



COUNTY OF SANTA CRUZ

PLANNING DEPARTMENT

701 OCEAN STREET - 4TH FLOOR, SANTA CRUZ, CA 95060
(831) 454-2580 FAX: (831) 454-2131 TDD: (831) 454-2123

TOM BURNS, PLANNING DIRECTOR

February 8, 2008

Planning Commission
County of Santa Cruz
701 Ocean Street
Santa Cruz, CA 95060

Agenda Date: March 12, 2008
APN: 097-171-09
Application: 07-0423
Item #: 14
Time: After 9 AM

Subject: A public hearing to consider a proposal to rezone a single lot of record from the Special Use (SU) zone district to the Timber Production (TP) zone district.

Members of the Commission:

On August 13, 2007, the County Planning Department accepted this application for a rezoning to Timber Production (TP). This is a proposal to rezone a five acre parcel from the Special Use (SU) zone district to the Timber Production (TP) designation. The uses on the property consist of vacant rural acreage.

Background

This project qualifies for a rezoning under California Government Code Section 51113. This section allows a property owner to petition the County to rezone land to the TP zone. The requirements for this type of rezoning are listed in Government Code section 51113(c)1. The County may not place any additional requirements on this petition to rezone the property to TP. County Code Section 13.10.375(c) – "Zoning to the TP District" implements Government Code section 51113 and specifies the six criteria which must be met in order to rezone to TP.

1 c) On or before March 1, 1977, the board or council by ordinance shall adopt a list of criteria required to be met by parcels being considered for zoning as timberland production under this section.

The criteria shall not impose any requirements in addition to those listed in this subdivision and in subdivision (d). The following shall be included in the criteria:

(1) A map shall be prepared showing the legal description or the assessor's parcel number of the property desired to be zoned.

(2) A plan for forest management shall be prepared or approved as to content, for the property by a registered professional forester.

The plan shall provide for the eventual harvest of timber within a reasonable period of time, as determined by the preparer of the plan.

(3) (A) The parcel shall currently meet the timber stocking standards as set forth in Section 4561 of the Public Resources Code and the forest practice rules adopted by the State Board of Forestry and Fire Protection for the district in which the parcel is located, or the owner shall sign an agreement with the board or council to meet those stocking standards and forest practice rules by the fifth anniversary of the signing of the agreement. If the parcel is subsequently zoned as timberland production under subdivision (a), failure to meet the stocking standards and forest practice rules within this time period provides the board or council with a ground for rezoning of the parcel pursuant to Section 51121.

(B) Upon the fifth anniversary of the signing of an agreement, the board shall determine whether the parcel meets the timber stocking standards in effect on the date that the agreement was signed.

Notwithstanding the provisions of Article 4 (commencing with Section

51130), if the parcel fails to meet the timber stocking standards, the board or council shall immediately rezone the parcel and specify a new zone for the parcel, which is in conformance with the county general plan and whose primary use is other than timberland.

(4) The parcel shall be timberland, as defined in subdivision (f) of Section 51104.

(5) The parcel shall be in compliance with the compatible use ordinance adopted by the board or council pursuant to Section 51111.

(d) The criteria required by subdivision (c) may also include any or all of the following:

(1) The land area concerned shall be in the ownership of one person, as defined in Section 38106 of the Revenue and Taxation Code, and shall be comprised of single or contiguous parcels of a certain number of acres, not to exceed 80 acres.

(2) The land shall be a certain site quality class or higher under

Section 434 of the Revenue and Taxation Code, except that the parcel shall not be required to be of the two highest site quality classes.

In accordance with County Code Section 13.10.375(c), the project meets the following six criteria for rezoning to Timber Production:

1. A map has been submitted with the legal description or assessor's parcel number of the property to be rezoned.
2. A Timber Management Plan, undated, prepared by a registered professional forester has been submitted for the property (Exhibit E).
3. The parcel currently meets the timber stocking standards as set forth in Section 4561 of the Public Resources Code and the Forest Practice Rules for the district in which the parcel is located (see Exhibit E).
4. The parcel is timberland, as the entire parcel is capable of producing a minimum of 15 cubic feet of timber per acre annually and is almost entirely located within a mapped Timber Resource area.
5. The uses on the parcel are in compliance with the Timber Production Zone uses set forth in Section 13.10.372.
6. The land area to be rezoned is in the ownership of one person, as defined in Section 38106 of the Revenue and Taxation Code, and is comprised of at least five acres in area.

This project qualifies for a statutory exemption (Exhibit D) in accordance with the California Environmental Quality Act and the County Environmental Review Guidelines (Article 17, Section 1703).

Conclusion

All of the criteria have been met for rezoning this parcel to the Timber Production zoning designation. All required findings can be made to approve this application and the rezoning is consistent with the General Plan policies and land use designations.

Recommendation

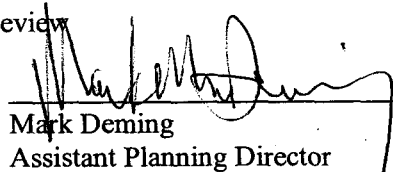
Staff recommends that your Commission adopt the attached Resolution (Exhibit A), sending a recommendation to the Board of Supervisors for approval of Application No. 07-0423 based on the attached findings (Exhibit B).

EXHIBITS

- A. Planning Commission Resolution, with Ordinance/ Findings
- B. APN Map
- C. Location, Current Zoning and General Plan Designation Maps
- D. Notice of Exemption from CEQA
- E. Timber Management Plan by Joseph Culver, dated August 1, 2007.

Maria Porcila Perez
Project Planner
Development Review

Reviewed By:


Mark Deming
Assistant Planning Director

BEFORE THE PLANNING COMMISSION
OF THE COUNTY OF SANTA CRUZ, STATE OF CALIFORNIA

RESOLUTION NO. _____

On the motion of Commissioner
duly seconded by Commissioner
the following Resolution is adopted:

PLANNING COMMISSION RESOLUTION
SENDING RECOMMENDATION TO THE BOARD OF SUPERVISORS
ON PROPOSED AMENDMENT TO THE ZONING ORDINANCE

WHEREAS, the Planning Commission has held a public hearing on Application No. 07-0423, involving property located on the east side of Soquel San Jose Road, about 8.5 miles north of Soquel Drive, and the Planning Commission has considered the proposed rezoning, all testimony and evidence received at the public hearing, and the attached staff report.

NOW, THEREFORE, BE IT RESOLVED, that the Planning Commission recommends that the Board of Supervisors adopt the attached ordinance amending the Zoning Ordinance by changing property from the Special Use (SU) zone district to the Timber Production zone district.

BE IT FURTHER RESOLVED, that the Planning Commission makes findings on the proposed rezoning as contained in the Report to the Planning Commission.


PASSED AND ADOPTED by the Planning Commission of the County of Santa Cruz, State of California, this _____ day of _____, 2007, by the following vote:

AYES: COMMISSIONERS
NOES: COMMISSIONERS
ABSENT: COMMISSIONERS
ABSTAIN: COMMISSIONERS

Chairperson

ATTEST: _____
MARK DEMING, Secretary

APPROVED AS TO FORM:


COUNTY COUNSEL

ORDINANCE NO. _____

**ORDINANCE AMENDING CHAPTER 13
OF THE SANTA CRUZ COUNTY CODE
CHANGING FROM ONE ZONE DISTRICT TO ANOTHER**

The Board of Supervisors of the County of Santa Cruz ordains as follows:

SECTION I

The Board of Supervisors finds that the public convenience, necessity and general welfare require the amendment of the County Zoning Regulations to implement the policies of the County General Plan and Local Coastal Program Land Use Plan regarding the timber resource property located on the east side of Soquel San Jose Road, about 8.5 miles north from Soquel Drive; finds that the zoning to be established herein is consistent with all elements of the Santa Cruz County General Plan and the Santa Cruz County Code, as modified by the *Big Creek* decision; and finds and certifies that the project is subject to a statutory exemption under the California Environmental Quality Act.

SECTION II

The Board of Supervisors hereby adopts the Zoning Plan Amendment as described in Section III, and adopts the findings in support thereof without modification as set forth below:

1. The proposed zone district will allow a density of development and types of uses which are consistent with the objectives and land use designations of the adopted General Plan; and
2. The proposed zone district is appropriate for the level of utilities and community services available to the land; and
3. The character of development in the area where the land is located has changed or is changing to such a degree that the public interest will be better served by a different zone district; and
4. The property meets the requirements of Government Code section 51113 or 51113.5 and County Code Section 13.10.375(c).

SECTION III

Chapter 13.10 - Zoning Regulations of the Santa Cruz County Code is hereby amended by amending Section 13.10.210 - Zoning Plan to change the following properties from the existing zone district to the new zone district as follows:

<u>Assessor's Parcel Number</u>	<u>Existing Zone District</u>	<u>New Zone District</u>
097-171-09	Special Use (SU)	TP

SECTION IV

This ordinance shall take effect on the 31st day after the date of final passage.

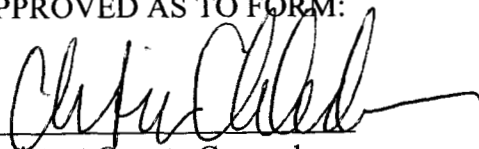
PASSED AND ADOPTED THIS ____ day of _____ 2007, by the Board of Supervisors of the County of Santa Cruz by the following vote:

AYES: SUPERVISORS
NOES: SUPERVISORS
ABSENT: SUPERVISORS
ABSTAIN: SUPERVISORS

Chairman of the Board of Supervisors

ATTEST: _____
Clerk of the Board

APPROVED AS TO FORM:



Assistant County Counsel

Exhibit: Rezoning Map

DISTRIBUTION: County Counsel
Planning
Assessor
County

GIS

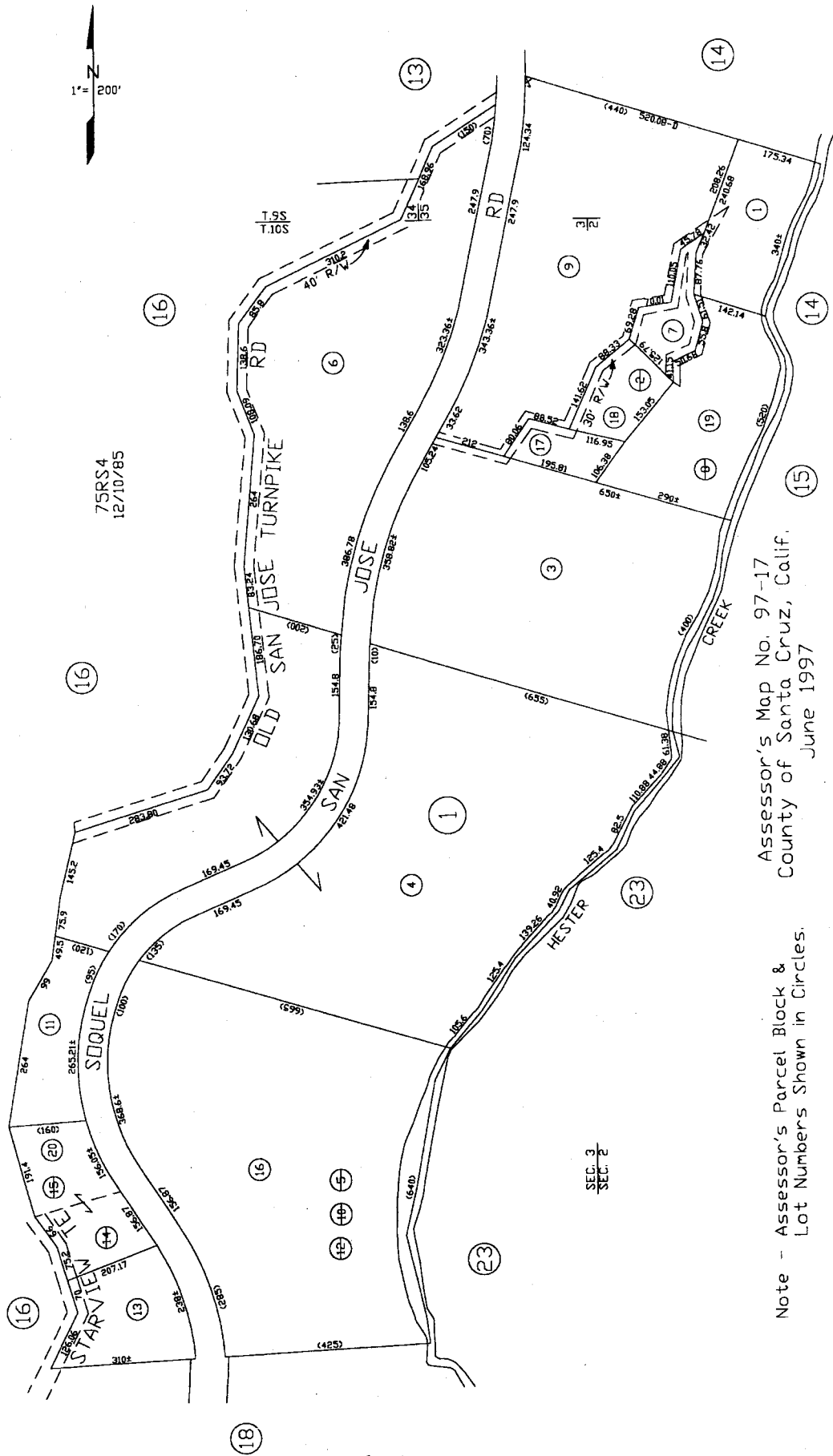
FOR TAX PURPOSES ONLY
 IN ASSessor MAKES NO GUARANTEE AS TO MAP ACCURACY NOR ASSUMES ANY
 LIABILITY FOR OTHER USES. NOT TO BE REPRODUCED. ALL RIGHTS RESERVED.
 © COPYRIGHT SANTA CRUZ COUNTY ASSESSOR 1987

SOQUEL AUGMENTATION RANCHO

POR. SEC. 35, T.9S., & SECS. 2 & 3, T.10S., R.1W., M.D.B. & M.
 75RS4
 12/10/85

97-17

Tax Area Code
 79-032



Assessor's Map No. 97-17
 County of Santa Cruz, Calif.
 June 1997




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

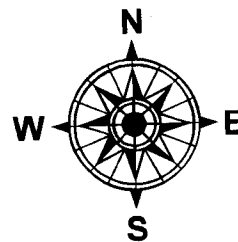


Location Map



LEGEND

-  APN: 097-171-09
-  Streets
-  Assessors Parcels



Map created by
County of Santa Cruz
Planning Department
August 2007






EXHIBIT C

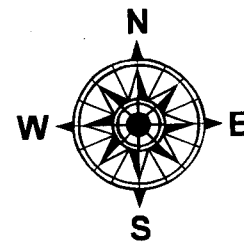


Zoning Map



LEGEND

-  APN: 097-171-09
-  Streets
-  Assessors Parcels
-  AGRICULTURE RESIDENTIAL
-  SPECIAL USE

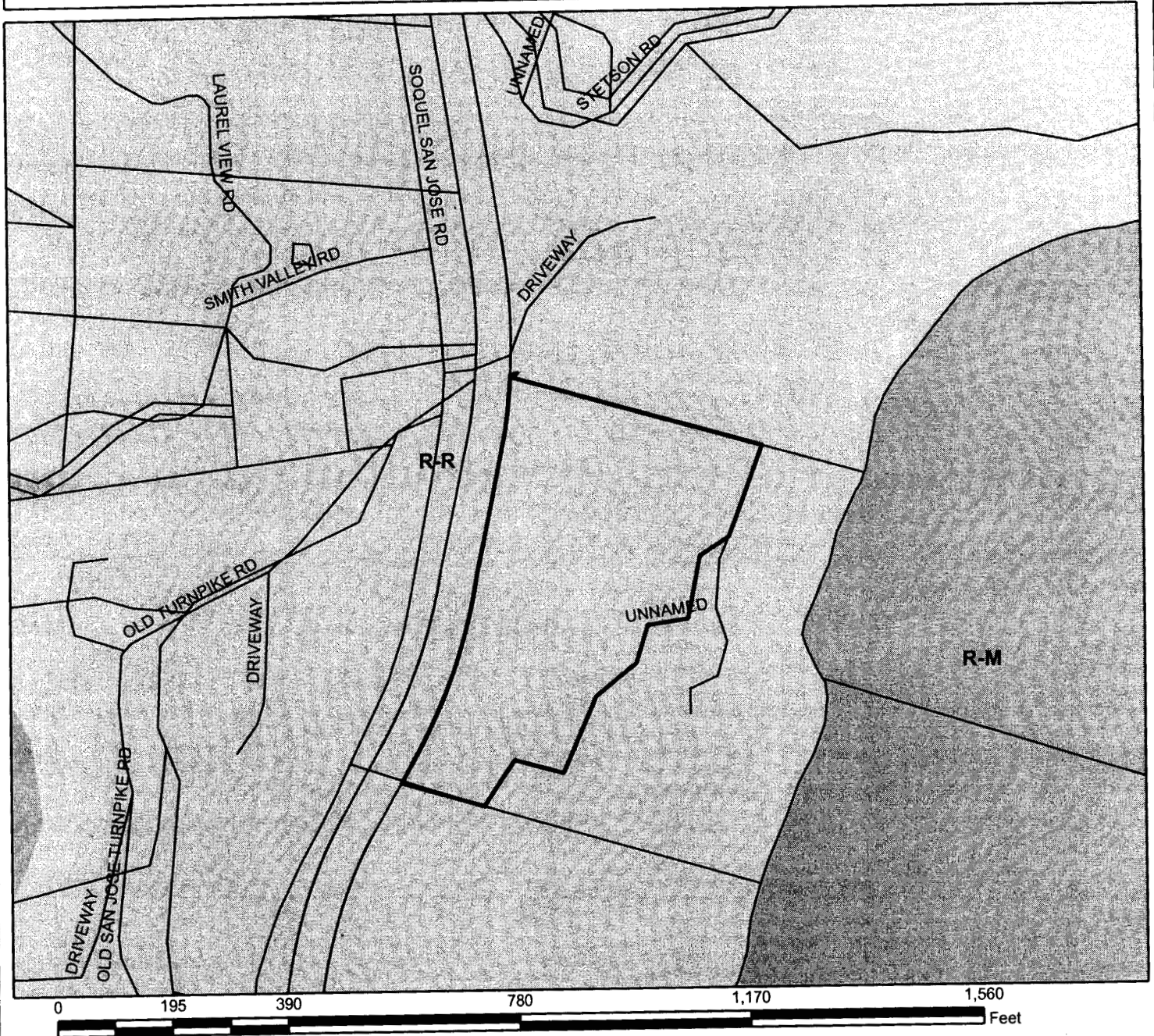


Map created by
County of Santa Cruz
Planning Department
August 2007






EXHIBIT C

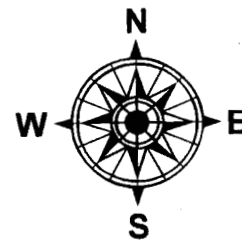


General Plan Designation Map



LEGEND

-  APN: 097-171-09
-  Streets
-  Assessors Parcels
-  Residential-Mountain
-  Residential-Rural



Map created by
County of Santa Cruz
Planning Department
August 2007

EXHIBIT C

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: 07-0423

Assessor Parcel Number: 097-171-09

Project Location: Property located on the east side of Soquel San Jose Road, about 8.5 miles north from Soquel Drive.

Project Description: Rezone a single parcel from the Special Use (SU) zone districts to the Timber Production (TP) zone district.

Person or Agency Proposing Project: Dennis and Candy Pehphrey, H/W JT

Contact Phone Number: (408) 353-3538

- 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). [Section 1703]

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

Maria Porcila Perez, Project Planner

Date: _____

Timber Management Plan

**Lands of Pelphey
Old San Jose Road
Los Gatos, CA 95030**

**APN# 097-171-09
Portion of Section 2, 3, 35
Township 9, 10 South
Range 1 West
Mount Diablo Base & Meridian**

**Report Prepared By
Joseph Culver, Consulting Forester
August 1, 2007**

PREFACE

In July 2007, Joseph Culver, Consulting Forester, was commissioned by Dennis Pelphrey to prepare a Timber Management Plan for APN# 097-171-09. The county assessor lists the parcels as 5.1 acres in size. Mr. Pelphrey would like to rezone the parcel to Timber Production and the TMP will be part of an application packet submitted to the County of Santa Cruz. The management plan incorporates field work, information from a previous timber harvest plan, and currently available resource data.

GENERAL PROPERTY DESCRIPTION

The parcel is located approximately eight miles north of Soquel along the eastern side of Old San Jose Road. The parcel is located in the Hester Creek Watershed which eventually drains into the Soquel River. From Old San Jose Road the parcel slopes to the southeast towards Hester Creek. Slopes average approximately 45% on the property. Elevation ranges from 1040 feet in the southeast to 1220 feet in the northwest corner.

The legal description of the parcel is Township 9 South, Range 1 West, portion of section 35 and Township 10 South, Range 1 West, portion of sections 2 and 3. Timber site classification throughout the property is site III.

Soils underlying the parcel consist of the Nisene-Aptos complex. According to the Natural Resource Conservation Service the soil complex is well suited for the production of timber. The Nisene and Aptos soils are deep and well-drained. They formed in residuum derived from sandstone, siltstone or shale. Permeability of the soils is moderate. Effective rooting depth of the Nisene soil is 40 to 60 inches and 20-40 inches for the Aptos soil. Runoff is rapid, and the hazard of erosion is high.

The entire property is comprised of coniferous forest. The well stocked forest consists primarily of second growth redwood as the dominant overstory species. Hardwood species of tanoak, Pacific madrone and coastal live oak are interspersed throughout the stand, primarily as an intermediate species. Understory vegetation on the property consists primarily of tanoak seedlings, poison oak, bunch grasses, fern and clover.

TIMBER HARVEST HISTORY

The old-growth redwood logging in the Santa Cruz area, including this property, occurred approximately 110 years ago. As was common throughout the area, this clear-cut logging was often followed by fire, usually intentionally set to burn bark and slash. Fire scars on the old-growth stumps are evidence of this fire activity.

Under the ownership of Mr. Pelphrey the property was next harvested in 1991. This selective harvest appears to have removed approximately 40-45% of the larger second growth trees.

MANAGEMENT OBJECTIVES AND GOALS

Once the property is rezoned, Mr. Pelphrey will continue to manage the forest land for high quality forest products, while enhancing the related values of aesthetics and wildlife. As the property has not been harvested for 16 years the next selective harvest should occur within the next five years. Although State law allows for a harvest every 10 years, due to the small size of the timbered area it is recommended that the cutting cycle be maintained at a 15-20 year interval to maximize the volume removed in each cycle and to minimize neighborhood impacts. Future harvests should focus on the following objectives:

1. Prescribe and implement a forest improvement program to improve stocking, increase tree vigor and maximize growth.
2. Maintain a healthy and vigorous forest of well-spaced trees growing at the highest rates feasible considering the other values of the forest.
3. Maintain a high degree of aesthetic consideration during all aspects of forest management.
4. Maintain and improve wildlife habitat where possible as part of continuing forest management.

RECOMMENDED LOGGING SYSTEM

The recommended logging system for this property is to use ground based logging equipment such as tractors and log skidders. The road and trail system is mostly in place from the previous harvest.

PRESENT AND FUTURE STAND CONDITIONS

In July of 2007 a 12% timber inventory was conducted on the property to determine conifer volume per acre, species composition, basal area, stocking levels and stand growth. Based on the stand data gathered from the inventory, the 5.1 acres of conifer forest have the following approximate stand conditions:*

Species Composition	100% second growth redwood
Basal Area	190 square feet per acre
Gross Volume/acre	35,600 board feet
Gross Overall property volume	181,500 board feet

The volume per acre and overall property volume stated above are gross volumes. In general, the net volume will be about 8% less due to fire scar, rot and other minor defects in the standing timber. The overall net conifer volume on the property is approximately 167,000 board feet.

Increment boring data gathered during the timber inventory combined with general tree growth rates in the Santa Cruz Mountains indicate that the conifer component of the forest is growing at an approximate rate of 3.0% per year. This rate is about average for managed site III timberland in the Santa Cruz Mountains. A growth rate of 3.0% per year equates to an annual increase in the conifer component of the forest of 5,450 board feet over the entire property. Converting this figure to cubic feet gives a current growth rate of 454 cubic feet over the entire property, or 88 cubic feet per acre per year. This exceeds the required average of 15 cubic feet per acre per year to classify a property as timberland.

**Limitation: This data is based on a field sample and an extrapolated growth rate for the previous ten years. This data should only be used as a guide for management purposes, and should not be extended or taken out of context for other purposes.*

OTHER PROPERTY USES

A short section of existing seasonal road accesses the property off of Old San Jose Road. There are no structures on the property.

CONCLUSION

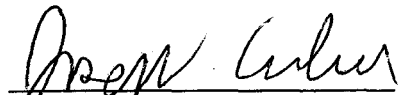
The property is well suited for timber management into the future. The property has been selectively managed for second growth timber in the past and the forest resource is currently healthy and experiencing a high growth rate. Mr. Pelphrey has indicated that he wants to manage the timber resource and stand conditions warrant a harvest in the near future.

TIMBER STOCKING: To rezone a property to the "Timber Production" zoning a property must meet the timber stocking standards set forth in Section 4561 of the Public Resources Code. Section 4561 states in part that "The average residual basal area, measured in stems one inch or larger in diameter.....in areas which the registered professional forester has determined are site II classification or lower, the minimum average residual basal area shall be 50 square feet per acre. Rock outcroppings and other areas not normally bearing timber shall not be considered as requiring stocking." The average residual basal area in the timbered portions of the property is 190 square feet and therefore meets the stocking standards.

TIMBERLAND: To rezone a property to the "Timber Production" zoning a property must meet the definition of timberland. Section 51104 of the California Code states that "Timberland means privately owned land.....capable of growing an average annual volume of wood fiber of at least 15 cubic feet per acre." The property proposed for rezoning is capable of growing an annual average volume of wood fiber of 88 cubic feet per acre and therefore meets the definition of timberland.

COMPATIBLE USE: Existing infrastructure on the property does not significantly detract from the use of the property for, or inhibit, growing and harvesting timber.

Timber Management Plan Prepared By:



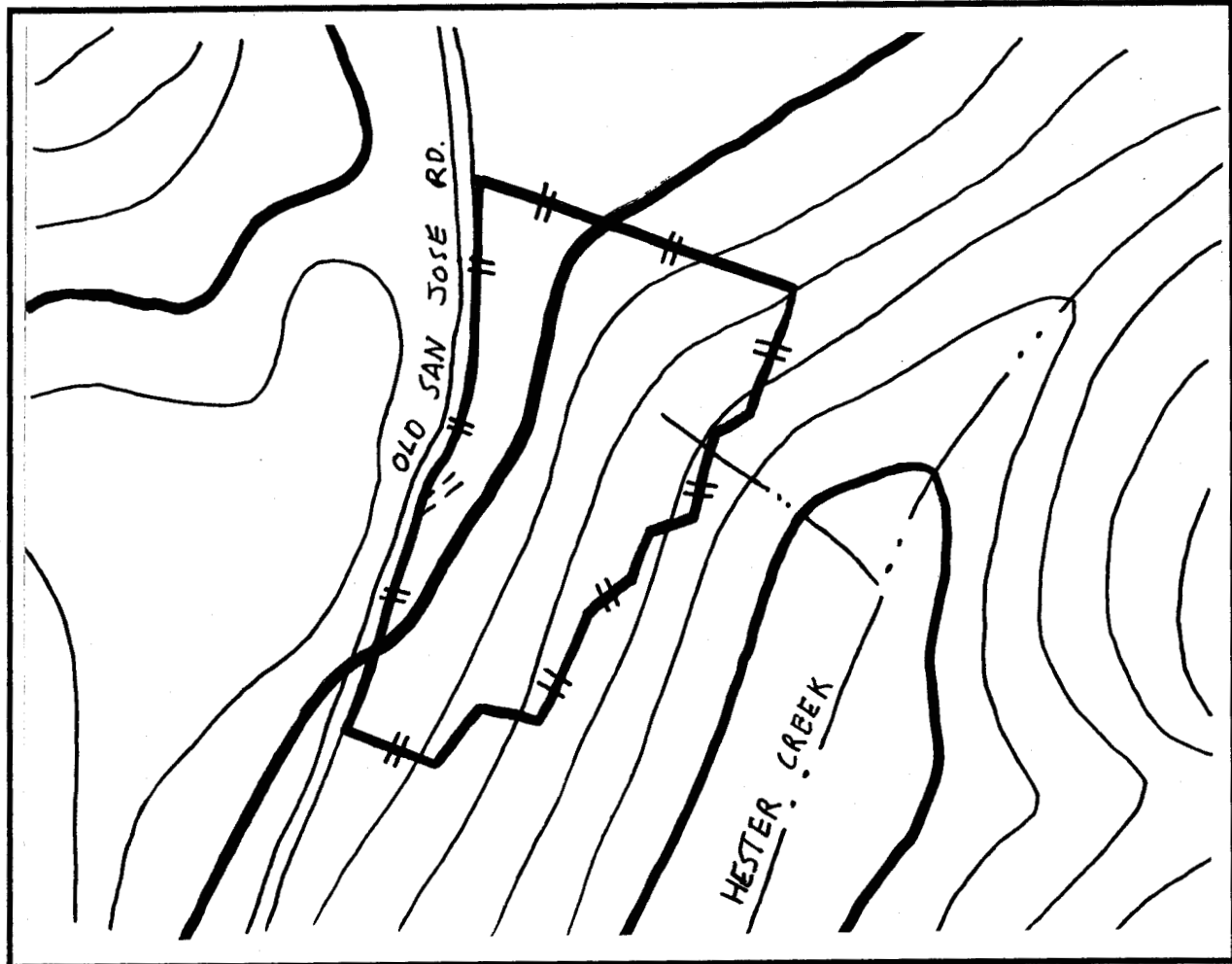
Joseph Culver

Registered Professional Forester #2674

8/1/07

Date

LANDS OF PELPHREY
PLAN AREA MAP
 SANTA CRUZ COUNTY
 T9S, SEC. 35, T10S, SEC. 2, 3, R1W, MDB&M



LEGEND

PROPERTY BOUNDARY	
CONIFEROUS FOREST	
PERMANENT ROAD	
SEASONAL ROAD	
WATERCOURSE	

SCALE: 1 INCH = 270 FEET

CONTOUR INTERVAL = 40 FEET



The land referred to herein is described as follows:

PARCEL ONE

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

BEING A PART OF THE SOQUEL AUGMENTATION RANCHO AND MORE PARTICULARLY BOUNDED AND DESCRIBED AS FOLLOWS, TO WIT:

BEGINNING AT AN IRON PIPE STANDING ON THE NORTH BOUNDARY OF LANDS CONVEYED BY WILLIAM A. YOUNG, ET AL, TO WILLIAM PATTON, BY DEED DATED MAY 22, 1906 AND RECORDED AUGUST 18, 1906, IN VOLUME 184 AT PAGE 270 OF DEEDS IN THE OFFICE OF THE COUNTY RECORDER OF SANTA CRUZ COUNTY, AND FROM WHICH THE NORTHEAST CORNER OF SAID LANDS BEARS SOUTH 73 DEGREES 47' EAST 175.34 FEET DISTANT; THENCE LEAVING SAID BOUNDARY AND RUNNING SOUTH 20 DEGREES 10' WEST 208.26 FEET TO A PIPE IN THE CENTERLINE OF A RIGHT OF WAY 30 FEET WIDE; THENCE ALONG THE CENTERLINE OF SAID RIGHT OF WAY SOUTH 60 DEGREES 04' WEST 45.78 FEET TO A STATION; SOUTH 10 DEGREES 45' WEST 110.05 FEET TO A STATION; SOUTH 81 DEGREES 40' WEST 70.10 FEET TO A STATION; SOUTH 15 DEGREES 57' WEST 69.28 FEET TO A STATION; SOUTH 45 DEGREES 22' WEST 88.33 FEET TO A STATION; SOUTH 21 DEGREES 45' WEST 141.62 FEET TO A STATION; NORTH 75 DEGREES 28' WEST 88.56 FEET TO A STATION; AND SOUTH 29 DEGREES 39' WEST 80.06 FEET TO A 5/8 INCH PIPE STANDING ON THE NORTHERLY BOUNDARY OF LANDS CONVEYED TO M. AND HELEN KRASSOVSKY BY DEED RECORDED NOVEMBER 16, 1944, IN VOLUME 486, AT PAGE 366 OF OFFICIAL RECORDS OF SANTA CRUZ COUNTY, AND FROM WHICH A SCRIBED "W" ON A 30 INCH REDWOOD TREE BEARS NORTH 36 DEGREES 56' WEST 4.87 FEET DISTANT; THENCE RUNNING ALONG THE NORTHERLY BOUNDARY OF SAID LANDS NORTH 73 DEGREES 47' WEST 212.0 FEET, MORE OR LESS, TO THE EASTERLY SIDE OF THE COUNTY ROAD KNOWN AS THE SOQUEL AND SAN JOSE ROAD; THENCE ALONG SAID BOUNDARY NORTH 28 DEGREES 06' EAST 33.62 FEET TO THE BEGINNING OF A CURVE TO THE LEFT; THENCE NORTHERLY CURVING TO THE LEFT WITH A RADIUS OF 1030 FEET THROUGH AN ANGLE OF 19 DEGREES 06' FOR A DISTANCE OF 343.36 FEET TO A PIPE; THENCE NORTH 9 DEGREES 00' EAST 247.90 FEET TO THE BEGINNING OF A CURVE TO THE LEFT; THENCE NORTHERLY CURVING TO THE LEFT WITH A RADIUS OF 1030 FEET FOR A DISTANCE OF 124.34 FEET TO THE NORTHERLY BOUNDARY OF SAID FIRST ABOVE MENTIONED LANDS; THENCE ALONG SAID BOUNDARY SOUTH 73 DEGREES 47' EAST 520.08 FEET TO THE PLACE OF BEGINNING.

EXCEPTING THEREFROM THE RIGHT TO DRILL FOR, PRODUCE, EXTRACT AND TAKE OIL AND PETROLEUM AS CONTAINED IN THE DEED TO C.N. FELTON DATED JULY 13, 1882 AND RECORDED JULY 14, 1882, IN VOLUME 33 OF DEEDS AT PAGE 622, SANTA CRUZ COUNTY RECORDS.

ALSO EXCEPTING THEREFROM ANY PORTION OF THE LANDS CONVEYED TO HESTER CREEK SCHOOL DISTRICT BY DEED DATED MARCH 16, 1907 AND RECORDED IN BOOK 196 OF DEEDS AT PAGE 132, SANTA CRUZ COUNTY RECORDS, WHICH LIE WITHIN PARCEL ONE.

ALSO EXCEPTING THEREFROM AN UNDIVIDED 1/3 INTEREST IN THE SPRING AND THE WATER THEREFROM AS CONVEYED TO JACK BOYKIN, ET AL, BY DEED RECORDED OCTOBER 26, 1977 IN BOOK 2830 PAGE 626, OFFICIAL RECORDS OF SANTA CRUZ COUNTY DESCRIBED AS FOLLOWS:

BEING A SPRING, SITUATE IN THE TRACT OF LAND AS DESCRIBED IN THE QUITCLAIM DEED FROM KATHRYN C. PASSADORE TO ROBERT G. PURINGTON, RECORDED APRIL 10, 1968 IN BOOK 1875, OFFICIAL RECORDS OF SANTA CRUZ COUNTY AT PAGE 249, THE CENTER OF WHICH BEARS FROM THE MOST NORTHERLY CORNER OF THE PARCEL OF LAND DESCRIBED IN THE DEED FROM HOWARD M. WRIGHT, ET UX, TO ROBERT G. PURINGTON, RECORDED FEBRUARY 26, 1953 IN VOLUME 904, OFFICIAL RECORDS AT PAGE 109; NORTH 16 DEGREES 56' 30" WEST 50.00 FEET

DISTANT.

ALSO EXCEPTING THEREFROM 1/3 INTEREST IN THE SPRING AND THE WATER THEREFROM AS CONVEYED TO KATHRYN C. PASSEDORE, ET AL, BY DEED RECORDED NOVEMBER 9, 1977 AS INSTRUMENT NO. 59857, IN BOOK 2836, PAGE 448, OFFICIAL RECORDS OF SANTA CRUZ COUNTY, DESCRIBED AS FOLLOWS:

BEING A SPRING, SITUATE IN THE TRACT OF LAND AS DESCRIBED IN THE QUITCLAIM DEED FROM KATHRYN C. PASSADORE TO ROBERT G. PURINGTON, RECORDED APRIL 10, 1968, IN BOOK 1875 OFFICIAL RECORDS OF SANTA CRUZ COUNTY AT PAGE 249, THE CENTER OF WHICH BEARS FROM THE MOST NORTHERLY CORNER OF THE PARCEL OF LAND DESCRIBED IN THE DEED FROM HOWARD M. WRIGHT, ET UX, TO ROBERT C. PURINGTON, RECORDED FEBRUARY 26, 1953, IN VOLUME 904, OFFICIAL RECORDS AT PAGE 109; NORTH 16 DEGREES 56' 30" WEST 50.00 FEET DISTANT.

PARCEL TWO

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

A RIGHT OF WAY 30 FEET IN WIDTH, THE CENTERLINE OF WHICH IS DESCRIBED AS FOLLOWS:

BEGINNING AT THE MOST NORTHERLY CORNER OF LANDS CONVEYED TO ROBERT G. PURINGTON BY DEED RECORDED FEBRUARY 26, 1953 IN VOLUME 904 PAGE 109, OFFICIAL RECORDS OF SANTA CRUZ COUNTY; THENCE SOUTH 60 DEGREES 04' WEST 45.78 FEET TO A STATION SOUTH 10 DEGREES 45' WEST 110.05 FEET TO A STATION; SOUTH 81 DEGREES 40' WEST 70.10 FEET TO A STATION; SOUTH 15 DEGREES 57' WEST 69.28 FEET TO A STATION; SOUTH 45 DEGREES 22' WEST 88.33 FEET TO A STATION; SOUTH 21 DEGREES 45' WEST 141.62 FEET TO A STATION; NORTH 75 DEGREES 28' WEST 88.56 FEET TO A STATION; AND SOUTH 29 DEGREES 39' WEST 80.06 FEET TO A 5/8 INCH PIPE STANDING ON THE NORTHERLY BOUNDARY OF LANDS CONVEYED TO M. AND HELEN KRASSOVSKY BY DEED RECORDED NOVEMBER 16, 1944 IN VOLUME 486 AT PAGE 336 OF OFFICIAL RECORDS OF SANTA CRUZ COUNTY.

PARCEL THREE

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

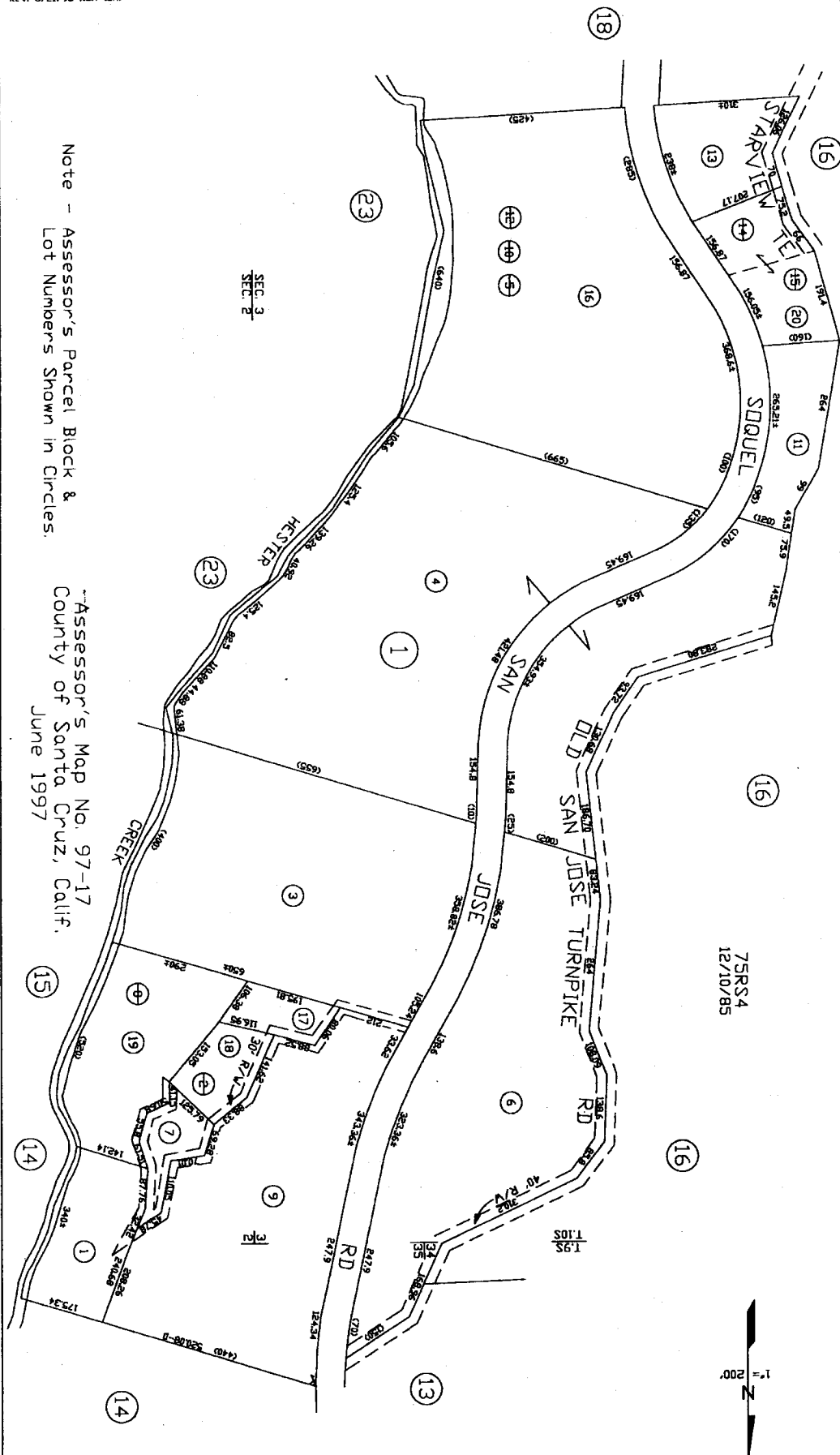
A 20 FOOT-RIGHT OF WAY AS RESERVED IN THE DEED TO M. KRASSOVSKY RECORDED NOVEMBER 16, 1944 IN VOLUME 486 PAGE 366 OFFICIAL RECORDS OF SANTA CRUZ COUNTY.

APN: 097-171-09

OR TAX PURPOSES ONLY
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SOQUEL AUGMENTATION RANCHO
 PDR. SEC. 35, T.9S, & SECS. 2 & 3, T.10S, R.1W, M.D.B. & M.
 Tax Area Code 97-17
 79-032

Rev. 12/10/97 G6 (Cor. APN 1-13)
 Rev. 5/21/98 KSA (CA)



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

Assessor's Map No. 97-17
 County of Santa Cruz, Calif.
 June 1997