

FILED

JUN 23 1983

HOWARD C. MENZEL, County Clerk
By MARIANNE EMERY
Deputy Clerk

SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF SANTA BARBARA

STATE OF CALIFORNIA, acting by and
through the State Coastal Conservancy,

Petitioner,

v.

HOLLISTER RANCH OWNERS' ASSOCIATION,
et al.,

Respondents.

NO. 143689

ORDER FOR ENTRY
(C.C.P. § 1245.030)

The petition of the State of California, acting by and through the State Coastal Conservancy, for Order Permitting Entry on Property, came on regularly for hearing on March 11, 1983 with further hearing regarding the scope of the order on June 3, 1983. Proof having been made to the satisfaction of this Court and good cause appearing therefore, this Court, in accordance with its Indicated Ruling On Order for Entry dated May 5, 1983, finds, determines and orders as follows:

1. Petitioner is a public entity authorized to acquire, pursuant to the Property Acquisition Law, Government

1 Code section 15850, et seq., interests in real property for the
2 public access purposes described in the Hollister Ranch Access
3 Program adopted by the California Coastal Commission August 16,
4 1982. The State Public Works Board authorized the seeking of
5 a court order for entry on November 5, 1982.

6 2. The property upon which petitioner seeks to enter
7 is described in Exhibit A which is incorporated by reference.

8 3. The petitioner seeks entry upon the property for
9 planning purposes related to implementation of the Hollister
10 Ranch Access Program. The nature and scope of activities
11 reasonably necessary to accomplish such purposes include vehicular
12 use of existing Hollister Ranch private roads to travel to
13 planning/survey/appraisal sites; surveying; walking through and
14 observing possible acquisition areas; appraisal inspection;
15 and photographing.

16 4. The nature and scope of the activities above
17 described will not result in actual damage to the owners of the
18 property and will not interfere with their possession or use
19 of the property, and so a deposit with the court of the amount
20 of probable compensation for damages is not required.

21 IT IS HEREBY ORDERED that the petitioner, its employees,
22 representatives, contractors and/or agents are authorized and
23 empowered to enter on the above-described property for the
24 purposes of planning, surveying and appraising in order to
25 implement the Hollister Ranch Access Program. The petitioner,
26 its employees, representatives, contractors and/or agents are
27 hereby authorized and empowered to undertake the activities set

1 forth in paragraph 3 on such property, subject to the following:

2 1. This "order for entry" shall terminate upon the
3 filing by petitioner of a condemnation action respecting the
4 property described herein or upon the passage of 180 days from
5 the signing of this order, whichever shall occur first, or
6 upon further order of the court.

7 2. Entry pursuant to this "order for entry" shall be
8 limited to Mondays through Fridays between the hours of 8:00 a.m.
9 and 6:00 p.m.

10 3. The total number of people entering the property
11 at any one time shall be limited to ten (10) persons.

12 DATED: JUN 23 1983

13
14 THOMAS R. ADAMS

15 JUDGE OF THE SUPERIOR COURT
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DESCRIPTION OF PROPERTY

- AP # 083-670-02, Parcel 27 of the Parcel Map of the Hollister Ranch, Phase I, in the County of Santa Barbara, State of California, as shown on map recorded in Book 8, Pages 45 through 57 inclusive, of Parcel Maps, in the office of the County Recorder of said County.
- AP # 083-670-03, Parcel 28 of the Parcel Map of the Hollister Ranch, Phase I, in the County of Santa Barbara, State of California, as shown on map recorded in Book 8, Pages 45 through 57 inclusive, of Parcel Maps, in the office of the County Recorder of said County.
- AP # 083-670-04, Parcel 29 of the Parcel Map of the Hollister Ranch, Phase I, in the County of Santa Barbara, State of California, as shown on map recorded in Book 8, Pages 45 through 57 inclusive, of Parcel Maps, in the office of the County Recorder of said County.
- AP # 083-670-05, Parcel 30 of the Parcel Map of the Hollister Ranch, Phase I, in the County of Santa Barbara, State of California, as shown on map recorded in Book 8, Pages 45 through 57 inclusive, of Parcel Maps, in the office of the County Recorder of said County.
- AP # 083-670-06, Parcel 31 of the Parcel Map of the Hollister Ranch, Phase I, in the County of Santa Barbara, State of California, as shown on map recorded in Book 8, Pages 45 through 57 inclusive, of Parcel Maps, in the office of the County Recorder of said County.
- AP # 083-670-07, Parcel 32 of the Parcel Map of the Hollister Ranch, Phase I, in the County of Santa Barbara, State of California, as shown on map recorded in Book 8, Pages 45 through 57 inclusive, of Parcel Maps, in the office of the County Recorder of said County.
- AP # 083-670-08, Parcel 33 of the Parcel Map of the Hollister Ranch, Phase I, in the County of Santa Barbara, State of California, as shown on map recorded in Book 8, Pages 45 through 57 inclusive, of Parcel Maps, in the office of the County Recorder of said County.
- AP # 083-680-06, Parcel 55 of the Parcel Map of the Hollister Ranch, Phase II, in the County of Santa Barbara, State of California, as shown on map recorded in Book 9, Pages 9 through 17 inclusive, of Parcel Maps, in the office of the County Recorder of said County.

DESCRIPTION OF PROPERTY (Cont'd.)

- AP # 083-680-07, Parcel 56 of the Parcel Map of the Hollister Ranch, Phase II, in the County of Santa Barbara, State of California, as shown on map recorded in Book 9, Pages 9 through 17 inclusive, of Parcel Maps, in the office of the County Recorder of said County.
- AP # 083-680-08, Parcel 57 of the Parcel Map of the Hollister Ranch, Phase II, in the County of Santa Barbara, State of California, as shown on map recorded in Book 9, Pages 9 through 17 inclusive, of Parcel Maps, in the office of the County Recorder of said County.
- AP # 083-680-22, Parcel 71 of the Parcel Map of the Hollister Ranch, Phase II, in the County of Santa Barbara, State of California, as shown on map recorded in Book 9, Pages 9 through 17 inclusive, of Parcel Maps, in the office of the County Recorder of said County.
- AP # 083-680-23, Parcel 72 of the Parcel Map of the Hollister Ranch, Phase II, in the County of Santa Barbara, State of California, as shown on map recorded in Book 9, Pages 9 through 17 inclusive, of Parcel Maps, in the office of the County Recorder of said County.
- AP # 083-680-24, Parcel 73 of the Parcel Map of the Hollister Ranch, Phase II, in the County of Santa Barbara, State of California, as shown on map recorded in Book 9, Pages 9 through 17 inclusive, of Parcel Maps, in the office of the County Recorder of said County.
- AP # 083-680-25, Parcel 74 of the Parcel Map of the Hollister Ranch, Phase II, in the County of Santa Barbara, State of California, as shown on map recorded in Book 9, Pages 9 through 17 inclusive, of Parcel Maps, in the office of the County Recorder of said County.
- AP # 083-680-26, Parcel 75 of the Parcel Map of the Hollister Ranch, Phase II, in the County of Santa Barbara, State of California, as shown on map recorded in Book 9, Pages 9 through 17 inclusive, of Parcel Maps, in the office of the County Recorder of said County.
- AP # 083-680-01, Parcel 76 of the Parcel Map of the Hollister Ranch, Phase II, in the County of Santa Barbara, State of California, as shown on map recorded in Book 9, Pages 9 through 17 inclusive, of Parcel Maps, in the office of the County Recorder of said County.

DESCRIPTION OF PROPERTY (Cont'd.)

- AP # 083-690-06, Parcel 88 of the Parcel Map of the Hollister Ranch, Phase II, in the County of Santa Barbara, State of California, as shown on map recorded in Book 9, Pages 9 through 17 inclusive, of Parcel Maps, in the office of the County Recorder of said County.
- AP # 083-690-07, Parcel 89 of the Parcel Map of the Hollister Ranch, Phase II, in the County of Santa Barbara, State of California, as shown on map recorded in Book 9, Pages 9 through 17 inclusive, of Parcel Maps, in the office of the County Recorder of said County.
- AP # 083-690-08, Parcel 90 of the Parcel Map of the Hollister Ranch, Phase II, in the County of Santa Barbara, State of California, as shown on map recorded in Book 9, Pages 9 through 17 inclusive, of Parcel Maps, in the office of the County Recorder of said County.
- AP # 083-690-20, Parcel 102 of the Parcel Map of the Hollister Ranch, Phase II, in the County of Santa Barbara, State of California, as shown on map recorded in Book 9, Pages 9 through 17 inclusive, of Parcel Maps, in the office of the County Recorder in said County.
- AP # 083-690-21, Parcel 103 of the Parcel Map of the Hollister Ranch, Phase II, in the County of Santa Barbara, State of California, as shown on map recorded in Book 9, Pages 9 through 17 inclusive, of Parcel Maps, in the office of the County Recorder in said County.
- AP # 083-700-02, Parcel 106 of the Parcel Map of the Hollister Ranch, Phase III, in the County of Santa Barbara, State of California, as shown on map recorded in Book 9, Pages 32 through 39 inclusive, of Parcel Maps, in the office of the County Recorder in said County.
- AP # 083-700-15, Parcel 119 of the Parcel Map of the Hollister Ranch, Phase III, in the County of Santa Barbara, State of California, as shown on map recorded in Book 9, Pages 32 through 39 inclusive, of Parcel Maps, in the office of the County Recorder in said County.
- AP # 083-700-17, Parcel 121 of the Parcel Map of the Hollister Ranch, Phase III, in the County of Santa Barbara, State of California, as shown on map recorded in Book 9, Pages 32 through 39 inclusive, of Parcel Maps, in the office of the County Recorder in said County.

DESCRIPTION OF PROPERTY (Cont'd.)

- AP # 083-670-18, Parcel 49 of the Parcel Map of the Hollister Ranch, Phase I, in the County of Santa Barbara, State of California, as shown on the map recorded in Book 8, Pages 45 through 57 inclusive, of Parcel Maps, in the office of the County Recorder of said County.
- AP # 083-680-21, Parcel 70 of the Parcel Map of the Hollister Ranch, Phase II, in the County of Santa Barbara, State of California, as shown on the map recorded in Book 9, Pages 9 through 17 inclusive, of Parcel Maps, in the office of the County Recorder of said County.
- AP # 083-690-22, Parcel 104 of the Parcel Map of the Hollister Ranch, Phase II, in the County of Santa Barbara, State of California, as shown on the map recorded in Book 9, Pages 9 through 17 inclusive, of Parcel Maps, in the office of the County Recorder of said County.
- AP # 083-700-01, -03, -16, -18, and -19, Parcels 105, 107, 120, 122, and 123 of the Parcel Map of the Hollister Ranch, Phase III, in the County of Santa Barbara, State of California, as shown on the map recorded in Book 9, Pages 32 through 39 inclusive, of Parcel Maps, in the office of the County Recorder of said County.

EASEMENTS

1. "A Non-Exclusive Easement for ingress, egress and utility purposes over those certain areas designated as "Common Areas (private Road Easement)" lying within those certain Parcel Maps entitled "Parcel Map of the Hollister Ranch, Phase I", "Parcel Map of the Hollister Ranch, phase II", and "Parcel Map of the Hollister Ranch, Phase III", in the County of Santa Barbara, State of California, as shown respectively on map recorded in Book 8, Pages 45 through 57, inclusive, on map recorded in Book 9, Pages 9 through 17, inclusive, and on map recorded in Book 9, Pages 32 through 39, inclusive, of Parcel Maps, in the Office of the County Recorder of said County."
2. "An Exclusive Easement for recreational and all other surface uses in areas shown and designated as "Common Area (Beach Recreational) on Parcel Map entitled "Parcel Map of the Hollister Ranch, Phase I" recorded August 27, 1971, in Book 8, Pages 45 through 57, inclusive, of Parcel Maps, in the office of the County Recorder of said County."
3. "An Exclusive Easement for recreational and all other surface uses in areas shown and designated as "Common Area (Beach Recreational) on Parcel Map entitled "Parcel Map of the Hollister Ranch, Phase II, recorded December 23, 1971, in Book 9, Pages 9 through 17, inclusive, of Parcel Maps, in the Office of the County Recorder of said County."
4. An exclusive easement over a portion of AP # 083-690-22 (see above) granted by Grant of Easement recorded June 29, 1970, at Book 2312, Page 1395, Santa Barbara County Records, described as follows:

"An exclusive easement for recreational use, restrooms and shelter facilities over and on that portion of the Rancho Nuestra Senora Del Refugio, in the County of Santa Barbara, State of California, according to the United States Patent, recorded on July 28, 1866, in Book A, Page 17, described as follows:

"Commencing at the United States coast and geodetic triangulation station "Anita 2"; thence south $89^{\circ}27'27''$ East 7573.01 feet to the United States coast and geodetic triangulation station "Horse Shoe", said United States Coast and geodetic triangulation station being shown on map filed in Book 41, Pages 12 to 50, inclusive, of miscellaneous maps, in the Office of the County Recorder of said County, said United States Coast and geodetic triangulation station "Horse Shoe" being approximately south $46^{\circ}38'50''$ west 14,615.75 feet from a $3/4$ inch iron pipe at the easterly terminus of that certain course shown as having a bearing and length of (north $87^{\circ}22'$ west 19,196.30 feet) in the northerly boundary of the Rancho Nuestra Senora Del Refugio as shown on map of the divisions of Rancho San Julian filed in Book 14, Pages 1 to 14, inclusive, of maps and surveys in the office of said recorder; thence north $70^{\circ}57'45''$ west 4104.39 feet to a point hereinafter referred to as Point "A";

EASEMENTS (Cont.)

thence south $65^{\circ}52'26''$ east 270.00 feet to the true point of beginning; thence northerly along a line having a bearing of north $24^{\circ}07'15''$ east to its intersection with the southerly line of the Southern Pacific Railroad right-of-way; thence in a generally northwesterly direction along said southerly right-of-way line to a point in a line which bears north $24^{\circ}07'15''$ east from said point "A"; thence south $24^{\circ}07'15''$ west along said line and passing through said point "A" to the mean high tide line of the Pacific Ocean; thence in a generally easterly direction along said mean high tide line to the point of intersection with a line which bears south $24^{\circ}07'15''$ west from the true point of beginning; thence along said line north $24^{\circ}07'15''$ east to the true point of beginning.

Together with a non-exclusive easement for a foot path 10 feet in width from the stone arch, located at the intersection of the northerly line of the railroad right of way with Cuarte Creek; thence following the meander line of said creek to an existing road right of way.

OWNERSHIP OF PROPERTY DESCRIBED IN EXHIBIT A

<u>Parcel Number</u>	<u>Vested In</u>
AP # 083-670-02,	Rancho Cerros del Mar, a General Partnership
AP # 083-670-03,	Stanwall Corporation, a California Corporation
AP # 083-670-04,	Tierra Ventosa Corporation
AP # 083-670-05,	David Chu and Ta-Yung Li, Husband and Wife as Community Property
AP # 083-670-06,	David Stewart and Joan Stewart, Husband and Wife, as Community Property
AP # 083-670-07,	A.M. Leasing Co.
AP # 083-670-08,	Leon Beck and S. Jerome Tamkin, Trustees
AP # 083-680-06,	Charles Robert Poley and Jean Ann Poley, Husband and Wife, as Joint Tenants
AP # 083-680-07,	Judith P. Bartlett, as Her Sole & Separate Property as to a one-millionth (1/1,000,000) undivided interest
	James L. Bartlett, III as His Sole & Separate Property as to a one millionth (1/1,000,000) undivided interest
	Stephen A. Bartlett, as His Sole & Separate Property, as to a one-millionth (1/1,000,000) undivided interest
	Thomas J. Tittle, an Unmarried Man, as his Sole & Separate Property, as to a one-millionth (1/1,000,000) undivided interest
	Richard P. Bennett, as His Sole & Separate Property, as to a one millionth (1/1,000,000) undivided interest
	James L. Bartlett, Jr., and Shirley V. Bartlett, Husband and Wife, as Community Property, as to the remainder
AP # 083-680-08,	Fling-Turley Partnership, a California General Partnership
AP # 083-680-22,	Richard L. LaRue and Barbara H. LaRue, Husband and Wife, as Community Property

OWNERSHIP OF PROPERTY DESCRIBED IN EXHIBIT A (Cont.)

<u>Parcel Number</u>	<u>Vested In</u>
AP # 083-680-23,	The Law Offices of Michael D. Stein and James J. Warner
AP # 083-680-24,	William L. Rameson and Karen S. Rameson, Husband and Wife, as Joint Tenants
AP # 083-680-25,	Theodore H. Peter
AP # 083-680-26,	Continental Desert Properties, a California Corporation
AP # 083-690-01,	Whites' Ag Co., a Delaware Corporation
AP # 083-690-06,	Community Bank, a California corporation
AP # 083-690-07,	Robert F. Curtis, an Unmarried Man
AP # 083-690-08,	Clement Y. Mortashed and Joan P. Mortashed, Husband and Wife, as Joint Tenants
AP # 083-690-20,	James B. Hewette, Jr. and Nena Jo Hewette, Husband and Wife, as Joint Tenants
AP # 083-690-21,	Joseph O. Campeau and Patricia H. Campeau, Husband and Wife, as Joint Tenants
AP # 083-700-02,	Carolyn R. Nelson, a Married Woman, as her Separate Property
AP # 083-700-15,	Paul H. Barrett and Virginia S. Barrett, Husband and Wife, as Joint Tenants, as to and undivided 1/2 interest
	Gary B. Maxwell and Barbara D. Maxwell, Husband and Wife, as Community Property, as to an undivided 1/4 interest
	Ronald L. Williams and Charlotte C. Williams, Husband and Wife, as Community Property, as to and undivided 1/4 interest
AP # 083-700-17,	Bernard J. MacElhenny and Carole E. MacElhenny, Husband and Wife, as Joint Tenants
AP # 083-670-18,	MGIC Equities Corporation, a Delaware Corporation
AP # 083-690-21,	MGIC Equities Corporation, a Delaware Corporation
AP # 083-690-22,	MGIC Equities Corporation, a Delaware Corporation

OWNERSHIP OF PROPERTY DESCRIBED IN EXHIBIT A (Cont.)

Parcel Number Vested In

AP # 083-700-01,
 -03, -16,
 -18, and
 -19,

MGIC Equities Corporation, a Delaware Corporation

Easements

Vested In

1. The Hollister Ranch Owners' Association, a
 California corporation
2. The Hollister Ranch Owners' Association, a
 California corporation
3. The Hollister Ranch Owners' Association, a
 California corporation
4. The Young Men's Christian Association of
 Metropolitan Los Angeles, a California
 corporation