

Recording Requested by)
County of Santa Barbara)
_____))
When Recorded Return to the)
Clerk of the Board of Supervisors)
County of Santa Barbara)
105 East Anapamu Street)
Santa Barbara, California 93101)
_____))

SHORT FORM LAND CONSERVATION CONTRACT

Incorporating Board of Supervisors Resolutions and

Long Form Contract by Reference

13AGP-00000-00002

THIS LAND CONSERVATION CONTRACT, is made by and between Lisa C. Johnston, Trustee of the Lisa C. Johnston Trust dated June 21, 2005, and restated June 17, 2010, and Gary S. Novatt, Trustee of the Gary S. Novatt Living Trust dated July 30, 2010, as tenants in common hereinafter referred to as "OWNERS" and the COUNTY OF SANTA BARBARA, a political subdivision of the State of California, hereinafter referred to as "COUNTY".

WITNESSETH:

WHEREAS, OWNER possesses certain real property situated in the County of Santa Barbara, State of California, hereinafter referred to as "THE SUBJECT PROPERTY," and more particularly described in Exhibit A attached hereto and by this reference incorporated herein; and

WHEREAS, THE SUBJECT PROPERTY is now devoted to agricultural uses and uses compatible therewith; and

WHEREAS, the parties hereto desire to create an "agricultural preserve," consisting of THE SUBJECT PROPERTY, to be established by COUNTY by resolution and by this contract, and to be designated as the **Novatt Agricultural Preserve, 13AGP-00000-00002, Assessor Parcel Number 137-270-034, 102.6 acres; replacing a portion of (93-AP-007) with zoning of AG-II-100, and AC Comprehensive Plan designation restrictions.**

NOW, THEREFORE, both OWNER and COUNTY, in consideration of the mutual promises, covenants and conditions to which reference is made herein and substantial public benefits to be derived therefrom, do hereby agree as follows:

FIRST: THE SUBJECT PROPERTY shall be subject to all restrictions and conditions adopted or to be adopted by resolutions and minute orders by the Board of Supervisors of the County of Santa Barbara, California, including without limitation those recorded on November 5, 1971, as Inst. No. 36187, Bk. 2371, pg. 404; January 3, 1972, as Inst. No. 57, Bk. 2381, page 794; October 30, 1974, as Instr. No. 38788, Bk. 2539, pg. 258; November 10, 1975, as Instr. Nos. 40442 and 40443, Bk. 2592, pgs. 1763 and 1767; December 11, 1975, as Instr. No. 44871, Bk. 2595, pg. 2134; May 20, 1977, as Reel No. 77-24881; July 11, 1977, Reel No. 77-34734; November 14, 1978, Reel No. 78-52990; October 15, 1980, Reel No. 80-41873, and November 2, 2007, Reel No. 2007-0077408 of the Official Records of the County of Santa Barbara, California, and IT IS MUTUALLY AGREED that the conditions and restrictions set forth in said resolutions and minute orders are adopted and incorporated herein and made a part hereof as though fully set forth herein at length, and the OWNER will observe and perform said provisions.

SECOND: In consideration of the promises, OWNER shall indemnify and save harmless COUNTY from and against any and all claims, liability, suits, damages, costs including reasonable attorney's fees, losses and expenses in any manner resulting from, arising out of, or connected with the use of any Surveyor's Map depicting the preserve and the description of THE SUBJECT PROPERTY attached hereto.

THIRD: This Contract shall be effective as of the first day of January, **2014** and shall remain in effect for a period of ten (10) years from each succeeding January first.

IN WITNESS WHEREOF, the County of Santa Barbara has executed this Contract on September 10, 2013.

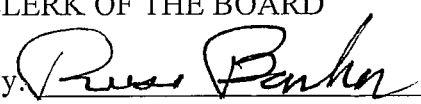
COUNTY OF SANTA BARBARA

BOARD OF SUPERVISORS

By: 
SALUD CARBAJAL, Chair

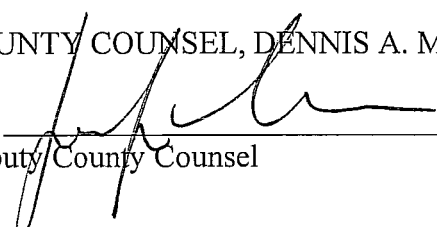
Attest:

CLERK OF THE BOARD

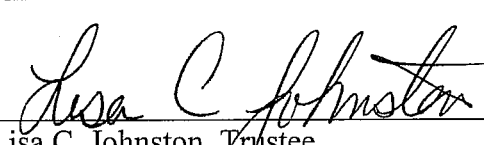
By: 
Deputy Clerk

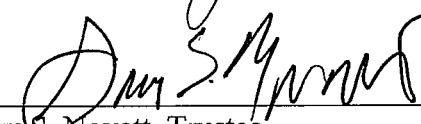
Approved As To Form:

COUNTY COUNSEL, DENNIS A. MARSHALL

By: 
Deputy County Counsel

OWNER


Lisa C. Johnston, Trustee


Gary S. Novatt, Trustee

NOTARY ACKNOWLEDGMENT

State of California

County of Santa Barbara

On June 17, 2013 before me, Kathleen H. Dussaq, Notary Public,
(Insert name and title of the officer)

personally appeared Gary S. Novatt, who 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

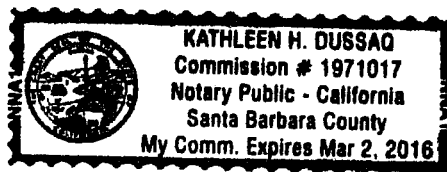
~~his/her/their~~ signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted,

executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature Kathleen H. Dussaq (Seal)



OPTIONAL

*The following information is **not** required by law, but may be helpful to other parties relying on the document and may deter fraudulent activity if removed and reattached to another document.*

Title (or type) of Document: Short Form Land Conservation Contract

Number of pages (**not** including this page): 3

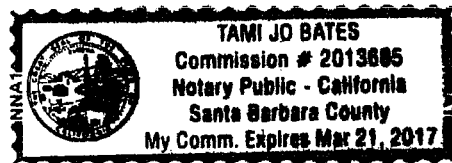
STATE OF CALIFORNIA }
COUNTY OF Santa Barbara } S.S.

On June 19, 2013 before me, Tami Jo Bates, (here insert name and title of the officer), personally appeared Lisa C. Johnston, who 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.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature Tami Jo Bates (Seal)



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

On June 19, 2013 before me, Tami Jo Bates, (here insert name and title of the officer), personally appeared Lisa C. Johnston, who 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.

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WITNESS my hand and official seal.

Signature Tami Jo Bates (Seal)

