

Recording Requested by)
County of Santa Barbara)
_____))
When Recorded Return to the)
Clerk of the Board of Supervisors)
County of Santa Barbara)
105 East Anapamu Street)
Santa Barbara, California 93101)
_____)

SHORT FORM LAND CONSERVATION CONTRACT

Incorporating Board of Supervisors Resolutions and
Long Form Contract by Reference

08AGP-00000-00037

THIS LAND CONSERVATION CONTRACT, by and between **ORP, LTD** hereinafter referred to as "OWNER" and the COUNTY OF SANTA BARBARA, a political subdivision of the State of California, hereinafter referred to as "COUNTY".

WITNESSETH:

WHEREAS, OWNER possesses certain real property situated in the County of Santa Barbara, State of California, hereinafter referred to as "THE SUBJECT PROPERTY," and more particularly described in Exhibit A attached hereto and by this reference incorporated herein; and

WHEREAS, THE SUBJECT PROPERTY is now devoted to agricultural uses and uses compatible thereto; and

WHEREAS, the parties hereto desire to create an "agricultural preserve," consisting of THE SUBJECT PROPERTY, to be established by COUNTY by resolution and by this contract, and to be designated as the **ORP Agricultural Preserve, 08AGP-00000-00037, Assessor Parcel**

Number 005-080-017, 84.51 acres; replacing 75-AP-012 with zoning of AG-I-20, and A-I-20
Comprehensive Plan designation restrictions.

NOW, THEREFORE, both OWNER and COUNTY, in consideration of the mutual promises, covenants and conditions to which reference is made herein and substantial public benefits to be derived therefrom, do hereby agree as follows:

FIRST: THE SUBJECT PROPERTY shall be subject to all restrictions and conditions adopted or to be adopted by resolutions and minute orders by the Board of Supervisors of the County of Santa Barbara, California, including without limitation those recorded on November 5, 1971, as Inst. No. 36187, Bk. 2371, pg. 404; January 3, 1972, as Inst. No. 57, Bk. 2381, page 794; October 30, 1974, as Instr. No. 38788, Bk. 2539, pg. 258; November 10, 1975, as Instr. Nos. 40442 and 40443, Bk. 2592, pgs. 1763 and 1767; December 11, 1975, as Instr. No. 44871, Bk. 2595, pg. 2134; May 20, 1977, as Reel No. 77-24881; July 11, 1977, Reel No. 77-34734; November 14, 1978, Reel No. 78-52990; October 15, 1980, Reel No. 80-41873, and November 2, 2007, Reel No. 2007-0077408 of the Official Records of the County of Santa Barbara, California, and IT IS MUTUALLY AGREED that the conditions and restrictions set forth in said resolutions and minute orders are adopted and incorporated herein and made a part hereof as though fully set forth herein at length, and the OWNER will observe and perform said provisions.

SECOND: In consideration of the promises, OWNER shall indemnify and save harmless COUNTY from and against any and all claims, liability, suits, damages, costs including reasonable attorney's fees, losses and expenses in any manner resulting from, arising out of, or

connected with the use of any Surveyor's Map depicting the preserve and the description of THE SUBJECT PROPERTY attached hereto.

THIRD: This Contract shall be effective as of the first day of January, 2009, and shall remain in effect for a period of ten (10) years from each succeeding January first.

IN WITNESS WHEREOF, the County of Santa Barbara has executed this Contract on _____.

ATTEST:
CLERK OF THE BOARD

COUNTY OF SANTA BARBARA
By: _____
Salud Carbajal, Chairman, Board of Supervisors

By: _____
Deputy Clerk

OWNERS:
ORP, LTD, a Florida Limited Partnership

Kelly Haeseker.
Manager of OR GPNER, LLC, a Florida Limited Liability Company,
General Partner

APPROVED AS TO FORM:

DENNIS MARSHALL
COUNTY COUNSEL

ATTEST:

Kelly Haeseker
Secretary of OR GPNER, LLC, a Florida Limited Liability Company,
General Partner

By: 
Deputy County Counsel

12/04/2008 14:02 FAX 805 963 2074

connected with the use of any Surveyor's Map depicting the preserve and the description of THE SUBJECT PROPERTY attached hereto.

THIRD: This Contract shall be effective as of the first day of January, 2009, and shall remain in effect for a period of ten (10) years from each succeeding January first.

IN WITNESS WHEREOF, the County of Santa Barbara has executed this Contract

on _____

ATTEST:

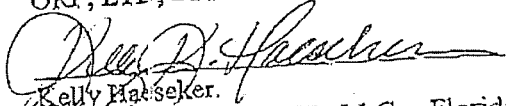
CLERK OF THE BOARD

By: _____
Deputy Clerk.

COUNTY OF SANTA BARBARA

By: _____
Salud Carbajal, Chairman, Board of Supervisors

OWNERS:
ORP, LTD, a Florida Limited Partnership



Kelly Haaseker,
Manager of OR GPNER, LLC, a Florida Limited Liability Company,
General Partner

APPROVED AS TO FORM:

DENNIS MARSHALL
COUNTY COUNSEL

By: _____
Deputy County Counsel

ATTEST:


Kelly Haaseker
Secretary of OR GPNER, LLC, a Florida Limited Liability Company,
General Partner

Agricultural Preserve No. 08AGP-00000-00037

THAT PORTION OF ORTEGA RANCHO, SO-CALLED, BEING A PORTION OF THE OUTSIDE PUEBLO LANDS OF THE CITY OF SANTA BARBARA, IN THE COUNTY OF SANTA BARBARA, STATE OF CALIFORNIA, ACCORDING TO THE MAP THEREOF RECORDED IN BOOK 1, AT PAGE 20 OF MAPS AND SURVEYS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, DESCRIBED AS FOLLOWS:

BEGINNING AT A SPIKE AND TAG SET IN THE PAVEMENT ON THE CENTERLINE OF ORTEGA RIDGE ROAD, AS SAID ROAD IS SHOWN ON THE PLANS THEREOF DESIGNATED FILE NO. 1168 IN THE OFFICE OF THE COUNTY ROAD DEPARTMENT OF SANTA BARBARA COUNTY AND AS DESCRIBED IN THE DEED TO THE COUNTY OF SANTA BARBARA, RECORDED IN BOOK 1204, AT PAGE 19 OF OFFICIAL RECORDS, RECORDS OF SAID COUNTY, AT THE MOST WESTERLY CORNER OF THE TRACT OF LAND DESCRIBED IN THE DEED TO HERBERT W. WARDEN JR., ET UX., RECORDED MARCH 3, 1955 AS INSTRUMENT NO. 3974 IN BOOK 1301 AT PAGE 406 OF OFFICIAL RECORDS, RECORDS OF SAID COUNTY, SAID POINT OF BEGINNING ALSO BEING A POINT ON THE SOUTHEASTERLY LINE OF SUBDIVISION NO. 35 OF SAID ORTEGA RANCHO, AS SHOWN ON MAP THEREOF ABOVE REFERRED TO DISTANT THEREON NORTH 45°11'40" EAST 346.32 FEET FROM THE MOST SOUTHERLY CORNER OF SAID SUBDIVISION NO. 35; THENCE, 1ST, LEAVING THE CENTERLINE OF ORTEGA RIDGE ROAD AND FOLLOWING ALONG THE SOUTHWESTERLY BOUNDARY OF SAID WARDEN TRACT OF LAND, SOUTH 25°58'15" EAST 139.48 FEET TO A ¾ INCH SURVEY PIPE; THENCE, 2ND, SOUTH 49°30'05" EAST 64.20 FEET TO A ¾ INCH SURVEY PIPE; THENCE, 3RD, SOUTH 68°23'55" EAST 133.95 FEET TO A ¾ INCH SURVEY PIPE; THENCE, 4TH, SOUTH 44°09'15" EAST 174.14 FEET TO A ¾ INCH SURVEY PIPE SET ON THE CENTERLINE OF A 20 FOOT PIPE LINE EASEMENT AND RIGHT OF WAY AND THE MOST SOUTHERLY CORNER OF SAID WARDEN TRACT OF LAND; THENCE, 5TH, ALONG SAID CENTERLINE OF SAID 20 FOOT EASEMENT AND RIGHT OF WAY NORTH 45°49'55" EAST 362.75 FEET TO A ¾ INCH SURVEY PIPE AND THE MOST EASTERLY CORNER OF SAID WARDEN TRACT OF LAND; THENCE, 6TH, LEAVING SAID EASEMENT AND RIGHT OF WAY AND FOLLOWING ALONG THE NORTHEASTERLY LINE OF SAID WARDEN TRACT OF LAND, NORTH 29°22'25" WEST 156.38 FEET TO A ¾ INCH SURVEY PIPE; THENCE, 7TH, NORTH 16°28'45" WEST 70.95 FEET TO A ¾ INCH SURVEY PIPE; THENCE, 8TH, NORTH 43°24'05" WEST 193.13 FEET TO A ¾ INCH SURVEY PIPE; THENCE, 9TH, NORTH 72°20'55" WEST 102.73 FEET TO A SPIKE AND TAG SET IN THE PAVEMENT ON ORTEGA RIDGE ROAD, THE SAME BEING ON THE SOUTHEASTERLY LINE OF SUBDIVISION NO. 34 OF SAID ORTEGA RANCHO AS SHOWN ON MAP THEREOF ABOVE REFERRED TO; THENCE, 10TH, ALONG SAID SOUTHEASTERLY LINE NORTH 45°11'40" EAST 119.31 FEET TO AN ANGLE POINT IN SAID LINE; THENCE, 11TH, NORTH 85°00'40" EAST 175.33 FEET TO AN ANGLE POINT IN SAID LINE; THENCE, 12TH, NORTH 39°02'40" EAST 225.70 FEET TO A ½ INCH SURVEY PIPE SET AT THE MOST EASTERLY CORNER OF SAID LOT 34 AND THE MOST

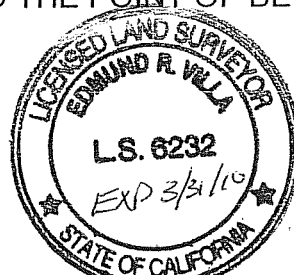
EASTERLY CORNER OF THE TRACT OF LAND DESCRIBED IN THE DEED TO IRMA CARLSON, RECORDED FEBRUARY 13, 1947 AS INSTRUMENT NO. 1965 IN BOOK 722, AT PAGE 141 OF OFFICIAL RECORDS, RECORD OF SAID COUNTY, SAID ½ INCH SURVEY PIPE ALSO BEING A POINT ON THE SOUTHWESTERLY LINE OF THE TRACT OF LAND DESCRIBED IN THE DEED TO CARL L. GREEN, ET UX., RECORDED DECEMBER 24, 1954 AS INSTRUMENT NO. 22568 IN BOOK 1288, AT PAGE 127 OF OFFICIAL RECORDS, RECORDS OF SAID COUNTY; THENCE, 13TH, ALONG SAID SOUTHWESTERLY LINE, SOUTH 52°00' EAST, 31.54 FEET TO THE MOST SOUTHERLY CORNER OF SAID GREEN TRACT OF LAND; THENCE 14TH, ALONG THE SOUTHEASTERLY LINE OF SAID GREEN TRACT AND THE CENTERLINE OF ORTEGA RIDGE ROAD, NORTH 42°59'40" EAST 160.47 FEET TO A SPIKE AND TAG SET AT THE MOST WESTERLY CORNER OF THE TRACT OF LAND DESCRIBED IN THE DEED TO ROBERT D. PETERSON, ET AL., RECORDED DECEMBER 24, 1954 AS INSTRUMENT NO. 22570 IN BOOK 1288, AT PAGE 134 OF OFFICIAL RECORDS, RECORDS OF SAID COUNTY; THENCE, 15TH, ALONG THE SOUTHWESTERLY LINE OF SAID PETERSON TRACT OF LAND SOUTH 41°33'50" EAST 556.00 FEET TO A ½ INCH SURVEY PIPE; THENCE, 16TH, SOUTH 71°47'10" EAST 312.39 FEET TO A ½ INCH SURVEY PIPE SET AT THE MOST SOUTHERLY CORNER OF SAID PETERSON TRACT ON THE CENTERLINE OF GREENWELL AVENUE AS DESCRIBED IN THE DEED TO COUNTY OF SANTA BARBARA, RECORDED OCTOBER 20, 1948 AS INSTRUMENT NO. 14792 IN BOOK 816 AT PAGE 492 OF OFFICIAL RECORDS, RECORDS OF SAID COUNTY, (SAID GREENWELL AVENUE, SO DESCRIBED, HAVING BEEN ABANDONED BY COUNTY OF SANTA BARBARA BY RESOLUTION NO. 19785, DECEMBER, 1959, AND NOW BEING AN EASEMENT AND RIGHT OF WAY FOR WATER PIPE LINES AND CONDUITS DESCRIBED IN THE "DECLARATION OF TAKING" RECORDED APRIL 21, 1952 AS INSTRUMENT NO. 5615 IN BOOK 1063, AT PAGE 301 OF OFFICIAL RECORDS, RECORDS OF SAID COUNTY.) THENCE, 17TH, ALONG SAID CENTERLINE OF GREENWELL AVENUE (ABANDONED) AND ALONG THE ARC OF A CURVE CONCAVE TO THE NORTHEAST, 375.97 FEET IN A SOUTHEASTERLY DIRECTION, SAID CURVE HAVING A DELTA OF 45°07', A RADIUS OF 477.46 FEET AND A CHORD WHICH BEARS SOUTH 39°33'30" EAST 366.33 FEET; THENCE, 18TH, SOUTH 62°07'00" EAST 198.07 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT; THENCE 19TH, ALONG THE ARC OF SAID CURVE IN A SOUTHEASTERLY DIRECTION 1106.83 FEET, SAID CURVE HAVING A DELTA OF 27°35'00", A RADIUS OF 2299.10 FEET AND A TANGENT OF 564.36 FEET; THENCE, 20TH, SOUTH 24°32'00" EAST 615.30 FEET TO THE BEGINNING OF A CURVE TO THE LEFT; THENCE 21ST, ALONG THE ARC OF SAID CURVE IN A SOUTHEASTERLY DIRECTION 494.35 FEET TO A POINT ON THE NORTHWESTERLY LINE OF THE TRACT OF LAND DESCRIBED AS PARCEL TWO IN THE DEED TO THE COUNTY OF SANTA BARBARA RECORDED SEPTEMBER 5, 1946 AS INSTRUMENT NO. 13780 IN BOOK 705, AT PAGE 130 OF OFFICIAL RECORDS, RECORDS OF SAID COUNTY, FROM WHICH THE MOST NORTHERLY CORNER OF SAID PARCEL TWO BEARS NORTH 38°20'40" EAST 28.46 FEET, SAID CURVE HAVING A DELTA OF 14°49'10", A RADIUS OF 1911.26 FEET AND A TANGENT OF 248.56 FEET; THENCE, 22ND, ALONG THE NORTHWESTERLY LINE

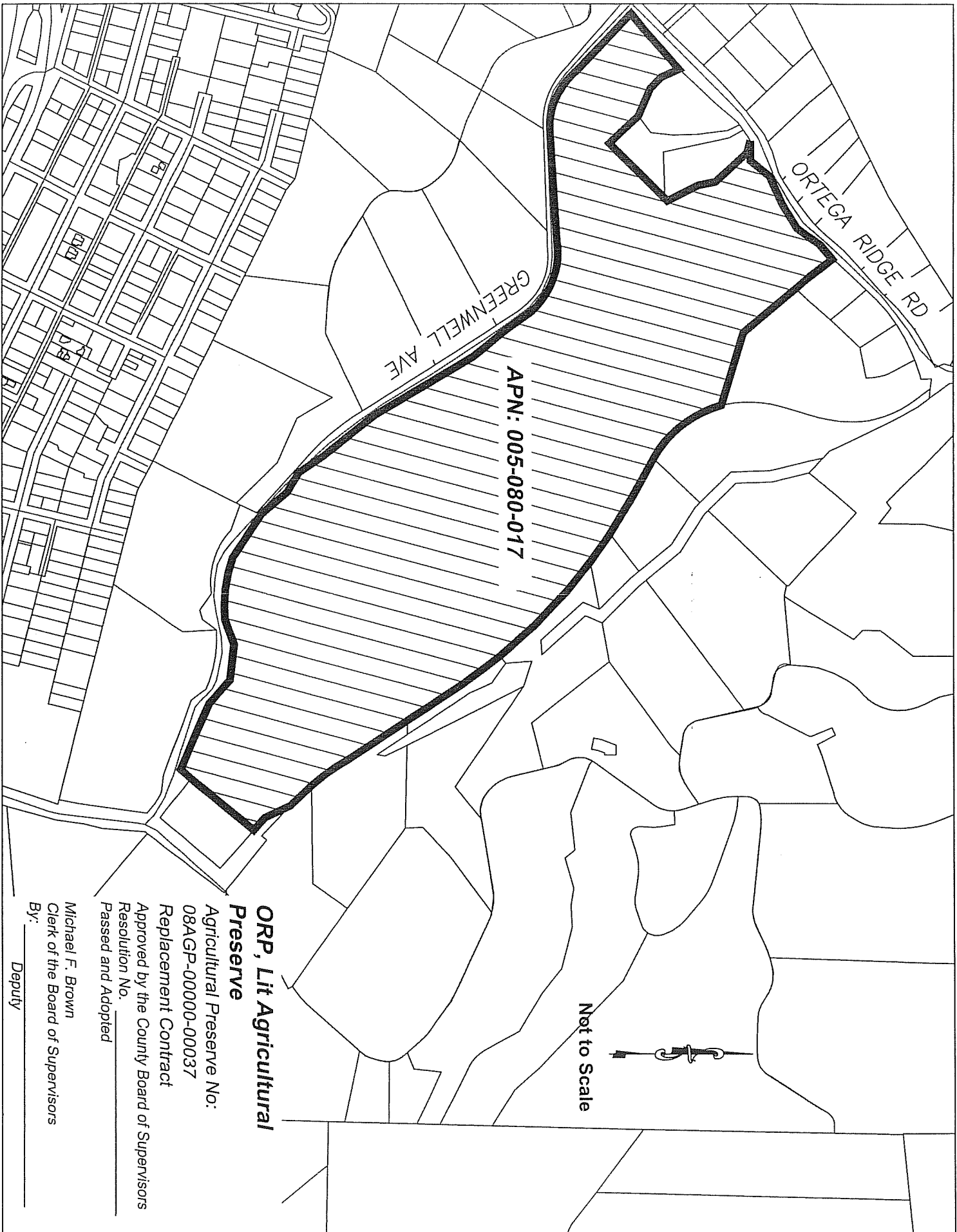
OF SAID PARCEL TWO ABOVE REFERRED TO, SOUTH 38°20'40" WEST 441.54 FEET TO THE MOST WESTERLY CORNER OF SAID PARCEL TWO BEING A POINT IN GREENWELL AVENUE ALTERNATE, SO-CALLED, AS INDICATED ON THE PLANS THEREOF DESIGNATED FILE NO. P.-1192-ALT. IN THE OFFICE OF THE COUNTY ROAD DEPARTMENT, SAID LAST MENTIONED ROAD BEING MORE FULLY DESCRIBED IN THAT CERTAIN RIGHT OF WAY DESCRIBED IN DEED TO THE COUNTY OF SANTA BARBARA, RECORDED IN BOOK 1695 AT PAGE 355 OF OFFICIAL RECORDS, RECORDS OF SAID COUNTY; THENCE, 23RD, ALONG THE SOUTHWESTERLY LINE OF SAID PARCEL TWO, ABOVE REFERRED TO, SOUTH 51°39'20" EAST 57.87 FEET TO THE CENTERLINE OF SAID GREENWELL AVENUE ALTERNATE ABOVE REFERRED TO; THENCE, 24TH, ALONG SAID CENTERLINE NORTH 67°31'05" WEST 422.45 FEET TO THE BEGINNING OF A CURVE TO THE LEFT; THENCE 25TH, CONTINUING ALONG SAID CENTERLINE, ALONG THE ARC OF SAID CURVE IN A WESTERLY DIRECTION 336.54 FEET, SAID CURVE HAVING A DELTA OF 32°18'05", AND A RADIUS OF 596.94 FEET AND A TANGENT OF 172.87 FEET; THENCE, 26TH, CONTINUING ALONG SAID CENTERLINE SOUTH 80°10'25" WEST 107.49 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT; THENCE, 27TH, CONTINUING ALONG SAID CENTERLINE, ALONG THE ARC OF SAID CURVE IN A NORTHWESTERLY DIRECTION 270.99 FEET, SAID CURVE HAVING A DELTA OF 52°00'10", A RADIUS OF 298.57 FEET AND A TANGENT OF 145.63 FEET; THENCE, 28TH, CONTINUING ALONG SAID CENTERLINE NORTH 47°49'25" WEST 491.24 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT; THENCE, 29TH, CONTINUING ALONG SAID CENTERLINE, ALONG THE ARC OF SAID CURVE IN A NORTHWESTERLY DIRECTION OF 242.89 FEET, SAID CURVE HAVING A DELTA OF 13°51'15", A RADIUS OF 1004.52 FEET AND A TANGENT OF 122.04 FEET; THENCE, 30TH, CONTINUING ALONG SAID CENTERLINE NORTH 33°58'10" WEST 824.42 FEET TO THE BEGINNING OF A CURVE TO THE LEFT; THENCE, 31ST, CONTINUING ALONG SAID CENTERLINE ALONG THE ARC OF SAID CURVE IN A NORTHWESTERLY DIRECTION 354.75 FEET, SAID CURVE HAVING A DELTA OF 58°07'20", A RADIUS OF 349.70 FEET AND A TANGENT OF 194.33 FEET; THENCE 32ND, CONTINUING ALONG SAID CENTERLINE SOUTH 87°54'30" WEST 514.31 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT; THENCE, 33RD, CONTINUING ALONG SAID CENTERLINE, ALONG THE ARC OF SAID CURVE IN A NORTHWESTERLY DIRECTION 308.89 FEET, SAID CURVE HAVING A DELTA OF 44°17'55", A RADIUS OF 399.52 FEET AND A TANGENT OF 162.63 FEET; THENCE 34TH, CONTINUING ALONG SAID CENTERLINE NORTH 47°47'35" WEST (AT 378.47 FEET, THE CENTERLINE OF ORTEGA RIDGE ROAD) 381.44 FEET TO A SPIKE AND TAG SET IN THE PAVEMENT OF ORTEGA RIDGE ROAD ON THE SOUTHEASTERLY LINE OF SUBDIVISION NO. 36 OF ORTEGA RANCHO, AS SHOWN ON MAP THEREOF ABOVE REFERRED TO; THENCE, 35TH, ALONG SAID SOUTHEASTERLY LINE, NORTH 49°35'30" EAST 38.80 FEET TO THE MOST EASTERLY CORNER OF SAID SUBDIVISION NO. 36; THENCE, 36TH, ALONG THE SOUTHEASTERLY LINE OF SUBDIVISION NO. 35 OF SAID ORTEGA RANCHO, NORTH 45°11'40" EAST 346.32 FEET TO THE POINT OF BEGINNING.

APPROVED AS TO FORM
AND SURVEY CONTENT

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

FOR

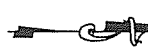




GREENWELL AVE

ORTEGA RIDGE RD

APN: 005-080-017



Not to Scale

ORP, Lit Agricultural Preserve

Agricultural Preserve No: 08AGP-00000-00037

Replacement Contract

Approved by the County Board of Supervisors

Resolution No. _____

Passed and Adopted

Michael F. Brown
Clerk of the Board of Supervisors

By: _____
Deputy