



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 13, 2008

Planning Commission
County of Santa Cruz
701 Ocean Street

Santa Cruz, CA 95060

Agenda Date: April 9, 2008
APN: 091-181-01 and 091-181-02
Application: 07-0593
Item #: 25
Time: After 9 AM

Subject: A public hearing to consider a proposal to rezone two parcels from the Special Use (SU) zone district to the Timber Production (TP) zone district.

Members of the Commission:

On September 21, 2007, the County Planning Department accepted this application for a rezoning to Timber Production (TP). This is a proposal to rezone 30.8 acres from the Special Use (SU) zone district to the Timber Production (TP) zone district. The uses on the property consist of vacant rural acreage on APN 091-181-01 and a residence on APN 091-181-02.

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.

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.

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.

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 the parcels 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. 07-0593 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 Cassady Bill Vaughn, RPF #2685, dated September 18, 2007.

Maria Porcila Perez
Project Planner
Development Review

Reviewed By: Mark M. Deming
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. 07-0593, involving property located at the end of an unnamed right of way, approximately 2 miles southwest of intersection with Bear Creek Road (21450 Bear Creek Road) and approximately 1,050 feet west of the intersection with Bear Canyon Road, 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 properties from the Special Use (SU) zone district to the Timber Production (TP) 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.

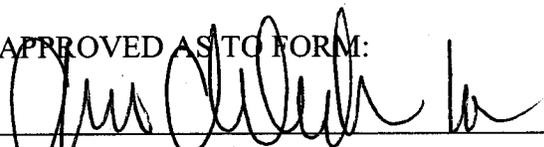
PASSED AND ADOPTED by the Planning Commission of the County of Santa Cruz, State of California, this _____ day of _____, 2008, by the following vote:

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 at the end of an unnamed right of way, approximately 2 miles southwest of intersection with Bear Creek Road (21450 Bear Creek Road) and approximately 1,050 feet west of the intersection with Bear Canyon Road; 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
1. The proposed zone district is appropriate for the level of utilities and community services available to the land; and
2. 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
3. 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>
091-181-01	Special Use	
091-181-02	(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 _____ 2008, 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

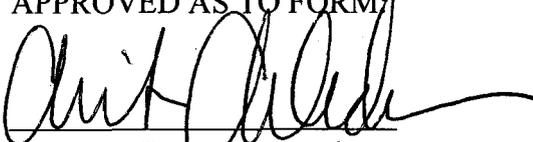

Assistant County Counsel

Exhibit: Rezoning Map

DISTRIBUTION: County Counsel
Planning
Assessor
County

GIS

FOR TAX PURPOSES ONLY
THIS ASSIGNMENT MAP IS PREPARED AS THE MAP ACTIVITY AND ASSUMES ANY
NECESSARY PERMITS AND CONDITIONS ARE MET BY THE APPLICANT.

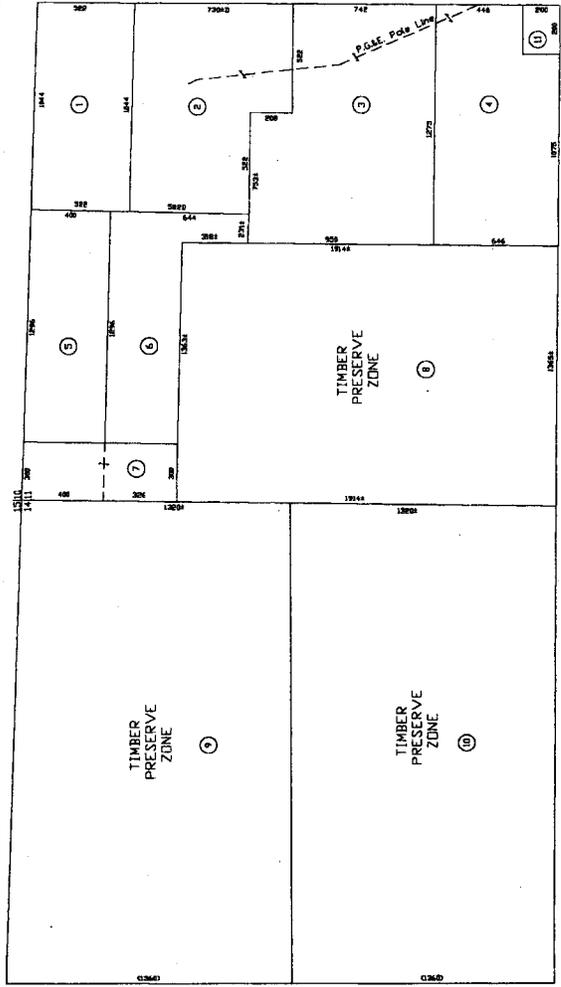
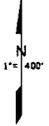
POR. SECS. 11, 12, 13 & 14
T.9S., R.2V., M.D.B.&M.

91-18

Tax Area Code
65-021

(10)

(40)



R.S. MAP
55MB31
10/27/71

(09)

PROCESSED BY SANTA CRUZ COUNTY ASSESSOR'S OFFICE
DATE: 10/27/71

Assessor's Map No. 91-18
County of Santa Cruz, Calif.
Aug. 1996

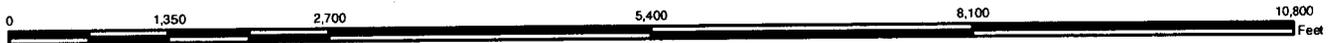
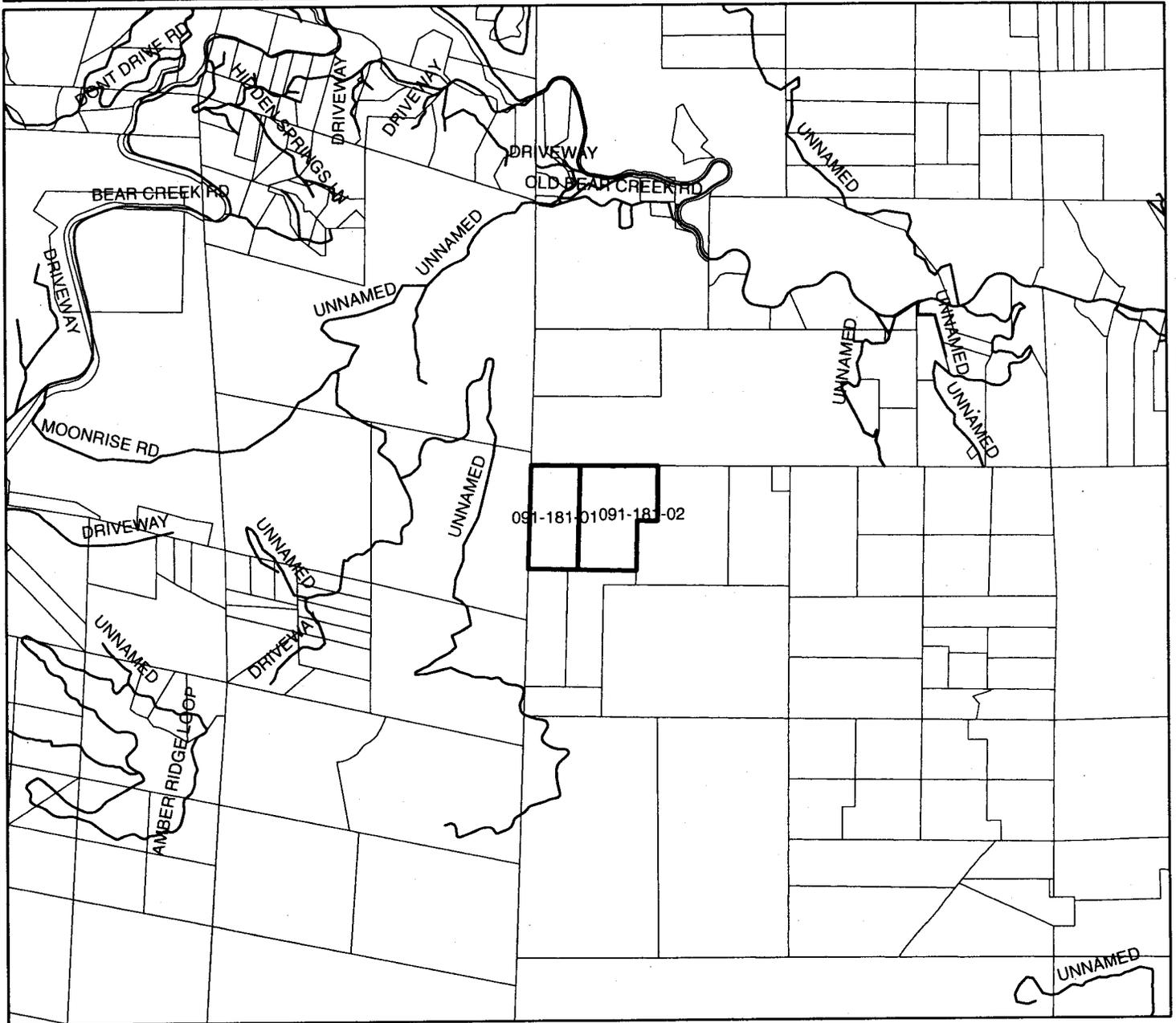
(04)

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

(19)

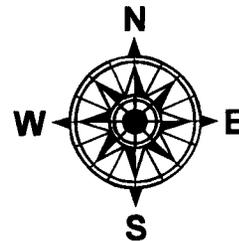


Location Map



LEGEND

-  APN: 091-181-02
-  APN: 091-181-01
-  Assessors Parcels
-  Streets

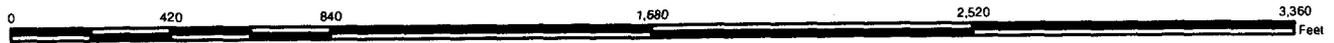
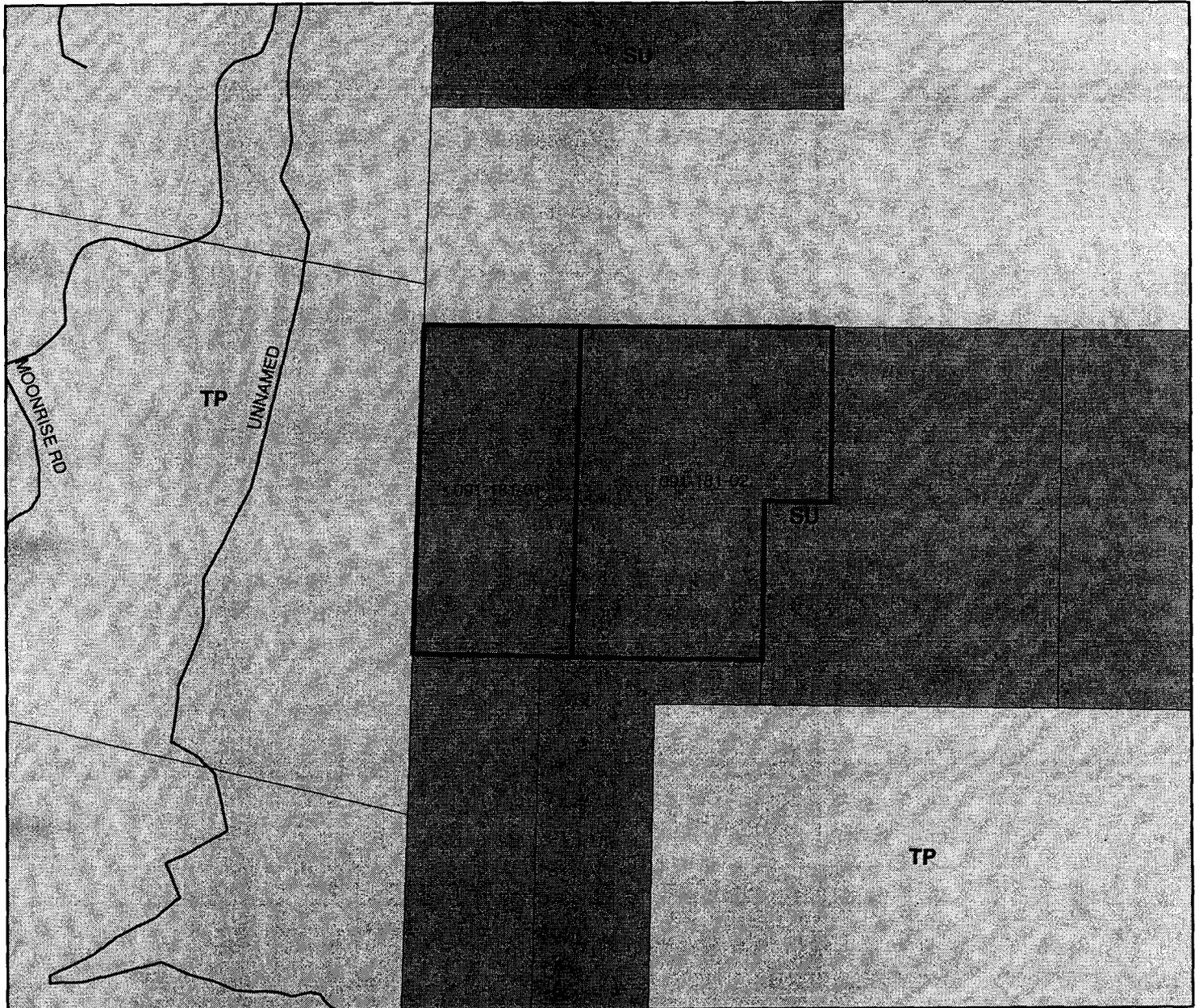


Map created by
 County of Santa Cruz
 Planning Department
 August 2007

EXHIBIT C

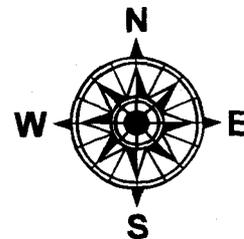


Zoning Map



LEGEND

-  APN: 091-181-02
-  APN: 091-181-01
-  Assessors Parcels
- Streets
-  SPECIAL USE
-  TIMBER PRODUCTION

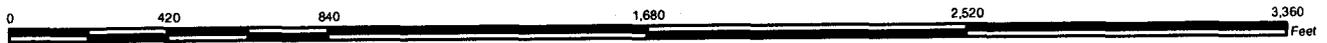
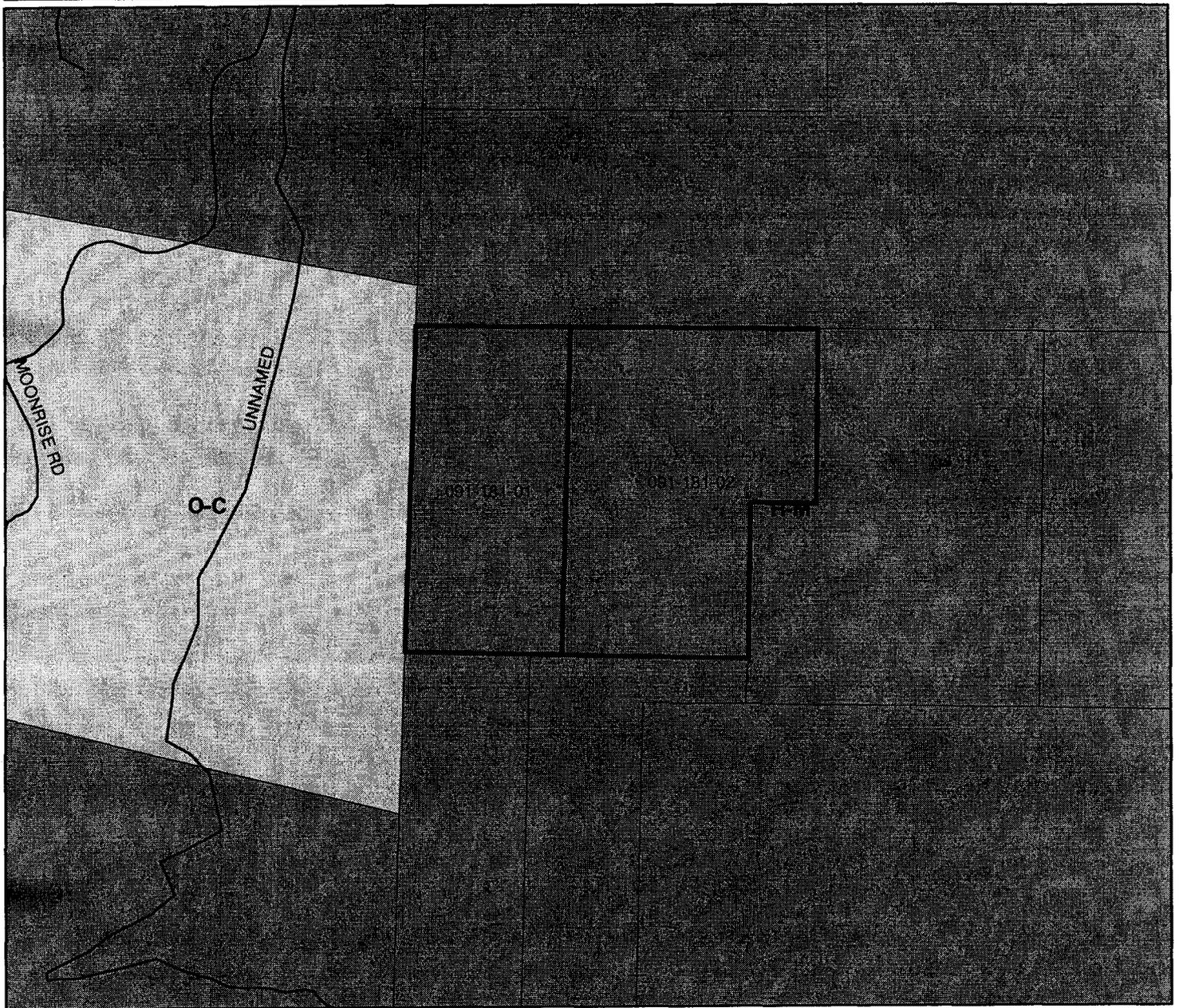


Map created by
 County of Santa Cruz
 Planning Department
 August 2007

EXHIBIT C

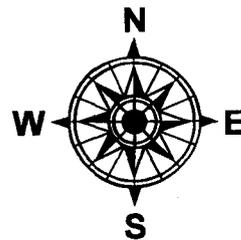


General Plan Designation Map



LEGEND

-  APN: 091-181-02
-  APN: 091-181-01
-  Assessors Parcels
-  Streets
-  Residential-Mountain
-  Resource Conservation



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: 07-0593

Assessor Parcel Number: 091-181-01; 091-181-02

Project Location: Property located at the end of an unnamed right of way, approximately 2 miles southwest of intersection with Bear Creek Road (21450 Bear Creek Road) and approximately 1,050 feet west of the intersection with Bear Canyon Road.

Project Description: Rezone parcels from the Special Use (SU) zone district to the Timber Production (TP) zone district.

Person or Agency Proposing Project: Lynne & Michael Muccigrosso

Contact Phone Number: (408) 354-0821

- 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: _____



County of Santa Cruz Planning Department
Attn: Maria Perez
701 Ocean Street, 4th Floor
Santa Cruz, CA 95060

September 18, 2007

Re: TPZ Rezoning of Santa Cruz County Assessor's Parcel #s 091-181-01 and 091-181-02

Maria,

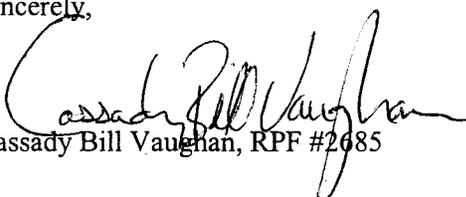
This letter requests re-zoning Santa Cruz County Assessor's Parcel #s 091-181-01 and 091-181-02 from their current Special Use (SU) designations to the Timber Production Zone (TPZ). Both parcels are owned jointly by Michael Muccigrosso and Lynne Stiggall and the Muccigrosso Family Trust and meet the following criteria:

- 1) The parcels 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 for the Southern Subdistrict of the Coast Forest District (See attached Stocking Analysis).
- 2) The parcels currently meet the definition of "Timberland" per Section 51104 (f) of the Government Code (See attached Wood Fiber Analysis).
- 3) The parcels currently meet the permitted use requirements per County Code Section 23.20.372 (See attached Compatible Use Analysis).
- 4) A portion of parcel 091-181-02 was selectively harvested approximately 10 years ago under approved Emergency Notice Timber Operation (1-97EM-033 SCR). Parcel 091-181-02 lies adjacent to this 1997 Timber Operation and fits logically as an extension of this previously managed area. While each parcel contains its own road, landing, and skid trail networks, and could be managed independently, I strongly recommend that the parcels be managed collectively to maximize economies of scale.
- 5) Both parcels meet the minimum 5-acre size requirement.

Also attached:

- 1) Assessor's Parcel Map.
- 2) Emergency Notice Timber Operation # 1-97EM-033 SCR Cover Page, Notice Information, and Emergency Notice Operations Map.
- 3) A check payable to the County of Santa Cruz in the amount of \$1,691.

Sincerely,


Cassidy Bill Vaughan, RPF #2685

STOCKING ANALYSIS

Background: Government Code Section 51113(c)(3)(A) requires that timberland parcels meet the timber stocking standards set forth in Section 4561 of the Public Resources Code and Section 913.8(a)(1) of the California Code of Regulations (CCR). The timber stocking standards pertaining to CCR Section 913.8(a) are met if the timberland contains an average, minimum post-harvest basal area of at least 75 square feet/acre for Site III land. The requirements of PRC 4561 are less stringent.

Analysis: Field review of the properties suggests that the average dominant redwood and Douglas-fir trees exhibit Site III characteristics. Site III characteristics are defined under CCR 1060 as lands capable of growing redwood trees of 135-154 feet in 100 years, and Douglas-fir trees of 134-163 feet. As mentioned above, parcel 091-181-02 was selectively harvested approximately 10 years ago, which speaks to the parcel's ability to produce merchantable timber while maintaining the minimum basal area requirements cited above. Field review of parcel 091-181-01 suggests that this parcel is carrying slightly less timber volume than 091-181-02, but is easily accessible and will only prove helpful in spreading overhead costs across a larger harvest project. Review of harvest layout confirms that the parcels are independently harvestable under the current regulatory environment.

WOOD FIBER ANALYSIS

Background: Government Code Section 51113(c)(4) requires that parcels zoned timber production meet the definition of "Timberland" which is defined in Government Code Section 51104(f) as: "Privately owned land, or land acquired for state purposes, which is devoted to and used for growing and harvesting timber, or for growing and harvesting timber and compatible uses, and which is capable of growing an average annual volume of wood fiber of at least 15 cubic feet per acre".

Analysis: Field review of the parcels suggests that each is capable of producing wood fiber in excess of 15 cubic feet/acre/year. Soil productivity analysis confirms this observation. The primary forest soil type for both parcels is the Ben Lomond-Felton complex and Maymen stony loam. The Ben Lomond Felton complex is listed in the USDA Soil Survey (1980) as "well-suited to the production of redwood and Douglas-fir", though Maymen soils are not considered terribly productive despite the fact that they currently support very productive clumps of redwood on the site. Based on field review, the parcels are currently producing approximately 30-40 cubic feet of wood fiber/acre/year.

COMPATIBLE USE ANALYSIS

The subject parcels are accessed by a permanent road that can accommodate 10-wheeler log trucks. Various flat areas on the parcels provide adequate staging areas for loading and processing of logs, and ground-based equipment can operate from a series of moderately sloped benches and ridgetops. Generally speaking, the owners have done a good job of maintaining roads and trails in a functional and useable condition, and have not allowed other uses of the property to make harvesting infeasible or incompatible. The subject parcels are bordered on the north and west by TP-zoned parcels and on the south and east by SU-zoned parcels with timber overlay and a mixed timber management history. Based on the success of past management on parcel 091-181-02, the potential for management of parcel 091-181-01, and the recent management history on many of the adjoining parcels, I believe that timber harvesting is not only compatible with the existing and potential future land use on-site, but in the greater neighborhood context as well. Only the County's reinterpretation of what constitutes an "allowable use" on SU parcels has brought into question the compatibility of timber production.

DEPARTMENT OF FORESTRY AND FIRE PROTECTION

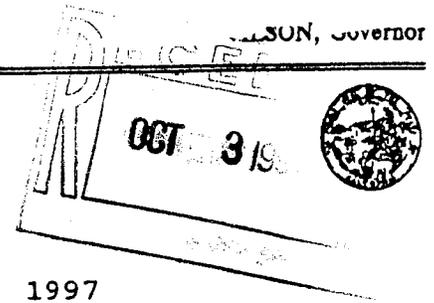
COAST-CASCADE REGION

P. O. BOX 670

135 RIDGWAY AVENUE

SANTA ROSA, CA 95402

(707)576-2275



Date: Sept. 29, 1997

Ref: 1-97EM-033 SCR

Stephen Staub
6010 HWY 9 # 6
Felton, Ca. 95018

Dear Mr. Staub:

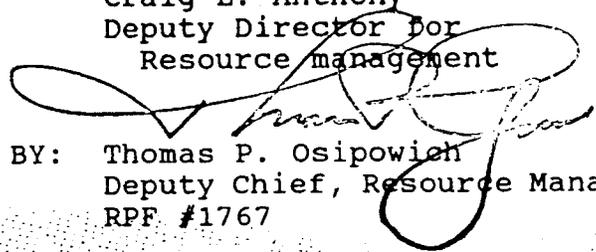
This is to acknowledge the receipt of your:

XX "Emergency Notice - Timber Operation" in this office on Sept. 25,
1997 for a timber operation that is in compliance with Section
4592 of the Public Resources Code. It has been assigned the
above mentioned Emergency Notice number.

Compliance with all provisions of the Forest Practice Act and Rules
will be determined by future inspection. Please refer to the above
mentioned number in future correspondence.

Sincerely,

Craig E. Anthony
Deputy Director for
Resource management


BY: Thomas P. Osipowich
Deputy Chief, Resource Management
RPF #1767

jm

Enclosure(s)

cc: CDF Unit
TLO
County Planning
Fish and Game
Water Quality
Board of Equalization
File

RECEIVED

STATE OF CALIFORNIA
DEPARTMENT OF FORESTRY & FIRE PROTECTION
RM-65(7/89)

FOR ADMINISTRATIVE USE ONLY

SEP 25 1997

NOTICE NUMBER 1-97EM-033 SK
DATE RECEIVED... SEP 25 1997
Expires 1-26-98

COAST AREA OFFICE
RESOURCE MANAGEMENT

NOTICE OF EMERGENCY TIMBER OPERATIONS

The Director of the Department of forestry & Fire Protection is notified of timber operations to be conducted under the requirements of 14 CCR 1052 - 1052.2. The following is information about the timber operation:

1. Timber Owner MICHAEL MUCCIGROSSO Address 21450 BEAR CREEK ROAD
City LOS GATOS State CA Zip 95030 Phone (408) 35A-0821

2. Timberland Owner SAME AS #1 ABOVE Address _____
City _____ State _____ Zip _____ Phone _____

3. Timber Operator BIG CREEK LUMBER COMPANY
Address 3564 HIGHWAY 1 License Number # A-300 ✓
City DAVENPORT State CA Zip 95017 Phone (408) 457-5026

4. Describe the nature of the emergency. This is a description of the nature of emergency and the need for immediate harvesting of trees in sufficient detail so that the reason for the emergency is clear.
SEE ATTACHED DESCRIPTION.

5. Describe the harvesting method to be followed. SELECTIVE AS PER CCR 913.86(a)

6. Describe the location by legal description where timber operations are to be conducted. Also attach a map, USGS Quadrangle or equivalent, showing where timber operations are to be conducted.

SECTION	TOWNSHIP	RANGE	BASE & MERIDIAN	COUNTY	ACREAGE
<u>11</u>	<u>9S</u>	<u>2W</u>	<u>MDB+M</u>	<u>SANTA CRUZ</u>	<u>2.5AC</u>
_____	_____	_____	_____	<u>(Santa Cruz APN 91-042-02)</u>	_____
_____	_____	_____	_____	_____	_____

7. Date Emergency Notice was submitted: 9/23/97

NOTE: TIMBER OPERATIONS MAY NOT CONTINUE FOR MORE THAN 60 DAYS FROM THE DATE THIS NOTICE IS SUBMITTED TO THE DEPARTMENT.

8. Declaration of Emergency:
I declare an emergency exists requiring immediate timber harvesting activities within the meaning of 14 CCR 1052 through 1052.2.

Registered Professional Forester *Stephen R Staub* License Number 1911
(Signature)

Address GOLD HWY 9, #6 Printed Name STEPHEN R STAUB
City FELTON State CA Zip 95018 Date 9/23/97

NOTE: SEE THE REVERSE SIDE OF THIS NOTICE FOR - 15 - ON ABOUT EMERGENCY TIMBER OPERATIONS.

EMERGENCY NOTICE

9/22/97

OPERATIONS MAP

Lands of Mulligan, D.S.O.

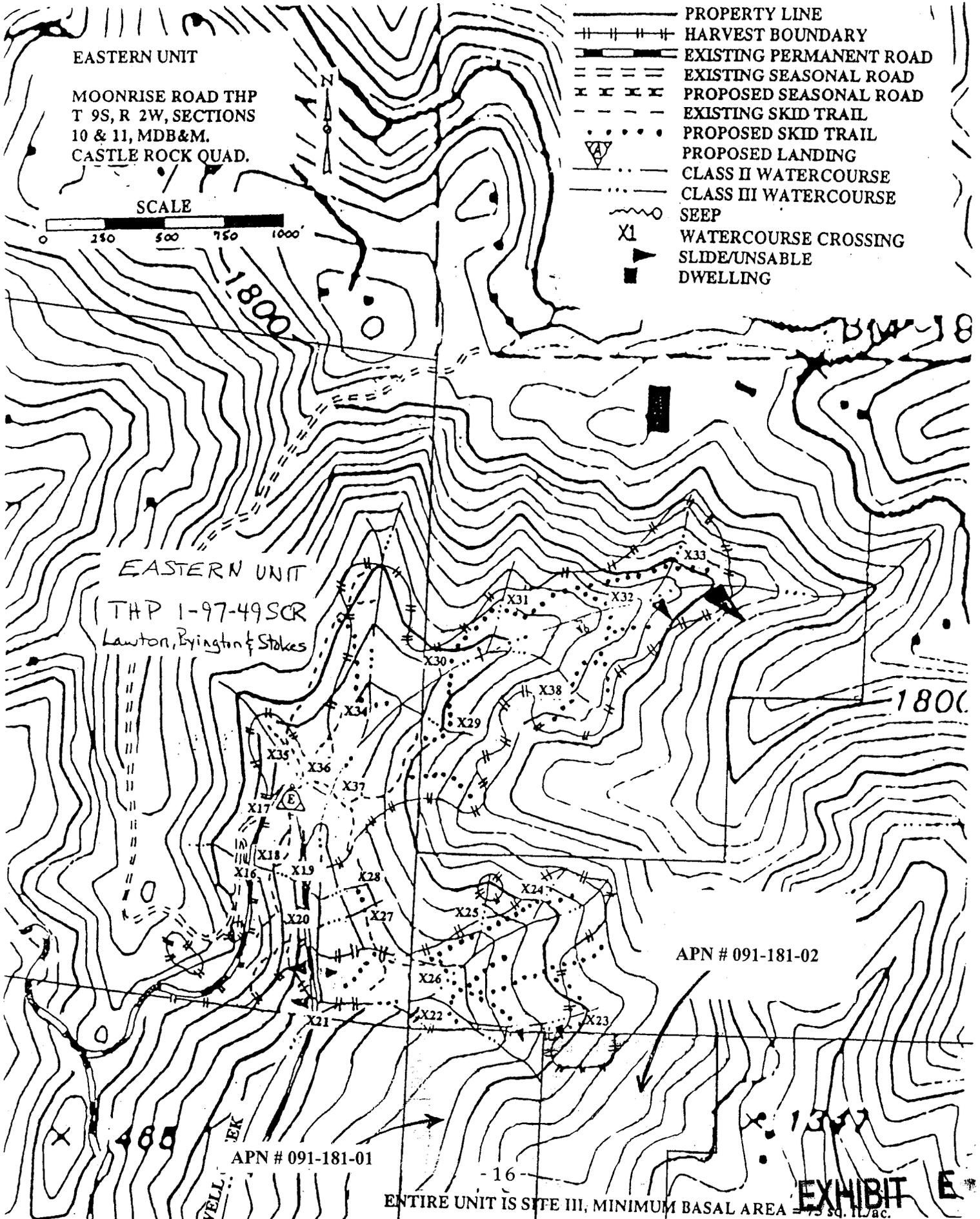
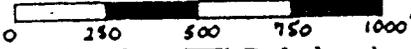
LEGEND

- PROPERTY LINE
- || || || || HARVEST BOUNDARY
- — — — EXISTING PERMANENT ROAD
- - - - EXISTING SEASONAL ROAD
- x x x x PROPOSED SEASONAL ROAD
- - - - EXISTING SKID TRAIL
- · · · PROPOSED SKID TRAIL
- △ PROPOSED LANDING
- · · CLASS II WATERCOURSE
- · · · CLASS III WATERCOURSE
- SEEP
- X1 WATERCOURSE CROSSING
- ▲ SLIDE/UNSAFE
- DWELLING

EASTERN UNIT

MOONRISE ROAD THP
T 9S, R 2W, SECTIONS
10 & 11, MDB&M.
CASTLE ROCK QUAD.

SCALE



EASTERN UNIT

THP 1-97-49SCR
Lawton, Byington & Stokes

APN # 091-181-02

APN # 091-181-01

ENTIRE UNIT IS SITE III, MINIMUM BASAL AREA = 73 sq. ft./ac.

EXHIBIT E

91-041-34

BOOK 2974 PAGE 645 52535

RECORDING REQUESTED BY
WESTERN TITLE INSURANCE COMPANY

RECORDED AT THE REQUEST OF
WESTERN TITLE INS. CO.
OCT 17 1978
8:00 AM
RICHARD C. NEAL, Recorder
SANTA CRUZ, CALIF. Official Records

AND WHEN RECORDED MAIL TO
Name MICHAEL MUCCIGROSSO
Address LYNNE STIGGALL
21450 BEAR CREEK ROAD
City & State LOS GATOS, CA. 95030

Title Order No. 135840-MS Escrow No. LG 454150-mc/mhc

MAIL TAX STATEMENTS TO
Name
Address SAME AS ABOVE
City & State

SPACE ABOVE THIS LINE FOR RECORDER'S USE
Documentary transfer tax \$2.35
 Computed on full value of property conveyed, or
 Computed on full value less liens and encumbrances
remaining thereon at time of sale.
WESTERN TITLE INSURANCE COMPANY
Michael Crane
Signature of declarant or agent determining tax - firm name

091-041-34

Individual Joint Tenancy Deed
WESTERN TITLE FORM NO. 108

FOR VALUE RECEIVED, WILLIAM O. HOLMES, an unmarried man
GRANTS to MICHAEL MUCCIGROSSO, an unmarried man and LYNNE STIGGAIL, an
unmarried woman
as JOINTTENANTS all that real property situate in the
County of SANTA CRUZ State of California, described as follows:

FOR LEGAL DESCRIPTION
SEE EXHIBIT "A"
ATTACHED HERETO AND MADE
A PART HEREOF.

Handwritten initials

17-78-0099-000526 • 6 • 0.04235

Dated OCTOBER 9, 19 78
William O. Holmes
WILLIAM O. HOLMES

STATE OF CALIFORNIA }
County of SANTA CLARA } ss.
On OCT. 13, 19 78 before me, the undersigned,
a Notary Public, in and for said State, personally appeared
WILLIAM O. HOLMES
known to me to be the person whose name is
subscribed to the within instrument, and acknowledged to me that
he executed the same.

Phyllis J. Costa
Notary Public

FOR NOTARY SEAL OR STAMP
PHYLIS J. COSTA
NOTARY PUBLIC CALIFORNIA
17-78-0099-000526
52535
OCT 17 1978
PROF POSTED

WEST

RECORDING REQUESTED BY

AND WHEN RECORDED MAIL THIS DEED AND, UNLESS OTHERWISE SHOWN BELOW, MAIL TAX STATEMENTS TO:

NAME []
STREET ADDRESS []
CITY, STATE ZIP []

Title Order No. Escrow No.

This space for Recorder's use

GRANT DEED

GRANTOR(S) DECLARE(S) DOCUMENTARY TRANSFER TAX is \$
[] computed on full value of property conveyed, or
[] computed on full value less value of liens or encumbrances remaining at time of sale.

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged,
ROGER J. DONNELLY, A Single Man and SUSAN J. TRANSUE, A Single Woman
hereby GRANT(S) to MICHAEL MUCCIGROSSO, A Single Man and LYNNE STIGGALL, A
Married Woman, as TENANTS IN COMMON

the following described real property in the
County of SANTA CRUZ, State of California:

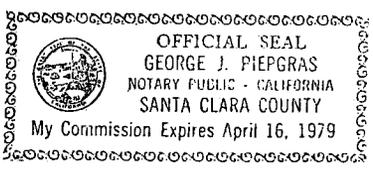
BEING a tract of land located in the Southwest 1/4 of Section 11, T. 9 S., R. 2 W., M.D.B.&M., and being a portion of the lands conveyed to Frederick R. Graham, et ux, by deed recorded in Volume 938, page 54, Official Records of Santa Cruz County and more particularly described as follows:
BEGINNING at a point on the East-West 1/4 Section line running through said Section 11 which is 1388 feet Westerly along said line from the center of Section 11; thence from said point of beginning Southerly parallel to the North-South 1/4 Section line through said Section, 522 feet to a point; thence Westerly parallel to said East-West 1/4 Section line 208 feet to a point; thence again parallel to said North-South 1/4 Section line Southerly 522 feet to a point; thence parallel to the 1/4 Section line running East-West Westerly 522 feet to the Southeasterly corner of the lands conveyed to William O. Holmes, by deed recorded in Volume 1995, page 626, Official Records of Santa Cruz County; thence Northerly 1044 feet along the Easterly line of said lands of Holmes which runs parallel to Westerly line of said Section 11 to a point on the East-West 1/4 Section line; thence Easterly along said 1/4 Section line 730 feet, more or less, to the point of beginning
TOGETHER with the 20 foot right of way leading Northerly to Bear Creek Road as set forth in the Deed to Frederick R. Graham, et ux, recorded in Volume 938, page 54, Official Records of Santa Cruz County.
TOGETHER with a right of way over future developed roads across the lands of Grantor adjoining the Easterly boundary of the above described parcel.

Dated
ROGER J. DONNELLY
SUSAN J. TRANSUE

STATE OF CALIFORNIA } SS.
COUNTY OF Santa Clara }
On Dec. 14, 1975 before me, the undersigned, a Notary Public in and for said State, personally appeared
Roger J. Donnelly and Susan J. Transue

known to me to be the person(s) whose name(s) is (are) subscribed to the within instrument and acknowledged that they executed the same. Witness my hand and official seal.

Signature George J. Piepgras



(Space above for official notarial seal)

MAIL TAX STATEMENTS TO PARTY SHOWN ON FOLLOWING LINE; IF NO PARTY SO SHOWN, MAIL AS DIRECTED ABOVE.

Name Street Address City & State Zip

EXHIBIT E