



Staff Report to the Zoning Administrator

06-0155

Applicant: G. Gurreri
Owner: Sundram
APN: 089-441-29

Agenda Date: August 4, 2006
Agenda Item No. 0.1
Time: After 8:30 a.m.

Project Description: The proposal is to establish the legality of a parcel. Requires a Lot Legality Determination/ Certificate of Compliance.

Location: The property is located about 3000 feet northwest of the intersection of Ralston Ridge Road and Bear Creek Road; San Lorenzo Valley Planning Area.

Supervisory District: 5th District (District Supervisor: Stone)

Permits Required: Certificate of Compliance

Staff Recommendation:

- Direct that a Conditional Certificate of Compliance be recorded for APN 089-441-29 (see Exhibit B); and
- Certify the Environmental determination for that action attached as Exhibit C.

Exhibits

- A. Chain of Title with associated information and maps (on file with the Planning Department)
- B. Conditional Certificate of Compliance
- C. Categorical Exemption (CEQA determination)
- D. Assessor's Parcel Map
- E. Chronology
- F. Copy of Deed when Sundram took Title
- G. Rural Residential Matrix
- H. Water Agreement and EHS Applications
- I. Comments & Correspondence

Parcel Information

Parcel Size: 3.151 +- gross acres
Existing Land Use - Parcel: Vacant
Existing Land Use - Surrounding: Dwellings, vacant
Project Access: Ralston Ridge Road
Planning Area: San Lorenzo Valley
Land Use Designation: Mountain Residential
Zone District: RA (Residential Agriculture))
Coastal Zone: ☐ Inside ☒ Outside
Appealable to Calif. Coastal Comm. ☐ Yes ☒ No

Environmental Information

Geologic Hazards: Not mapped/no physical evidence on site
Soils: N/A
Fire Hazard: Not a mapped constraint
Slopes: N/A
Env. Sen. Habitat: Mapped/no physical evidence on site
Grading: No grading proposed
Tree Removal: No trees proposed to be removed
Scenic: Not a mapped resource
Drainage: Existing drainage adequate
Traffic: N/A
Roads: Existing roads adequate for this action
Parks: Existing park facilities adequate
Archeology: Not mapped/no physical evidence on site

Services Information

Urban/Rural Services Line: ☐ Inside ☒ Outside
Water Supply: SLVWD Water Agreement
Sewage Disposal: On site septic system
Fire District: Boulder Creek FPD

History

On March 17, 2006, the applicant submitted this application for a lot legality determination/ Certificate of Compliance for APN 089-441-29.

Background

Lot History

The chain of title submitted by the applicant indicates the parcel in question was one of five (5) parcels created by deed in the late 1960's and the early 1970's by the same subdivider (Lawrence and Joan Hustedt). No Tentative map review and approval was obtained nor was a Final Map recorded as required by both County Code and the State Map Act. The following is a brief history of the parcels (also see Exhibit E).

February 28, 1969

Bk 1936 Pg 431; Davis to Hustedt a parcel that was formerly known as APN 089-441-04 (described as one lot) and comprising what is now known as 089-441-28, 29, 23, 24, 17, 26 and 27.

November 30, 1970

Bk 2057 Pg 283; Hustedt to McCliman parcel that is known as 089-441-17.

February 26, 1971

Bk 2074 Pg 637; Lawrence and Joan Hustedt to Nicolas James Hustedt a parcel that is now known as 089-441-26 and 27.

October 1, 1971

Bk 2134 Pg 332; Hustedt to Kelliher a parcel that is known as 089-441-23.

January 19, 1972

Bk 2164 Pg 621; Lawrence and Joan Hustedt to Nicolas James Hustedt a parcel that is known as 089-441-28.

The parcel known as 089-441-29 was an exception when 089-441-28 was created. This was the fifth lot created by Lawrence and Joan Hustedt.

Zoning History

The following is a brief Zoning History for the site.

September 15, 1970

Ordinance 1548 (Interim); Placed the property in the **A-2 1/2** zone district (Agriculture; 2 1/2 acre minimum per building site).

September 14, 1971

Ordinance 1633 (Interim); Extended the Interim Ordinance and Placed the property in the **A-2 1/2** zone district (Agriculture; 2 **1/2** acre minimum per building site).

The lot size of each of the five parcels based upon EMIS estimates is as follows:

<u>Assessor's Parcel No.</u>	<u>Gross Lot Size (EMIS est.)</u>
089-441-17	2.730 +- acres
089-441-19 (now 26 & 27)	4.840 +- acres
089-441-23	2.639 +- acres
089-441-28	4.154 +- acres
089-441-29	3.151 +- acres

Analysis and Discussion

Assessor's Parcel Number 089-441-29 was evaluated as to whether the parcel 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.

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. 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.

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 same subdivider created the five parcels in question with individual deeds recorded on in the late 1960's and the early 1970's 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 five parcels did not comply with the applicable provisions of the State Map Act at the time the parcels were created 1972 in that no Tentative Map was approved and Final Map recorded. At the time of creation, the zoning designation was A-2 1/2 acres.

- (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 did not comply with the applicable ordinances in effect at the time the parcels were created in that no Tentative Map approval was obtained and no Final Map was recorded.

- (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. The parcels are not subject to merger as outlined in section 14.01.111 (b) 2 of the County Code and 66451.302 of the Government Code.

Development Approval

Both the Map Act (Government Code Section 66499.35 c) and the County Code (County Code Section 14.01.109(a) 2.) state that **an** Unconditional Certificate of Compliance shall be issued where the local agency has granted a development approval. In this case, development approvals

089-441-27 SFD with revisions. A **final** clearance was obtained.
BP# 67771
 SFD

089-441-28 **BP # 38919, 56893**
 SFD and addition
BP#4676D, 2668D and 91870D
 These are earthquake damage repair permit. A final clearance was obtained.

089-441-29 Agreement with conditions recorded for a water meter from SLVWD. This agreement was recorded (see **2001-0050497** recorded 08.13.01). This agreement was extended and remains valid (letter dated January **23, 2006** from SLVWD indicates expiration date extended to **January 23, 2008**). It is not a development approval.
EHS Application #01-278
 This was an application for an on site septic system. This application was determined to meet the standards of EHS on 06/14/01, with the actual permit issuance linked to the issuance of a building permit for a dwelling.

Summary Conclusion:

Based upon the deed evidence submitted, the parcel does 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 an individual parcel warranting the issuance of an Unconditional Certificate of Compliance, and therefore requires the issuance of a Conditional Certificate of Compliance.

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 present owners took title (see Exhibit F) is as follows:

APN	Owner	Date Acquired	Zone	GP
089-441-29	Sundram	04/15/05	RA	Mt. Res

The recommended conditions (Exhibit B of the Conditional Certificate of Compliance; see Exhibit B attached) have incorporated the applicable standards, including zone district standards and density (including the standards for development on a dead-end road with no secondary access), for the year title was obtained (see Exhibit G for Density).

Environmental Review

Environmental review has been required for the Conditional Certificate of Compliance per the requirements of the California Environmental Quality Act (CEQA). The project was reviewed by the County's Environmental Coordinator and it was determined to qualify for a Categorical Exemption.

Summary Conclusion:

Based upon the deed evidence submitted, the five parcels created by Hustedt 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.

However, the fact that a development approval was granted by the County results in four of the lots (089-441-17, 26 and 27 as one lot, 23 and 28) being legal lots qualifying for Unconditional Certificates of Compliance. The remaining lot (089-441-29) warrants the recording of a Conditional Certificate of Compliance.

Conclusion

Based upon the findings contained within this report, a Conditional Certificate of Compliance is warranted for APN 089-441-29.

Staff Recommendation:

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

1. Direct that a Conditional Certificate of Compliance be recorded for APN 089-441-29 (see Exhibit B); and
2. Certify the Environmental determination for that action attached as Exhibit C.

Report Prepared By: Don Bussey
Santa Cruz County Planning Department
701 Ocean Street, 4th Floor
Santa Cruz, CA 95060
Phone Number: (831) 454-3182; E-Mail: pln401@co.santa-cruz.ca.us

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

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.

WHEN RECORDED RETURN TO:
Santa Cruz County Planning Department
701 Ocean Street
Santa Cruz, CA 95060
Attn: Don Bussey
06-0155
APN: 089-441-29

CONDITIONAL CERTIFICATE OF COMPLIANCE

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 ___/___/06 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 B

EXHIBIT A

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

PARCEL ONE:

BEING A PART OF PARCELA AS SHOWN ON THE MAP ENTITLED "RECORD OF SURVEY OF
LANDS OF RICHARD A. DAVIS", FILED FEBRUARY 19, 1965 IN MAP BOOK 43, PAGE 14,
SANTA CRUZ COUNTY RECORDS AND BEING A PART OF THE LANDS CONVEYED BY RICHARD
A. DAVIS, ET UX, TO LAWRENCE HUSTEDT, ET UX, BY DEED RECORDED FEBRUARY 28, 1969
IN VOLUME 1936, PAGE 431, OFFICIAL RECORDS OF SANTA CRUZ COUNTY AND BEING
MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT AN IRON SPIKE SET IN THE CENTERLINE OF A 60.00 FOOT RIGHT OF WAY
AT THE SOUTHWEST CORNER OF THE LANDS CONVEYED BY LAWRENCE HUSTEDT, ET UX,
TO RICHARD L. KELUHER, ET UX, BY DEED RECORDED OCTOBER 1, 1971 IN VOLUME 2134,
PAGE 332, OFFICIAL RECORDS OF SANTA CRUZ COUNTY, FROM WHICH A CONCRETE
MONUMENT AT THE SOUTHEAST CORNER OF THE ABOVE MENTIONED PARCEL A BEARS
SOUTH 48° 22' 25" EAST 32.25 FEET; SOUTH 64° 41' 47" EAST 320.57 FEET; SOUTH 17° 10'
35" EAST 163.24 FEET; SOUTH 77° 18' 30" EAST 220.07 FEET AND SOUTH 1° 15' EAST 94.25
FEET DISTANT; THENCE FROM SAID POINT OF BEGINNING ALONG THE CENTERLINE OF
SAID 60.00 FOOT RIGHT OF WAY NORTH 48° 22' 25" WEST 280.79 FEET TO AN IRON PIPE;
THENCE NORTH 81° 29' 53" WEST 218.14 FEET TO AN IRON PIPE AT THE SOUTHEAST
CORNER OF THE LANDS CONVEYED BY LAWRENCE H. HUSTEDT, ET UX, TO NICHOLAS
JAMES HUSTEDT, BY DEED RECORDED JANUARY 19, 1972 IN VOLUME 2167, PAGE 222,
OFFICIAL RECORDS OF SANTA CRUZ COUNTY; THENCE ALONG THE EAST BOUNDARY OF
SAID LAST MENTIONED LANDS NORTH 0° 37' WEST 345 FEET, MORE OR LESS, TO THE
NORTHEAST CORNER THEREOF, ON THE SOUTHERN BOUNDARY OF THE LANDS CONVEYED
BY RICHARD A. DAVIS, ET UX, TO GERALD E. SMITH, BY DEED RECORDED JULY 1, 1968 IN
VOLUME 1889, PAGE 723, OFFICIAL RECORDS OF SANTA CRUZ COUNTY; THENCE ALONG
SAID SOUTHERN BOUNDARY OF THE LANDS OF SMITH SOUTH 65° 01' EAST 504.82 FEET,
MORE OR LESS, TO THE NORTHWEST CORNER OF SAID LANDS OF KELLIHER; THENCE
ALONG THE WEST BOUNDARY OF SAID LANDS OF KELUHER SOUTH 5° 21' WEST 360 FEET
TO THE POINT OF BEGINNING.

PARCEL TWO:

A NON-EXCLUSIVE RIGHT OF WAY 60.00 FEET IN WIDTH, THE CENTERLINE OF WHICH IS
DESCRIBED AS FOLLOWS

BEGINNING AT AN IRON PIPE AT THE SOUTHWEST CORNER OF THE ABOVE DESCRIBED
LANDS; THENCE FROM SAID POINT OF BEGINNING SOUTH 81° 29' 53" 218.14 FEET TO AN
IRON PIPE; THENCE SOUTH 48° 22' 25" EAST 313.04 FEET TO AN IRON PIPE; THENCE
SOUTH 64° 41' 47" EAST 320.57 FEET TO AN IRON PIPE; THENCE SOUTH 17° 10' 35" EAST
163.24 FEET TO AN IRON PIPE; THENCE SOUTH 77° 18' 30" EAST 220.07 FEET TO AN IRON
PIPE ON THE EAST BOUNDARY OF PARCELA AS SHOWN ON THE ABOVE MENTIONED
RECORD OF SURVEY MAP; THENCE SOUTH 74° 21' 55" EAST 193.74 FEET; THENCE SOUTH
51° 05' 19" EAST 61.62 FEET; THENCE SOUTHERLY FOLLOWING THE CENTERLINE OF THE
EXISTING 60 FOOT ROAD TO THE BEAR CREEK COUNTY ROAD.

EXHIBIT B

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

- a. Provide evidence from a licensed surveyor or registered engineer along with copies of the associated deed documents that the **property contains a minimum of forty (40) net developable acres.** ~~Net~~ developable acres is defined as the gross acres minus 1) all rights of way, 2) slopes over 50%, 3) riparian areas, 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 faultzone, 7) Commercial Ag or mineral resource land.
- b. 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 12-feet wide with turnouts about each 500 feet and be 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 7 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 either provide evidence that they participate in a recorded road maintenance agreement or shall record a Road Maintenance Agreement which shall state that the owner of APN 089-441-29 shall be responsible for the maintenance of the road improvements constructed from the publically maintained road (including the approved erosion and drainage system) to the site.

3. Prior to final building inspection, all road improvements, drainage and erosion control measures shall be constructed.

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: 06-0155

Assessor Parcel Number: 089-441-29

Project Location: Property located about 3000 feet northwest of the intersection of Ralston Ridge Road and Bear Creek Road; San Lorenzo Valley Planning Area.

Project Description: Certificate of Compliance for one parcel

Person or Agency Proposing Project: G. Gurreri

- 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:

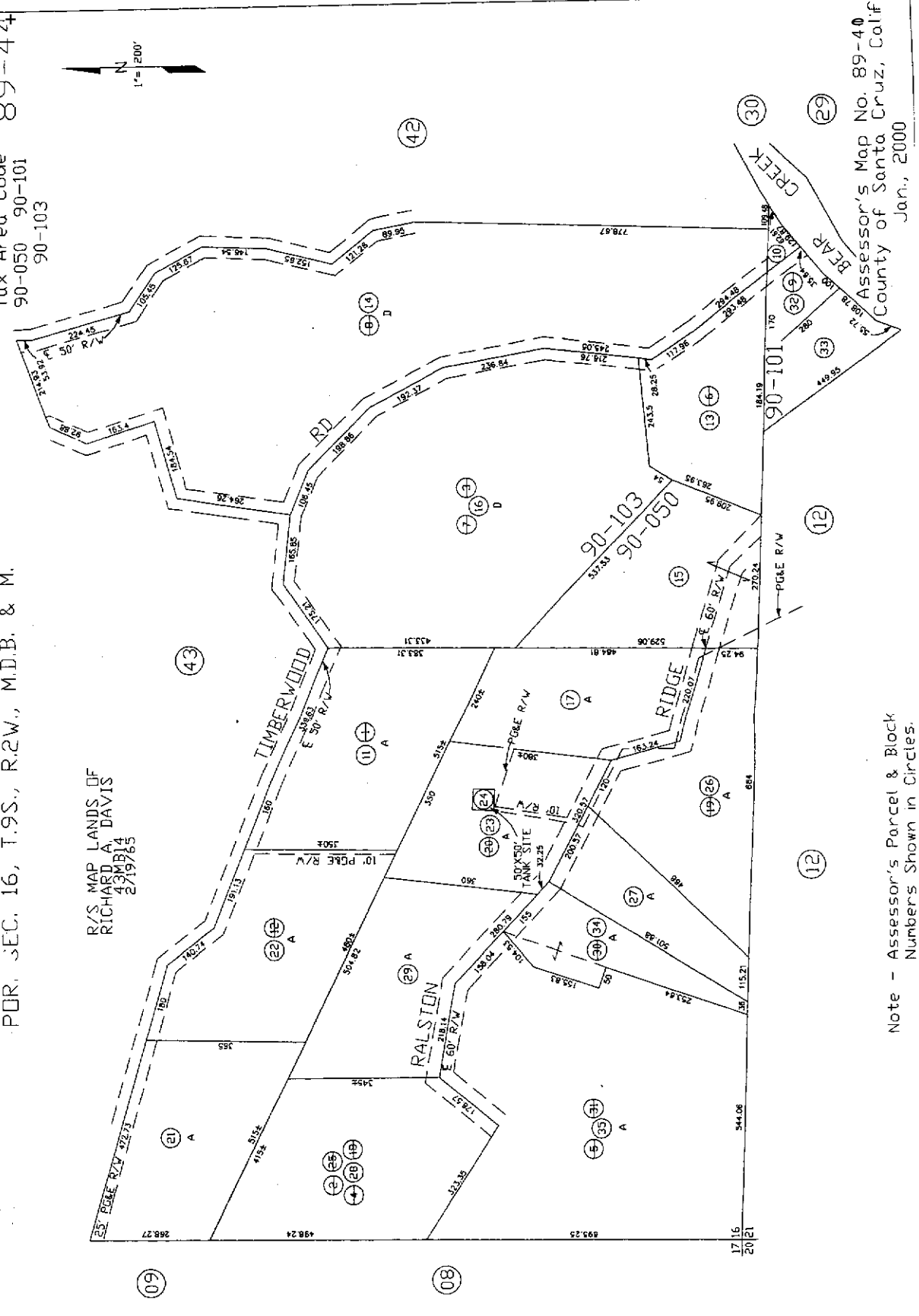
Recognition of a parcel created in the violation of the State Map Act.

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

Don Bussey, Project Planner

Date: _____

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

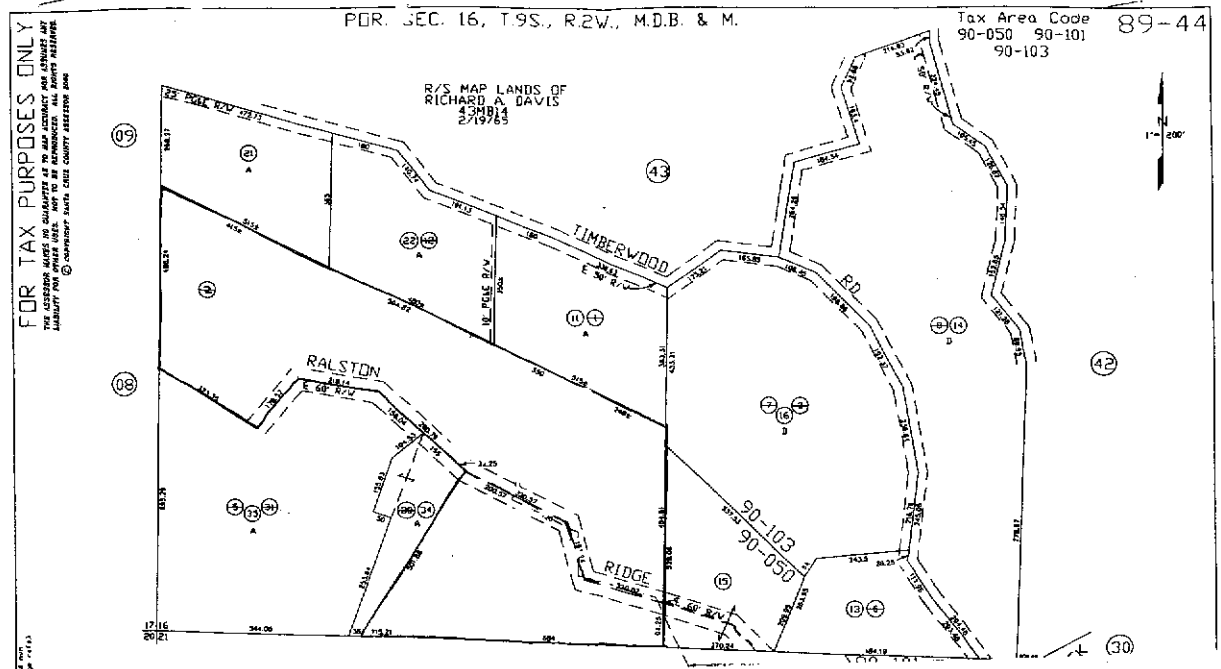


Note - Assessor's Parcel & Block
Numbers Shown in Circles.

Chronology

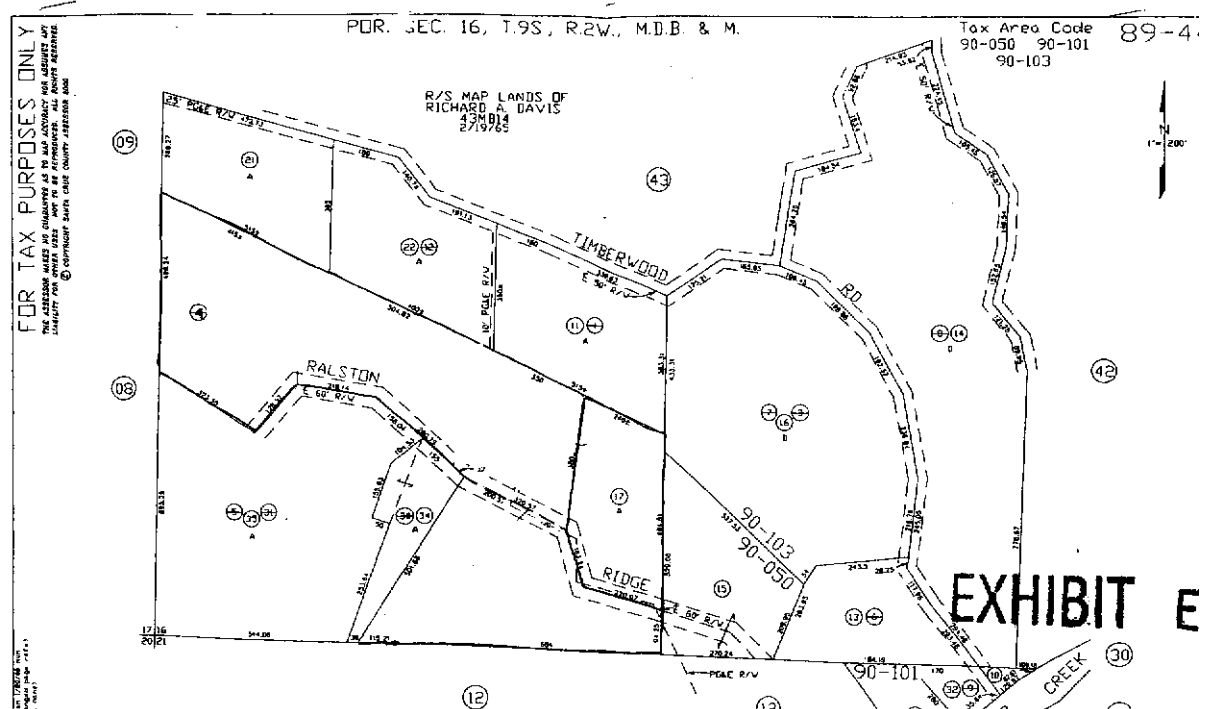
February 28, 1969

Bk 1936Pa 43 1; Davis to Hustedt a parcel that was formerly known as APN 089-441-04 (described as one lot) and comprising what is now known as 089-411-28, 29, 23, 24, 17, 26 and 27.



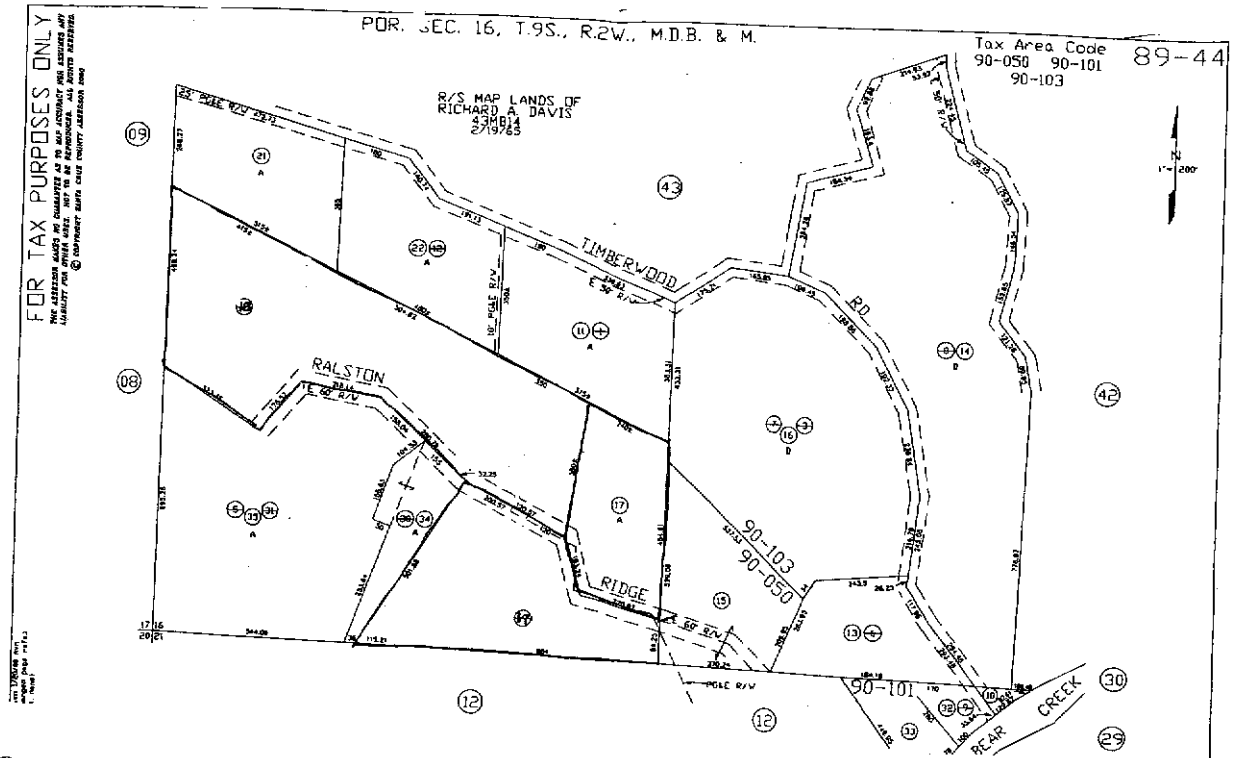
November 30, 1970

Bk 2057 Pa 283; Hustedt to McCliman parcel that is known as 089-441-17,



February 26, 1971

Bk 2074 Pg 637; Lawrence and Joan Hustedt to Nicolas James Hustedt a parcel that is now known as 089-441-26 and 27.



October 1, 1971

Bk 2134 Pg 332; Hustedt to Kelliher a parcel that is known as 089-441-23.

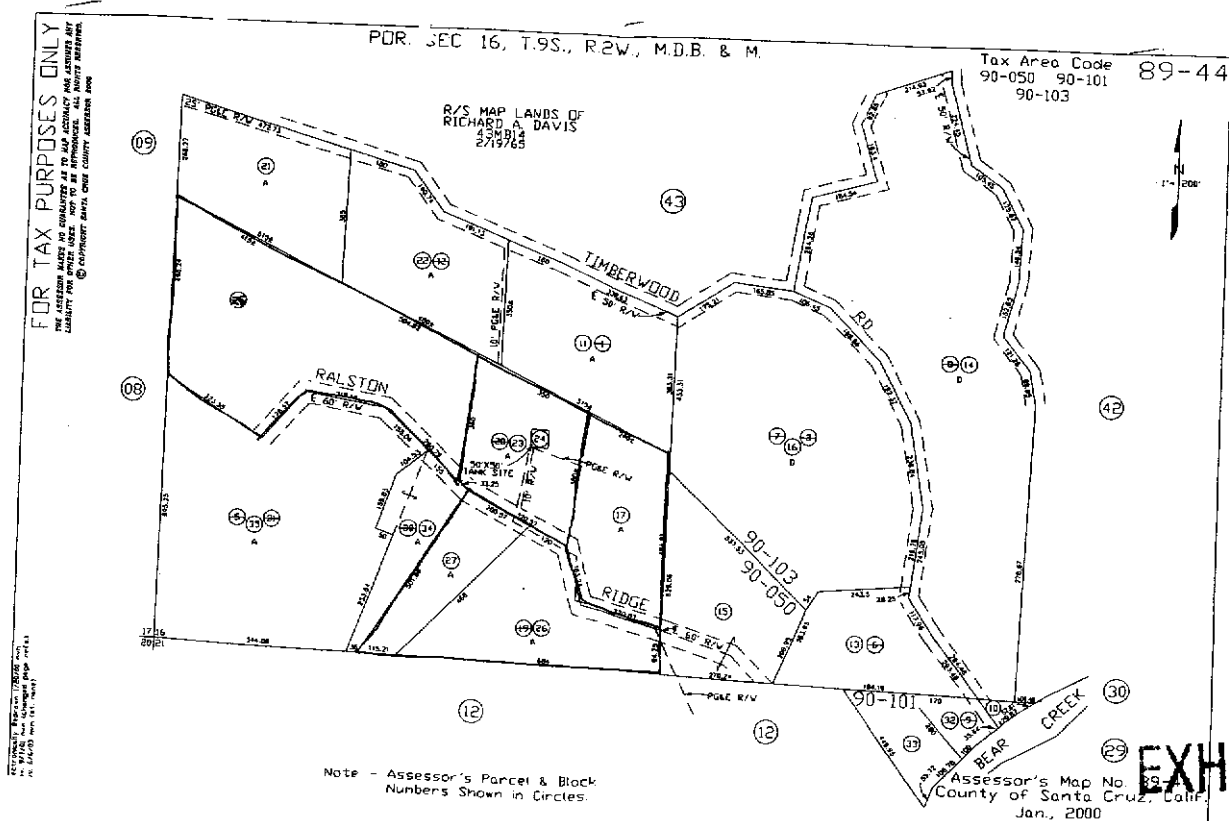


EXHIBIT E

January 19, 1972

Bk 2164 Pg 621; Lawrence and Joan Hustedt to Nicolas James Hustedt a parcel that is known as 089-441-28.

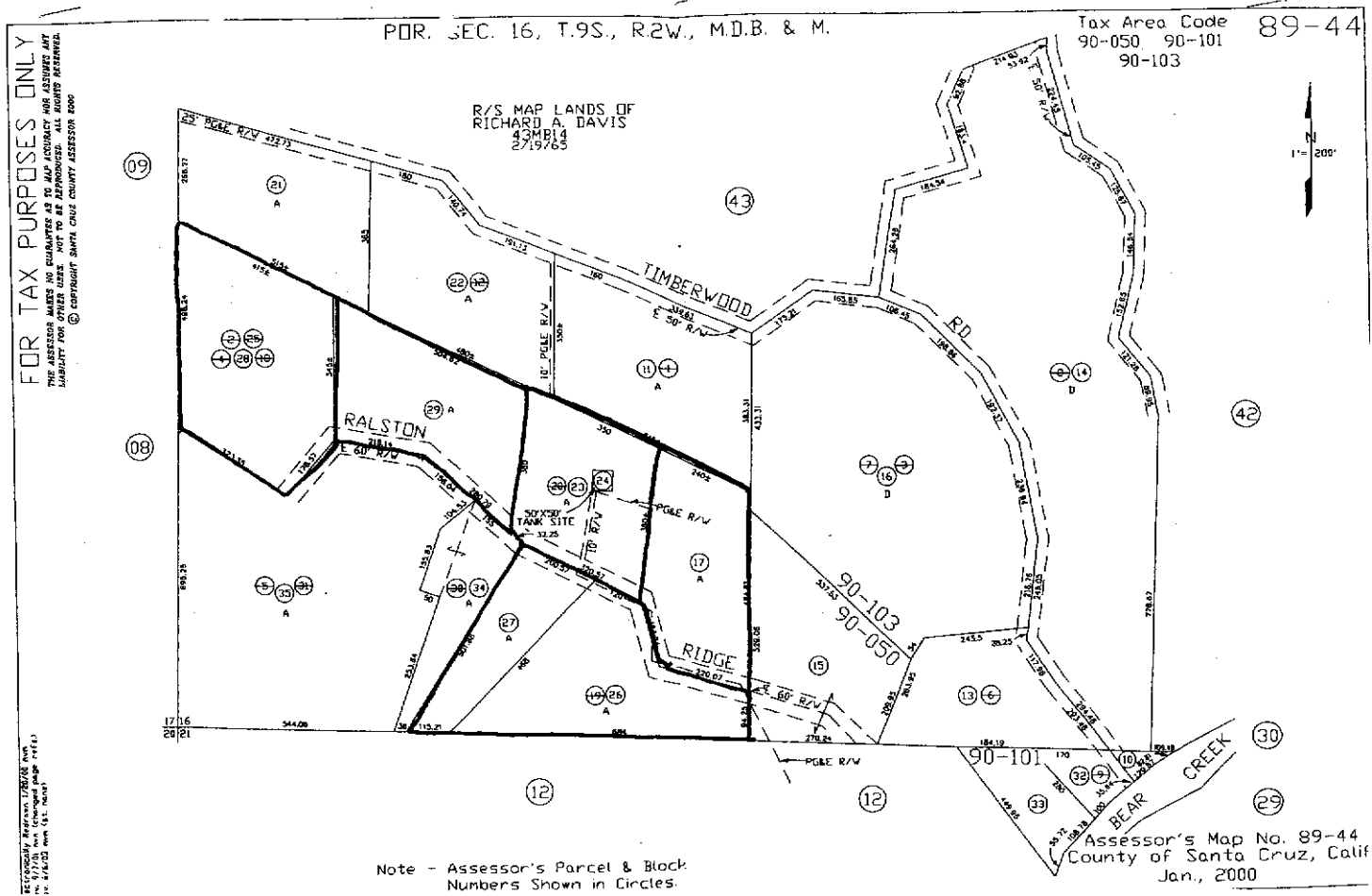


EXHIBIT E



2005-0024936

RECORDING REQUESTED BY
First American Title Company

AND WHEN RECORDED MAIL TO:
Joseph Sundram and MaryBeth Sundram
630 Manzanita Avenue
Boulder Creek, CA 95006

Recorded	REC FEE	13.00
Official Records	TRX	139.70
County Of	PCOR -	20.00
SANTA CRUZ	SURVEY	10.00
GARY E. HAZELTON		
Recorder		
CAROL D. SUTHERLAND		
Assistant	JBD	
01:12PM 15-Apr-2005	Page 1 of 3	

Space Above This Line for Recorder's Use Only

APN: 089-441-29

File No.: 4405-1760215 (RV)

GRANT DEED

me Undersigned Grantor(s) Declare(s): DOCUMENTARY TRANSFER TAX \$139.70; CITY TRANSFER TAX \$0.00;
SURVEY MONUMENT FEE \$

- [x] computed on the ~~consideration~~ or full value of property conveyed, OR
[] computed on the consideration or full value less value of liens and/or encumbrances remaining at time of sale,
[x] unincorporated area; [] City of **Boulder Creek**, and

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged, Michael C. Garvey, a single man

hereby GRANTS to Joseph Sundram and MaryBeth Sundram, husband and wife as community property with right of survivorship

the following described property in the **City** of Boulder Creek, County of **Santa Cruz**, State of California:

PARCEL ONE:

BEING A PART OF PARCELA AS SHOWN ON THE MAP ENTITLED "RECORD OF SURVEY OF LANDS OF RICHARD A. DAVIS", FILED FEBRUARY 19, 1965 IN MAP BOOK 43, PAGE 14, SANTA CRUZ COUNTY RECORDS AND BEING A PART OF THE LANDS CONVEYED BY RICHARD A. DAVIS, ~~ET UX~~, TO LAWRENCE HUSTEDT, ET UX., BY DEED RECORDED FEBRUARY 28, 1969 IN VOLUME 1936, PAGE 431, OFFICIAL RECORDS OF SANTA CRUZ COUNTY AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS

PARCEL TWO:

A NON-EXCLUSIVE RIGHT OF WAY 60.00 FEET IN WIDTH, THE CENTERLINE OF WHICH IS DESCRIBED AS FOLLOWS

BEGINNING AT AN IRON PIPE AT THE SOUTHWEST CORNER OF THE ABOVE DESCRIBED LANDS; THENCE FROM SAID POINT OF BEGINNING SOUTH 81° 29' 53" 218.14 FEET TO AN IRON PIPE; THENCE SOUTH 48° 22' 25" EAST 313.04 FEET TO AN IRON PIPE; THENCE SOUTH 64° 41' 47" EAST 320.57 FEET TO AN IRON PIPE; THENCE SOUTH 17° 10' 35" EAST 163.24 FEET TO AN IRON PIPE; THENCE SOUTH 77° 18' 30" EAST 220.07 FEET TO AN IRON PIPE ON THE EAST BOUNDARY OF PARCEL A AS SHOWN ON THE ABOVE MENTIONED RECORD OF SURVEY MAP; THENCE SOUTH 74° 21' 55" EAST 193.74 FEET; THENCE SOUTH 51° 05' 19" EAST 61.62 FEET; THENCE SOUTHERLY FOLLOWING THE CENTERLINE OF THE EXISTING 60 FOOT ROAD TO THE BEAR CREEK COUNTY ROAD.

Dated: 04/08/2005

Michael C. Garvey
Michael C. Garvey

STATE OF

TEXAS

}

} ss.

COUNTY OF

TARRANT

}

On

April 11, 2005

before

me,

Dayone Thammavong

personally

appeared

MICHAEL C. GARVEY

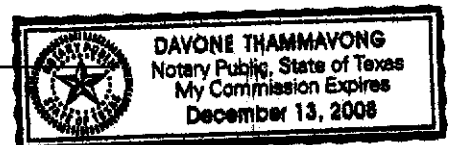
personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies) and that his/her/their signature(s) on the instrument the person(s) or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

This area for official
notarial seal

Signature

Dayone Thammavong
My Commission Expires: Dec 13, 2008



Notary Name:

DAYONE THAMMAVONG

Notary Phone:

817-581-3951

Notary Registration Number:

County of Principal Place of Business:

TARRANT

Rural Residential Density Matrix for APN 089-441-29

1.	Location: Mountain Residential, all sites Served by a minimum 12 foot wide road with turnouts	00.0
2.	Groundwater Quality: Inadequate Quantity and Poor Quality; SLVWD hookup Well	02.0
3.	Water Resource Protection: Bldg. Sites Outside GWR and within mapped Water supply Watershed, area of known septic problems; septic systems	02.0
4.	Timber Resources: No mapped timber resource	10.0
5.	Biotic Resource: No mapped habitat found on the site.	10.0
6.	Erosion: San Lorenzo	05.6
7.	Seismic Activity: Not in a mapped fault zone.	10.0
8.	Landslide: San Lorenzo	05.6
9.	Fire Hazard: No mapped CFH, less than 10 min. response time, on a deadend road with no secondary access; 12 wide road with turnouts	See Policy

SUBTRACT CUMULATIVE CONSTRAINT POINTS
GRAND TOTAL

See Policy

Minimum Average Developable Parcel Size*:

**40 Net Developable
Acres**

Applicable General Plan Policies
1994 General Plan

- 2.4.1:** Parcel Size Determination: If the average parcel size within ½ mile is more than 40 gross acres, that number shall be the minimum allowed parcel size. For this site, the average lot size within ½ mile is less than **40** gross acres.
- 2.5.6:** Water supply Watershed: Limits new lots to 10 gross acres per parcel.
- 6.5.4:** Critical Fire Hazard: When development is proposed on a deadend road without secondary access, development may be at the low end density only. For this site, that would be 1 DU per 40 net developable acres.

January 23, 2006

Mary Beth ~~Sundram~~
P.O. Box 2385
Boulder Creek CA 95006

Subject: Agreement for the Installation of Water Service
APN ~~89-441-29~~; ~~Ralston~~ Ridge, Boulder Creek

Dear Ms. Sundram:

Thank you for your recent correspondence regarding the subject matter. On July 24, 2001 the District entered into an Agreement for the Installation of Water Service for the subject parcel (APN ~~89-441-29~~) with Mr. Michael Garvey (applicant). The Agreement required the applicant to complete all required covenants within a two (2) year period from July 24, 2001. Therefore, pursuant to the term of the Agreement all covenants were to be completed no later than July 24, 2003. To ~~date~~, covenants relative to this Agreement have not been fulfilled, and therefore the Agreement has expired.

Notwithstanding the expiration date of the subject Agreement, there ~~are~~ several other covenants of the Agreement which remain uncompleted and outstanding. The District expresses its reservations regarding the capacity to fulfill all required covenants. These covenants include, but may not be limited to the following:

1. The applicant ~~has~~ not paid applicable District fees. Pursuant to District Ordinance No. 8 water service is never guaranteed ~~until~~ all applicable fees have been received by the District.
2. The applicant has not submitted plans to the District which show the anticipated plumbing fixture units and residential fire ~~sprinkler~~ requirements anticipated for the development. Pursuant to District Ordinance No. 8 water service is never guaranteed until receipt of said plans and required sizing of the water meter.
3. The meter review and approval for this parcel indicates the proposed location for water service would not be situated on APN ~~89-441-29~~, and therefore would require the following at the applicant's sole expense:
 - a Applicant agrees to provide their own private booster pump station, including electrical service supply and all other associated appurtenances thereto,

EXHIBIT H

necessary to provide service to the subject parcel. Applicant is solely responsible for the installation, operation and maintenance of said facilities.

b. Applicant agrees to provide District with all applicable proof of rights-of-way necessary to provide water service to the subject parcel.

Your correspondence requested the District extend the Agreement for an unspecified period of time. Notwithstanding the failure by applicant to comply with all covenants of the Agreement within the original term, and District expressed reservations regarding the capacity to fulfill all required covenants, the District hereby provides a time extension for a period of ~~two~~ (2) calendar years from the date of this correspondence. The subject Agreement **shall** hereby expired on January **23,2008**, and no further time extensions will be granted. All other term, conditions and obligations of the Agreement shall remain in full force and effect.

If you have any questions or need additional information regarding this matter please do no hesitate to contact me at **831/430-4625**.

Sincerely,

James Mueller
District Manager

Sundram Ralston RidgeC:\Documents and Settings\JimMueller\My Documents\Sundram Ralston Ridge.doc

Recorded by and for the Benefit of
SAN LORENZO VALLEY WATER DISTRICT

and when recorded mail to:

JAMES A. MUELLER
SAN LORENZO VALLEY
WATER DISTRICT
13060 HIGHWAY 9
BOULDER CREEK CA 95006



2001-0050497

Recorded	I	REC FEE	.00
Official Records	I		
County Of	I		
SANTA CRUZ	I		
RICHARD W. BEDAL	I		
Recorder	I		

08:54AM 13-Aug-2001 I DLR
Page 1 of 8

To be recorded at no fee for the benefit of the District

**AGREEMENT FOR INSTALLATION OF
WATER SERVICE
MICHAEL GARVEY
APN 89-441-29**

THIS AGREEMENT is made this ^{24th July} ~~24~~ day of ~~June~~, 2001, by and between the
SAN LORENZO VALLEY WATER DISTRICT, hereinafter referred to as "DISTRICT" and
MICHAEL GARVEY, hereinafter referred to as "APPLICANT".

WITNESSETH

WHEREAS, APPLICANT desires to receive water service as customers of
DISTRICT; and

WHEREAS, APPLICANT'S property, APN 89-441-29, generally located along
Ralston Way, Boulder Creek, California, is situated within the boundaries of DISTRICT; and

WHEREAS, APPLICANT'S parcel is within the DISTRICT'S service area; and

WHEREAS, the meter review sheet of APPLICANT'S parcel indicates that a
main extension is required by DISTRICT policy to serve this parcel; and

WHEREAS, it is unlikely that a water mainline extension will be constructed
for this parcel; and

WHEREAS, service will be by a long service line from the meter; and

WHEREAS, DISTRICT and APPLICANT are interested in providing service to
APPLICANT'S parcel, and this Agreement provides the covenants necessary to resolve the
current situation;

NOW THEREFORE, in consideration of their mutual promises, obligations and
covenants hereinafter contained, the parties hereto agree as follows:

EXHIBIT H

1. PURPOSE. The purpose of this Agreement is to establish the terms of service to APPLICANT.

2. TERM. The term of this Agreement shall be from the ~~date~~ this Agreement is made and entered, ~~as~~ first written above, until all covenants of this Agreement are completed and accepted by DISTRICT or its successors, or a period of two (2) years, whichever occurs first.

3. APPLICANT'S PARCEL. APPLICANT'S parcel, which is the subject of this Agreement, is APN 89-441-29, generally located along Ralston Way, Boulder Creek, in an ~~unincorporated~~ area of Santa Cruz County, California.

APPLICANTS OBLIGATIONS

4. CROSS-CONNECTION DEVICE. A cross-connection device is required. Installation and maintenance shall be at APPLICANT'S expense and in accordance with ~~DISTRICT~~ Ordinance 65.

5. ADDITIONAL CONNECTION FEE. At any time in the future should additional dwelling units be added to the subject parcel, additional connection fees shall be collected by DISTRICT and paid by APPLICANT in accordance with DISTRICT ordinance. APPLICANT shall not connect any additional houses to this service without DISTRICT approval.

6. WATER SERVICE. APPLICANT shall, at APPLICANT'S own cost, install, maintain, and operate a water service on APPLICANT'S side of the meter, subject to DISTRICT inspection and approval. No leak adjustment will be granted for this service. All water lost on APPLICANT'S side of meter due to faulty or leaking plumbing fixtures shall be paid for by APPLICANT. APPLICANT shall, at his own expense, be responsible for repair of the service line to APPLICANT'S parcel. The water meter shall be located within the public domain.

7. RIGHTS-OF-WAY. APPLICANT shall be responsible for obtaining and maintaining all rights-of-way necessary for the APPLICANT'S service line. APPLICANT shall provide DISTRICT with proof of said rights-of-way prior to service installation.

8. WATER PRESSURE. APPLICANT agrees to waive the 20-psi minimum pressure requirement of DISTRICT. APPLICANT agrees to provide his own private booster pump on APPLICANT'S side of the meter. Installation and maintenance of the private booster pump facilities shall be the APPLICANT'S responsibility.

EXHIBIT H

9. INSTALLATION OF METER. APPLICANT shall request meter installation in writing. All fees shall be refundable until APPLICANT request meter to be installed.

10. PAYMENT OF FEES. APPLICANT shall pay the following fees and deposit within one (1) year of execution of Agreement.

a)	Connection Fee	4,966.00
b)	Service Installation Deposit	1,500.00
c)	Customer Account Deposit	75.00
d)	Account Establishment Charge	20.00
e)	Cross-Connection Device	<u>500.00</u>
Total Fees		\$7,061.00

The service installation deposit shall be for the cost of installation of the service. APPLICANT shall receive an accounting of the cost. Should the cost of installation exceed the deposit, APPLICANT shall pay **DISTRICT** the difference. Should the actual cost of installation be less than the deposit, **DISTRICT** shall refund APPLICANT. Additional connection fees shall be required should the plumbing plan of actual house require larger meter in compliance with **DISTRICT** code. Any additional connection fee shall be in accordance with the fee schedule in effect at the time of plan submittal.

11. COMPLIANCE. APPLICANT shall comply with all other **DISTRICT** rules or ordinances not expressly waived by **this** Agreement.

12. PARTICIPATION IN **FUTURE MAIN** CONSTRUCTION. APPLICANT shall not oppose, protest, or take any exception to the formation ~~of~~, or his participation in, an assessment district or other methodology for financing and installing any water ~~system~~ capital improvements abutting or ~~benefiting~~ the subject parcel. APPLICANT shall not oppose any Planning Commission review of water main extensions into **this** area. APPLICANT shall execute documents **as** may be required to contribute ~~his~~ assessed share of the cost of the capital improvements and/or proceedings.

13. HOLD HARMLESS. APPLICANT agree that they shall assume the defense of, and indemnify and save harmless the **DISTRICT** and its officers, agents and employees from **all** suits, actions, damages or claims of every ~~name~~ and description, to which the **DISTRICT** may be subjected or put by reason of damage or injury to persons or property arising out of or resulting from **this** Agreement, including, but not limited to, the execution of the work; the negligence or carelessness on the part of the APPLICANT, ~~his~~ agents or employees; or by or on account of any act or omission of APPLICANT, ~~his~~ agents or employees, including any failure to fulfill the terms of all laws and regulations which apply to **this** Agreement.

DISTRICT'S OBLIGATIONS

14. TEMPORARY WAIVER OF DISTRICT REQUIREMENTS FOR APPLICANT. DISTRICT shall temporarily waive the requirements for a main extension along APPLICANT'S frontage on APN 89-441-29 until DISTRICT or others initiate the capital improvements required by DISTRICT regulations.

15. SERVICE CONNECTION. Upon payment of all fees, re-evaluation of sizing ~~requirements~~, proof of applicable rights-of-way and after APPLICANT'S written request to install the meter, DISTRICT shall install water services on Ralston Way, Boulder Creek.

GENERAL

16. NOTICE. All written notices to the parties hereto shall be sent United States ~~mail~~, postage prepaid by registered mail, return receipt requested, addressed as follows:

DISTRICT:

James A. Mueller,
District ~~Manager~~
~~San~~ Lorenzo Valley Water District
13060 Highway 9
Boulder ~~Creek~~, CA 95006
(831) 430-4625


APPLICANT:

Michael Garvey
5905 Hunter Trail
Colleyville, TX 76034
(817)485-7226

Changes to the above addresses and ~~persons~~ can be made by the same form ~~of~~ notice

17. AUTHORITY TO EXECUTE AGREEMENT. Both DISTRICT and APPLICANT do covenant that each individual ~~executing~~ this Agreement on behalf of each party is a person duly authorized and empowered to ~~execute~~ Agreement for ~~such~~ party. Signature by APPLICANT or his agents in this Agreement ~~shall be notarized~~ and shall make the APPLICANT or his agents personally liable for any unpaid ~~costs~~. APPLICANT agrees to pay all legal ~~fees~~ necessary in recovering any unpaid balance.

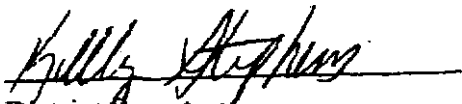
SAN LORENZO VALLEY WATER
DISTRICT:


James Mueller
District Manager

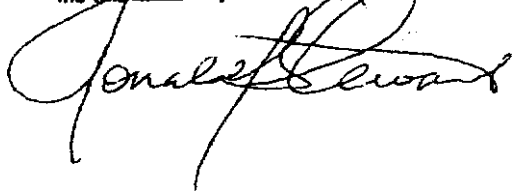
APPLICANT:


Michael Garvey

Attest:


District Secretary
San Lorenzo Valley Water District

Sworn and subscribed before
me this 20 day of JULY 2001



ILLEGIBLE NOTARY SEAL DECLARATION (Govt. Code 27361.7)

NAME OF NOTARY Kenneth Robert Girouard
STATE AND COUNTY OF COMMISSION Santa Cruz County, California
DATE COMMISSION EXPIRES January 22, 2004
COMMISSION NUMBER 1250962

I HEREBY CERTIFY UNDER PENALTY OF PERJURY THAT THE FOREGOING IS A TRUE AND
CORRECT COPY OF THE ILLEGIBLE NOTARY SEAL STAMPED ON THE ATTACHED DOCUMENT.

Kelly Stephens
(Signature of Affiant)

DATE 8/6/01
PLACE OF EXECUTION Santa Cruz County, California

13060 Hwy 9
Boulder Creek CA
95006

EXHIBIT H

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California

County of

Santa Cruz

SS.

On Aug 6, 2001

before me

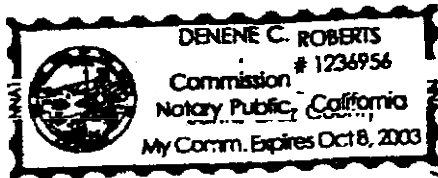
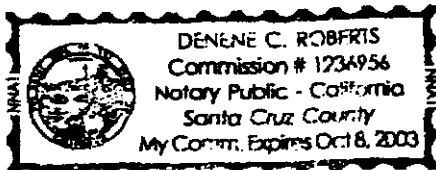
Denene C Roberts, Notary Public

Name and Title of Officer (e.g., "John Doe, Notary Public")

personally appeared

Michael Garvey

Name(s) of Signer(s)



☐ personally known to me

☒ 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.

Denene C Roberts
Signature of Notary Public

Place Notary Seal Above

OPTIONAL

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

Description of Attached Document

Title or Type of Document: Agreement for Installment APN 89-44125

Document Date: July 24, 2001

Number of Pages: Eight

Signer(s) Other Than Named Above: James A Mueller

Capacity(ies) Claimed by Signer

Signer's Name: _____

☒ Individual

☐ Corporate Officer — Title(s): _____

☐ Partner — ☐ Limited ☐ General

☐ Attorney in Fact

☐ Trustee

☐ Guardian or Conservator

☐ Other: _____

Signer is Representing: _____

RIGHT THUMBPRINT OF SIGNER
Top of thumb here

Recorded at the Request of:

San Lorenzo Valley Water District
13060 Central Avenue
Boulder Creek, CA 95006

*Once the site
is approved, we
have the water service
approved & ready to go.*

AGREEMENT REGARDING WATER SERVICE.

MICHAEL GARVEY

APN 89-441-29

THIS AGREEMENT is made this 20th day of May, 1992,
by and between the SAN LORENZO VALLEY WATER DISTRICT, hereinafter
referred to as "DISTRICT" and MICHAEL GARVEY, hereinafter
referred to as "APPLICANT."

W I T N E S S E T H

*not to be executed
until Close of Escrow*

WHEREAS, APPLICANT desires to receive water service as
customer of DISTRICT: and

WHEREAS, APPLICANT'S property, APN 89-441-29, generally
located on Ralston Way, Boulder Creek, California, is situated
within the boundaries of the DISTRICT: and

WHEREAS, APPLICANT'S parcel is within the DISTRICT'S
service area: and

WHEREAS, the meter review sheet of APPLICANT'S parcel
indicates that a main extension is required by DISTRICT policy to
serve this parcel; and

WHEREAS, it is prohibitively expensive to install a main
extension for this parcel: and

WHEREAS, service will be by a long service line from the
meter; and

WHEREAS, DISTRICT and APPLICANT is interested in
providing service to APPLICANT'S parcel, and this Agreement
provides the covenants necessary to resolve the current situation;

NOW, THEREFORE, in consideration of their mutual
promises, obligations and covenants hereinafter contained, the
parties hereto agree as follows:

1. PURPOSE. The purpose of this Agreement is to establish
the terms of service to APPLICANT.

2. TERM. The term of this Agreement is that it shall commence from the date this Agreement is made and entered, as first written above, until all covenants of this Agreement **are** completed and accepted by the DISTRICT or its successors.

3. APPLICANT'S PARCEL. APPLICANT'S parcel, which is the subject of this Agreement: is APN **89-441-29**, generally located on Ralson Way, in an unincorporated area of Santa Cruz county, California.

APPLICANT'S OBLIGATIONS

4. CROSS-CONNECTION DEVICE. A cross-connection device is required. Installation and maintenance shall be at APPLICANT'S expense and in accordance with DISTRICT Ordinance **65**.

5. ADDITIONAL CONNECTION FEE. At any time in the future should additional dwelling units be added to the subject parcel, additional connection fees shall be collected by DISTRICT and paid by APPLICANT in accordance with DISTRICT ordinance. APPLICANT shall **not** connect any additional houses to this service without **DISTRICT approval**.

6. WATER SERVICE. APPLICANT shall, at APPLICANT'S **own** cost, install, maintain, and operate a water service on APPLICANT'S side of the meter, subject to DISTRICT inspection and approval. No leak adjustment will be granted for this service. All water lost on APPLICANTS' side of meter due to faulty or leaking plumbing fixtures shall be paid ~~for~~ by APPLICANT. APPLICANT shall, at his own expense, be responsible for repair of the service line to APPLICANT'S parcel. The water meter shall be located with the public domain.

7. RIGHTS-OF-WAY. APPLICANT shall be responsible for obtaining and maintaining all rights-of-way necessary for the APPLICANT'S service line. APPLICANT shall provide DISTRICT with proof of said rights-of-way prior to service installation.

8. WATER PRESSURE. APPLICANT agrees to waive the **20** psi minimum pressure requirement of DISTRICT. APPLICANT agrees to provide their own private booster pump on APPLICANT'S side of the meter. Installation and maintenance shall be at APPLICANT'S expense.

9. INSTALLATION OF METER. APPLICANT shall request meter installation in writing. All fees shall be refundable until APPLICANT requests meter to be installed.

10. PAYMENT OF FEES. APPLICANT shall pay the following fees and deposit within One-hundred, Twenty (**120**) days of execution of Agreement:

a)	Connection Charge (5/8" meter)	\$ 4,966
b)	Installation Fee	1,000

c)	Deposit	75
d)	Account Establishment	15
e)	cross-Connection	<u>500</u>

Total Fees \$ 6,556

The installation fee shall be for the cost of installation of the service. APPLICANT shall receive an accounting of the cost. Should the cost of installation exceed the fee, APPLICANT shall pay DISTRICT the difference. Should the actual cost of installation be less than the fee, DISTRICT shall refund APPLICANT. Additional connection fees shall be required should the plumbing plan of actual house require larger meter in compliance with DISTRICT code. Any additional connection fee shall be in accordance with the fee schedule in effect at the time of plan submittal.

10. COMPLIANCE. APPLICANT shall comply with all other DISTRICT rules or ordinances not expressly waived by this Agreement.

11. PARTICIPATION IN FUTURE MAIN CONSTRUCTION. APPLICANT shall not oppose, protest, or take any exception to the formation of, or his participation in, an assessment district or other methodology for financing and installing any water system capital improvements abutting or benefiting the subject parcel. APPLICANT shall not oppose any Planning Commission review of water main extensions into this area. APPLICANT shall execute documents as may be required to contribute his assessed share of the cost of the capital improvements and/or proceedings.

12. HOLD HARMLESS. APPLICANT agrees that he shall assume the defense of, and indemnify and save harmless the DISTRICT and its officers, agents and employees from all suits, actions, damages or claims of every name and description, to which the DISTRICT may be subjected or put by reason of damage or injury to persons or property arising out of or resulting from this Agreement, including, but not limited to, the execution of the work: the negligence or carelessness on the part of the APPLICANT, his agent or employees: or by or on account of any act or omission of APPLICANT, his agents or employees, including any failure to fulfill the terms of all laws and regulations which apply to this Agreement.

DISTRICT'S OBLIGATIONS

13. TEMPORARY WAIVE OF DISTRICT REQUIRMENTS FOR APPLICANT. DISTRICT shall temporarily waive the requirements for a main extension along APPLICANT'S frontage on APN 89-441-29 until DISTRICT or others initiate the capital improvements required by DISTRICT regulations.

14. SERVICE CONNECTION. Upon payment of all fees, reevaluation of sizing requirements, and after APPLICANT'S written

request to install the meter, DISTRICT shall install water services on Ralston Way .

GENERAL

15. NOTICE. All written notices to the parties hereto shall be sent United States mail, postage prepaid by registered mail, return receipt requested, addressed as follows:

DISTRICT:

James A. Mueller,,
District Manager
San Lorenzo Valley Water District
13060 Central Avenue
Boulder Creek, CA 95006
(408) 338-2153

APPLICANT:

Michael Gravey
P. O. Box 148
Boulder Creek, CA 95006

Changes to the above addresses and persons can be made by the same form of notice.

16. AUTHORITY TO EXECUTE AGREEMENT. Both DISTRICT and APPLICANT do covenant that each individual executing this Agreement on behalf of each party is a person duly authorized and empowered to execute Agreement for such party. Signature by APPLICANT or his agent in this Agreement shall be notarized and shall make the APPLICANT or his agent personally liable for any unpaid costs.

APPLICANT agrees to pay all legal fees necessary in recovering any unpaid balance.

SAN LORENZO VALLEY WATER
DISTRICT:



Merrilee Bolden, President
Board of Directors

APPLICANT:

Michael Garvey

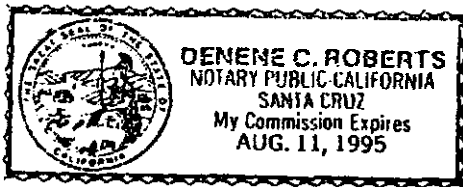
Attest:



District Secretary
San Lorenzo Valley Water District

State of California)
County of Santa Cruz)

On this 20th day of MAY, 1992,
before me DENENE C. ROBERTS, a Notary Public, State of
California, duly commissioned and sworn, personally appeared
MERRILL BOLDEN, personally known to me (or proved to
me on the basis of satisfactory evidence) to be the person(s) who
executed this instrument as PRESIDENT, BOARD OF DIRECTORS
of SAN LORENZO VALLEY WATER DISTRICT
and acknowledged to me that the SAN LORENZO VALLEY WATER
DISTRICT executed it.



Denene C. Roberts
Notary Public
State of California

State of California)
County of Santa Cruz)

On this _____ day of _____, 1992,
before me _____, a Notary Public, State of
California, duly commissioned and sworn, personally appeared
_____, personally known to me (or
proved to me on the basis of satisfactory evidence) to be the
person(s) whose name(s) is (are) subscribed to this instrument, and
acknowledged that he/she/they executed it.

Notary Public
State of California

APPLICATION FOR SEWAGE DISPOSAL PERMIT

ON 1240

PE 4218

Be Completed By Applicant:

Owner's Name Michael Garvey Assessor's Parcel Number 089-441-29
Mailing Address 5905 Hunter Trail City Colleville State TX Zip 76034
Job Address If Different Than Above Ralston Way, B.C. Owner's Phone (H) (817) 723-6578 (W) _____

Directions to Site _____

Mail Correspondence to: Environmental Concepts, P.O. Box IVY Applicant's Phone: 684-1555
Aptos, CA 95001

The Proposed Sewage Disposal System Will Serve:

Single Residence: Number of Bedrooms including dens, offices, guest houses, etc.):

Existing: _____ Proposed (or legalizing) Total: 3

☐ Multiple Residences -- Total No. of Units (with kitchens): _____ Total No. of Bedrooms: _____

☐ Commercial/Institutional Facility -- Describe: _____

Peak daily wastewater flow: _____ GPD (Attach meter records and calculations)

List any other uses on the property: _____ (Must also be shown on plot plan)

This Application Is For:

☒ New sewage disposal system to serve new development -- Parcel Size: ~3.2 acres Date Recorded: _____

☐ Repair/Replacement of system that serves existing development

☐ Upgrade of system that serves existing development for addition/remodel purposes

☐ Septic Tank Only ☐ Greywater Sump Only ☐ Curtain Drain Only ☐ Grease Trap ☐ Distribution Device

CONTRACTOR: To Bid SEWAGE DISPOSAL CONSULTANT: Environmental Concepts

Contractor's License Law Certificate (Complete A or B)

A. The applicant is licensed under the provisions of the Calif. Contractors License Law under license number _____ which is in full force and effect.

☒ B. The applicant is exempt from the provisions of the Calif. Contractors License Law for the following reason: ☐ Owner/Builder ☒ Other bid to lic. contractor

Date 5/21/01 x [Signature]
Applicant Signature

Worker's Compensation Certificate (Complete A or B)

☐ A. A currently effective certificate of Worker's Compensation Insurance coverage is on file with Santa Cruz County Environmental Health Service

☒ B. I certify that in the performance of the work for which this permit is issued I shall not employ any person in any so as to become subject to the worker's comp. laws of Calif.

Date 5/21/01 x [Signature]
Applicant Signature

I understand that issuance of a permit by Santa Cruz Environmental Health Service implies no guarantee of septic system function. Any subsequent septic system failure will require the owner to have the septic tank pumped and make repairs as necessary to confine sewage below ground surface. I hereby acknowledge that I have read this application and the instructions on the reverse side and state that the information on this page and the following page is correct, and agree to comply with all County Ordinances and State laws regulating construction of private sewage disposal systems.

Incomplete application for sewage disposal permits will become null and void if all required information is not submitted within one year of date of application. I understand that this permit shall expire: in 24 months after approval if a building permit is not applied for in that time period.

I agree to comply with additional conditions which may be imposed by Staff as listed on the following page to ensure that the system meets standards.

I agree to provide 24-hour notice directly to the Inspector during office hours the morning of the day before an inspection is requested.

I understand that County approval of the Sewage Disposal Permit does not constitute County approval of any illegal building or land use activities that may be present on this site.

I certify that the information contained in this application, particularly pertaining to bedrooms and uses on this site, is accurate.

Date: 5/21/01 Applicant Signature: [Signature] Owner Signature: [Signature] Date: _____

PERMIT NUMBER: 01-278 EHS USE ONLY

The design for the sewage disposal system presented herein meets the standards for: ☐ Not Applicable ☒ Standard System
☐ Special Operating System: Fee Level: ☐ 1 ☐ 2 ☐ 3 ☐ 4 ☐ 5 Type: _____

Application Approved by: [Signature] Date: 6/14/01 Supervisor: [Signature] Date: 6/14/01

THIS PERMIT EXPIRES ON 6/14/03 OR WILL BE VALID AS LONG AS THE BUILDING APPLICATION IS VALID

EXHIBIT A

APPLICATION FOR SEWAGE DISPOSAL PERMIT - PROPOSED DESIGN FOR SEWAGE DISPOSAL SYSTEM

Plan Revised ☐ Date _____

Permit # 01-278

The Following Is To Be Completed By The Applicant:

Assessor Parcel Number 089-441-29

System # _____ (If multiple systems on property)

Water Supply: Public(Company Name): SLVWD Shared (Source APN) _____ Individual _____

My Proposal Is For (check one):

- ☒ 1. A new septic system for new development (standard septic system requirements and water supply requirements).
- ☐ 2. A repair or upgrade of a system that serves existing development (must meet standard system requirements including expansion area). Future expansion trenches must be shown on plot plan.
- ☐ 3. A nonconforming system to serve existing development (cannot meet standard system requirements).
- ☐ 4. A haulaway system (parcel can only accommodate less than 50% of leachfield requirements).
- ☐ 5. A specific alternative system design: (attach diagram and specifications) _____

For system types 3, 4, 5, owner or agent **must** sign an Acknowledgment of Onsite Sewage Disposal System with Special Operating Conditions, and must **comply** with the requirements specified in the Acknowledgment, which is made a part of this permit). (EHS Staff: If necessary, change category above to match completed permit).

My Proposed System Design Is

☒ Gravity Flow ☐ Pump Up ☐ Pressure-Distribution

Septic Tank

Septic Tank ☒ New ☐ Existing Size (gallons): 1500 Material: conc. Brand _____

If Pump Chamber ☐ New ☐ Existing Size (gallons): _____ Material: _____ Brand _____

Design soil percolation rate range (minutes per inch) (circle choice): <1 1-5 6-30 31-60 61-120

☒ Conventional Leaching Device Specifications: ☒ Leachfield ☐ Greywater Sump

Number lines 5 Total linear feet 140 width (ft) 1.5 Effective Depth (ft) 2.5 Proposed Area (sq.ft) 910

Maximum Trench Depth: 4' Existing functional leachfield that meets standards (sq.ft.) _____

☒ Distribution Device type d-box (5-way) Leachfield grand total 910

☐ Chamber Leaching: Brand _____ Model _____ No. Chambers _____ Linear Feet _____

Seepage Pit(s): (allowed only for certain Repair/Upgrade)

Number _____ Diameter: _____ Flow depth: _____ Total square feet: _____

Draw & attach two copies of a plot plan that clearly describes the design (turn page over for plot plan requirements).

EHS USE ONLY

Permit conditions to be satisfied: Leach trenches must follow natural contour.

All other lot develop. must accommodate the septic system all 15 expansion areas

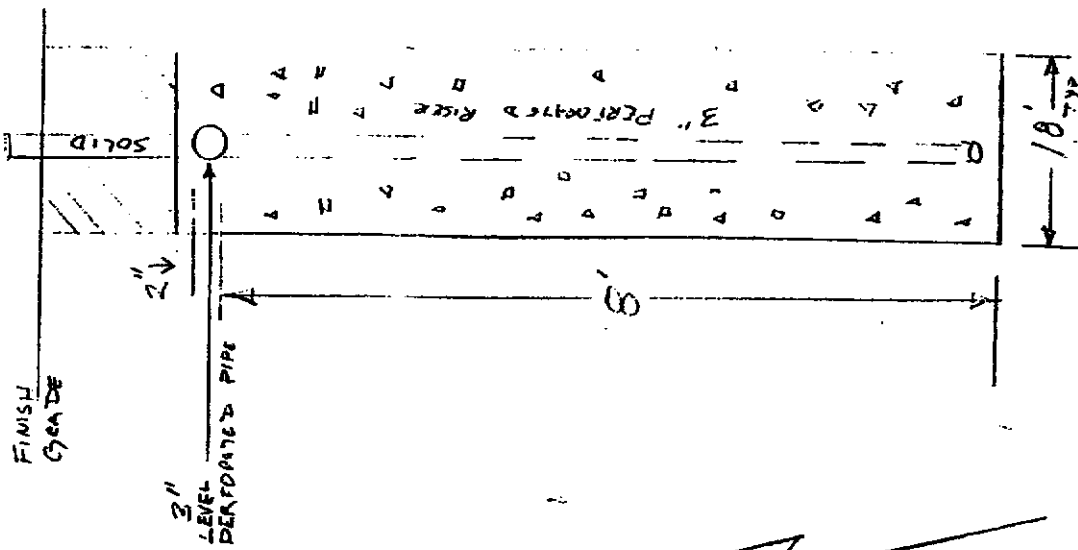
(Note: Failure to comply with conditions may result in recordation of Notice of Violation.)

INSTALLER _____

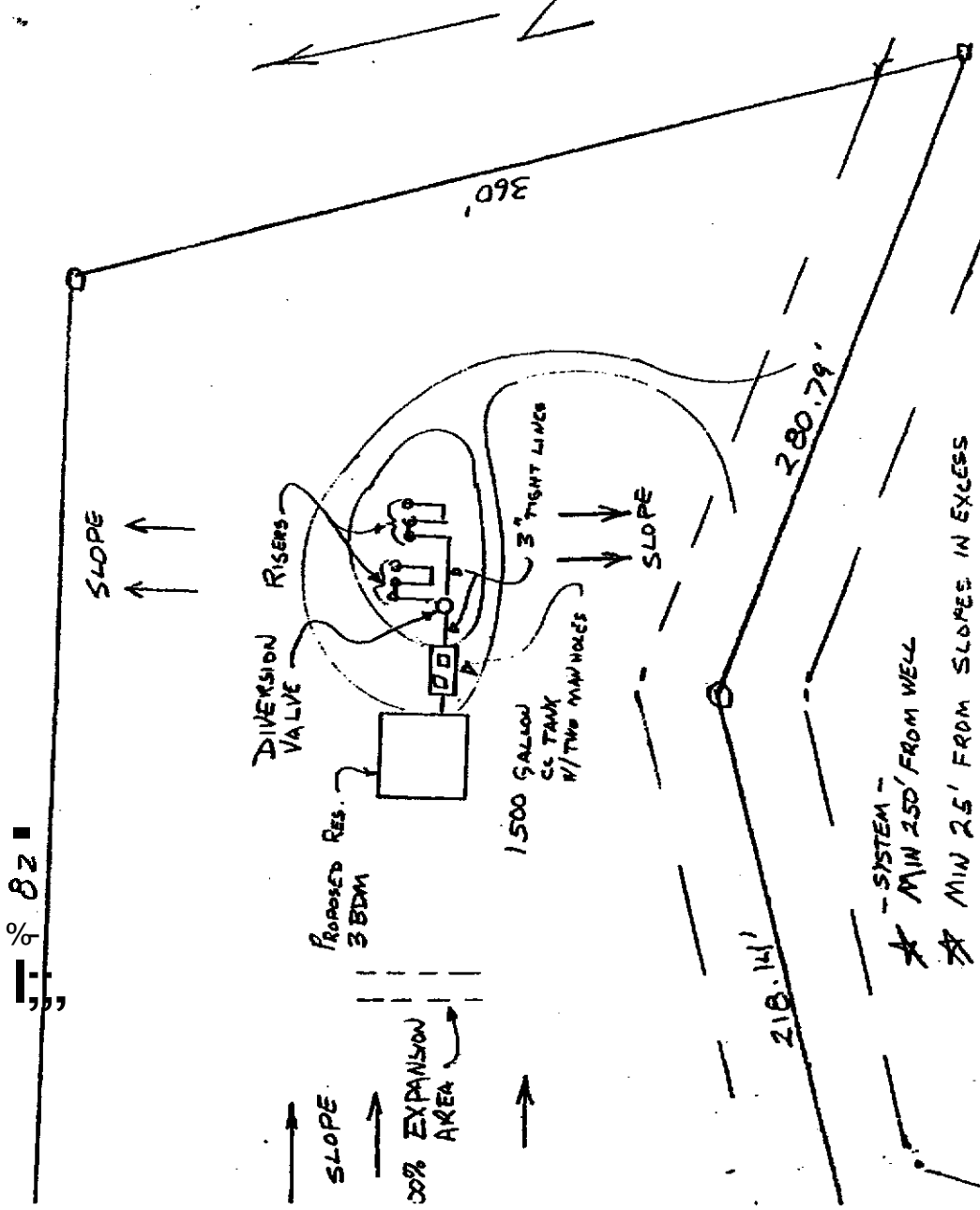
INSPECTIONS:	INSPECTOR	DATE	INSPECTOR	DATE
TANK:	_____	_____	_____	_____
LEACHING:	_____	_____	_____	_____
DIST. BOX:	_____	_____	_____	_____
INSP. RISERS:	_____	_____	_____	_____
ALT. SYSTEM	_____	_____	_____	_____
WATER CONSERVATION:	_____	_____	_____	_____

NOTES: _____

SHOULD THIS SYSTEM BE RECHECKED? _____ WHEN? _____ DESCRIBE WHAT TO CHECK FOR: _____



PLOT PLAN - 1 1/2" = 100'
 APN 89-441-29
 OWNER: GARVEY
 APPLICANT: MORNARD
 ADDRESS: P.O. BOX 148
 BOULDER CO. IA 95026



- ★ - SYSTEM -
- ★ MIN 250' FROM WELL
- ★ MIN 25' FROM SLOPES IN EXCESS OF 67%
- ★ MAX 30% SLOPE IN LEACH FIELD AREA
- ★ LEACH LINES MIN 10' APART
- ★ SIX LEACH LINES W/ EFFECTIVE FLOW OF 8' DEEP X 25' LONG

2:30 Foster Treacy/Ken

SANTA CRUZ COUNTY - ENVIRONMENTAL HEALTH SERVICE
701 OCEAN STREET, ROOM 312, SANTA CRUZ, CA 95060

ASSESSOR'S PARCEL NUMBER 089-441-27 DATE 5-23-91

WE ARE UNABLE TO COMPLETE THE PROCESSING OF YOUR:

- ☐ WATER WELL PERMIT ☐ INDIVIDUAL WATER SYSTEM PERMIT
☒ INDIVIDUAL SEWAGE DISPOSAL PERMIT ☐ BUILDING PLAN #

NEEDED INFORMATION:

- ☒ Approved Water Supply (IWS) ☐ Soil Excavation
☐ Percolation Test ☐ Septic Pumper's Report
☐ Groundwater Observation During Rainy Season ☒ Plot Plans
☐ Annual Operating Permit ☐ Additional Fees Due: 543.00
☐ Other

* Until all the required information is provided, review of the Sewage Disposal Permit application cannot be completed for a determination of Finding of Compliance (i.e. permit approval). Application shall be deemed null and void if all required information is not submitted within 12 months of the date of application.
Your Individual Sewage Disposal Permit Application will expire on: _____

QUESTIONS? CALL: Rebecca Charles PHONE: 425-2765
(BETWEEN 8:00 A.M. AND 5:30 A.M. MONDAY-FRIDAY ONLY)
Tuesdays

HSA-106 (REV. 9/90)

SANTA CRUZ COUNTY HEALTH SERVICES AGENCY
ENVIRONMENTAL HEALTH SERVICE
701 Ocean Street, Room 312, Santa Cruz, CA 95060
(831) 454-2022

FINDING OF COMPLIANCE FOR SEWAGE DISPOSAL PERMIT APPLICATION

***** THIS IS NOT A PERMIT *****

Application Compliance Review

Your sewage disposal application has been reviewed and found to be in compliance with the County Sewage Disposal Ordinance in effect as of the date noted below.

The Finding of Compliance remains in effect for 24 months from the date below, and will expire at 24 months, unless an application for a building permit is accepted as complete and is under review by the Planning Department. In that case, the Finding of Compliance remains valid until the building permit is issued, or the application for the building permit becomes invalid. If the building permit application becomes invalid, the Finding of Compliance becomes null and void.

If, within the period that applications are valid, a building permit is approved by the Planning Department for the structure described in this application, the Planning Department will issue a sewage disposal permit in conjunction with the building permit. You may not install the sewage disposal system until both the building permit and sewage disposal permit are issued.

Should a Finding of Compliance become void or an issued permit expire, a new sewage disposal permit application, subject to the Sewage Disposal Ordinance in effect at the time of new application, is required. Payment of new fees will also be required.

Conditions or Remarks:

*See septic permit conditions. House, drive, etc
all must accommodate the septic location.
No change is allowed.*

089-441-29
Assessor's Parcel Number

Rollston Way
Construction Site Location

Application reviewed and found in compliance 6-14-01
(Date)

Application review valid until 6-14-03
(Date)

Permit Number 01-278

By Brian D. Hutton
(Registered Environmental Health Specialist)

6-14-01
(Date)

May 23, 2006

Don Bussey
Project Manager – Development Review
701 Ocean Street, 4th Floor
Santa Cruz, CA 95060

Re: Sundram COC –Application 06-0155, Submitted: March 17, 2006

Dear Mr. Bussey:

Per our recent conversations, the County Counsel is to make a decision on whether an Unconditional Certificate of Compliance can be issued in the above referenced application based on the San Lorenzo Valley Water District Agreement recorded with the County in August of 2001.

Last time we spoke you informed me that the County Counsel was in the process of preparing for a legal case and weren't sure when they would be making a determination on this matter because that takes precedence.

My clients are concerned that the application has been in process for over two months. This is causing them a financial hardship and they respectfully request that the County make a determination so they can so they can move forward in whichever manner will be possible.

Sincerely,



Grace Gurreri
831-234-6884
For Joseph and MaryBeth Sundram