

QS BUENA VISTA, LLC

RESOLUTION NO. _____

RESOLUTION ESTABLISHING AGRICULTURAL PRESERVE

WHEREAS, an application has been filed establishing an agricultural preserve within the meaning of the California Land Conservation Act of 1965 with respect to the following described property: (Either Assessor's parcel number (s) or legal description):

APN: 022-030-012 - See attached legal description

WHEREAS, a public hearing has been had upon such application in the manner prescribed by the said Act. NOW THEREFORE, IT IS HEREBY RESOLVED as follows:

1. That the said land meets the requirements prescribed for eligibility for an agricultural preserve.
2. That the said land is hereby designated and established as an agricultural preserve within the meaning of and pursuant to the California Land Conservation Act of 1965 and shall be known as Preserve No. _____
3. That the compatible uses authorized for such preserve are those set forth in Chapter 19.01, Article II "Agricultural Preserves" of the San Benito County Code heretofore adopted by this Board.
4. The Chairman of the Board is hereby authorized to execute on behalf of the County of San Benito, a Land Conservation Contract with the owner of the lands within the agricultural preserve created hereby.

Passed and adopted by the Board of Supervisors of the County of San Benito, State of California, this ___ day of _____, 20_____, by the following vote:

AYES: Supervisors:
 NOES: Supervisors:
 ABSENT: Supervisors:

Chairman of said Board

ATTEST:

Clerk of said Board

By: _____
Deputy Clerk of the said Board

APPROVED AS TO LEGAL FORM
 SAN BENITO COUNTY COUNSEL
Shirley L. Murphy 7/22/20

 DEPUTY COUNTY COUNSEL DATE

Exhibit A
Property Description

QS Buena Vista, LLC (LCA #6)
Legal Description

PARCEL MRM QS 7

All of Lot 2 of Lot Line Adjustment No. 09-536 in the County of San Benito, State of California, recorded September 24, 2010 as Instrument No. 2010-0008742 in the Office of the County Recorder of said County also being described as follows:

The Basis of Bearings for this Legal Description is the California Coordinate System, Zone 4 NAD 83 (Epoch 2002) as determined locally by a line between Continuous Operating Reference Stations (CORS) LNC1 (Lincoln 1) and PPT5 (Pigeon Point 5) being south 28°04'42" west as derived from geodetic values published by the California Spatial Reference Center (CSRC) and/or National Geodetic Survey (NGS), respectively.

Distances shown hereon are grid unless otherwise noted. To obtain ground distances multiply distances by 1.00013807794.

That portion of Parcel 4 of Lot Line Adjustment 08-524 in the County of San Benito, State of California, recorded December 23, 2008 as Instrument No. 2008-0012022 in the office of the County Recorder of said County lying westerly of the following described line:

Commencing at the northeast corner of the Rancho Quien Sabe, being Corner Q.S. 22, marked by a found United States General Land Office (GLO) Survey 2 ½" brass cap in a 2 inch iron pipe, according to the plat of the dependent resurvey of said Rancho, dated April 12, 1932, filed in the District Land Office, from which a found GLO 2 ½" brass cap in a 2 inch iron pipe marking the corner common to Sections 13 and 24, Township 13 South Range 7 East and Sections 18 and 19, Township 13 South Range 8 East as shown on said dependent resurvey bears, south 24°01'53" east 38,023.60 feet [south 25°21'25" east 38,019.13 feet (reduced to grid) calculated from data per said dependent resurvey] also shown on a Record of Survey filed in Book 15 of Maps at page 4 in the Office of the County Recorder of said County;

Thence south 04°29'59" east 19,718.91 feet distant to a ¾" galvanized iron pipe with aluminum cap LS 6964 per said record of survey, marking the west terminus of a course in the northerly line of said Parcel 4;

Thence along said course south 89°58'06" east 1,948.11 feet distant to the east terminus of said course marked by a ¾" galvanized iron pipe with aluminum cap LS 6964 and the **True Point of Beginning**;

Thence south 49°31'06" east 824.48 feet;

Thence south 09°37'48" east 1226.16 feet;

Thence south 88°18'59" east 532.58 feet;

Thence south 45°00'52" east 664.11 feet;

Thence south 02°54'46" east 924.50 feet;

Thence south 44°13'47" east 808.08 feet;

Thence south 25°20'08" west 1939.25 feet;

Thence south 08°31'23" west 2223.08 feet to a ¾" galvanized iron pipe with aluminum cap LS 6964;

Thence south 85°43'28" east 2193.29 feet to a ¾" galvanized iron pipe with aluminum cap LS 6964 which bears south 14°12'56" east 28,374.44 feet from said Corner Q.S.22 and is in the center of a **ranch-road** coursing northeasterly-southwesterly;

Thence along said road the following 10 courses:

(1) south 04°26'16" west 156.47 feet to the beginning of a curve concave to the northwest having a radius of 90.00 feet;

Thence southwesterly along the arc of said curve through a central angle of 62°26'10" a distance of 98.07 feet;

Thence south 66°52'26" west 66.43 feet to the beginning of a curve concave to the southeast having a radius of 200.00 feet;

Thence southwesterly along the arc of said curve through a central angle of 45°25'55" a distance of 158.59 feet;

(5) Thence south 21°26'31" west 490.62 feet;

Thence south 22°33'33" west 199.77 feet to the beginning of a curve concave to the northwest having a radius of 550.00 feet;

Thence southwesterly along the arc of said curve through a central angle of 50°11'12" a distance of 481.76 feet;

Thence south 72°44'45" west 255.36 feet to the beginning of a curve concave to the southeast having a radius of 675.00 feet;

Thence southwesterly along the arc of said curve through a central angle of 27°15'35" a distance of 321.15 feet;

(10) Thence south 45°29'10" west 216.78 feet to a ¾" galvanized iron pipe with aluminum cap LS 6964;

Thence south 05°52'25" west 1540.63 feet;

Thence south 02°05'59" east 2054.29 feet to a ¾" galvanized iron pipe with aluminum cap LS 6964;

Thence south 25°04'20" east 1778.40 feet to a ¾" galvanized iron pipe with aluminum cap LS 6964;

Thence north 88°48'57" east 6271.95 feet to a point which bears south 05°18'24" east 1,226.83 feet from a ¾" galvanized iron pipe with aluminum cap LS 6964;

Thence south 05°18'24" east 4,040.88 feet;

Thence south 01°14'13" west 5,784.34 feet to a ¾" galvanized iron pipe with aluminum cap LS 6964;

Thence south 24°18'56" west 2,830.56 feet;

Thence south 16°00'24" west 3,255.61 feet to a cotton spindle and stainless steel disc marked LS 6964 in the center of the existing pavement of Santa Anita Road, County Road No. 74 and to the beginning of a curve concave to the southwest having a radius of 390.00 feet, and to which beginning the center of said curve bears south 19°13'05" west;

Thence along the center of said road southeasterly along the arc of said curve through a central angle of 10°15'38" a distance of 69.84 feet to the beginning of a compound curve concave to the southwest having a radius of 310.00 feet;

Thence along the center of said road southeasterly along the arc of said curve through a central angle of 32°51'16" a distance of 177.76 feet;

Thence along the center of said road south 27°40'01" east 98.80 feet to the beginning of a curve concave to the northeast having a radius of 415.00 feet;

Thence along the center of said road southeasterly along the arc of said curve through a central angle of 04°47'29" a distance of 34.70 feet more or less to the south line of said Parcel 4 of Lot Line Adjustment 08-524.

Containing 8,350 acres more or less.

APN 022-030-012

End of Legal Description

**SAN BENITO COUNTY
LAND CONSERVATION CONTRACT**

THIS CONTRACT made and entered into this _____ day of _____, 20 20,
by and between QS Buena Vista, LLC, a California limited liability company

_____, hereinafter referred to as "Owner (s)", and the COUNTY OF SAN BENITO, a political subdivision of the State of California, hereinafter referred to as "County":

WITNESSETH:

The purpose of this contract is to qualify the land subject hereto for land assessment purposes as provided in the Land Conservation Act of 1965, as amended, as said Act existed at the time of execution of this contract.

WHEREAS, OWNER possesses certain real property located within County, which property is presently devoted to agricultural use and is described as follows:
(Either Assessor's parcel number (s) or legal description)
APN: 022-030-012 - See attached legal description

WHEREAS, said property is situated within an agricultural preserve heretofore established by County as Preserve No _____, and,

WHEREAS, both Owner and County desire to limit the use of said property to agricultural and compatible uses in order to discourage premature and unnecessary conversion of such land to urban use, recognize that such land has substantial value to the public as open space and the preservation of such land in such use constitutes an important physical, social, esthetic, and economic asset to County,

Now, therefore, the parties, in consideration of the mutual covenants and conditions set forth herein and the substantial public benefits to be derived therefrom, do hereby agree as follows:

1. The within Contract is made and entered into pursuant to the Land Conservation Act of 1965, as amended at the time of execution of this Contract, and is subject to the applicable provisions thereof.
2. During the term of this Contract the above described land shall not be used for any purpose, other than agricultural and compatible uses. No structures shall be erected upon said land except such structures as may be directly related to and compatible with allowed uses hereunder.
3. If any action in eminent domain for the condemnation of any land described herein is hereafter filed, or any portion of the property is acquired in lieu of condemnation, the provisions of Sections 51290-51295 of the California Government Code shall apply.
4. This contract shall be effective commencing on the 31st day of December, 20____ and shall remain in effect for an initial period of ten (10) years therefrom. Each year, on the anniversary date of this Contract, one year shall be automatically added to the initial term, unless notice of non-renewal is given as provided in Section 51245 of the California Government Code.

5. Owner shall not receive any payment from County in consideration of the obligations imposed hereunder, inasmuch as the parties recognize and agree that the consideration for the execution of the within Contract is the substantial public benefit to be derived therefrom and the advantage which will accrue to Owner as a result of the method of calculating the assessed value of the subject land due to the restrictions placed thereon.

6. This contract may not be cancelled except in the manner provided in Sections 51280 through 51287 of the Government Code of California.

7. The within contract shall run with the land described herein and shall be binding upon the heirs, successors, and assigns of the parties hereto.

8. In the event the land under this contract is divided, a contract identical to the contract then covering said land shall be executed by the Owner (s) of each parcel created by the division at the time of the division. Any such division shall be made only upon approval of County and upon condition that each parcel after division meets the requirements for an agricultural preserve. County shall require, as a condition of the approval, the execution of the contracts provided for in this paragraph.

IN WITNESS WHEREOF, the parties hereto have executed the within Agreement the day and year first above written.

OWNERS SIGNATURE

Milton J. French

NAME (TYPEWRITTEN)

AMJ Hollister Management, LLC,

a Delaware limited liability company, Manager
By: Milton J. French, Manager

NOTE: Each Signature Must Be Notarized

COUNTY OF SAN BENITO

By _____
Chairman of the Board of
Supervisors of said County.

ATTEST:

Clerk of said Board

BY: _____
Deputy Clerk of the said Board

APPROVED AS TO LEGAL FORM
SAN BENITO COUNTY COUNSEL

Shirley J. Murphy 7/22/20
DEPUTY COUNTY COUNSEL DATE

(attach acknowledgements)

ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California
County of San Benito)

On April 20th, 2020 before me, Raquel Pryor, Notary Public
(insert name and title of the officer)

personally appeared Milton French,
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  (Seal)

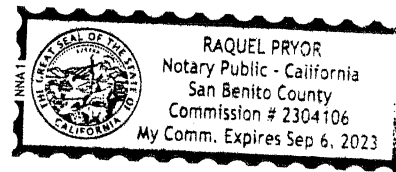


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