



COUNTY OF SANTA CRUZ

PLANNING DEPARTMENT

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

TOM BURNS, PLANNING DIRECTOR

August 1, 2007

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

Agenda Date: October 10, 2007
APN: 106-351-03
Application: 07-0395
Item #: 22

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

Members of the Commission:

On May 14, 2007, the County Planning Department accepted this application for a rezoning to Timber Production (TP). This is a proposal to rezone a 12.9 acre parcel from the Residential Agriculture (RA) zone district to the Timber Production (TP) designation. The uses on the property consist of vacant rural acreage.

Background

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

¹ c) On or before March 1, 1977, the board or council by ordinance shall adopt a list of criteria required to be met by parcels being considered for zoning as timberland production under this section. The criteria shall not impose any requirements in addition to those listed in this subdivision and in subdivision (d). The following shall be included in the criteria:

- (1) A map shall be prepared showing the legal description or the assessor's parcel number of the property desired to be zoned.
 - (2) A plan for forest management shall be prepared or approved as to content, for the property by a registered professional forester. The plan shall provide for the eventual harvest of timber within a reasonable period of time, as determined by the preparer of the plan.
 - (3) (A) The parcel shall currently meet the timber stocking standards as set forth in Section 4561 of the Public Resources Code and the forest practice rules adopted by the State Board of Forestry and Fire Protection for the district in which the parcel is located, and the owner shall sign an agreement with the board or council to meet those stocking standards and forest practice rules by the fifth anniversary of the signing of the agreement. If the parcel is subsequently zoned as timberland production under subdivision (a), failure to meet the stocking standards and forest practice rules within this time period provides the board or council with a ground for rezoning of the parcel pursuant to Section 51121.
 - (B) Upon the fifth anniversary of the signing of an agreement, the board shall determine whether the parcel meets the timber stocking standards in effect on the date that the agreement was signed.
- Notwithstanding the provisions of Article 4 (commencing with Section 51130), if the parcel fails to meet the timber stocking standards, the board or council shall immediately rezone the parcel and specify new zone for the parcel which is in conformance with the county general plan and whose primary use is other than timberland.
- (4) The parcel shall be timberland, as defined in subdivision (f) of Section 51104.
 - (5) The parcel shall be in compliance with the compatible use ordinance adopted by the board or council pursuant to Section 51111.
- (d) The criteria required by subdivision (c) may also include any or all of the following:
- (1) The land area concerned shall be in the ownership of one person, as defined in Section 38106 of the Revenue and Taxation Code, and shall be comprised of single or contiguous parcels of a certain number of acres, not to exceed 80 acres.
 - (2) The land shall be a certain site quality class or higher under Section 434 of the Revenue and Taxation Code, except that the parcel shall not be required to be of the two highest site quality classes.

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

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

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

Conclusion

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

Recommendation

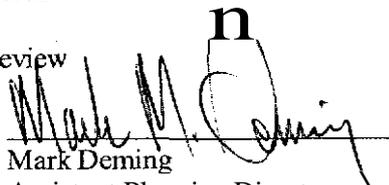
Staff recommends that your Commission adopt the attached Resolution (Exhibit A), sending a recommendation to the Board of Supervisors for approval of Application No. 07-0395 based on the attached findings (Exhibit B).

EXHIBITS

- A. Planning Commission Resolution, with Ordinance/ Finding
- B. APN Map
- C. Location, Current Zoning and General Plan Designation Maps
- D. Notice of Exemption from CEQA
- E. Timber Management Plan by Steven M. Butler, dated July 21, 2007.

Maria Porcila Perez
Project Planner
Development Review

Reviewed By:


Mark Deming
Assistant Planning Director

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

RESOLUTION NO. _____

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

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

WHEREAS, the Planning Commission has held a public hearing on Application No. 07-0395, involving properties located on the north and south side of Dove Lane about 0.25 miles north from the intersection with Eureka Canyon Road, and the Planning Commission has considered the proposed rezoning, all testimony and evidence received at the public hearing, and the attached staff report.

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

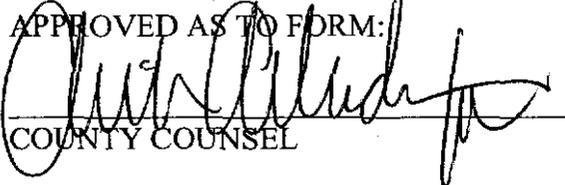
BE IT FURTHER RESOLVED, that the Planning Commission makes findings on the proposed rezoning as contained in the Report to the Planning Commission.

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

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

Chairperson

ATTEST: _____
MARK DEMING, Secretary

APPROVED AS TO FORM:


COUNTY COUNSEL

ORDINANCE NO. _____

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

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

SECTION I

The Board of Supervisors finds that the public convenience, necessity and general welfare require the amendment of the County Zoning Regulations to implement the policies of the County General Plan and Local Coastal Program Land Use Plan regarding the timber resource property located on the north and south side of Dove Lane about 0.25 miles north from the intersection with Eureka Canyon Road; finds that the zoning to be established herein is consistent with all elements of the Santa Cruz County General Plan and the Santa **Cruz** County Code, as modified by the *Big Creek* decision; and finds and certifies that the project is subject to a statutory exemption under the California Environmental Quality Act.

SECTION II

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

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

EXHIBIT A

SECTION III

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

<u>Assessor's Parcel Number</u>	<u>Existing Zone District</u>	<u>New Zone District</u>
106-351-03	Residential Agriculture (RA)	TP

SECTION IV

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

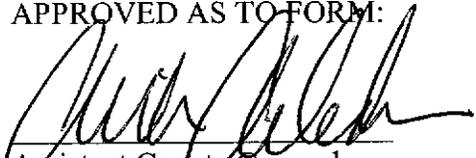
PASSED AND ADOPTED THIS _____ day of _____ 2007, by the Board of Supervisors of the County of Santa Cruz by **the** following vote:

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

 Chairman of the Board of Supervisors

ATTEST: _____
 Clerk of the Board

APPROVED AS TO FORM:



 Assistant County Counsel

Exhibit: Rezoning Map

DISTRIBUTION: County Counsel
 Planning
 Assessor
 County

GIS

EXHIBIT A

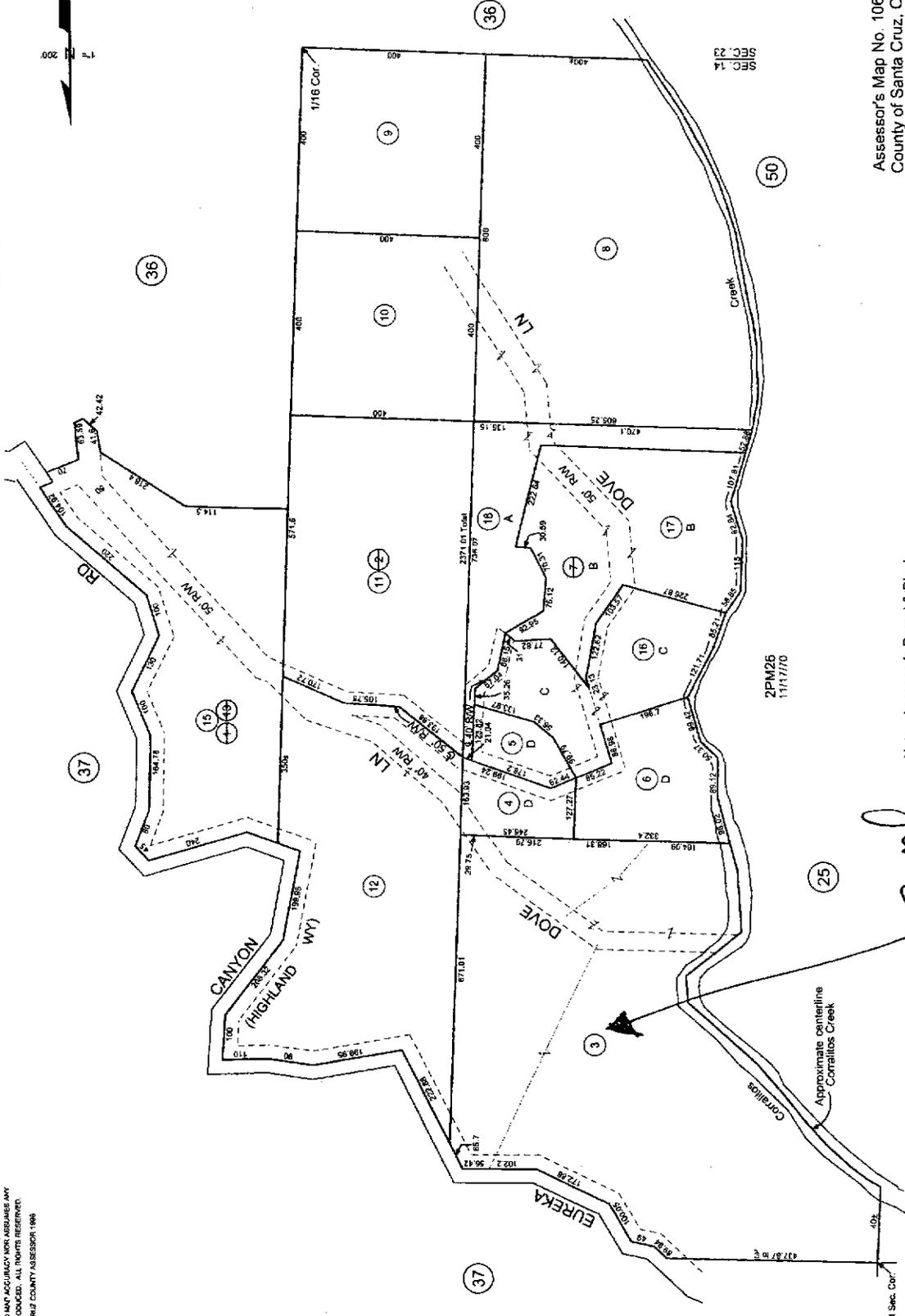
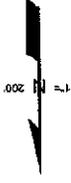
FOR TAX PURPOSES ONLY

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POR. SEC. 14, T. 10S., R. 1E., M.D.B. & M.

Tax Area Code
69-070

106-35



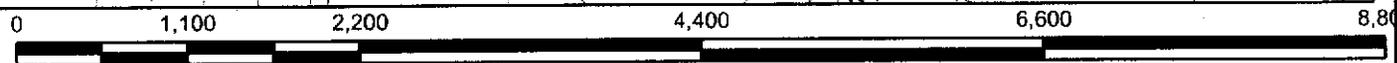
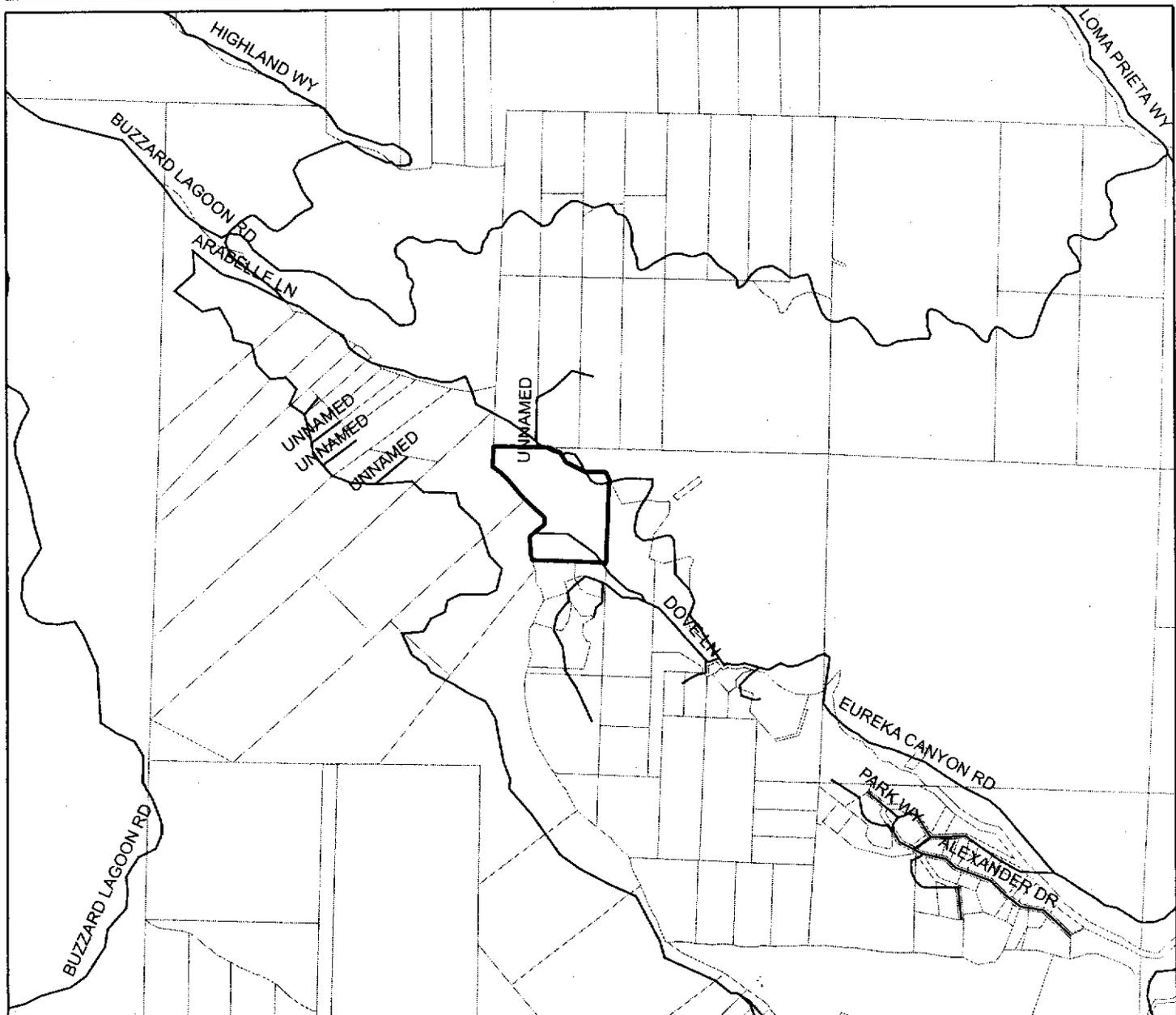
Assessor's Map No. 106-35
County of Santa Cruz, Calif.
March 1998

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

Electronically prepared 2/13/98 SMA
Rev. 3/18/02 (with 84 name)
Rev. 12/1/06 (with 106-35)

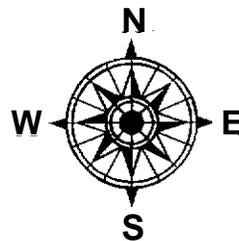


Location Map



LEGEND

-  APN: 106-351-03
-  Streets
-  State Highways
-  Assessors Parcels

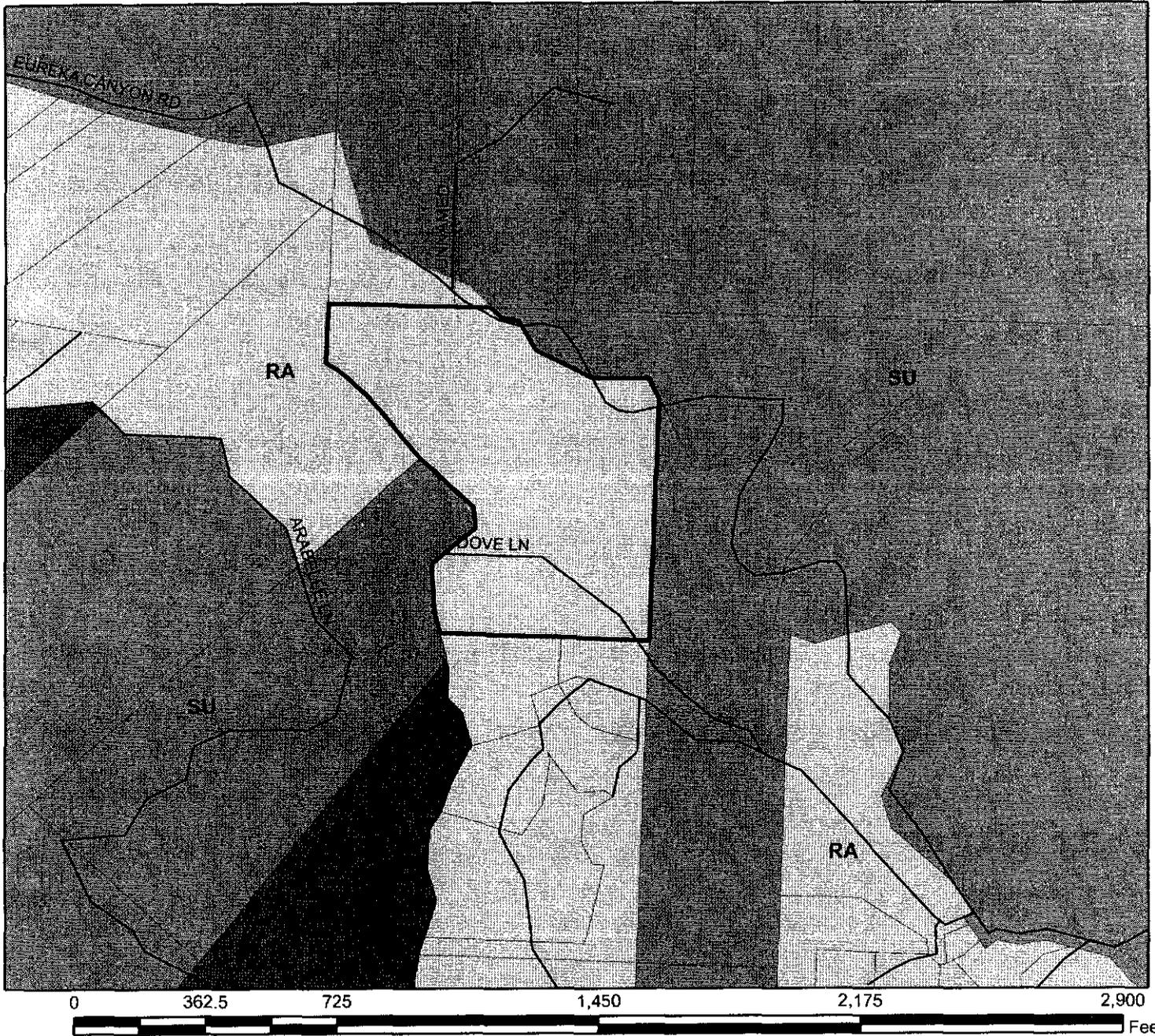


Map created by
 County of Santa Cruz
 Planning Department
 August 2007

EXHIBIT C

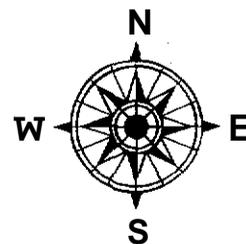


Zoning Map



LEGEND

-  APN: 106-351-03
-  Streets
-  Assessors Parcels
-  AGRICULTURE RESIDENTIAL
-  SPECIAL USE
-  TIMBER PRODUCTION

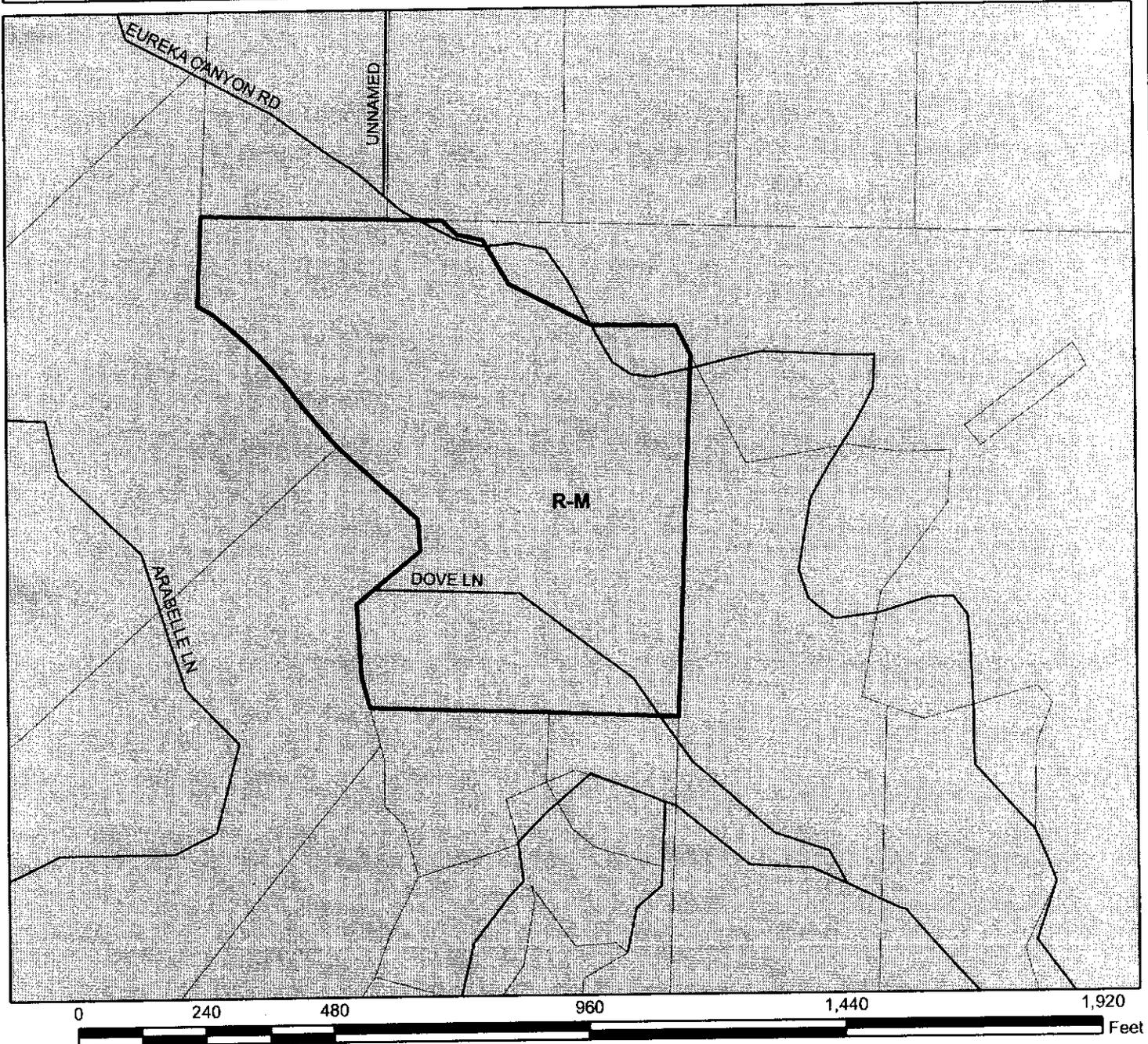


Map created by
 County of Santa Cruz
 Planning Department
 August 2007

EXHIBIT C

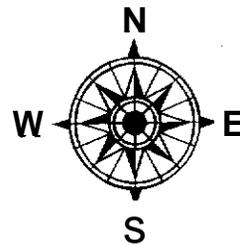


General Plan Designation Map



LEGEND

-  APN: 106-351-03
-  Streets
-  Assessors Parcels
-  Residential-Mountain



Map created by
 County of Santa Cruz
 Planning Department
 August 2007

CALIFORNIA ENVIRONMENTAL QUALITY ACT NOTICE OF EXEMPTION

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

Application Number: 07-0395

Assessor Parcel Number: 106-351-03

Project Location: Property located on the north and south side of Dove Lane, about 0.25 miles North from the Intersection with Eureka Canyon Road.

Project Description: Rezone a single parcel from the Residential Agriculture (RA) zone district to the Timber Production (TP) zone district.

Person or Agency Proposing Project: John H Kregel

Contact Phone Number: (408) 309-1900

- A. The proposed activity is not a project under CEQA Guidelines Section 15378.
- B. The proposed activity is not subject to CEQA as specified under CEQA Guidelines Section 15060 (c).
- C. **Ministerial Project** involving only the use of fixed standards or objective measurements without personal judgment.
- D. **Statutory Exemption** other than a Ministerial Project (CEQA Guidelines Section 15260 to 15285). [Section 17031

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



María Pórcila Perez, Project Planner

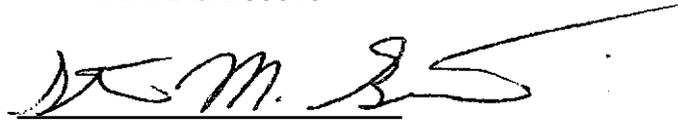
Date: August 14, 2007

Timber Management Plan
for the lands of

John Kregel
APN 106-351-03
santa Cruz county, Calif.

July 21, 2007

Prepared by
Steven M. Butler, RFF #2390
781 Oak Drive
Felton CA 95018



The purpose of this management plan is to provide basic forest management details and information to the landowner and to meet the county requirements for rezoning said parcel from its current zoning designation of Rural Agriculture (RA) to Timber Production Zoning (TPZ).

TPZ is a zoning classification applied to private timberland and State forests by local government

under the Forest Taxation Reform Act of 1976. In addition to the definition of "timberland" applied in the

Forest Practice Act, land within a TPZ is also subject to the definition in Section 51 104 (f) of the

Government Code (GC). In the GC timberland means privately owned land or land acquired for state forest purposes, which is devoted to and used for growing and harvesting timber, or for growing and harvesting timber and compatible uses, and which is capable of growing an average annual volume of wood fiber of at least 15 cubic feet per acre.

Land zoned TPZ is restricted for use in timber growing or compatible uses, such as outdoor

recreation or grazing. This restriction on use lasts ten years and is renewed each year; in return,

landowners receive reduced property tax assessments on the land.

"Conversion" from timber growing to other land uses may occur either on land that is zoned for

timber production or land that is still timberland but which is not zoned for timber production. Within TPZ lands, timberland conversion means the immediate rezoning of TPZ, whether timber operations are involved or not. Some exemptions may apply. Within non-TPZ timberlands, under Section 1 100 (g) of the California Code of Regulations (CCR), timberland conversion means transforming timberland to a non-timber growing use through timber operations where:

1. Future timber harvests will be prevented or infeasible because of land occupancy and

activities thereon; or

2. Stocking requirements of **the applicable district forest practice rules will not be met** within

five **years** after completion of **timber operations**; or

3. There is a clear intent to divide timberland into **ownerships of less than three acres**. In these

cases, a **timberland conversion permit is required**.

A **timberland conversion exemption is applicable** to the following **Situations of converting**

timberland for (Section 1104, CCR):

1. **Non-timber use only, of less than three acres in one contiguous ownership, whether or not it**

is a portion of a larger land parcel and shall not be part of a THP;

2. **Construction or maintenance of right-of-way by a public agency on its own or any other**

public property;

3. **Construction and maintenance of gas, water, sewer, oil, electric, and communication right-of-**

way by private or public utility; and

4. **Subdivision development outside of TPZ.**

General Property Description - The parcel is about 13 acres in size. The Property is in the **San Andreas Rift Zone**. The parcel is a mix of **redwood forestland** and brush. Portions of **the parcel are** quite steep while others are quite gentle. **The parcel is bordered by Corralitos Creek** and Upper Highland Way. It is parcel 106-351-03. It is located on the **Loma Prieta USGS Quad Map, on a portion of Section 14 T10S R1E M.D.B. and M.** Elevation **ranges from 1320 feet where Corralitos Creek leaves the boundary to 1680 feet** at the **Northern corner** of the parcel by Highland Way/ Eureka Canyon Road. **Corralitos Creek is a class II perennial stream** where it borders the parcel. **Two class III seasonal streams** exist on **the parcel**, where they **join each other** they become a class II stream which quickly **joins Corralitos creek**.

History - The parcel **was originally** logged in the late 1800's or early 1900's. **Limited tree cutting has occurred since** the initial old growth harvest. **No evidence of obvious historic structures or archeological sites were observed** The parcel has been **owned by the current owner for roughly 40 years**. The parcel was **surveyed for subdivision in 1971 (Map 5 PM 3)**.

Access and Boundaries- The parcel has a legal right of way **along Dove Lane** to Highland Way/ Eureka Canyon Road. **An existing spur road follows a ridge onto the parcel across parcel 106-351-06. An un-built 40 feet right of way connects the parcel to Dove Lane across parcel 106-351-04 and 106-351-12.** The **parcel is adjacent to Highland Way/ Eureka Canyon Road**, although the steepness of the **slope in this area limits access from this county road onto the parcel**.

The parcel is at least partially surveyed. A monument for the **South West corner** was found **Upper Corralitos Creek forms one boundary** and **Highland Way/Eureka Canyon**

Road forms mother. The remaining boundaries are straight lines generally North/South, East/West directions.

Timber/Cover Types - The parcel has two distinct cover types:

The exposed Southerly facing steep slope of brush fields consist of Chamise, Sage, and other typical chaparral plant species. This area is roughly 3.5 acres.

The flats along the fault zone and areas along the water courses are redwood forest with a minor component of Douglas Fir. Hardwoods including Tan oak, Madrone, Bay, and Maple are also present in the stand. This area is roughly 9.5 acres.

Soils - There are two mapped soil types on the parcel:

153 - Maymen rock outcrop 50-75% slopes. This gravelly, thin soil under lays the steep South facing slopes below highland Way/Eureka Canyon Road. These Soils are primarily covered with brush.

144 - Lompico - Felton - Complex occupies the flatter and lower elevation portions of the property and support redwood forests. This is a fairly deep loamy soil.

Volume, Growth and Yield - Approximately 9 acres of this parcel are productive timber lands which are available and capable of growing a crop of commercial tree species in quantities greater than 15 cubic feet of wood fiber per year.

The timbered portion of the parcel is considered low site II tending toward site III as you must upslope. The site index is estimated at 160-110. The area is roughly 75% stocked with conifers. The yield table estimates the current cubic feet stocking as 12,950 cubic feet per acre. My estimate of stocking is roughly 18,000 board feet (BF) per acre. Growth is estimated 2% or 260 cubic feet/acre/year, 360 BF/acre/year.

The total standing volume of conifer is estimated at 160,000 BF.

The timbered portion of the parcel carries roughly 5 cords per acre of hardwood, for an estimated 45 cords.

Post harvest growth rates should be around 3-3.5%.

ent m Units- Approximately 6 of the 9 timbering acres are accessible utilizing traditional ground skidding access. The remaining 3 acres of timber would likely require cable yarding from adjacent parcels.

This 6 acre portion of the property is anticipated to yield 50 MBF (thousand board feet) under a 50% - 60% selection harvest. This could be repeated on a 14 year cycle. Utilizing the stumpage values (price paid for standing trees) provided by the California Tax Board the stumpage value of such a sale would yield $\$580/\text{MBF} \times 50 \text{ MBF} = \$29,000$.

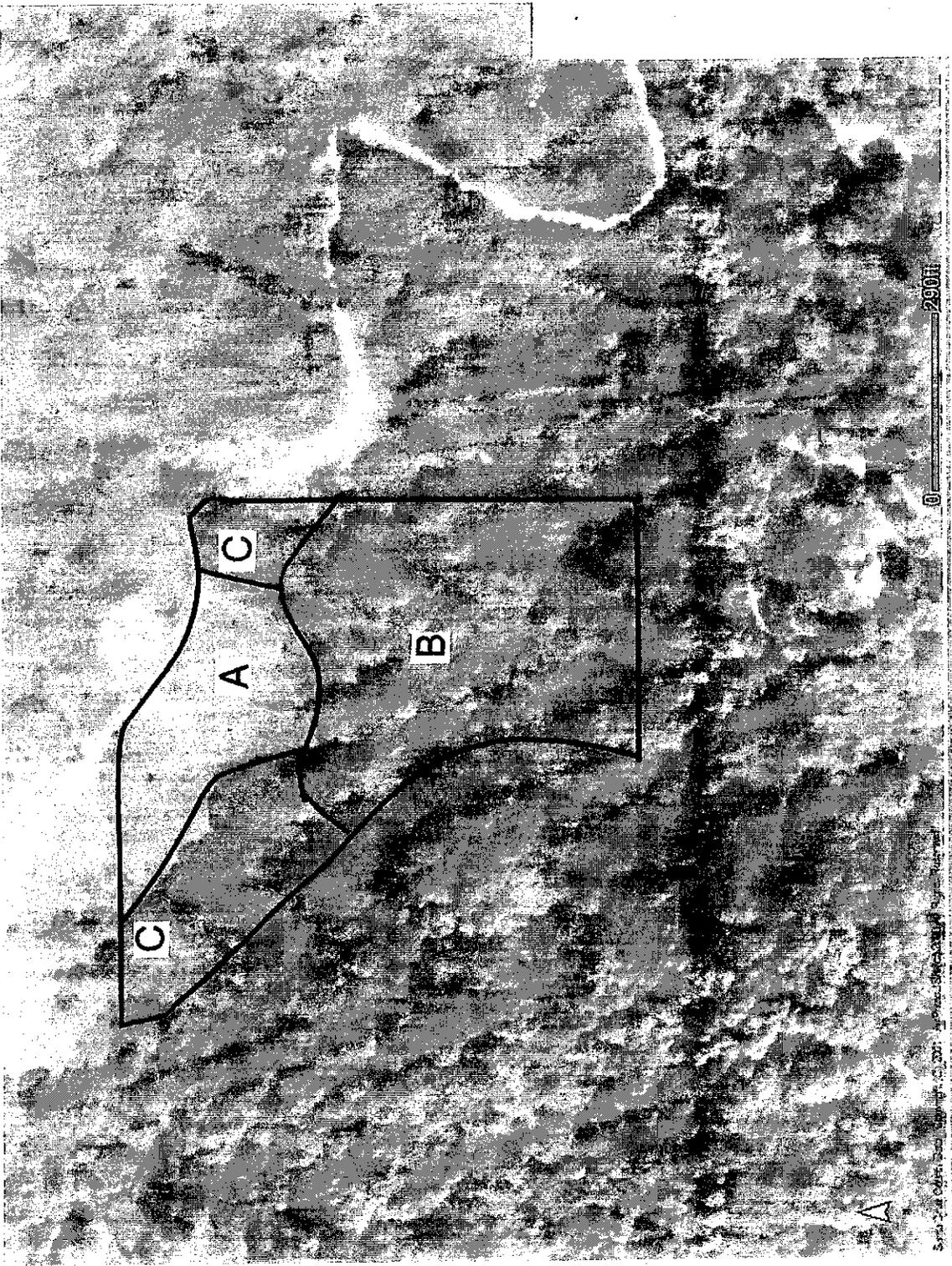
The cost of obtaining a Timber Harvest Plan (THP; harvesting permit) would need to be subtracted from this value. THP's are fairly expensive and carry a high fixed cost. To obtain a THP for your 6 acres could cost \$15,000 - \$20,000.

While this still produces a viable stand alone sale, your best course of action would be to tie your harvest in with a nearby timber harvest during the preparation stages of a nearby sale. This would require you to contact the half dozen RPS that prepare plans in the area and let them know you are interested in harvesting your parcel and wait for them to prepare a harvest plan on a nearby parcel.

The 6 acre unit discussed is a stand alone unit in that it has its own adequate landing areas and truck and skid road access.

Other - The parcel is set below Highland Way/ Eureka Canyon Road. The area below the road is an extremely steep brush field. The area has been exploited as an area to abandon vehicles over the steep bank. The area is littered with junk cars. It may be possible to remove some or all of the cars in conjunction with a timber harvest.

John K. Photo



Overview

Legend

- Legend
- State Highways
- City Limits
- Santa Cruz County Boundry
- 2Ft Pixel

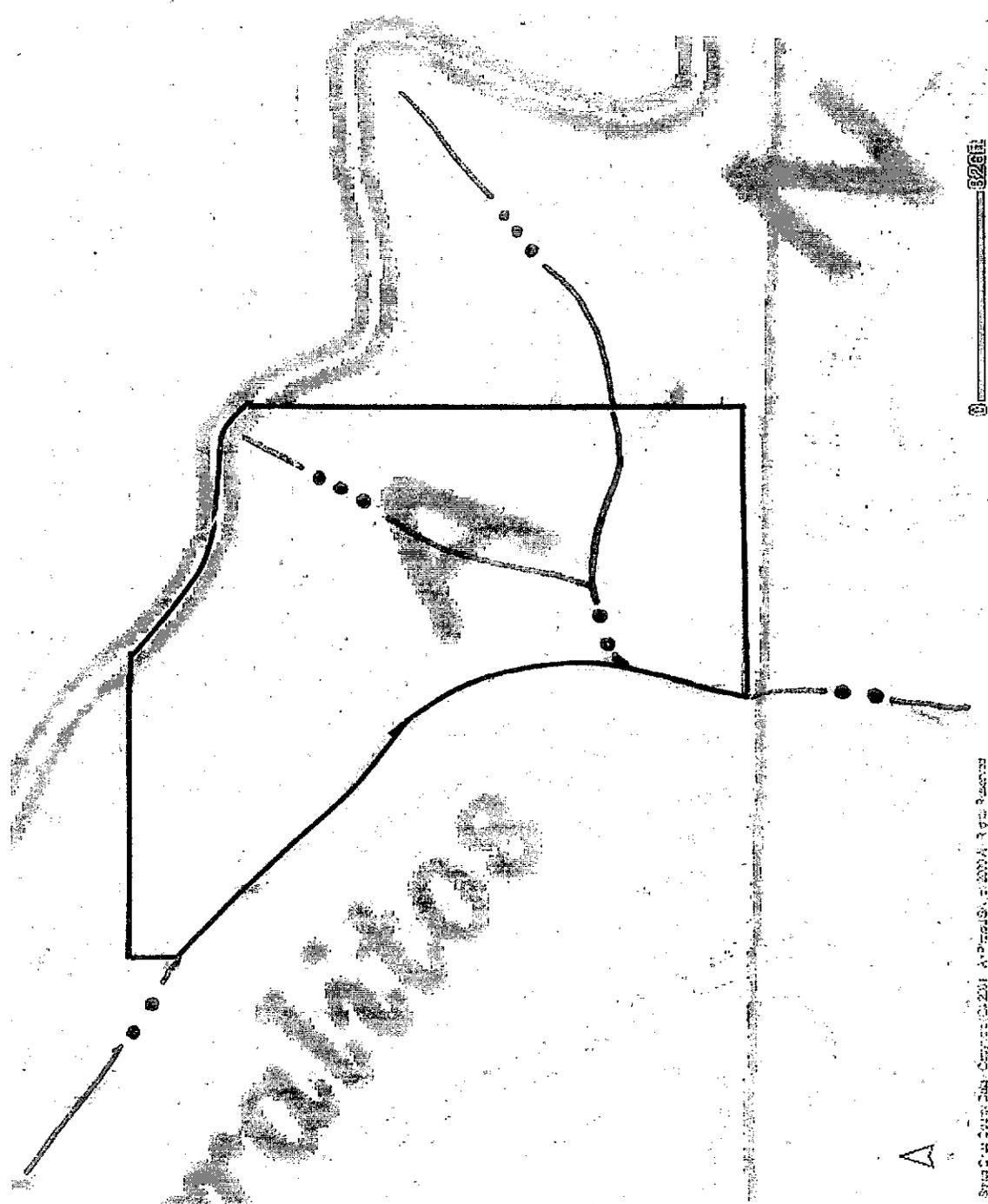
Lands of John Kregel
 Section 14 T10S R1E MDB&
 Santa Cruz County

A-Non-Timbered Brush Field
 B-Timbered with good access
 C-Timbered with poor access

Property Boundary

Steven M. Butler RPF #2390

John K. USGS



Overview

Legend

- Legend
- State Highways
- City Limits
- Santa Cruz County Boundary
- USGS Quads (contto maps)

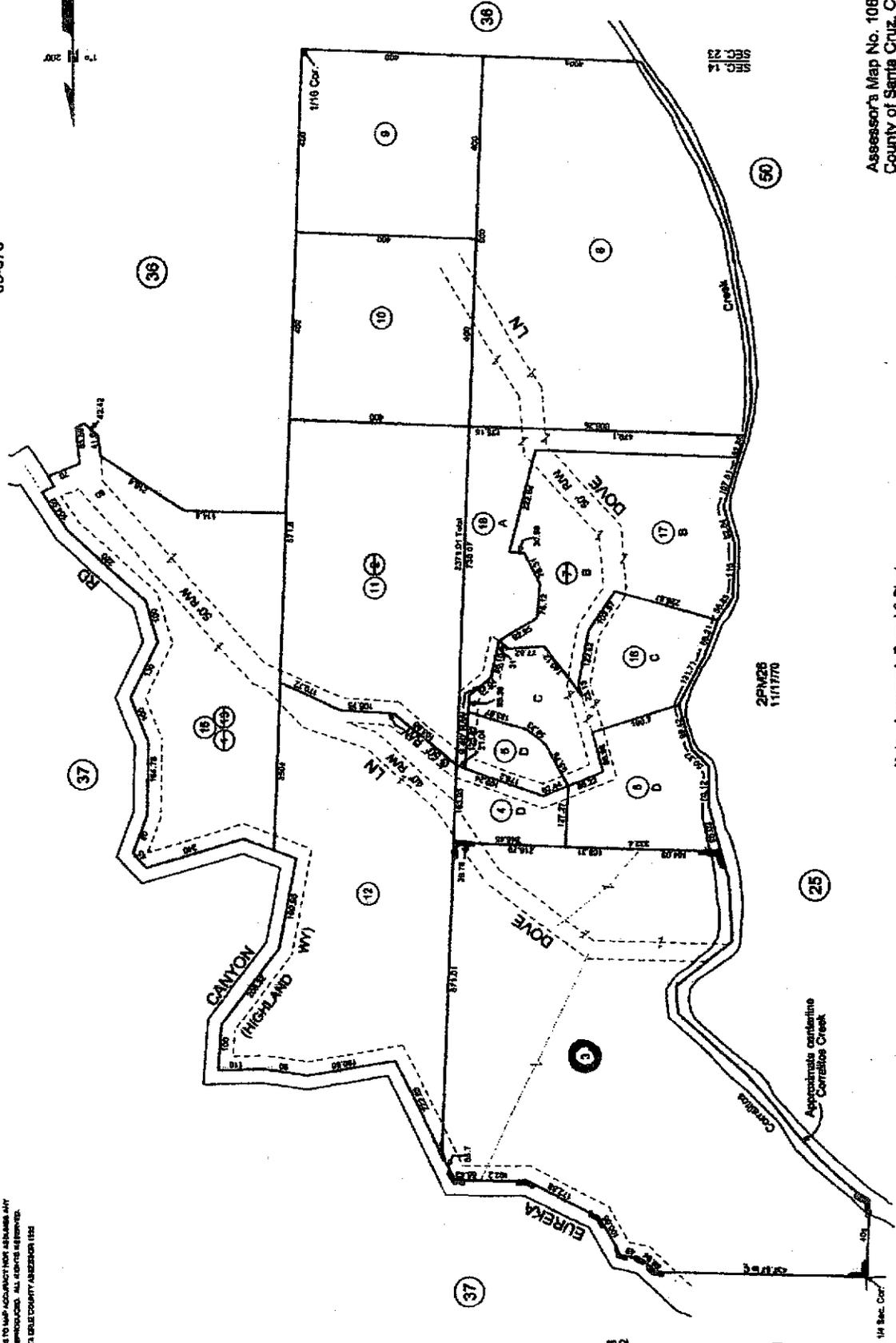
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POR. SEC. 14, T. 10S., R. 1E., M.D.B. & M.

**Tax Area Code
89-070**

106-35



JOHN KREGEL
- 17 -

Notarially prepared 2/27/88
By: [Signature]
My 2nd Year expires 2/28/91

**Assessor's Map No. 106-35
County of Santa Cruz, Calif.
March 1988**

Note - Assessor's Parcel & Block
A. L. ...

AND WHEN RECORDED MAIL TO

NAME
ADDRESS John H. Kregel
CITY & STATE 92 Paradise Park
Santa Cruz, CA 95060

Recorded REC FEE 10.00
Official Recorda PENALTY 6.W
County Of
SANTA CRUZ
RICHARD W. BEDAL
10:28AM 21-Jan-1998 BLS
Page 1 of 2

Title Order No. _____ Escrow No. _____

SPACE ABOVE THIS LINE FOR RECORDER'S USE

MAIL TAX STATEMENTS TO

NAME John H. Kregel
STREET ADDRESS 92 Paradise Park
CITY & STATE Santa Cruz, CA 95060

Quitclaim Deed

THE UNDERSIGNED GRANTOR(S) DECLARE(S)
DOCUMENTARY TRANSFER TAX IS \$ -0- Inter Spousal Transfer GIFT
 _____ unincorporated area City of _____
Parcel No. 106-351-03
 computed on full value of property conveyed, or
 computed on full value less value of liens or encumbrances remaining at time of sale, and

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

MARILYN A. KREGEL, Spouse and Grantee

hereby REMISE, RELEASE AND FOREVER QUITCLAIM to

JOHN H. KREGEL, a married man, as his sole and separate property

the following described real property in the
county of Santa Cruz state of California:

See Attached Copy of the "JOINT TENANCY GRANT DEED" Filed April 15, 1969 in Book
1944 at page 725 of the records of the County Recorder of Santa Cruz County, California,
Document # 10668

Dated Dec 29, 1997

Marilyn A. Kregel
MARILYN A. KREGEL

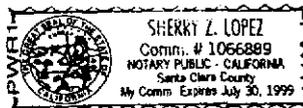
STATE OF CALIFORNIA }
COUNTY OF Santa Cruz } S.S.

On Dec 29, 1997 before me,

Sherry Z. Lopez
a Notary Public in and for said County and State, personally appeared

Marilyn A. Kregel

personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) 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 *Sherry Z. Lopez*

(This area for official notarial seal)

RECORDING REQUESTED BY

BOOK 1944 PAGE 725

106687

AND WHEN RECORDED MAIL TO

2809

JUN 15 10 53 AM '65

TITLE INSURANCE & TRUST CO.

BOOK 1944 PAGE 725

106687

Mr. and Mrs. John H. Kregel
1454 Merry Lane
San Jose, California

SPACE ABOVE THIS LINE FOR RECORDER'S USE

SEE ALL REFERENCES TO

\$2.20

\$3.30

\$3.30

\$3.30

\$3.30

\$3.30

\$3.30

(Same as above)



TO 484 CA (7-65)

Joint Tenancy Grant Deed

D.T.T. \$ 22.00

THIS FORM PUBLISHED BY TITLE INSURANCE AND TRUST COMPANY

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

JOHN J. SULLIVAN, an unmarried man

hereby GRANT(S) to

JOHN H. KREGEL and MARILYN A. KREGEL, his wife

AS JOINT TENANTS,

the real property in the
County of

Santa Cruz

State of California, described as:

Being a part of the Northwest 1/4 of the Southeast 1/4 of Section 14, Township 10 South, Range 1 East, Mount Diablo Meridian and more particularly bounded and described as follows:

Beginning at a point at the south boundary line of said Southeast 1/4 of said Section 14, from which the 1/16th section corner of said boundary line bears East 400.00 feet distant, running thence from said place of beginning along said section line East 400.00 feet to said 1/16th section corner. Thence along the 1/16th section line running North and South through the Southeast 1/4 of said section, North 1400 feet, a little more or less to the center line of Highland Way. Thence leaving said 1/16th section line and along the center line of said Highland Way Northwesterly to a point from which the place of beginning bears South, thence South 100 feet, a little more or less, to the true place of beginning. Said true place of beginning being West 400.00 feet and North 1700.00 feet from the said 1/16th section corner on the Southern boundary line of the Southeast 1/4 of said section, running thence from said true place of beginning West 800 feet, a little more or less, to the center line of Corralitos Creek, thence Northwesterly along said center line to the 1/4 section line running North and South through said section 14; thence along said 1/4 section line North to the center line of Highland Way; thence along the center line of Highland Way Southeasterly to a point from which the true place of beginning bears South, thence South 100 feet, a little more or less to the true place of beginning.

Together with and reserving a right of way 50 feet in width for road and utility purposes over an existing and all future road ways to Highland Way.