

ATTACHMENT C

RECORDING REQUESTED BY:)
 County of Santa Barbara)
 _____)
 WHEN RECORDED RETURN TO:)
 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
08AGP-00000-00012

THIS LAND CONSERVATION CONTRACT, by and between Circle G, LLC, 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 Hilltop Farm Agricultural Preserve, 08AGP-00000-00012, Assessor Parcel Numbers 155-200-084, 001-030-034 and 001-030-036, comprising 120 acres; with zoning of AG-I-40, and A-I-40 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; and 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 2009, 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 _____

ATTEST:

CLERK OF THE BOARD

By: _____
Deputy Clerk of the Board

COUNTY OF SANTA BARBARA

By: _____
Chairman, Board of Supervisors


OWNER:
Circle G, LLC, a California Limited Liability Co.

William R. Guthy, Trustee 12-3-08
William R. Guthy, (DATE)
Trustee of the Guthy/Jackson Real Property Trust,
General Manager of Circle G, LLC

ATTEST:

Victoria Jackson 12-3-08
Victoria Jackson, (DATE)
Trustee of the Guthy/Jackson Real Property Trust,
Member/Secretary of Circle G, LLC

APPROVED AS TO FORM:
Dennis Marshall
County Counsel

By 
Deputy County Counsel

Date: 12/4/08

**AGRICULTURAL PRESERVE
NO. 08AGP-00000-00012**

Those portions of the Outside Pueblo Lands of the City of Santa Barbara, and Sections 21, 22, and 27 in Township 4 North, Range, 25 West, San Bernardino Meridian in the County of Santa Barbara, State of California, described as a whole as follows:

Commencing at a point on the Northerly line of the Outside Pueblo Lands of the City of Santa Barbara, from which a cross out on a stone survey monument set for Pueblo Corner No. 3 of the said Outside Pueblo Lands bears North $46^{\circ}40'28''$ West, 502.72 feet distant, and a 2 inch survey pipe with brass cap bears South $67^{\circ}49'50''$ West, 10.34 feet distant, said point being more fully shown on a "Map of the Henry S. Russell property" made by George A. Miller, Registered Engineer and filed in Book 22, Page 20 of Record of Surveys, records of said County; thence, North $67^{\circ}49'50''$ East, along the westerly line of the land of Henry S. Russell, 608.48 feet to a 2 inch survey pipe with brass cap; thence South $88^{\circ}08'45''$ East, continuing along said last mentioned line, 206.56 feet to the true point of beginning; thence

- 1st - South $4^{\circ}57'50''$ West, leaving said last mentioned line, 102.80 feet; thence,
- 2nd - South $36^{\circ}52'17''$ West 127.41 feet; thence,
- 3rd - South $24^{\circ}10'40''$ West 276.16 feet; thence,
- 4th - South $15^{\circ}50'40''$ West 179.56 feet; thence,
- 5th - North $74^{\circ}25'27''$ West 166.37 feet; thence,
- 6th - South $39^{\circ}20'10''$ West 104.43 feet; thence,
- 7th - South $15^{\circ}44'20''$ West 330.77 feet; thence,
- 8th - South $76^{\circ}07'35''$ East 343.42 feet; thence,
- 9th - South $29^{\circ}56'45''$ East 69.00 feet; thence,
- 10th - South $39^{\circ}11'00''$ East 310.54 feet; thence,
- 11th - South $52^{\circ}51'00''$ East 82.20 feet; thence,
- 12th - South $71^{\circ}28'34''$ East 91.63 feet; thence,
- 13th - North $82^{\circ}04'30''$ East 48.35 feet; thence,
- 14th - South $76^{\circ}54'47''$ East 343.04 feet; thence,
- 15th - South $57^{\circ}59'00''$ East 92.55 feet; thence,
- 16th - South $40^{\circ}24'50''$ East 244.27 feet; thence,

- 17th - South 59°41'00" East 131.22 feet; thence,
- 18th - South 35°32'00" East 77.41 feet; thence,
- 19th - South 14°07'00" West 70.27 feet; thence,
- 20th - South 31°08'30" West 150.10 feet; thence,
- 21st - South 7°24'34" West 83.31 feet to an angle point in the Westerly line of the tract of land described in the deed to Edward S. Perot, Jr., recorded in Book 552, Page 240 of Official Records, records of said County, said angle point being the Westerly terminus of the course described in said deed as South 89°03' East 65.74 feet; thence, along the Northerly line of said Perot Tract the following courses and distances,
- 22nd - South 89°03' East 65.74 feet; thence,
- 23rd - South 71°51'30" East 100.40 feet; thence,
- 24th - North 30°38'30" East 68.52 feet; thence,
- 25th - North 50°08'30" East 66.37 feet; thence,
- 26th - North 68°02'30" East 78.47 feet; thence,
- 27th - North 60°58'30" East 53.75 feet and
- 28th - North 85°58' East 71.76 feet to the most Westerly corner of the tract of land described in the deed to Edward S. Perot, III, recorded June 19, 1947 as Instrument NO. 8127 in Book 735, Page 294 of Official Records; thence,
- 29th - Along the Northwesterly line of said tract North 60°39'30" East 33.25 feet and
- 30th - North 28°46' East 86.31 feet to the most Northerly corner of said tract; thence,
- 31st - Along the Northeasterly line of said tract South 54°01'30" East 424.12 feet to an angle point in said line; thence,
- 32nd - South 30°46' West 55.16 feet to another angle point in said line; thence,
- 33rd - South 59°14' East 62.46 feet to a point in the Northerly line of the tract of land described as Parcel One in the deed to Edward S. Perot, Jr., as Trustees, recorded August 19, 1942 as Instrument No. 6348 in Book 552, Page 240 of Official Records, being the Perot Tract first herein referred to; thence, along the Northerly line of said tract the following courses and distances:
- 34th - North 49°47' East 35.69 feet; thence,
- 35th - North 7°15'30" East 200.95 feet; thence,
- 36th - North 23°31'30" East 152.49 feet; thence,

- 37th - North 16°19'30" east 99.53 feet; thence,
- 38th - North 84°28'30" East 82.60 feet; thence,
- 39th - North 27°42'30" East 110.59 feet; thence,
- 40th - North 55°05'30" East 138.73 feet; thence,
- 41st - North 71°27' East 117.11 feet to the Southwesterly line of the tract of land described as Tract One in the deed to the United State of America recorded March 18, 1953 as Instrument NO. 4304 in Book 1138, Page 85 of Official Records; thence along the perimeter of said tract the following courses and distances:
 - 42nd - North 41°54' West 291.6 feet; thence,
 - 43rd - North 08°00' East 179.8 feet; thence,
 - 44th - North 63°37' East 436.5 feet; thence,
 - 45th - South 35°34' East 565.5 feet; thence,
 - 46th - South 69°52' West 63.9 feet; thence,
 - 47th - South 45°34' West 144.3 feet; thence,
 - 48th - South 36°59' West 106.6 feet; thence,
 - 49th - South 56°13' West 128.00 feet to the most Southerly corner of said tract one, the Northerly line of the Edward S. Perot, Jr., tract of land described in Book 552, 240 of Official Records; thence,
 - 50th - Along said tract South 28°33'40" East 184.60 feet to the most Westerly corner of the tract of land described in the deed to Lloyd B. Hales recorded April 16, 1947 in Book 733, Page 20 of Official Records; thence,
 - 51st - Along the Northwesterly line of said Hales Tract North 56°32' East 525.49 feet to the most Northerly corner of said tract and the West line of Rincon Ranch; thence,
 - 52nd - Along said West line North 32°00'50" East 622.30 feet more or less, to a 1/2 inch survey pipe set on the Southerly line of Lands formerly of A.T. Noe from which Rincon Corner No. 6 bears North 32°00'50" East 1321.40 feet; thence,
 - 53rd - Along the Southerly line of said Noe Tract North 65°31'20" West 243.07 feet to a concrete survey monument; thence,
 - 54th - Along the Westerly line of said tract North 11°51'40" West 573.60 feet to a concrete survey monument; thence,
 - 55th - Along the Northerly line of said tract South 67°33' East 322.65 feet to a 1/2 inch survey pipe set in said Northerly line; thence,



- 56th - Along the Westerly line of lands now or formerly of Nelson Smith North 0°14'50" East 3287.60 feet to a 2 inch survey pipe set on the Southerly line of the lands now or formerly of A.G. Franklin; thence,
- 57th - Along said Southerly line South 88°04'35" West 2725.40 feet to a 1/2 inch survey pipe set in said line from which a spike in a live oak tree bears North 21 West 68.81 feet; thence,
- 58th - South 0°24'50" West 1345.50 feet to a 2 inch survey pipe set at the Northeast corner of lands formerly of M.J. Moore; thence,
- 59th - Along the Easterly line of said Moore South 0°23'30" West 1339.15 feet to a 2 inch survey pipe; thence,
- 60th - North 88°08'45" West 744.56 feet to the true point of beginning.

Excepting therefrom that portion described in the deed to William V. Hahn, et ux., recorded December 31, 1991 as Instrument No. 91-87747 of Official Records, said land being described as Parcel One of Record of Survey, in the County of Santa Barbara, State of California, as per map recorded in Book 142, Pages 16 and 17 of Record of Surveys, in the office of the County Recorder of said County.

Also excepting therefrom the northeast quarter of the southwest quarter, the northwest quarter of the southeast quarter, the southwest quarter of the northeast quarter, and the southeast quarter of the northwest quarter, all of Section 22, Township 4 North, Range 25 West, San Bernardino Meridian.



20 Oct. 2008

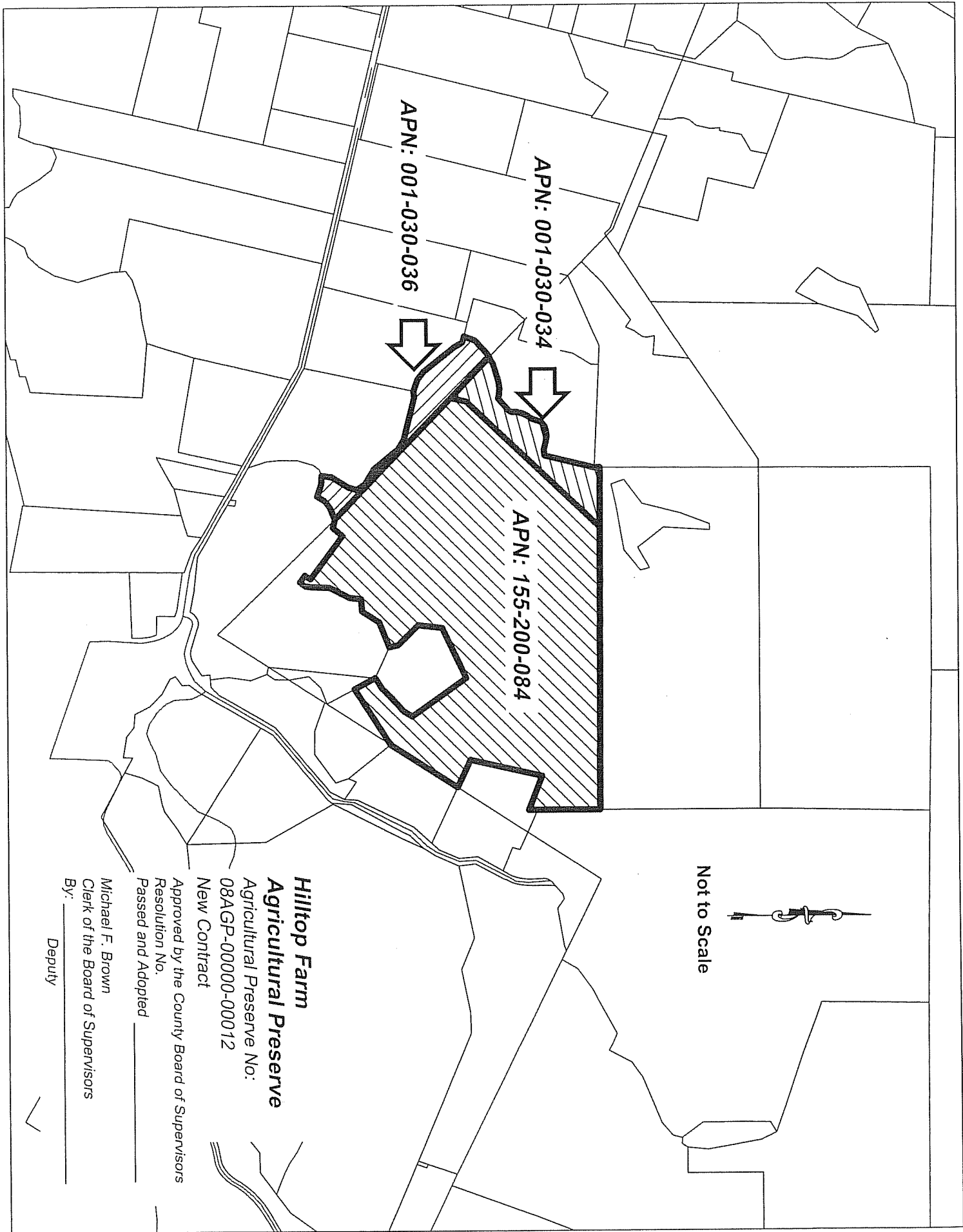
Roger Hemman, PLS 5785 Date
Expires 30 June 2010



APPROVED AS TO FORM
AND SURVEY CONTENT

Edmund R. Villa *Deputy County Surveyor*
For: MICHAEL B. EMMONS, PLS 5899
COUNTY SURVEYOR
LICENSE EXP. 12/31/09





Not to Scale



**Hilltop Farm
Agricultural Preserve**

Agricultural Preserve No:
08AGP-00000-00012

New Contract

Approved by the County Board of Supervisors
Resolution No. _____
Passed and Adopted _____

Michael F. Brown
Clerk of the Board of Supervisors
By: _____
Deputy

