

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

**08AGP-00000-00024**

THIS LAND CONSERVATION CONTRACT, by and between Daniel D. Kessler and Ellen H. Kessler, husband and wife, as joint tenants 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 **Kessler Agricultural Preserve, 08AGP-00000-00024, Assessor Parcel Number 099-100-044, 40 acres; with zoning of AG-II-100, and A-II** 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, 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

COUNTY OF SANTA BARBARA

By: \_\_\_\_\_  
Salud Carbajal, Chairman,  
Board of Supervisors

OWNERS:

Daniel D. Kessler 9.17.08  
Daniel D. Kessler, Individually (Date)

Ellen H. Kessler 09/17/08  
Ellen H. Kessler, Individually (Date)

APPROVED AS TO FORM:  
DENNIS MARSHALL  
COUNTY COUNSEL

By:   
Deputy County Counsel

**CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT**

State of California

County of Santa Barbara }

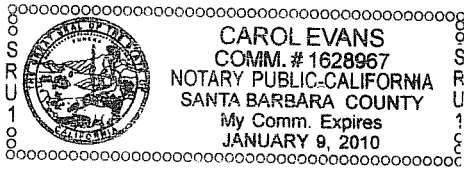
On Sep. 17, 2008 before me, Carol Evans, Notary Public,  
Date Here Insert Name and Title of the Officer

personally appeared Daniel D. Kessler and Ellen H. Kessler  
Name(s) of Signer(s)

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.



Place Notary Seal Above

Signature Carol Evans  
Signature of Notary Public

**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: Land Contract

Document Date: \_\_\_\_\_ Number of Pages: 3

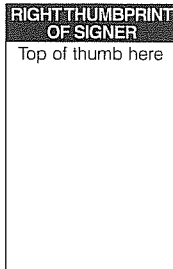
Signer(s) Other Than Named Above: \_\_\_\_\_

**Capacity(ies) Claimed by Signer(s)**

Signer's Name: \_\_\_\_\_

- Individual
- Corporate Officer — Title(s): \_\_\_\_\_
- Partner —  Limited  General
- Attorney in Fact
- Trustee
- Guardian or Conservator
- Other: \_\_\_\_\_

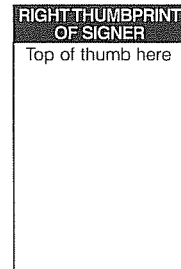
Signer Is Representing: \_\_\_\_\_



Signer's Name: \_\_\_\_\_

- Individual
- Corporate Officer — Title(s): \_\_\_\_\_
- Partner —  Limited  General
- Attorney in Fact
- Trustee
- Guardian or Conservator
- Other: \_\_\_\_\_

Signer Is Representing: \_\_\_\_\_



AGRICULTURAL PRESERVE

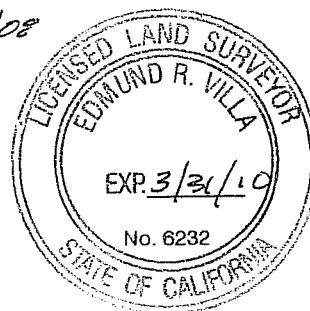
08AGP-00000-00024

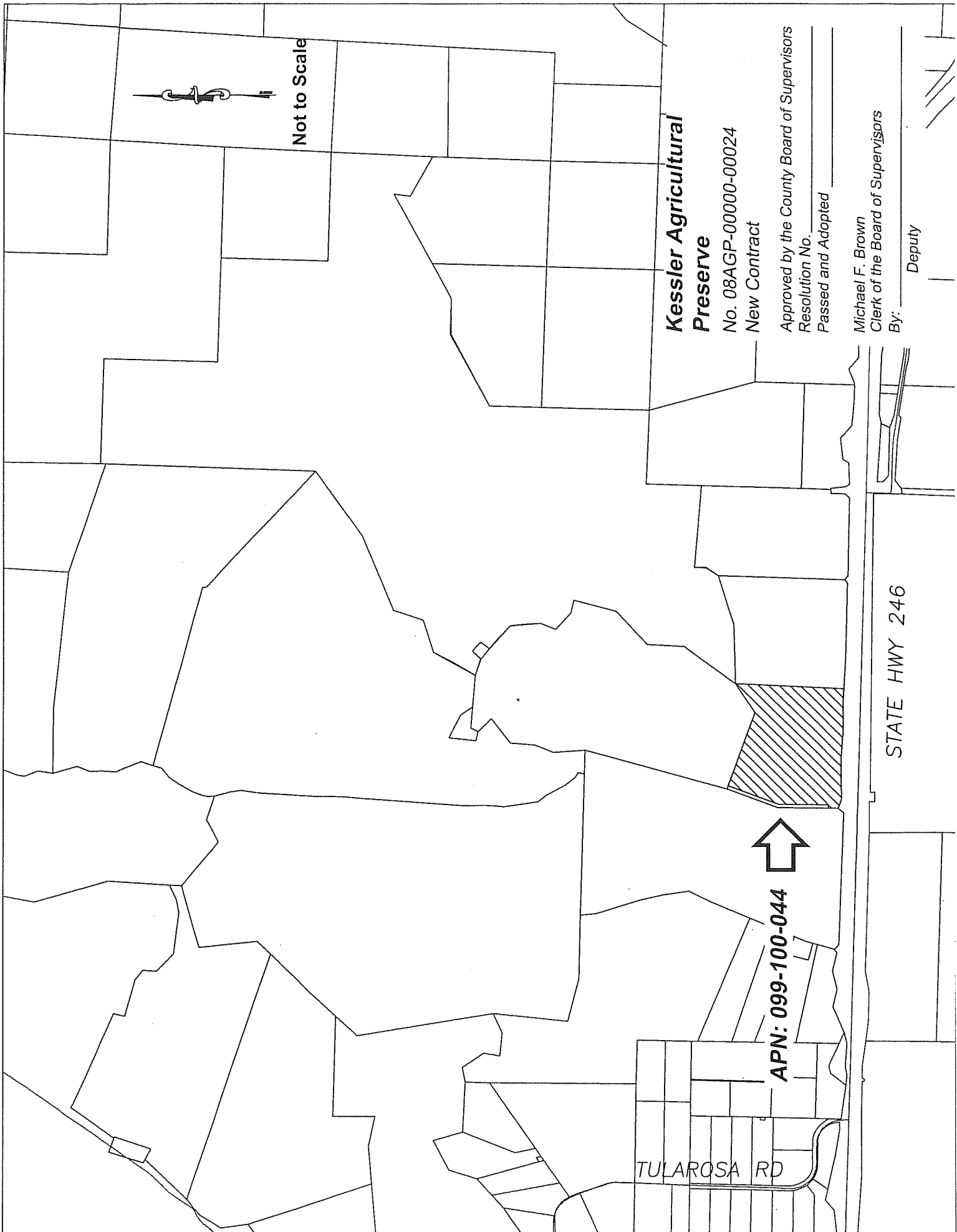
Parcel 1, a portion of Rancho Santa Rita, in the County of Santa Barbara, State of California, as shown in LOT LINE ADJUSTMENT NUMBER 02-LLA-00000-00021, recorded May 23, 2008 as Instrument Number 2008-0030832 of Official Record, in the office of the County Recorder of said County.

APPROVED AS TO FORM  
AND SURVEY CONTENT

*Edmund R. Villa*  
FOR: MICHAEL B. EMMONS, PLS 5899  
COUNTY SURVEYOR  
LICENSE EXP. 12/31/08

*Deputy County  
Surveyor  
8/29/08*





Not to Scale



**Kessler Agricultural Preserve**

No. 08AGP-00000-00024  
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



APN: 099-100-044

TULAROSA RD

STATE HWY 246



RESOLUTION OF THE BOARD OF SUPERVISORS OF THE  
COUNTY OF SANTA BARBARA, STATE OF CALIFORNIA

IN THE MATTER OF THE CREATION )  
OF AN AGRICULTURAL PRESERVE )  
AND ENTERING INTO AN AGRICULTURAL )  
PRESERVE CONTRACT )

RESOLUTION NO. 08-\_\_\_\_\_  
CASE NO.: 08AGP-00000-00024

IT IS HEREBY RESOLVED AS FOLLOWS:

- A. Pursuant to the California Land Conservation Act of 1965 (the Williamson Act), (Government Code Sections 51200 et seq.), the Kessler Agricultural Preserve (08AGP-00000-00024) is hereby created and an agricultural preserve contract in the County of Santa Barbara, is hereby entered into.
- B. A map of the preserve is filed in the Office of the Santa Barbara County Surveyor, and the preserve land is described in Exhibit "A" attached to the Short Form Land Conservation Contract.
- C. This agricultural preserve shall be administered pursuant to the California Land Conservation Act of 1965 and the Uniform Rules for Agricultural Preserves and Farmland Security Zones adopted by this Board pursuant to said Act.
- D. The Clerk of the Board shall endorse the fact of this creation and contract execution and the date thereof on said Surveyor map and shall record this Short Form Land Conservation Contract (Short Form Contract) with description attached at the Office of the Santa Barbara County Recorder. In addition, the Clerk of the Board shall forward to the following interested parties copies of documents as follows:
1. To the County Recorder, a copy of the Surveyor's map;
  2. To the property owners, a duplicate original copy of the Short Form Contract, a certified copy of this Resolution, and a copy of the Surveyor's map;
  3. To the Planning and Development Department, a conformed copy of the Short Form Contract, a certified copy of this Resolution, and a copy of the Surveyor's map;
  4. To the Assessor, a certified copy of the Short Form Contract, a certified copy of this Resolution, and a copy of the Surveyor's map; and
  5. To the Surveyor, a certified copy of the Short Form Contract.
- E. The property owner involved is:
- Daniel and Ellen Kessler                      1700 Gypsy Canyon                      Lompoc CA 93436
- F. The Chairperson and the Clerk of this Board are hereby authorized and directed to sign and certify all maps, documents and other materials in accordance with this resolution to reflect the above described action by the Board of Supervisors.

PASSED, APPROVED AND ADOPTED by the Board of Supervisors of the County of Santa Barbara, State of California, this \_\_\_ day of \_\_\_\_\_, 2008, by the following vote:

AYES:

NOES:

ABSENT:

ABSTENTIONS:

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SALUD CABARJAL  
Chair, Board of Supervisors  
County of Santa Barbara

ATTEST:

MICHAEL F. BROWN  
Clerk of the Board of Supervisors

By: \_\_\_\_\_  
Deputy Clerk

APPROVED AS TO FORM:

DENNIS MARSHALL  
County Counsel

By:   
Deputy County Counsel