



SAN LUIS OBISPO COUNTY
DEPARTMENT OF PLANNING AND BUILDING

February 15, 2011

Spence Hinkle
136 Grandview Street
Santa Cruz, CA 95060

SUBJECT: Certificates of Compliance C09-0096, APNs: 074-229-004 and -005

Dear Mr. Hinkle:

In our letter to you dated December 8, 2010 (enclosure) we made our legal status determination regarding your request for two (2) unconditional certificates of compliance. You requested one (1) unconditional certificate of compliance for APN: 074-229-004 and one (1) unconditional certificate of compliance for APN: 074-229-005. In our letter we denied your application for the issuance of two unconditional certificates of compliance as requested, and provided applicable deed/plat history currently on file to support our determination.

We determined that Lots 38 and 39 of the Town of Sunshine Beach (APN: 074-229-005 portion) are both separate legal parcels, based upon deed conveyances, for which an unconditional certificate of compliance can be approved and issued, one for each parcel.

We concluded that the portion of Lot B of a plat of part of Lot 79 of the Rancho Canada de Los Osos, in the County of San Luis Obispo, State of California, according to map subdivided by H.C. Ward in June 1880 and filed for record June 9, 1880 in Book B, Page 72 of Maps (APN: 074-220-004) was not legally created. In addition, we concluded that the portion of Lot 1 of the Town of Sunshine Beach (APN: 074-229-005 portion) was not legally created.

In order to determine whether the two (2) properties, Lot 1 portion (APN: 074-229-005 portion) and Lot 79 portion (APN: 074-229-004) would each qualify for the issuance of a conditional certificate of compliance, our letter noted that it would be necessary for you to complete and submit an "Environmental Description Form" so that we can prepare an initial study and complete a required environmental document for the project before scheduling the matter for hearing before the Subdivision Review Board.

Spence Hinkle

Re: Certificate of Compliance C09-0096, SUB2008-00071 (Corr)

February 15, 2011

You noted in your email of February 4, 2011 that you would like to attend a meeting with planning staff to discuss a possible appeal. I am coordinating with staff to arrange a meeting with you to discuss the project. I will contact you with possible dates and times for the meeting to see what will fit into your schedule.

If you do not agree with this decision which was made of the Director of Planning and Building, you may appeal this determination to the County Board of Supervisors. You must appeal the decision within 14 days from the action date, which is the date of this letter. If you wish to appeal, please submit the request on the appropriate departmental appeal form along with the fee of \$850.00 to the clerk of the Board of Supervisors, with a copy submitted to the planning department.

If you have any questions please contact us.

Sincerely,

A handwritten signature in black ink, appearing to read "John Hofschroer", written over a horizontal line.

John Hofschroer, Supervising Planner
Department of Planning & Building

Enclosure

DEPARTMENT OF PLANNING AND BUILDING



December 8, 2010

Spence Hinkle
136 Grandview Street
Santa Cruz, Ca. 95060

SUBJECT: Certificates of Compliance C09-0096, APNs: 074-229-004 and -005

Dear Mr. Hinkle:

In our letter to you dated January 29, 2010 I noted that I met with our County Counsel to discuss their comments on my preliminary detailed review and analysis that had previously been provided to their office for review and comment. Given the application included information regarding an AG opinion as the basis for a parcel legality determination it is our standard procedure to have County Counsel review and comment on our department analysis.

In your application you requested one unconditional certificate of compliance for APN: 074-229-004 and one unconditional certificate of compliance for APN: 074-229-005. In our January 29 letter to you, based upon the meeting with County Counsel, we requested additional deed history to fully determine how APN: 074-229-005 was separately conveyed away from APN: 074-229-004 so we could complete our legal status determination. We are presuming that at one time one owner owned all of the Townsite of Sunshine Beach and that subsequent deeds conveyed these lots away from APN: 074-229-004. To date, we have not received any requested additional deed history from you. Therefore, we have made our legal status determination based on the deed history currently on file.

Portion of Lot B of a plat of part of Lot 79 of the Rancho Canada de Los Osos, in the County of San Luis Obispo, State of California, according to map subdivided by H.C. Ward in June 1880 and filed for record June 9, 1880 in Book B, Page 72 of Maps; Lots 38 and 39 of the Town of Sunshine Beach (APN: 074-229-005 portion): We have determined that Lot 38 (Book 120 of Deeds, Page 232) and Lot 39 (Book 120 of Deeds, Page 17) are both separate legal parcels for which an unconditional certificate of compliance can be approved and issued, one for each parcel.

Portion of Lot B of a plat of part of Lot 79 of the Rancho Canada de Los Osos, in the County of San Luis Obispo, State of California, according to map subdivided by H.C.

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Ward in June 1880 and filed for record June 9, 1880 in Book B, Page 72 of Maps (APN: 074-220-004): Based upon a parcel size of approximately 8 acres, a pre-1966 deed would establish the legality of the 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; the first time the parcel was deeded out separately was on January 27, 1998 (Doc. No. 1998-034265). Based upon the approximate 8 acre parcel size the parcel size was a violation of the County's Lot Division Ordinance and State Subdivision Map Act because lots of more than 3 acres but less than 40 acres could not be created after February 17, 1966 without first having a subdivision approved by the County Subdivision Review Board (SRB). A map was required to be approved to create parcels after February 17, 1966; therefore the parcel was not legally created.

On June 17, 1957, the Board of Supervisors, County of San Luis Obispo accepted, by resolution, a deed dated April 9, 1957 from Lydia Mickle for certain pieces of real property for the construction and maintenance of a public road right of way and incidents thereto for a public highway over, across and upon certain real property (Ramona Avenue) which is adjacent to APN: 074-220-004. The resolution was recorded in Book 896 of Official Records, Pages 504-506 and the grant deed was recorded in Book 896 of Official Records, Pages 507-508. The definition of "subdivision" in Government Code section 66424 includes a provision that: "Property shall be considered as contiguous units, even if it is separated by roads, streets, utility easement or railroad rights-of-way." Consequently, it is our opinion that County acceptance of a deed for a road, whether it be acceptance of an offer of dedication of a right of way easement (as in this case) or of a fee conveyance, does not divide property. Neither the 1957 deed nor the 1998 conveyance (Doc. No. 1998-034265) legally subdivided the property.

Regarding the portion of Lot B of a plat of part of Lot 79 of the Rancho Canada de Los Osos, in the County of San Luis Obispo, State of California, according to map subdivided by H.C. Ward in June 1880 and filed for record June 9, 1880 in Book B, Page 72 of Maps; Portion of Lot 1 of the Town of Sunshine Beach (APN: 074-229-005 portion), all of Lot 1 was a legal parcel per a 1957 conveyance noted in Book 882 of Official Records, Page 565. Based upon a parcel size less than three (3) acres, a pre-1960 deed would establish the legality of the parcel if the parcel had been conveyed by deed separately from surrounding land prior to October 12, 1960. However, conveyance of a portion of Lot 1 in 1974 (Book 1765 of Official Records, Page 18 (recorded February 13, 1974)) illegally subdivided Lot 1. A map was required to be approved to create parcels after October 12, 1960; therefore the parcel was not legally created.

In conclusion, after reviewing the application and material you submitted, we find there is no basis for determining that the portion of Lot 1 and the portion of Lot 79 (APN: 074-229-004) were ever created as separate legal parcels. Therefore, we are required to

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deny your application for the issuance of two unconditional certificates of compliance for these parcels. We find that Lots 38 and 39 were both legally created and can approve your application for the issuance of two unconditional certificates of compliance for these parcels.

In order to determine whether the two (2) properties, Lot 1 portion and Lot 79 portion (APN: 074-229-004) would each qualify for the issuance of a conditional certificate of compliance, it will be necessary for you to complete and submit the enclosed "Environmental Description Form" so that we can prepare an initial study and complete a required environmental document for the project before scheduling the matter for hearing before the Subdivision Review Board.

Our review and analysis of the applicable deed/plat history is as follows by APN:

November 20, 1917 – 120 Deeds 17 recorded December 1, 1917 – Deed from August J. Halpin and Annie Potter Walker (heirs at law of Miranda T. Halpin) to Walter Thompson Gunderson. Lot 39 in Block 8 of the Townsite of Sunshine Beach as well as some property in Paso Robles area. APN: 074-229-005 Portion.

December 17, 1917 – 120 Deeds 232 recorded January 12, 1918 – Decree of Distribution regarding Miranda Halpin (also known as Miranda T. Halpin), deceased. To Walter Thompson Gunderson – Lot 38 in Block 8 of the Townsite of Sunshine Beach. APN: 074-229-005 Portion.

June 29, 1923 – 162 Deeds 54 recorded July 21, 1923 – Deed from Richard Leland (Tax Collector of the County of SLO) to S.V. Wright. For tax delinquent 1917 taxes Lot 38, Block 8, Town of Sunshine Beach sold. APN: 074-229-005 Portion.

July 3, 1931 – 112 OR 481 recorded July 20, 1931 – Deed from Gurdon R. Allyn and Dora J. Allyn to George A. Neilson as Administrator with the will annexed of the Estate of William Mickle, deceased. APNs: 074-229-004 and -009.

July 27, 1931 – 426 OR 411 recorded November 22, 1946 – Order Settling Final Account and for Distribution under Will in the matter of the Estate of William Mickle, deceased. One-half interest to Lydia Mickle and one-half to be divided among four children named Ralph Mickle, Earl S. Mickle, Lloyd W. Mickle and Gladys W. Mickle. APNs: 074-229-004 and -009.

January 5, 1957 – 880 OR 520 recorded February 15, 1957 – Deed from Ralph Mickle, Earl S. Mickle, Lloyd W. Mickle and Gladys M. Rivers (formerly Gladys M. Mickle) to Lydia Mickle. APNs: 074-229-004 and -009.

February 27, 1957 – 882 OR 565 recorded March 5, 1957 – Deed from Marie Schneider to Evelyn Renwick Drake. Lot 1 in Block 8 of the Townsite of Sunshine Beach. APN: 074-229-005 Portion.

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June 17, 1957 – 896 OR 504 recorded June 24, 1957 – Board of Supervisors, County of San Luis Obispo, Resolution Accepting Grant Deed from Lydia Mickle and the Grant Deed dated April 9, 1957. Construction and maintenance of a public road right of way and incidents thereto for a public highway (Ramona Avenue).

December 19, 1958 – 976 OR 156 recorded January 12, 1959 – Deed from Lydia Mickle to H.E.M. Bumpus (45%), Claranita Burt Hixson (45%) and Dean L. Cottle and Clemma I. Cottle (10%). APNs: 074-229-004 and -009.

October 27, 1961 – 1152 OR 63 recorded October 27, 1961 – Decree of Final Distribution for Samuel V. Wright, also known as S.V. Wright, deceased. Property distributed to widow – Martha E. Wright. Lot 38 in Block 8 of the Town of Sunshine Beach and other non-contiguous properties. APN: 074-229-005 portion.

April 26, 1962 – 1187 OR 210 recorded June 13, 1962 – Deed from Dean L. Cottle and Clemma I. Cottle to Ruby L. Ebrite. APNs: 074-229-004 and -009.

July 2, 1965 – 1356 OR 745 recorded July 3, 1965 – Conveyance sold for nonpayment of tax from the County of SLO (Tax Collector Barrett) to W.T. Gunderson. Lot 39, Block 8, Town of Sunshine Beach. APN: 074-229-005 Portion.

April 15, 1966 – 1393 OR 340, Board Resolution No. 171-66 - County of SLO accepted deeds from the State of CA under a Chapter 8 sale – included Lot 39 of Block 8, Town of Sunshine Beach as well as other non-contiguous properties. APN: 074-229-005 Portion.

June 15, 1972 – 1675 OR 138 recorded June 26, 1972 – Trustee's Deed Upon Sale from Title Insurance and Trust Company, Trustee to Thomas M. Corr and Janice B. Corr. APNs: 074-229-004 and -009.

June 22, 1972 – 1679 OR 134 recorded July 19, 1972 – Deed from H.E.M. Bumpus to Thomas M. Corr and Janice B. Corr. APNs: 074-229-004 and -009. Legal transaction. Thomas M. and Janice B. Corr now own 100% interest in the property.

July 18, 1972 – 1679 OR 132 recorded July 19, 1972 – Deed from Ruby L. Bumpus, wife of H.E.M. Bumpus (who acquired title as Ruby Ebrite) to H.E.M. Bumpus. APNs: 074-229-004 and -009.

January 24, 1973 – 1708 OR 561 recorded February 5, 1973 – Deed from Evelyn Renwick Drake to Thomas M. Corr and Janice B. Corr. Lot 1 in Block 8, Sunshine Beach Tract. APN: 074-229-005 Portion.

November 1, 1973 – 1765 OR 18 recorded February 13, 1974 – Deed from Thomas M. Corr and Janice B. Corr to Morro Palisades Company. Portion of Lot 1 in Block 8 of the Town of Sunshine Beach. APN: 074-229-024 Portion. This was a violation of the County's Lot Division

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Ordinance and State Subdivision Map Act because parcels less than three acres could not be created after October 12, 1960 (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.

April 7, 1975 – 1831 OR 453 recorded May 6, 1975 – Deed from James Wright, Sherman Wright, Quincy Wright and Gerry Trager (also known as Geraldine R. Trager) to Thomas M. Corr and Janice B. Corr. Lot 38 in Block 8 of the Town of Sunshine Beach. APN: 074-229-005 Portion.

August 26, 1976 – 1920 OR 737 recorded September 7, 1976 – Quitclaim Deed from County of SLO to Thomas M. Corr and Janice B. Corr. Conveyance of the County's "...all its right, title and interest in and to the property" as to Lot 39, Block 8, Town of Sunshine Beach. APN: 074-229-005 Portion.

June 22, 1977 – 1993 OR 933 recorded July 11, 1977 – Deed from Morro Palisades Company to Morro Shores Company. Lot 1, Block B, Sunshine Beach Map Book A193. They meant to type Block 8. Corrected in deed, 2013 OR 323 recorded a few months later. APN: 074-229-024 Portion.

June 22, 1977 – 2013 OR 323 recorded September 26, 1977 Deed from Morro Palisades Company to Morro Shores Company – Portion of Lot 1, Block 8 of the town of Sunshine Beach lying westerly of the west line of 8.752 acre parcel shown in 19RS49. APN: 074-229-024 Portion.

December 29, 1983 – 2553 OR 23 recorded December 29, 1983 – Deed of Gift from Thomas Millage Corr and Janice Barbara Corr to Ralph Cornelius Sanson, Jr., Janice Joyce Sanson, Ralph Cornelius Sanson, Jr., as custodian for Beverly Joy Sanson, a minor, Ralph Cornelius Sanson, Jr., as custodian for Rebecca Joy Sanson, a minor, Ralph Cornelius Sanson, Jr., as custodian for David Edward Sanson, a minor (each as to a 1/32 interest). APNs: 074-229-004, -005 and -009. Legal transaction. Note: only a small percentage was conveyed at this time – not the entire interest.

December 29, 1983 – 2553 OR 25 recorded December 29, 1983 – Deed of Gift from Thomas Millage Corr and Janice Barbara Corr to John (NMN) Einarson, Sherry Ann Einarson, Elisa Ann Smith, Donna Kay Einarson, Donald Alan Einarson, John (NMN) Einarson, as custodian for Ray Thomas Einarson, a minor (each as to a 1/32 interest). APNs: 074-229-004, -005 and -009. Note: only a small percentage was conveyed at this time – not the entire interest.

December 29, 1983 – 2553 OR 27 recorded December 29, 1983 – Deed of Gift from Thomas Millage Corr and Janice Barbara Corr to John Patrick Donovan, Kathryn Carrie Donovan, John Patrick Donovan, Jr., John Patrick Donovan, as custodian for Dan Patrick Donovan, a minor and John Patrick Donovan, as custodian for Michael Thomas Donovan, a minor (each as to a 1/32

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interest). APNs: 074-229-004, -005 and -009. Note: only a small percentage was conveyed at this time – not the entire interest.

January 3, 1984 – 2555 OR 504 recorded January 6, 1984 – Deed of Gift from Thomas Millage Corr and Janice Barbara Corr to Ralph Cornelius Sanson, Jr., Janice Joyce Sanson, Ralph Cornelius Sanson, Jr., as custodian for Beverly Joy Sanson, a minor, Ralph Cornelius Sanson, Jr., as custodian for Rebecca Joy Sanson, a minor, Ralph Cornelius Sanson, Jr. as custodian for David Edward Sanson, a minor (each as to a 1/32 interest). APNs: 074-229-004, -005 and -009. Note: only a small percentage was conveyed at this time – not the entire interest.

January 3, 1984 – 2555 OR 506 recorded January 6, 1984 – Deed of Gift from Thomas Millage Corr and Janice Barbara Corr to John Patrick Donovan, Kathryn Carrie Donovan, John Patrick Donovan, Jr., John Patrick Donovan, as custodian for Dan Patrick Donovan, a minor, and John Patrick Donovan, as custodian for Michael Thomas Donovan, a minor (each as to a 1/32 interest). APNs: 074-229-004, -005 and -009. Note: only a small percentage was conveyed at this time – not the entire interest.

January 3, 1984 – 2555 OR 508 recorded January 6, 1984 – Deed from Thomas Millage Corr and Janice Barbara Corr to John (NMN) Einarson, Sherry Ann Einarson, Elisa Ann Smith, Donna Kay Einarson, Donald Alan Einarson, and John (NMN) Einarson as custodian for Ray Thomas Einarson, a minor (each as to a 1/32 interest). APNs: 074-229-004, -005 and -009. Note: only a small percentage was conveyed at this time – not the entire interest.

November 20, 1991 – 3787 OR 191 - Statement of Partnership – Corr Family Properties. Partners are: Sherry Ann Einarson, John Einarson, Elisa Ann Smith, Donald Alan Einarson, Beverly Sanson, Kathryn Carrie Donovan, John Patrick Donovan, Jr., Ralph Cornelius Sanson, Janice Joyce Sanson, Donna Kay Einarson, Ray Einarson, Rebecca Sanson, John Patrick Donovan and Dan Patrick Donovan. NOTE: Thomas Millage Corr and Janice Barbara Corr are not designated as part of Corr Family Properties.

June 12, 1991 – 3787 OR 206 recorded November 20, 1991 – Deed from Janice Joyce Sanson and Ralph Cornelius Sanson to Corr Family Properties, an undivided 1/16 interest. APNs: 074-229-004 and -009. Note: only a small percentage was conveyed at this time – not the entire interest.

June 12, 1991 – 3787 OR 208 recorded November 20, 1991 – Deed from Ralph Cornelius Sanson and Janice Joyce Sanson to Corr Family Properties, an undivided 1/16 interest. APNs: 074-229-004 and -009. Note: only a small percentage was conveyed at this time – not the entire interest.

June 12, 1991 – 3787 OR 210 recorded November 20, 1991 – Deed from Ray Einarson who acquired title as Ray Thomas Einarson to Corr Family Properties, an undivided 1/16 interest. APNs: 074-229-004 and -009. Note: only a small percentage was conveyed at this time – not the entire interest.

June 12, 1991 – 3787 OR 213 recorded November 20, 1991 – Deed from John Donovan, Jr. (who acquired title as John Patrick Donovan, Jr.) and Tiffany Donovan to Corr Family Properties, as to a 1/16 interest. APNs: 074-229-004 and -009. Note: only a small percentage was conveyed at this time – not the entire interest.

June 12, 1991 – 3787 OR 216 recorded November 20, 1991 – Deed from John Einarson and Sherry Ann Einarson to Corr Family Properties – an undivided 1/16 interest APNs: 074-229-004 and -009. Note: only a small percentage interest was conveyed at this time.

June 12, 1991 – 3787 OR 218 recorded November 20, 1991 – Deed from Sherry Ann Einarson and John Einarson to Corr Family Properties, an undivided 1/16 interest. APNs: 074-229-004 and -009. Note: only a small percentage was conveyed at this time – not the entire interest.

June 12, 1991 – 3787 OR 220 recorded November 20, 1991 – Deed from John Donovan (who acquired title as John Patrick Donovan) and Kathryn Donovan to Corr Family Properties, as to a 1/16 interest. APNs: 074-229-004 and -009. Note: only a small percentage was conveyed at this time – not the entire interest.

June 12, 1991 – 3787 OR 223 recorded November 20, 1991 – Deed from Dan Patrick Donovan to Corr Family Properties, as to a 1/16 interest. APNs: 074-229-004 and -009. Note: only a small percentage was conveyed at this time – not the entire interest.

June 12, 1991 – 3787 OR 225 recorded November 20, 1991 – Deed from Kathryn Donovan (who acquired title as Kathryn Carrie Donovan) and John Donovan to Corr Family Properties, as to a 1/16 interest. APNs: 074-229-004 and -009. Note: only a small percentage was conveyed at this time – not the entire interest.

June 12, 1991 – 3787 OR 228 recorded November 20, 1991 – Deed from Beverly Sanson who acquired title as Beverly Joy Sanson to Corr Family Properties, an undivided 1/16 interest. APNs: 074-229-004 and -009. Note: only a small percentage was conveyed at this time – not the entire interest.

June 12, 1991 – 3787 OR 230 recorded November 20, 1991 – Deed from Rebecca Sanson who acquired title as Rebecca Joy Sanson to Corr Family Properties, an undivided 1/16 interest. APNs: 074-229-004 and -009. Note: only a small percentage was conveyed at this time – not the entire interest.

June 12, 1991 – 3787 OR 232 recorded November 20, 1991 – Deed from Donna Kay Einarson to Corr Family Properties, an undivided 1/16 interest. APNs: 074-229-004 and -009. Note: only a small percentage was conveyed at this time – not the entire interest.

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June 12, 1991 – 3787 OR 234 recorded November 20, 1991 – Deed from Elisa Ann Smith and Bruce Smith to Corr Family Properties, an undivided 1/16 interest. APNs: 074-229-004 and -009. Note: only a small percentage was conveyed at this time – not the entire interest.

June 12, 1991 – 3787 OR 236 recorded November 20, 1991 – Deed from Donald Alan Einarson to Corr Family Properties, an undivided 1/16 interest. APNs: 074-229-004 and -009. Note: only a small percentage was conveyed at this time – not the entire interest.

December 4, 1992 – 1994-021049 recorded April 1, 1994 – Deed from Michael Thomas Donovan to Corr Family Properties, as to a 1/16 interest. APNs: 074-229-004 and -009. Legal transaction. Note: only a small percentage was conveyed at this time – not the entire interest.

December 28, 1992 – 1994-021050 recorded April 1, 1994 – Deed from David Edward Sanson to Corr Family Properties, as to an undivided 1/16 interest. APNs: 074-229-004 and -009. Note: only a small percentage was conveyed at this time – not the entire interest.

June 9, 1997 – 1997-055534 recorded October 8, 1997 – Deed from Ralph Cornelius Sanson, Jr. and Janice Joyce Sanson; Ralph Cornelius Sanson, Jr., as custodian for Beverly Joy Sanson, a minor; Ralph Cornelius Sanson, Jr., as custodian for Rebecca Joy Sanson, a minor; Ralph Cornelius Sanson, Jr., as custodian for David Edward Sanson, a minor; and Rebecca Joy Gattey (formerly known as Rebecca Joy Sanson) and Marcus Douglas Gattey to Corr Family Properties. Lots 1, 38 and 39 in block 8 of Town of Sunshine Beach excepting therefrom that portion of Lot 1 conveyed by deed 1765 OR 18. APN: 074-229-005.

May 30, 1997 – 1997-055535 recorded October 8, 1997 – Deed from Bruce Loren Smith and Elisa Ann Smith to Corr Family Properties. Lots 1, 38 and 39 in block 8 of Town of Sunshine Beach excepting therefrom that portion of Lot 1 conveyed by deed 1765 OR 18. APN: 074-229-005.

June 3, 1997 – 1997-055536 recorded October 8, 1997 – Deed from Ray Thomas Einarson and Shawn Michelle Hoffman-Einarson to Corr Family Properties. Lots 1, 38 and 39 in block 8 of Town of Sunshine Beach excepting therefrom that portion of Lot 1 conveyed by deed 1765 OR 18. APN: 074-229-005.

May 17, 1997 – 1997-055537 recorded October 8, 1997 – Deed from John Einarson and Sherry Ann Einarson, Donna Kay Einarson, Donald Alan Einarson and Rebecca Louise Einarson, John Einarson, as custodian for Ray Thomas Einarson, a minor to Corr Family Properties. Lots 1, 38 and 39 in block 8 of Town of Sunshine Beach excepting therefrom that portion of Lot 1 conveyed by deed 1765 OR 18. APN: 074-229-005.

June 2, 1997 – 1997-055538 recorded October 8, 1997 – Deed from John Patrick Donovan and Kathryn Carrie Donovan, John Patrick Donovan, Jr. and Tiffany Marie Donovan, John Patrick Donovan, as Custodian for Dan Patrick Donovan, a minor, John Patrick Donovan, as custodian for Michael Thomas Donovan, a minor, Dan Patrick Donovan and Marnie Rae Donovan, and

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Michael Thomas Donovan to Corr Family Properties. Lots 1, 38 and 39 in block 8 of Town of Sunshine Beach excepting therefrom that portion of Lot 1 conveyed by deed 1765 OR 18. APN: 074-229-005.

June 4, 1997 – 1997-055539 recorded October 8, 1997 – Deed from David Edward Sanson to Corr Family Properties. Lots 1, 38 and 39 in block 8 of Town of Sunshine Beach excepting therefrom that portion of Lot 1 conveyed by deed 1765 OR 18. APN: 074-229-005.

May 31, 1997 – 1997-055540 recorded October 8, 1997 – Deed from Beverly Joy Ramos (formerly known as Beverly Joy Sanson) and Jaime David Ramos to Corr Family Properties. Lots 1, 38 and 39 in block 8 of Town of Sunshine Beach excepting therefrom that portion of Lot 1 conveyed by deed 1765 OR 18. APN: 074-229-005.

January 27, 1998 – Doc. No. 1998-034265 recorded June 8, 1998 – Deed from Corr Family Properties to Kathryn Carrie Donovan (40%), John Patrick Donovan, Jr. (20%), Dan Patrick Donovan (20%) and Michael Thomas Donovan (20%). APNs: 074-229-009 and other non-contiguous properties. APN: 074-229-009. 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. A conditional certificate of compliance would be required for APN: 074-229-004.

A conditional certificate of compliance, C07-0306 (SUB2007-00116), was issued and recorded for APN: 074-229-009 on May 1, 2008 (Doc. No. 2008-022817) and an amended document was recorded on May 15, 2008 (Doc. No. 2008-0025406).

If you have any questions please contact us.

Sincerely,



John Hofschroer, Supervising Planner
Department of Planning & Building

Enclosure: Environmental Description Form

ENVIRONMENTAL DESCRIPTION FORM

San Luis Obispo County Department of Planning and Building

File No _____

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: _____ acres
 Moderate slopes of 10-30%: _____ acres
 Steep slopes over 30%: _____ 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: _____
- 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: _____

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: _____
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: _____
2. Location of nearest police station: _____
3. Location of nearest fire station: _____
4. Location of nearest public transit stop: _____
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: _____
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: _____

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): _____
2. Will the development occur in phases? Yes No
 If yes describe: _____
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 *: _____

*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:

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): _____

(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.)