



COUNTY OF SANTA CRUZ

PLANNING DEPARTMENT

701 OCEAN STREET, SUITE 400, SANTA CRUZ, CA 95060
(831) 454-2580 FAX: (831) 454-2131 TDD: (831) 454-2123
TOM BURNS, DIRECTOR

STAFF REPORT

ZONING ADMINISTRATOR
COUNTY of SANTA CRUZ

February 20, 2004
ITEM 4
Time: 10:00 a.m.

Application No. 03-0116
APN: 087-052-07, 08, 09, 10 and 11
Applicant: C. Philopovitch
Owner: Bennet, Poncin, Beeson

Proposal and Property Location

The proposal is to establish the legality of a five parcels. This requires a Lot Legality Determination/ Certificate of Compliance.

The property is located on an unnamed private right of way off the west side of Hwy 236 about 1/3 mile north of Via Raton; San Lorenzo Planning Area.

Analysis and Discussion

Assessor's Parcel Numbers 087-052-07, 08, 09, 10, and 11 (see Exhibit A) were evaluated as to whether the parcels 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.

The chain of title submitted by the applicant indicates the five parcels were first created by deed in 1968 and early 1969. No map review and approval was obtained as required by both County Code and the State Map Act. The following is a brief history of the parcels (Copies of the deeds are attached as Exhibit B).

Bk 1860 Pg 625 Recorded 01/19/68

Wolff sells to Eberhardt a parcel that is now known as 087-052-07, 08, 09, 10 and 11.

APN 087-052-07; Bk 1871 Pg 212 Recorded 03/19/68

Eberhardt sells to Allshouse a parcel now known as 087-052-07. Allshouse sells this parcel to Wolff, who sells it to Bennet in 1971 (see Bk 2133 Pg 408 recorded 09/30/71).

APN: 087-052-08; Bk 1967 Pg 166 Recorded 08/04/69

Eberhardt sells to Allshouse the parcel now known as 087-052-08., Allhouse sells this parcel to Wolff, who sells it to Bennet in 1971 (see Bk 2133 Pg 408 recorded 09/30/71).

APN 087-052-09; Bk 1862 Pg 455 Recorded 01/31/68

Eberhardt sells to Haefner the parcel now known as 087-052-09. Haefner sold it in 1991 and eventually title to the property was taken by Poncin in 1997 (see 1997-0031462 recorded 07/14/97).

APN 087-052-10; Bk 1873 Pg 156 Recorded 03/28/68

Eberhardt sells to Munch the parcel now known as 087-052-10. Munch transfers the property to Bennet in 1968 (see Bk 1887 Page 672 recorded 06/19/68).

APN 087-052-11; Bk 1873 Page 160 Recorded 03/28/68

Eberhardt sells to Bennet the parcel now known as 087-052-11. Bennet transfers this property to Munch on 06/19/68 (see Bk 1887 Pg 679).

The current owner (Beeson) obtained Title at a Tax Sale in 1999 (see 1999-0023387 recorded 04/01/99).

The parcels are all unimproved (no improvements of any value are noted on the tax valuation). No recorded Record of Survey Map was found which includes the parcels and, based upon County Code Section 14.01.111, some of the parcels are subject to merger.

County Code Section 14.01.109(a) states that a parcel qualifies for an Unconditional Certificate of Compliance only 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 Parcels in question were created by individual deeds recorded in 1968 and early 1969 and not a map.

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

The parcels did not comply with the applicable provisions of the State Map Act at the time the parcels were created (1968 and 1969) in that five parcels were created and no tentative map was processed and final map recorded.

- (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 did not comply with the applicable ordinances in effect at the time the parcel was created (1968 and 1969) in that no map was approved. The zoning at the time of creation was U - Unclassified (Note: Staff was able to find that this area was part of an interim area rezoning which designated the property A-2 1/2 from the U district; see Ordinance 1548 adopted 09/15/70 and Ordinance 1633 adopted 09/14/71; see Exhibit C.).

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

No evidence was found that the property has been combined by the action of the owner. APN 087-052-07 and, 08 could be subject to merger as outlined in section 14.01.111 (b) 2 of the County Code and 66451.302 of the Government Code.

Summary Conclusion:

Based upon the deed evidence submitted, the parcels do not meet the criteria contained within section 14.01.109 of the County Code and the applicable sections of the State Map Act to be considered as individual parcels warranting the issuance of Unconditional Certificates of Compliance, and therefore require the issuance of Conditional Certificate of Compliance. Counsel has reviewed the facts associated with this application and concurs with this conclusion.

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 D):

APN	Owner	Date Acquired	Zone	GP
087-052-07	Bennet	1971	A2 1/2	Conserved area; 1961 County
087-052-08	Bennet	1971	A2 1/2	Conserved area; 1961 County
087-052-09	Poncin	1997	RA	Mt. Res; 1994 County
087-052-10	Bennet	1968	U	Conserved area; 1961 County
087-052-11	Beeson	1999	RA	Mt. Res.; 1994 County

The recommended conditions have incorporated the applicable standards (including zone district standards and the matrix; see Exhibit E) for the year title was obtained (see Exhibit F).

Recommendation:

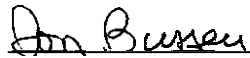
It is RECOMMENDED that the Zoning Administrator take the following actions:

- A) Certify the Environmental determination attached as Exhibit F; and
- B) Direct that the Conditional Certificates of Compliance attached as Exhibit G be recorded

Reviewed 

Cathy Graves
Principal Planner

DATE: 1-21-04

Prepared By: 

Don Bussey
Project Manager

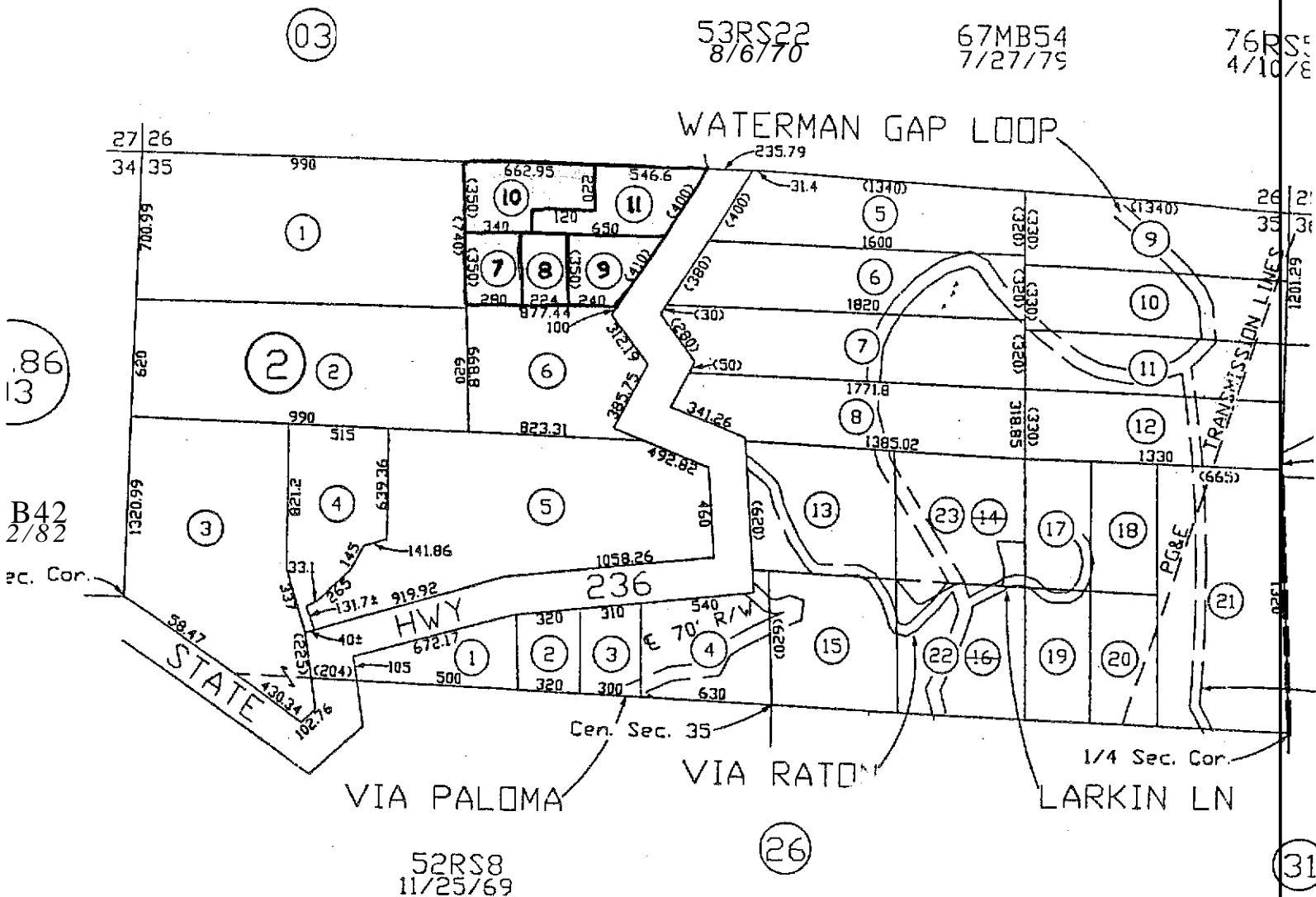
EXHIBITS:

- A. Assessor's map
- B. Copies of Deeds creating lots
- C. Copies of County Ordinances
- D. Copies of Deeds; current owners
- E. Rural Matrix
- F. CEQA Determination
- G. Conditional Certificates of Compliance

FOR TAX PURPOSES ONLY

ASSESSOR MAKES NO GUARANTEE AS TO MAP ACCURACY NOR ASSUMES ANY
 LIABILITY FOR OTHER USES. NOT TO BE REPRODUCED. ALL RIGHTS RESERVED.
 © COPYRIGHT SANTA CRUZ COUNTY ASSESSOR 2000

POR. SECS. 35
 T.8S., R.3W., M.D.



Assessor's Map No. 87-05
 County of Santa Cruz, Calif
 Feb., 2000

EXHIBIT A

Tax Due \$18.70

RECORDING REQUESTED BY

BOOK 1860 PAGE 625

1632

AND WHEN RECORDED MAIL TO

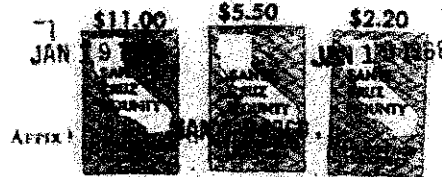
Name
Grantee
191 W. Hamilton Avenue
City & State
Campbell, Calif.
105206-A. S. C. (#)

01632
BOOK 1860 PAGE 625
JAN 19 11 19 AM '68
SANTA CRUZ LAND TITLE CO.
RECORDING DEPT.

SPACE ABOVE THIS LINE FOR RECORDER'S USE

MAIL TAX STATEMENTS TO

Name
AS ABOVE
City & State



Grant Deed

THIS FORM FURNISHED BY TITLE INSURANCE AND TRUST COMPANY

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

WILDA WOLFF

hereby GRANT(S) :

JAMES EBERHARDT, a married man,

the following described real property in the
County of Santa Cruz

State of California:

All that portion of the North 1/2 of the North 1/2 of the Northwest 1/4 of Section 35, T. 8 S., R. 3 W., M.D.B. & M. lying West of the State Highway as per deed to State of California recorded June 14, 1916, in Volume 271, page 230 of Deeds, Santa Cruz County Records, EXCEPTING the West 990 feet thereof.

TOGETHER WITH the right of way as set out in the Right of Way

Agreement between Wilda Wolff and Dr. H. Sidney Newcomer et ux dated November 28, 1966, recorded December 5, 1966 in Volume 1796, page 62, Official Records of Santa Cruz County.

Dated December 4, 1967

Wilda Wolff

CITY OF CALIFORNIA

County of Santa Cruz

On this day personally appeared before me, the undersigned, a Notary Public in and for said State, personally appeared

Wilda Wolff



J. E. NOHRDEN
NOTARY PUBLIC - CALIFORNIA
PRINCIPAL OFFICE IN
SANTA CRUZ COUNTY

WITNESSETH my hand and official seal this day of December, 1967.

Notary Public in and for said State

Title Order No.

Exhibit No.

EXHIBIT B

Tax Due \$ 8.25 (paid)

GRANT DEED (JOINT TENANCY)

7106

Recorded at the request of

Return to

Mr. Dennis R. Allshouse13211 Heath StreetSaratoga, California 95070

WMPAREO

SC 105429-N

\$5.50

MAR 14 1968



\$2.75

MAR 14 1968



For value received JAMES EBERHARDT and LINDA L. EBERHARDT, his wife,

GRANT to DENNIS R. ALLSHOUSE and LINDA A. ALLSHOUSE, his wife,

as JOINT TENANTS all that real property situate in the

County of Santa Cruz, State of California, described as follows:

BEING that portion of the South one-half of the North one-half of the North one-half of the Northwest 1/4 of Section 35, T. 8 S., R. 3 W., M. D. B. & M., lying West of the State Highway, as conveyed by Deed to the State of California, recorded in Volume 271, page 230 of Deeds, Santa Cruz County Records.

EXCEPTING therefrom the West 990 feet thereof.

ALSO EXCEPTING from the lands above described that portion lying East of a line running North and South, which is 464 feet West of the intersection of the South boundary of the above described parcel with the Westerly line of said State Highway.

TOGETHER with and SUBJECT to the right of way as set out in the Right of Way Agreement between Wilda Wolff and Dr. H. Sidney Newcomer, at ux, dated November 28, 1966, recorded December 5, 1966 in Volume 1796, page 62, Official Records of Santa Cruz county.

Tax Parcel No. 87-051, part of 29.

Dated February 19, 1968

James Eberhardt
Linda L. Eberhardt

STATE OF CALIFORNIA

County of Santa Cruz

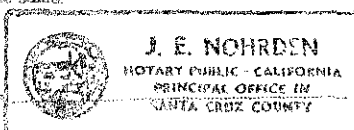
On February 21, 1968, before me, the undersigned, a Notary

Public in and for said County and State, personally appeared

JAMES EBERHARDT and LINDA L. EBERHARDT

known to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

My commission expires



J. E. Norden
 Notary Public

EXHIBIT B

NOV 1967 FILE 166

TAX DUE \$ None

GRANT DEED (JOINT TENANCY)

22382

Recorded at the request of

Return to

Dennis R. Allshouse

204 More Avenue

Los Gatos, Calif. 95030

RECORDED AT REQUEST OF

AUG 4 11 00 AM '69

OFFICIAL RECORDS
SANTA CRUZ COUNTY
TOM M. KELLEY
RECORDER

022382
NOV 1967 FILE 166

105429-N. S. C (b)

For value received JAMES EBERHARDT and LINDA L. EBERHARDT, his wife

GRANT to DENNIS R. ALLSHOUSE and LINDA A. ALLSHOUSE, his wife

as JOINT TENANTS all that real property situate in the

county of Santa Cruz, State of California, described as follows

BEING that portion of the south one-half of the North one-half of the North one-half of the Northwest 1/4 of Section 35, T. 8 S., R. 3 W., M. D. S. 6 M. lying West of the State Highway, as conveyed by Deed to the State of California, recorded in Volume 271, page 230 of Deeds, Santa Cruz County Records.

EXCEPTING therefrom the West 990 feet thereof.

ALSO EXCEPTING therefrom the lands conveyed to

(a) Leslie L. Haefner by Deed recorded in Volume 1880, page 211, Official Records of Santa Cruz County;

(b) Dennis E. Allshouse et ux by Deed recorded in Volume 1871, page 212, Official Records of Santa Cruz county.

TOGETHER with and SUBJECT to the right of way as set out in the Right of Way Agreement between Wilda Wolff and Dr. E. Sidney Newcomer et ux, dated November 28, 1966, recorded December 5, 1966 in Volume 1796, page 62, Official Records of Santa Cruz County.

Assessor's Parcel No.: 87-051-39

Dated July 30 1969

James Eberhardt
Linda L. Eberhardt

STATE OF CALIFORNIA

County of Santa Cruz ss.

On August 4 1969 before me, the undersigned, a Notary Public in and for said County and State, personally appeared

JAMES EBERHARDT and LINDA L. EBERHARDT

known to me to be the person(s) who executed the within instrument, and acknowledged to me that he/she executed the same.

My commission expires 12-15-69



J. E. NORDEN
NOTARY PUBLIC - CALIFORNIA
GENERAL OFFICE IN
SANTA CRUZ COUNTY

Notary Public

Send Tax Statements to:

Name Grantor Address above

EXHIBIT B

Recorded at the request of

Jane Eberhardt

Return to

Jane Eberhardt
5270 Scotts Valley Dr.
Scotts Valley, Calif.
105429-N S.E.

3000

JUN 31 3 05 PM '68

SANTA CRUZ LAND TRUST CO.

ORDER AT REQUEST OF

BOOK 1862 PAGE 455

02643

Agreement for Sale of Real Estate

THIS AGREEMENT, made in duplicate this 3rd day of November,
 A.D. 1967, by and between

JAMES W. EBERHARDT

hereinafter called the seller, and

LESLIE L. HAEFNER

hereinafter called the buyer.

WITNESSETH: That the seller, in consideration of the covenants and agreements on the part of the buyer hereinafter contained, agrees to sell and convey unto the buyer, and said buyer agrees to buy the following described real property, situate in the

County of Santa Cruz,

State of California, to-wit:

That part of the South 1/2 of the North 1/2 of the North 1/2 of the Northwest 1/4 of Section 35, T8S, R3W, M.D.B.& M. lying West of the State Highway and lying East of a North-South line being 464 feet West of the point where the North boundary of the South 1/2 of the North 1/2 of the North 1/2 of the Northwest 1/4 intersects the State Highway.

For the sum of Five Thousand Five Hundred and No/100

Dollars,

(\$ 5,500.00) in lawful money of the United States; payable as follows, to-wit:
 \$500.00 cash

upon the execution of these presents, the receipt whereof is hereby acknowledged, and the balance as follows, to-wit:

\$5,000.00 payable \$85.25 per month for 6 years having interest at 7% per annum. Seller agrees to deliver a deed after \$1,925.00 in principal has been paid.

Additional payments may be made at any time.

All deferred payments shall bear interest at the rate of 7% per cent per annum, payable monthly starting with the first payment on February 5, 1968 and if not so paid it shall, at the option of the seller, be added to the principal and bear a like rate of interest. If any installment of principal or interest be not paid when due, then the whole of the principal and interest shall at the option of the seller, without notice, become forthwith due and payable.

The buyer hereby agrees to PAY the said principal and interest at the times and in the manner herein mentioned. And the buyer further agrees to do and perform the following:

1. Pay all taxes and assessments which become a lien on the premises. Taxes and assessments for the current fiscal year to be prorated from date hereof.

2. Pay all indebtedness incurred by the acts of the buyer, on, or which may become a lien on the premises.

~~3. To provide, maintain and deliver to seller fire insurance satisfactory to and with loss payable to seller. The amount collected under any fire or other insurance policy may be applied by seller upon the purchase price or an option of seller the entire amount so collected or any part thereof may be released to buyer. Such application or release shall not cure or waive any default hereunder.~~ *L. Haggren, J. W. Eberhardt*

4. To keep said property in good condition and repair; to cultivate, irrigate, fertilize, fumigate, prune and do all acts which from the character or use of said property may be reasonably necessary, the specific enumerations herein not excluding the general.

5. Obtain the written consent of the seller before the buyer destroys any trees or makes any alterations or additions to the improvements on the premises.

6. Not to violate or permit the violation of any law which might cause the closing of the premises or any part thereof.

7. To pay reasonable attorney's fees to the event that suit is brought hereunder for the recovery of the possession of the above described premises, or for the enforcement or breach of any of the terms hereof, or to clear this agreement or lien done or suffered by the buyer from the record. Said attorney's fees shall become due at the time of filing any such action.

And the seller hereby agrees to do and perform the following:

1. In the absence of default, to permit the buyer to remain in possession of the above described premises from date hereof.

2. Upon the full performance by the buyer, of all the terms and conditions hereof, to make, execute and deliver to buyer a good and sufficient deed conveying the above described premises to the buyer, free and clear of all encumbrances, made or suffered by the seller.

It is further hereby agreed:

1. That the seller shall have the right from time to time, to enter upon the premises for the purpose of inspection.

2. In the event that the buyer fails to keep said premises free of taxes, liens and assessments, or to insure or to for said premises, as hereinbefore provided, seller, without notice, may pay such taxes, liens and assessments, insurance premiums and cost of caring for said premises, and all payments made therefor, shall be added to and become a part of the purchase price and become immediately due and payable from buyer to seller and shall bear interest at the rate of per cent per annum until repaid.

3. That upon request of seller, buyer will accept a deed conveying said premises to buyer and will execute to seller or nominee a promissory note or notes, secured by deed of trust upon the said premises for the full amount remaining unpaid hereunder, which note or notes and deed of trust shall be executed by such persons and be in such form as is satisfactory to seller and shall, as to principal and interest, correspond to the terms hereof.

4. That this agreement is not assignable in whole or in part, either by operation of law, or otherwise, without the prior written consent of the seller.

5. That the performance by the buyer of all the terms hereof is a condition precedent, whereon depends the performance of the agreements on the part of the seller.

6. That the waiver by the seller of any breach of any term hereof shall not be a waiver of any subsequent or other breach hereof nor of any term or condition hereof.

7. That in the event of the failure of the buyer to comply with the whole or any of the terms hereof, the seller shall be released from all obligations in law or in equity to convey said premises, shall be entitled to immediate possession thereof, and the buyer shall forfeit all rights hereunder and the seller shall retain all moneys paid hereunder as rent and compensation for the use and occupancy of said premises.

8. That time is of the essence of this agreement.

IN WITNESS WHEREOF the parties hereto have executed this instrument the day and year first hereinabove written.

Lillian L. Haggren
James W. Eberhardt
Linda L. Eberhardt

Agreement for Sale

TO

SANTA CRUZ LAND TITLE CO.

116 COOPER STREET
SANTA CRUZ, CALIFORNIA
Phone 423-7430

Affiliated with
Western Title Insurance and Guaranty Co.
San Francisco, California

EXHIBIT B

BOOK 1862 PAGE 457

STATE OF CALIFORNIA, County of Santa Clara

ON January 6, 1968, before me, the undersigned a
Notary Public in and for the State of California with principal office in the
County of Santa Clara, personally appeared
Leslie L. Haefner

known to me to be the person whose name is
subscribed to the within Instrument, and acknowledged to me that he
executed the same. WITNESS my hand and official seal.

SIGNATURE OF NOTARY

NOTARY PUBLIC IN AND FOR THE STATE OF CALIFORNIA

R. EWART, JR.

NOTARY'S NAME AND COMMISSION
EXPIRATION DATE PRINTED

My Commission Expires Jan. 10, 1969

STATE OF CALIFORNIA,

Santa Clara County of Santa Clara

On this 9 day of January, in the year one thousand nine hundred and SIXTY EIGHT

before me, RALPH JACK WYDAL, a Notary Public,
State of California, duly commissioned and sworn, personally appeared

JAMES W. FERNHARDT and
LINDA E. FERNHARDT

known to me to be the persons whose names ARE subscribed to the within instrument
and acknowledged to me that they executed the same.

IN WITNESS WHEREOF I have hereunto set my hand and affixed my official seal
in the SAID County of SANTA CLARA the day and year in this
certificate first above written.

Ralph Jack Wydal
Notary Public, State of California

My Commission Expires February 4, 1969

Notary's Exam. No. 22 - Acknowledgment - General
F. Sec. 11301

EXHIBIT B

VALLEY TITLE COMPANY

Escrow # _____
Co. Bill # _____
Code Area _____

WHEN RECORDED MAIL TO
Mr. & Mrs. Russell C. Munch
1625 Knollwood Ave.
San Jose, California 95125

105603-N. S. C.

BOOK 1873 PAGE 156

2nd

SANTA CRUZ LAND TITLE CO.
MAR 20 3 51 PM '68

BOOK 1873 PAGE 156
RECORDED AT THE OFFICE OF

8090

08090

MAIL TAX STATEMENT TO
Name Mr. & Mrs. Russell C. Munch
Address 1625 Knollwood Ave.
City & State San Jose, California 95125

GRANT DEED

Tax Due \$6.60 (paid)

By this instrument dated March 19, 1968, for a valuable consideration,

JAMES EBERHARDT and LINDA L. EBERHARDT, his wife

hereby GRANT (S) to

RUSSELL C. MUNCH and MARGARET L. MUNCH, his wife

the real property situate in the
County of Santa Cruz
Parcel A:

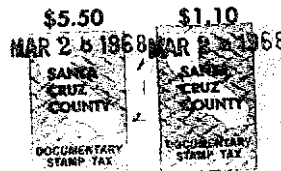
State of California, described as follows:

All that portion of the North $\frac{1}{2}$ of the North $\frac{1}{2}$ of the North $\frac{1}{2}$ of the Northwest $\frac{1}{4}$ of Section 35, T. 8 S., R. 3 W., M.D.B.&M., excepting the West 990 feet thereof, which lies West of the following described line:

Beginning at a point on the North line of said Section 35, distant thereon 813.79 feet West from the Northeast corner of said Northwest $\frac{1}{4}$; thence South 220 feet; thence West 316.70 feet; thence South to the South line of said North $\frac{1}{2}$ of the North $\frac{1}{2}$ of the North $\frac{1}{2}$ of the Northwest $\frac{1}{4}$ of said Section 35.

Together with the right of way as set out in the right of way agreement between Wilda Wolff and Dr. H. Sidney Newcomer, et ux, dated November 28, 1966 recorded December 5, 1966 in Volume 1796 of Official Records, at page 62, Santa Cruz County Records,

Also together with a right of way for road purposes over and upon any and all existing roads from the herein described property to any public road or highway.



James Eberhardt
James Eberhardt
Linda L. Eberhardt
Linda L. Eberhardt

STATE OF CALIFORNIA
COUNTY OF Santa Clara

On March 19, 1968

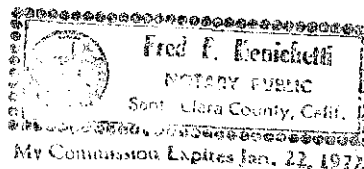
and State, personally appeared

James Eberhardt and Linda L. Eberhardt

known to me to be the person whose name is subscribed to the within instrument and acknowledged that they executed the same.

WITNESS my hand and official seal:

My Commission Expires:



Notary Public

STC-101

MAIL TAX STATEMENTS AS DIRECTED ABOVE

EXHIBIT B
COMPARISON
[Signature]

Escrow # _____

Co. Bill # _____

Code Area _____

WHEN RECORDED MAIL TO

Mr. & Mrs. David S. Bennet
5699 Indian Ave.
San Jose, Calif.

105603-N. S. C.

Tax Due \$6.60 (paid)

MAIL TAX STATEMENT TO
Name Mr. & Mrs. David S. Bennet
Address 5699 Indian Ave.
City & State San Jose, Calif.
L

GRANT DEED

By this instrument dated March 19, 1968 for a valuable consideration,

JAMES EBERHARDT and LINDA L. EBERHARDT, his wife

hereby GRANT (\$) to

DAVID S. BENNET and NAOMI G. BENNET, his wife

the real property situate in the

County of Santa Cruz State of California, described as follow:

Parcel B:

All that portion of the North $\frac{1}{2}$ of the North $\frac{1}{2}$ of the North $\frac{1}{2}$ of the Northwest $\frac{1}{4}$ of Section 35, T. 8 S., R. 3 W., M.D.B. & M. lying West of the State Highway and East of the following described line:

Beginning at a point on the North line of said Section 35, distant thereon 813.79 feet West from the Northeast corner of said Northwest $\frac{1}{4}$; thence South 220 feet; thence West 316.70 feet; thence South to the South line of said North $\frac{1}{2}$ of the North $\frac{1}{2}$ of the North $\frac{1}{2}$ of the Northwest $\frac{1}{4}$ of said Section 35.

Together with the right of way as set out in the right of way agreement between Wilda Wolff and Dr. H. Sidney Newcomer, et ux, dated November 28, 1966, recorded December 5, 1966 in Volume 1796 of Official Records, at page 67, Santa Cruz County Records.

Also together with a right of way for road purposes over and upon any and all existing roads from the herein described property to any public road or highway.

Linda L. Eberhardt
Linda L. Eberhardt

x *James Eberhardt*
James Eberhardt

STATE of CALIFORNIA

County of Santa CruzOn March 19, 1968

and State, personally appeared

before me, the undersigned, a Notary Public in and for said James Eberhardt, and Linda L. Eberhardt

County

Known to me to be the person whose name is subscribed to the within instrument and acknowledged that they executed the same.
WITNESS my hand and official seal.

My Commission Expires:

Notary Public

V. C. 191

MAIL TAX STATEMENTS AS DIRECTED ABOVE

EXHIBIT B

INTERIM ORDINANCE OF THE COUNTY OF SANTA CRUZ, STATE OF CALIFORNIA, ZONING AN AREA IN A PORTION OF THE SANTA CRUZ MOUNTAINS AREA

The Board of Supervisors of the County of Santa Cruz, State of California, do ordain as follows:

Section I

This ordinance is an emergency ordinance enacted for the immediate protection of the public safety, health, and welfare of the County of Santa Cruz.

Section II

The Board of Supervisors of the County of Santa Cruz, State of California, have adopted a County Zoning Ordinance under the provisions of which precise zoning regulations may be applied in the unincorporated areas of the County. Said Board finds that the County Planning Department intends to undertake studies in the very near future for the purposes of adopting a comprehensive zoning plan for the area hereinafter described, and that a substantial part of said area will be zoned A-2-1/2. Said Board further finds that in order that development in the area proceed in an orderly fashion and in order that a certain degree of administrative control over the various range of land uses be retained during the completion of said studies, it is necessary that the following interim regulations be applied immediately.

Section III

During the effective period of this ordinance, no use other than the uses permitted in A-2-1/2 zoning districts shall be permitted unless a use permit is granted for the use pursuant to the provisions of Sections 13.04.320-13.04.326 of the Santa Cruz County Code in the area shown as U (Unclassified Districts) on Exhibit "A" attached hereto.

Section IV

No land or portion thereof shown on the records of the County Recorder on the effective date of this ordinance shall be affected by this ordinance.

Section V

This ordinance shall take effect immediately and shall be in effect for one year unless earlier amended by action of this Board. At the end of the one-year period, any property included herein shall revert to the same district which was in effect prior to the effective date of this ordinance unless this ordinance is extended or the property rezoned in accordance with Section 65858, et seq of the Government Code.

TSS R2W
Sec. 18 Map # 8
19 11
30 21
31 32

TSS R3W
Sec. 12 Map # 4
13 7
24 10
25 20
26 19
27 18
33 28
34 29
35 30
36 31
28 17

TSS R1W
Sec. 31 Map # 151

TSS R2W
Sec. 5 Map # 49
6 48
7 65
8 66
9 67
10 68
13 88
14 87
15 86
16 85
17 84
18 83
19 102
20 103
21 104
22 105
23 106
24 107
25 128
26 127
27 126
28 125
33 147
34 146
35 149
36 150

TSS R3W
Sec. 1 Map # 47
2 46
3 45
4 44
6 61
10 62
11 63
12 64
13 82
14 81
15 80
16 79
21 88
22 99
23 100
24 101
25 102

TSS R1W
Sec. 1 Map # 174

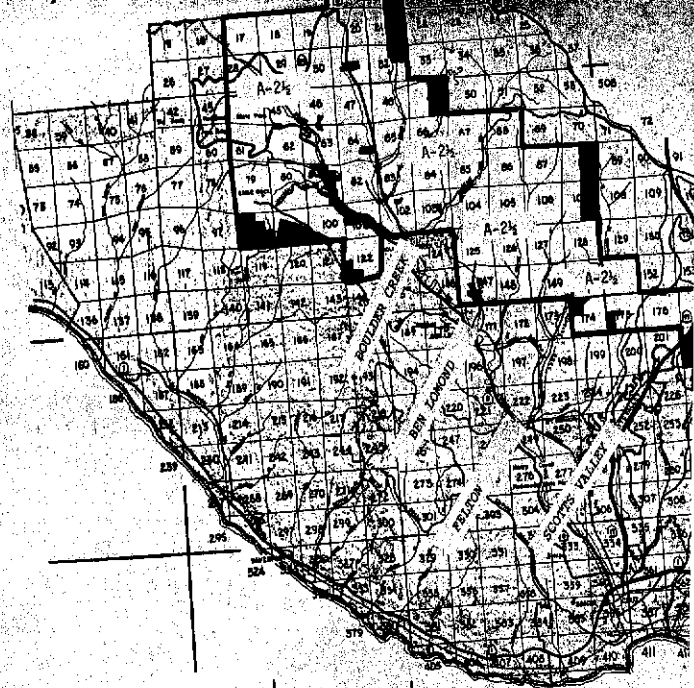
EXHIBIT "A"

by the following vote:
AYES: SUPERVISORS Cress, Sanson, Mello, McCallie, Chairman Forbus
NOES: SUPERVISORS None
ABSENT: SUPERVISORS None

D. DAN FORBUS
Chairman of said Board

ATTEST: TOM M. KELLEY
Clerk of said Board

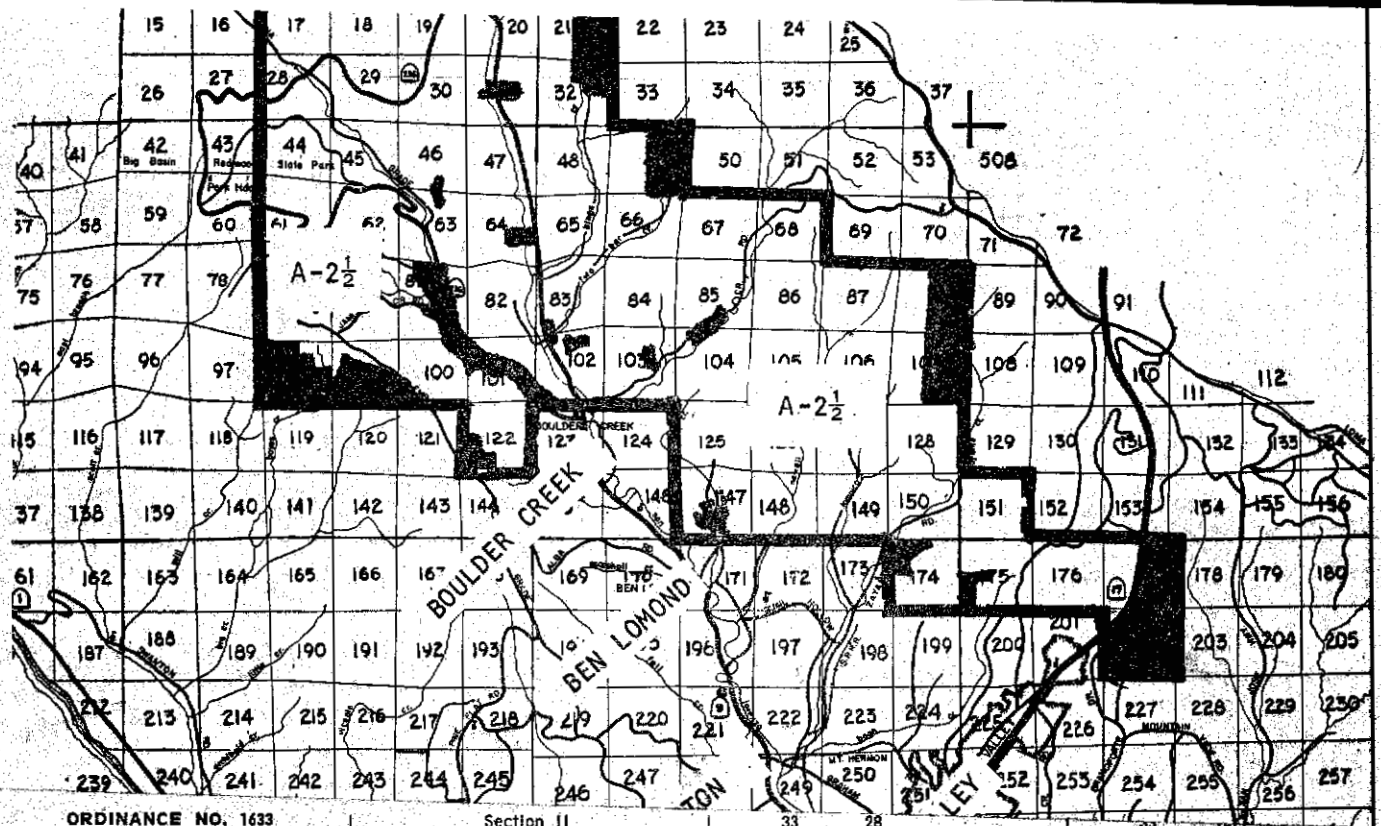
PASSED AND ADOPTED this 15th day of September, 1970.



SHADED AREAS INDICATE EXISTING ZONING ARE NOT EFFECTED BY THIS ORDINANCE

1548

1568



ORDINANCE NO. 1633
AN INTERIM EMERGENCY
ORDINANCE AMENDING INTERIM
ORDINANCE NO. 1548 TO EXTEND
THE TIME FOR EXPIRATION
THEREOF

WHEREAS, the Board of Supervisors has held hearings and considered all of the evidence offered in this matter all in accordance with Section 65868 e; seq. of the California Government Code, as amended;

NOW, THEREFORE, the Board of Supervisors of the County of Santa Cruz do ordain as follows:

Section I
 Ordinance No. 1548, entitled "An Interim Ordinance of the County of Santa Cruz, State of California, Zoning an Area in a Portion of the Santa Cruz Mountains Area," adopted September 15, 1971, is hereby amended by adding Section VI thereto, said new section to read:

"Section VI. The expiration date of this ordinance is extended for [blank] in accordance with Section 65868 e; seq. of the California Government Code."

Section II
 This ordinance shall take effect immediately from and after the date of its adoption.

PASSED AND ADOPTED by the Board of Supervisors of the County of Santa Cruz, State of California, this 14th day of September, 1971, by the following vote:

AYES: Supervisors — Forbus, Mello,

Harry, Cress, and Sanson

NOES: Supervisors — None

ABSENT: Supervisors — None

RALPH SANSON

Chairman of said Board

ATTEST: TOM M. KELLEY

Clerk of said Board

EXHIBIT "A"

T8S R2W

Sec. 18 Map No. 8

19 11

30 21

31 32

T8S R3W

Sec. 12 Map No. 4

13 7

24 10

25 20

26 19

27 18

33 28
 34 29
 35 30
 36 31
 28 17
 T9S R1W
 Sec. 31 Map No. 151
 T9S R2W
 Sec. 5 Map No. 49

6 48
 7 65
 8 66
 9 67
 10 68
 13 88
 14 87
 15 86
 16 85
 17 84
 18 83
 19 102
 20 103
 21 104
 22 105
 23 106
 24 107
 25 128
 26 127
 27 126
 28 125

T9S R3W
 Sec. 1 Map No. 47
 2 46
 3 45
 4 44
 9 61
 10 62
 11 63
 12 64
 13 82
 14 81
 15 80
 16 79
 21 98
 22 99
 23 100
 24 101
 25 122

T10S
 Sec. 4 Map No. 177
 5 176
 6 175
 9 202

T10 R2W

County Counsel

REF: Planning Commission Recommendation

39-71

EXHIBIT

1633

Return to

David S. Bennet

5699 Indian Ave.

San Jose, Ca. 95123

035392
BOOK 2133 PAGE 408
OFF. OF THE CLERK
COUNTY OF SANTA CRUZ
ORDER

SEP 30 10 58 AM '71

RECORDED AT REQUEST OF

SANTA CRUZ LAND TITLE COMPANY

Escrow No. 117463-N

DOCUMENTARY TRANSFER TAX is \$ 1.25

- ☒ computed on full value
☐ computed on full value less liens

By

Wilda Wolff

For value received WILDA WOLFF

GRANTS to DAVID S. BENNET and NAOMI G. BENNET, his wife,

830-71-765-00093

6

0.00825

as JOINT TENANTS all that real property situate in the

County of Santa Cruz, State of California, described as follows:

Being that portion of the South one-half of the North one-half of the North one-half of the Northwest 1/4 of Section 35, T. 8 S., R. 3 W., M.D.B. & M. lying West of the State Highway, as conveyed by deed to the State of California, recorded in Volume 271, page 230 of Deeds, Santa Cruz County Records.

EXCEPTING therefrom the West 990 feet thereof.

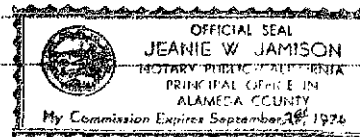
ALSO EXCEPTING from the lands above described that portion lying East of a line running North and South, which is 464 feet West of the intersection of the North boundary of the above described parcel with the westerly line of said state highway.

TOGETHER with the right of way as set out in the Right of Way Agreement between Wilda Wolff and Dr. H. Sidney Newcomer, et ux dated November 28, 1966, recorded December 5, 1966 in Volume 1796, page 62. Official Records of Santa Cruz County. W-W

Assessor's Parcel No.: 87-051-36 & 39

Wilda Wolff

Dated September 7, 1971



STATE OF CALIFORNIA

County of Alameda

September 27, 1971

before me, the undersigned, a Notary

Public in and for said
Wilda Wolff

county and State, personally appeared

known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that she executed the same.

My commission expires Sept. 24, 1974

Jeanie W. Jamison
Notary Public

Mail Tax Statement to: Grantee

above

Name

Address

Zip Code

RECORDING REQUESTED BY

CAROL N. SHAPIRO, ESQ.
1245 S. Winchester Blvd.
Suite 304
San Jose, CA 95128

AND WHEN RECORDED MAIL TO

Name CAROL N. SHAPIRO, ESQ.
Street Address 1245 S. Winchester Blvd.
Suite 304
City State Zip San Jose, CA 95128

1997-0031462

Recorded
Official Records
County of
SANTA CRUZ
RICHARD W. BEDAL

REC FEE 10.0

08:02AM 14-Jul-1997

DJR
Page 1 of 2

181819

The undersigned Grantor(s) declare(s) under penalty of perjury that the following is true and correct:
Documentary transfer tax is \$ 0 - no consideration, gift transfer between parent & child
() computed on full value of property conveyed, or
() computed on full value less value of liens and encumbrances remaining at time of sale.
(X) Unincorporated area: () City of _____, and

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

hereby REMISE(S), RELEASE(S) AND FOREVER QUITCLAIM(S) to

LYNETTE PONCIN, a married woman, as her sole and separate property

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

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

Dated July 5, 1997

State of California
County of Santa Cruz

On July 5, 1997
before me, Mary J. Rather, Notary Public,
personally appeared Wynema Guinn

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 J. Rather

Wynema Guinn
WYNEMA GUINN



MAIL TAX
STATEMENTS TO: LYNETTE PONCIN, 28875 Big Basin Way, Boulder Creek, CA 95006
NAME ADDRESS CITY, STATE, ZIP

EXHIBIT D

087-052-09
ASS BSORS PARCEL NO.

EXHIBIT "A"

The following real property situated in the County of Santa Cruz, State of California, described as follows:

That portion of the South 1/2 of the North 1/2 of the North 1/2 of the Northwest 1/4 Section 35, T. 8 S., R. 3 We., M.D. B. & M., lying West of the State Highway and lying East of North-South line being 464 feet West of the point where the North boundary of the South 1/2 of the North 1/2 of ~~the~~ North 1/2 of the Northwest 1/4 intersects the State Highway.

said land is the same as was first conveyed to Leslie L. Haefner by deed recorded May 7, 1968, in Book 1880, Page 211, Official Records of Santa Cruz County.

(APN: 087-052-09)

EXHIBIT D

RECORDING REQUESTED BY

WHEN RECORDED MAIL TO
 Wool, Richardson, Colbert & Shea
 Attorneys at Law
 700 First National Bank Building
 San Jose, California 95113
 Telephone: 295-2381

BOOK 1887 PAGE 672
 16181
 JUN 19 11 20 AM '68
 SANTA CRUZ LAND RECORDS
 RECORDED AT REQUEST OF

MAIL TAX STATEMENT TO

Name Mr. and Mrs. David S.
 Bennet
 Address 5699 Indian Avenue
 City & State San Jose, California

QUIT CLAIM DEED

No Taxable Consideration

RUSSELL C. MUNCH and MARGARET L. MUNCH, his wife
 quit claims to DAVID S. BENNET and NAOMI G. BENNET, his wife

the real property situated in the

County

of Santa Cruz
 PARCEL A:

, State of California, described as follows.

All that portion of the North 1/2 of the North 1/2 of the North 1/2 of the Northwest 1/4 of Section 35, T. 8 S., R. 3 W., M.D.B. 6 M., excepting the West 990 feet thereof, which lies West of the following described line:

Beginning at a point on the North line of said Section 35, distant thereon 813.79 feet West from the Northeast corner of said Northwest 1/4; thence South 220 feet; thence West 316.70 feet; thence South to the South line of said North 1/2 of the North 1/2 of the North 1/2 of the Northwest 1/4 of said Section 35.

Together with the right of way as set out in the right of way agreement between Wilda Wolff and Dr. H. Sidney Newcomer, et ux, dated November 28, 1966, recorded December 5, 1966, in Volume 1796 of Official Records, at page 62, Santa Cruz Records.

Also, together with a right of way for road purposes over and upon any and all existing roads from the herein described property to any public road or highway.

Dated: May 20, 1968

Russell C. Munch
 Russell C. Munch

Margaret L. Munch
 Margaret L. Munch

STATE OF CALIFORNIA
 COUNTY OF
 Santa Clara

ss.

On May 20, 1968, before me, a Notary Public, in and for said County and State, personally appeared RUSSELL C. MUNCH and MARGARET L. MUNCH known to me to be the persons whose names are subscribed to the within instrument and acknowledged to me that they executed the same.

Louise S. James
 Notary Public in and for said County and State

My Commission Expires

Sept 20, 1971

VALLEY TITLE COMPANY

MAIL TAX STATEMENTS AS DIRECTED ABOVE



LOUISE S. JAMES
 NOTARY PUBLIC
 Santa Clara County, Calif.

EXHIBIT D

RECORDED AT THE REQUEST OF
SANTA CRUZ COUNTY TAX COLLECTOR

RETURN TO:

BEESON, RON
1232 EDGEWOOD ROAD
REDWOOD CITY CA 94062

Tax Bill will be mailed to above address

1999-0023387

Recorded
Official Records
County Of
SANTA CRUZ
RICHARD W. BEDAL
Recorder

REC FEE 10.00
TAX 13.20
SURVEY 10.00

08:02AM 01-Apr-1999

CDC
Page 1 of 2

Doc Trans Tax-computed on full value of property conveyed \$ 13.20

R. D. W. Bedal
Signature of Declarant

TAX DEED TO PURCHASER OF TAX-DEFAULTED PROPERTY

On which the legally levied taxes were a lien for Fiscal Year
and for nonpayment were duly declared to be in default.

1992-1993

087-052-11

Default Number

This deed, between the Tax Collector of Santa Cruz County ("SELLER")
and BEESON, RON ("PURCHASER")
conveys to the PURCHASER, free of all encumbrances of any kind existing before the sale, except those referred to in
§3712 of the Revenue and Taxation Code, to the real property described herein
which the SELLER sold to the PURCHASER by Public Auction on March 19, 1999
pursuant to a statutory power of sale in accordance with the provisions
of Division 1, Part 6, Chapter 7, Revenue and Taxation Code, for the sum of \$ 12,000.00

No taxing agency objected to the sale.

In accordance with law, the SELLER hereby grants to the PURCHASER that
real property situated in said county, State of California, last assessed to
QUAD DEVELOPMENT COMPANY
described as follows:

087-052-11
Assessor's Parcel Number

SEE EXHIBIT "A"

State of California
Santa Cruz County

Executed on March 19, 1999

By R. D. W. Bedal
Tax Collector

On March 19, 1999, before me Cynthia Karl, appeared Richard W. Bedal,
County Tax Collector, personally known to me to be the person whose name is subscribed
to the within instrument and acknowledged to me to be the same person whose name is
subscribed to the within instrument and acknowledged to me that he executed the same
in his authorized capacity, and that by his signat on the instrument, the person
or entity on behalf of which the person acted, executed the instrument.

Witness my hand and official seal.

Christine Patton
Clerk of the Superior Court
3745 R 3804 P & T CODE

Cynthia Karl
Deputy

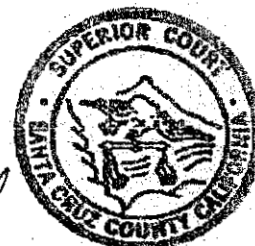


EXHIBIT D

EXHIBIT "A"

Situate in the County of Santa Cruz, State of California and more particularly described as follows:

Parcel One:

ALL that portion of the North 1/2 of the North 1/2 of the North 1/2 of the Northwest 1/4 of Section 35, Township 8 South, Range 3 West, Mount Diablo Base and Meridian, lying West of the State Highway and East of the following described line:

BEGINNING at a point on the North line of said Section 35, distant thereon 823.79 feet West from the Northeast corner of said Northwest 1/4 thence South 220 feet; thence West 316.70 feet; thence South to the South line of said North 1/2 of the North 1/2 of the North 1/2 of the Northwest 1/4 of said Section 35.

Parcel Two:

A right of way, as set out in the Right of Way Agreement between Wilda Wolff and Dr H Sidney Newcomer, et ux, dated November 28, 1966, recorded December 5, 1966 in Volume 1796 of official records, at Page 62, Santa Cruz County records.

Parcel Three:

A right of way for road purposes over and upon any and all existing roads from the herein described property to any public road or highway.

Parcel Four:

A boundary agreement and grant of reciprocal easement between Munch and Bennet dated November 18, 1972.

APN: 087-052-11

RURAL MATRIX 087-052-09 and 11

MATRIX

Current Point Score

1.	Location: GP designation is Mt. Residential; less than 18 feet in width access road	0
2.	Groundwater Quality: Inadequate Quantity and Poor Quality; Private well.	1
3.	Water Resource Protection Not in a Ground Water Recharge area, Part in a Water Supply Watershed, within a mapped Septic Problem area	2
4.	Timber Resources No mapped timber resource.	10
5.	Biotic Resource Development out of area of Critical wildlife, vegetation or rare plant habitat.	10
6.	Erosion Butano Assumed average slope of 30% to 50%	2
7.	Seismic Activity No fault zone and no low liquefaction potential.	9
8.	Landslide Butano Assumed average slope of 30% to 50%	5
9.	Fire Hazard No Critical Fire Hazard Area mapped on parcel, On a non dead end road less than 18 feet in width, 10+ min response time.	8

	SUBTOTAL	47
	SUBTRACT CUMULATIVE CONSTRAINT POINTS	
	GRAND TOTAL	41

Minimum Average Developable Parcel Size*
(from Table 10 - Cumulative Constraint Points
Page 13D-67 as determined by the point score):
Number of Potential Building Sites* (developable acreage divided by
minimum average parcel size).
25 acres

NOTE: The Mean Average gross parcel size within ½ mile was not calculated

NOTICE OF EXEMPTION FROM THE
CALIFORNIA ENVIRONMENTAL QUALITY ACT

The County of Santa Cruz has reviewed the project described below and has determined that it is exempt from the provisions of CEQA as specified in Sections 15061 - 15329 of CEQA for the reason(s) which have been checked on this document.

Application No. 03-01 16
Assessor's Parcel No. 087-052-07, 08, 09, 10, 11
Project Location: No Situs
Project Description: Lot legality/ Conditional Certificate of Compliance
Person or Agency Proposing Project: C. Philipovitch

- A. _____ The proposed activity is not a project under CEQA Guidelines, Sections 1928 and 501.
B. _____ Ministerial Project involving only the use of fixed standards or objective measurements without personal judgment.
C. _____ Statutory Exemption other than a Ministerial Project.
Specify type:

D. Categorical Exemption

- | | |
|--|---|
| <input type="checkbox"/> 1. Existing Facility | <input type="checkbox"/> 17. Open Space Contracts or Easements |
| <input type="checkbox"/> 2. Replacement or Reconstruction | <input type="checkbox"/> 18. Designation of Wilderness Areas |
| <input type="checkbox"/> 3. New Construction of Small Structure | <input type="checkbox"/> 19. Annexation of Existing Facilities/
Lots for Exempt Facilities |
| <input checked="" type="checkbox"/> 4. Minor Alterations to Land | <input type="checkbox"/> 20. Changes in Organization of Local Agencies |
| <input type="checkbox"/> 5. Alterations in Land Use Limitations | <input type="checkbox"/> 21. Enforcement Actions by Regulatory Agencies |
| <input type="checkbox"/> 6. Information Collection | <input type="checkbox"/> 22. Educational Programs |
| <input type="checkbox"/> 7. Actions by Regulatory Agencies for Protection of the Environment | <input type="checkbox"/> 23. Normal Operations of Facilities for Public Gatherings |
| <input type="checkbox"/> 8. Actions by Regulatory Agencies for Protection of Kat. Resources | <input type="checkbox"/> 24. Regulation of Working Conditions |
| <input type="checkbox"/> 9. Inspection | <input type="checkbox"/> 25. Transfers of Ownership of Interests in Land to Preserve Open Space |
| <input type="checkbox"/> 10. Loans | <input type="checkbox"/> 26. Acquisition of Housing for Housing Assistance Programs |
| <input type="checkbox"/> 11. Accessory Structures | <input type="checkbox"/> 27. Leasing New Facilities |
| <input type="checkbox"/> 12. Surplus Govt. Property Sales | <input type="checkbox"/> 28. Small Hydroelectric Projects at Existing Facilities |
| <input type="checkbox"/> 13. Acquisition of Land for Wild-Life Conservation Purposes | <input type="checkbox"/> 29. Cogeneration Projects at Existing Facilities |
| <input type="checkbox"/> 14. Minor Additions to Schools | |
| <input type="checkbox"/> 15. Minor Land Divisions | |
| <input type="checkbox"/> 16. Transfer of Ownership of Land to Create Parks | |

E. _____ Lead Agency Other Than County:

Don Bussey

Don Bussey, Project Planner

Date: 01/19/04

EXHIBIT F

WHEN RECORDED RETURN TO.
Santa Cruz County Planning Department
701 Ocean Street
Santa Cruz, CA 95060
Attn: Don Bussey
#03-0116
APN: 087-052-07

**CONDITIONAL
CERTIFICATE OF COMPLIANCE**

WHEREAS, David S. Bennet and Naomi G. Bennet, Trustees of the Bennet Family Trust, created on January 2, 1996, 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 Numbers 087-052-07, known as one legal lot and more particularly described in Exhibit " A attached hereto and incorporated herein by reference made a part hereof, has/have 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 .

THIS CERTIFICATE OF PARCEL 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.

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. 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 ___/___/04 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 more particularly described as follows:

California, recorded in Volume 271, page 230 of Deeds, Santa Cruz County Records.

~~EXCEPTING therefrom the West 990 feet thereof.~~

ALSO EXCEPTING from the Lands above described that portion lying East of a line running North and South, which is 464 feet West of the intersection of the South boundary of the above described parcel with the Westerly line of said State

EXHIBIT B

1. Prior to ~~being~~ considered as a building site and submitting plans for a building permit, complete the following:
 - a. Provide evidence that the property has at least 60 feet of frontage on a minimum 40-foot wide right of way.
 - b. Provide a survey along with copies of recorded deeds indicating that the property ~~has~~ a minimum of 2 1/2 net acre parcel size. Net parcel size is defined as the gross area minus all rights of way. The site will not be considered as a building site until this standard is met.
 - c. Apply for a Geohazard Analysis with the County and complete any and all required reports (i.e.; Geologic and 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.
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 16-feet wide with 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%. All requirements of Zone 8 shall be met.
 - 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 Boulder Creek Fire Protection District that indicates that all development on the parcel, including the proposed roadway system, meets the Fire 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 which shall state that the owner of APN082-052-07 shall be entirely responsible for the maintenance of the road constructed from the publically 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
#03-0116
APN: 087-052-08

**CONDITIONAL
CERTIFICATE OF COMPLIANCE**

WHEREAS, David S. Bennet and Naomi G. Bennet, Trustees of the Bennet Family Trust, created on January 2, 1996, 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 087-052-08, and more particularly described in Exhibit " A attached hereto and incorporated herein by reference made a part hereof, has/have 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 .

THIS CERTIFICATE OF PARCEL 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

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. 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 ___/___/04 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 more particularly described
as follows:

BEING that portion of the South one-half of the North one-half of the North one-half of the Northwest 1/4 of Section 35, T. 8 S., R. 3 W., M. D. S. & M. lying West of the State Highway, as conveyed by Deed to the State of California, recorded in Volume 271, page 230 of Deeds, Santa Cruz County Records.

EXCEPTING therefrom the West 990 feet thereof.

ALSO EXCEPTING therefrom the lands conveyed to

- (a) Leslie L. Baefner by Deed recorded in Volume 1880, page 211,
Official Records of Santa Cruz County;
- (b) Dennis R. Allshouse et ux by Deed recorded in Volume 1871, page 212,
Official Records of Santa Cruz County.

TOGETHER with and SUBJECT to the right of way as set out in the Right of Way Agreement between Wilda Wolff and Dr. E. Sidney Newcomer et ux, dated November 28, 1966, recorded December 5, 1966 in Volume 1996, page 62. Official Records of Santa Cruz County.

EXHIBIT B

1. Prior to being considered **as** a building site and submitting plans for a building permit, complete the following:
 - a. Provide evidence that the property has at least 60 feet of frontage on a minimum 40-foot wide right of way.
 - b. Provide a survey along with copies of recorded deeds indicating that the property has a minimum of 2 ½ net acre parcel **size**. ~~Net~~ parcel size is defined **as** the gross area minus all rights of way. The site will not be considered **as** a building site until **this** standard is met.
 - c. Apply for a ~~Geohazard~~ Analysis with the County and complete any and **all** required reports (**i.e.**; Geologic and 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.
1. 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 16-feet wide with 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%. All requirements of Zone 8 shall ~~be~~ met.
 - 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 Boulder Creek Fire Protection District that indicates that ~~all~~ development on the parcel, including the proposed roadway system, ~~meets~~ the Fire 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 ~~shall~~ state that the owner of APN 082-052-08 shall be entirely responsible for the maintenance of the road constructed from the publically maintained road (including the approved erosion and drainage system)
2. 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
#03-0116
APN: 087-052-09

CONDITIONAL
CERTIFICATE OF COMPLIANCE

WHEREAS, Lynette Poncin is the property owner or vendee of such owner of certain real property located in the County of Santa Cruz, State of California, known as Santa Cruz County Assessor's Parcel Number 087-052-09, and more particularly described in Exhibit "A" attached hereto and incorporated herein by reference made a part hereof, has/have 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".

THIS CERTIFICATE OF PARCEL 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.

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. 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 ___/___/04 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 _____

WHEN RECORDED RETURN TO:

EXHIBIT A

Situate in the County of Santa Cruz, State of California and more particularly described
as follows:

That part of the South 1/2 of the North 1/2 of the North 1/2
of the Northwest 1/4 of Section 35, T⁸S, R3W, M.D.B.& M.
lying West of the State Highway and lying East of a North-
South line being 464 feet West of the point where the North
boundary of the South 1/2 of the North 1/2 of the North 1/2
of the Northwest 1/4 intersects the State Highway.

EXHIBIT B

1. Prior to being considered as a building site and submitting plans for a building permit, complete the following:

- a. Provide evidence that the property has at least 60 feet of frontage on a minimum 40-foot wide right of way.
- b. Provide a survey along with copies of recorded deed indicating that the property has a minimum of 25 net developable acre parcel size. Net developable parcel size is defined as the gross area minus 1) all rights of way, 2) slopes over 50%, 3) riparian area, wooded arroyos, canyons, areas of riparian vegetation and areas within a 50 feet riparian buffer setback, 4) Lakes, marshes, wetlands and area within 100 year floodplain and any associated buffer setback, 5) Areas of recent landslide, 6) Land within 50 feet of a active or potentially active fault zone, 7) Commercial Ag or mineral resource land.
- c. Apply for a Geohazard Analysis with the County and complete any and all required reports (i.e.; Geologic and 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 buildings including the access driveway shall be on slopes of less than 30%.

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 16-feet wide with a minimum of 6 inches of compacted Class II base rock. 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%. All requirements of Zone 8 shall be met.
- 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 Boulder Creek Fire Protection District that indicates that all development on the parcel, including the proposed roadway system, meets the Fire 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 which shall state that the owner of APN 087-052-09 shall be entirely responsible for 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.

Santa Cruz County Planning Department
701 Ocean Street
Santa Cruz, CA 95060
Attn: Don Bussey
#03-0116
APN: 087-052-10

**CONDITIONAL
CERTIFICATE OF COMPLIANCE**

WHEREAS, David S. Bennet and Naomi G. Bennet, Trustees of the Bennet Family Trust, created on January 2, 1996, 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 087-052-10, and more particularly described in Exhibit "A" attached hereto and incorporated herein by reference made a part hereof, has/have 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".

THIS CERTIFICATE OF PARCEL 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.

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. 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 __/__/04 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 more particularly described as follows:

All that portion of the North $\frac{1}{2}$ of the North $\frac{1}{2}$ of the North $\frac{1}{2}$ of the Northwest $\frac{1}{4}$ of Section 35, T. 8 S., R. 3 W., M.D.B.&M., excepting the West 990 feet thereof, which lies West of the following described line:

Beginning at a point on the North line of said Section 35, distant thereon 813.79 feet West from the Northeast corner of said Northwest $\frac{1}{4}$; thence South 220 feet; thence West 316.70 feet; thence South to the South line of said North $\frac{1}{2}$ of the North $\frac{1}{2}$ of the North $\frac{1}{2}$ of the Northwest $\frac{1}{4}$ of said Section 35.

Together with the right of way as set out in the right of way agreement between Wilda Wolff and Dr. H. Sidney Newcomer, et ux, dated November 28, 1966 recorded December 5, 1966 in Volume 1796 of Official Records, at page 62, Santa Cruz County Records.

Also together with a right of way for road purposes over and upon any and all existing roads from the herein described property to any public road or highway.

EXHIBIT B

1. Prior to submitting plans for a building permit, complete the following:

- a. Provide evidence that the property has at least 60 feet of frontage on a minimum 40-foot wide right of way.
- b. Apply for a Geohazard Analysis with the County and complete any and all required reports (i.e.; Geologic and Geotechnical) to the satisfaction of the County of Santa Cruz.
- c. 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.

2. Prior to obtaining a building permit, complete the following:

- d. 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 16-feet wide with 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%. All requirements of Zone 8 shall be met.
- e. Submit an erosion control plan for the parcel for review and approval by the Planning Department.
- f. 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.
- g. Submit a letter from the Boulder Creek Fire Protection District that indicates that all development on the parcel, including the proposed roadway system, meets the Fire District requirements.
- h. The property owner shall be entirely responsible for maintaining the road, drainage improvements and erosion control plan to this properly. The property owner shall record a Road Maintenance Agreement shall state that the owner of APN 087-052-10 shall be entirely responsible for the maintenance of the road constructed from the publically 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
#03-0116
APN: 087-052-11

**CONDITIONAL
CERTIFICATE OF COMPLIANCE**

WHEREAS, Ron Beeson is the property owner or vendee of such owner of certain real property located in the County of Santa Cruz, State of California, known as Santa Cruz County Assessor's Parcel Number 087-052-11, and more particularly described in Exhibit "A" attached hereto and incorporated herein by reference made a part hereof, has/have 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".

THIS CERTIFICATE OF PARCEL 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.

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. 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 __/__/04 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 more particularly described as follows:

All that portion of the North $\frac{1}{2}$ of the North $\frac{1}{2}$ of the North $\frac{1}{2}$ of the Northwest $\frac{1}{4}$ of Section 35, T. E S., R. 3 W., M.D.B. & M. lying West of the State Highway and East of the following described line:

Beginning at a point on the North line of said Section 35, distant thereon 813.79 feet, West from the Northeast corner of said Northwest $\frac{1}{4}$; thence South 220 feet; thence West 316.70 feet; thence South to the South line of said North $\frac{1}{2}$ of the North $\frac{1}{2}$ of the North $\frac{1}{2}$ of the Northwest $\frac{1}{4}$ of said Section 35.

Together with the right of way as set out in the right of way agreement between Wilda Wolff and Dr. H. Sidney Newcomer, et ux, dated November 28, 1966, recorded December 5, 1966 in Volume 1796 of Official Records, at page 62, Santa Cruz County Records.

Also together with a right of way for road purposes over and upon any and all existing roads from the herein described property to any public road or highway.

EXHIBIT B

1. Prior to being considered as a building site and submitting plans for a building permit, complete the following:

- a. Provide evidence that the property has at least 60 feet of frontage on a minimum 40-foot wide right of way.
- b. Provide a survey along with copies of recorded deeds indicating that the property has a minimum of 25 net developable acre parcel ~~size~~. Net developable parcel size is defined as the **gross** area minus 1) all rights of way, 2) slopes over 50%, 3) riparian area, wooded arroyos, canyons, areas of riparian vegetation and areas within a 50 feet riparian buffer setback, 4) Lakes, marshes, wetlands and area within 100 year floodplain and any associated buffer setback, 5) Areas of recent landslide, 6) Land within 50 feet of a active or potentially active fault zone, 7) Commercial Ag or mineral resource land.
- c. Apply for a Geohazard Analysis with the County and complete any and all required reports (i.e.; Geologic and 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 buildings including the access driveway shall be on slopes of less than 30%

2. Prior to obtaining a building permit, complete the following:

- f. 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 16-feet wide with a minimum of 6 inches of compacted Class II base rock. 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%. All requirements of Zone 8 shall be met.
- g. Submit an erosion control plan for the parcel for review and approval by the Planning Department.
- h. 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.
- i. Submit a letter from the Boulder Creek Fire Protection District that indicates that all development on the parcel, including the proposed roadway system, meets the Fire District requirements.
- j. 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 which shall state that the owner of APN 087-052-11 shall be entirely responsible for the maintenance of the road constructed from the publically 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.