

**THE LAW OFFICE OF AENGUS L. JEFFERS**

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April 7, 2016

**VIA REGULAR MAIL**

Joe Sidor, Associate Planner  
Monterey County  
Planning and Building Inspection Department  
168 W. Alisal Street  
2nd Floor Salinas, California 93901

**Re: Fulfillment of Condition of Compliance for PLN130608  
(APN 420-171-043)**

Dear Mr. Sidor:

Enclosed with this letter is the wet original Slope Conservation Easement approved by the County and Coastal Staff and executed by Sue LeCraw. This executed and notarized Slope Conservation Easement is being submitted in satisfaction of Condition 4 for PLN130608.

Once the Slope Conservation Easement (Condition 4), Grant Deeds (Condition 7), and Certificates of Approval (Condition 6) are recorded, condition compliance for PLN130608 will be satisfied. After you have had a chance to review this letter, can you brief Mike Whilden on this project so he can approve the Grant Deeds which need to be executed by Ms. LeCraw before approval of the LLA, the Slope Conservation Easement, and the Grant Deeds can go before the Board of Supervisors on consent?

As always, if there is anything I can do to expedite condition compliance please do not hesitate to contact me. Again, Ms. LeCraw appreciate your success obtaining Coastal Staff approval of the Slope Conservation Easement.

Kind Regards,

  
Aengus L. Jeffers

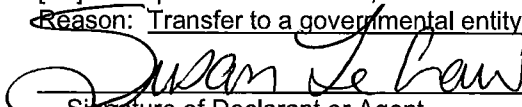
ALJ  
Enclosures

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

Space above for Recorder's Use

Permit No.: PLN130608  
Resolution No.: 14-048  
Owner Name: Susan LeCraw  
Project Planner: Joseph Sidor  
APN: 420-171-043-000

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 CONSERVATION AND SCENIC EASEMENT DEED (this "Easement Deed") made this 30 day of March, 2016 by and between Susan LeCraw, Trustee of the SL Revocable Trust dated May 18, 2005, as to an undivided 86.668% interest; Susan LeCraw, Trustee of the LeCraw Children's Trust A fbo Julian LeCraw as to an undivided 6.666% interest and Susan LeCraw, Trustee of the LeCraw Children's Trust B fbo Ashton LeCraw, as to an undivided 6.666% interest, collectively as Grantor, and the *COUNTY OF MONTEREY*, a political subdivision of the State of California, as Grantee.

**WITNESSETH:**

**WHEREAS**, said Grantor is the owner in fee of the real property more particularly described in Exhibit "A" attached hereto and made a part hereof, situated in Monterey County, California (hereinafter the "Property"); and

**WHEREAS**, the 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 to allow a lot line adjustment between two legal lots of record (File Number PLN130608) (hereinafter referred to as the "Permit") was granted on December 10, 2014, by the Monterey County Planning Commission pursuant to the Findings, Evidence and Conditions contained in Resolution No. 14-048. That resolution is attached hereto as Exhibit "B" (without sketches) and hereby incorporated by reference, (hereinafter the "Resolution") subject to the following condition:

"Condition No. 4 – PD023 – CONSERVATION AND SCENIC EASEMENT

(SLOPE) - A conservation and scenic easement shall be conveyed to the County over those portions of Parcel One (Assessor's Parcel Number 420-171-043-000) where the slope exceeds 30 percent.

**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 over the Property, except for the "Exclusion Area" 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 Deed so as to enable Grantor to undertake the development authorized by the Permit; and

**WHEREAS**, it is intended that this Easement Deed 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 execute this Easement Deed for 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;

**WHEREAS**, the recitals set forth above are hereby incorporated in and made a part of this Easement Deed by this reference.

**NOW, THEREFORE**, for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, Grantor does hereby grant and convey unto Grantee for the benefit of the People of the State of California, an estate, interest, and conservation and scenic easement in perpetuity for the purpose of resource conservation over 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 (hereinafter

referred to as the “Conservation and Scenic Easement Area”) is situated in the County of Monterey, State of California, and comprises all of the Property, except for the “Exclusion Area” particularly described and depicted in Exhibit “C”, attached hereto, and made a part hereof.

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 except as described in Paragraph C below.
2. That no advertising of any kind or nature shall be located on or within the Conservation and Scenic Easement Area except as described in Paragraph C below.
3. That the Grantor shall not plant nor permit to be planted any vegetation upon the Conservation and Scenic Easement Area, except as described in Paragraph C below.
4. That, except for the construction, alteration, relocation and maintenance of public and private pedestrian trails, and the activities described in Paragraph C below, 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, and may be undertaken in the future if consistent with the LCP and approved by a permit unless the County specifically determines a permit is not necessary:

1. The right to maintain all existing trails and structures upon the Conservation and Scenic Easement Area, and the right to install, maintain, and repair fences, gates, and utilities (including water systems, solar or wind power generation equipment, and wireless telecommunications equipment) which are approved by the County and constructed in a manner which does not compromise the open space values of the Property.

2. The use and occupancy of the Conservation and Scenic Easement Area not inconsistent with the conditions and restrictions herein imposed and including low intensity pedestrian and equestrian trails, and accessory trail improvements such as benches, hitching posts, and picnic tables which do not compromise the open space values of the Property.

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. The removal of any sick, diseased, dead, or nonnative invasive vegetation.

4. Fire protection measures which are required or recommended to be performed by the local fire protection authority including, but not limited to, constructing and maintaining fire breaks and fuel management.

5. Restoration and/or stabilization of eroded or similarly adversely impacted land, provided that said restoration and/or stabilization shall be performed in a manner which is consistent with maintaining the Property's open space values.

D. SUBJECT TO APPLICABLE LAWS. Land uses permitted or reserved to the Grantor by this instrument shall be subject to all applicable laws regulating the use of land.

E. BENEFIT AND BURDEN. This 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 Easement shall benefit the Grantee and its successors and assigns on behalf of the People of the State of California 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 Property contrary to the terms of this Easement Deed will be deemed a breach hereof. The Grantee may bring any action in court necessary to enforce this Easement Deed, 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 Easement Deed. 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 Deed.

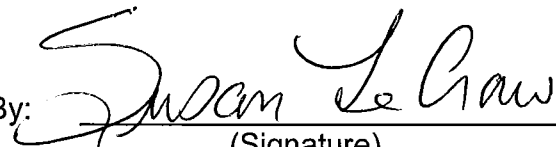
I. LIABILITY AND INDEMNIFICATION. This conveyance is made and accepted upon the express condition that the Grantee, its agencies, departments, officers, agents, and employees are to be free from all liability and claim for damage by reason of any injury to any person or persons, including Grantor, or 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. SEVERABILITY. 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 30 day of March 2016, at Palm Beach, Florida, ~~California~~.

By:   
(Signature)

By: \_\_\_\_\_  
(Signature)

Susan LeCraw, Trustee  
The SL Revocable Trust dated May 18, 2005  
The LeCraw Children's Trust A fbo Julian LeCraw  
The LeCraw Children's Trust B fbo Ashton LeCraw



**NOTE TO NOTARY PUBLIC:** If you are notarizing the signatures of persons, signing on behalf of a corporation, partnership, trust, etc., please use the correct notary jurat (acknowledgment) as explained in your Notary Public Law Book.

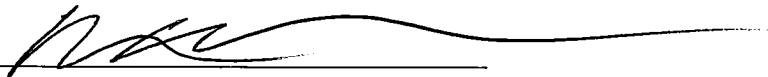
A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

~~State of~~ Florida  
STATE OF ~~CALIFORNIA~~  
COUNTY OF ~~MONTEREY~~ Palm Beach

On March 30th before me, Alex Mendel, a  
Notary Public, personally appeared SUSAN LeCraw, 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)



This is to certify that the interest in real property conveyed by the deed or grant dated \_\_\_\_\_ from Susan LeCraw 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: \_\_\_\_\_  
Director, Monterey County Resource Management Agency

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

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: \_\_\_\_\_

DATED: \_\_\_\_\_

Type/Print Name: \_\_\_\_\_  
Deputy County Counsel

# EXHIBIT A

## Legal Description of the "Property"

### ADJUSTED LOT 3

Certain real property in the unincorporated area of the County of Monterey, State of California, being a portion of Lot 3, Lot 4 and Lot 6 as said lots are shown and so designated on that certain cities and towns map entitled, Coast Lands Tract No.1, filed for record October 3, 1927 in Volume 3 of Cities and Towns at Page 46, records of said County and State, said real property being more particularly described as follows:

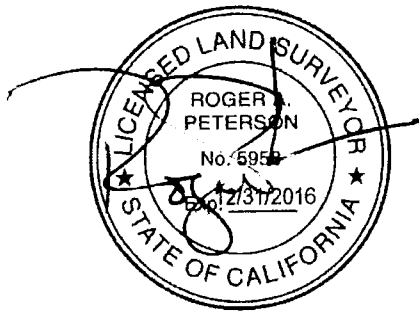
**BEGINNING AT** a point on the westerly line of said Lot 4, distant South 23°50'00" East, 58.50 feet from the northwesterly corner of said Lot 4; thence

- 1) North 85°51'36" East, 315.12 feet; thence
- 2) South 83°40'00" East, 10.13 feet; thence
- 3) South 08°16'38" East, 163.41 feet; thence
- 4) South 05°49'38" West, 292.52 feet; thence
- 5) North 42°20'00" West, 45.53 feet; thence
- 6) South 79°27'00" West, 76.51 feet; thence
- 7) North 09°54'00" West, 171.20 feet; thence
- 8) North 30°00'00" West, 44.96 feet; thence
- 9) North 70°22'00" West, 59.88 feet; thence
- 10) North 46°03'08" West, 67.80 feet; thence
- 11) North 41°38'00" West, 120.78 feet; thence
- 12) Along a non-tangent curve to the right having a radius of 55.0 feet, through a central angle of 49°13'17" (49°10' on said map), (the long chord of which bears

North 49°13'17" East, 45.81 feet), an arc distance of 47.25 feet (47.19 feet on said map), more or less to the westerly line of said Lot 3; thence along said line  
13) North 23°50'00" West, 13.32 feet, to the Point of Beginning.

CONTAINING: 2.16 acres, more or less.

End of Descriptions



Property Located at 48320 Highway One, Big Sur, California 93920

**Before the Planning Commission in and for the  
County of Monterey, State of California**

In the matter of the application of:  
**SUSAN LECRAW TR ET AL (PLN130608)**

**RESOLUTION NO. 14-048**

Resolution by the Monterey County Planning  
Commission:

- 1) Finding the project categorically exempt per Section 15305 of the CEQA Guidelines; and
- 2) Approving a Coastal Development Permit to allow a Lot Line Adjustment between two legal lots of record; Parcel One, 2.16 acres (Assessor's Parcel Number 420-171-043-000), and Parcel Two, 1.12 acres (Assessor's Parcel Number 420-171-044-000), resulting in an equal exchange of 0.53 acres; and an after-the-fact Design Approval (to clear violation 12CE00258) for the demolition of approximately 200 square feet of a previously 526 square foot garage/workshop, construction (replacement) of a 240 square foot shed, and installation of two 5,000 gallon water tanks.

[PLN130608, Susan LeCraw TR et al, 48320  
Highway 1, Big Sur Coast Land Use Plan (APNs:  
420-171-043-000 and 420-171-044-000)]

Exhibit "B"

Resolution 14-048

**The LeCraw application (PLN130608) came on for public hearing before the Monterey County Planning Commission on December 10, 2014. Having considered all the written and documentary evidence, the administrative record, the staff report, oral testimony, and other evidence presented, the Planning Commission finds and decides as follows:**

**FINDINGS**

1. **FINDING:** **PROJECT DESCRIPTION** – The proposed project is a Coastal Development Permit to allow a Lot Line Adjustment between two legal lots of record; Parcel One, 2.16 acres (Assessor's Parcel Number 420-171-043-000), and Parcel Two, 1.12 acres (Assessor's Parcel Number 420-171-044-000), resulting in an equal exchange of 0.53 acres; and an after-the-fact Design Approval (to clear violation 12CE00258) for the demolition of approximately 200 square feet of a previously 526 square foot garage/workshop, construction (replacement) of a 240 square foot shed, and installation of two 5,000 gallon water tanks.  
**EVIDENCE:** The application, project plans, and related support materials submitted by the project applicant to Monterey County RMA-Planning for the proposed development are found in Project File PLN130608.
2. **FINDING:** **CONSISTENCY** – The Project, as conditioned, is consistent with the applicable plans and policies which designate this area as appropriate for development.  
**EVIDENCE:** a) During the course of review of this application, the project has been reviewed for consistency with the text, policies, and regulations in:
  - the 1982 Monterey County General Plan;

- Big Sur Coast Land Use Plan;
- Monterey County Coastal Implementation Plan Part 3;
- Monterey County Zoning Ordinance (Title 20); and
- Monterey County Subdivision Ordinance (Title 19 – Coastal)

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 property is located at 48320 Highway 1, Big Sur (Assessor's Parcel Numbers 420-171-043-000 and 420-171-044-000), Big Sur Coast Land Use Plan. The parcels are zoned Rural Density Residential, 40 acres per unit, with a Design Control Overlay (Coastal Zone) [RDR/40-D (CZ)], which allows a lot line adjustment as a conditional use with a Coastal Development Permit and minor structural improvements with a Design Approval. Therefore, upon approval of the Coastal Development Permit and Design Approval, the project is an allowed land use for this site.
- c) Neither parcel is under Williamson Act contract or used for agricultural purposes.
- d) The project planner conducted site inspections on February 6 and June 5, 2013, to verify that the project on the subject parcel conforms to the plans listed above.
- e) Legal nonconforming lots: The current configuration and legality of the lots has been confirmed via Volume 3, Cities and Towns, Page 46, of the Coastlands Tract No. 1 subdivision, recorded October 3, 1927. In addition, the County issued and recorded an Unconditional Certificate of Compliance for Parcel Two (Assessor's Parcel Number 420-171-044-000) on May 3, 1989. On January 5, 1988, the zoning for both parcels changed from SC-2.5 [Scenic Conservation, 2.5 acre minimum lot size] to the current zoning classification of RDR/40-D (CZ). The change in zoning resulted in both parcels becoming legal nonconforming with regard to the minimum lot size (Section 20.68.060.C of the Monterey County Zoning Ordinance, Title 20 – Legal Nonconforming Building Sites). The proposed lot line adjustment would not change the existing lot sizes, circumstances, or the legal non-conforming nature of either parcel. The County's practice has been to allow lot line adjustments as long as the lot's non-conformity is not increased and as long as the resulting parcels are compatible with, and do not obstruct, the objectives and policies of the zoning and applicable plans. The proposed lot line adjustment satisfies these requirements.
- f) The project was referred to the Big Sur Land Use Advisory Committee (LUAC) for review. Based on the LUAC Procedure guidelines adopted by the Monterey County Board of Supervisors per Resolution No. 08-338, this application warranted referral to the LUAC because it involves a lot line adjustment in the Coastal Zone. The LUAC, at a public meeting held on August 26, 2014, voted (2-1-1) to support the project with changes. The LUAC recommended the County require a scenic easement on the property bordering Highway 1. As conditioned, the County will process a scenic and conservation easement for Parcel One (Condition No. 4), and the County will also process a separate scenic and conservation easement for the reconfigured Parcel Two.
- g) Archaeological/Cultural Resources: The project is consistent with the

cultural resource policies of the Big Sur Coast Land Use Plan and will not impact pre-historic resources. County records identify that the project site is within an area of high sensitivity for prehistoric cultural resources. However, the archaeological survey (LIB140261) prepared for the project site did not identify any potential impacts to prehistoric resources. The potential for inadvertent impacts to cultural resources is limited and will be controlled by the inclusion of Condition No. 3.

- h) Big Sur Critical Viewshed: The project is consistent with the visual resource policies of the Big Sur Coast Land Use Plan and will have no impact on the critical viewshed. The project planner conducted site inspections on February 6 and June 5, 2013, to verify that the project site conforms to the visual resource policies of the plans listed above. The proposed development does not place any new structures within the critical viewshed (Big Sur Coast LUP Policy 3.2.2). Although the project site is located near Highway 1, a state-designated scenic highway, the existing structures are not visible from the highway or any areas within the Big Sur Critical Viewshed.
- i) The application, project plans, and related support materials submitted by the project applicant to Monterey County RMA-Planning for the proposed development are found in Project File PLN130608.

3. **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, CALFIRE Coastal Fire Protection District, RMA-Public Works, Environmental Health Bureau, and Water Resources Agency. 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) Staff identified potential impacts to cultural and biological resources. The following reports have been prepared:
    - Biological Survey (LIB140260) prepared by Fred Ballerini Horticultural Services, Pacific Grove, California, October 2013.
    - Preliminary Archaeological Assessment (LIB140261) prepared by Archaeological Consulting, Salinas, California, March 19, 2013.
    - Focused Phase I Historic Review (LIB140289) prepared by Kent Seavey, Pacific Grove, California, August 25, 2014.

The above-mentioned technical reports indicated that there are no physical or environmental constraints that the site is not suitable for the use proposed. County staff has independently reviewed these reports and concurs with their conclusions.

- c) Staff conducted site inspections on February 6 and June 5, 2013, to verify that the site is suitable for this use.
- d) The application, project plans, and related support materials submitted by the project applicant to the Monterey County RMA - Planning for the proposed development are found in Project File PLN130608.

4. **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:**
- a) The project was reviewed by the RMA - Planning, CALFIRE Coastal Fire Protection District, RMA - Public Works, Environmental Health Bureau (EHB), and Water Resources Agency. The respective agencies have recommended conditions, where appropriate, to ensure that the project will not have an adverse effect on the health, safety, and welfare of persons either residing or working in the neighborhood.
  - b) Necessary public facilities are available. The existing single-family dwelling on Parcel One (Assessor's Parcel Number 420-171-043-000) has a required wastewater system and is connected to the Coastlands Mutual Water System, will continue to use these same facilities, and will have adequate wastewater repair areas. EHB reviewed the project application, and did not require any conditions of approval. Parcel Two (Assessor's Parcel Number 420-171-044-000), as adjusted, will have a conservation easement placed over the entire parcel that will preclude future structural development on the parcel.
  - c) See Finding Nos. 2, 3, and 5, and supporting evidence.
  - d) Staff conducted site inspections on February 6 and June 5, 2013, to verify that the site is suitable for this use.
  - e) The application, project plans, and related support materials submitted by the project applicant to the Monterey County RMA - Planning for the proposed development are found in Project File PLN130608.

5. **FINDING:** **NO VIOLATIONS** - The subject property is not in compliance with all rules and regulations pertaining to applicable provisions of the County's Zoning Ordinance. Violations exist on the property. The approval of this Design Approval will correct the violations and bring the property into compliance.

- EVIDENCE:**
- a) Staff reviewed Monterey County RMA - Planning and Building Services Department records and is aware of a violation existing on the subject property.
  - b) Staff conducted site inspections on February 6 and June 5, 2013, and researched County records to assess if any violation exists on the subject property.
  - c) The proposed project corrects an existing violation (12CE00258) for unpermitted development involving the demolition of approximately 200 square feet of a previously 526 square foot garage/workshop, construction (replacement) of a 240 square foot shed, and installation of two 5,000 gallon water tanks. When implemented, the project will bring the subject property into compliance with all rules and regulations pertaining to the property and will remove the existing violations.
  - d) Zoning violation abatement costs, if any, have been paid.
  - e) The application, plans, and supporting materials submitted by the project applicant to Monterey County RMA-Planning for the proposed development are found in Project File PLN130608.

6. **FINDING:** **CEQA (Exempt):** - The project is categorically exempt from



environmental review and no unusual circumstances were identified to exist for the proposed project.

- EVIDENCE:**
- a) California Environmental Quality Act (CEQA) Guidelines Section 15305 categorically exempts minor alterations in land use limitations, such as minor lot line adjustments. The County, pursuant to Monterey County Code, Title 19 (Subdivision Ordinance – Coastal), Section 19.09.005.C, has determined that lot line adjustments which do not result in the relocation of the building area are consistent with the intent of the categorical exemption for minor lot line adjustments. This determination and application to the subject lot line adjustment is also consistent with CEQA Guidelines Section 15061(b)(3), which exempts projects where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment.
  - b) The applicants propose a minor lot line adjustment between two legal lots of record; Parcel One, 2.16 acres (Assessor's Parcel Number 420-171-043-000), and Parcel Two, 1.12 acres (Assessor's Parcel Number 420-171-044-000), resulting in an equal exchange of 0.53 acres. No new lots will be created. The previously completed structural improvements that occurred on Parcel One, and are entitled and cleared by the Design Approval, included only minor demolition and construction. There are no identified impacts to environmental resources. The existing site coverage on both the existing and reconfigured Parcel One is within the development standards for property zoned Rural Density Residential, and the lot line adjustment would not intensify the level of development allowed on the parcels. The existing and reconfigured Parcel One is already developed with a single-family dwelling, and zoning and slope density constraints preclude future subdivision or development of an additional main dwelling unit on the parcel. Any future development on Parcel One would require consistency with applicable development standards and policies of the Big Sur Coast Land Use Plan. Therefore, the proposed development is consistent with CEQA Guidelines Section 15305 and Title 19 Section 19.09.005.C.
  - c) No adverse environmental effects were identified during staff review of the development application during site visits on February 6 and June 5, 2013.
  - d) None of the exceptions under CEQA Guidelines Section 15300.2 apply to this project. The project does not involve alterations to a designated historical resource, a hazardous waste site, unusual circumstances that would result in a significant effect, development that would result in a cumulatively significant impact, or development in a particularly sensitive environment. Although the project site is located near Highway 1, a state-designated scenic highway, the existing structures are not visible from the highway or any areas within the Big Sur Critical Viewshed (see Finding No. 2, Evidence h).
  - e) The application, project plans, and related support materials submitted by the project applicant to Monterey County RMA-Planning for the proposed development are found in Project File PLN130608.

7. **FINDING:** **PUBLIC ACCESS** – The project is in conformance with the public access and recreation policies of the Coastal Act (specifically Chapter 3 of the Coastal Act of 1976, commencing with Section 30200 of the Public Resources Code) and Local Coastal Program, and does not interfere with any form of historic public use or trust rights.
- EVIDENCE:**
- a) No access is required as part of the project as no substantial adverse impact on access, either individually or cumulatively, as described in Section 20.145.150 of the Monterey County Coastal Implementation Plan can be demonstrated.
  - b) The subject property is not described as an area where the Local Coastal Program requires public access (Figure 3, Trails Plan, in the Big Sur Coast 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 site inspections on February 6 and June 5, 2013.
  - e) The application, project plans, and related support materials submitted by the project applicant to Monterey County RMA-Planning for the proposed development are found in Project File PLN130608.
8. **FINDING:** **LOT LINE ADJUSTMENT** – Pursuant to Section 66412 of the California Government Code (Subdivision Map Act) and Title 19 (Subdivision Ordinance - Coastal) of the Monterey County Code, lot line adjustments are an exclusion to the Subdivision Map Act and may be granted based upon the following findings:
1. The lot line adjustment is between four (or fewer) existing adjoining parcels;
  2. A greater number of parcels than originally existed will not be created as a result of the lot line adjustment; and
  3. The parcels resulting from the lot line adjustment conform to the County’s general plan, any applicable specific plan, any applicable coastal plan, and zoning and building ordinances.
- EVIDENCE:**
- a) The parcels are zoned RDR/40-D (CZ) [Rural Density Residential, 40 acres per unit, with a Design Control Overlay (Coastal Zone)].
  - b) The project area is approximately 3.28 acres.
  - c) The lot line adjustment is between two contiguous parcels. The two existing parcels share a common boundary of approximately 455 feet.
  - d) The lot line adjustment will not create a greater number of parcels than originally existed. Two contiguous, separate, legal parcels of record will be adjusted and two contiguous, separate, legal parcels of record will result from the adjustment. The adjustment results in an equal exchange of 0.53 acres. Parcel 1 (Assessor's Parcel Number 420-171-043-000) would remain 2.16 acres, and Parcel 2 (Assessor's Parcel Number 420-171-044-000) would remain 1.12 acres.
  - e) The proposed lot line adjustment is consistent with the Monterey County Zoning Ordinance (Title 20). The zoning requires a minimum building site of 40 acres; therefore, both parcels are legal non-conforming with regard to minimum building site acreage. The proposed lot line adjustment would not change the existing legal non-conforming nature of either parcel (see Finding No. 2, Evidence e). The lot line adjustment is also required to allow the existing structures on

Parcel One to meet zoning ordinance setback requirements. The 0.53 acre area transferred from Parcel Two to Parcel One contains structural and utility improvements associated with Parcel One that existed when both parcels were under common ownership. Therefore, the lot line adjustment corrects a condition that existed at the time of the County's purchase of Parcel Two in 1994, and improves an existing sub-standard situation.

- f) The existing and reconfigured Parcel 1 has a required septic system and is connected to the Coastlands Mutual Water System, will continue to use these same facilities, and will have adequate septic repair areas. The Environmental Health Bureau reviewed the project application, and did not require any conditions of approval (see Finding No. 4, Evidence b).
- g) The proposed lot line adjustment does not interfere with existing access and utility easements, which will remain unchanged.
- h) As an exclusion to the Subdivision Map Act, no map is recorded for a Lot Line Adjustment. In order to appropriately document the boundary changes, a Certificate of Compliance for each new lot is required per a standard condition of approval (Condition No. 6).
- i) The project planner conducted site inspections on February 6 and June 5, 2013, to verify that the project would not conflict with zoning or building ordinances.
- j) The application, project plans, and related support materials submitted by the project applicant to Monterey County RMA-Planning for the proposed development are found in Project File PLN130608.

9. **FINDING:** **APPEALABILITY** - The decision on this project may be appealed to the Board of Supervisors and the California Coastal Commission.
- EVIDENCE:**
- a) Board of Supervisors: Section 19.01.050.A of the Monterey County Subdivision Ordinance (Title 19 – Coastal Zone) and Section 20.86.030 of the Monterey County Zoning Ordinance (Title 20) allow an appeal to be made to the Board of Supervisors by any public agency or person aggrieved by a decision of an Appropriate Authority other than the Board of Supervisors.
  - b) Coastal Commission: Section 20.86.080.A.3 of the Monterey County Zoning Ordinance (Title 20). The project is subject to appeal by/to the California Coastal Commission because it involves development that is permitted in the underlying zone as a conditional use.

### **DECISION**

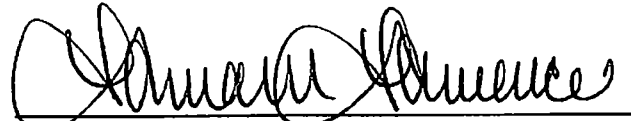
**NOW, THEREFORE**, based on the above findings and evidence, the Planning Commission does hereby:

1. Find the project categorically exempt per Section 15305 of the CEQA Guidelines; and
2. Approve a Coastal Development Permit to allow a Lot Line Adjustment between two legal lots of record; Parcel One, 2.16 acres (Assessor's Parcel Number 420-171-043-000), and Parcel Two, 1.12 acres (Assessor's Parcel Number 420-171-044-000), resulting in an equal exchange of 0.53 acres; and an after-the-fact Design Approval (to clear violation 12CE00258) for the demolition of approximately 200 square feet of a previously 526 square foot garage/workshop, construction (replacement) of a 240 square foot shed, and installation

of two 5,000 gallon water tanks; in general conformance with the attached sketch and subject to the attached conditions, all being attached hereto and incorporated herein by reference.

**PASSED AND ADOPTED** this 10<sup>th</sup> day of December, 2014 upon motion of Commissioner Vandevere, seconded by Commissioner Salazar, by the following vote:

**AYES:** Vandevere, Getzelman, Rochester, Salazar, Diehl, Roberts, Padilla, Mendez  
**NOES:** None  
**ABSENT:** Brown, Hert  
**ABSTAIN:** None



Laura Lawrence, Acting Secretary

**COPY OF THIS DECISION MAILED TO APPLICANT ON DEC 16 2014**

**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 TO THE BOARD ALONG WITH THE APPROPRIATE FILING FEE ON OR BEFORE JAN 02 2015**

**THIS PROJECT IS LOCATED IN THE COASTAL ZONE AND IS APPEALABLE TO THE COASTAL COMMISSION. UPON RECEIPT OF NOTIFICATION OF THE FINAL LOCAL ACTION NOTICE (FLAN) STATING THE DECISION BY THE FINAL DECISION MAKING BODY, 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 Monterey County RMA-Planning and RMA-Building Services Department office in Salinas.**

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

# Monterey County RMA Planning

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

PLN130608

### 1. PD001 - SPECIFIC USES ONLY

**Responsible Department:** RMA-Planning

**Condition/Mitigation Monitoring Measure:** This Coastal Development Permit and after-the-fact Design Approval to clear violation 12CE00258 (PLN130608) allows a Lot Line Adjustment between two legal lots of record; Parcel One, 2.16 acres (Assessor's Parcel Number 420-171-043-000), and Parcel Two, 1.12 acres (Assessor's Parcel Number 420-171-044-000), resulting in an equal exchange of 0.53 acres; and the demolition of approximately 200 square feet of a previously 526 square foot garage/workshop, construction (replacement) of a 240 square foot shed, and installation of two 5,000 gallon water tanks. The properties are located at 48320 Highway 1, Big Sur (Assessor's Parcel Numbers 420-171-043-000 and 420-171-044-000), Big Sur Coast Land Use Plan, Coastal Zone. This permit was approved in accordance with County ordinances and land use regulations subject to the terms and conditions described in the project file. Neither the uses nor the construction allowed by this permit shall commence unless and until all of the conditions of this permit are met to the satisfaction of the Director of RMA - Planning. Any use or construction not in substantial conformance with the terms and conditions of this permit is a violation of County regulations and may result in modification or revocation of this permit and subsequent legal action. No use or construction other than that specified by this permit is allowed unless additional permits are approved by the appropriate authorities. To the extent that the County has delegated any condition compliance or mitigation monitoring to the Monterey County Water Resources Agency, the Water Resources Agency shall provide all information requested by the County and the County shall bear ultimate responsibility to ensure that conditions and mitigation measures are properly fulfilled. (RMA - Planning)

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

## 2. PD002 - NOTICE PERMIT APPROVAL

**Responsible Department:** RMA-Planning

**Condition/Mitigation Monitoring Measure:** The applicant shall record a Permit Approval Notice. This notice shall state: "A Coastal Development Permit and after-the-fact Design Approval (Resolution Number 14-048) were approved by the Planning Commission for Assessor's Parcel Numbers 420-171-043-000 and 420-171-044-000 on December 10, 2014. The permit was granted subject to ten (10) 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 recordation of the certificates of compliance. (RMA - Planning)

**Compliance or Monitoring Action to be Performed:** Prior to the recordation of the certificates of compliance, the Owner/Applicant shall provide proof of recordation of this notice to the RMA - Planning.

## 3. PD003(A) - CULTURAL RESOURCES NEGATIVE ARCHAEOLOGICAL REPORT

**Responsible Department:** RMA-Planning

**Condition/Mitigation Monitoring Measure:** If, during the course of construction, cultural, archaeological, historical or paleontological resources are uncovered at the site (surface or subsurface resources) work shall be halted immediately within 50 meters (165 feet) of the find until a qualified professional archaeologist can evaluate it. Monterey County RMA - Planning and a qualified archaeologist (i.e., an archaeologist registered with the Register of Professional Archaeologists) shall be immediately contacted by the responsible individual present on-site. When contacted, the project planner and the archaeologist shall immediately visit the site to determine the extent of the resources and to develop proper mitigation measures required for recovery. (RMA - Planning)

**Compliance or Monitoring Action to be Performed:** The Owner/Applicant shall adhere to this condition on an on-going basis.

Prior to the issuance of grading or building permits and/or prior to the recordation of the final/parcel map, whichever occurs first, the Owner/Applicant shall include requirements of this condition as a note on all grading and building plans. The note shall state "Stop work within 50 meters (165 feet) of uncovered resource and contact Monterey County RMA - Planning and a qualified archaeologist immediately if cultural, archaeological, historical or paleontological resources are uncovered." When contacted, the project planner and the archaeologist shall immediately visit the site to determine the extent of the resources and to develop proper mitigation measures required for the discovery.

#### 4. PD023 - CONSERVATION AND SCENIC EASEMENT (SLOPE)

**Responsible Department:** RMA-Planning

**Condition/Mitigation Monitoring Measure:** A conservation and scenic easement shall be conveyed to the County over those portions of Parcel One (Assessor's Parcel Number 420-171-043-000) where the slope exceeds 30 percent. The easement shall be developed in consultation with certified professional. A conservation and scenic easement deed shall be submitted to, and approved by, the Director of RMA - Planning and accepted by the Board of Supervisors prior to recording the certificate of compliance. (RMA - Planning)

**Compliance or Monitoring Action to be Performed:** Prior to the recordation of the certificate of compliance, the Owner/Applicant/Certified Professional shall submit the conservation and scenic easement deed and corresponding map, showing the exact location of the easement on the property along with the metes and bounds description developed in consultation with a certified professional, to RMA - Planning for review and approval.

Prior to or concurrent with recording the certificate of compliance, the County shall record the deed and map showing the approved conservation and scenic easement. Submit a copy of the recorded deed and map to RMA-Planning.

#### 5. PD032(A) - PERMIT EXPIRATION

**Responsible Department:** RMA-Planning

**Condition/Mitigation Monitoring Measure:** The permit shall be granted for a time period of two (2) years, to expire on December 10, 2016, unless the certificate of compliance is recorded within this period. (RMA-Planning)

**Compliance or Monitoring Action to be Performed:** Prior to the expiration date stated in the condition, the Owner/Applicant shall complete all conditions necessary to record the certificate of compliance to the satisfaction of the RMA-Director of Planning. Any request for extension must be received by RMA-Planning at least 30 days prior to the expiration date.

#### 6. PD046 - COC (LOT LINE ADJUSTMENTS)

**Responsible Department:** RMA-Planning

**Condition/Mitigation Monitoring Measure:** The applicant shall request an unconditional certificate of compliance for the newly configured Parcel One and Two (Assessor's Parcel Numbers 420-171-043-000 and 420-171-044-000). (RMA - Planning)

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

**7. PDSP001 - BOARD OF SUPERVISORS AUTHORIZATION**

**Responsible Department:** RMA-Planning

**Condition/Mitigation Monitoring Measure:** The Coastal Development Permit (CST) to allow a Lot Line Adjustment (LLA) is contingent upon County of Monterey Board of Supervisors (BOS) authorization regarding disposition and acceptance of the subject land areas. The CST shall not take effect until the BOS authorizes the disposition of the 0.53 acres and acceptance of the 0.53 acres, as described in the LLA. (RMA-Planning and RMA-Public Works)

**Compliance or Monitoring Action to be Performed:** Prior to recordation of the certificates of compliance, RMA-Public Works and RMA-Planning shall, at the earliest opportunity, submit to the Board of Supervisors a request for authorization regarding disposition and acceptance of the subject land areas.

**8. FIRE011 - ADDRESSES FOR BUILDINGS**

**Responsible Department:** Fire

**Condition/Mitigation Monitoring Measure:** All buildings shall be issued an address in accordance with Monterey County Ordinance No. 1241. Each occupancy, except accessory buildings, shall have its own permanently posted address. When multiple occupancies exist within a single building, each individual occupancy shall be separately identified by its own address. Letters, numbers and symbols for addresses shall be a minimum of 4-inch height, 1/2-inch stroke, contrasting with the background color of the sign, and shall be Arabic. The sign and numbers shall be reflective and made of a noncombustible material. Address signs shall be placed at each driveway entrance and at each driveway split. Address signs shall be visible and legible from both directions of travel along the road. In all cases, the address shall be posted at the beginning of construction and shall be maintained thereafter. Address signs along one-way roads shall be visible from both directions of travel. Where multiple addresses are required at a single driveway, they shall be mounted on a single sign. Where a roadway provides access solely to a single commercial occupancy, the address sign shall be placed at the nearest road intersection providing access to that site. Permanent address numbers shall be posted prior to requesting final clearance. Responsible Land Use Department: CALFIRE Coastal Fire District

**Compliance or Monitoring Action to be Performed:** Prior to issuance of building permit, Applicant shall incorporate specification into design and print the text of this condition as "Fire Dept. Notes" on plans.

Prior to requesting a final building inspection, Applicant shall install the required address signage and shall obtain fire department approval of the fire department final inspection.



**9. FIRE019 - DEFENSIBLE SPACE REQUIREMENTS - (STANDARD)**

**Responsible Department:** Fire

**Condition/Mitigation Monitoring Measure:** Manage combustible vegetation from within a minimum of 100 feet of structures, or to the property line, whichever is closer. Trim tree limbs to a minimum height of 6 feet from the ground. Remove tree limbs from within 10 feet of chimneys. Additional and/or alternate fire protection or firebreaks approved by the fire authority may be required to provide reasonable fire safety. Environmentally sensitive areas may require alternative fire protection, to be determined by Reviewing Authority and the Director of Planning and Building Inspection. Responsible Land Use Department: CALFIRE Coastal Fire District

**Compliance or Monitoring Action to be Performed:** Prior to issuance of grading and/or building permit, Applicant shall incorporate specification into design and print the text of this condition as "Fire Dept. Notes" on construction plans.

Prior to requesting a final building inspection, the Applicant shall complete the vegetation management and shall obtain fire department approval of the final fire inspection.

**10. PD008(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.

Project plan sheets are omitted from this Exhibit "B" - Resolution 14-048 because the plan sheets do not meet the Monterey County Recorder's standards for recordation in the Official Records of Monterey County when reduced to 8.5" x 11". A complete copy of Resolution 14-048 with all project plan sheets is on file and available for review at the Monterey County Resource Management Agency – Planning Department at 168 West Alisal Street, 2nd Floor Salinas, CA 93901.

EXHIBIT C

Easement Exclusion Area Legal Description

**EASEMENT  
EXCLUSION AREA IN LOT 3**

Certain real property in the unincorporated area of the County of Monterey, State of California, being a portion of Lot 3, Lot 4 and Lot 6 as said lots are shown and so designated on that certain cities and towns map entitled, Coast Lands Tract No.1, filed for record October 3, 1927 in Volume 3 of Cities and Towns at Page 46, records of said County and State, said real property being more particularly described as follows:

**BEGINNING AT** a point on the westerly line of said Lot 4, distant South 23°50'00" East, 58.50 feet from the northwesterly corner of said Lot 4 and the southerly sideline of State Highway No.1; thence southerly and along the boundary of said Lot 4

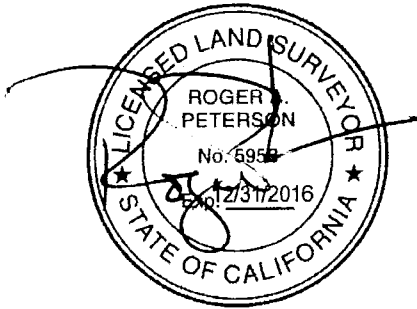
- 1) South 23°50'00" East, 13.32 feet; thence
- 2) South 29°47'00" East, (at 10.085 feet, the centerline of Ridge Trail No. 3 as said trail is shown and so designated on said Coast Lands map and the common corner to said Lots 3 and 4) a total distance of 20.17 feet; thence along the common line to said Lots 3 and 6 the following two courses:
  - 3) South 20°24'00" East, 114.14 feet; thence
  - 4) South 46°03'00" East, 43.82 feet; thence leaving said line
  - 5) North 25°14'47" East, 34.06 feet; thence
  - 6) North 65°52'00" East, 57.48 feet; thence
  - 7) South 34°26'00" East, 61.02 feet; thence
  - 8) South 12°02'26" East, 36.15 feet; thence
  - 9) South 65°56'08" East, 48.62 feet; thence
  - 10) North 73°00'50" East, 45.11 feet; thence
  - 11) North 55°05'12" East, 54.62 feet; thence

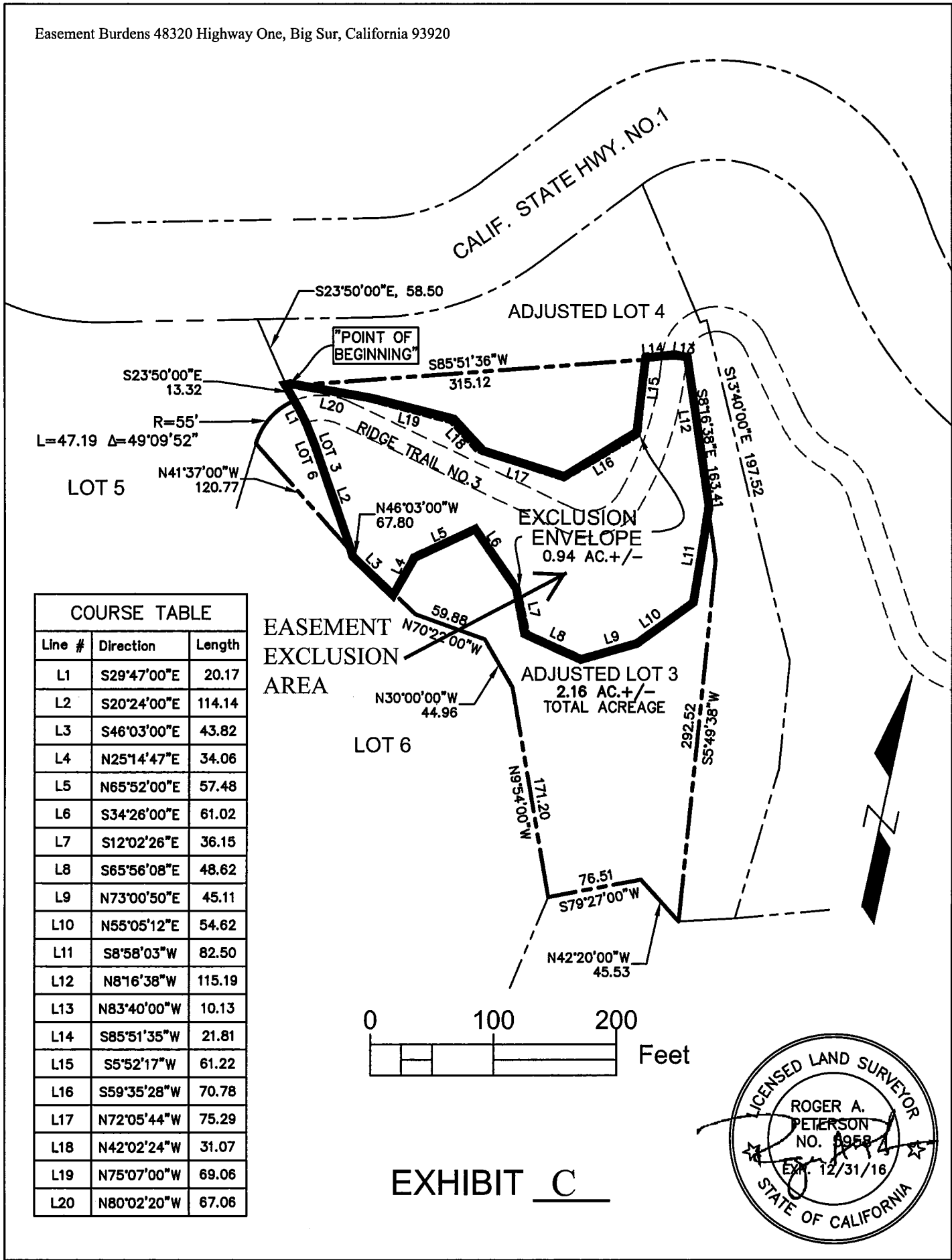
- 12) North 08°58'03" East, 82.50 feet, more or less, to the easterly line of said Adjusted Lot 3; thence along said adjusted line
- 13) North 08°16'38" West, 115.19 feet; to the northeast corner of said Adjusted Lot 3; thence along the boundary of said lot
- 14) North 83°40'00" West, 10.13 feet; thence
- 15) South 85°51'35" West, 21.81 feet; leaving said boundary
- 16) South 05°52'17" West, 61.22 feet; thence
- 17) South 59°35'28" West, 70.78 feet; thence
- 18) North 72°05'44" West, 75.29 feet; thence
- 19) North 42°02'24" West, 31.07 feet; thence
- 20) North 75°07'00" West, 69.06 feet; thence
- 21) North 80°02'20" West, 67.06 feet, more or less, to the Point of Beginning.

CONTAINING: 0.94 acres, more or less.

See attached Exhibit

End of Description





COURSE TABLE		
Line #	Direction	Length
L1	S29°47'00"E	20.17
L2	S20°24'00"E	114.14
L3	S46°03'00"E	43.82
L4	N25°14'47"E	34.06
L5	N65°52'00"E	57.48
L6	S34°26'00"E	61.02
L7	S12°02'26"E	36.15
L8	S65°56'08"E	48.62
L9	N73°00'50"E	45.11
L10	N55°05'12"E	54.62
L11	S8°58'03"W	82.50
L12	N8°16'38"W	115.19
L13	N83°40'00"W	10.13
L14	S85°51'35"W	21.81
L15	S5°52'17"W	61.22
L16	S59°35'28"W	70.78
L17	N72°05'44"W	75.29
L18	N42°02'24"W	31.07
L19	N75°07'00"W	69.06
L20	N80°02'20"W	67.06

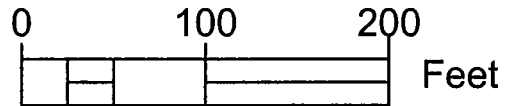


EXHIBIT C

