

**ATTACHMENT 1 – AGRICULTURAL PRESERVE CONTRACT**

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  
**11AGP-00000-00010**

THIS LAND CONSERVATION CONTRACT, is made by and between NRG Enterprises, L.P., A California Limited Partnership as to an undivided 75% interest and OSR Ranch Limited Partnership, A California Limited Partnership as to an undivided 25% interest 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 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 **OSR Agricultural Preserve, 11AGP-00000-00010, Assessor Parcel Numbers 128-096-012, and -016, 118.38 acres; replacing a portion of 09AGP-00000-00004 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, 2013 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: \_\_\_\_\_  
DOREEN FARR, Chair

Attest:

CLERK OF THE BOARD

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

Approved As To Form:

COUNTY COUNSEL, DENNIS A.

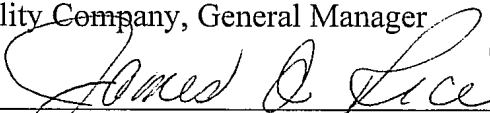
MARSHALL

By:  \_\_\_\_\_  
Deputy County Counsel

OWNER

NRG Enterprises L.P., a California Limited Partnership

By: JOR Enterprises, LLC a California Limited Liability Company, General Manager

BY:  \_\_\_\_\_  
James O. Rice, Manager

OSR Ranch Limited Partnership, a California Limited Partnership

By: JOR Enterprises, LLC a California Limited Liability Company, General Manager

BY:  \_\_\_\_\_  
James O. Rice, Manager

ACKNOWLEDGMENT

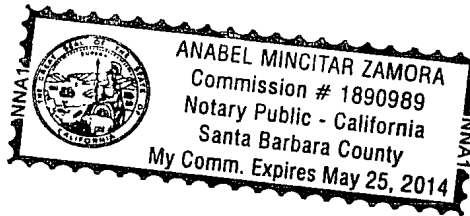
State of California  
County of Santa Barbara )

On March 29, 2012 before me, Anabel Mincitar Zamora, Notary Public  
(insert name and title of the officer)

personally appeared \*\*\*\*James Owen Rice\*\*\*\*  
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 Anabel Zamora (Seal)

Attached to: **Short Form Land Conservation Contract**

ACKNOWLEDGMENT

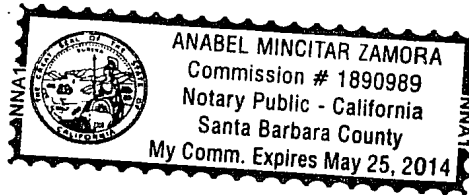
State of California  
County of Santa Barbara )

On March 29, 2012 before me, Anabel Mincitar Zamora, Notary Public  
(insert name and title of the officer)

personally appeared \*\*\*\*James Owen Rice\*\*\*\*  
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 Anabel Zamora (Seal)

Attached to: **Short Form Land Conservation Contract**