



Staff Report to the Agricultural Policy Advisory Commission

Application Number: **04-0629**

Applicants: Mark Carr, Mary Margaret Perez **Date:** February 17, 2005
Owner: Lawrence DeLaney **Agenda Item #:** 7
APN: 046-361-04 **Time:** 1:30 p.m.

Project Description: Proposal to construct a single-family dwelling, detached barn, well and water tanks and install a temporary caretaker's quarters for use during construction.

Location: Property located along a private right-of-way, adjacent to 520 Peaceful Valley Road, about 1,500 feet east from San Andreas Road in Watsonville.

Permits Required: Agricultural Buffer Setback Reduction, Coastal Development Permit, Preliminary Grading Approval, Geotechnical Report Review, Biotic Pre-site Review.

Staff Recommendation:

- Approval of Application 04-0629, based on the attached findings and conditions.
- Certification that the proposal is exempt from further Environmental Review under the California Environmental Quality Act.

Exhibits

- | | | | |
|----|--|----|------------------------------------|
| A. | Project plans | G. | Comments & Correspondence |
| B. | Findings | H. | Project submittal narrative/photos |
| C. | Conditions | I. | Agricultural Preserve Contract |
| D. | Categorical Exemption (CEQA determination) | J. | Title Report – access easement |
| E. | Assessor's parcel map, Location map | K. | Ag Statement of Acknowledgement |
| F. | Zoning map, General Plan map | | |

Parcel Information

Parcel Size:	22 acres
Existing Land Use - Parcel:	Agriculture – blackberries, beans, peas
Existing Land Use - Surrounding:	Agriculture, State/Federal Preserves, Ellicott Slough
Project Access:	San Andreas Road to Peaceful Valley Road
Planning Area:	San Andreas

Land Use Designation: A (Agriculture)
Zone District: CA-P (Commercial Agriculture - Agricultural Preserve)
Supervisory District: Second (District Supervisor: Pine)
Within Coastal Zone: ☒ Inside ☐ Outside
Appealable to Calif. Coastal Comm. ☒ Yes ☐ No

Environmental Information

Geologic Hazards: Not mapped/no physical evidence on site
Soils: Baywood loamy sand, Elder sandy loam
Fire Hazard: Not a mapped constraint
Slopes: 0 – 50 percent slopes
Env. Sen. Habitat: Mapped SC Long Toed Salamander, CA Red Legged Frog, CA Tiger Salamander, San Andreas Live Oak Woodland, Maritime Chaparral
Grading: Grading proposed to be balanced on the site
Tree Removal: No trees proposed to be removed
Scenic: Mapped resource – San Andreas Road
Drainage: Existing drainage adequate
Traffic: No significant impact
Roads: Existing roads adequate, private driveway construction
Parks: Existing park facilities adequate
Archeology: Not mapped/no physical evidence on site

Services Information

Inside Urban/Rural Services Line: ☐ Yes ☒ No
Water Supply: Private well
Sewage Disposal: CSA#12, private septic system
Fire District: Aptos/La Selva Fire Protection District
Drainage District: Non-zone

Analysis and Discussion

The proposed project is to construct a one story single-family dwelling of approximately 3,200 square feet and a detached barn of approximately 1,300 square feet, a well and two water tanks on a 22-acre parcel. The property owners propose an organic farming operation on the site, producing blackberries and row crops (Exhibit H). This would have minimal impact of the adjacent nature preserves. The project is located on Peaceful Valley Road off San Andreas Road and north of Buena Vista Drive in Watsonville. The building site is within 200 feet of Commercial Agricultural land to the north. The applicant is requesting a reduction in the 200-foot agricultural buffer setback to about 70 feet from APN 046-111-03.

The subject property is characterized by sloping topography with the proposed building site located on a small knoll about 50 feet above the farmland. The parcel is not located within the

Urban Services Line and may be characterized as a neighborhood of commercial agriculture farm operations and Federal and State nature preserves of Ellicott Slough. The parcel carries an Agriculture (A) General Plan designation and the implementing zoning is (CA-P) Commercial Agriculture - Agricultural Preserve. Commercial Agriculture zoned land is situated within 200 feet of the proposed building site at the north side of the parcel at Assessor's Parcel Number 046-111-03, the 5-acre Delaney homesite.

A reduced agricultural buffer is recommended due to the fact that the proposed building site is located toward the perimeter of the subject property. on topographically sloping land , not currently in production, and in the vicinity of development on the adjacent CA parcel. This is consistent with General Plan policy 5.13.27, which requires that structures be located in such a manner as to remove as little land as possible from production. The applicant is proposing an evergreen agricultural buffer (Exhibit A, Landscape Plan L1.1) to reduce the impact of the proposed residence on adjacent agricultural activities, and to therefore protect the agricultural interests on the Commercial Agriculture zoned parcel. The applicant has recorded a Statement of Acknowledgement regarding the issuance of a county building permit in an area determined by the County of Santa Cruz to be subject to Agricultural-Residential use conflicts (Exhibit K).

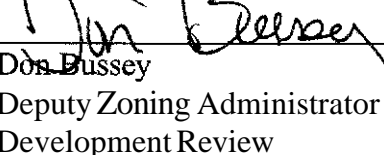
Recommendation

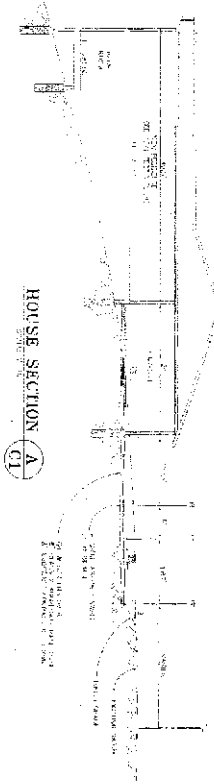
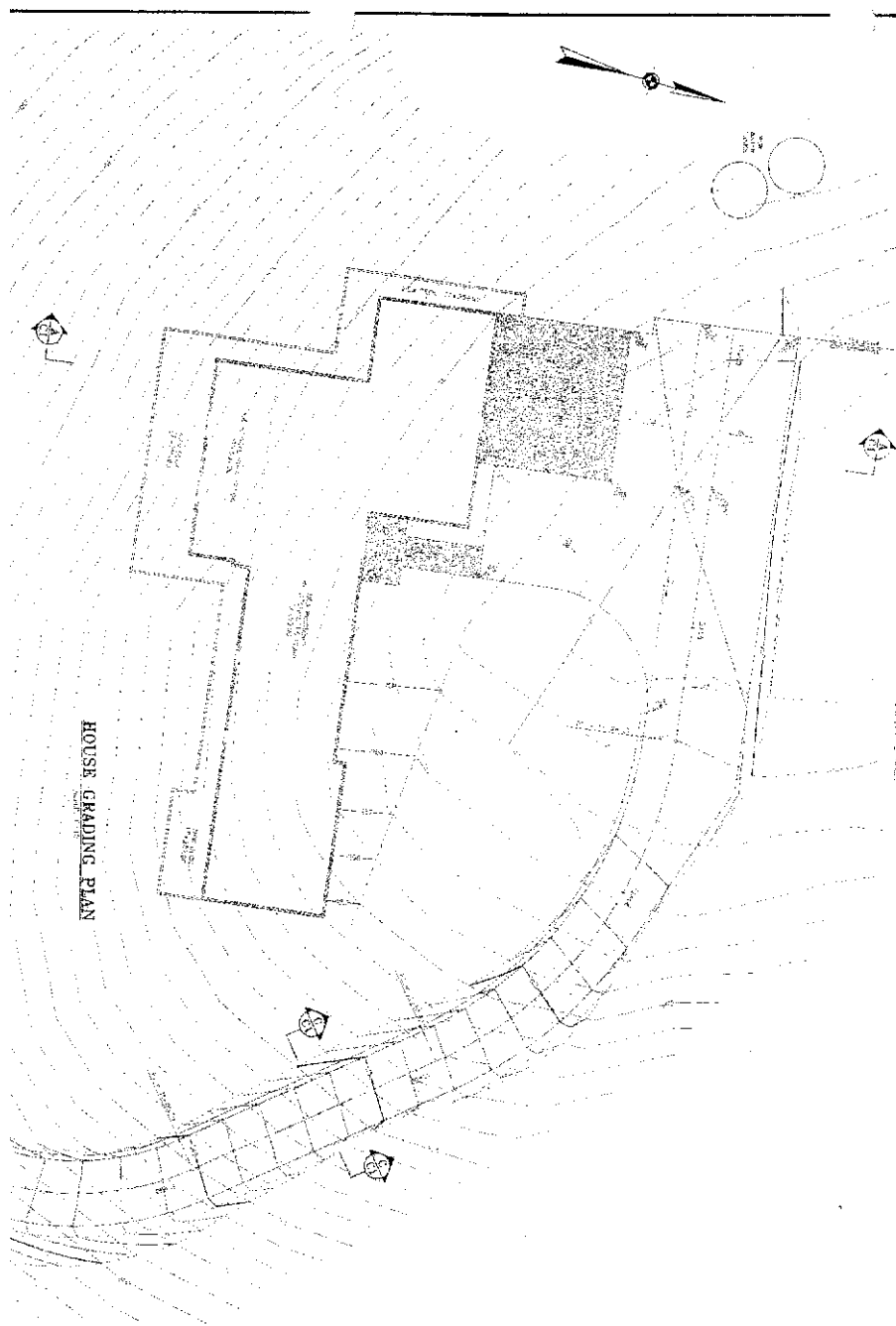
- e Staff recommends that your Commission **APPROVE** the Agricultural Buffer Reduction from 200 feet to about about 48 feet feet to the single-family dwelling from the adjacent CA zoned property known as APN 046-111-03, proposed under Application # 04-0629, based on the attached findings and recommended conditions.
- Certification that the proposal is exempt from further Environmental Review under the California Environmental Quality Act.

Supplementary reports and information referred to in this report are on file and available for viewing at the Santa Cruz County Planning Department, and are hereby made a part of the administrative record for the proposed project.

The County Code and General Plan, as well as hearing agendas and additional information are available online at: www.co.santa-cruz.ca.us

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Santa Cruz County Planning Department
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Phone Number: (831)454-5174
E-mail: pln140@co.santa-cruz.ca.us

Report Reviewed By: 
Don Bussey
Deputy Zoning Administrator
Development Review



HOUSE SECTION A
11'

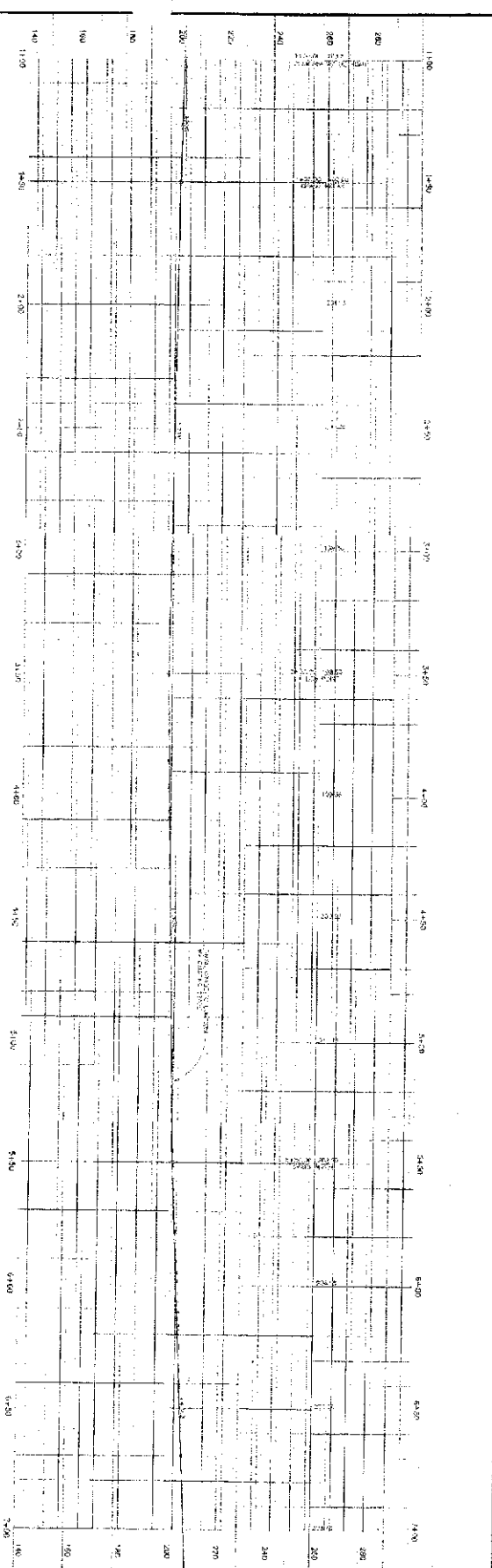
GRADING NOTES

1. ALL GRADING SHALL BE TO FINISH GRADE UNLESS OTHERWISE NOTED.
 2. ALL EXISTING GRADE SHALL BE SHOWN BY DASHED LINES.
 3. ALL PROPOSED GRADE SHALL BE SHOWN BY SOLID LINES.
 4. ALL ELEVATIONS SHALL BE IN FEET ABOVE SEA LEVEL UNLESS OTHERWISE NOTED.
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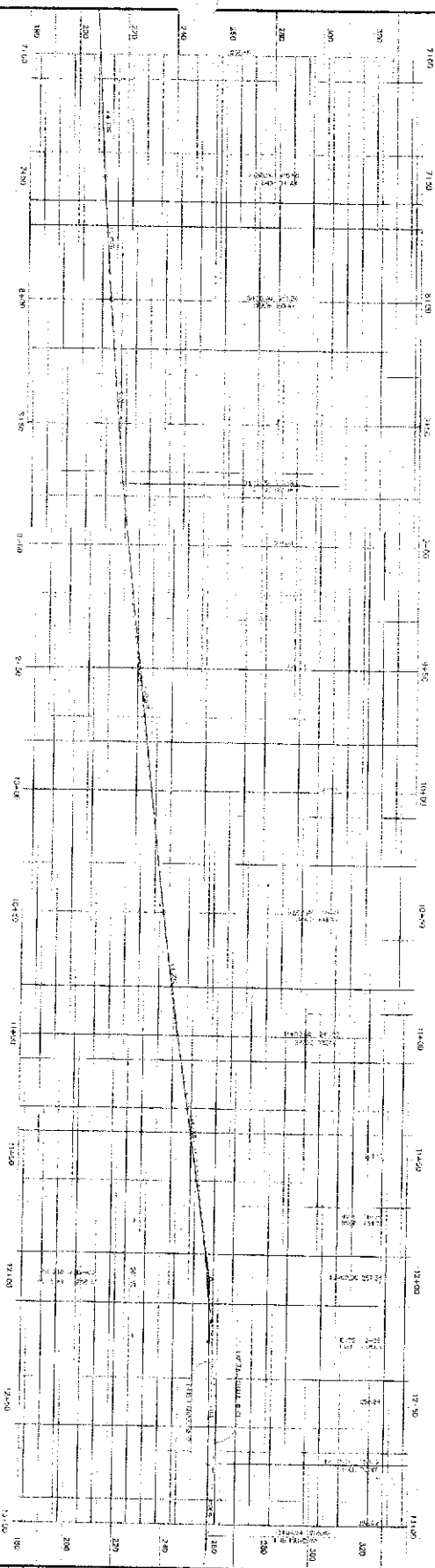
EROSION CONTROL NOTES

1. ALL EROSION CONTROL MEASURES SHALL BE INSTALLED PRIOR TO THE START OF CONSTRUCTION.
 2. ALL EROSION CONTROL MEASURES SHALL BE MAINTAINED THROUGHOUT CONSTRUCTION.
 3. ALL EROSION CONTROL MEASURES SHALL BE REMOVED UPON COMPLETION OF CONSTRUCTION.
 4. ALL EROSION CONTROL MEASURES SHALL BE REPLACED IF DAMAGED.
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<p>C2</p>	<p>NEW RESIDENCE FOR MARY PEREZ & MARK CARR SAN ANDREAS ROAD APN C48-361-C4</p>	<p>ROPER ENGINEERING CIVIL ENGINEERING & LAND SURVEYING 644 AIRPORT BLVD, SUITE 206, WATSONVILLE, CA 95078 (831) 724-5300 PHONE (831) 724-5500 FAX jed@roperengineering.com</p>	
	<p>HOUSE GRADING PLAN</p>		
	<p>DATE: 10/1/2024 DRAWN BY: JED CHECKED BY: JED APPROVED BY: JED</p>		



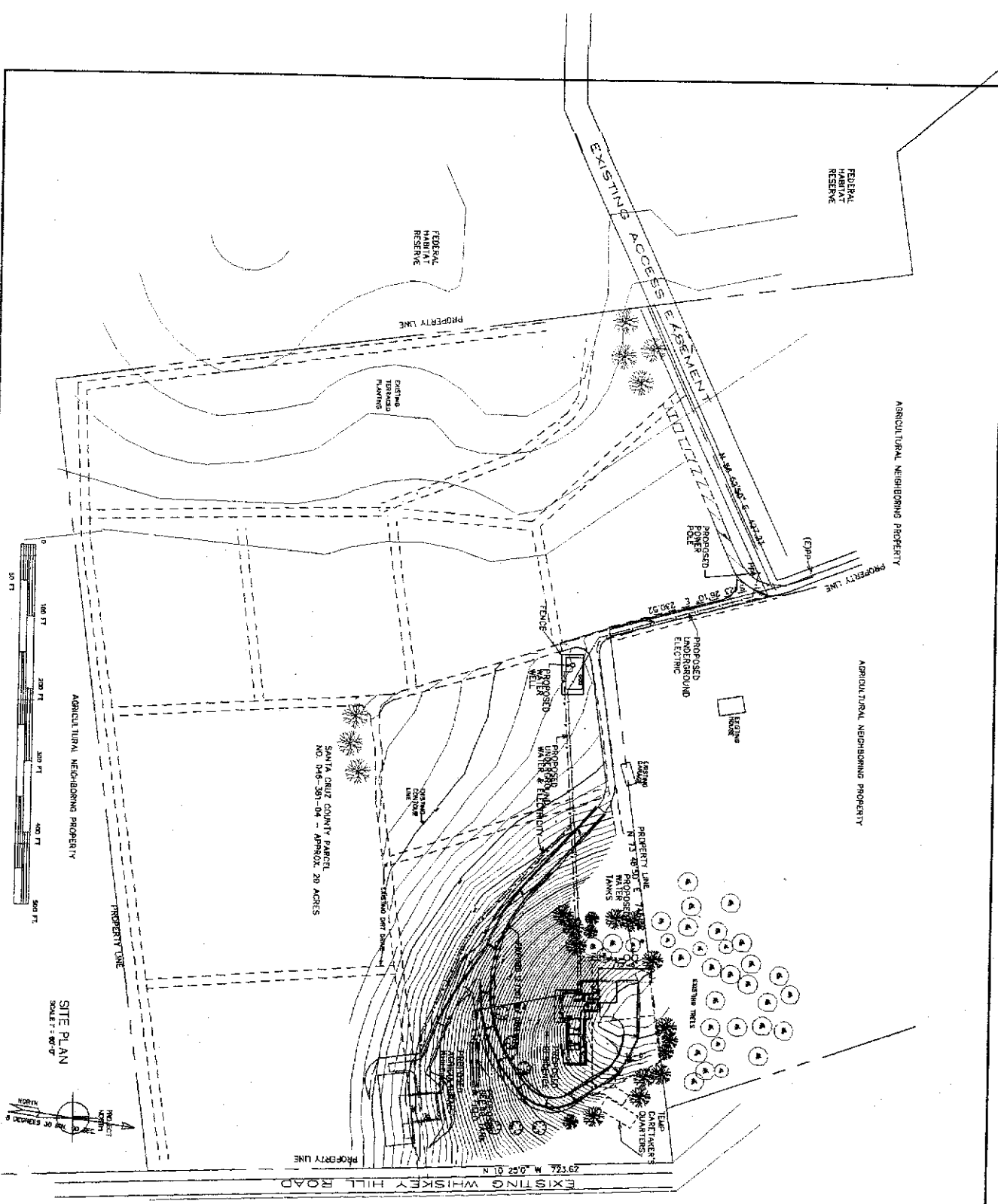
DRIVEWAY PROFILE



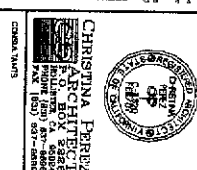
DRIVEWAY PROFILE

<div style="font-size: 2em; font-weight: bold;">C3</div>	<p>NEW RESIDENCE FOR MARY PEREZ & MARK CARR SAN ANDREAS ROAD APN 046-361-04</p> <p>DRIVEWAY PROFILE</p>	<div style="font-size: 2em; font-weight: bold; margin-bottom: 5px;">RE</div> <p>ROPER ENGINEERING CIVIL ENGINEERING & LAND SURVEYING 444 AIRPORT BLVD, SUITE 206 WATSONVILLE, CA 95076 (831) 724-5300 PHONE (831) 724-5305 FAX jeff@roperengineering.com</p>	
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A



EXHIBIT



CHRISTINA PEREZ
 1000 BOX 1000
 SAN JOSE, CA 95128
 (408) 551-1000

SEA REVIEW CORRECTIONS
 JANUARY 20, 2002

PROJECT TITLE
 PEREZ-CARR
 RESIDENCE

DATE NOVEMBER 1, 2004
 SHEET NO. 1 OF 1
 SHEET 1 OF 1

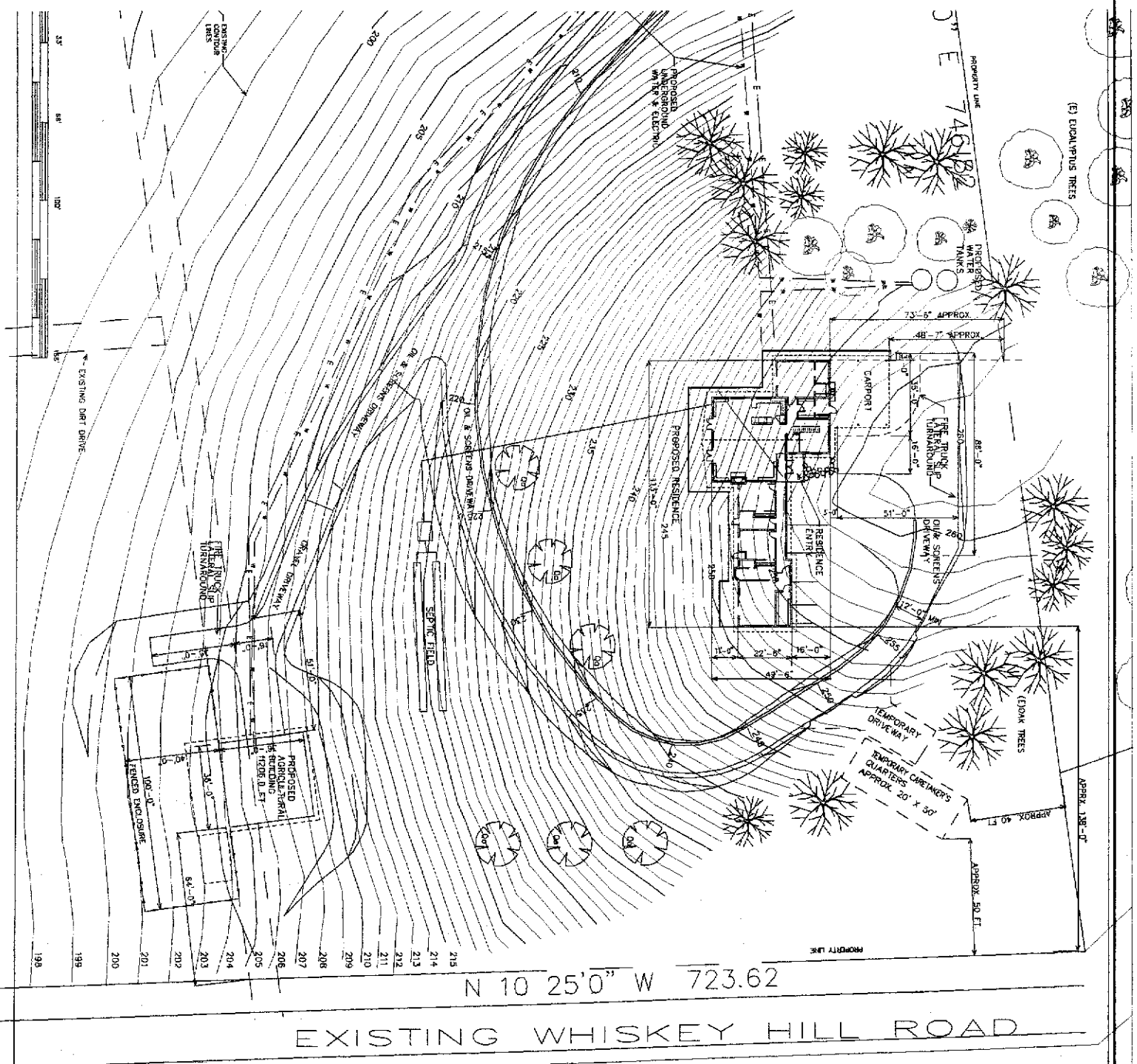
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DATE NOVEMBER 1, 2004
 SHEET NO. 1 OF 1
 SHEET 1 OF 1

9



N 10 25'0" W 723.62

EXISTING WHISKEY HILL ROAD

(C)RESIDENTIAL PROPERTIES

EXHIBIT

CHRISTINA PEREZ
ARCHITECT
1000 N. 10TH ST.
SUITE 100
TULSA, OK 74103
TEL: (918) 597-1000



REVISION
SMA REVIEW CORRECTIONS
JANUARY 20, 2005

PROJECT TITLE
PEREZ-CARR
RESIDENCE

OWNER
HENRIETTA PEREZ - WARE CLUB
P.O. BOX 8888
APRIL, CALIFORNIA
90001

SHEET INFO
DATE: NOVEMBER 1, 2004
SHEET NO.: 7 OF 7

SITE PLAN

SITE PLAN
SCALE: 1" = 20'-0"



A1.1

10

EXHIBIT

References



CHRISTINA PEREZ
ARCHITECT
P.O. BOX 9302
HOLLYWOOD, CA 90028
PHONE (611) 467-1000
FAX (601) 037-9888

1

1

PROJECT THIS

**PEREZ-CARR
RESIDENCE**
PHONE: NO. 344-394-04
1221 E. 12th St., WALTER

WALT WILGHEST STENO- MARK CASE
P.O. BOX 1000
ALPINE, CALIFORNIA
95001

THE

FLOOR PLAN

DATE NOVEMBER 1, 2004

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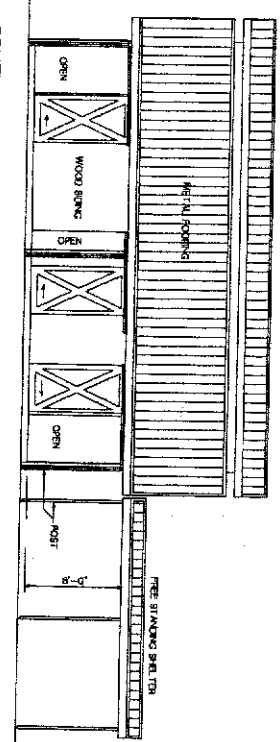
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14. www.pearsoned.com

SOUTH BUILDING ELEVATION



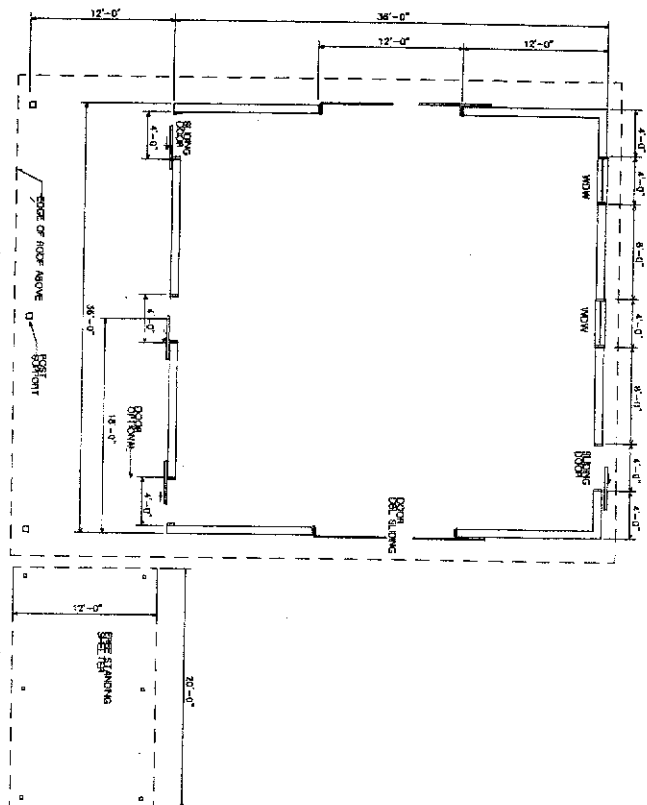
SCALE 3/16" = 1'-0"



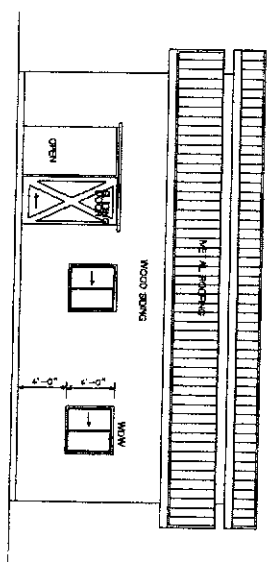
PROJECT
NORTH

AGRICULTURAL
BUILDING PLAN

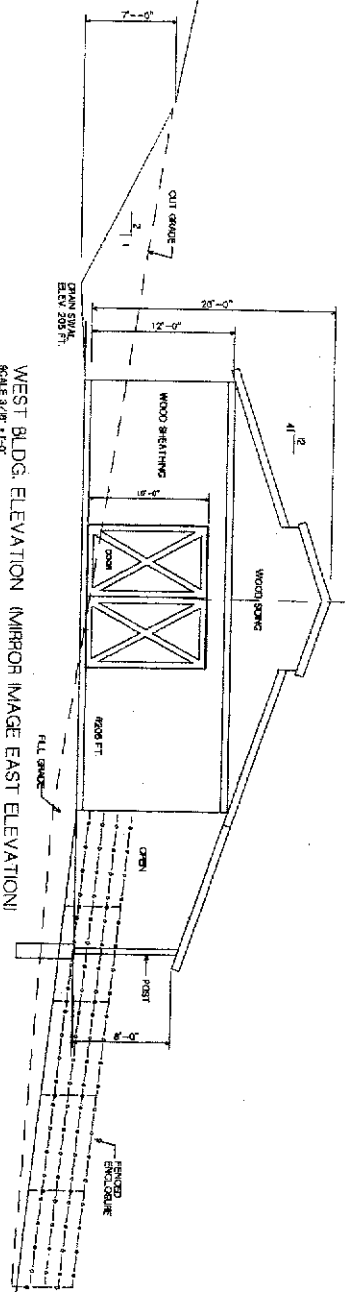
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NORTH BUILDING ELEVATION
SCALE 3/8" = 1'-0"



WEST BLDG. ELEVATION (MIRROR IMAGE EAST ELEVATION)
SCALE 3/16" = 1'-0"



PROJECT TITLE

PEREZ-CARR
RESIDENCE

PARTIAL NO. 444-381-04
5105 SPACEMATE VALLEY RD
MAYSONVILLE, CT

MAYNARD
 MAYNARD PRESS - NEW YORK
 P.O. BOX 2020
 ALTON, CALIFORNIA
 95521

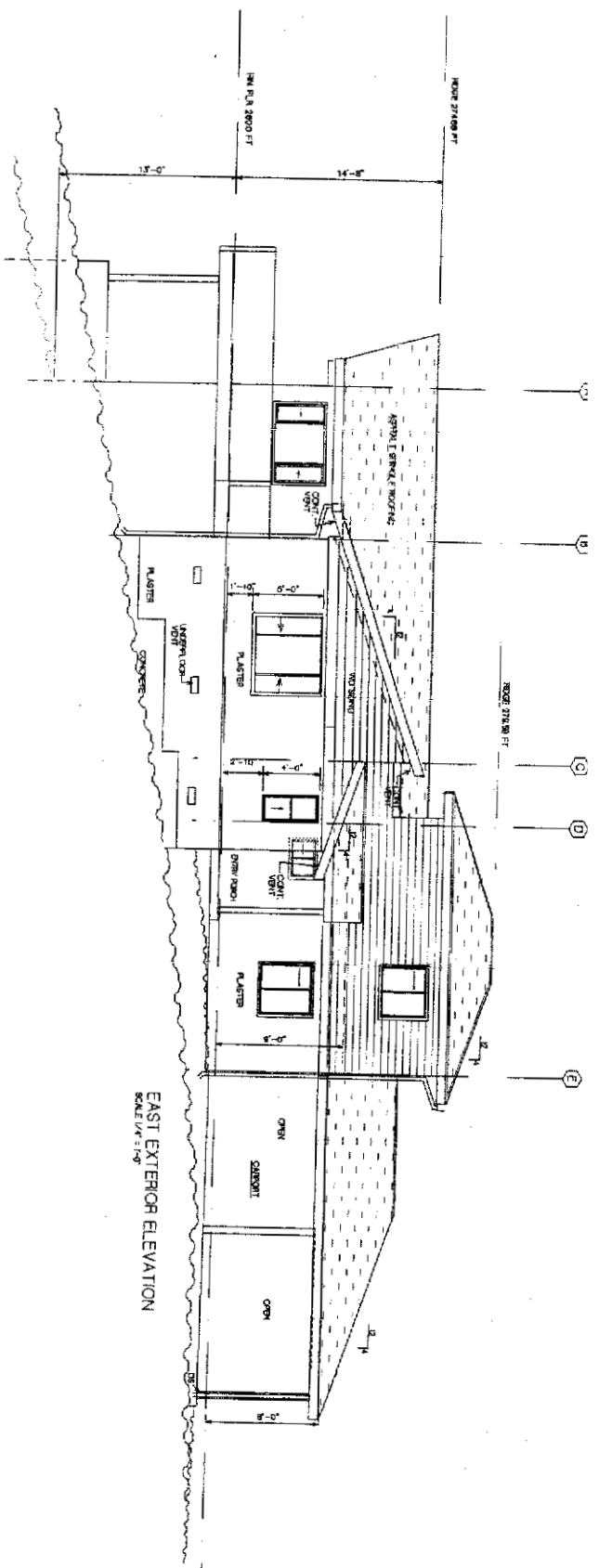
SETTLEMENT

AGRICULTURAL BLDG. PLAN
AND EXTERIOR ELEVATIONS

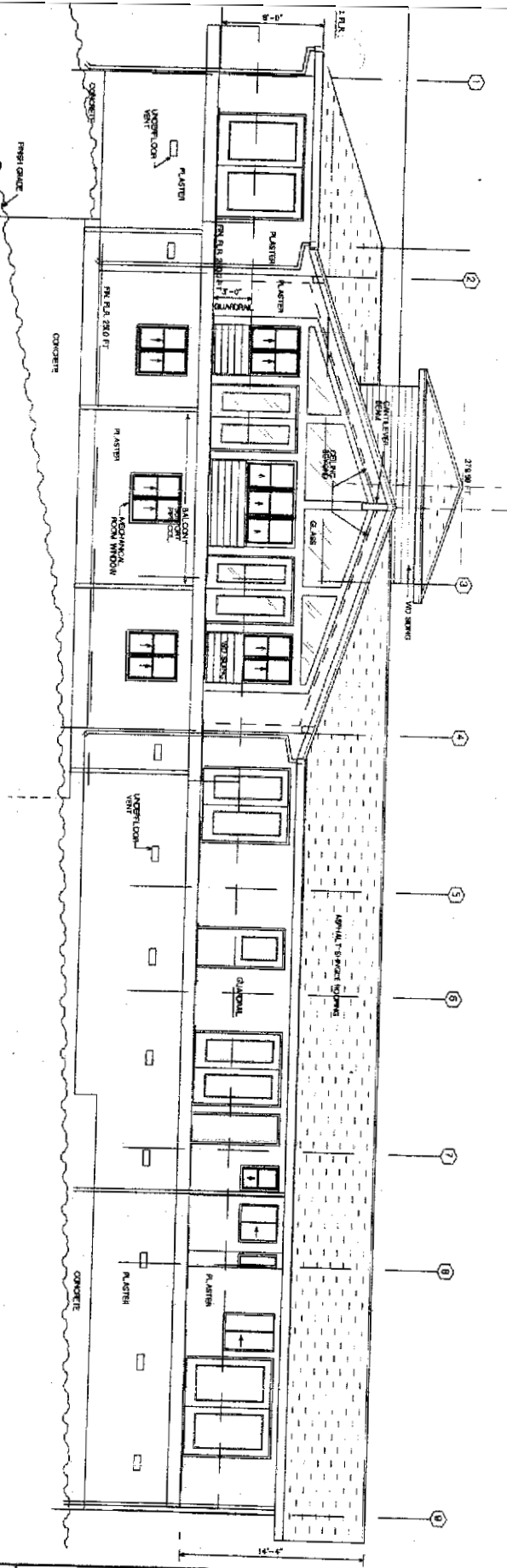
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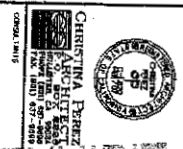
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EAST EXTERIOR ELEVATION
SCALE 1/4" = 1'-0"



SOUTH EXTERIOR ELEVATION
SCALE 1/4" = 1'-0"



EXHIBIT

REVISION
ALL REVISIONS
DATE: 12/18/18

PROJECT TITLE
PEREZ-CARR
RESIDENCE
FLOOR PLAN 04-26-14
DATE: 04/26/14
DRAWN BY: J. PEREZ
CHECKED BY: J. PEREZ
DATE: 04/26/14

ARCHITECT
CHRISTINA PEREZ
ARCHITECT
12745
04/26/14

SHEET
A.3 1

14



CHRISTINA PERREZ
ARCHITECT
P.O. BOX 37244
HOUSTON, CA 33652
Phone (512) 657-0666
Fax (512) 657-0666

SLA REVIEW CORRECTIONS
JANUARY 18, 2005

PROJECT AND

PEREZ-CARR
RESIDENCE

PHILLIPS, Inc., 048-308-01
BOX PROBERT, TULLY RD
WATSONVILLAGE, CA

U.S. DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION
WASHINGTON, D.C. 20535

SECRET

**EXTERIOR BUILDING
ELEVATIONS**

DATE NOVEMBER 1, 2004

04011070 1040

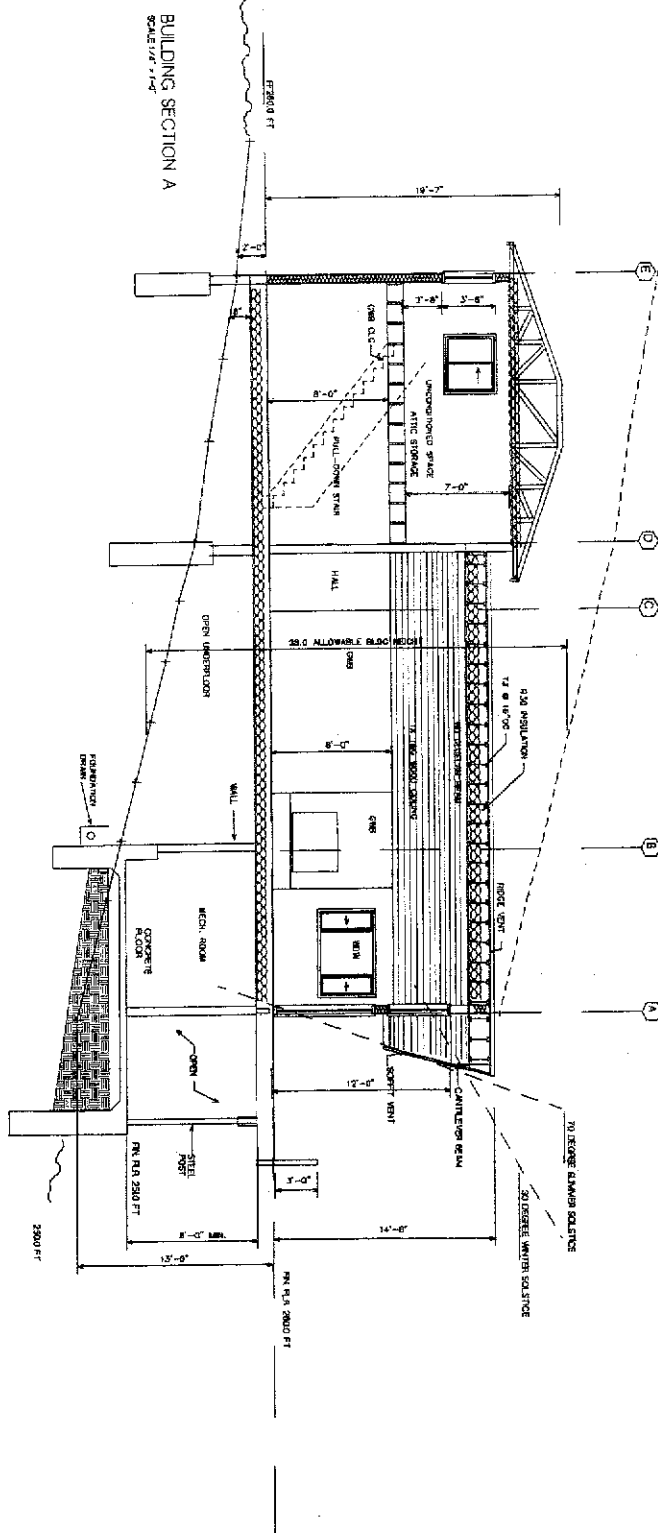
120

A3.2

9251 13

15

EXHIBIT



 <p>CHRISTINA PEREZ ARCHITECT 1000 N. W. 10th Ave., Suite 100 Fort Lauderdale, FL 33304 P: 954.587.0700 F: 954.587.0700</p>	<p>DATE: 07/08/2014 1:20 PM JOB NO: 1401 SHEET: 14 OF 14</p>	<p>PROJECT NAME: PEREZ - CARR RESIDENCE 7500 N.W. 10th Ave. Fort Lauderdale, FL 33304</p>	<p>OWNER: KERRY BUCKLEY PEREZ - BARRY CARR 1000 N.W. 10th Ave. Suite 100 Fort Lauderdale, FL 33304</p>	<p>PROJECT NO.: 1401</p>	<p>DATE: 07/08/2014 1:20 PM JOB NO: 1401 SHEET: 14 OF 14</p>	<p>DATE: 07/08/2014 1:20 PM JOB NO: 1401 SHEET: 14 OF 14</p>
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**Required Findings for Agricultural Buffer Setback Reduction
County Code Section 16.50.095(b)**

1. Significant topographical differences exist between the agricultural and non-agricultural uses which eliminate the need for a 200 foot setback or
2. Permanent substantial vegetation or other physical barriers exist between the agricultural and non-agricultural uses which eliminate the need for a 200 foot buffer setback; or a lesser setback distance is found to be adequate to prevent conflicts between the non-agricultural development and the adjacent agricultural uses, based on the establishment of a physical barrier, unless it is determined that the installation of a barrier will hinder the affected agricultural use more than it would help it, or would create a serious traffic hazard on a public or private right-of-way; and/or some other factor which effectively supplants the 200 foot buffering distance to the greatest degree possible; or

The habitable structure is proposed to be set back about 70 feet from the adjacent Commercial Agriculture zoned land. An effective barrier consisting of a landscape buffer of existing mature vegetation and evergreen shrubs would be adequate to prevent conflicts between the non-agricultural development and the adjacent Commercial Agriculture zoned land of APN 046-111-03. This barrier, as proposed, shall not create a hazard in terms of the vehicular sight distance necessary for safe passage of traffic.

3. The imposition of a 200 foot agricultural buffer setback would preclude building on a parcel of record as of the effective date of this chapter, in which case a lesser buffer setback distance may be permitted, provided that the maximum possible setback distance is required, coupled with a requirement for a physical barrier, or vegetative screening or other techniques to provide the maximum buffering possible, consistent with the objective of permitting building on a parcel of record.
4. Required findings for non-agricultural development on commercial agricultural land, County Code section 16.50.095(e).

Any non-agricultural development proposed to be located on type 1, type 2 or type 3 agricultural land shall be sited so as to minimize possible conflicts between agriculture in the area and non-agricultural uses, and where structures are to be located on agricultural parcels, such structures shall be located so as to remove as little land as possible from production or potential production.

The subject parcel is zoned CA-P (Commercial Agriculture - Agricultural Preserve) and carries an Agriculture (A) General Plan designation. The proposed development is located on the north perimeter of the parcel on sloping topography, which is not used for agricultural production. The parcel is within 200 feet of Commercial Agriculture zoned land, but the proposed vegetative barrier will minimize potential conflicts between agriculture in the area. The proposed residence will be utilized by the on-site producers of organic blackberry and row crops on the 22-acre parcel.

**Required Findings for Development on Land Zoned Commercial Agriculture or
Agricultural Preserve
County Code Section 13.10.314(A)**

1. The establishment or maintenance of this use will enhance or support the continued operation of commercial agriculture on the parcel and will not reduce, restrict or adversely affect agricultural resources, or the economic viability of commercial agricultural operations, of the area.

The establishment of the single-family residence will support continued agricultural operations on the parcel, and will not adversely impact agricultural operations in the area. The owners are proposing to transition the land to organic blackberries, maintaining and enhancing the existing blackberry plants. Non-native exotic pampas grass and other invasive species on the parcel shall be removed. Continued row crop production will be undertaken with crops such as English peas and Blue Lake green beans and soybean/corn rotations to improve soil productivity. In addition seasonal organic fruits and vegetables will be produced for local direct marketing (Exhibit H).

2. The use or structure is ancillary, incidental or accessory to the principal agricultural use of the parcel or, no other agricultural use of the parcel is feasible for the parcel; or

The proposed residence and barn will accommodate the agricultural producers so that the residential use is ancillary to the proposed continued and enhanced agricultural operations on the site. The proposed development is on the perimeter of the parcel and does not remove land from existing crop production due to the topography.

3. The use consists of an interim public use which does not impair long-term agricultural viability; and
4. Single family residential uses will be sited to minimize conflicts, and that all other uses will not conflict with commercial agricultural activities on site, where applicable, or in the area.

The proposed single-family residential use will be sited to minimize potential conflicts with agriculture in the area, consistent with General Plan policy 5.13.27. The proposed structures are sited at the perimeter of the parcel to remove as little land as possible from production. A vegetative agricultural buffer will be established in the vicinity of the proposed residence to separate the proposed residential use from the adjacent CA zoned parcel.

5. The use will be sited to remove no land from production (or potential production) if any non-farmable potential building site is available, or if this is not possible, to remove as little land as possible from production.

The proposed residential use will not remove land from production in that it would be located on a small knoll about 50 feet above the farmland at the perimeter of the property.

**Required Findings for Residential Development on Land Zoned Commercial Agriculture
or Agricultural Preserve In The Coastal Zone
County Code Section 13.10.314(b)**

1. The parcel is less than one acre in size, or the parcel has physical constraints (such as adverse topographic, geologic, hydrologic, or vegetative conditions) other than size which preclude commercial agricultural use; or that the residential use will be ancillary to commercial agricultural use of the parcel based upon the fact that either:

- (i) The farmable portion of the parcel, exclusive of the building site, is large enough in itself to constitute a minimum economic farm unit for three crops. other than greenhouses, suited to the soils, topography. and climate of the area; or

The 22-acre parcel is large enough to constitute a minimum economic farm unit in that the land is proposed to be converted to an organic farming operation. The owner is proposing to remove invasive non-native plants from the site to increase the amount of land available for production (Exhibit H). Existing Triple Crown blackberry planting shall be maintained and enhanced. Seasonal production of row crops such as English peas and Blue Lake green beans will be rotated with soybeans and corn to improve soil productivity. Seasonal fruits and vegetables will be grown for direct local marketing.

- (ii) The owners of the subject parcel have a long-term binding arrangement for commercial agricultural use of the remainder of the parcel, such as an agricultural easement.

2. The residential use will meet all the requirements of section 16.50.095 pertaining to agricultural buffer setbacks.

The residential use will be consistent with the requirements of the County Agricultural Buffer ordinance in that a substantial vegetative buffer is proposed at the north property boundary adjacent to the housing site (Exhibit A, Landscape Plan L1-1). The evergreen buffer is required to be maintained.

3. The owners of the subject parcel have executed binding hold-harmless covenants with the owners and agricultural operators of adjacent agricultural parcels. Such covenants shall run with the land and shall be recorded prior to the issuance of the permit for the proposed development.

The applicant has recorded an Agricultural Statement of Acknowledgement consistent with General Plan Policy 5.12.32 on **January** 06, 2005 as Document 2005-0001 194 (Exhibit K).

Conditions of Approval

Exhibit A: Project Plans, 14 sheets by Christina Perez, dated 11101104, revised 1/20/05.

- I. This permit authorizes an Agricultural Buffer Setback reduction from the proposed residential use to APN (046-111-03). Prior to exercising any rights granted by this permit, including, without limitation, any construction or site disturbance; the applicant/owner shall:
 - A. Sign, date, and return to the Planning Department one copy of the approval to indicate acceptance and agreement with the conditions thereof.
 - B. Obtain a Building Permit and Grading Permit from the Santa Cruz County Building Official.
- II. Prior to issuance of a Building Permit the applicant/owner shall:
 - A. Submit final architectural plans for review and approval by the Planning Department. The final plans shall be in substantial compliance with Exhibit A on file with the Planning Department. The final plans shall include the following additional information:
 - 1. A development setback of a minimum of about 70 feet from the single-family dwelling to the adjacent Commercial Agriculture zoned parcel APN 046-111-03.
 - 2. Final plans shall show the location of the vegetative buffering barrier used for the purpose of buffering adjacent agricultural land, which shall be composed of drought tolerant, native species. The plants utilized shall be consistent with Exhibit A. Species type, plant sizes and spacing shall be indicated on the final plans for review and approval by Planning Department staff.
- III. All construction shall be performed according to the approved plans for the building permit. Prior to final building inspection, the applicant/owner must meet the following conditions:
 - A. The agricultural buffer setbacks shall be met as verified by the County Building Inspector.
 - B. The required vegetative barrier shall be installed. The applicant/owner shall contact the Planning Department's Agricultural Planner, a minimum of three working days in advance to schedule an inspection to verify that the required barrier has been completed.
 - C. All inspections required by the building permit shall be completed to the

satisfaction of the County Building Official and/or the County Senior civil Engineer.

IV. Operational Conditions

- A. The vegetative barrier shall be permanently maintained.
- B. All required Agricultural Buffer Setbacks shall be maintained.
- C. The temporary trailer used during construction shall be removed from the project site within 15 days of final inspection clearance of the permanent home as per County Code Section 13.10.683.e.3.
- D. In the event that future County inspections of the subject property disclose non-compliance with any Conditions of this Approval or any violation of the County Code, the owner shall pay to the County the full cost of such County inspections, up to and including permit revocation.

Minor Variations to this permit which do not affect the overall concept or density may be approved by the Planning Director at the request of the applicant or staff in accordance with Chapter 18.10 of the County Code.

PLEASE NOTE: THIS PERMIT EXPIRES TWO YEARS FROM THE EFFECTIVE DATE UNLESS YOU OBTAIN THE REQUIRED PERMITS AND COMMENCE CONSTRUCTION.

Approval Date: 2117105

Effective Date: 3/03/05

Expiration Date: 3/03/07

Appeals: Any property owner, or other person aggrieved, or any other person whose interests are adversely affected by any act or determination of the Agricultural Policy Advisory Commission under the provisions of County Code Chapter 16.50, may appeal the act or determination to the Board of Supervisors in accordance with chapter 18.10 of the Santa Cruz County Code.

CALIFORNIA ENVIRONMENTAL QUALITY ACT

NOTICE OF EXEMPTION

The Santa Cruz County Planning Department has reviewed the project described below and has determined that it is exempt from the provisions of CEQA as specified in Sections 15061 • 15332 of CEQA for the reason(s) which have been specified in this document.

Application Number: 04-0629

Assessor Parcel Number: 046-361-04

Project Location: Peaceful Valley Road, Watsonville

Project Description: Agricultural Buffer Setback Reduction

Person or Agency Proposing Project: Mark Carr & Mary Margaret Perez

Contact Phone Number: (831) 688-3594

- A. ☐ The proposed activity is not a project under CEQA Guidelines Section 15378.
B. ☐ The proposed activity is not subject to CEQA as specified under CEQA Guidelines Section 15060 (c).
C. ☐ **Ministerial Project** involving only the use of fixed standards or objective measurements without personal judgment.
D. ☐ **Statutory Exemption** other than a Ministerial Project (CEQA Guidelines Section 15260 to 15285).

Specify type:

E. ☒ **Categorical Exemption**

Specify type: Class 3 - New construction of small structures (Section 15303)

F. Reasons why the project is exempt:

New construction of small structure - one single-family dwelling

In addition, none of the conditions described in Section 15300.2 apply to this project.

Joan Van der Hoeven
Joan Van der Hoeven, AICP, Project Planner

Date: February 17, 2005

FOR TAX PURPOSES ONLY

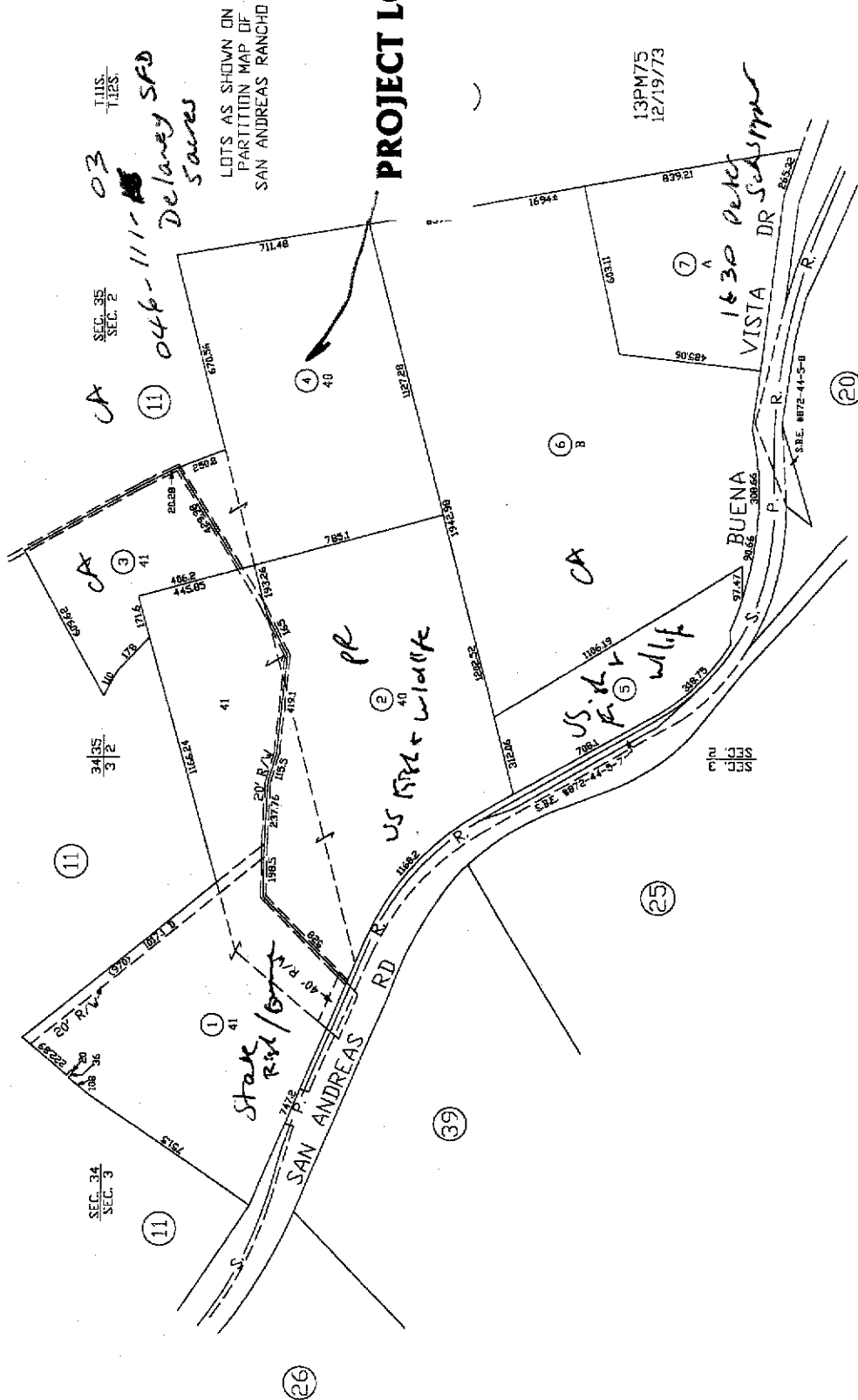
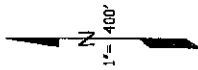
THE ASSessor MAKES NO GUARANTEE AS TO MAP ACCURACY NOR ASSUMES ANY LIABILITY FOR OTHER USES. NOT TO BE REPRODUCED. ALL RIGHTS RESERVED.

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POR. SAN ANDREAS RANCHO
SECS. 2 & 3, T.12S., R.1E., M.D.B. & M.

Tax Area Code
69-282

46-36



PROJECT LOCATION

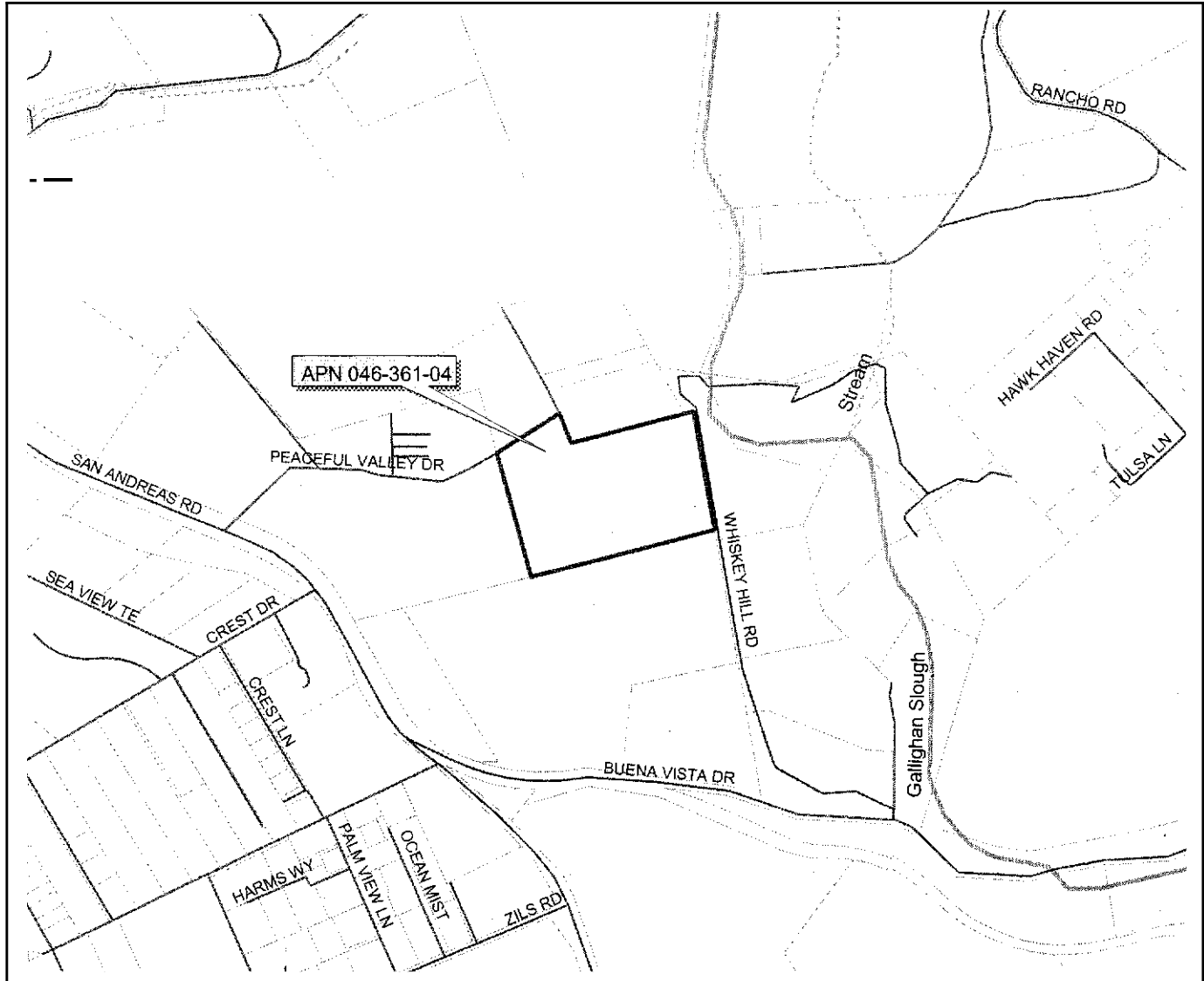
Assessor's Map No. 46-36
County of Santa Cruz, Calif.
Jan. 2000

Note - Assessor's Parcel & Block
Numbers Shown in Circles.

EXHIBIT

Electronically redrawn 1/18/00 KSA
Rev. 1/20/00 KSA (Per. from Pg. 11)
Rev. 5/21/01 (Per. from Page 11)

Location Map



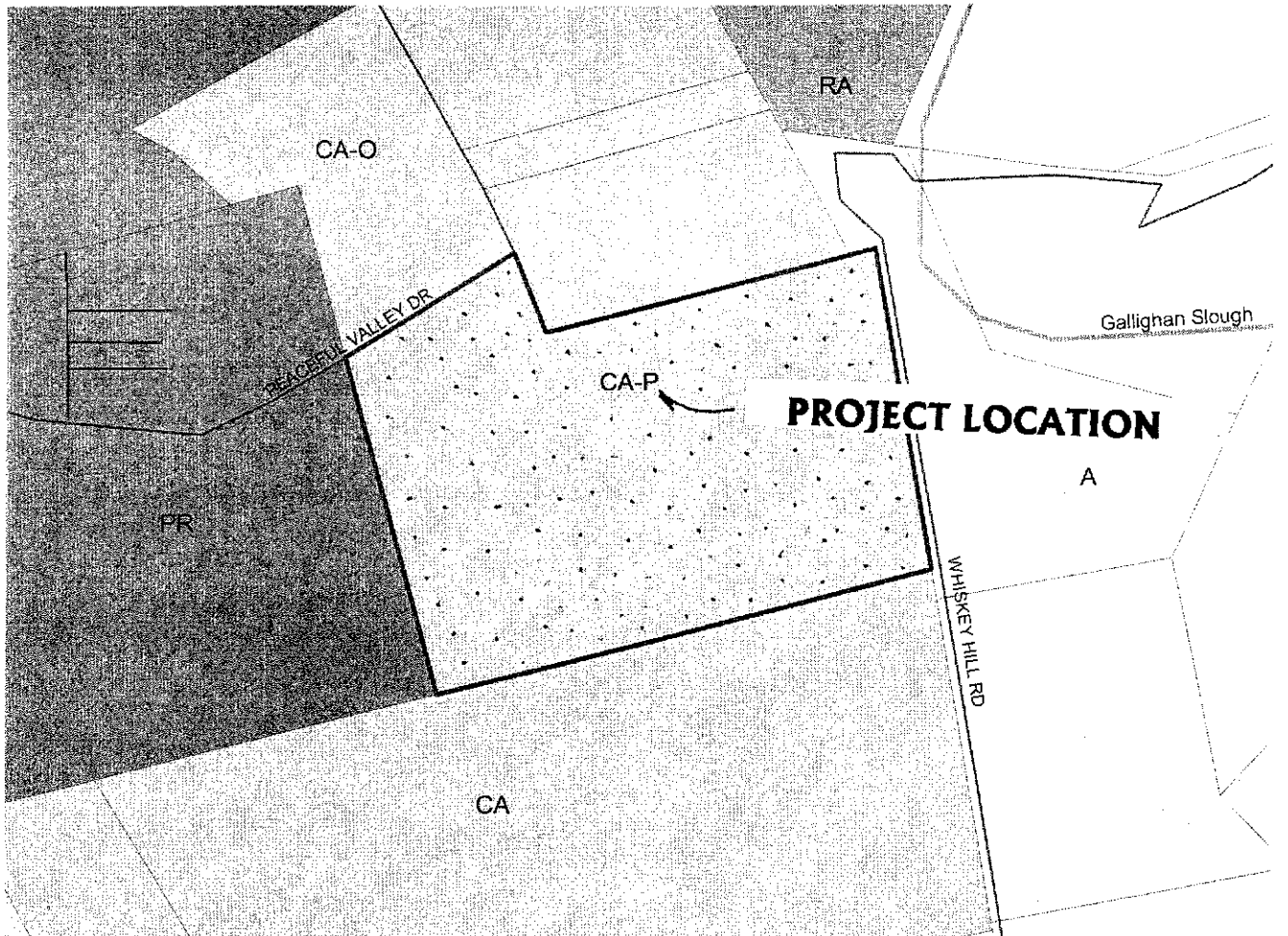
0.25 0 0.25 0.5 0.75 Miles

Map created by Santa Cruz County
Planning Department:
December 2004



EXHIBIT E

Zoning Map



500 0 500 1000 1500 2000 Feet

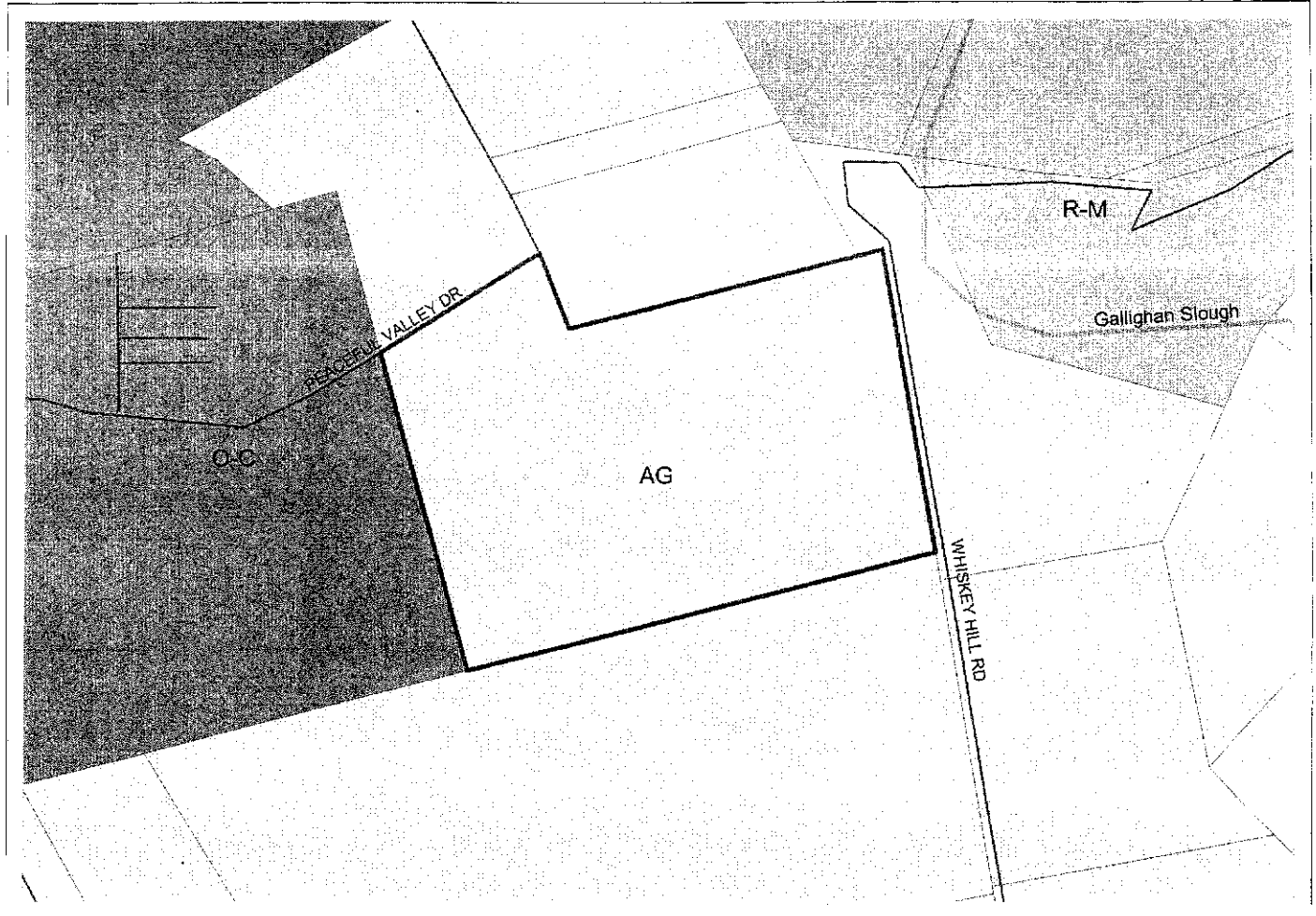
Legend

-  APN 046-361-04
-  Parcel boundaries
-  Streets
-  Perennial Stream
-  Agriculture (A)
-  Commercial Agriculture (CA)
-  Residential Agriculture (RA)
-  Parks, Recreation, and Open Space (PR)










Map created by Santa Cruz County
Planning Department:
December 2004

General Plan Map



500 0 500 1000 1500 2000 Feet

Legend

-  APN 046-361-04
-  Parcel boundaries
-  Streets
-  Perennial Stream
-  Agriculture (AG)
-  Mountain Residential (R-M)
-  Resource Conservation (O-C)



Map created by Santa Cruz County
Planning Department.
December 2004

EXHIBIT F

C O U N T Y O F S A N T A C R U Z
D I S C R E T I O N A R Y A P P L I C A T I O N C O M M E N T S

Project Planner: Joan Van Der Hoeven
Application No. : 04-0629
APN: 046-361-04

Date: January 6, 2005
Time: 15:58:30
Page: 1

Environmental Planning Completeness Comments

The engineering aspects of the grading plan are adequate for completeness. =====
REVIEW ON JANUARY 6. 2005 BY JOSEPH L HANNA =====

Environmental Planning Miscellaneous Comments

The home is located on a secondary ridgeline and it maybe appropriate to evaluate
aternative locations to reduce visual impact or reduce amount of grading. =====
REVIEW ON JANUARY 6. 2005 BY JOSEPH L HANNA =====

Dpw Drainage Completeness Comments

LATEST COMMENTS HAVE NOT YET BEEN SENT TO PLANNER FOR THIS AGENCY

===== REVIEW ON DECEMBER 28, 2004 BY ALYSON B TOM ===== Application with
civil plans dated 11/1/04 has been received. Please address the following:

1) Please submit a drainage plan that describes how runoff from all proposed imper-
vious and semi impervious surfaces will be handled. This site is located within a
groundwater recharge zone. Accordingly, all added runoff due to impervious and semi-
impervious development should be retained on site so that the post project runoff
rate is maintained at pre project levels. Describe how roof runoff (from the home
and barn) will be handled. and how runoff from the driveway and upper parking area
will drain. Retention design should be based on site specific information (soil
type. expected rainfall, slope. surface cover, etc.) and should include provisions
for safe overflow, maintenance and longevity. Describe the basis of the retention
design.

2) The original application drainage review fee assessed was incorrect. Since this
project will result in more than 4500 square feet of additional impervious area.
review is for a significant single family dwelling (\$630). Please submit an addi-
tional \$140 to make up the difference.

Additional site specific details may be required at the building permit stage

For questions regarding this review Public Works storm water management staff is
available from 8-12 Monday through Friday.

All submittals for this project should be made through the Planning Department

Dpw Drainage Miscellaneous Comments

LATEST COMMENTS HAVE NOT YET BEEN SENT TO PLANNER FOR THIS AGENCY

===== REVIEW ON DECEMBER 28, 2004 BY ALYSON B TOM ===== See completeness
comments.

Dpw Driveway/Encroachment Completeness Comments

EXHIBIT G

Discretionary Comments - Continued

Project Planner: Joan Van Der Hoeven
Application No. : 04-0629
APN: 046-361-04

Date: January 6, 2005
Time: 15:58:30
Page: 2

===== REVIEW ON DECEMBER 28, 2004 BY RUTH L ZADESKY =====
No Comment, project adjacent to a non-County maintained road.

Dpw Driveway/Encroachment Miscellaneous Comments

===== REVIEW ON DECEMBER 28, 2004 BY RUTH L ZADESKY =====
No comment.

Environmental Health Completeness Comments

LATEST COMMENTS HAVE **NOT YET** BEEN SENT TO PLANNER FOR THIS AGENCY

===== REVIEW ON JANUARY 3, 2005 BY JIM G SAFRANEK ===== Applicant received approval for a 4 bedrm septic system. If temporary mobile home is approved by Planning, septic system must be installed and receive EHS sign off.

Environmental Health Miscellaneous Comments

LATEST COMMENTS HAVE **NOT YET** BEEN SENT TO PLANNER FOR THIS AGENCY

===== REVIEW ON JANUARY 3, 2005 BY JIM G SAFRANEK =====
NO COMMENT

Mark H. Carr & Mary Margaret Perez
PO Box 2020 • Aptos, CA 95001
Phone 831-662-8312 • Fax: 831-688-3594

To the Members of the Agricultural Commission, Office of the Zoning Administrator, and the Office of the Planning Department:

The purpose of this letter is to accompany an application for an Agricultural Buffer Reduction, Coastal Development Permit, and Design Review for a single-family residence for a family of five (Photos 1 through 9)(Civil Engineering plans C1-C3, Landscape plan L1.1, and Architectural plans A1.0-A3.3).

We are in the process (i.e. escrow) of purchasing 22 acres of Commercial Agriculture Preserve located at 1022C San Andreas Rd., Watsonville, California (AFN 046-361-04)(Photo 1). Our intent is to maintain the agricultural use of the property in accordance with its Agricultural Preserve designation: and to transition the parcel from currently practiced methods to organic farming methods. The parcel is somewhat unique in its location adjacent to a federal wildlife preserve (Ellicott Slough). We are very much interested in seeing that future use of the property enhances both its spectacular agricultural and environmental qualities. However, we can only afford and realize these hopes if we can also construct our residence on the site. Identifying the least obtrusive building site has been key to our objectives.

A Preliminary Development and Site Review (PDSR 04-0088) was prepared in May 2004, by Mr. Robert Loveland of the Santa Cruz County Planning Department. The report indicated that an Agricultural Buffer Reduction (ABR) would be required for the location we proposed for construction of a 3,200 sq. ft. single-family residence. In addition the report identified the need for a geotechnical report, an erosion control plan, a drainage control plan and a detailed topographic map to be constructed.

We have hired professional geologists and engineers to complete the detailed studies Pacific Crest Engineering took cores on-site, performed tests, and wrote the geotechnical report. This same firm will monitor the site during any grading and foundation construction. Bridgette Land Surveying mapped the boundaries of the parcel and the location of the proposed single-family residence, driveway, and agricultural support building. Roper Engineering designed the driveway, erosion control and drainage control plans. Chris Perez, Architect, coordinated the efforts of these engineering firms and has completed the preliminary house plans.

Water currently used on the parcel has been available through a well located on a parcel to be retained by the current owner (Mr. Lawrence Delaney; AFN 046-111-03). He has entered into a water use agreement with us for domestic water use. We have applied to construct an agricultural well for farming use. Altogether, our proposed development of the site includes the (1) well, (2) residence, (3) road from the adjacent access road to the proposed residence, (4) septic system, and (5) an agriculture support building (i.e. barn). Our proposed land uses and residence are summarized below.

Proposed Agricultural Use

1. Maintain and enhance existing blackberry plants. Transition berry culture to organic methods,
2. Remove pampas grass and other non-native invasive plants from western portion of property. This action would support commercial agricultural activities on this parcel as well as reduce invasion of non-native plants onto adjacent Federal Reserve land and farmland.
3. Continue seasonal production of row crops (English peas and Blue Lake green beans) and institute new crop rotation plan to build up productivity of the soil. Alternative proposed use is corn/soybean rotation.

4. Raise seasonal vegetables and fruit for local direct marketing.

Proposed Single Family Dwelling

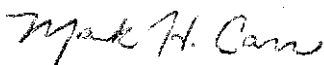
1. Site home on hilltop beyond area of prime commercial agricultural use (Photo 2). This proposed residence site removes the least amount of land from commercial agricultural production. The slope of the hill is not conducive to farming **efforts** due to potentially erosive effects of farming in *the* sandy soil. This location is in the northeast portion of the parcel. The proposed house site is approximately 77 feet from **the** neighboring parcel to the north (hence the ABR request); also owned by Mr. Delaney. The adjacent site is not, and has not been, used for agriculture. It currently supports a mixed eucalyptus and San Andreas oak woodland most of which exists on steep hillsides (Photo 5).
2. An engineered driveway of 6" **crushed** rock aggregate base with oiled screens over an 8" sub grade compacted to 95% would provide access to the proposed residence. **This** is to minimize influence to agricultural land and minimize erosive effects.
3. Provide mobile home site for **use** during house construction.
4. Construct Agricultural/Residential use well.
5. Place two 4,800-gallon water tanks on hill to provide water for domestic use and firefighting **use**.
6. **Install** engineered septic system to serve proposed single-family residence.
7. Construct agricultural building of approximately 1,300 sq. ft. ~~at~~ base of hill adjacent to agriculture fields (Photo 7).

Because the property is in **the** Coastal Zone, **we** have been advised that a Coastal Permit will **be** required to construct improvements on this parcel. We hope ~~that~~ the proposed **use** of the property will meet the requirements in order to receive a discretionary permit.

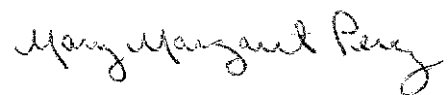
1. Our use will enhance the continued commercial agricultural use on this parcel, and it will not adversely affect *other* commercial agricultural operations in the area.
2. **Our** proposed residential **use** is accessory to the principal agricultural **use** of the parcel.
3. **Our** proposed residential use will be sited to minimize impacts, and all other **uses** will not conflict with agricultural activities.
4. The residential **use** will be sited to remove **as** little land **as** possible from production

We will work hard to protect both the agricultural and environmental integrity of this small farm through conscientious planning and water usage,

Sincerely,



Mark H. Carr



Mary Margaret Perez

Parcel 046-361-04

Property Description

Photo 1. Approximately 20 acres of commercial agricultural preserve land planted in English peas and Triple Crown blackberries. The parcel is located at 1022C San Andreas Rd. and is bounded on the east by Whiskey Hill Rd. The view below is from the north looking south.

The majority of the land area is relatively flat bounded on both the east and west by hillsides. The proposed house site is on the east hillside adjacent to a 5-acre commercial agricultural parcel that contains a single residence. The proposed house site (hidden from view) is sheltered from impacts on the adjacent parcel by a dense grove of eucalyptus and oak trees that are visible in the far left of the photo below. The proposed house site was chosen on the east hillside so as to minimize the impact on the productive land. The slope of the hill is not conducive to row crops. The goal of the applicants is to build a home in which they can live and work as small family organic farmers.

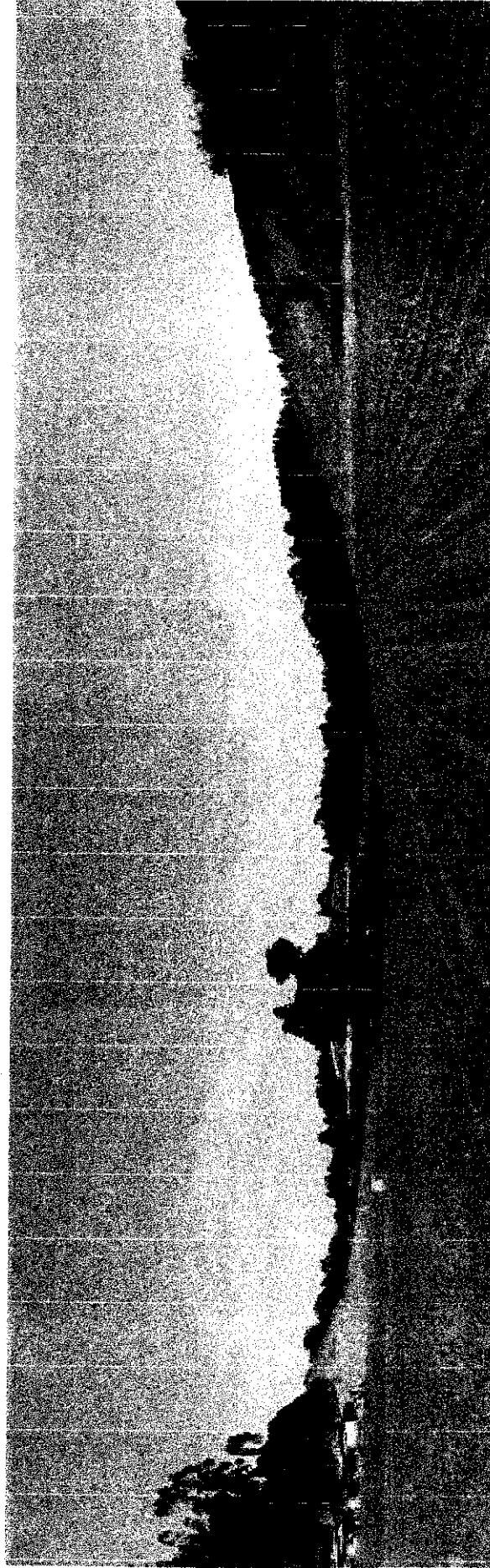


Photo 2. Distant view of the eastern hillside proposed house site. The buildings below the hill are on the adjacent 5-acre parcel. The ~~dirt~~ road is on the border of the two parcels. The berries in the foreground are on the western hillside and will be maintained.

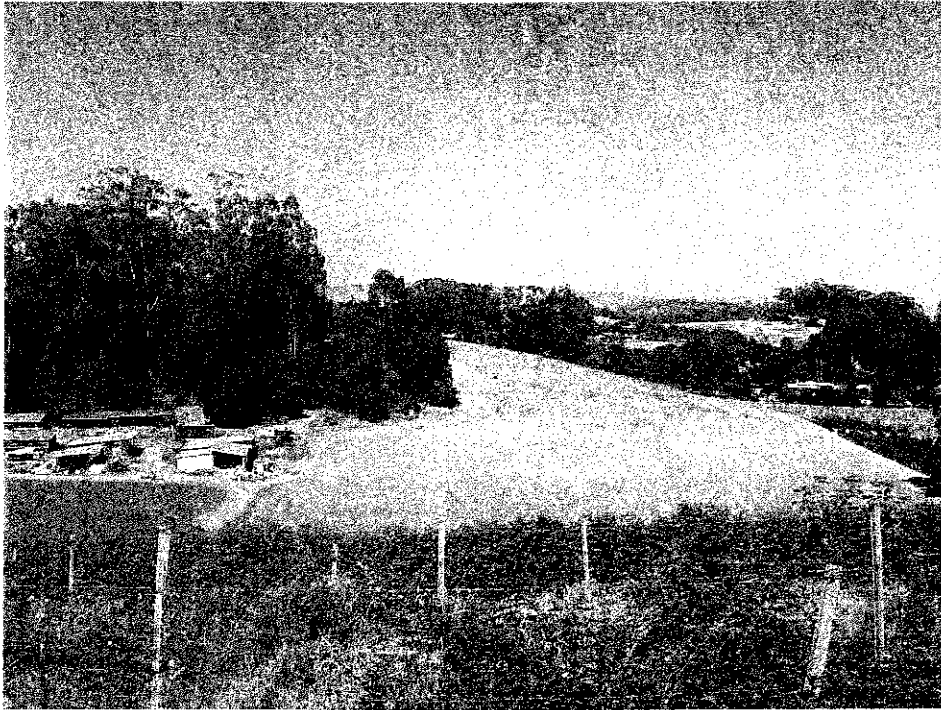


Photo 3. View to the southeastern corner of the parcel. The large tree in the center of the photo is in the center ~~of~~ the parcel. The house on the distant hillside is off Whiskey Hill Rd. The southern boundary of the parcel is located on the right of the photo at the edge of the blackberry plot.



Photo 4. View to the neighboring parcel in the south. The owners of this parcel would like to transition their farm to a certified organic farm, as would the applicants in this report.



Photo 5. View into the eucalyptus and *oak* tree grove at the northern boundary of the parcel behind the proposed house site. The trees serve as a natural buffer between the two parcels. Further landscaping with drought resistant California native plants will augment the existing trees. This action is meant to support the request for an Agricultural Buffer reduction from 200 feet to the proposed 77 feet.



Photo 6. View towards **the** adjacent residential agricultural parcel from the proposed house site. The proposed house would not be visible from **the** house on this adjacent parcel. The eastern boundary of the parcel is Whiskey Hill Rd, which is just visible in the lower right of the photo.



Photo 7. View south from **the** proposed house site. **The** proposed agricultural building would be below the house site at the base of the hill (lower left corner of photo).



Photo 8. View to the western hillside from the proposed house site. The dense vegetation at the top of the hill is on the neighboring federal reserve.



Photo 9. View of the western boundary of the parcel adjacent federal reserve property.



1302
CONTRACT

THIS CONTRACT, made and entered into this 27th day of February, 1975, by and between ETHEL A. DELANEY, hereinafter referred to as "Owner," and the COUNTY OF SANTA CRUZ, a Political Subdivision of the State of California, hereinafter referred to as "County,"

W I T N E S S E T H:

WHEREAS, Owner is the owner of certain real property in the County of Santa Cruz, which property is presently devoted to agricultural use and is described in Exhibit "A" attached hereto; and

WHEREAS, said property is located in an agricultural preserve heretofore established by County; and

WHEREAS, both Owner and County desire to limit the use of said property to agricultural uses and those compatible uses allowed in the A (Agricultural) District and the P (Agricultural Preserve) Combining District in order to discourage premature and unnecessary conversion of such land to urban use, recognizing that such land has substantial public value as open space, and that the preservation of such land in agricultural production constitutes an important physical, social, esthetic, and economic asset to County; and

WHEREAS, the parties have determined that the highest and best use of such land during the life of this contract, or any renewal thereof, is for agricultural purposes:

NOW, THEREFORE, the parties, in consideration of the mutual covenants and conditions set forth herein and the substantial public benefits to be derived therefrom do hereby agree as follows:

1. The within contract is made and entered into pursuant to the California Land Conservation Act of 1965.

2. During the term of this contract the above-described land shall be used for the commercial production of agricultural commodities and/or those compatible uses allowed in the A (Agricultural) and the P (Agricultural Preserve) Combining District of the County Zoning Ordinance. No structures shall be erected upon said land except such structures as may be incidental to and compatible with such uses.

3. In consideration of the execution hereof by Owner and the execution of similar contracts by other property owners within the same agricultural preserve, County agrees not to authorize any uses, other than those permitted by the County Zoning Ordinance in the A (Agricultural District) and the P (Agricultural Preserve) Combining District, during the term of this contract or any renewal thereof. Nothing herein shall prohibit a change of boundaries of said Agricultural Preserve to omit lands not subject to a contract or to include additional lands.

4. In consideration of the execution hereof by County, Owner agrees to restrict his property to those uses authorized in the A (Agricultural) District and the P (Agricultural Preserve) Combining District. Owner further agrees that he will not convey any part of the above-described property unless any parcel proposed to be conveyed complies in all respects with the provisions of the A (Agricultural) District and the P (Agricultural Preserve) Combining District.

5. In the event that an action in eminent domain for the condemnation of any land described herein is hereafter filed by any public agency, or when such land is acquired in lieu of eminent domain for a public improvement, this contract shall be deemed null and void as of the date the action is filed or the land is so acquired, provided that the condemnation or acquisition is of the fee title or other interest less than the fee which would prevent the land from being used for agricultural or compatible uses and provided that the contract shall be null and void only as to land actually so condemned or acquired or as to such land and a remaining portion that is rendered unsuitable for agricultural or compatible uses.

6. This contract shall be effective commencing on the 27th

day of February, 1976, and shall remain in effect for a period of ten (10) years therefrom.

This contract shall be automatically renewed at the end of each year for an additional one (1) year period, thus maintaining the term of the contract at ten (10) years, unless notice of non-renewal is given as provided below.

7. Either party hereto may cause this contract to expire at the end of nine (9) years from the next renewal date by serving a written notice of non-renewal on the other party at least ninety (90) days prior to such renewal date, if Owner is serving notice, and sixty (60) days prior to such renewal date if the County is serving notice.

8. Owner shall not receive any payment from County in consideration of the obligations imposed hereunder, it being recognized and agreed that the consideration for the execution of this contract is the substantial public benefit to be derived therefrom and the advantage which will accrue to Owner in the event of any reduction in the assessed value of said property due to the imposition of the limitations on its use contained herein.

9. The within contract shall run with the land described herein and shall be binding upon the heirs, successors, and assignees of the parties hereto.

10. This contract may not be cancelled except upon a petition by the Owner to the Board of Supervisors of County and provided that such board, after a public hearing held in accordance with the provisions of Section 51284 of the Government Code, finds:

- (a) That the cancellation is not inconsistent with the purposes of the California Land Conservation Act of 1965; and
- (b) That cancellation is in the public interest.

The existence of an opportunity for another use of the land shall not be sufficient reason for cancellation. A potential alternative use of the land may be considered only if there is no proximate

land not subject to a Land Conservation Act contract or agreement suitable for the use to which it is proposed the subject land be put. The uneconomic character of an existing agricultural use shall not be sufficient reason for cancellation. The uneconomic character of the existing use may be considered only if there is no other reason or comparable agricultural use to which the land may be put.

Upon any such cancellation, the landowner shall pay to County an amount equal to fifty percent (50%) of the full market value of the land when relieved of the restriction, as found by the assessor multiplied by the latest County assessment ratio published pursuant to Section 401 of the Revenue and Taxation Code when the contract was initially entered into.

The Board of Supervisors of County may waive or defer such payment or any portion thereof provided the Board finds:

- (a) It is in the public interest and the best interests of the program to conserve agricultural land that such payment be waived or deferred, and
- (b) The reason for the cancellation is an involuntary transfer or involuntary change in the use of the land and the land is not suitable and will not be immediately used to a purpose which produces a greater economic return to the Owner.

The Board of Supervisors of the County may make any such waiver or deferral of payment contingent upon the future use made of the land and its economic return to the landowner for a period not to exceed the unexpired period of the contract, had it not been canceled, and a lien shall be on the subject land to secure the performance of the act or acts upon which the waiver or deferral is made contingent.

IN WITNESS WHEREOF, the parties hereto have executed the within contract the day and year first above written.

Robert A. Delaney
OWNER

COUNTY OF SANTA CRUZ, a Political
Subdivision of the State of California
By [Signature]
Chairman, Board of Supervisors
COUNTY

BENEFICIARY: SAN JOSE PRODUCTION CREDIT ASSOCIATION, a California corporation

By: [Signature]
Mike R. Palla, Asst. Treasurer

Date: February 26, 1976

EXHIBIT 1



- ☐ 201 River Street, Santa Cruz, CA 95060 (831) 426-9090 / FAX (831) 426-8511
- ☐ 830 Bay Avenue, #A, Capitola, CA 95010 (831) 479-9229 / FAX (831) 479-3641
- ☐ 1955 41st Avenue, #A-5, Capitola, CA 95010 (831) 476-5000 / FAX (831) 476-1647
- ☐ 4340 Scotts Valley Dr. #A, Scotts Valley, CA 95066 (831) 438-4200 / FAX (831) 438-5369
- ☐ 9055 Soquel Drive, Aptos, CA 95003 (831) 688-9566 / FAX (831) 688-8625
- ☐ 1820 Main Street, Watsonville, CA 95076 (831) 724-8804 FAX (831) 724-2633
- ☐ 1541 Pacific Avenue, #D, Santa Cruz, CA 95060 (831) 426-1711 FAX (831) 427-3217

1st Amended

February 24, 2004
Santa Cruz Title Company

**PRELIMINARY
REPORT**

**IMPORTANT
WHEN REPLYING REFER TO
OUR NO: 88516575 JCG**

ATTENTION: Jennifer Cornell Campbell
Escrow Officer

YOUR NO.:

PROPERTY: Unimproved

In response to the above referenced application for a Policy of Title Insurance. Santa Cruz Title Company hereby reports that it is prepared to issue, or cause to be issued, as of the date hereof, a Policy or Policies of Title Insurance. describing the land and the estate or interest therein hereinafter set forth, insuring against loss which may be sustained by reason of any defect, lien, or encumbrance not shown or referred to as an Exception below or not excluded from coverage pursuant to the printed Schedules, Conditions and Stipulations of said policy forms.

The printed Exceptions and Exclusion from coverage of said Policy or Policies are set forth in Exhibit A attached. Copies of the Policy forms should be read. They are available from the office which issued this Report.

PLEASE READ THE EXCEPTIONS SHOWN OR REFERRED TO BELOW AND THE EXCEPTIONS AND EXCLUSIONS SET FORTH IN EXHIBIT A OF THIS REPORT CAREFULLY. THE EXCEPTIONS AND EXCLUSIONS ARE MEANT TO PROVIDE YOU WITH NOTICE OF MATTERS WHICH ARE NOT COVERED UNDER THE TERMS OF THE TITLE INSURANCE POLICY AND SHOULD BE CAREFULLY CONSIDERED,

IT IS IMPORTANT TO NOTE THAT THIS PRELIMINARY REPORT IS NOT A WRITTEN REPRESENTATION AS TO THE CONDITIONS OF TITLE AND MAY NOT LIST ALL LIENS, DEFECTS, AND ENCUMBRANCES AFFECTING TITLE TO THE LAND.

This report (and any supplements or amendments thereto) is issued solely for the purpose of facilitating the issuance of a Policy of Title Insurance and no liability is assumed hereby. If it is desired that liability be assumed prior to the issuance of a Policy of Title Insurance, a Binder or Commitment should be requested.

Dated as of February 18, 2004 at 7:30 a.m.

Harold Wishard, Title Officer

The form of Policy of Title Insurance contemplated by this Report is:

CLTA Standard Coverage Policy- 1991

The estate or interest in the land hereinafter described or referred to covered by this Report is:

A FEE AS TO PARCEL ONE: AN EASEMENT AS TO PARCEL TWO

Title to said estate or interest at the date hereof is vested in:

Lawrence W. Delaney and Sharon L. Hager, in equal shares

At the date hereof exceptions to coverage in addition to the printed exceptions and exclusions contained in said policy form would be as follows: See Exceptions Page One.

1. GENERAL AND SPECIAL COUNTY (AND CITY) TAXES, A LIEN NOT YET DUE OR PAYABLE, FOR THE
FISCAL YEAR : 2004-2005
PARCEL NO. : 046-361-04
2. GENERAL AND SPECIAL COUNTY (AND CITY) TAXES, INCLUDING PERSONAL PROPERTY TAX, IF ANY FOR THE
FISCAL YEAR : 2003-2004
LAND VALUATION : \$89,684.00
IMPROVEMENT VALUATION : \$4,101.00
PERSONAL PROPERTIES : \$-0-
EXEMPTIONS : \$-0-
CODE AREA NO. : 69-282
PARCEL NO. : 046-361-04
1ST INSTALLMENT : \$580.29 PAID
2ND INSTALLMENT : \$580.29 PAYABLE BUT NOT YET DUE
3. THE LIEN OF SUPPLEMENTAL TAXES, IF ANY, ASSESSED PURSUANT TO THE PROVISIONS OF CHAPTER 3.5 (COMMENCING WITH SECTION 75) OF THE REVENUE AND TAXATION CODE OF THE STATE OF CALIFORNIA.
4. RIGHTS OF WAY CREATED IN THE DECREE OF PARTITION OF THE SAN ANDREAS RANCHO
ENTITLED : "EDWARD BRIODY, PLAINTIFF, VS. TITUS HALE, ET AL, DEFENDANTS
ENTERED : AUGUST 18, 1873 IN BOOK 15 OF DEEDS, PAGE 686, SANTA CRUZ COUNTY RECORDS
5. AN EASEMENT AFFECTING THE PORTION OF SAID PROPERTY AND FOR THE PURPOSE STATED HEREIN, AND INCIDENTAL PURPOSES, AS GRANTED IN THE DEED
FROM : PETER LEONARD AND JAMES J. C. LEONARD
TO : PAJARO MINING COMPANY
FOR : THE RIGHT TO ENTER BY WAY OF TUNNELS FOR THE EXCAVATION OF MINERALS
RECORDED : NOVEMBER 16, 1892, IN BOOK 90 OF DEEDS, PAGE 65, SANTA CRUZ COUNTY RECORDS
AFFECTS : THE ROUTE OF SAID EASEMENT IS NOT DESCRIBED THEREIN

NO ASSURANCE IS MADE HEREUNDER AS TO THE PRESENT OWNERSHIP OF SAID EASEMENT

SAID INSTRUMENT CONTAINS, AMONG OTHER THINGS, THE FOLLOWING:

"ALSO THE RIGHT, TITLE AND INTEREST OF SAID GRANTORS IN AND TO THE WATERS OF A SLOUGH WHICH RUNS THROUGH SAID TWO LAST MENTIONED AND DESCRIBED TRACT OF LAND."

- 6 THE GRANT OF RIGHTS OF WAY AND WATER RIGHTS AS CONTAINED IN THE DEED
EXECUTED BY : FRANK FLAMMANG, ET UX.
IN FAVOR : CEDRIC E. INGRAM, ET UX.

"TOGETHER WITH AN UNDIVIDED ONE-FOURTH
INTEREST IN THE SPRINGS WHICH FURNISH
WATER TO SAID TRACT, AND WHICH SPRINGS
ARE ON THE RIGHT OF INGRESS AND EGRESS
FROM SAID SPRINGS AND THE RIGHT OF WAY
FOR A PIPE LINE FROM SAID SPRINGS TO THE
LAND HEREBY CONVEYED, AND THE RIGHT TO
MAINTAIN A WINDMILL OR WINDMILLS OR SMALL
PUMPING PLANT AT SAID SPRINGS. ALSO THE
AIRMOTOR WINDMILL AND WINDMILL TOWER
AND THE PIPE LEADING FROM SAID WINDMILL
ON SAID LOT 41 OF SAID SAN ANDREAS RANCHO
TO THE PROPERTY HEREINABOVE DESCRIBED,
BEING CONVEYED BY SAID FIRST PARTIES TO
SAID SECOND PARTIES, WHICH WINDMILL,
WINDMILL TOWER AND PIPE ARE HEREBY
GRANTED TO SAID SECOND PARTY."
MAY 19, 1924, IN BOOK 29, PAGE 169
OFFICIAL RECORDS OF SANTA CRUZ COUNTY

RECORDED

7. AN EASEMENT AFFECTING THE PORTION OF SAID PROPERTY AND FOR THE PURPOSE
STATED HEREIN, AND INCIDENTAL PURPOSES, AS GRANTED IN THE DEED
FROM : FRED JOHNSON, ET UX.
TO : JOSEPH L. DELANEY, ET UX.
FOR : A RIGHT OF WAY 20 FEET IN WIDTH
RECORDED : MAY 6, 1938 IN BOOK 342, PAGE 317
OFFICIAL RECORDS OF SANTA CRUZ COUNTY
INSTRUMENT NO. : 3293
AFFECTS : THE ROUTE OF SAID EASEMENT IS NOT
DESCRIBED THEREIN

NO ASSURANCE IS MADE HEREUNDER AS TO THE PRESENT OWNERSHIP OF SAID
EASEMENT

8. AN EASEMENT AFFECTING THE PORTION OF SAID PROPERTY AND FOR THE PURPOSE
STATED HEREIN, AND INCIDENTAL PURPOSES, AS GRANTED IN THE DEED
FROM : FRED W. JOHNSON, ET UX.
TO : MILO N. DAVIDSON, ET UX.
FOR : RIGHTS OF WAY
RECORDED : MAY 5, 1945 IN BOOK 499, PAGE 439
OFFICIAL RECORDS OF SANTA CRUZ COUNTY
INSTRUMENT NO. : 5145
AFFECTS : THE ROUTE OF SAID EASEMENT IS NOT
DESCRIBED THEREIN

NO ASSURANCE IS MADE HEREUNDER AS TO THE PRESENT OWNERSHIP OF SAID
EASEMENT

- 9 AN EASEMENT AFFECTING THE PORTION OF SAID PROPERTY AND FOR THE PURPOSE STATED HEREIN, AND INCIDENTAL PURPOSES, AS GRANTED IN THE DEED
- | | | |
|---------------|---|--|
| FROM | : | ANNA M. JOHNSON |
| TO | : | COAST COUNTIES GAS AND ELECTRIC COMPANY, A CORPORATION |
| FOR | : | A RIGHT OF WAY FOR A SINGLE LINE OF POLES |
| RECORDED | : | OCTOBER 22, 1946 IN BOOK 686, PAGE 298 |
| | : | OFFICIAL RECORDS OF SANTA CRUZ COUNTY |
| INSTRUMENT NO | : | 18540 |
| AFFECTS | : | THE ROUTE OF SAID EASEMENT IS NOT DESCRIBED THEREIN |

NO ASSURANCE IS MADE HEREUNDER AS TO THE PRESENT OWNERSHIP OF SAID EASEMENT

10. AN EASEMENT AFFECTING THE PORTION OF SAID PROPERTY AND FOR THE PURPOSE STATED HEREIN, AND INCIDENTAL PURPOSES, AS GRANTED IN THE DEED
- | | | |
|----------------|---|--|
| FROM | : | ETHEL A. DELANEY |
| TO | : | COUNTY OF SANTA CRUZ |
| FOR | : | AN OPEN SPACE EASEMENT |
| RECORDED | : | FEBRUARY 27, 1976, IN BOOK 2589, PAGE 593 |
| | : | OFFICIAL RECORDS OF SANTA CRUZ COUNTY |
| INSTRUMENT NO. | : | 7982 |
| AFFECTS | : | AGRICULTURAL LAND USAGE; REFERENCE TO SAID INSTRUMENT IS HEREBY MADE FOR FURTHER PARTICULARS |

NO ASSURANCE IS MADE HEREUNDER AS TO THE PRESENT OWNERSHIP OF SAID EASEMENT

NOTES

- A. NO TRANSFER OR AGREEMENTS TO TRANSFER THE PROPERTY DESCRIBED HEREIN APPEAR OF RECORD WITHIN TWENTY-FOUR MONTHS OF THE DATE OF THIS REPORT.

TITLE OF THE VESTEE HEREIN WAS ACQUIRED BY

INSTRUMENT	:	DECREE SETTLING REPORT OF EXECUTOR, ALLOWING COMPENSATION FOR ORDINARY SERVICES TO ATTORNEYS, AND DISTRIBUTING ESTATE
FROM	:	ESTATE OF ETHELA. DELANEY, DECEASED
TO	:	LAWRENCE W. DELANEY AND SHARON L. HAGER, IN EQUAL SHARES
RECORDED	:	JULY 30, 1997
	:	OFFICIAL RECORDS OF SANTA CRUZ COUNTY
INSTRUMENT NO.	:	1997-0034280

- B. LAST INSURED DATE : NOT APPLICABLE

- C THE POLICY OR POLICIES OF TITLE INSURANCE CAJSED TO BE ISSUED IN THIS TRANSACTION WILL BE ISSUED BY ONE OF OUR AUTHORIZED UNDERWRITERS
- D NOTE THE ALTA HOMEOWNERS POLICY OF TITLE INSURANCE (10-17-98) CONTAINS SPECIFIC DEDUCTIBLE AMOUNTS AND SPECIFIC LIABILITY MAXIMUMS FOR COVERED RISK NUMBERS 14, 15 16 AND 18 OF SAID POLICY THAT HAVE BEEN FILED AND APPROVED BY THE VARIOUS DEPARTMENTS OF INSURANCE WHERE THE FORMS HAVE BEEN FILED PLEASE CONSULT WITH YOUR ESCROW OR TITLE OFFICER IF YOU HAVE QUESTIONS REGARDING THE POLICY

DRF:sb sa

EXHIBIT "A"

The land referred to herein is described as follows:

SITUATE IN THE COUNTY OF SANTA CRUZ, STATE OF CALIFORNIA AND DESCRIBED AS FOLLOWS:

PARCEL ONE:

A PART OF THE SAN ANDREAS RANCHO AND A PORTION OF THE LANDS CONVEYED BY FRED W. JOHNSON ET UX TO ETHEL A DELANEY. BY DEED RECORDED OCTOBER 18, 1957 IN VOLUME 1154, PAGE 69, OFFICIAL RECORDS OF SANTA CRUZ COUNTY AND ALL OF THE LANDS CONVEYED BY FRED JOHNSON ET UX TO JOSEPH I. DELANEY ET UX BY DEED RECORDED MAY 6, 1938 IN VOLUME 342, PAGE 317, OFFICIAL RECORDS OF SANTA CRUZ COUNTY AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A FENCE CORNER POST AT THE NORTHEAST CORNER OF PARCEL B AS SHOWN ON THE PARCEL MAP OF THE LANDS OF J.W. EDWARDS ET UX FILED FOR RECORD DECEMBER 19, 1973 IN VOLUME 13 OF PARCEL MAPS, PAGE 75, SANTA CRUZ COUNTY RECORDS, BEING THE SOUTHEASTERN CORNER OF SAID LANDS OF ETHEL A. DELANEY; THENCE FROM SAID POINT OF BEGINNING ALONG THE COMMON BOUNDARY OF SAID LANDS OF ETHEL A. DELANEY AND SAID PARCEL B SOUTH 73 DEGREES 45' WEST 1127.28 FEET TO THE SOUTHEAST CORNER OF PARCEL ONE OF THE LANDS CONVEYED BY SANTA CRUZ TITLE LAND COMPANY, A CORPORATION TO ROBERT O. FORSON ET AL BY DEED RECORDED DECEMBER 20, 1972 IN VOLUME 2269, PAGE 248. OFFICIAL RECORDS OF SANTA CRUZ COUNTY, BEING ALSO THE SOUTHWEST CORNER OF SAID LANDS OF DELANEY; THENCE ALONG THE EASTERN BOUNDARY OF SAID LANDS OF FORSON, BEING THE WEST BOUNDARY OF SAID LANDS OF ETHEL A. DELANEY NORTH 16 DEGREES 15' WEST 785.10 FEET TO THE MOST SOUTHERN CORNER OF THE LANDS CONVEYED BY FLOYD M. LITTLE ET UX TO FLOYD M. LITTLE ET UX BY DEED RECORDED APRIL 11, 1973 IN VOLUME 2301, PAGE 528, OFFICIAL RECORDS OF SANTA CRUZ COUNTY; THENCE ALONG THE SOUTHEASTERN BOUNDARY OF SAID LANDS OF LITTLE NORTH 56 DEGREES 51' EAST 429.98 FEET TO AN ANGLE POINT THEREIN; THENCE ALONG THE NORTHEASTERN BOUNDARY THEREOF NORTH 23 DEGREES 28' WEST 20.28 FEET TO AN ANGLE POINT THEREIN AND NORTH 30 DEGREES 40' WEST 107.58 FEET TO THE NORTHWEST CORNER OF SAID LANDS OF JOSEPH I. DELANEY ET UX THENCE ALONG THE NORTH BOUNDARY OF SAID LANDS OF JOSEPH I. DELANEY ET UX NORTH 73 DEGREES 45' EAST 656.04 FEET TO THE NORTHEAST CORNER THEREOF; THENCE ALONG THE EASTERLY BOUNDARY OF SAID LANDS SOUTH 28 DEGREES EAST 361.02 FEET TO A POINT ON THE NORTHERN BOUNDARY OF SAID LANDS OF ETHEL A. DELANEY; THENCE ALONG SAID NORTH BOUNDARY NORTH 73 DEGREES 45' EAST 70 FEET, MORE OR LESS, TO THE NORTHEAST CORNER THEREOF; THENCE ALONG THE EAST BOUNDARY OF SAID LANDS OF ETHEL A. DELANEY SOUTH 10 DEGREES 25' EAST 726.00 FEET TO THE POINT OF BEGINNING.

EXCEPTING THEREFROM THE FOLLOWING DESCRIBED PARCEL:

BEING A PART OF THE RANCHO SAN ANDREAS AND BEGINNING AT A STATION FROM WHICH THE SOUTHEASTERN PORTION OF THAT CERTAIN 155 ACRE TRACT OF LAND CONVEYED BY FRANK FLAMMANG ET UX TO FRED JOHNSON BY DEED DATED JULY 2, 1927 AND RECORDED IN VOLUME 121, PAGE 205, OFFICIAL RECORDS OF SANTA CRUZ COUNTY BEARS THE FOLLOWING TWO COURSES AND DISTANCES: SOUTH 28 DEGREES EAST 3.00 CHAINS AND SOUTH 10 DEGREES 25' EAST 7.43 CHAINS; AND RUNNING THENCE FROM SAID POINT OF BEGINNING NORTH 28 DEGREES WEST 5.47 CHAINS; THENCE SOUTH 73 DEGREES 45' WEST 9.94 CHAINS TO THE MIDDLE OF A PROPOSED 40 FOOT ROAD; THENCE ALONG THE CENTERLINE OF SAID ROAD SOUTH 30 DEGREES 40' EAST 1.63 CHAINS;

EXHIBIT "A" (Continued)

THENCE SOUTH 23 DEGREES 28' EAST 3.80 CHAINS; THENCE LEAVING ROAD, NORTH 73 DEGREES 45' EAST 10.16 CHAINS TO THE POINT OF BEGINNING.

ALSO EXCEPTING THEREFROM THAT PORTION AS LIES WITHIN LOT 65 OF THE PARTITION OF THE SAN ANDREAS RANCHO AS SAID LOT IS DESCRIBED IN THE PARTITION DEED RECORDED SEPTEMBER 11, 1873 IN BOOK 15 OF DEEDS, PAGE 686.

PARCEL TWO:

A NON-EXCLUSIVE EASEMENT FOR THE PURPOSE OF INGRESS AND EGRESS OVER A PARCEL OF LAND 20 FEET WIDE DESCRIBED BY THE CENTERLINE AS FOLLOWS:

BEGINNING IN THE SAN ANDREAS ROAD AT AN IRON PIPE FROM WHICH THE NORTHWESTERN CORNER OF THAT CERTAIN TRACT OF LAND CONVEYED BY FRANK FLAMMANG AND JOSEPHINE FLAMMANG, HIS WIFE TO CEDRIC E. INGRAM AND NEVA D. INGRAM, HIS WIFE BY DEED RECORDED MAY 19, 1924 IN VOLUME 29, PAGE 169, OFFICIAL RECORDS OF SANTA CRUZ COUNTY, CALIFORNIA BEARS NORTH 67' WEST 2.88 CHAINS DISTANT, AND RUNNING THENCE NORTH 45° EAST 8.00 CHAINS; SOUTH 89° 24' EAST 6.61 CHAINS; SOUTH 76° 15' EAST 1.75 CHAINS; SOUTH 85° 40' EAST 6.35 CHAINS; NORTH 61° 57' EAST 2.50 CHAINS AND NORTH 57° 40' EAST 3.00 CHAINS TO THE EASTERN BOUNDARY OF THE TRACT OF LAND CONVEYED TO CEDRICK E. INGRAM, ET UX. AND FROM WHICH POINT THE NORTHEASTERN CORNER OF SAID TRACT OF LAND CONVEYED BY FRANK FLAMMANG, ET UX TO CEDRIC E. INGRAM, ET UX, BEARS NORTH 16° 15' WEST 6.00 CHAINS DISTANT.

APN: 046-361-04

EXHIBIT C

July 1, 2001

SANTA CRUZ TITLE COMPANY recognizes and respects the privacy expectations of today's consumers and the requirements of applicable federal and state privacy laws. SANTA CRUZ TITLE COMPANY believes that making you aware of how this company uses your non-public personal information ("Personal information"), and to whom it is disclosed, will form the basis for a relationship of trust between SANTA CRUZ TITLE COMPANY and the public that this company serves. This Privacy Statement provides that explanation. SANTA CRUZ TITLE COMPANY reserves the right to change this Privacy Statement from time to time consistent with applicable privacy laws.

In the course of our business, SANTA CRUZ TITLE COMPANY may collect Personal Information about you from the following sources:

From applications or other forms this company receives from you or your authorized representative;
From your transactions with, or from the Services being performed by, us, our affiliates, or others;
From this company's Internet web sites;
From the public records maintained by governmental entities that Santa Cruz Title Company may either obtain directly from those entities, or from this company's affiliates or others; and
From consumer or other reporting agencies, lenders or real estate agents and their representatives.

Our Policies Regarding the Protection of the Confidentiality and Security of Your Personal Information:

SANTA CRUZ TITLE COMPANY maintains physical, electronic and procedural safeguards to protect your Personal Information from unauthorized access or intrusion. SANTA CRUZ TITLE COMPANY limits access to such Personal information only to those employees who need such access in connection with providing products or services to you or for other legitimate business purposes.

Our Policies and Practices Regarding the Sharing of Your Personal Information :

SANTA CRUZ TITLE COMPANY may share your Personal Information with this company's affiliates, which includes, but is not limited to, Chicago Title Insurance Company, Fidelity National Title Insurance Company, Stewart Title Guaranty Company, United Independent Title Insurance Company, and which also includes other companies, such as insurance companies, agents, and other real estate settlement service providers. SANTA CRUZ TITLE COMPANY also may disclose your Personal Information:

To agents, brokers or representatives to provide you with services you have requested;
To third-party contractors or Service providers who provide services or perform marketing or other functions on this company's behalf, and

To others with whom this company enters into joint marketing agreements for products or services that this company believes you may find of interest.

In addition, SANTA CRUZ TITLE COMPANY will disclose your Personal Information when you direct or give this company permission, when SANTA CRUZ TITLE COMPANY is required by law to do so, or when this company suspects fraudulent or criminal activities. SANTA CRUZ TITLE COMPANY also may disclose your Personal information when otherwise permitted by applicable privacy laws such as, for example, when disclosure is needed to enforce this company's rights arising out of any agreement, transaction or relationship with you.

One of the important responsibilities of this company, and of some of our affiliated companies, is to record documents in the public domain. Such documents may contain your Personal Information.

SANTA CRUZ TITLE COMPANY DOES NOT DISCLOSE ANY NON-PUBLIC PERSONAL INFORMATION ABOUT YOU WITH ANYONE FOR ANY PURPOSE THAT IS NOT SPECIFICALLY PERMITTED BY LAW.

Right to Access Your Personal Information and Ability To Correct Errors Or Request Changes Or Deletion :

Certain states afford you the right to access your Personal Information and, under certain circumstances, to find out to whom your Personal Information has been disclosed. Also, certain states afford you the right to request correction, amendment or deletion of your Personal Information. SANTA CRUZ TITLE COMPANY reserves the right, where permitted by law, to charge a reasonable fee to cover the costs incurred in responding to such requests.

All requests must be made in writing to the following address:

Privacy Compliance Officer
Santa Cruz Title Company
201 River Street
Santa Cruz, CA 95060

Multiple Products or Services :

If SANTA CRUZ TITLE COMPANY provides you with more than one financial product or service, you may receive more than one privacy notice from this company. SANTA CRUZ TITLE COMPANY apologizes for any inconvenience this may cause you.

This Notice is intended to comply with Title V of the Gramm-Leach-Bliley Act ("GLBA") which generally prohibits any financial institution, directly or through its affiliates, from sharing non-public personal information about you with a nonaffiliated third party unless the institution provides you with notice of its privacy policies and practices, such as the type of information that it collects about you and the categories of persons or entities to whom it may be disclosed. This Notice is meant to comply with the GLBA, and notifies you of the privacy policies and practices of SANTA CRUZ TITLE COMPANY, and its related affiliates, as may be applicable.

THIS PRIVACY NOTICE IS PROVIDED TO YOU FOR INFORMATIONAL PURPOSES ONLY. YOU DO NOT NEED TO CALL OR TAKE ANY ACTION IN RESPONSE TO THIS NOTICE. SANTA CRUZ TITLE COMPANY RECOMMENDS THAT YOU READ AND RETAIN THIS NOTICE FOR YOUR PERSONAL FILES.

NOTICE I

"CALIFORNIA REVENUE AND TAXATION CODE SECTION 18662, EFFECTIVE JANUARY 1, 1994 AND BY AMENDMENT EFFECTIVE JANUARY 1, 2001. PROVIDES THAT THE BUYER IN ALL SALES OF CALIFORNIA REAL ESTATE MAY BE REQUIRED TO WITHHOLD 3 AND 1/3 PERCENT OF THE TOTAL SALES PRICE AS CALIFORNIA STATE INCOME TAX. SUEJECT TO THE VARIOUS PROVISIONS OF THE LAW AS THEREIN CONTAINED. FAILURE TO WITHHOLD. MAY SUBJECT THE BUYER TO VARIOUS PENALTIES, INCLUDING A PENALTY IN AN AMOUNT EQUAL TO THE GREATER OF 10 PERCENT OF THE AMOUNT REQUIRED TO BE WITHHELD OR FIVE HUNDRED DOLLARS (\$500), WHICHEVER IS GREATER."

FOR ADDITIONAL INFORMATION CONCERNING THE WITHHOLDING PROVISIONS REFERENCED ABOVE, PLEASE CONTACT THE.

FRANCHISE TAX BOARD
WITHHOLD AT SOURCE UNIT
(916) 8454900

WEBSITE: www.ftb.ca.gov

NOTICE II

THE SANTA CRUZ COUNTY RECORDER ("COUNTY RECORDER") HAS NOTIFIED SANTA CRUZ TITLE COMPANY ("SANTA CRUZ TITLE") THAT THE COUNTY RECORDER WILL NOT ACCEPT FOR RECORDING DOCUMENTS WHICH

- 1 CONTAIN ANY DOT MATRIX PRINT
- 2 CONTAIN ANY REDUCED COPY PRINT
- 3 HAVE FAINT OR INCOMPLETE OR SMUDGED NOTARY SEAL(S)
- 4 HAVE NOTARY SEAL(S) WHICH IS/ARE STAMPED OVER ANY LINES, PRINT OR WRITING

THE FINAL DECISION ON THE RECORDABILITY OF A DOCUMENT RESTS ENTIRELY WITH THE COUNTY RECORDER BASED UPON THE FOREGOING, AND IS A MATTER OVER WHICH SANTA CRUZ TITLE HAS ABSOLUTELY NO CONTROL. SANTA CRUZ TITLE IS UNABLE TO DETERMINE WITH CERTAINTY WHICH DOCUMENTS MAY, OR MAY NOT BE, ACCEPTABLE BY THE COUNTY RECORDER FOR RECORDING AND THEREFORE SANTA CRUZ TITLE ASSUMES NO LIABILITY FOR ANY DELAY IN THE RECORDING AND THEREFORE SANTA CRUZ TITLE ASSUMES NO LIABILITY FOR ANY DELAY IN THE RECORDING OF A DOCUMENT, OR THE CONSEQUENCES THEREOF, BASED UPON THE FOREGOING. SHOULD THERE BE ANY CONCERN OR QUESTION AS TO THE ACCEPTABILITY FOR RECORDING OF ANY DOCUMENT, YOU ARE OBLIGATED TO NOTIFY SANTA CRUZ TITLE FAR ENOUGH IN ADVANCE TO ALLOW A REASONABLE TIME FOR THE COUNTY RECORDER TO REVIEW THE DOCUMENT(S) IN QUESTION.

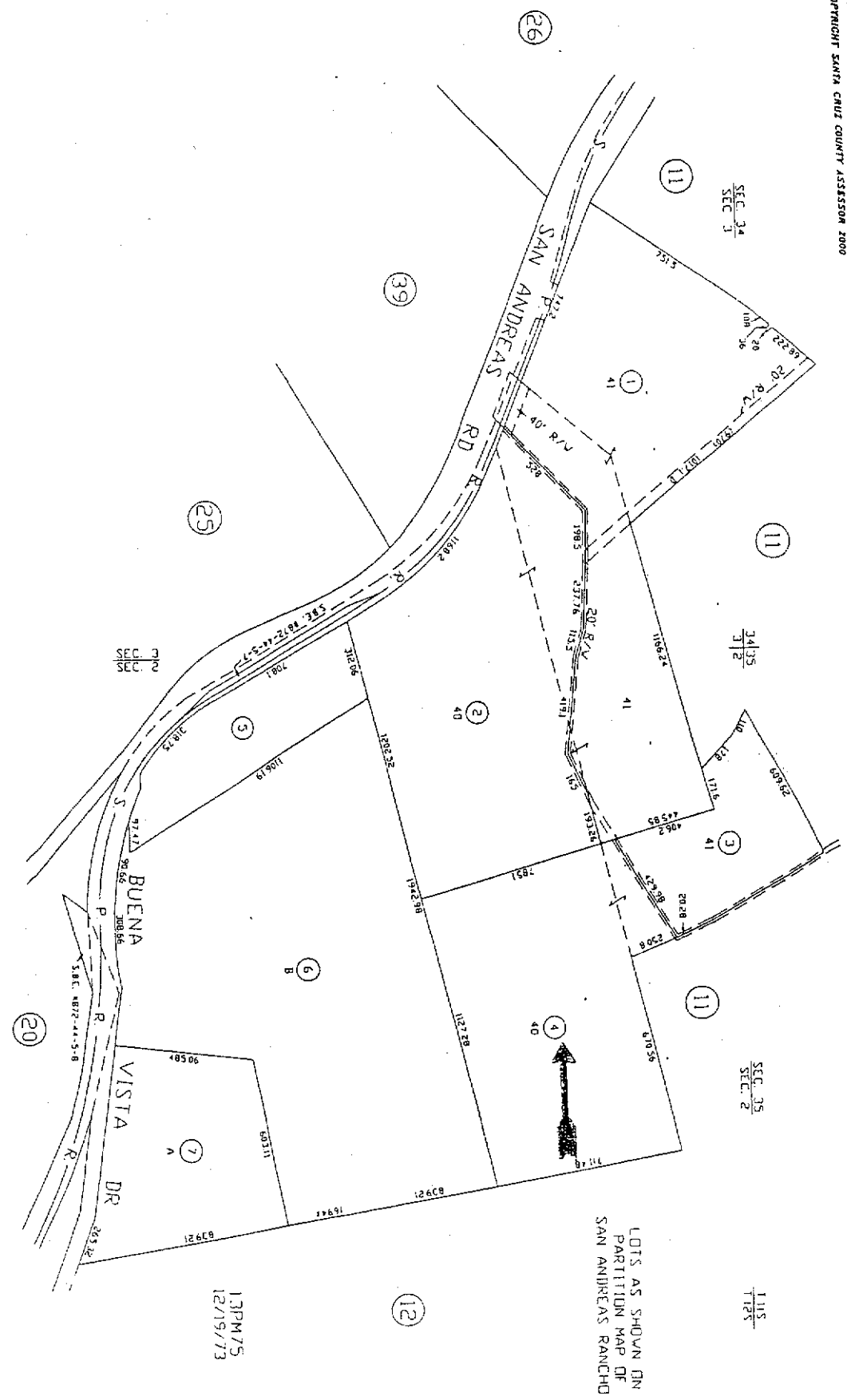
NOTICE III

ON AND AFTER JULY 1, 1985, THE COUNTY RECORDER'S OFFICE WILL CHARGE, IN ADDITION TO THE REGULAR RECORDING CHARGES, AN EXTRA %2000 RECORDING FEE, UNLESS A DOCUMENT EVIDENCING A CHANGE OF OWNERSHIP IS ACCOMPANIED BY A PRELIMINARY CHANGE OF OWNERSHIP REPORT. IN LIEU OF SAID REPORT, SIGNED BY THE TRANSFEREE, THE RECORDER WILL ACCEPT AN AFFIDAVIT THAT THE TRANSFEREE IS NOT A RESIDENT OF CALIFORNIA, TITLE BILLINGS WILL BE ADJUSTED TO REFLECT SUCH ADDITIONAL FEES WHEN APPLICABLE.

NOTICE IV

CHAPTER 598, CALIFORNIA STATUTES OF 1989 BECAME EFFECTIVE JANUARY 1, 1990. THIS LEGISLATION DEALS WITH THE DISBURSEMENT OF FUNDS DEPOSITED WITH ANY TITLE ENTITY ACTING IN AN ESCROW OR SUBESCROW CAPACITY. THE LAW REQUIRES THAT ALL FUNDS BE DEPOSITED AND COLLECTED BY THE TITLE ENTITY'S ESCROW AND/OR SUBESCROW ACCOUNT PRIOR TO DISBURSEMENT OF ANY FUNDS. SOME METHODS OF FUNDING MAY SUBJECT FUNDS TO A HOLDING PERIOD WHICH MUST EXPIRE BEFORE ANY FUNDS MAY BE DISBURSED. IN ORDER TO AVOID ANY SUCH DELAYS, ALL FUNDINGS SHOULD BE DONE THROUGH WIRE TRANSFER.

EXHIBIT J



Note - Assessor's Parcel Block &
 Lot Numbers Shown in Circles.

Assessor's Map No. 46-36
 County of Santa Cruz, Calif.
 Jan 2000

FOR REFERENCE ONLY / THIS IS NOT A SURVEY
 THIS PLAT IS PROVIDED SOLELY FOR YOUR AID IN
 LOCATING THE LAND IN GENERAL RESPECT TO STREETS
 AND OTHER PARCELS. NO LIABILITY IS ASSUMED FOR
 ANY LOSS OCCURRING BY REASON OF RELIANCE THEREON

EXHIBIT

Return recorded form to:

Planning Department
County of Santa Cruz

Attention: Joan Van der Hoeven
Application #: 04-0629

2005-0001194

Recorded	I	REC FEE	13.00
Official Records	I	CC CONF	1.00
County Of	I	O R COP	52
SRNTIR CRUZ	I		
GRRY E. HRZELTON	I		
Recorder	I		
CAROL D. SUTHERLAND	I		
Assistant	I	JRS	
11:12AM 06-Jan-2005	I	Page 1 of 3	

Statement of Acknowledgement

Regarding the Issuance of a County Building Permit in an Area Determined by the County of Santa Cruz to be Subject to Agricultural-Residential Use Conflicts

The undersigned Lawrence Delaney (does) (do) hereby certify to be the owner(s) of the real property located in the County of Santa Cruz, State of California, commonly known as Peaceful Valley Drive, Watsonville CA 95076; legally described in that certain deed recorded in 1997-0034280 of the official records of Santa Cruz County Recorder on 7/30/1997; Assessor's Parcel Number: 046-361-04

And (I)(we) do hereby acknowledge that the property described herein is adjacent to land utilized for commercial agricultural purposes and residents of this property may be subject to inconvenience or discomfort arising from the use of agricultural chemicals, including herbicides, pesticides, and fertilizers; and from the pursuit of agricultural operations including plowing, spraying, pruning and harvesting which occasionally generate dust, smoke, noise and odor. And (I)(we) acknowledge that the County has established an agricultural setback on the herein described property to separate agricultural parcels and non-agricultural uses involving habitable spaces to help mitigate these conflicts. Any development on this property must provide a buffer and setback as specified in County Code. And (I) (we) further acknowledge the agricultural buffer setbacks and barriers required by Permit 04-0629 .

And (I) (we) further acknowledge that Santa Cruz County has established agriculture as a priority use on productive agricultural lands, and that residents of adjacent property should be prepared to accept such inconvenience or discomfort from normal, necessary farm operations.

This Statement of Acknowledgment shall be recorded and shall be binding upon the undersigned, any future owners, encumbrances, their successors, heirs or assignees. The statements contained in this Statement of Acknowledgment are required to be disclosed to prospective purchasers of the property described herein, and required to be included in any deposit receipt for the purchase of the property, and in any deed conveying the property.

ALL SIGNATURES ARE TO BE ACKNOWLEDGED BEFORE A NOTARY PUBLIC. IF A CORPORATION, THE CORPORATE FORM OF ACKNOWLEDGMENT SHALL BE ATTACHED.

EXHIBIT K

Executed on January 3rd, 2005

Owner: Mark J Carr
Owner: Mary Margaret Perry
Owner: _____

**ALL SIGNATURES ARE TO BE ACKNOWLEDGED BEFORE A NOTARY PUBLIC.
IF A CORPORATION, THE CORPORATE FORM OF ACKNOWLEDGMENT SHALL
BE ATTACHED.**

STATE OF CALIFORNIA COUNTY OF Santa Cruz

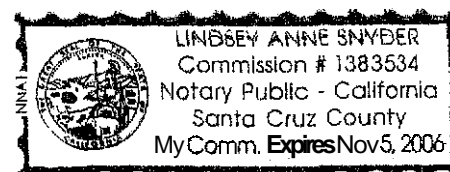
On January 3 2005 before me Lindsey Anne Snyder personally
appeared Mary Perez and Mark Carr personally known to me (or proved to me on the
basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within
instrument and acknowledged to me that he/she/they executed the same in his/her/their
authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s) or
the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

Signature

Lindsey Anne Snyder

(Notary Public in and for said County and State)



This form must be reviewed and approved by a County Planning Department staff person after notarization and prior to recordation.

Dated: 01 25/05

COUNTY OF SANTA CRUZ

By:

Heather Wells
Planning Department Staff

EXHIBIT K

Executed on 1/5, 2005

Owner: Lawrence W. Delaney

Owner: Sharon L. Hager

Owner: _____

**ALL SIGNATURES ARE TO BE ACKNOWLEDGED BEFORE A NOTARY PUBLIC.
IF A CORPORATION, THE CORPORATE FORM OF ACKNOWLEDGMENT SHALL,
BE ATTACHED.**

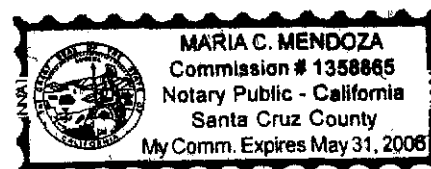
STATE OF CALIFORNIA COUNTY OF Santa Cruz

On January 5, 2005 before me Maria C. Mendoza personally
appeared Sharon L. Hager personally known to me (or proved to me on the
basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within
instrument and acknowledged to me that ~~he/she~~ they executed the same in ~~his/her~~ their
authorized capacity(ies), and that by ~~his/her~~ their signature(s) on the instrument the person(s) or
the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal

Signature

(Notary Public in and for said County and State)



This form must be reviewed and approved by a County Planning Department staff person after notarization and prior to recordation.

Dated: 01/05/05

COUNTY OF SANTA CRUZ

By: hermann [signature]

Planning Department Staff

EXHIBIT K