

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

10AGP-00000-00014

THIS LAND CONSERVATION CONTRACT, by and between **Borel Private Bank & Trust Company, as Trustee of the Jean LeRoy Family Trust** 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 **LeRoy Agricultural Preserve #3, 10AGP-00000-00014, Assessor's Parcel Numbers 113-050-006 and 113-050-060, 314.36 acres; replacing a portion of 70-AP-83 with zoning of AG-II-40 and AC Comprehensive Plan designation restrictions.**

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

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

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

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

THIRD: This Contract shall be effective as of the first day of January, 2011 and shall remain in effect for a period of ten (10) years from each succeeding January first.

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

COUNTY OF SANTA BARBARA

BOARD OF SUPERVISORS

By: _____
Janet Wolf, Chair

Attest:

CLERK OF THE BOARD

By: _____
Deputy Clerk

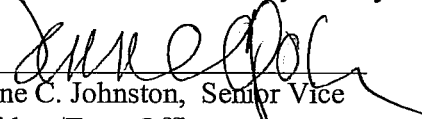
Approved As To Form:

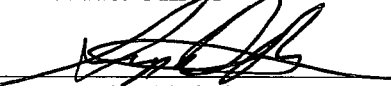
COUNTY COUNSEL, DENNIS A. MARSHALL

By: 
Deputy County Counsel

OWNERS

Borel Private Bank & Trust Company,
as Trustee of the Jean LeRoy Family Trust

By: 
Lynne C. Johnston, Senior Vice
President/Trust Officer

By: 
Stephen Rossi, Chief Financial
Officer/Secretary

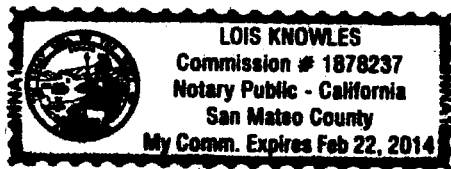
CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California

County of SAN MATEO

On OCT 8, 2010 before me, LOIS KNOWLES, Notary Public,
Date Here Insert Name and Title of the Officer

personally appeared LYNNE C. JOHNSON
Name(s) of Signer(s)



who proved to me on the basis of satisfactory evidence to be the person~~(s)~~ whose name~~(s)~~ is/~~are~~ subscribed to the within instrument and acknowledged to me that he/~~she/they~~ executed the same in his/~~her/their~~ authorized capacity~~(ies)~~, and that by his/~~her/their~~ signature~~(s)~~ on the instrument the person~~(s)~~, or the entity upon behalf of which the person~~(s)~~ acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature Lois Knowles
Signature of Notary Public

Place Notary Seal Above

OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Description of Attached Document

Title or Type of Document: _____

Document Date: _____ Number of Pages: _____

Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: _____

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

Signer Is Representing: _____

RIGHT THUMBPRINT
OF SIGNER
Top of thumb here

Signer's Name: _____

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

Signer Is Representing: _____

RIGHT THUMBPRINT
OF SIGNER
Top of thumb here

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

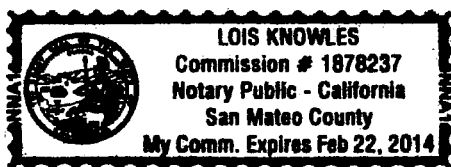
State of California

County of SAN MATEO

On OCT 8, 2010 before me, LOIS KNOWLES, Notary Public,
Date Here Insert Name and Title of the Officer

personally appeared STEPHEN ROSSI

Name(s) of Signer(s)



who proved to me on the basis of satisfactory evidence to be the person~~(s)~~ whose name~~(s)~~ is/~~are~~ subscribed to the within instrument and acknowledged to me that he/~~she/they~~ executed the same in his/~~her/their~~ authorized capacity~~(ies)~~, and that by his/~~her/their~~ signature~~(s)~~ on the instrument the person~~(s)~~, or the entity upon behalf of which the person~~(s)~~ acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

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☐ Guardian or Conservator
☐ Other: _____

Signer Is Representing: _____

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☐ Partner — ☐ Limited ☐ General
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☐ Trustee
☐ Guardian or Conservator
☐ Other: _____

Signer Is Representing: _____

RIGHT THUMBPRINT
OF SIGNER

Top of thumb here

Exhibit A
Legal Description

for

10AGP-00000-00014

APN 113-050-006 & 060

Being all the land described in the Certificate of Compliance recorded January 21, 2009 as Instrument No. 2009-2795 Official Records, in the office of the County Recorder, County of Santa Barbara, State of California, more particularly described as:

Being all those portions of Subdivisions No. 83, 84, 95, and 96 as shown on the "Map of the Subdivision of the Rancho Guadalupe" surveyed and subdivided by James T. Stratton in November, 1871, filed as Map 3, Rack 4, in the office of said County Recorder, of said County and State, **EXCEPTING THEREFROM;**

- 1) All those portions of Subdivision 95 conveyed to the Bonita School District by deeds recorded July 5, 1895 in Book 39 of Deeds, Page 389, and recorded October 17, 1958 in Book 1563 Official Records, Page 220, both in the office of said County Recorder;
- 2) All that portion of Subdivision 95 & 96 which lies southerly of the northerly line of the County road from the Town of Guadalupe to the City of Santa Maria, formerly known as Central City, as said road was located and existed prior to March 1, 1938;
- 3) All that portion of Subdivision 95 & 96 conveyed to the State of California by deed recorded May 5, 1938 in Book 426 of Official Records, Page 321 in the office of said County Recorder.

End of Description

This description was prepared by me or under my direction in conformance with the requirements of the Professional Land Surveyor's Act this 28th day of May, 2010.

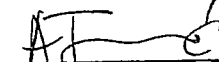

Jon McKellar

PLS 7578

License Expiration Date: 31 December 2011

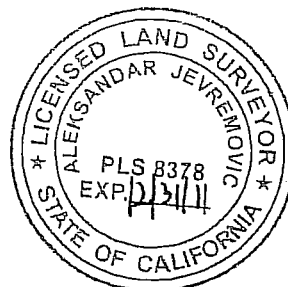


APPROVED AS TO FORM
AND SURVEY CONTENT



Deputy for:

MICHAEL B. EMMONS, PLS 5899
COUNTY SURVEYOR
LICENSE EXP. _____



LD/07