



Staff Report
Lot Legality/ Certificate of Compliance
Level 5 – Zoning Administrator 05-0134

Applicant: Joe Burch
Agenda: April 21, 2006
Item: 0.1
Time: After 8:30 a.m.

APN: 106-022-10, 11, 12, 13, 14
106-501-01, 02, 03
Owner: Rodger A. and Michelle Burch, Trustees
for the RMB Revocable Family Trust
dated February 5, 1999

Project Description: The proposal is to establish the legality of twelve (12) parcels. Requires a Lot Legality Determination/ Certificate of Compliance.

Location: The property is located on the east side of Buzzard Lagoon Road about 4+- miles north from the intersection of Buzzard Lagoon and Rider Road; Eureka Canyon Planning Area.

Supervisory District: Second District

Staff Recommendation:

It is RECOMMENDED that the Zoning Administrator take the following actions:

- A) Certify the Environmental Determination attached as Exhibit G; and
- B) Direct that the Conditional Certificates of Compliance attached as Exhibit H be recorded for portions of APN's 106-022-14, 106-501-01 and all of APN's 106-501-02, 106-501-03 comprising reference lots 3, 6, 7, 8, 11, and 12; and
- C) Direct that the Unconditional Certificates of Compliance attached as Exhibit I be recorded for these APN's 106-022-10, 106-022-11, 106-021-12, 106-022-13 and a portion of 106-022-14 comprising reference lots 1, 2, 4, 5, 9, and 10.

Exhibits:

- A. Assessor's Maps
- B. Map showing lots under consideration
- C. Analysis of each proposed lot
- D. Chains of Title and Copies of Deeds and other supplementary information
(on file with the Planning Department)
- E. Copies of Deeds; current owners
- F. Rural Residential Density Determination for Conditional Certificates of Compliance
- G. CEQA Determination
- H. Conditional certificates of Compliance
- I. Unconditional Certificates of Compliance

Background and Analysis

Assessor's Parcel Numbers 106-022-10, 106-022-11, 106-022-12, 106-022-13, 106-022-14, 106-501-01, 106-501-02 and 106-501-03 (see Assessors Maps, Exhibit A) were evaluated as to whether the twelve lots (**see** map noting lots requested, Exhibit B) in question could be presumed to be lawfully created pursuant to Government Code Section 66412.6 and entitled to an Unconditional Certificate of Compliance pursuant to Government Code Section 66499.35 and Santa Cruz County Code Section 14.01.109 and 14.01.110. An analysis for each individual parcel is attached as Exhibit C.

Summary for Reference Lots 1, 2, 4, 5, 9 and 10

No evidence was found to indicate that the parcels were described as a part of another parcel within one metes and bounds description which included a statement within the deeds indicating that it was the intent of that document to combine the property as required by the Civil Code Section 1093 or was combined by a record of survey map with another parcel either at the request of the owner or by the action of the owner. Further, no evidence was found that the lots have been combined by the action of the owner as outlined in County Code Section 14.01.110. Finally, based upon County Code Section 14.01.111, and the applicable provisions of the Government Code Section 66451, the parcels are not subject to merger. Based upon the available information, the sites are unimproved.

County Code Section 14.01.109(a) states that a parcel qualifies for an Unconditional Certificate of Compliance if:

The real property in question complies with the provisions of the Subdivision Map Act and County Ordinances enacted pursuant thereto as follows:

(1) The subject properties were conveyed by a separate document as a separate parcel on or before January 20, 1972.

The lots were created by a separate deed instruments recorded prior to January 20, 1972.

(2) The parcels in question complied with the provisions of the Subdivision Map Act at the time of its creation.

No evidence was found to indicate that the parcels did not comply with the applicable provisions of the State Map Act at the time the parcel was created.

(3) At the time the contract, deed or other document creating the subject parcels was signed, the subject parcels complied with the applicable County ordinances then in effect, including (without limitation) the parcel size required by the then applicable zone district.

The parcels complied with the applicable standards in effect at the time *the* parcel was created.

(4) The parcels in question has not been combined by the owner, and are not subject to merger.

No evidence was found to indicate that the lots were combined *by* the actions of the owner. The lots are not subject to merger.

Based upon a preponderance of the evidence, these lots all warrant the issuance of Unconditional Certificates of Compliance (see Exhibit C and D).

Reference Lots 3, 6, 7, 8, 11, 12

No evidence was found to indicate that the parcels were described as a part of another parcel within one metes and bounds description which included a statement within the deeds indicating that it was the intent of that document to combine the property as required by the Civil Code Section 1093 or was combined by a record of survey map with another parcel either at the

request of the owner or by the action of the owner. Further, no evidence was found that the lots have been combined by the action of the owner as outlined in County Code Section 14.01.110. Finally, based upon County Code Section 14.01.111, and the applicable provisions of the Government Code Section 66451, the parcel is not subject to merger. Based upon the available information, the sites are not improved.

The real property in question complies with the provisions of the Subdivision Map Act and County Ordinances enacted pursuant thereto as follows:

(1) The subject properties were conveyed by a separate document as a separate parcel on or before January 20, 1972.

The lots were not created by a separate deed instruments recorded prior to January 20, 1972.

(2) The parcels in question complied with the provisions of the Subdivision Map Act at the time of its creation.

Evidence was presented indicating that the parcels did not comply with the applicable provisions of the State Map Act at the time the parcel was created.

(3) At the time the contract, deed or other document creating the subject parcels was signed, the subject parcels complied with the applicable County ordinances then in effect, including (without limitation) the parcel size required by the then applicable zone district.

The parcels did not comply with the applicable standards in effect at the time the parcels were created.

(4) The parcel in question has not been combined by the owner, and is not subject to merger.

No evidence was found to indicate that the lots were combined by the actions of the owner. The lots are not subject to merger.

Based upon a preponderance of the evidence, these lots do not warrant the issuance of Unconditional Certificates of Compliance. Conditional Certificates of Compliance are required for these lots and the applicant concurs with this determination (see Exhibits C and D).

Conditional certificate of Compliance

When a request is made to a local agency by a property owner for a determination whether a property complies with the provisions of the State Map Act and local ordinances, the local agency must issue either an Unconditional Certificate of Compliance or a Conditional Certificate of Compliance (see Govt, Code Section 66499.35 and County Code Section 14.01.109 (b)).

The State Map Act (66499.35) clearly states that the conditions "which would have been applicable to the division of the *property* at the time *applicant* acquired his or her interest therein" be applied. This provision of State law has been implemented by County Code section 14.01.109(b) 2 which states the following:

*"If applicant was not the owner at the time of the initial violation, the County shall issue and record a Conditional Certificate of Compliance imposing such conditions as would have been applicable to the division of the *property* at the time applicant acquired his or her interest therein."*

In this case, the year the owner took title is as follows (copies of the deeds are attached as Exhibit E):

APN	Owner	Date Acaired	Zone	GP
106-022-14	Burch	1992	TP	Mountain Residential
106-501-01	Burch	1993	SU	Mountain Residential
106-501-02	Burch	1993	SU	Mountain Residential
106-501-03	Burch	1993	SU	Mountain Residential

A transfer from Rodger and Michelle Burch to Rodger and Michelle Burch, Trustees of the RMB Family Trust (see Documents 2001-0056689 and 2001-0056692 recorded September 10, 2001) occurred in 2001. The current owners obtained title to the property in 1992 and 1993. (H & R Holdings to Burch; Bk 5137 Pg 168 recorded October 28, 1992 and Holmes to Burch; Bk 5393 Pg 536 recorded November 23, 1993) In the past, Counsel has advised that the transfer of property to a trust was not to be considered a transfer of ownership when evaluating a property for a Certificate of Compliance.

The recommended conditions (Exhibit B of the Unconditional Certificates of Compliance; see Exhibit H attached) have incorporated the applicable standards (including zone district standards and density; see Exhibit F) for the year title was obtained.

Staff Recommendation:

It is RECOMMENDED that the Zoning Administrator take the following actions:

- A) Direct that the Conditional Certificates of Compliance be recorded for portions of APN's 106-022-14, 106-501-01 and all of APN's 106-501-02, 106-501-03 comprising reference lots 3, 6, 7, 8, 11, and 12 (see Exhibit H); and
- B) Certify the Environmental determination attached as Exhibit G; and
- C) Direct that the Unconditional Certificates of Compliance be recorded for APN's 106-022-10, 106-022-11, 106-022-13 and a portion of 106-022-14 comprising reference lots 1, 2, 4, 5, 9, and 10 (see Exhibit I).

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.

The County Code and General Plan, as well as hearing agendas and additional information are available online at: www.co.santa-cruz.ca.us

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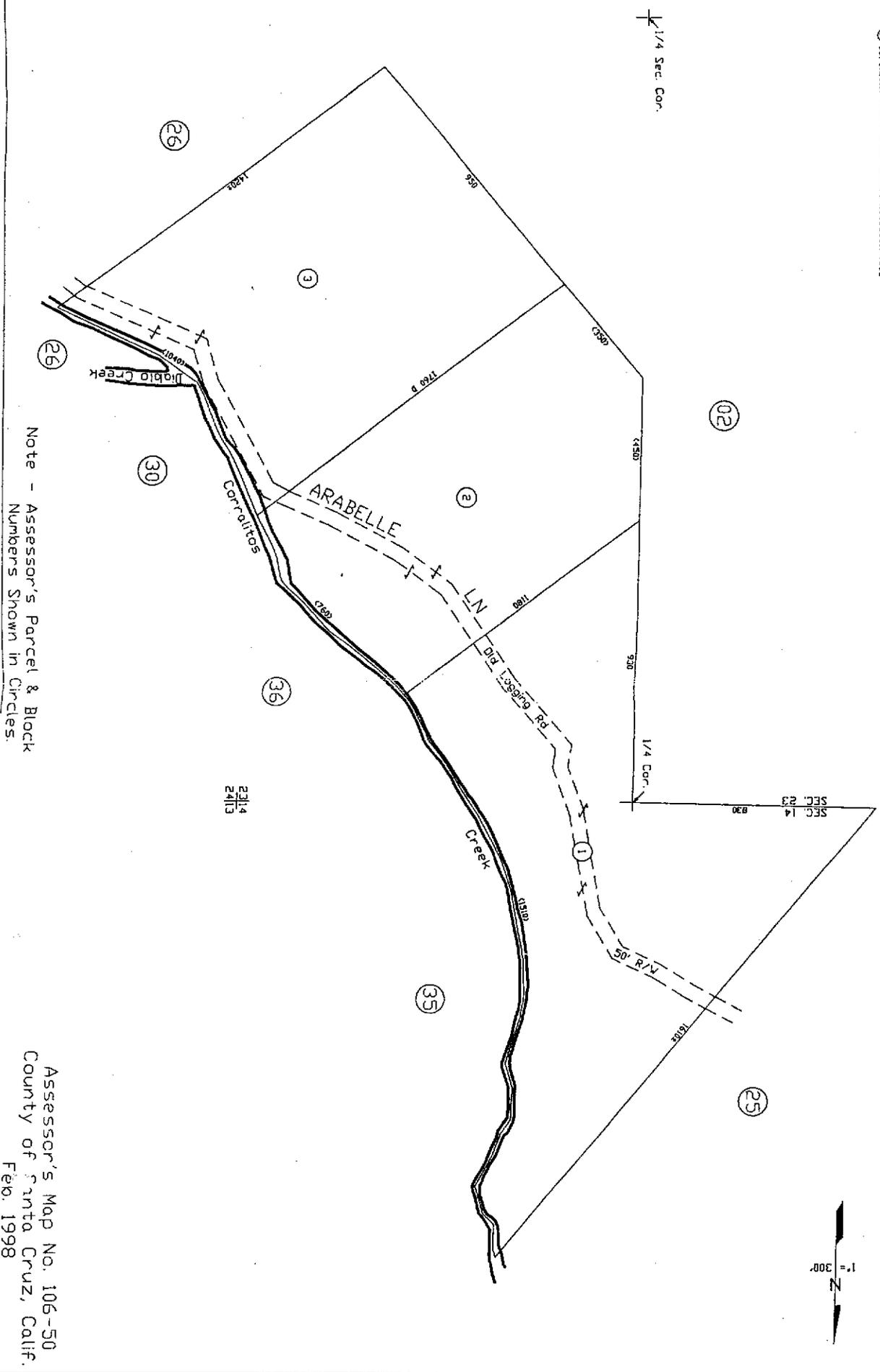
Appeals

In accordance with Section 18.10.300 et seq of the Santa Cruz County Code, any party may appeal an action or decision taken on a Level V project such as this one. Appeals of Zoning Administrator decisions are made to the Planning Commission. All appeals shall be made in writing and shall state the nature of the application, your interest in the matter, and the basis upon which the decision is considered to be in error. Appeals must be made no later than fourteen (14) calendar days following the date of action from which the appeal is being taken and must be accompanied by the appropriate appeal filing fee.

ASSESSOR'S PARCEL MAPS

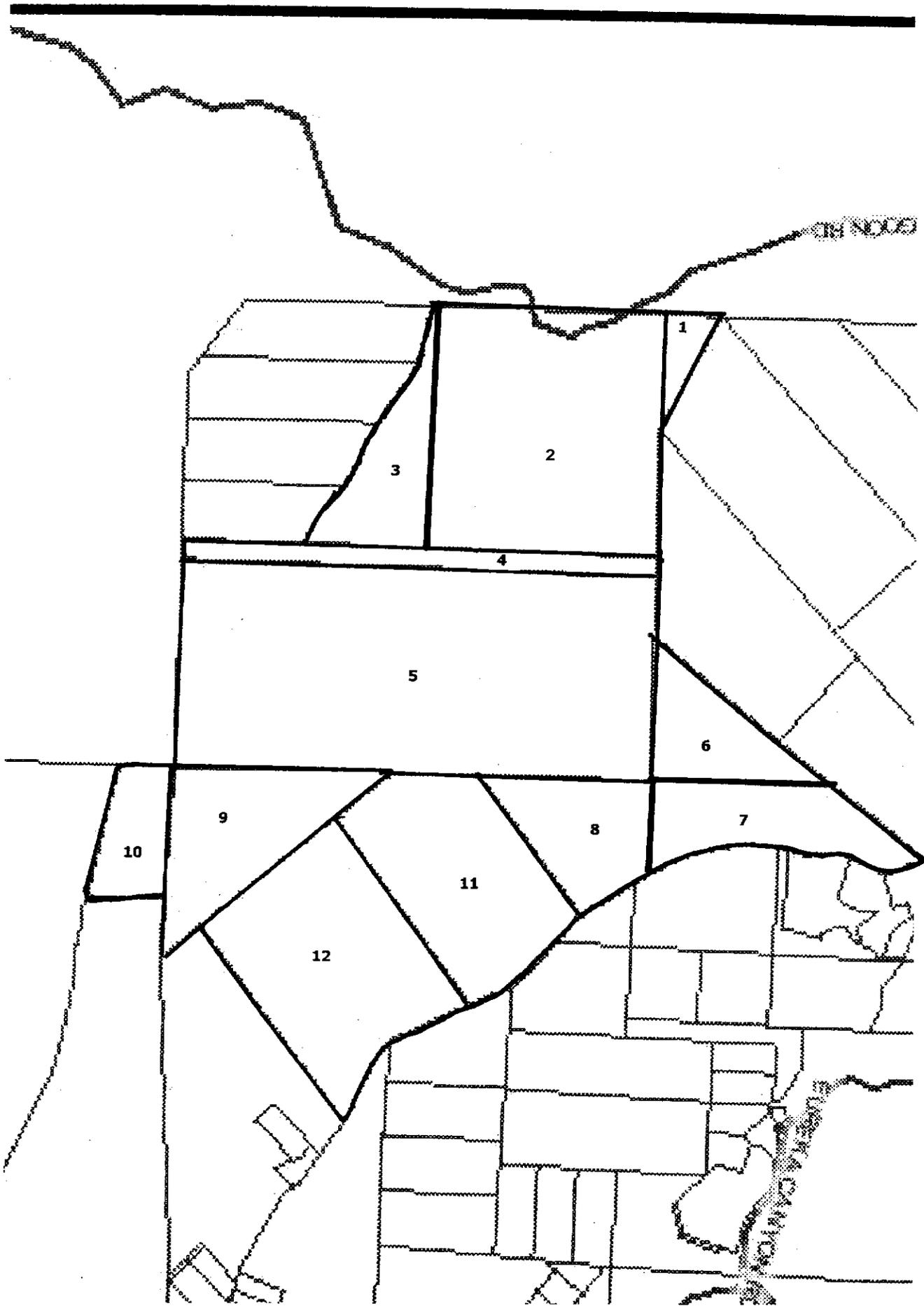
Exhibit A

Electronically redrawn 2/26/98 KSA
 Rev. 2/26/98 KSA (Par. from Pg. 26)
 Rev. 10/25/01 mm (changed page refs.)



MAP SHOWING LOTS UNDER CONSIDERATION

Exhibit **B**



ANALYSIS OF EACH PROPOSED LOT

Exhibit C

Lot 1

Portion of APN 106-021-14

The chain of title submitted by the applicant indicates this portion of Assessor's Parcel Number 106-022-14 was created by a separate deed instrument in the past (see Book 46 of deeds page 466 recorded June 8, 1885; Watsonville Mill and Lumber Company to Packwood). Historically, the lot has been described separately and transferred with other properties.

No evidence was found to indicate that the parcel was described as a part of another parcel within one metes and bounds description which included a statement within the deeds indicating that it was the intent of that document to combine the property as required by the Civil Code Section 1093 or was combined by a record of survey map with another parcel either at the request of the owner or by the action of the owner. Further, no evidence was found that the lots have been combined by the action of the owner as outlined in County Code Section 14.01.110. Finally, based upon County Code Section 14.01.111, and the applicable provisions of the Government Code Section 66451, the parcel is not subject to merger. Based upon the available information, the site is not improved.

County Code Section 14.01.109(a) states that a parcel qualifies for an Unconditional Certificate of Compliance if:

The real property in question complies with the provisions of the Subdivision Map Act and County Ordinances enacted pursuant thereto as follows:

(1) The subject property was conveyed by a separate document as a separate parcel on or before January 20, 1972.

The lot was created by separate deed instruments prior to January 20, 1972 (see *Book 46* of Deeds page 466 recorded June 8, 1885; Watsonville Mill and Lumber Company to Packwood).

(2) The parcel in question complied with the provisions of the Subdivision Map Act at the time of its creation.

No evidence was found to indicate that the parcel did not comply with the applicable provisions of the State Map Act at the time the parcel was created.

(3) At the time the contract, deed or other document creating the subject parcel was signed, the subject parcel complied with the applicable County ordinances then in effect, including (without limitation) the parcel size required by the then applicable zone district.

The parcels complied with the applicable standards in effect at the time the parcel was created.

(4) The parcel in question has not been combined by the owner, and is not subject to merger.

No evidence was found to indicate that the lot was combined by the actions of the owner. The lot is not subject to merger.

Lot 2

Portion of APN 106-021-14

The chain of title submitted by the applicant indicates this Assessor's Parcel number was created by a separate deed instrument in the past (see Book 45 of deeds, Page 37 recorded September 18, 1885; Packwood to Johnson). Historically, the lot has been transferred with other properties.

No evidence was found to indicate that the parcel was described as a part of another parcel within one metes and bounds description which included a statement within the deeds indicating that it was the intent of that document to combine the property as required by the Civil Code Section 1093 or was combined by a record of survey map with another parcel either at the request of the owner or by the action of the owner. Further, no evidence was found that the lots have been combined by the action of the owner as outlined in County Code Section 14.01.110. Finally, based upon County Code Section 14.01.111, and the applicable provisions of the Government Code Section 66451, the parcel is not subject to merger. Based upon the available information, the site is not improved.

County Code Section 14.01.109(a) states that a parcel qualifies for an Unconditional Certificate of Compliance if:

The real property in question complies with the provisions of the Subdivision Map Act and County Ordinances enacted pursuant thereto as follows:

(1) The subject property was conveyed by a separate document as a separate parcel on or before January 20, 1972.

The lot was created by separate deed instruments prior to January 20, 1972 (see Book 45 of Deeds page 37 recorded September 18, 1885; Packwood to Johnson).

(2) The parcel in question complied with the provisions of the Subdivision Map Act at the time of its creation.

No evidence was found to indicate that the parcel did not comply with the applicable provisions of the State Map Act at the time the parcel was created.

(3) At the time the contract, deed or other document creating the subject parcel was signed, the subject parcel complied with the applicable County ordinances then in effect, including (without limitation) the parcel size required by the then applicable zone district.

The parcels complied with the applicable standards in effect at the time *the* parcel was created.

(4) The parcel in question has not been combined by the owner, and is not subject to merger.

No evidence was found to indicate that the lots were combined by the actions of the owner. The lots are not subject to merger.

Lot 3

Portion of APN 106-021-14

The chain of title submitted by the applicant indicates this portion of Assessor's Parcel number was not described by a separate deed instrument in the past. Because of this fact, issuance of a Conditional Certificate of Compliance is warranted. The applicant concurs with this conclusion.

No Evidence was found to indicate that the parcel was described as a part of another parcel within one metes and bounds description which included a statement within the deeds indicating that it was the intent of that document to combine the property as required by the Civil Code Section 1093 or was combined by a record of survey map with another parcel either at the request of the owner or by the action of the owner. Further, no evidence was found that the lots have been combined by the action of the owner as outlined in County Code Section 14.01.110. Finally, based upon County Code Section 14.01.111, and the applicable provisions of the Government Code Section 66451, the parcel could be subject to merger. Based upon the available information, the site is not improved.

County Code Section 14.01.109(a) states that a parcel qualifies for an Unconditional Certificate of Compliance if the real property in question complies with the provisions of the Subdivision Map Act and County Ordinances enacted pursuant thereto and was conveyed by a separate deed document as a separate parcel on or before January 20, 1972. This is not the case for this property.

Lot 4

APN 106-021-13

The chain of title submitted by the applicant indicates this Darcel was created by a separate deed instrument in the past (see Book of Deeds 104 page 198 recorded March 3, 1896; Beal to Packwood). Historically, the lot has been described separately and transferred with other properties.

No evidence was found to indicate that the parcel was described as a part of another parcel within one metes and bounds description which included a statement within the deeds indicating that it was the intent of that document to combine the property as required by the Civil Code Section 1093 or was combined by a record of survey map with another parcel either at the request of the owner or by the action of the owner. Further, no evidence was found that the lot has been combined by the action of the owner as outlined in County Code Section 14.01.110. Finally, based upon County Code Section 14.01.111, and the applicable provisions of the Government Code Section 66451, the parcel is not subject to merger. The site is not improved.

County Code Section 14.01.109(a) states that a parcel qualifies for an Unconditional Certificate of Compliance if:

The real property in question complies with the provisions of the Subdivision Map Act and County Ordinances enacted pursuant thereto as follows:

(1) The subject property was conveyed by a separate document as a separate parcel on or before January 20, 1972.

The lot was created by separate deed instrument recorded prior to January 20, 1972 (see *Book of Deeds 104* page 198 recorded March 3, 1896; Beal to Packwood).

(2) The parcel in question complied with the provisions of the Subdivision Map Act at the time of its creation.

No evidence was found to indicate that the parcel did not comply with the applicable provisions of the State Map Act at the time the parcel was created.

(3) At the time the contract, deed or other document creating the subject parcel was signed, the subject parcel complied with the applicable County ordinances then in effect, including (without limitation) the parcel size required by the then applicable zone district.

The parcels complied with the applicable standards in effect at the *time* the parcel was created.

(4) The parcel in question has not been combined by the owner, and is not subject to merger.

No evidence was found to indicate that the lot was combined by the actions of the owner. The lot is not subject to merger.

Lot 5

APN 106-021-12

The chain of title submitted by the applicant indicates this parcel was created as an exception or "left over" parcel (see Book 47 of deeds, Page 120 recorded July 6, 1885; Packwood to Beal and Book 104 of deeds, Page 198 recorded March 3, 1896; Beal to Packwood). It was described in a deed instrument with other properties in 1922 (see Book 321 of Deeds, Page 32 recorded November 25, 1922; Rider to Panzich). Historically, the lot has been described separately and transferred with other properties.

No evidence was found to indicate that the parcel was described as a part of another parcel within one metes and bounds description which included a statement within the deeds indicating that it was the intent of that document to combine the property as required by the Civil Code Section 1093 or was combined by a record of survey map with another parcel either at the request of the owner or by the action of the owner. Further, no evidence was found that the lot has been combined by the action of the owner as outlined in County Code Section 14.01.110. Finally, based upon County Code Section 14.01.111, and the applicable provisions of the Government Code Section 66451, the parcel is not subject to merger. Based upon available information, the site is not improved.

County Code Section 14.01.109(a) states that a parcel qualifies for an Unconditional Certificate of Compliance if:

The real property in question complies with the provisions of the Subdivision Map Act and County Ordinances enacted pursuant thereto as follows:

(1) The subject property was conveyed by a separate document as a separate parcel on or before January 20, 1972.

The lot was created by separate deed instruments prior to January 20, 1972 (see Book 47 of deeds, Page 120 recorded July 6, 1885; Packwood to Beal and Book 104 of deeds, Page 198 recorded March 3, 1896; Beal to Packwood and was described with other properties in 1922; see Book 321 of Deeds, Page 32 recorded November 25, 1922; Rider to Panzich).

(2) The parcel in question complied with the provisions of the Subdivision Map Act at the time of its creation.

Based upon available evidence, the parcel complied with the applicable provisions of the State Map Act at the time the parcel was created.

(3) At the time the contract, deed or other document creating the subject parcel was signed, the subject parcel complied with the applicable County ordinances then in effect, including (without limitation) the parcel size required by the then applicable zone district.

The parcel complied with the applicable standards in effect at the time the parcel was created.

(4) The parcel in question has not been combined by the owner, and is not subject to merger.

No evidence was found to indicate that the lot was combined by the actions of the owner. The lot is not subject to merger.

Lot 6

Portion of APN 106-501-01

The applicant has requested this parcel be considered and be evaluated as an individual separate parcel and acknowledges that the issuance of a Conditional Certificate of compliance is appropriate.

The applicant has presented information that this property was created in violation of the State map Act. Because of this fact, the lot does not meet the threshold test to be considered as a separate legal lot and thus qualify for an Unconditional Certificate of Compliance as provided for under Section 14.01.108 and 14.01.109 of the Santa Cruz County Code.

No evidence was found to indicate that the parcel was described as a part of another parcel within one metes and bounds description which included a statement within the deeds indicating that it was the intent of that document to combine the property as required by the Civil Code Section 1093 or was combined by a record of survey map with another parcel either at the request of the owner or by the action of the owner. Further, no evidence was found that the lots have been combined by the action of the owner as outlined in County Code Section 14.01.110. Finally, based upon County Code Section 14.01.111, and the applicable provisions of the Government Code Section 66451, the parcel is not subject to merger. The site is not improved.

County Code Section 14.01.109(a) states that a parcel qualifies for an Unconditional Certificate of Compliance if the real property in question complies with the provisions of the Subdivision Map Act and County Ordinances enacted pursuant thereto and was conveyed by a separate document as a separate parcel on or before January 20, 1972. This is not the case for this property.

Lot 7

Portion of APN 106-501-01

The applicant has requested this Parcel be considered and be evaluated as an individual separate parcel and acknowledges that the issuance of a Conditional Certificate of compliance is appropriate.

The applicant has presented information that this property was created in violation of the State map Act. Because of this fact, the lot does not meet the threshold test to be considered as a separate legal lot and thus qualify for an Unconditional Certificate of Compliance as provided for under Section 14.01.108 and 14.01.109 of the Santa Cruz County Code.

No evidence was found to indicate that the parcel was described as a part of another parcel within one metes and bounds description which included a statement within the deeds indicating that it was the intent of that document to combine the property as required by the Civil Code Section 1093 or was combined by a record of survey map with another parcel either at the request of the owner or by the action of the owner. Further, no evidence was found that the lots have been combined by the action of the owner as outlined in County Code Section 14.01.110. Finally, based upon County Code Section 14.01.111, and the applicable provisions of the Government Code Section 66451, the parcel is not subject to merger. The site is not improved.

County Code Section 14.01.109(a) states that a parcel qualifies for an Unconditional Certificate of Compliance if the real property in question complies with the provisions of the Subdivision Map Act and County Ordinances enacted pursuant thereto and was conveyed by a separate document as a separate parcel on or before January 20, 1972. This is not the case for this property.

Lot 8

Portion of APN 106-501-01

This parcel was created in violation of the State Map Act and the County Subdivision Ordinance (see Book 2179 Book 108 recorded 03/03/72; Saunders to Nitschke). The applicant has requested this parcel be considered and be evaluated as an individual separate parcel and acknowledges that the issuance of a Conditional Certificate of compliance is required.

The applicant has presented information that this property was created in violation of the State map Act. Because of this fact, the lot does not meet the threshold test to be considered as a separate legal lot and thus qualify for an Unconditional Certificate of Compliance as provided for under Section 14.01.108 and 14.01.109 of the Santa Cruz County Code.

No evidence was found to indicate that the parcel was described as a part of another parcel within one metes and bounds description which included a statement within the deeds indicating that it was the intent of that document to combine the property as required by the Civil Code Section 1093 or was combined by a record of survey map with another parcel either at the request of the owner or by the action of the owner. Further, no evidence was found that the lots have been combined by the action of the owner as outlined in County Code Section 14.01.110. Finally, based upon County Code Section 14.01.111, and the applicable provisions of the Government Code Section 66451, the parcel is not subject to merger. The site is not improved.

County Code Section 14.01.109(a) states that a parcel qualifies for an Unconditional Certificate of Compliance if the real property in question complies with the provisions of the Subdivision Map Act and County Ordinances enacted pursuant thereto and was conveyed by a separate document as a separate parcel on or before January 20, 1972. This is not the case for this property.

Lot 9

APN 106-021-11

The chain of title submitted by the applicant indicates the parcel known as Assessor's Parcel number 106-021-11 was described within a separate deed instrument in the past (see Book 51 of Deeds Page 182 recorded June 7, 1886; Packwood to Beal). Historically, the lot has been described separately and transferred with other properties.

Based upon a preponderance of the evidence, nothing was found to indicate that the parcel was described as a part of another parcel within one metes and bounds description which included a statement within the deeds indicating that it was the intent of that document to combine the property as required by the Civil Code Section 1093 or was combined by a record of survey map with another parcel either at the request of the owner or by the action of the owner. Further, no evidence was found that the lots have been combined by the action of the owner as outlined in County Code Section 14.01.110. Finally, based upon County Code Section 14.01.111, and the applicable provisions of the Government Code Section 66451, the parcel is not subject to merger. Based upon the available information, the site is not improved.

County Code Section 14.01.109(a) states that a parcel qualifies for an Unconditional Certificate of Compliance if:

The real property in question complies with the provisions of the Subdivision Map Act and County Ordinances enacted pursuant thereto as follows:

(1) The subject property was conveyed by a separate document as a separate parcel on or before January 20, 1972.

The lot was created by a separate deed instrument recorded prior to January 20, 1972 (see Book 51 of Deeds Page 182 recorded June 7, 1886; Packwood to Beal).

(2) The parcel in question complied with the provisions of the Subdivision Map Act at the time of its creation.

No evidence was found to indicate that the parcel did not comply with the applicable provisions of *the* State Map Act at the time the parcel was created.

(3) At the time the contract, deed or other document creating the subject parcel was signed, the subject parcel complied with the applicable County ordinances then in effect, including (without limitation) the parcel size required by the then applicable zone district.

The parcels complied with the applicable standards in *effect* at the time the parcel was created.

(4) The parcel in question has not been combined by the owner, and is not subject to merger.

No evidence was found to indicate that the lots were combined by the actions of the owner. The lot is not subject to merger.

Lot 10

APN 106-021-10

The chain of title submitted by the applicant indicates that this parcel was an exception or "left over" parcel created when the southerly part of a larger lot was transferred in the past (see Book 64 of Deeds page 366 recorded January 16, 1889; Beal to Thompson and Book 196 of Deeds page 465 recorded December 2, 1907; Beal to Rider and Book 126 of Deeds page 422 recorded May 19, 1900; Beal to Beal). Historically, the lot has been described separately and transferred with other properties.

No evidence was found to indicate that the parcel was described as a part of another parcel within one metes and bounds description which included a statement within the deeds indicating that it was the intent of that document to combine the property as required by the Civil Code Section 1093 or was combined by a record of survey map with another parcel either at the request of the owner or by the action of the owner. Further, no evidence was found that the lot has been combined by the action of the owner as outlined in County Code Section 14.01.110. Finally, based upon County Code Section 14.01.111, and the applicable provisions of the Government Code Section 66451, the parcel is not subject to merger. Based upon the available information, the site is not improved.

County Code Section 14.01.109(a) states that a parcel qualifies for an Unconditional Certificate of Compliance if:

The real property in question complies with the provisions of the Subdivision Map Act and County Ordinances enacted pursuant thereto as follows:

(1) The subject property was conveyed by a separate document as a separate parcel on or before January 20, 1972.

The lot was created with the recording of a separate deed instrument recorded prior to January 20, 1972 (see Book 64 of Deeds page 366 recorded January 16, 1889; Beal to Thompson and Book 196 of Deeds page 465 recorded December 2, 1907; Beal to Rider and Book 126 of Deeds page 422 recorded May 19, 1900; Beal to Beal).

(2) The parcel in question complied with the provisions of the Subdivision Map Act at the time of its creation.

No evidence was found to indicate that the parcel did *not* comply with the applicable provisions of the State Map Act *at* the time the parcel was created.

(3) At the time the contract, deed or other document creating the subject parcel was signed, the subject parcel complied with the applicable County ordinances then in effect, including (without limitation) the parcel size required by the then applicable zone district.

The parcel complied with the applicable standards in effect at the time the parcel was created.

(4) The parcel in question has not been combined by the owner, and is not subject to merger.

No evidence was found to indicate that the lot was combined by the actions *of* the owner. The lot is not subject to merger.

Lot 11

APN 106-501-02

This parcel was created in violation of the State Map Act and the County Subdivision Ordinance (exception parcel resulting from documents recorded 03.03.72; see 2179 OR 106 and 2179 OR 108). The lot was first described in 1975 (see 2560 OR 416; Saunders to Butler). The applicant has requested this parcel be considered and be evaluated as an individual separate parcel and has acknowledged that the issuance of a Conditional Certificate of Compliance is required.

The applicant has presented information that this property was created in violation of the State map Act. Because of this fact, the lot does not meet the threshold test to be considered as a separate legal lot and thus qualify for an Unconditional Certificate of Compliance as provided for under Section 14.01.108 and 14.01.109 of the Santa Cruz County Code.

No evidence was found to indicate that the parcel was described as a part of another parcel within one metes and bounds description which included a statement within the deeds indicating that it was the intent of that document to combine the property as required by the Civil Code Section 1093 or was combined by a record of survey map with another parcel either at the request of the owner or by the action of the owner. Further, no evidence was found that the lots have been combined by the action of the owner as outlined in County Code Section 14.01.110. Finally, based upon County Code Section 14.01.111, and the applicable provisions of the Government Code Section 66451, the parcel is not subject to merger. The site is not improved.

County Code Section 14.01.109(a) states that a parcel qualifies for an Unconditional Certificate of Compliance if the real property in question complies with the provisions of the Subdivision Map Act and County Ordinances enacted pursuant thereto and was conveyed by a separate document as a separate parcel on or before January 20, 1972. This is not the case for this property.

Lot 12

APN 106-501-03

This parcel was created in violation of the State Map Act and the County Subdivision Ordinance (see Book 2179 Book 106 recorded 03/03/72; Saunders to Saunders). The applicant has requested this parcel be considered and be evaluated as an individual **separate** parcel and acknowledges that the issuance of a Conditional Certificate of compliance is required.

The applicant has presented information that this properly was created in violation of the State map Act. Because of this fact, the lot does not meet the threshold test to be considered as a separate legal lot and thus qualify for an Unconditional Certificate of Compliance as provided for under Section 14.01.108 and 14.01.109 of the Santa Cruz County Code.

No evidence was found to indicate that the parcel was described as a part of another parcel within one metes and bounds description which included a statement within the deeds indicating that it was the intent of that document to combine the property as required by the Civil Code Section 1093 or was combined by a record of survey map with another parcel either at the request of the owner or by the action of the owner. Further, no evidence was found that the lots have been combined by the action of the owner as outlined in County Code Section 14.01.110. Finally, based upon County Code Section 14.01.111, and the applicable provisions of the Government Code Section 66451, the parcel is not subject to merger. The site is not improved.

County Code Section 14.01.109(a) states that a parcel qualifies for an Unconditional Certificate of Compliance if the real property in question complies with the provisions of the Subdivision Map Act and County Ordinances enacted pursuant thereto and was conveyed by a separate document as a separate parcel on or before January 20, 1972. This is not the case for this property.

WILLOUGHBY, STUART & BENING

A PROFESSIONAL LAW CORPORATION

FAIRMONT PLAZA
50 WEST SAN FERNANDO, SUITE 400
SAN JOSE, CALIFORNIA 95113
TELEPHONE(408) 289-1972

FACSIMILE (408) 295-6375

October 11, 2005

Don Bussey
Project Planner
County of Santa Cruz
Planning Department
701 Ocean Street, 4th Fl.
Santa Cruz, CA 95060

Re: Application No.: 05-0134
APN: 106-022-10, 11, 12, 13, and 14
106-501-01, 02 and 03
Our File: 2104.8536W

Dear Don:

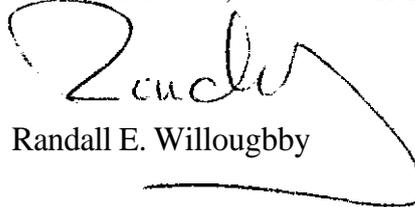
I have been assisting Joe Burch and Mike Maiorana in responding to the issues raised in your letter to Joe Burch of August 16, 2005. Delivered in conjunction with this letter is a binder which I believe addresses the issues raised in your letter. You will note that our client's application relative to a number of the parcels has been amended to request a Conditional Certificate of Compliance rather ~~than~~ an Unconditional Certificate. You will also note that, pursuant to your suggestion, three separate Conditional Certificates have been requested for APNs 106-501-03, 02, and Por. 01.

Our clients appreciate your on-going assistance in respect to the application process. Hopefully, the information provided in Mike Maiorana's binder will address all **of** the County's remaining questions and the certification process on these lots can be completed.

Thanks again for your assistance.

Very truly yours,

WILLOUGHBY, STUART & BENING



Randall E. Willoughby

REW:sld
cc: Joe Burch

MICHAEL S. MAIORANA
Legal Research & Advisement Center



Specializing in Land Title Development

October 11, 2005

Mr. Don Bussey
Project Planner
Planning Department
county of santa Cruz
701 Ocean Street, 4th Floor
Santa Cruz, CA 95060

Re: **Application No. 05-0134**
APN 106-022-10, 11, 12, 13 and 14
106-501-01, 02 and 03

Dear Don:

Per your request and in response to your letter dated August 16, 2005, please find the following:

Your item 1 and item 2 (APN106-501-03, 02 and Por. 01):

This application was originally for 10 lots. At our August 16 meeting, you said each of the APNs 106-501-03, 02 and Por. 01 qualifies for a Conditional Certificate of Compliance and suggested we consider applying for three Conditionals instead of the one. After more thought on this, I decided to take your suggestion, and thank you for it. THEREFORE this application is hereby amended to include the addition of a Conditional Certificate of Compliance for each APN, 106-501-3, 02 and Por. 01. SEE NARRATIVE under Lot 8, as you requested, for qualifying Lots 8A, 8B and 8C. **THIS BRINGS THE TOTAL NUMBER OF LOTS FOR THIS APPLICATION TO 12.**

Summary:	Lot 1 – Uncond.	Lot 7 – Cond.
	Lot 2 – Uncond.	Lot 8A – Cond.
	Lot 3 – Cond.	Lot 8B – Cond.
	Lot 4 – Uncond.	Lot 8C – Cond.
	Lot 5 – Uncond.	Lot 9 – Uncond.
	Lot 6 – Cond.	Lot 10 – Uncond.

Mr. Don Bussey
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Item 3:

LEGAL LOT 3 (por. APN 106-022-14)

A LEGAL LOT, subject to the administration by the County of Santa Cruz, was created by the Deed recorded 4/20/1872 in Bk. 14 of "Deeds" Pg. 790 (Chain of Title 1995-2735), being the SW ¼ of the NW ¼ of Section 23, 40 Ac. See Exhibit A.

J. M. Beal and S. S. Packwood acquire all the Northwest Quarter (NW ¼) of Section 23 by deed recorded in 38 of "Deeds" Pg. 440 (see Chain of Title).

On March 6, 1885, in Bk. 44 of "Deeds" Pg. 334, J. M. Beal conveys 83 Acres to S. S. Packwood, being the West Half (W ½) of the Northwest Quarter (NW ¼) of Section 23, save a triangle at the southwest corner, which included the Legal Lot described in Bk. 14 Deed 790 and additional land, the NW ¼ of the NW ¼ of Sec. 23, 40 Ac. See Exhibit A.

On September 18, 1885, in Bk. 45 of "Deeds" Pg. 37, Packwood conveys the Northwest Quarter (NW ¼) of the Northwest Quarter (NW ¼) of Section 23, 40 Ac., to Mrs. C. A. Johnson, creating a LEGAL LOT here, subject to the administration by the County of Santa Cruz. See Exhibit B.

Following mesne deeds of record, the 83 Acres are conveyed to William McGuire in Bk. 119 of "Deeds" Pg. 72. (See Chain of Title). See Exhibit C.

McGuire conveys the portion of the 83 Ac., lying north of the Private Road, to Sarah S. Palmer by deed recorded 12/31/1897 in Bk. 117 of "Deeds" Pg. 260. The land described in this deed takes in the Legal Lot created in said Bk. 45 of "Deeds" Pg. 37 and creates a subdivision of the Legal Lot created in Bk. 14 of "Deeds" Pg. 790 into 2 lots, i.e., one being the part thereof lying north of the Private Road and the other being the part lying south of the road as a Remainder Lot, subject to the administration by the County of Santa Cruz. See Exhibit D.

McGuire conveys the Remainder Lot (part lying south the private road) to Maggie Wothinton, in deed recorded 8/12/1898 in Bk. 122 of "Deeds" Pg. 163. See Exhibit D.

Neither in the deed recorded in Bk. 117 of "Deeds" Pg. 260, nor in any later document in the Chain of Title was there any evidence of intent, statement, or notice, of merger regarding the additional lot created by said Bk. 117 "deeds" Pg. 260, therefore the lot stands provided a Conditional Certificate of Compliance is obtained from the County, because although this lot met all requirements pursuant to Gov. Section 66412.6, it was not separately conveyed by a separate deed on or before January 21, 1972, THEREFORE a Conditional Certificate of Compliance is sought for 3.

THIS AMENDS AND REPLACES THE RATIONAL AND DOCUMENTATION STATEMENT FOLLOWING "CREATED BY" UNDER LEGAL LOT 3, IN REPORT DATED OCTOBER 25, 2002.

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LEGAL LOT 5: (APN 106-022-12) (Ch. Title 1995-2733)

Rhonda D. Beal acquired the eastern portion of the northwest quarter of Section 23, 64 ½ Acres, by deed from Ester A. Packwood by deed recorded 12/10/1888 in Bk. 64 of "Deeds" Pg. 310. See Exhibit E.

Then Rhonda Beal conveys the west 7 Acres of above parcel to Samuel L. Packwood, by deed recorded 3/3/1896 in Bk. 104 of "Deeds" Pg. 198. See Exhibit E.

J. M. Beal, widower, et al., the heirs of Rhonda D. Beal conveys the remainder of the land described in Bk. 64 "Deeds" Pg. 310 (after Deed to Packwood in 104 "Deeds" Pg. 198) to Homer M. Rider by Indenture recorded 12/2/1907 in Bk. 196 of "Deeds Pg. 465. See Exhibit E.

Then Rider conveyed the parcel by a separate document and described it by a separate description as a separate parcel, by the deed recorded 11/25/1922 in Bk. 321 of "Deeds" Pg. 32. THIS CREATES A SEPARATE LEGAL LOT, LEGAL LOT 5. SEE EXHIBIT E.

THIS AMENDS AND REPLACES THE RATIONAL AND DOCUMENTATION STATEMENT FOLLOWING "CREATED BY" UNDER LEGAL LOT 5, IN REPORT DATED OCTOBER 25, 2002.

LEGAL LOT 6 (Por. APN 106-501-01) Ch. Title 1995-2730

The Southwest Quarter (SW ¼) of Section 14 was created as a Separate Legal Lot of Record by Patent to Ramon Espinosa, recorded 7/18/1873 in 2 of Patents Pg. 66. Following said Patent, said land is conveyed from Espinosa to Joseph E. Ordish by Deed recorded in 14 of Deeds Pg. 543. SEE EXHIBIT F.

Following above Deed and subsequent mesne deeds of record, see Chain of Title, Harold Hennegan, et ux. acquires said Legal Lot (SW ¼) along With Other Property, in Deed recorded 7/23/1957 in Bk. 1140 Official Records (O.R.) Pg. 367. Description includes above said Legal Lot within it. SEE EXHIBIT F.

Hennegan conveys same property to Alvey Begley, et ux., by Deed recorded 11/23/1965 in Bk. 1730 O.R. Pg. 547, then

Begley carves out a part of said Southwest (SW ¼) in Deed to Arabel Saunders, recorded 11/23/1965 in Bk. 1730 O.R. Pg. 559, partitioning or subdividing said Southwest Quarter and leaving a remainder parcel, our Lot 6, out of said Southwest Quarter (SW). SEE EXHIBIT G.

This is followed by the conveyance of Lot 6 along with additional property, to Maraabel Saunders, by Deed recorded 11/23/1965 in Bk. 1730 O.R. Pg. 561. SEE EXHIBIT H.

Mr. Don Bussey
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Lot 6 was not separately conveyed by a separate deed on or before January 21,1972.
THEREFORE, this application is hereby amended to request a Conditional Certificate of Compliance for Legal Lot 6.

THIS AMENDS AND REPLACES THE RATIONALE AND DOCUMENTATION STATEMENT FOLLOWING "CREATED BY" UNDER LEGAL LOT 6 IN REPORT DATED OCTOBER 24,2002.

LEGAL LOT 7 (Por. APN 106-501-01) Ch. Title 1995-2730

The Southwest Quarter (SW ¼) of Section 14 ~~was~~ created as a separate Legal Lot by Patent recorded in 2 of Patents Pg. 66, and reaffirmed in Deed recorded in Bk. 14 of Deeds Pg. 543.

Watsonville Mill and Lumber Co. conveys said Lot, with a portion of the Southeast Quarter (SE ¼) of said Section 14 to D. A. Ryder by Deed recorded 3/29/1888 in Bk. 66 of Deeds Pg. 74 which creates a Legal Lot out of a portion of Southeast Quarter (SE ¼) by the separate description of the "3rd" parcel therein, by virtue of the fact that the "1st" parcel was an existing separate Legal Lot, having been created in 2 of Patents Pg. 66 ("2nd" parcel is separated from the "3rd" parcel). SEE EXHIBIT I.

Following the above deed by mesne deeds of record, see Chain of Title, the Southeast Quarter (SE ¼) of Section 14, along with other property, comes under the ownership of Arnold Baldwin. Deed to Baldwin is recorded in Bk. 390 O.R. Pg. 87.

The Estate of Baldwin, deceased, conveys to Harold Hannegan subject lot, with other **property**, in Deed recorded 7/23/1957 in Bk. 1140 O.R. Pg. 367. SEE EXHIBIT J.

Then, Hannegan conveys to Alvey Begley, et ux., same property **as** above in Deed recorded 11/23/1965 in Bk. 1730 O.R. Pg. 547, followed by the deed from Begley to Arabel Saunders, recorded in Bk. 1730 O.R. Pg. 559, thereby subdividing fore-mentioned lands and leaving a remainder, our Lot 7, out of the above said "3rd" Parcel. SEE EXHIBIT K & L.

Lot 7, along with additional property, is then conveyed to Maraabel Saunders, by Deed recorded 11/23/1965 in Bk. 1730 O.R. Pg. 561.

Lot 7 was not separately conveyed by a separate deed on or before January 21, 1972.
THEREFORE, this application is hereby amended to request a Conditional Certificate of Compliance for Legal Lot 7.

THIS AMENDS AND REPLACES THE RATIONALE AND DOCUMENTATION STATEMENT FOLLOWING "CREATED BY" UNDER LEGAL LOT 7 IN REPORT DATED OCTOBER 24,2002.

Mr. Don Bussey
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LEGAL LOT 8, NOW LOT 8A (APN106-501-03), LOT 8B (106-501-02) and LOT 8C (Por. 106-501-01) Ch. Title 1995-2736, 2726 & 2730

S. S. Packwood acquired 115 Acres, which includes subject lots, in Deed recorded in Bk. 46 of Deeds Pg. 469 and conveyed 100 Acres, including subject lots, to D. A. Rider in Deed recorded 4/9/1886 in Bk. 45 of Deeds Pg. 440, creating a Legal Lot of Record. SEE EXHIBIT N.

Subsequent thereto, and following mesne deeds of record, see Chain of Title, Arabel Saunders acquires the 100 Acres by Deed recorded 11/23/1965 in Bk. 1730 O.R. Pg. 561, and then deeds out a portion thereof, lying southerly of subject lots, by Deed recorded 9/13/1966 in Bk. 1784 O.R. Pg. 211, leaving a remainder parcel out of the Legal Lot created in Bk. 45 of Deeds Pg. 440. SEE EXHIBIT O and P.

Arabel Saunders conveys the Remainder Lot, along with a part of the land in Deed recorded in 66 Deeds Pg. 74, to Kenneth D. Saunders in Deed recorded 2/28/1972 in Bk. 2176 O.R. Pg. 671. SEE EXHIBIT Q.

Kenneth proceeds to subdivide by 1. Deed to W. Boone Saunders, recorded 3/3/1972 in Bk. 2179 O.R. Pg. 106 (APN 106-501-03) creating Lot 8A 2. Deed to Linda S. Nitschke, recorded 3/3/1972 in Bk. 2179 O.R. Pg. 108 (106-501-01) creating Lot 8C, and also creating a separate lot in between 8A and 8C. 3. Said in between lot is then conveyed in Deed to Francis Howard Butler, recorded 11/18/1975 in Bk. 2560 O.R. Pg. 416 (APN 106-501-02) creating Lot 8B.

All said Lots were created after January 21, 1972 and therefore a Conditional Certificate of Compliance is sought for Lot 8A. SEE DESCRIPTION 8A; Lot 8B, SEE DESCRIPTION 8B; and Lot 8C, SEE DESCRIPTION 8C.

THIS AMENDS AND REPLACES THE RATIONALE AND DOCUMENTATION STATEMENT FOLLOWING "CREATED BY" UNDER LEGAL LOT 8 IN REPORT DATED OCTOBER 24,2002.

LEGAL LOT 9 (106-22-11) Ch. Title 1995-2729

Watsonville Mill and Lumber Co. conveys property containing subject lot to S. S. Packwood by Deed recorded 6/18/1885 in Bk. 46 of Deeds Pg. 469. Following said deed, S. S. Packwood conveys subject lot in Deed to Joseph B. Beal, recorded 6/7/1886 in Bk. 51 of Deeds Pg. 182, thereby creating a Legal Lot of Record, Lot 9. SEE EXHIBIT R.

Said Lot 9 is later conveyed from G. B. Beal to Rhonda D. Beal in the Deed recorded 5/19/1900 in Bk. 126 of Deeds Pg. 422.

THIS AMENDS AND REPLACES THE RATIONALE AND DOCUMENTATION STATEMENT FOLLOWING "CREATED BY" UNDER LEGAL LOT 9 IN REPORT DATED OCTOBER 24,2002.

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LEGAL LOT 10 (APN 106-022-10) Ch. Title 1995-2734.

J. M. Beal acquires the 40 Ac. parcel of land that includes subject lot by Deed recorded 4/24/1884 in Bk. 38 of Deeds Pg. 440. J. M. conveys the 40 Ac. to Joseph B. Beal in Deed recorded 7/23/1885 in Bk. 47 of Deeds Pg. 117. SEE Exhibit S.

Joseph conveys a portion of the 40 Ac. to **Mrs. Lizzie A. Thompson** by Deed recorded 1/16/1889 in Bk. 64 of Deeds Pg. 366. SEE EXHIBIT S.

Next, the remainder of the 40 Ac. is sold, confirmed, and separately described as a separate parcel in the Order Confirming Sale in the matter of the Estate of Joseph B. Beal, deceased, to G. B. **Beal**, recorded 1/11/1899 in Bk. 124 of Deeds Pg. 246, creating Legal Lot 10.

Then, said Legal Lot 10 is further confirmed by the separate conveyance **of** the separate Lot 10, separately described, in the Deed from G. B. Beal to Rhonda **B. Beal**, recorded 5/19/1900 in Bk. 126 of Deeds Pg. 422. SEE EXHIBIT S.

THIS AMENDS AND REPLACES THE RATIONALE AND DOCUMENTATION STATEMENT FOLLOWING "CREATED BY ' UNDER **LEGAL LOT 10** IN REPORT.

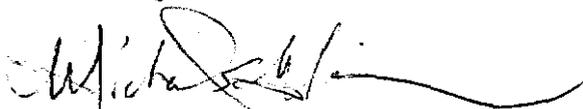
Item 4:

Herewith please find copy of document 296 D 242
This doesn't affect any **of** our proposed Legal Lots. The land described therein lies east of Legal Lot **10**. SEE **MAP** attached.

Item 5:

The document in the seventies you directed me to, Deed recorded 11/15/1978 in Bk. 2986 Pg. 234 contains no Parcels (A), (B), (C) and (D) and therefore that line that says "SAID PARCELS (A), (B), (C) AND (D) LIE CONTIGUOUS AND **FORM ONE** PARCEL OF LAND" has no force and affect since such parcels were not said or exist in this document, and no such parcels were found in documents in the Chains of Title affecting our Lots. **HOWEVER**, for your benefit, I did an additional search of the records of the County Recorder and found a document recorded 1/27/1973 in Bk. 2278 O.R. Pg. 698 that contains (a), (b), (c) and (d) parcels; see copy of deed following. These parcels **do** not affect subject lots; see copy: (a) is way east of subject lots, at Corralitos Creek opposite the mouth of Shingle Mill Creek in Sec. 24 (no lot in *this* application lies in Sec. 24; **(b)** lies in Section 24; (c) lies in Sec. 24 and (d) lies east **of** subject lots. SEE **MAP** Attached.

Sincerely,



Michael S. Maiorana

MSM:fsp

CHAIN OF TITLE AND COPIES OF DEEDS AND OTHER
SUPPLEMENTARY INFORMATION

On File with the Plannina Department

Exhibit D

COPIES OF DEEDS; CURRENT OWNER

Exhibit E

Order No.
Escrow No. - 109844-2
Loan No.

WHEN RECORDED MAIL TO:
ROGER & MICHELLE BURCH
C/O Pacific States Industries
P.O. Box 1300
Morgan Hill, CA 95038

RE _____
MI _____
SF _____
SM _____
LN _____
CO _____
OP _____

RECORDED AT THE REQUEST OF
FIRST AMERICAN TITLE CO.
OCT 28 1992
RICHARD W. BEGAL, Recorder
SANTA CRUZ COUNTY, Official Records

SPACE ABOVE THIS LINE FOR RECORDER'S USE

MAIL TAX STATEMENTS TO:

SAME AS ABOVE

DOCUMENTARY TRANSFER TAX \$ 264.00

X. Computed on the consideration or value of property conveyed; OR
..... Computed on the consideration or value less liens or encumbrances
remaining at time of sale.

THE UNDERSIGNED GRANTOR DECLARES
Signature of Declarant or Agent determining tax - Firm Name

CORPORATION GRANT DEED

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

H & R HOLDINGS, LTD,

a corporation organized under the laws of the State of Delaware, does hereby

GRANT to

Roger Burch and Michelle Burch, husband and wife as Community Property

the real property in the City of Santa Cruz, State of California, described as

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

3008 (1991) - (General) First American Title Company

STATE OF MISSISSIPPI
COUNTY OF SACKSON

On October 21, 1992 before me, MARY GARDNER, Notary
personally appeared Al Haley

_____ 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 Mary Gardner

MY COMMISSION EXPIRES NOV. 18, 1993

(This area for official notarial seal)

Dated October 20, 1992

STATE OF MISSISSIPPI
COUNTY OF SACKSON

On October 21, 1992 before me,
the undersigned, a Notary Public in and for said State, personally appeared
Al Haley

and _____ personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) who executed the within instrument as
Al Haley President and

Secretary,
on behalf of _____

the corporation therein named, and acknowledged to me that such corporation executed the within instrument pursuant to its by-laws or a resolution of its board of directors.

WITNESS my hand and official seal.

Signature Mary Gardner

MY COMMISSION EXPIRES NOV. 18, 1993

(This area for official notarial seal) 1144 (8/82)

MAIL TAX STATEMENTS AS DIRECTED ABOVE

H & R HOLDINGS, LTD.

By Al Haley President

By _____ Secretary

601

PARCEL NINE:

BEING A PART OF SECTION 23 AND 24 TOWNSHIP 10 SOUTH, RANGE 2 EAST, MOUNT DIABLO BASE AND MERIDIAN, AND BEGINNING AT A POINT ON THE CENTER LINE OF SAID SECTION 23, 660 FEET EAST FROM THE CENTER OF MID SECTION 23, AND RUNNING THENCE SOUTH 407.88 FEET TO THE MIDDLE OF A RAVINE, THENCE DOWN THE MIDDLE OF SAID RAVINE SOUTHEASTERLY TO THE MOST WESTERN CORNER OF LANDS CONVEYED BY GUSTAVE EDMOND TO LOUIS SOL ALEXANDER AND HENRY ALEXANDER BY DEED DATED OCTOBER 22, 1923, RECORDED IN VOLUME 14, PAGE 288, OFFICIAL RECORDS OF SANTA CRUZ COUNTY; THENCE ALONG THE BOUNDARY OF SAID LANDS CONVEYED TO LOUIS SOL ALEXANDER AND HENRY ALEXANDER NORTH 81° 10' EAST 345.04 FEET TO LANDS NOW OR FORMERLY OF ONE ROGGE NORTH 0° 5' WEST 104.28 FEET, NORTH 18° 50' EAST 110.22 FEET; SOUTH 60° 45' EAST 145.32 FEET AND SOUTH 5° WEST 92.40 FEET; THENCE LEAVING SAID LANDS OF ROGGE SOUTH 81° 47' EAST 16.02 FEET TO LANDS NOW OR FORMERLY OF ONE NELSON; THENCE ALONG SAID LANDS OF NELSON NORTH 5° EAST 95.00 FEET AND NORTH 89° EAST 39.40 FEET TO THE MIDDLE OF THE CORRALITES CREEK; THENCE ALONG THE CENTER LINE OF SAID CREEK NORTH 6° EAST 140 FEET, A LITTLE MORE OR LESS, TO THE SOUTHEASTERN CORNER OF LANDS NOW OR FORMERLY OF ONE KITCHEN; THENCE ALONG THE BOUNDARY OF SAID LANDS OF KITCHEN AND ALONG THE BOUNDARY OF LANDS NOW OR FORMERLY OF CHRISTENSEN, ANDERSON, BELVAIL, LEWIS, RICKMAN, SEIGMAN, DOUGLAS AND FOLSON, SOUTH 89° 30' WEST 33.00 FEET, NORTH 51° 30' WEST 44.22 FEET, NORTH 3° 45' WEST 22.44 FEET, NORTH 25° 5' WEST 40.26 FEET, SOUTH 86° 25' WEST 55.44 FEET TO A SPIKE DRIVEN INTO THE BASE OF A 4 FOOT REDWOOD STUMP, NORTH 2° 50' WEST 126.72 FEET, NORTH 14° 35' WEST 154.44 FEET, NORTH 25° 35' WEST 95.04 FEET, NORTH 10° 50' WEST 125.40 FEET, NORTH 25° 35' WEST 165 FEET, NORTH 17° WEST 160.38 FEET, NORTH 46° 5' WEST 157.93 FEET AND NORTH 46° 40' EAST 147.60 FEET TO THE MIDDLE OF THE CORRALITE CREEK; THENCE ALONG THE CENTER LINE OF SAID CREEK NORTH 38° 5' WEST 46.40 FEET TO THE 1/4 SECTION LINE RUNNING EAST AND WEST THROUGH SECTION 24; THENCE LEAVING SAID CREEK AND ALONG SAID 1/4 SECTION LINE NORTH 87° 45' WEST 561.00 FEET TO THE 1/4 SECTION CORNER BETWEEN SAID SECTIONS 23 AND 24; THENCE ALONG THE MIDDLE LINE OF SAID SECTION 23 NORTH 87° 55' WEST 1980 FEET, MORE OR LESS, TO THE POINT OF BEGINNING.

TOGETHER WITH ANY AND ALL OTHER LANDS CONTAINED OR EMBRACED WITHIN THE BOUNDARY OF THE LAND DESCRIBED IN THE OESD FROM J. A. LEMON, ET AL., TO GUSTAVE EDMOND BY DEED DATED JULY 23, 1920 AND RECORDED IN VOLUME 296, PAGE 242, 09 DEED, RECORDS OF SANTA CRUZ COUNTY AND NOT CONVEYED BY SAID GUSTAVE EDMOND. SAID PARCELS (A), (B), (C) AND (D) LIE CONTIGUOUS AND FORM ONE PARCEL OF LAND.

EXCEPTING THEREFROM THAT PORTION CONVEYED BY HOLMES LUMBER CO. TO CHAMPION N. NIXON, BY DEED DATED APRIL 25, 1969, RECORDED JUNE 17, 1969 IN VOLUME 1957, PAGE 559, OFFICIAL RECORDS OF SANTA CRUZ COUNTY.

APN's 106-022-10, 106-022-12, 106-022-13, 106-261-04

The land referred to herein is situated in the state of California, County of Santa Cruz, Unincorporated Area, and is described as follows:

PARCEL ONE:

BEING A PORTION OF THE SOUTHEAST 1/4 OF SECTION 23, TOWNSHIP 10 SOUTH, RANGE 1 EAST, MOUNT DIABLO MERIDIAN, AND BEGINNING AT THE CENTER OF SAID SECTION 23; THENCE ALONG THE CENTER OF SAID SECTION SOUTH 87' 55" EAST 40 RODS; THENCE SOUTHERLY AND PARALLEL WITH THE WESTERN BOUNDARY OF SAID 1/4 SECTION TO THE SECTION LINE BETWEEN SECTION 23 AND 26, THENCE NORTH 89' 5" WEST 40 RODS TO THE QUARTER SECTION LINE RUNNING NORTH AND SOUTH THROUGH THE MIDDLE OF SAID SECTION 23, THENCE NORTHERLY ALONG SAID LAST NAMED LINE TO THE PLACE OF BEGINNING. SAVE AND EXCEPT THEREFROM SO MUCH THEREOF AS WAS CONVEYED TO LIGGIE A. THOMPSON BY DEED DATED JANUARY 3, 1899 AND RECORDED IN VOLUME 64 OF DEEDS PT PAGE 366 SANTA CRUZ COUNTY RECORDS, AND DESCRIBED AS FOLLOWS, TO WIT:

BEGINNING AT THE QUARTER POST BETWEEN SECTIONS 23 AND 26 IN TOWNSHIP 10 SOUTH OF RANGE 1 EAST MOUNT DIABLO MERIDIAN; THENCE EAST ON THE SECTION LINE BETWEEN SAID SECTIONS, 10 CHAINS TO LAND OF THOMPSON; THENCE NORTH 33 AND 82/100 CHAINS ALONG THE LINE OF SAID THOMPSON TO THE CENTER OF A GULCH, THE SAME BEING THE NORTHWESTERLY CORNER OF SAID THOMPSON'S LANDS; THENCE ALONG THE CENTER OF SAID GULCH THE GENERAL COURSE BEING NORTH 87 1/2° WEST 5 27/100 CHAINS AND NORTH 71° WEST 5 CHAINS TO A REDWOOD TREE 4 FEET IN DIAMETER ON THE CENTER LINE OF SAID SECTION AND 4 32/100 CHAINS SOUTH OF THE CENTER THEREOF; THENCE SOUTH ON SAID CENTER LINE 35 68/100 CHAINS TO THE PLACE OF BEGINNING.

PARCEL FOUR:

BEING A PART OF THE EAST HALF OF THE NORTHWEST QUARTER OF SECTION 23, TOWNSHIP 10 SOUTH RANGE 1 EAST, MOUNT DIABLO MERIDIAN AND COMMENCING IN THE CENTER OF SAID SECTION 23; THENCE RUNNING NORTH ALONG THE QUARTER SECTION LINE 90 CHAINS A LITTLE MORE OR LESS, TO THE SOUTH BOUNDARY OF SECTION 14 IN SAID TOWNSHIP AND RANGE; AND THENCE ALONG THE SOUTH BOUNDARY OF SAID SECTION 14, WEST 18 CHAINS, A LITTLE MORE OR LESS TO THE NORTHEASTERLY CORNER OF LANDS CONVEYED BY MRS. R. D. BEAL AND JAMES D. BEAL, HER HUSBAND, TO SAMUEL L. PACKWOOD, BY DEED DATED OCTOBER 25TH, 1885, AND RECORDED IN VOLUME 104 OF DEEDS AT PAGE 198 SANTA CRUZ COUNTY RECORDS, THENCE SOUTH ALONG THE EASTERLY LINE OF SAID LAST MENTIONED LAND 40 CHAINS TO THE SOUTHEASTERLY CORNER OF SAID LAST MENTIONED LAND ON THE NORTHERLY BOUNDARY OF THE SOUTHWEST QUARTER OF SAID SECTION 23; THENCE EAST ALONG THE NORTH BOUNDARY OF SAID SOUTHWEST QUARTER OF SECTION 23, 18 CHAINS, MORE OR LESS, TO THE PLACE OF BEGINNING.

PARCEL FIVE:

BEING A PORTION OF THE NORTHWEST 1/4 OF SECTION 23, TOWNSHIP 10 SOUTH RANGE 1 EAST, MOUNT DIABLO MERIDIAN, BEGINNING ON THE NORTH LINE OF SAID SECTION 23 AT A POINT, DISTANT 83 RODS EASTERLY FROM THE NORTHWEST CORNER OF SAID SECTION 23 AT THE NORTHEASTERLY CORNER OF

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MT ONE LA SELVE; THENCE SOUTHERLY ALONG THE LINE OF SAID LA SELVE LOT AND PARALLEL WITH THE WEST LINE OF SAID SECTION 23, 160 RODS TO THE CENTER LINE OF SAID SECTION 23, THENCE EASTERLY ALONG SAID MINIS LINE OF SAID SECTION SEVEN RODS; THENCE NORTHERLY AND PARALLEL WITH LINE OF SAID LOT OF LA SELVE 160 RODS TO THE NORTH LINE OF SAID SECTION 23 THENCE WESTERLY ALONG SAID NORTHERLY LINE OF SAID SECTION SEVEN RODS TO THE POINT OF BEGINNING.

PARCEL SIX:

BEGINNING IN THE CENTER OF THE CORRALITES CREEK OPPOSITE THE MOUTH OF THE SHINGLE MILL GULCH; THENCE RUNNING WEST 10 RODS TO A STAKE MARKED A IN THE CENTER OF A SMALL BROOK; THENCE NORTHWEST 10 RODS TO A STAKE MARKED B; THENCE EAST TO THE CENTER OF THE CORRALITOS CREEK; THENCE SOUTH 10 RODS TO THE POINT OF BEGINNING. BEING A PORTION OF THE LAND SOLD BY S. L. PACKWOOD AND J. H. BEAL TO J. E. WARD BY DEED BEARING DATE APRIL 22, 1864, RECORDED IN VOLUME 38 OF DEEDS, PAGE 443, RECORDS OF SANTA CRUZ COUNTY.

PARCEL SEVEN:

BEING A PART OF SECTION 24 TOWNSHIP 10 SOUTH, RANGE 1 EAST, MOUNT DIABLO BASE AND MERIDIAN, AND BEGINNING IN THE MIDDLE OF THE CORRALITES CREEK WHERE THE SAME IS INTERSECTED BY THE CENTER LINE OF A SMALL STREAM ENTERING FROM THE NORTHWEST AND NEAR THE SITE OF THE OLD EUREKA SCHOOL HOUSE, SAID POINT OF BEGINNING BEING THE MOST EASTERN CORNER OF LANDS OF ONE PRUDEN AND THE MOST SOUTHERN CORNER OF LAND FORMERLY OF EDLUND AND ON THE NORTHWESTERN BOUNDARY OF LANDS OF ONE TINDALL, AN ALDER TREE 10" IN DIAMETER BEARS NORTH 68' 25' WEST 11.60 FEET DISTANT; AND RUNNING THENCE ALONG THE CENTER LINE OF THE CORRALITOS CREEK NORTH 55' EAST 135.00 FEET AND NORTH 22' 35' EAST 168.70 FEET TO A STATION FROM WHICH A "W" SCRIBED ON A 4-1/2 FOOT REDWOOD STUMP BEARS SOUTH 62' 55' EAST 11.30 FEET DISTANT; THENCE LEAVING CREEK NORTH 62' 55' WEST 73 FEET TO A 3 X 3 POST; SOUTH 81' 10' WEST 365.50 FEET TO A STATION IN A SMALL STREAM; THENCE DOWN SAID LAST NAMED STREAM SOUTH 49' 50' EAST 176.00 FEET; SOUTH 68' 25' EAST 63.50 FEET, SOUTH 6' 25' EAST 37.50 FEET TO A 10" ALDER TREE, AND SOUTH 54' 35' EAST 66.00 FEET TO THE POINT OF BEGINNING.

PARCEL EIGHT:

BEING A PART OF SECTION 24 TOWNSHIP 14 SOUTH, RANGE 1 EAST, MOUNT DIABLO BASE AND MERIDIAN, AND BEGINNING IN THE MIDDLE OF THE CORRALITES CREEK AND AT THE MOST SOUTHERN CORNER OF LANDS CONVEYED BY GUSTAVE EDLUND TO L. S. AND HENRY ALEXANDER AND RUNNING THENCE ALONG THE BOUNDARY OF SAID LANDS NORTH 55' EAST 135 FEET AND NORTH 22' 35' EAST 90 FEET, MORE OR LESS, TO THE MOUTH OF SHINGLE MILL CREEK; THENCE UP AND ALONG THE CENTER OF SHINGLE MILL CREEK NORTH 75' 15' EAST 68 FEET TO THE MIDDLE OF A BRIDGE ON THE COUNTY ROAD LEADING 2 TOWARDS CORRALITES; THENCE ALONG THE CENTER LINE OF SAID ROAD SOUTH 22' 15' WEST 46 FEET; THENCE SOUTH 39' 25' WEST 180 FEET; THENCE SOUTH 28' 45' WEST 132 FEET AND THENCE SOUTH 2' 30' EAST 60 FEET; THENCE LEAVING ROAD SOUTH 88' 40' WEST 50 FEET TO AN X ON A BOULDER IN THE MIDDLE OF THE AFORESAID CORRALITES CREEK AND THENCE ALONG THE CENTERLINE OF SAID CREEK NORTHERLY TO THE POINT OF BEGINNING.

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RECORDING REQUESTED BY

SANTA CRUZ TITLE COMPANY
Escrow #805170-RG

VOL. 5393 PAGE 536 87478

AND WHEN RECORDED MAIL TO

Mr. and Mrs. Roger A. Burch
P.O. Box 1300
Morgan Hill, Ca. 94038

RE 4-3
MI 4
SF 4
SM 10
LN
CO
OP

RECORDED AT THE REQUEST OF
SANTA CRUZ TITLE CO.
NOV 23 1993
RICHARD W. BEDAL, Recorder
SANTA CRUZ COUNTY Official Records

MAIL TAX STATEMENTS TO

SAME AS ABOVE

SPACE ABOVE THIS LINE FOR RECORDER'S USE



The undersigned grantor(s) declare(s):

Documentary transfer tax is \$ 357.50

(XXX) computed on full value of property conveyed, or

() computed on full value less value of liens and encumbrances remaining at time of sale.

(XXX) Unincorporated area: () City of _____ and

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

MILDRED M. HOLMES and LAWRENCE WILLIS HOLMES Co-Trustees of the HOLMES INTER VIVOS TRUST
Dated August 3, 1990

hereby GRANT(S) to

ROGER A. BURCH and MICHELE BURCH, Husband and Wife AS Community Property

the following described real property in the

County of

SANTA CRUZ

State of California:

PROPERTY DESCRIBED IN EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF. . . .

Dated: November 12, 1993

Mildred M. Holmes, Co-Trustee

MILDRED M. HOLMES, Co-Trustee

STATE OF CALIFORNIA
COUNTY OF Santa Cruz } ss

Lawrence Willis Holmes, Co-Trustee

LAWRENCE WILLIS HOLMES, Co-Trustee

On November 19, 1993

before me, the undersigned, a Notary Public, personally appeared
Mildred M. Holmes, Co-Trustee and

Lawrence Willis Holmes, Co-Trustee

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: *Spencer R. Ward*
Spencer R. Ward

This form furnished by

SANTA CRUZ TITLE COMPANY

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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:

BEGINNING AT THE 1/4 SECTION CORNER BETWEEN SECTIONS 14 AND 23, IN TOWNSHIP 10 SOUTH RANGE 1 EAST, MOUNT DIABLO BASE AND MERIDIAN; THENCE ALONG THE LINE BETWEEN SAID SECTIONS 14 AND 23, SOUTH 89° 45' WEST 330 FEET TO A POINT; THENCE LEAVING SAID SECTION LINE NORTH 38° EAST 1610 FEET, MORE OR LESS TO THE CENTERLINE OF CORRALITOS CREEK; THENCE SOUTHERLY AND SOUTHEASTERLY ALONG THE CENTERLINE OF CORRALITOS CREEK TO THE NORTHWESTERLY LINE OF LOMBARDO BY DEED RECORDED SEPTEMBER 14, 1956 IN VOLUME 1093 OF OFFICIAL RECORDS, PAGE 373, SANTA CRUZ COUNTY RECORDS; THENCE LEAVING SAID CORRALITOS CREEK, SOUTH 44° 55' WEST 294.50 FEET TO THE MOST WESTERLY CORNER OF LOMBARDO; THENCE SOUTH 47° 30' EAST ALONG THE SOUTHWESTERLY BOUNDARY OF THE LANDS OF LOMBARDO AND WALL BY DEED RECORDED MAY 10, 1946 IN VOLUME 655 OF OFFICIAL RECORDS, PAGE 60, SANTA CRUZ COUNTY RECORDS, TO THE 1/4 SECTION LINE RUNNING EAST AND WEST THROUGH SECTION 24, TOWNSHIP 10 SOUTH RANGE 1 EAST, MOUNT DIABLO BASE AND MERIDIAN; THENCE ALONG SAID 1/4 SECTION LINE NORTH 87° 28' WEST 30.85 FEET, MORE OR LESS, TO AN IRON PIPE AT THE 1/4 CORNER BETWEEN SECTIONS 23 AND 24; THENCE NORTH 87° 52' WEST ALONG THE 1/4 SECTION LINE RUNNING EAST AND WEST THROUGH THE CENTER OF SECTION 23, 1500 FEET, MORE OR LESS, TO AN IRON PIPE, FROM WHIM THE CENTER CORNER OF SECTION 23 BEARS NORTH 87° 52' WEST 1143.12 FEET; THENCE LEAVING SAID CENTERLINE OF SECTION 23, NORTHWESTERLY 1650 FEET, MORE OR LESS, TO THE 1/4 SECTION LINE RUNNING NORTH AND SOUTH THROUGH THE CENTER OF SECTION 23; THENCE NORTHERLY ALONG SAID 1/4 SECTION LINE 1450 FEET, MORE OR LESS, TO THE POINT OF BEGINNING.

EXCEPTING THEREFROM ONE-HALF OF ALL OIL AND MINERAL RIGHTS FOR A PERIOD OF 20 YEARS AS CONTAINED IN THE DEED FROM ROSCOE R. BALDWIN, ET AL, TO HAROLD HANNEGAN, ET UX, RECORDED JULY 23, 1957 IN VOLUME 1140 OF OFFICIAL RECORDS, PAGE 367, SANTA CRUZ COUNTY RECORDS.

ALSO EXCEPTING THEREFROM THE LANDS DESCRIBED IN THE DEED TO HENRY SCHLENZ AND LUCY SCHLENZ, HIS WIFE, RECORDED SEPTEMBER 13, 1966 IN VOLUME 1784, AT PAGE 211, SANTA CRUZ COUNTY RECORDS.

EXCEPTING FROM THE ABOVE DESCRIBED PARCEL SO MUCH OF THE LANDS THAT LIES WITHIN THE BOUNDARY OF THE PARCEL OF LAND DESCRIBED IN VOLUME 570 OF OFFICIAL RECORDS AT PAGE 335, SANTA CRUZ COUNTY RECORDS.

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EXHIBIT 'A'

PARCEL TWO:

AN EASEMENT FOR ALL PURPOSES OF A ROADWAY 50 FEET IN WIDTH, THE CENTERLINE OF WHICH IS DESCRIBED AS FOLLOWS:

BEGINNING ON THE CENTERLINE OF HIGHLAND WAY AT A STATION FROM WHICH THE EAST CORNER OF THE LANDS CONVEYED TO EDWARD C. LEWIS, ET UX, BY DEED RECORDED DECEMBER 12, 1965 IN VOLUME 1736 OF OFFICIAL RECORDS AT PAGE 664, SANTA CRUZ COUNTY RECORDS, BEARS SOUTH 41' 34' 20" EAST 235.33 FEET DISTANT; RUNNING THENCE ALONG SAID CENTERLINE, BEING ALSO THE CENTERLINE OF AN OLD LOGGING ROAD, SOUTH 38' 29' EAST 94.19 FEET; NORTH 63' 54' WEST 277.49 FEET; NORTH 72' 23' WEST 242.59 FEET, NORTH 51' 50' WEST 289.04 FEET, SOUTH 5' 38' EAST 169.02 FEET, SOUTH 48' 07' WEST 217.76 FEET, SOUTH 53' 34' 30" EAST 274.54 FEET, NORTH 78' 10' EAST 135.27 FEET, SOUTH 30' 40' EAST 207.32 FEET, SOUTH 13' 52' EAST 83.26 FEET, SOUTH 74' 39' EAST 145.31 FEET, SOUTH 14' 04' 30" EAST 162.48 FEET, SOUTH 44' 28' 30" EAST 151.98 FEET, NORTH 81' 45' EAST 116.48 FEET, SOUTH 42' 57' 30" EAST 137.97 FEET; SOUTH 24' 34' WEST 150.47 FEET; SOUTH 54' 09' EAST 144.35 FEET, SOUTH 17' 59' EAST 131.66 FEET, SOUTH 11' 57' EAST 202.80 FEET, SOUTH 42' 03' EAST 221.09 FEET, SOUTH 72' 22' EAST 195.13 FEET, SOUTH 85' 47' EAST 197.55 FEET, NORTH 84' 34' EAST 296.24 FEET, SOUTH 47' 08' EAST 128.43 FEET, SOUTH 87' 38' EAST 264.75 FEET, SOUTH 14' 25' 30" EAST 96.58 FEET, SOUTH 46' 30' 30" EAST 225.71 FEET, SOUTH 19' 09' EAST 259.39 FEET, SOUTH 44' 38' 30" EAST 150.82 FEET, SOUTH 14' 59' WEST 168.23 FEET, SOUTH 60' 53' WEST 85.37 FEET, SOUTH 89' 51' 30" WEST 216.87 FEET, SOUTH 68' 07' WEST 107.82 FEET, SOUTH 14' 38' WEST 100.34 FEET, SOUTH 64' 25' WEST 115.57 FEET, SOUTH 32' 06' 30" WEST 118.02 FEET, SOUTH 85' 45' WEST 174.71 FEET; SOUTH 26' 51' EAST 196.76 FEET, SOUTH 56' 41' 30" EAST 130.97 FEET, SOUTH 32' 23' EAST 72.95 FEET, SOUTH 63' 37' EAST 215.44 FEET, SOUTH 58' 51' EAST 137.51 FEET, NORTH 72' 15' EAST 205.20 FEET, SOUTH 68' 24' EAST 133.48 FEET, SOUTH 31' 55' EAST 161.63 FEET, SOUTH 37' 14' EAST 267.47 FEET, SOUTH 21' 20' EAST 151.83 FEET, SOUTH 5' 36' WEST 74.56 FEET, SOUTH 41' 42' 30" EAST 272.27 FEET, SOUTH 34' 47' EAST 395.11 FEET, SOUTH 54' 46' EAST 200.10 FEET, SOUTH 62' 13' 30" EAST 250.83 FEET, SOUTH 68' 00' EAST 169.07 FEET, SOUTH 81' 50' EAST 126.18 FEET, SOUTH 29' 53' EAST 408.28 FEET, SOUTH 10' 07' EAST 147.93 FEET, SOUTH 35' 26' EAST 374.11 FEET; SOUTH 53' 22' EAST 156.07 FEET AND NORTH 88' 09' EAST 104.70 FEET TO A SPIKE IN THE CENTER OF AN OLD BRIDGE OVER CORRALITOS CREEK.

EXCEPTING THEREFROM SO MUCH OF THE ABOVE DESCRIBED EASEMENT AS LIES WITHIN THE EXTERIOR BOUNDARIES OF PARCEL ONE ABOVE.

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EXHIBIT "A"

PARCEL THREE:

A RIGHT OF WAY OVER AN EXISTING ROAD 40 FEET IN WIDTH, LEADING FROM THE SOUTHERN TERMINUS OF THE ABOVE DESCRIBED RIGHT OF WAY SOUTHEASTERLY TO THE NORTHERN TERMINUS OF THE COUNTY ROAD KNOWN AS LOWER HIGHLAND WAY.

EXCEPTING THEREFROM 50% OF ANY AND ALL MINERAL RIGHTS FROM PARCEL ONE ABOVE, AS RESERVED IN TRUSTEES DEED RECORDED MARCH 2, 1988, IN BOOK 4291, PAGE 907, OFFICIAL RECORDS OF SANTA CRUZ COUNTY.

APN: 106-261-05
106-261-06
106-261-07

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RURAL RESIDENTIAL DENSITY DETERMINATION

Exhibit F

CEQA DETERMINATION

Exhibit G

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: 05-0134

Assessor Parcel Number: 106-501-01, 02, and 03, portion of 106-022-14

Project Location: Property located on the east side of Buzzard Lagoon Road about 4+- miles north from the intersection of Buzzard Lagoon and Rider Road; Eureka Canyon Planning Area.

Project Description: Condition Certificate of Compliance for six parcels.

Person or Agency Proposing Project: J. Burch

- 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).

Specify type:

- E. Categorical Exemption

Specify type: 15304; Minor Alterations to Land

F. Reasons why the project is exempt:

Recognition of parcels created in the violation of the State Map Act

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

Don Bussey, Project Planner

Date _____

CONDITIONAL CERTIFICATES OF COMPLIANCE

Exhibit H

WHEN RECORDED RETURN TO:
Santa Cruz County Planning Department
701 Ocean Street
Santa Cruz, CA 95060
Attn: Don Bussey
#05-0134
APN: 106-022-14 (3)

CONDITIONAL CERTIFICATE OF COMPLIANCE

WHEREAS, Rodger A. Burch and Michele Burch, as Trustees, or their Successors, of The *RMB* Revocable Family *Trust* Dated February 5, 1999, are the property owners or vendee of such owners of certain real property located in the County of Santa Cruz, State of California, known as a portion of Santa Cruz County Assessor's Parcel Number 106-022-14, and more particularly described in Exhibit "A" attached hereto and incorporated herein by reference made a part hereof, has requested that the County issue a Conditional Certificate of Compliance pursuant to Government Code Section 66499.35 and local regulations thereto; and

WHEREAS, pursuant to an application for Parcel Legality Status Determination, the County of Santa Cruz has determined that such real property does not comply with all the provisions of the State of California Subdivision Map Act and the County Subdivision Ordinance enacted pursuant thereto but that a Certificate of Compliance with conditions may appropriately be issued.

NOW, THEREFORE a Conditional Certificate of Compliance is hereby issued for the above-described parcel described in exhibit 'A' attached to hereto subject to the conditions attached as Exhibit "B".

FURTHERMORE, this certification of compliance shall not constitute a determination that said parcel is buildable or is entitled to a building permit or other development approval absent fulfillment and implementation of the enumerated conditions attached as exhibit "b" and compliance with the provisions of all other Santa Cruz County ordinances and regulations. Compliance with the enumerated conditions shall be required prior to the application for a building permit or another development permit approval by the County of Santa Cruz.

DATED _____ COUNNOF SANTA CRUZ

By: _____
Glenda Hill, AICP
Hearing Officer

STATE OF CALIFORNIA
COUNTY OF SANTA CRUZ

On __/__/05 before me Bernice Romero, Notary Public, personally appeared Glenda Hill personally known to me to be the person whose name is subscribed to the within instrument and acknowledged to me that she executed the same in her authorized capacity, and that by her signature on the instrument the person or the entity upon behalf of which the person acted executed the instrument.

Witness my hand and official seal

Signature _____

EXHIBIT A

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

Beginning at the Northwest Corner of Section 23 in Township 10 South Range 1 East, M.D.B.M.; thence South, along the West Boundary of said Section, about 16 chains to the middle of a private road leading through lands now or formerly of Leak, Beal and Ward, from Buzzards Lagoon Road to the Corralitos Creek: thence Southeasterly, along the middle of said private road, following it's meanderings to the East line of lands conveyed by Martin T. Leaks to James La Selve, by deed dated 7/3/1895 and recorded in Bk.103 of "Deeds" at Pg.244, Recs.of Co.Recorder of the County of Santa Cruz; thence North, along said last said line, about 27 chains to the North line of said Section 23; thence along last said line S.89°30'W. 20 chains to the point of beginning.

EXCEPTING THEREFROM all that portion thereof lying within the lands described in Deed recorded 9/18/1885 in Bk.45 of "Deeds" at Pg.37, Records of Santa **Cruz** County

EXHIBIT B

1. Prior to being considered as a building site and submitting plans for a building permit or be considered for any development permit, all of the following must be met:
 - a. Provide recorded evidence that the property has at least 100 feet of frontage on a minimum 40-foot wide right of way.
 - b. Provide a survey along with acceptable impartial information and copies of recorded deeds conclusively indicating that the property has a minimum 40-acre net developable Parcel size. Net developable land is defined as the gross area of the parcel minus the following:
 - 1) All vehicle rights of way, and
 - 2) All slopes over 50%, and
 - 3) Riparian areas, wooded arroyos, canyons, areas of riparian vegetation and areas within a 50 feet riparian buffer setback, and
 - 4) Lakes, marshes, wetlands and area within 100 year floodplain and any associated buffer setback, and
 - 5) Areas of recent landslide, and
 - 6) Land within 50 feet of an active or potentially active fault trace, and
 - 7) Commercial Ag or mineral resource land.The site will not be considered as a building site or suitable for development by the County of Santa Cruz until this standard is met.
 - c. Submit an application for a Geologic Hazards Assessment and complete all requirements of that evaluation. This would include but not be limited to all required reports (i.e.; Geotechnical, geologic) to the satisfaction of the County of Santa Cruz.
 - d. Provide written proof from Environmental Health Services that an acceptable water source is available to the property and that the site complies with all applicable standards for an on site septic system.
 - e. All development including all access ways is limited to areas with slopes less than 30%.
 - f. All site standards for the zone district shall be complied with. These are as follows:
 - Front Setback: 40 feet
 - Side setback: 20 feet
 - Rear Setback: 20 feetAll definitions for yards are contained within the County Code and shall be met.

2. Prior to obtaining a building permit, complete the following:
 - a. Submit and obtain approval from the Department of Public Works and Planning Department of an engineered road improvement, drainage and erosion plan for the road system to serve this parcel. The road shall be at least 12-feetwide with turnouts and have a minimum of 6 inches of compacted Class II baserock. When the road grade exceeds 15%, the surface shall be overlain with 2 inches of asphaltic concrete. The road grade shall not exceed 15 % for more than 200 feet and shall not exceed 20%. No new road as defined by County Code is allowed on slopes exceeding 30%.
 - b. Submit an erosion control plan for the parcel for review and approval by the Planning Department.
 - c. Submit certification from Environmental Health Services that all proposed development on the parcel will meet all Environmental Health requirements with respect to water availability and septic system use.
 - d. Submit a letter from the applicable fire district that indicates that all development on the parcel, including the proposed roadway system, meets the district requirements.
 - e. The property owner shall be entirely responsible for maintaining the road, drainage improvements and erosion control plan to this property. The property owner shall record a Road Maintenance Agreement insuring the maintenance of the road constructed from the publicly maintained road (including the approved erosion and drainage system)
3. Prior to final building inspection, all road improvements, drainage and erosion control measures shall be constructed.

WHEN RECORDED RETURN TO:
Santa Cruz County Planning Department
701 Ocean Street
Santa Cruz, CA 95060
Attn: Don Bussey
#05-0134
APN: 106-501-01 (6)

CONDITIONAL CERTIFICATE OF COMPLIANCE

WHEREAS, Rodger A. Burch and Michele Burch, as Trustees, or their Successors, of The *RMB* Revocable Family Trust Dated February 5, 1999, are the properly owners or vendee of such owners of certain real property located in the County of Santa Cruz, State of California, known as a portion of Santa Cruz County Assessor's Parcel Number 106-501-01, and more particularly described in Exhibit "A" attached hereto and incorporated herein by reference made a part hereof, has requested that the County issue a Conditional Certificate of Compliance pursuant to Government Code Section 66499.35 and local regulations thereto; and

WHEREAS, pursuant to an application for Parcel Legality Status *Determination*, the County of Santa Cruz has determined that such real property does not comply with all the provisions of the State of California Subdivision Map Act and the County Subdivision Ordinance enacted pursuant thereto but that a Certificate of Compliance with conditions may appropriately be issued.

NOW, THEREFORE a Conditional Certificate of Compliance is hereby issued for the above-described parcel described in Exhibit "A" attached hereto subject to the conditions attached as Exhibit "B".

FURTHERMORE, this Conditional Certificate of Compliance shall not constitute a determination that said parcel is buildable or is entitled to a building permit or other development approval absent fulfillment and implementation of the enumerated conditions attached as Exhibit "B" and compliance with the provisions of all other Santa Cruz County ordinances and regulations. Compliance with the enumerated conditions shall **be** required prior to the application for a building permit or another development permit approval by the County of Santa Cruz.

DATED _____

COUNTY OF SANTA CRUZ

By: _____
Glenda Hill, AICP
Hearing Officer

STATE OF CALIFORNIA
COUNTY OF SANTA CRUZ

On ___/___/05 before me Bernice Romero, Notary Public, personally appeared Glenda Hill personally known to me to be the person whose name is subscribed to the within instrument and acknowledged to me that she executed the same in her authorized capacity, and that by her signature on the instrument the person or the entity upon behalf of which the person acted executed the instrument.

Witness my hand and official seal

Signature _____

EXHIBIT A

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

BEGINNING AT THE QUARTER SECTION CORNER BETWEEN SECTION 14 AND 23 IN
TOWNSHIP 10 SOUTH RANGE 1 EAST, M.D.B.M.; THENCE ALONG THE LINE
BETWEEN SAID SECTIONS 14 AND 23, SOUTH **89** DEGREES **45** MINUTES WEST, 830
FEET TO A POINT; THENCE LEAVING SAID SECTION LINE, NORTH 38 DEGREES
EAST, 1348 FEET MORE OR LESS TO THE INTERSECTION WITH THE NORTH AND
SOUTH CENTERLINE OF SECTION 14; THENCE ALONG SAID CENTERLINE, SOUTH,
1062 FEET MORE OR LESS TO THE POINT OF BEGINNING.

EXHIBIT B

1. Prior to being considered as a building site and submitting plans for a building permit or be considered for any development permit, all of the following must be met:
 - a. Provide recorded evidence that the property has at least 100 feet of frontage on a minimum 40-foot wide right of way.
 - b. Provide a survey along with acceptable impartial information and copies of recorded deeds conclusively indicating that the property has a minimum 40-acre net developable parcel size. Net developable land is defined as the gross area of the parcel minus the following:
 - 1) All vehicle rights of way, and
 - 2) All slopes over 50%, and
 - 3) Riparian areas, wooded arroyos, canyons, areas of riparian vegetation and areas within a 50 feet riparian buffer setback, and
 - 4) Lakes, marshes, wetlands and area within 100 year floodplain and any associated buffer setback, and
 - 5) Areas of recent landslide, and
 - 6) Land within 50 feet of an active or potentially active fault trace, and
 - 7) Commercial Ag or mineral resource land.The site will not be considered as a building site or suitable for development by the County of Santa Cruz until this standard is met.
 - c. Submit a full Geologic Report and complete any and all required reports (i.e.; Geotechnical) to the satisfaction of the County of Santa Cruz.
 - d. Provide written proof from Environmental Health Services that an acceptable water source is available to the property and that the site complies with all applicable standards for an on site septic system.
 - e. All development including all access ways is limited to areas with slopes less than 30%.
 - f. All site standards for the zone district shall be complied with. These are as follows:

Frontyard Setback:	40 feet
Sidyard setback:	20 feet
Rearyard Setback:	20 feet

All definitions for yards are contained within the County Code and shall be met.
2. Prior to obtaining a building permit, complete the following:
 - a. Submit and obtain approval from the Department of Public Works and Planning Department of an engineered road improvement, drainage and erosion plan for the road system to serve this parcel. The road shall be at least 12-foot wide with turnouts and have a minimum of 6 inches of compacted Class II baserock. When the road grade exceeds 15%, the surface shall be overlain with 2 inches of asphaltic concrete. The road grade shall not exceed 15% for more than 200 feet and shall not exceed 20%. No new road as defined by County Code is allowed on slopes exceeding 30%

- b. Submit an erosion control plan for the parcel for review and approval by the Planning Department.
 - c. Submit certification from Environmental Health Services that all proposed development on the parcel will meet all Environmental Health requirements with respect to water availability and septic system use.
 - d. Submit a letter from the applicable fire district that indicates that all development on the parcel, including the proposed roadway system, meets the district requirements.
 - e. The property owner shall be entirely responsible for maintaining the road, drainage improvements and erosion control plan to this property. The property owner shall record a Road Maintenance Agreement insuring the maintenance of the road constructed from the publicly maintained road (including the approved erosion and drainage system)
3. Prior to final building inspection, all road improvements, drainage and erosion control measures shall be constructed.

WHEN RECORDED RETURN TO:
Santa Cruz County Planning Department
701 Ocean Street
Santa Cruz, CA 95060
Attn: Don Bussey
#05-0134
APN: 106-501-01 (7)

CONDITIONAL CERTIFICATE OF COMPLIANCE

WHEREAS, Rodger A. Burch and Michele Burch, as Trustees, or their Successors, of *The RMB Revocable Family Trust* Dated February 5, 1999, are the property owners or vendee of such owners of certain real property located in the County of Santa Cruz, State of California, known as a portion of Santa Cruz County Assessor's Parcel Number 106-501-01, and more particularly described in Exhibit "A" attached hereto and incorporated herein by reference made a part hereof, has requested that the County issue a Conditional Certificate of Compliance pursuant to Government Code Section 66499.35 and local regulations thereto; and

WHEREAS, pursuant to an application for Parcel Legality Status Determination, the County of Santa Cruz has determined that such real property does not comply with all the provisions of the State of California Subdivision Map Act and the County Subdivision Ordinance enacted pursuant thereto but that a Certificate of Compliance with conditions may appropriately be issued.

NOW, THEREFORE a Conditional Certificate of Compliance is hereby issued for the above-described parcel described in Exhibit "A" attached hereto subject to the conditions attached as Exhibit "B".

FURTHERMORE, this Conditional Certificate of Compliance shall not constitute a determination that said parcel is buildable or is entitled to a building permit or other development approval absent fulfillment and implementation of the enumerated conditions attached as Exhibit "B" and compliance with the provisions of all other Santa Cruz County ordinances and regulations. Compliance with the enumerated conditions shall be required prior to the application for a building permit or another development permit approval by the County of Santa Cruz.

DATED _____

COUNTY OF SANTA CRUZ

By: _____
Glenda Hill, AICP
Hearing Officer

STATE OF CALIFORNIA
COUNTY OF SANTA CRUZ

On ___/___/05 before me Bernice Romero, Notary Public, personally appeared Glenda Hill personally known to me to be the person whose name is subscribed to the within instrument and acknowledged to me that she executed the same in her authorized capacity, and that by her signature on the instrument the person or the entity upon behalf of which the person acted executed the instrument.

Witness my hand and official seal

Signature _____

EXHIBIT A

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

BEGINNING AT THE QUARTER SECTION CORNER BETWEEN SECTION 14 AND 23 IN TOWNSHIP 10 SOUTH RANGE 1 EAST, M.D.B.M.; THENCE NORTH, ALONG THE CENTERLINE OF SAID SECTIONS 14, 1062 FEET, MORE OR LESS, TO THE INTERSECTION WITH THE SOUTHEASTERLY LINE OF LANDS CONVEYED TO ARABLE SAUNDERS, BY DEED RECORDED 11/23/65 IN BOOK 1730 OFFICIAL RECORDS OF SANTA CRUZ COUNTY AT PAGE 559; THENCE ALONG SAID SOUTHEASTERLY LINE, NORTH 38 DEGREES EAST, TO THE CENTERLINE OF CORRALITOS CREEK; THENCE ALONG SAID CENTERLINE, SOUTHERLY TO THE INTERSECTION WITH THE SOUTH LINE OF SECTION 14, THENCE ALONG SAID SOUTH LINE, SOUTH 89 DEGREES 45 MINUTES WEST, 660 FEET, MORE OR LESS TO THE POINT OF BEGINNING.

EXHIBIT B

1. Prior to being considered as a building site and submitting plans for a building permit or be considered for any development permit, all of the following must be met:
 - a. Provide recorded evidence that the property has at least 100 feet of frontage on a minimum 40-foot wide right of way.
 - b. Provide a survey along with acceptable impartial information and copies of recorded deeds conclusively indicating that the property has a minimum 40-acre net developable parcel size. Net developable land is defined as the gross area of the parcel minus the following:
 - 1) All vehicle rights of way, and
 - 2) All slopes over 50%, and
 - 3) Riparian areas, wooded arroyos, canyons, areas of riparian vegetation and areas within a 50 feet riparian buffer setback, and
 - 4) Lakes, marshes, wetlands and area within 100 year floodplain and any associated buffer setback, and
 - 5) Areas of recent landslide, and
 - 6) Land within 50 feet of an active or potentially active fault trace, and
 - 7) Commercial Ag or mineral resource land.The site will not be considered as a building site or suitable for development by the County of Santa Cruz until this standard is met.
 - c. Submit a full Geologic Report and complete any and all required reports (i.e.; Geotechnical) to the satisfaction of the County of Santa Cruz.
 - d. Provide written proof from Environmental Health Services that an acceptable water source is available to the property and that the site complies with all applicable standards for an on site septic system.
 - e. All development including all access ways is limited to areas with slopes less than 30%.
 - f. All site standards for the zone district shall be complied with. These are as follows:

Frontyard Setback:	40 feet
Sidyard setback:	20 feet
Rearyard Setback:	20 feet

All definitions for yards are contained within the County Code and shall be met.
2. Prior to obtaining a building permit, complete the following:
 - a. Submit and obtain approval from the Department of Public Works and Planning Department of an engineered road improvement, drainage and erosion plan for the road system to serve this parcel. The road shall be at least 12-feetwide with turnouts and have a minimum of 6 inches of compacted Class II baserock. When the road grade exceeds 15%, the surface shall be overlain with 2 inches of asphaltic concrete. The road grade shall not exceed 15% for more than 200 feet and shall not exceed 20%. No new road as defined by County Code is allowed on slopes exceeding 30%

- b. Submit an erosion control plan for the parcel for review and approval by the Planning Department.
 - c. Submit certification from Environmental Health Services that all proposed development on the parcel will meet all Environmental Health requirements with respect to water availability and septic system use.
 - d. Submit a letter from the applicable fire district that indicates that all development on the parcel, including the proposed roadway system, meets the district requirements.
 - e. The property owner shall be entirely responsible for maintaining the road, drainage improvements and erosion control plan to this property. The property owner shall record a Road Maintenance Agreement insuring the maintenance of the road constructed from the publicly maintained road (including the approved erosion and drainage system)
3. Prior to final building inspection, all road improvements, drainage and erosion control measures shall be constructed.

WHEN RECORDED RETURN TO:
Santa Cruz County Planning Department
701 Ocean Street
Santa Cruz, CA 95060
Attn: Don Bussey
#05-0134
APN: 106-501-01(8)

CONDITIONAL CERTIFICATE OF COMPLIANCE

WHEREAS, Rodger A. Burch and Michele Burch, as Trustees, or their Successors, of The *RMB* Revocable Family Trust Dated February 5, 1999, are the property owners or vendee of such owners of certain real property located in the County of Santa Cruz, State of California, known as a portion of Santa Cruz County Assessor's Parcel Number 106-501-01, and more particularly described in Exhibit "A" attached hereto and incorporated herein by reference made a part hereof, has requested that the County issue a Conditional Certificate of Compliance pursuant to Government Code Section 66499.35 and local regulations thereto: and

WHEREAS, pursuant to an application for Parcel Legality Status Determination, the County of Santa Cruz has determined that such real property does not comply with all the provisions of the State of California Subdivision Map Act and the County Subdivision Ordinance enacted pursuant thereto but that a Certificate of Compliance with conditions may appropriately be issued.

NOW, THEREFORE a Conditional Certificate of Compliance is hereby issued for the above-described parcel described in Exhibit "A" attached hereto subject to the conditions attached as Exhibit "B".

FURTHERMORE, this Conditional Certificate of Compliance shall not constitute a determination that said parcel is buildable or is entitled to a building permit or other development approval absent fulfillment and implementation of the enumerated conditions attached as Exhibit "B" and compliance with the provisions of all other Santa Cruz County ordinances and regulations. Compliance with the enumerated conditions shall be required prior to the application for a building permit or another development permit approval by the County of Santa Cruz.

DATED _____

COUNTY OF SANTA CRUZ

By: _____
Glenda Hill, AICP
Hearing Officer

STATE OF CALIFORNIA
COUNTY OF SANTA CRUZ

On ___/___/05 before me Bernice Romero, Notary Public, personally appeared Glenda Hill personally known to me to be the person whose name is subscribed to the within instrument and acknowledged to me that she executed the same in her authorized capacity, and that by her signature on the instrument the person or the entity upon behalf of which the person acted executed the instrument.

Witness my hand and official seal

Signature _____

EXHIBIT A

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

Beginning at the 1/4 section corner between Sections 14 and 23, Township 10 South, Range 1 East, Mount Diablo Base and Meridian; thence South along the centerline of Section 23, 930 feet; thence North 52° 00' East 1180 feet, more or less, to the centerline of Corralitos Creek; thence along the centerline of said creek in a Northwestly direction to the Southerly line of the parcel of land conveyed to Arabell Saunders by deed recorded November 23, 1965, in Book 1730 of Official Records at page 559; thence along the South line of said Saunder's parcel to the North line of Section 23; thence along said North line East to the point of beginning.

TOGETHER with and RESERVING the easement now of record for all purposes of a roadway 50 feet in width

EXCEPTING therefrom one half of all oil and mineral rights for a period of 20 years as contained in the Deed from Roscoe R. Baldwin, et al, to Harold Hamegan, et ux, recorded July 23, 1957. in Volume 1140 of Official Records at Page 367, Santa Cruz County Records.

ALSO. EXCEPTING therefrom, that portion lying north of the North Line of Section 23

EXHIBIT B

1. Prior to being considered as a building site and submitting plans for a building permit or be considered for any development permit, all of the following must be met:
 - a. Provide recorded evidence that the property has at least 100 feet of frontage on a minimum 40-foot wide right of way.
 - b. Provide a survey along with acceptable impartial information and copies of recorded deeds conclusively indicating that the property has a minimum 40-acre net developable parcel size. Net developable land is defined as the gross area of the parcel minus the following:
 - 1) All vehicle rights of way, and
 - 2) All slopes over 50%, and
 - 3) Riparian areas, wooded arroyos, canyons, areas of riparian vegetation and areas within a 50 feet riparian buffer setback, and
 - 4) Lakes, marshes, wetlands and area within 100 year floodplain and any associated buffer setback, and
 - 5) Areas of recent landslide, and
 - 6) Land within 50 feet of an active or potentially active fault trace, and
 - 7) Commercial Ag or mineral resource land.The site will not be considered as a building site or suitable for development by the County of Santa Cruz until this standard is met.
 - c. Submit a full Geologic Report and complete any and all required reports (i.e.; Geotechnical) to the satisfaction of the County of Santa Cruz.
 - d. Provide written proof from Environmental Health Services that an acceptable water source is available to the property and that the site complies with all applicable standards for an on site septic system.
 - e. All development including all access ways is limited to areas with slopes less than 30%.
 - f. All site standards for the zone district shall be complied with. These are as follows:

Frontyard Setback:	40 feet
Sidyard setback:	20 feet
Rearyard Setback:	20 feet

All definitions for yards are contained within the County Code and shall be met.
2. Prior to obtaining a building permit, complete the following:
 - a. Submit and obtain approval from the Department of Public Works and Planning Department of an engineered road improvement, drainage and erosion plan for the road system to serve this parcel. The road shall be at least 12-feet wide with turnouts and have a minimum of 6 inches of compacted Class II baserock. When the road grade exceeds 15%, the surface shall be overlain with 2 inches of asphaltic concrete. The road grade shall not exceed 15% for more than 200 feet and shall not exceed 20%. No new road as defined by County Code is allowed on slopes exceeding 30%

- b. Submit an erosion control plan for the parcel for review and approval by the Planning Department.
 - c. Submit certification from Environmental Health Services that all proposed development on the parcel will meet all Environmental Health requirements with respect to water availability and septic system use.
 - d. Submit a letter from the applicable fire district that indicates that all development on the parcel, including the proposed roadway system, meets the district requirements.
 - e. The property owner shall be entirely responsible for maintaining the road, drainage improvements and erosion control plan to this property. The property owner shall record a Road Maintenance Agreement insuring the maintenance of the road constructed from the publicly maintained road (including the approved erosion and drainage system)
3. Prior to final building inspection, all road improvements, drainage and erosion control measures shall be constructed.

WHEN RECORDED RETURN TO:
Santa Cruz County Planning Department
701 Ocean Street
Santa Cruz, CA 95060
Attn: Don Bussey
#05-0134
APN: 106-501-02(11)

CONDITIONAL CERTIFICATE OF COMPLIANCE

WHEREAS, Rodger A. Burch and Michele Burch, as Trustees, or their Successors, of The *RMB* Revocable Family Trust Dated February 5, 1999, are the property owners or vendee of such owners of certain real property located in the County of Santa Cruz, State of California, known as Santa Cruz County Assessor's Parcel Number 106-501-02, and more particularly described in Exhibit "A" attached hereto and incorporated herein by reference made a part hereof, has requested that the County issue a Conditional Certificate of Compliance pursuant to Government Code Section 66499.35 and local regulations thereto: and

WHEREAS, pursuant to an application for Parcel Legality Status Determination, the County of Santa Cruz has determined that such real property does not comply with all the provisions of the State of California Subdivision Map Act and the County Subdivision Ordinance enacted pursuant thereto but that a Certificate of Compliance with conditions may appropriately be issued.

NOW, THEREFORE a Conditional Certificate of Compliance is hereby issued for the above-described parcel described in Exhibit "A" attached hereto subject to the conditions attached as Exhibit "B".

FURTHERMORE, this Conditional Certificate of Compliance **shall** not constitute a determination that said parcel is buildable or is entitled to a building permit or other development approval absent fulfillment and implementation of the enumerated conditions attached as Exhibit "B" and compliance with the provisions of all other Santa Cruz County ordinances and regulations. Compliance with the enumerated conditions shall be required prior to the application for a building permit or another development permit approval by the County of Santa Cruz.

DATED _____

COUNTY OF SANTA CRUZ

By: _____

Glenda Hill, AICP
Hearing Officer

STATE OF CALIFORNIA
COUNTY OF SANTA CRUZ

On ___/___/05 before me Bernice Romero, Notary Public, personally appeared Glenda Hill personally known to me to be the person whose name is subscribed to the within instrument and acknowledged to me that she executed the same in her authorized capacity, and that by her signature on the instrument the person or the entity upon behalf of which the person acted executed the instrument.

Witness my hand and official seal

Signature _____

EXHIBIT A

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

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

BEGINNING AT THE 1/4 SECTION CORNER BETWEEN SECTIONS 14 AND 23, IN TOWNSHIP 10 SOUTH, RANGE 1 EAST, MOUNT DIABLO BASE AND MERIDIAN; THENCE ALONG THE LINE BETWEEN SAID SECTIONS 14 AND 23, SOUTH 89° 45' WEST 830 FEET TO A POINT; THENCE LEAVING SAID SECTION LINE NORTH 38° EAST 1610 FEET, MORE OR LESS TO THE CENTERLINE OF CORRALITOS CREEK; THENCE SOUTHERLY AND SOUTHEASTERLY ALONG THE CENTERLINE OF CORRALITOS CREEK TO THE NORTHWESTERLY LINE OF LOMBARDO BY DEED DATED SEPTEMBER 14, 1956 IN VOLUME 1093 OF OFFICIAL RECORDS, PAGE 11, SANTA CRUZ COUNTY RECORDS; THENCE LEAVING SAID CORRALITOS CREEK, SOUTH 44° 55' WEST 294.50 FEET TO THE MOST WESTERLY CORNER OF LOMBARDO; THENCE SOUTH 47° 30' EAST ALONG THE SOUTHWESTERLY BOUNDARY OF THE LANDS OF LOMBARDO AND HALL BY DEED RECORDED MAY 10, 1946 IN VOLUME 656 OF OFFICIAL RECORDS, PAGE 60, SANTA CRUZ COUNTY RECORDS, TO THE 1/4 SECTION LINE RUNNING EAST AND WEST THROUGH SECTION 24, TOWNSHIP 10 SOUTH, RANGE 1 EAST, MOUNT DIABLO BASE AND MERIDIAN; THENCE ALONG SAID 1/4 SECTION LINE NORTH 87° 28' WEST 30.85 FEET, MORE OR LESS TO AN IRON PIPE AT THE 1/4 CORNER BETWEEN SECTIONS 23 AND 24; THENCE NORTH 87° 52' WEST ALONG THE 1/4 SECTION LINE RUNNING EAST AND WEST THROUGH THE CENTER OF SECTION 23, 1500 FEET, MORE OR LESS, TO AN IRON PIPE, FROM WHICH THE CENTER CORNER OF SECTION 23 BEARS NORTH 87° 52' WEST 1143.12 FEET; THENCE LEAVING SAID CENTERLINE OF SECTION 23, NORTHWESTERLY 1650 FEET, MORE OR LESS TO THE 1/4 SECTION LINE RUNNING NORTH AND SOUTH THROUGH THE CENTER OF SECTION 23, THENCE NORTHERLY ALONG SAID 1/4 SECTION LINE 1450 FEET, MORE OR LESS, TO THE POINT OF BEGINNING.

EXCEPTING THEREFROM ONE-HALF OF ALL OIL AND MINERAL RIGHTS FOR A PERIOD OF 20 YEARS AS CONTAINED IN THE DEED FROM ROSCOER, BALDWIN, ET AL, TO HAROLD HANNEGAN, ET UX, RECORDED JULY 23, 1957 IN VOLUME 1140 OF OFFICIAL RECORDS, PAGE 367, SANTA CRUZ COUNTY RECORDS.

ALSO EXCEPTING THEREFROM THE LANDS DESCRIBED IN THE DEED TO HENRY SCHLENZ AND LUCY SCHLENZ, HIS WIFE, RECORDED SEPTEMBER 1, 1966 IN VOLUME 1784 AT PAGE 211, SANTA CRUZ COUNTY RECORDS.

AND ALSO EXCEPTING THE LANDS DESCRIBED IN THE DEED TO W. BOONE SAUNDERS RECORDED MARCH 3, 1972 IN BOOK 2179 PAGE 06 OF OFFICIAL RECORDS.

AND ALSO EXCEPTING THE LANDS DESCRIBED IN THE DEED TO LINDA S. NITSCHKE RECORDED MARCH 3, 1972 IN BOOK 2179 PAGE 108 OFFICIAL RECORDS.

EXCEPTING FROM THE ABOVE DESCRIBED PARCEL SO MUCH OF THE LAND AS LIES WITHIN THE BOUNDARY OF THE PARCEL OF LAND DESCRIBED IN VOLUME 579 OF OFFICIAL RECORDS AT PAGE 335 SANTA CRUZ COUNTY RECORDS.

EXHIBIT B

1. Prior to being considered as a building site and submitting plans for a building permit or be considered for any development permit, all of the following must be met:
 - a. Provide recorded evidence that the property has at least 100 feet of frontage on a minimum 40-foot wide right of way.
 - b. Provide a survey along with acceptable impartial information and copies of recorded deeds conclusively indicating that the property has a minimum 40-acre net developable Parcel size. Net developable land is defined as the gross area of the parcel minus the following:
 - 1) All vehicle rights of way, and
 - 2) All slopes over 50%, and
 - 3) Riparian areas, wooded arroyos, canyons, areas of riparian vegetation and areas within a 50 feet riparian buffer setback, and
 - 4) Lakes, marshes, wetlands and area within 100 year floodplain and any associated buffer setback, and
 - 5) Areas of recent landslide, and
 - 6) Land within 50 feet of an active or potentially active fault trace, and
 - 7) Commercial Ag or mineral resource land.

The site will not be considered as a building site or suitable for development by the County of Santa Cruz until this standard is met.

- c. Submit a full Geologic Report and complete any and all required reports (i.e.; Geotechnical) to the satisfaction of the County of Santa Cruz.
- d. Provide written proof from Environmental Health Services that an acceptable water source is available to the property and that the site complies with all applicable standards for an on site septic system.
- e. All development including all access ways is limited to areas with slopes less than 30%.
- f. All site standards for the zone district shall be complied with. These are as follows:

Frontyard Setback:	40 feet
Sidyard setback:	20 feet
Rearyard Setback:	20 feet

All definitions for yards are contained within the County Code and shall be met.

2. Prior to obtaining a building permit. complete the following:
 - a. Submit and obtain approval from the Department of Public Works and Planning Department of an engineered road improvement, drainage and erosion plan for ~~the~~ road system to serve this parcel. The road shall be at least 12-footwide with turnouts and have a minimum of 6 inches of compacted Class II baserock. When the road grade exceeds 15%, the surface shall be overlain with 2 inches of asphaltic concrete. The road grade shall not exceed 15% for more than 200 feet and shall not exceed 20%. No new road as defined by County Code is allowed on slopes exceeding 30%

- b. Submit an erosion control plan for the parcel for review and approval by the Planning Department.
 - c. Submit certification from Environmental Health Services that all proposed development on the parcel will meet all Environmental Health requirements with respect to water availability and septic system use.
 - d. Submit a letter from the applicable fire district that indicates that all development on the parcel, including the proposed roadway system, meets the district requirements.
 - e. The properly owner shall be entirely responsible for maintaining the road, drainage improvements and erosion control plan to this property. The properly owner shall record a Road Maintenance Agreement insuring the maintenance of the road constructed from the publicly maintained road (including the approved erosion and drainage system)
3. Prior to final building inspection, all road improvements, drainage and erosion control measures shall be constructed.

WHEN RECORDED RETURN TO:
Santa Cruz County Planning Department
701 Ocean Street
Santa Cruz, CA 95060
Attn: Don Bussey
#05-0134
APN: 106-501-03 (12)

CONDITIONAL CERTIFICATE OF COMPLIANCE

WHEREAS, Rodger A. Burch and Michele Burch, as Trustees, or their Successors, of The *RMB* Revocable Family *Trust* Dated February 5, 1999, are the property owners or vendee of such owners of certain real property located in the County of Santa Cruz, State of California, known as Santa Cruz County Assessor's Parcel Number 106-501-03, and more particularly described in Exhibit "A" attached hereto and incorporated herein by reference made a part hereof, has requested that the County issue a Conditional Certificate of Compliance pursuant to Government Code Section 66499.35 and local regulations thereto; and

WHEREAS, pursuant to an application for Parcel Legality Status Determination, the County of Santa Cruz has determined that such real property does not comply with all the provisions of the State of California Subdivision Map Act and the County Subdivision Ordinance enacted pursuant thereto but that a Certificate of Compliance with conditions may appropriately be issued.

NOW, THEREFORE a Conditional Certificate of Compliance is hereby issued for the above-described parcel described in Exhibit "A" attached hereto subject to the conditions attached as Exhibit "B".

FURTHERMORE, this Conditional Certificate of Compliance shall not constitute a determination that said parcel is buildable or is entitled to a building permit or other development approval absent fulfillment and implementation of the enumerated conditions attached as Exhibit "B" and compliance with the provisions of all other Santa Cruz County ordinances and regulations. Compliance with the enumerated conditions shall be required prior to the application for a building permit or another development permit approval by the County of Santa Cruz.

DATED _____

COUNTY OF SANTA CRUZ

By: _____

Glenda Hill, AICP
PRINCIPAL PLANNER

STATE OF CALIFORNIA
COUNTY OF SANTA CRUZ

On ___/___/05 before me Bernice Romero, Notary Public, personally appeared Glenda Hill personally known to me to be the person whose name is subscribed to the within instrument and acknowledged to me that she executed the same in her authorized capacity, and that by her signature on the instrument the person or the entity upon behalf of which the person acted executed the instrument.

Witness my hand and official seal

Signature _____

EXHIBIT A

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

Being a *portion of* Section 23, Township 10 South, Range 1 East, Mount Diablo Base and Meridian, and described as follows:

Commencing at the 1/4 corner between Sections 23 and 24, Township 10 South, Range 1 East, Mount Diablo Base and Meridian; thence North $87^{\circ} 52'$ West 1613.64 feet along the East West centerline of said Section 23 to a 3/4" iron pipe at the Southeasterly corner of the lands of Harold Hannegan and Lester Holmes as described in paragraph two of the Grant Deed recorded August 27, 1957, in Volume 1151 of Official Records at page 35, Santa Cruz County Records; thence North $41^{\circ} 00'$ West along the Northeasterly boundary of the above mentioned lands of Hannegan and Holmes 350 feet to the true point of beginning of this description; thence continue North $41^{\circ} 00'$ West along said boundary 950 feet; thence North $52^{\circ} 00'$ East 1760 feet, more or less, to the centerline of Corralitos Creek; thence Southeasterly along the center of said creek to the most Northerly corner of the parcel of land conveyed to Henry Schlenz, et al, by deed recorded September 13, 1966; thence South $52^{\circ} 00'$ West along the Northerly line of said Schlenz parcel 1420 feet, more or less, to the point of beginning.

TOGETHER with and RESERVING the easement now of record for all purposes of a roadway 50 feet in width.

EXCEPTING therefrom one half of all oil and mineral rights for a period of 20 years as contained in the Deed from Roscoe R. Baldwin, et al, to Harold Hannegan, et ux, recorded July 23, 1957 in Volume 1140 of Official Records at page 367, Santa Cruz County Records.

EXHIBIT B

1. Prior to being considered as a building site and submitting plans for a building permit or be considered for any development permit, all of the following must be met:
 - a. Provide recorded evidence that the property has at least 100 feet of frontage on a minimum 40-foot wide right of way.
 - b. Provide a survey along with acceptable impartial information and copies of recorded deeds conclusively indicating that the property has a minimum 40-acre net developable parcel size. Net developable land is defined as the gross area of the parcel minus the following:
 - 1) All vehicle rights of way, and
 - 2) All slopes over 50%, and
 - 3) Riparian areas, wooded arroyos, canyons, areas of riparian vegetation and areas within a 50 feet riparian buffer setback, and
 - 4) Lakes, marshes, wetlands and area within 100 year floodplain and any associated buffer setback, and
 - 5) Areas of recent landslide. and
 - 6) Land within 50 feet of an active or potentially active fault trace, and
 - 7) Commercial Ag or mineral resource land.The site will not be considered as a building site or suitable for development by the County of Santa Cruz until this standard is met.
 - c. Submit a full Geologic Report and complete any and all required reports (i.e.; Geotechnical) to the satisfaction of the County of Santa Cruz.
 - d. Provide written proof from Environmental Health Services that an acceptable water source is available to the property and that the site complies with all applicable standards for an on site septic system.
 - e. All development including all access ways is limited to areas with slopes less than 30%.
 - f. All site standards for the zone district shall be complied with. These are as follows:

Frontyard Setback:	40 feet
Sidyard setback:	20 feet
Rearyard Setback	20 feet

All definitions for yards are contained within the County Code and shall be met.
2. Prior to obtaining a building permit, complete the following:
 - a. Submit and obtain approval from the Department of Public Works and Planning Department of an engineered road improvement, drainage and erosion plan for the road system to serve this parcel. The road shall be at least 12-footwide with turnouts and have a minimum of 6 inches of compacted Class II baserock. When the road grade exceeds 15%, the surface shall be overlain with 2 inches of asphaltic concrete. The road grade shall not exceed 15 % for more than 200 feet and shall not exceed 20%. No new road as defined by County Code is allowed on slopes exceeding 30%

- b. Submit an erosion control plan for the parcel for review and approval by the Planning Department.
 - c. Submit certification from Environmental Health Services that all proposed development on the parcel will meet all Environmental Health requirements with respect to water availability and septic system use.
 - d. Submit a letter from the applicable fire district that indicates that all development on the parcel, including the proposed roadway system, meets the district requirements.
 - e. The property owner shall be entirely responsible for maintaining the road, drainage improvements and erosion control plan to this property. The property owner shall record a Road Maintenance Agreement insuring the maintenance of the road constructed from the publicly maintained road (including the approved erosion and drainage system)
3. Prior to final building inspection, all road improvements, drainage and erosion control measures shall be constructed.

UNCONDITIONAL CERTIFICATES OF COMPLIANCE

Exhibit I

WHEN RECORDED RETURN TO:
Santa Cruz County Planning Department
701 Ocean Street
Santa Cruz, CA 95060
Attn: Don Bussey
#05-0134
APN: 106-022-14(1)

UNCONDITIONAL CERTIFICATE OF COMPLIANCE

WHEREAS, Rodger A. Burch and Michele Burch, as Trustees, or their Successors, of The *RMB Revocable Family Trust Dated February 5, 1999*, are the property owner or vendee of such owners of certain real property located in the County of Santa Cruz, State of California, known as a portion of Santa Cruz County Assessor's Parcel Number **106-022-14**, and more particularly described in Exhibit 'A' attached hereto and incorporated herein by reference; and

WHEREAS, pursuant to an application for Parcel Legality Status Determination, the County of Santa Cruz has determined that such real property is determined to be one legal parcel;

NOW, THEREFORE an Unconditional Certificate of Compliance is hereby issued for the above-described parcel.

FURTHERMORE, THIS CERTIFICATION OF COMPLIANCE SHALL NOT CONSTITUTE A DETERMINATION THAT SAID PARCEL IS BUILDABLE OR IS ENTITLED TO A BUILDING PERMIT OR OTHER DEVELOPMENT APPROVAL WITHOUT COMPLIANCE WITH THE PROVISIONS OF ALL OTHER SANTA CRUZ COUNTY ORDINANCES AND REGULATIONS.

THIS CERTIFICATE OF COMPLIANCE RELATES ONLY TO ISSUES OF COMPLIANCE OR NONCOMPLIANCE WITH THE SUBDIVISION MAP ACT AND LOCAL ORDINANCES ENACTED PURSUANT THERETO. THE PARCEL DESCRIBED HEREIN MAY BE SOLD, LEASED OR FINANCED WITHOUT FURTHER COMPLIANCE WITH THE SUBDIVISION MAP ACT OR ANY LOCAL ORDINANCE ENACTED PURSUANT THERETO. DEVELOPMENT OF THE PARCEL MAY REQUIRE ISSUANCE OF A PERMIT OR PERMITS, OR OTHER GRANT OR GRANTS OF APPROVAL.

DATED _____

COUNTY OF SANTA CRUZ

By: _____
Glenda Hill, AICP
PRINCIPAL PLANNER

STATE OF CALIFORNIA
COUNTY OF SANTA CRUZ

On ___/___/05 before me Bernice Romero, Notary Public, personally appeared Glenda Hill personally known to me to be the person whose name is subscribed to the within instrument and acknowledged to me that she executed the same in her authorized capacity, and that by her signature on the instrument the person or the entity upon behalf of which the person acted executed the instrument.

Witness my hand and official seal

Signature _____

EXHIBIT A

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

BEGINNING AT A POST AT THE SOUTHWEST CORNER OF SECTION 14, IN
TOWNSHIP 10 SOUTH RANGE 1 EAST, M. D. B. M.; THENCE NORTH ALONG THE
WEST BOUNDARY OF SAID SECTION 14, 5.0 CHAINS TO POST AND STONE MOUND;
THENCE LEAVING SAID BOUNDARY SOUTH 63 DEGREES 51 MINUTES EAST, 11.14
CHAINS TO A STATION ON THE SOUTH BOUNDARY OF SAID SECTION AND THENCE
ALONG SAID LAST NAMED BOUNDARY SOUTH 89 DEGREES 30 MINUTES WEST
10.00 CHAINS TO THE POINT OF BEGINNING.

WHEN RECORDED RETURN TO:
Santa Cruz County Planning Department
701 Ocean Street
Santa Cruz, CA 95060
Attn: Don Bussey
#05-0134
APN: 106-022-14(2)

UNCONDITIONAL CERTIFICATE OF COMPLIANCE

WHEREAS, Rodger A. Burch and Michele Burch, as Trustees, or their Successors, of The **RMB Revocable Family Trust Dated February 5, 1999**, are the property owner or vendee of such owners of certain real property located in the County of Santa Cruz, State of California, known as a portion of Santa Cruz County Assessor's Parcel Number 106-022-14, and more particularly described in Exhibit "A" attached hereto and incorporated herein by reference; and

WHEREAS, pursuant to an application for Parcel Legality Status Determination, the County of Santa Cruz has determined that such real property is determined to be one legal parcel;

NOW, THEREFORE an Unconditional Certificate of Compliance is hereby issued for the above-described parcel.

FURTHERMORE, THIS CERTIFICATION OF COMPLIANCE SHALL NOT CONSTITUTE A DETERMINATION THAT SAID PARCEL IS BUILDABLE OR IS ENTITLED TO A BUILDING PERMIT OR OTHER DEVELOPMENT APPROVAL WITHOUT COMPLIANCE WITH THE PROVISIONS OF ALL OTHER SANTA CRUZ COUNTY ORDINANCES AND REGULATIONS.

THIS CERTIFICATE OF COMPLIANCE RELATES ONLY TO ISSUES OF COMPLIANCE OR NONCOMPLIANCE WITH THE SUBDIVISION MAP ACT AND LOCAL ORDINANCES ENACTED PURSUANT THERETO. THE PARCEL DESCRIBED HEREIN MAY BE SOLD, LEASED OR FINANCED WITHOUT FURTHER COMPLIANCE WITH THE SUBDIVISION MAP ACT OR ANY LOCAL ORDINANCE ENACTED PURSUANT THERETO. DEVELOPMENT OF THE PARCEL MAY REQUIRE ISSUANCE OF A PERMIT OR PERMITS, OR OTHER GRANT OR GRANTS OF APPROVAL.

DATED _____

COUNTY OF SANTA CRUZ

By: _____
Glenda Hill, AICP
PRINCIPAL PLANNER

STATE OF CALIFORNIA
COUNTY OF SANTA CRUZ

On ___/___/05 before me Bernice Romero, Notary Public, personally appeared Glenda Hill personally known to me to be the person whose name is subscribed to the within instrument and acknowledged to me that she executed the same in her authorized capacity, and that by her signature on the instrument the person or the entity upon behalf of which the person acted executed the instrument.

Witness my hand and official seal

Signature _____

EXHIBIT A

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

BEGINNING AT THE NORTHWEST CORNER OF SECTION 23, TOWNSHIP 10 SOUTH
RANGE 1 EAST, M.D.B.M.; THENCE EAST ALONG THE NORTH BOUNDARY **OF** SAID
SECTION 23, 83 RODS; THENCE SOUTHERLY AND PARALLEL WITH THE NORTH AND
SOUTH LINES OF SAID SECTION, $77 \frac{1}{9}$ RODS; THENCE WESTERLY AND PARALLEL
WITH THE EAST AND WEST LINES **OF** SAID SECTION, 83 RODS TO THE WEST LINE
OF SAID SECTION 23; THEN NORTH AND ALONG SAID WEST LINE OF SAID SECTION
 $77 \frac{1}{9}$ RODS TO THE POINT OF BEGINNING.

WHEN RECORDED RETURN TO:
Santa Cruz County Planning Department
701 Ocean Street
Santa Cruz, CA 95060
Attn: Don Bussey
#05-0134
APN: 106-022-13(4)

UNCONDITIONAL CERTIFICATE OF COMPLIANCE

WHEREAS, Rodger A. Burch and Michele Burch, as Trustees, or their Successors, of The *RMB Revocable Family Trust* Dated February 5, 1999, are the property owner or vendee of such owners of certain real property located in the County of Santa Cruz, State of California, known as Santa Cruz County Assessor's Parcel Number 106-022-13, and more particularly described in Exhibit " A attached hereto and incorporated herein by reference; and

WHEREAS, pursuant to an application for Parcel Legality Status Determination, the County of Santa Cruz has determined that such real property is determined to be one legal parcel:

NOW, THEREFORE an Unconditional Certificate of Compliance is hereby issued for the above-described parcel.

FURTHERMORE, THIS CERTIFICATION OF COMPLIANCE SHALL NOT CONSTITUTE A DETERMINATION THAT SAID PARCEL IS BUILDABLE OR IS ENTITLED TO A BUILDING PERMIT OR OTHER DEVELOPMENT APPROVAL WITHOUT COMPLIANCE WITH THE PROVISIONS OF ALL OTHER SANTA CRUZ COUNTY ORDINANCES AND REGULATIONS.

THIS CERTIFICATE OF COMPLIANCE RELATES ONLY TO ISSUES OF COMPLIANCE OR NONCOMPLIANCE WITH THE SUBDIVISION MAP ACT AND LOCAL ORDINANCES ENACTED PURSUANT THERETO. THE PARCEL DESCRIBED HEREIN MAY BE SOLD, LEASED OR FINANCED WITHOUT FURTHER COMPLIANCE WITH THE SUBDIVISION MAP ACT OR ANY LOCAL ORDINANCE ENACTED PURSUANT THERETO. DEVELOPMENT OF THE PARCEL MAY REQUIRE ISSUANCE OF A PERMIT OR PERMITS, OR OTHER GRANT OR GRANTS OF APPROVAL.

DATED _____

COUNTY OF SANTA CRUZ

By: _____
Glenda Hill
PRINCIPAL PLANNER

STATE OF CALIFORNIA
COUNTY OF SANTA CRUZ

On ___/___/05 before me Bernice Romero, Notary Public, personally appeared Glenda Hill personally known to me to be the person whose name is subscribed to the within instrument and acknowledged to me that she executed the same in her authorized capacity, and that by her signature on the instrument the person or the entity upon behalf of which the person acted executed the instrument.

Witness my hand and official seal

Signature _____

EXHIBIT A

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

BEING A PORTION OF THE NORTHWEST QUARTER OF SECTION 23, TOWNSHIP 10 SOUTH RANGE 1 EAST, M.D.B.M., BEGINNING ON THE NORTH LINE OF SAID SECTION 23 AT A POINT DISTANT 83 RODS EASTERLY FROM THE NORTHWEST CORNER OF SAID SECTION 23 AT THE NORTHEASTERLY CORNER OF LOT ONE LA SELVE; THENCE SOUTHERLY ALONG THE LINE OF SAID LA SELVE LOT AND PARALLEL WITH THE WEST LINE OF SAID SECTION 23, 160 RODS TO THE CENTER LINE OF SECTION 23, THENCE EASTERLY ALONG SAID MIDDLE LINE OF SAID SECTION SEVEN RODS; THENCE NORTHERLY AND PARALLEL WITH LINE OF SAID LOT OF LA SELVE 160 RODS TO THE NORTH LINE OF SAID SECTION 23, THENCE WESTERLY ALONG SAID NORTHERLY LINE OF SAID SECTION SEVEN RODS TO THE PLACE OF BEGINNING.

WHEN RECORDED RETURN TO:
Santa Cruz County Planning Department
701 Ocean Street
Santa Cruz, CA 95060
Attn: Don Bussey
#05-0134
APN: 106-022-12(5)

UNCONDITIONAL CERTIFICATE OF COMPLIANCE

WHEREAS, Rodger A. Burch and Michele Burch, as Trustees, or their Successors, of The RMB Revocable Family Trust Dated February 5, 1999, are the property owner or vendee of such owners of certain real property located in the County of Santa Cruz, State of California, known as Santa Cruz County Assessor's Parcel Number 106-022-12, and more particularly described in Exhibit "A" attached hereto and incorporated herein by reference: and

WHEREAS, pursuant to an application for Parcel Legality Status Determination, the County of Santa Cruz has determined that such real property is determined to be one legal parcel;

NOW, THEREFORE an Unconditional Certificate of Compliance is hereby issued for the abovedescribed parcel.

FURTHERMORE, THIS CERTIFICATION OF COMPLIANCE SHALL NOT CONSTITUTE A DETERMINATION THAT SAID PARCEL IS BUILDABLE OR IS ENTITLED TO A BUILDING PERMIT OR OTHER DEVELOPMENT APPROVAL WITHOUT COMPLIANCE WITH THE PROVISIONS OF ALL OTHER SANTA CRUZ COUNTY ORDINANCES AND REGULATIONS.

THIS CERTIFICATE OF COMPLIANCE RELATES ONLY TO ISSUES OF COMPLIANCE OR NONCOMPLIANCE WITH THE SUBDIVISION MAP ACT AND LOCAL ORDINANCES ENACTED PURSUANT THERETO. THE PARCEL DESCRIBED HEREIN MAY BE SOLD, LEASED OR FINANCED WITHOUT FURTHER COMPLIANCE WITH THE SUBDIVISION MAP ACT OR ANY LOCAL ORDINANCE ENACTED PURSUANT THERETO. DEVELOPMENT OF THE PARCEL MAY REQUIRE ISSUANCE OF A PERMIT OR PERMITS, OR OTHER GRANT OR GRANTS OF APPROVAL.

DATED _____

COUNTY OF SANTA CRUZ

By: _____
Glenda Hill, AICP
PRINCIPAL PLANNER

STATE OF CALIFORNIA
COUNTY OF SANTA CRUZ

On __/__/05 before me Bernice Romero, Notary Public, personally appeared Glenda Hill personally known to me to be the person whose name is subscribed to the within instrument and acknowledged to me that she executed the same in her authorized capacity, and that by her signature on the instrument the person or the entity upon behalf of which the person acted executed the instrument.

Witness my hand and official seal

Signature _____

EXHIBIT A

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

BEING A PART OF THE EAST HALF OF THE NORTHWEST QUARTER OF SECTION 23, TOWNSHIP **10** SOUTH RANGE **1** EAST, MOUNT DIABLO MERIDIAN AND COMMENCING IN THE CENTER OF SAID SECTION 23; THENCE RUNNING NORTH ALONG THE QUARTER SECTION LINE 40 CHAINS A LITTLE MORE OR LESS, TO THE SOUTH BOUNDARY OF SECTION **14** IN SAID TOWNSHIP AND RANGE: AND THENCE ALONG THE SOUTH BOUNDARY OF SAID SECTION **14**, WEST **18** CHAINS, A LITTLE MORE OR LESS TO THE NORTHEASTERLY CORNER OF LANDS CONVEYED BY MRS. R. D. BEAL AND JAMES L. BEAL, HER HUSBAND, TO SAMUEL L. PACKWOOD, BY DEED DATED OCTOBER 25TH, **1885**, AND RECORDED IN VOLUME **104** OF DEEDS AT PAGE **198** SANTA CRUZ COUNTY RECORDS, THENCE SOUTH ALONG THE EASTERLY LINE OF SAID LAST MENTIONED LAND **40** CHAINS TO THE SOUTHEASTERLY CORNER OF SAID LAST MENTIONED LAND ON THE NORTHERLY BOUNDARY OF THE SOUTHWEST QUARTER OF SECTION 23: THENCE EAST ALONG THE NORTH BOUNDARY OF SAID SOUTHWEST QUARTER OF SECTION 23, **18** CHAINS, MORE OR LESS, TO THE PLACE OF BEGINNING.

WHEN RECORDED RETURN TO:
Santa Cruz County Planning Department
701 Ocean Street
Santa Cruz, CA 95060
Attn: Don Bussey
#05-0134
APN: 106-022-11 (9)

UNCONDITIONAL CERTIFICATE OF COMPLIANCE

WHEREAS, Rodger A. Burch and Michele Burch, as Trustees, or their Successors, of The RMB Revocable *Family Trust* Dated February 5, 1999, are the properly owner or vendee of such owners of certain real property located in the County of Santa Cruz, State of California, known as Santa Cruz County Assessor's Parcel Number 106-022-11, and more particularly described in Exhibit "A" attached hereto and incorporated herein by reference; and

WHEREAS, pursuant to an application for Parcel Legality Status Determination, the County of Santa Cruz has determined that such real property is determined to be one legal parcel;

NOW, THEREFORE an Unconditional Certificate of Compliance is hereby issued for the abovedescribed parcel.

FURTHERMORE, THIS CERTIFICATION OF COMPLIANCE SHALL NOT CONSTITUTE A DETERMINATION THAT SAID PARCEL IS BUILDABLE OR IS ENTITLED TO A BUILDING PERMIT OR OTHER DEVELOPMENT APPROVAL WITHOUT COMPLIANCE WITH THE PROVISIONS OF ALL OTHER SANTA CRUZ COUNTY ORDINANCES AND REGULATIONS.

THIS CERTIFICATE OF COMPLIANCE RELATES ONLY TO ISSUES OF COMPLIANCE OR NONCOMPLIANCE WITH THE SUBDIVISION MAP ACT AND LOCAL ORDINANCES ENACTED PURSUANT THERETO. THE PARCEL DESCRIBED HEREIN MAY BE SOLD, LEASED OR FINANCED WITHOUT FURTHER COMPLIANCE WITH THE SUBDIVISION MAP ACT OR ANY LOCAL ORDINANCE ENACTED PURSUANT THERETO. DEVELOPMENT OF THE PARCEL MAY REQUIRE ISSUANCE OF A PERMIT OR PERMITS, OR OTHER GRANT OR GRANTS OF APPROVAL.

DATED _____

COUNTY OF SANTA CRUZ

By: _____
Glenda Hill, AICP
PRINCIPAL PLANNER

STATE OF CALIFORNIA
COUNTY OF SANTA CRUZ

On ___/___/05 before me Bernice Romero, Notary Public, personally appeared Glenda Hill personally known to me to be the person whose name is subscribed to the within instrument and acknowledged to me that she executed the same in her authorized capacity, and that by her signature on the instrument the person or the entity upon behalf of which the person acted executed the instrument.

Witness my hand and official seal

Signature _____

EXHIBIT A

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

BEGINNING ON THE QUARTER SECTION LINE WHICH RUNS EAST AND WEST THROUGH SECTION 23 TOWNSHIP 10 SOUTH OF RANGE 1 EAST MOUNT DIABLO MERIDIAN AT A POINT 69.28 RODS MORE OR LESS EAST OF THE CENTER OF SAID SECTION 23: THENCE WESTERLY 69.28 RODS MORE OR LESS TO THE CENTER LINE OF SAID SECTION: THENCE NORTH ALONG THE QUARTER SECTION LINE RUNNING THROUGH SECTION 23 NORTH AND SOUTH 69.28 RODS MORE OR LESS, THENCE SOUTHEASTERLY IN A STRAIGHT LINE TO THE PLACE OF BEGINNING.

WHEN RECORDED RETURN TO:
Santa Cruz County Planning Department
701 Ocean Street
Santa Cruz, CA 95060
Attn: Don Bussey
#05-0134
APN: 106-022-10(10)

UNCONDITIONAL CERTIFICATE OF COMPLIANCE

WHEREAS, Rodger A. Burch and Michele Burch, as Trustees, or their Successors, of The RMB Revocable Family Trust Dated February 5, 1999, are the properly owner or vendee of such owners of certain real property located in the County of Santa Cruz, State of California, known as Santa Cruz County Assessor's Parcel Number 106-022-10, and more particularly described in Exhibit "A" attached hereto and incorporated herein by reference; and

WHEREAS, pursuant to an application for Parcel Legality Status Determination, the County of Santa Cruz has determined that such real property is determined to be one legal parcel;

NOW, THEREFORE an Unconditional Certificate of Compliance is hereby issued for the above-described parcel.

FURTHERMORE, THIS CERTIFICATION OF COMPLIANCE SHALL NOT CONSTITUTE A DETERMINATION THAT SAID PARCEL IS BUILDABLE OR IS ENTITLED TO A BUILDING PERMIT OR OTHER DEVELOPMENT APPROVAL WITHOUT COMPLIANCE WITH THE PROVISIONS OF ALL OTHER SANTA CRUZ COUNTY ORDINANCES AND REGULATIONS.

THIS CERTIFICATE OF COMPLIANCE RELATES ONLY TO ISSUES OF COMPLIANCE OR NONCOMPLIANCE WITH THE SUBDIVISION MAP ACT AND LOCAL ORDINANCES ENACTED PURSUANT THERETO. THE PARCEL DESCRIBED HEREIN MAY BE SOLD, LEASED OR FINANCED WITHOUT FURTHER COMPLIANCE WITH THE SUBDIVISION MAP ACT OR ANY LOCAL ORDINANCE ENACTED PURSUANT THERETO. DEVELOPMENT OF THE PARCEL MAY REQUIRE ISSUANCE OF A PERMIT OR PERMITS, OR OTHER GRANT OR GRANTS OF APPROVAL.

DATED _____

COUNTY OF SANTA CRUZ

By: _____
Glenda Hill
PRINCIPAL PLANNER

STATE OF CALIFORNIA
COUNTY OF SANTA CRUZ

On ___/___/05 before me Bernice Romero, Notary Public, personally appeared Glenda Hill personally known to me to be the person whose name is subscribed to the within instrument and acknowledged to me that she executed the same in her authorized capacity, and that by her signature on the instrument the person or the entity upon behalf of which the person acted executed the instrument.

Witness my hand and official seal
Signature _____

EXHIBIT A

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

BEING A PORTION OF THE SOUTHEAST QUARTER OF SECTION 23, TOWNSHIP 10 SOUTH RANGE 1 EAST, M.D.B.M., AND BEGINNING AT THE CENTER OF SECTION 23; THENCE ALONG THE CENTER OF SAID SECTION SOUTH 87 DEGREES 55 MINUTES EAST 40 RODS; THENCE SOUTHERLY AND PARALLEL WITH THE WESTERN BOUNDARY OF SAID QUARTER SECTION TO THE SECTION LINE BETWEEN SECTION 23 AND 26, THENCE NORTH 89 DEGREES 5 MINUTES WEST 40 RODS TO THE QUARTER SECTION LINE RUNNING NORTH AND SOUTH THROUGH THE MIDDLE OF SAID SECTION 23, THENCE NORTHERLY ALONG SAID LAST NAMED LINE TO THE PLACE OF BEGINNING. SAVE AND EXCEPT THEREFROM SO MUCH THEREOF AS WAS CONVEYED TO LIZZIE A. THOMPSON BY DEED DATED JANUARY 3, 1899 AND RECORDED IN VOLUME 64 OF DEEDS AT PAGE 366, SANTA CRUZ COUNTY RECORDS, AND DESCRIBED AS FOLLOWS, TO WIT:

BEGINNING AT THE QUARTER POST BETWEEN SECTIONS 23 AND 26 IN TOWNSHIP 10 SOUTH OF RANGE 1 EAST M.D.B.M.; THENCE EAST ON THE SECTION LINE BETWEEN SAID SECTIONS, 10 CHAINS TO LAND OF THOMPSON; THENCE NORTH 33 AND 82/100 CHAINS ALONG THE LINE OF SAID THOMPSON TO THE CENTER OF A GULCH, THE SAME BEING THE NORTHWESTERLY CORNER OF SAID THOMPSON'S LANDS; THENCE ALONG THE CENTER OF SAID GULCH THE GENERAL COURSE BEING NORTH 87 ½ DEGREES WEST 5 AND 27/100 CHAINS AND NORTH 71 DEGREES WEST 5 CHAINS TO A REDWOOD TREE 4 FEET IN DIAMETER ON THE CENTER LINE OF SAID SECTION AND 4 AND 32/100 CHAINS SOUTH OF THE CENTER THEREOF; THENCE SOUTH ON SAID CENTER LINE 35 AND 68/100 CHAINS TO THE PLACE OF BEGINNING.