

PLANNING DEPARTMENT

GOVERNMENTAL CENTER



COUNTY OF SANTA CRUZ

701 OCEAN STREET, ROOM 400, SANTA CRUZ, CALIFORNIA 95060
 (408) 454-2580 FAX: (408) 454-2131 TDD: (408) 454-2123

June 4, 1998

Agenda: June 16, 1998

Board of Supervisors
 County of Santa Cruz
 701 Ocean Street
 Santa Cruz, California 95060

AGRICULTURAL CONSERVATION EASEMENT PROGRAM

Dear Members of the Board:

On June 2, 1998 your Board directed the Planning Department to return on this date with the Deeds of Agricultural Conservation Easement and the Purchase and Sale Agreements for Coast Dairies and the Cardoza Dairy for your Board's final approval.

The conservation easement appraisals, Sale and Purchase Agreements with the draft Deeds of Agricultural Conservation Easement and escrow instructions, for both Coast Dairies and the Cardoza Dairy, are submitted for your review (Attachment 1 through 6). Staff recommends that your Board appoint the Planning Director, as agent of the County to execute and submit all documents including, but not limited to the Deeds of Conservation Easements, Sale and Purchase Agreements, escrow instructions, amendments and grant project forms which may be necessary for the completion of the acquisition of the agricultural conservation easements.

As stated in the instructions, the escrows will not close until the Fall of 1998. This is necessary to allow both of the non-profit organizations more **time** to raise the additional funds necessary to acquire the properties. It appears certain that The Trust for Public Land will close escrow on October 30, 1998. However, the Open Space Alliance may not be able to raise the funds needed to close their escrow in a timely manner. In order to ensure the full utilization of the Proposition 70 grant funds, it is recommended that your Board establish a deadline of September 30, 1998 for the closing of escrow on the Cardoza Dairy acquisition, after which the pre-approved easement funding of \$200,000 would be reallocated to the Coast Dairies acquisition.

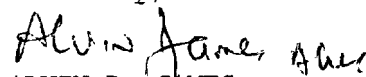
As you know, staff is working with the California Department of Parks and Recreation (DPR) to secure the funds granted under the California Wildlife, Coastal and Park Land Conservation Act of 1988 (Proposition 70) before the statutory deadline of June 30, 1998. As advised by the DPR by letter dated May 21, 1998 (Attachment 7), staff has submitted the final payment requests with copies of escrow instructions for the acquisition of agricultural conservation easements on Coast Dairies and the Cardoza Dairy. The final payment requests, totaling the remaining balance of grant funds in the amount of

\$926,609, had to be received by the DPR by June 5, 1998 to allow the State a sufficient amount of time to process and issue a check to the County..

It is therefore RECOMMENDED that your Board take the following actions:

1. Approve the expenditure of Proposition 70 grant funds for the purchase of agricultural conservation easements in the amount of \$700.000 plus closing costs on a portion of Coast Dairies and \$200.000 plus closing costs on the Cardoza Dairy, with the contingency that if escrow for the Cardoza Dairy cannot close on or before September 30, 1998, all of the grant funds are to be used towards the Coast Dairies acquisition: and
2. Authorize the Planning Director, as agent of the County, to execute and submit all documents including, but not limited to the Deeds of Conservation Easements, Sale and Purchase Agreements, escrow instructions. amendments and grant project forms which may be necessary for the completion of the acquisition of the agricultural conservation easements.

Sincerely,


ALVIN D. JAMES
Planning Director

RECOMMENDED:



SUSAN A. MAURIELLO
County Administrative Officer

- Attachments:
1. Appraisal of Coast Dairies Conservation Easement
 2. Coast Dairies Easement Purchase and Sale Agreement with Deed of Conservation Easement
 3. Escrow instructions for Coast Dairies Easement
 4. Appraisal of Cardoza Dairy Conservation Easement
 5. Cardoza Dairy Easement Purchase and Sale Agreement with Deed of Conservation Easement
 6. Escrow instructions for Cardoza Dairy Easement
 7. Letter dated May 21. 1998

Attachments 1 through 6 on file with the Clerk of the Board

cc: Santa Cruz County Farm Bureau
The Land Trust of Santa Cruz
The Trust for Public Land

DB/ADJ:714
acefinal

DEPARTMENT OF PARKS AND RECREATION

P.O. BOX 942896

SACRAMENTO 94296-0001

(916) 653-8785

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May 21, 1998

ATTACHMENT 7

Mr. Daniel Shaw
Director
Planning Department
County of Santa Cruz
701 Ocean Street, Room 406B
Santa Cruz, CA 95060

Attention: Donna Bradford

Dear Mr. Shaw:

Cardoza Dairy, SL-44-005
Coast Dairies Land, SL-44-006
SLAG Allocation

The revised applications have been received for the above named projects for the county's SLAG allocation under the 1988 Park Bond Act. Project SL-44-003, Matheson Acquisition and SL-44-004, **McGrath** Acquisition have been withdrawn, per your request. The SLAG allocation balance remaining is \$926,609.

Please send the following items by June 5, 1998 to process the final grant payments.

1. A copy the agreement between the county and non profit organization if a non-profit is to hold title of the conservation easements;
2. The final payment request for each project with an original signature by the Planning Director; and
3. Escrow instructions and schedule for acquisition completion.

When the acquisitions are complete, the following items are needed.

1. Completed Acquisition Certification form;
2. Copy of recorded deed(s);
3. Copy of title policy; and
4. Acquisition cost summary.

Daniel Shaw
May 21, 1998
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ATTACHMENT³¹⁹

Enclosed are the necessary forms to assist you in the completion of the projects. If you have any questions, please call me at the above number.

Sincerely,

A handwritten signature in cursive script that reads "Donna Arteaga".

Donna Arteaga
Project Officer

Enclosures