

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
10AGP-00000-00012

THIS LAND CONSERVATION CONTRACT, by and between Deutsche Bank National Trust Company, as Successor Trustee under Declaration of Trust of Eugene Rene LeRoy hereinafter referred to as "OWNER" 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 thereto; 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 LeRoy Agricultural Preserve #1, 10AGP-00000-00012, Assessor's Parcel Number 113-050-063, 148.79 acres; replacing a portion of 70-AP-83 with zoning of AG-II-40 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, 2011 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 _____.

COUNTY OF SANTA BARBARA

BOARD OF SUPERVISORS

By: _____
Janet Wolf, Chair

Attest:

CLERK OF THE BOARD

By: _____
Deputy Clerk

Approved As To Form:

COUNTY COUNSEL, DENNIS A.

MARSHALL

By: _____
Deputy County Counsel

OWNERS

Deutsche Bank National Trust Company,
as Successor Trustee under Declaration of Trust
of Eugene Rene LeRoy

BY: _____
Thomas S. Mayer, Director

BY: _____
Kyra Clarke, Assistant Vice President

STATE OF CALIFORNIA
Los Angeles
COUNTY OF CONTRA COSTA

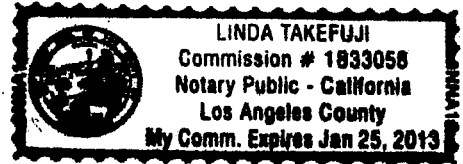
)
) ss.
)

On October 26, 2010, before me, Linda Takefuji, notary public, personally appeared THOMAS S. MAYER who proved to me on the basis of satisfactory evidence to be the 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 signatures 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 [Handwritten Signature] (Seal)



STATE OF CALIFORNIA
COUNTY OF LOS ANGELES

)
) ss.
)

On October 26, 2010, before me, Linda Takefuji, notary public, personally appeared KYRA CLARKE who proved to me on the basis of satisfactory evidence 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(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 [Handwritten Signature] (Seal)



Exhibit A

Legal Description

for

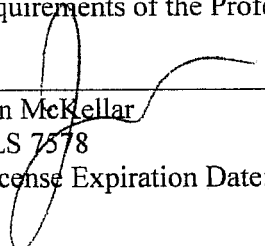
10AGP-00000- 00012

APN 113-050-063

Being all the land depicted as Parcel 1 on the Record of Survey for Lot Line Adjustment filed February 28, 1995 in Book 146 of Records of Survey, Page 83, in the office of the County Recorder, County of Santa Barbara, State of California

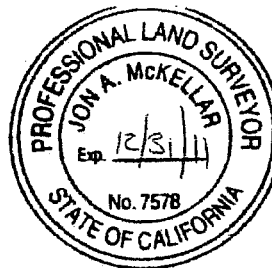
End of Description

This description was prepared by me or under my direction in conformance with the requirements of the Professional Land Surveyor's Act this 28th day of May, 2010.


Jon McKellar

PLS 7578

License Expiration Date: 31 December 2011



APPROVED AS TO FORM
AND SURVEY CONTENT



Deputy for: MICHAEL B. EMMONS, PLS 5899
COUNTY SURVEYOR
LICENSE EXP. _____



10 AGP-00000-0001Z

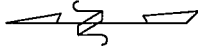
POR. RANCHO GUADALUPE

113-05

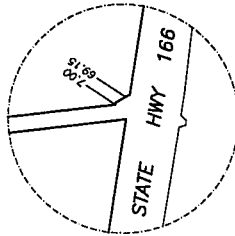
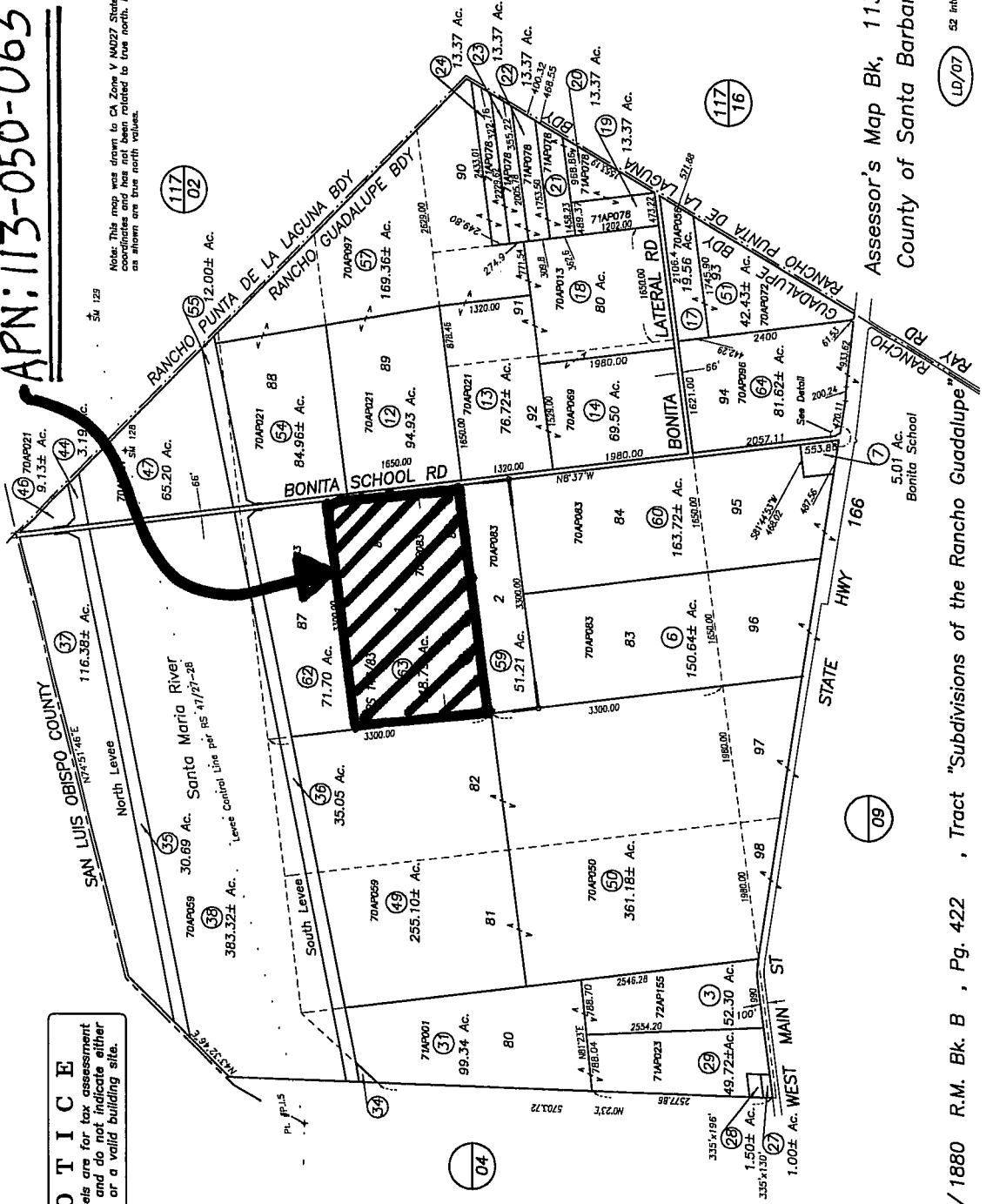
APN: 113-050-063

NOTICE
Assessor's Parcels are for tax assessment purposes only and do not indicate either parcel legality or a valid building site.

Note: This map was drawn to CA Zone V NAD27 State Plane coordinates and has not been related to true north. Bearings as shown are true north values.



1" = 1500' SCALE



Detail
1" = 500'

Assessor's Map Bk, 113-Pg, 05
County of Santa Barbara, Calif.

03/08/1880 R.M. Bk. B , Pg. 422 , Tract "Subdivisions of the Rancho Guadalupe"

LD/07

52 into State Hwy & 64