

# Exhibit A

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# DRAFT RESOLUTION

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

In the matter of the application of:

**MERKSAMER STEVEN A & LINDA S  
MERKSAMER TRS AND FREESE RICHARD  
CURTISS SR TR (PLN190321)**

**RESOLUTION NO. ---**

Resolution by the Monterey County Planning  
Commission:

1. Finding that the project involves a minor lot line adjustment not changing land use densities or building sites, which qualify as a Class 5 Categorical Exemption pursuant to Section 15305 (a) of the CEQA Guidelines, and there are no exceptions pursuant to Section 15300.2; and
2. Approving a Coastal Development Permit to allow a Lot Line Adjustment between three legal lots of record of approximately 1.063 acres (Assessor's Parcel Number 243-194-010-000, Parcel 1), 1.468 acres (Assessor's Parcel Number 243-194-014-000, Parcel 2), and 1.034 acres (Assessor's Parcel Number 243-194-015-000, Parcel 3) to merge into two legal lots of record resulting in approximately 1.580 acres (Adjusted Parcel 1) and 1.985 acres (Adjusted Parcel 2).

[PLN190321 – Steven & Linda Mersamer and Richard Freese, 30778, 142 and 30780 San Remo Road, Carmel, (Assessor's Parcel Numbers 243-194-010-000, 243-194-014-000 and 243-194-015-000), Carmel Land Use Plan, Coastal Zone]

**The MERKSAMER & FREESE application (PLN190321) came on for a public hearing before the Monterey County Planning Commission on February 12, 2020. Having considered all the written and documentary evidence, the administrative record, the staff report, oral testimony, and other evidence presented, the Monterey County Planning Commission finds and decides as follows:**

### FINDINGS

1. **FINDING:** **CONSISTENCY** – The project, as conditioned, is consistent with the applicable plans and policies which designate this area as appropriate for development.  
**EVIDENCE:** a) The project has been reviewed for consistency with the text, policies, and regulations in:
  - 1982 Monterey County General Plan (General Plan);
  - Carmel Area Land Use Plan (NC LUP);
  - Carmel Area Coastal Implementation Plan, Part 4 (CAR CIP)

- Monterey County Zoning Coastal Ordinance (Title 20); and
- Monterey County Subdivision Ordinance (Title 19)

No conflicts were found to exist. The subject properties are located within the Coastal Zone; therefore, the 2010 Monterey County General Plan does not apply.

- b) Allowed Use. The properties are located in Carmel Highlands at: 30778 San Remo Drive (Parcel 1, Assessor's Parcel Number 243-194-010-000), 142 San Remo Drive (Parcel 2, Assessor Parcel 243-194-015-000) and 30780 San Remo Drive (Parcel 3, Assessor's Parcel Number 243-194-014-000). The properties are subject to the CAR LUP and CAR CIP and are zoned Low Density Residential with a maximum gross density of 1 acre per unit with a Design Control Overlay within Coastal Zone or "LDR/1-D (CZ)". Pursuant to Government Code section 66412(d), lot line adjustment applications may be granted if the lot line adjustment is between four or fewer existing adjacent parcels, a greater number of parcels than originally existed will not be created as a result of the lot line adjustment, and the parcels resulting from the lot line adjustment conform to the County General Plan and zoning and building ordinances. This lot line adjustment is between three existing parcels merging into two parcels, and will not create a greater number of parcels than originally existed (see Finding 5). Title 20, Section 20.114.050.BB allows for lot line adjustments subject to a Coastal Development Permit in each case. Therefore, the project is an allowed land use for this site.
- c) Lot Legality. The subject properties, 30778 San Remo Drive (Parcel 1, Assessor's Parcel Number 243-194-010-000), 142 San Remo Drive (Parcel 2, Assessor Parcel 243-194-015-000) and 30780 San Remo Drive (Parcel 3, Assessor's Parcel Number 243-194-014-000), was created through the Heppenstall Subdivision and are identified as Lots 1, 2 and 3, recorded on September 7, 1966 in Volume 8, Cities and Towns, Page 92. Therefore, the County recognizes the subject properties as legal lots of record.
- d) Map Act Consistency. Section 66412 of the Subdivision Map Act (SMA) details the circumstances where projects can be excluded from the provision of the SMA. This project qualifies for that exclusion under SMA Section 66412.d, due to the fact that the Lot Line Adjustment (LLA) is between two adjoining parcels and the adjustment results in two parcels (see Finding 5).
- e) Existing Development. The LLA is between three legal lots of record of approximately 1.063 acres (Assessor's Parcel Number 243-194-010-000, Parcel 1), 1.468 acres (Assessor's Parcel Number 243-194-014-000, Parcel 2), and 1.034 acres (Assessor's Parcel Number 243-194-015-000, Parcel 3). The LLA proposes to merge Parcel 3 by transferring 0.517 acres of land each to Parcel 2 and Parcel 3, resulting in 1.58 acres for Adjusted Parcel 1 and 1.985 acres for Adjusted Parcel 2. Parcel 1 (30778 San Remo Road) has existing development on the property that includes a 3,497 square foot single family dwelling and a 600 square foot garage. Parcel 2 (142 San Remo Road) has existing development that includes a 3,266 square foot single family dwelling and a 622 square foot garage. Parcel 3 is currently undeveloped. Merging 0.517 acres to Parcel 1 and Parcel 2

would bring the structure on Parcel 2 into conformance with the side yard setback for this zoning district. Parcel 1 currently has an existing legal non-conforming structure set 10 feet away from the front property line. This structure proposes to remain legal non conforming as a part of this lot line adjustment and all other remaining structures will conform to the County's current site development standards listed in Title 20, Section 20.14.060 (see Evidence F below). Uses and structures at both sites will remain unaffected. The proposed LLA would not create any new lots. No demolition, construction, or other type of development is proposed. There are no identified impacts to environmental resources, and the LLA would not intensify the level of development allowed or already existing on the parcels.

- f) Review of Development Standards. Title 20, Section 20.14.060 identifies site development standards for this zoning district. Required setbacks are 30 feet (front), and 20 feet (rear and side) for main structures.

The attached sketch illustrates the location of the existing structures with respect to the existing and proposed lot lines. Parcel 1 currently has an existing single family dwelling and garage that is set back from the front property line 10 feet, legal non-conforming to the required front yard setback. The Adjusted Parcel 1 would not change this non-conforming situation but would result in a change to the side yard setback to the south of the parcel resulting in 50 feet, complying with the required side yard setback. The north side yard setback and the rear setback will still be maintained at approximately 40 feet and 300 feet.

Parcel 2 currently has an existing single family dwelling and garage that is setback from the front property line 92 feet. However, the structure is currently non-conforming to the side yard setback to north, with an existing 10 foot setback. Required setbacks for the LDR zoning district is a 20 foot side yard setback. The Adjusted Parcel 2 would result a change in this side yard setback to conform to the LDR zoning district, resulting in a 40 foot side yard setback to the north. The LLA would maintain the 92 foot front setback, 25 foot side yard setback to the south and 400 foot setback to the rear.

The minimum building site for the LDR zoning district is 1 acre. The LLA results in 1.58 acres (Adjusted Parcel 1) and 1.985 acres (Adjusted Parcel 2), consistent with the minimum building site for this zoning district.

The allowed site coverage maximum is 15%. The Lot Line Adjustment results in Adjusted Parcel 1 (1.58 acres) to have a maximum site coverage of 68,824.8 square feet and Adjusted Parcel 2 (1.985 acres) to have a maximum site coverage of 86,466.6 square feet. Adjusted Parcel 1 will have a site coverage of 5.9% and Adjusted Parcel 2 will have a site coverage of 4.5%. Therefore, the LLA results in parcels that are conforming to the required site development standards.

- g) Public Access. As demonstrated in Finding 6 below, the project is consistent with the applicable CAR LUP and CAR CIP policies and regulations for public access.
- h) Based on the Land Use Advisory Committee (LUAC) procedure guidelines adopted by the Monterey County Board of Supervisors, the project was referred to the Carmel Unincorporated/Highlands LUAC for review on December 2, 2019 due to the inclusion of a Lot Line Adjustment within the Coastal Zone. The LUAC recommended approval unanimously by a 5-0 vote.
- i) Staff conducted a site inspection on January 21, 2020.
- j) The application, plans, and supporting materials submitted by the project applicant to Monterey County Resource Management Agency (RMA)-Planning for the proposed development found in RMA-Planning File No. PLN190321.

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

- EVIDENCE:**
- a) The project includes a Lot Line Adjustment between three parcels resulting in merging into two parcels which would not, as a part of this application, change the use or development currently existing on the property.
  - b) The project was reviewed by RMA-Planning, Carmel Highlands Fire Protection District (FPD), RMA-Public Works, RMA-Environmental Services and Environmental Health Bureau. There has been no indication from these departments/agencies that the site is not suitable for the proposed development. No conditions of approval were recommended by the respective departments.
  - c) Staff conducted a site inspection on January 21, 2020.
  - d) 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 PLN190321.

3. **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 RMA-Planning, Carmel Highlands FPD, RMA-Public Works, RMA-Environmental Services, and Environmental Health Bureau. The respective departments found that the project will not have an adverse effect on the health, safety, and welfare of persons either residing or working in the neighborhood. There has been no indication from these departments/agencies that the site is not suitable for the proposed development. No conditions of approval were recommended by the respective departments.
  - b) All necessary public facilities are available to the subject properties. The subject properties are served by on-site wastewater septic systems for wastewater services and the Carmel Riviera Mutual Water Company for domestic water supply. Although Adjusted

Parcel 1 and Adjusted Parcel 2 will increase in size, they will not impact the existing leach fields or future reserve area. The Lot Line Adjustment does not result in intensification of existing uses as the project does not include any new development.

- c) The application, plans, and supporting materials submitted by the project applicant to Monterey County RMA-Planning for the proposed development found in RMA-Planning File No. PLN190321.

4. **FINDING:** **NO VIOLATIONS** - The subject property is in compliance with all rules and regulations pertaining to zoning uses, subdivision, and any other applicable provisions of the County's zoning ordinance. No violations exist on the property.

- EVIDENCE:**
- a) Staff reviewed Monterey County RMA-Planning and RMA-Building Services records and is not aware of any violations existing on subject property.
  - b) 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 PLN190321.

5. **FINDING:** **LOT LINE ADJUSTMENT** – The adjustment of the parcels is consistent with Section 66412 of the California Government Code (Subdivision Map Act) and Title 19 (Subdivision Ordinance – Coastal) of the Monterey County Code.

- EVIDENCE:**
- a) The parcels are zoned Low Density Residential with a maximum gross density of 1 acre per unit with a Design Control Overlay within Coastal Zone or “LDR/1-D (CZ).”
  - b) The Lot Line Adjustment (LLA) is between three legal lots of record of approximately 1.063 acres (Assessor's Parcel Number 243-194-010-000, Parcel 1), 1.468 acres (Assessor's Parcel Number 243-194-014-000, Parcel 2), and 1.034 acres (Assessor's Parcel Number 243-194-015-000, Parcel 3) to merge into two legal lots of record resulting in approximately 1.580 acres (Adjusted Parcel 1) and 1.985 acres (Adjusted Parcel 2).
  - c) The LLA is between three existing adjoining parcels. The three existing legal lots of record share a common boundary lines. Parcel 1 and Parcel 3 have a common boundary line of approximately 600 feet to the south of Parcel 1, and Parcel 3 and Parcel 2 have a common boundary line of approximately 750 feet south of Parcel 3.
  - d) The LLA will not create a greater number of parcels than originally existed. Two contiguous separate legal parcels of record will be adjusted, resulting in two contiguous legal parcels of record. Therefore, no new parcels will be created.
  - e) The LLA is consistent with the Title 20 (see Finding 1). County staff verified that the subject property is in compliance with all rules and regulations pertaining to the use of the property, and no violations exist on the property (see Findings No. 1, 2, and 4).
  - f) As an exclusion to the Subdivision Map Act, the Lot Line Adjustment does not require recordation of a map. To appropriately document the boundary changes, the Owner/Applicant shall record a deed for the respective parcels to reflect the adjustment (Condition No. 4) and

a Certificate of Compliance for each new lot shall be filed per a standard condition of approval (Condition No. 5).

- g) Staff conducted a site inspection on January 21, 2020.
- h) 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 PLN190321.

6. **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 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 20.146.130 of the CAR CIP can be demonstrated.
  - b) No evidence or documentation has been submitted or found showing the existence of historic public use or trust rights over this property.
  - c) The subject project site is not described as an area where the Local Coastal Program requires public access (Figure 3, Local Coastal Program Public Access, in the Carmel Area Land Use Plan.
  - d) Staff conducted a site inspection on January 21, 2020 to verify that the project on the subject property conforms to the plans attached.
  - 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 PLN190321.

7. **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) The project is a Lot Line Adjustment (LLA) between three legal lots of record of approximately 1.063 acres (Assessor's Parcel Number 243-194-010-000, Parcel 1), 1.468 acres (Assessor's Parcel Number 243-194-014-000, Parcel 2), and 1.034 acres (Assessor's Parcel Number 243-194-015-000, Parcel 3) to merge into two legal lots of record resulting in approximately 1.580 acres (Adjusted Parcel 1) and 1.985 acres (Adjusted Parcel 2).
  - b) California Environmental Quality Act (CEQA) Guidelines Section 15305 (a) categorically exempts minor lot line adjustments not resulting in any creation of a new parcel; therefore, the LLA would qualify for this exemption.
  - c) None of the exceptions under CEQA Guidelines Section 15300.2 apply to this project. The project does not involve a designated historical resource, a hazardous waste site, development located near or within view of a scenic highway, unusual circumstances that would result in a significant effect or development that would result in a cumulative significant impact. No adverse environmental effects were identified during staff review of the development application.
  - d) The application, project plans, and related support materials submitted by the project applicant to Monterey County RMA-Planning for the proposed development found in Project File PLN190321.

8. **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. Pursuant to Title 20, Section 20.86.030, an appeal may 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. Pursuant to Title 20, Section 20.86.080.A, 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 Monterey County Planning does hereby:

1. Find that the project involves a minor lot line adjustment not changing land use densities or building sites, which qualify as a Class 5 Categorical Exemption pursuant to Section 15305 (a) of the CEQA Guidelines, and there are no exceptions pursuant to Section 15300.2; and
2. Approve a Coastal Development Permit to allow a Lot Line Adjustment between three legal lots of record of approximately 1.063 acres (Assessor's Parcel Number 243-194-010-000, Parcel 1), 1.468 acres (Assessor's Parcel Number 243-194-014-000, Parcel 2), and 1.034 acres (Assessor's Parcel Number 243-194-015-000, Parcel 3) to merge into two legal lots of record resulting in approximately 1.580 acres (Adjusted Parcel 1) and 1.985 acres (Adjusted Parcel 2), 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 12<sup>th</sup> day of February 2020 upon motion of Commissioner \_\_\_\_\_, seconded by Commissioner \_\_\_\_\_, by the following vote:

AYES:  
NOES:  
ABSENT:  
ABSTAIN:

\_\_\_\_\_  
Brandon Swanson, Interim RMA Chief of Planning

COPY OF THIS DECISION MAILED TO APPLICANT ON \_\_\_\_\_.

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 \_\_\_\_\_.

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

This permit expires 3 years after the above date of granting thereof unless construction or use is started within this period.

# Monterey County RMA Planning

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

PLN190321

### 1. PD001 - SPECIFIC USES ONLY

**Responsible Department:** RMA-Planning

**Condition/Mitigation Monitoring Measure:** This Coastal Development Permit (PLN190321) allows a Lot Line Adjustment between three legal lots of record of approximately 1.063 acres (Assessor's Parcel Number 243-194-010-000, Parcel 1), 1.468 acres (Assessor's Parcel Number 243-194-014-000, Parcel 2), and 1.034 acres (Assessor's Parcel Number 243-194-015-000, Parcel 3) to merge into two legal lots of record resulting in approximately 1.580 acres (Adjusted Parcel 1) and 1.985 acres (Adjusted Parcel 2). The properties are located at 30778, 142 and 30780 San Remo Road, Carmel (Assessor's Parcel Numbers 243-194-010-000, 243-194-014-000 and 243-194-015-000), Carmel 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 RMA Chief of 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 Coastal Development Permit (Resolution Number \_\_\_\_\_) was approved by Monterey County Planning Commission for Assessor's Parcel Numbers 243-194-010-000, 243-294-014-000 and 243-194-015-000 on February 12, 2020. The permit was granted subject to five (5) 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 RMA Chief of 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** Prior to the issuance of certificates of compliance, the Owner/Applicant shall provide  
**Monitoring** proof of recordation of this notice to the RMA - Planning.  
**Action to be Performed:**

## 3. CC01 INDEMNIFICATION AGREEMENT

**Responsible Department:** County Counsel-Risk Management

**Condition/Mitigation** The property owner agrees as a condition and in consideration of approval of this  
**Monitoring Measure:** 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 County Counsel 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. (County Counsel-Risk Management)

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

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

#### 4. LOT LINE ADJUSTMENT – RECORD DEEDS – CA Govt. Code §66412(d)

**Responsible Department:** RMA-Planning

**Condition/Mitigation Monitoring Measure:** Owner(s)/Applicant(s) shall prepare, execute and record deeds that reflect the lot line adjustment as required by California Government Code §66412(d) and request an unconditional Certificate of Compliance for each of the adjusted parcels. (RMA-Planning)

**Compliance or Monitoring Action to be Performed:** Prior to the expiration of the entitlement, the Owner(s)/Applicant(s) shall do the following:

1. Have a professional land surveyor prepare a legal description and plat with closure calculations. The legal description shall be entitled "Exhibit A" and shall have the planning permit no. (PLN) in the heading. The plat may be incorporated by reference into Exhibit "A," or be entitled Exhibit "B." The legal description and plat shall comply with the Monterey County Recorder's guidelines as to form and content. Submit the draft legal descriptions, plats and closure calculations to the project planner and the County Surveyor for both of the following:

a. Each newly adjusted parcel of the lot line adjustment for which a Certificate of Compliance will be issued.

b. For the adjustment parcels, being all areas being conveyed by Owner(s) in conformance to the approved lot line adjustment.

i. The Owner(s)/Applicant(s) shall be responsible for ensuring the accuracy and completeness of all parties listed as Grantor and Grantee on the deeds.

ii. The purpose of the deed shall be stated on the first page of the deed, as follows:

"The purpose of this deed is to adjust the parcel boundaries in conformance to the lot line adjustment approved by the County of Monterey, PLNxxxxxx. This deed is being recorded pursuant to §66412(d) of the California Government Code and shall be deemed to reconfigure the subject parcels in conformance to said approved lot line adjustment. Any configuration of said subject parcels that existed prior to recordation of this deed shall no longer be valid and shall not be used for the purpose of sale, lease or financing, whether immediate or future."

PLEASE NOTE: Owner(s) is/are responsible for securing any reconveyance, partial reconveyance and/or subordination in connection with any loan, mortgage, lien or other financial obligation on all property being transferred between parties.

Following review and any corrections of the legal descriptions and plats:

1. Record the fully executed and acknowledged deed(s) to the adjustment parcels with the County Recorder.

2. Deliver a copy of the recorded deed(s) to the project planner.

3. Deliver the legal description and plat of each Certificate of Compliance to RMA-Planning for final processing, together with a check, payable to the "Monterey County

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

**Responsible Department:** RMA-Planning

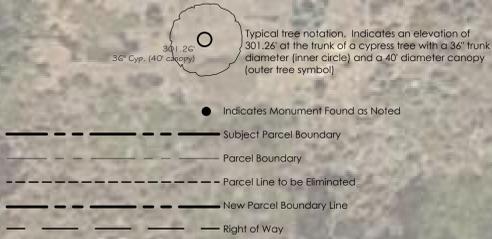
**Condition/Mitigation Monitoring Measure:** The applicant shall request unconditional Certificates of Compliance for the newly configured parcels. (RMA - Planning)

**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.

**Project Description:**

The owner's of existing Lots 1 & 3 have together purchased Lot 2. They wish to adjust the parcel lines to divide Lot 2 into equal areas (as shown hereon) and merge the northerly half of Lot 2 into existing Lot 1 thereby creating Adjusted Parcel 1 and merge the southerly half of Lot 2 into existing Lot 3 thereby creating Adjusted Parcel 2.



- Boundary Legend**
- A.G.S. - above ground surface
  - AP - angle point
  - BC - brass cap or begin curve
  - BFP - backflow preventer
  - B.G.S. - below ground surface
  - B.O.C. - back of curb
  - COR - corner
  - CP - control point
  - CTL - CONTROL
  - DOC - document
  - ENG/ENGR - engineer
  - FD/ND - found
  - F.T.C. - from true corner
  - I.P. - iron pipe
  - LT/L&T - lead & tag
  - LS - land surveyor
  - M-I - MAG NAIL & tag
  - MAG - MAG NAIL
  - MKD - marked
  - MON - monument
  - NT - nail & tag
  - N.R.F. - no record found
  - O.R. - Official Records, Monterey County
  - POL - point on line
  - RCE - registered civil engineer
  - ROW - right of way
  - S.F.N.F. - searched for, not found
  - SPK - spike
  - STA - station/control point
  - TBM - temporary benchmark

**Owner Information:**

**Existing Lot 1**

30778 San Remo Road  
APN: 243-194-010

The Merksamer Family Trust, 5209 Yorkville Place, Carmichael, CA 93923

**Existing Lot 2**

30780 San Remo Road  
APN: 243-194-015

50% - The Merksamer Family Trust, 5209 Yorkville Place, Carmichael, CA 93923

50% - The Freese/Kreiger Living Trust, 142 San Remo Road, Carmel, CA 93923

**Existing Lot 3**

142 San Remo Road  
APN: 243-194-014

The Freese/Kreiger Living Trust, 142 San Remo Road, Carmel, CA 93923

**Surveyor's Notes:**

This map shows found boundary corners as located by Lucido Surveyors. This survey info was provided to Rasmussen Land Surveying, Inc. by the former owner of Lot 2 (middle parcel) shown hereon.

The aerial image and the adjacent building information was prepared by Rasmussen Land Surveying, Inc. and is shown in relation to the survey information compiled by Lucido Surveyors. Sufficient verification was performed in the field to ensure that the buildings surveyed are accurately located in relation to the Lucido Surveyors data.

The aerial image was not derived from an aerial survey. The image was obtained from public sources and is included to provide orientation and context.

**30778 San Remo Site Information:**  
 Residence: 3,497 s.f.  
 Garage: 600 s.f.  
 Lot Coverage: 4,097/46,304 s.f. = 8.8%  
 Allowed Lot Coverage = 15%

**ADJUSTED PARCEL 1**  
 Lot 1 & a portion of Lot 2 (R1)  
 Calculated Lot Area: 68,838 s.f. / 1.580 ac.  
 (shown hereon with cross pattern)

**ADJUSTED PARCEL 2**  
 Lot 3 & a portion of Lot 2 (R1)  
 Calculated Lot Area: 86,465 s.f. / 1.985 acres  
 (shown hereon with triangle pattern)

**142 San Remo Site Information:**  
 Residence: 3,266  
 Garage: 622 s.f.  
 Lot Coverage: 3,888/63,946 s.f. = 6.1%  
 Allowed Lot Coverage = 15%

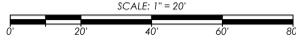
**Tentative Map for Lot Merger**

142, 30778 & 30780 San Remo Drive, APN's: 243-194-014, 010 & 015  
 Located in Carmel, Monterey County, State of California

Prepared For & Requested By: Karen Kreiger

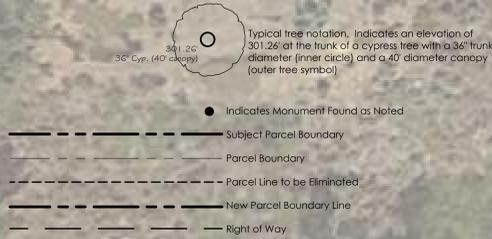
November 2019

**Rasmussen Land Surveying, Inc.**  
 2150 Garden Road, Suite A-3, Monterey, California 93942  
 P: 831.375.7240 F: 831.375.2545



**Project Description:**

The owner's of existing Lots 1 & 3 have together purchased Lot 2. They wish to adjust the parcel lines to divide Lot 2 into equal areas (as shown hereon) and merge the northerly half of Lot 2 into existing Lot 1 thereby creating Adjusted Parcel 1 and merge the southerly half of Lot 2 into existing Lot 3 thereby creating Adjusted Parcel 2.



**Boundary Legend**

- A.G.S. - above ground surface
- AP - angle point
- BC - brass cap or begin curve
- BFP - backflow preventer
- B.G.S. - below ground surface
- B.O.C. - back of curb
- COR - corner
- CP - control point
- CTL - CONTROL
- DOC - document
- ENG/ENGR - engineer
- FD/ND - found
- F.T.C. - from true corner
- I.P. - iron spike
- LT/L&T - lead & tag
- LS - land surveyor
- M-I - MAG NAIL & tag
- M&G - MAG NAIL
- MKD - marked
- MON - monument
- N-I - nail & tag
- N.R.F. - no record found
- O.R. - Official Records, Monterey County
- POL - point on line
- R.C.E. - registered civil engineer
- ROW - right of way
- S.F.N.F. - searched for, not found
- SPK - spike
- STA - station/control point
- TBM - temporary benchmark

**Owner Information:**

**Existing Lot 1**

30778 San Remo Road  
APN: 243-194-010

The Merksamer Family Trust, 5209 Yorkville Place, Carmichael, CA 93923

**Existing Lot 2**

30780 San Remo Road  
APN: 243-194-015

50% - The Merksamer Family Trust, 5209 Yorkville Place, Carmichael, CA 93923

50% - The Freese/Kreiger Living Trust, 142 San Remo Road, Carmel, CA 93923

**Existing Lot 3**

142 San Remo Road  
APN: 243-194-014

The Freese/Kreiger Living Trust, 142 San Remo Road, Carmel, CA 93923

**Surveyor's Notes:**

This map shows found boundary corners as located by Lucido Surveyors. This survey info was provided to Rasmussen Land Surveying, Inc. by the former owner of Lot 2 (middle parcel) shown hereon.

The aerial image and the adjacent building information was prepared by Rasmussen Land Surveying, Inc. and is shown in relation to the survey information compiled by Lucido Surveyors. Sufficient verification was performed in the field to ensure that the buildings surveyed are accurately located in relation to the Lucido Surveyors data.

The aerial image was not derived from an aerial survey. The image was obtained from public sources and is included to provide orientation and context.

**30778 San Remo Site Information:**  
Residence: 3,497 s.f.  
Garage: 600 s.f.  
Lot Coverage: 4,097/46,304 s.f. = 8.8%  
Allowed Lot Coverage = 15%

**ADJUSTED PARCEL 1**  
Lot 1 & a portion of Lot 2 (R1)  
Calculated Lot Area: 68,838 s.f. / 1.580 ac.  
(shown hereon with cross pattern)

**ADJUSTED PARCEL 2**  
Lot 3 & a portion of Lot 2 (R1)  
Calculated Lot Area: 86,465 s.f. / 1.985 acres  
(shown hereon with triangle pattern)

**142 San Remo Site Information:**  
Residence: 3,266  
Garage: 622 s.f.  
Lot Coverage: 3,888/63,946 s.f. = 6.1%  
Allowed Lot Coverage = 15%

**Utility Information:**

- Water Provider:**  
Carmel Riviera Mutual Water Company
- Electricity Provider:**  
Pacific Gas & Electric (PG&E)
- Gas Provider:**  
Propane

**Zoning Information for All Parcels:**

LDR/1-D(CZ)

**Site Plan**

142, 30778 & 30780 San Remo Drive, APNs: 243-194-014, 010 & 015  
Located in Carmel, Monterey County, State of California

Prepared For & Requested By: Karen Kreiger

November 2019

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RLS W.O. # 2019-115

Sheet 2 of 2

**DRAWING REVISIONS:**  
September 2019 - ORIGINAL SURVEY  
November 2019 - Create Site Plan sheet

