



DEPARTMENT OF PLANNING AND BUILDING

THIS IS A NEW PROJECT REFERRAL

DATE: 4/30/2015

TO: _____

FROM: Jo Manson (805-781-4660 or jmanson@co.slo.ca.us)
South County Team / Development Review

PROJECT DESCRIPTION: SUB2014-00050 NELSON – Proposed conditional certificate of compliance. Site location is 575 Upper Los Berros Rd, Nipomo. APN: 047-071-028

Return this letter with your comments attached no later than: 14 days from receipt of this referral. CACs please respond within 60 days. Thank you.

PART 1 - IS THE ATTACHED INFORMATION ADEQUATE TO COMPLETE YOUR REVIEW?

- YES (Please go on to PART II.)
- NO (Call me ASAP to discuss what else you need. We have only 10 days in which we must obtain comments from outside agencies.)

PART II - ARE THERE SIGNIFICANT CONCERNS, PROBLEMS OR IMPACTS IN YOUR AREA OF REVIEW?

- YES (Please describe impacts, along with recommended mitigation measures to reduce the impacts to less-than-significant levels, and attach to this letter)
- NO (Please go on to PART III)

PART III - INDICATE YOUR RECOMMENDATION FOR FINAL ACTION.

Please attach any conditions of approval you recommend to be incorporated into the project's approval, or state reasons for recommending denial.

IF YOU HAVE "NO COMMENT," PLEASE SO INDICATE, OR CALL.

Date Name Phone

GENERAL APPLICATION FORM

San Luis Obispo County Department of Planning and Building

File No SUB 2014-00050

C15-0030

APPLICATION TYPE - CHECK ALL THAT APPLY

- Public Lot
- Receiving Site
- Reversion to Acreage
- Voluntary Merger
- Lot Line Adjustment
- Sending Site
- Reconsideration
- Certificate of Compliance
- Parcel Map
- Road Abandonment
- Condominium (new or conversion)
- Tract Map
- Road Name

APPLICANT INFORMATION

 Check box for contact person assigned to this project

Landowner Name Nelson Trust Daytime Phone 805-710-2139
 Mailing Address 2736 Serada Lane, Arroyo Grande, CA Zip Code 93420
 Email Address: _____

Applicant Name _____ Daytime Phone _____
 Mailing Address _____ Zip Code _____
 Email Address: _____

Agent Name BYRON GRANT Daytime Phone 805-481-4297
 Mailing Address 102 Bridge Street, Arroyo Grande, CA Zip Code 93420
 Email Address: byron-grant@c21hotels.com

PROPERTY INFORMATION

Total Size of Site: 86+ Acres Assessor Parcel Number(s): 047-071-028
 Legal Description: See attached deed & prelim.

Address of the project (if known): 575 Upper Los Berros Rd., Nipome, CA

Directions to the site (including gate codes) - describe first with name of road providing primary access to the site, then nearest roads, landmarks, etc.: Thompson to Steady to Dang Foothill to Upper Los Berros to private driveway about 1/4 mile past end of parcel

Describe current uses, existing structures, and other improvements and vegetation on the property: grass & brush & oak trees. Residences and barn.

PROPOSED PROJECT

Describe the proposed project (incl. size of all proposed parcels): Conditional certificate of compliance

LEGAL DECLARATION

I, the owner of record of this property, have completed this form accurately and declare that all statements here are true. I do hereby grant official representatives of the county authorization to inspect the subject property.

Property owner signature Byron Grant, agent Date 4/22/15

FOR STAFF USE ONLY

Minimum Parcel Size: _____ sq. feet acres by PAS? by Ordinance?

CONSENT OF LANDOWNER

San Luis Obispo County Department of Planning and Building

File No _____

I (we) the undersigned owner of record of the fee interest in the parcel of land located at (print address): _____, identified as Assessor Parcel Number _____, for which a construction permit, land use permit, land division, general plan or ordinance amendment, or LAFCo application referral is being filed with the county requesting an approval for: _____ (specify type of project, for example: addition to a single family residence; or general plan amendment), do hereby certify that:

1. Such application may be filed and processed with my (our) full consent, and that I (we) have authorized the agent named below to act as my (our) agent in all contacts with the county and to sign for all necessary permits in connection with this matter.
2. I (we) hereby grant consent to the County of San Luis Obispo, its officers, agents, employees, independent contractors, consultants, sub-consultants and their officers, agents, and employees to enter the property identified above to conduct any and all surveys and inspections that are considered appropriate by the inspecting person or entity to process this application. This consent also extends to governmental entities other than the county, their officers, agencies, employees, independent contractors, consultants, sub-consultants, and their officers agents or employees if the other governmental entities are providing review, inspections and surveys to assist the county in processing this application. This consent will expire upon completion of the project.
3. If prior notice is required for an entry to survey or inspect the property. Please contact:
Print Name: _____
Daytime Telephone Number: _____
4. I (we) hereby give notice of the following concealed or unconcealed dangerous conditions on the property _____

Person or entity granting consent:

Print Name: _____
Print Address: _____
Daytime Telephone Number: _____
Signature of landowner: _____ Date: _____

see attached

Authorized agent:

Print Name: _____
Print Address: _____
Daytime Telephone Number: _____
Signature of authorized agent: _____ Date: _____

CONSENT OF LANDOWNER

San Luis Obispo County Department of Planning and Building

File No SUB2014-0050

I (we) the undersigned owner of record of the fee interest in the parcel of land located at (print address):
575 Upper Los Bernos Road, identified as Assessor Parcel Number
047-071-028, for which a construction permit, land use permit, land division, general plan or ordinance amendment, or LAFCo application referral is being filed with the county requesting an approval for: conditional certificate of compliance (specify type of project, for example: addition to a single family residence; or general plan amendment), do hereby certify that:

- Such application may be filed and processed with my (our) full consent, and that I (we) have authorized the agent named below to act as my (our) agent in all contacts with the county and to sign for all necessary permits in connection with this matter.
- I (we) hereby grant consent to the County of San Luis Obispo, its officers, agents, employees, independent contractors, consultants, sub-consultants and their officers, agents, and employees to enter the property identified above to conduct any and all surveys and inspections that are considered appropriate by the inspecting person or entity to process this application. This consent also extends to governmental entities other than the county, their officers, agencies, employees, independent contractors, consultants, sub-consultants, and their officers agents or employees if the other governmental entities are providing review, inspections and surveys to assist the county in processing this application. This consent will expire upon completion of the project.
- If prior notice is required for an entry to survey or inspect the property. Please contact:
Print Name: Byron Grant
Daytime Telephone Number: 805-481-4297
- I (we) hereby give notice of the following concealed or unconcealed dangerous conditions on the property NONE

PERSON OR ENTITY GRANTING CONSENT:

Print Name: Kenneth and Maria Nelson Revocable Trust, dated April 14, 2000
Print Address: 2736 Sevada Lane, Arroyo Grande, CA 93420
Daytime Telephone Number: 805-710-2139
Signature of landowner: X Kenneth Nelson Date: X 4/20/15

AUTHORIZED AGENT:

Print Name: Byron Grant
Print Address: 102 Bridge Street, Arroyo Grande, Ca 93420
Daytime Telephone Number: 805-481-4297
Signature of authorized agent: Byron Grant Date: 4/16/15

CERTIFICATE OF COMPLIANCE APPLICATION

San Luis Obispo County Department of Planning and Building

File No SUB 2014-00050

Project Information:

Number of existing lots or parcels: 1

Existing parcel sizes: 80 + 6⁺ acres

Number of lots, parcels, certificates or merged parcel requested: 1

Is the property part of a previous subdivision that you filed? Yes No

If Yes, what was the map number: Tract No: NA CO NA COAL NA

Have you reviewed county records to determine if the subject property has ever been the subject of:
a recorded certificate of compliance or a recorded map? Yes No
Building permits or other approval? Yes No

If you answered Yes to either question, please provide copies of all applicable materials.

For Conditional Certificates of Compliance only, please answer the following questions:

Surrounding parcel ownership: Do you own adjacent property? Yes No
If yes, what is the acreage of all property you own that surrounds the project site? _____

Describe existing access to the proposed project site: 2 mile gravel driveway
from Upper Los Berros Road

Surrounding land use: What are the uses of the land surrounding your property (when applicable, please specify all agricultural uses):

North: grazing South: grazing
East: grazing West: grazing

Proposed water source: On-site well Shared well Other _____
 Community System - List the agency or company responsible for provision: _____
Do you have a valid will-serve letter? Yes (If yes, please submit copy) No

Proposed sewage disposal: Individual on-site system Other _____
 Community System - List the agency or company responsible for sewage disposal: _____
Do you have a valid will-serve letter? Yes (If yes, please submit copy) No

Fire Agency: List the agency responsible for fire protection: CAL FIRE

List available or proposed utilities: Gas Telephone Electricity Cable TV

ENVIRONMENTAL DESCRIPTION FORM

San Luis Obispo County Department of Planning and Building

File No SUB 2014-00050

The California Environmental Quality Act (CEQA) requires all state and local agencies to consider and mitigate environmental impacts for their own actions and when permitting private projects. The Act also requires that an environmental impact report (EIR) be prepared for all actions that may significantly affect the quality of the environment. The information you provide on this form will help the Department of Planning and Building determine whether or not your project will significantly affect the quality of the environment.

To ensure that your environmental review is completed as quickly as possible, please remember to:

- Answer **ALL** of the questions as accurately and completely as possible.
- Include any additional information or explanations where you believe it would be helpful or where required. Include additional pages if needed.
- If you are requesting a land division or a re-zoning, be sure to include complete information about future development that may result from the proposed land division or rezoning.
- Include references to any reports or studies you are aware of that might be relevant to the questions asked or the answers you provide.

Should a determination be made that the information is inaccurate or insufficient, you will be required to submit additional information upon request.

Physical Site Characteristic Information

Your site plan will also need to show the information requested here:

- Describe the topography of the site:
Level to gently rolling, 0-10% slopes: 20 acres
Moderate slopes of 10-30%: 30 acres
Steep slopes over 30%: 35 acres
- Are there any springs, streams, lakes or marshes on or near the site? Yes No
If yes, please describe: _____
- Are there any flooding problems on the site or in the surrounding area? Yes No
If yes, please describe: _____
- Has a drainage plan been prepared? Yes No
If yes, please include with application.
- Has there been any grading or earthwork on the project site? Yes No
If yes, please explain: Ag roads and for existing buildings
- Has a grading plan been prepared? Yes No
If yes, please include with application.
- Are there any sewer ponds/waste disposal sites on/adjacent to the project? Yes No
- Is a railroad or highway within 300 feet of your project site? Yes No
- Can the proposed project be seen from surrounding public roads? Yes No
If yes, please list: _____

Water Supply Information

1. What type of water supply is proposed?
 Individual well Shared well Community water system
2. What is the proposed use of the water?
 Residential Agricultural - Explain future trees?
 Commercial/Office - Explain _____
 Industrial - Explain _____
3. What is the expected daily water demand associated with the project? Not a project
4. How many service connections will be required? no additional
5. Do operable water facilities exist on the site?
 Yes No If yes, please describe: 2 wells -
6. Has there been a sustained yield test on proposed or existing wells?
 Yes No If yes, please attach.
7. Does water meet the Health Agency's quality requirements? Yes No unknown
Bacteriological? Yes No
Chemical? Yes No
Physical Yes No
Water analysis report submitted? Yes No
8. Please check if any of the following have been completed on the subject property and/or submitted to County Environmental Health.
 Well Driller's Letter Water Quality Analysis OK or Problems
 Will Serve Letter Pump Test _____ Hours _____ G.P.M.
 Surrounding Well Logs Hydrologic Study Other _____

Please attach any letters or documents to verify that water is available for the proposed project.

Sewage Disposal Information

If an on-site (individual) subsurface sewage disposal system will be used:

1. Has an engineered percolation test been accomplished? already on site
 Yes No If yes, please attach a copy.
2. What is the distance from proposed leach field to any neighboring water wells? _____ feet
3. Will subsurface drainage result in the possibility of effluent reappearing in surface water or on adjacent lands, due to steep slopes, impervious soil layers or other existing conditions?
 Yes No
4. Has a piezometer test been completed?
 Yes No
5. Will a Waste Discharge Permit from the Regional Water Quality Control Board be required?
 Yes No (*a waste discharge permit is typically needed when you exceed 2,500 gallons per day*)

If a community sewage disposal system is to be used:

1. Is this project to be connected to an existing sewer line? Yes No
Distance to nearest sewer line: _____ Location of connection: _____
2. What is the amount of proposed flow? _____ G.P.D.
3. Does the existing collection treatment and disposal system have adequate additional capacity to accept the proposed flow? Yes No

Solid Waste Information

- 1. What type of solid waste will be generated by the project?
 Domestic Industrial Agricultural Other, please explain? _____
- 2. Name of Solid Waste Disposal Company: Haul to disposal site
- 3. Where is the waste disposal storage in relation to buildings? _____
- 4. Does your project design include an area for collecting recyclable materials and/or composting materials? Yes No

Community Service Information

- 1. Name of School District: Lucia Mar
- 2. Location of nearest police station: 10 miles
- 3. Location of nearest fire station: 7 miles
- 4. Location of nearest public transit stop: 7 miles
- 5. Are services (grocery/other shopping) within walking distance of the project? Yes No
 If yes, what is the distance? _____ feet/miles

Historic and Archeological Information

- 1. Please describe the historic use of the property: grazing.
- 2. Are you aware of the presence of any historic, cultural or archaeological materials on the project site or in the vicinity? Yes No
 If yes, please describe: _____
- 3. Has an archaeological surface survey been done for the project site? Yes No
 If yes, please include two copies of the report with the application.

Agricultural Information

Only complete this section if your site is: 1) Within the Agricultural land use category, or 2) currently in agricultural production.

- 1. Is the site currently in Agricultural Preserve (Williamson Act)? Yes No
- 2. If yes, is the site currently under land conservation contract? Yes No
- 3. If your land is currently vacant or in agricultural production, are there any restrictions on the crop productivity of the land? That is, are there any reasons (i.e., poor soil, steep slopes) the land cannot support a profitable agricultural crop? Please explain in detail: NA

6 acre portion

Special Project Information

- 1. Describe any amenities included in the project, such as park areas, open spaces, common recreation facilities, etc.(these also need to be shown on your site plan): NA
- 2. Will the development occur in phases? Yes No
 If yes describe: already exists
- 3. Do you have any plans for future additions, expansion or further activity related to or connected with this proposal? Yes No If yes, explain: _____

4. Are there any proposed or existing deed restrictions? Yes No
If yes, please describe: _____

Energy Conservation Information

1. Describe any special energy conservation measures or building materials that will be incorporated into your project *: improvements already exist

*The county's Building Energy Efficient Structures (BEES) program can reduce your construction permit fees. Your building must exceed the California State Energy Standards (Title 24) in order to qualify for this program. If you are interested in more information, please contact the Building Services Division of the Department of Planning and Building at (805) 781-5600.

Environmental Information

1. List any mitigation measures that you propose to lessen the impacts associated with your project:
NA
2. Are you aware of any unique, rare or endangered species (vegetation or wildlife) associated with the project site? Yes No
If yes, please list: _____
3. Are you aware of any previous environmental determinations for all or portions of this property? Yes No
If yes, please describe and provide "ED" number(s): _____

Other Related Permits

1. List all permits, licenses or government approvals that will be required for your project (federal, state and local): NIL

(If you are unsure if additional permits are required from other agencies, please ask a member of the Planning Department staff currently assigned in either Current Planning or the Environmental Division.)

INFORMATION DISCLOSURE FORM

San Luis Obispo County Department of Planning and Building

File No SUB 2014-00050

TIME LIMITS FOR PROCESSING AND PUBLIC NOTICE DISTRIBUTION REQUIREMENTS - California state law (California Government Code Section 65941.5) requires that the county provide the following information to applicants, when a permit application is filed:

Not later than 30 days after a land use or land division application is received, the county must notify the project applicant or designated representative in writing either that the application is complete, or that items are necessary to complete the application. If you are not notified in writing, the application is considered complete. Any land use or land division application must be approved or denied within three months of adoption of the Negative Declaration or determination that the project is exempt, or within six months of the certification of an Environmental Impact Report. The County of San Luis Obispo processes the land use application and the environmental review concurrently, so these decisions are made simultaneously. (Government Code Sections 65943 and 65950, et seq.)

A project applicant may make a written request to the county to receive notice of any proposal to adopt or amend the general plan and the land use, real property division, building and construction, road name and addressing, and growth management ordinances which might reasonably be expected to affect that applicant's project. The county offers a subscription service for notification of either: (1) all applications received by the county, or (2) Planning Commission agendas. The cost for each of these services is established by the county fee ordinance. (Government Code Sections 65945, 65945.3 and 65945.5)

When a property was created through recordation of a final or parcel map, and it is within five years of recordation, the county cannot withhold or condition the issuance of building permits for residential units based on conformance with conditions that could have been imposed as conditions of the tentative map, except where: (1) A failure to do so would place subdivision residents or residents in the immediate area in a condition perilous to health, safety or both; or (2) The condition is required in order to comply with state or federal law. (Government Code Section 65961)

Copies of Government Code Sections are available at the County of San Luis Obispo Law Library, County Government Center, San Luis Obispo, California.

RIGHT TO FARM DISCLOSURE - The County of San Luis Obispo recognizes the statewide policy to protect and encourage Agriculture. Sections 3482.5 and 3482.6 of the California Civil Code and Chapter 5.16. of the San Luis Obispo County Code protect certain, pre-existing agricultural production and processing operations ("agricultural operation") from nuisance claims. If your property is near a protected agricultural operation, you may be subject to certain inconveniences and/or discomforts which are protected by law. In order for the agricultural operation to be protected, the following requirements of Civil Code Sections 3482.5 and 3482.6 must be satisfied:

(1) The agricultural operation must be conducted or maintained for commercial purposes; (2) The agricultural operation must be conducted or maintained in a manner consistent with proper and accepted customs and standards as established and followed by similar agricultural operations in the same locality; (3) The agricultural operation predated the affected use(s) on your property; (4) The agricultural operation has been in existence for more than three years; and (5) The agricultural operation was not a nuisance at the time it began.



First American

myFirstAm® Property Profile

575 Upper Los Berros Rd, Nipomo, CA 93444

Property Information

Owner(s):	Nelson Kenneth R (Te)	Mailing Address:	2736 Sevada Ln, Arroyo Grande, CA 93420
Owner Phone:	Unknown	Property Address:	575 Upper Los Berros Rd, Nipomo, CA 93444
Vesting Type:	Trustee / Trustee		
County:	San Luis Obispo	APN:	047-071-028
Map Coord:	735-J2	Census Tract:	012302
Lot#:	4	Block:	
Subdivision:		Tract:	
Legal:	T32s R14e Ptn Sec 30		

Property Characteristics

Use:	Sfr	Year Built / Eff. :	1960 /	Sq. Ft. :	1652
Zoning:	RL	Lot Size Ac / Sq Ft:	86.42 / 3764455	# of Units:	1
Bedrooms:	1	Bathrooms:	1	Fireplace:	Y
# Rooms:	3	Quality:	Average	Heating:	
Pool:		Air:		Style:	
Stories:		Improvements:		Parking / #:	/
Gross Area:	1652	Garage Area :		Basement Area:	

Sale and Loan Information

Sale / Rec Date:	04/18/2002 / 04/25/2002	*\$/Sq. Ft.:	\$484.26	2nd Mtg.:	
Sale Price:	\$800,000	1st Loan:	\$600,000	Prior Sale Amt:	
Doc No.:	<u>34464</u>	Loan Type:		Prior Sale Date:	
Doc Type:	Deed	Transfer Date:	04/25/2002	Prior Doc No.:	
Seller:	Graven Trust	Lender:	Graven Trust	Prior Doc Type:	

*\$/Sq. Ft. is a calculation of Sale Price divided by Sq. Feet.

Tax Information

Imp Value:	\$215,061	Exemption Type:	
Land Value:	\$831,526	Tax Year / Area:	2014 / 052025
Total Value:	\$1,046,587	Tax Value:	\$1,046,587
Total Tax Amt:	\$10,936.20	Improved:	21%

Property Profile

575 Upper Los Berros Rd, Nipomo, CA 93444

4/16/2015

This report is only for the myFirstAm user who applied for it. No one else can rely on it. As a myFirstAm user, you already agreed to our disclaimer regarding third party property information accuracy. You can view it here: www.myfirstam.com/Security/ShowEULA. ©2005-2015 First American Financial Corporation and/or its affiliates. All rights reserved.

JULIE RODEWALD
San Luis Obispo County – Clerk/Recorder

SR
4/04/2006
8:56 AM

Recorded at the request of
Public

**RECORDING REQUESTED BY AND
WHEN RECORDED RETURN TO:**

James C. Buttery, State Bar No. 56665
ANDRE, MORRIS & BUTTERY
A Professional Law Corporation
2739 Santa Maria Way, Third floor
Post Office Box 1430
Santa Maria, CA 93456-1430
Telephone: 805-937-1400
Facsimile: 805-937-1444

DOC#: **2006023297**



Titles:	1	Pages:	9
Fees			31.00
Taxes			0.00
Others			1.00
PAID			\$32.00

Attorneys for Plaintiffs Kenneth R. and Maria T. Nelson
as Trustees of the Kenneth and Maria Nelson Revocable
Trust dated April 14, 2000

**SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF SAN LUIS OBISPO**

Kenneth R. and Maria T. Nelson as Trustees
of the Kenneth and Maria Nelson Revocable
Trust dated April 14, 2000,

Plaintiffs,

v.

Billita Corporation, et al.

Defendants.

CASE NO. CV 030968

DEFAULT JUDGMENT BY COURT

LOT LINE ADJUSTMENT

2506

FILED

SEP 21 2004

1 James C. Buttery, State Bar No. 56665
 2 ANDRE, MORRIS & BUTTERY
 3 A Professional Law Corporation
 2739 Santa Maria Way, Third floor
 3 Post Office Box 1430
 Santa Maria, CA 93456-1430
 4 Telephone: 805-937-1400
 Facsimile: 805-937-1444

SAN LUIS OBISPO SUPERIOR COURT
 BY Sean Gallagher
 Sean Gallagher, Deputy Clerk

5 Attorneys for Plaintiffs, Kenneth R. and Maria T.
 6 Nelson as Trustees of the Kenneth and Maria Nelson
 Revocable Trust dated April 14, 2000
 7

8
 9 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
 10 **COUNTY OF SAN LUIS OBISPO**

11 Kenneth R. and Maria T. Nelson as Trustees
 12 of the Kenneth and Maria Nelson Revocable
 Trust dated April 14, 2000,

CASE NO. CV030968

DEFAULT JUDGMENT BY COURT

13 Plaintiffs,

Date: September 1, 2004
Time: 9:00 a.m.
Dept.: 8

14 v.

Assigned to: Hon. Douglas Hilton
 Complaint Filed October 3, 2003

15 Billita Corporation, Regina Williams also
 16 known as Regina Dennerlein, Charles W.
 Adam, Steven R. Adam, Cynthia M. Adam,
 17 Patrick Mahoney, Kathleen Gates, Michael
 Mahoney, Marilee C. Staton, Colleen M.
 18 Mahoney, Gerald T. Mahoney, William P.
 Adam, Jr., Georgina Adam and William P.
 19 Adam, III as Trustees of the Pauline N.
 Adam Testamentary Trust for the benefit of
 20 William P. Adam, Jr., Jane M. Drenon,
 Daniel M. Mahoney, and all persons
 21 unknown, claiming any legal or equitable
 22 right, title, estate, lien, or interest in the
 property described in the Complaint adverse
 23 to Plaintiffs' title, or any cloud on Plaintiffs
 title, and Does 2 to 50, Inclusive,

24 Defendants.

25
 26 The application for default judgment by court came on for hearing on September 1, 2004,
 27 before the Honorable Douglas Hilton, presiding in Department 8 of the above-entitled court.
 28

ANDRE, MORRIS & BUTTERY
 2739 Santa Maria Way, Third floor, P.O. Box 1430
 Santa Maria, California 93456-1430
 (805) 937-1400 Telephone • (805) 937-1444 Facsimile

SEP - 9 2004

1 James C. Buttery, Esq. appeared for Plaintiff, Kenneth R. and Maria T. Nelson as Trustees of the
2 Kenneth and Maria Nelson Revocable Trust dated April 14, 2000.

3 It appearing that defendants, Billita Corporation, Charles W. Adam, Steven R. Adam,
4 Cynthia M. Adam, Patrick Mahoney, Kathleen Gates, Michael Mahoney, Marilee C. Staton,
5 Colleen M. Mahoney, Gerald T. Mahoney, William P. Adam, Jr., Georgina Adam and William
6 P. Adam, III as Trustees of the Pauline N. Adam Testamentary Trust for the benefit of William
7 P. Adam, Jr., Jane M. Drenon, Daniel M. Mahoney, having been regularly served with process,
8 having failed to appear and answer plaintiff's complaint filed herein, and the default of these
9 defendants having been duly entered on application of Plaintiff to the court, and after having
10 heard and considered the evidence,

11
12 IT IS ORDERED THAT default judgment be entered against the Defendants listed
13 above, and that judgment be entered against Defendant Dennerlein according to the Stipulated
14 Judgment on file in this action, and that such judgments together determine that title to the real
15 property, described in the legal description for the Improved Area attached hereto as Exhibit "A,"
16 is held by the Trust in exclusive ownership in fee simple and with an immediate right to
17 possession, and that Defendants have no interest in the Improved Area.

18
19 IT IS FURTHER ORDERED THAT Plaintiffs possess a non-exclusive easement for
20 ingress and egress on the Access Road, which is appurtenant to Plaintiff's real property both by
21 present title and that which is described as the Improved Area. The easement, or "Access Road,"
22 is described in the legal description attached hereto as Exhibit "B."

23
24 IT IS FURTHER ORDERED THAT the means of perfecting a lot line adjustment;
25 transfer of title to the Improved Area; and conveyance of the irrevocable non-exclusive easement
26 on the Access Road, are to be accomplished under the terms described in the Stipulated
27 Judgment between Plaintiff and Defendant Dennerlein and Judgment thereon, which reference is
28 made to and incorporates the Settlement Agreement and Full Mutual Release between those

ANDRE, MORRIS & BUTTERY
2739 Santa Maria Way, Third floor, P.O. Box 1430
Santa Maria, California 93456-1430
(805) 937-1400 Telephone • (805) 937-1444 Facsimile

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

parties. This court shall retain jurisdiction under Code of Civil Procedure §664.6 to enforce the terms of the Stipulated Judgment, Judgment thereon and Settlement Agreement in this matter.

IT IS FURTHER ORDERED that costs of suit are waived by the parties.

Date: Sept. 21, 2004



Hon. Douglas Hilton, Judge

IMPROVED AREA

EXHIBIT A

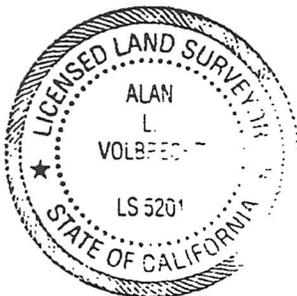
LEGAL DESCRIPTION

THAT PORTION OF SECTION 30 , TOWNSHIP 32 SOUTH, RANGE 14 EAST
MOUNT DIABLO BASE LINE AND MERIDIAN AS RECORDED IN BOOK 80, PAGE 34
OF LICENSED SURVEYS IN THE OFFICE OF THE COUNTY RECORDER IN THE
COUNTY OF SAN LUIS OBISPO, STATE OF CALIFORNIA AND BEING MORE
PARTICULARLY DESCRIBED AS FOLLOWS;

BEGINNING AT AN 1½ INCH IRON PIPE AND BRASS CAP STAMPED LS 5201 AT
THE CENTER OF SAID SECTION AS SHOWN ON SAID RECORD OF SURVEY AND
THE TRUE POINT OF BEGINNING;
THENCE SOUTH 00°52'28" WEST, 99.11 FEET ALONG THE WEST LINE OF THE
EAST HALF OF SAID SECTION 30 ;
THENCE LEAVING SAID WEST LINE SOUTH 88°49'23" WEST, 1257.16 FEET;
THENCE SOUTH 83°18'48" WEST, 666.11 FEET;
THENCE NORTH 08°26'19" WEST, 172.50 FEET TO A POINT ON THE SOUTH LINE
OF THE NORTH WEST ONE QUARTER OF SAID SECTION 30;
THENCE NORTH 89°03'43" EAST ALONG SAID SOUTH LINE, 1945.55 FEET TO
THE TRUE POINT OF BEGINNING.

Alan L. Volbrecht
ALAN L. VOLBRECHT, PLS

Exp 06/30/07



ACCESS ROAD

A strip of land 18 feet wide over that portion of the southwest quarter of Section 30, T. 32 S., R. 14 E., of the Mount Diablo Meridian, as shown on the map filed in Book 80, Page 34 of Records of Survey, County of San Luis Obispo, State of California, the centerline of which is described as follows:

Beginning at a 1½" iron pipe and brass cap L.S. 5201 at the center of Section 30 per said map; thence S 0°52'28" W 1065.91 feet along the east line of said southwest quarter of Section 30 to the True Point of Beginning;

thence, leaving said east line, N 55°38'40" W 102.89 feet;

thence N 42°22'47" W 59.37 feet;
thence N 27°24'02" W 73.89 feet;
thence N 37°22'10" W 59.44 feet;
thence N 49°10'50" W 37.40 feet;
thence N 51°59'23" W 26.48 feet;
thence N 47°07'41" W 51.66 feet;
thence N 33°26'21" W 134.78 feet;
thence N 46°51'46" W 60.21 feet;
thence N 55°31'51" W 71.55 feet;
thence N 61°31'23" W 87.97 feet;
thence N 68°44'56" W 49.72 feet;
thence N 58°10'54" W 37.11 feet;
thence N 42°30'08" W 259.10 feet;
thence N 48°03'36" W 56.97 feet;
thence N 54°55'35" W 66.34 feet;
thence N 53°48'22" W 102.46 feet;
thence N 44°01'07" W 75.86 feet;

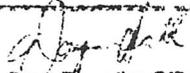
thence N 13°17'17" E 105.42 feet to a point on the north line of said southwest quarter of Section 30 that bears S 89°03'43" W 1013.75 feet from said center of section; the sidelines of said strip to be shortened or lengthened to terminate at the east and north lines of said southwest quarter of Section 30.

Alan L. Volbrecht

Alan L. Volbrecht L.S. 5201
Expiration date: 6-30-2003



Exhibit B
Page 1 of 1

I certify that this is a correct copy of the original on
file with the Clerk of the Superior Court of California,
County of San Luis Obispo. Attest my hand and seal
of said court on
Date: APR 04 2006

WAYNE HALL, Court Executive Officer



Certification must be in purple ink to be a
CERTIFIED COPY

END OF DOCUMENT

APN(S): 047-071-028 Portion
PROJECT NO: C15-0030

FILE NO: SUB2014-00050
PARCEL NO: 1

EXHIBIT A

Conditions

DRAFT

CONDITIONS TO BE SET BY THE SAN LUIS OBISPO COUNTY SUBDIVISION REVIEW BOARD

APN(S): 047-071-028 Portion
PROJECT NO: C15-0030

FILE NO: SUB2014-00050
PARCEL NO: 1

EXHIBIT B
Legal Description

DRAFT

The following described property in the unincorporated area of, County of San Luis Obispo, State of California:

That portion of the land described as Exhibit "A" in the "Default Judgment by Court", Superior Court of California, County of San Luis Obispo, Case No. CV 030968, recorded April 4, 2006 as Instrument No. 2005023297 of Official Records being described as follows:

That portion of said Section 30, Township 32 South, Range 14 East Mount Diablo Base Line and Meridian as recorded in Book 80, Page 34 of Licensed Surveys in the office of the County Recorder in the County of San Luis Obispo, State of California and being more particularly described as follows:

Beginning at a 1 ½ inch iron pipe and brass cap stamped LS 5201 at the center of said Section as shown on said Record of Survey and the true point of beginning; Thence South 00°52'28" West, 99.11 feet along the West line of the East ½ of said Section 30; Thence leaving said West line South 88°49'23" West, 1257.16 feet; Thence South 83°18'48" West, 666.11 feet; thence North 08°26'19" West, 172.50 feet to a point on the South line of the North West one quarter of said Section 30; Thence North 89°03'43" East along said South line, 1945.55 feet to the true point of beginning.

APPLICATION: **CONDITIONAL CERTIFICATE OF COMPLIANCE,
SUB2014-00050 (C15-0030) (APN: 047-071-028)**

OWNERS: Kenneth R. Nelson and Maria T. Nelson

AGENT: Byron Grant

**PROJECT
HISTORY:**

The applicant is requesting one (1) conditional certificate of compliance for APN: 047-071-028 which is an approximate 86 acre parcel that consists of the South half of the Northwest quarter and a portion of the North half of the Southwest quarter of Section 30, Township 32 South, Range 14 East.

Pursuant to the Subdivision Map Act, the parcel should comply with the subdivision standards in effect on September 21, 2004 as that is the date that the applicants acquired their interest in the property in accordance with the Default Judgment by Court, Document No. 2006-023297, recorded on April 4, 2006.

A portion of APN: 047-071-028 consists of the South half of the Northwest quarter of Section 30, Township 32 South, Range 14 East and is approximately 80 acres in size. Based upon a parcel size of 80 acres a pre-1972 deed would establish the legality of that parcel if the parcel had been conveyed by deed separately from surrounding land prior to March 4, 1972. A review of the deed/patent history for the 80 parcel revealed that this 80 acre parcel is a separate legal parcel per Book F of Patents, Page 543 minus Book 46 of Deeds, Pages 380-381. The parcel was created as a legal remainder from the original government patent in 1900.

The remaining portion of APN: 047-071-028 consists of a portion of the North half of the Southwest quarter of Section 30, Township 32 South, Range 14 East and is approximately 6 acres in size. Based upon a parcel size of approximately 6 acres, a pre-1966 deed would establish the legality of that parcel if the parcel had been conveyed by deed separately from surrounding land prior to February 17, 1966. There is not a pre-1966 deed for this specific parcel which deeded it separately from surrounding land.

Based on a review of the deed/patent history, the entire Southwest quarter of Section 30, Township 32 South, Range 14 East (portion of APN: 047-071-026) was originally a separate legal parcel per Book D of Patents, Pages 353-354. On November 5, 2004 a lot line adjustment, COAL 04-0192, was submitted for processing and applicable application fees were paid. The adjustment would have adjusted the property line between the Southwest quarter of Section 30 and the South half of the Northwest quarter of Section 30. The adjusted property line would have resulted in the approximate 6 acre property (APN: 047-071-028 portion) becoming part of the 80 acre property consisting of the South half of the Northwest quarter of Section 30.

APPLICATION: **CONDITIONAL CERTIFICATE OF COMPLIANCE,
SUB2014-00050 (C15-0030) (APN: 047-071-028 Portion)**

**PROJECT
HISTORY:** (continued – Page 2)

The application for COAL 04-0192 included information regarding why the lot line adjustment was being requested. The project agent noted that the results of a boundary survey completed in 1998 disclosed that the main residence thought to be built on the approximate 80 acre property (APN: 047-071-028 portion) was in fact built on the approximate 6 acre property (APN: 047-071-028 portion) which, at that time, was owned by a different property owner that owned the entire Southwest quarter of Section 30 just south of the approximate 80 acre property.

On December 6, 2004 the project planner sent a letter to the agent, Volbrecht Surveys, requesting additional information before the project could be accepted as complete for processing. The requested information was not received and the applicants did not pursue the processing of this lot line adjustment. On March 20, 2006 the Department sent the applicant a letter noting that the application is pending submittal of additional information and that an additional 30 days was given to submit the information. If the additional information was not submitted within the additional 30 days then the project would be deemed withdrawn. The additional requested information was not submitted. Therefore, on April 24, 2006, the lot line adjustment project was deemed withdrawn.

Subsequently, a Default Judgment by Court action was completed by the applicant, Kenneth Nelson, in 2006 per Stipulated Judgment (Document No. 2006-023296) and Default Judgment by Court (Document No. 2006-023297). The court action resulted in the approximate 6 acre property (APN: 047-071-028 portion) becoming part of the 80 acre property consisting of the South half of the Northwest quarter of Section 30. The Court action resulted in the same property configuration that Lot Line Adjustment COAL 04-0192 would have achieved.

Coordination with County Counsel has concluded the following: Since Courts cannot adjust boundary lines of property between property owners, but only settle disputes, it is then up to the property owners to apply to the County of approval of a Lot Line Adjustment to carry out any decision of the Court. A Lot Line Adjustment was never applied for after the court action. The court action stipulated that the 6 acre property was owned by the applicant, Kenneth Nelson.

This was a violation of the County's Lot Division Ordinance and State Subdivision Map Act because parcels more than three acres but less than forty acres could not be created after February 17, 1966 (Lot Division Ordinance) without first having a subdivision approved by the County Subdivision Review Board. A map was required to be approved to create parcels at that time, therefore the parcel was not legally created. Therefore, a conditional certificate of compliance is required.

APPLICATION: **CONDITIONAL CERTIFICATE OF COMPLIANCE,
SUB2014-00050 (C15-0030) (APN: 047-071-028 Portion)**

**PROJECT
HISTORY:** (continued – Page 3)

In addition, the approximate six acre property is within a Land Conservation Contract per Volume 1724 of Official Records, Pages 782-800 recorded May 17, 1973 – San Luis Obispo County Board of Supervisors Resolution No. 73-245 approving Contract pursuant to the California Land Conservation Act of 1965 to William P. Adam, Jr., et al. The Land Conservation Contract consists of multiple properties and includes the portion of APN: 047-071-028 portion which is approximately 6 acres in size and is located within the North half of the Southwest quarter of Section 30, Township 32 South, Range 14 East. This contract is still valid and active.

APPLICATION: **CONDITIONAL CERTIFICATE OF COMPLIANCE,
SUB2014-00050 (C15-0030) (APN: 047-071-028 Portion)**

**PROJECT
HISTORY:** (continued – Page 4)

Applicable deed/patent history is as follows:

May 20, 1884 – Book D of Patents, Pages 353-354 recorded May 13, 1891 – Government patent to William A. Henry. Includes portion of APN: 047-071-026 and a portion of APN: 047-071-028. It is the Southwest quarter of Section 30, Township 32 South, Range 14 East which consists of Lot 1, Lot 2 and the East half of the Southwest quarter.

September 23, 1887 – Book X of Deeds, Pages 465-466 recorded September 23, 1887 – Indenture (i.e., deed) from W.A. Henry and Fannie E. Henry to Patrick Moore. Consists of numerous properties which includes the Southwest quarter of Section 30, Township 32 South, Range 14 East which consists of Lot 1, Lot 2 and the East half of the Southwest quarter (APN: 047-071-026 portion).

November 3, 1891 – Book F of Patents, Page 543 recorded November 28, 1896 – Government patent to Sarah E. Bateman. Includes portion of APN: 047-071-028 and a portion of APNs: 047-071-013 and 047-071-014. It consists of Lot 3, Lot 4 and the Southeast quarter of the Northwest quarter of Section 30, Township 32 South, Range 14 East.

January 29, 1900 – Book 46 of Deeds, Pages 380-381 recorded February 26, 1900 – Indenture (i.e., deed) from Sarah E. Bateman to Ernest B. Ketchum. Includes portion of APNs: 047-071-013 and 047-071-014. It is historical Lot 3 of Section 30, Township 32 South, Range 14 East.

This deed leaves Lot 4 and the Southeast quarter of the Northwest quarter of Section 30 as a legal remainder parcel in 1900 (portion of APN: 047-071-028).

September 29, 1903 – Book 61 of Deeds, Pages 634-635 recorded October 14, 1903 – Indenture (i.e., deed) from S. E. Bateman to O. M. Pence. Includes portion of APN: 047-071-028 which consists of historical Lot 4 and the Southeast quarter of the Northwest quarter of Section 30, Township 32 South, Range 14 East.

May 8, 1905 – Book 66 of Deeds, Pages 625-626 recorded June 24, 1905 – Indenture (i.e., deed) from Patrick Moore to A. Donovan. Consists of numerous properties which includes the Southwest quarter of Section 30, Township 32 South, Range 14 East which consists of Lot 1, Lot 2 and the East half of the Southwest quarter (APN: 047-071-026 portion).

September 29, 1906 – Book 72 of Deeds, Pages 296-297 recorded October 4, 1906 – Indenture (i.e., deed) from O. M. Pence to F. G. Cantelo. Includes portion of APN: 047-071-028 which consists of historical Lot 4 and the Southeast quarter of the Northwest quarter of Section 30, Township 32 South, Range 14 East excepting the most Westerly 20 acres thereof.

APPLICATION: **CONDITIONAL CERTIFICATE OF COMPLIANCE,
SUB2014-00050 (C15-0030) (APN: 047-071-028 Portion)**

**PROJECT
HISTORY:** (continued – Page 5)

December 28, 1908 – Book 79 of Deeds, Page 566 recorded January 16, 1909
– Indenture (i.e., deed) from O. M. Pence to F. G. Cantelo. Includes portion of
APN: 047-071-028 which consists of the most Westerly 20 acres of historical Lot
4 and the Southeast quarter of the Northwest quarter of Section 30, Township 32
South, Range 14 East. The deed states that “This deed conveys the land reserved
and excepted in a deed made by Grantor to Grantee dated Sept. 29th, 1906 and
recorded in Vol. 72 of Deeds at page 296, San Luis Obispo County Records.”

**March 28, 1910 – Book 85 of Deeds, Pages 595-596 recorded October 22,
1910** – Indenture (i.e., deed) from F. G. Cantelo to Earl O. Cook. Includes
portion of APN: 047-071-028 which consists of historical Lot 4 and the
Southeast quarter of the Northwest quarter of Section 30, Township 32 South,
Range 14 East.

**October 7, 1910 – Book 85 of Deeds, Pages 596-597 recorded October 22,
1910** – Indenture (i.e., deed) from Earl O. Cook et ux to John A. Jernigan.
Includes portion of APN: 047-071-028 which consists of historical Lot 4 and the
Southeast quarter of the Northeast quarter of Section 30, Township 32 South,
Range 14 East. This deed noted the Northeast quarter of Section 30 in error. It
should have been the Northwest quarter which is later corrected by a correcting
deed in Book 88 of Deeds, Pages 75-76 noted below.

April 1, 1911 – Book 88 of Deeds, Pages 75-76 recorded April 5, 1911 –
Indenture (i.e., deed) from Earl O. Cook to John A. Jernigan. Includes portion of
APN: 047-071-028 which consists of historical Lot 4 and the Southeast quarter of
the Northwest quarter of Section 30, Township 32 South, Range 14 East. The
deed states that “This deed is made for the purpose of correcting the description
in the deed of Earl O. Cook and Kittie B. Cook, his wife, to John A. Jernigan,
dated October 7, 1910, and recorded October 22, 1910, in Volume 85 of Deeds,
Page 596, San Luis Obispo County Records.”

**April 5, 1911 – Book 90 of Deeds, Pages 127-128 recorded September 20,
1911** – Indenture (i.e., deed) from John A. Jernigan to Claude Buss. Includes
portion of APN: 047-071-028 which consists of historical Lot 4 and the
Southeast quarter of the Northwest quarter of Section 30, Township 32 South,
Range 14 East.

**February 8, 1943 – Volume 337 of Official Records, Pages 112-113 recorded
March 2, 1943** – Joint Tenancy Deed from Claude Buss, et ux. to Delmer L.
Sights and Mary A. Sights (1/2 interest) and Laron A. Wilson and Mary S.
Wilson (1/2 interest). Includes portion of APN: 047-071-028 which consists of
historical Lot 4 and the Southeast quarter of the Northwest quarter of Section 30,
Township 32 South, Range 14 East as well as all of APN: 047-071-009.

APPLICATION: **CONDITIONAL CERTIFICATE OF COMPLIANCE,
SUB2014-00050 (C15-0030) (APN: 047-071-028 Portion)**

**PROJECT
HISTORY:** (continued – Page 6)

September 4, 1944 – Volume 366 of Official Records, Pages 207-208 recorded September 6, 1944 – Quitclaim Deed from Laron A. Wilson, et ux. to Delmer L. Sights, et ux. Includes portion of APN: 047-071-028 which consists of historical Lot 4 and the Southeast quarter of the Northwest quarter of Section 30, Township 32 South, Range 14 East as well as all of APN: 047-071-009.

October 22, 1954 – Volume 779 of Official Records, Page 13 recorded November 12, 1954 – Joint Tenancy Grant Deed from Delmer L. Sights and Mary A. Sights to Cecil G. Evans and Alma Evans. Includes portion of APN: 047-071-028 which consists of historical Lot 4 and the Southeast quarter of the Northwest quarter of Section 30, Township 32 South, Range 14 East.

February 3, 1955 – Volume 790 of Official Records, Page 301 recorded February 7, 1955 – Joint Tenancy Grant Deed from Cecil G. Evans and Alma Evans to Frank A. Reed and Nina Lee Reed. Includes portion of APN: 047-071-028 which consists of historical Lot 4 and the Southeast quarter of the Northwest quarter of Section 30, Township 32 South, Range 14 East.

May 10, 1960 – Volume 1071 of Official Records, Page 96 recorded June 27, 1960 – Joint Tenancy Grant Deed from Frank A. Reed and Nina Lee Reed to Earl B. Ashby and Dorothy E. Ashby. Includes portion of APN: 047-071-028 which consists of historical Lot 4 and the Southeast quarter of the Northwest quarter of Section 30, Township 32 South, Range 14 East.

March 26, 1962 – Volume 1176 of Official Records, Pages 354-363 recorded April 2, 1962 – Judgment Settling Second Account Current and Report of Administration and Allowance on Account of Statutory Attorney's Fees and Judgment and Decree of Preliminary Distribution. In the matter of the estate of Agnes Donovan, deceased. Distributed to:

John A. Williams (1/8 interest),
Estate of Bessie Shipsey, deceased, Dorothy Ford, Janet Rowan, William P. Adam, John F. Adam and Kenneth Adam (7/24 interest),
Irene Heinz, Alberta Salzbrenner and John A. Donovan (7/24 interest)
Estates of Carl F. Williams, deceased, and William P. Williams, deceased (14/72 interest),
Ernestine Mae Nightingale, Robert Williams, Jerry Williams and Sherill Williams (7/72 interest).

Consists of numerous properties which includes the Southwest quarter of Section 30, Township 32 South, Range 14 East which consists of Lot 1, Lot 2 and the East half of the Southwest quarter (APN: 047-071-026 portion).

Subsequent intervening deeds occurred for this property changing out individual owners. Not all of these deeds are listed below. The deeds that are listed pertain to the conveyance to the current multiple owners of this property. Multiple owners still own this property.

APPLICATION: **CONDITIONAL CERTIFICATE OF COMPLIANCE,
SUB2014-00050 (C15-0030) (APN: 047-071-028 Portion)**

**PROJECT
HISTORY:** (continued – Page 7)

**July 10, 1965 – Volume 1358 of Official Records, Pages 535-536 recorded
July 15, 1965 –** Quitclaim Deed from Earl B. Ashby to Dorothy E. Ashby.
Includes portion of APN: 047-071-028 which consists of historical Lot 4 and the
Southeast quarter of the Northwest quarter of Section 30, Township 32 South,
Range 14 East. Dorothy E. Ashby acquires interest in the property as her sole
and separate property.

**September 17, 1971 – Volume 1633 of Official Records, Pages 181-191
recorded September 17, 1971 –** Judgment Settling First and Final Account and
Report of Executor and Petition for Settlement Thereof, in the matter of estate of
Dorothy E. Ashby, deceased. Distributed to Jill Ashby Warren and Earl Braxton
Ashby, Jr.. Includes portion of APN: 047-071-028 which consists of historical
Lot 4 and the Southeast quarter of the Northwest quarter of Section 30, Township
32 South, Range 14 East.

**September 20, 1971 – Volume 1633 of Official Records, Pages 192-193
recorded September 21, 1971 –** Grant Deed from Jill Warren and Earl Ashby,
who acquired title as Jill Ashby Warren and Earl Ashby to Randall Harris and
Shirley Harris. Includes portion of APN: 047-071-028 which consists of
historical Lot 4 and the Southeast quarter of the Northwest quarter of Section 30,
Township 32 South, Range 14 East.

**December 20, 1971 – Volume 1645 of Official Records, Pages 933-941
recorded December 20, 1971 –** Judgment of Final Distribution on Waiver of
Accounting, Estate of William P. Williams, deceased. One third (1/3) interest
distributed to Patrick Williams, Catherine Williams, Thomas Williams, James
Williams, Mary Williams, Regina Williams and Margaret Williams, in equal
shares. Consists of numerous properties which includes the Southwest quarter of
Section 30, Township 32 South, Range 14 East which consists of Lot 1, Lot 2
and the East half of the Southwest quarter (APN: 047-071-026 portion).

**August 29, 1972 – Volume 1686 of Official Records, Pages 744-745 recorded
September 5, 1972 –** Quitclaim Deed from Shirley Ann Harris to Randall Harris.
Includes portion of APN: 047-071-028 which consists of historical Lot 4 and the
Southeast quarter of the Northwest quarter of Section 30, Township 32 South,
Range 14 East. Randall Harris acquires interest in the property as his sole and
separate property.

**October 18, 1972 – Volume 1696 of Official Records, Pages 28-29 recorded
November 8, 1972 –** Grant Deed from Randall Harris to Jill Warren (2/3
interest) and Earl Ashby Jr. (1/3 interest). Includes portion of APN: 047-071-028
which consists of historical Lot 4 and the Southeast quarter of the Northwest
quarter of Section 30, Township 32 South, Range 14 East.

APPLICATION: **CONDITIONAL CERTIFICATE OF COMPLIANCE,
SUB2014-00050 (C15-0030) (APN: 047-071-028 Portion)**

**PROJECT
HISTORY:** (continued – Page 8)

**May 7, 1973 – Volume 1724 of Official Records, Pages 782-800 recorded
May 17, 1973 –** San Luis Obispo County Board of Supervisors Resolution No. 73-245 approving Contract pursuant to the California Land Conservation Act of 1965 to William P. Adam, Jr., et al. Land Conservation Contract for multiple properties and includes the portion of APN: 047-071-028 portion which is approximately 6 acres in size and is located within the North half of the Southwest quarter of Section 30, Township 32 South, Range 14 East. This contract is still valid and active.

**October 17, 1973 – Volume 1750 of Official Records, Pages 930-931
recorded October 29, 1973 –** Joint Tenancy Grant Deed from Jill Warren (2/3 interest) and Earl Ashby Jr. (1/3 interest) to James M. Dunn and Justine Marie Dunn. Includes portion of APN: 047-071-028 which consists of historical Lot 4 and the Southeast quarter of the Northwest quarter of Section 30, Township 32 South, Range 14 East.

**May 28, 1981 – Volume 2331 of Official Records, Pages 986-987 recorded
June 9, 1981 –** Grant Deed from James M. Dunn and Justine Marie Dunn to Richard William Palmer. Includes portion of APN: 047-071-028 which consists of historical Lot 4 and the Southeast quarter of the Northwest quarter of Section 30, Township 32 South, Range 14 East.

**April 4, 1985 – Volume 2696 of Official Records, Pages 985-987 recorded
April 16, 1985 –** Quitclaim Deed from Patricia A. Mahoney and Gerald Mahoney to Patrick Mahoney, Kathleen A. Gates, Michael J. Mahoney, Marilee C. Statom, Colleen M. Mahoney, Gerald T. Mahoney and Daniel M. Mahoney. Consists of numerous properties which includes the Southwest quarter of Section 30, Township 32 South, Range 14 East which consists of Lot 1, Lot 2 and the East half of the Southwest quarter (APN: 047-071-026 portion).

**September 3, 1985 – Volume 2755 of Official Records, Pages 190-191
recorded October 1, 1985 –** Grant Deed from Richard William Palmer to Wendell M. Graven. Includes portion of APN: 047-071-028 which consists of historical Lot 4 and the Southeast quarter of the Northwest quarter of Section 30, Township 32 South, Range 14 East.

**January 28, 1993 – Volume 4035 of Official Records, Pages 80-81 recorded
February 8, 1993 –** Individual Quitclaim Deed from Wendell M. Graven to Wendell M. Graven and Marcia S.W. Graven Trustees of The Graven Family Trust (Established January 28, 1993). Includes portion of APN: 047-071-028 which consists of historical Lot 4 and the Southeast quarter of the Northwest quarter of Section 30, Township 32 South, Range 14 East.

APPLICATION: **CONDITIONAL CERTIFICATE OF COMPLIANCE,
SUB2014-00050 (C15-0030) (APN: 047-071-028 Portion)**

**PROJECT
HISTORY:** (continued – Page 9)

January 4, 2000 – Document No. 2000-002110 recorded January 13, 2000 – Certificate of Declaration of Trust and Affidavit – Death of Trustee. Wendell M. Graven died on October 4, 1999 and Marcia S.W. Graven is the sole current beneficiary of the Trust. Includes portion of APN: 047-071-028 which consists of historical Lot 4 and the Southeast quarter of the Northwest quarter of Section 30, Township 32 South, Range 14 East.

November 16, 2001 – Document No. 2001-090647 recorded November 26, 2001 – Grant Deed from Mary Von Achen, Trustee of the Mary Von Achen Trust (1/21st interest) to Billita Corporation. Consists of numerous properties which includes the Southwest quarter of Section 30, Township 32 South, Range 14 East which consists of Lot 1, Lot 2 and the East half of the Southwest quarter (APN: 047-071-026 portion).

November 16, 2001 – Document No. 2001-090649 recorded November 26, 2001 – Grant Deed from Thomas Williams (1/21st interest) to Billita Corporation. Consists of numerous properties which includes the Southwest quarter of Section 30, Township 32 South, Range 14 East which consists of Lot 1, Lot 2 and the East half of the Southwest quarter (APN: 047-071-026 portion).

November 16, 2001 – Document No. 2001-090651 recorded November 26, 2001 – Grant Deed from Gerald C.F. Kolb and Catherine T. Kolb (1/21st interest) to Billita Corporation. Consists of numerous properties which includes the Southwest quarter of Section 30, Township 32 South, Range 14 East which consists of Lot 1, Lot 2 and the East half of the Southwest quarter (APN: 047-071-026 portion).

November 16, 2001 – Document No. 2001-090653 recorded November 26, 2001 – Grant Deed from James F. Williams and Peggy Jo Williams, Trustees of the James F. Williams Revocable Trust Agreement (1/21st interest) to Billita Corporation. Consists of numerous properties which includes the Southwest quarter of Section 30, Township 32 South, Range 14 East which consists of Lot 1, Lot 2 and the East half of the Southwest quarter (APN: 047-071-026 portion).

November 16, 2001 – Document No. 2001-090655 recorded November 26, 2001 – Grant Deed from Margaret E. Moynihan and Robert W. Moynihan, Trustees under the Margaret E. Moynihan Living Trust (1/21st interest) to Billita Corporation. Consists of numerous properties which includes the Southwest quarter of Section 30, Township 32 South, Range 14 East which consists of Lot 1, Lot 2 and the East half of the Southwest quarter (APN: 047-071-026 portion).

November 16, 2001 – Document No. 2001-090656 recorded November 26, 2001 – Grant Deed from Patrick C. Williams and Nancy J. Williams, Trustees of the Williams Family Trust (1/21st interest) to Billita Corporation. Consists of numerous properties which includes the Southwest quarter of Section 30, Township 32 South, Range 14 East which consists of Lot 1, Lot 2 and the East half of the Southwest quarter (APN: 047-071-026 portion).

APPLICATION: **CONDITIONAL CERTIFICATE OF COMPLIANCE,
SUB2014-00050 (C15-0030) (APN: 047-071-028 Portion)**

**PROJECT
HISTORY:** **(continued – Page 10)**

April 19, 2002 – Document No. 2002-034464 recorded April 25, 2002 – Grant Deed from Marcia S.W. Graven, as Trustee of Trust A of the Graven Family Trust dated January 28, 1993 and Marcia S.W. Graven, as Trustee of Trust B of the Graven Family Trust dated January 28, 2002 to Kenneth R. Nelson and Maria T. Nelson, as Trustees of the Kenneth and Maria Nelson Revocable Trust, dated April 14, 2000. Includes portion of APN: 047-071-028 which consists of historical Lot 4 and the Southeast quarter of the Northwest quarter of Section 30, Township 32 South, Range 14 East.

July 6, 2005 – Document No. 2005-057495 recorded July 14, 2005 – Trust Transfer Deed from Charles W. Adam (1/18th interest) to Charles W. Adam and Cindy K. Adam, Trustees of The CCA Family 2005 Revocable Trust. Consists of numerous properties which includes the Southwest quarter of Section 30, Township 32 South, Range 14 East which consists of Lot 1, Lot 2 and the East half of the Southwest quarter (APN: 047-071-026 portion).

July 30, 2004 – Document No. 2006-023296 recorded April 4, 2006 – Stipulated Judgment – Kenneth R. and Maria T. Nelson as Trustees of the Kenneth and Maria Nelson Revocable Trust dated April 14, 2000, Plaintiffs, v. Billita Corporation, et al., Defendants. The court concluded “That Plaintiffs are the owners in fee simple of the property designated in the First Amendment Complaint as the Improved Area...”. Includes the portion of APN: 047-071-028 portion which is approximately 6 acres in size and is located within the North half of the Southwest quarter of Section 30, Township 32 South, Range 14 East.

September 21, 2004 – Document No. 2006-023297 recorded April 4, 2006 – Default Judgment by Court – Kenneth R. and Maria T. Nelson as Trustees of the Kenneth and Maria Nelson Revocable Trust dated April 14, 2000, Plaintiffs, v. Billita Corporation, et al., Defendants. The court concluded “...title to the real property, described in the legal description for the Improved Area attached hereto as Exhibit “A”, is held by the Trust in exclusive ownership in fee simple and with an immediate right to possession...”. Includes the portion of APN: 047-071-028 portion which is approximately 6 acres in size and is located within the North half of the Southwest quarter of Section 30, Township 32 South, Range 14 East.

Coordination with County Counsel has concluded the following: Since Courts cannot adjust boundary lines of property between property owners, but only settle disputes, it is then up to the property owners to apply to the County of approval of a Lot Line Adjustment to carry out any decision of the Court. A Lot Line Adjustment was never applied for after the court action. The court action stipulated that the 6 acre property was owned by the applicant, Kenneth Nelson.

APPLICATION: **CONDITIONAL CERTIFICATE OF COMPLIANCE,
SUB2014-00050 (C15-0030) (APN: 047-071-028 Portion)**

**PROJECT
HISTORY:** (continued – Page 11)

This was a violation of the County's Lot Division Ordinance and State Subdivision Map Act because parcels more than three acres but less than forty acres could not be created after February 17, 1966 (Lot Division Ordinance) without first having a subdivision approved by the County Subdivision Review Board. A map was required to be approved to create parcels at that time, therefore the parcel was not legally created.

September 12, 2006 – Document No. 2006-072362 recorded October 12, 2006 – Quitclaim Deed from William P. Adam, Jr., Georgiana Adam, and William P. Adam III, as trustees of the trust for the benefit of William P. Adam, Jr. under the will of Pauline N. Adam, deceased (1/6 interest) to Picacho Ranch, LLC. Consists of numerous properties which includes the Southwest quarter of Section 30, Township 32 South, Range 14 East which consists of Lot 1, Lot 2 and the East half of the Southwest quarter (APN: 047-071-026 portion).

October 2, 2006 – Document No. 2006-072363 recorded October 12, 2006 – Quitclaim Deed from Jane M. Drenon (1/6 interest) to Picacho Ranch, LLC. Consists of numerous properties which includes the Southwest quarter of Section 30, Township 32 South, Range 14 East which consists of Lot 1, Lot 2 and the East half of the Southwest quarter (APN: 047-071-026 portion).

October 2, 2006 – Document No. 2006-072364 recorded October 12, 2006 – Quitclaim Deed from Cynthia M. Ioimo who acquired title as Cynthia M. Adam (1/18 interest) to Picacho Ranch, LLC. Consists of numerous properties which includes the Southwest quarter of Section 30, Township 32 South, Range 14 East which consists of Lot 1, Lot 2 and the East half of the Southwest quarter (APN: 047-071-026 portion).

October 3, 2006 – Document No. 2006-072365 recorded October 12, 2006 – Quitclaim Deed from Daniel M. Mahoney (1/42 interest) to Picacho Ranch, LLC. Consists of numerous properties which includes the Southwest quarter of Section 30, Township 32 South, Range 14 East which consists of Lot 1, Lot 2 and the East half of the Southwest quarter (APN: 047-071-026 portion).

October 10, 2006 – Document No. 2006-072366 recorded October 12, 2006 – Quitclaim Deed from Steven R. Adam (1/18 interest) to Picacho Ranch, LLC. Consists of numerous properties which includes the Southwest quarter of Section 30, Township 32 South, Range 14 East which consists of Lot 1, Lot 2 and the East half of the Southwest quarter (APN: 047-071-026 portion).

February 5, 2007 – Document No. 2007-036155 recorded May 29, 2007 – Quitclaim Deed from Kathleen A. Gates (1/42 interest) to Picacho Ranch, LLC. Consists of numerous properties which includes the Southwest quarter of Section 30, Township 32 South, Range 14 East which consists of Lot 1, Lot 2 and the East half of the Southwest quarter (APN: 047-071-026 portion).

APPLICATION: **CONDITIONAL CERTIFICATE OF COMPLIANCE,
SUB2014-00050 (C15-0030) (APN: 047-071-028 Portion)**

**PROJECT
HISTORY:** (continued – Page 12)

February 14, 2011 – Document No. 2011-008776 recorded February 18, 2011 – Grant Deed from Kenneth R. Nelson and Maria T. Nelson, as Trustees of the Kenneth and Maria Nelson Revocable Trust, dated April 14, 2000 to Kenneth R. Nelson and Maria T. Nelson, husband and wife as community property with rights of survivorship to Kenneth R. Nelson and Maria T. Nelson, as Trustees of the Kenneth and Maria Nelson Revocable Trust, dated April 14, 2000. Includes portion of APN: 047-071-028 which consists of historical Lot 4 and the Southeast quarter of the Northwest quarter of Section 30, Township 32 South, Range 14 East.

February 14, 2011 – Document No. 2011-008973 recorded February 22, 2011 – Grant Deed from Kenneth R. Nelson and Maria T. Nelson, husband and wife as community property with rights of survivorship to Kenneth R. Nelson and Maria T. Nelson, as Trustees of the Kenneth and Maria Nelson Revocable Trust, dated April 14, 2000. Includes portion of APN: 047-071-028 which consists of historical Lot 4 and the Southeast quarter of the Northwest quarter of Section 30, Township 32 South, Range 14 East.

June 3, 2014 – Document No. 2014-029828 recorded July 24, 2014 – Order for Final Distribution on Waiver of Accounting, Approval of Executor and Attorney Fees and Costs and Approval of a Withhold for Taxes, Patrick Gerald Mahoney, deceased. 2.381% interest distributed to Michael J. Mahoney, Kathleen A. Gates, Gerald J. Mahoney, Daniel M. Mahoney, Colleen M. Best and Marilee C. Mahoney-Statom in equal shares. Consists of numerous properties which includes the Southwest quarter of Section 30, Township 32 South, Range 14 East which consists of Lot 1, Lot 2 and the East half of the Southwest quarter (APN: 047-071-026 portion).

February 5, 2015 – Document No. 2015-005649 recorded February 10, 2015 – Trust Transfer Deed from Roger A. Gates and Kathleen A. Gates to Roger A. Gates and Kathleen A. Gates, as Trustees of the Roger and Kathy Gates Family Trust. Consists of numerous properties which includes the Southwest quarter of Section 30, Township 32 South, Range 14 East which consists of Lot 1, Lot 2 and the East half of the Southwest quarter (APN: 047-071-026 portion).