

AGREEMENT

THIS AGREEMENT is entered by and between the County of San Luis Obispo, hereinafter "County" and the City of Arroyo Grande, a Municipal Corporation, in the State of California, hereinafter "City."

WHEREAS, County is the fee owner of real property in the City of Arroyo Grande legally described on Exhibit 'A' attached hereto and incorporated by this reference, hereinafter "Parcel 1"; and

WHEREAS, City is the fee owner of real property in the City of Arroyo Grande legally described on Exhibit 'B' attached hereto and incorporated by this reference, hereinafter "Parcel 2"; and

WHEREAS, County desires to conclude a lot line adjustment, general plan amendment and zone change on Parcel 1; and

WHEREAS, City desires to have certain deed restriction placed on Parcel 2 by County changed; and

WHEREAS, approval of this Agreement by County and City is in the best interest of the general public.

NOW, THEREFORE, in consideration of the conditions and agreements herein contained, County and City agree as follows:

1. City agrees that the County shall have the right to conclude a lot line adjustment on Parcel 1. Said lot line adjustment shall occur in the general area known as the sewer access road. The area annexed to the existing County Engineering Yard shall become public facility and shall become part of the South County Regional Center property through the lot line adjustment. The remainder piece shall retain its existing zoning. The County shall not be required to pay any permit fees or other applicable City fees relative to the general plan amendment, zone change and lot line adjustment.

2. The County agrees that the deed restriction on Parcel 2 shall be changed to read as follows:

"Said property shall be used for Municipal Facilities, or with the prior approval of the County Board of Supervisors may be leased to a private nonprofit organization for use in fulfillment of a charitable purpose, including youth recreation. If this restriction is violated, Parcel 2 shall revert back to County."

3. The revision to the deed restriction shall not become effective until the general plan amendment, zone change and lot line adjustment referenced in Paragraph 1 above have been completed.

4. The parties hereto agree that all the conditions hereof are to be construed as covenants and that all of the conditions hereof shall bind and enure to the benefit of the parties hereto and their respective heirs, legal representatives, successors and assigns.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement the

10th day of Aug. 1993.

COUNTY OF SAN LUIS OBISPO

By: [Signature]
Chairman of the Board of Supervisors

CITY OF ARROYO GRANDE

By: [Signature]
Mayor

By: [Signature]
City Attorney

ATTEST:

FRANCIS M. COONEY
Clerk of the Board of Supervisors
By: [Signature]
APPROVED AS TO FORM AND LEGAL EFFECT:

JAMES B. LINDHOLM, JR.
County Counsel

By: [Signature]
Deputy County Counsel

Date: August 3, 1993

EXHIBIT "A"

DESCRIPTION

Lot C of Tract No. 1930, in the City of Arroyo Grande, County of San Luis Obispo, State of California, according to the map thereof, recorded August 2, 1988 in book 14, Page 73 of Maps, in the Office of the County Recorder of said County, and as amended by Certificate of Correction recorded February 7, 1989 in Book 3266, Page 428 of Official Records.

Except therefrom an undivided 5/12ths interest in and to all oil, gas and other hydrocarbon substances produced on said land, as reserved by William Quaresma, Joseph Quaresma, Edward Quaresma, Eveline Lovacz, formerly Eveline Quaresma, Ernest Olive and Lucille Olive Simas, in deed dated January 3, 1952 and recorded January 28, 1952 in Book 643, Page 426 of Official Records.

Said surface rights have been relinquished by certain documents recorded December 29, 1977 in Book 2036, Page 749 through 752 of Official Records; January 9, 1978 in Book 2039, Page 2 of Official Records; and August 17, 1979 in Book 2178, Page 840 of Official Records.

(END OF DESCRIPTION)

EXHIBIT "B"

Parcel 1 of Map AG-76-451, in the City of Arroyo Grande, County of San Luis Obispo, State California, according to the map filed October 27, 1976 in Book 21, Page 20 of Parcel Maps, in the Office of the County Recorder of said County.

STATE OF CALIFORNIA
COUNTY OF SAN LUIS OBISPO

On July 13, 1993, personally appeared Matthew Peter Gallagher, III, personally known to me (or 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 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.

WITNESS my hand and official seal.

Nancy A. Davis
NANCY A. DAVIS, CITY CLERK
CITY OF ARROYO GRANDE

MACRO/ACKNOW

STATE OF CALIFORNIA)
COUNTY OF SAN LUIS OBISPO)

On August 10, 1993 before me, FRANCIS M. COONEY, County Clerk and Ex-Officio Clerk of the Board of Supervisors, County of San Luis Obispo, State of California, personally appeared Harry L. Ovitt and Francis M. Cooney by Patricia Van Orden, Deputy Clerk, personally known to me (or proved to me on the basis of satisfactory evidence) to be the persons whose names are subscribed to the within instrument and acknowledged to me that they executed the same in their authorized capacities, and that by their signatures on the instrument the persons or the entity upon behalf of which the persons acted, executed the instrument.

WITNESS my hand and official seal.

FRANCIS M. COONEY, County Clerk-Recorder and Ex-officio Clerk of the Board of Supervisors

By: *Patricia Van Orden*
Deputy Clerk-Recorder

(SEAL)