

## ATTACHMENT 2 - AG PRESERVE CONTRACT NON-RENEWAL APPLICATION - PEPE

## Santa Barbara County Non-Renewal For Agricultural Preserves


**PLANNING & DEVELOPMENT  
PERMIT APPLICATION**
SITE ADDRESS: 4777 East Highway 246, Lompoc, CA 93436ASSESSOR PARCEL NUMBER: 099-100-037PARCEL SIZE (acres/sq.ft.): Gross 40.98 acres Net 40.98 acresZONING: AG-100COMPREHENSIVE/COASTAL PLAN DESIGNATION: Agriculture (Long Term) AG-100Are there previous permits/applications? ☒ no ☐ yes numbers: \_\_\_\_\_  
(include permit# & lot # if tract)Did you have a pre-application? ☒ no ☐ yes if yes, who was the planner? \_\_\_\_\_Are there previous environmental (CEQA) documents? ☒ no ☐ yes numbers: \_\_\_\_\_Project description summary: Non-Renewal of 09-AGP-00000-000011. Financially Responsible Person Steve Pepe Phone: 735.7867 FAX: 736.4754  
(For this project)Mailing Address: 4777 East Highway 246, Lompoc, CA 93436

Street City State Zip

2. Owner: same as above Phone: \_\_\_\_\_ FAX: \_\_\_\_\_

Mailing Address: \_\_\_\_\_ E-mail: \_\_\_\_\_

Street City State Zip

3. Agent: Jane Gray Phone: 936.0651 ext. 3531 FAX: 963.2047Mailing Address: 621 Chapala Street, Santa Barbara, CA 93101 E-mail: jgray@dudek.com

Street City State Zip

4. Arch./Designer: \_\_\_\_\_ Phone: \_\_\_\_\_ FAX: \_\_\_\_\_

Mailing Address: \_\_\_\_\_ State/Reg Lic# \_\_\_\_\_

Street City State Zip

5. Engineer/Surveyor: \_\_\_\_\_ Phone: \_\_\_\_\_ FAX: \_\_\_\_\_

Mailing Address: \_\_\_\_\_ State/Reg Lic# \_\_\_\_\_

Street City State Zip

6. Contractor: \_\_\_\_\_ Phone: \_\_\_\_\_ FAX: \_\_\_\_\_

Mailing Address: \_\_\_\_\_ State/Reg Lic# \_\_\_\_\_

Street City State Zip

I hereby certify to the best of my knowledge, the information contained in this application and all attached materials are correct, true and complete.

Signature

Print name/date

Steve Pepe 1/29/14

\*\*\*\*\*

14AGP-00000-00004

COUNTY USE ONLY

Case Number: 1 Pepe Agricultural Preserve Non-Renewal

4777 E. Hwy 246

Supervisory Dis: 099-100-037Applicable Zoning: AG-II-100Project Planner: Planner: Florence Trotter-CadenaZoning Designation: AG-II-100

Companion Case Number: \_\_\_\_\_

Submittal Date: 1/29/2014 JAN 29 2014

Receipt Number: \_\_\_\_\_

Accepted for Processing \_\_\_\_\_

Comp. Plan Designation \_\_\_\_\_

RECEIVED

S.B. COUNTY (NORTH)  
PLANNING & DEVELOPMENT

**ASSESSOR'S DESCRIPTION OF PROPERTY**  
**Assessor's Parcel No.**

TheTax Code Area No.	Book – Page - Parcel	Acreage	Assessed Value Land Only
072040	099-100-037	40.98	\$415,605

Attach copy of Current Assessor's Map showing proposed Preserve Boundaries

**STATUS OF OWNERSHIP (check box):**

Fee X; Probate\_\_\_; Trust\_\_\_; Escrow\_\_\_

**LAND TENURE (check):** Owner-operated X; Rented\_\_\_; Leased\_\_\_; Sharecropped\_\_\_; Other\_\_\_

The following section must be filled out completely and accurately. Please do not leave any of the boxes blank. If there are no crops or acreage in a particular land class, then indicate that by writing in NONE.

**PRESENT LAND USE, CLASS, AND ACREAGE**

Land Class	Crop or Use	Soil Class, Rating, or Income/acre	Acreage
<b>PRIME Farmland</b>	Grapevines	Elder Sandy Loam 0-2% slopes	Approx. 8.9 acres
		<b>Total Prime Land Acreage</b>	<b>Approx. 8.9 acres</b>
<b>NONPRIME Farmland Rangeland</b>	Grapevines	Tierra Sandy Loam 15-30% slopes	Approx. 7.9 acres
	Grapevines	Tierra Sandy Loam 9-15% slopes	Approx. 12.81 acres
	Olives	Tierra Sandy Loam 9-15% slopes	Approx. 4 acres
		<b>Total Nonprime Acreage</b>	<b>Approx. 24.71 acres</b>
<b>NONFARM and/or Open Space and/or Recreation (This includes all structures. Please indicate what kinds of structures exist on the property.)</b>	Residence	Tierra Sandy Loam 15-30% slopes	Approx. 0.6 acres
	Ag. structures/ Ag. roads	Tierra Sandy Loam 9-15% & 15-30% slopes	Approx. 3.53 acres
	Open space/trees	Tierra Sandy Loam 9-15% & 15-30% slopes	Approx. 2.14 acres
	Pond & surrounding vegetation	Elder Sandy Loam 0-2% slopes	Approx. 1.10 acres
		<b>Total NonFarm Acreage</b>	

**Total Acreage in Preserve: 40.98 acres**

**ATTACHMENT 3 - AG PRESERVE CONTRACT NON-RENEWAL  
APPLICATION - PEPE**

Title No. 06-77100348-C-DL  
Locate No. CACTI7742-7742-4771-0077100348

**LEGAL DESCRIPTION**

**EXHIBIT "A"**

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

Beginning a the Northwest corner of Government Lot 3 of Section 22, Township 7 North, Range 33 West, SBB&M.; thence South 0° 18' 34" West 698.72 feet to a point; thence North 86° 12' 24" West 978.65 feet to a point; thence South 4° 18' 36" West 158.31 feet to a point; thence South 31° 36' 36" West 144.02 feet to the point of beginning of the following described parcel of land; thence South 0° 17' 29" West along a line perpendicular to the North line of State Highway No. 246, a distance of 1690.0 feet, more or less, to a point on the said North line of said State Highway No. 246; thence continuing on said last mentioned bearing to a point in the South line of the land described in the Deed dated August 10, 1935, executed by Security First National Bank of Los Angeles to Frank Silva, et ux., recorded August 21, 1935, in Book 339, Page 475, Official Records of said County; thence North 89° 42' 31" West along said last mentioned Silva and Luis Southerly line, a distance of 1340 feet, more or less, to a point which is 1481.86 feet Easterly from the Southwest corner of said Silva and Luis Tract; thence North 0° 17' 29" East on a line perpendicular to the Northerly line of said State Highway No. 246, to a point on the Northerly line of said State Highway No. 246; thence continuing North 0° 17' 29" East on said perpendicular line, distance of 1440 feet, more or less, to a point on the Northerly line of said Silva and Luis Property; thence in an Easterly direction, along a Northerly and Northwesterly line of said Silva and Luis Property, North 87° 20' 36" East 699.10 feet to an angle point in said line of said Silva and Luis Property; thence continuing on said Silva and Luis Tract line, North 71° 50' 36" East 669.62 feet to an angle point in said line and the point of beginning.

Excepting all oil and mineral rights in, under and on said land.

ALSO EXCEPTING therefrom that portion as taken by the State of California, in the Final Order of Condemnation recorded July 13, 1971 as Instrument No. 21819 in Book 2355, Page 153, Official Records.

APN: 099-100-37

**RECEIVED**

JAN 29 2014

**S.B. COUNTY (NORTH),  
PLANNING & DEVELOPMENT**

ATTACHMENT 1 - AG PRESERVE CONTRACT NON-RENEWAL  
APPLICATION - PEPE



2009-0062838

Date: October 9, 2009  
Recording Requested by:  
AND  
Return by inter-office mail to:  
CLERK OF THE BOARD  
105 E. ANAPAMU STREET  
ROOM 407  
SANTA BARBARA, CA 93101  
ATTENTION: Lisa Frances Carlson

Recorded  
Official Records  
County of  
Santa Barbara  
Joseph E. Holland

REC FEE 0.00  
CONFIRMED COPY 0.00

09:08AM 15-Oct-2009

KM  
Page 1 of 8

NO FEE PER GOVERNMENT CODE 6103

Title(s)

SHORT FORM LAND CONSERVATION CONTRACT  
NEW AGRICULTURAL PRESERVE  
09AGP-00000-00001

COB file number: 09-00841

RECEIVED

JAN 29 2014

S.B. COUNTY (NORTH)  
PLANNING & DEVELOPMENT

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-00000-00001**

THIS LAND CONSERVATION CONTRACT, by and between **Stephen P. Pepe** and/or **Catherine Anna Pepe, Trustees U/D/T/ dated July 23, 1997, as restated on March 23, 2007, F/B/O the Pepe Family California Restated 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 **Pepe Agricultural Preserve, 09AGP-00000-00001, Assessor Parcel Number 099-100-037, 40.98 acres; with zoning of AG-II-100, and A-II 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.

A-26

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, 2010, 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 10/16/09.

ATTEST:

CLERK OF THE BOARD

By: [Signature]  
Deputy Clerk L.F. CARLSON

COUNTY OF SANTA BARBARA

By: [Signature]  
Joseph Centeno, Chairman,  
Board of Supervisors

OWNERS:

[Signature] 5/12/09  
Stephen P. Pepe, Trustee (Date)

[Signature]  
Catherine Anna Pepe, Trustee (Date) 5/12/09

APPROVED AS TO FORM:

DENNIS A. MARSHALL  
COUNTY COUNSEL

(see attached certificate).

By: [Signature]  
Deputy County Counsel  
MARY McMASTER

# CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California

County of Santa Barbara

On 10/6/09

before me,

L. F. Carlson, Notary Public  
Here Insert Name and Title of the Officer

personally appeared Joe Centeno

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

[Signature]  
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

09AGP-00000-00001

Title No. 06-77100348-C-DL  
Locate No. CACTI7742-7742-4771-0077100348

**LEGAL DESCRIPTION**

**EXHIBIT "A"**

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

Beginning a the Northwest corner of Government Lot 3 of Section 22, Township 7 North, Range 33 West, SBB&M.; thence South 0° 18' 34" West 698.72 feet to a point; thence North 86° 12' 24" West 978.65 feet to a point; thence South 4° 18' 36" West 158.31 feet to a point; thence South 31° 36' 36" West 144.02 feet to the point of beginning of the following described parcel of land; thence South 0° 17' 29" West along a line perpendicular to the North line of State Highway No. 246, a distance of 1690.0 feet, more or less, to a point on the said North line of said State Highway No. 246; thence continuing on said last mentioned bearing to a point in the South line of the land described in the Deed dated August 10, 1935, executed by Security First National Bank of Los Angeles to Frank Silva, et ux., recorded August 21, 1935, in Book 339, Page 475, Official Records of said County; thence North 89° 42' 31" West along said last mentioned Silva and Luis Southerly line, a distance of 1340 feet, more or less, to a point which is 1481.86 feet Easterly from the Southwest corner of said Silva and Luis Tract; thence North 0° 17' 29" East on a line perpendicular to the Northerly line of said State Highway No. 246, to a point on the Northerly line of said State Highway No. 246; thence continuing North 0° 17' 29" East on said perpendicular line, distance of 1440 feet, more or less, to a point on the Northerly line of said Silva and Luis Property; thence in an Easterly direction, along a Northerly and Northwesterly line of said Silva and Luis Property, North 87° 20' 36" East 699.10 feet to an angle point in said line of said Silva and Luis Property; thence continuing on said Silva and Luis Tract line, North 71° 50' 36" East 669.62 feet to an angle point in said line and the point of beginning.

Excepting all oil and mineral rights in, under and on said land.

ALSO EXCEPTING therefrom that portion as taken by the State of California, in the Final Order of Condemnation recorded July 13, 1971 as Instrument No. 21819 in Book 2355, Page 153, Official Records.

APN: 099-100-37

APPROVED AS TO FORM  
AND SURVEY CONTENT

5/19/09

F&R:

MICHAEL B. EMMONS, PLS 5898  
COUNTY SURVEYOR,  
LICENSE EXP. 12/31/10

Deputy County Surveyor



Legal Description

CLTA Preliminary Report Form (11/17/04)

# CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California

County of Santa Barbara

On May 12, 2009 before me, Carol Evans, Notary Public

personally appeared Stephen P. Pepe and Catherine Anna Pepe

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.

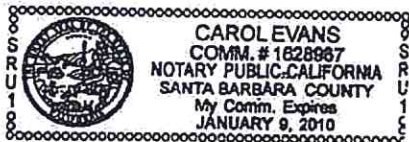
I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature

Carol Evans

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: \_\_\_\_\_

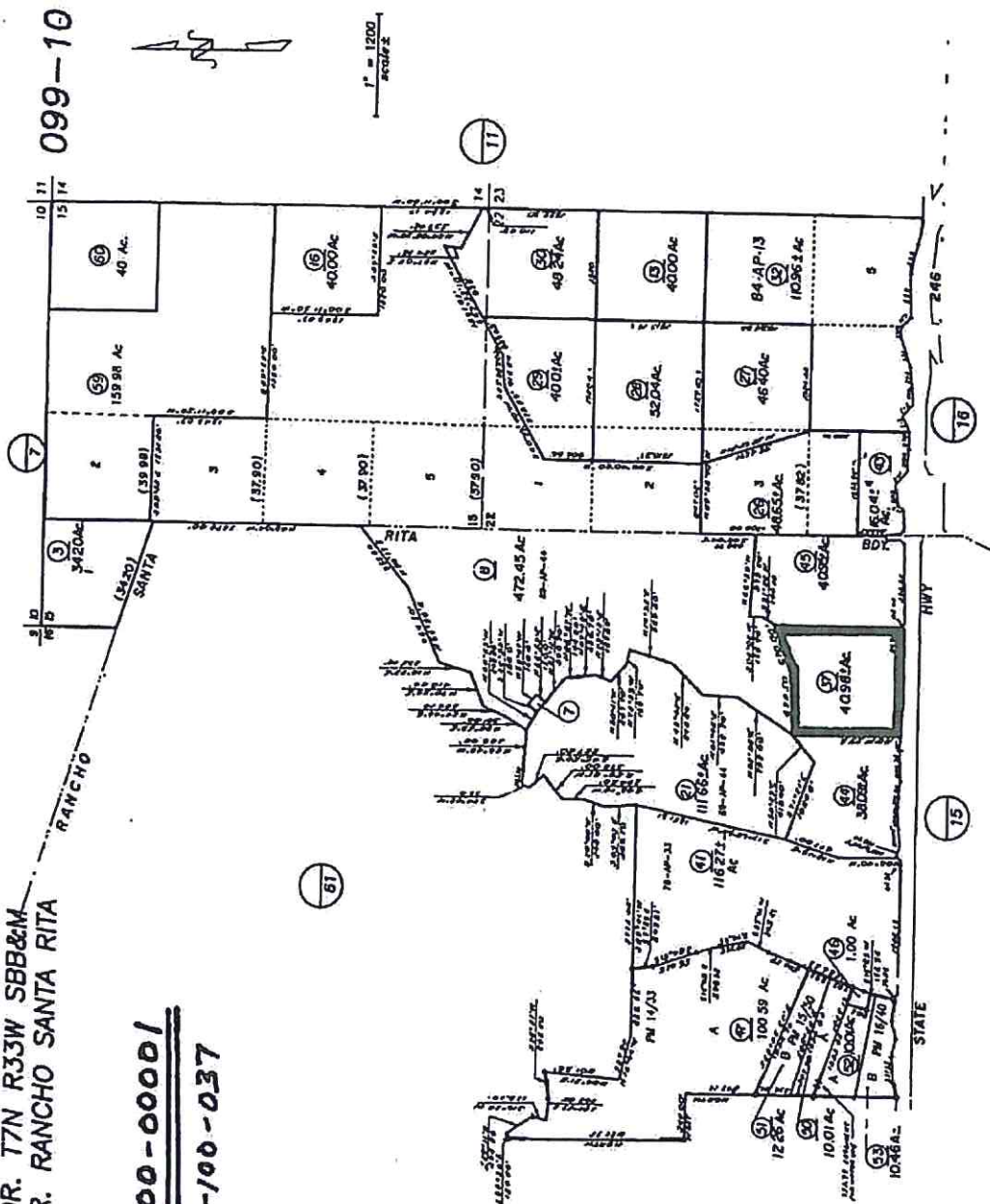
Signer Is Representing: \_\_\_\_\_

RIGHT THUMBPRINT  
OF SIGNER  
Top of thumb here

099-10

09AGP-00000-00001

APN 099-100-037



Assessor's Map Bk, 099-Pg, 10  
County of Santa Barbara, Calif.

NOTICE

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