

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

09AGP-00000-00012

THIS LAND CONSERVATION CONTRACT, by and between **Philip M. Battaglia and Lorraine M. Battaglia, Trustees of the Battaglia Family Trust dated April 3, 2001** 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 **Battaglia Agricultural Preserve, 09AGP-00000-00012, Assessor's Parcel Numbers 101-050-051, 180 acres and 101-050-048, 23.68 acres; replacing a portion of 70-AP-076B with zoning of AG-II-100, 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 _____.

ATTEST:

CLERK OF THE BOARD

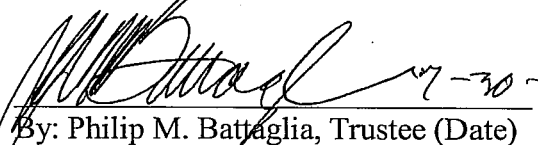
By: _____
Deputy Clerk


COUNTY OF SANTA BARBARA

By: _____
Janet Wolf, Board of Supervisors Chair

OWNERS:

Philip M. Battaglia and Lorraine M.
Battaglia, Trustees of the
Battaglia Family Trust dated April 3, 2001

 7-30-10
By: Philip M. Battaglia, Trustee (Date)

 7-30-10
By: Lorraine M. Battaglia, Trustee (Date)

APPROVED AS TO FORM:

DENNIS MARSHALL
COUNTY COUNSEL

By:  _____
Deputy County Counsel

STATE OF IDAHO)

COUNTY OF BONNER) SS

On the day of July 30, 2010, before me personally came **Philip M Battaglia** and **Lorraine M. Battaglia**, to me known and known to me to be the same persons described in and who executed the foregoing instrument, and acknowledged to me the they executed the same.



Nicole Annette Lee

Notary Public for Idaho

Residing at Coolin

Commission expires: 1/3/2011