

Exhibit D

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MONTEREY COUNTY RESOURCE MANAGEMENT AGENCY

Carl P. Holm, AICP, Director

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June 30, 2017

VIA EMAIL

delmo@cruzio.com

Paul Del Monte

Fred Miranda (Walnut Cove LLC)

3067 Forest Way

Pebble Berach

**Subject: Unconditional Certificates of Compliance for Assessor's Parcel Number
009-013001-000 (RMA-Planning File No. PLN170346)**

Dear Mr. Del Monte and Mr. Miranda,

This letter is in response to your application made on April 10, 2017, to Monterey County Resource Management Agency – Planning for parcel legality of two parcels for the above-mentioned Assessor's Parcel Number.

We have completed review of the above-referenced application. After reviewing the materials submitted, RMA-Planning has determined that the subject parcels qualify for two (2) unconditional certificates of compliance pursuant to Section 66499.35 (a) of the Subdivision Map Act and Section 19.14.050.A.1.a of Title 19 of the Monterey County Code. The parcels qualify for unconditional certificates of compliance based upon the following:

Parcel 1 (portion of APN 009-013-001-000)

This parcel was created as Lot Number 11, in the Block Numbered 306, as said Lot and Block shown on that certain map entitled, "Licensed Surveyor's Map of a Re-Subdivision of Blocks 305 and 306, Third Addition to Carmel Woods" filed for record on June 21, 1938, in the office of the County Recorder of the County of Monterey, State of California, in Volume 3 of Surveys, Page 164.

Parcel 2 (portion of APN 009-013-001-000)

This parcel was created as Lot Number 12, in the Block Numbered 306, as said Lot and Block shown on that certain map entitled, "Licensed Surveyor's Map of a Re-Subdivision of Blocks 305 and 306, Third Addition to Carmel Woods" filed for record on June 21, 1938, in the office of the County Recorder of the County of Monterey, State of California, in Volume 3 of Surveys, Page 164.

Pursuant to the State's Subdivision Map Act, Section 66499.35(d), "A recorded final map, ... shall constitute a certificate of compliance with respect to the parcels of real property described therein." Although the chain of title indicates that Lots 11 and 12 have always been conveyed

together, they have consistently been described as "Lots 11 and 12" per the legal description, thereby indicating an intent of conveying more than one lot. Also, pursuant to the State's Subdivision Map Act, Section 66451.10(a), "...two or more contiguous parcels ... shall not be deemed merged by virtue of the fact that the contiguous parcels or units are held by the same owner...."

Also, the Subdivision Map Act states that a parcel created prior to March 4, 1972 is conclusively presumed to have been legally created if: 1) at the time of its creation there was compliance with local ordinances, or 2) there were no local ordinances in effect regulating a division of land creating fewer than five parcels. There are statements on the recorded final map by the County Surveyor and Assessor that they "find that all of said lots and blocks are suitable for residential purposes." This indicates some official review of the subdivision and lot design, and it was found that it met certain basic development standards in place at that time.

Please note though that the presence of an existing single-family dwelling sited partially on each of these contiguous lots would require, prior to conveyance of either subject lot to a separate owner, that the existing single-family dwelling be either relocated to conform to required setbacks on a single lot or demolished, or that the lots be merged through a lot line adjustment.

Per our discussion, attached you will find an Application Request Form for two Coastal Administrative Permits to allow demolition of the existing structure and construction of two single family dwellings. Additional entitlements may be required if it is determined that there are resources that will be disturbed for the construction.

Also, there is any additional cost of providing you with a certified copy of each certificate of compliance for each lot. That cost is \$3,132.24. Once the applicable fees have been submitted and accepted, the certificates can be issued. If you have any questions or would like to discuss this matter further, please contact me at (831) 755-5102 or gonzalesl@monterey.ca.us.

Sincerely,



Elizabeth Gonzales
Associate Planner

cc: RMA-Planning File No. PLN170346