

Exhibit E

This page intentionally left blank.

Exhibit E - 1

This page intentionally left blank.

In case the formatting is lost in the body of the email:

Dear John,

The CDP application PLN150489 is inconsistent with North County Land Use Plan Policies and Ordinances and we urge you to recommend denial of the lot line adjustment application. The application also indicates that 129-201-006-000 is on Long Valley Spur but the North Monterey County parcel data lists this property on Long Valley Road.

Issues:

- 1) **Moving available building envelopes to ridgeline**
- 2) **Non conforming lot sizes - current zoning is RDR/10(CZ)**
- 3) **Clustered development is inconsistent with RDR policies and the lots are too large to fit the intent of a clustered development**
- 4) **Is there intent to adjust more lots in the future, leading to piecemeal development?**

Project Description (from Monterey County active project website)

VAN GREUNEN JOHANNES & KRISTI TRS

Coastal Development Permit to allow a Lot Line Adjustment between 3 lots of 13.5, 19.1 and 7.4 acres to result in three lots of 2.9, 3.6 and 33.5 acres. The properties are located at 6820 Long Valley Spur, Royal Oaks (Assessor's Parcel Numbers 129-201-052-000 and 129-201-006-000), North County Land Use Plan, Coastal Zone.

Issue 1 – Moving available building envelopes to ridgeline

The proposed lot line adjustment moves available building envelopes that are currently on Long Valley Road (where some infrastructure is available), up the hill to slopes that are greater than 25% and/or on the ridgeline. Ridgeline development, especially in the Long Valley watershed where erosion is an issue (NC_LCP 4.3.6.D.7) is inconsistent with the North County Coastal Implementation Plan (http://www.co.monterey.ca.us/planning/docs/Plans/nc_cip.pdf). Where lot line adjustments may result in ridgeline development, the plan requires an on-site investigation by the planner with poles with flags in place. Does this application meet all the criteria for a complete CDP application? Please provide the dates of the planner's on-site investigation with poles with flags in place.

20.144.030 VISUAL RESOURCES DEVELOPMENT STANDARDS

B.7 – (Development Standards) New subdivisions and lot line adjustments shall not configure a lot so as to create a building site that will result in ridgeline development. Where initial application review indicates that ridgeline development may result on a proposed lot, the applicant shall demonstrate that there is a building site and building height(s) available which will not create ridgeline - development. As such, possible building site dimensions and roof heights shall be delineated by poles with flags, subject to an on-site investigation by the planner prior to the application being considered complete. A condition of project approval shall be the establishment of a building site and a building height envelope that provides specifications for nonridgeline development on the lot(s) in question. Both envelopes shall require approval of the Director of Planning and an on-site investigation by the project planner prior to such approval.

Impact on State Scenic Waterway - Ridgeline development on the proposed lots would impact the Elkhorn Slough view shed: NC_LCP 5.6.3.5 (pg 101) *Elkhorn Slough should be officially designated as a State Scenic Waterway, and its visual character should be preserved.*

In addition, moving available building lots to the ridgeline also changes the access of these lots from Long Valley Road to Long Valley Spur, thereby funneling more traffic down this quiet neighborhood road and significantly changing the rural nature of this community.

Issue 2 – Non conforming lot sizes - current zoning is RDR/10(CZ)

Two of the proposed new lot sizes of 2.9 and 3.6 (less than 5 acres) are inconsistent with the following NC_LCP policies:

NC_LCP 2.5.C.5 (Water Resources - Densities for New Development – erosion control of sensitive soils, pg40) *Maximum permissible densities for the various areas of the plan are shown on the land use plan map and in Section 4.3.1 of the text and range from .10 acres per residence in the High Density Residential areas to 5 acres per residence in the Rural Residential areas. These densities are maximum, that may be approved under ideal conditions where all resource considerations of the plan can be fully met. In order to minimize erosion and consequent sedimentation of Elkhorn and Moro Cojo Sloughs, reductions in maximum permissible densities shall be made as follows:*

- a. In areas designated for Rural and Low Density Residential development:
 - Densities shall be reduced as necessary in order to site all development in Non- Critical Erosion Areas and to maintain cumulative development within the LDT for the subwatershed.*

NC_LCP 2.6.3.4. (Ag land conservation, pg 47) - *Development of Rural Residential lands shall be allowed for agriculture-related facilities and very low density residential use. These uses shall be located, where feasible, to conserve lands suitable for cultivation. The minimum density and parcel size is one unit per 40 acres or more to one unit per 5 acres as determined upon application and evaluation of site and area conditions.*

NC_LCP 4.3.1.G (Development policies – Rural Residential, pg 66) - *Low density residential and agricultural development is the primary use of this category. Development densities from 1 unit on 40 or more acres to a maximum of 1 unit per 5 acres would be allowed according to an evaluation of existing resource and public facilities constraints, and the residential character of the area. Site densities will be determined upon application review.*

Monterey County Ordinance 20.16.060 allows for a minimum building site to be less than 5 acres if approved as part of clustered residential development, however, in this case a clustered residential development is inconsistent with RDR zoning and these proposed lots lack the intent of a clustered residential development (see Issue 3 below).

Issue 3 – Clustered development is inconsistent with RDR policies and the lots are too large to fit the intent of a clustered development

Clustering development in RDR is inconsistent with the policy to maintain the rural character of North County.

NC_LCP 4.3 (Land Use Plan and Development Policies, pg 64). *A second objective is to maintain the rural character of North County with its predominant agricultural, low density residential and open space uses while clustering medium and high density residential development in areas where water, sewer, and transportation services are available.*

A density bonus due to the establishment of a large scenic easement would not be appropriate in this situation since there is already a policy requiring scenic easements on slopes greater than 25% for new development in this highly erosional watershed.

NC_LCP 4.3.6.D.7 (Preservation of Long Valley Watershed, p10). *When development is proposed on a parcel, the following conditions shall be required for approval of any Coastal Development Permit. Scenic easements shall be dedicated in all areas with slopes greater than 25% slope.*

If a clustered development is deemed consistent with the LCP in this situation then the spirit of a clustered development is not being implemented. Typical design features include: much smaller lots, closer houses, reduced privacy, shared stormwater and wastewater systems. The proposed 33.5 acre, 2.9 acre and 3.6 acre lots are too large to fit the intent of a clustered development.

Issue 4 – Future lot line adjustments

In a letter dated September 25, 2014 to the Harbor View Water Association (attached) the Van Greunen's apprised members of their development plans. Only a few residents on Long Valley Spur are members. At the time they indicated they had 6 lots and were planning on lot line adjustments for four 2 acre view lots on the ridgeline ("five home sites on Parcel 052", section 4, pg 3 of Van Greunen letter). Subsequently, a historical lot line (dashed lines) was recognized by the county as a legal lot of record, meaning they now have 7 adjoining lots. Per modifications to Ordinance 19.02.150 *requests for lot line adjustments for more than four parcels is considered as a subdivision* (Approved by State Coastal Commission, February, 2014 –LCP-3-MCO-13-0226 – 1 Part A – Elimination of Minor and Standard Subdivision Committees). How will the county handle a future application for a lot line adjustment by the same owners on adjacent parcels?

Please provide the name, direct phone line, and email of the current planner assigned to the project. Please also provide a copy of the staff report when it is available and notice us of any public meetings regarding this application.

If you have any questions please feel free to contact us. Please note that this letter is supported and signed by the following Long Valley Spur property owners who are also copied on this email.

Monique Fountain – 6890 Long Valley Spur, Castroville, CA 95012

Debra Louison Lavoy – 6850 Long Valley Spur, Castroville, CA 95012

Jenifer Banbury – 6900 Long Valley Spur, Castroville, CA 95012

Jeanne Johnson – 6925 Long Valley Spur, Castroville, CA 95012

Robert and Kristal Gaskell – 6910 Long Valley Spur, Castroville, CA 95012

Janis Turner – 6945 Long Valley Spur, Castroville, CA 95012

Bret and Jamie Whitford- 6960 Long Valley Spur, Castroville, CA 95012

Brad and Denise Barnett – 6990 Long Valley Spur, Castroville, CA 95012

Frank and Windy Reyes – 7000 Long Valley Spur, Castroville, CA 95012

Jan and Kristi van Greunen
41 Long Valley Road
Castroville CA 95012
Home Tel (831) 763-3678
Jan Cell (831) 601-5664
Kristi Cell (510) 301-3807

September 25, 2014

Re: Harbor View Water Association

Dear Members of Harbor View Water Association,

For those of you who have not met us, we have been members of Harbor View Water Association (HVWA) since 1997, based on the water right we have through our ownership of Parcel 014 at 41 Long Valley Road. We also own the farm property at the end of Long Valley Road.

About three years ago we purchased Buddy Robinson's properties in Long Valley: the property on top of the hill at the end of Long Valley Spur (Parcel 052) and the adjoining property (Parcel 006), which is located just west of our farm at 46 Long Valley Road. Parcel 052 is undeveloped and has two deeded water rights in HVWA. In the next few years we are planning to build a house on Parcel 052 combined with additional developments we explain in more detail below. We would like to get our water from HVWA and have been investigating whether additional connections would be possible and what actions this would entail. We have researched the distribution of the 60 HVWA water rights, the existing water system permit records at the Monterey County Health Department, and the current condition of the well and water system. Additionally, we have had initial conversations with Monterey County Health Department officials regarding the process we would need to undertake in order to add additional hookups to the system.

The purpose of our letter is to provide the background for our proposal and request a meeting of the members of HVWA to discuss our proposal regarding additional connections. In addition, we should discuss the maintenance and improvements that may be needed to keep the HVWA water system fully functional.

1. HVWA Background

The well and water system were created in the early 1960s by former county supervisor Warren Church for the properties he owned in the 1913 subdivision #1 of the Kirby Ranch. This was accomplished through a grant of easement recorded with the county (see attachment number one), a Bylaws and Agreement document signed by Mr. Church and the early owners of the properties (see attachment number two), and grant deeds which distributed all 60 water rights established in the Bylaws and Agreement.¹ We have attached a copy of the 1913 subdivision map with Mr. Church's properties outlined in red (see attachment number three).

¹ We have attached a copy of the current Assessor's Map that we have marked up to denote the allocation of water rights by Mr. Church. This document is attachment number six. Additionally, if requested, we can provide copies of each of the grant deeds in which Mr. Church conveyed the early properties and the 60 water rights.

Most of the properties for which Mr. Church granted water rights were later subdivided by subsequent owners into the current configuration of properties with water rights in HVWA. Our research at the county recorder's office showed that when the original properties were subdivided (see attachment number four for a copy of the current County Assessor's Map), not all 60 water rights were reassigned to the subdivided parcels. Specifically, our research confirmed only 45 of the original 60 water rights were deeded to parcels, as summarized in attachment number five. Additionally, the following information is relevant to consider:

- All properties currently on the system have water rights to HVWA recorded in the grant deed and property title for each of the properties, except for the property at 77 Walker Valley Road. Therefore, for the purpose of this letter we have assumed this property has one water right. With this assumption, there are 46 water rights to the HVWA system confirmed, 45 of which are recorded in property deeds.
- At the bottom of the list in attachment number seven are listed the four remaining properties that have water rights to HVWA but are not yet developed and thus not connected to the system. One of these four undeveloped properties is our parcel, APN 129-201-052. The nine water rights for these undeveloped properties are included in the 46 currently assigned water rights.
- Undeveloped parcel 026 at the beginning of Long Valley Road belongs to PG&E and has four water rights. Thus, it is unlikely these water rights will ever be connected to the system.
- Although the initial allocation of the 60 water rights by Warren Church was consistent with the acreage size (see attachment number six), the reassignment of the water rights when the properties were subdivided was inconsistent. The reassignment of these rights varies from one to four water rights, irrespective of property size and/or location. For example, the 3.01-acre parcel at 41 Long Valley Road and the 3.03-acre parcel at 49 Long Valley Road were both allocated only one water right each. Yet the 3.02-acre parcel in between these two properties—45 Long Valley Road—was allocated three water rights.
- The HVWA Bylaws and Agreement specifies that the requirement for a property to connect to the water system is ownership of one water right, which entitles a property to one or more hookups.
- At present there are 29 official hookups to the water system from 22 properties.
- In our research at the county recorder's office to locate each of the 60 water rights, we also researched the deeds of all feasible properties that could be close enough in proximity to HVWA to have been assigned or purchased useable water rights to HVWA. We found no other properties showing HVWA water rights than the ones listed in the information presented here.

Based on this information presented above, it appears that 14 of the 60 originally granted water rights are currently unassigned.

2. Monterey County Health Department

According to county records, HVWA has a water supply permit for the present 29 hookups to the well and water system (Permit #5070513, which was renewed and updated in 2013). Based on our discussions with county officials there have been no issues with availability of water for HVWA.

Therefore, although there is not a three-day source capacity test on record for the well, the county officials indicated that permitting additional hookups should be possible. We will work with the county to determine whether they have any additional requirements for adding more hookups. We will also assist in taking care of these items.

3. Condition of the HVWA System

The water system is now more than 50 years old and it is our understanding the following conditions and issues exist:

- The well casing is old and may not last much longer. One option is to reline the well, if possible, but this would reduce the well capacity by 50%. Another option is for HVWA to drill a new well. This situation needs attention in the near future, however, before the casing gives way.
- Several HVWA tanks need cleaning and painting to prolong the life of these assets and to protect them from rusting through.
- The well pump has been replaced some time ago, but its present condition is not known.
- Our current HVWA cash reserves are likely not sufficient to repair or replace the aging assets of the water system without additional money being needed.

4. The Van Greunen's Development Plans – Lot Line Adjustments

Between the farm and the properties we acquired from the Robinsons we have a total of 80 acres consisting of six legal lots north of Long Valley Road.² In order to: 1) preserve as much open space and wildlife corridor/habitat as possible, 2) keep the farm intact by making it one property, and 3) have desirable view lots for homes on five of these lots, we will be applying to the county planning department to have the lot boundaries redrawn on our property.

Instead of the current configuration of our six lots, this would create two large properties and four small properties. The farm will be consolidated into one approximately 40-acre parcel, instead of three lots. Adjacent to the farm would be another large parcel of approximately 32 acres, which will be mostly open space. This 32-acre parcel will also contain a small portion of current lot 052. This parcel is where we want to build a house for us to live up near the large eucalyptus tree. The remaining four view properties will be about two acres each and will be on land that is now parcel 052. We plan to limit houses to single story height with low profiles and exteriors that blend in with the environment. In siting homes, protection of sensitive habitat and maintaining the wildlife corridor as much as possible will be a priority. A biological survey has already been completed. The home sites will be located in previously cleared areas in order to not disrupt native habitat. To maintain the open, rural character of the area, utilities will be placed underground to the extent possible.

Therefore, our plan is to have five home sites on Parcel 052. Although this effectively divides the 052 parcel, our plan is not considered to be a new subdivision because we are using existing legal lots and

² The county has confirmed that the broken lines showing on parcels 129-201-006 and 129-201-007 on the Monterey County Assessor's Map are old lot lines that were not erased when the properties were subdivided in 1971 and are still valid lot lines.

not creating new lots. It is our understanding the county supports this clustering of home lots, when it leaves as much open space as possible and consolidates and preserves the farm property.

5. Kirby Lot #1 from the 1913 Kirby Ranch Subdivision

Our lot APN 129-201-052 was originally part of Lot #1 of the Kirby ranch. What was once Kirby lot #1, are now lots 002, 040, 041, 050, 051 and 052.

In 1964, Mr. Church sold the western portion of Kirby lot #1 along with five HVWA water rights. This 1964 western parcel was approximately 10 acres and was later again subdivided to become lots 002, 040, and 041.

In 1968, Mr. Church sold the remaining portion of Kirby Lot #1. As described in attachment number eight, this 1968 parcel was 33.5 acres in size and was granted 15 HVWA water rights by Warren Church. This 33.5-acre parcel was then subdivided in 1975 into the three current lots 052, 051, and 050 with sizes as shown in the Table below. The map in attachment number nine shows this 1975 subdivision. When the 33.5-acre parcel was subdivided into the current three-lot configuration, however, only eight of the parcel's 15 water rights were reassigned as shown in the Table below. Therefore the remaining unassigned seven water rights from the 33.5-acre parcel make up half of the 14 unassigned HVWA water rights.

Table 1. 1975 Subdivision of the 33.5-Acre lot with 15 Water Rights

| Parcel | Lot Size (ac) | Current Water Rights that were reassigned in 1975 | Water Rights based on size, if all water rights had been reassigned |
|-----------------|---------------|---|---|
| APN 129-201-050 | 10.02 | 4 | 4.5 |
| APN 129-201-051 | 10.01 | 2 | 4.5 |
| APN 129-201-052 | 13.49 | 2 | 6 |

6. The Van Greunen's Proposal

Based on the background laid out above, the 15 water rights originally allotted to the 1968 parcel were not fully reassigned for an unknown reason. As shown in the table above, if the reassignment had been done according to size—as Mr. Church had done when he allocated the 60 water rights for the water system he created—our parcel, APN 129-201-052, should have received six water rights when the 15 water rights were reassigned during the 1975 subdivision.

Based on our discussion with a planning specialist with law firm of Tony Lombardo and Associates, the history presented above forms a legal basis to show that parcel 052 is entitled to an additional four water rights of the unassigned rights. We plan to assign one of these six water rights to each of our six lots north of Long Valley Road, five of which will have home sites located on parcel 052.³ These water rights will be restricted to domestic water use only.

³ There is currently a good agricultural well on the farm property to serve the farming needs of the property.

If the members of HVWA positively consider and approve our proposal to add these water rights to the deed for parcel 052, we agree to:

- Make a contribution to the HVWA bank account once the county signs off on the installation of the additional hookups.⁴ This sum will be discussed and agreed upon at the meeting.
- Take the lead in handling negotiations with the county for the additional connections.
- We will be responsible for taking care of requirements the county may have in order to add these connections.⁵
- Take the lead in organizing the installation of upgrades the county requires to add additional hookups.
- Assist with the administration of the system, if our assistance is desired and acceptable to HVWA members.

7. The positive benefits of our proposal are:

- Six additional paying HVWA properties will eventually be added to the system, which will help share the cost of maintaining and running the system for all members.
- The HVWA is old and needs updating before we have a catastrophic failure. Additional monies from the added HVWA active memberships and our lump sum contribution should help defray future and current costs of the system.
- Having additional help for Jean in running the system is something we would be happy to volunteer to do. Additional assistance at a time when the system is fifty years old is probably necessary to keep the Harbor View water system in a good operating, healthy condition.
- Preserving agricultural land, which is a priority in Monterey County.
- Maximizing the amount of land along Long Valley road that will be preserved as open space in the future.
- Preserving from development as much wildlife corridor and habitat as possible that link the Elkhorn Slough Foundation upland properties to the Elkhorn Slough Reserve.

8. Meeting

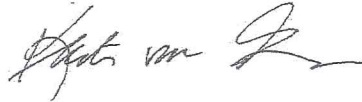
We would like to schedule a meeting of the members to discuss our proposals, answer any questions or concerns you may have, and have a decision from the membership as to how to move forward. We

⁴ We are offering to make this donation to show good faith to our neighbors and because we think the cash reserves of the system should be increased in order to better assure the viability of the aging system for future use. This contribution is not a payment for additional water rights, as the law firm has advised us that our property has a legal right to the additional HVWA water rights.

⁵ If the county has requirements related to installation/upgrades/maintenance/repair/replacement issues in the system that should have been done earlier, unrelated to our request to add hookups, HVWA will be responsible for these expenses.

look forward to meeting with you and would be happy to host the meeting in our home at 41 Long Valley Road. We can be reached by email at janandkristi@yahoo.com. We can also be reached via our cell phones: Jan's cell phone is 831-601-5664 and Kristi's cell phone is 510-301-3807.

Cordially,



Jan and Kristi van Greunen

Attachments:

- 1 HVWA Grant of Easement recorded in 1962
- 2 HVWA Bylaws and Agreement signed by original owners in 1961-1965
- 3 1913 County Map of Subdivision No. 1 of the Kirby Ranch with the properties owned by Warren Church outlined in red
- 4 Current Assessor's Map Book 129, Page 20
- 5 Assessor's map annotated with current recorded water rights of HVWA
- 6 Assessor's map showing the allocation of 60 water rights by Warren Church
- 7 List of current properties currently using HVWA and also listing the remaining undeveloped properties with recorded rights in the water system
- 8 1968 Grant deed of Warren Church, et. al., with 15 rights of HVWA to the 33.portion of Kirby Ranch Subdivision Lot 1 that is now lots 050, 051, and 052
- 9 County Map showing the 1975 subdivision of the 1968 33.5 acre portion of Lot 1 of Kirby Ranch Subdivision that created lots 050, 051, and 052

7/1/57
 2 57
 REEL 7 PAGE 80

GRANT OF EASEMENT

WARREN CHURCH hereby grants to HARBOUR VIEW WATER MAINS, INC. the following easements for water wells, water tanks, water lines, and water pumping stations as specified below, being portions of sub-division No. 1 of the Kirby Ranch as shown on that certain map filed in Volume 2 of Maps and Plans at page 1, Records of Monterey County:

1) For construction, maintenance, replacement, and use of a water pipe and pumping stations, being a part of said sub-division, a strip of land ten feet wide, the center line of said strip being twenty-five feet southerly of the northerly boundary of Parcel 1 and Parcel 2 as described in that certain deed granted to Warren Church by Joseph W. Kirby and Marjorie W. Church dated December 13, 1941 and filed in the Records of Monterey County at pages 75, 76, and 76 of Book 2212.

2) For the construction, maintenance, replacement, and operation of a water well (s) and pumps, being a part of said sub-division, a well lot being a portion of Lot 13 further described to wit:

Beginning at a point in the northeasterly boundary of the said Lot 13 from which the most easterly corner of the said lot bears South $30^{\circ} 27'$ East, 117.98 feet distant and running from the said point of beginning

- (1) South $74^{\circ} 17' 10''$ West, 20.0 feet, thence
- (2) North $15^{\circ} 27'$ West, 20.0 feet, thence
- (3) North $74^{\circ} 17' 10''$ East, 5.32 feet, thence
- (4) North $82^{\circ} 19' 20''$ East, 15.76 feet to the

#1

aforsaid northeasterly boundary, thence
along said boundary
(5) South 38° 27' East, 17.61 feet to the
place of beginning.

(3) For construction, maintenance, replacement, and use
of a water pipe and pumping stations, being a part of said
sub-division, a strip of land ten feet wide beginning at the
most northeasterly corner of the Well lot described in com-
ment (2) above and running northerly along and easterly of
that line which is a common boundary between lot 33, and lot
2 and lot 3 to the most southwesterly corner of lot 3, thence
along the northerly boundary of the existing roadway, that
being in an easterly direction, as far as the point the road
comes nearest the most southeasterly corner of said lot 2,
thence directly to the aforsaid southeasterly corner; and a
strip of land ten feet wide circumventing the entire perimeter
of said lot 1.

Dated: January 5th, 1942.

[Signature]

STATE OF CALIFORNIA)
COUNTY OF MONTEREY)

On January 5, 1942, before me, the undersigned, Notary
Public in and for said County and State, personally appeared
MAYNARD FULFORD, known to me to be the person whose name is
mentioned in the within instrument, and acknowledged to me that
he executed the same.

[Signature]
NOTARY PUBLIC

My Commission Expires December 10, 1942

"END OF DOCUMENT"

#1

Log Valley U.S.

HARBOR VIEW WATER ASSOCIATION
BY-LAWS AND AGREEMENT OF ORGANIZATION

Art. I. Name. The name of this organization shall be the Harbor View water association.

Art. II. Purpose. The purpose of this organization is to supply water to members for domestic, commercial and agricultural purposes on a non-profit basis. Operations shall include those functions necessary to supply water to members.

Art. III. Water Rights. A water right is hereby defined as a 1/60 undivided interest in the well situated on the parcel described as follows: Being a portion of Lot 33 of Airby subdivision no. 1 as shown on that certain map filed in Volume 2 of Maps and Grants at Page 1, Records of Monterey County, and particularly described as beginning at a point in the northeastern boundary of the said Lot 33 from which the most easterly corner of the said lot bears South 38° 27' East, 317.98 feet distant and running from the said point of beginning (1) South 74° 17' 19" East, 20.0 feet, thence (2) North 38° 27' East, 20.0 feet, thence (3) North 74° 17' 10" East, 5.32 feet, thence (4) North 82° 19' 20" East, 15.76 feet to the aforesaid northeastern boundary, thence along said boundary (5) South 38° 27' East, 17.61 feet to the place of beginning; and any other assets of the association. Each water right shall have an equal share of water available, and each right obtained shall be in accordance with these by-laws and subsequent regulations established by this association.

Art. IV. Water Right Shares (Memberships). An active membership is a water right from which water is currently (at the time of execution) used. An inactive membership is one in which water is not used. The Secretary shall be instructed in writing if a membership is to be active. No more than one right is necessary to supply contiguous lands including rentals, but each parcel separately taxed or described by deed shall have at least a 1/60 interest (one water right) to receive any water.

Art. V. Voting. Voting shall be by water rights. Each person shall be entitled to as many votes as he holds water rights. Proxies may be permissible by written order.

Art. VI. Officers. The officers of this Association shall be an Executive Secretary-Treasurer and an Assistant Executive Secretary-Treasurer. The former shall preside at all meetings, handle affairs, manage operations, and act in emergencies. He may also appoint members to perform certain functions. He shall pay these regular and recurring bills, but that any item exceeding \$100.00 must be approved at a meeting except in cases of emergencies. An emergency is hereby defined as a situation in which water is not available to meet immediate needs. The latter shall serve, when, for any reason, the former does not perform. Books of the Association shall be open to inspection by members at all times.

Art. VII. Term of Office. The term of office shall be two years.

Art. VIII. Meetings. Meetings shall be held twice yearly, at the call of the Executive Secretary-Treasurer, or at the call of any five memberships.

Art. IX. Quorum. A quorum shall be those members present at any meeting in which ten days notice has been given. At any other meeting a quorum shall be a majority of all memberships (water rights), unless the meeting be called an emergency session.

Art. X. Fees and Billing. Each active shareholder shall pay a minimum of \$5.00 monthly, which shall entitle that share to 1000 cu. ft. of water. The cost for additional water shall be \$3.00 per 1000 cu. ft. pro rated to the nearest 100 cu. ft. The Executive Secretary-Treasurer shall deliver near the first of the month and before the fifth of the month, a bill for services rendered to each active membership for the previous month. The bill shall show the previous and present meter readings, the difference, and the amount due. Subscribing members do hereby agree to pay on or before the tenth of the month in which the bill is received, the full amount shown on the bill, or file a written reason as to why the bill is not paid. Each subscriber hereby agrees that in case he fails for two consecutive months to settle for his water costs that he may have his water service discontinued until such time as his obligations have been met, and that no damages will be claimed for such discontinuance of service.

Art. XI. Sale of Water Forbidden. It is hereby agreed that at no time, ~~or under any circumstances~~, shall a member accept remuneration for furnishing water that goes through his meter. The penalty for sale or attempt to sell water shall be discontinuance of service through that meter. These restrictions have in mind the obligations that might be placed upon the Association by the state of California concerning the sale of water.

Art. XII. Property. The Association may own various assets. It shall not lay any main pipelines or establish pumping stations to supply members (except to reservoir facilities), but after such pipelines or pumps have been established and paid for by individuals they may be granted to the Association, and if accepted the Association will then bear maintenance costs, but no pipelines will be accepted by the Association unless they be of galvanized or so called "rigid" plastic material.

Art. XIII. Meters. There shall be a valve and meter installed in that order coming from a main pipeline to supply members.

Art. XIV. Assessments. Each share whether active or inactive, up and beyond Article X, shall be assessed \$1.00 per year. These assessments shall be due on January first of each year and shall be for the year in which due. Any expenses necessary for supplying water, which cannot be covered by current funds, shall be born by an assessment to the holders of active rights on an equal basis, and any inactive rights becoming active within two years after such an assessment shall pay the regular amount of the assessment.

Art. XVII. Rules of Order. Except where these by-laws conflict, Robert's Rules of Order shall prevail.

Art. XVIII. amendments. These by-laws may be changed by majority vote at any meeting in which ten days notice or more has been given, or by 3/4 vote at any meeting. Agreements set forth herein can only be changed or added to by unanimous consent of all persons holding water rights.

Art. XVII. Interpretation. Sections of these by laws and agreements shall be strictly construed to.

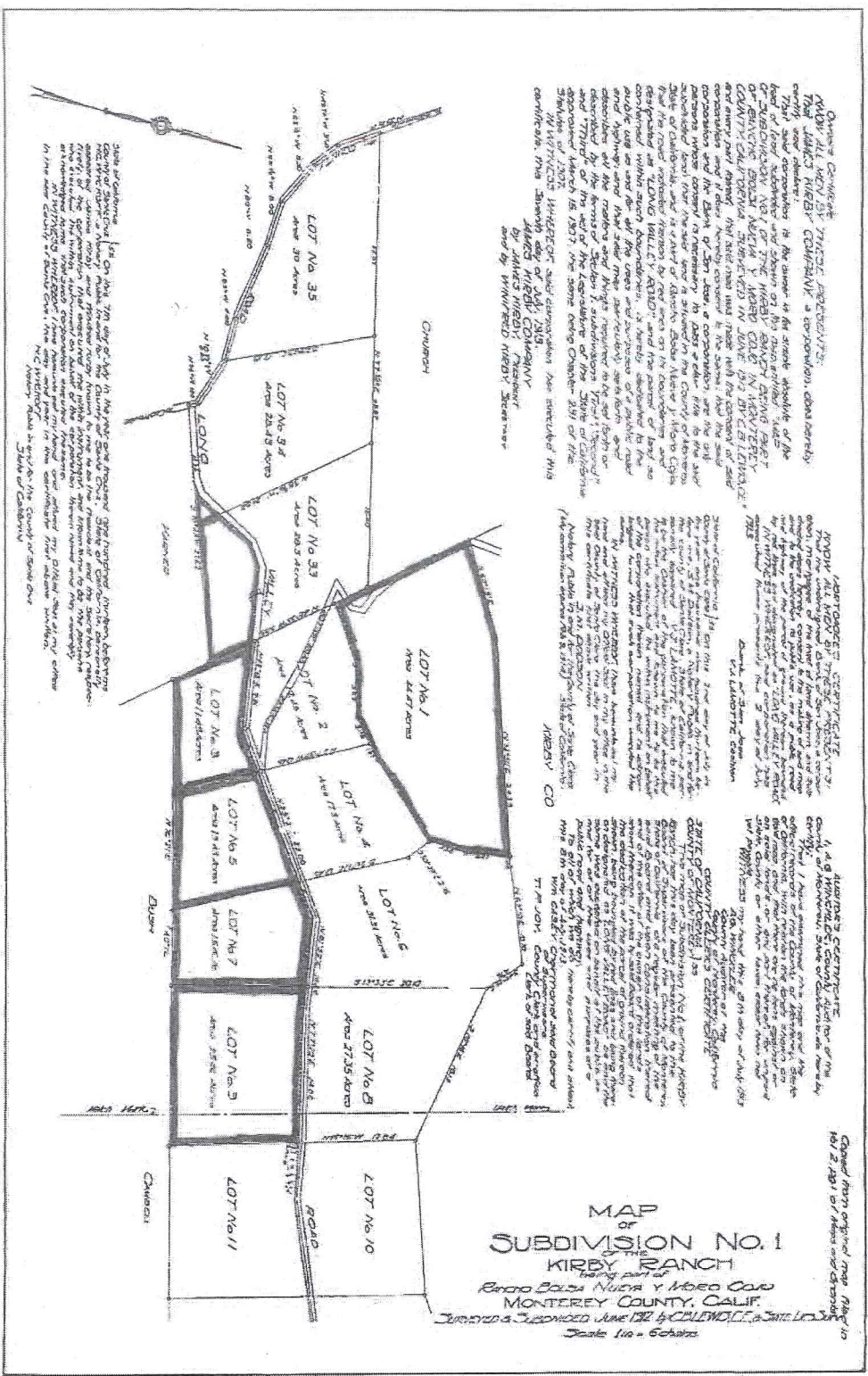
Art. XVIII. Order of Establishment. This Association is hereby established with sixty water right memberships, and all retained by the organizer, the first signed below, and said rights are transferable, on this 15th day of December in 1961, and any pipelines, pumps, or wells established by said organizer, directly or in behalf of, along any easements he might grant to the Association, whether present or future, are hereby accepted and become the property of the Association, providing they be of the material as set forth in article XII; and that any water rights not deeded to parcels may be temporarily designated.

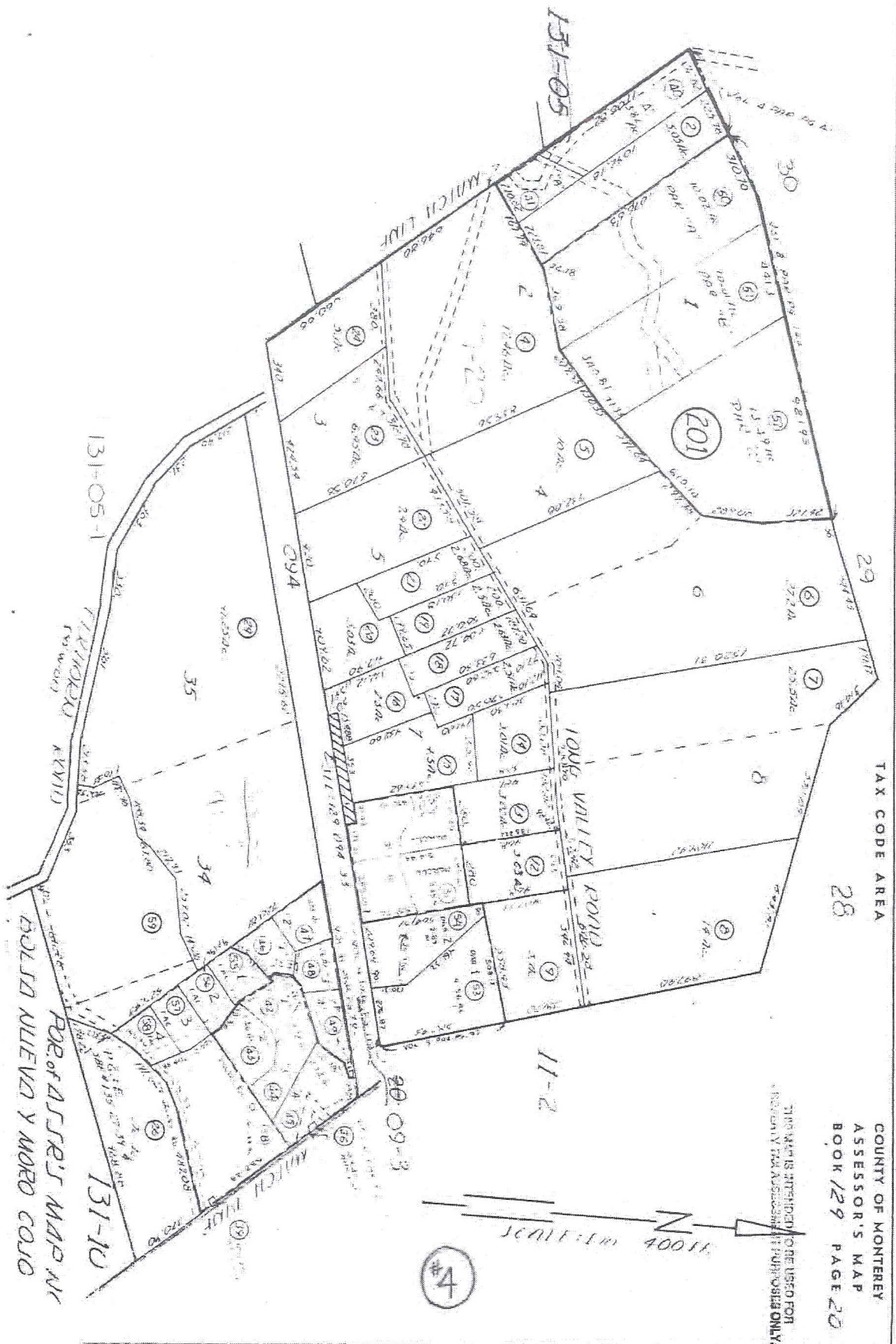
We, the undersigned mutual members, on this or an attached sheet, do hereby agree to abide by these by-laws, agreements, and subsequent rules, and that no person shall be responsible for supplying water or anything connected with supplying of water, except in accordance with these by-laws, agreements, and subsequent rules; and that we agree, as a personal responsibility and liability, to have any person to whom we in any way transfer a water right to have affix his or her signature to these by-laws and agreements.

| Signature | Address | Date |
|---------------------|-----------------------------------|---------------|
| Warren Church | 470 Hidden Valley, Watsonville | Dec. 15, 1961 |
| Robert Higginbotham | 111 Lingley Rd. Salinas | Jan 9, 1962 |
| Paul G. Trapp | 333 Walker Rd. Castroville | Jan. 10, 1962 |
| James E. Crane | 180 Ventura Rd. Salinas | Jan. 10, 1962 |
| Robert F. Turner | 475 Hidden Valley, Watsonville | Jan 10, 1962 |
| James Buckner | 25 Oger Road Salinas | 3-31-62 |
| Marjorie W. Church | 470 Hidden Valley, Watsonville | 6-2-62 |
| Harvey L. Fuller | 2078 PANAMA AVE. SAN JOSE CALIF. | 8-8-62 |
| Anthony J. Black | 372 Paradise Cyn. Salinas, Calif. | 5-7-65 |

00002 Vol. 2, Pg. 1

WARREN CHURCH'S LOTS THAT WERE MADE
PART OF HARBOR VIEW WATER ASSOCIATION
WHEN HE FORMED THE WATER SYSTEM





COUNTY OF MONTEREY
ASSESSOR'S MAP
BOOK 129 PAGE 20

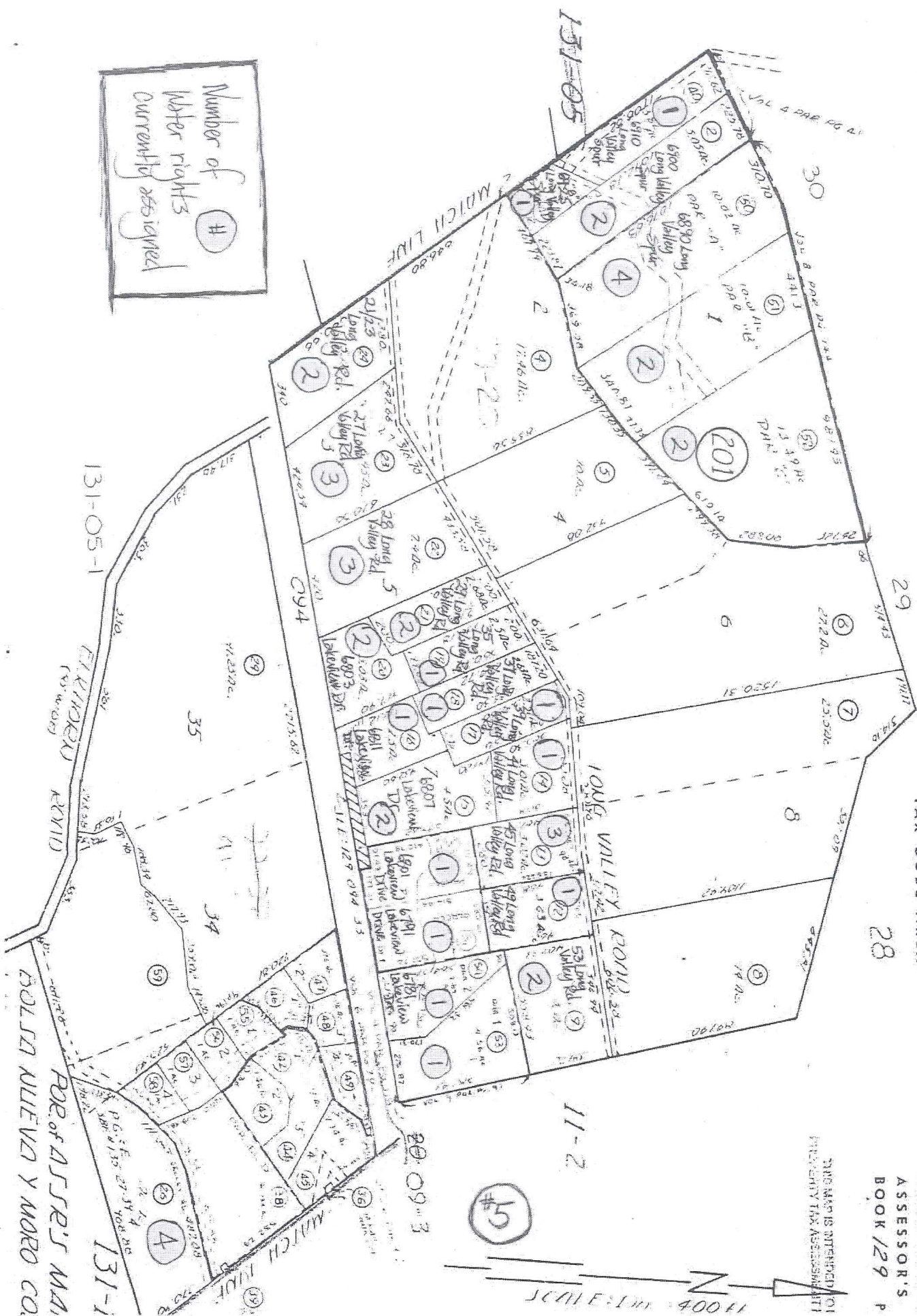
THIS MAP IS INTENDED TO BE USED FOR
REFERENCE ONLY AND NOT FOR CONVEYANCE
OF LAND OR INTEREST THEREIN.

FOR ASSESSOR'S MAP OF
BOLSA NUEVA Y MORE COJO

28

COUNTY OF MON
ASSESSOR'S
BOOK 129 P

THIS CARD IS INTENDED TO
IDENTIFY THE ASSOCIATION



15 water rights

5 water rights

34 water rights

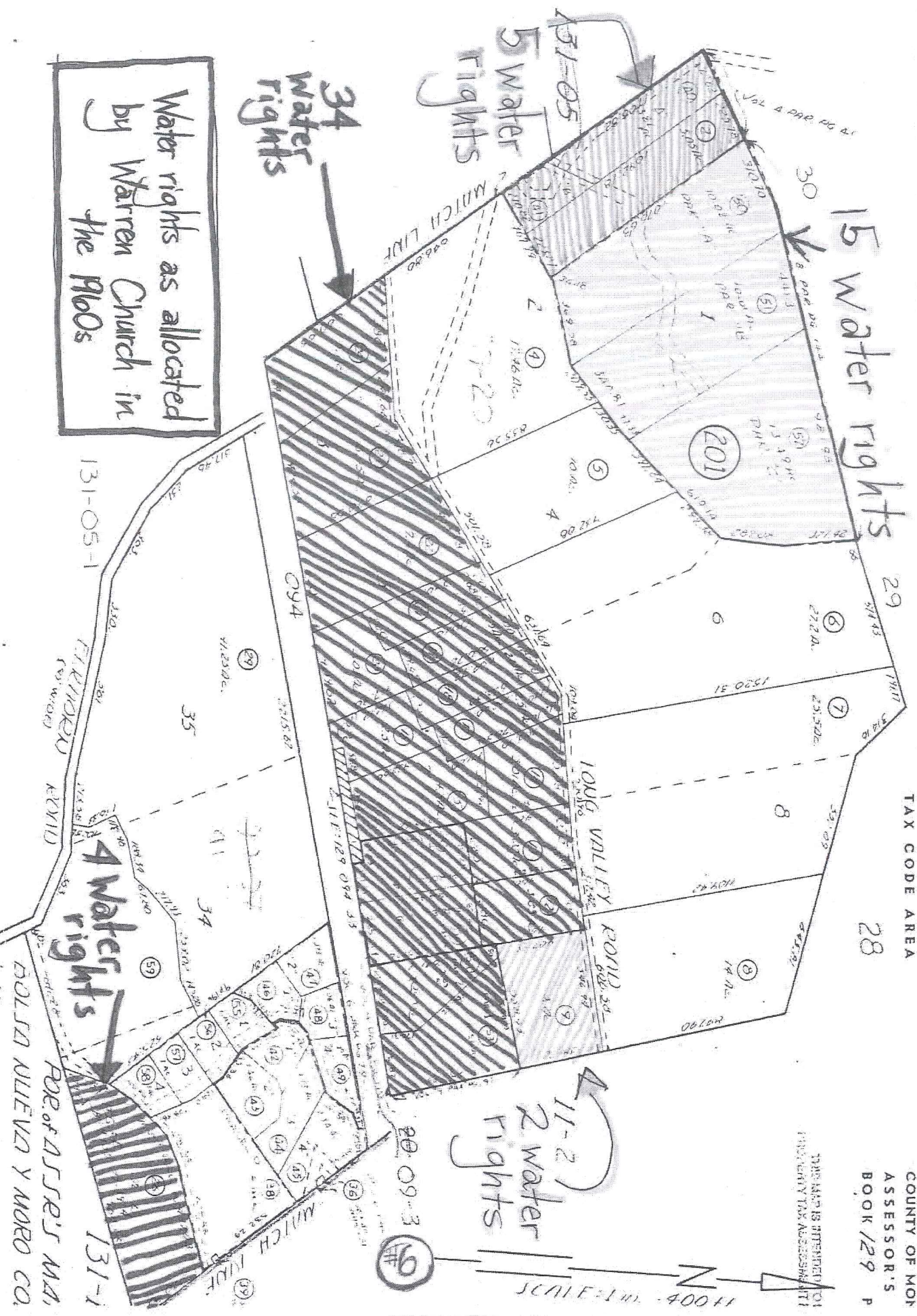
Water rights as allocated by Warren Church in the 1800s

131-05-1

FAKHOEN RIVER

4 water rights

POE. of ADJES'S M.A.
DOLSA NUEVA Y MORE CO.



TAX CODE AREA 28

COUNTY OF MOH
ASSESSOR'S
BOOK 129 P

THIS MAP IS ATTACHED TO
THE COUNTY TAX ASSESSMENT

SCALE 1 IN. = 400 FT

| HARBOR VIEW WATER ASSOCIATION | | | | | |
|----------------------------------|-----------------------|--|------------------|--------------------------------|------------------|
| Compiled-April 21, 1997 WAT:1579 | | | | | |
| # | Update=5/1/01 NAME | PHYSICAL ADDRESS | PARCEL NUMBER | Active Service Connect's | NUMBER PEOPLE |
| 1 | AVALOS, JESUS | 49 Long Valley Rd Castroville, CA 95012 | 129-201-012 | 3 | 12 |
| 2 | BALLIN, JOSE | 27 Long Valley Rd. Castroville, CA 95012 | 129-201-023 | 1 | 5 |
| 3 | BANBURY, J. | 6900 Long Valley Spur Castroville, CA 95012 | 129-201-002 | 1 | 2 |
| 4 | BLANTON, BRET | 35 Long Valley Rd. Castroville, CA 95012 | 129-201-019 | 1 | 3 |
| 5 | BOLTON, FLOYD | 6811 Lakeview Dr. Salinas, CA 93907 | 129-201-016 | 1 | 2 |
| 6 | BOUDREAU, Y | 77 Walker Valley Rd. Castroville, CA 95012 | 131-102-013 | 2 | 4 |
| 7 | FRAIS | 37 Long Valley Rd. Castroville, CA 95012 | 129-201-018 | 1 | 3 |
| 8 | FOUNTAIN, M | 6890 Long Valley Spur Castroville, CA 95012 | 129-201-050 | 2 | 4 |
| 9 | COPE, C. RAY | 53 Long Valley Rd. Castroville, CA 95012 | 129-201-009 | 2 | 4 |
| 10 | DENIGER, ANDR. | 45 Long Valley Rd. Castroville, CA 95012 | 129-201-013 | 1 | 2 |
| 11 | HAAG, J | 6807 Lakeview Dr. Salinas, CA 93907 | 129-201-015 | 1 | 4 |
| 12 | GUTBERLET, M. | 6707 Lakeview Dr. Salinas, CA 93907 | 129-201-031 | 1 | 4 |
| 13 | HANSON, GARY | 21/23 Long Valley Rd. Castroville, CA 95012 | 129-201-024 | 2 | 4 |
| 14 | PHILLIPS, B | 28 Long Valley Rd. Castroville, CA 95012 | 129-201-022 | 1 | 2 |
| 15 | JOHNSEN, III, L | 6925 Long Valley Spur Castroville, CA 95012 | 129-201-041 | 1 | 4 |
| 16 | JOHNSON, M.L. | 6801 Lakeview Dr. Salinas, CA 93907 | 129-201-030 | 1 | 2 |
| 17 | LEONARDINI, T. | 6803 Lakeview Dr. Salinas, CA 93907 | 129-201-020 | 1 | 2 |
| 18 | PETERSON, JAN | 39 Long Valley Rd. Castroville, CA 95012 | 129-201-017 | 1 | 2 |
| 19 | RASHE, WALLACE | 29 Long Valley Rd. Castroville, CA 95012 | 129-201-021 | 1 | 2 |
| 20 | SMENTEK, JEFF | 6781 Lakeview Dr. Salinas, CA 93907 | 129-201-054 | 1 | 2 |
| 21 | Van Greunen, Jan | 41 Long Valley Rd. Castroville, CA 95012 | 129-201-014 | 2 | 3 |
| 22 | CROSBY/TIDWELL | 6910 Long Valley Spur Castroville, CA 95012 | 129-201-040 | 1 | 4 |
| Totals | | | | 29 | 76 |

WATER
RIGHTS
CURRENTLY
ASSIGNED

This water right is not
listed on the deed but
is assumed for this letter

PROPERTIES WITH DEEDED WATER RIGHTS, BUT ARE NOT CURRENTLY CONNECTED TO HWWA

Arabzadeh — 129-201-053 — 1 water right
LAVOY — 129-201-051 — 2 water rights
VAN GREUNEN — 129-201-052 — 2 water rights
PG&E — 129-201-0210 — 4 water rights

#7

Recorded at the request of

Return to

CCLTCo. #106206-JM

C 26172

REEL 576 PAGE 173

COAST COUNTIES LAND TITLE CO.

OCT 7 1968

REEL 576 PAGE 173

MAIL TAX STATEMENTS

NAME L. A. Hetttrick
ADDRESS 96 Corral de Tierra Road
CITY Salinas,
STATE California 93901

AFFIX I.R.S. \$1.10 IN THIS SPACE

\$22.00

\$1.10

MONTEREY
COUNTY
OCT 7 1968
DOCUMENTARY
STAMP TAX

MONTEREY
COUNTY
OCT 7 1968
DOCUMENTARY
STAMP TAX

GRANT DEED (Joint Tenancy)

WARREN CHURCH, as his sole and separate property and IRIS J. HAYER, a widow and Jeanne Hetttrick and Berdina A. Hetttrick wives of two grantees herein

GRANT.....to

LYNN C. HETTRICK, a married man; L. A. HETTRICK, a married man; ROGER HETTRICK, a single man and IRIS J. HAYER, a widow all

as Joint Tenants, all that real property situated in the

County of Monterey

State of California, described as follows:

See EXHIBIT "A" attached
for description

JEANNE HETTRICK, wife of LYNN C. HETTRICK one of the grantees herein named; BERDINA A. HETTRICK, wife of L. A. HETTRICK, one of the grantees herein named hereby consent to the creation of a JOINT TENANCY in the Grantees above named in the property herein described, and farther join in the execution of this deed for the purpose of establishing the interest of Lynn C. Hetttrick and L. A. Hetttrick, as their separate property.

Jeanne Hetttrick
Berdina A. Hetttrick

Date, September 27, 1968

Warren Church
Iris J. Hayer

STATE OF CALIFORNIA

County of Monterey

On October 1, 1968 before me, the undersigned

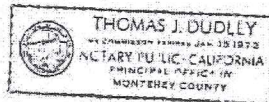
Notary Public, in and

for said County and State, personally appeared

FOR NOTARY SEAL OR STAMP

Warren Church, Iris J. Hayer,
Jeanne Hetttrick and Berdina A. Hetttrick

Known to me to be the prime Subscribers are



Subscribed to this within instrument, and acknowledged to me that L. A. H. Y. executed the same.

Thomas J. Dudley
Thomas J. Dudley
My Commission Expires January 15, 1972

Monterey—Coast Counties Land Title Company—Salinas

MAIL TAX STATEMENTS AS DIRECTED ABOVE

#8

That certain real property situate in the County of Monterey, State of California, described as follows:

PARCEL I:

Lot One (1) as said Lot is shown and designated upon a map entitled "MAP OF SUBDIVISION NO. 1 OF THE KIRBY RANCH, BEING A PART OF RANCHO BOLSA NUEVA Y MORO COJO", in Monterey County, California, surveyed and subdivided June 1912, by C. B. Lewis, filed for record July 8, 1913 in Volume 2 of Outside Lands, Monterey County Records at page 1: EXCEPTING FROM said Lot the most southwesterly 433 feet measured perpendicularly to the southwesterly boundary.

PARCEL II:

A non-exclusive right-of-way for road and utility purposes appurtenant to the aforesaid lands as described in a Grant of Easement recorded on Reel 72 at page 211, Records of Monterey County.

PARCEL III:

A non-exclusive right-of-way for road and utility purposes appurtenant to the aforesaid lands as described in that certain deed granted to Warren Church by Joseph A. Kirby dated July 10, 1961 and filed for record on page 444 of Book 2164, County of Monterey, and any subsequent amendments to rights-of-way for road and utility purposes that Joseph A. Kirby might grant appurtenant to the aforesaid Lot No. 1.

PARCEL IV:

A 15/60 undivided interest in that certain well lot described in a Grant of Easement by Warren Church to Harbor View Water Association, a mutual organization, dated January 5, 1962 and recorded in the Records of Monterey County at page 80 Reel 7.

PARCEL V:

Certain real property situate in "Lot No. 1" as said Lot is shown on map entitled "Map of Subdivision No. 1 of the Kirby Ranch being part of Rancho Bolsa Nueva y Moro Cojo, Monterey County, Calif." filed July 8, 1913 in Volume 2 of Maps and Grants at page 1, Records of Monterey County, California and being also a part of that certain 11.0 acre tract of land designated "PARCEL 1" in Deed from Warren Church to Junior and Ramona Busby dated October 19, 1964 and recorded in Reel 372 of Official Records at page 866, Records of said county, said part being particularly described as follows:

A non-exclusive right of way for road and utility purposes over, upon and across a strip of land 60 feet wide, lying 30 feet on each side of the following described centerline:

BEGINNING at a point in the southeasterly boundary of said Lot 1 from which the southerly corner thereof bears along said boundary S. 56° 19' W., 30.12 feet distant and running thence

- (1) S. 38° 45' W., 3.03 feet; thence tangentially
- (2) Curving to the right on a circular arc of 70 feet radius for a distance of 82.3 feet; thence tangentially
- (3) N. 28° 37' E., 78.01 feet; thence tangentially
- (4) Curving to the right on a circular arc of 340 feet radius for a distance of 181.78 feet; thence tangentially
- (5) W. 59° 15' E., 110.86 feet to a point in the northeasterly boundary of said 11.0 acre tract of land from which the easterly corner thereof bears along last mentioned boundary S. 38° 45' E., 143.48 feet distant.

Courses all true.

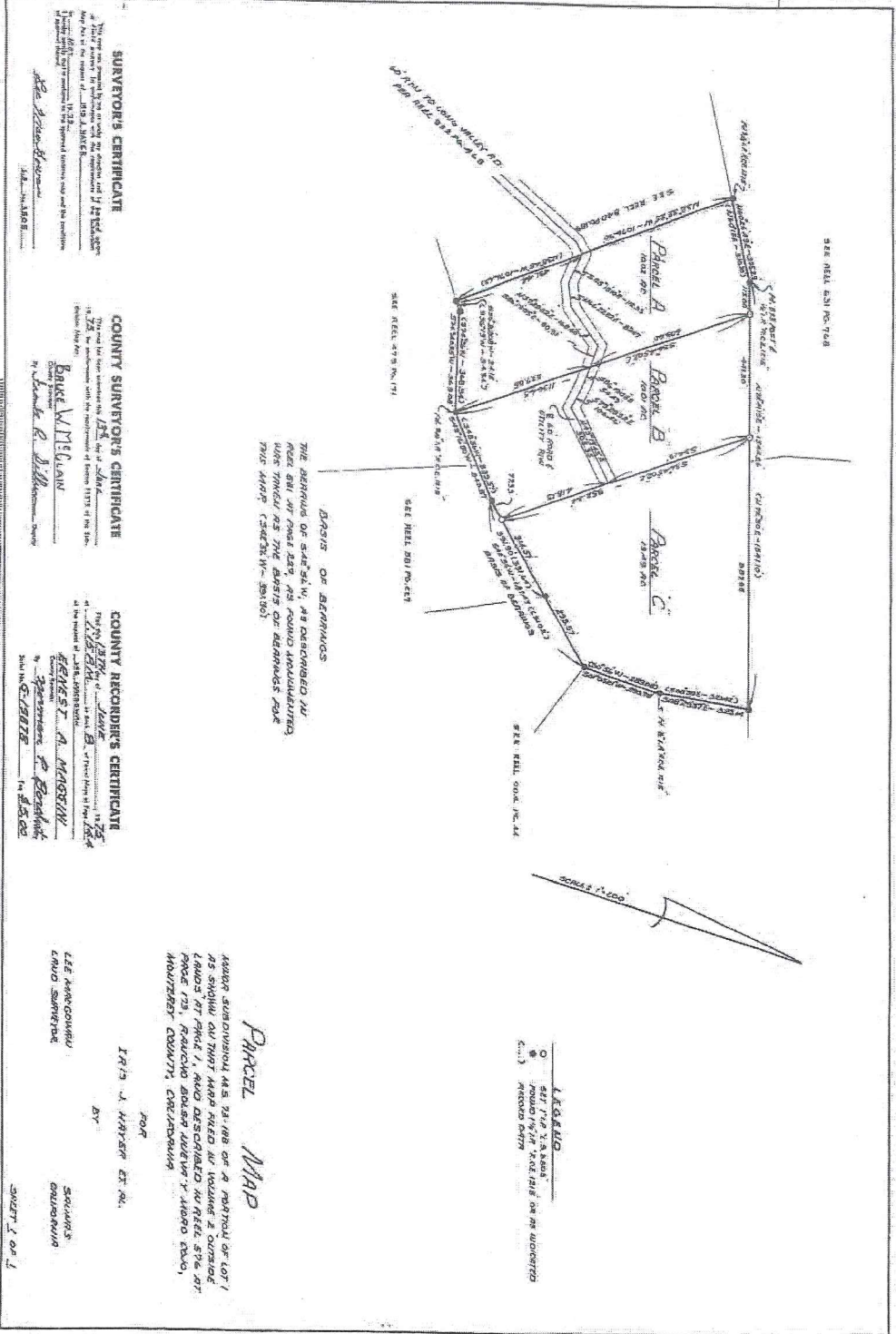
END OF DOCUMENT

#8

THIS MAP SHOULD BE USED FOR REFERENCE PURPOSES ONLY. NO LIABILITY IS ASSUMED FOR THE ACCURACY OF THE DATA SHOWN. PARCELS MAY NOT COMPLY WITH LOCAL SUBDIVISION OR BUILDING ORDINANCES.

B168

VOL. 8 PAR. MAPS PG. 144



6

Exhibit E - 2

This page intentionally left blank.

Ford, John H. x5158

From: Debra Louison-Lavoy [deb@louisonlavoy.com]
Sent: Friday, August 19, 2016 2:15 PM
To: Ford, John H. x5158
Cc: plavoy@aol.com; Monique Fountain
Subject: Van Greunen property

Dear Mr. Ford.

We just recieved your notice that there will be a hearing on the Van Greunen Development project.

My husband and I own the property adjacent to the Van Greunen property.

We spent our life savings on the property with the intention of building a very nice little solar-powered home there.

We have grave concerns about the Van Greunen project.

1. **Water.** We share a well with that property that cannot possibly support all of those houses. I would ask that they show that they can provide water for those houses, without depriving us and our land of our well water.
2. **Character** We bought that land for the rural character and the fact that it had a 10 acre minimum lot size and that no houses can be build on ridge tops. How can an exception be made for this project? Under what reasoning?
3. **Road paving** We are concerned that in our CC&Rs there's an issue about paving the road that could cause us great expense.
4. **Access** to that property is through ours. We do not wish to have the relative heavy traffic of construction and later population crossing our property.
5. **Investment** We feel our investment and our dream and the lovely ecosystem there are at risk.

We do not feel that this is an appropriate place for such high density development. We do not think that it is within the spirit of the laws and regulations about what one can develop where, and we are concerned that this development will have significant negative impact on the views, ecosystem and character of the area and our lot.

We live in Virginia right now, and can't be at the hearing, scheduled for August 31.

Is there a way for me to represent my concerns at the hearing, though I cannot be there?
Are there circumstances here that I don't understand?

Thank you for your help and attention.

Best regards,
Deb Lavoy
1502 Mintwood drive
McLean VA 22101
571-481-0244
Deb Lavoy
deb@louisonlavoy.com
@deb_lavoy
Skype: dllavoy

This page intentionally left blank