



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

KATHLEEN MOLLOY PREVISICH, PLANNING DIRECTOR

September 18, 2012

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

Agenda Date: July 24, 2013
APN: 106-131-49 (formerly 19)
Application: 121206
Agenda Item #: 6

Subject: A public hearing to consider a proposal to rezone a 1.2 acre portion of a parcel from the Residential Agriculture (RA) zone district to the Timber Production (TP) zone district.

Members of the Commission:

On August 16, 2012 the County Planning Department accepted this application to rezone a 1.2 acre portion of an existing parcel, from the Residential Agriculture (RA) zone district to Timber Production, in order to delete a split zoning designation. The entire parcel is currently vacant rural acreage.

Background and Discussion

The property subject to this application is a 1.2 acre portion of an undeveloped 374.4 acre parcel that is currently zoned Residential Agriculture (RA). The remaining 373.2 acres is currently within the Timber Production (TP) zone district. The split zoning was created as a result of Lot Line Adjustment 08-0343 which resulted in an equal transfer of 1.2 acres of land between the original TP zoned parcel (former APN 106-131-19) and a 6.63 acre parcel that lies to the south that is zoned RA (former APN 106-311-05). The property owners, Roger and Michele Burch own all portions of the reconfigured parcel, APN 106-131-49, that resulted from the approval of 08-0343 as recorded at 2013-0022081 and 2013-0022080 of Official Records on 05/02/2013.

This project qualifies for a rezoning under California Government Code Section 51113.5, which allows a property owner with TP-zoned land that meets all of the requirements of that section to petition the County to rezone contiguous land under the same ownership to the TP zone. This type of rezoning must also meet the definitions of Government Code Section 51104(f)&(g):

51104(f) "Timberland" means privately owned land, or land acquired for state forest 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.

51104(g) "Timberland production zone" or "TPZ" means an area which has been zoned pursuant to Section 51112 or 51113 and is devoted to and used for growing and

harvesting timber, or for growing and harvesting timber and compatible uses, as defined in subdivision (h).

As required by Section 51113.5 of the State Government Code and as set out in County Code section 13.10.375(c), the project meets the criteria for rezoning to the Timber Production zone district as follows:

- (1) The property is contiguous with Timber Production zoned property under the ownership of one person, as defined in Section 38106 of the Revenue and Taxation Code (Exhibits B and C).
- (2) The property meets the definition of timberland and is capable of producing an average of 15 cubic feet of timber per acre annually (Exhibit E).
- (3) The uses on the parcel comply with the Timber Production Zone uses set forth in Section 13.10.372 in that the parcel is currently vacant rural acreage.

In addition, the proposed rezoning is consistent with the General Plan, as Timber Production is an implementing zone district for the Mountain Residential (R-M) General Plan designation of the parcel.

Environmental Review

This project qualifies for a statutory exemption in accordance with the California Environmental Quality Act Article 18, Section 15264 (Exhibit D).

Conclusion

All of the criteria have been met for rezoning the 1.2 acre portion of the subject parcel to the Timber Production zoning designation. All required findings can be made to approve this application pursuant to California State Government Code Section 51113.5. There are no Williamson Act contracts that apply to the RA zoned properties.

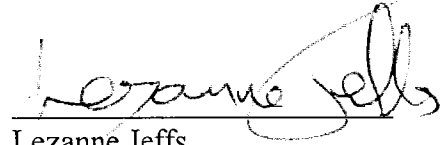
Recommendation

It is recommended that the Commission adopt a Resolution (Exhibit A), sending a recommendation to the Board of Supervisors for approval of Application 121206, to adopt the Ordinance rezoning the described portion of the property to the TP zone district.

EXHIBITS

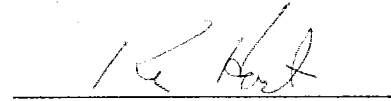
- A. Planning Commission Resolution, with Ordinance / Findings
- B. APN map
- C. Location, Current Zoning and General Plan Designation and Ownership maps
- D. Notice of Exemption from CEQA
- E. Completion and/or Timber Stocking Report and letter from Mike Duffy, Registered Professional Forester, dated August 16, 2012
- F. Transfer Deeds recorded at 2013-0022081 and 2013-0022080 on 5/2/2013.

Prepared by:



Lezanne Jeffs
Project Planner
Development Review

Reviewed By:



Ken Hart
Principal Planner

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. 121206 involving a 1.2 acre portion of a property that lies between the western side of Eureka Canyon Road and the northeastern side of Buzzard Lagoon Road that is located on the northeast side of Buzzard Lagoon Road at approximately one quarter mile north of the intersection with Vaca del Sol. (no situs), 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 Residential Agriculture 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 _____, 2012, by the following vote:

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

Chairperson

ATTEST: _____
KEN HART, Secretary

APPROVED AS TO FORM:

ASSISTANT 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 a 1.2 acre portion of a timber resource property that lies between the western side of Eureka Canyon Road and the northeastern side of Buzzard Lagoon Road, that is located on the northeast side of Buzzard lagoon Road at approximately one quarter mile north of its intersection with Vaca del Sol (no situs); and 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 Court* decision.

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 a Statutory exemption has been prepared pursuant to the California Environmental Quality Act (CEQA), 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>
106-131-49 (portion)	Residential Agriculture (RA)	TP

SECTION IV

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

PASSED AND ADOPTED THIS _____ day of _____ 2012, 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

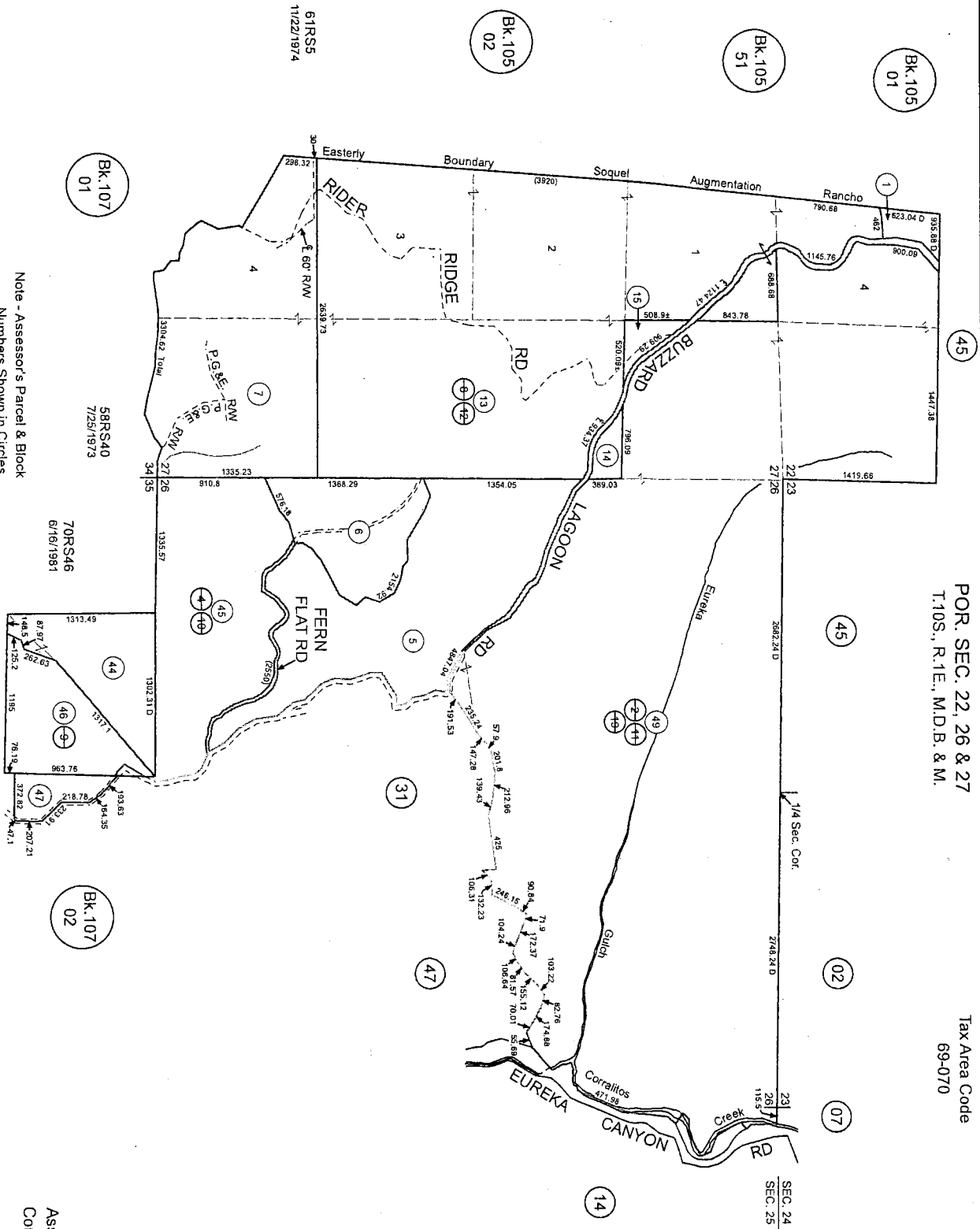
DISTRIBUTION: County Council
Planning
Assessor
County GIS

THE 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 1998

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

Tax Area Code
69-070

106-13

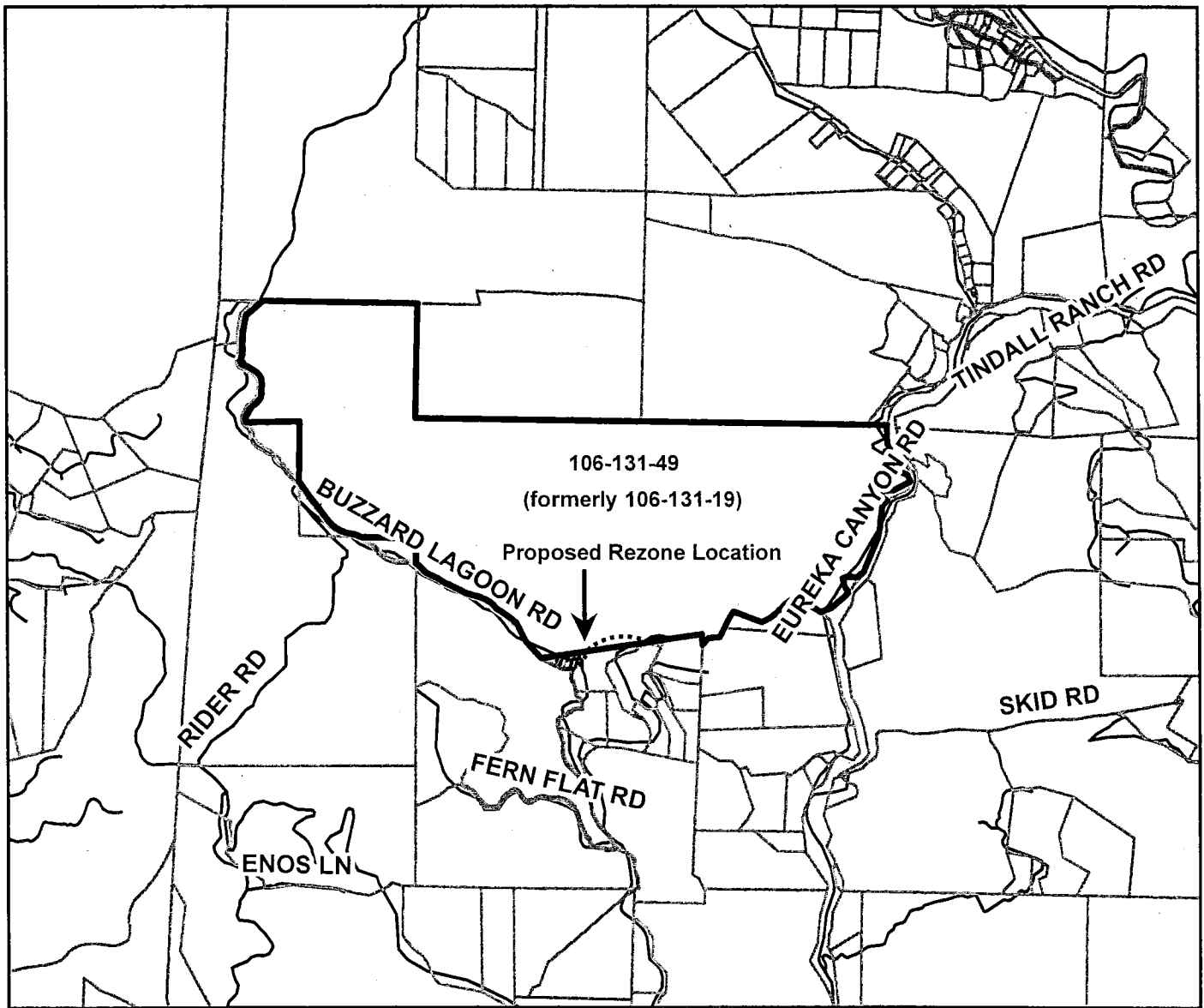


Assessor's Map No. 106-13
County of Santa Cruz, Calif.
Feb. 1998





-7-

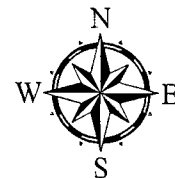


Location Map



LEGEND

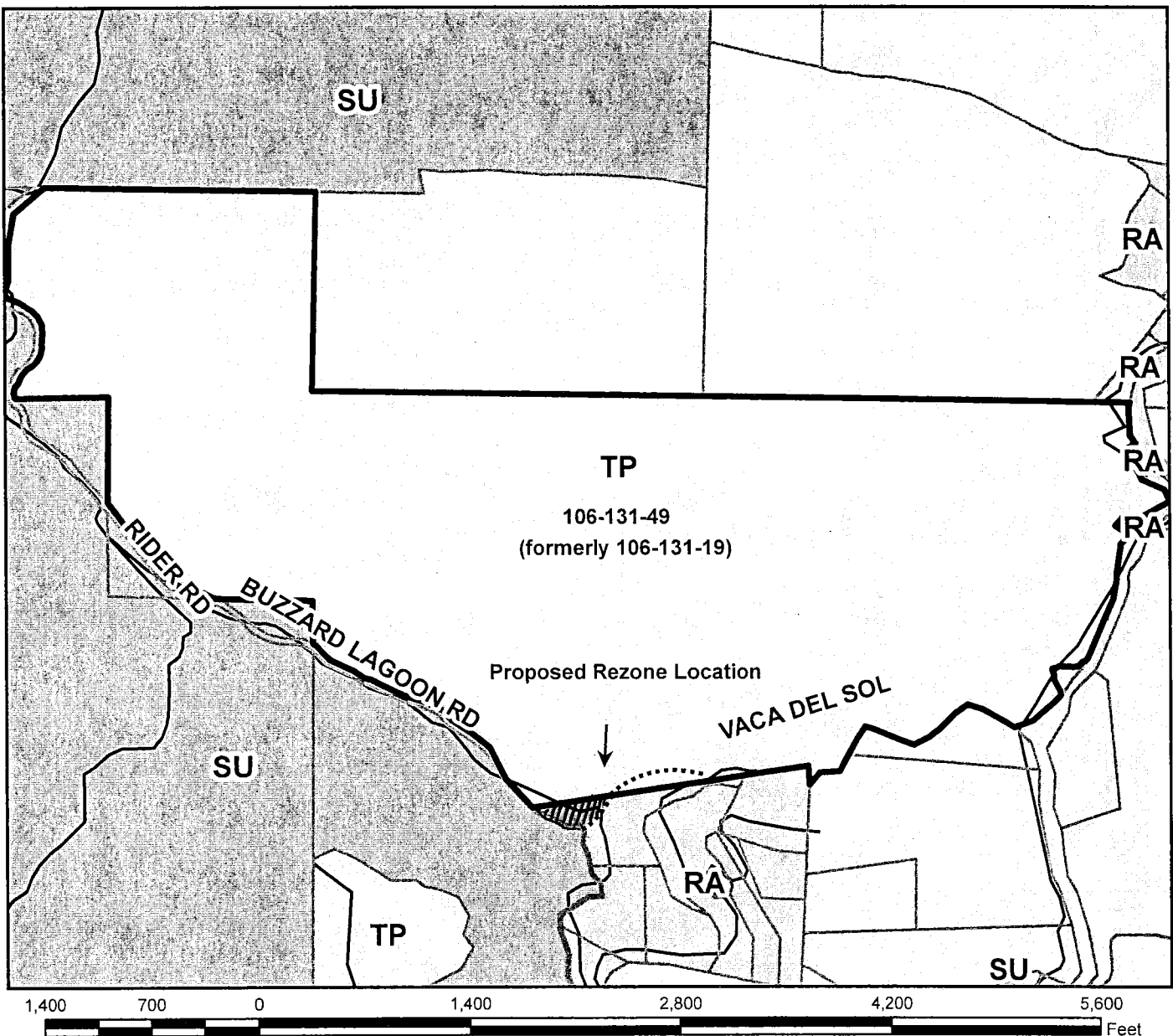
-  106-131-49
-  Assessors Parcels
-  Streets
-  Adjusted Property Boundary



Map Created by
County of Santa Cruz
Planning Department
June 2013

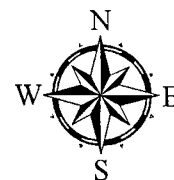


Zoning Map



LEGEND

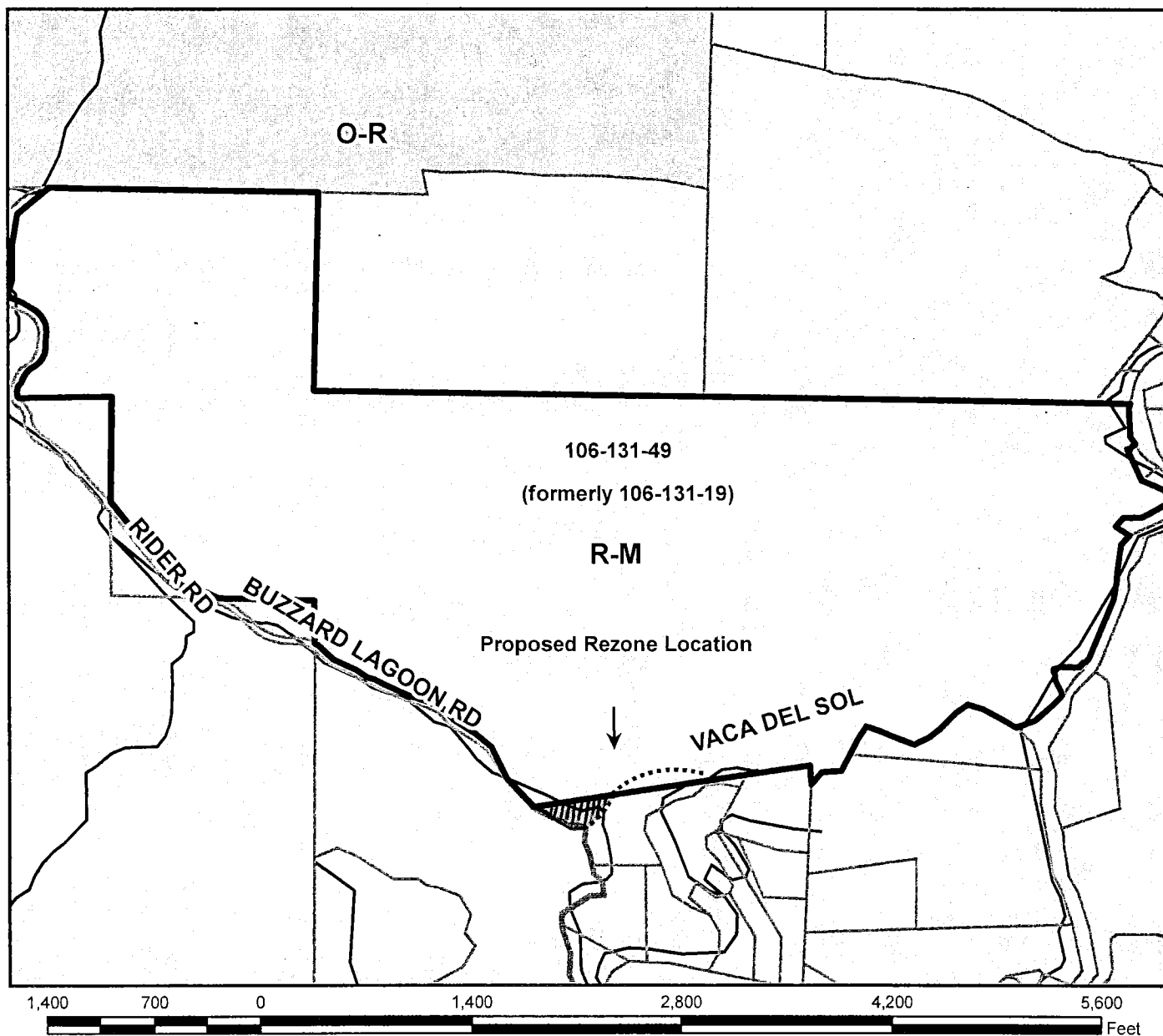
- 106-131-49
- Assessors Parcels
- Streets
- TIMBER PRODUCTION
- AGRICULTURE RESIDENTIAL
- SPECIAL USE
- Adjusted Property Boundary









Map Created by
County of Santa Cruz
Planning Department
June 2013

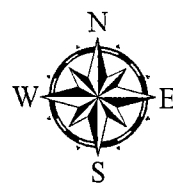


General Plan Designation Map



LEGEND

-  106-131-49
-  Assessors Parcels
-  Streets
-  Residential-Mountain
-  Parks and Recreation
-  Adjusted Property Boundary



Map Created by
County of Santa Cruz
Planning Department
June 2013

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: 121206

Assessor Parcel Numbers: 106-131-49

Project Location: No situs

Project Description: Rezone a 1.2 acre portion of an existing 374.4 acre parcel from the Residential Agricultural (RA) zone district to the Timber Production (TP) zone district in order to correct a split zoning created by a Lot Line Adjustment.

Person or Agency Proposing Project: Mike Duffy, Registered Professional Forester

Contact Phone Number: (831) 464 8788

- 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. X Statutory Exemption other than a Ministerial Project (CEQA Guidelines Section 15264).

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

Lezanne Jeffs, Project Planner

Date: _____



MAILING ADDRESS: 1395 41st Ave. Suite D
• Capitola, CA 95010
(831) 464-8788 • FAX (831) 464-8780

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

August 16, 2012

Re: Re-zone APN #106-131-19 to Timber Production,
Split zoning with majority of parcel already TPZ

Dear County Representative,

This letter is submitted on behalf of landowners Roger and Michele Burch, as trustees of the RMB Revocable Family Trust, to alter the zoning of parcel 106-131-19, a 374.4-acre parcel in Santa Cruz County. As a result of a recently resolved lot line adjustment, the parcel currently has a split zoning status. Just over one (1.2) acre of the parcel is now zoned as Residential Agriculture (RA). The majority of the parcel (373.2 acres) remains zoned for Timber Production. The landowner is requesting that the 1.2 acres of RA be re-zoned to Timber Production. The timber type is redwood forest with a site index of III. The area proposed for re-zoning is also contiguous with the larger portion of the parcel that is presently zoned for Timber Production.

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 and the Forest Practice Rules adopted by the State Board of Forestry and Fire Protection. Section 4561 requires: "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 timber stocking on the 1.2 acres of the parcel exceeds the standards as set forth in Section 4561 of the Public Resources Code. There is currently approximately 286 square feet of basal area per acre on site.

Timberland: To rezone a property to the "Timber Production" zoning a property must meet the definition of timberland. Section 51104 of the California Code defines timberland as: "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 over 160 cubic feet per acre and therefore meets the definition of timberland.

Thank you for your consideration of this proposed zoning change. Please contact our office at 831-464-8788 if you have any questions or concerns regarding this submittal.

Sincerely,

Michael J. Duffy
Registered Professional Forester #2770
Redwood Empire Sawmills



2013-0022081 05/02/2013 10:19:12 AM

OFFICIAL RECORDS OF Santa Cruz County
Sean Saldavia Recorder
RECORDING FEE: \$31.00
COUNTY TAX: \$0.21
CITY TAX: \$0.00

**RECORDING REQUESTED BY
WHEN RECORDED MAIL TO**

NAME Michael Duffy
ADDRESS 1395 41st Avenue #D
CITY Capitola
STATE & ZIP California, 95010

CONFORMED COPY

DEED
3 PGS

Title Order No.

Escrow No.

SPACE ABOVE THIS LINE FOR RECORDER'S USE

LOT LINE ADJUSTMENT GRANT DEED

The undersigned declares that the documentary transfer tax is \$0.21 and is

☒ Computed on the full value of the interest or property conveyed, or is

☐ Computed on the full value less the value of liens or encumbrances remaining at time of sale. The land, tenements realty is located in

☒ Unincorporated area of: SANTA CRUZ COUNTY ☐ City of: and

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged.

ROGER A. BURCH AND MICHELE BURCH, AS TRUSTEES, OR THEIR SUCESSORS, OF THE RMB
REVOCABLE FAMILY TRUST DATED FEBRUARY 5 1999
hereby GRANT(S) to VINCENT PASTORE

the following described real property in the 106-131-19

County of SANTA CRUZ, State of California.

[Signature]
ROGER BURCH

[Signature]
MICHELE BURCH

Dated: 5-1-13 State of California, County of _____

On _____ before me _____
(Name of Notary Public)

personally appeared _____

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 of Notary Public)

MAIL TAX STATEMENTS AS DIRECTED ABOVE

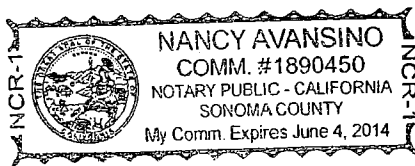
CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California

County of Sonoma

On 5-1-13 before me, Nancy Avansino, Notary Public
Date Here Insert Name and Title of the Officer

personally appeared Roger A. Burch and
Name(s) of Signer(s)
Michele Burch



who 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.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature Nancy Avansino
Signature of Notary Public

Place Notary Seal Above

OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Description of Attached Document

Title or Type of Document: _____

Document Date: _____ Number of Pages: _____

Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: _____

- ☐ Individual
☐ Corporate Officer — Title(s): _____
☐ Partner — ☐ Limited ☐ General
☐ Attorney in Fact
☐ Trustee
☐ Guardian or Conservator
☐ Other: _____

Signer Is Representing: _____

RIGHT THUMBPRINT
OF SIGNER

Top of thumb here

Signer's Name: _____

- ☐ Individual
☐ Corporate Officer — Title(s): _____
☐ Partner — ☐ Limited ☐ General
☐ Attorney in Fact
☐ Trustee
☐ Guardian or Conservator
☐ Other: _____

Signer Is Representing: _____

RIGHT THUMBPRINT
OF SIGNER

Top of thumb here

Situate in the County of Santa Cruz, State of California.

Being a part of the lands conveyed to Roger A. Burch and Michele by grant deed dated on August 16, 2001 and recorded September 10, 2001 as Document No. 2001-0056686, Santa Cruz County Records and as shown as the lands of "Viola Smith et al 1267-OR-131" on that certain Record of Survey map recorded in Volume 48 of Maps at Page 13, Santa Cruz County Records and being more particularly described as follows, to wit:

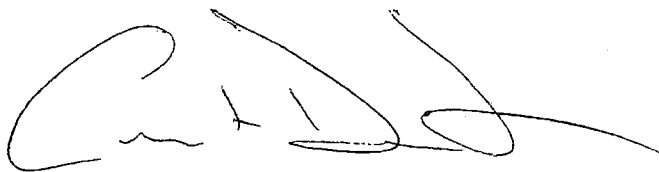
Beginning at a found ½ inch iron pipe tagged LS 3233 at the northeastern corner of Parcel B, as said Parcel is shown on said Record of Survey map recorded in Volume 48 of Maps at Page 13, Santa Cruz County Records from which a found ½ inch iron pipe tagged LS 3233 in the northern boundary of Parcel B bears South 81°24'48" West 233.06 feet distant;

Thence from said **Point of Beginning**, along the northern boundary of Parcel B as shown on said map, South 81°24'48" West 711.78 feet; thence leaving said northern boundary, North 49°14'22" East 147.28 feet; thence North 56°17'21" East 57.90 feet; thence North 79°28'46" East 201.80 feet; thence South 84°55'28" East 212.96 feet; thence South 73°19'03" East 139.43 feet, more or less to the **Point of Beginning**.

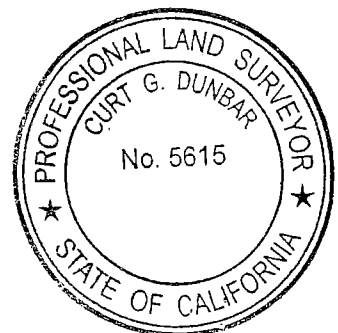
In compliance with Santa Cruz County Conditions of Approval

"The purpose of the deed is to adjust the boundary between Assessor's Parcel Number 106-131-19 and Assessor's Parcel Number 106-311-05 as approved by the County of Santa Cruz under Application 08-0343. This deed and approval of the related Lot Line Adjustment Number 08-0343 shall be deemed to extinguish and merge all underlying parcels existing prior to the approval of the lot line adjustment. This conveyance may not create a separate parcel and is null and void unless the boundary is adjusted as stated."

Surveyed and compiled in 2011 by Dunbar and Craig Land Surveys, Inc.



Curt G. Dunbar, PLS 5615
License renewal date 9-30-2012



PRELIMINARY CHANGE OF OWNERSHIP REPORT

To be completed by the transferee (buyer) prior to a transfer of subject property, in accordance with section 480.3 of the Revenue and Taxation Code. A *Preliminary Change of Ownership Report* must be filed with each conveyance in the County Recorder's office for the county where the property is located. Please answer all questions in each section, and sign and complete the certification before filing. This form may be used in all 58 California counties. If a document evidencing a change in ownership is presented to the Recorder for recordation without the concurrent filing of a *Preliminary Change of Ownership Report*, the Recorder may charge an additional recording fee of twenty dollars (\$20).

NOTICE: The property which you acquired may be subject to a supplemental assessment in an amount to be determined by the County Assessor. Supplemental assessments are not paid by the title or escrow company at close of escrow, and are not included in lender impound accounts. **You may be responsible for the current or upcoming property taxes even if you do not receive the tax bill.**

SELLER/TRANSFEROR <u>ROGER AND MICHELE BURCH REVOCABLE FAMILY TRUST</u>		ASSESSOR'S PARCEL NUMBER <u>106-131-19</u>	
BUYER/TRANSFEEE <u>VINCE PASTORE</u>		BUYER'S DAYTIME TELEPHONE NUMBER <u>(831)</u>	
STREET ADDRESS OR PHYSICAL LOCATION OF REAL PROPERTY <u>EAST SIDE OF BUZZARD LAGOON RD. 1.6 MILES FROM EUREKA CANYON RD, SANTA CRUZ CO</u>			
MAIL PROPERTY TAX INFORMATION TO (NAME) <u>VINCE PASTORE</u>			
ADDRESS <u>400 VACA DEL SOL</u>		CITY <u>WATSONVILLE</u>	STATE <u>CA</u>
			ZIP CODE <u>95076</u>
<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	This property is intended as my principal residence. If YES, please indicate the date of occupancy or intended occupancy.		MO DAY YEAR

PART 1. TRANSFER INFORMATION *Please complete all statements.*

YES NO

- ☐ ☒ A. This transfer is solely between spouses (addition or removal of a spouse, death of a spouse, divorce settlement, etc.).
- ☐ ☒ B. This transfer is solely between domestic partners currently registered with the California Secretary of State (addition or removal of a partner, death of a partner, termination settlement, etc.).
- ☐ ☒ C. This is a transfer between: ☐ parent(s) and child(ren) ☐ grandparent(s) and grandchild(ren).
- ☐ ☒ D. This transaction is to replace a principal residence by a person 55 years of age or older.
Within the same county? ☐ YES ☐ NO
- ☐ ☒ E. This transaction is to replace a principal residence by a person who is severely disabled as defined by Revenue and Taxation Code section 69.5. Within the same county? ☐ YES ☐ NO
- ☐ ☒ F. This transaction is only a correction of the name(s) of the person(s) holding title to the property (e.g., a name change upon marriage).
If YES, please explain: _____
- ☐ ☒ G. The recorded document creates, terminates, or reconveys a lender's interest in the property.
- ☐ ☒ H. This transaction is recorded only as a requirement for financing purposes or to create, terminate, or reconvey a security interest (e.g., cosigner). If YES, please explain: _____
- ☐ ☒ I. The recorded document substitutes a trustee of a trust, mortgage, or other similar document.
- ☐ ☒ J. This is a transfer of property:
- ☐ ☒ 1. to/from a revocable trust that may be revoked by the transferor and is for the benefit of ☐ the transferor, and/or ☐ the transferor's spouse ☐ registered domestic partner.
 - ☐ ☒ 2. to/from a trust that may be revoked by the creator/grantor/trustor who is also a joint tenant, and which names the other joint tenant(s) as beneficiaries when the creator/grantor/trustor dies.
 - ☐ ☒ 3. to/from an irrevocable trust for the benefit of the ☐ creator/grantor/trustor and/or ☐ grantor's/trustor's spouse ☐ grantor's/trustor's registered domestic partner.
 - ☐ ☒ 4. to/from an irrevocable trust from which the property reverts to the creator/grantor/trustor within 12 years.
- ☐ ☒ K. This property is subject to a lease with a remaining lease term of 35 years or more including written options.
- ☒ ☐ L. This is a transfer between parties in which proportional interests of the transferor(s) and transferee(s) in each and every parcel being transferred remain exactly the same after the transfer.
- ☐ ☒ M. This is a transfer subject to subsidized low-income housing requirements with governmentally imposed restrictions.
- ☐ ☒ N. This transfer is to the first purchaser of a new building containing an active solar energy system.

* If you checked YES to statements C, D, or E, you may qualify for a property tax reassessment exclusion, which may allow you to maintain your previous tax base. If you checked YES to statement N, you may qualify for a property tax new construction exclusion. A claim form must be filed and all requirements met in order to obtain any of these exclusions. Contact the Assessor for claim forms.

Please provide any other information that will help the Assessor understand the nature of the transfer.

THIS DOCUMENT IS NOT SUBJECT TO PUBLIC INSPECTION

RECORDING REQUESTED BY
WHEN RECORDED MAIL TO



2013-0022080 05/02/2013 10:19:12 AM
OFFICIAL RECORDS OF Santa Cruz County
Sean Saldavia Recorder
RECORDING FEE: \$31.00
COUNTY TAX: \$1.31
CITY TAX: \$0.00

NAME Michael Duffy
ADDRESS 1395 41st Avenue, #D
CITY Capitola
STATE & ZIP California, 95010
Title Order No.

CONFORMED COPY DEED
3 PGS

Escrow No.

SPACE ABOVE THIS LINE FOR RECORDER'S USE

LOT LINE ADJUSTMENT GRANT DEED

The undersigned declares that the documentary transfer tax is \$1.31 and is

☒ Computed on the full value of the interest or property conveyed, or is

☐ Computed on the full value less the value of liens or encumbrances remaining at time of sale. The land, tenements really is located in

☒ Unincorporated area of: SANTA CRUZ COUNTY ☐ City of: and

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged.

VINCENT PASTORE

hereby GRANT(S) to ROGER A. BURCH AND MICHELE BURCH, AS TRUSTEES, OR THEIR
SUCCESSORS, OF THE RMB REVOCABLE FAMILY TRUST DATED FEBRUARY 5,
1999

the following described real property in the 106-311-05

County of SANTA CRUZ, State of California.

VINCE PASTORE

Dated: 5/1/13 State of California, County of Santa Cruz

On May 1, 2013 before me Gabriel Saul Cohen NOTARY PUBLIC
(Name of Notary Public)

personally appeared Vincent Pastore

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 of Notary Public)

MAIL TAX STATEMENTS AS DIRECTED ABOVE

Notary Public
See Attached

CALIFORNIA ALL-PURPOSE ACKNOWLEDGEMENT

STATE OF CALIFORNIA)
COUNTY OF Santa Cruz)

On 5/1/13 before me, Gabriel Saul Coren ^{NOTARY}
DATE INSERT NAME, TITLE OF OFFICER - E.G., "JANE DOE, NOTARY PUBLIC

personally appeared, Vincent Pastore

who 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.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Gabriel Coren (SEAL)
NOTARY PUBLIC SIGNATURE



OPTIONAL INFORMATION

THIS OPTIONAL INFORMATION SECTION IS NOT REQUIRED BY LAW BUT MAY BE BENEFICIAL TO PERSONS RELYING ON THIS NOTARIZED DOCUMENT.

TITLE OR TYPE OF DOCUMENT Grant Deed

DATE OF DOCUMENT _____ NUMBER OF PAGES _____

SIGNERS(S) OTHER THAN NAMED ABOVE _____

SIGNER'S NAME _____ SIGNER'S NAME _____

RIGHT THUMBPRINT

RIGHT THUMBPRINT

Situate in the County of Santa Cruz, State of California.

Being a part of the lands conveyed to Vincent Pastore by quitclaim deed dated on March 29, 2003 and recorded May 7, 2004 as Document No. 2004-0032020, Santa Cruz County and being more particularly described as follows, to wit:

Commencing at a found ½ inch iron pipe tagged LS 3233 at the northeastern corner of Parcel B, as said Parcel is shown on that certain Record of Survey map recorded in Volume 48 of Maps at Page 13, Santa Cruz County Records from which a found ½ inch iron pipe tagged LS 3233 in the northern boundary of said Parcel B bears South 81°24'48" West 233.06 feet distant;

Thence from said **Point of Commencement**, along the northern boundary of Parcel B as shown on said map, South 81°24'48" West 711.78 feet to the **True Point of Beginning**;

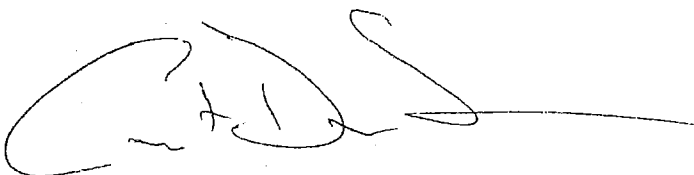
Thence from said **True Point of Beginning**, along the northern boundary of said Parcel B, South 81°24'48" West 676.08 feet to the eastern sideline of Buzzard Lagoon Road, as said Road is shown on said Record of Survey map; thence along the eastern sideline of Buzzard Lagoon Road, South 64°09'00" East 224.33 feet, more or less, to an angle therein; thence South 88°44'00" East 86.82 feet, more or less, to an angle therein; thence South 52°29'00" East 7.03 feet; thence leaving the eastern sideline of Buzzard Lagoon Road, North 60°04'38" East 191.53 feet; thence North 62°16'57" East 235.24 feet, more or less, to the **True Point of Beginning**

In compliance with Santa Cruz County Conditions of Approval

"The purpose of the deed is to adjust the boundary between Assessor's Parcel Number 106-131-19 and Assessor's Parcel Number 106-311-05 as approved by the County of Santa Cruz under Application 08-0343. This deed and approval of the related Lot Line Adjustment Number 08-0343 shall be deemed to extinguish and merge all underlying parcels existing prior to the approval of the lot line adjustment. This conveyance may not create a separate parcel and is null and void unless the boundary is adjusted as stated."

Surveyed and compiled in 2011 by Dunbar and Craig Land Surveys, Inc.

Curt G. Dunbar, PLS 5615
License renewal date 9-30-2012



PRELIMINARY CHANGE OF OWNERSHIP REPORT

To be completed by the transferee (buyer) prior to a transfer of subject property, in accordance with section 480.3 of the Revenue and Taxation Code. A *Preliminary Change of Ownership Report* must be filed with each conveyance in the County Recorder's office for the county where the property is located. Please answer all questions in each section, and sign and complete the certification before filing. This form may be used in all 58 California counties. If a document evidencing a change in ownership is presented to the Recorder for recordation without the concurrent filing of a *Preliminary Change of Ownership Report*, the Recorder may charge an additional recording fee of twenty dollars (\$20).

NOTICE: The property which you acquired may be subject to a supplemental assessment in an amount to be determined by the County Assessor. Supplemental assessments are not paid by the title or escrow company at close of escrow, and are not included in lender impound accounts. **You may be responsible for the current or upcoming property taxes even if you do not receive the tax bill.**

SELLER/TRANSFEROR VINCE PASTORE		ASSESSOR'S PARCEL NUMBER 106-311-05	
BUYER/TRANSFEE ROGER AND MICHELE BURCH REVOCABLE FAMILY TRUST		BUYER'S DAYTIME TELEPHONE NUMBER (408) 271-7900	
STREET ADDRESS OR PHYSICAL LOCATION OF REAL PROPERTY EAST SIDE OF BUZZARD LA600N RD., 1.6 MILES FROM ZUREKA CANYON RD., SANTA CRUZ CO.			
MAIL PROPERTY TAX INFORMATION TO (NAME) ROGER AND MICHELE BURCH REVOCABLE FAMILY TRUST			
ADDRESS 2 WEST SANTA CLARA ST., 9TH FLOOR		CITY SAN JOSE	STATE CA
		ZIP CODE 95113	
<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO This property is intended as my principal residence. If YES, please indicate the date of occupancy or intended occupancy.		MO	DAY YEAR

PART 1. TRANSFER INFORMATION*Please complete all statements.*

YES NO

- ☐ ☒ A. This transfer is solely between spouses (addition or removal of a spouse, death of a spouse, divorce settlement, etc.).
- ☐ ☒ B. This transfer is solely between domestic partners currently registered with the California Secretary of State (addition or removal of a partner, death of a partner, termination settlement, etc.).
- ☐ ☒ * C. This is a transfer between: ☐ parent(s) and child(ren) ☐ grandparent(s) and grandchild(ren).
- ☐ ☒ * D. This transaction is to replace a principal residence by a person 55 years of age or older. Within the same county? ☐ YES ☐ NO
- ☐ ☒ * E. This transaction is to replace a principal residence by a person who is severely disabled as defined by Revenue and Taxation Code section 69.5. Within the same county? ☐ YES ☐ NO
- ☐ ☒ F. This transaction is only a correction of the name(s) of the person(s) holding title to the property (e.g., a name change upon marriage). If YES, please explain: _____
- ☐ ☒ G. The recorded document creates, terminates, or reconveys a lender's interest in the property.
- ☐ ☒ H. This transaction is recorded only as a requirement for financing purposes or to create, terminate, or reconvey a security interest (e.g., cosigner). If YES, please explain: _____
- ☐ ☒ I. The recorded document substitutes a trustee of a trust, mortgage, or other similar document.
- ☐ ☒ J. This is a transfer of property:
- ☐ ☒ 1. to/from a revocable trust that may be revoked by the transferor and is for the benefit of ☐ the transferor, and/or ☐ the transferor's spouse ☐ registered domestic partner.
- ☐ ☒ 2. to/from a trust that may be revoked by the creator/grantor/trustor who is also a joint tenant, and which names the other joint tenant(s) as beneficiaries when the creator/grantor/trustor dies.
- ☐ ☒ 3. to/from an irrevocable trust for the benefit of the ☐ creator/grantor/trustor and/or ☐ grantor's/trustor's spouse ☐ grantor's/trustor's registered domestic partner.
- ☐ ☒ 4. to/from an irrevocable trust from which the property reverts to the creator/grantor/trustor within 12 years.
- ☐ ☒ K. This property is subject to a lease with a remaining lease term of 35 years or more including written options.
- ☒ ☐ L. This is a transfer between parties in which proportional interests of the transferor(s) and transferee(s) in each and every parcel being transferred remain exactly the same after the transfer.
- ☐ ☒ M. This is a transfer subject to subsidized low-income housing requirements with governmentally imposed restrictions.
- ☐ ☒ * N. This transfer is to the first purchaser of a new building containing an active solar energy system.

* If you checked YES to statements C, D, or E, you may qualify for a property tax reassessment exclusion, which may allow you to maintain your previous tax base. If you checked YES to statement N, you may qualify for a property tax new construction exclusion. A claim form must be filed and all requirements met in order to obtain any of these exclusions. Contact the Assessor for claim forms.

Please provide any other information that will help the Assessor understand the nature of the transfer.

THIS DOCUMENT IS NOT SUBJECT TO PUBLIC INSPECTION