

LAFCO MEMORANDUM

SANTA BARBARA LOCAL AGENCY FORMATION COMMISSION
105 East Anapamu Street ♦ Santa Barbara CA 93101 ♦ (805) 568-3391 ♦ Fax (805) 568-2249

REQUEST FOR REPORTBACK

April 29, 2022

TO: Assessor - Michael Daly
Auditor-Controller - Claudia Ornelas
County Executive Office - Mona Miyasato
Elections - Renee Bishof
Planning and Development – Zoe Carlson

FROM: Mike Prater
Executive Officer

RE: **22-04 806 Toro Canyon – SOI & Annexation to Montecito Water District by Resolution Application**

Enclosed is the proposal questionnaire map and legal description for the above-referenced proposal.

Enclosed are petitions for Assessors petitions for Elections verification per G.C. §56707, §56708, & §56710.

The local agencies whose service area or responsibility will be altered by this jurisdictional change are as follows:

- The annexing agency only.
- The annexing city and the Santa Barbara County Fire Protection District.
- The local agencies listed below.

The Assessor and Auditor are are not required by Section 99 of the Revenue and Taxation Code to calculate information for the negotiation for an exchange of property tax revenues for this proposal.

Additional comments:

LAFCO requests comments to be returned no later than Tuesday, May 31, 2022.

Thank you.

March 29, 2022

Executive Officer
Santa Barbara LAFCO
105 East Anapamu Street
Santa Barbara CA 93101

Subject: **Proposed 806 Toro Canyon Road SOI & Annexation of APN 155-040-023 into the Montecito Water District**

Dear Mr. Prater,

The undersigned hereby requests approval of the proposal described in the attached materials. It is proposed to process this application under the provisions of the Cortese/Knox/Hertzberg Local Government Reorganization Act (Government Code Section 56000 et seq.)

Enclosed in support of this proposal are the following:

1. Resolution 2229 of application adopted by the Montecito Water District (MWD) on 3/22/22.
2. Completed LAFCO Proposal Questionnaires (SOI and Boundary Change).
3. Map and legal description of the proposed district including sphere of influence change.
4. Assessor Parcel Map showing proposal area outlined in red ink.
5. Notice of Exemption Class 3 Section 15303 & Class 19 Section 15319.
6. Processing fee payable to "Santa Barbara LAFCO" for \$ 7,500.
7. Fee payable to County Surveyor for \$1,100.

Written consent has been given to this annexation by all affected property owners and it is therefore requested that the Commission waive the protest hearing requirements.

If you have any questions regarding this proposal, please contact the undersigned.

Sincerely,


Autumn Malanca, Owner's Agent



Planning and Development Department

Planner Consultation*

Date: December 15, 2021

Project Name: Sublett Consult

Project Address: 806 Toro Canyon Road

APN: 155-040-023

Planner: Shelby Cramton

* Planner Consultations are paid sessions with planning staff to answer questions about the planning process and regulations, ordinance requirements or permit procedures. This Planner Consultation IS NOT A PRE-APPLICATION MEETING. See attached brochure for more information about pre-application meetings.

Questions from Agent

Will this project require discretionary approval?

We are considering pursuing annexation from LAFCO to use MWD water. If we can determine if the project will likely be ministerial, then we can proceed with the LAFCO annexation.

Additionally, we have worked with SB County Fire who have provided verbal approval on our solution for site access. However, we are considering an alternative site access solution. Thus, water and access are the primary reason we have not yet submitted our plans for review. We are happy to share the plans we have developed so far. We would like to have a case planner assigned to our project and assist us with the preparation of our planning application.

Planner Response

The proposed project involves construction of a single-family dwelling with a detached two-car garage on a vacant parcel. The 14.89-acre parcel is zoned RR-20 (Residential Ranchette). Per Table 2-7, Allowed Land Uses and Permit Requirements for Residential Zones, in the County Land Use Development Code (LUDC), single-family dwellings and accessory uses (such as a detached garage) are permitted uses in the RR zone requiring a Land Use Permit (LUP). Therefore, the project as currently proposed can be processed ministerially.

The applicant should proceed with LAFCO annexation and continue working with the County Fire Department for their approval of site access.

Due to the location of the project within the Toro Canyon Plan area, the project will require South Board of Architectural Review (BAR) review and approval, which requires a separate application.

In order to apply for a LUP and BAR, you will need to fill out the forms linked below. Once complete, email front@countyofsb.org and request a Box link for application submittal. Let front counter staff know when the completed forms and plans have been uploaded to the Box folder. Front counter staff will reach out to you regarding any missing information and payment of fees. Upon receipt of payment, you will be assigned a planner to process the LUP and the project will be scheduled for conceptual review at the next available BAR hearing.

Forms:

- LUP Application:
<https://www.countyofsb.org/uploadedFiles/plnDev/Content/Permitting/LUP%20CDP%20BP%20ZC%20SubReqApp.pdf>
- BAR Application:
<https://www.countyofsb.org/uploadedFiles/plnDev/Content/Permitting/BARStructureSubReqAPP.pdf>
- Agreement for Payment:
<https://www.countyofsb.org/uploadedFiles/plnDev/Content/Permitting/Agreement%20for%20Payment.pdf>
- Authorization of Agent:
<https://www.countyofsb.org/uploadedFiles/plnDev/Content/Permitting/Authorization%20of%20Agent%20Form.pdf>

Smart Build Santa Barbara (SB²). The County of Santa Barbara has a voluntary program, the Smart Build Santa Barbara Program (SB²), to promote energy-efficient building design. We strongly encourage you to take advantage of this opportunity to consult with technical experts in the area of energy-efficient building design at no cost. Benefits include expedited building plan-check, a reduction in the energy plan-check fee by 50%, a reduction in utility bills, and a potential increase in the market value of the project. For more information on SB², please contact Kathy McNeal Pfeifer at (805) 568-2507.

Consultation Closure

I hope the information provided in this planner consultation form is helpful. If you would like to schedule a consultation meeting to address any remaining or newly generated questions, or if you have no further questions at this time and wish to close this project account, please email me at cramtons@countyofsb.org or call (805) 568-2077.

SANTA BARBARA LOCAL AGENCY FORMATION COMMISSION

**Proposal Justification Questionnaire for Annexations,
Detachments and Reorganizations**

(Attach additional sheets as necessary)

1. Name of Application: (The name should match the title on the map and legal description; list all boundary changes that are part of the application)
806 Toro Canyon Road
Requesting that the Montecito Water District (MWD) extend their existing boundary eastward to include this adjacent property located in the Toro Canyon Park area.
2. Describe the acreage and general location; include street addresses if known:
806 Toro Canyon Road, located just outside/adjacent to the MWD far easterly service boundary. The property is 14.89 Acres.
3. List the Assessor's Parcels within the proposal area:
155-040-023
4. Purpose of proposal: (Why is this proposal being filed? List all actions for LAFCO approval. Identify other actions that are part of the overall project, i.e., a tract map or development permit.)
Owner wishes to develop the currently vacant parcel with a single-family home and detached garage, as well as a pool. He would like to apply for MWD water/meter, but unfortunately his parcel is located just outside of the existing easterly District boundary and sphere of influence. He understands he cannot submit his proposed project plans to the County for permitting until he is able to show he has water service for his project.
5. Land Use and Zoning - Present and Future
 - A. Describe the existing land uses within the proposal area. Be specific.
Vacant parcel. There is only an unsurfaced access road that leads through the property.
 - B. Describe any changes in land uses that would result from or be facilitated by this proposed boundary change.
This annexation would allow the Owner to proceed with his single-family home project.
 - C. Describe the existing zoning designations within the proposal area.
This parcel is zoned Residential Ranchette (RR).
 - D. Describe any proposed change in zoning for the proposal area. Do the existing and proposed uses conform with this zoning?
No changes in zoning proposed. The proposed use conforms with current zoning.

- E. (For City Annexations) Describe the rezoning that will apply to the proposal area upon annexation. Do the proposed uses conform with this rezoning? [N/A](#)
- F. List all known entitlement applications pending for the property (i.e., zone change, land division or other entitlements). [N/A](#)

6. Describe the area surrounding the proposal

Using Table A, describe existing land uses, general plans and zoning designations for lands adjacent to and surrounding the proposal area. The application is incomplete without this table. [See Table A, at the end of this document.](#)

7. Conformity with Spheres of influence

- A. Is the proposal area within the sphere of influence of the annexing agency? [No. The proposed parcel to be annexed is adjacent to the existing Montecito Water District boundary, however, it is not technically within MWD’s sphere of influence.](#)
- B. If not, include a proposal to revise the sphere of influence. [See separate “Questionnaire for Amending a Sphere of Influence.”](#)

8. Conformity with County and City General Plans

- A. Describe the existing County General Plan designation for the proposal area. [Residential.](#)
- B. (For City Annexations) Describe the City general plan designation for the area. [N/A](#)
- C. Do the proposed uses conform with these plans? [Yes](#) If not, please explain.

9. Topography and Natural Features

- A. Describe the general topography of the proposal area and any significant natural features that may affect the proposal. [There are some steep slopes in areas where development is proposed. There is a drainage through the center/easterly portion of the project, which requires 100-foot setbacks. The setbacks are easily accommodated, as the proposed development areas are at the far westerly side of the 14.89-acre parcel.](#)
- B. Describe the general topography of the area surrounding the proposal. [The proposed development area slopes generally southerly from a small, flat area at the far northwesterly corner of the site. As stated above, slopes average approximately 25-30% in the development area.](#)

10. Impact on Agriculture

- A. Does the affected property currently produce a commercial agricultural commodity? **No.**
- B. Is the affected property fallow land under a crop rotational program or is it enrolled in an agricultural subsidy or set-aside program? **No.**
- C. Is the affected property Prime Agricultural Land as defined in Government Code §56064? **No.**
- D. Is any portion of the proposal area within a Land Conservation (Williamson) Act contract? **No.**
 - 1) If “yes,” provide the contract number and the date the contract was executed. **N/A**
 - 2) If “yes”, has a notice of non-renewal be filed? If so, when? **N/A**
 - 3) If this proposal is an annexation to a city, provide a copy of any protest filed by the annexing city against the contract when it was approved. **N/A**

11. Impact on Open Space

Is the affected property Open Space land as defined in Government Code Section 65560? **No.**

12. Relationship to Regional Housing Goals and Policies (City annexations only) **N/A**

If this proposal will result in or facilitate an increase in the number of housing units, describe the extent to which the proposal will assist the annexing city in achieving its fair share of regional housing needs as determined by SBCAG.

13. Population

- A. Describe the number and type of existing dwelling units within the proposal area. **None.**
- B. How many new dwelling units could result from or be facilitated by the proposal?
 Single-family One Multi-family N/A

14. Government Services and Controls – Plan for Providing Services (per §56653)

- A. Describe the services to be extended to the affected territory by this proposal. **Potable water service from MWD.**
- B. Describe the level and range of the proposed services. **The owner will be responsible for extending water service from the MWD mainline from Toro Canyon Park Road to the proposed house on 806 Toro Canyon Road. MWD facilities would all be within the existing MWD easement and no water main extension is required.**
- C. Indicate when the services can feasibly be provided to the proposal area. **Estimated within a year of the annexation.**

- D. Indicate any improvements or upgrading of structures, roads, sewers or water facilities or other conditions that will be required as a result of the proposal.
The owner extending a lateral from the MWD line from the adjacent property to the 806 Toro Canyon Road property would be the improvement (same as “B,” above).
- E. Identify how these services will be financed. Include both capital improvements and ongoing maintenance and operation. The Owner intends to finance the installation and maintenance on his own, without financing, if possible
- F. Identify any alternatives for providing the services listed in Section (A) and how these alternatives would affect the cost and adequacy of services.
The only alternative is to provide an onsite well. There is no guarantee there will be adequate GPM to support a single-family residence. Site constraints also inhibit the ability to get the well drilling equipment to the site to drill the well. It is the Owner’s desire to have a steady reliable water source to ensure the longevity of his plans to develop the site.

15. Ability of the annexing agency to provide services

Attach a statement from the annexing agency describing its ability to provide the services that are the subject of the application, including the sufficiency of revenues (per Gov’t Code §56668j).

16. Dependability of Water Supply for Projected Needs (as per §56653)

If the proposal will result in or facilitate an increase in water usage, attach a statement from the retail water purveyor that describes the timely availability of water supplies that will be adequate for the projected needs.

17. Bonded indebtedness and zones – These questions pertain to long term debt that applies or will be applied to the affected property.

- A. Do agencies whose boundaries are being changed have existing bonded debt? _____
 If so, please describe. [Yes, see page 34 of the MWD FY2022 budget document dated 6/22/21. Here is an excerpt from that page:](#)

The District has issued debt, which includes bonds and loans, to assist in the financing of its capital improvement program. The District currently has the following outstanding debt shown in Table 7.

Table 7
NON-OPERATING EXPENSES

	FY 2021 BUDGET	FY 2021 FORECAST	FY 2022 BUDGET	VARIANCE FAVORABLE/ (UNFAVORABLE)
NON OPERATING EXPENSE				
2004 DWR ORTEGA LOAN	(590,400)	(23,556)	-	23,556
2010 BOND INTEREST EXPENSE	(690,463)	(130,426)	-	130,426
AMI METER FINANCING	-	-	-	-
CATER DWR LOAN	(231,647)	(231,648)	(225,416)	6,232
CATER OZONE	(276,346)	(276,323)	(276,739)	(416)
2020 BOND INTEREST EXPENSE	-	(160,222)	(501,900)	
2020 BOND PRINCIPAL	-	(160,000)	(335,000)	
TOTAL NON OPERATING EXPENSE	\$ (1,788,855)	\$ (982,175)	\$ (1,339,055)	\$ (356,880)

Note: Cater DWR Loan and Cater Ozone debt service is held by the City of Santa Barbara and is therefore not included on the District's calculation of debt coverage, nor is the liability carried on the District's financials.

- B. Will the proposal area be liable for payment of its share of this existing debt? _____
 If yes, how will this indebtedness be repaid (property taxes, assessments, water sales, etc.)
[Yes. The indebtedness will be repaid through water sales.](#)
- C. Should the proposal area be included within any 'Division or Zone for debt repayment? __
 If yes, please describe. [There is currently no debt on the property, No bonded indebtedness and / or zones. No Long term Debt.](#)
- D. (For detachments) Does the detaching agency propose that the subject territory continue to be liable for existing bonded debt? N/A . If yes, please describe.

18. Environmental Impact of the Proposal

- A. Who is the "lead agency" for this proposal? [Montecito Water District \(MWD\)](#)

- B. What type of environmental document has been prepared?

None, Categorically Exempt -- [CCR 15319\(b\) and 15061](#)

EIR _____ Negative Declaration _____ Mitigated ND _____

Subsequent Use of Previous EIR _____ Identify the prior report. _____

- C. If an EIR has been prepared, attach the lead agency's resolution listing significant impacts anticipated from the project, mitigation measures adopted to reduce or avoid significant impacts and, if adopted, a "Statement of Overriding Considerations."

19. Boundaries

- A. Why are these particular boundaries being used? Ideally, what other properties should be included in the proposal? Parcel boundary. And no other properties should be included.
- B. If any landowners have included only part of the contiguous land under their ownership, explain why the additional property is not included. N/A

20. Final Comments

- A. Describe any conditions that should be included in LAFCO's resolution of approval.
- B. Provide any other comments or justifications regarding the proposal.
- C. Enclose all pertinent staff reports and supporting documentation related to this proposal. Note any changes in the approved project that are not reflected in these materials.

21. Notices and Staff Reports

List up to three persons to receive copies of the LAFCO notice of hearing and staff report.

<u>Name</u>	<u>Address</u>
A. <u>Bradford Sublett</u>	<u>1079 N Ridgeline Road, Orange, CA 92869</u>
B. <u>Autumn Malanca</u>	<u>115 W. Canon Perdido St., Santa Barbara, CA 93101</u>
C. <u>Adam Kanold</u>	<u>583 San Ysidro Road, Santa Barbara, CA 93108</u>

Who should be contacted if there are questions about this application?

<u>Name</u>	<u>Address</u>	<u>Phone</u>
<u>Autumn Malanca</u>	<u>115 W. Canon Perdido St., SB, CA 93101</u>	<u>805-966-2224 X108</u>


Signature  Date 2/7/22

TABLE A

Information regarding the areas surrounding the proposal area

	Existing Land Use	General Plan Designation	Zoning Designation
East	Agriculture	Agriculture	AG-II-100
West	Agriculture	Agriculture	AG-I-20
North	Residential	Residential	RR-20
South	Recreation	Toro Canyon Park (Recreation/Open Space)	REC

Other comments or notations:

SANTA BARBARA LOCAL AGENCY FORMATION COMMISSION

Questionnaire for Amending a Sphere of Influence,

(Attach additional sheets as necessary)

Sphere of Influence of the Montecito Water District (MWD)

Purpose of the proposal

1. Why is this proposal being filed? List all actions for LAFCO approval. Identify other actions that are part of the overall project, i.e., a tract map or development permit.
The Owner of 806 Toro Canyon Road is requesting that the Montecito Water District (MWD) extend their existing boundary eastward to include this adjacent property located in the Toro Canyon Park area. Owner wishes to develop the currently vacant parcel with a single-family home and detached garage, as well as a pool. He would like to apply for a MWD water/meter, but unfortunately his parcel is located just outside of the existing easterly District boundary. He understands he cannot submit his proposed project plans to the County for permitting until he is able to show he has water service for his project.

Consultation with the County (City sphere changes only)

2. Provide documentation regarding consultation that has occurred between the City and the County with regard to agreement on boundaries, development standards and zoning requirements for land in the proposed sphere as required by Government Code §56425.

Description of area to be included in the sphere

3. What area is proposed to be included in the sphere? Attach a map identifying the current sphere and the proposed addition. What is the acreage? See attachment. The acreage of the parcel is 14.89 acres.
4. Why was it decided to use these particular boundaries?
5. What are the existing land uses for the proposal area? Be specific.
The existing land is currently vacant.
6. Are there proposed land uses for the proposal area? Be specific.
See answer to #1 above.

Relationship to Existing Plans

7. Describe current County general plan and zoning designations for the proposal area.
The parcel is currently zoned residential "single-family" (RR-20).
8. Describe any City general plan and rezoning designations for the proposal area.
N/A

Sphere of Influence Questionnaire (1-20-22)

This form can be downloaded from www.sblafco.org

Environmental Assessment

9. What is the underlying project? Who is the lead agency? What type of environmental document has been prepared for the proposed project?

See answer to #1 above. The County is the lead agency for this single-family home project. No environmental documents have been prepared, to date. The proposed improvements are well beyond the 100-foot setback of the easterly “environmental sensitive area.”

Justification

10. To assist LAFCO in making determinations pursuant to Government Code §56425, please provide information relevant to each of the following:

- A. Present and planned uses in the area, including agricultural and open-space lands. Los Alisos Ranch is adjacent to/west of the 806 Toro Canyon Road property, which supports agriculture (farming mostly avocados). The adjacent property to the east also supports agriculture. Properties to the north are residential, and the southerly property is recreational (Toro Canyon Park area).
- B. Present and probable needs for public facilities and services in the area. See answer to #1 above. There is already a water main in Toro Canyon Park Road. The Owner of 806 Toro Canyon is wanting to run a lateral from that main up to his property for potable water, utilizing a booster pump.
- C. Present capacity of public facilities and adequacy of public services the affected agency provides or is authorized to provide.
- D. Existence of any social or economic communities of interest in the area. N/A

Additional Comments

11. Provide any other comments or justifications regarding the proposal.
12. Enclose any pertinent staff reports and supporting documentation related to this proposal.
13. Notices and Staff Reports

List up to three persons to receive copies of the LAFCO notice of hearing and staff report.

Name

Address/Email

1. Bradford Sublett 1079 N Ridgeline Road, Orange, CA 92869

Application to Amend Sphere of Influence
Page Two

- 2. Autumn Malanca 115 W. Canon Perdido St., Santa Barbara, CA 93101
- 3. Adam Kanold, P.E. 583 San Ysidro Road, Santa Barbara, CA 93108

Who should be contacted if there are questions about this application?

<u>Name</u>	<u>Address/Email</u>	<u>Phone</u>
Autumn Malanca	amalanca@flowersassoc.com	806-966-2224 X108


Signature  Date 2/15/22

EXHIBIT "A"

Sublett Annexation
for APN: 155-040-023
To the Montecito Water District
LAFCO 22-xx


A portion of the Southeast 1/4 of the Southwest 1/4 of Section 12, Township 4 North, Range 26 West, San Bernardino Base & Meridian, in the County of Santa Barbara, State of California, more particularly described as follows:

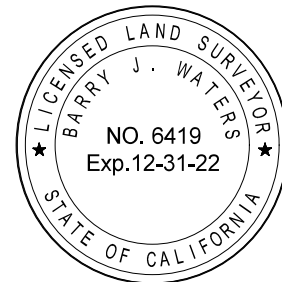
Beginning at the Southeasterly corner of Parcel "A" of Parcel Map No. 13,371 as recorded in Book 36, Pages 11 thru 13 of Parcel Maps, in the Office of the County Recorder of Santa Barbara County, said point also being an angle point in the Miller Reorganization Annexation to the Montecito Water District per LAFCO Resolution No. 94-10 Recorded August 17, 1994 as Instrument No. 94-064734 of Official Records;

- Thence 1st continuing along said Miller Reorganization Annexation and the Easterly line of said Parcel "A" North 00°03'54" West 495.00 feet to an angle point;
- Thence 2nd leaving said Miller Reorganization Annexation and said Easterly line of said Parcel "A" South 89°40'54" East 1306.95 feet to the Westerly line of Parcel "C" as shown on Record of Survey filed in Book 89, Page 9 of Records of Survey in the Office of the County Recorder of Santa Barbara County and an angle point;
- Thence 3rd along said Westerly line of said Parcel "C", South 00°13'55" East 495.00 feet to a point on the boundary line of said Miller Reorganization Annexation, said point also being the Southeasterly corner of said Parcel "C";
- Thence 4th along said Miller Reorganization Annexation, North 89°40'56" West 1307.71 feet to the Northeast corner of Parcel "B" of said Parcel Map No. 13,371;
- Thence 5th continuing along the Northerly line of Parcel "B" of said Parcel Map No. 13,371 and said Miller Reorganization Annexation North 89°47'59" West 0.68 feet to the Southeast corner of said Parcel "A" and the **True Point of Beginning**

~ End of Description ~

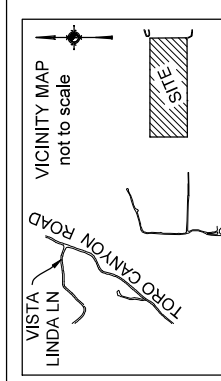
The above described area contains 14.89 Acres more or less

Prepared By: 
Barry J. Waters, P.L.S. 6419 date:

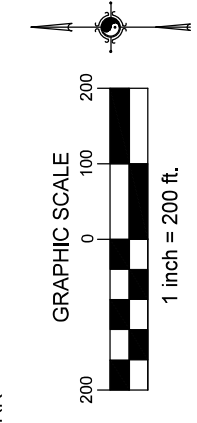
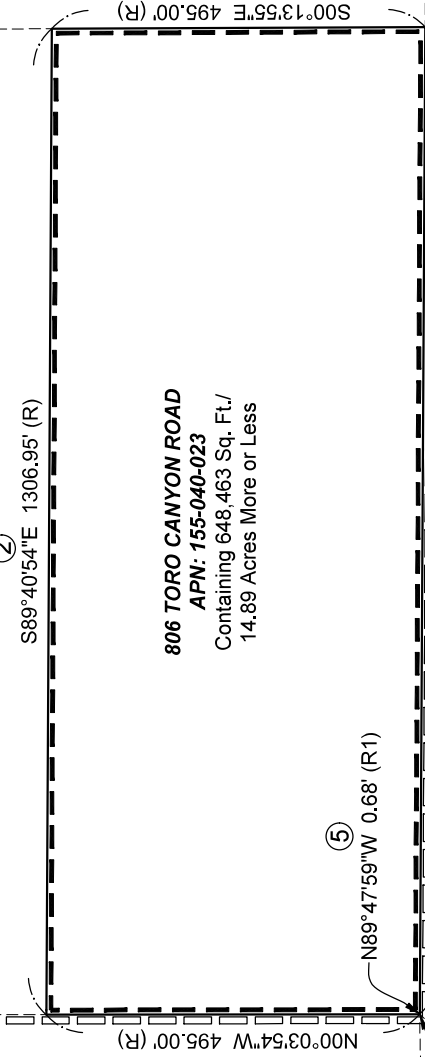


Approved as to Form and Survey Content

Aleksandar Jevremovic, P.L.S. 8378 date:
County Surveyor



LEGEND:
 APN : ASSESSOR PARCEL NUMBER
 RES : RESOLUTION
 (#) : COURSE NUMBER (TYPICAL)
 --- : INDICATES EXISTING DISTRICT BOUNDARY
 - - - : INDICATES PROPOSED DISTRICT BOUNDARY

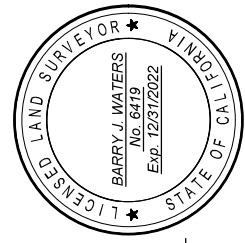


(R)= Grant Deed per Instrument No. 2019-0008956 of Official Records.
 (R1)= Miller Reorganization Annexation, LAFCO 94-10 Dated 06/09/1994 as filed in Instrument No. 94-064734 of Official Records.

APN: 155-040-033

APN 155-150-009
 Miller Reorganization Annexation
 LAFCO No. 94-10
 Recorded 06/09/1994
 Inst #94-064734
 Res. No. 94-10

Miller Reorganization Annexation
 LAFCO No. 94-10
 Recorded 06/09/1994
 Inst #94-064734
 Res. No. 94-10



APPROVED AS TO FORM AND SURVEYING CONTENT.

PREPARED BY:
 WATERS CARDENAS LAND SURVEYING, LLP.
 5553 HOLLISTER AVE, STE 7
 GOLETA, CA 93117 (805) 967-4416

BARRY J. WATERS, PLS 6419
 LIC. EXP. DATE: DECEMBER 2022

ALEKSANDAR JEVREMOVIC, LS 8378
 SANTA BARBARA COUNTY SURVEYOR
 LIC. EXP. DATE:

EXHIBIT "B"
 LAFCO 22-XX
 SUBLETT ANNEXATION TO
 MONTECITO WATER DISTRICT
 COUNTY OF SANTA BARBARA, STATE OF CALIFORNIA
 MAP PREPARED 2/3/2022 SHEET 1 OF 1

SUBLETT ANNEXATION

Segment #1 : Line

Course: N00°03'54"W Length: 495.000'
North: 2668.6236' East: -2549.1648'

Segment #2 : Line

Course: S89°40'54"E Length: 1306.948'
North: 2661.3623' East: -1242.2370'

Segment #3 : Line

Course: S00°13'55"E Length: 495.000'
North: 2166.3663' East: -1240.2331'

Segment #4 : Line

Course: N89°40'56"W Length: 1307.710'
North: 2173.6192' East: -2547.9230'

Segment #5 : Line

Course: N89°47'59"W Length: 0.680'
North: 2173.6239' East: -2548.6032'

Perimeter: 3605.338' Area: 647273.04 Sq. Ft.
Error Closure: 0.0023 Course: S05°47'42"E
Error North: -0.00233 East: 0.00024

Precision 1: 1567538.261



State of California - Department of Fish and Wildlife
2022 ENVIRONMENTAL DOCUMENT FILING FEE
CASH RECEIPT
 DFW 753.5a (REV. 01/01/22) Previously DFG 753.5a

RECEIPT NUMBER:
 42 — 03/30/2022 — 048
 STATE CLEARINGHOUSE NUMBER (If applicable)

SEE INSTRUCTIONS ON REVERSE. TYPE OR PRINT CLEARLY.

LEAD AGENCY Montecito Water District	LEAD AGENCY EMAIL akanold@montecitowater.com	DATE 03/30/2022
COUNTY/STATE AGENCY OF FILING Santa Barbara	DOCUMENT NUMBER	

PROJECT TITLE

NOE - Annexation of APN 155-040-023 into Montecito Water District Service Area

PROJECT APPLICANT NAME Adam Kanold	PROJECT APPLICANT EMAIL akanold@montecitowater.com	PHONE NUMBER (805) 456-9802
PROJECT APPLICANT ADDRESS 583 San Ysidro Rd	CITY Santa Barbara	STATE CA
		ZIP CODE 93108

PROJECT APPLICANT (Check appropriate box)

- Local Public Agency
 School District
 Other Special District
 State Agency
 Private Entity

CHECK APPLICABLE FEES:

- | | | | |
|---|------------|----|------|
| <input type="checkbox"/> Environmental Impact Report (EIR) | \$3,539.25 | \$ | 0.00 |
| <input type="checkbox"/> Mitigated/Negative Declaration (MND)(ND) | \$2,548.00 | \$ | 0.00 |
| <input type="checkbox"/> Certified Regulatory Program (CRP) document - payment due directly to CDFW | \$1,203.25 | \$ | 0.00 |
|
 | | | |
| <input checked="" type="checkbox"/> Exempt from fee | | | |
| <input checked="" type="checkbox"/> Notice of Exemption (attach) | | | |
| <input type="checkbox"/> CDFW No Effect Determination (attach) | | | |
| <input type="checkbox"/> Fee previously paid (attach previously issued cash receipt copy) | | | |

- | | | | |
|---|----------|----|-------|
| <input type="checkbox"/> Water Right Application or Petition Fee (State Water Resources Control Board only) | \$850.00 | \$ | 0.00 |
| <input checked="" type="checkbox"/> County documentary handling fee | | \$ | 50.00 |
| <input type="checkbox"/> Other | | \$ | |

PAYMENT METHOD:

- Cash
 Credit
 Check
 Other
 TOTAL RECEIVED
 \$ 50.00

SIGNATURE 	AGENCY OF FILING PRINTED NAME AND TITLE Angelica Ramirez, Deputy Clerk
---------------	---



State of California - Department of Fish and Wildlife
2022 ENVIRONMENTAL DOCUMENT FILING FEE
CASH RECEIPT
 DFW 753.5a (REV. 01/01/22) Previously DFG 753.5a

NOTICE

Each project applicant shall remit to the county clerk the environmental filing fee before or at the time of filing a Notice of Determination (Pub. Resources Code, § 21152; Fish & G. Code, § 711.4, subdivision (d); Cal. Code Regs., tit. 14, § 753.5). Without the appropriate fee, statutory or categorical exemption, or a valid No Effect Determination issued by the California Department of Fish and Wildlife (CDFW), the Notice of Determination is not operative, vested, or final, and shall not be accepted by the county clerk.

COUNTY DOCUMENTARY HANDLING FEE

The county clerk may charge a documentary handling fee of fifty dollars (\$50) per filing in addition to the environmental filing fee (Fish & G. Code, § 711.4, subd. (e); Cal. Code Regs., tit. 14, § 753.5, subd. (g)(1)). A county board of supervisors shall have the authority to increase or decrease the fee or charge, that is otherwise authorized to be levied by another provision of law, in the amount reasonably necessary to recover the cost of providing any product or service or the cost of enforcing any regulation for which the fee or charge is levied (Gov. Code, § 54985, subd. (a)).

COLLECTION PROCEDURES FOR COUNTY GOVERNMENTS

Filing Notice of Determination (NOD):

- Collect environmental filing fee or copy of previously issued cash receipt. *(Do not collect fee if project applicant presents a No Effect Determination signed by CDFW. An additional fee is required for each separate environmental document. An addendum is not considered a separate environmental document. Checks should be made payable to the county.)*
- Issue cash receipt to project applicant.
- Attach copy of cash receipt and, if applicable, previously issued cash receipt, to NOD.
- Mail filing fees for CRP document to CDFW prior to filing the NOD or equivalent final approval (Cal. Code Regs. Tit. 14, § 753.5 (b)(5)). The CRP should request receipt from CDFW to show proof of payment for filing the NOD or equivalent approval. Please mail payment to address below made attention to the Cash Receipts Unit of the Accounting Services Branch.

If the project applicant presents a **No Effect Determination** signed by CDFW, also:

- Attach No Effect Determination to NOD *(no environmental filing fee is due)*.

Filing Notice of Exemption (NOE) (Statutorily or categorically exempt project (Cal. Code Regs., tit. 14, §§ 15260-15285, 15300-15333))

- Issue cash receipt to project applicant.
- Attach copy of cash receipt to NOE *(no environmental filing fee is due)*.

Within 30 days after the end of each month in which the environmental filing fees are collected, each county shall summarize and record the amount collected on the monthly State of California Form No. CA25 (TC31) and remit the amount collected to the State Treasurer. Identify the remittance on Form No. CA25 as "Environmental Document Filing Fees" per Fish and Game Code section 711.4.

The county clerk shall mail the following documents to CDFW on a monthly basis:

- ✓ A photocopy of the monthly State of California Form No. CA25 (TC31)
- ✓ CDFW/ASB copies of all cash receipts (including all voided receipts)
- ✓ A copy of all CDFW No Effect Determinations filed in lieu of fee payment
- ✓ A copy of all NODs filed with the county during the preceding month
- ✓ A list of the name, address and telephone number of all project applicants for which an NOD has been filed. If this information is contained on the cash receipt filed with CDFW under California Code of Regulations, title 14, section 753.5, subdivision (e)(6), no additional information is required.

DOCUMENT RETENTION

The county shall retain two copies of the cash receipt (for lead agency and county clerk) and a copy of all documents described above for at least 12 months.

RECEIPT NUMBER

- # The first two digits automatically populate by making the appropriate selection in the County/State Agency of Filing drop down menu.
- # The next eight digits automatically populate when a date is entered.
- # The last three digits correspond with the sequential order of issuance for each calendar year. For example, the first receipt number issued on January 1 should end in 001. If a county issued 252 receipts for the year ending on December 31, the last receipt number should end in 252. CDFW recommends that counties and state agencies 1) save a local copy of this form, and 2) track receipt numbers on a spreadsheet tabbed by month to ensure accuracy.

DO NOT COMBINE THE ENVIRONMENTAL FEES WITH THE STATE SHARE OF FISH AND WILDLIFE FEES.

Mail to:

California Department of Fish and Wildlife
 Accounting Services Branch
 P.O. Box 944209
 Sacramento, California 94244-2090



2020 CEQA Transmittal Memorandum

County of Santa Barbara - Clerk of the Board of Supervisors
105 E. Anapamu St. Room 407 • Santa Barbara • CA • 93101

Complete this form when filing a Negative Declaration, Mitigated Negative Declaration, Environmental Impact Report or Notice of Exemption.

You will need to submit one original for posting plus one copy for the Department of Fish & Wildlife. A scanned copy including the date/time of posting will be emailed to the Lead Agency and Project Applicant. If you would like a return copy, please submit an extra copy along with a pre-addressed, stamped envelope.

Contact Person ADAM KANOLD		Phone 805-456-9802	
Lead Agency MONTECITO WATER DISTRICT		Lead Agency Email akanold@montecitowater.com	
Project Title Annexation of APN 155-040-023 into the Montecito Water District Service Area			
Project Applicant SAME	Email SAME	Phone SAME	
Project Applicant Address 583 SAN YSIDRO RD	City SANTA BARBARA	State CA	Zip 93108

DOCUMENT BEING FILED:

<input type="checkbox"/> Environmental Impact Report (EIR)	
<input type="checkbox"/> 2020 Filing Fee	\$3,343.25
<input type="checkbox"/> Previously Paid (must attach receipt)	\$0.00
<input type="checkbox"/> No Effect Determination (must be attached).....	\$0.00
<hr/>	
<input type="checkbox"/> Negative Declaration or Mitigated Negative Declaration	
<input type="checkbox"/> 2020 Filing Fee	\$2,406.75
<input type="checkbox"/> Previously Paid (must attach receipt)	\$0.00
<input type="checkbox"/> No Effect Determination (must be attached).....	\$0.00
<hr/>	
<input checked="" type="checkbox"/> Notice of Exemption	\$0.00
<hr/>	
<input checked="" type="checkbox"/> County Administrative Handling Fee (required for all filings, effective 7/19/18)	\$50.00

TOTAL: **\$ 50.00**

PAYMENT METHOD: ALL APPLICABLE FEES MUST BE PAID AT THE TIME OF FILING

Cash Credit Card Check # 7400 Journal Entry # _____

RECEIVED
COUNTY CLERK OF THE BOARD OF SUPERVISORS
2020 JUN 10 P 2:28
SANTA BARBARA

Notice of Exemption

Appendix E

To: Office of Planning and Research
 P.O. Box 3044, Room 113
 Sacramento, CA 95812-3044
 County Clerk
 County of: Santa Barbara
105 E. Anapamu St., Room 407
Santa Barbara, CA 93101

From: (Public Agency): Montecito Water District
583 San Ysidro Road
Santa Barbara, CA 93108
 (Address)

Project Title: Annexation of APN 155-040-023 into the Montecito Water District Service Area

Project Applicant: Montecito Water District

Project Location - Specific:
806 Toro Canyon Road (APN 155-040-023)

Project Location - City: Santa Barbara Project Location - County: Santa Barbara

Description of Nature, Purpose and Beneficiaries of Project:
 The project will annex the existing 14.89 acre parcel into the Montecito Water District service area.

Name of Public Agency Approving Project: Montecito Water District

Name of Person or Agency Carrying Out Project: Adam Kanold, Assistant General Manager

Exempt Status: (check one):

- Ministerial (Sec. 21080(b)(1); 15268);
- Declared Emergency (Sec. 21080(b)(3); 15269(a));
- Emergency Project (Sec. 21080(b)(4); 15269(b)(c));
- Categorical Exemption. State type and section number: 15319(b), 15061
- Statutory Exemptions. State code number: _____

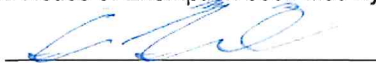
Reasons why project is exempt:

15319(b) - annexations of individual small parcels of the minimum size for facilities exempted by Section 15303
 15061 - the activity is covered by the common sense exemption that CEQA applies only to projects which have the potential for causing a significant effect on the environment

Lead Agency
 Contact Person: Adam Kanold Area Code/Telephone/Extension: 805-969-2271

If filed by applicant:

1. Attach certified document of exemption finding.
2. Has a Notice of Exemption been filed by the public agency approving the project? Yes No

Signature:  Date: 3-22-2022 Title: Asst General Manager

Signed by Lead Agency Signed by Applicant

Authority cited: Sections 21083 and 21110, Public Resources Code.
 Reference: Sections 21108, 21152, and 21152.1, Public Resources Code.

Date Received for filing at OPR: _____

RECEIVED
 COUNTY OF SANTA BARBARA
 BOARD OF SUPERVISORS
 2022 MAR 30 P 1:28



COUNTY OF SANTA BARBARA

X2155258

COB

Department

Date 03/30/2022

Received from Montecito Water District

In Payment of NOE; Amortization of AN 155-040-023 processing fee

Fifty

and 100 Dollars \$ 50.00

Received original of the above numbered receipt

CREDIT CARD	
CASH	
CHECK	<input checked="" type="checkbox"/>

>147

SIGNATURE OF PAYOR

#7460

A. Ramirez
AUTHORIZED SIGNATURE

MONTECITO WATER DISTRICT

583 SAN YSIDRO ROAD
SANTA BARBARA, CA 93108-2124
TELEPHONE (805) 969-2273

AMERICAN RIVIERA BANK
1033 Anacapa Street
Santa Barbara, CA 93101

50-4433/122

PAY Fifty Dollars and 00/100 cents

No. 007460

DATE	CHECK NUMBER	NET AMOUNT
03/30/2022	7460	50.00

VOID AFTER ONE YEAR

COUNTY OF SANTA BARBARA
DEPT OF PUBLIC WORKS PLANNING DEV
123 E ANAPAMU STREET
SANTA BARBARA, CA 93101

PAY TO THE ORDER OF

AUTHORIZED SIGNATURE

⑈007460⑈ ⑆12224333⑆ 020001738⑈

Notice of Exemption

Appendix E

To: Office of Planning and Research
P.O. Box 3044, Room 113
Sacramento, CA 95812-3044

County Clerk

County of: Santa Barbara

105 E. Anapamu St., Room 407

Santa Barbara, CA 93101

From: (Public Agency): Montecito Water District

583 San Ysidro Road

Santa Barbara, CA 93108

(Address)

Project Title: Annexation of APN 155-040-023 into the Montecito Water District Service Area

Project Applicant: Montecito Water District

Project Location - Specific:

806 Toro Canyon Road (APN 155-040-023)

Project Location - City: Santa Barbara

Project Location - County: Santa Barbara

Description of Nature, Purpose and Beneficiaries of Project:

The project will annex the existing 14.89 acre parcel into the Montecito Water District service area.

Name of Public Agency Approving Project: Montecito Water District

Name of Person or Agency Carrying Out Project: Adam Kanold, Assistant General Manager

Exempt Status: **(check one):**

- Ministerial (Sec. 21080(b)(1); 15268);
- Declared Emergency (Sec. 21080(b)(3); 15269(a));
- Emergency Project (Sec. 21080(b)(4); 15269(b)(c));
- Categorical Exemption. State type and section number: 15319(b), 15061
- Statutory Exemptions. State code number: _____

Reasons why project is exempt:

15319(b) - annexations of individual small parcels of the minimum size for facilities exempted by Section 15303

15061 - the activity is covered by the common sense exemption that CEQA applies only to projects which have the potential for causing a significant effect on the environment

Lead Agency

Contact Person: Adam Kanold

Area Code/Telephone/Extension: 805-969-2271

If filed by applicant:

1. Attach certified document of exemption finding.
2. Has a Notice of Exemption been filed by the public agency approving the project? Yes No

Signature: 

Date: 3-22-2022

Title: Asst General Manager

Signed by Lead Agency Signed by Applicant

Authority cited: Sections 21083 and 21110, Public Resources Code.

Reference: Sections 21108, 21152, and 21152.1, Public Resources Code.

Date Received for filing at OPR: _____

Reliable Since 1921

583 San Ysidro Road
Santa Barbara, CA 93108-2124

Phone: 805.969.2271

Fax: 805.969.7261

Email: info@montecitowater.com

Web: montecitowater.com



Board of Directors

Tobe Plough, President
Kenneth Coates, Vice President
Cori Hayman, Director
Floyd Wicks, Director
Brian Goebel, Director

**General Manager and
Board Secretary**

Nick Turner

**REGULAR MEETING
BOARD OF DIRECTORS
MONTECITO WATER DISTRICT
583 SAN YSIDRO ROAD, MONTECITO, CALIFORNIA**

Attend in Person or Join by Teleconference:

<https://us06web.zoom.us/j/87409553426?pwd=dmFIUXMvWjRuOFNLdzdqalpoQ25pZz09>

Meeting ID: 874 0955 3426; Passcode: 727 192

Tel: (669) 900 6833

TUESDAY, MARCH 22, 2022

9:30 A.M.

AGENDA

- 1. CALL TO ORDER, ROLL CALL, DETERMINATION OF QUORUM**
- 2. PLEDGE OF ALLEGIANCE**
- 3. PUBLIC FORUM**

This portion of the agenda may be utilized by any member of the public to address and ask questions of the Board of Directors on any matter not on the agenda within the jurisdiction of the Montecito Water District. Depending upon the subject matter, the Board of Directors may be unable to respond at this time, or until the specific item is placed on the agenda at a future MWD Board meeting in accordance with the Ralph M. Brown Act.

4. CONSENT CALENDAR

Following items are to be approved or accepted by vote on one motion unless a Board member requests separate consideration:

- * A. Meeting Minutes of February 22, 2022
- * B. Payment of Bills for February 2022
- * C. Investment of District Funds for February 2022
- * D. Water Works Operations Report for February 2022
- * E. Update of *COVID-19 Prevention and Response Plan* (Revision 5)
- * F. Extension of Resolution 2225 authorizing remote teleconference meetings

* indicates attachment included for this item

5. DISTRICT OPERATIONS AND GENERAL MANAGER REPORTS

- * A. BOARD ACTION: Adoption of the *2022 5-Year Strategic Plan*;
- * B. Proposed Annexation to the Montecito Water District service area, Sublett Annexation
 - i. BOARD ACTION: Consider a determination that the project is categorically exempt from environmental review pursuant to the requirements of the California Environmental Quality Act (CEQA)
 - ii. BOARD ACTION: Authorize staff to file a Notice of Exemption from CEQA with County of Santa Barbara
 - iii. BOARD ACTION: Adopt Resolution 2229 of the Board of Directors of the Montecito Water District initiating proceedings for an Annexation to the District's Service Area; Sublett Annexation
- * C. INFORMATION ONLY: Update on progress reaching the District's 20% water use reduction target
- * D. BOARD ACTION: Discussion on the recording of District Board of Directors and Committee meetings
- E. INFORMATION ONLY: General Manager Report

6. DISTRICT BUSINESS REPORT

- * A. INFORMATION ONLY: Unaudited Monthly Financial Reports for February 2022
- * B. BOARD ACTION: Receive, Accept and File the Audited Financial Statements for Fiscal Year Ending June 30, 2021
- * C. INFORMATION ONLY: Proposed Schedule for FY2022/23 Budget Preparation
- * D. BOARD ACTION: Approval of Escrow Agreement with Bank of New York Mellon in connection with the *Option Agreement for Purchase and Sale of Water* between the District and Homer LLC

7. DIRECTOR AND COMMITTEE REPORTS

- A. Presidents Report: Director Plough
- B. Central Coast Water Authority: Director Coates
- C. Santa Barbara County Special Districts Association: Director Wicks
- D. Cachuma Operation and Maintenance Board: Director Hayman
- E. Cachuma Conservation Release Board: Director Plough
- F. Operations & Customer Relations Committee: Directors Wicks & Goebel
- G. Finance Committee: Directors Plough & Hayman
- H. Strategic Planning Committee: Directors Coates & Plough

8. LEGAL MATTERS

- A. Recent and Pending Legal Matters Review – Oral Report
- B. CLOSED SESSION: Pursuant to Government Code 54956.9(d)(2) Conference with Legal counsel – Anticipated Litigation, 1 case
- C. CLOSED SESSION: Pursuant to Government Code §54956.9(d)(1) Conference with Legal Counsel – Existing Litigation, Central Coast Water Authority et. al. v. Santa Barbara County Flood Control and Water Conservation District, et. al, Santa Barbara Superior Court Case No. 21CV02432

9. DIRECTOR REQUESTS

Requests from Directors for items other than regular agenda items for the next regular Board meeting scheduled for Tuesday, April 26, 2022 or any future meeting.

10. ADJOURNMENT

Note: Montecito Water District has resumed in-person meetings in accordance with the Brown Act. In accordance with the State of Emergency declaration issued on March 4, 2020 by the Governor of the State of California in response to COVID-19 and Government Code 54953(e), the District also provides alternative methods of participation which permit members of the public to observe and address public meetings telephonically and/or electronically. These methods of participation can be accessed through the internet link provided at the top of this agenda.

This agenda was posted on the District website, and at the Montecito Water District outside display case at 5:00 p.m. on March 18, 2022. The Americans with Disabilities Act provides that no qualified individual with a disability shall be excluded from participation in, or denied the benefits of, the District's programs, services or activities because of any disability. If you need special assistance to participate in this meeting, please contact the District Office at 805-969-2271. Notification at least twenty-four (24) hours prior to the meeting will enable the District to make appropriate arrangements.

Agendas, agenda packets, and additional materials related to an item on this agenda submitted to the Board after distribution of the agenda packet are available on the District website.

**MONTECITO WATER DISTRICT
MEMORANDUM**

SECTION: 5-B

DATE: MARCH 22, 2022

TO: BOARD OF DIRECTORS

FROM: ASSISTANT GENERAL MANAGER / GENERAL MANAGER

**SUBJECT: CONSIDERATION OF REQUEST FOR ANNEXATION OF PARCEL APN
155-040-023 INTO THE DISTRICT SERVICE AREA**

This item was reviewed by the Operations and Customer Relations Committee at its meeting of March 16, 2022 and the Committee concurs with the recommendation

RECOMMENDATION:

1. That the Board of Directors make a determination that the project is categorically exempt from environmental review pursuant to the requirements of the California Environmental Quality Act (CEQA) as set forth on the attached Notice of Exemption;
2. That the Board of Directors authorize staff to file the attached Notice of Exemption from CEQA with County of Santa Barbara Clerk of the Board;
3. That the Board of Directors approve Resolution 2229 of the Board of Directors of the Montecito Water District Initiating Proceedings for an Annexation to the Montecito Water District Service Area; Sublett Annexation.

BACKGROUND:

The 14.89 acre parcel requesting annexation is a vacant parcel located at 806 Toro Canyon Road and is adjacent to the current District service area. The parcel is currently undeveloped and the owner desires to develop the parcel with a single family residence. The parcel is located outside of both the Montecito Water District boundary and also the Montecito Groundwater Basin Boundary.

District staff met with Local Agency Formation Commission (LAFCO) Executive Director Mike Prater in October 2021 to discuss the process of possible annexation. Mike Prater recommended the owner consult the County of Santa Barbara (County) to determine the permitting requirements for the new development, prior to pursuing annexation through LAFCO, because permitting requirements can have an impact on the annexation process.

After consultation between the owner and the County, the residential project was determined to be a ministerial approval from the County since the proposed development met all requirements of

the current parcel zoning which is residential ranchette (RR-20). Establishing water service for the parcel is the next required step in the process for the owner.

In December 2021, the owner's agent requested the District consider annexation of the parcel into the District service area. At the regular meeting of the Board of Directors on February 22, 2022 the Board of Directors considered the annexation request and directed staff to prepare documentation required for submittal of an application to the Santa Barbara County Local Agency Formation Commission (LAFCO) for the possible annexation of APN 155-040-023 into the District service area. District staff have prepared the required documentation as described below. In early March, the owner submitted the signed letter agreement (approved for use by the Board of Directors in February 2022) and deposit to the District to cover all expenses related to the annexation, including the preparation of required documentation. The letter agreement, and draft resolution below both include language that, upon annexation, the property is subject to all District ordinances and regulations, including but not limited to:

- **Ordinance 89** – Water Use Limitations
- **Ordinance 96** – Modified Water Use Restrictions and Stage 1 Drought
- **Ordinance 83** – Backflow Prevention Program (required for this parcel)
- **Resolution 2222** – Water Availability Charge for FY2022 (for owners information - only future WAC charges apply to subject parcel)
- **Resolution 2217** - Updated Connection Capacity Fees effective July 1, 2021
- **Resolution 2216** - Updated Miscellaneous Fees and Charges effective July 1, 2021

District Ability to Provide Water Service

Attendant to the annexation process, LAFCO requires a statement from the annexing agency describing its ability to provide the services that are the subject of the application, including the sufficiency of revenues. The District must consider the logistics of physically connecting the parcel to the water District infrastructure, and any impacts to District finances. The nearest water main is an 8-inch ductile iron pipe on Toro Canyon Park Road constructed in 1973 and is approximately 1500 feet from the parcel. There is a group of existing water meters at the end of the water main that serve the neighboring parcels. There is also a fire hydrant at the end of the water main with approximately 115 psi of water pressure.

The owner has expressed a desire to have their water meter in the same location as the existing water meters, meaning there is no need to extend the existing water main or obtain District easements on private property. Under this scenario, the owner would be responsible for constructing his water pipe from the meter up to the home. The owner would also be responsible for obtaining easements on the neighboring parcels for his utilities, if needed. The elevation difference is from the existing meters to the proposed development area is approximately 300 feet. The existing hydrant and water pressure would be insufficient for fire suppression. The owner has

obtained preliminary approval from the Carpinteria Summerland Fire Protection District for an on-site fire suppression storage tank and hydrant, which would be separate from District facilities.

In summary, there are no major extraordinary improvements required by the District to serve this parcel. Additionally, if annexed into the service area, the owner would apply and pay for a new water meter under the standard District water meter application process. The cost for the service line and meter would be borne by the property owner through the payment of the standard meter connection and capacity charges and future water sales to the property owner would be paid in accordance with applicable District rates.

Dependability of Water Supply for Projected Needs

The LAFCO annexation process requires the annexing agency to consider if the proposed annexation will result in or facilitate an increase in water usage. If so, the retail water purveyor should describe the timely availability of water supplies that will be adequate for the projected needs. If annexed, the parcel would be allowed to use up to 1 acre-foot of water per year, in accordance with Ordinance 89. This additional water demand is within future projected water demands outlined in the 2020 Urban Water Management Plan (UWMP) for the District. As explained in the UWMP, District water supplies have become more reliable in recent years with the addition of the City of Santa Barbara Water Supply Agreement in 2020 and groundwater banking in Semitropic groundwater bank. Additionally, the forthcoming State regulations on urban water use utilize acreage to calculate allowed water use. The addition of the parcel under consideration would add to the total District water sales objective to be established by the State in 2023. While the annexation may increase water demands by up to 1 acre-foot per year, District staff believe water supply conditions and state regulations on usage will not limit the District's ability to provide adequate water supply to existing customers and the proposed parcel to be annexed.

DISCUSSION:

California Environmental Quality Act (CEQA)

This project would be exempt from environmental review based on categorical exemptions in the California Code of Regulations [“CCR”] since annexations of individual small parcels of the minimum size for facilities exempted by Section 15303 [CCR 15319(b)] and the activity is covered by the common sense exemption that CEQA applies only to projects which have the potential for causing a significant effect on the environment [CCR 15061]. Upon an appropriate finding by the Board of Directors, a Notice of Exemption from the California Environmental Quality Act will be filed with the County of Santa Barbara Clerk by staff prior to the implementation of the project. The draft Notice of Exemption is provided as Attachment 7.

Annexation Application Documentation

District staff, legal counsel, and the owners agent have worked together to prepare the documents listed below. This staff report will also be provided as part of the application.

- **Plan of Service** - outlines the general plan for delivery of water to the subject property, including the availability and dependability of the water supply. *This is included in the staff report above and will be attached to the application.*
- **Attachment 1 - Application Cover Letter** – outlining the contents of the application
- **Attachment 2 – Proposal Questionnaire for Annexations** – includes basic questions about the parcel, the reason for annexation, and the ability of utilities to provide service to the parcel.
- **Attachment 3 – Application to Amend Sphere of Influence** – describes the reason for amending the sphere of influence to include the proposed annexation parcel. The District’s current sphere of influence matches the service area boundary and does not include the proposed annexation parcel.
- **Attachment 4 - Cost Accounting Agreement** – the owner is responsible for paying all fees related to annexation.
- **Attachment 5 - Consent Waiver Letters** – required by LAFCO from both the owner and District.
- **Attachment 6 - Adopting Resolution 2229** – must be adopted by the Board of Directors. The Resolution includes language that the parcel to be annexed is subject to all ordinances and resolutions of the District, among other requirements.
 - **Attachment 6, Exhibit A - Map & Legal Exhibits** describing the parcel to be annexed
- **Attachment 7 - California Environmental Quality Act (CEQA) Notice of Exemption** – as the lead agency, the District will provide LAFCO with a copy of the CEQA filing with the County of Santa Barbara. Annexations are typically subject to categorical exemptions from CEQA.

Next Steps

If approved by the Board of Directors, District staff and owner’s agent would submit the application to LAFCO. LAFCO has a 30-day review period to determine if the application is complete. Once complete, LAFCO will initiate a 21-day public noticing period followed by an additional 30-day LAFCO review period. At the end of the 30-day review period, the LAFCO Board of Directors would consider the adoption of the annexation documents. Following LAFCO approvals and certificate of completion, the property owner would be able to submit an application for a Certificate of Water Service Availability and new meter to the District in accordance with existing ordinances and resolutions.

FISCAL IMPACT

All costs related to annexation will be paid by the property owner, including all District staff and legal counsel costs and all LAFCO costs. This arrangement has been memorialized in the letter agreement to the owner, which was drafted by District legal counsel and staff, and signed by the owner in early March.

ATTACHMENTS:

1. Attachment 1 - Application Cover Letter
2. Attachment 2 – Proposal Questionnaire for Annexations
3. Attachment 3 - Application to Amend Sphere of Influence
4. Attachment 4 - Cost Accounting Agreement
5. Attachment 5 - Consent Waiver Letters
6. Attachment 6 - Adopting Resolution 2229
7. Attachment 7 – California Environmental Quality Act (CEQA) Notice of Exemption for the Annexation of APN 155-040-023

March x, 2022

Executive Officer
Santa Barbara LAFCO
105 East Anapamu Street
Santa Barbara CA 93101

Subject: **Proposed MWD 806 Toro Canyon Road SOI & Annexation of APN 155-040-023 into the Montecito Water District**

Dear Mr. Prater,

The undersigned hereby requests approval of the proposal described in the attached materials. It is proposed to process this application under the provisions of the Cortese/Knox/Hertzberg Local Government Reorganization Act (Government Code Section 56000 et seq.)

Enclosed in support of this proposal are the following:

1. Resolution 2229 adopted by the Board of Directors on March 22, 2022
2. Completed LAFCO Proposal Questionnaire (SOI and boundary change)
3. Map and legal description of the proposed district including sphere of influence change
4. Assessor Parcel Map showing proposal area outlined in red ink.
5. Notice of Exemption Class 3 Section 15303 & Class 19 Section 15319
6. Processing fee payable to "Santa Barbara LAFCO" for \$7,500.
7. Fee payable to County Surveyor for \$1,100.

Written consent has been given to this annexation by all affected property owners and it is therefore requested that the Commission waive the protest hearing requirements. If you have any questions regarding this proposal, please contact the undersigned.

Sincerely,

Autumn Malanca, Owner's Agent

SANTA BARBARA LOCAL AGENCY FORMATION COMMISSION

**Proposal Justification Questionnaire for Annexations,
Detachments and Reorganizations**

(Attach additional sheets as necessary)

1. Name of Application: (The name should match the title on the map and legal description; list all boundary changes that are part of the application)
806 Toro Canyon Road
Requesting that the Montecito Water District (MWD) extend their existing boundary eastward to include this adjacent property located in the Toro Canyon Park area.
2. Describe the acreage and general location; include street addresses if known:
806 Toro Canyon Road, located just outside/adjacent to the MWD far easterly service boundary. The property is 14.89 Acres.
3. List the Assessor's Parcels within the proposal area:
155-040-023
4. Purpose of proposal: (Why is this proposal being filed? List all actions for LAFCO approval. Identify other actions that are part of the overall project, i.e., a tract map or development permit.)
Owner wishes to develop the currently vacant parcel with a single-family home and detached garage, as well as a pool. He would like to apply for MWD water/meter, but unfortunately his parcel is located just outside of the existing easterly District boundary and sphere of influence. He understands he cannot submit his proposed project plans to the County for permitting until he is able to show he has water service for his project.
5. Land Use and Zoning - Present and Future
 - A. Describe the existing land uses within the proposal area. Be specific.
Vacant parcel. There is only an unsurfaced access road that leads through the property.
 - B. Describe any changes in land uses that would result from or be facilitated by this proposed boundary change.
This annexation would allow the Owner to proceed with his single-family home project.
 - C. Describe the existing zoning designations within the proposal area.
This parcel is zoned Residential Ranchette (RR).
 - D. Describe any proposed change in zoning for the proposal area. Do the existing and proposed uses conform with this zoning?
No changes in zoning proposed. The proposed use conforms with current zoning.

E. (For City Annexations) Describe the rezoning that will apply to the proposal area upon annexation. Do the proposed uses conform with this rezoning? [N/A](#)

F. List all known entitlement applications pending for the property (i.e., zone change, land division or other entitlements). [N/A](#)

6. Describe the area surrounding the proposal

Using Table A, describe existing land uses, general plans and zoning designations for lands adjacent to and surrounding the proposal area. The application is incomplete without this table. [See Table A, at the end of this document.](#)

7. Conformity with Spheres of influence

A. Is the proposal area within the sphere of influence of the annexing agency? [No. The proposed parcel to be annexed is adjacent to the existing Montecito Water District boundary, however, it is not technically within MWD's sphere of influence.](#)

B. If not, include a proposal to revise the sphere of influence. [See separate "Questionnaire for Amending a Sphere of Influence."](#)

8. Conformity with County and City General Plans

A. Describe the existing County General Plan designation for the proposal area. [Residential.](#)

B. (For City Annexations) Describe the City general plan designation for the area. [N/A](#)

C. Do the proposed uses conform with these plans? [Yes](#) If not, please explain.

9. Topography and Natural Features

A. Describe the general topography of the proposal area and any significant natural features that may affect the proposal.

[There are some steep slopes in areas where development is proposed. There is a drainage through the center/easterly portion of the project, which requires 100-foot setbacks. The setbacks are easily accommodated, as the proposed development areas are at the far westerly side of the 14.89-acre parcel.](#)

B. Describe the general topography of the area surrounding the proposal.

[The proposed development area slopes generally southerly from a small, flat area at the far northwesterly corner of the site. As stated above, slopes average approximately 25-30% in the development area.](#)

10. Impact on Agriculture

- A. Does the affected property currently produce a commercial agricultural commodity? **No.**
- B. Is the affected property fallow land under a crop rotational program or is it enrolled in an agricultural subsidy or set-aside program? **No.**
- C. Is the affected property Prime Agricultural Land as defined in Government Code §56064? **No.**
- D. Is any portion of the proposal area within a Land Conservation (Williamson) Act contract? **No.**
 - 1) If “yes,” provide the contract number and the date the contract was executed. **N/A**
 - 2) If “yes”, has a notice of non-renewal be filed? If so, when? **N/A**
 - 3) If this proposal is an annexation to a city, provide a copy of any protest filed by the annexing city against the contract when it was approved. **N/A**

11. Impact on Open Space

Is the affected property Open Space land as defined in Government Code Section 65560? **No.**

12. Relationship to Regional Housing Goals and Policies (City annexations only) **N/A**

If this proposal will result in or facilitate an increase in the number of housing units, describe the extent to which the proposal will assist the annexing city in achieving its fair share of regional housing needs as determined by SBCAG.

13. Population

- A. Describe the number and type of existing dwelling units within the proposal area. **None.**
- B. How many new dwelling units could result from or be facilitated by the proposal?
 Single-family One Multi-family N/A

14. Government Services and Controls – Plan for Providing Services (per §56653)

- A. Describe the services to be extended to the affected territory by this proposal. **Potable water service from MWD.**
- B. Describe the level and range of the proposed services. **The owner will be responsible for extending water service from the MWD mainline from Toro Canyon Park Road to the proposed house on 806 Toro Canyon Road. MWD facilities would all be within the existing MWD easement and no water main extension is required.**
- C. Indicate when the services can feasibly be provided to the proposal area. **Estimated within a year of the annexation.**

- D. Indicate any improvements or upgrading of structures, roads, sewers or water facilities or other conditions that will be required as a result of the proposal.
The owner extending a lateral from the MWD line from the adjacent property to the 806 Toro Canyon Road property would be the improvement (same as “B,” above).
- E. Identify how these services will be financed. Include both capital improvements and ongoing maintenance and operation. The Owner intends to finance the installation and maintenance on his own, without financing, if possible
- F. Identify any alternatives for providing the services listed in Section (A) and how these alternatives would affect the cost and adequacy of services.
The only alternative is to provide an onsite well. There is no guarantee there will be adequate GPM to support a single-family residence. Site constraints also inhibit the ability to get the well drilling equipment to the site to drill the well. It is the Owner’s desire to have a steady reliable water source to ensure the longevity of his plans to develop the site.

15. Ability of the annexing agency to provide services

Attach a statement from the annexing agency describing its ability to provide the services that are the subject of the application, including the sufficiency of revenues (per Gov’t Code §56668j).

16. Dependability of Water Supply for Projected Needs (as per §56653)

If the proposal will result in or facilitate an increase in water usage, attach a statement from the retail water purveyor that describes the timely availability of water supplies that will be adequate for the projected needs.

17. Bonded indebtedness and zones – These questions pertain to long term debt that applies or will be applied to the affected property.

- A. Do agencies whose boundaries are being changed have existing bonded debt? _____
 If so, please describe. [Yes, see page 34 of the MWD FY2022 budget document dated 6/22/21. Here is an excerpt from that page:](#)

The District has issued debt, which includes bonds and loans, to assist in the financing of its capital improvement program. The District currently has the following outstanding debt shown in Table 7.

Table 7
NON-OPERATING EXPENSES

	FY 2021 BUDGET	FY 2021 FORECAST	FY 2022 BUDGET	VARIANCE FAVORABLE/ (UNFAVORABLE)
NON OPERATING EXPENSE				
2004 DWR ORTEGA LOAN	(590,400)	(23,556)	-	23,556
2010 BOND INTEREST EXPENSE	(690,463)	(130,426)	-	130,426
AMI METER FINANCING	-	-	-	-
CATER DWR LOAN	(231,647)	(231,648)	(225,416)	6,232
CATER OZONE	(276,346)	(276,323)	(276,739)	(416)
2020 BOND INTEREST EXPENSE	-	(160,222)	(501,900)	
2020 BOND PRINCIPAL	-	(160,000)	(335,000)	
TOTAL NON OPERATING EXPENSE	\$ (1,788,855)	\$ (982,175)	\$ (1,339,055)	\$ (356,880)

Note: Cater DWR Loan and Cater Ozone debt service is held by the City of Santa Barbara and is therefore not included on the District's calculation of debt coverage, nor is the liability carried on the District's financials.

- B. Will the proposal area be liable for payment of its share of this existing debt? _____
 If yes, how will this indebtedness be repaid (property taxes, assessments, water sales, etc.)
[Yes. The indebtedness will be repaid through water sales.](#)
- C. Should the proposal area be included within any 'Division or Zone for debt repayment? __
 If yes, please describe. [There is currently no debt on the property, No bonded indebtedness and / or zones. No Long term Debt.](#)
- D. (For detachments) Does the detaching agency propose that the subject territory continue to be liable for existing bonded debt? N/A . If yes, please describe.

18. Environmental Impact of the Proposal

- A. Who is the "lead agency" for this proposal? [Montecito Water District \(MWD\)](#)

- B. What type of environmental document has been prepared?

None, Categorically Exempt -- [CCR 15319\(b\) and 15061](#)

EIR _____ Negative Declaration _____ Mitigated ND _____

Subsequent Use of Previous EIR _____ Identify the prior report. _____

- C. If an EIR has been prepared, attach the lead agency’s resolution listing significant impacts anticipated from the project, mitigation measures adopted to reduce or avoid significant impacts and, if adopted, a "Statement of Overriding Considerations."

19. Boundaries

- A. Why are these particular boundaries being used? Ideally, what other properties should be included in the proposal? Parcel boundary. And no other properties should be included.
- B. If any landowners have included only part of the contiguous land under their ownership, explain why the additional property is not included. N/A

20. Final Comments

- A. Describe any conditions that should be included in LAFCO's resolution of approval.
- B. Provide any other comments or justifications regarding the proposal.
- C. Enclose all pertinent staff reports and supporting documentation related to this proposal. Note any changes in the approved project that are not reflected in these materials.

21. Notices and Staff Reports

List up to three persons to receive copies of the LAFCO notice of hearing and staff report.

<u>Name</u>	<u>Address</u>
A. <u>Bradford Sublett</u>	<u>1079 N Ridgeline Road, Orange, CA 92869</u>
B. <u>Autumn Malanca</u>	<u>115 W. Canon Perdido St., Santa Barbara, CA 93101</u>
C. <u>Adam Kanold</u>	<u>583 San Ysidro Road, Santa Barbara, CA 93108</u>

Who should be contacted if there are questions about this application?

<u>Name</u>	<u>Address</u>	<u>Phone</u>
<u>Autumn Malanca</u>	<u>115 W. Canon Perdido St., SB, CA 93101</u>	<u>805-966-2224 X108</u>

Signature  Date 2/7/22

TABLE A

Information regarding the areas surrounding the proposal area

	Existing Land Use	General Plan Designation	Zoning Designation
East	Agriculture	Agriculture	AG-II-100
West	Agriculture	Agriculture	AG-I-20
North	Residential	Residential	RR-20
South	Recreation	Toro Canyon Park (Recreation/Open Space)	REC

Other comments or notations:

SANTA BARBARA LOCAL AGENCY FORMATION COMMISSION

Questionnaire for Amending a Sphere of Influence,

(Attach additional sheets as necessary)

Sphere of Influence of the Montecito Water District (MWD)

Purpose of the proposal

1. Why is this proposal being filed? List all actions for LAFCO approval. Identify other actions that are part of the overall project, i.e., a tract map or development permit.
The Owner of 806 Toro Canyon Road is requesting that the Montecito Water District (MWD) extend their existing boundary eastward to include this adjacent property located in the Toro Canyon Park area. Owner wishes to develop the currently vacant parcel with a single-family home and detached garage, as well as a pool. He would like to apply for a MWD water/meter, but unfortunately his parcel is located just outside of the existing easterly District boundary and sphere of influence. The Owner understands he cannot submit his proposed project plans to the County for permitting until he is able to show he has water service for his project.

Consultation with the County (City sphere changes only)

2. Provide documentation regarding consultation that has occurred between the City and the County with regard to agreement on boundaries, development standards and zoning requirements for land in the proposed sphere as required by Government Code §56425.

Description of area to be included in the sphere

3. What area is proposed to be included in the sphere? Attach a map identifying the current sphere and the proposed addition. What is the acreage? See attachment. The acreage of the parcel is 14.89 acres.
4. Why was it decided to use these particular boundaries? The proposed boundaries match the parcel boundary.
5. What are the existing land uses for the proposal area? Be specific. The existing land is currently vacant.
6. Are there proposed land uses for the proposal area? Be specific. See answer to #1 above.

Relationship to Existing Plans

7. Describe current County general plan and zoning designations for the proposal area. The parcel is currently zoned residential "single-family" (RR-20).

Sphere of Influence Questionnaire (1-20-22)

This form can be downloaded from www.sblafco.org

8. Describe any City general plan and rezoning designations for the proposal area.
N/A

Environmental Assessment

9. What is the underlying project? Who is the lead agency? What type of environmental document has been prepared for the proposed project?
See answer to #1 above. The County is the lead agency for this single-family home project. MWD is the lead agency for annexation. A CEQA Notice of Exemption has been prepared by MWD and is being submitted with this SOI amendment application.

Justification

10. To assist LAFCO in making determinations pursuant to Government Code §56425, please provide information relevant to each of the following:
- A. Present and planned uses in the area, including agricultural and open-space lands.
Los Alisos Ranch is adjacent to/west of the 806 Toro Canyon Road property, which supports agriculture (farming mostly avocados). The adjacent property to the east also supports agriculture. Properties to the north are residential, and the southerly property is recreational (Toro Canyon Park area).
 - B. Present and probable needs for public facilities and services in the area.
See answer to #1 above. There is an existing water main in Toro Canyon Park Road. The Owner of 806 Toro Canyon wants to run a private service line from that main up to his property for potable water, utilizing a booster pump. At this time, there is no known future development proposed in this area.
 - C. Present capacity of public facilities and adequacy of public services the affected agency provides or is authorized to provide.
The 8-inch water main has sufficient pressure and flow to provide domestic and fire service to the area around the water main. The owner is only requesting a domestic service connection, since fire protection will be provided by an on site storage tank. The MWD facilities are of adequate size to meet the required domestic needs of the proposed development.
 - D. Existence of any social or economic communities of interest in the area. N/A

Additional Comments

11. Provide any other comments or justifications regarding the proposal.
12. Enclose any pertinent staff reports and supporting documentation related to this proposal.
See MWD staff report dated March 22, 2022 with discussion of the plan of service and supply reliability.

Application to Amend Sphere of Influence
Page Two

13. Notices and Staff Reports

List up to three persons to receive copies of the LAFCO notice of hearing and staff report.

	<u>Name</u>	<u>Address/Email</u>
1.	Bradford Sublett	1079 N Ridgeline Road, Orange, CA 92869
2.	Autumn Malanca	115 W. Canon Perdido St., Santa Barbara, CA 93101
3.	Adam Kanold	583 San Ysidro Road, Santa Barbara, CA 93108

Who should be contacted if there are questions about this application?

<u>Name</u>	<u>Address/Email</u>	<u>Phone</u>
Autumn Malanca	amalanca@flowersassoc.com	806-966-2224 X108

Signature  Date 2/15/22

COST ACCOUNTING AGREEMENT

Applicant: Bradford Sublett

Mailing Address: 1079 North Ridgeline Rd.
Orange, CA 92869

Telephone: 714-450-0777

Fax: _____

E-mail Address: bsublett@losalisosranchco.com

The cost of processing an application may exceed the initial deposit required. In order to recover any additional costs associated with processing your application, the Local Agency Formation Commission, LAFCO, has found it necessary to implement a provision of the Fee Schedule that provides full cost recovery for processing an application.

I, Bradford Sublett, the landowner and/or responsible Applicant, agree to pay the actual costs pursuant to the Fee Schedule attached hereto, plus copying charges and related expenses incurred in the processing of this application. I also understand that if payment on any billings prior to final action is not paid within thirty (30) days, I agree that processing of my application will be suspended until payment is received. In the event of default, I agree to pay all costs and expenses incurred by LAFCO in securing the performance of this obligation.

If the applicant is in non-compliance with an existing agreement, the applicant shall be subject to LAFCO Policy Guidelines and Standards XIV, which identifies additional steps that must be satisfied before a new application may be accepted.

In order to implement the cost accounting, please sign and date this statement indicating your agreement to the cost accounting procedure and agreement. This signed agreement is required for your application to be accepted for processing. Checks may be made payable to LAFCO and delivered or mailed to the LAFCO Office at 105 East Anapamu Street, Rm 407, Santa Barbara, CA 93101. If you have questions regarding your application, please contact the LAFCO Office at (805) 568-3391.


Applicant's Signature

2-1-2022
Date



March 22, 2022

Mike Prater, LAFCO Executive Officer
105 E. Anapamu Street, Rm 407
Santa Barbara, CA 93101

Re: Waiver of Protest Proceedings

Dear Mike:

Pursuant to Government Code Section 56662 & 56663 (c), the Montecito Water District agrees to waive protest proceeding for the Toro Canyon Annexation (Bradford Sublett) for APN 155-040-023. This is because all of the owners of the land proposed for annexation have consented to the annexation.

Sincerely,

Nick Turner, PE
General Manager
Montecito Water District

CC: Tobe Plough, MWD Board President
Walt Wendelstein, Cohen & Burge LLP

Board of Directors

Tobe Plough
President

Ken Coates
Vice President

Brian Goebel
Director

Cori Hayman
Director

Floyd Wicks
Director

**General Manager
and Board Secretary**
Nick Turner

583 San Ysidro Road
Santa Barbara, CA
931089-2124

Ph 805.969.2271
Fax 805.969.7261

info@montecitowater.com
www.montecitowater.com

January 31, 2022

Mike Prater, LAFCO Executive Officer
105 E. Anapamu Street, Rm 407
Santa Barbara, CA 93101

Re: Waiver of Protest Proceedings

Dear Mike:

Pursuant to Government Code Section 56662 & 56663 (c), the property owner, Bradford Sublett, agrees to waive protest proceeding for the Montecito Water District (MWD) annexation of his property located 806 Toro Canyon Road. I, his agent, confirm that Bradford Sublett has consented to the annexation.

Sincerely,



Autumn Malanca, Project Manager

RESOLUTION NO. 2229
RESOLUTION OF THE BOARD OF DIRECTORS
OF MONTECITO WATER DISTRICT
INITIATING PROCEEDINGS FOR AN ANNEXATION TO
MONTECITO WATER DISTRICT
SUBLETT ANNEXATION

WHEREAS, the Montecito Water District (“District”) is a County Water District organized and existing under and by virtue of Water Code §§30000 – 33901; and

WHEREAS, Water Code §32400 authorizes that land not a part of the District, whether or not contiguous to it, may be included within the District; and

WHEREAS, the District has received from the proposed annexee Bradford Cameron Sublett, a request to annex parcel APN 155-040-023 to the District; the proposed annexee has been fully informed of all District conditions applicable to the annexation; and the proposed annexee consents to the annexation; and

WHEREAS, the District wishes to initiate a proceeding for the annexation of territory, and the adjustment of boundaries, as described herein and pursuant to the terms and conditions set forth herein;

NOW, THEREFORE THE BOARD OF DIRECTORS DOES HEREBY RESOLVE THAT:

1. This proposal is made, and it is requested that proceedings be taken, pursuant to the Cortese/Knox/Hertzberg Local Government Reorganization Act of 2000, commencing with §56000 of the California Government Code.
2. This proposal is an annexation of territory to the Montecito Water District.
3. Boundaries of the territory are shown on the map set forth as Exhibit “A”, attached hereto and incorporated herein by this reference.
4. It is desired that the proposal be subject to the following terms and conditions:
 - A. The territory being annexed shall be liable for any authorized, existing, extended or imposed taxes, charges, fees, assessments and rates imposed on properties presently within the District.
 - B. The territory being annexed shall be liable for payment of existing bonded indebtedness of the District in the same manner as paid by properties presently within the District.
 - C. The territory being annexed shall be subject to all Ordinances, Resolutions, policies and procedures of the District, including those currently in effect and/or adopted or modified subsequent to the annexation of territory subject to this Resolution. This includes, but is not limited to: Ordinance 82,

Ordinance 83, Ordinance 89, Ordinance 96, Resolution 2216, Resolution 2217, Resolution 2200, and the Water Availability Charge.

D. Delivery to District by the proposed annexee of payment in full for all annexation fees and expenses incurred by District in the course of processing the annexation of the subject territory.

E. In the event of annexation, any pipelines, structures, connections and other facilities required for the delivery of water to the territory being annexed from works owned or operated by District shall be constructed, provided and installed without cost or expense to District and District shall be under no obligation to provide, construct, operate or maintain such works.

F. If construction of water distribution facilities is required to properly effect water services to the territory being annexed, all such costs shall be borne by the proposed annexee and all facilities constructed shall, at the election of District, be owned, maintained, and operated by District. Design of such facilities shall be subject to pre-approval by District.

G. The adoption by the Board of Directors of District of a final resolution approving the annexation of the territory.

5. Should any of the above conditions not be met to the District's satisfaction, this Resolution No. 2229 shall have no force and effect.

6. The reason for the proposal is to provide water service to the territory to be annexed pursuant to the District's role as a water purveyor under Water Code §§30000 – 33901.

7. The territory being annexed is not within the District Sphere of Influence and it is hereby requested that the Sphere of Influence be amended to accommodate this annexation.

8. The District has determined that the proposed annexation is categorically exempt from the California Environmental Quality Act (CEQA) pursuant to 14 C.C.R. Section 15319 and Section 15061.

9. Adoption of this Resolution includes approval of all actions necessary and appropriate to accomplish the proposed annexation and reorganization. District staff is hereby authorized and directed to take all necessary actions associated with this proposal and to effectuate this Resolution.

PASSED AND ADOPTED by the Board of Directors of the Montecito Water District this 22 day of March, 2022 by the following roll call vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

APPROVED:

Charles T. Plough, President

ATTEST:

Nicholas Turner, Secretary

EXHIBIT "A"

Sublett Annexation
for APN: 155-040-023
To the Montecito Water District
LAFCO 22-xx

A portion of the Southeast 1/4 of the Southwest 1/4 of Section 12, Township 4 North, Range 26 West, San Bernardino Base & Meridian, in the County of Santa Barbara, State of California, more particularly described as follows:

Beginning at the Southeasterly corner of Parcel "A" of Parcel Map No. 13,371 as recorded in Book 36, Pages 11 thru 13 of Parcel Maps, in the Office of the County Recorder of Santa Barbara County, said point also being an angle point in the Miller Reorganization Annexation to the Montecito Water District per LAFCO Resolution No. 94-10 Recorded August 17, 1994 as Instrument No. 94-064734 of Official Records;

- Thence 1st continuing along said Miller Reorganization Annexation and the Easterly line of said Parcel "A" North 00°03'54" West 495.00 feet to an angle point;
- Thence 2nd leaving said Miller Reorganization Annexation and said Easterly line of said Parcel "A" South 89°40'54" East 1306.95 feet to the Westerly line of Parcel "C" as shown on Record of Survey filed in Book 89, Page 9 of Records of Survey in the Office of the County Recorder of Santa Barbara County and an angle point;
- Thence 3rd along said Westerly line of said Parcel "C", South 00°13'55" East 495.00 feet to a point on the boundary line of said Miller Reorganization Annexation, said point also being the Southeasterly corner of said Parcel "C";
- Thence 4th along said Miller Reorganization Annexation, North 89°40'56" West 1307.71 feet to the Northeast corner of Parcel "B" of said Parcel Map No. 13,371;
- Thence 5th continuing along the Northerly line of Parcel "B" of said Parcel Map No. 13,371 and said Miller Reorganization Annexation North 89°47'59" West 0.68 feet to the Southeast corner of said Parcel "A" and the True Point of Beginning

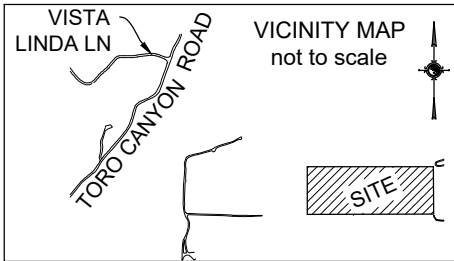
~ End of Description ~

The above described area contains 14.89 Acres more or less

Prepared By: _____
Barry J. Waters, P.L.S. 6419 date:

Approved as to Form and Survey Content

Aleksandar Jevremovic, P.L.S. 8378 date:
County Surveyor



LEGEND:

- APN : ASSESSOR PARCEL NUMBER
- RES : RESOLUTION
- ① : COURSE NUMBER (TYPICAL)
- : INDICATES EXISTING DISTRICT BOUNDARY
- : INDICATES PROPOSED DISTRICT BOUNDARY

APN: 155-040-022

②
S89°40'54"E 1306.95' (R)

(R)= Grant Deed per Instrument No. 2019-0008956 of Official Records.

(R1)= Miller Reorganization Annexation, LAFCO 94-10 Dated 06/09/1994 as filed in Instrument No. 94-064734 of Official Records.

APN
155-150-009

Miller Reorganization Annexation
LAFCO No. 94-10
Recorded 06/09/1994
Inst #94-064734
Res. No. 94-10

①
N00°03'54"W 495.00' (R)

806 TORO CANYON ROAD
APN: 155-040-023
Containing 648,463 Sq. Ft./
14.89 Acres More or Less

③
S00°13'55"E 495.00' (R)

APN: 155-040-033

⑤
N89°47'59"W 0.68' (R1)

④
N89°40'56"W 1307.71' (R1)

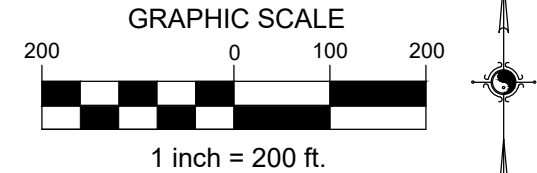
APN
155-150-017

TRUE POINT OF BEGINNING

APN
155-150-018

APN 155-150-013
TORO CANYON PARK

Miller Reorganization Annexation
LAFCO No. 94-10
Recorded 06/09/1994
Inst #94-064734
Res. No. 94-10



PREPARED BY:
WATERS CARDENAS LAND SURVEYING, LLP.
5553 HOLLISTER AVE, STE 7
GOLETA, CA 93117 (805) 967-4416



APPROVED AS TO FORM AND SURVEYING CONTENT.

ALEKSANDAR JEVREMOVIC, LS 8378
SANTA BARBARA COUNTY SURVEYOR
LIC. EXP. DATE:

BARRY J. WATERS, PLS 6419 DATE
LIC. EXP. DATE: DECEMBER 2022

EXHIBIT "B"	
LAFCO 22-XX	
SUBLETT ANNEXATION TO	
MONTECITO WATER DISTRICT	
COUNTY OF SANTA BARBARA, STATE OF CALIFORNIA	
MAP PREPARED 2/3/2022	SHEET 1 OF 1

SUBLETT ANNEXATION

Segment #1 : Line
Course: N00°03'54"W Length: 495.000'
North: 2668.6236' East: -2549.1648'

Segment #2 : Line
Course: S89°40'54"E Length: 1306.948'
North: 2661.3623' East: -1242.2370'

Segment #3 : Line
Course: S00°13'55"E Length: 495.000'
North: 2166.3663' East: -1240.2331'

Segment #4 : Line
Course: N89°40'56"W Length: 1307.710'
North: 2173.6192' East: -2547.9230'

Segment #5 : Line
Course: N89°47'59"W Length: 0.680'
North: 2173.6239' East: -2548.6032'

Perimeter: 3605.338' Area: 647273.04 Sq. Ft.
Error Closure: 0.0023 Course: S05°47'42"E
Error North: -0.00233 East: 0.00024

Precision 1: 1567538.261

Notice of Exemption

Appendix E

To: Office of Planning and Research
P.O. Box 3044, Room 113
Sacramento, CA 95812-3044

County Clerk

County of: _____

From: (Public Agency): _____

(Address)

Project Title: _____

Project Applicant: _____

Project Location - Specific:

Project Location - City: _____ Project Location - County: _____

Description of Nature, Purpose and Beneficiaries of Project:

Name of Public Agency Approving Project: _____

Name of Person or Agency Carrying Out Project: _____

Exempt Status: **(check one):**

- Ministerial (Sec. 21080(b)(1); 15268);
- Declared Emergency (Sec. 21080(b)(3); 15269(a));
- Emergency Project (Sec. 21080(b)(4); 15269(b)(c));
- Categorical Exemption. State type and section number: _____
- Statutory Exemptions. State code number: _____

Reasons why project is exempt:

Lead Agency

Contact Person: _____ Area Code/Telephone/Extension: _____

If filed by applicant:

1. Attach certified document of exemption finding.
2. Has a Notice of Exemption been filed by the public agency approving the project? Yes No

Signature: _____ Date: _____ Title: _____

Signed by Lead Agency Signed by Applicant

Authority cited: Sections 21083 and 21110, Public Resources Code.
Reference: Sections 21108, 21152, and 21152.1, Public Resources Code.

Date Received for filing at OPR: _____

Revised 2011

RESOLUTION NO. 2229
RESOLUTION OF THE BOARD OF DIRECTORS
OF MONTECITO WATER DISTRICT
INITIATING PROCEEDINGS FOR AN ANNEXATION TO
MONTECITO WATER DISTRICT
SUBLETT ANNEXATION

WHEREAS, the Montecito Water District (“District”) is a County Water District organized and existing under and by virtue of Water Code §§30000 – 33901; and

WHEREAS, Water Code §32400 authorizes that land not a part of the District, whether or not contiguous to it, may be included within the District; and

WHEREAS, the District has received from the proposed annexee Bradford Cameron Sublett, a request to annex parcel APN 155-040-023 to the District; the proposed annexee has been fully informed of all District conditions applicable to the annexation; and the proposed annexee consents to the annexation; and

WHEREAS, the District wishes to initiate a proceeding for the annexation of territory, and the adjustment of boundaries, as described herein and pursuant to the terms and conditions set forth herein;

NOW, THEREFORE THE BOARD OF DIRECTORS DOES HEREBY RESOLVE THAT:

1. This proposal is made, and it is requested that proceedings be taken, pursuant to the Cortese/Knox/Hertzberg Local Government Reorganization Act of 2000, commencing with §56000 of the California Government Code.
2. This proposal is an annexation of territory to the Montecito Water District.
3. Boundaries of the territory are shown on the map set forth as Exhibit “A”, attached hereto and incorporated herein by this reference.
4. It is desired that the proposal be subject to the following terms and conditions:
 - A. The territory being annexed shall be liable for any authorized, existing, extended or imposed taxes, charges, fees, assessments and rates imposed on properties presently within the District.
 - B. The territory being annexed shall be liable for payment of existing bonded indebtedness of the District in the same manner as paid by properties presently within the District.
 - C. The territory being annexed shall be subject to all Ordinances, Resolutions, policies and procedures of the District, including those currently in effect and/or adopted or modified subsequent to the annexation of territory subject to this Resolution. This includes, but is not limited to: Ordinance 82,

Ordinance 83, Ordinance 89, Ordinance 96, Resolution 2216, Resolution 2217, Resolution 2200, and the Water Availability Charge.

D. Delivery to District by the proposed annexee of payment in full for all annexation fees and expenses incurred by District in the course of processing the annexation of the subject territory.

E. In the event of annexation, any pipelines, structures, connections and other facilities required for the delivery of water to the territory being annexed from works owned or operated by District shall be constructed, provided and installed without cost or expense to District and District shall be under no obligation to provide, construct, operate or maintain such works.

F. If construction of water distribution facilities is required to properly effect water services to the territory being annexed, all such costs shall be borne by the proposed annexee and all facilities constructed shall, at the election of District, be owned, maintained, and operated by District. Design of such facilities shall be subject to pre-approval by District.

G. The adoption by the Board of Directors of District of a final resolution approving the annexation of the territory.

5. Should any of the above conditions not be met to the District's satisfaction, this Resolution No. 2229 shall have no force and effect.

6. The reason for the proposal is to provide water service to the territory to be annexed pursuant to the District's role as a water purveyor under Water Code §§30000 – 33901.

7. The territory being annexed is not within the District Sphere of Influence and it is hereby requested that the Sphere of Influence be amended to accommodate this annexation.

8. The District has determined that the proposed annexation is categorically exempt from the California Environmental Quality Act (CEQA) pursuant to 14 C.C.R. Section 15319 and Section 15061.

9. Adoption of this Resolution includes approval of all actions necessary and appropriate to accomplish the proposed annexation and reorganization. District staff is hereby authorized and directed to take all necessary actions associated with this proposal and to effectuate this Resolution.

PASSED AND ADOPTED by the Board of Directors of the Montecito Water District this 22 day of March, 2022 by the following roll call vote:

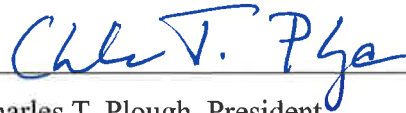
AYES: Directors Coates, Goebel, Hayman, Plough and Wicks

NOES: None

ABSENT: None

ABSTAIN: None

APPROVED:



A handwritten signature in blue ink, appearing to read "Charles T. Plough", is written over a horizontal line.

Charles T. Plough, President

ATTEST:



A handwritten signature in blue ink, appearing to read "Nicholas Turner", is written over a horizontal line.

Nicholas Turner, Secretary



The Office of Joseph E. Holland
 County Clerk, Recorder and Assessor
 Registrar of Voters

- Home
- Clerk-Recorder
- Assessor**
- Elections
- Forms
- Data
- About
- Contact Us

Text size: [A](#) [A](#) [A](#)

[Assessor](#) > [Parcel Details, Value Notice and Assessor Map LookUp](#) > [Search Result](#) > [Details](#)



Assessor Parcel Information Details

Property Information

Parcel Number:	155-040-023	Value Notice
Address:	806 TORO CANYON RD SANTA BARBARA, CA 93108	
Transfer Date:	03/07/2019	
TRA:	059034	
Document #:		
Transfer Tax Amount:	\$330.00	

Property Characteristics

Use Description:	Vacant Land
Jurisdiction:	County - Unincorporated
Acreage:	14.89
Square Feet:	
Year Built:	
Bedrooms:	
Bathrooms:	
Fireplaces:	

[Assessor Map](#)

2021 Assessed Values

Land & Mineral Rights:	\$309,170
Improvements:	\$0
Personal Property:	\$0
Home Owner Exemption:	(\$0)
Other Exemption:	(\$0)
Net Assessed Value:	\$309,170

Districts that Serve Property

District Information [Property Tax Breakdown for Last Equalized Roll Year](#)

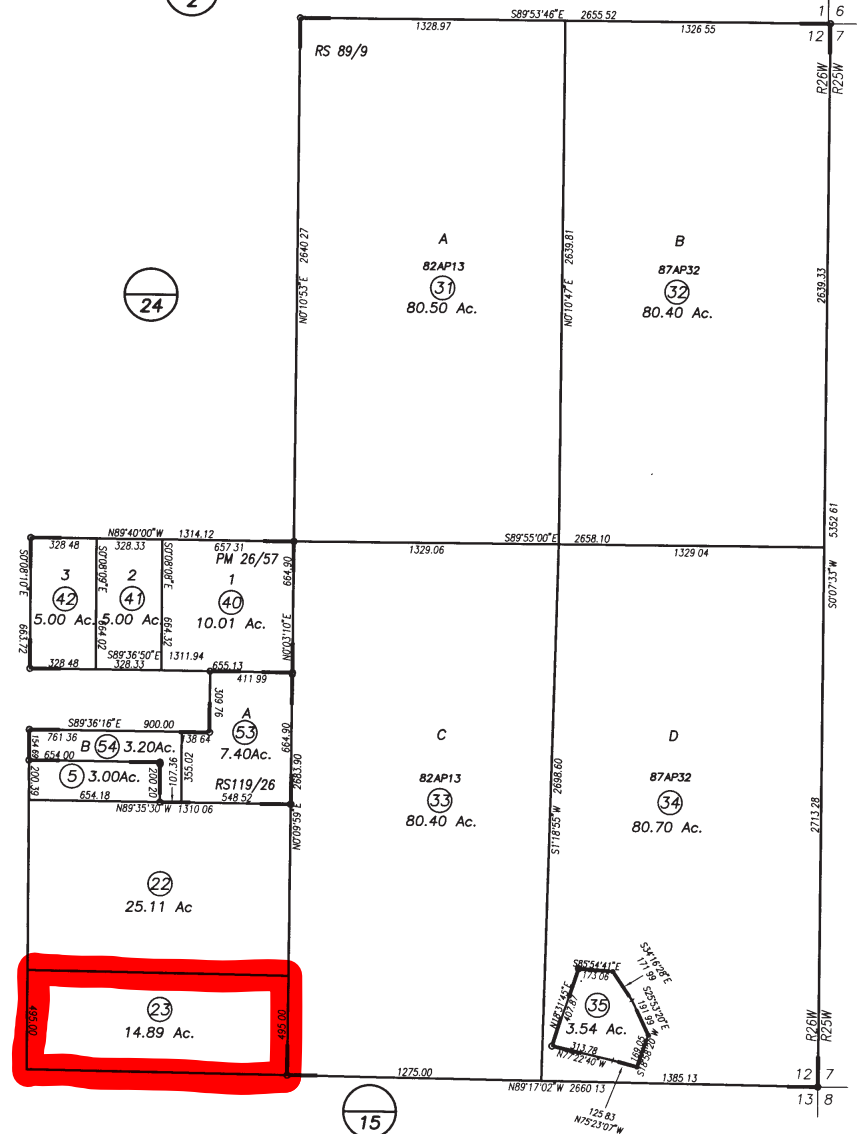
Other

District and Elected Official [Look up District and Elected Official](#)

2

POR. SEC. 12 T4N R26W SBB&M

155-04



1" = 600
scale

22

23

15

15

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

Assessor's Map Bk, 155-Pg, 04
County of Santa Barbara, Calif.

LD/99 28-29 to pg 23



JOSEPH E. HOLLAND
 County Clerk, Recorder and Assessor
 105 E. Anapamu St 2nd Floor
 Santa Barbara, CA 93101
 (805) 568-2550

511 E. Lakeside Parkway - Suite 115
 Santa Maria, CA 93455
 (805) 346-8310

SECURED PROPERTY NOTICE OF VALUES

Assessor Parcel Number: 155-040-023
 Situs Location: 806 Toro Canyon Rd
 Santa Barbara 93108

This notice reflects the value of your property upon which your 2021-22 property tax bill will be calculated. You will receive your regular tax bill from the County Tax Collector's Office in October 2021.

Under California property tax law, your taxes are based on the lesser of the market value of your property as of January 1, 2021 or its factored base year value. The market value reflects market conditions existing on January 1, 2021. The Proposition 13 Factored Base Year Value means the value at the time you purchased the property and any assessable new construction after the purchase, increased by the consumer price index (CPI) as allowed under Proposition 13. A base year value is usually set by a change in ownership or new construction. For those owners who have purchased their property after January 1, 2021, the Proposition 13 Factored Base Year Value below is the prior owner's assessment. The assessment is shown for informational purposes only and is not your base year value.

YOUR TAXES WILL BE BASED ON THE VALUES SHOWN BELOW

Proposition 13 Factored Base Year Value - Fiscal Year 2021-22

Land	\$309,170
Structures	0
Living Improvements	0
Trade Fixtures	0
Personal Property	0
Mobile Home	0
Total Assessed Value	\$309,170
Less Homeowners' Exemption	0
Less Other Exemptions	0
Net Assessed Value	\$309,170

Informal Review: If you believe this assessment is incorrect, you have the right to an informal review with the Assessor's office. Please contact your nearest Assessor's office.

Your right to appeal: You also have the right to a formal appeal of the assessment which involves (1) the filing of an *Application for Changed Assessment*, (2) a hearing before an appeals board, and (3) a decision by the appeals board. An *Application for Changed Assessment* form is available from, and should be filed with, the Clerk of the Appeals Board between July 2 and November 30. The Clerk will set an assessment appeal hearing. If the applicant and the Assessor can reach an agreement prior to the hearing, a written stipulation may be filed with the Assessment Appeals Board. The Assessor, County Counsel and the applicant must sign the stipulation. The Assessment Appeals Board may, at a hearing, accept the stipulation or reject it and set a hearing date. Call the Clerk of the Board at (805) 568-2240 to request an *Application for Changed Assessment* or for help in completing the form. The Clerk of the Board is located at 105 E. Anapamu St. Room 407, Santa Barbara, CA 93101.

January 31, 2022

Mike Prater, LAFCO Executive Officer
105 E. Anapamu Street, Rm 407
Santa Barbara, CA 93101

Re: Waiver of Protest Proceedings

Dear Mike:

Pursuant to Government Code Section 56662 & 56663 (c), the property owner, Bradford Sublett, agrees to waive protest proceeding for the Montecito Water District (MWD) annexation of his property located 806 Toro Canyon Road. I, his agent, confirm that Bradford Sublett has consented to the annexation.

Sincerely,



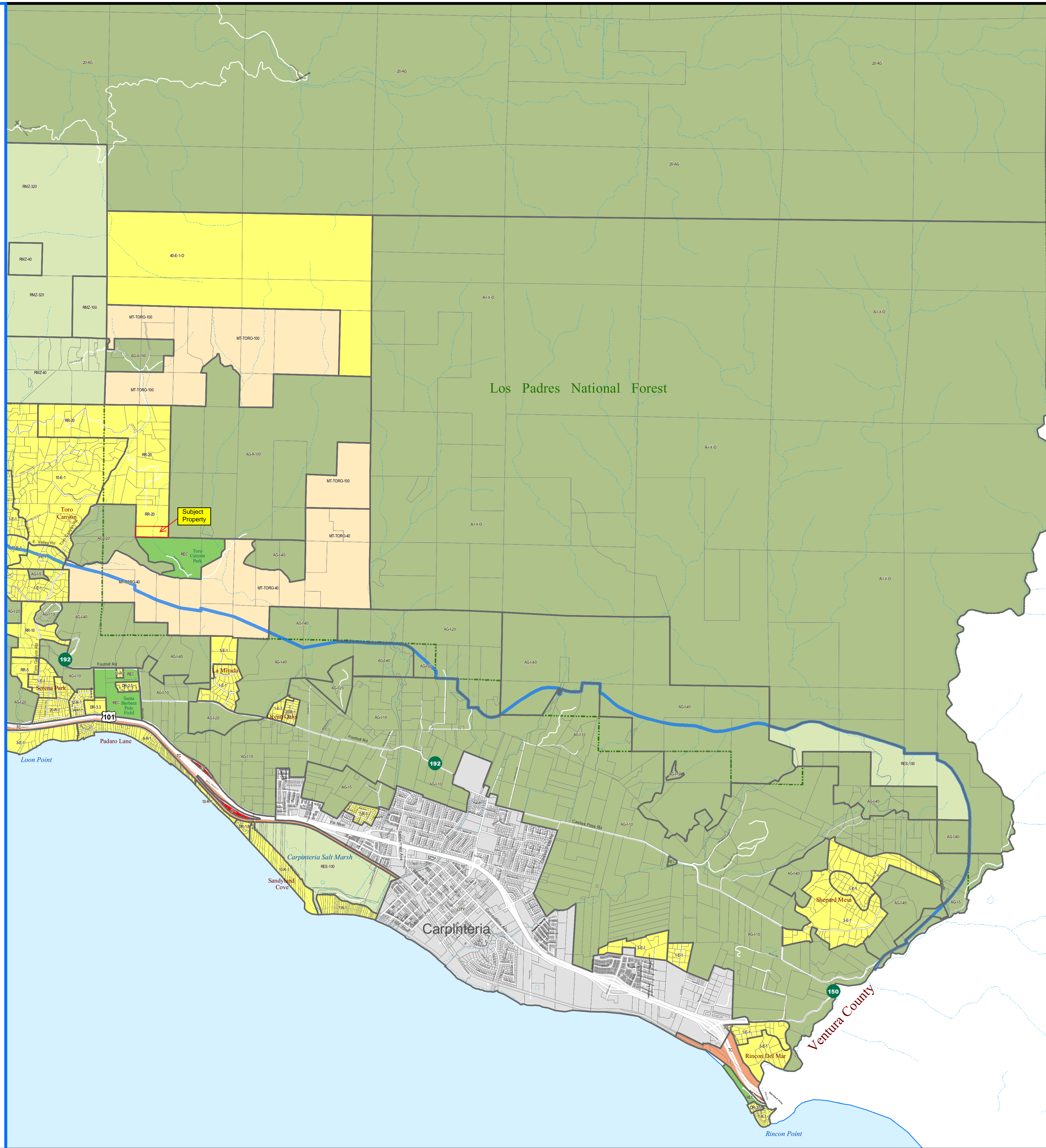
Autumn Malanca, Project Manager



General Zoning

- Agriculture
- Open Lands
- Mountainous Area
- Recreation
- Residential
- Commercial
- Industrial
- Mixed - Residential/Commercial
- Mixed - Commercial/Industrial
- Institutional
- Utility
- Transportation Corridor
- Other Jurisdiction

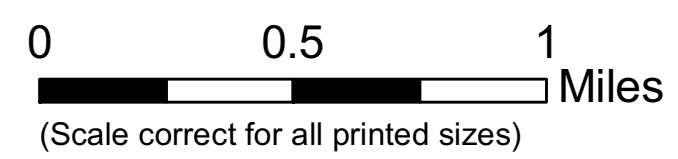
- Coastal Zone Boundary
- Los Padres Nat'l Forest Boundary



			G4			
F7	F6	F5	F4	F3	F2	
E7	E6	E5	E4	E3	E2	E1
D7	D6	D5	D4	D3	D2	D1
C7	C6	C5	C4	C3	C2	C1
B7	B6	B5	B4	B3	B2	B1
A6	A5	A4	A3	A2	A1	



Scale: 1:24,000
(When printed at 36"x24")



Ventura County

Ventura County



March 22, 2022

Mike Prater, LAFCO Executive Officer
105 E. Anapamu Street, Rm 407
Santa Barbara, CA 93101

Re: Waiver of Protest Proceedings

Dear Mike:

Pursuant to Government Code Section 56662 & 56663 (c), the Montecito Water District agrees to waive protest proceeding for the Toro Canyon Annexation (Bradford Sublett) for APN 155-040-023. This is because all of the owners of the land proposed for annexation have consented to the annexation.

Sincerely,

Nick Turner, PE
General Manager
Montecito Water District

CC: Tobe Plough, MWD Board President
Walt Wendelstein, Cohen & Burge LLP

Board of Directors

Tobe Plough
President

Ken Coates
Vice President

Brian Goebel
Director

Cori Hayman
Director

Floyd Wicks
Director

**General Manager
and Board Secretary**
Nick Turner

583 San Ysidro Road
Santa Barbara, CA
931089-2124

Ph 805.969.2271
Fax 805.969.7261

info@montecitowater.com
www.montecitowater.com

January 31, 2022

Mike Prater, LAFCO Executive Officer
105 E. Anapamu Street, Rm 407
Santa Barbara, CA 93101

Re: Waiver of Protest Proceedings

Dear Mike:

Pursuant to Government Code Section 56662 & 56663 (c), the property owner, Bradford Sublett, agrees to waive protest proceeding for the Montecito Water District (MWD) annexation of his property located 806 Toro Canyon Road. I, his agent, confirm that Bradford Sublett has consented to the annexation.

Sincerely,



Autumn Malanca, Project Manager



CHICAGO TITLE COMPANY

PRELIMINARY REPORT

Order No.: 58601406252-JA
Property: 806 Toro Canyon Road
Santa Barbara, CA 93101

*In response to the application for a policy of title insurance referenced herein, **Chicago Title Company** hereby reports that it is prepared to issue, or cause to be issued, as of the date hereof, a policy or policies of title insurance describing the land and the estate or interest therein hereinafter set forth, insuring against loss which may be sustained by reason of any defect, lien or encumbrance not shown or referred to as an exception herein or not excluded from coverage pursuant to the printed Schedules, Conditions and Stipulations or Conditions of said policy forms.*

The printed Exceptions and Exclusions from the coverage and Limitations on Covered Risks of said policy or policies are set forth in Attachment One. The policy to be issued may contain an arbitration clause. When the Amount of Insurance is less than that set forth in the arbitration clause, all arbitrable matters shall be arbitrated at the option of either the Company or the Insured as the exclusive remedy of the parties. Limitations on Covered Risks applicable to the CLTA and ALTA Homeowner's Policies of Title Insurance which establish a Deductible Amount and a Maximum Dollar Limit of Liability for certain coverages are also set forth in Attachment One. Copies of the policy forms should be read. They are available from the office which issued this report.

This report (and any supplements or amendments hereto) is issued solely for the purpose of facilitating the issuance of a policy of title insurance and no liability is assumed hereby. If it is desired that liability be assumed prior to the issuance of a policy of title insurance, a Binder or Commitment should be requested.

The policy(ies) of title insurance to be issued hereunder will be policy(ies) of Chicago Title Insurance Company, a Nebraska corporation.

Please read the exceptions shown or referred to herein and the exceptions and exclusions set forth in Attachment One of this report carefully. The exceptions and exclusions are meant to provide you with notice of matters which are not covered under the terms of the title insurance policy and should be carefully considered.

It is important to note that this preliminary report is not a written representation as to the condition of title and may not list all liens, defects and encumbrances affecting title to the land.

Chicago Title Insurance Company

Countersigned By:



Authorized Officer or Agent



By:



President

Attest:



Secretary

Visit Us on our Website: www.ctic.com



CHICAGO TITLE COMPANY

ISSUING OFFICE: 16969 Von Karman Ave Suite 150, Irvine, CA 92606

FOR SETTLEMENT INQUIRIES, CONTACT:
Gels & Company Realty Investments
526 San Bernardino Avenue • Newport Beach, CA 92663
• FAX

PRELIMINARY REPORT

Update: 1

Title Officer: John Allen
Email: AllenJo@ctt.com
Phone No.: (949)263-6961
Fax No.: (949)263-0872
Title No.: 58601406252-JA

Customer: Al Gels
Email: alvingels@gmail.com
Phone No.:
Fax No.:
Ref. No.:

PROPERTY ADDRESS(ES): 806 Toro Canyon Road, Santa Barbara, CA

EFFECTIVE DATE: April 2, 2015 at 07:30 AM

The form of policy or policies of title insurance contemplated by this report is:

ALTA Homeowner's Policy of Title Insurance 2010

ALTA Loan Policy 2006

1. The estate or interest in the Land hereinafter described or referred to covered by this Report is:
 - A Fee as to Parcel(s) 1
 - An Easement(s) more fully described below as to Parcel(s) 2 (A & B)
2. Title to said estate or interest at the date hereof is vested in:
 - Mary A. Koch, Trustee, or the successor or successor in trust under the Declaration of Trust of Mary A. Koch dated April 13, 1983, Subject to items 10, 11 and 12
3. The Land referred to in this Report is described as follows:
 - SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF

EXHIBIT "A"
Legal Description

For APN/Parcel ID(s): 155-040-23-00

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE CITY OF SANTA BARBARA, COUNTY OF SANTA BARBARA, STATE OF CALIFORNIA AND IS DESCRIBED AS FOLLOWS:

Parcel 1:

The Southerly 495 feet measured parallel and equal distance from the Southerly line of the following described real property, to wit:

The Southeast 1/4 of the Southwest 1/4 of Section 12, Township 4 North, Range 26 West, San Bernardino Base and Meridian, in the County of Santa Barbara, State of California, according to the official map filed in the District Land Office.

Parcel 2:

A non-exclusive easement in, to, over, through, and across the parcels described below, as set forth in that certain Grant of Easement, executed by Guy Berkeley Breathed and Jody Boyman, as grantor; and Sharee M. Allen, successor trustee to Mary A. Koch, trustee in trust under Declaration of Trust of Mary A. Koch, dated April 13, 1983, as grantee, for the term, and upon the provisions contained therein, recorded April 7, 2014 as instrument no. 2014-0015398.

Parcel A:

A 20 foot wide easement for access and roadway purposes in, to, over, through, and across a portion of that parcel of land described as PARCEL ONE indeed from Michael Stilwell et.al. to Berkeley Breathed and Jody Boyman recorded October 8, 1997 as Instrument No. 97— 059714 of Official Records in the office of the County Recorder of Santa Barbara County, California, said easement being described as follows:

Beginning at the northwesterly corner of said Breathed parcel, same being the northeast corner of Parcel "A" of Parcel Map No. 11,791, recorded in Book 12, page 65 of Parcel Maps, in the office of the County Recorder; thence S. 89°28'15" E. along the northerly line of said Breathed parcel a distance of 396.16 feet to a point, same point being the true point of beginning for the centerline of the herein described easement; thence along a curve to the right, having a central angle of 40°34'48", a radius of 150.00 feet, an arc length of 106.24 feet, and whose chord bears S 16°22'22" W. a distance of 104.03 feet to the beginning of a curve to the left; thence along said curve, having a central angle of 21°21'39", a radius of 100.00 feet, and arc length of 37.28 feet and whose chord bears S. 25°58'56" W. a distance of 37.07 feet to the beginning of a curve to the right; thence along said curve, having a central angle of 24°52'22", a radius of 100.00 feet, an arc length of 43.41 feet, and whose chord bears S. 27°44'17" W. a distance of 43.07 feet to a point; thence S. 40°10'29" W. a distance of 39.74 feet to the beginning of a curve to the left; thence along said curve, having a central angle of 58°36'21", a radius of 70.00 feet, an arc length of 71.68 feet, and whose chord bears S. 10°52'18" W. a distance of 68.52 feet to a point; thence S. 18°25'53" E. a distance of 39.72 feet to the beginning of a curve to the left; thence along said curve, having a central angle of 50°34'22", a radius of 130.00 feet, an arc length of 114.75 feet, and whose chord bears S. 43°43'04" E. a distance of 111.06 feet to the beginning of a curve to the right thence along said curve, having a central angle of 57°52'47", a radius of 45.00 feet, an arc length of 45.46 feet, and whose chord bears S. 40°03'52" E. a distance of 43.55 feet to a point; thence S 11°07'28" E. a distance of 37.25 feet to the beginning of a curve to the left; thence along said curve, having a central angle of 32°31'01", a

EXHIBIT "A"
Legal Description

radius of 21.95 feet, an arc length of 12.46 feet and whose chord bears S. 27°22'18" E. a distance of 12.29 feet to a point, same point being the conclusion for the herein described easement centerline.

Parcel B:

A 20 foot wide easement for access and roadway purposes in, to, over, through, and across a portion of that parcel of land described as PARCEL ONE in deed from Michael Stilwell et.al. to Berkeley Breathed and Jody Boyman recorded October 8, 1997 as Instrument No. 97—059714 of Official Records, in the office of the County Recorder of Santa Barbara County, California, said easement being described as follows:

Beginning at the northwesterly corner of said Breathed parcel, same being the northeast corner of Parcel "A" of Parcel Map No. 11,791, recorded in Book 12, page 65, of Parcel Maps, in the office of the County Recorder; thence S. 41°51'02" E. a distance of 632.73 feet to a point, same point being the true point of beginning for the centerline of the herein described easement; thence S. 75°09'06" W. a distance of 37.31 feet to a point; thence S. 66°09'11" W. a distance of 45.26 feet to a point; thence S. 79°35'19" W. a distance of 146.51 feet to the beginning of a curve to the left; thence along said curve, having a central angle of 78°46'54", a radius of 80.00 feet, an arc length of 110.00 feet, and whose chord bears S. 40°11'52" W. a distance of 101.54 feet to a point; thence S. 00°48'25" W. a distance of 50.00 feet to the beginning of a curve to the left; thence along said curve, having a central angle of 19°05'55" a radius of 75.00 feet, an arc length of 25.00 feet, and whose chord bears S. 08°44'33" E. a distance of 24.88 feet to a point; thence S. 18°17'30" E. a distance of 30.00 feet to the beginning of a curve to the right; thence along said curve, having a central angle of 28°38'52", a radius of 50.00 feet, an arc length of 25.00 feet, and whose chord bears S. 03°58'04" E. a distance of 24.74 feet to the beginning of a curve to the left; thence along said curve, having a central angle of 30°33'28", a radius of 75.00 feet, an arc length of 40.00 feet, and whose chord bears S. 04°55'22" E. a distance of 39.53 feet to a point; thence S. 20°12'06" E. a distance of 20.00 feet to the beginning of a curve to the left; thence along said curve, having a central angle of 38°59'46", a radius of 70.00 feet, an arc length of 47.64 feet and whose chord bears S. 39°42'09" E. a distance of 46.73 feet to a point of intersection with the southerly boundary line of said Breathed parcel, same point being the conclusion for the herein described easement centerline and lying S. 89°49'24" E. 188.15 feet from the southwest corner of said Breathed parcel.

AT THE DATE HEREOF, EXCEPTIONS TO COVERAGE IN ADDITION TO THE PRINTED EXCEPTIONS AND EXCLUSIONS IN SAID POLICY FORM WOULD BE AS FOLLOWS:

1. Property taxes, which are a lien not yet due and payable, including any assessments collected with taxes to be levied for the fiscal year 2015-2016.
2. Property taxes, including any personal property taxes and any assessments collected with taxes, are paid. For proration purposes the amounts were:

Tax Identification No.: 155-040-23-00
Fiscal Year: 2014-2015
1st Installment: \$106.99
2nd Installment: \$106.99
Exemption: \$0.00
Code Area: 59-034
3. Any liens or other assessments, bonds, or special district liens including without limitation, Community Facility Districts, that arise by reason of any local, City, Municipal or County Project or Special District.
4. The lien of supplemental or escaped assessments of property taxes, if any, made pursuant to the provisions of Chapter 3.5 (commencing with Section 75) or Part 2, Chapter 3, Articles 3 and 4, respectively, of the Revenue and Taxation Code of the State of California as a result of the transfer of title to the vestee named in Schedule A or as a result of changes in ownership or new construction occurring prior to Date of Policy.
5. Water rights, claims or title to water, whether or not disclosed by the public records.
6. Any easements not disclosed by the public records as to matters affecting title to real property, whether or not said easements are visible and apparent.
7. "Notwithstanding the insuring clauses of the Policy, the Company does not insure against loss or damage by reason of a lack of right of access and from the land described herein other than those rights established over Parcel One of Exhibit A of that certain Grant of Easement, dated January 23, 2014, executed by and between Guy Berkeley Breathed and Jody Boyman; and Sharee M. Allen, successor trustee to Mary A. Koch, trustee under Declaration of Trust of Mary A. Koch, dated April 13, 1983. No insurance is offered over Parcels 2 thru 6 as described in said Instrument."
8. Rights of the public in and to that portion of the land lying within any road, street, alley or highway.
9. Conditional Certificate of Compliance

Executed by: County surveyor, County of Santa Barbara
Dated: December 5, 2012
Compliance No.: 12COC-00000-00001
Recording Date: December 5, 2012
Recording No.: 2012-83043, Official Records
Affects: As described therein

Which among other things, provides for: Described in said document

Reference is hereby made to said document for full particulars.
10. An unrecorded Settlement Agreement and Mutual General Release of Claims as disclosed by document recorded April 7, 2014, as instrument no. 2014-15398 of Official Records.

EXCEPTIONS
(continued)

11. Matters contained in that certain document

Entitled: Affidavit - Death of Trustee
Dated: April 23, 2014
Executed by: Sharee M. Allen
Recording Date: May 19, 2014
Recording No.: 2014-22637, Official Records

Reference is hereby made to said document for full particulars.

12. An unrecorded Memorandum of Contract by and between the parties shown below

Vendor: Sharee M. Allen and Sandra L. Koch, Successor Trustees under the Declaration of Trust of Mary A. Koch dated April 13, 1983
Vendee: Bradford Cameron Sublett
Disclosed by: Memorandum of Contract
Recording Date: May 19, 2014
Recording No.: 2014-22638, Official Records

13. Please be advised that our search did not disclose any open Deeds of Trust of record. If you should have knowledge of any outstanding obligation, please contact the Title Department immediately for further review prior to closing.

14. Any rights of the parties in possession of a portion of, or all of, said Land, which rights are not disclosed by the public records.

The Company will require, for review, a full and complete copy of any unrecorded agreement, contract, license and/or lease, together with all supplements, assignments and amendments thereto, before issuing any policy of title insurance without excepting this item from coverage.

The Company reserves the right to except additional items and/or make additional requirements after reviewing said documents.

15. Matters which may be disclosed by an inspection and/or by a correct ALTA/ACSM Land Title Survey of said Land that is satisfactory to the Company, and/or by inquiry of the parties in possession thereof.

16. Any invalidity or defect in the title of the vestees in the event that the trust referred to herein is invalid or fails to grant sufficient powers to the trustee(s) or in the event there is a lack of compliance with the terms and provisions of the trust instrument. If title is to be insured in the trustee(s) of a trust, (or if their act is to be insured), this Company will require a Trust Certification pursuant to California Probate Code Section 18100.5. The Company reserves the right to add additional items or make further requirements after review of the requested documentation.

END OF EXCEPTIONS

NOTES

- Note 1.** Note: The current owner does NOT qualify for the \$20.00 discount pursuant to the coordinated stipulated judgments entered in actions filed by both the Attorney General and private class action plaintiffs, for the herein described Land.
- Note 2.** In order to complete this report, the Company requires a Statement of Information to be completed by the following party(ies),
Party(ies): all parties
- The Company reserves the right to add additional items or make further requirements after review of the requested Statement of Information.
- NOTE: The Statement of Information is necessary to complete the search and examination of title under this order. Any title search includes matters that are indexed by name only, and having a completed Statement of Information assists the Company in the elimination of certain matters which appear to involve the parties but in fact affect another party with the same or similar name. Be assured that the Statement of Information is essential and will be kept strictly confidential to this file.
- Note 3.** Note: There are NO conveyances affecting said Land recorded within 24 months of the date of this report.
- Note 4.** Note: If a county recorder, title insurance company, escrow company, real estate broker, real estate agent or association provides a copy of a declaration, governing document or deed to any person, California law requires that the document provided shall include a statement regarding any unlawful restrictions. Said statement is to be in at least 14-point bold face type and may be stamped on the first page of any document provided or included as a cover page attached to the requested document. Should a party to this transaction request a copy of any document reported herein that fits this category, the statement is to be included in the manner described.
- Note 5.** Note: When this title order closes and if the Company is handling the loan proceeds through a sub-escrow, all title charges and expenses normally billed will be deducted from those loan proceeds. Title charges and expenses would include Title Premiums, any Tax or Bond advances, Documentary Transfer Tax, Recording Fees, etc.
- Note 6.** Note: The policy of title insurance will include an arbitration provision. The Company or the insured may demand arbitration. Arbitrable matters may include, but are not limited to, any controversy or claim between the Company and the insured arising out of or relating to this policy, any service of the Company in connection with its issuance or the breach of a policy provision or other obligation. Please ask your escrow or title officer for a sample copy of the policy to be issued if you wish to review the arbitration provisions and any other provisions pertaining to your Title Insurance coverage.
- Note 7.** Note: In compliance with the new RESPA regulations, Chicago Title Company will be averaging recording fees for Single Family 1-4 Residential properties. Please contact your Title Officer to obtain the current recording fees. In addition, Chicago Title Company will pay our underwriter 12% of the title premium, as disclosed on lines 1107 and 1108 of the HUD-1.
- Note 8.** Note: Any documents being executed in conjunction with this transaction must be signed in the presence of an authorized Company employee, an authorized employee of an agent, an authorized employee of the insured lender, or by using Bancserv or other approved third-party service. If the above requirement cannot be met, please call the Company at the number provided in this report.

END OF NOTES

NOTICE

You may be entitled to receive a Twenty And No/100 Dollars (\$20.00) discount on escrow services if you purchased, sold or refinanced residential property in California between May 19, 1995 and November 1, 2002. If you had more than one qualifying transaction, you may be entitled to multiple discounts.

If your previous transaction involved the same property that is subject of your current transaction, you do not have to do anything; the Company will provide the discount, provided you are paying for escrow or title services in this transaction.

If your previous transaction involved property different from the property that is subject of your current transaction, you must - prior to the close of the current transaction - inform the Company of the earlier transaction, provide the address of the property involved in the previous transaction, and the date or approximate date that the escrow closed to be eligible for the discount.

Unless you inform the Company of the prior transaction on property that is not the subject of this transaction, the Company has no obligation to conduct an investigation to determine if you qualify for a discount. If you provide the Company information concerning a prior transaction, the Company is required to determine if you qualify for a discount which is subject to other terms and conditions.

**FIDELITY NATIONAL FINANCIAL
PRIVACY NOTICE
Effective: January 6, 2015**

Order No.: 58601406252--PR

Fidelity National Financial, Inc. and its majority-owned subsidiary companies providing real estate- and loan-related services (collectively, "FNF", "our" or "we") respect and are committed to protecting your privacy. This Privacy Notice lets you know how and for what purposes your Personal Information (as defined herein) is being collected, processed and used by FNF. We pledge that we will take reasonable steps to ensure that your Personal Information will only be used in ways that are in compliance with this Privacy Notice. The provision of this Privacy Notice to you does not create any express or implied relationship, or create any express or implied duty or other obligation, between Fidelity National Financial, Inc. and you. See also **No Representations or Warranties** below.

This Privacy Notice is only in effect for any generic information and Personal Information collected and/or owned by FNF, including collection through any FNF website and any online features, services and/or programs offered by FNF (collectively, the "Website"). This Privacy Notice is not applicable to any other web pages, mobile applications, social media sites, email lists, generic information or Personal Information collected and/or owned by any entity other than FNF.

How Information is Collected

The types of personal information FNF collects may include, among other things (collectively, "Personal Information"): (1) contact information (e.g., name, address, phone number, email address); (2) demographic information (e.g., date of birth, gender marital status); (3) Internet protocol (or IP) address or device ID/UDID; (4) social security number (SSN), student ID (SIN), driver's license, passport, and other government ID numbers; (5) financial account information; and (6) information related to offenses or criminal convictions.

In the course of our business, we may collect Personal Information about you from the following sources:

- Applications or other forms we receive from you or your authorized representative;
- Information we receive from you through the Website;
- Information about your transactions with or services performed by us, our affiliates, or others; and
- From consumer or other reporting agencies and public records maintained by governmental entities that we either obtain directly from those entities, or from our affiliates or others.

Additional Ways Information is Collected Through the Website

Browser Log Files. Our servers automatically log each visitor to the Website and collect and record certain information about each visitor. This information may include IP address, browser language, browser type, operating system, domain names, browsing history (including time spent at a domain, time and date of your visit), referring/exit web pages and URLs, and number of clicks. The domain name and IP address reveal nothing personal about the user other than the IP address from which the user has accessed the Website.

Cookies. From time to time, FNF or other third parties may send a "cookie" to your computer. A cookie is a small piece of data that is sent to your Internet browser from a web server and stored on your computer's hard drive and that can be re-sent to the serving website on subsequent visits. A cookie, by itself, cannot read other data from your hard disk or read other cookie files already on your computer. A cookie, by itself, does not damage your system. We, our advertisers and other third parties may use cookies to identify and keep track of, among other things, those areas of the Website and third party websites that you have visited in the past in order to enhance your next visit to the Website. You can choose whether or not to accept cookies by changing the settings of your Internet browser, but some functionality of the Website may be impaired or not function as intended. See the Third Party Opt Out section below.

Web Beacons. Some of our web pages and electronic communications may contain images, which may or may not be visible to you, known as Web Beacons (sometimes referred to as "clear gifs"). Web Beacons collect only limited information that includes a cookie number; time and date of a page view; and a description of the page on which the Web Beacon resides. We may also carry Web Beacons placed by third party advertisers. These Web Beacons do not carry any Personal Information and are only used to track usage of the Website and activities associated with the Website. See the Third Party Opt Out section below.

Unique Identifier. We may assign you a unique internal identifier to help keep track of your future visits. We may use this information to gather aggregate demographic information about our visitors, and we may use it to personalize the information you see on the Website and some of the electronic communications you receive from us. We keep this information for our internal use, and this information is not shared with others.

Third Party Opt Out. Although we do not presently, in the future we may allow third-party companies to serve advertisements and/or collect certain anonymous information when you visit the Website. These companies may use non-personally identifiable information (e.g., click stream information, browser type, time and date, subject of advertisements clicked or scrolled over) during your visits to the Website in order to provide advertisements about products and services likely to be of greater interest to you. These companies typically use a cookie or third party Web Beacon to collect this information, as further described above. Through these technologies, the third party may have access to and use non-personalized information about your online usage activity.

You can opt-out of online behavioral services through any one of the ways described below. After you opt-out, you may continue to receive advertisements, but those advertisements will no longer be as relevant to you.

- You can opt-out via the Network Advertising Initiative industry opt-out at <http://www.networkadvertising.org/>.
- You can opt-out via the Consumer Choice Page at www.aboutads.info.
- For those in the U.K., you can opt-out via the IAB UK's industry opt-out at www.youronlinechoices.com.
- You can configure your web browser (Chrome, Firefox, Internet Explorer, Safari, etc.) to delete and/or control the use of cookies.

More information can be found in the Help system of your browser. Note: If you opt-out as described above, you should not delete your cookies. If you delete your cookies, you will need to opt-out again.

PRIVACY NOTICE (continued)

Use of Personal Information

Information collected by FNF is used for three main purposes:

- To provide products and services to you or one or more third party service providers (collectively, "Third Parties") who are obtaining services on your behalf or in connection with a transaction involving you.
- To improve our products and services that we perform for you or for Third Parties.
- To communicate with you and to inform you about FNF's, FNF's affiliates and third parties' products and services.

When Information Is Disclosed By FNF

We may provide your Personal Information (excluding information we receive from consumer or other credit reporting agencies) to various individuals and companies, as permitted by law, without obtaining your prior authorization. Such laws do not allow consumers to restrict these disclosures. Disclosures may include, without limitation, the following:

- To agents, brokers, representatives, or others to provide you with services you have requested, and to enable us to detect or prevent criminal activity, fraud, material misrepresentation, or nondisclosure in connection with an insurance transaction;
- To third-party contractors or service providers who provide services or perform marketing services or other functions on our behalf;
- To law enforcement or other governmental authority in connection with an investigation, or civil or criminal subpoenas or court orders; and/or
- To lenders, lien holders, judgment creditors, or other parties claiming an encumbrance or an interest in title whose claim or interest must be determined, settled, paid or released prior to a title or escrow closing.

In addition to the other times when we might disclose information about you, we might also disclose information when required by law or in the good-faith belief that such disclosure is necessary to: (1) comply with a legal process or applicable laws; (2) enforce this Privacy Notice; (3) respond to claims that any materials, documents, images, graphics, logos, designs, audio, video and any other information provided by you violates the rights of third parties; or (4) protect the rights, property or personal safety of FNF, its users or the public.

We maintain reasonable safeguards to keep the Personal Information that is disclosed to us secure. We provide Personal Information and non-Personal Information to our subsidiaries, affiliated companies, and other businesses or persons for the purposes of processing such information on our behalf and promoting the services of our trusted business partners, some or all of which may store your information on servers outside of the United States. We require that these parties agree to process such information in compliance with our Privacy Notice or in a similar, industry-standard manner, and we use reasonable efforts to limit their use of such information and to use other appropriate confidentiality and security measures. The use of your information by one of our trusted business partners may be subject to that party's own Privacy Notice. We do not, however, disclose information we collect from consumer or credit reporting agencies with our affiliates or others without your consent, in conformity with applicable law, unless such disclosure is otherwise permitted by law.

We also reserve the right to disclose Personal Information and/or non-Personal Information to take precautions against liability, investigate and defend against any third-party claims or allegations, assist government enforcement agencies, protect the security or integrity of the Website, and protect the rights, property, or personal safety of FNF, our users or others.

We reserve the right to transfer your Personal Information, as well as any other information, in connection with the sale or other disposition of all or part of the FNF business and/or assets. We also cannot make any representations regarding the use or transfer of your Personal Information or other information that we may have in the event of our bankruptcy, reorganization, insolvency, receivership or an assignment for the benefit of creditors, and you expressly agree and consent to the use and/or transfer of your Personal Information or other information in connection with a sale or transfer of some or all of our assets in any of the above described proceedings. Furthermore, we cannot and will not be responsible for any breach of security by any third parties or for any actions of any third parties that receive any of the information that is disclosed to us.

Information From Children

We do not collect Personal Information from any person that we know to be under the age of thirteen (13). Specifically, the Website is not intended or designed to attract children under the age of thirteen (13). You affirm that you are either more than 18 years of age, or an emancipated minor, or possess legal parental or guardian consent, and are fully able and competent to enter into the terms, conditions, obligations, affirmations, representations, and warranties set forth in this Privacy Notice, and to abide by and comply with this Privacy Notice.

In any case, you affirm that you are over the age of 13, as **THE WEBSITE IS NOT INTENDED FOR CHILDREN UNDER 13 THAT ARE UNACCOMPANIED BY HIS OR HER PARENT OR LEGAL GUARDIAN.**

Parents should be aware that FNF's Privacy Notice will govern our use of Personal Information, but also that information that is voluntarily given by children - or others - in email exchanges, bulletin boards or the like may be used by other parties to generate unsolicited communications. FNF encourages all parents to instruct their children in the safe and responsible use of their Personal Information while using the Internet.

Privacy Outside the Website

The Website may contain various links to other websites, including links to various third party service providers. FNF is not and cannot be responsible for the privacy practices or the content of any of those other websites. Other than under agreements with certain reputable organizations and companies, and except for third party service providers whose services either we use or you voluntarily elect to utilize, we do not share any of the Personal Information that you provide to us with any of the websites to which the Website links, although we may share aggregate, non-Personal Information with those other third parties. Please check with those websites in order to determine their privacy policies and your rights under them.

European Union Users

If you are a citizen of the European Union, please note that we may transfer your Personal Information outside the European Union for use for any of the purposes described in this Privacy Notice. By providing FNF with your Personal Information, you consent to both our collection and such transfer of your Personal Information in accordance with this Privacy Notice.

PRIVACY NOTICE (continued)

Choices With Your Personal Information

Whether you submit Personal Information to FNF is entirely up to you. You may decide not to submit Personal Information, in which case FNF may not be able to provide certain services or products to you.

You may choose to prevent FNF from disclosing or using your Personal Information under certain circumstances ("opt out"). You may opt out of any disclosure or use of your Personal Information for purposes that are incompatible with the purpose(s) for which it was originally collected or for which you subsequently gave authorization by notifying us by one of the methods at the end of this Privacy Notice. Furthermore, even where your Personal Information is to be disclosed and used in accordance with the stated purposes in this Privacy Notice, you may elect to opt out of such disclosure to and use by a third party that is not acting as an agent of FNF. As described above, there are some uses from which you cannot opt-out.

Please note that opting out of the disclosure and use of your Personal Information as a prospective employee may prevent you from being hired as an employee by FNF to the extent that provision of your Personal Information is required to apply for an open position.

If FNF collects Personal Information from you, such information will not be disclosed or used by FNF for purposes that are incompatible with the purpose(s) for which it was originally collected or for which you subsequently gave authorization unless you affirmatively consent to such disclosure and use.

You may opt out of online behavioral advertising by following the instructions set forth above under the above section "Additional Ways That Information Is Collected Through the Website," subsection "Third Party Opt Out."

Access and Correction

To access your Personal Information in the possession of FNF and correct inaccuracies of that information in our records, please contact us in the manner specified at the end of this Privacy Notice. We ask individuals to identify themselves and the information requested to be accessed and amended before processing such requests, and we may decline to process requests in limited circumstances as permitted by applicable privacy legislation.

Your California Privacy Rights

Under California's "Shine the Light" law, California residents who provide certain personally identifiable information in connection with obtaining products or services for personal, family or household use are entitled to request and obtain from us once a calendar year information about the customer information we shared, if any, with other businesses for their own direct marketing uses. If applicable, this information would include the categories of customer information and the names and addresses of those businesses with which we shared customer information for the immediately prior calendar year (e.g., requests made in 2015 will receive information regarding 2014 sharing activities).

To obtain this information on behalf of FNF, please send an email message to privacy@fnf.com with "Request for California Privacy Information" in the subject line and in the body of your message. We will provide the requested information to you at your email address in response.

Please be aware that not all information sharing is covered by the "Shine the Light" requirements and only information on covered sharing will be included in our response.

Additionally, because we may collect your Personal Information from time to time, California's Online Privacy Protection Act requires us to disclose how we respond to "do not track" requests and other similar mechanisms. Currently, our policy is that we do not recognize "do not track" requests from Internet browsers and similar devices.

No Representations or Warranties

By providing this Privacy Notice, Fidelity National Financial, Inc. does not make any representations or warranties whatsoever concerning any products or services provided to you by its majority-owned subsidiaries. In addition, you also expressly agree that your use of the Website is at your own risk. Any services provided to you by Fidelity National Financial, Inc. and/or the Website are provided "as is" and "as available" for your use, without representations or warranties of any kind, either express or implied, unless such warranties are legally incapable of exclusion. Fidelity National Financial, Inc. makes no representations or warranties that any services provided to you by it or the Website, or any services offered in connection with the Website are or will remain uninterrupted or error-free, that defects will be corrected, or that the web pages on or accessed through the Website, or the servers used in connection with the Website, are or will remain free from any viruses, worms, time bombs, drop dead devices, Trojan horses or other harmful components. Any liability of Fidelity National Financial, Inc. and your exclusive remedy with respect to the use of any product or service provided by Fidelity National Financial, Inc. including on or accessed through the Website, will be the re-performance of such service found to be inadequate.

Your Consent To This Privacy Notice

By submitting Personal Information to FNF, you consent to the collection and use of information by us as specified above or as we otherwise see fit, in compliance with this Privacy Notice, unless you inform us otherwise by means of the procedure identified below. If we decide to change this Privacy Notice, we will make an effort to post those changes on the Website. Each time we collect information from you following any amendment of this Privacy Notice will signify your assent to and acceptance of its revised terms for all previously collected information and information collected from you in the future. We may use comments, information or feedback that you may submit in any manner that we may choose without notice or compensation to you.

If you have additional questions or comments, please let us know by sending your comments or requests to:

Fidelity National Financial, Inc.
601 Riverside Avenue
Jacksonville, Florida 32204
Attn: Chief Privacy Officer
(888) 934-3354 privacy@fnf.com

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ATTACHMENT ONE

CALIFORNIA LAND TITLE ASSOCIATION STANDARD COVERAGE POLICY - 1990

EXCLUSIONS FROM COVERAGE

The following matters are expressly excluded from the coverage of this policy and the Company will not pay loss or damage, costs, attorneys' fees or expenses which arise by reason of:

1. (a) Any law, ordinance or governmental regulation (including but not limited to building and zoning laws, ordinances, or regulations) restricting, regulating, prohibiting or relating (i) the occupancy, use, or enjoyment of the land; (ii) the character, dimensions or location of any improvement now or hereafter erected on the land; (iii) a separation in ownership or a change in the dimensions or area of the land or any parcel of which the land is or was a part; or (iv) environmental protection, or the effect of any violation of these laws, ordinances or governmental regulations, except to the extent that a notice of the enforcement thereof or a notice of a defect, lien or encumbrance resulting from a violation or alleged violation affecting the land has been recorded in the public records at Date of Policy.
- (b) Any governmental police power not excluded by (a) above, except to the extent that a notice of the exercise thereof or a notice of a defect, lien or encumbrance resulting from a violation or alleged violation affecting the land has been recorded in the public records at Date of Policy.
2. Rights of eminent domain unless notice of the exercise thereof has been recorded in the public records at Date of Policy, but not excluding from coverage any taking which has occurred prior to Date of Policy which would be binding on the rights of a purchaser for value without knowledge.
3. Defects, liens, encumbrances, adverse claims, or other matters:
 - (a) whether or not recorded in the public records at Date of Policy, but created, suffered, assumed or agreed to by the insured claimant;
 - (b) not known to the Company, not recorded in the public records at Date of Policy, but known to the insured claimant and not disclosed in writing to the Company by the insured claimant prior to the date the insured claimant became an insured under this policy;
 - (c) resulting in no loss or damage to the insured claimant;
 - (d) attaching or created subsequent to Date of Policy; or
 - (e) resulting in loss or damage which would not have been sustained if the insured claimant had paid value for the insured mortgage or for the estate or interest insured by this policy.
4. Unenforceability of the lien of the insured mortgage because of the inability or failure of the insured at Date of Policy, or the inability or failure of any subsequent owner of the indebtedness, to comply with the applicable doing business laws of the state in which the land is situated.
5. Invalidity or unenforceability of the lien of the insured mortgage, or claim thereof, which arises out of the transaction evidenced by the insured mortgage and is based upon usury or any consumer credit protection or truth in lending law.
6. Any claim, which arises out of the transaction vesting in the insured the estate or interest insured by this policy or the transaction creating the interest of the insured lender, by reason of the operation of federal bankruptcy, state insolvency or similar creditors' rights laws.

EXCEPTIONS FROM COVERAGE - SCHEDULE B, PART I

This policy does not insure against loss or damage (and the Company will not pay costs, attorneys' fees or expenses) which arise by reason of:

1. Taxes or assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the public records. Proceedings by a public agency which may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the public records.
2. Any facts, rights, interests or claims which are not shown by the public records but which could be ascertained by an inspection of the land or which may be asserted by persons in possession thereof.
3. Easements, liens or encumbrances, or claims thereof, not shown by the public records.
4. Discrepancies, conflicts in boundary lines, shortage in area, encroachments, or any other facts which a correct survey would disclose, and which are not shown by the public records.
5. (a) Unpatented mining claims; (b) reservations or exceptions in patents or in Acts authorizing the issuance thereof; (c) water rights, claims or title to water, whether or not the matters excepted under (a), (b), or (c) are shown by the public records.
6. Any lien or right to a lien for services, labor or material not shown by the public records.

**ATTACHMENT ONE
(CONTINUED)**

**CLTA HOMEOWNER'S POLICY OF TITLE INSURANCE (02-03-10)
ALTA HOMEOWNER'S POLICY OF TITLE INSURANCE (02-03-10)**

EXCLUSIONS

In addition to the Exceptions in Schedule B, You are not insured against loss, costs, attorneys' fees, and expenses resulting from:

1. Governmental police power, and the existence or violation of those portions of any law or government regulation concerning:
 - a. building;
 - b. zoning;
 - c. land use;
 - d. improvements on the Land;
 - e. land division; and
 - f. environmental protection.

This Exclusion does not limit the coverage described in Covered Risk 8.a., 14, 15, 16, 18, 19, 20, 23 or 27.
2. The failure of Your existing structures, or any part of them, to be constructed in accordance with applicable building codes. This Exclusion does not limit the coverage described in Covered Risk 14 or 15.
3. The right to take the Land by condemning it. This Exclusion does not limit the coverage described in Covered Risk 17.
4. Risks:
 - a. that are created, allowed, or agreed to by You, whether or not they are recorded in the Public Records;
 - b. that are Known to You at the Policy Date, but not to Us, unless they are recorded in the Public Records at the Policy Date;
 - c. that result in no loss to You; or
 - d. that first occur after the Policy Date - this does not limit the coverage described in Covered Risk 7, 8.e., 25, 26, 27 or 28.
5. Failure to pay value for Your Title.
6. Lack of a right:
 - a. to any land outside the area specifically described and referred to in paragraph 3 of Schedule A; and
 - b. in streets, alleys, or waterways that touch the Land.

This Exclusion does not limit the coverage described in Covered Risk 11 or 21.
7. The transfer of the Title to You is invalid as a preferential transfer or as a fraudulent transfer or conveyance under federal bankruptcy, state insolvency, or similar creditors' rights laws.

LIMITATIONS ON COVERED RISKS

Your insurance for the following Covered Risks is limited on the Owner's Coverage Statement as follows:

- For Covered Risk 16, 18, 19 and 21, Your Deductible Amount and Our Maximum Dollar Limit of Liability shown in Schedule A.

The deductible amounts and maximum dollar limits shown on Schedule A are as follows:

	<u>Your Deductible Amount</u>	<u>Our Maximum Dollar Limit of Liability</u>
Covered Risk 16:	1.00% of Policy Amount Shown in Schedule A or \$2,500.00 (whichever is less)	\$10,000.00
Covered Risk 18:	1.00% of Policy Amount Shown in Schedule A or \$5,000.00 (whichever is less)	\$25,000.00
Covered Risk 19:	1.00% of Policy Amount Shown in Schedule A or \$5,000.00 (whichever is less)	\$25,000.00
Covered Risk 21:	1.00% of Policy Amount Shown in Schedule A or \$2,500.00 (whichever is less)	\$5,000.00

**ATTACHMENT ONE
(CONTINUED)**

**AMERICAN LAND TITLE ASSOCIATION
RESIDENTIAL TITLE INSURANCE POLICY (6-1-87)**

EXCLUSIONS

In addition to the Exceptions in Schedule B, you are not insured against loss, costs, attorneys' fees, and expenses resulting from:

1. Governmental police power, and the existence or violation of any law or government regulation. This includes building and zoning ordinances and also laws and regulations concerning:
 - land use
 - improvements on the land
 - land division
 - environmental protection

This exclusion does not apply to violations or the enforcement of these matters which appear in the public records at policy date.
This exclusion does not limit the zoning coverage described in Items 12 and 13 of Covered Title Risks.
2. The right to take the land by condemning it, unless:
 - a notice of exercising the right appears in the public records on the Policy Date
 - the taking happened prior to the Policy Date and is binding on you if you bought the land without knowledge of the taking
3. Title Risks:
 - that are created, allowed, or agreed to by you
 - that are known to you, but not to us, on the Policy Date-unless they appeared in the public records
 - that result in no loss to you
 - that first affect your title after the Policy Date - this does not limit the labor and material lien coverage in Item 8 of Covered Title Risks
4. Failure to pay value for your title.
5. Lack of a right:
 - to any land outside the area specifically described and referred to in Item 3 of Schedule Aor
 - in streets, alleys, or waterways that touch your land

This exclusion does not limit the access coverage in Item 5 of Covered Title Risks.

ATTACHMENT ONE (CONTINUED)

2006 ALTA LOAN POLICY (06-17-06)

EXCLUSIONS FROM COVERAGE

The following matters are expressly excluded from the coverage of this policy, and the Company will not pay loss or damage, costs, attorneys' fees, or expenses that arise by reason of:

1. (a) Any law, ordinance, permit, or governmental regulation (including those relating to building and zoning) restricting, regulating, prohibiting, or relating to
 - (i) the occupancy, use, or enjoyment of the Land;
 - (ii) the character, dimensions, or location of any improvement erected on the Land;
 - (iii) the subdivision of land; or
 - (iv) environmental protection;or the effect of any violation of these laws, ordinances, or governmental regulations. This Exclusion 1(a) does not modify or limit the coverage provided under Covered Risk 5.
- (b) Any governmental police power. This Exclusion 1(b) does not modify or limit the coverage provided under Covered Risk 6.
2. Rights of eminent domain. This Exclusion does not modify or limit the coverage provided under Covered Risk 7 or 8.
3. Defects, liens, encumbrances, adverse claims, or other matters
 - (a) created, suffered, assumed, or agreed to by the Insured Claimant;
 - (b) not Known to the Company, not recorded in the Public Records at Date of Policy, but Known to the Insured Claimant and not disclosed in writing to the Company by the Insured Claimant prior to the date the Insured Claimant became an Insured under this policy;
 - (c) resulting in no loss or damage to the Insured Claimant;
 - (d) attaching or created subsequent to Date of Policy (however, this does not modify or limit the coverage provided under Covered Risk 11, 13, or 14); or
 - (e) resulting in loss or damage that would not have been sustained if the Insured Claimant had paid value for the Insured Mortgage.
4. Unenforceability of the lien of the Insured Mortgage because of the inability or failure of an Insured to comply with applicable doing-business laws of the state where the Land is situated.
5. Invalidity or unenforceability in whole or in part of the lien of the Insured Mortgage that arises out of the transaction evidenced by the Insured Mortgage and is based upon usury or any consumer credit protection or truth-in-lending law.
6. Any claim, by reason of the operation of federal bankruptcy, state insolvency, or similar creditors' rights laws, that the transaction creating the lien of the Insured Mortgage, is
 - (a) a fraudulent conveyance or fraudulent transfer, or
 - (b) a preferential transfer for any reason not stated in Covered Risk 13(b) of this policy.
7. Any lien on the Title for real estate taxes or assessments imposed by governmental authority and created or attaching between Date of Policy and the date of recording of the Insured Mortgage in the Public Records. This Exclusion does not modify or limit the coverage provided under Covered Risk 11(b).

The above policy form may be issued to afford either Standard Coverage or Extended Coverage. In addition to the above Exclusions from Coverage, the Exceptions from Coverage in a Standard Coverage policy will also include the following Exceptions from Coverage:

EXCEPTIONS FROM COVERAGE

This policy does not insure against loss or damage (and the Company will not pay costs, attorneys' fees or expenses) that arise by reason of:

1. (a) Taxes or assessments that are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the Public Records; (b) proceedings by a public agency that may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the Public Records.
2. Any facts, rights, interests, or claims that are not shown by the Public Records but that could be ascertained by an inspection of the Land or that may be asserted by persons in possession of the Land.
3. Easements, liens or encumbrances, or claims thereof, not shown by the Public Records.
4. Any encroachment, encumbrance, violation, variation, or adverse circumstance affecting the Title that would be disclosed by an accurate and complete land survey of the Land and not shown by the Public Records.
5. (a) Unpatented mining claims; (b) reservations or exceptions in patents or in Acts authorizing the issuance thereof; (c) water rights, claims or title to water, whether or not the matters excepted under (a), (b), or (c) are shown by the Public Records.
6. Any lien or right to a lien for services, labor or material not shown by the Public Records.

**ATTACHMENT ONE
(CONTINUED)**

2006 ALTA OWNER'S POLICY (06-17-06)

EXCLUSIONS FROM COVERAGE

The following matters are expressly excluded from the coverage of this policy, and the Company will not pay loss or damage, costs, attorneys' fees, or expenses that arise by reason of:

1. (a) Any law, ordinance, permit, or governmental regulation (including those relating to building and zoning) restricting, regulating, prohibiting, or relating to
 - (i) the occupancy, use, or enjoyment of the Land;
 - (ii) the character, dimensions, or location of any improvement erected on the Land;
 - (iii) the subdivision of land; or
 - (iv) environmental protection;or the effect of any violation of these laws, ordinances, or governmental regulations. This Exclusion 1(a) does not modify or limit the coverage provided under Covered Risk 5.
 - (b) Any governmental police power. This Exclusion 1(b) does not modify or limit the coverage provided under Covered Risk 6.
2. Rights of eminent domain. This Exclusion does not modify or limit the coverage provided under Covered Risk 7 or 8.
3. Defects, liens, encumbrances, adverse claims, or other matters
 - (a) created, suffered, assumed, or agreed to by the Insured Claimant;
 - (b) not Known to the Company, not recorded in the Public Records at Date of Policy, but Known to the Insured Claimant and not disclosed in writing to the Company by the Insured Claimant prior to the date the Insured Claimant became an Insured under this policy;
 - (c) resulting in no loss or damage to the Insured Claimant;
 - (d) attaching or created subsequent to Date of Policy (however, this does not modify or limit the coverage provided under Covered Risk 9 and 10); or
 - (e) resulting in loss or damage that would not have been sustained if the Insured Claimant had paid value for the Title.
4. Any claim, by reason of the operation of federal bankruptcy, state insolvency, or similar creditors' rights laws, that the transaction vesting the Title as shown in Schedule A, is
 - (a) a fraudulent conveyance or fraudulent transfer; or
 - (b) a preferential transfer for any reason not stated in Covered Risk 9 of this policy.
5. Any lien on the Title for real estate taxes or assessments imposed by governmental authority and created or attaching between Date of Policy and the date of recording of the deed or other instrument of transfer in the Public Records that vests Title as shown in Schedule A.

The above policy form may be issued to afford either Standard Coverage or Extended Coverage. In addition to the above Exclusions from Coverage, the Exceptions from Coverage in a Standard Coverage policy will also include the following Exceptions from Coverage:

EXCEPTIONS FROM COVERAGE

This policy does not insure against loss or damage (and the Company will not pay costs, attorneys' fees or expenses) that arise by reason of:

1. (a) Taxes or assessments that are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the Public Records; (b) proceedings by a public agency that may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the Public Records.
2. Any facts, rights, interests, or claims that are not shown by the Public Records but that could be ascertained by an inspection of the Land or that may be asserted by persons in possession of the Land.
3. Easements, liens or encumbrances, or claims thereof, not shown by the Public Records.
4. Any encroachment, encumbrance, violation, variation, or adverse circumstance affecting the Title that would be disclosed by an accurate and complete land survey of the Land and not shown by the Public Records.
5. (a) Unpatented mining claims; (b) reservations or exceptions in patents or in Acts authorizing the issuance thereof; (c) water rights, claims or title to water, whether or not the matters excepted under (a), (b), or (c) are shown by the Public Records.
6. Any lien or right to a lien for services, labor or material not shown by the Public Records.

**ATTACHMENT ONE
(CONTINUED)**

ALTA EXPANDED COVERAGE RESIDENTIAL LOAN POLICY (07-26-10)

EXCLUSIONS FROM COVERAGE

The following matters are expressly excluded from the coverage of this policy and the Company will not pay loss or damage, costs, attorneys' fees or expenses which arise by reason of:

1. (a) Any law, ordinance, permit, or governmental regulation (including those relating to building and zoning) restricting, regulating, prohibiting, or relating to
 - (i) the occupancy, use, or enjoyment of the Land;
 - (ii) the character, dimensions, or location of any improvement erected on the Land;
 - (iii) the subdivision of land; or
 - (iv) environmental protection;or the effect of any violation of these laws, ordinances, or governmental regulations. This Exclusion 1(a) does not modify or limit the coverage provided under Covered Risk 5, 6, 13(c), 13(d), 14 or 16.
- (b) Any governmental police power. This Exclusion 1(b) does not modify or limit the coverage provided under Covered Risk 5, 6, 13(c), 13(d), 14 or 16.
2. Rights of eminent domain. This Exclusion does not modify or limit the coverage provided under Covered Risk 7 or 8.
3. Defects, liens, encumbrances, adverse claims, or other matters
 - (a) created, suffered, assumed, or agreed to by the Insured Claimant;
 - (b) not Known to the Company, not recorded in the Public Records at Date of Policy, but Known to the Insured Claimant and not disclosed in writing to the Company by the Insured Claimant prior to the date the Insured Claimant became an Insured under this policy;
 - (c) resulting in no loss or damage to the Insured Claimant;
 - (d) attaching or created subsequent to Date of Policy (however, this does not modify or limit the coverage provided under Covered Risk 11, 16, 17, 18, 19, 20, 21, 22, 23, 24, 27 or 28); or
 - (e) resulting in loss or damage that would not have been sustained if the Insured Claimant had paid value for the Insured Mortgage.
4. Unenforceability of the lien of the Insured Mortgage because of the inability or failure of an Insured to comply with applicable doing-business laws of the state where the Land is situated.
5. Invalidity or unenforceability in whole or in part of the lien of the Insured Mortgage that arises out of the transaction evidenced by the Insured Mortgage and is based upon usury, or any consumer credit protection or truth-in-lending law. This Exclusion does not modify or limit the coverage provided in Covered Risk 26.
6. Any claim of invalidity, unenforceability or lack of priority of the lien of the Insured Mortgage as to Advances or modifications made after the Insured has Knowledge that the vestee shown in Schedule A is no longer the owner of the estate or interest covered by this policy. This Exclusion does not modify or limit the coverage provided in Covered Risk 11.
7. Any lien on the Title for real estate taxes or assessments imposed by governmental authority and created or attaching subsequent to Date of Policy. This Exclusion does not modify or limit the coverage provided in Covered Risk 11(b) or 25.
8. The failure of the residential structure, or any portion of it, to have been constructed before, on or after Date of Policy in accordance with applicable building codes. This Exclusion does not modify or limit the coverage provided in Covered Risk 5 or 6.
9. Any claim, by reason of the operation of federal bankruptcy, state insolvency, or similar creditors' rights laws, that the transaction creating the lien of the Insured mortgage, is
 - (a) a fraudulent conveyance or fraudulent transfer, or
 - (b) a preferential transfer for any reason not stated in Covered Risk 27(b) of this policy.

Notice of Available Discounts

Pursuant to Section 2355.3 in Title 10 of the California Code of Regulations Fidelity National Financial, Inc. and its subsidiaries ("FNF") must deliver a notice of each discount available under our current rate filing along with the delivery of escrow instructions, a preliminary report or commitment. Please be aware that the provision of this notice does not constitute a waiver of the consumer's right to be charged the filed rate. As such, your transaction may not qualify for the below discounts.

You are encouraged to discuss the applicability of one or more of the below discounts with a Company representative. These discounts are generally described below; consult the rate manual for a full description of the terms, conditions and requirements for such discount. These discounts only apply to transactions involving services rendered by the FNF Family of Companies. This notice only applies to transactions involving property improved with a one-to-four family residential dwelling.

Not all discounts are offered by every FNF Company. The discount will only be applicable to the FNF Company as indicated by the named discount.

FNF Underwritten Title Companies

CTC - Chicago Title Company

Underwritten by FNF Underwriters

CTIC - Chicago Title Insurance Company

Available Discounts

CREDIT FOR PRELIMINARY TITLE REPORTS AND/OR COMMITMENTS ON SUBSEQUENT POLICIES (CTIC)

Where no major change in the title has occurred since the issuance of the original report or commitment, the order may be reopened within 12 to 36 months and all or a portion of the charge previously paid for the report or commitment may be credited on a subsequent policy charge.

FEE REDUCTION SETTLEMENT PROGRAM (CTC, CTIC)

Eligible customers shall receive a \$20.00 reduction in their title and/or escrow fees charged by the Company for each eligible transaction in accordance with the terms of the Final Judgments entered in *The People of the State of California et al. v. Fidelity National Title Insurance Company et al.*, Sacramento Superior Court Case No. 99AS02793, and related cases.

DISASTER LOANS (CTIC)

The charge for a Lender's Policy (Standard or Extended coverage) covering the financing or refinancing by an owner of record, within 24 months of the date of a declaration of a disaster area by the government of the United States or the State of California on any land located in said area, which was partially or totally destroyed in the disaster, will be 50% of the appropriate title insurance rate.

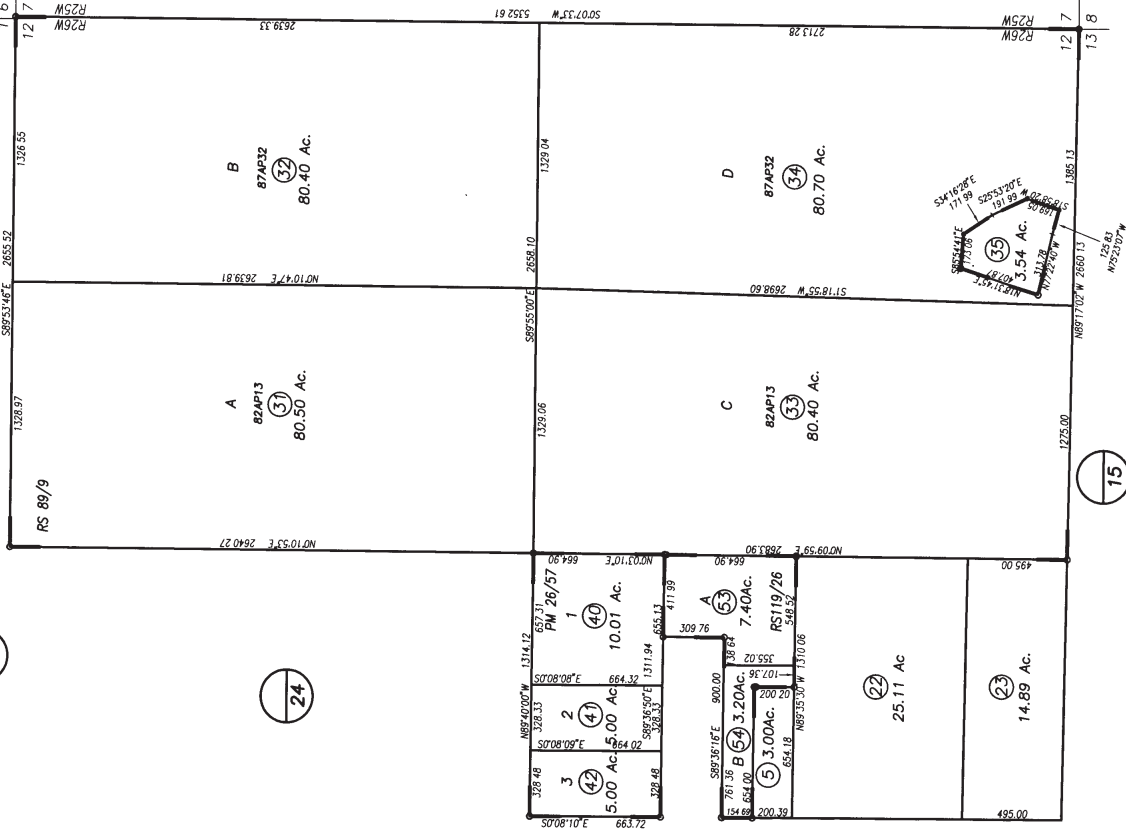
CHURCHES OR CHARITABLE NON-PROFIT ORGANIZATIONS (CTIC)

On properties used as a church or for charitable purposes within the scope of the normal activities of such entities, provided said charge is normally the church's obligation the charge for an owner's policy shall be 50% to 70% of the appropriate title insurance rate, depending on the type of coverage selected. The charge for a lender's policy shall be 32% to 50% of the appropriate title insurance rate, depending on the type of coverage selected.

POR. SEC. 12 T4N R26W SBB&M

155-04

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

Assessor's Map Bk, 155-Pg, 04
County of Santa Barbara, Calif.

LD/99

28-29 to pg 23



2012-0083043

Recorded	REC FEE	48.00
Official Records	County of	CONFORMED COPY 0.00
Santa Barbara	Joseph E. Holland	
County Clerk Recorder		
09:32AM 05-Dec-2012	HH	Page 1 of 12

Recording Requested by and
 After Recording Return to:
 Syndi Souter
 Souter Land Use Planning
 PO Box 50423
 Santa Barbara, CA 93150

12
CCFR

COUNTY OF SANTA BARBARA
CONDITIONAL CERTIFICATE OF COMPLIANCE ON
ASSESSOR'S PARCEL NO. 155-040-023

Notice is hereby filed, as a public record, that the real property described in Exhibit "A" and shown as the shaded parcel on the map marked Exhibit "B" attached hereto and made a part hereof, is incorporated herein by this reference, and that said real property and the division creating said real property comply with the applicable provisions of the State Subdivision Map Act and County Ordinances enacted pursuant thereto.

The fulfillment and implementation of the set out conditions listed in Exhibit "C" per 12COC-00000-00001 as approved by Santa Barbara County Zoning Administrator at their hearing on 6/18/2012 pages 1 through 9 shall be required prior to subsequent issuance of a permit or other grant of approval for development of the property, pursuant to Government Code Sections 66499.34 and 66499.35.

This certificate relates only to issues of compliance or noncompliance with the Subdivision Map Act and local ordinances enacted pursuant thereto. The parcel described herein may be sold, leased, or financed without further compliance with the Subdivision Map Act or any local ordinance enacted pursuant thereto. Development of the parcel may require issuance of a permit or permits, or other grants of approval.

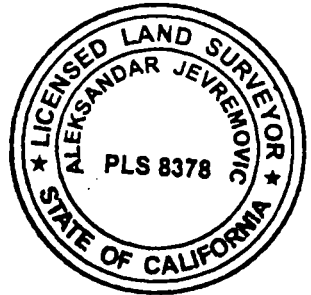
Owners: Mary Koch, Trustee, Mary Koch Trust - by Quitclaim Deed recorded July 12, 1983 as Instrument No. 1983-0035758 of Official Records in the County of Santa Barbara, State of California.

Aleksandar Jevremovic
 Aleksandar Jevremovic
 County Surveyor

12/5/12
 Date

APPROVED AS TO FORM:
 DENNIS A. MARSHALL
 COUNTY COUNSEL

By [Signature]
 Kevin E. Ready, Sr.
 Senior Deputy County Counsel



11CB52

12 CB 52

EXHIBIT "A"

All that certain real property situated in the County of Santa Barbara, State of California, described as follows:

The Southerly 495 feet, measured parallel and equal distance from the Southerly line of the following described real property, to wit:

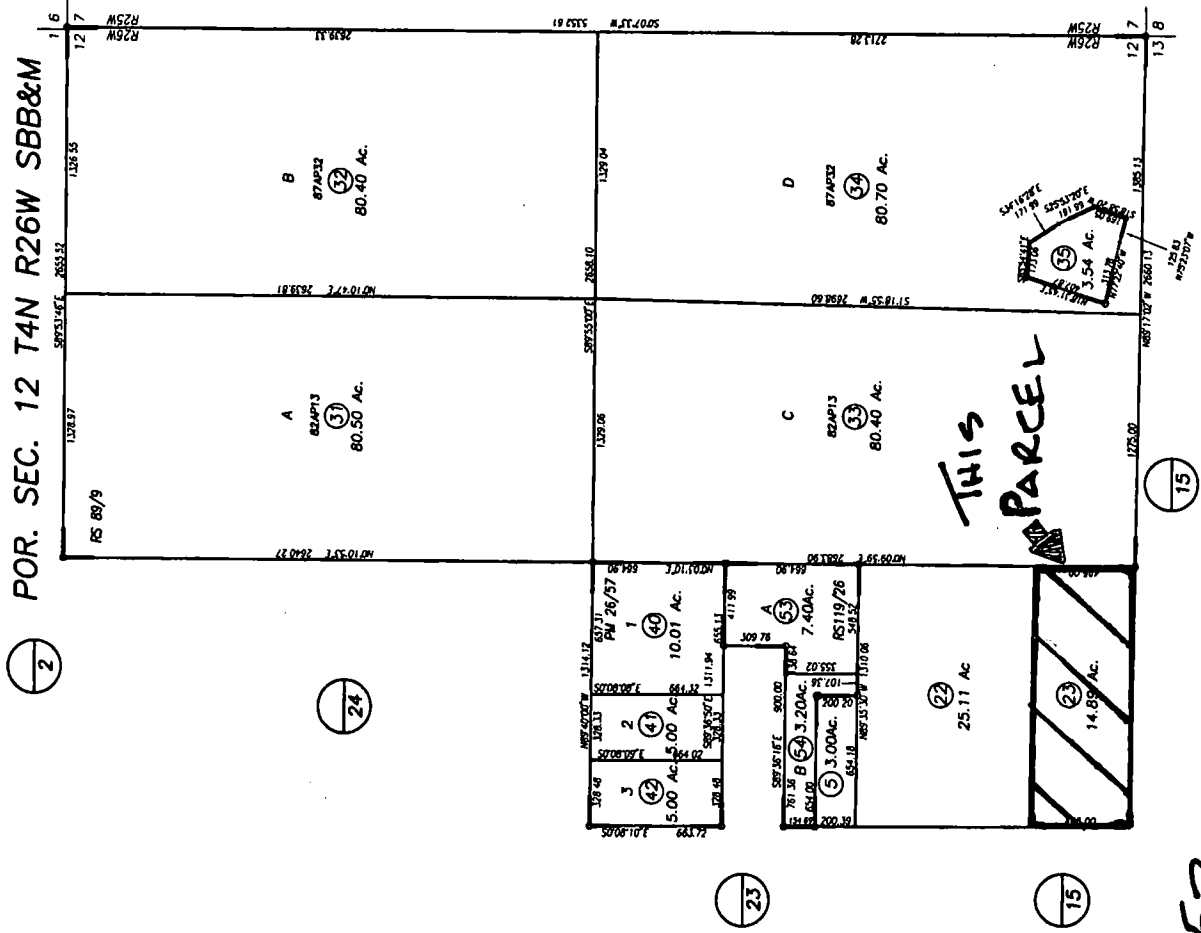
The Southeast $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of Section 12, Township 4 North, Range 26 West, San Bernardino Base and Meridian, in the County of Santa Barbara, State of California, according to the official map filed in the District Land Office.

APN 155-040-023

EXHIBIT B

POR. SEC. 12 T4N R26W SBB&M

155-04



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

Assessor's Map Bk, 155-Pg, 04
County of Santa Barbara, Calif.

LD/99 28-29 to pg 23

112B52



COURT HOUSE

COUNTY OF SANTA BARBARA CALIFORNIA

ZONING ADMINISTRATOR

COUNTY ENGINEERING BUILDING
123 E. ANAPAMU STREET
SANTA BARBARA, CALIFORNIA 93101-2058
PHONE: (805) 568-2000

June 21, 2012

Mary Koch
Mary A. Koch Trust
6750 Long Beach Blvd.
Long Beach, CA 90805

EXHIBIT C
12COC-00000-00001
11CB52

ZONING ADMINISTRATOR
HEARING OF JUNE 18, 2012

RE: Koch Conditional Certificate of Compliance, 12COC-00000-00001

Hearing on the request of Syndi Souter, agent for Mary Koch, Trustee, Mary A. Koch Trust, owner, to consider case no. 12COC-00000-00001, [application filed April 2, 2012] for a Conditional Certificate of Compliance to legalize the creation of 14.89-acre parcel in compliance with Section 66499.35 of the State Subdivision Map Act in an area zoned RR-20 under the Santa Barbara County Land Use and Development Code; and to determine the project is exempt pursuant to Section 15061(b)(3) of the State Guidelines for Implementation of the California Environmental Quality Act. The Certificate of Compliance would validate the existing undeveloped parcel for purposes of sale, lease or finance. The approval of the Certificate of Compliance does not grant any right to develop the parcel and no development is proposed as part of this approval. The property is a 14.89-acre parcel zoned RR-20 and shown as assessor parcel number 155-040-023, located just north of, and adjacent to, Toro Canyon County Park in the Toro Canyon area, First Supervisorial District.

Dear Ms. Koch:

At the regular hearing of the Santa Barbara County Zoning Administrator on June 18, 2012 Case No. 12COC-00000-00001 marked "Officially Accepted, County of Santa Barbara June 18, 2012 Zoning Administrator Attachment D" was conditionally approved, based upon the project's consistency with the Comprehensive Plan including the Toro Canyon and based on the ability to make the required findings. The Zoning Administrator also took the following action:

1. Made the required findings for approval of the project as specified in Attachment A of the staff report dated June 1, 2012, including CEQA findings;
2. Determined the project is exempt from CEQA pursuant to Section 15061(b)(3) of the CEQA Guidelines, included as Attachment C of the staff report dated June 1, 2012; and
3. Approved the project subject to the Conditions of Approval in Attachment B of the staff report dated June 1, 2012.

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The Findings and the Conditions of Approval reflect the action of the Zoning Administrator and are included in this letter as Attachment A and Attachment B.

- The action of the Zoning Administrator to approve, conditionally approve, or deny the project may be appealed to the Planning Commission by the applicant, or an aggrieved person, as defined in Section 21-74.4 (Appeals) of Chapter 21 of the County Code, adversely affected by the decision within the 10 calendar days following the date of action by the Zoning Administrator.
- An appeal, which shall be in writing, and accompanying fee of \$603.00 shall be filed with the Planning and Development Department located at 123 East Anapamu Street, Santa Barbara, or 624 West Foster Road, Suite C, Santa Maria, prior to expiration of the appeal period specified above.
- **Public appeal period expires on Thursday, June 28, 2012 at 5:00 P.M.**

Sincerely,



JEFF HUNT AICP
Zoning Administrator

xc: Case File: 12COC-00000-00001
Hearing Support Zoning Administrator File
Agent: Syndi Souter
County Surveyor's Office
Supervisor: Salud Carbajal, First District Supervisor
Planner: Brian Banks

**Attachments: Attachment A – Findings
Attachment B – Conditions of Approval**

JH:sf

G:\GROUP\PERMITTING\Case Files\COC\12 cases\12COC-00000-00001 Koch\actionletter.doc

ATTACHMENT A: FINDINGS OF APPROVAL

1.0 CEQA FINDINGS

- 1.1 The project is exempt from CEQA pursuant to Guidelines Section 15061(b)(3), General Exemption. This section states that CEQA applies only to projects which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA. The validation of the existing, illegally created undeveloped lot will not create any significant environmental impacts, public health or safety hazards, and would not have a significant impact on the resources or services within this area, such as water, sanitary services, surrounding roadways and intersections, or schools. Any future development on the parcel would be subject to environmental review to address increased traffic, use of public facilities, geologic hazards, archaeological issues, biological issues, etc.

2.0 ADMINISTRATIVE FINDINGS

- 2.1 Pursuant to Government Code §66499.35(b), the parcel has been found to have been created without the necessary County approval in 1969. The parcel was illegally created on June 17, 1969 per instrument number 16735, Book 2274, Page 1161 (please see Attachment E, County Surveyor Letter dated February 2, 2012). The parcel was conveyed on August 1, 1969 by Evangelistic Missionary Crusades, Inc. to Richard C. Koch (deceased) per instrument number 21787, Book 2279, Page 995. The applicant did not own the property when the illegal creation of the parcel occurred on June 17, 1969, therefore the County must apply regulations that were in effect at the time the applicant acquired the parcel. The current owner, as a successor in interest, acquired the parcel in 1969; therefore conditions of approval based on zoning standards that would have been applicable to the division of the property in 1969 have been placed on this Conditional Certificate of Compliance as listed in Attachment B to the staff report dated June 1, 2012, and incorporated herein by reference. Said conditions are necessary for the protection of public health, safety and welfare and to ensure that any future development is consistent with the County's Comprehensive Plan, including the Toro Canyon Plan, and the Land Use and Development Code as described in Sections 5.0 and 6.0 of the staff report dated June 1, 2012, and incorporated herein by reference.

ATTACHMENT B: CONDITIONS OF APPROVAL

1. **Proj Des-01 Project Description.** This Conditional Certificate of Compliance is based upon and limited to compliance with the project description, the hearing exhibits marked A-E, dated June 1, 2012 and all conditions of approval set forth below, including mitigation measures and specified plans and agreements included by reference, as well as all applicable County rules and regulations. The project description is as follows:

The project description is as follows:

Conditional Certificate of Compliance to legalize the creation of 14.89-acre parcel in compliance with Section 66499.35 of the State Subdivision Map Act in an area zoned RR-20 under the Santa Barbara County Land Use and Development Code; and to determine the project is exempt pursuant to Section 15061(b)(3) of the State Guidelines for Implementation of the California Environmental Quality Act. The Certificate of Compliance would validate the existing undeveloped parcel for purposes of sale, lease or finance. The approval of the Certificate of Compliance does not grant any right to develop the parcel and no development is proposed as part of this approval. The property is a 14.89-acre parcel zoned RR-20 and shown as assessor parcel number 155-040-023, located just north of, and adjacent to, Toro Canyon County Park in the Toro Canyon area, First Supervisorial District.

Any deviations from the project description, exhibits or conditions must be reviewed and approved by the County for conformity with this approval. Deviations may require approved changes to the permit and/or further environmental review. Deviations without the above described approval will constitute a violation of permit approval.

2. **Proj Des-02 Project Conformity.** The grading, development, use, and maintenance of the property, the size, shape, arrangement, and location of the structures, parking areas and landscape areas, and the protection and preservation of resources shall conform to the project description above and the hearing exhibits and conditions of approval below. The property and any portions thereof shall be sold, leased or financed in compliance with this project description and the approved hearing exhibits and conditions of approval thereto. All plans (such as Landscape and Tree Protection Plans) must be submitted for review and approval and shall be implemented as approved by the County.
3. **Rules-29 Other Dept Conditions.** Prior to future development, compliance with the Departmental/Division letters shall be required:
 - a. Fire Department letter dated May 31, 2012;
 - b. Environmental Health Services letter dated May 7, 2012.
5. **Rules-33 Indemnity and Separation.** The Owner/Applicant shall defend, indemnify and hold harmless the County or its agents or officers and employees from any claim, action or proceeding against the County or its agents, officers or employees, to attack, set aside, void, or annul, in whole or in part, the County's approval of this project. In the event that the County fails promptly to notify the Owner / Applicant of any such claim, action or proceeding, or that the County fails to cooperate fully in the defense of said claim, this condition shall thereafter be of no further force or effect.

6. **Rules-34 Legal Challenge.** In the event that any condition imposing a fee, exaction, dedication or other measure is challenged by the project sponsors in an action filed in a court of law or threatened to be filed therein which action is brought in the time period provided for by law, this approval shall be suspended pending dismissal of such action, the expiration of the limitation period applicable to such action, or final resolution of such action. If any condition is invalidated by a court of law, the entire project shall be reviewed by the review authority and no approval shall be issued unless substitute feasible conditions/measures are imposed.
7. **Special Condition.** Following expiration of the applicable appeal period of the final action by the Zoning Administrator, the owner/applicant shall apply to the County Surveyor for recordation of the Conditional Certificate of Compliance with the County Recorder.

Santa Barbara County
PUBLIC Health
DEPARTMENT

Environmental Health Services

2125 S. Centerpointe Pkwy. #333 • Santa Maria, CA 93455-1340 805/346-8460 • FAX 805/346-8485

Takashi M. Wada, MD, MPH *Director/Health Officer*
Anne M. Faaron *Deputy Director*
Suzanne Jacobson, CPA *Chief Financial Officer*
Michèle Mickiewicz, MPH *Deputy Director*
Elizabeth Snyder, MHA *Deputy Director*

Susan Klein-Rothschild, *Interim Director of Environmental Health*

TO: Brian Banks, Planner
Planning & Development Department
Development Review Division

FROM: Paul Jenzen
Environmental Health Services

DATE: May 7, 2012

SUBJECT: Case No. 12COC-00000-00001

Toro Canyon Area

Applicant: Mary Koch, TTE
6750 Long Beach Blvd.
Long Beach, CA. 90805

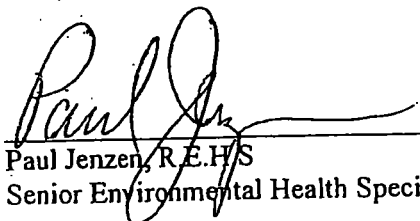
Property Location: Assessor's Parcel No. 155-040-023, zoned RR-20, located just north of and adjacent to Toro Canyon County Park.

Case No. 12COC-00000-00001 represents a request to legalize the creation of a 14.89-acre parcel and validate the parcel for future development. No development is proposed with this project.

Domestic water supply and sewage disposal would be provided by private water and wastewater systems at the time of development.

Providing the Planning Commission grants approval of the applicant's request, Environmental Health Services recommends the following be included as Conditions of Approval:

1. Prior to Issuance of a Building Permit, an application for an onsite wastewater treatment system (OWTS) permit and a private water system permit shall be reviewed and approved by Environmental Health Services.


Paul Jenzen, R.E.H.S.
Senior Environmental Health Specialist

cc: Applicant
Agent, Syndi Souter, P.O. Box 50423, Santa Barbara, CA. 93150
Willie Brummett, Environmental Health Services



CARPINTERIA~SUMMERLAND FIRE PROTECTION DISTRICT

May 31, 2012

Mr. Brian Banks
Planning and Development
County of Santa Barbara
123 East Anapamu Street
Santa Barbara, CA 93101

Re: Case No. 12COC-00000-00001 / Koch Conditional Certificate of Compliance
APN155-040-023 / Toro Canyon

Subject: Letter of Conditions / Approval

Dear Brian Banks:

The following items are necessary for fire protection and prior to issuance of permits for future development on this parcel, all Fire District requirements shall be met.

1. Access to all structures shall conform to the requirements for private roads and driveways set forth in the Santa Barbara County Private Roads & Driveway Standards, Section 8 and Carpinteria-Summerland Fire District Development Standard #1.
2. When access ways are gated, a Fire District approved key box shall be installed in an accessible location. Prior to installation, the Fire District shall approve the location and type. The gate must swing in the direction of entrance travel.
3. Visible street address numbers must be visible from the public street. Numbers must be posted at the driveway and on the building. Numbers shall be a minimum 4 inches high on a contrasting background.
4. Public fire hydrants supplying the required fire flow within the required driving distance from the structures shall be provided. Both the Fire District and the Montecito Water District shall approve the type of hydrant and the exact location. The new fire hydrant(s) shall be installed and in-service prior to any construction.

7/9

"Pride in Service"

5. All new buildings structures shall be protected by an approved automatic fire sprinkler system. For manufactured homes the fire sprinkler system may be installed by the factory manufacture or may be retrofitted. In either case, plans for the proposed fire sprinkler system shall be designed by a qualified person and submitted to the prevention bureau for approval.
6. Per 2010 California Building Code and National Electric Code, smoke detectors must be installed in all residences.
7. Per Carpinteria-Summerland Fire District Ordinance No. 2003-01 pertaining to fees and service charges, a service charge of \$205.00 is assessed on plans reviews.
8. Any future changes, including further division, intensification of use, future construction, or increase in hazard classification, will require additional review in order to comply with applicable fire district development standards.

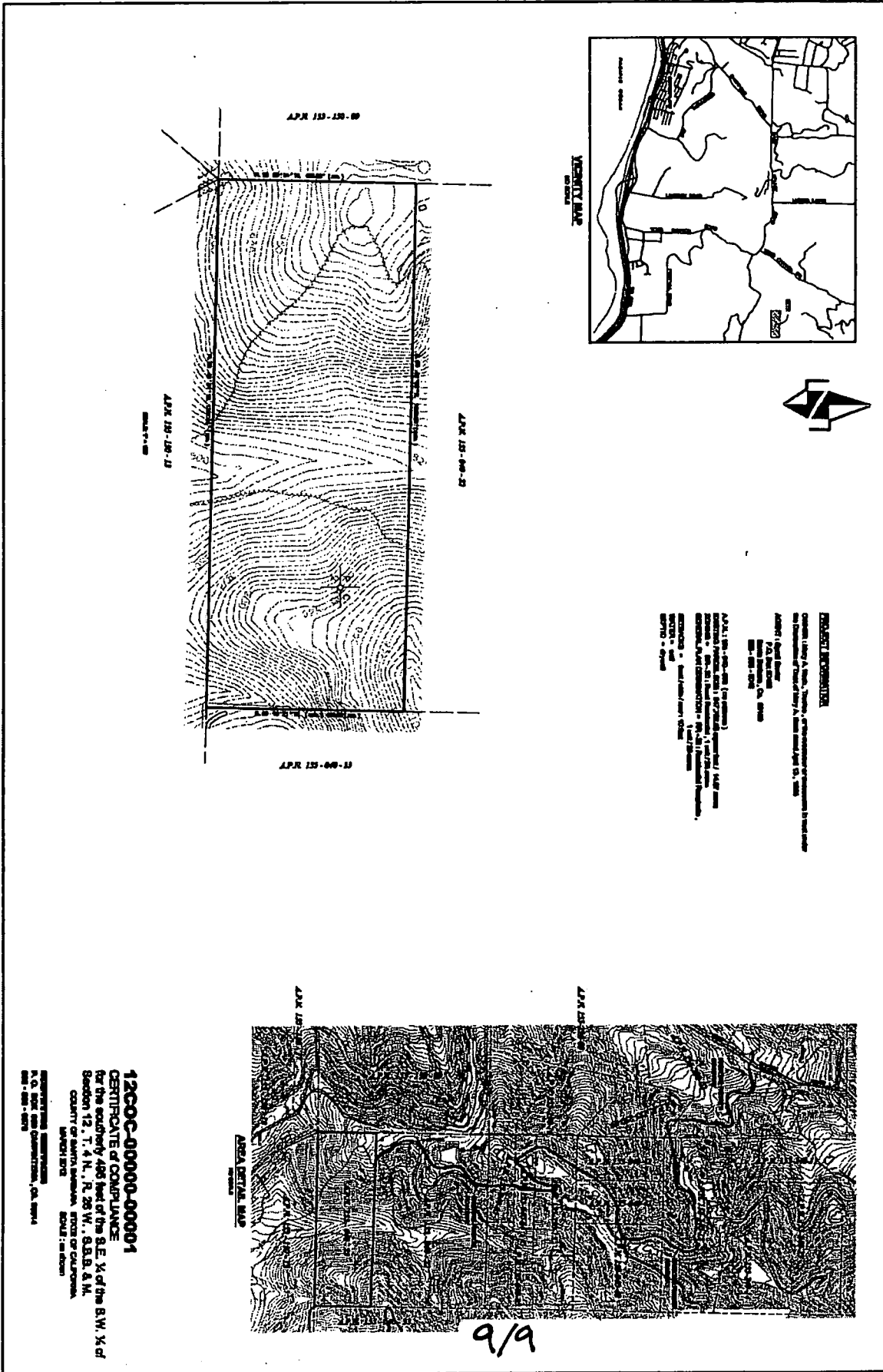
If you need additional information on Fire District conditions, please contact me at 566-2451.

Sincerely,



Ed Foster
Fire Marshal
Fire Prevention Bureau

ATTACHMENT D: PARCEL MAP



PROPOSED DEVELOPMENT
 Applicant: [Name]
 Project: [Name]
 Location: [Address]
 Date: [Date]

12COC-00000-00001
 CERTIFICATE OF COMPLIANCE
 for the southern 400 feet of the S.E. 1/4 of the S.W. 1/4 of
 Section 12, T. 4 N., R. 25 W., S. 15 E., & M.
 COUNTY OF MARTIN, MISSISSIPPI, ZONED R-1 (RESIDENTIAL)
 SUBJECT: [Name]
 A. G. BARKER CONSULTING, INC. 2011
 800 - 888 - 0871

9/9

COST ACCOUNTING AGREEMENT

Applicant: Bradford Sublett
Mailing Address: 1079 North Ridgeline Rd.
Orange, CA 92869
Telephone: 714-450-0777
Fax: _____
E-mail Address: bsublett@losalisosranchco.com

The cost of processing an application may exceed the initial deposit required. In order to recover any additional costs associated with processing your application, the Local Agency Formation Commission, LAFCO, has found it necessary to implement a provision of the Fee Schedule that provides full cost recovery for processing an application.

I, Bradford Sublett, the landowner and/or responsible Applicant, agree to pay the actual costs pursuant to the Fee Schedule attached hereto, plus copying charges and related expenses incurred in the processing of this application. I also understand that if payment on any billings prior to final action is not paid within thirty (30) days, I agree that processing of my application will be suspended until payment is received. In the event of default, I agree to pay all costs and expenses incurred by LAFCO in securing the performance of this obligation.

If the applicant is in non-compliance with an existing agreement, the applicant shall be subject to LAFCO Policy Guidelines and Standards XIV, which identifies additional steps that must be satisfied before a new application may be accepted.

In order to implement the cost accounting, please sign and date this statement indicating your agreement to the cost accounting procedure and agreement. This signed agreement is required for your application to be accepted for processing. Checks may be made payable to LAFCO and delivered or mailed to the LAFCO Office at 105 East Anapamu Street, Rm 407, Santa Barbara, CA 93101. If you have questions regarding your application, please contact the LAFCO Office at (805) 568-3391.


Applicant's Signature

2-1-2022
Date