

STAFF REPORT TO THE PLANNING COMMISSION

APPLICATION NO.: 02-0251
APN: 028-014-03
APPLICANT: Easy Access Developers
OWNER: Joseph Quigg

PROJECT DESCRIPTION:

Proposal to create four parcels of 4620, 4306, 4081, and 4037 square feet, demolish two existing single-family dwellings on site, and erect 8-foot high wooden fences within the required side yards. Requires a Minor Land Division, Coastal Zone Permit, Preliminary Grading Approval, **and** Residential Development Permit to exceed the 6-foot side yard fence height limitation within the required side yards.

LOCATION:

Property bounded by Tower Place to the west and Paget Street (951 Paget Street) to the east, about 440 feet north of Felt Street.

PERMITS REQUIRED: Minor Land Division,
Coastal Zone Permit,
Residential Development Permit,
and Preliminary Grading Approval

ENVIRONMENTAL

DETERMINATION: Exempt
COASTAL ZONE: ☒ Yes ☐ No
APPEALABLE TO CCC: ☒ Yes ☐ No

PARCEL INFORMATION

PARCEL SIZE: 0.4 acres (17,466 sq. ft.)

EXISTING LAND USE:

PARCEL: Residential
SURROUNDING: Residential/Commercial
PROJECT ACCESS: Paget Avenue
PLANNING AREA: Live Oak

LAND USE

DESIGNATION: R-UM (Urban Medium Density Residential)
ZONING DISTRICT: RM-4 (Medium Density Residential - 4,000 square foot minimum lot size)

SUPERVISORIAL

DISTRICT: First District (Jan Beautz)

ENVIRONMENTAL INFORMATION

- | | |
|-----------------------|--|
| a. Geologic Hazards | a. Not mapped/no physical evidence on site |
| b. Soils | b. Soils 133, Elkhorn sandy loam and soils 176 Watsonville loam |
| c. Fire Hazard | c. Not a mapped constraint |
| d. Slopes | d. 2-15% |
| e. Env. Sen. Habitat | e. Not mapped/no physical evidence on site |
| f. Grading | f. 700 cu. yds. |
| g. Tree Removal | g. 10 trees (various species) are proposed for removal. |
| h. Scenic | h. Not a mapped resource |
| i. Drainage | i. Existing drainage adequate |
| j. Traffic | j. N/A |
| k. Roads | k. Traffic on Paget Avenue and Tower Place operate at an acceptable level of service; any increase from the proposed project will not result in a reduction of the level of service. |
| l. Parks | l. Existing park facilities adequate |
| m. Sewer Availability | m. Existing systems adequate |
| n. Water Availability | n. Existing systems adequate |
| o. Archeology | o. Not mapped/no physical evidence on site |

SERVICES INFORMATION

Inside Urban/Rural Services Line: X Yes N o
Water Supply: Santa Cruz Water District
Sewage Disposal: Santa Cruz Waste Water Management District
Fire District: Central Fire Protection District
Drainage District: 5

ANALYSIS AND DISCUSSION

The applicant proposes to divide one existing parcel into four parcels, demolish two existing single-family residences and construct four new one-story single-family residences.

The project site is located at 951 Paget Avenue, in the Live *Oak* planning area. The subject property is 0.4 acres (17,466 sq. ft) in area and is currently developed with two single-family residences.

Project Setting and Surroundings

The parcel is relatively flat, with slopes less than 5% and fronting along Paget Avenue.

The subject parcel contains two older residential structures and minimal improvements to the landscaping. One and two story residential structures and multi-family residential structures of varying architectural styles surround the project site. Surrounding development consists of residential (developed to a similar density as that requested in this proposal) and industrial uses. This portion of Paget Avenue is not a County maintained road and does not contain sidewalks, curbs and gutters. The road is a well traveled vehicular, pedestrian and bicycle route. Surrounding streets typically have standard roadside improvements such as curbs, gutters.

Project Description

The applicant proposes to subdivide parcel 028-014-03, into four parcels, construct four new single story single-family residences, demolish two existing single-family residences, construct a 8-foot high fence and remove 10 trees of varying species. The new single-family residences will be located on lots approximately 4,261 square feet in size.

The newly created parcels “A” “B” and “C” will have direct access off of Paget Avenue and the newly created parcel “D” will have direct access off of Tower Place. Both streets are not County maintained roads.

10 trees including 3 Eucalyptus, a single dead Pine tree, 2 Acacia trees and 4 ornamental or fruit trees will also be removed. A condition of approval has been included which would require the applicant to plant ~~twenty~~ trees and a revised landscaping plan is required to be approved by planning staff prior to issuance of a building permit. Due to the limited size of the newly created parcels, a 2:1 tree replacement is appropriate.

Proposed grading is minimal and includes 700 cubic yards of grading to level the building pads and driveways. **All** grading will follow the recommendations provided in the geotechnical investigation.

General Plan & Zoning Consistency

The project site has a General Plan land use designation of R-UM (Urban Medium Density Residential). This designation allows a density range of 7.3 to 10.8 units per developable acre, which corresponds to a lot size/density of 4,000 sq. ft. to 6,000 sq. ft. of net developable land per parcel/dwelling unit. The object of this land designation is to provide for medium density residential development in areas within the Urban Services Line that have a full range of urban services.

The project is in the RM-4 Zone District (single-family residential; 4,000 sq. ft. minimum parcel size). The proposed division of land complies with the zoning ordinance as the property is intended for residential use, the lot sizes meet the minimum dimensional standard for the RM-4 Zone District and the setbacks on the new lots created be consistent with the minimum zoning ordinances requirements. Planning staff calculated the total net developable area and determined that each newly created parcel proposed exceeds 4,000 sq. ft., well within the allowable density range.

The proposed single-family residences will meet the development standards for the RM-4 zone district. Each proposed dwelling covers less than 40% of the total area and the proposed floor area ratio is less than 50%.

	Zoning District Standards	Parcel A	Parcel B	Parcel C	Parcel D
Minimum Lot Size	4,000 sq. ft.	4,271	4,046	4,002	4,725
Front Yard Min. Setback	15 feet	22.8'	23.7'	21.5'	15'
Rear Yard Min. Setback	15 feet	30.5'	22.4'	19.7'	15'
Side Yard Min. Setback	5 feet	5' and 5.8'	5' and 5.8'	5' and 5.8'	5' and 22.4'
Lot	40%	37%	39%	39%	24%
Floor Area Ratio	.5:1	.31:1	.33:1	.33:1	.24:1
Max. Bldg. Height	28 feet	13'±	13'±	13'±	13'±
No. Parking Spaces Req.	3 bedrooms - 3 spaces	one in garage two in drive	one in garage two in drive	one in garage two in drive	four in drive

Drainage

The existing drainage pattern currently flows off site in various directions. The revised drainage plan directs the additional drainage flow from all proposed parcels east along the frontage of Paget Avenue. The additional drainage will be collected through four additional drop inlets (DI's) and the drainage shall be routed through a pipe to Corcoran Avenue.

The Department of Public Works Storm Water review staff analyzed the proposed drainage plan and determined that the proposed drainage plan is consistent with County policies. DPW Stormwaterreview comments can be found in attachment "F."

Design Review

Because the project is a land division located inside the Urban Services Line, it is subject to the provisions of County Code Chapter 13.11; Site, Architectural and Landscape Design Review. A primary purpose of the Design Review ordinance, as defined by General Plan Objective 8.1, is to achieve functional high quality development through design review policies that recognize the diverse characteristics of the area, maintain design creativity, and preserve and enhance the visual fabric of the community. Architectural drawings and floor plans for the proposed new homes are included as part of Exhibit "A."

The new homes are proposed to be one-story modular design that incorporates site built garages

The applicants have added a trellis, roof extension and raised roof dormers to add visual interest to the front and sides of the units. Each garage door will be different from the others. The design of the proposed residences is contemporary in style, and the units are sided with horizontal, vertical or mixed cementitious boards.

The County's Urban Designer has reviewed the proposed project and determined that the design of the single-family residences will enhance the character of the surrounding neighborhood. The County's Urban Designer comments are attached as "Exhibit E" of the staff report.

Conclusion

All required findings can be made to approve this application. The project is consistent with the General Plan in that the project constitutes a residential use within the density range. The project is similar to the intensity of land use in the surrounding area, and is consistent with the zoning designation of the subject parcel. The project will not have a significant effect on the environment and an CEQA exemption is recommended.

RECOMMENDATION

Staff recommends:

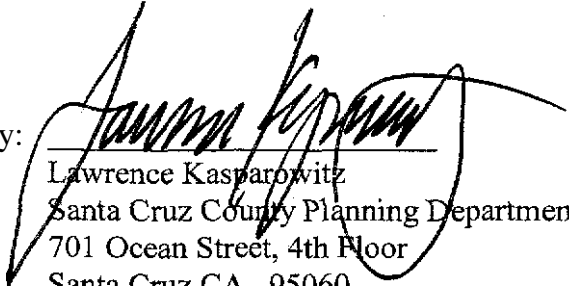
1. Certification that the proposal is exempt from ~~further~~ Environmental Review under the California Environmental Quality Act.
2. **APPROVAL** of Application Number **02-0251**, based on the attached findings and conditions.

EXHIBITS

- A. Project plans
- B. Findings
- C. Conditions
- D. Categorical Exemption (CEQA determination)
- E. Urban Designer Comments
- F. ALUS Comments
- G. Zoning map
- H. General Plan map
- I. Vicinity Map
- J. Owner's Statement
- K. Land Title and Easement Documents

SUPPLEMENTARY REPORTS AND INFORMATION REFERRED TO IN THIS REPORT
ARE ON FILE AND AVAILABLE FOR VIEWING AT THE SANTA CRUZ COUNTY
PLANNING DEPARTMENT, AND ARE HEREBY MADE A PART OF THE
ADMINISTRATIVE RECORD FOR THE PROPOSED PROJECT.

Report Prepared By:


Lawrence Kasparowitz
Santa Cruz County Planning Department
701 Ocean Street, 4th Floor
Santa Cruz CA 95060

Report Reviewed By:


Cathy Graves
Principal Planner
Development Review

SUBDIVISION FINDINGS

1. THAT THE PROPOSED SUBDIVISION MEETS ALL REQUIREMENTS OR CONDITIONS OF THE SUBDIVISION ORDINANCE AND THE STATE SUBDIVISION MAP ACT.

The proposed division of land meets all requirements and conditions of the County Subdivision Ordinance and the State Map Act in that the project meets all of the technical requirements of the Subdivision Ordinance and is consistent with the County General Plan and the Zoning Ordinance as set forth in the findings below.

The property is zoned (RM-4) Medium Density Residential – 1 unit/4,000 sq. ft., a designation which allows residential uses. The proposed Minor Land Division is an allowed use within the zone district, consistent with the site's (R-UM) Urban Medium Density Residential General Plan designation.

2. THAT THE PROPOSED SUBDIVISION, ITS DESIGN, AND ITS IMPROVEMENTS, ARE CONSISTENT WITH THE GENERAL PLAN, AND THE AREA GENERAL PLAN OR SPECIFIC PLAN, IF ANY.

The proposal does not conflict with any existing easement or development restriction such as public access, utility, or open space easements in that no such easements or restrictions are known to encumber the project site.

The proposed division of land, its design, and its improvements, are consistent with the General Plan. The project creates three single family lots and is located in the Residential, Urban Medium Density General Plan designation which allows a density of one dwelling for each 4,000 to 6,000 square feet of net developable parcel area.

The project is consistent with the General Plan in that the full range of urban services is available and will be extended to the newly created parcels, including municipal water and sewer service. The land division is on an existing street, which does require minor modifications to Paget Lane (driveways, gutters and curbs) and to provide satisfactory access to the parcels "A, B and C" and some minor street modifications to Tower Place to provide satisfactory access to parcel "D." Improvements are included as part of the project proposal. The proposed land division is similar to the pattern and density of surrounding development, is near commercial shopping facilities and recreational opportunities, and will have adequate and safe vehicular access.

The land division, as conditioned, will be consistent with the General Plan regarding infill development in that the proposed single-family developments will be consistent with the pattern of the surrounding development, and the design of the proposed homes is consistent

with the character of the surrounding neighborhood. The land division is not in a hazardous or environmentally sensitive area and protects natural resources by providing residential development in an area designated for this type and density of development.

3. THAT THE PROPOSED SUBDIVISION COMPLIES WITH ZONING ORDINANCE PROVISIONS AS TO USES OF LAND, LOT SIZES AND DIMENSIONS AND ANY OTHER APPLICABLE REGULATIONS.

The proposal is consistent with the design and use standards pursuant to Section 13.20.130 in that the development is consistent with the surrounding neighborhood in terms of architectural style; lots developed to an urban density surround the site; the colors shall be natural in appearance and complementary to the site.

The proposed division of land complies with the zoning ordinance provisions as to uses of land, lot sizes and dimensions and other applicable regulations in that the use of the property will be residential in nature, lot sizes meet the minimum dimensional standards for the R-UM Zone District where the project is located, and all setbacks will be consistent with the zoning standards. The proposed new dwellings will comply with the development standards in the zoning ordinance as they relate to setbacks, maximum parcel coverage, minimum site width, floor area ratio and minimum site frontage.

4. THAT THE SITE OF THE PROPOSED SUBDIVISION IS PHYSICALLY SUITABLE FOR THE TYPE AND DENSITY OF DEVELOPMENT.

The site of the proposed land division is physically suitable for the type and density of development in that no challenging topography affects the site, the existing property is unusually shaped, but to ensure efficiency in further development of the property, the proposed parcels offer a traditional arrangement and shape to insure development without the need for variances. Site visits by environmental and planning staff determined that no environmental constraints exist which would necessitate the area remain undeveloped.

5. THAT THE DESIGN OF THE PROPOSED SUBDIVISION OR TYPE OF IMPROVEMENTS WILL NOT CAUSE SUBSTANTIAL ENVIRONMENTAL DAMAGE NOR SUBSTANTIALLY AND AVOIDABLY INJURE FISH OR WILDLIFE OR THEIR HABITAT.

The design of the proposed division of land and its improvements will not cause environmental damage nor substantially and avoidably injure fish or wildlife or their habitat. There are no mapped or observed sensitive habitats or threatened species impede development of the site as proposed.

6. THAT THE PROPOSED SUBDIVISION OR TYPE OF IMPROVEMENTS WILL NOT CAUSE SERIOUS PUBLIC HEALTH PROBLEMS.

The proposed division of land or its improvements will not cause serious public health problems in that municipal water is currently available and as a condition of approval, sewer availability will be required for the proposed parcels, and these additional services will be extended to serve the new parcels created. The roadside improvements along Paget Avenue and Tower Place from the existing terminus to the west of the site to the east of the property will increase the safety for pedestrians and commuters.

7. THAT THE DESIGN OF THE PROPOSED SUBDIVISION OR TYPE OF IMPROVEMENTS WILL NOT CONFLICT WITH EASEMENTS, ACQUIRED BY THE PUBLIC AT LARGE, FOR ACCESS THROUGH, OR USE OF PROPERTY WITHIN THE PROPOSED SUBDIVISION.

The design of the proposed division of land and its improvements will not conflict with public easements for access in that no easements are known to encumber the property. Access to all lots will be from public roads that will be improved as part of the proposed project.

8. THE DESIGN OF THE PROPOSED SUBDIVISION PROVIDES, TO THE EXTENT FEASIBLE, FOR FUTURE PASSIVE OR NATURAL HEATING OR COOLING OPPORTUNITIES.

The design of the proposed division of land provides to the fullest extent possible, the ability to use passive and natural heating and cooling in that the resulting parcels are oriented in a manner to take advantage of solar opportunities. All of the proposed parcels are conventionally configured and the proposed building envelopes meet the minimum setbacks as required by the zone district for the property and County code.

9. THE PROPOSED DEVELOPMENT PROJECT IS CONSISTENT WITH THE DESIGN STANDARDS AND GUIDELINES (SECTIONS 13.11.070 THROUGH 13.11.076) AND ANY OTHER APPLICABLE REQUIREMENTS OF THIS CHAPTER.

The new homes are proposed to be one-story modular design that incorporates site built garages. The applicants have added a trellis, roof extension and raised roof dormers to add visual interest to the front and sides of the units. Each garage door will be different from the others. The design of the proposed residences is contemporary in style, and the units are sided with horizontal, vertical or mixed cementitious boards.

The County's Urban Designer has reviewed the design in relationship to Chapter 13.11 of the

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APN: **028-014-03**
Owner: **Joseph Quigg**

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County Code and determined that as conditioned, the **proposed** development is consistent with the Design Standards and Guidelines of the County Code.

COASTAL DEVELOPMENT PERMIT FINDINGS:

1. THAT THE PROJECT IS A USE ALLOWED IN ONE OF THE BASIC ZONE DISTRICTS, OTHER THAN THE SPECIAL USE (SU) DISTRICT, LISTED IN SECTION 13.10.170(d) AS CONSISTENT WITH THE GENERAL PLAN AND LOCAL COASTAL PROGRAM LUP DESIGNATION.

The property is zoned RM-4 (Medium Density Residential - 4,000 square foot minimum lot size), a designation which allows residential uses. The proposed residential development is a principal permitted use within the zone district, consistent with the site's (R-UM) Urban Medium Density Residential General Plan designation.

2. THAT THE PROJECT DOES NOT CONFLICT WITH ANY EXISTING EASEMENT OR DEVELOPMENT RESTRICTIONS SUCH AS PUBLIC ACCESS, UTILITY, OR OPEN SPACE EASEMENTS.

Please see Finding # 7 under Sub Division Findings.

3. THAT THE PROJECT IS CONSISTENT WITH THE DESIGN CRITERIA AND SPECIAL USE STANDARDS AND CONDITIONS OF THIS CHAPTER PURSUANT TO SECTION 13.20.130 et seq.

The proposal is consistent with the design and use standards pursuant to Section 13.20.130 in that the development is consistent with the surrounding neighborhood in terms of architectural style; the site is surrounded by lots developed to an urban density; the colors shall be natural in appearance and complementary to the site; the development site is not on a prominent ridge, beach, or bluff top.

4. THAT THE PROJECT CONFORMS WITH THE PUBLIC ACCESS, RECREATION, AND VISITOR-SERVING POLICIES, STANDARDS AND MAPS OF THE GENERAL PLAN AND LOCAL COASTAL PROGRAM LAND USE PLAN, SPECIFICALLY CHAPTER 2: FIGURE 2.5 AND CHAPTER 7, AND, AS TO ANY DEVELOPMENT BETWEEN AND NEAREST PUBLIC ROAD AND THE SEA OR THE SHORELINE OF ANY BODY OF WATER LOCATED WITHIN THE COASTAL ZONE, SUCH DEVELOPMENT IS IN CONFORMITY WITH THE PUBLIC ACCESS AND PUBLIC RECREATION POLICIES OF CHAPTER 3 OF THE COASTAL ACT COMMENCING WITH SECTION 30200.

The project site is not located between the shoreline and the first public road. Consequently, the residential development will not interfere with public access to the beach, ocean, or any nearby body of water. Further, the project site is not identified as a priority acquisition site in

the County Local Coastal Program.

5. THAT THE PROPOSED DEVELOPMENT IS IN CONFORMITY WITH THE CERTIFIED LOCAL COASTAL PROGRAM.

The proposed project is in conformity with the County's certified Local Coastal Program in that the structure is sited and designed to be visually compatible, in scale with, and integrated with the character of the surrounding neighborhood. Additionally, residential uses are allowed uses in the RM-4 (Medium Density Residential - 4,000 square foot minimum lot size) zone district of the area, as well as the General Plan and Local Coastal Program land use designation. Developed parcels in the area contain single-family dwellings. Size and architectural styles vary widely in the area, and the design submitted is not inconsistent with the existing range.

DEVELOPMENT PERMIT FINDINGS:

1. THAT THE PROPOSED LOCATION OF THE PROJECT AND THE CONDITIONS UNDER WHICH IT WOULD BE OPERATED OR MAINTAINED WILL NOT BE DETRIMENTAL TO THE HEALTH, SAFETY, OR WELFARE OF PERSONS RESIDING OR WORKING IN THE NEIGHBORHOOD OR THE GENERAL PUBLIC, AND WILL NOT RESULT IN INEFFICIENT OR WASTEFUL USE OF ENERGY, AND WILL NOT BE MATERIALLY INJURIOUS TO PROPERTIES OR IMPROVEMENTS IN THE VICINITY.

The location of the proposed residential development and the conditions under which it would be operated or maintained will not be detrimental to the health, safety, or welfare of persons residing or working in the neighborhood or the general public, and will not result in inefficient or wasteful use of energy, and will not be materially injurious to properties or improvements in the vicinity in that the project is located in an area designated for residential uses and is not encumbered by physical constraints to development. Construction will comply with prevailing building technology, the Uniform Building Code, and the County Building ordinance to insure the optimum in safety and the conservation of energy and resources. The proposed residential development will not deprive adjacent properties or the neighborhood of light, air, or open space, in that the structure meets all current setbacks that ensure access to light, air, and open space in the neighborhood.

2. THAT THE PROPOSED LOCATION OF THE PROJECT AND THE CONDITIONS UNDER WHICH IT WOULD BE OPERATED OR MAINTAINED WILL BE CONSISTENT WITH ALL PERTINENT COUNTY ORDINANCES AND THE PURPOSE OF THE ZONE DISTRICT IN WHICH THE SITE IS LOCATED.

The project site is located in the RM-4 (Medium Density Residential - 4,000 square foot minimum lot size) zone district. The proposed location of the residential development and the conditions under which it would be operated or maintained will be consistent with all pertinent County ordinances and the purpose of the RM-4 zone district in that the primary use of the property will be residential development that meets all current site standards for the zone district.

3. THAT THE PROPOSED USE IS CONSISTENT WITH ALL ELEMENTS OF THE COUNTY GENERAL PLAN AND WITH ANY SPECIFIC PLAN WHICH HAS BEEN ADOPTED FOR THE AREA.

The project is located in the Urban Medium Density Residential (R-UM) land use designation. The proposed residential use is consistent with the General Plan in that it meets the density requirements specified in General Plan Objective (Urban Medium Density

Residential),

The proposed residential development will not adversely impact the light, solar opportunities, air, and/or open space available to other structures or properties, and meets all current site and development standards for the zone district as specified in Policy 8.1.3 (Residential Site and Development Standards Ordinance), in that the residential development will not adversely shade adjacent properties, and will meet current setbacks for the zone district that ensure access to light, air, and open space in the neighborhood.

The proposed residential development will not be improperly proportioned to the parcel size or the character of the neighborhood as specified in General Plan Policy 8.6.1 (Maintaining a Relationship Between Structure and Parcel Sizes), in that the proposed residential development will comply with the site standards for the RM-4 zone district (including setbacks, lot coverage, floor area ratio, height, and number of stories) and will result in a structure consistent with a design that could be approved on any similarly sized lot in the vicinity.

A specific plan has not been adopted for this portion of the County.

4. THAT THE PROPOSED USE WILL NOT OVERLOAD UTILITIES AND WILL NOT GENERATE MORE THAN THE ACCEPTABLE LEVEL OF TRAFFIC ON THE STREETS IN THE VICINITY.

The proposed use will not overload utilities or generate more than the acceptable level of traffic on the streets in the vicinity in that it is a residential development on an existing developed lot. The expected level of traffic generated by the proposed project is anticipated to be only 4 peak trips per day (1 peak trip per dwelling unit), such an increase will not adversely impact existing roads and intersections in the surrounding area.

5. THAT THE PROPOSED PROJECT WILL COMPLEMENT AND HARMONIZE WITH THE EXISTING AND PROPOSED LAND USES IN THE VICINITY AND WILL BE COMPATIBLE WITH THE PHYSICAL DESIGN ASPECTS, LAND USE INTENSITIES, AND DWELLING UNIT DENSITIES OF THE NEIGHBORHOOD.

The proposed residential development will complement and harmonize with the existing and proposed land uses in the vicinity and will be compatible with the physical design aspects, land use intensities, and dwelling unit densities of the neighborhood in the vicinity, in that the proposed structures are one story, in a mixed neighborhood of one and two story homes and the proposed residential development is consistent with the land use intensity and density of the neighborhood.

6. THE PROPOSED DEVELOPMENT PROJECT IS CONSISTENT WITH THE DESIGN STANDARDS AND GUIDELINES (SECTIONS 13.11.070 THROUGH 13.11.076), AND ANY OTHER APPLICABLE REQUIREMENTS OF THIS CHAPTER.

The proposed development is consistent with the Design Standards and Guidelines of the County Code in that the proposed residential development will be of an appropriate **and** modest scale and a traditional type of design, that will enhance the aesthetic qualities of the surrounding properties and will not reduce or visually impact available open space in the surrounding area.

CONDITIONS OF APPROVAL

Minor Land Division Permit No.: 02-0251

Applicant: Joe Quigg

Property Owners: Easy Access Developers

Assessor's Parcel No.: 028-173-09

Property Location and Address: bounded by Tower Place to the west and Paget Street (951 Paget Street) to the east (about 440 feet north of Felt Street)

Planning Area: Live Oak

Exhibits:

- A. Tentative Map prepared by Roper Engineering, dated May 9, 2002 and revised November 5, 2002; Architectural plans prepared by Donna Stewman dated August 2003.
-

All correspondence and maps relating to this land division shall carry the land division number noted above.

- I. Prior to exercising any rights granted by this Approval, the owner shall:
 - A. Sign, date and return one copy of the Approval to indicate acceptance and agreement with the conditions thereof.
- II. A Parcel Map for this land division must be recorded prior to the expiration date of the tentative map and prior to sale, lease or financing of any new lots. The Parcel Map shall be submitted to the County Surveyor (Department of Public Works) for review and approval prior to recordation. No improvements, including, without limitation, grading and vegetation removal, shall be done prior to recording the Parcel Map unless such improvements are allowable on the parcel as a whole (prior to approval of the land division). The Parcel Map shall meet the following requirements:
 - A. The Parcel Map shall be in general conformance with the approved tentative map and shall conform with the conditions contained herein. All other State and County laws relating to improvement of the property, or affecting public health and safety shall remain fully applicable.
 - B. This land division shall result in no more than four (4) single-family residential lots.
 - C. The minimum lot size shall be 4,000 square feet, net developable land.
 - D. The following items shall be shown on the Parcel Map:
 - 1. Development envelopes and/or building setback lines located according to the approved Tentative Map.

2. Show the net area of each lot to nearest square foot.
 3. The owner's certificate shall include:
 - a. An irrevocable offer of dedication to the County of Santa Cruz for the improvements shown on the tentative map.
- E. The following requirements shall be noted on the Parcel Map as items to be completed prior to obtaining a building permit on lots created by this land division:
1. Lots shall be connected for sewer service to Santa Cruz County Sanitation District.
 2. Lots shall be connected for water service to city of Santa ~~Cruz~~ Water District
 3. All future construction on the lots shall conform to the Architectural Floor Plans and Elevations, and the Perspective Drawing as stated or depicted in Exhibits "A" and shall also meet the following additional conditions:
 - a. No changes in the placement of windows that face directly towards existing residential development as shown on the architectural plans, shall be permitted without review and approval by the Planning Commission.
 - b. Exterior finishes shall incorporate wood siding or stucco, as shown on the architectural plans and color sampleboard. The siding shown on the front of each residence shall continue full around the entire structure.
 - c. Notwithstanding the approved preliminary architectural plans, all future development shall comply with the development standards for the R-1-4 zone district. No residence shall exceed 30% lot coverage, or 50% floor area ratio, or other standard as may be established for the zone district. No ,fencing shall exceed three feet in height within the required front setback.
 4. A final Landscape Plan for the entire site specifying the species, their size, and irrigation plans and meet the criteria of the City of Santa Cruz Water Department.

The following specific landscape requirements apply:

 - a. Twenty, minimum 15 gallon size trees shall be planted and a drip irrigation system shall be installed. Two of the above shall be 24" box size street trees per the DPW Street Tree List (California natives).
 - b. Street trees shall be installed according to provisions of the County Design Criteria.
 5. Submit a written statement signed by ~~an~~ authorized representative of the school district in which the project is located confirming payment in full of all applicable developer fees and other requirements lawfully imposed by the school district in which the project is located.

1. Development envelopes ~~and/or~~ building setback lines located according to the approved Tentative Map.
 2. Show the net area of each lot to nearest square foot.
 3. The owner's certificate shall include:
 - a. **An** irrevocable offer of dedication to the County of Santa Cruz for the improvements shown on the tentative map.
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1. Lots shall be connected for sewer service to Santa Cruz County Sanitation District.
 2. Lots shall be connected for water service to city of Santa Cruz Water District.
 3. All future construction on the lots shall conform to the Architectural Floor Plans and Elevations, and the Perspective Drawing as stated or depicted in Exhibits "A" and shall also meet the following additional conditions:
 - a. No changes in the placement of windows that face directly towards existing residential development as shown on the architectural plans, shall be permitted without review and approval by the Planning Commission.
 - b. Exterior finishes shall incorporate wood siding or stucco, as shown on the architectural plans and color sample board.
 - c. Notwithstanding the approved preliminary architectural plans, all future development shall comply with the development standards for the R-1-4 zone district. No residence shall exceed 30% lot coverage, or 50% floor area ratio, or other standard as maybe established for the zone district. No fencing shall exceed three feet in height within the required front setback.
 4. A final Landscape Plan for the entire site ~~specifying~~ the species, their size, and irrigation plans and meet the criteria of the City of Santa Cruz Water Department.
- The following specific landscape requirements apply:
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improvements must be created and recorded. The responsible parties for performance of such maintenance and associated costs is to be resolved between the affected landowners in the manner they deem fit.

- c Note on improvement plans that detention criteria are as follows:
Allowable release rate equal to the 5 year, 15 minute pre-development event (stricter than the county standard). Storage volume is to accommodate a post-development 10 year storm event per county standard.
- d Adjust detention pipe layout as necessary to accommodate larger calculated storage volume, and confer with landscape designer to adjust for encroachment with Coast Live Oak tree plantings over the pipe alignment.
- e The reconstructed D.I. on Paget Ave. shows two invert elevations. Please provide clarity.
- f Provide details of the outlet control structure of the detention system that matches with correct calculations.

4 All new utilities shall be constructed underground. All facility relocations, upgrades or installations required for utilities service to the project shall be noted on the improvement plans. All preliminary engineering for such utility improvements is the responsibility of the developer.

- D. Engineered improvement plans for all water line extensions required by City of Santa Cruz shall be submitted for the review and approval of the water agency.
- E. All requirements of the Central Fire District shall be met.
- F. Submit one reproducible copy of the Parcel Map to the County Surveyor for distribution and assignment of temporary Assessor's parcel numbers and situs address.

(NOTE: the following fees are calculated as 4 new lots minus the two existing dwelling units:

- G. Park dedication in-lieu fees shall be paid for ~~two~~ (2) single-family dwelling units.
- H. Live *Oak* Transportation Improvement Fees shall be paid for two (2) single-family dwelling units. An application for a fee credit for any off site improvement installed may be applied for ~~with~~ the DPW.
- I. Roadside improvement fees shall be paid for two (2) dwelling units. An application for a fee credit for any off site improvement installed may be applied for with the DPW.
- J. Child Care Development fees shall be paid for two (2) ~~single-family~~ dwelling units.
- K. Inclusionary Housing fees shall be paid for two (2) single-family dwelling units

- K. Inclusionary Housing fees shall be paid for two (2) single-family dwelling units.

IV. All future construction within the subdivision shall meet the following conditions:

- A. All work adjacent to or within a County road shall be subject to the provisions of Chapter 9.70 of the County Code, including obtaining an encroachment permit where required. Where feasible, all improvements adjacent to or affecting a County road shall be coordinated with any planned County-sponsored construction on that road.
- B. No land clearing, grading or excavating shall take place between October 15 and April 15 unless the Planning Director approves a separate winter erosion-control plan.
- C. No land disturbance shall take place prior to issuance of building permits (except the minimum required to install required improvements, provide access for County required tests or to carry out other work specifically required by another of these conditions).
- D. Pursuant to Sections 16.40.040 and 16.42.100 of the County Code, if at any time during site preparation, excavation, or other ground disturbance associated with this development, any artifact or other evidence of an historic archaeological resource or a Native American cultural site is discovered, the responsible persons shall immediately cease and desist from all further site excavation and notify the Sheriff-Coroner if the discovery contains human remains, or the Planning Director if the discovery contains no human remains. The procedures established in Sections 16.40.040 and 16.42.100 shall be observed.
- E. To minimize noise, dust and nuisance impacts of surrounding properties to insignificant levels during construction, the owner/applicant shall or shall have the project contractor, comply with the following measures during all construction work:
1. Limit all construction to the time between 8:00 am and 5:00 pm weekdays unless a temporary exception to this time restriction is approved in advance by County Planning to address an emergency situation; and
 2. Each day it does not rain, wet all exposed soil frequently enough to prevent significant amounts of dust from leaving the site.
- F. Construction of improvements shall comply with the requirements of the geotechnical report. The geotechnical engineer shall inspect the completed project and certify in writing that the improvements have been constructed in conformance with the geotechnical report.

- V. In the event that future County inspections of the subject property disclose non-compliance with any Conditions of this Approval or any violation of the County Code, the owner shall pay to the County the full cost of such County inspections: including any follow-up inspections and/or necessary enforcement actions, up to and including Approval revocation.

- VI. As a condition of this development approval, the holder of this development approval ("Development Approval Holder"), is required to defend, indemnify, and hold harmless the COUNTY, its officers, employees, and agents, from and against any claim (including attorneys' fees), against the COUNTY, its officers, employees, and agents to attack, set aside, void, or annul this development approval of the COUNTY or any subsequent amendment of this development approval which is requested by the Development Approval Holder.
- A. COUNTY shall promptly notify the Development Approval Holder of any claim, action, or proceeding against which the COUNTY seeks to be defended, indemnified, or held harmless. COUNTY shall cooperate fully in such defense. If COUNTY fails to notify the Development Approval Holder within sixty (60) days of any such claim, action, or proceeding, or fails to cooperate fully in the defense thereof, the Development Approval Holder shall not thereafter be responsible to defend, indemnify, or hold harmless the COUNTY if such failure to notify or cooperate was significantly prejudicial to the Development Approval Holder.
- B. Nothing contained herein shall prohibit *the* COUNTY from participating in the defense of any claim, action, or proceeding if both of the following occur:
1. COUNTY bears its own attorney's fees and costs; and
 2. COUNTY defends the action in good faith.
- C. Settlement. The Development Approval Holder shall not be required to pay or perform any settlement unless such Development Approval Holder has approved the settlement. When representing the County, the Development Approval Holder shall not enter into any stipulation or settlement modifying or affecting the interpretation or validity of any of the terms or conditions of the development approval without the prior written consent of the County.
- D. Successors Bound. "Development Approval Holder" shall include the applicant and the successor(s) in interest, transferee(s), and assign(s) of the applicant.
- E. Within 30 days of the issuance of this development approval, the Development Approval Holder shall record in the office of the Santa Cruz County Recorder an agreement which incorporates the provisions of this condition, or this development approval shall become null and void.

**AMENDMENTS TO THIS LAND DIVISION APPROVAL SHALL BE
PROCESSED IN ACCORDANCE WITH CHAPTER 18.10 OF THE COUNTY CODE.**

This Tentative Map is approved subject to the above conditions and the attached map, and expires 24 months after the 14-day appeal period. The Final Map for this division, including improvement plans if required, should be submitted to the County Surveyor for checking **at least 90 days** prior to the expiration date and in no event later than 3 weeks prior to the expiration date.

cc: County Surveyor

Approval Date: _____

Effective Date: _____

Expiration Date: _____

Cathy Graves
Principal Planner

Lawrence Kasparowitz
Project Planner

INTEROFFICE MEMO

APPLICATION NO: 02-0251 (3rd Routing)

Date: December 1, 2003

To: David Heinlein, Project Planner

From: Larry Kasparowitz, Urban Designer

Re: Design Review for a four lot subdivision and four new residences at 951 Paget Avenue, Santa Cruz (Quigg, owner / Easy Access Developers, applicant)

GENERAL PLAN / ZONING ISSUESDesign Review Authority

13.20.050 Projects requiring coastal zone approval

Design Review Standards

13.20.130 Design criteria for coastal zone developments

Evaluation Criteria	Meets criteria In code (✓)	Does not meet criteria (✓)	Urban Designer's Evaluation
Visual Compatibility			
All new development shall be sited, designed and landscaped to be visually compatible and integrated with the character of surrounding neighborhoods or areas	✓		
Minimum Site Disturbance			
Grading, earth moving, and removal of major vegetation shall be minimized.	✓		
Developers shall be encouraged to maintain all mature trees over 6 inches in diameter except where circumstances require their removal, such as obstruction of the building site, dead or diseased trees, or nuisance species.	✓		
Special landscape features (rock outcroppings, prominent natural	✓		

outcroppings, prominent natural landforms, tree groupings) shall be retained.			
Landscaping			
New or replacement vegetation shall be compatible with surrounding vegetation and shall be suitable to the climate, soil, and ecological characteristics of the area	✓		
Rural Scenic Resources			
Location of development			
Development shall be located, if possible, on parts of the site not visible or least visible from the public view.			N/A
Development shall not block views of the shoreline from scenic road turnouts, rest stops or vista points			N/A
Site Planning			
Development shall be sited and designed to fit the physical setting carefully so that its presence is subordinate to the natural character of the site, maintaining the natural features (streams, major drainage, mature trees, dominant vegetative communities)			N/A
Screening and landscaping suitable to the site shall be used to soften the visual impact of development in the viewshed			N/A
Structures shall be designed to fit the topography of the site with minimal cutting, grading, or filling for construction			N/A
Pitched, rather than flat roofs, which are surfaced with non-reflective materials except for solar energy devices shall be encouraged			N/A
Natural materials and colors which blend with the vegetative cover of the site shall be used, or if the structure is located in an existing cluster of buildings, colors and materials shall repeat or harmonize with those in the cluster			N/A

Design Review Authority**13.11.040 Projects requiring design review.**

(d) All minor land divisions, as defined in Chapter 14.01, occurring within the Urban Services Line or Rural Services Line, as defined in Chapter 17.02; all minor land divisions located outside of the Urban Services Line and the Rural Services Line, which affect sensitive sites: and, all land divisions of 5 parcels (lots) or more.

Design Review Standards**13.11.072 Site design.**

Evaluation Criteria	Meets criteria In code (✓)	Does not meet criteria (✓)	Urban Designer's Evaluation
Compatible Site Design			
Location and type of access to the site	✓		
Building siting in terms of its location and orientation	✓		
Building bulk, massing and scale	✓		
Parking location and layout	✓		
Relationship to natural site features and environmental influences	✓		
Landscaping	✓		
Streetscape relationship	✓		
Street design and transit facilities	✓		
Relationship to existing structures	✓		
Natural Site Amenities and Features			
Relate to surrounding topography			N/A
Retention of natural amenities			N/A
Siting and orientation which takes advantage of natural amenities			N/A
Ridgeline protection			N/A
Views			
Protection of public viewshed			N/A
Minimize impact on private views			N/A
Safe and Functional Circulation			
Accessible to the disabled, pedestrians, bicycles and vehicles	✓		
Solar Design and Access			
Reasonable protection for adjacent properties	✓		

Reasonable protectionfor currently occupied buildings using a solar energy system			N/A
Noise			
Reasonable protectionfor adjacent properties	✓		

13.11.073 Building design.

Evaluation Criteria	Meets criteria In code (✓)	Does not meet criteria (✓)	Urban Designer's Evaluation
Compatible Building Design			
Massing of building form	✓		
Building silhouette	✓		
Spacing between buildings	✓		
Street face setbacks	✓		
Character of architecture	✓		
Building scale	✓		
Proportion and composition of projections and recesses, doors and windows, and other features	✓		
Location and treatment of entryways	✓		
Finish material, texture and color	✓		
Scale			
Scale is addressed on appropriate levels	✓		
Design elements create a sense of human scale and pedestrian	✓		
Building Articulation			
Variation in wall plane, roof line, detailing, materials and siting	✓		
Solar Design			
Building design provides solar access that is reasonably protected for adjacent properties	✓		
Building walls and major window areas are oriented for passive solar and natural lighting		✓	

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

Project Planner: Larry Kasparowitz
Application No.: 02-0251
APN: 028-014-03

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Environmental Planning Completeness Comments

UPDATE 7-1-02 Project planner has been notified by applicant that project will be revised. Therefore, full EP comments will not be made until new plans have been submitted and routed to EP. EP comments are on hold.

2. Biotic Pre Site will not be conducted until revised plans are rec'd and routed to EP. Pre Site on hold . ===== REVIEW ON JUNE 19, 2002 BY KEVIN D CRAWFORD
=====

06/19/02 Soils Report reviewed and accepted this date - Kevin Crawford Also Preliminary Grading Plan by Roper, dated 5/21/02, reviewed and approved this date.

----- UPDATED ON JUNE 30, 2003 BY ROBERT S LOVELAND =====
NO COMMENT

Environmental Planning Miscellaneous Comments

===== REVIEW ON JUNE 19, 2002 BY KEVIN D CRAWFORD =====
See comments under Completeness Comments. ===== UPDATED ON JUNE 30, 2003 BY
ROBERT S LOVELAND =====

Conditions of Approval :

1. The two large eucalyptus trees proposed for removal must be replaced with two 24" box size trees. The two replacement trees must be California natives (e.g. coast live oak, Monterey cypress, etc.). The replacement trees must remain in good health in perpetuity. If the trees die, they must be replaced with California native trees.

2. Obtain a grading permit, if required

Long Range Planning Completeness Comments

===== REVIEW ON JUNE 17, 2002 BY STEVE D GUINEY ===== Density is appropriate given GP and zoning.

===== UPDATED ON JUNE 11, 2003 BY MARK M DEMING ===== The tentative map incorrectly state that the new project will be multi-family residential (no big deal, hut let's not kid ourselves)

Density is consistent with the GP/LCP

Appears to be good use of manufactured housing

Long Range Planning Miscellaneous Comments

===== REVIEW ON JUNE 17, 2002 BY STEVE D GUINEY ===== These units would be more attractive if they could be reconfigured to have a front door facing the street and have the garage set back further.

===== UPDATED ON JUNE 11, 2003 BY MARK M DEMING =====
NO COMMENT

EXHIBIT F

Discretionary Comments - Continued

Project Planner: Larry Kasparowitz
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Code Compliance Completeness Comments

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

===== REVIEW ON JUNE 3, 2002 BY KEVIN M FITZPATRICK =====
NO COMMENT

===== UPDATED ON JUNE 16, 2003 BY KEVIN M FITZPATRICK =====
NO COMMENT

there are no code issues with this project, (KMF) ===== UPDATED ON AUGUST 27,
2003 BY KEVIN M FITZPATRICK =====

NO COMMENT

Property red tagged on 8/27/03 for an illegal dwelling. Do not process or approve
this application until violation is resolved. (KMF) ===== UPDATED ON DECEMBER 5,
2003 BY KEVIN M FITZPATRICK =====

Violation to be resolved within 60 days of approval of this application. (KMF) No
action to be taken until violation is resolved. Description needs to be changed to
reflect one legal and one illegal SFD to be demolished. (KMF) NO COMMENT

===== UPDATED ON JANUARY 6, 2004 BY KEVIN M FITZPATRICK =====
NO COMMENT

Code Compliance Miscellaneous Comments

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

===== REVIEW ON JUNE 3, 2002 BY KEVIN M FITZPATRICK =====
NO COMMENT

The alleged violations were determined to be "Not Valid". therefore Code Compliance
has no issue with this application. (KMF) ===== UPDATED ON JUNE 16, 2003 BY
KEVIN M FITZPATRICK =====

===== UPDATED ON AUGUST 27, 2003 BY KEVIN M FITZPATRICK =====
NO COMMENT

Property was red tagged 8/27/01 for an illegal dwelling unit. do not approve ap-
plication until this violation is resolved. (KMF) ===== UPDATED ON DECEMBER 5,
2003 BY KEVIN M FITZPATRICK =====

NO COMMENT Illegal dwelling unit to be resolved within 60 days of approval of this
application. (KMF) Code Compliance will not approve until violation is corrected.
(KMF)

===== UPDATED ON JANUARY 6, 2004 BY KEVIN M FITZPATRICK =====
NO COMMENT

Dpw Drainage Completeness Comments

===== UPDATED ON JULY 15, 2002 BY DAVID W SIMS =====

Roper Engineering has provided a good description and analysis of the obvious
drainage infrastructure existing in the immediate vicinity of the proposed project
area. One conclusion was that a section of 12" pipe does not have adequate capacity
to conduct existing or proposed flows without flooding a nearby neighbor. The con-
clusion was based on a conservative assumption that all runoff would reach the sys-
tem. There is evidence in County job files (Island Eng.) that there is a substantial
retention/detention system in existence on the neighboring parcel to the NE, buried
under the asphalt parking area. Disposal appears to be by percolation, with overflow

EXHIBIT F

Discretionary Comments - Continued

Project Planner: Larry Kasparowitz
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to the street. The neighbor to the other side (SW) also indicates a smaller detention system as planned.

Further investigation would need to be done to determine the as-built status of these structures and their current condition and serviceability. The County can provide copies to the designer of the files in our possession (35H, 35I, 35J). Factoring in an adjustment for this detention may indicate that the existing drainage pipe is adequate for the full 10-year flows, and safe overflow of the 25-year event. In the event that the applicant chooses not to investigate further, the under capacity pipe would need to be replaced to meet County minimum criteria.

As a minor land division occurring within a coastal zone, project runoff will have to be passed through silt and grease trap(s). Show selected location(s), and demonstrate adequate gradient.

It is not clear how drainage is handled leaving parcel D. Will the new driveway entrance accommodate the asphalt dike that directs drainage to the neighbor's detention system? Are easements provided or planned for site drainage of parcel D across other parcels? Can the existing detention system accommodate the additional drainage area from parcel D, given its existing length of service and probable performance loss? Do you have this landowner's permission to use their facility?

A drainage impact fee will be assessed on the net increase in impervious area. The fees are currently \$0.80 per square foot and are assessed upon permit issuance.

Please call the Dept. of Public Works, drainage division, from 8:00 to 12:00 am if you have questions.

----- UPDATED ON APRIL 18, 2003 BY ALYSON B TOM ----- Revised civil engineering calculations (Roper Engineering, Rev.10/30/02) were dropped off in Public Works and forwarded to the project planner. Dave Heinlein for official routing on 4/18/02. ABT

----- UPDATED ON JULY 8, 2003 BY DAVID W SIMS -----
2nd Routing:

The applicant has not addressed several of the issues previously raised. These are:
1) Silt and grease trap structures need to be provided, along with the requisite maintenance agreement(s).

2) A legal storm drain easement needs to be provided for use by Lot D, across at least one of the other proposed lots, to allow improvements for runoff control to be maintained or upgraded in the future.

3) The Engineer's calculations indicate lack of capacity and existing flood problems at the nearby offsite storm drain inlet. Since there is assuredly a significant percentage increase in runoff as a result of the proposed parcel development, it is incumbent upon the applicant to propose an effective remedy to the problem, as a condition of the minor land division.

Additional Item:

Since the time of the 1st routing, the County has adopted for use the results of an

EXHIBIT F

Project Planner: Larry Kasparowitz
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assessment for the County master plan drainage infrastructure. This assessment indicates an additional apparent severe point of restriction (2 yr. event) in the downstream drainage system into which **it** is proposed to direct project runoff. Such severity of restriction will either have to be shown not to exist, or be upgraded to County standard.

It is quite possible that **it** could be shown that this restriction point has more capacity than indicated in the adopted master plan study. The applicant's engineer should contact the County Stormwater Management section for further information on how to proceed. Please reference pipe segment 051415-051416 of the zone 5 master plan when calling.

Because of the apparent severity of restriction, **it** is not reasonable to address project impacts with retention or detention facilities located on-site. To justify detention as mitigation the downstream receiving system would need to have at least a 5-year storm capacity. **If it** is shown to have this minimum capacity, then detention requirements and other on-site mitigation will have to be discussed. **If** the master plan study is corroborated, then additional off-site upgrades will be required. ===== UPDATED ON JANUARY 5, 2004 BY DAVID W SIMS =====
3rd Routing:

The proposed plan is approved for discretionary stage stormwater management review. Please see conditions of approval for items to be addressed before recording the final map. Mark up of reviewed calculations has been returned to the designer under separate cover.

Conditions of approval :

- 1) Please revise drainage and detention calculations per marked copies, and resubmit stamped, signed and dated. Include calculations for the proposed arch culvert on Corcoran showing capability of County standard capacity.
- 2) Note on the improvement plans that detention criteria are as follows: Allowable release rate equal to the ~~5-year~~, 15-minute pre-development event, stricter than County standard. Storage volume is to accommodate a post-development 10-year storm event per County standard.
- 3) Adjust detention pipe layout as necessary to accommodate larger calculated storage volume, and confer with landscape designer to adjust for encroachment with coast live oak tree plantings over the pipe alignment.
- 4) The reconstructed DI on Paget Ave. shows two invert elevations. Please provide clarity.
- 5) Record the maintenance agreement to include the silt and grease trap and detention system, and provide a copy to DPW.
- 6) Provide construction details of the outlet control structure of the detention system that match with corrected calculations.

===== UPDATED ON JANUARY 5, 2004 BY DAVID W SIMS =====

Discretionary Comments - Continued

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===== UPDATED ON JANUARY 23, 2004 BY RACHEL J FATOCHI =====

===== UPDATED ON JANUARY 27, 2004 BY DAVID W SIMS =====

Met with Developer and Engineer on 1/27/03 to discuss comments. A portion of item 1 from 3rd routing is no longer required - to upsize the Corcoran culvert to standard 10 yr. from the proposed upsize to the 5 yr. event. Calculations for the correct sizing of 5 yr. capability are still required. All other items still apply. 5 year sizing acceptable based on 5 year release from detention. and probability that the culvert and ditch segments along Corcoran will be eventually replaced in its entirety as a larger pipeline project. Requiring this pipeline of the applicant would be beyond cost reasonability.

Applicant's engineer and Drainage Maintenance staff confirmed no erosion issues along Corcoran storm channel.

Dpw Drainage Miscellaneous Comments

===== REVIEW ON JULY 15, 2002 BY DAVID W SIMS =====

NO COMMENT

===== UPDATED ON JULY 8, 2003 BY DAVID W SIMS =====

The submitted calculations were useful in demonstrating the inadequacy in the off-site system on Paget Ave. even given the assumption of benefit from neighboring detention systems. C-values to be used in calculating runoff should not assume lesser values for areas provided with detention, unless field investigation is done to verify the basis of the assumed reduction. The available County records are no assurance that such detention structures were actually installed per design, or that they remain functional. When resizing future upgrades use C-values representing actual verified conditions, or use more conservative assumptions.

In future submittals please provide calculations for the 10-year and 25-year events. The 100-year calculations submitted are not required because the contributing watershed is too small. ===== UPDATED ON JANUARY 5, 2004 BY DAVID W SIMS =====

Miscellaneous:

It is recommended that the storm drain pipe under Paget Ave. be 18" diameter, in the advent that Paget Ave. is ever accepted as a County maintained road.

A drainage impact fee will be assessed on the net increase in impervious area. The fees are currently \$0.85 per square foot, and are assessed upon permit issuance.

All resubmittals of plans, calculations, reports, faxes, extra copies, etc. shall be made through the Planning Department. Materials left with Public Works may be returned by mail. with resulting delays.

Please call the Dept. of Public Works, Stormwater Management Section. from 8:00 am to 12:00 noon if you have questions, ===== UPDATED ON JANUARY 27, 2004 BY DAVID W SIMS =====
NO COMMENT

Dpw Driveway/Encroachment Completeness Comments

Discretionary Comments - Continued

Project Planner: Larry Kasparowitz
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===== REVIEW ON JUNE 7, 2002 BY RUSSELL M ALBRECHT =====
No comment, project involves a subdivision or MLD.
My records indicate that PAGET AVENUE and TOWER PLACE are not County maintained roads. =====
UPDATED ON JUNE 10, 2003 BY RUTH L ZADESKY =====
No comment, project involves a subdivision or MLD.
===== UPDATED ON DECEMBER 5, 2003 BY DEBBIE F LOCATELLI =====
No comment, project involves a subdivision or MLD.

Dpw Driveway/Encroachment Miscellaneous Comments

===== REVIEW ON JUNE 7, 2002 BY RUSSELL M ALBRECHT =====
No comment.
===== UPDATED ON JUNE 10, 2003 BY RUTH L ZADESKY =====
No comment.
===== UPDATED ON DECEMBER 5, 2003 BY DEBBIE F LOCATELLI =====

Dpw Road Engineering Completeness Comments

===== REVIEW ON JULY 1, 2002 BY GREG J MARTIN =====
The existing and proposed easement for access to parcel D should be provided prior to approval. =====
UPDATED ON JUNE 19, 2003 BY GREG J MARTIN =====
Access to Parcel D is through a commercial site. The access to Parcel D across the commercial site should match Tower Place so there is a continuity of the residential portion of the street and delineation of the commercial area. The parking layout for Parcel 28-014-01 & 02 should be shown as well so a clear picture can be afforded of traffic circulation and parking on the commercial site and how it may interact with access to the new residential Parcel D. The driveway to Parcel D should meet County Design Criteria standards, particularly the inside radius of the driveway may not be less than 15 feet.

Evidence of easements for access for Parcel D and the turnaround should be provided.
===== UPDATED ON JUNE 20, 2003 BY GREG J MARTIN =====
Please contact Greg Martin at 831-454-2811 if you have any questions. ----- UP-
DATED ON JULY 8, 2003 BY GREG J MARTIN =====
===== UPDATED ON JULY 8, 2003 BY GREG J MARTIN =====
===== UPDATED ON DECEMBER 17, 2003 BY GREG J MARTIN =====
Additional pavement on Tower Place or Paget Avenue should have a section of 3 inches of asphalt concrete over 9 inches of aggregate base. Documentation of easement still hasn't been provided.

Dpw Road Engineering Miscellaneous Comments

===== REVIEW ON JULY 1, 2002 BY GREG J MARTIN =====
===== UPDATED ON JUNE 19, 2003 BY GREG J MARTIN =====
===== UPDATED ON JUNE 20, 2003 BY GREG J MARTIN =====
===== UPDATED ON JULY 8, 2003 BY GREG J MARTIN =====
The development is subject to Live Oak Transportation Improvement (TIA) fees at a rate of \$4000 for each new lot created which will result in the potential for a new home. This is calculated as 4 new lots minus the two existing dwelling units equals two. The fee is calculated as two multiplied by \$4000/lot for a total of \$8,000. The total TIA fee of \$8,000 is to be split evenly between transportation improvement

Discretionary Comments - Continued

Project Planner: Larry Kasparowitz
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fees and roadside improvement fees. ===== UPDATED ON DECEMBER 17, 2003 BY GREG J
MARTIN =====
===== UPDATED ON DECEMBER 17, 2003 BY GREG J MARTIN =====

Environmental Health Completeness Comments

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

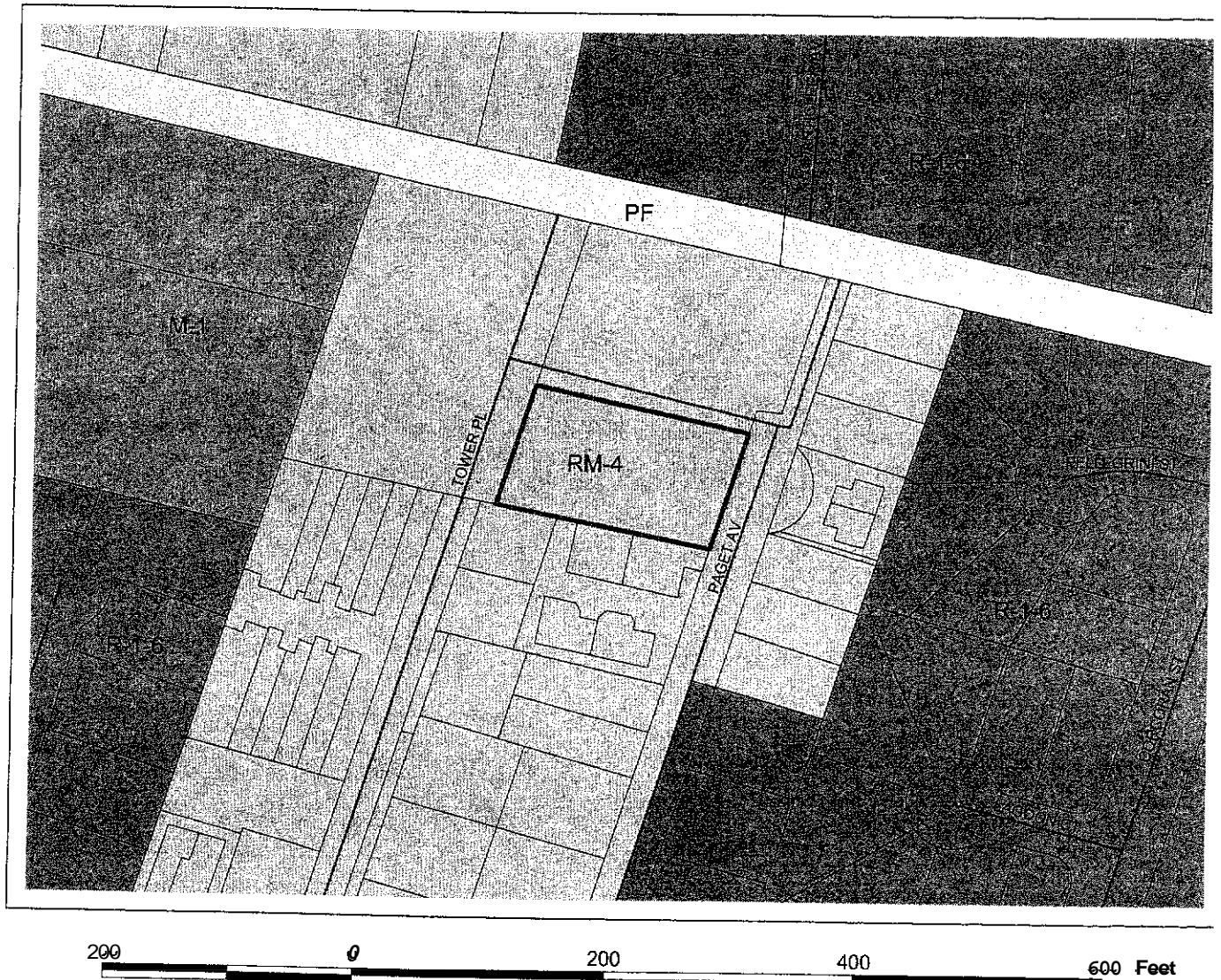
===== REVIEW ON JUNE 11, 2002 BY JIM G SAFRANEK =====
NO COMMENT
===== UPDATED ON JULY 1, 2003 BY JIM G SAFRANEK =====
NO COMMENT
===== UPDATED ON JANUARY 5, 2004 BY JIM G SAFRANEK =====
===== UPDATED ON JANUARY 5, 2004 BY JIM G SAFRANEK =====
NO COMMENT

Environmental Health Miscellaneous Comments







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

===== REVIEW ON JUNE 11, 2002 BY JIM G SAFRANEK =====
NO COMMENT
===== UPDATED ON JULY 1, 2003 BY JIM G SAFRANEK =====
NO COMMENT
===== UPDATED ON JANUARY 5, 2004 BY JIM G SAFRANEK =====
NO COMMENT

Zoning Map



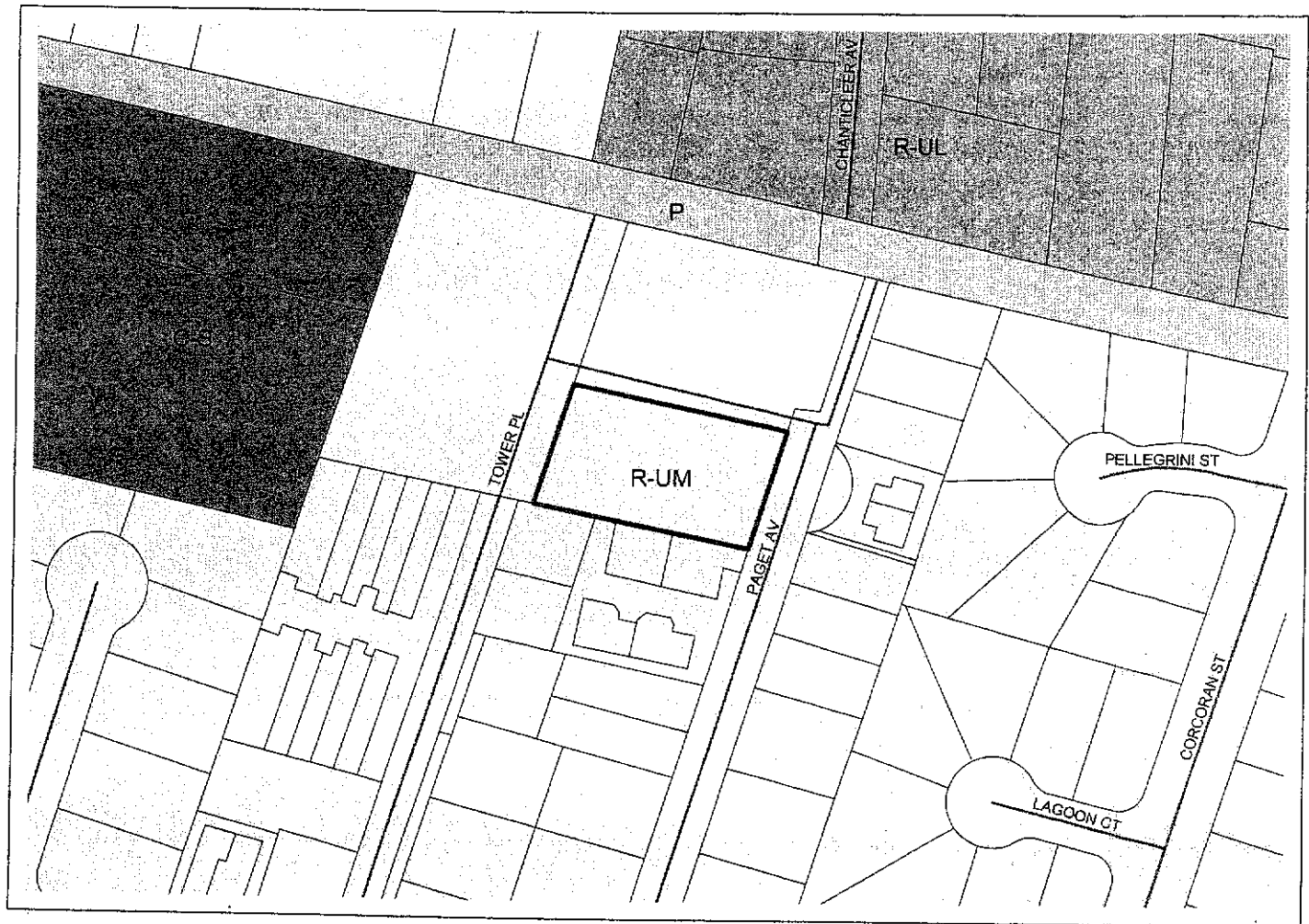
Legend

	APN 028-014-03
	Streets
	R-1-X
	RM
	PF
	M-1









Map created by Santa Cruz County
Planning Department:
May 2004

General Plan Map



200 0 200 400 600 Feet

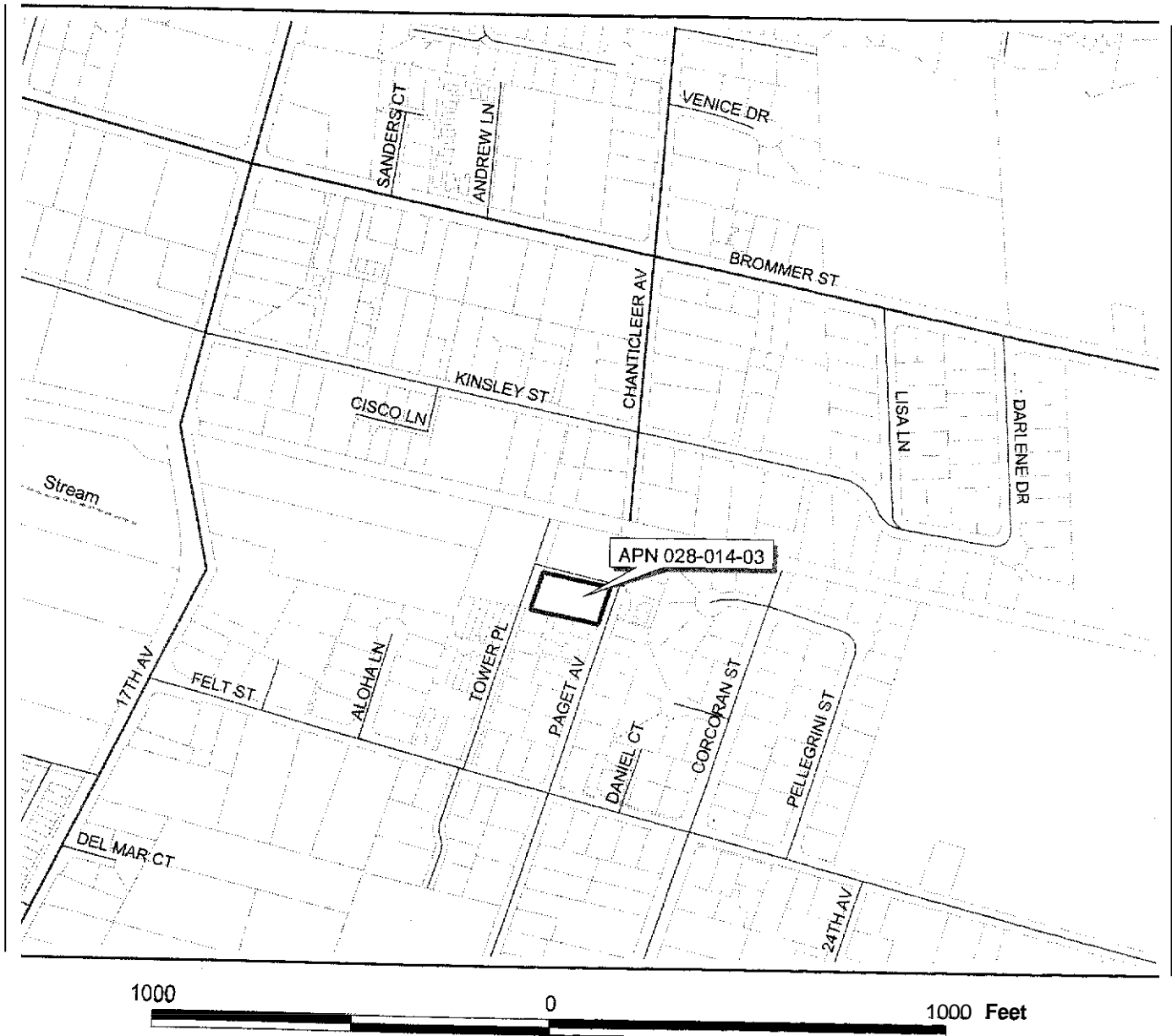
Legend

-  APN 028-014-03
-  Streets
-  Service Commercial
-  Public Facilities
-  Residential - Urban Low Density
-  Residential - Urban Medium Density



Map created by Santa Cruz County
Planning Department:
June 2004

Location Map



Map created by Santa Cruz County
Planning Department:
June 2004



Minor Land Division
Residential Housing Proposal
To Build 4 Single Family Wheelchair Accessible
Houses at 951 Paget Avenue
APN 028-014-03
Live Oak Area
Santa Cruz, CA

Presented By

Easy Access Developers, LLC.
107 Jenne Street
Santa Cruz, CA 95060
(831) 420-1240

Goal:

To do a minor land subdivision from one 18,900 square foot lot to four 4000+ square foot lots. We will be replacing two very deteriorated houses with 4 new moderately priced, custom designed, modular, single family houses. The homes will be single level (approximately 1300 square feet) with a 1 car garage and will be wheelchair accessible.

Two of the homes will be sold to the owner of the adjacent property to be held as rental homes, providing wheelchair accessible housing to those who cannot afford to purchase a home. One home will be sold to the general public. The fourth home will be sold to an individual *or* family that requires a wheelchair accessible home at a price \$25,000 below market value.

A portion of profits received from the total project will be used to allow us to establish an equity sharing arrangement with the purchaser of the fourth house. By doing this the purchaser will be required to obtain a mortgage for ~~an~~ amount far less than market value, keeping their payments at an affordable level. In return we will maintain an equity interest in the house to ~~be~~ realized only at some future point when the house is sold. The exact percentages of ownership and shared expenses will be determined when a candidate for purchase is selected and their financial responsibility is determined.

It is our intent to adapt this fourth house for additional amenities the family or individual may require for wheelchair access. Once our project is approved we will contact various organizations that deal with people using wheelchairs to find an individual or family that qualifies financially and needs wheelchair accessible housing.

***** May 13, 2002 - The Santa Cruz County Commission on Disabilities unanimously voted to provide Easy Access Developers, LLC with a letter to the Santa Cruz County Planning Department supporting our efforts to provide wheelchair accessible and affordable housing in the county. We will submit this letter to the county as soon as it is received after the next board meeting in June, 2002!

It is also our intent to continue the practice of developing only wheelchair accessible housing utilizing the equity sharing arrangement to make at least a portion of the housing created more affordable. We are currently proposing two additional projects in the City of Santa Cruz, a 2 unit townhouse and a small "Boutique" 11 room Hotel with 3 condominium units on the second and third floors. In both of these projects, although not required by law, all units will be wheelchair accessible and we will utilize the equity sharing arrangement to reduce the cost of owning a home for an individual or family in need of wheelchair accessible housing.

The homes we intend to build will be pleasing to the eye and will provide the owner with a very efficient use of space for maximum comfort. Each home will have three bedrooms and two bathrooms, sufficient closet and storage space, a washer and dryer area, a large open living room dining room kitchen area, a 1 car garage with at least 3 parking spaces and a large open back yard area. Careful attention to window and skylight placement will allow for maximum use of natural sunlight while maintaining privacy and minimizing energy use.

As part of the overall improvements to the lot we will be finishing the opposite side of a cul de sac turn around on Paget Avenue. Paget is not a through street and this improvement will greatly enhance the safety to existing residents on Paget as well as improve the look of this non-county maintained road.

Location:

The property is located at 951 Paget Avenue in Live Oak. This street consists of a mixture of single family homes, multi family apartments, townhouses and condominiums.

About The Owners:

Managing Member- Elizabeth DeFrancesco is a recreational therapist who currently works part-time for the city of San Jose. She also volunteers for the City of San Jose in numerous events involving recreation and sports for the disabled. Two time Paralympic swimming coach, former head coach for the Wheelchair Sports USA Swimming Team, founder of the wheelchair sports team for youths in San Jose, Elizabeth has been an advocate for the disabled throughout her life.

Investor Members:

Sebastian DeFrancesco is Vice president of Wheelchair Sports USA, United States Olympic Committee board member, Santa Cruz County Veterans Hall Board of Trustees member, coach for the National and Regional Quad Rugby Team, five time Paralympic medalist and Vietnam veteran.

Deborah Quigg holds her master's in the field of social work in which she retired from private practice. She is a former national wheelchair athletic medalist and currently volunteers for the Santa Cruz Aids Project, board member for the Santa Cruz Actor's Theatre and volunteers for various other local community nonprofit organizations.

Joseph Quigg is a Certified Financial Planner . He is the former manager of a Connecticut based CPA and Registered Investment Management firm, DFS, Inc. He is a member the Burke Rehabilitation Center Board of Directors and member of the Bay Area Olympic Committee

Additional Information:

Exterior:

- Semi Gloss 3-color exterior (different colors for each house)-See color chart.
- White framed dual glazed vinyl window.
- Driveway and walkway will be made with decorator imprinted cement.

Interior:

- Vaulted ceilings in living room, dining room and kitchen area
- ½" drywall throughout

Items submitted with application:

- Tentative Map (which includes)
 - Vicinity Map
 - Site Analysis Diagram
 - Locations of above and below ground utilities
- Landscaping Plan
- Material Sample
- Sample Color Board
- Exterior Elevations
- Floor Plan
- Site built garage plans
- Service Letter's for water and sewer
- Copy of Deed with letter of authorization from owner
- 4 copies Geotechnical Report
- Letter of project support from Commission on Disabilities

PRELIMINARY REPORT
SANTA CRUZ TITLE COMPANY

- ☐ 201 River Street, Santa Cruz, CA 95060 (831) 426-9090 / FAX (831) 426-8511
- ☐ 223 River Street #C, Santa Cruz, CA 95060 (831) 466-1974 / FAX (831) 471-0990
- ☐ 830 Bay Avenue, #A, Capitola, CA 95010 (831) 479-9229 / FAX (831) 479-3641
- ☐ 1955 41st Avenue, #A-5, Capitola, CA 95010 (831) 476-5000 / FAX (831) 476-1647
- ☐ 4340 Scotts Valley Dr. #A, Scotts Valley, CA 95066 (831) 438-4200 / FAX (831) 438-5369
- ☐ 9055 Soquel Drive, Aptos, CA 95003 (831) 688-9566 / FAX (831) 688-8625
- ☐ 1820 Main Street, Watsonville, CA 95076 (831) 724-8804 / FAX (831) 724-2633
- ☒ 1541 Pacific Avenue, #D, Santa Cruz, CA 95060 (831) 426-1711 / FAX (831) 427-3217

March 15, 2002

Santa Cruz Title Company

IMPORTANT
WHEN REPLYING REFER TO
OUR NO.: 09480141 BAH

ATTENTION: Brigid Heath
Escrow Officer

YOUR NO.:

PROPERTY: 953 Tower Place, Santa Cruz, CA 95062

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

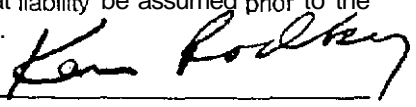
The printed Exceptions and Exclusion from coverage of said Policy or Policies are set forth in Exhibit A attached. Copies of the Policy forms should be read. They are available from the office which issued this Report.

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

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

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

Dated as of March 4, 2002 at 7:30 a.m.



Ken Rodkey, Title Officer

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

A.L.T.A. Loan Policy (10-17-92) With A.L.T.A. Endorsement Form 1 Coverage

C.L.T.A. Coverage Policy - 1990

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

A FEE AS TO PARCEL ONE; AN EASEMENT AS TO PARCELS TWO AND THREE

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

Richard E. Alderson, Trustee of the Richard E. Alderson 1987 Inter Vivos Trust as to an undivided 1/2 interest and Charles L. Canfield, as to an undivided 1/4 interest and Barbara Gay Canfield, as Trustee of the Barbara Gay Canfield Revocable Living Trust, established August 5, 1993 and any successor trustee, as to an undivided 1/4 interest

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

EXHIBIT K

1. GENERAL AND SPECIAL COUNTY (AND CITY) TAXES, A LIEN NOT YET DUE OR PAYABLE, FOR THE
FISCAL YEAR : 2002-2003
PARCEL NO. : 028-014-02
2. THE LIEN OF SUPPLEMENTAL TAXES, IF ANY, ASSESSED PURSUANT TO THE PROVISIONS OF CHAPTER 3.5 (COMMENCING WITH SECTION 75) OF THE REVENUE AND TAXATION CODE OF THE STATE OF CALIFORNIA.
3. RIGHTS OF THE PUBLIC IN THAT PORTION OF SAID PROPERTY LYING WITHIN : PAGET STREET
4. AN UNRECORDED LEASE, UPON THE TERMS, COVENANTS AND CONDITIONS THEREIN PROVIDED, DISCLOSED BY INSPECTION AND INVESTIGATION
LESSOR : UNKNOWN
LESSEES : PRUNELLA MACHINE
EXTRAORDINARY DOORS
DURAFLEX PRODUCTS INC.
5. ANY INVALIDITY OR DEFECT IN THE TITLE OF THE VESTES IN THE EVENT SUCH TRUST IS INVALID OR FAILS TO CONFER SUFFICIENT POWERS IN THE TRUSTEE, OR IN THE EVENT THERE IS A LACK OF COMPLIANCE WITH THE TERMS AND PROVISIONS OF THE TRUST INSTRUMENT.
TRUST NAME : RICHARD E. ALDERSON 1987 INTER VIVOS TRUST
6. ANY INVALIDITY OR DEFECT IN THE TITLE OF THE VESTES IN THE EVENT SUCH TRUST IS INVALID OR FAILS TO CONFER SUFFICIENT POWERS IN THE TRUSTEE, OR IN THE EVENT THERE IS A LACK OF COMPLIANCE WITH THE TERMS AND PROVISIONS OF THE TRUST INSTRUMENT.
TRUST NAME : THE BARBARA GAY CANFIELD REVOCABLE LIVING TRUST ESTABLISHED AUGUST 5, 1993
7. POSSIBLE COMMUNITY PROPERTY INTEREST OF THE SPOUSES OF THE VESTES HEREIN.
8. RIGHTS OF PARTIES IN POSSESSION OF SAID PROPERTY BY REASON OF UNRECORDED LEASES, IF ANY. THIS COMPANY WILL REQUIRE AN EXAMINATION OF ANY SUCH LEASES PRIOR TO THE ISSUANCE OF ANY POLICY OF TITLE INSURANCE.
9. THE RIGHTS OF PARTIES IN POSSESSION OF SAID PROPERTY UNDER ANY UNRECORDED LEASE OR MONTH TO MONTH TENANCY RENTAL AGREEMENT.

Continued Exceptions



NOTES

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

TITLE OF THE VESTEE HEREIN WAS ACQUIRED BY
INSTRUMENT GRANT DEED
FROM RICHARD E. ALDERSON. A SINGLE MAN AS TO AN
UNDIVIDED 1/2 INTEREST
TO : RICHARD E. ALDERSON, TRUSTEE OF THE
RICHARD E. ALDERSON 1987 INTER VIVOS
TRUST
RECORDED : MAY 11, 1988 IN BOOK 4323, PAGE 812
OFFICIAL RECORDS OF SANTA CRUZ COUNTY
INSTRUMENT NO. : 026638

AND BY
INSTRUMENT : GRANT DEED
FROM : CHARLES L. CANFIELD AND BARBARA W
CANFIELD
TO : CHARLES L. CANFIELD AND BARBARA W.
CANFIELD, WHO ARE NO LONGER MARRIED TO
EACH OTHER. AS THEIR SEPARATE PROPERTY,
AS TO AN UNDIVIDED 1/4 INTEREST EACH
RECORDED : FEBRUARY 9, 1989 IN BOOK 4457, PAGE 25
OFFICIAL RECORDS OF SANTA CRUZ COUNTY
INSTRUMENT NO : 008606

AND BY
INSTRUMENT : GRANT DEED
FROM : BARBARA BAY CANFIELD, A SINGLE WOMAN,
ALSO KNOWN AS BARBARA W. CANFIELD
TO : BARBARA GAY CANFIELD. AS TRUSTEE OF THE
BARBARA GAY CANFIELD REVOCABLE LIVING
TRUST ESTABLISHED AUGUST 5, 1993, AND ANY
SUCCESSOR TRUSTEE
RECORDED : AUGUST 9, 1993 IN BOOK 5319, PAGE 431
OFFICIAL RECORDS OF SANTA CRUZ COUNTY
INSTRUMENT NO, : 58574

AND BY
INSTRUMENT : GRANT DEED
FROM : RICHARD E. ALDERSON. TRUSTEE OF THE
RICHARD E. ALDERSON 1987 INTER VIVOS
TRUST
TO : RICHARD ALDERSON, TRUSTEE OF THE
ALDERSON CHARITABLE REMAINDER TRUST
DATED MARCH 8, 1995
RECORDED : APRIL 5, 1995 IN BOOK 5656, PAGE 48
OFFICIAL RECORDS OF SANTA CRUZ COUNTY

Continued Exceptions

NOTES CONTINUED

- B. LAST INSURED DATE : OVER FIVE YEARS
- C. THE FOLLOWING IS SHOWN FOR TAX PRORATION PURPOSES ONLY. THE INSTALLMENTS SHOWN HEREUNDER ARE PAID IN FULL UNLESS OTHERWISE SHOWN IN THIS REPORT AS A NUMBERED EXCEPTION.

GENERAL AND SPECIAL COUNTY (AND CITY) TAXES, INCLUDING PERSONAL PROPERTY TAX IF ANY FOR THE

FISCAL YEAR	:	2000-2001
LAND VALUATION	:	\$29,816.00
IMPROVEMENT VALUATION	:	\$205,390.00
PERSONAL PROPERTY	:	\$ -0-
EXEMPTIONS	:	\$ -0-
CODE AREA NO.	:	82-040
PARCEL NO.	:	028-014-02
1 ST INSTALLMENT	:	\$1,646.81
2 ND INSTALLMENT	:	\$1,646.81

- D. THE REQUIREMENT THAT A CERTIFICATION OF TRUST, PURSUANT TO CALIFORNIA PROBATE CODE SECTION 18100.5, RECORDABLE IN FORM, BE PROVIDED TO THIS COMPANY PRIOR TO CLOSE OF ESCROW.
TRUST NAME : RICHARD E. ALDERSON 1987 INTER VIVOS TRUST
- E. THE REQUIREMENT THAT A CERTIFICATION OF TRUST, PURSUANT TO CALIFORNIA PROBATE CODE SECTION 18100.5, RECORDABLE IN FORM, BE PROVIDED TO THIS COMPANY PRIOR TO CLOSE OF ESCROW.
TRUST NAME : THE BARBARA GAY CANFIELD REVOCABLE LIVING TRUST ESTABLISHED AUGUST 5, 1993
- F. THE POLICY OR POLICIES OF TITLE INSURANCE CAUSED TO BE ISSUED IN THIS TRANSACTION WILL BE ISSUED BY ONE OF OUR AUTHORIZED UNDERWRITERS.
- G. NOTE: THE ALTA HOMEOWNERS POLICY OF TITLE INSURANCE (10-17-98) CONTAINS SPECIFIC DEDUCTIBLE AMOUNTS AND SPECIFIC LIABILITY MAXIMUMS FOR COVERED RISK NUMBERS 14, 15, 16 AND 18 OF SAID POLICY THAT HAVE BEEN FILED AND APPROVED BY THE VARIOUS DEPARTMENTS OF INSURANCE WHERE THE FORMS HAVE BEEN FILED. PLEASE CONSULT WITH YOUR ESCROW OR TITLE OFFICER IF YOU HAVE QUESTIONS REGARDING THE POLICY.

BGR:jdr

Continued Exceptions

EXHIBIT "A"

The land referred to herein is described as follows:

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

PARCEL ONE:

LOT ONE AND PARTS OF LOTS TWO AND THREE AS SHOWN ON THE MAP ENTITLED "MAP OF DEL MAR ADDITION" FILED FOR RECORD JULY 3, 1911 IN MAP BOOK 17 AT PAGE 18, SANTA CRUZ COUNTY RECORDS, BEING ALSO A PART OF THE LANDS CONVEYED TO RALPH READER AND BESSIE I. READER, HIS WIFE, BY DEED RECORDED FEBRUARY 13, 1941 IN VOLUME 416, PAGE 5 OF OFFICIAL RECORDS OF SANTA CRUZ COUNTY, AND

BEGINNING AT A STATION ON THE WESTERN LINE OF PAGET STREET AS SHOWN ON SAID MAP, FROM WHICH THE SOUTHEASTERN CORNER OF SAID LANDS CONVEYED TO READER BEARS SOUTH 16 DEGREES 50' WEST 105 FEET DISTANT; THENCE LEAVING SAID LINE OF PAGET STREET NORTH 79 DEGREES 05' WEST AND PARALLEL WITH THE SOUTHERN BOUNDARY OF SAID LANDS OF READER, A DISTANCE OF 180.0 FEET TO A STATION; THENCE SOUTH 16 DEGREES 50' EAST AND PARALLEL WITH THE SAID WESTERN LINE OF PAGET STREET A DISTANCE OF 105 FEET TO THE SOUTHERN BOUNDARY OF SAID LANDS OF READER; THENCE ALONG THE BOUNDARY LINE OF SAID LANDS OF READER THE FOLLOWING COURSES AND DISTANCES, NORTH 79 DEGREES 05' WEST 173.2 FEET TO AN ANGLE, NORTH 16 DEGREES 50' EAST 241.09 FEET TO THE SOUTHERN LINE OF SOUTHERN PACIFIC COMPANY'S RIGHT OF WAY, THENCE ALONG SAID RIGHT OF WAY SOUTH 79 DEGREES 05' EAST 373.3 FEET TO THE CENTER LINE OF PAGET STREET; THENCE ALONG SAID CENTER LINE SOUTH 16 DEGREES 50' WEST 116.7 FEET; THENCE LEAVING SAID CENTER LINE NORTH 79 DEGREES 05' WEST 20.105 FEET TO THE NORTHEASTERN CORNER OF SAID LOT TWO AND THENCE ALONG THE EASTERN LINE OF SAID LOT TWO SOUTH 16 DEGREES 50' WEST 19.39 FEET, MORE OR LESS, TO THE PLACE OF BEGINNING.

EXCEPTING THEREFROM THAT PORTION CONVEYED TO FIRST AMERICAN TITLE INSURANCE COMPANY, A CALIFORNIA CORPORATION BY DEED RECORDED DECEMBER 20, 1971 IN VOLUME 2156, PAGE 597, OFFICIAL RECORDS OF SANTA CRUZ COUNTY.

PARCEL TWO:

AN EASEMENT 50 FEET IN WIDTH FOR INGRESS AND EGRESS PURPOSES, APPURTENANT TO PARCEL ONE, AS RESERVED IN THE DEED FROM RICHARD ALDERSON, TRUSTEE OF THE ALDERSON CHARITABLE REMAINDER TRUST DATED MARCH 8, 1995, ET AL TO STEPHEN SUESS, ET UX, RECORDED MAY 11, 1995 IN VOLUME 5671. PAGE 490, OFFICIAL RECORDS OF SANTA CRUZ COUNTY.

PARCEL THREE:

AN EASEMENT 30 FEET IN WIDTH FOR INGRESS, EGRESS AND PUBLIC UTILITY PURPOSES, AS GRANTED IN THE DEED FROM WAYNE J. BIONDI, A MARRIED MAN AS HIS SOLE AND SEPARATE PROPERTY, TO RICHARD ALDERSON. A SINGLE MAN, RECORDED JULY 6, 1979 IN VOLUME 3079. PAGE 483, OFFICIAL RECORDS OF SANTA CRUZ COUNTY.

APN: 028-014-02

SANTA CRUZ TITLE COMPANY's Privacy Statement

July 1, 2001

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

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

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

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

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

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

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

- To agents, brokers or representatives to provide you with services you have requested;
- To third-party contractors or service providers who provide services or perform marketing or other functions on this company's behalf, and
- To others with whom this company enters into joint marketing agreements for products or services that this company believes you may find of interest.

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

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

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

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

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

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

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

Multiple Products or Services :

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

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

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

NOTICE I

"IN ACCORDANCE WITH SECTION 18662 AND 18668 OF THE REVENUE AND TAXATION CODE, A BUYER MAY BE REQUIRED TO WITHHOLD AN AMOUNT EQUAL TO 3 1/3 PERCENT OF THE SALES PRICE, IN THE CASE OF A DISPOSITION OF CALIFORNIA REAL PROPERTY INTEREST BY EITHER: 1. A SELLER WHO IS AN INDIVIDUAL WITH A LAST KNOWN STREET ADDRESS OUTSIDE OF CALIFORNIA OR WHEN THE DISBURSEMENT INSTRUCTIONS AUTHORIZE THE PROCEEDS BE SENT TO A FINANCIAL INTERMEDIARY OF THE SELLER, OR 2. A CORPORATE SELLER WHICH HAS NO PERMANENT PLACE OF BUSINESS IN CALIFORNIA. FOR FAILURE TO WITHHOLD, THE BUYER MAY BECOME SUBJECT TO A PENALTY IN AN AMOUNT EQUAL TO THE GREATER OF 10 PERCENT OF THE AMOUNT REQUIRED TO BE WITHHELD OR FIVE HUNDRED DOLLARS (\$500). HOWEVER, NOTWITHSTANDING ANY OTHER PROVISION INCLUDED IN THE CALIFORNIA STATUTES REFERENCED ABOVE, NO BUYER WILL BE REQUIRED TO WITHHOLD ANY AMOUNT OR BE SUBJECT TO PENALTY FOR FAILURE TO WITHHOLD IF: 1. THE SALES PRICE OF THE CALIFORNIA REAL PROPERTY CONVEYED DOES NOT EXCEED ONE HUNDRED THOUSAND DOLLARS (\$100,000), OR 2. THE SELLER EXECUTES A WRITTEN CERTIFICATE, UNDER THE PENALTY OF PERJURY, CERTIFYING THAT THE SELLER IS A RESIDENT OF CALIFORNIA, OR IF A CORPORATION, HAS A PERMANENT PLACE OF BUSINESS IN CALIFORNIA, OR 3. THE SELLER, WHO IS AN INDIVIDUAL, EXECUTES A WRITTEN CERTIFICATE, UNDER THE PENALTY OF PERJURY, THAT THE CALIFORNIA REAL PROPERTY BEING CONVEYED IS THE SELLER'S PRINCIPAL RESIDENCE (AS DEFINED IN SECTION 1034 OF THE INTERNAL REVENUE CODE). THE SELLER IS SUBJECT TO PENALTY FOR KNOWINGLY FILING A FRAUDULENT CERTIFICATE FOR THE PURPOSE OF AVOIDING THE WITHHOLDING REQUIREMENT. THE CALIFORNIA STATUTES REFERENCED ABOVE INCLUDE PROVISIONS WHICH AUTHORIZE THE FRANCHISE TAX BOARD TO GRANT REDUCED WITHHOLDING AND WAIVERS FROM WITHHOLDING ON A CASE-BY-CASE BASIS:

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

FRANCHISE TAX BOARD
WITHHOLD AT SOURCE UNIT
P O BOX 651
SACRAMENTO, CA. 95812-0651
(416) 369-4900

NOTICE II

THE SANTA CRUZ COUNTY RECORDER ("COUNTY RECORDER") HAS NOTIFIED SANTA CRUZ TITLE COMPANY ("SANTA CRUZ TITLE") THAT THE COUNTY RECORDER WILL _____ FOR RECORDING DOCUMENTS WHICH

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

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

NOTICE III

ON AND AFTER JULY 1, 1985, THE COUNTY RECORDER'S OFFICE WILL CHARGE, IN ADDITION TO THE REGULAR RECORDING CHARGES, AN EXTRA \$20.00 RECORDING FEE, UNLESS A DOCUMENT EVIDENCING A CHANGE OF OWNERSHIP IS ACCOMPANIED BY A PRELIMINARY CHANGE OF OWNERSHIP REPORT, IN LIEU OF SAID REPORT, SIGNED BY THE TRANSFEREE, THE RECORDER WILL ACCEPT AN AFFIDAVIT THAT THE TRANSFEREE IS NOT A RESIDENT OF CALIFORNIA, TITLE BILLINGS WILL BE ADJUSTED TO REFLECT SUCH ADDITIONAL FEES WHEN APPLICABLE.

NOTICE IV

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

**ADDENDUM TO EXHIBIT A
LIST OF PRINTED EXCLUSIONS**

EXCLUSIONS

In addition to the Exceptions in Schedule B, You are not insured against loss, costs, attorneys' fees, and expenses resulting from:

1. Governmental police power, and the existence or violation of any law or government regulation. This includes ordinances, laws and regulations concerning:
 - a. building;
 - b. zoning;
 - c. land use;
 - d. improvements on the Land;
 - e. land division;
 - f. environmental protection;

This Exclusion does not apply to violations or the enforcement of these matters if notice of the violation or enforcement appears in the Public Records at the Policy Date.

This Exclusion does not limit the coverage described in Covered Risk 1A, 15, 16, 17 or 24.

2. The failure of Your existing structures, or any part of them, to be constructed in accordance with applicable building codes. This Exclusion does not apply to violations of building codes if notice of the violation appears in the Public Records at the Policy Date.
3. The right to take the Land by condemning it, unless:
 - a. a notice of exercising the right appears in the Public Records at the Policy Date; or
 - b. the taking happened before the Policy Date and is binding on You if You bought the Land without knowing of the taking.
4. Risks:
 - a. that are created, allowed, or agreed to by You, whether or not they appear in the Public Records;
 - b. that are Known to You at the Policy Date, but not to Us, unless they appeared in the Public Records at the Policy Date;
 - c. that result in no loss to You; or
 - d. that first occur after the Policy Date - this does not limit the coverage described in Covered Risk 7, 8.d, 22, 23, 24 or 25
5. Failure to pay value for Your Title.
6. Lack of a right:
 - a. to any land outside the area specifically described and referred to in paragraph 3 of Schedule A; and
 - b. in streets, alleys, or waterways that touch the Land.

This Exclusion does not limit the coverage described in covered Risk 11 or 18.

A.L.T.A. Homeowner's Policy if Title Insurance-Addendum
For a One-To-Four Family Residence

EXHIBIT A
AMERICAN LAND TITLE ASSOCIATION
RESIDENTIAL TITLE INSURANCE POLICY (6-1-87) EXCLUSIONS

In addition to the Exceptions in Schedule B, you are not insured against loss, costs, attorney's fees and expenses resulting from:

1. Governmental policy power, and the existence or violation of any law or government regulation. This includes building and zoning ordinances and also laws and regulations concerning:

- land use
- improvements on the land
- land division
- environmental protection

This exclusion does not apply to violations or the enforcement of these matters which appear in the public records at policy date.

This exclusion does not limit the zoning coverage described in items 12 and 13 of Covered Title Risks.

2. The right to take the land by condemning it, unless:

- a notice of exercising the right appears in the public records on the Policy Date
- the taking happened prior to the Policy Date and is binding on you if you bought the land without knowledge of the taking.

3. Title Risks:

- that are created, allowed, or agreed to by you
- that are known to you, but not to us, on the Policy Date - unless they appear in the public records
- that result in a loss to you
- that first affect your title after the Policy Date - this does not limit the labor and material lien coverage in Item 8 of Covered Title Risks

4. Failure to pay value for your title.

5. Lack of a right:

- to any land outside the area specifically described and referred to in Item 3 - Schedule A
- or
- in streets, alleys, or waterways that touch your land.

This exclusion does not limit the access coverage in Item 5 of Covered Title Risks.

SCHEDULE B
EXCEPTIONS

In addition to the Exclusions, you are not insured against loss, costs, attorney's fees, and the expenses resulting from:

1. Any rights, interests, or claims of parties in possession of the land not shown by the public records.
2. Any easements or liens not shown by the public records. This does not limit the lien coverage in Item 8 of Covered Title Risks.

3. Any facts about the land which a correct survey would disclose and which are not shown by the public records. This does not limit the forced removal coverage in Item 12 of Covered Title Risks.
4. Any water rights or claims or title to water in or under the land, whether or not shown by the public records.

CALIFORNIA LAND TITLE ASSOCIATION STANDARD COVERAGE POLICY - 1990
EXCLUSIONS FROM COVERAGE

The following matters are expressly excluded from the coverage of this policy and the Company will not pay loss or damage, costs, attorney's fees or expenses which arise by reason of:

1. (a) Any law, ordinance or governmental regulation (including but not limited to building and zoning laws, ordinances, or regulations) restricting, prohibiting or relating to (i) the occupancy, use, or enjoyment of the land; (ii) the character, dimensions or location of any improvement now or hereafter erected on the land; (iii) a separation in ownership or a change in the dimensions or area of the land or any parcel of which the land is or was a part; or (iv) environmental protection, or the effect of any violation of these laws, enforcement thereof or a notice of a defect, lien or encumbrance resulting from a violation or alleged violation affecting the land has been recorded in the public records at Date of Policy.
- (b) Any governmental police power not excluded by (a) above, except to the extent that a notice of the exercise thereof or a notice of a defect, lien or encumbrance resulting from a violation, or alleged violation affecting the land has been recorded in the public records at Date of Policy.
2. Rights of eminent domain unless notice of the exercise thereof has been recorded in the public records at Date of Policy, but not excluding from coverage any taking, which has occurred prior to Date of Policy which would be binding on the rights of a purchaser for value without knowledge.
3. Defects, liens, encumbrances, adverse claims, or other matters:

- (a) created, suffered, assumed or agreed to by the insured claimant;
- (b) not known to the Company, not recorded in the public records at Date of Policy, but known to the insured claimant and not disclosed in writing to the Company by the insured claimant prior to the date the insured claimant became an insured under this policy;
- (c) resulting in no loss or damage to the insured claimant;
- (d) attaching or created subsequent to Date of Policy; or
- (e) resulting in loss or damage which would not have been sustained if the insured claimant had paid value for the estate or interest insured by this policy.
4. Unenforceability of the lien of the insured mortgage because of the inability or failure of the insured at Date of Policy, or the inability or failure of any subsequent owner of the indebtedness, to comply with the applicable doing business laws of the state in which the land is situated.
5. Invalidity or unenforceability of the lien of the insured mortgage, or claim thereof, which arises out of the transaction evidenced by the insured mortgage and is based upon usury or any consumer credit protection or truth in lending law.
6. Any claim, which arises out of the transaction vesting in the insured the estate or interest insured by this policy or the transaction creating the interest of the insured lender, reason of the operation of federal bankruptcy, state insolvency, or similar creditors' laws.

SCHEDULE B
EXCEPTIONS FROM COVERAGE

This policy does not insure against loss or damage (and the Company will not pay costs, attorney's fees or expenses) which arise by reason of:

PART 1

1. Taxes or assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the public records. Proceedings by a public agency which may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the public records.
2. Any facts, rights, interests or claims which are not shown by the public records but which could be ascertained by an inspection of the land or which may be asserted by persons in possession thereof.

3. Easements, liens or encumbrances, or claims thereof, which are not shown by the public records.
4. Discrepancies, conflicts in boundary lines, shortage in area, encroachments, or any facts which a correct survey would disclose, and which are not shown by the public records.
5. (a) Unpatented mining claims; (b) reservations or exceptions in patents or in authorizing the issuance thereof; (c) water rights, claims or title to water, whether or not the matters excepted under (a), (b), or (c) are shown by the public records.

**EXHIBIT A
(CONTINUED)**

**AMERICAN LAND TITLE ASSOCIATION LOAN POLICY (10-17-92)
WITH ALTA. ENDORSEMENT - FORM 1 COVERAGE AND
AMERICAN LAND TITLE ASSOCIATION LEASEHOLD LOAN POLICY (10-17-92)
WITH ALTA. ENDORSEMENT - FORM 1 COVERAGE
SCHEDULE OF EXCLUSIONS FROM COVERAGE**

The following matters are expressly excluded from the coverage of this policy and the Company will not pay loss or damage, costs, attorney's fees or expenses which arise by reason of:

1. (a) Any law, ordinance or governmental regulation (including but not limited to building and zoning laws, ordinances, or regulations (restricting, prohibiting or relating to (i) the occupancy, use, or enjoyment of the land; (ii) the character, dimensions or location of any improvement now or hereafter erected on the land; (iii) a separation in ownership or a change in the dimensions or area of the land or any parcel of which the land is or was a part; or (iv) environmental protection, or the effect of any violation of these laws, ordinances or governmental regulations, except to the extent that a notice of the enforcement thereof or a notice of a defect, lien or encumbrance resulting from a violation or alleged violation affecting the land has been recorded in the public records at Date of Policy;
(b) Any governmental police power not excluded by (a) above, except to the extent that a notice of the exercise thereof or a notice of a defect, lien or encumbrance resulting from a violation, or alleged violation affecting the land has been recorded in the public records at Date of Policy.
2. Rights of eminent domain unless notice of the exercise thereof has been recorded in the public records at Date of Policy, but not excluding from coverage any taking which has occurred prior to Date of Policy which would be binding on the rights of a purchaser for value without knowledge.
3. Defects, liens, encumbrances, adverse claims, or other matters:
(a) created, suffered, assumed or agreed to by the insured claimant;
(b) not known to the Company, not recorded in the public records at Date of Policy, but known to the insured claimant and not disclosed in writing to the Company by the insured claimant prior to the date the insured claimant became an insured under this policy;
(c) resulting in no loss or damage to the insured claimant;

- (d) attaching or created subsequent to Date of Policy, or
(e) resulting in loss or damage which would not have been sustained if the insured claimant had paid value for the estate or interest insured by this policy.
4. Unenforceability of the lien of the insured mortgage because of the inability or failure of the insured at Date of Policy, or the inability or failure of any subsequent owner of the indebtedness, to comply with applicable doing business laws of the state in which the land is situated.
5. Invalidity or unenforceability of the lien of the insured mortgage, or claim thereof, which arises out of the transaction evidenced by the insured mortgage, and is based upon usury or any consumer credit protection or truth in lending law.
6. Any statutory lien for services, labor or materials (or the claim of priority of any statutory lien for services, labor or materials over the lien of the insured mortgage) arising from an improvement or work related to the land which is contracted for and commenced subsequent to Date of Policy and is not financed in whole or in part by proceeds of the indebtedness secured by the insured mortgage which at Date of Policy the insured has advanced or is obligated to advance.
7. Any claim which arises out of the transaction creating the interest of the mortgagee insured by this policy, by reason of the operation of federal bankruptcy, state insolvency, or similar creditors' rights laws, that is based on:
(i) the transaction creating the interest of the insured mortgagee being deemed a fraudulent conveyance or fraudulent transfer; or
(ii) the subordination of the interest of the insured mortgagee as a result of the application of the doctrine of equitable subordination; or
(iii) the transaction creating the interest of the insured mortgagee being deemed a preferential transfer except where the preferential transfer results from the failure:
(a) to timely record the instrument of transfer; or
(b) of such recordation to impart notice to a purchaser for value or a judgment or lien creditor.

**AMERICAN LAND TITLE ASSOCIATION OWNER'S POLICY (10-17-92)
AMERICAN LAND TITLE ASSOCIATION LEASEHOLD OWNER'S POLICY (10-17-92)
SCHEDULE OF EXCLUSIONS FROM COVERAGE**

The following matters are expressly excluded from the coverage of this policy and the Company will not pay loss or damage, costs, attorney's fees or expenses which arise by reason of:

1. (a) Any law, ordinance or governmental regulation (including but not limited to building and zoning laws, ordinances, or regulations (restricting, prohibiting or relating to (i) the occupancy, use, or enjoyment of the land; (ii) the character, dimensions or location of any improvement now or hereafter erected on the land; (iii) a separation in ownership or a change in the dimensions or area of the land or any parcel of which the land is or was a part; or (iv) environmental protection, or the effect of any violation of these laws, ordinances or governmental regulations, except to the extent that a notice of the enforcement thereof or a notice of a defect, lien or encumbrance resulting from a violation or alleged violation affecting the land has been recorded in the public records at Date of Policy;
(b) Any governmental police power not excluded by (a) above, except to the extent that a notice of the exercise thereof or a notice of a defect, lien or encumbrance resulting from a violation or alleged violation affecting the land has been recorded in the public records at Date of Policy.
2. Rights of eminent domain unless notice of the exercise thereof has been recorded in the public records at Date of Policy, but not excluding from coverage any taking which has occurred prior to Date of Policy which would be binding on the rights of a purchaser for value without knowledge.

3. Defects, liens, encumbrances, adverse claims, or other matters:
(a) created, suffered, assumed or agreed to by the insured claimant;
(b) not known to the Company, not recorded in the public records at Date of Policy, but known to the insured claimant and not disclosed in writing to the Company by the insured claimant prior to the date the insured claimant became an insured under this policy;
(c) resulting in no loss or damage to the insured claimant;
(d) attaching or created subsequent to Date of Policy, or
(e) resulting in loss or damage which would not have been sustained if the insured claimant has paid value for the estate or interest insured by this policy.
4. Any claim which arises out of the transaction vesting in the insured the estate or interest insured by this policy, by reason of the operation of federal bankruptcy, state insolvency, or similar creditors' rights laws, that is based on:
(i) the transaction creating the estate or interest insured by this policy being deemed a fraudulent conveyance or fraudulent transfer; or
(ii) the transaction creating the estate or interest insured by this policy being deemed a preferential transfer except where the preferential transfer results from the failure:
(a) to timely record the instrument or transfer; or (b) of such recordation to impart notice to a purchaser for value or a judgment or lien creditor.

The above ALTA policy forms may be issued to afford either Standard Coverage or Extended Coverage. In addition to the above Exclusions from Coverage, the Exceptions from Coverage in a Standard Coverage policy will also include the following General Exceptions:

**SCHEDULE B
EXCEPTIONS FROM COVERAGE**

This policy does not insure against loss or damage (and the Company will not pay costs, attorney's fees or expenses) which arise by reason of:

PART 1

1. Taxes or assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the public records. Proceedings by a public agency which may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the public records.
2. Any facts, rights, interests or claims which are not shown by the public records but which could be ascertained by an inspection of the land or which may be asserted by persons in possession thereof.
3. Easements, liens or encumbrances, or claims thereof, which are not shown by the public records.
4. Discrepancies, conflicts in boundary lines, shortage in area, encroachments, or other facts which a correct survey would disclose, and which are not shown by the public records.
5. (a) Unpatented mining claims; (b) reservations or exceptions in patents or in Act authorizing the issuance thereof; (c) water rights, claims or title to water, whether or not the matters excepted under (a), (b), or (c) are shown by the public records.

EXHIBIT K 5

Charles Canfield
400 Beach Street
Santa Cruz, CA 95060
(831) 423-5590

November 6, 2003

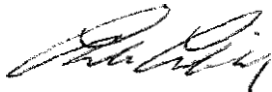
Mr. David Heinlein
Project Planner III
county of Santa Cruz Planning dep't
701 Ocean Street - Room 400
Santa Cruz, CA 95060

Re: 951 Paget Avenue
Project # 02-0251
APN 028-014-03

In connection with the above application for a minor land division we intend to provide the attached easement for access to Parcel D once the planning design permit is approved.

Please contact me if you have any questions.

Sincerely,



Charles Canfield

Contract for Easement for Ingress and Egress

Parties & Subject

For valuable consideration, the following Grantors; Charles Canfield, Barbara Gay Canfield, Trustee of the Barbara Gay Canfield Revocable Living Trust, Jennifer L Canfield, Thomas A., Canfield and Richard E., Alderson, Trustee of the Richard E. Alderson 1987 Inter Vivos Trust and of the Alderson Charitable Remainder Trust dated March 8, 1995 hereby grant an easement for ingress and egress as further described below to the Grantee Easy Access Developers) LLC

Easy Access Developers, LLC is the current title holder of the property commonly known as 951 Paget Lane, Santa Cruz, taken subject to a mortgage on which the obligors are Joseph and Deborah Quigg

Description of Easement

1. The subject easement shall be in perpetuity.
2. The subject easement shall be nonexclusive., Grantors retain the right to make any use of the servient tenements, including the right to grant concurrent easements in the servient tenement to third parties, that does not interfere unreasonably with Grantee's use and enjoyment of the easement.
3. The subject easement shall be for ingress to and from the Grantee's property (the dominant tenement) commonly known as 951 Paget Lane, Santa Cruz, CA APN 028-014-03.
4. The subject easement shall be appurtenant to the dominant tenement.
5. The easement is further described in the two attached exhibit A's and one exhibit B per Surveyor dated March 4, 2002 over and across Grantees' properties (the servient tenements).

Promise to Execute Documents

All Grantors and the Grantee promise to promptly execute all documents including deeds, change of ownership reports and any other agreements that are related to and consistent with the terms of this contract

Acknowledgement of Reliance

All Grantors hereby acknowledge that Grantee is relying upon all Grantors' promises and cooperation and that Grantee intends to develop its property in a manner that will be dependent upon this easement. Any interference with the use of the easement may cause substantial loss to the Grantee including substantial decreases in the value of land and improvements

Option #1 to Charles Canfield

Upon approval of subdivision of subject properties Charles Canfield shall have the option to contract with Grantee (within sixty calendar days of notice of approval to him) to purchase for cash the two unimproved westerly lots of APN 028-014-03 property from

the Grantee at Grantee's cost plus the following expenses incurred by Grantor as specific or allocable to either lot only.

1. Closing fees on purchase of lot(s) by Joseph and Deborah Quigg
2. Closing fees on purchase of lot(s) by Grantors.
3. Property taxes for the period held by Grantee and by Joseph and Deborah Quigg.
4. Legal, engineering, geo technical, county subdivision, planning and permit, landscaping, design, architectural and other directly related fees and costs
5. Sidewalk, gutter, cul de sac, drainage, utilities and other directly related site improvement costs

Option # 2 to Charles Canfield

Charles Canfield shall also have the option to contract with Grantee for the construction of one single family manufactured house on either or both of the described above two lots based on a fee of \$30,000 per house payable to Grantee plus all of Grantee's cost of construction of each house, provided that he agrees to initially pay the cash for the related lot(s) in order to provide Grantor with funds to construct said house(s). Title shall be transferred upon completion.

Expiration of Options

Above option #1 shall expire 60 calendar days after notice of subdivision approval is sent by Grantee to Charles Canfield.

Above option #2 shall expire 365 calendar days after the earlier of the closing of escrow on purchase of either lot by Charles Canfield or 60 calendar days after notice of occupancy permit approval sent by Grantee to Charles Canfield on each house.

The above options are independent by lot and by house. Thus the exercise of an option for one lot or house shall not preclude a subsequent exercise of an option for the other lot/house with the 365 and 90 day periods described above.

Parties' Authority

All parties warrant that they have full and sufficient authority to execute this contract and future related agreements as individuals, trustees and LLC members and managers. Trustees shall provide and execute certifications of trusts as required by Grantee.

Applicable Law & Venue

California law and Santa Cruz County Superior Court venue shall apply for enforceability of this and related agreements.

Binding Effect

This contract shall be binding on and shall inure to the benefit of the heirs, executors, administrators and assignees of Grantors and Grantee.

Execution

We hereby represent that we understand and consent to **all** of the terms of **this** contract

Charles Canfield

Date

Barbara Gay Canfield, Trustee of the
Barbara Gay Canfield Revocable Living
Trust and as individual

Date

Jennifer L. Canfield

Date

Thomas A. Canfield

Date

Richard E. Alderson, Trustee of the Richard
E. Alderson 1987 Inter Vivos Trust and the
Alderson Charitable Remainder Trust dated
March 8, 1995 and as individual

Date

Elizabeth De Francesco as Member and
Manager of Easy Access Developers, LLC

Date

Joseph Quigg, as Member of
Easy Access Developers, LLC

Date

Deborah Quigg, as Member and Manager of
Easy Access Developers, LLC

Date

Easement 2

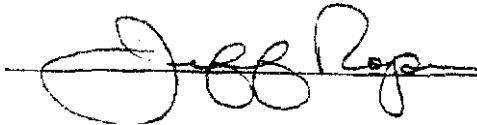
EXHIBIT A

SITUATE in the County of Santa Cruz, and being a portion of Parcel One as conveyed to the Barbara Gay Canfield Revocable Living Trust by deed recorded in Volume 5319 at Page 431, Official **Records** of the County of Santa **Cruz**, and being more particularly described as follows:

BEGINNING at the southwest corner of the above referenced lands of the Canfield Trust; thence from **said** point of beginning, along the western boundary **of** said lands

1. North 16°50' East 42.22 feet; thence parallel and 42 feet from the southern boundary of said lands of the Canfield Trust
2. South 79°05' East 35.86 feet; thence
3. South 10°55' West 42.00 feet to the southern boundary of said lands of the Canfield Trust; thence along said southern boundary
4. North 79°05' West 40.21 feet to the point of beginning

Compiled by Roper Engineering, Job No. 01056, March 2002

 3/4/02

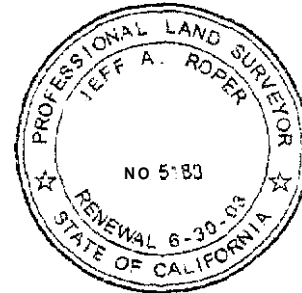
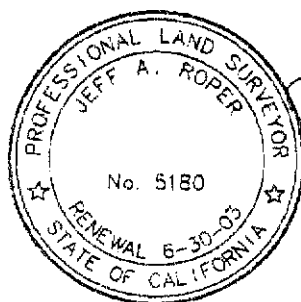
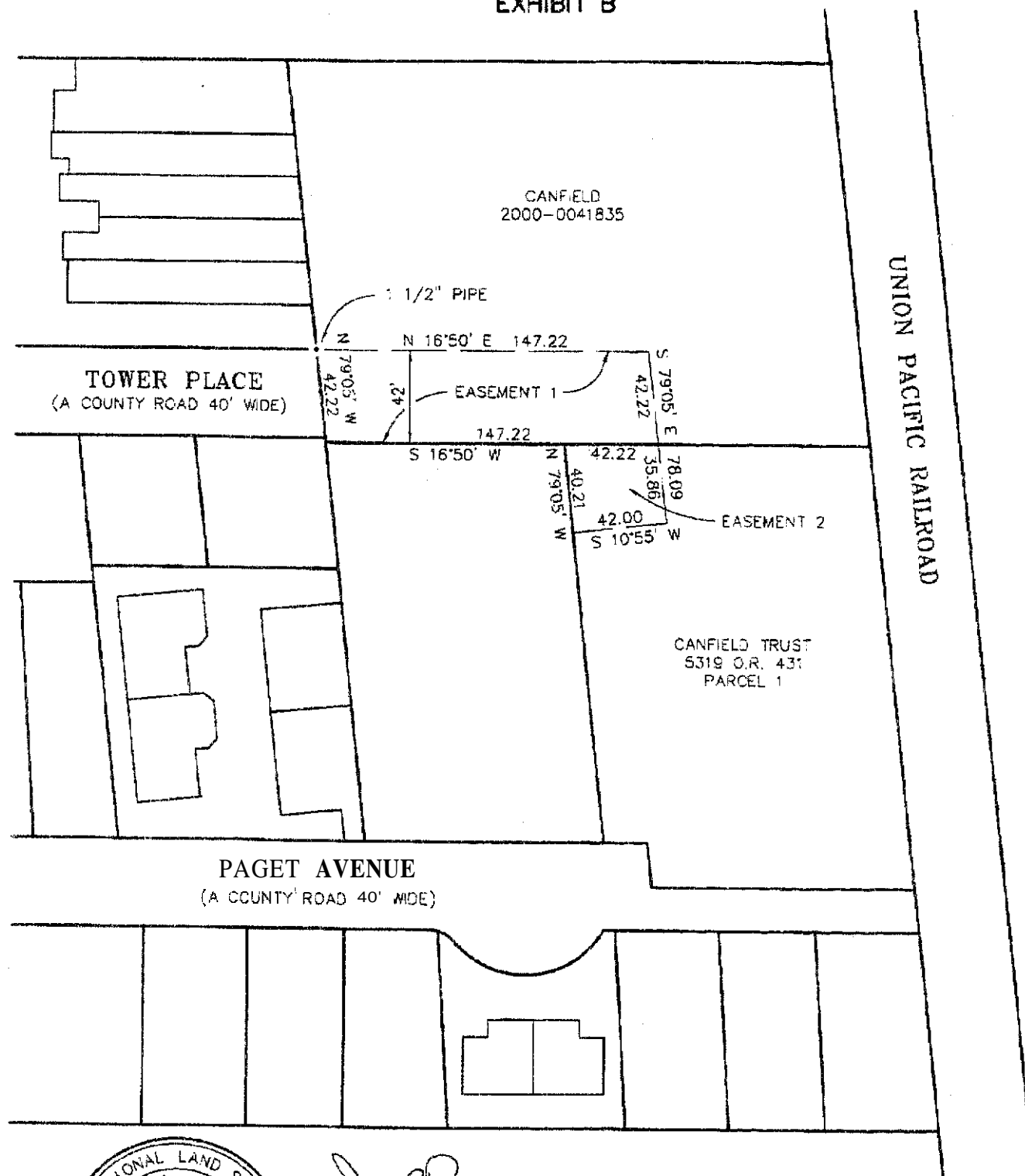


EXHIBIT B



Jeff Roper
3/4/02

SCALE: 1"=60'



EXHIBIT K

RECORDING REQUESTED BY

Escrow or Loan No

MAIL TAX STATEMENTS TO
AND WHEN RECORDED MAIL TO

Name **Joseph & Deborah Quigg**
Address **131 Felix Street #15**
City, State, & Zip **Santa Cruz, CA 95060**

APN: 028-014-03

SPACE ABOVE THIS LINE FOR RECORDER'S USE

GRANT DEED

The undersigned grantor(s) declare(s):

Documentary transfer tax is \$

- ☐ computed on full value of property conveyed, or
☐ computed on full value less value of liens and encumbrances remaining at time of sale.
☐ Unincorporated area. ☐ City of _____, and

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

JOSEPH QUIGG AND DEBORAH QUIGG, HUSBAND AND WIFE

hereby GRANT(S) to **EASY ACCESS DEVELOPERS, LLC**

the following described real property in the City of Santa Cruz, County of Santa Cruz, State of California:

See Exhibit "A" attached hereto and made a part hereof.

Dated: May 7, 2002

STATE OF CALIFORNIA
COUNTY OF SANTA CRUZ

} SS.

On May 7, 2002 before me, the
undersigned, a Notary Public, personally appeared

Joseph Quigg and Deborah Quigg

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

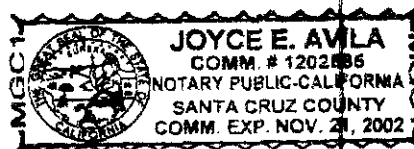
WITNESS my hand and official seal.

Signature

Joyce E. Avila

JOSEPH QUIGG

DEBORAH QUIGG



MAIL TAX STATEMENT AS DIRECTED ABOVE

Exhibit A

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

BEING A PORTION OF THE LANDS CONVEYED TO RALPH READER, ET UX BY DEED RECORDED IN VOLUME 416 PAGE 3, SANTA CRUZ COUNTY RECORDS AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEASTERLY CORNER OF SAID LANDS OF READER ON THE WESTERLY LINE OF PAGET STREET, 30 FEET WIDE, AS SHOWN UPON THE MAP ENTITLED, "MAP OF DEL MAR ADDITION" FILED FOR RECORD JULY 3, 1911 IN MAP BOOK 17 PAGE 18, SANTA CRUZ COUNTY RECORDS; THENCE FROM SAID POINT OF BEGINNING ALONG THE SOUTHERLY LINE OF SAID LANDS OF READER NORTH 79 DEGREES 05' WEST 180 FEET TO THE MOST SOUTHERLY CORNER OF THE LANDS CONVEYED TO RICHARD E. ALDERSON ET AL. BY DEED RECORDED IN VOLUME 1564, PAGE 365, OFFICIAL RECORDS OF SANTA CRUZ COUNTY; THENCE ALONG THE EASTERLY AND SOUTHERLY LINE OF SAID LAST NAMED LANDS NORTH 16 DEGREES 50' EAST 105 FEET TO AN ANGLE AND SOUTH 79 DEGREES 05' EAST 180 FEET TO A POINT ON THE WESTERLY LINE OF PAGET STREET; THENCE ALONG SAID STREET LINE SOUTH 16 DEGREES 50' WEST 105 FEET TO THE POINT OF BEGINNING.

APN: 028-014-03

EXHIBIT K

PRELIMINARY CHANGE OF OWNERSHIP REPORT

(To be completed by transferee (buyer) prior to 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; this particular form may be used in all 58 counties of California

THIS REPORT IS NOT A PUBLIC DOCUMENT

SELLER/TRANSFEROR: Joseph Quigg + Deborah Quigg
BUYER/TRANSFeree: Easy Access Developers LLC
ASSESSOR'S PARCEL NUMBER(S): 028-014-03
PROPERTY ADDRESS OR LOCATION: ,CA
MAIL TAX INFORMATION TO Name:
Address:

NOTICE: A lien for property taxes applies to your property on January 1 of each year for the taxes owing in the following fiscal year, July 1 through June 30. One-half of these taxes is due November 1, and one-half is due February 1. The first installment becomes delinquent on December 10, and the second installment becomes delinquent on April 10. One tax bill is mailed before November 1 to the owner of record. IF THIS TRANSFER OCCURS AFTER MARCH 1 AND ON OR BEFORE DECEMBER 31, YOU MAY BE RESPONSIBLE FOR THE SECOND INSTALLMENT OF TAXES DUE FEBRUARY 1.

The property which you acquired may be subject to a supplemental assessment in an amount to be determined by the Santa Cruz County Assessor. For further information on your supplemental roll obligation, please call the Santa Cruz County Assessor at

PART I: TRANSFER INFORMATION

Please answer all questions.

YES NO

- ☒ ☐ A. Is this transfer solely between husband and wife (Addition of a spouse, death of a spouse, divorce settlement, etc.)?
- ☒ ☐ B. Is this transaction only a correction of the name(s) of the person(s) holding title to the property (For example, a name change upon marriage)?
- ☒ ☐ C. Is this document recorded to create, terminate, or reconvey a lender's interest in the property?
- ☒ ☐ D. Is this transaction recorded only to create, terminate, or reconvey a security interest (e.g. cosigner)?
- ☒ ☐ E. Is this document recorded to substitute a trustee under a deed of trust, mortgage, or other similar document?
- ☒ ☐ F. Did this transfer result in the creation of a joint tenancy in which the seller (transferor) remains as one of the joint tenants?
- ☒ ☐ G. Does this transfer return property to the person who created the joint tenancy (original transferor)?
- ☒ ☐ H. Is this transfer of property:
- ☒ 1. to a trust for the benefit of the grantor, or grantor's spouse?
- ☒ 2. to a trust revocable by the transferor?
- ☒ 3. to a trust from which the property reverts to the grantor within 12 years?
- ☒ ☐ I. If this property is subject to a lease, is the remaining lease term 35 years or more including written options?
- ☒ ☐ J. Is this a transfer from parents to children or from children to parents?
- ☒ ☐ K. Is this transaction to replace a principal residence by a person 55 years of age or older?
- ☒ ☐ L. Is this transaction to replace a principal residence by a person who is severely disabled as defined by Revenue and Code Section 69.5?

If you checked yes to J, K, or L, an applicable claim form must be filed with the County Assessor.

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

transferring property to LLC

IF YOU HAVE ANSWERED "YES" TO ANY OF THE ABOVE QUESTIONS EXCEPT J, K, OR L, PLEASE SIGN AND DATE, OTHERWISE COMPLETE BALANCE OF THE FORM.

PART II: OTHER TRANSFER INFORMATION

- A. Date of transfer if other than recording date _____
- B. Type of transfer. Please check appropriate box.
- ☐ Purchase ☐ Foreclosure ☐ Gift ☐ Trade or Exchange ☐ Merger, Stock, or Partnership Acquisition
- ☐ Contract of Sale - Date of Contract _____
- ☐ Inheritance - Date of Death _____ ☐ Other: Please explain: _____
- ☐ Creation of Lease ☐ Assignment of a Lease ☐ Termination of a Lease
- Date lease began _____
- Original term in years (including written options) _____
- Remaining term in years (including written options) _____
- C. Was only a partial interest in the property transferred? ☐ Yes ☐ No
- If yes, indicate the percentage transferred _____ %

PRELIMINARY CHANGE OF OWNERSHIP REPORT

Please answer, to the best of your knowledge, all applicable questions, sign and date. If a question does not apply, indicate with "N/A."

PART III: PURCHASE PRICE AND TERMS OF SALE

A. CASH DOWN PAYMENT OR Value of Trade or Exchange (excluding closing costs) Amount \$

B. FIRST DEED OF TRUST @ % interest for years. Pymts./Mo. = \$ (Prin. & Int. only) Amount \$

<input type="checkbox"/> FHA	<input type="checkbox"/> Fixed Rate	<input type="checkbox"/> New Loan
<input type="checkbox"/> Conventional	<input type="checkbox"/> Variable Rate	<input type="checkbox"/> Assumed Existing Loan Balance
<input type="checkbox"/> VA	<input type="checkbox"/> All inclusive D.T. (\$ _____ Wrapped)	<input type="checkbox"/> Bank or Savings & Loan
<input type="checkbox"/> Cal-Vet	<input type="checkbox"/> Loan Carried by Seller	<input type="checkbox"/> Finance Company
Balloon Payment <input type="checkbox"/> Yes	<input type="checkbox"/> No Due Date _____	Amount \$ _____

C. SECOND DEED OF TRUST @ % interest for years. Pymts./Mo. = \$ (Prin. & Int. only) Amount \$

<input type="checkbox"/> Bank or Savings & Loan	<input type="checkbox"/> Fixed Rate	<input type="checkbox"/> New Loan
<input type="checkbox"/> Loan Carried by Seller	<input type="checkbox"/> Variable Rate	<input type="checkbox"/> Assumed Existing Loan Balance
Balloon Payment <input type="checkbox"/> Yes	<input type="checkbox"/> No Due Date _____	Amount \$ _____

D. OTHER FINANCING: Is other financing involved not covered in (b) or (c) above? ☐ Yes ☐ No Amount \$

Type @ % interest for years. Pymts./Mo. = \$ (Prin. & Int. only)

<input type="checkbox"/> Bank or Savings & Loan	<input type="checkbox"/> Fixed Rate	<input type="checkbox"/> New Loan
<input type="checkbox"/> Loan Carried by Seller	<input type="checkbox"/> Variable Rate	<input type="checkbox"/> Assumed Existing Loan Balance
Balloon Payment <input type="checkbox"/> Yes	<input type="checkbox"/> No Due Date _____	Amount \$ _____

E. IMPROVEMENT BOND ☐ Yes ☐ No Outstanding Balance: Amount \$

F. TOTAL PURCHASE PRICE (or acquisition price, if traded or exchanged, include real estate commission if paid.) Total Items A through E 0

G. PROPERTY PURCHASED ☐ Through a broker ☐ Direct from seller ☐ Other (explain) _____

If purchased through a broker, provide broker's name and phone number:

Please explain any special terms or financing and any other information that would help the Assessor understand the purchase price and terms of sale.

PART IV: PROPERTY INFORMATION

A. IS PERSONAL PROPERTY INCLUDED IN PURCHASE PRICE (other than a mobilehome subject to local property tax)? ☐ Yes ☐ No
If yes, enter the value of the personal property included in the purchase price \$ (Attached itemized list of personal property)

B. IS THIS PROPERTY INTENDED AS YOUR PRINCIPAL RESIDENCE? ☐ Yes ☐ No
If yes, enter date of occupancy or intended occupancy

C. TYPE OF PROPERTY TRANSFERRED

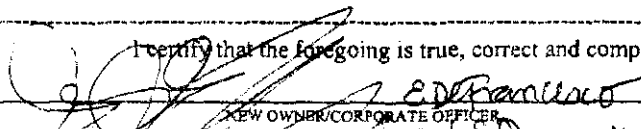
<input type="checkbox"/> Single-family residence	<input type="checkbox"/> Agricultural	<input type="checkbox"/> Timeshare
<input type="checkbox"/> Multiple-family residence (no. of units: _____)	<input type="checkbox"/> Co-op/Own-your-own	<input type="checkbox"/> Mobilehome
<input type="checkbox"/> Commercial/Industrial	<input type="checkbox"/> Condominium	<input type="checkbox"/> Unimproved lot
<input type="checkbox"/> Other (Description: _____)		

D. DOES THE PROPERTY PRODUCE INCOME? ☐ Yes ☐ No

E. IF THE ANSWER TO QUESTION D IS YES, IS THE INCOME FROM
☐ Lease/Rent ☐ Contract ☐ Mineral Rights ☐ Other - Explain: _____

F. WHAT WAS THE CONDITION OF PROPERTY AT THE TIME OF SALE?
☐ Good ☐ Average ☐ Fair ☐ Poor
Enter here, or on an attached sheet, any other information that would assist the Assessor in determining the value of the property such as the physical condition of the property, restrictions, etc.

I certify that the foregoing is true, correct and complete to the best of my knowledge and belief.

Signed  Date 5/2/07

NEW OWNER/CORPORATE OFFICER

Please Print Name of New Owner/Corporate Officer Joseph S. Wong, Member LLC - Elizabeth DeFrance co managing member LLC

Phone Number where you are available from 8:00 a.m. - 5:00 p.m.: (84) 420-1240

(NOTE: The Assessor may contact you for further information)

If a document evidencing a change of ownership is presented to the recorder for recordation without the concurrent filing of a preliminary changed of ownership report, the recorder may charge an additional recording fee of twenty dollars (\$20).