conservation Contract No. 1996-005 and simultaneously place the property in a new Farmland Security Zone and Contract as applicable to the real property described in Exhibit A “Legal Description” to proposed new Farmland Security Zone Contract 2016-012.
- c. Defer one (1) contract to the Board of Supervisors, pursuant to Board of Supervisors Resolution No. 01-486:
 - 1. Araich Limited, S.A. f.n.a. Anstalt Araich Ltd. c/o

- Randy Meyenberg, Esq., Application to establish a Farmland Security Zone and Contract as applicable to the real property described in Exhibit A “Legal Description” to proposed new Farmland Security Zone Contract No. 2016-011.
- d. Authorize the Chair to execute the recommended, and deferred, Farmland Security Zone Contracts and Agricultural Preserve Land Conservation Contracts.
- e. Direct the Clerk of the Board to record the Farmland Security Zone and Agricultural Preserve Land Conservation Contracts prior to the January 1, 2016 property tax lien date subject to the submittal of recording fees by the property owners of record.
- (REF150079 – Williamson Act Contract Applications 2016 – County-wide)

The nine (9) Applications to establish Farmland Security Zones and Contracts and three (3) applications to establish Agricultural Preserves and Contracts effective January 1, 2016, came on for public hearing before the Monterey County Board of Supervisors on December 8, 2015. Having considered all the written and documentary evidence, the administrative record, the staff report, oral testimony, and other evidence presented, the Monterey County Board of Supervisors hereby finds and decides as follows:

RECITALS

WHEREAS, the Board of Supervisors is continuing two (2) applications to 2017 for Farmland Security Zone and Contracts; **FSZ Application No. 2016-001** (De Santiago) and **FSZ Application No. 2016-002** (Work).

- The De Santiago Application No. 2016-001 contains one (1) of the two (2) contiguous parcels, Assessor’s Parcel Number 165-101-008-000), under 50% “Prime” land, with the majority of the parcel consisting of uncultivated hillside and Oak woodland. The other parcel, Assessor’s Parcel Number 165-101-006-000, while predominantly prime, is not a legal lot of record. The properties are also the subject of a pending application for a four (4) lot subdivision pursuant to Planning File No. PLN030214. Therefore, the Agricultural Preserve Review Committee recommended a continuance of FSZ Application No. 2016-001 to the 2017 round of applications to provide the Applicant-Owner with time to legally subdivide the subject property. A continuance will preserve the application fees already submitted.
- The Work Application No. 2016-002 lacked complete information by the applicants. A continuance will preserve the application fees already submitted.

WHEREAS, the Board of Supervisors finds that the parcels of property hereinafter described in Exhibits “A-1” to “A-12” attached hereto and made a part hereof, including applications numbered:

1. **FSZ No. 2016-003** (BLS Land Company, LLC, a California limited liability company)
2. **AgP No. 2016-004** (Orradre Ranch LP)
3. **FSZ No. 2016-005** (Beatty Properties, LP, a California Limited Partnership, Nancy V. Larson, Trustee, or their successor in trust, under the Shultz-Larson Joint Revocable Living Trust dated 9/29/1999, Alice M. Kerbo, Trustee of the

- 2015 Alice M. Kerbo Revocable Trust Dated March 31, 2015, and Dale Schultz and Nancy Larson Trust dated 9-29-1999)
4. **FSZ No. 2016-006** (Hitchcock Children's Trust #1, UTA dated January 11, 2011 and David and Susan Gill Family Trust UTA dated January 26, 1983)
 5. **FSZ No. 2016-007** (Espinosa Road Salinas LP)
 6. **FSZ No. 2016-008** (D'Arrigo Bros. Co. of California, a California Corporation, c/o Michael J. Harrington)
 7. **FSZ No. 2016-009** (D'Arrigo Bros. Co. of California, a California Corporation, c/o Michael J. Harrington)
 8. **AgP No. 2016-010** (John Dalke and Sharren L. Dalke, Trustees of the Dalke Family Living Trust dated September 22, 2005, Tracy G. Foree, and Nicholas Foree aka Nick Foree and, Tim M. Hearne and Kate Hearne)
 9. **FSZ No. 2016-011** (Araich Limited, S.A. f.n.a. Anstalt Araich Ltd. c/o Randy Meyenberg, Esq.) and **FSZ No. 2016-012** (Araich Limited, S.A. f.n.a. Anstalt Araich Ltd. c/o Randy Meyenberg, Esq.)

qualify in part, are consistent with the General Plan of Monterey County, and are suitable for inclusion in an Agricultural Preserve or Farmland Security Zone, it being the intention to establish an Agricultural Preserve or Farmland Security Zone for these parcels, as expressly requested by the property owners of record.

WHEREAS, the Board of Supervisors acknowledges that approval to attain Farmland Security Zone and Agricultural Preserve status will reduce the assessed valuation of each property involved. The Assessor's Office estimates that the annual net tax loss, in the event that the ten (10) applications recommended (or deferred) for approval were to be accepted, would be approximately \$120,872.00.

DECISION

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

- a. Continue two (2) contracts to the 2017 round of applications:
 1. Linda S. De Santiago Living Trust dated December 21, 1998 Application No. 2016-001, to establish a Farmland Security Zone and Contract, and
 2. George R. Work, Colleen M. Work, Jody L. Birks and, Johnita A. Fisher Life Estate, Application No. 2016-002, to establish an Agricultural Preserve and Contract to the 2017 round of applications.
- b. Approve nine (9) contracts:
 1. BLS Land Company, LLC, a California limited liability company, Application No. 2016-003, to establish a Farmland Security Zone and Contract as applicable to the real property described in Exhibit A "Legal Description" to proposed new Farmland Security Zone Contract No. 2016-003
 2. Orradre Ranch L.P., Application No. 2016-004 to establish an Agricultural Preserve and Contract as applicable to the real property described in Exhibit A "Legal Description" to proposed new Agricultural Preserve and Land Conservation Contract No. 2016-004
 3. Beatty Properties, LP, a California Limited Partnership, Nancy V. Larson, Trustee, or their successor in trust, under the Shultz-Larson Joint Revocable Living Trust dated 9/29/1999, Alice M. Kerbo, Trustee of the 2015 Alice M. Kerbo Revocable Trust Dated March 31, 2015, and Dale Schultz and Nancy Larson Trust dated 9-29-1999, Application No. 2016-005, to establish a

Farmland Security Zone and Contract as applicable to the real property described in Exhibit A “Legal Description” to proposed new Farmland Security Zone Contract No. 2016-005

4. Hitchcock Children’s Trust #1, UTA dated January 11, 2011 and David and Susan Gill Family Trust UTA dated January 26, 1983, Application No. 2016-006, to establish a Farmland Security Zone and Contract as applicable to the real property described in Exhibit A “Legal Description” to proposed new Farmland Security Zone Contract No. 2016-006

And

Rescind a portion of Agricultural Preserve and Land Conservation Contract No. 2014-003 and simultaneously place the property in a new Farmland Security Zone and Contract as applicable to the real property described in Exhibit A “Legal Description” to proposed new Farmland Security Zone Contract No. 2016-006.

5. Espinosa Road Salinas LP, a Delaware limited partnership, c/o Joseph Van Wingerden, Application No. 2016-007 to establish a Farmland Security Zone and Contract as applicable to the real property described in Exhibit A “Legal Description” to proposed new Farmland Security Zone Contract No. 2016-007
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9. Araich Limited, S.A. f.n.a. Anstalt Araich Ltd. c/o Randy Meyenberg, Esq., Application No. 2016-012 to establish a Farmland Security Zone and Contract as applicable to the real property described in Exhibit A “Legal Description” to proposed new Agricultural Preserve Contract No. 2016-012

And

Rescind a portion of Agricultural Preserve and Land Conservation Contract No. 1996-005 and simultaneously place the property in a new Farmland Security Zone and Contract as applicable to the real property described in Exhibit A “Legal Description” to proposed new Farmland Security Zone Contract 2016-012.

- c. Defer one (1) contract to the Board of Supervisors, pursuant to Board of Supervisors Resolution No. 01-486:
 1. Araich Limited, S.A. f.n.a. Anstalt Araich Ltd. c/o Randy Meyenberg, Esq., Application to establish a Farmland Security Zone and Contract as applicable to the real property described in Exhibit A “Legal Description” to proposed new Farmland Security Zone Contract No. 2016-011.
- d. Authorize the Chair to execute the recommended, and deferred, Farmland Security Zone Contracts and Contracts and Agricultural Preserve and Contracts.

- e. Direct the Clerk of the Board to record the Farmland Security Zone and Agricultural Preserve Contracts prior to the January 1, 2016 property tax lien date, subject to the submittal of recording fees by the property owners of record.

(REF150079 – Williamson Act Contract Applications 2016 – County-wide)

PASSED AND ADOPTED on this 8th day of December, 2015, by the following vote, to-wit:

AYES:

NOES:

ABSENT:

I, Gail T. Borkowski, 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:

Gail T. Borkowski, Clerk of the Board of Supervisors
County of Monterey, State of California

By _____
Deputy