



County of Santa Cruz

OFFICE OF THE COUNTY COUNSEL

701 OCEAN STREET, SUITE 505, SANTA CRUZ, CA 950604069
(931) 454-2040 FAX: (831) 454-2115

SAMUEL TORRES, JR., COUNTY COUNSEL

CHIEF ASSISTANTS
Rahn Garcia
Dana McRae

Assistants

Deborah Steen	Pamela Fyfe
Harry A. Oberhelman III	Ellen Aldridge
Marie Costa	Kim Baskett
Jane M. Scott	Shannon Sullivan
Tamyra Rice	

February 26, 2001

Agenda: March 6, 2001

-Board of Supervisors
County of Santa Cruz
701 Ocean Street, Room 500
Santa Cruz, California 95060

Re: Acceptance of Offer of Dedication and View Easement

Dear Members of the Board:

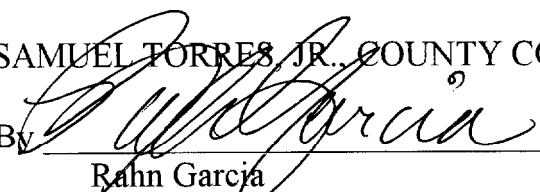
On December 15, 1998, your Board approved Application No. 98-0806 which amended a prior permit by modifying the size and placement of a walkway and vista point located on a portion of 452 Seaview Drive (APN 043-1 12-14), near the intersection of Baldwin Drive in Aptos. One of the conditions imposed the approval of the amendment was a requirement that the property owners offer to dedicate an easement for the walkway and vista point to the County for its use by the public.

On April 27, 1999, your Board took action to ratify acceptance of an offer of Dedication and View Easement made by the owners (See copy of Minute Order included as Attachment 1). The County's Parks, Open Space and Cultural Service Department currently maintains this trail and view area. The current owner has recently requested that the County formalize the acceptance of this offer of dedication in a recordable form.

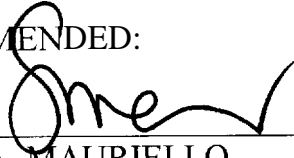
IT IS THEREFORE RECOMMENDED that your Board authorize the Chairman to execute the attached Acceptance of Offer of Dedication and View Easement in favor of the public granted to the County of Santa Cruz for a portion of APN 043-1 12-14.

Very truly yours,

SAMUEL TORRES, JR., COUNTY COUNSEL

By 
Rahn Garcia
Chief Assistant County Counsel

RECOMMENDED:



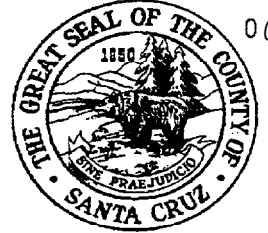
SUSAN A. MAURIELLO
County Administrative Officer

Enclosures: Attachment 1. Minute Order April 27, 1999
Attachment 2. Acceptance of Offer of Dedication and View Easement

cc: Jonathan Wittwer, Esq.

CO UNTY OF SANTA CRUZ

STATE OF CALIFORNIA



0025

AT **THE** BOARD OF SUPERVISORS MEETING

On the Date of April 27, 1999

CONSENT AGENDA Item No. 035

RATIFIED acceptance of an offer of Dedication and View Easement made by Kenneth and Fern Frost for a Vista Walkway and Vista Point over a portion of the property located at 452 Seaview Drive, Aptos (APN: 042-112-14), in accordance with Permit 98-0806 approved by the Board on December 15, 1998; approved an amendment to (the Stipulation Regarding Settlement Proposal and Court Order and Recommendation thereon; and authorized County Counsel to sign the amendment on behalf of the County; with an additional directive to approve the request of Jonathan Wittwer to be permitted to substitute pages to the documents as required by the Recorder's Office...

Upon the motion of Supervisor Wormhoudt, duly seconded by Supervisor Symons, the Board, by unanimous vote, ratified acceptance of an offer of Dedication and View Easement made by Kenneth and Fern Frost for a Vista Walkway and Vista Point over a portion of the property located at 452 Seaview Drive, Aptos (APN: 042-112-14), in accordance with Permit 98-0806 approved by the Board on December 15, 1998; approved an amendment to the Stipulation Regarding Settlement Proposal and Court Order and Recommendation thereon; and authorized County Counsel to sign the amendment on behalf of the County; with an additional directive to approve the request of Jonathan Wittwer to be permitted to substitute pages to the documents as required by the Recorder's Office

cc:

CAO

County Counsel
Jonathan Wittwer, Esq.
Richard Beale
Rio Del Mar Improvement Association
Parks, Open Space and Cultural Services

State of California, County of Santa Cruz-ss.

I, Susan A. Mauriello, Ex-officio Clerk of the Board of Supervisors of the County of Santa Cruz, State of California, do hereby certify that the foregoing is a true and correct copy of the order made and entered in the Minutes of said Board of Supervisors. In witness thereof I have hereunto set my hand and affixed the seal of said Board of Supervisors.

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by _____, Deputy Clerk, on April 30, 1999.

WHEN RECORDED, RETURN TO:

JONATHAN WITWERT
WITWERT & PARKIN, LLP
147 South River Street, Suite 221
Santa Cruz, CA 95060

Documentary Transfer Tax \$0
Computed on full value of
property interest conveyed

Signature of Chair of the Board of Supervisors

ACCEPTANCE OF OFFER OF DEDICATION AND VIEW EASEMENT

The ACCEPTANCE OF OFFER OF DEDICATION AND VIEW EASEMENT in favor of the public is hereby formalized and provided in recordable form on _____, 2001, from FERN E. FROST, as Trustee of the FROST 1997 REVOCABLE TRUST to the COUNTY OF SANTA CRUZ (hereinafter "GRANTEE")

Recitals

WHEREAS, FERN E. FROST, as Trustee of the FROST 1997 REVOCABLE TRUST (hereinafter "GRANTOR") is the owner of and made an offer of dedication and view easement with respect to a portion of certain real property located in the unincorporated area of the County of Santa Cruz, California, the "Servient Tenement", known as Santa Cruz County Assessor's Parcel No. 043-1 12-14, with a street address of 452 Sea View Drive, Aptos, California, and more particularly described at Exhibit A attached hereto and incorporated herein by this reference.

WHEREAS, on December 15, 1998 GRANTEE accepted GRANTOR's offer of dedication and on April 27, 1999 GRANTEE ratified its acceptance of said offer of dedication and view easement.

WHEREAS, on January 9, 2001 GRANTOR requested formalization of the acceptance of said offer of dedication and view easement in recordable form and GRANTEE is willing to

ACCEPTANCE OF THE OFFER OF DEDICATION AND VIEW EASEMENT

provide same.

NOW THEREFORE, GRANTEE hereby formalizes and provides in recordable form an acknowledgment of acceptance by GRANTEE of the offer of dedication by GRANTOR recorded July 19, 1999 (recorded at 1999-0049046 of the Official Records of the County of Santa Cruz), which acceptance by GRANTEE originally occurred on December 15, 1998 and was ratified on April 27, 1999.

Dated: _____

GRANTEE

Chair of the Board of Supervisors of the
County of Santa Cruz

ACCEPTANCE OF THE OFFER OF DEDICATION AND VIEW EASEMENT

EXHIBIT "A"

DESCRIPTION

All that certain real property situate in the County of Santa Cruz, State of California, described as follows:

PARCEL ONE:

LOT 1 in Block 92, as the same is shown and designated on that certain map entitled "SUBDIVISION NO. 6 APTOS BEACH COUNTRY CLUB PROPERTIES APTOS, SANTA CRUZ COUNTY, CALIFORNIA"

Filed for record in the office of the County Recorder on September 20, 1926 in Map Book 23, Page 33, Santa Cruz County Records.

PARCEL TWO:

A portion of Shore Trail, as shown upon the map entitled "Map of Subdivision No. 6, Aptos Beach Country Club Properties, Aptos, Santa Cruz County, California" filed for record September 20, 1926 in Map Book 23, page 35, Santa Cruz County Records and more particularly described as follows:

BEGINNING at the most southerly corner of Lot 1, in Block 92, as shown on above mentioned subdivision map, thence from said Point of Beginning along the westerly line of said Lot 1 the following courses and distances: North 14° 43' West 63.07 feet to a point, thence North 70° 21' West 40.23 feet to a point, thence North 36° 08' West 19.33 feet to a point, thence North 2° 31' West 72.41 feet to a point, thence North 28° 10' West 100.89 feet to a point, thence North 26° 01' East 48.38 feet to a point and North 7° 17' East 87.09 feet to a point, thence leaving said westerly line of Lot 1 North 82° 43' West 20 feet to a point on the centerline of Shore Trail, thence along said centerline South 7° 17' West 84.10 feet to a point, thence South 26° 01' West 55.31 feet to a point, thence South 28° 10' East 106.57 feet to a point, thence South 2° 31' East 73.90 feet to a point, thence South 36° 08' East 11.53 feet to a point, thence South 70° 21' East 35.85 feet to a point, thence South 14° 43' East 60 feet more or less to a point from which the Point of Beginning bears North 75° 17' East, thence leaving said centerline North 75° 17' East 20 feet to the Point of Beginning.

APH 43-112-14