

Attachment 10

Board Resolution for Entering into a Short Form Land Conservation Contract

**RESOLUTION OF THE BOARD OF SUPERVISORS OF THE
COUNTY OF SANTA BARBARA, STATE OF CALIFORNIA**

IN THE MATTER OF THE CREATION)
OF AN AGRICULTURAL PRESERVE)
AND ENTERING INTO A LAND)
CONSERVATION CONTRACT.)

RESOLUTION NO.14-_____
CASE NO: 13AGP-00000-00002

IT IS HEREBY RESOLVED AS FOLLOWS:

- A. Pursuant to the California Land Conservation Act of 1965, (Government Code Sections 51200 et seq.), the Bolthouse Properties LLC., Agricultural Preserve (13AGP-00000-00024) is hereby created and a Land Conservation Contract in the County of Santa Barbara, is hereby entered into, as shown in Exhibit A of this Resolution.
- B. A map of the Land Conservation Contract area is filed in the Office of the Santa Barbara County Surveyor, as shown in Exhibit 1 of Exhibit A of this Resolution.
- C. This agricultural preserve shall be administered pursuant to the California Land Conservation Act of 1965 and the Santa Barbara County Uniform Rules for Agricultural Preserves and Farmland Security Zones adopted by this Board pursuant to said Act.
- D. The Clerk of the Board shall endorse the fact of this adoption and the date thereof on said Surveyor map and shall record this Short Form Land Conservation Contract (Short Form Contract) with description attached at the Office of the Santa Barbara County Recorder no later than 20 days after the County enters into the contract. In addition, the Clerk of the Board shall forward to the following interested parties copies of documents as follows:
 - 1. To the County Recorder, a copy of the Surveyor's map;
 - 2. To the property owners, a duplicate original copy of the Short Form Contract, a certified copy of this Resolution, and a copy of the Surveyor's map;
 - 3. To the Planning and Development Department, a conformed copy of the Short Form Contract, a certified copy of this Resolution, and a copy of the Surveyor's map;
 - 4. To the Assessor, a certified copy of the Short Form Contract, a certified copy of this Resolution, and a copy of the Surveyor's map; and
 - 5. To the Surveyor, a certified copy of the Short Form Contract.
- E. The property owners involved are:

Bolthouse Properties LLC., 2000 Oak Street, Suite 250, Bakersfield, California 93301
- F. The Chairperson and the Clerk of this Board are hereby authorized and directed to sign and certify all maps, documents and other materials in accordance with this resolution to reflect the above described action by the Board of Supervisors.

PASSED, APPROVED AND ADOPTED by the Board of Supervisors of the County of Santa Barbara, State of California, this ____ day of _____, 2014, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

STEVE LAVAGNINO, CHAIR
BOARD OF SUPERVISORS
COUNTY OF SANTA BARBARA

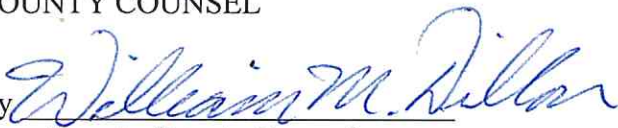
ATTEST:

MONA MIYASATO, COUNTY EXECUTIVE OFFICER
CLERK OF THE BOARD

By _____
Deputy Clerk

APPROVED AS TO FORM:

MICHAEL C. GHIZZONI
COUNTY COUNSEL

By 
Deputy County Counsel

EXHIBIT

A. Short Form Land Conservation Contract

EXHIBIT A

SHORT FORM LAND CONSERVATION CONTRACT

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EXHIBIT A

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

13AGP-00000-00024

THIS LAND CONSERVATION CONTRACT, is made by and between Bolthouse Properties, LLC, a California Limited Liability Company 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 1 attached hereto and by this reference incorporated herein; and

WHEREAS, THE SUBJECT PROPERTY is now devoted to agricultural uses and uses compatible therewith; 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 Bolthouse Properties LLC., Agricultural Preserve, 13AGP-00000-00024, Assessor Parcel Numbers 149-140-076 and 149-150-039 (1362.57± acres); with zoning of AG-II, 100 acre minimum lot size (AG-II-100) under Section 35-1, the County Land Use and Development Code, of Chapter 35, Zoning, of the County Code, and -100, and a Comprehensive Plan land use designation of A-II, 100 acre minimum lot size (A-II-100).

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, 2015 and shall remain in effect for a period of 10 years from each succeeding January first.

IN WITNESS WHEREOF, the County of Santa Barbara has executed this Contract on this ____ day of _____, 2014.

COUNTY OF SANTA BARBARA

STEVE LAVAGNINO, CHAIR
BOARD OF SUPERVISORS
COUNTY OF SANTA BARBARA

ATTEST:

MONA MIYASATO, COUNTY EXECUTIVE OFFICER
CLERK OF THE BOARD

By _____
Deputy Clerk

APPROVED AS TO FORM:

MICHAEL C. GHIZZONI
COUNTY COUNSEL


By 
Deputy County Counsel

EXHIBIT:

1. Legal Description and Map of Replacement Land Conservation Contract

OWNER

Bolthouse Properties, LLC.
a California Limited Liability
Company

By: _____
ANTHONY L. LEGGIO, Manager

EXHIBIT 1

**LEGAL DESCRIPTION AND MAP OF REPLACEMENT
LAND CONSERVATION CONTRACT**

CASE No. 13AGP-00000-00024

LEGAL DESCRIPTION

within

**Sections 29, 30, 31 and 32
Township 10 North, Range 25 West
San Bernardino Meridian**

PARCEL ONE:

The Southwest Quarter of the Northwest Quarter of Section 29, and the Southeast Quarter of the Northeast Quarter of Section 30, All in Township 10 North, Range 25 West, San Bernardino Meridian, in the County of Santa Barbara, State of California, according to the Official Plat thereof.

PARCEL TWO:

The West half of the Northeast Quarter of Section 30 in Township 10 North, Range 25 West, San Bernardino Meridian, in the County of Santa Barbara, State of California, according to the Official Plat thereof.

PARCEL THREE:

The South half of the Southwest Quarter and the Southeast Quarter of Section 30, Township 10 North, Range 25 West, San Bernardino Meridian, in the Rancho Cuyama No. 2, in the County of Santa Barbara, State of California, shown on the Map filed in Book 26, Page 11 of Record of Surveys, in the Office of the County Recorder of said County.

ALSO EXCEPTING THEREFROM the East 80 feet of said Southwest Quarter of Section 30, as described in deed to Santa Barbara County recorded June 18, 1943 in Book 571, Page 177 of Official Records, Records of said County.

ALSO EXCEPTING THEREFROM the South 30 feet of said Southeast Quarter of Section 30, as described in deed to Santa Barbara County recorded June 18, 1943 in Book 573, Page 134 of Official Records, Records of said County.

PARCEL FOUR:

The Northwest Quarter of Section 31, Township 10 North, Range 25 West, San Bernardino Meridian, in the Rancho Cuyama No. 2 in the County of Santa Barbara, State of California, as shown on the Map filed in Book 26, Page 11, of Record of Surveys in the office of the County Recorder of said County.

PARCEL FIVE:

The Northwest Quarter, the East half of the Southeast Quarter and the South half of the Northeast Quarter of Section 32, Township 10 North, Range 25 West, San Bernardino Meridian, in the County of Santa Barbara, State of California, according to the Official Plat thereof.

EXCEPT that portion of said Section 32, described as follows:

Beginning at the Northeast corner of the Northwest Quarter of said Section 32, thence running South along the Quarter Section line a distance of 400 feet; thence West a distance of 125 feet; thence North a distance of 400 feet; thence East a distance of 125 feet to the point of beginning.

ALSO EXCEPT the North 30 feet of the Northwest Quarter of said Section 32 above described.

PARCEL SIX:

The Northeast Quarter of Section 31, Township 10 North, Range 25 West, San Bernardino Meridian, in the County of Santa Barbara, State of California according to the Official Plat thereof.

EXCEPT the North 30 feet hereof.

ALSO EXCEPT that portion of said Section 31, described as follows:

Beginning at the Northeast corner of the Northeast Quarter of said Section 31; thence South along the East boundary line of said Section 31, a distance of 400 feet; thence West and parallel to the North boundary line of said Section 31, a distance of 132 feet; thence North and parallel to the East boundary of said Section 31, a distance of 400 feet; thence East, along the North boundary line of said Section 31, a distance of 132 feet to the point of beginning.

PARCEL SEVEN:

The East half of the Southwest Quarter and the West half of the Southeast Quarter of Section 32, Township 10 North, Range 25 West, San Bernardino Meridian, in the County of Santa Barbara, State of California, according to the Official Plat thereof.

EXCEPT that portion of Section 32, described as follows:

Beginning at the Southwest corner of the Southeast Quarter of the Southwest Quarter of said Section 32; thence East 208.7 feet; thence North 208.7 feet; thence West 208.7 feet; thence South 208.7 feet to the point of beginning.

PARCEL EIGHT:

The East half of the Southwest Quarter of Section 29, Township 10 North, Range 25 West, San Bernardino Meridian, in the County of Santa Barbara, State of California, according to the Official Plat thereof.

EXCEPT the South 30 feet thereof as described in the Deed to Santa Barbara County, a Body Corporate and Politic, recorded June 18, 1943 as Instrument No. 4626, in Book 575 at page 146 of Official Records.

PARCEL NINE:

The South half of the Southeast Quarter of Section 29, Township 10 North, Range 25 West, San Bernardino Meridian, in the County of Santa Barbara, State of California, according to the official plat thereof, of the Survey of said land on file in the Bureau of Land Management.

EXCEPT ALL oil, gas, petroleum, asphaltum, and other hydrocarbon substances and mineral substances, existing in, or under and/or produced from said land above described or any part thereof.

SUBJECT TO: All covenants, Rights, Rights-of-Way and Easements of record.



6/26/2014

Matthew J. Vernon
PLS 7553

Date

7293-EX-001.docx

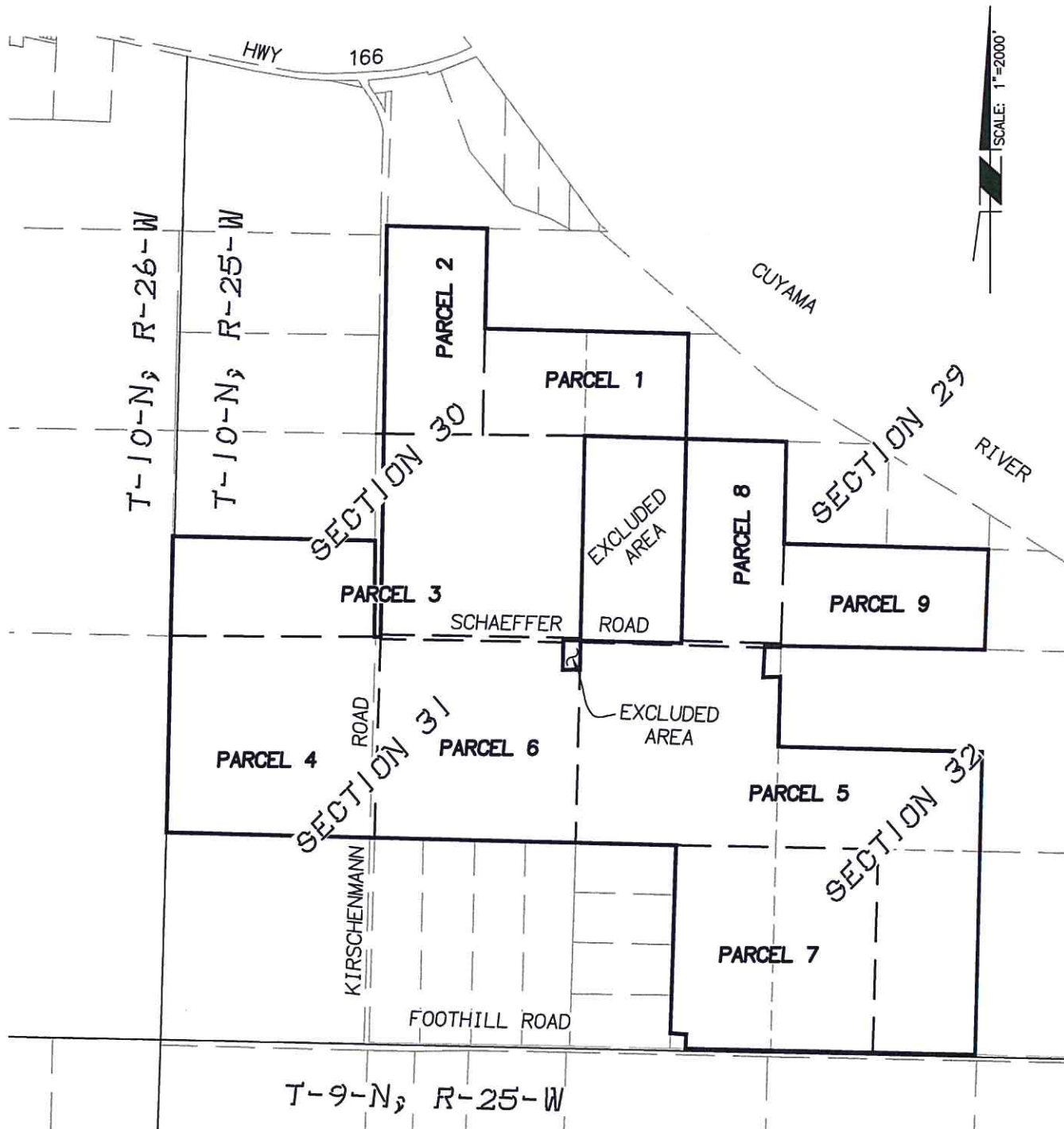


7/25/2014

APPROVED AS TO FORM
AND SURVEY CONTENT

Aleksandar Jevremovic
COUNTY SURVEYOR
LICENSE EXP. 12/31/2015

PLAT TO ACCOMPANY LEGAL DESCRIPTION



RBF
CONSULTING

PLANNING ■ DESIGN ■ CONSTRUCTION

5051 VERDUGO WAY, SUITE 300
CAMARILLO, CALIFORNIA 93012
805.383.3373 FAX 805.383.3371 www.RBF.com

**AGRICULTURAL PRESERVE/
LAND CONSERVATION CONTRACT
CASE No 13AGP-00000-00024**
COUNTY OF SANTA BARBARA
STATE OF CALIFORNIA

DATE: 6/9/14
SCALE: 1"=2000'
SHEET: 1 OF 1
CAD: JM
CHK'D: MJV