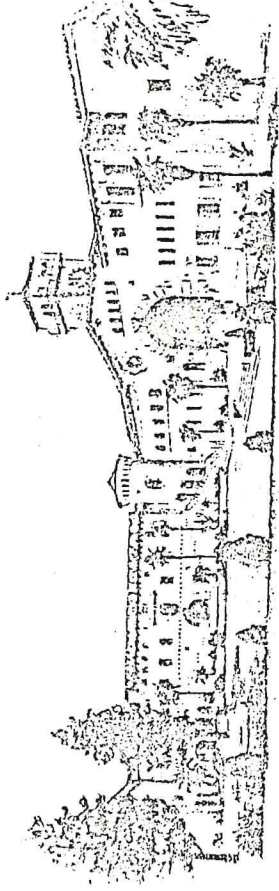


OFFICE OF THE
COUNTY COUNSEL
SANTA BARBARA COUNTY

KENNETH L. NELSON
County Counsel

105 East Anapamu Street
Santa Barbara, CA 93101
Telephone 966-1611



April 27, 1981

Honorable Board of Supervisors
County Administration Building
Santa Barbara, California 93101

Re: Tract 12679, Orcutt Area
Santa Barbara County, California

Dear Supervisors:

Attached is a duly executed Grant Deed of Development Rights for the subject property. We have reviewed the deed and find it satisfactory.

This deed ensures that the property can be used by the developer (or homeowners association) only for recreational or park purposes.

It can also be used for oil exploration and extraction but only in certain specific sites and as approved by the County.

We recommend acceptance of the deed by your Board. We will be pleased to discuss this matter in greater detail at your request.

Very truly yours,

John M. Cohan
Deputy County Counsel

JMC:L

San F. 5-11-81
to REC

#21
#784
6063

COSPE CORPORATION

647 Camino de Los Mares, Suite 200
San Clemente, California 92672
(714) 496-0065

4-27-81
6063
6063

April 21, 1981

Mr. John Cohan
Office of County Counsel
105 E. Amapamu
Santa Barbara, CA. 93101

Re: Tract 12679, Orcutt Area
Santa Barbara County, California

Dear Jack:

Enclosed is a duly executed Grant Deed of Development Rights in connection with the above-referenced property. Please sign the document on behalf of the County Counsel's Office and then please see that it is presented to the Board of Supervisors for signature by the Chairman of the Board.

The hearing to approve our final tract map takes place on Monday, April 27, 1981.

Very truly yours,



HUNTER WILSON
Vice President

HW/ns

Enc.

cc: file

WHEN RECORDED, MAIL TO:

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OFFICIAL RECORDS
SANTA BARBARA CO., CALIF.
HOWARD C. MENZEL
CLERK-RECORDER

OFFICIAL RECORDS
SANTA BARBARA CO., CALIF.
HOWARD C. MENZEL
CLERK-RECORDER

8/03/81 .00NSTD

ate: recording requested by and when recorded return to

Grantor Declares Consideration Less than \$100.00.

NO FEE PER GOV. CODE 6103

CLERK OF THE BOARD

Katharine L. Guzman

GRANT DEED OF DEVELOPMENT RIGHTS

5/04/81 .00NS

In order to establish and preserve the open space character

and the noncommercial recreational use of the real property herein-
after described (the "Property") and in satisfaction of Condition
6 of the conditions of approval of Tract 12679, as approved by the
Board of Supervisors of Santa Barbara County on July 16, 1979, SPE
Corporation, a California corporation ("Grantor") hereby conveys
and grants to the County of Santa Barbara ("Grantee") all rights
to develop or use the Property, EXCEPTING AND RESERVING, however,
to Grantor, its successors or assigns, the exclusive right to develop,
use, and maintain the Property for open space and noncommercial
recreational purposes, including without limitation landscaping,
walkways, patios, barbeque pits, horseshoe pits, bicycle paths,
putting greens, tennis courts, handball courts, volleyball courts,
basketball courts, baseball fields, swimming pools, driveways,
private roads, restrooms, and any other related or similar open
space or noncommercial recreational uses, together with (i) the
right to install and use all underground utilities, including water,
sewer, gas, electric, cable TV, and telephone, and the right to grant
all easements needful therefor, including the granting of the right
to any utility company or service district to construct and/or
maintain its equipment and underground services thereon, (ii) the
right to grant easements and/or title to any municipal, county,
state, or federal agency for the purpose of public roads, and (iii)
the right to construct buildings and facilities appropriate for
the excepted and reserved rights.

FURTHER EXCEPTING AND RESERVING, however, to Grantor, its
successors, transferees, lessees, or assigns, the exclusive right
to develop, use and maintain for natural resources recovery purposes,

✓ This document is being re-recorded to show the book and page of the map of Tract #12679 which was inadvertently left off.

including the exploration, drilling, and extraction of minerals, hydrocarbons and oil, of that portion of the Property now or hereafter approved by the County of Santa Barbara as natural resources recovery sites, provided, however, that any and all exploration, drilling and extraction conducted on such sites shall conform to the Oil Drilling Combining Regulations of Zoning Ordinance 661, and all amendments thereto, and shall also conform to all conditions and restrictions imposed on the development or use of such natural resource recovery sites by the County of Santa Barbara, and provided further, that if any such natural resource recovery site shall be or become non-productive and no longer used for the exploration, drilling or extracting of minerals, hydrocarbons or oil, the same shall become part of the Property to be there-
after developed, used or maintained for open space and noncommercial recreational purposes, subject to all of the reservations (excepting the natural resource recovery reservations), terms and conditions hereof.

In the event there shall be a taking of the entire Property or any portion thereof under the power of eminent domain by any agency, authority, or public utility, including the County of Santa Barbara, all rights conveyed hereunder to Grantee shall terminate and automatically revert to Grantor, its successors or assigns, as to the property taken as of the date upon which title to the property taken passes to and vests in the condemnor. As used hereinabove, the term "taking" shall include a voluntary conveyance by Grantor, its successors or assigns, to an agency, authority, or public utility, including the County of Santa Barbara under threat of a taking under the power of eminent domain in lieu of formal proceedings.

If Grantee shall abandon, convey, transfer, or otherwise release any or all of its rights hereunder, the rights so abandoned, conveyed, transferred, or released shall terminate and automatically revert to the Grantor, its successors or assigns.

Nothing contained herein shall be construed as a grant or other conveyance to Grantee or any other party, including without

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limitation the public, of the fee simple interest in the Property or any portion thereof, and Grantor expressly reserves to itself and its successors or assigns such fee simple interest and said other rights and the right to convey to any person or entity such fee simple interest and said other rights to all or any portion of the Property, subject to the rights of the Grantee herein. It is understood that this grant of development rights is intended only to preclude the development, use, and maintenance of the Property by Grantor, its successors or assigns, for any purpose other than those permitted hereunder.

The real property above referred to as the "Property" is more particularly described as Lot 197 of Tract 12679, Unit 1 as recorded in Book 121 of Maps at Pages 13 through 19, Official Records of the Recorder of the County of Santa Barbara, State of California.

Dated: April 21, 1981

GRANTOR:

SPE CORPORATION a California corporation,

By: *Robert J. Krause*
Robert J. Krause, President

By: *Hunter Wilson*
Hunter Wilson, Secretary

Approved as to form:

KENNETH L. NELSON County Counsel

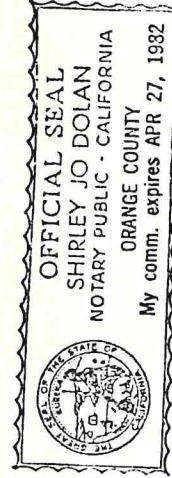
By: *Kenneth L. Nelson*

William B. Sullivan
Chairman of the Board of Supervisors

STATE OF CALIFORNIA)
COUNTY OF ORANGE) ss.

On this 21st day of April, 1981, before me, the undersigned Notary Public in and for said State, personally appeared ROBERT J. KRAUSE, known to me to be the President, and HUNTER WILSON, known to me to be the Secretary of the corporation that executed the within instrument, and acknowledged to me that such corporation executed the same.

WITNESS my hand and official seal.



Shirley Jo Dolan
Shirley Jo Dolan
Notary Public in and for said
County and State.

81-17947

81-31872

SANTA BARBARA COUNTY
CALIFORNIA

MAY 6 2 12 PM '81

RECEIVED
HOWARD C. MENZEL
CLERK
BOARD OF SUPERVISORS
BY _____ DEPUTY

RECEIVED
HOWARD C. MENZEL
CLERK
BOARD OF SUPERVISORS
BY _____ DEPUTY
AUG 5 9 19 AM '81

SANTA BARBARA COUNTY
CALIFORNIA