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APPRAISAL OF

DATE: 7/22/04

BY: [Signature]

**GIACOMINI PARCELS
APN 114-213-03, 119-040-12 AND 119-240-65 (PORTION)**

AND

**NATIONAL PARK SERVICE PARCELS
APN 114-262-04 AND PORTIONS OF 119-040-26, 119-240-66 & 75**

**LOCATED AT
POINT REYES AND INVERNESS
MARIN COUNTY, CALIFORNIA**

AS OF

FEBRUARY 19, 2004

FOR

**MS. SONDRAS HUMPHRIES
CHIEF, PACIFIC LAND RESOURCES PROGRAM CENTER
1111 JACKSON ST., SUITE 700
OAKLAND, CA 94607**

BY

**CASE & ASSOCIATES
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Herb Case
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March 18, 2004

Ms. Sondra S. Humphries
Chief, Pacific Land Resources Program Center
1111 Jackson St., Suite 700
Oakland, CA 94607

Re: Appraisal of Assessor's parcels:

Giacomini:

119-040-12

2.90 acres of unimproved marshland

119-240-65 (portion)

0.31 acre unimproved portion of 1.3 acre lot improved with a residence and outbuildings

114-213-03

6.40 acres of unimproved pasture

National Park Service:

114-262-04

1.08 acre lot improved with a residence *dropped from excise*

Portions of 119-040-26, 119-240-66 and 119-240-75

4.30 acres of improved dairy

Dear Ms. Humphries,

In response to your request, I have prepared the following self-contained appraisal report on the above properties for the purpose of estimating the current market values of their fee simple interests. I inspected the subject properties August 29, 2003 with Robert and Rich Giacomini and February 19, 2004 with Paul Popisil of Questa Engineering.

Ownership as indicated above is as reported to me by the National Park Service and confirmed by Robert and Rich Giacomini. The Marin County Assessor's data contains erroneous information on ownership of the parcels that reportedly will be corrected.

In accordance with direction from the National Park Service, appraisal of the 4.3 acres improved with a dairy is made with the special assumption that all improvements have been removed and the land cleared for construction.

In order to obtain an opinion of market value for the five subject parcels, it was also directed that each parcel be appraised as if it is a legal lot of record and therefore saleable on the open market. Each of the five subject parcels is considered the "larger parcel" for purposes of appraisal.

The 6.40 acre lot and the 2.90 acre lot owned by the Waldo Giacomini estate were separate Assessor's parcels at the time they became remnant legal lots of record by virtue of the National Park Service's purchase of most of the Giacomini Ranch. The 1.08 acre parcel owned by the National Park Service was a separate Assessor's parcel at the time it was purchased by the National Park Service as a part of the contiguous larger parcel that constitutes the bulk of the Giacomini Ranch. Although the 1.08 acre parcel may be a legal lot of record, the Assessor's parcel map shows no land division or official survey indicating the creation of a lot. The 0.31 acre parcel owned by the Waldo Giacomini estate is a part of the Assessor's parcel that includes the ranch's primary residence. It is clearly not a separate lot. The 4.30 acre parcel at the dairy compound and owned by the National Park Service is comprised of portions of three Assessor's parcels and clearly does not constitute a lot separate from the remainder of the ranch purchased by the National Park Service. The assumption that the subject properties are legal lots of record is a special assumption of this appraisal that is made in order to arrive at an opinion of market value for each of the parcels.

As directed by the National Park Service, valuation of each of the subject properties does not include consideration of any value that may be attributable to an appropriative water right. Riparian water rights are considered, however, in the valuation of the subject property adjacent to a natural watercourse, the 6.40 acre parcel adjacent to Fish Hatchery Creek owned by the Waldo Giacomini Estate. Investigation by the National Park Service is necessary to determine if any of the subject parcels have a valuable water right that is appropriative. If such a right is found, the value of the right may be the subject of a separate appraisal assignment.

A preliminary title report was not prepared for each of the subject properties, but a preliminary title report was prepared for my prior appraisal of the ranch as a whole.

The opinions of value expressed in this report are based on my research, findings and analyses and are subject to the assumptions and limiting conditions outlined in the Introduction section of this report.

The Uniform Standards of Professional Appraisal Practice requires that I invoke a jurisdictional exception to its standards in order to recognize the standard in the Uniform Appraisal Standards for Federal Land Acquisition standard that appraised value shall not be linked to a specific period of market exposure prior to the effective date of value.

Based on my analysis and professional judgement, it is my opinion that the market values of the fee simple interests in the subject properties, as of February 19, 2004, are as follows:

OPINION OF MARKET VALUES

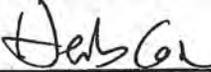
Giacomini:

119-040-12
2.90 acres of unimproved marshland ..
119-240-65 (portion)
0.31 acre unimproved portion of 1.3 acre lot
improved with a residence and outbuildings .. \$34,000
114-213-03
6.40 acres of unimproved pasture \$510,000

National Park Service:

114-262-04
1.08 acre lot improved with a residence 
Portions of 119-040-26, 119-240-66 and 119-240-75
4.30 acres of improved dairy \$750,000

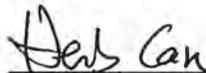
Respectfully submitted,


Herb Case, ASA, AICP
California Certified General Real Estate Appraiser #AG001620

APPRAISER'S CERTIFICATION

I certify that to the best of my knowledge and belief:

- The statements of fact contained in this report are true and correct.
- The reported analyses, opinions, and conclusions are limited only by the reported assumptions, limiting conditions, and legal instructions, and are the personal, unbiased professional analyses, opinions, and conclusions of the appraiser.
- The appraiser has no present or prospective future interest in or bias toward the property appraised and no personal interest in or bias toward the parties involved.
- Our engagement in this assignment and the compensation received for the appraisal is not contingent on the reporting of a predetermined value or direction in value that favors the cause of the client, the amount of the value estimate, the attainment of a stipulated result, or the occurrence of a subsequent event directly related to the intended use of this appraisal.
- The appraisal was made and the appraisal report prepared in conformity with the Uniform Standards of Professional Appraisal Practice and the Uniform Appraisal Standards for Federal Land Acquisition.
- The appraisal was made and the appraisal report prepared in conformity with the Code of Ethics and the Standards of Professional Practice of the American Society of Appraisers, and the Appraisal Foundation's Uniform Standards of Professional Appraisal Practice, except to the extent that the Uniform Standards of Professional Appraisal Practice required invocation of USPAP's Jurisdictional Exception Rule, as described in Section D-1 of the Uniform Appraisal Standards for Federal Land Acquisition.
- Unless co-signed below, no one provided significant professional assistance to the appraiser in the research and in the preparation of analysis, conclusions or opinions set forth in this report.
- The appraiser has made a personal inspection of the property appraised and that the property owner, or his/her designated representative, was given the opportunity to accompany the appraiser on the property inspection;



Herb Case ASA, AICP

Certified General Real Estate Appraiser CA #AG001620

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PART I - INTRODUCTION

SALIENT DATA

GIACOMINI: 0.31 ACRE AT END OF C STREET POINT REYES APN 119-240-65 (PORTION)

OWNERSHIP:	Estate of Waldo Giacomini
LEGAL DESCRIPTION:	N/A
PROPERTY TYPE:	Unimproved portion of a 1.3 acre lot improved with Giacomini Ranch primary residence and outbuildings
CURRENT USE:	Embankment between pasture and improved residential lot.
LOCATION:	About 20 feet from the northwest corner of C Street and Seventh Street, Point Reyes, unincorporated Marin County
ACCESS:	No apparent legal access to a public street
WATER:	North Marin Water District
UTILITIES:	Power and telephone along C Street
SEWER/SEPTIC:	On-site septic system is required
FLOOD HAZARD:	FEMA flood map 060173-0208A indicates that most of the parcel is in Zone A, the 100-year flood plain
TOPOGRAPHY:	Steep slope to drainage swale
SOILS/MINERALS:	No reported mineral value
ZONING:	C-R-A:B2 Coastal, Residential, Agricultural Planned; minimum of 10,000 square feet per lot

GENERAL PLAN: C-SF5 Coastal Single-family Residential with a maximum lot density range of two to four lots per acre

HIGHEST AND BEST USE: Maintain as a part of 1.3 acre lot improved with a residence and outbuildings

OWNERSHIP HISTORY: Owned by Giacomini family for six decades

SPECIAL ISSUES: No hypothetical conditions, extraordinary assumptions, limiting conditions or special instructions except the parcel is appraised as if it is a legal lot of record and therefore saleable on the open market

VALUE DEFINITION: Market value as defined in the Introduction section of this report

INTEREST APPRAISED: Fee simple interest as defined in the Introduction section of this report

PROPERTY APPRAISED: Real property including consideration of water, minerals and access

PROPERTY INSPECTION: August 29, 2003 and February 19, 2004

DATE OF VALUE: February 19, 2004

OPINION OF MARKET VALUE

\$34,000

SALIENT DATA

**GIACOMINI: 6.40 ACRES ALONG SIR FRANCIS DRAKE BLVD.
INVERNESS APN 114-213-03**

OWNERSHIP:	Robert Giacomini
LEGAL DESCRIPTION:	N/A
PROPERTY TYPE:	Unimproved land suitable for residential development
CURRENT USE:	Pasture for cattle
LOCATION:	Sir Francis Drake Boulevard south of Laurel Street, Inverness, unincorporated Marin County
ACCESS:	914 feet of frontage on Sir Francis Drake Boulevard
WATER:	North Marin Water District water main on west side of Sir Francis Drake Boulevard
UTILITIES:	Power and telephone service available along Sir Francis Drake Boulevard
SEWER/SEPTIC:	On-site septic system is required
FLOOD HAZARD:	FEMA flood map 060173-0204A indicates that the parcel is in Zone A, the 100-year flood plain
TOPOGRAPHY:	Relatively flat and draining to east
SOILS/MINERALS:	No reported mineral value. Suitability of soils for septic system is discussed in Questa Engineering report

ZONING:	C-RSP-1.0 Coastal, Residential Single-family Planned; minimum of one acre per lot
GENERAL PLAN:	C-SF3 Coastal Single-family Residential with a maximum lot density range of 1 to 20 acres
HIGHEST AND BEST USE:	Residential development
OWNERSHIP HISTORY:	Owned by Giacomini family for six decades
SPECIAL ISSUES:	No hypothetical conditions, extraordinary assumptions, limiting conditions or special instructions except the parcel is appraised as if 1) it is a legal lot of record and therefore saleable on the open market and 2) there are no appropriative water rights
VALUE DEFINITION:	Market value as defined in the Introduction section of this report
INTEREST APPRAISED:	Fee simple interest as defined in the Introduction section of this report
PROPERTY APPRAISED:	Real property including consideration of water, minerals and access
PROPERTY INSPECTION:	August 29, 2003 and February 19, 2004
DATE OF VALUE:	February 19, 2004

OPINION OF MARKET VALUE

\$510,000

SALIENT DATA

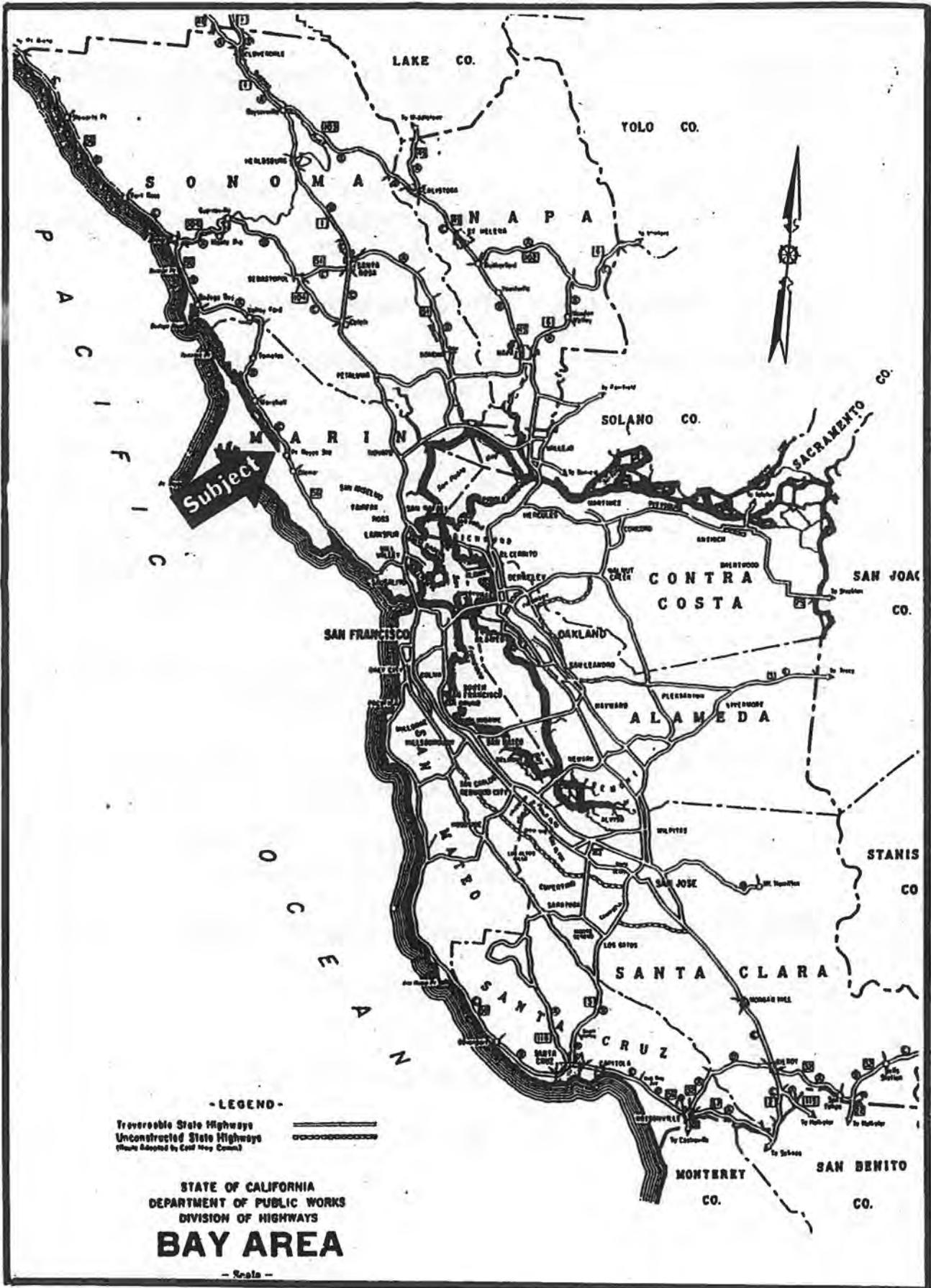
**NATIONAL PARK SERVICE: 4.3 ACRES AT C STREET, POINT REYES
APN 119-040-26 (PORTION), 119-240-66 (PORTION)
119-240-75 (PORTION)**

OWNERSHIP:	National Park Service
LEGAL DESCRIPTION:	N/A
PROPERTY TYPE:	Land suitable for residential development
CURRENT USE:	Dairy operation
IMPROVEMENTS:	Dairy barns, corrals, and an employee cottage (for purpose of appraisal, the improvements are assumed to have been removed)
LOCATION:	West side of C Street, Point Reyes, unincorporated Marin County
ACCESS:	About 340 feet of frontage on C Street
WATER:	North Marin Water District main in C Street
UTILITIES:	Power and telephone service available along C Street
SEWER/SEPTIC:	On-site septic systems are required
FLOOD HAZARD:	FEMA flood map 060173-0208A indicates that all but the southern end of the parcel is in Zone C, above the 100-year flood plain
TOPOGRAPHY:	Slight slope to the west
SOILS/MINERALS:	No reported mineral value. Suitability of soils for septic systems discussed in Questa Engineering report

ZONING:	C-R-A:B2 Coastal, Residential, Agricultural Planned; minimum 10,000 square feet per lot
GENERAL PLAN:	C-SF5 Coastal Single-family Residential with a maximum lot density range of two to four lots per acre
HIGHEST AND BEST USE:	Residential development
OWNERSHIP HISTORY:	Owned by the National Park Service for about five years
SPECIAL ISSUES:	No hypothetical conditions, extraordinary assumptions, limiting conditions or special instructions except the parcel is appraised as if 1) it is a legal lot of record and therefore saleable on the open market and 2) all structures have been removed and the land cleared for construction
VALUE DEFINITION:	Market value as defined in the Introduction section of this report
INTEREST APPRAISED:	Fee simple interest as defined in the Introduction section of this report
PROPERTY APPRAISED:	Real property including consideration of water, minerals and access
PROPERTY INSPECTION:	August 29, 2003 and February 19, 2004
DATE OF VALUE:	February 19, 2004

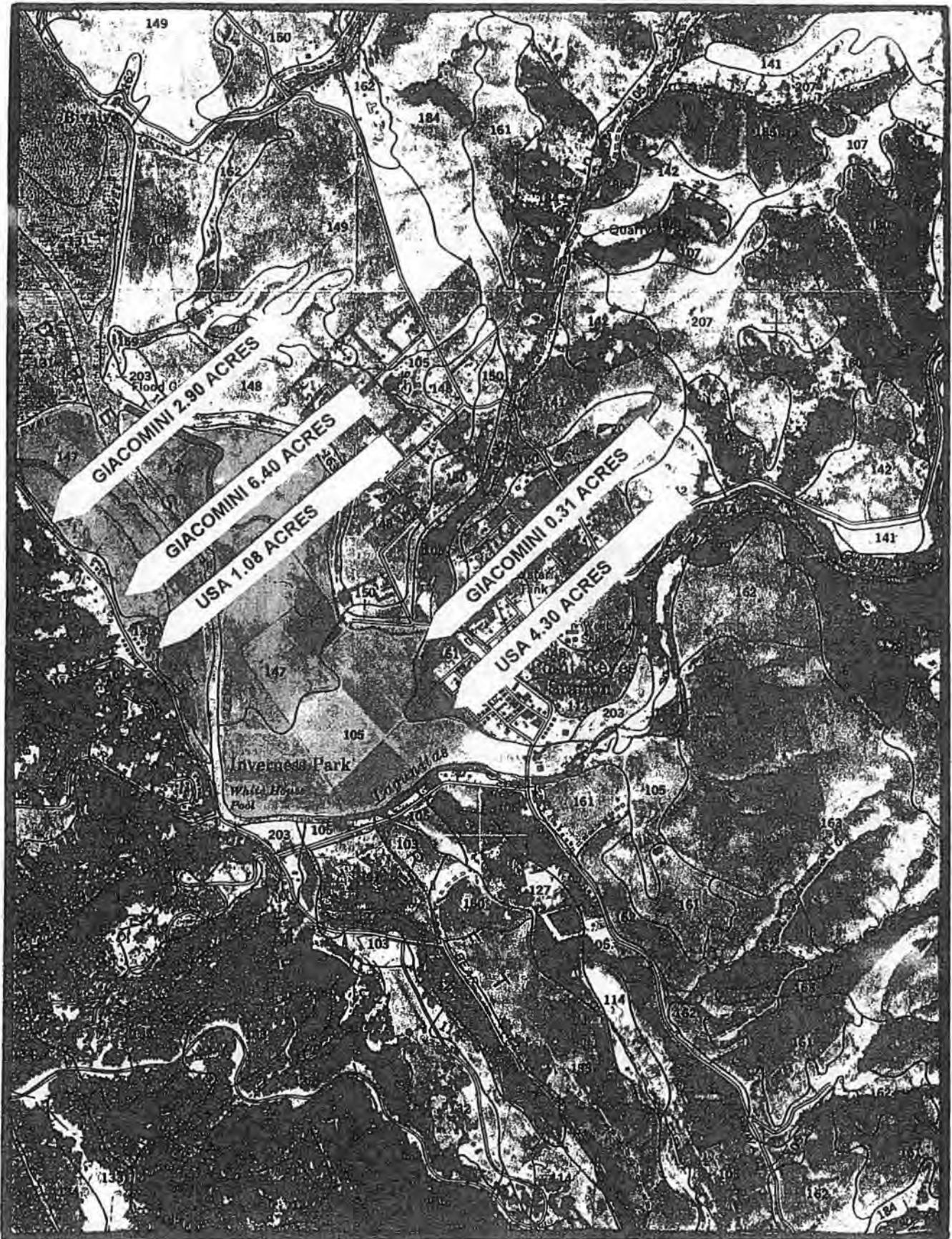
OPINION OF MARKET VALUE

\$750,000

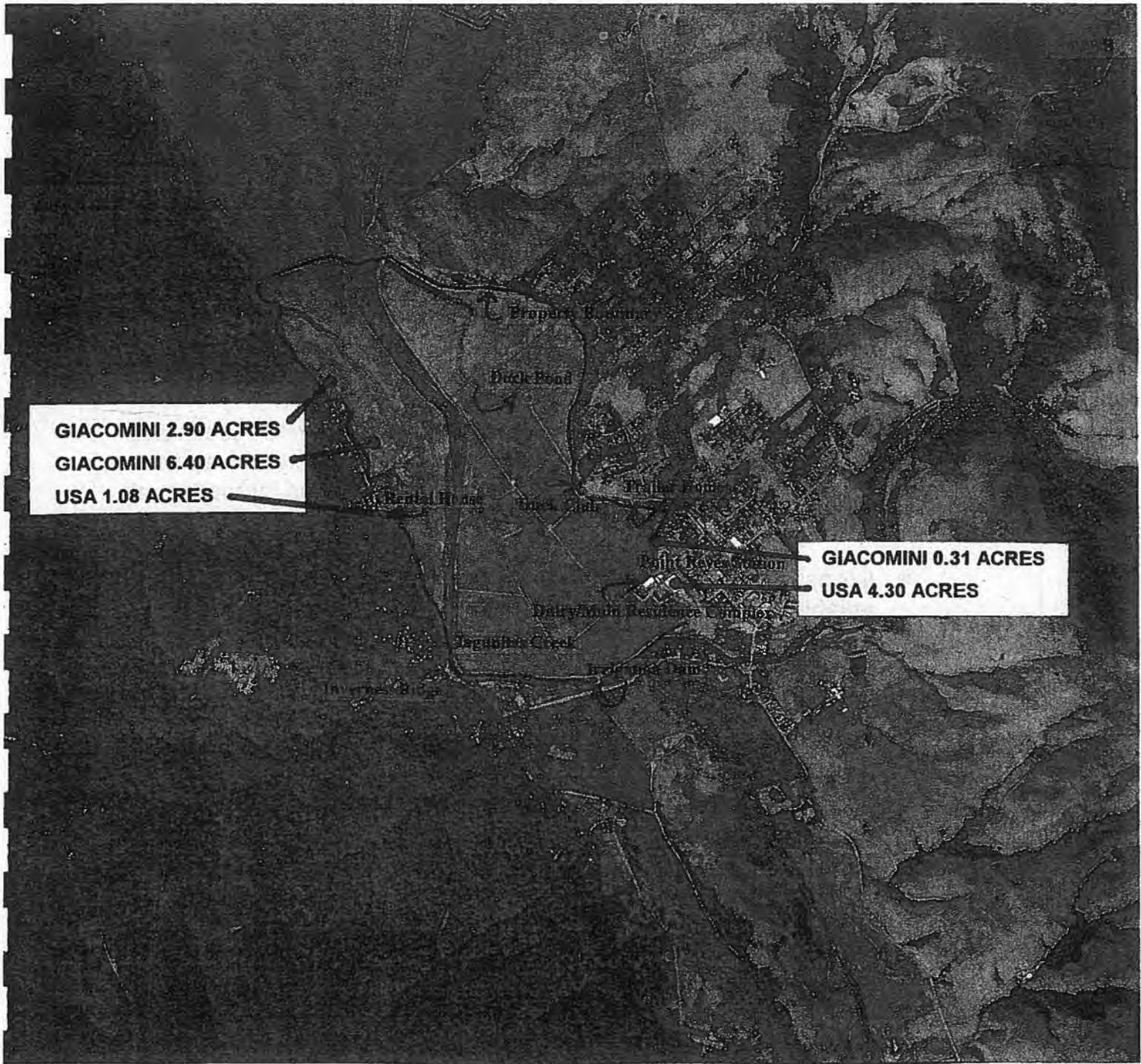


-LEGEND-
 Traversable State Highways
 Unconstructed State Highways
 (Route Adopted by Civil Way Comm.)

STATE OF CALIFORNIA
 DEPARTMENT OF PUBLIC WORKS
 DIVISION OF HIGHWAYS
BAY AREA
 -Scale-



U.S.D.A. SOIL CONSERVATION SERVICE MAP



Aerial Photograph of Waldo Giacomini Ranch

ASSUMPTIONS

- **Special Assumptions:** As directed by the National Park Service, the following are special assumptions: 1) appraisal of the 4.3 acres improved with a dairy is made with the assumption that all improvements have been removed; 2) in order to arrive at an opinion of market value for each of the subject properties, it is assumed that the subject parcels are legal lots of record; and 3) valuation of each of the subject properties does not include consideration of any value that may be attributable to an appropriative water right.
- It is assumed the title to the subject property is good and marketable. Any legal description used in this appraisal report is assumed to be correct. No responsibility is assumed for matters of a legal nature, including matters related to title.
- It is assumed that information supplied by others is true, correct and reliable. A reasonable effort has been made to verify such information, but no responsibility is assumed for accuracy of such information.
- Unless otherwise stated in this report, the existence of any toxic contamination of the soil, which may or may not be present on the property, was not observed by the appraiser. The appraiser, however, is not qualified to detect such substances or conditions. The estimated value is predicated on the assumption that there is no toxic contamination that would cause a loss of value. No responsibility is assumed for such conditions or for any expertise or engineering knowledge required to discover them. The client is urged to retain an expert in this field if the client has any concerns regarding this matter.
- It is assumed that there is no encroachment or trespass unless noted within the report. A reasonable effort has been made to inspect the property in relation to any property descriptions made available to appraiser, but no responsibility is assumed for identifying encroachments, trespass and other matters of survey or legal description.
- The subject property is valued as if there were no encumbrance related to mortgage, lien or other debt.

LIMITING CONDITIONS

- Possession of this appraisal report does not carry with it the right of publication. It may not be used for any purpose by any party other than the client. The appraiser assumes no obligation, liability, or accountability to any third party. Use of this report is subject to review by duly authorized representatives of the American Society of Appraisers.
- Any sketches in this report may show approximate dimensions and are included only to assist the reader in visualizing the property. No survey of the property was made by the appraiser and no responsibility is assumed regarding such matters.

NATURE OF THE ASSIGNMENT

PURPOSE AND FUNCTION OF THE APPRAISAL

The purpose of this appraisal is to provide the client, the National Park Service, with an independent estimate of the current market values of the fee simple interests in the subject properties. The function of the appraisal is to assist the National Park Service in negotiations to facilitate exchange of the subject properties.

INTENDED USE OF THE APPRAISAL REPORT

This appraisal report was prepared for the Giacomini Estate and the National Park Service to facilitate consideration of possible exchange of land. The report is not intended to be used for any other purpose or by any other party.

PROPERTY INSPECTION

The property was inspected by the appraiser August 29, 2003 and February 19, 2004. Robert and Rich Giacomini accompanied the inspection on August 29th and Paul Popisil, an engineer with Questa Engineering, accompanied the inspection February 19th.

APPRAISAL PROCESS

A complete appraisal process in accordance with the Uniform Standards of Professional Appraisal Practice and the Uniform Appraisal Standards for Federal Land Acquisition was conducted and those methods and techniques necessary to produce a credible appraisal were employed. The appraisal was conducted from the date of inspection to the date indicated on the letter of transmittal.

APPRAISAL REPORT

The results of the appraisal process are presented in a self-contained appraisal report in conformance with the Uniform Standards of Professional Appraisal Practice and the Uniform Appraisal Standards for Federal Acquisition.

EXPOSURE TIME

The estimated market value assumes a reasonable market exposure time prior to the effective date of valuation.

SCOPE OF APPRAISAL DEVELOPMENT

The scope of the appraisal encompasses the extent of investigation, analysis and data collection, as outlined below.

- 1) Information was researched on land use regulations and market trends relevant to subject.
- 2) The premises was inspected and relevant characteristics were noted.
- 3) Legal, title, cartographic and other documents relevant to subject appraisal were reviewed and analyzed.
- 4) Comparable sales were researched. The geographical area and time span searched for market data is discussed in the Valuation section of this report. Market data was obtained from numerous sources including parties to comparable sales transactions, the Bay Area Real Estate Information Service, CD Data, Inc., the Marin County Assessor, and real estate agents active in the area. The sale prices of comparables were confirmed by cross-checking the data obtained by the above process. In general, all sale prices were cross-checked at least once, with further inquiry if the initial cross-checks raised questions.
- 5) Of the three traditional approaches to valuation of real property, the Sales Comparison Approach is considered the only appropriate approach for valuation of the subject property. The Income Approach was not used because the property, in its current unimproved state, does not have the potential to generate income that may be utilized as an indication of market value. The Cost Approach was not used because it is appropriate only for improved properties.
- 6) Information on applicable land use regulations and site characteristics was obtained from Federal, State and local agencies. Inquiry was made of the State Lands Commission regarding any specific or general claim to the property and

NATURE OF THE ASSIGNMENT - (Cont.)

applicable Commission policies toward land use. Persons contacted include: Paul Popisil, Questa Engineering; Tom Lai, Marin County planner; Doug Spiker, Wetlands Research Associates, and Philip Williams, Philip Williams & Associates, Ltd.

COMPETENCY IN RELATION TO APPRAISAL ASSIGNMENT

The appraiser has appraised the Giacomini dairy ranch and similar properties in the area and possesses the knowledge and experience to produce a credible appraisal. The appraiser's statement of qualifications is in the Addenda.

EFFECTIVE DATE OF VALUE

The effective date of value is February 19, 2004.

PROPERTY APPRAISED

The property appraised is the real property. There is no personal property, business interest, goodwill, trade fixtures or equipment associated with the appraised property.

PROPERTY INTERESTS APPRAISED

The interest appraised is the fee simple interest, subject to title exceptions as noted in the preliminary title report, and does not include any indebtedness, or other encumbrance that is similarly extinguishable.

Fee Simple Estate

Fee simple estate is defined as "absolute ownership unencumbered by any other interest or estate; subject only to the limitations of eminent domain, escheat, police power, and taxation." Source: The Dictionary of Real Estate Appraisal, American Institute of Real Estate Appraisers, 1984

NATURE OF THE ASSIGNMENT - (Cont.)

VALUE APPRAISED

The value appraised is market value as reflected in the definition of market value in the *Uniform Appraisal Standards for Federal Land Acquisition*:

"Market value is the amount in cash, or in terms reasonably equivalent to cash, for which in all probability the property would have sold on the effective date of the appraisal, after a reasonable exposure time on the open competitive market, from a willing and reasonably knowledgeable seller to a willing and reasonably knowledgeable buyer, with neither acting under any compulsion to buy or sell, giving due consideration to all available economic uses of the property at the time of appraisal."

MARIN COUNTY

The following is a brief outline of characteristics of Marin County:

- The County is located immediately north of San Francisco.
- The County is ranked the most affluent county in the State and among the highest in the nation.
- Only 11% of the County's 333,440 acres is developed and only another 5% is potentially developable. The land is 36% agricultural, 33% parkland, and 15% private and public open space and tideland. Most of the agricultural land is pasture land zoned at a 60 acre density.
- The Marin Agricultural Land Trust has purchased conservation easements over 35,000 acres of ranch land.
- County population has been leveling off, but employment has been growing.
- Significant retail and office development has occurred over the last decade.
- Increased employment and population growth, particularly in Novato and southern Sonoma County, has contributed to substantial traffic congestion on Highway 101 during peak hours.
- The median price of a detached single-family home, as reported by the Marin County Assessor's office for the month of December, 2003 was \$757,000 an increase of 22% over the December, 2001 median of \$622,500.

OVERVIEW

Marin County is a hilly peninsula linked to San Francisco to the south by the Golden Gate Bridge. Sharing a boundary with Sonoma County to the north, the rest of Marin's boundaries are coastline and bayfront, with the Pacific Ocean to the west and San Francisco Bay and San Pablo Bay to the east.

Marin County is the least populated county in the San Francisco-Oakland Metropolitan Area.

Although population growth has leveled off in recent years, growth in professional and service employment has continued at a robust pace. Continued economic expansion may be affected, however, by a lack of affordable housing, and transportation deficiencies.

The attraction of the physical beauty of Marin, its affluent and well educated population and its proximity to San Francisco and other Bay Area business/industrial centers are factors that indicate that there will continue to be a healthy demand in the county for housing, office, commercial and service-oriented facilities.

LAND USE

Only ten percent of Marin's 333,440 acres is urbanized. The eastern urban corridor is aligned along the north-south route of U.S. Highway 101, linking communities that are generally oriented toward San Francisco Bay and San Pablo Bay.

Rural Marin is located in a relatively large area of rolling hills known as West Marin. Rural land uses consist of park land, grazing land, estate and ranch homes of 40 or more acres, and some dairies. Interspersed within this pastoral landscape are a few small communities with a limited number of residential homesites. The settlements along Marin's coast are of village scale. The coastal communities are linked by State Route One.

More than one-third of the County's land area, including most of its shoreline, has been set aside as parkland. Pt. Reyes National Seashore and the Golden Gate National Recreation Area attract visitors to the County from throughout the nation.

SUPPLY AND DEMAND

Virtually all of the land outside of the urban area and the outlying communities is open space by virtue of either parkland acquisition or agricultural zoning. Buildable land for any land use is increasingly scarce in the urban area. Limits on the supply of housing to meet increasing demand have contributed to the high cost of housing in the County.

EMPLOYMENT

With the opening of the Golden Gate Bridge, Marin County began a change from a predominantly agricultural area to a suburban area with employment based primarily in San Francisco. In more recent years, County employment has been shifting from San Francisco back to Marin. Whereas about 50% of the County labor force worked in Marin County in the early 1980's, the current percentage is closer to 70%.

POPULATION GROWTH

Marin County's population growth has slowed considerably since its robust expansion from 1960 to 1970. Like San Francisco, Marin's population, at 250,400 as of 1/1/03, has leveled off in recent years and contrasts with the greater growth of other counties within the region.

The stabilization of Marin County's population may be attributable to the decline in the number of persons per household combined with production of an increasingly smaller number of dwelling units. Scarcity of land appropriate for residential development has limited housing production despite strong demand. The Countywide Plan estimates a county population of about 260,000 by the time all available land is developed.

HOUSING

As may be expected, the minimal population growth in Marin over the last 10 years is reflected in only a modest expansion of housing during this period of time.

Marin, like the State as a whole, experienced considerable increase in home value during the latter part of the 1980's. Thereafter, California experienced an economic slowdown in line with the national economy. Home prices trended downward or stagnated. Home prices recovered by 1997-1998 and have been increasing since that time at a rapidly accelerating rate. The median price of a detached single-family home, as reported by the Marin County Assessor's office for the month of December, 2003 was \$757,000 an increase of 22% over the December, 2001 median of \$622,500.

The rental housing market in Marin is characterized by low vacancies and rents at levels significantly above the Bay Area average.

TRANSPORTATION

A large proportion of Marin County's workforce commutes to the major business centers in the surrounding Bay Area, primarily downtown San Francisco.

The County's primary transportation artery is U.S. Highway 101. The freeway connects the cities in the County's urban corridor from Novato at the north to Sausalito at the south. U.S. Highway 101 links Marin to San Francisco by way of the Golden Gate Bridge. Highway 580 intersects with 101 at San Rafael and extends across the Richmond-San Rafael Bridge to the East Bay.

Congestion on Highway 101 during the commuter hours is the County's major transportation problem. Plans are presently being considered by various transportation agencies to alleviate the problem by acquiring and developing the NWP railroad right-of-way as a light rail corridor.

Another transportation deficiency is lack of a nearby airport for general commercial air transportation. Charter flights and other small aircraft aviation services are available, however, at Gness Field in Novato.

AGRICULTURE

The subject property borders an extensive rangeland that extends for miles along both sides of the Marin-Sonoma border and further north. This belt of pasture land is north of Mt. Tamalpais in Marin County and includes most of the land outside of the urbanized 101 corridor, extending to the shorelines of San Pablo Bay to the east and the Pacific Ocean to the west.

Generally hilly terrain, inconsistent availability of water, and a very limited amount of fertile bottom land are factors that explain the scarcity of land in Marin that would be considered "prime farmland" for the growing of crops. The land is uniquely suitable, however, for grazing livestock.

Marin agricultural land, particularly in the coastal area, is subject to a cool and moist climate with generous precipitation, often in the form of fog. As a result, the carrying capacity of much of Marin's non-irrigated rangeland is one cow per six acres, with some particularly productive pastures approaching one cow per four acres. This compares to a relatively meager one cow per 15 acres in California's Central Valley.

LAND OWNERSHIP

The current Marin Countywide Plan, drafted in 1991, provides a breakdown of the 168,246 acres of agricultural land as follows:

- Privately owned land subject to a Williamson Act agricultural preserve or open space designation 56%

- Privately owned land not subject to contract or deed restriction for preservation of agriculture or open space 25%

- Land leased from the federal government and within the GGNRA or the Point Reyes National Seashore 19%

The State Department of Conservation, Office of Land Conservation has been monitoring change in land use for Marin County since 1984. Due to changes in the base map, relatively accurate accounting of change is available only from 1992 forward. Total agricultural land in Marin County in 1996 is

indicated as 160,502 acres, a decline of 451 acres from the 1992 total of 160,953 acres. The 451 acres of agricultural land converted to other land uses included 160 acres of land classified as "farmland of local importance" and 291 acres of grazing land. In contrast to the loss of 451 acres of agricultural land, 399 acres of land was added to the classification "urban and built up" during the same period of time.

AGRICULTURAL PRODUCTION AND RECREATION

A large portion of rural Marin has been preserved as public land following extensive land acquisition by county, state and federal agencies for scenic, habitat and recreational purposes. The 65,303 acre Pt. Reyes National Seashore, the Golden Gate National Recreation area and Tomales Bay State Park are public lands that serve agricultural production as well as naturalists, hikers, fishermen and other persons with recreational and scientific interests.

Public lands support as many as 20 agricultural operations generating a wholesale product value of about \$4,000,000 a year.

The Point Reyes National Seashore leases about a third of the park land (20,650 acres) for ranching and dairy operations. In 1991, the operations included 3,400 dairy cattle, 1,700 beef cattle, and 1,500 acres cultivated for hay and silage. There were 15 separate ranches. The Golden Gate National Recreation Area leased 10,557 acres to 14 ranchers to graze 920 head of beef cattle.

NEIGHBORHOOD

The Giacomini dairy is located in the unincorporated community of Point Reyes, Marin County, California. The small community is located at the south end of Tomales Bay, surrounded by federal and state park land and pasture land used to graze dairy cows, beef cattle and sheep.

The town of Point Reyes includes a post office, grocery store, pharmacy, service station, community center, and several restaurants, inns and retail shops, most oriented largely to tourists visiting the park lands.

The western side of the ranch is adjacent to the Inverness Ridge. The village of Inverness is located along the west shore of Tomales Bay. The community of Olema is located two miles to the south. There are no more than 4,000 residents in the area.

Outstanding natural features of the area include Tomales Bay, Inverness Ridge, Point Reyes Seashore, Black Mountain, and Lake Nicasio.

Tomales Bay is a long narrow bay about 15 miles in length with tidal mudflats at the south end near the town of Point Reyes. The bay was shaped by the San Andreas fault. The Inverness Ridge is the watershed along much of the western shore of the bay.

Black Mountain is across the highway from the Giacomini Ranch. At an elevation of 1,280 feet, it dominates the landscape for miles in every direction.

East of Black Mountain, across Point Reyes - Petaluma Road is Nicasio Reservoir. The spillway of Nicasio Dam empties into Lagunitas Creek.

URBAN AREAS SERVING THE NEIGHBORHOOD

Much of the shopping and business trade for the residents in the subject area is conducted in larger communities about 12 to 18 miles distant: the Ross Valley communities of central Marin to the southeast, Novato in northern Marin to the east and Petaluma in Sonoma County to the northeast.

Petaluma is particularly important as a place of commerce for the dairy industry. The downtown is about 16 miles from Point Reyes by way of Point Reyes - Petaluma Road. The population of about 42,000 is the second

NEIGHBORHOOD - Cont'd.

largest in Sonoma County. Ranches and farms surround the suburban areas of the city in all directions and provide the basis for a wide variety of commercial activities that support agricultural activity, including legal and business services, feed and farm equipment supply, cooperatives, brokers, veterinarians, hydrologists, agronomists, and specialists in dairy, beef, sheep, and poultry operations.

OVERVIEW OF THE SUBJECT PROPERTIES

LOCATION

The Giacomini Ranch is located in a picturesque rural setting at the south end of Tomales Bay at Point Reyes, Marin County. The ranch is about 20 miles from San Rafael and 40 miles from San Francisco.

DESCRIPTION OF THE RANCH

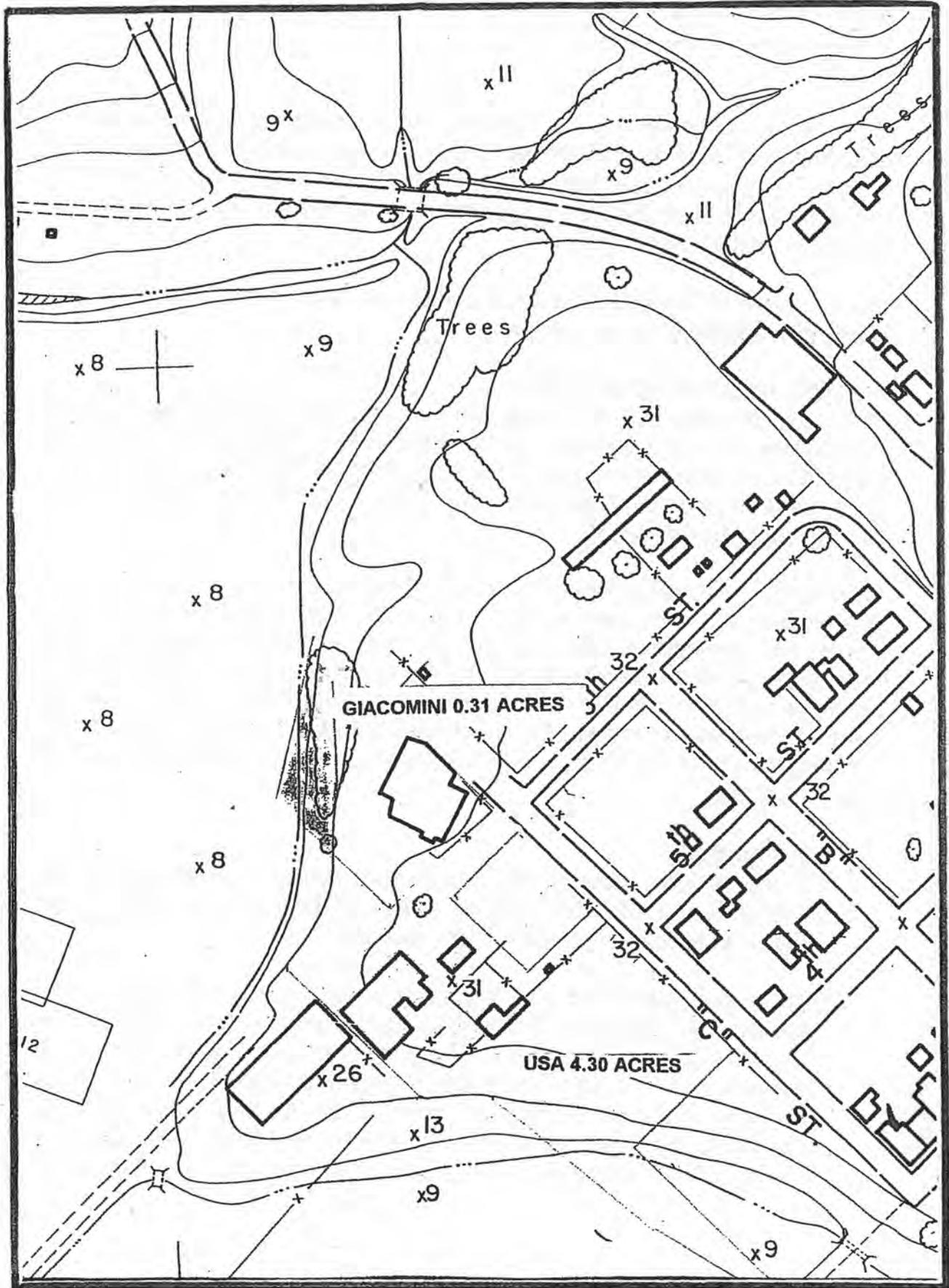
The Giacomini Ranch is predominantly flat alluvial land adjacent to Tomales Bay. It extends from the town of Point Reyes west to the base of the Inverness Ridge. Most of the ranch is a flat expanse of diked pasture that was once tidal marsh. The property is divided in a north-south direction by Lagunitas Creek, forming an eastern and a western pasture. Almost all of the eastern pasture is irrigated, whereas the western pasture is not. The southern boundary of the property is defined by Lagunitas Creek. A portion of the western pasture fronts Sir Francis Drake Boulevard.

According to Richard Giacomini, most of the ranch was purchased by his father, Waldo Giacomini, in 1943 or 1944. Additional parcels were purchased during the period 1945 to 1957. In 1946, Waldo Giacomini reclaimed tidal marsh for use as pasture by constructing levees along Lagunitas Creek and dikes along the north property line to prevent inflow of tidal water from Tomales Bay. The dairy he constructed has been in operation for over fifty years.

There are about 450 milk cows at the Giacomini dairy. In addition the ranch typically supports about 75 dry cows and 200 replacement heifers. The western and eastern pastures are fully fenced and separated by Lagunitas Creek. The eastern pasture has been cross-fenced into 15 separate pastures.

PURCHASE BY THE NATIONAL PARK SERVICE

About five years ago, the National Park Service purchased most of the Giacomini Ranch, leasing it back to continue dairy use for seven years. The Giacomini family retained ownership of several parcels, including the primary residence on 1.35 acres, a 0.46 acre parcel along C Street, currently used to corral cattle, a 0.99 acre parcel along C Street, also used to corral cattle, and the two strips of land along Sir Francis Drake Boulevard that are subjects of this appraisal: a 2.90 acre marshland parcel and 6.40 acres currently used as pasture.



OVERVIEW OF THE SUBJECT PROPERTIES

The 4.30 acres owned by the National Park Service is important to the Giacomini in order to consolidate three otherwise separate holdings along C Street. The parcels the Giacomini propose to exchange may be important to the National Park Service for purposes of access to and protection of important natural resources.

It is the intent of the National Park Service to restore historic wetlands that have been diked for use as pasture.

ACCESS AND ADJACENT USES

The ranch compound of dairy barns and residences is adjacent to the town of Point Reyes and has frontage on "C" Street. Across the street is a mix of residential, service commercial and community uses, including Marin County fire and sheriff stations. Downtown commercial uses along "A" Street are only two blocks to the northeast.

The western pasture has frontage along Sir Francis Drake Boulevard, a major thoroughfare that links western Marin with U.S. Highway 101 and the Marin County cities within the urban corridor along the highway. There are a few homes and several unimproved lots situated between portions of the western pasture and Sir Francis Drake Boulevard. Across the highway are homes on the steep and heavily wooded eastern slopes of Inverness Ridge. The homes are typically on lots of about one-half acre to three acres served by winding hillside streets.

Topography

A topographic map of the ranch and vicinity was completed by CalTrans in 1966. The map was used in exhibits to this report that outline the location of the subject parcels.

The survey shows the lowest area as being the northeast one-third of the eastern pasture at elevations ranging from 2 to 4 feet NGVD. The western pasture, exclusive of land zoned residential and commercial, generally ranges from 5 to 9 feet NGVD (National Geodetic Vertical Datum). The residentially and commercially zoned parcels along Sir Francis Drake Boulevard range from 8 to 20 feet NGVD. The relatively level portion of the bluff on which the farm compound is located ranges

OVERVIEW OF THE SUBJECT PROPERTIES

from about 20 to 31 feet NGVD. A 7/31/92 study by Philip Williams & Associates, Ltd., "An Evaluation of the Feasibility of Wetland Restoration on the Giacomini Ranch, Marin County," notes that there has been considerable subsidence since 1966 and that current elevations are up to one and a half feet lower than indicated on the map. Portions of the Williams report are included in the Addenda.

Vegetation

Both the eastern and western pastures are seeded to support grasses for livestock grazing. Active cultivation and controls against overgrazing have limited invasion by undesirable species. The western pasture has greater diversity in plant type because of less frequent cultivation and the presence of a topographically low area at the northeast corner of the western pasture. These low areas have inundation periods and saline soils that support salt marsh plants.

Riparian woodlands exist along water courses primarily in the western pasture next to Sir Francis Drake Boulevard and along Lagunitas Creek at the southern boundary.

Utilities

Power and telephone service is provided to the ranch complex and is available to other parts of the ranch. Propane delivery service supplies gas for three 150 gallon propane tanks. There are two tanks at the dairy complex. There is no public sewer system available to any of the subject parcels. On site septic systems are required.

Water

The North Marin Water District provides municipal water to Point Reyes and Inverness Park. The subject properties are all within the District. Water for the dairy is obtained from two district wells adjacent to Lagunitas Creek upstream of the ranch.

Water Rights

The State of California Water Resources Control Board granted the Giacomini license # 9730 in 1963 for diversion of up to 0.50 cubic feet per second from Fish Hatchery Creek for agricultural use. The creek

OVERVIEW OF THE SUBJECT PROPERTIES

runs along and within the southern boundary of the parcel and extends out into the Giacomini Ranch western pasture. It may be that the National Park Service purchased this water right when it purchased the western pasture. The 6.4 acre parcel is therefore appraised with riparian water rights to Fish Hatchery Creek, rather than an appropriative right as described above. It is similarly assumed that the National Park Service purchased water rights to Lagunitas Creek licensed to the Giacominis.

Drainage

An extensive system of levees has been installed to prevent unwanted intrusion of water from Tomales Bay, Lagunitas Creek and Tomasini Creek. A 40 horse power sump pump, cement spillways, and tide gates are used to drain water from the site. The sump pump is capable of discharging 8,000 to 9,000 gallons per minute. The spillways provide a controlled outlet for flood waters to reduce the risk of damage to the levees. There are seven tide gates of 30 inches to 48 inches that empty drainage ditches during periods of low tide.

At the end of its lease of pasture to the Giacomini estate, the National Park Service intends to convert the pasture to a marsh.

Flood Hazard

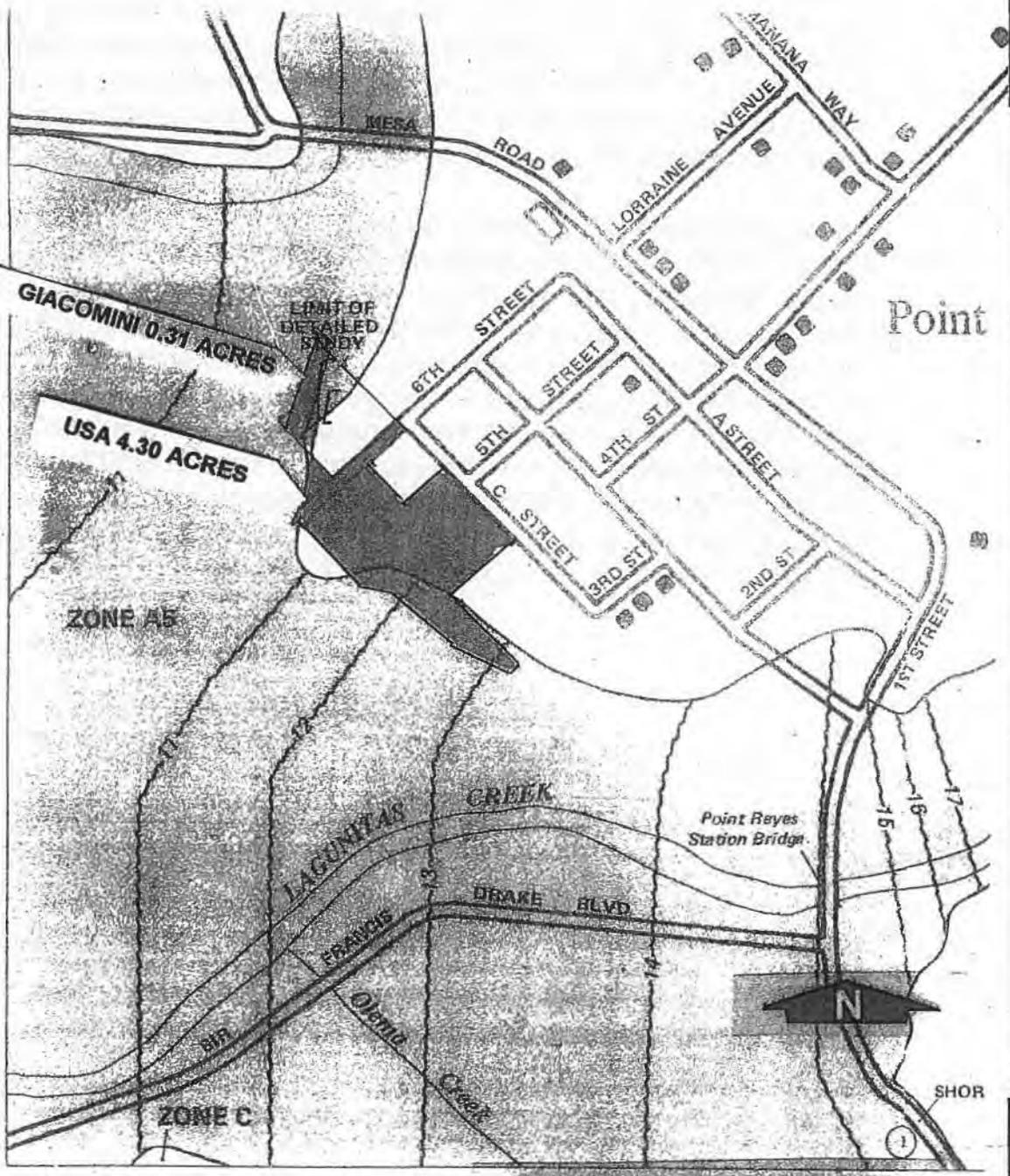
On the following pages are Federal Emergency Management Agency The FEMA flood maps indicating that the subject properties along Sir Francis Drake Boulevard are all within the 100-year flood plain. A small corner of the 0.31 acre parcel abutting the primary residence is shown as being within the 100-year flood plain. The southernmost portion of the 4.30 dairy parcel is also shown as being within the 100-year flood plain.

Levees contain Lagunitas Creek as it flows to the west along the southern boundary of the Giacomini ranch and to the north to Tomales Bay, bisecting the Giacomini ranch into eastern and western pastures. The levees were constructed by Waldo Giacomini in the 1940's. The 100-year flood level is indicated as being 11 feet NGVD near the Waldo Giacomini residence, 14 feet NGVD at the extension of 2nd Street, and

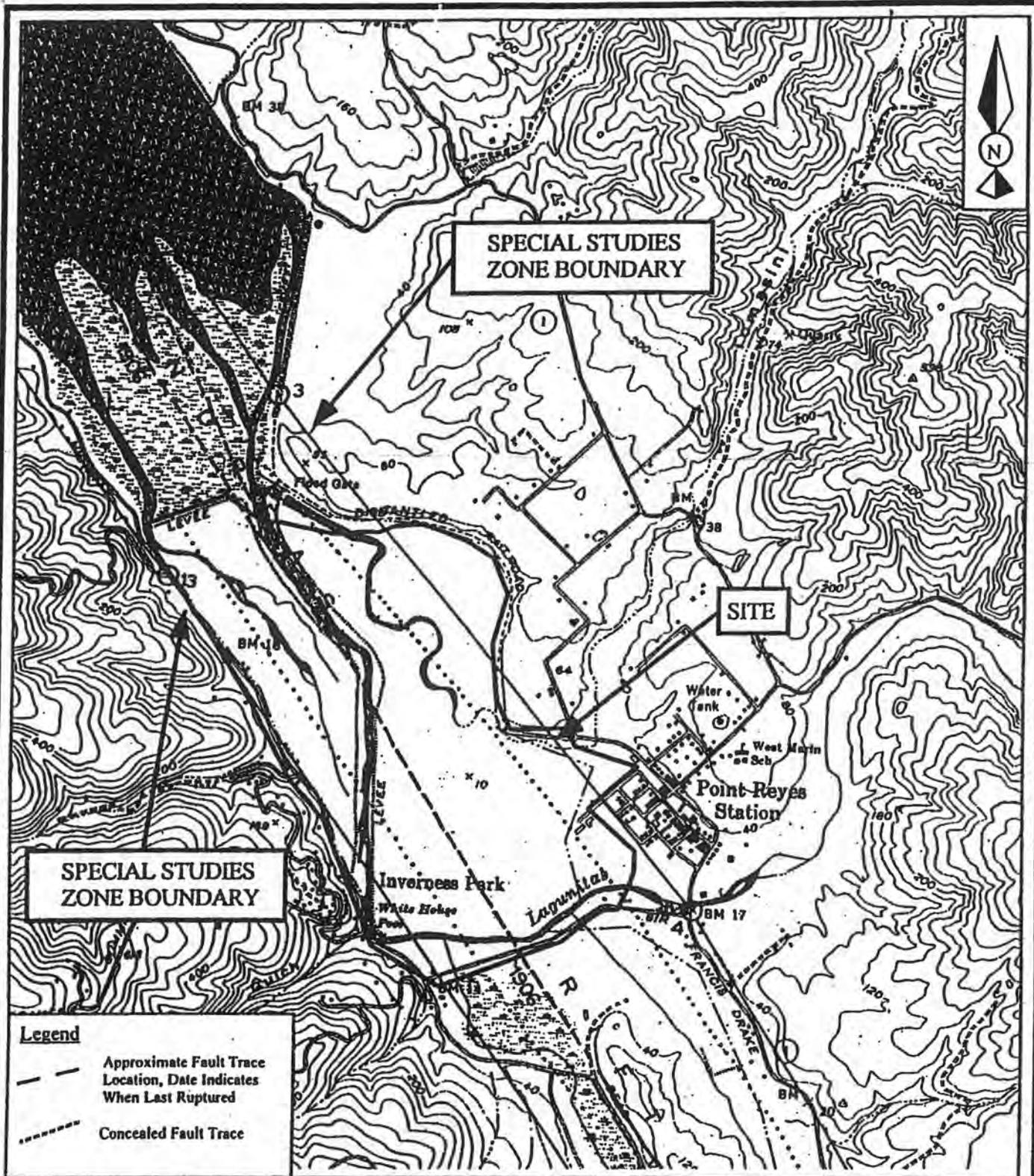
OVERVIEW OF THE SUBJECT PROPERTIES

15 feet NGVD at the Highway 1 bridge. The 1982 winter storms produced a flood that was generally regarded as being at least a 100-year event in many locations. It is reported that some homes along Sir Francis Drake Boulevard and next to Lagunitas Creek were damaged by flood water. Both the 1982 and 1986 floods overtopped the levees along Lagunitas Creek, flooding the pastures. The entire ranch is within a dam flood hazard area downstream of Nicasio Dam.

The Questa Engineering report on the subject 1.08 acre parcel at Sir Francis Drake Boulevard, Inverness refers to the 100 year flood plain as the floodplain and floodway. The floodway is a term usually associated with the area within the high water line of a waterway. The County of Marin does not classify any of the subject properties as being within a floodway because it is recognized that the Lagunitas Creek floodway is contained within levees through the Giacomini ranch. There are, however, areas of the subject properties subject to 100-year flood events and therefore within the 100-year floodplain as defined by the Federal Emergency Management Agency. FEMA floodplain maps of the subject properties are presented on the following pages.



Flood Plain Map



Legend

- Approximate Fault Trace Location, Date Indicates When Last Ruptured
- Concealed Fault Trace

Approximate Scale (feet)

0 1200 2400

Project No. 3429-001

**ALQUIST-PRIOLO
SPECIAL STUDIES ZONE**
Pre-Acquisition Environmental Assessment
Giacomini Ranch
Point Reyes Station, California

Figure 5
76

Versar INC.

OVERVIEW OF THE SUBJECT PROPERTIES

Geology and Seismicity

The middle of the Giacomini Ranch is situated directly over the San Andreas fault, an active fault that extends most of the length of the State of California. In the subject area, the fault is located in a northwest to southeast line down the middle of Tomales Bay. The State of California designated Alquist-Priolo Fault Rupture Zone Map shows the entire Giacomini Ranch and all of the subject properties as being within the Fault Rupture Zone.

The surficial deposit over all of the ranch is alluvium composed of sand, gravel, silt and clay that is loose to soft and friable. The site is susceptible to liquefaction during a major earthquake. The levees and underground irrigation system would be particularly vulnerable to such action. The USGS estimates a 67% chance of a major earthquake of 7.0 or greater in the San Francisco Bay area within the next 30 years.

During the 1906 earthquake (8.0 Richter magnitude) displacement along the fault at the head of Tomales Bay was reported to be 21 feet.

Proposed construction within the zone requires geotechnical analysis and plan review to mitigate effects of an earthquake.

Minerals

No mention of mineral value related to the Giacomini Ranch has been made by the property owners or others knowledgeable about the property. Further, there has been no mention of mineral value in the Philip Williams study, the Countywide Plan, the Point Reyes Community Plan, or the Inverness Community Plan.

Soils and Slope Categories

The Natural Resources Conservation Service classifies the subject soils in categories that indicate the range in which the soil is usually found within the county and does not indicate an on-site survey of subject slopes. The general description of the soils and their characteristics are taken from the Natural Resources Conservation Service document "Soil Survey of Marin County, California," published

OVERVIEW OF THE SUBJECT PROPERTIES

March 1985, and the "Marin County Important farmland Map," July 1988, published by the Resources Agency of the State.

105 Blucher-Cole Complex

This soil complex is clayey bottomland on 2% - 5% slope located in the southern portion of the eastern pasture. The soils are very deep and somewhat poorly-drained. They are found in basins and alluvial fans and were formed from alluvial material derived from various types of rock. The surface layer is generally 14 to 16 inches and the subsoil is 60 inches or more. The soils are a mix of silt loam, silty clay loam and clay loam, with silt composition greater at surface levels.

Available water capacity is high to very high. Effective rooting depth is limited by a seasonal high water table that is at a depth of 1.5 to 3 feet from November to May. The soil is subject to occasional and brief periods of seasonal flooding.

This soil complex is largely used as pasture and for the production of hay. The subject land in this soil type is located in the southern half of the eastern pasture and is classified as "Prime Farmland" described as "land with the best combination of physical and chemical features for the production of agricultural crops."

135 Inverness Loam

Inverness loam is a deep, well-drained soil that is typically found on uplands with 50% to 75% slope. Depth to bedrock is normally 40 to 60 inches. This soil is found on the slopes of Inverness ridge and on

OVERVIEW OF THE SUBJECT PROPERTIES

a strip of flat land along the western boundary of the ranch.

147 Novato Clay

Novato clay is a very deep, very poorly drained soil on relatively flat land with 0 to 2% slope. This soil is formed in alluvial material derived from various types of rocks. Permeability of this soil is slow. Effective rooting depth is 60 inches or more for water-tolerant plants. A high water table is at or near the surface throughout the year. Native vegetation is typically cordgrass, saltgrass, and pickleweed and use is generally for wildlife habitat. Typical vegetation and use does not apply for the soils at the ranch because the land is diked and irrigated.

The soil type is located in the western pasture and the northern portion of the eastern pasture. It is classified as Farmland of Local Importance in the western pasture and Farmland of Statewide Importance in the eastern pasture. Farmland of Statewide Importance is "land with a good combination of physical and chemical features for the production of agricultural crops." Land in the western pasture would have the same designation if irrigated.

161 Saurin-Bonnydoon Complex

This soil complex is comprised of loamy soil on 2% - 15% slopes. Typically, these soils are shallow to moderately deep, well to somewhat excessively drained, and are formed in material derived from shale or sandstone. A typical constraint to septic absorption fields is depth to bedrock. More detailed

OVERVIEW OF THE SUBJECT PROPERTIES

information on soils characteristics at this location, including capability for septic systems is not available.

The soil complex is located in the area of the farm complex.

Climate

Coastal temperatures are moderate most of the year, seldom dropping below freezing. Average annual precipitation in the Point Reyes area is about 30 inches, almost all occurring during the winter months. Average annual temperature is 61 degrees Fahrenheit.

Archeological and Biological Issues

The property owners report that they are not aware of any archeological sites or habitat for an endangered species. The Marin County Community Plan expresses concern for preservation of archeological sites and endangered species and relies on the project review process to determine whether such sites exist on a given property.

The Philip Williams & Associates, Ltd. Study of the area lists special status wildlife species found at the ranch. No federal or state endangered species were included on the list.

Hazardous Substances

A Pre-acquisition Environmental Site Assessment of the Giacomini Ranch was completed by Versar, Inc. December 6, 1996 for the National Park Service. The report estimated the costs of remediating identified environmental concerns.

Recommended asbestos abatement includes the linoleum and/or mastic under the linoleum in the milk parlor, the cottage at Sir Francis Drake Boulevard, and the employee residence at the dairy. The report recommended repair or abatement. (I was informed by an E.P.A. technician that application of a new layer of vinyl flooring material would constitute effective abatement).

OVERVIEW OF THE SUBJECT PROPERTIES

Lead-based paint was found in all of the painted buildings except the milk parlor.

Versar, Inc. states the following regarding site environmental history and compliance: "According to Mr. Giacomini, the Site has no ongoing lawsuits, citations, or administrative proceedings related to the use, handling, or generation of hazardous wastes and materials, or alleging environmental damage. Based on review of available information and contact with appropriate regulatory agencies, the Site appears to be in compliance with applicable environmental laws."

LAND USE REGULATIONS

GENERAL PLAN

The Giacomini Ranch is within the Coastal Recreation Corridor of the Marin Countywide plan.

The Marin Countywide Plan characterizes the Coastal Recreation Corridor as "a rugged, dramatic meeting of land and sea that attracts visitors from throughout the world." Much of the corridor has been acquired by public agencies for recreation purposes - Point Reyes National Seashore, the Golden Gate National Recreation Area, and the Mount Tamalpais, Stinson Beach, and Tomales Bay State Parks.

The Giacomini ranch is within the Coastal Conservation Zone and is therefore subject to the Marin County Local Coastal Plan as approved by the California Coastal Commission. Development projects are subject to approval by the County, but may be appealed to the Coastal Commission.

The subject properties are governed by provisions of the Point Reyes Community Plan, 1986, or the Inverness Community Plan, 1983, both included by reference as a part of the Countywide Plan.

ZONING

The subject properties are a mix of various zoning districts. Zone regulations are included in the Addenda and discussed in the analysis and valuation of each of the subject parcels.

CALIFORNIA COASTAL COMMISSION

The subject ranch is within the Coastal Conservation Zone and is therefore subject to the Marin County Local Coastal Plan as approved by the California Coastal Commission. Development projects are subject to approval by the County, but may be appealed to the Coastal Commission.

POTENTIAL FOR CHANGE IN LAND USE

There is no County study underway regarding potential change of land use in the immediate area of the subject and such change is not anticipated in the foreseeable future.

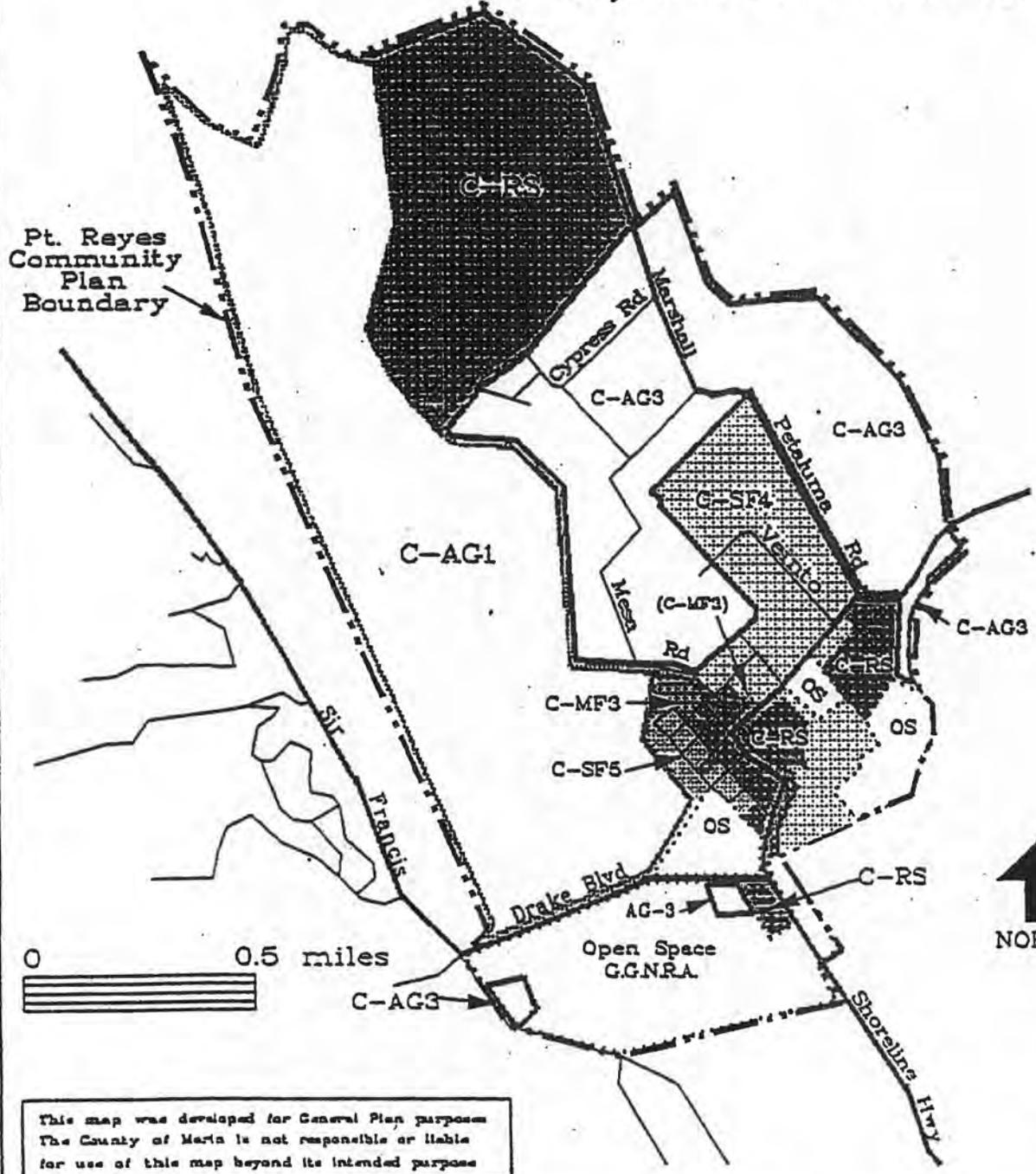
MAP 79
Point Reyes Station Land Use Policy Map

Community Development Element
Draft as of 8/30/91

23a

Land Use Policy 1991

	Coastal Single Family (2 to 4 units/acre)	C-SF5
	Coastal Single Family (1 to 2 units/acre)	C-SF4
	Coastal Multi-Family (5 to 10 units/acre)	C-MF3
	Coastal Residential Commercial (F.A.R. = 0.3 to 0.5) (1 unit/1 to 20 acres)	C-RS
	Coastal Open Space	C-OS
	Coastal Agricultural (1 unit/30-80 acres)	C-AG1
	Coastal Agricultural (1 unit/2-10 acres)	C-AG3
	Community Plan Boundary	
	Major Roads	
	Residential Roads	



This map was developed for General Plan purposes.
The County of Marin is not responsible or liable
for use of this map beyond its intended purpose.

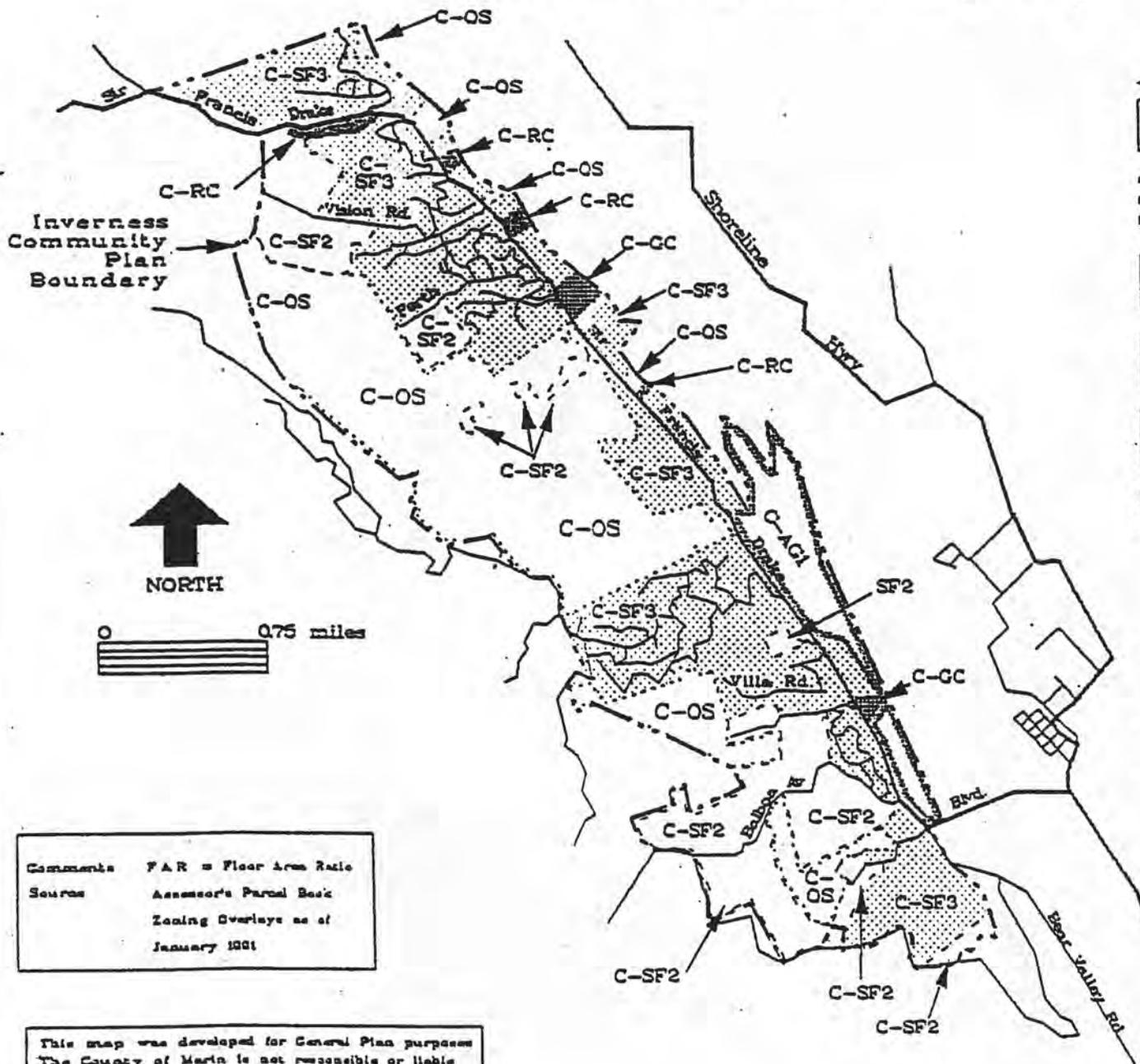
Comments
F.A.R. = Floor Area Ratio
Source: Assessor's Parcel
Book Zoning Overlays as
of January 1991



MAP 10 Inverness Land Use Policy Map

Community Development Element

236



Land Use Policy 1991

	Coastal Single Family (1 unit/1-5 acres)	C-SF3
	Coastal Single Family (1 unit/5-20 acres)	C-SF2
	Coastal General Commercial (F.A.R. = 0.05 to 0.30)	C-GC
	Coastal Recreational Commercial (F.A.R. = 0.05 to 0.15)	C-RC
	Coastal Agricultural (1 unit/30-60 acres)	C-AG1
	Coastal Open Space	C-OS

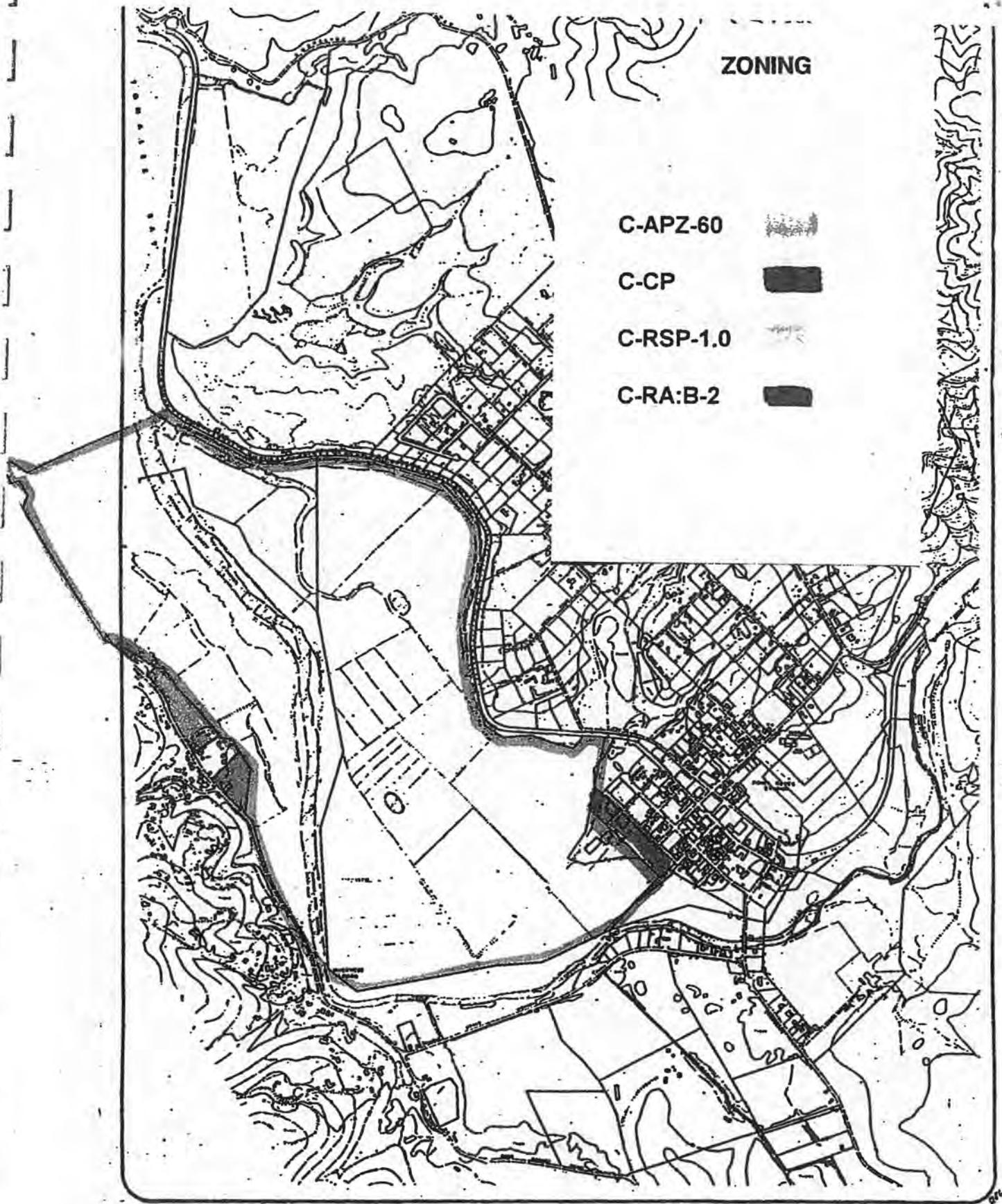
- Community Plan Boundary
- Major Roads
- Residential Roads

Comments FAR = Floor Area Ratio
Source Assessor's Parcel Book
 Zoning Overlays as of January 1991

This map was developed for General Plan purposes. The County of Marin is not responsible or liable for use of this map beyond its intended purpose.



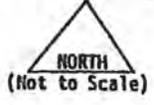
Plan CD 111



ZONING

- C-APZ-60 
- C-CP 
- C-RSP-1.0 
- C-RA:B-2 

1986 SUBDIVISION PATTERNS IN POINT REYES STATION



U.S. CORPS OF ENGINEERS JURISDICTIONAL WETLANDS

The Clean Water Act (1977) was enacted by Congress to protect and restore waters of the United States, including wetlands. The regulatory agency given jurisdiction over waters of the United States is the Army Corps of Engineers. Any application for construction or fill in a jurisdictional wetland is subject to Corps approval.

If a landowner seeks a permit to fill or build upon a wetland, he must prove that there is no "practicable alternative site" available for the project. Corps officials have explained to me that this means that there are neither on-site nor off-site alternative locations. On-site "in-kind mitigation" may be a possibility. Such mitigation would require the creation of a new wetland to offset any loss of existing wetland. Usually, the proposed wetland is required to be significantly greater than the displaced wetland. Any wetland created as mitigation must be monitored and managed according to an approved plan.

The Philip Williams & Associates Study included a field investigation of subject soils, vegetation and hydrology by Wetlands Research Associates based on criteria used by the Corps to define jurisdictional wetlands. The three basic criteria used by the Corps to determine if land is jurisdictional wetland include the presence of the following: (1) hydrophytic vegetation, (2) hydric soils, and (3) wetland hydrology. The criteria for delineation of wetlands is contained in The Federal Manual for Identifying and Delineating Jurisdictional Wetlands.

The above studies concluded that most of the Giacomini Ranch pasture is potentially wetland within Corps of Engineers jurisdiction. Subject parcels shown as being potential Corps jurisdiction wetlands include each of the three parcels along Sir Francis Drake Boulevard and a portion of the 0.31 acre parcel associated with the ranch's primary residence. Douglas Spiker, a staff member of Wetlands Research Associates who had worked on the study of the Giacomini Ranch for Philip Williams & Associates, accompanied me October 24th, to reinvestigate the 6.4 acre parcel at Sir Francis Drake Boulevard and the 1.08 acre with a cottage, also at Sir Francis Drake Boulevard. His findings are reported in the sections of this report specific to those particular parcels.

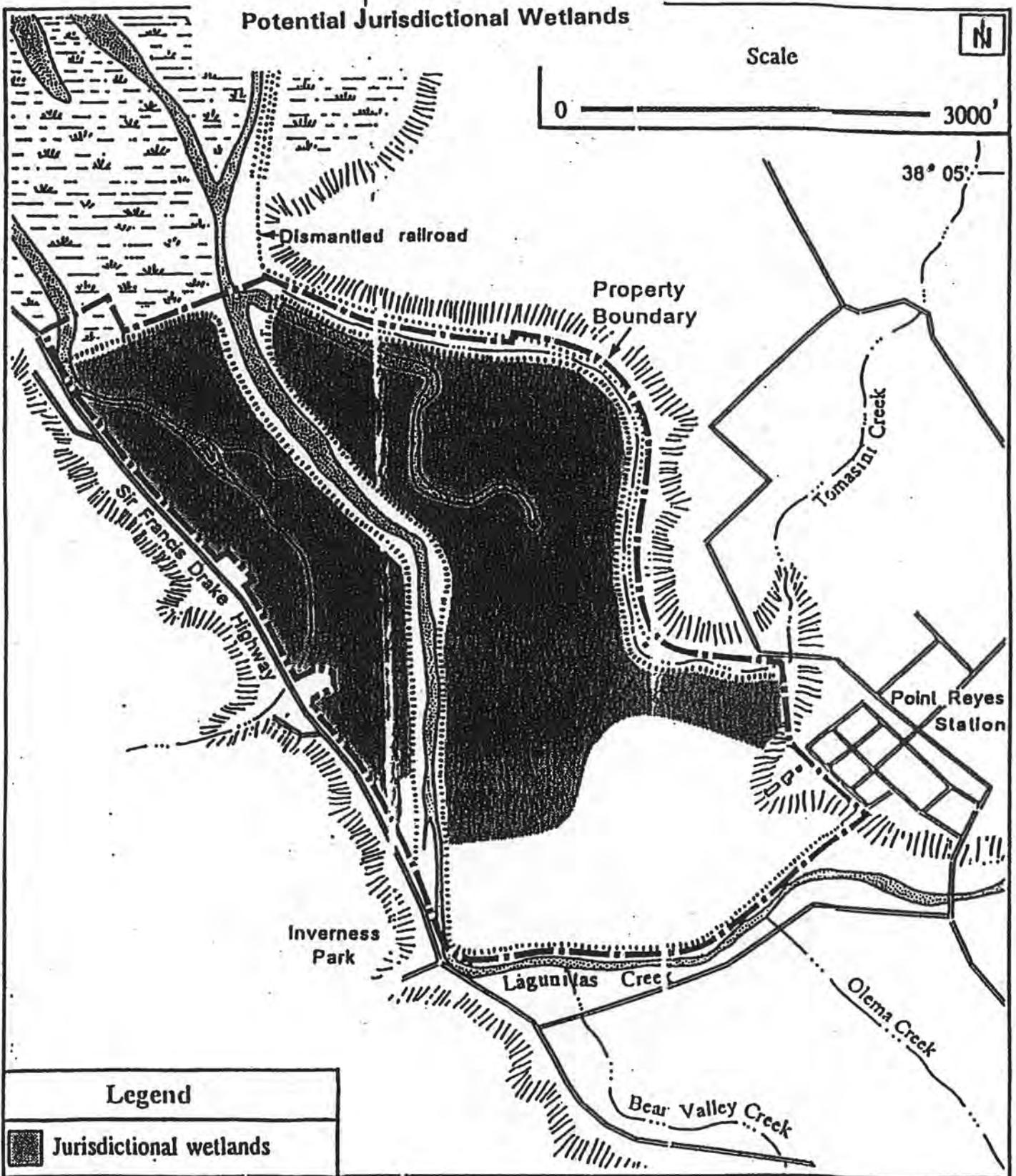


Figure H7 Distribution of potential jurisdictional wetlands on Giacomini Ranch.



Wetlands Research Associates, Inc.

Source: The Philip Williams & Assoc. etal Report

MARIN COUNTY POLICIES REGARDING WETLANDS

The Marin Countywide Plan, the Inverness Community Plan, and design standards in the zoning ordinance include numerous references to preservation of wetlands and provision for adequate setback from wetlands.

Areas that are typically dry may be found to support vegetation found in areas that are marshy or subject to the influence of a very high water table. Such areas may be seasonally damp. As explained above, identification of plant species is one of the tests used by the U.S. Army Corps of Engineers to determine wetland status.

The Inverness Community Plan states that development shall be set back at least 100 feet from any wetland or stream. Section 22.56.130, Development Standards in Coastal districts, also requires such setback and a minimum 50 foot setback from any riparian vegetation.

ALQUIST-PRIOLO FAULT RUPTURE ZONE

A State of California Alquist-Priolo Fault Rupture Zone extends in a one-half to three-quarter mile strip down the middle of Tomales Bay, including all of the Giacomini Ranch and all of the subject parcels. The fault is the San Andreas Fault, which extends almost the length of the state. Proposed construction within the zone requires geotechnical analysis and plan review to mitigate effects of an earthquake.

IMPLIED DEDICATION

I have reviewed information prepared by the State of California regarding general criteria and sources of information used to determine whether there may be an "implied dedication to the public" of any portion of the subject properties. In particular, the guidelines make reference to tests to determine implied dedication as set forth in the 1970 Gion-Dietz decision (2 Cal.3d 29) of the California Supreme Court.

The land is well fenced with barbed wire and there is no evidence of roadways or trails for any use other than ranch management.

Nanci Smith, Public Land Management Specialist the State of California State Lands Commission, states that the Commission has no file on the subject properties.

Inspection of the property, review of recorded documents and information supplied by the owner, discloses that there is no pattern of public use.

CONCLUSION REGARDING IMPLIED DEDICATION

It is concluded that there is no convincing evidence of implied dedication revealed after site inspection, review of title data, and discussion of the matter with persons knowledgeable of subject and the area.

THE CONCEPT OF HIGHEST AND BEST USE

The federal government defines the highest and best use of a property as "the most profitable likely use of a property" (Federal Specifications for Narrative Appraisal Reports 11-93).

Such use must be considered reasonably probable in light of constraints imposed by physical property characteristics, market conditions and trends, and land use regulations.

That a property is physically suitable for a certain use is but one of a number of factors to be considered in arriving at a conclusion regarding highest and best use. Factors to consider in evaluating the highest and best use of a property include economic trends (particularly in real estate), physical and locational characteristics of a property, availability of utilities, neighborhood characteristics, existing and allowed uses, and the reasonable potential for more profitable uses subject to approval of a variance or use permit, change in General Plan and/or change in zoning.

The analysis and interpretation of highest and best use is based on market forces applicable to the subject property. The benefit or public value of a planned project or use for park purposes is characteristically a non-economic consideration that does not have a direct bearing on the market value of a property and is therefore not considered in the analysis of highest and best use.

Analysis of the highest and best use of each of the subject properties is discussed in the sections of this report pertaining to the individual parcels.

VALUATION METHODOLOGY

APPROACHES TO VALUE

Of the three traditional approaches to valuation of real property, the Sales Comparison Approach is considered the only appropriate approach for valuation of the subject properties. The Income Approach is not used because the subject properties are either unimproved or marginally improved and, in their current state, do not have the potential to generate income that has any relevance to their value. The Cost Approach is appropriate only for improved properties and is not reliable when applied to marginally improved properties with significantly depreciated improvements.

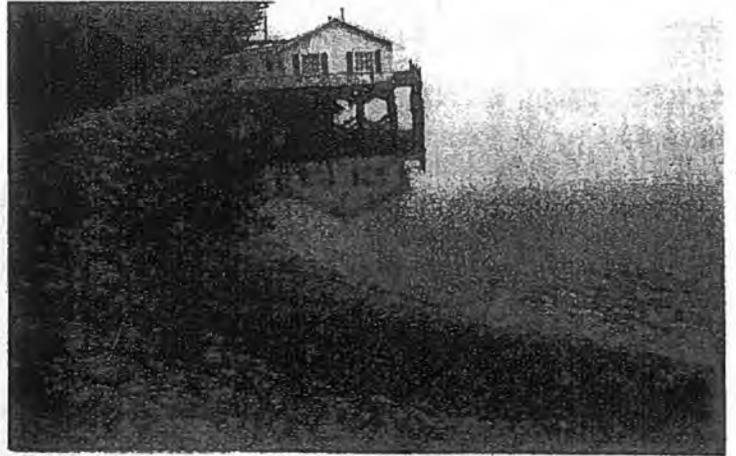
COMPARABLE SALES

The sale properties selected as comparables for valuation of the subject properties are each discussed in the following section. In some instances, the same comparable is used for valuation of more than one of the subject properties. Detailed information on each of the comparable sales is included in the addenda along with a USGS topographic map of each parcel. On the following page are photographs of all of the comparables.

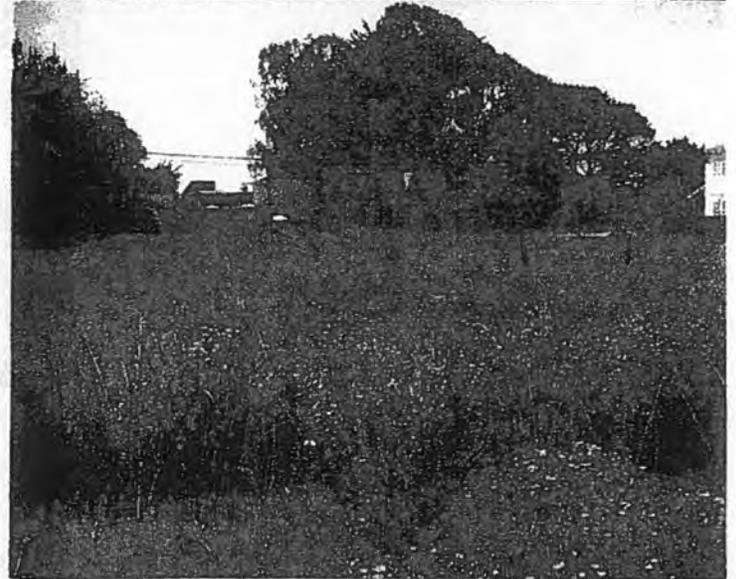
ADJUSTMENTS TO SALES PRICE PER UNIT OF MEASUREMENT

In comparing the selected sales with the subject parcels, adjustments are made to the sales price per unit of measurement for the comparables attributable to differences in market conditions, motivation, financing, conditions of sale, location, and various property characteristics. The adjustments are expressed in terms of percentages to reflect the appraiser's judgement expressed as relative differences rather than precise monetary attributions.

Comparable 1
State Highway 1, Marshall



Comparable 2
Calle del Arroyo, Stinson Beach



Comparable 3
Wharf Road, Bolinas



Comparable 4
Sir Francis Drake Boulevard, Inverness



Comparable 5
2.14 acres at
Drakes View Drive
Inverness



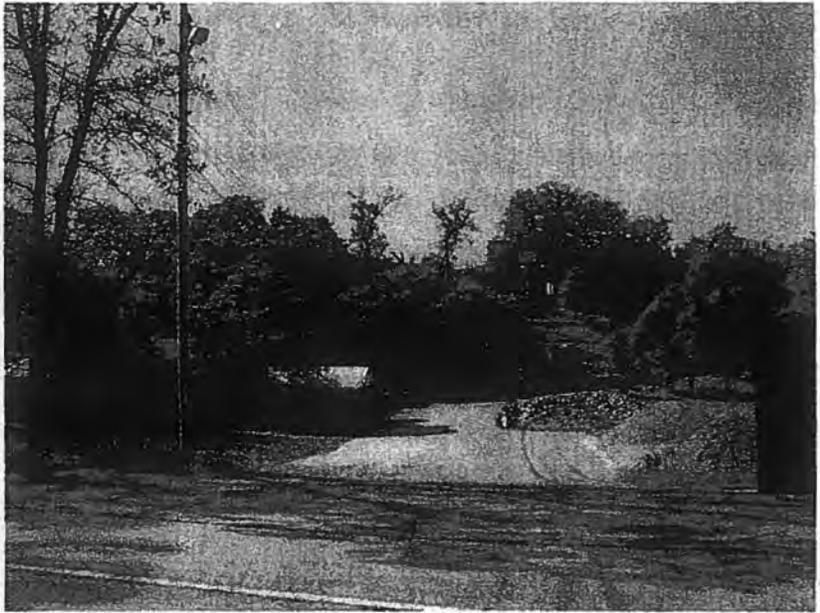
Comparable 6
2.85 acres at
South Dream Farm Road
Inverness



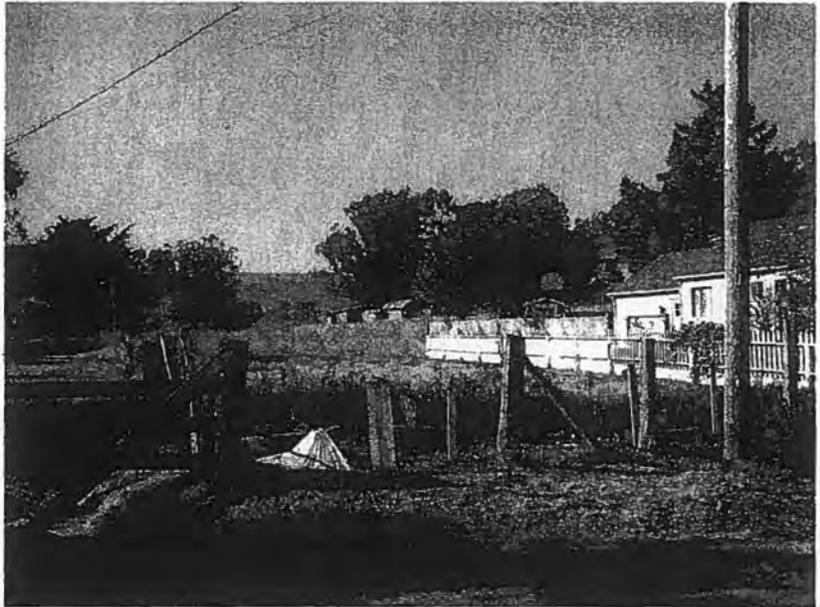
Comparable 7
2.71 acres at
North Dream Farm Road
Inverness



Comparable 8
2.21 acres at
North San Pedro Road
San Rafael



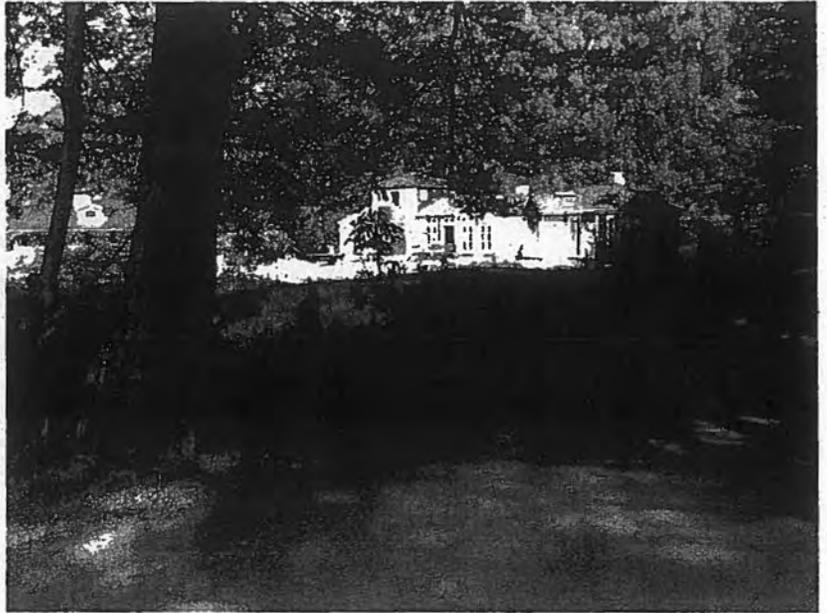
Comparable 9
13.93 acres at
Tomales - Dillon Beach Road
Tomales



Comparable 10
5.00 acres at
619 Ely Road, Petaluma
Point Reyes



Comparable 11
1.26 acres at
Cypress Road
Point Reyes



PART II

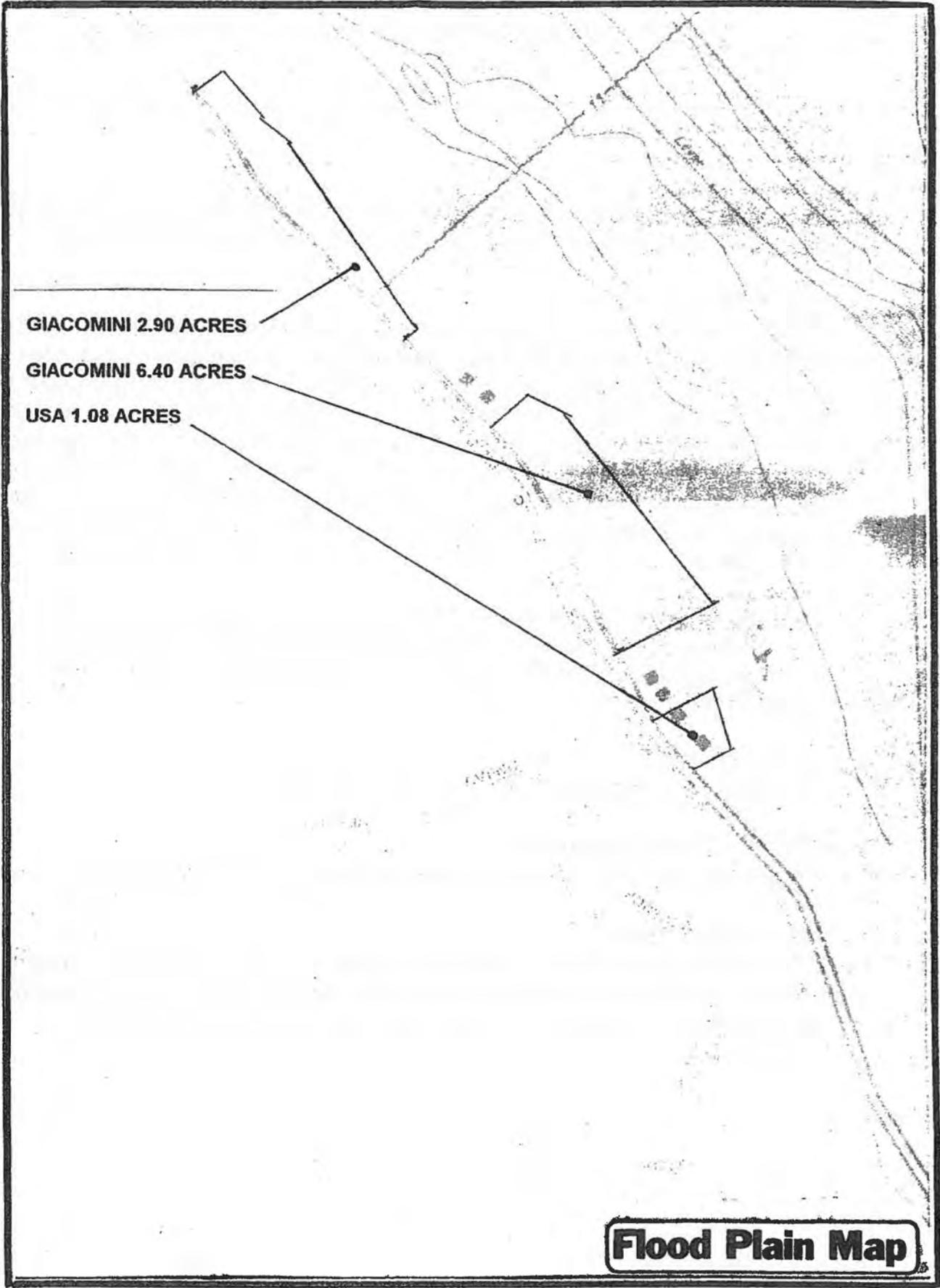
**VALUATION OF
SUBJECT PROPERTIES**



0 ————— 100M

0 ————— 100yd

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GIACOMINI 2.90 ACRES

GIACOMINI 6.40 ACRES

USA 1.08 ACRES

Flood Plain Map

**GIACOMINI 0.31 ACRES
END OF C STREET, POINT REYES
PORTION OF ASSESSOR'S PARCEL 119-240-65**

LOCATION

The subject parcel is located at the site of the primary residence of the Giacomini dairy at Point Reyes. It is situated near the end of C Street.

SITE DESCRIPTION

The 0.31 acre parcel is a part of the 1.3 acre lot that includes the primary residence at the dairy compound. The irregularly shaped parcel is a strip of land about 40 to 100 feet wide along the 240.2 foot northwest property line of the 1.3 acre lot. The northwest property line is close to the toe of a steep slope that climbs up about 20 feet from the level of pasture to the surveyed top of the bank of the mesa that includes the primary residence and other structures associated with the dairy. At the toe of the slope is a drainage swale that supports marsh and riparian vegetation that extends some distance up the bank.

The parcel is described by a June, 2001 survey commissioned by the National Park Service. It is a part of Assessor's parcel 119-240-65. Situated about 20 feet from the end of C Street, the parcel does not have direct access to a public street.

IMPROVEMENTS

There are no improvements on the 0.31 acre parcel.

PRESENT AND PAST USE

The lower portion of the 0.31 acre parcel appears to drain adjacent pasture.

ADJACENT USES

The northeast property line of the 0.31 acre parcel, 98.80 feet long, abuts the common area of a housing complex owned by West Marin Family Housing. The southeast property line abuts the rear yard of the dairy's primary residence.



View of 0.31 acre parcel, a strip of bank and marsh between white shed and pasture

UTILITIES

Power and telephone are located along C Street.

SEPTIC

There is no public sewer system and there is no potential for a septic system on the property that would meet Marin County standards.

WATER

The North Marin Water District has a water main in C Street.

2003 ASSESSOR'S DATA

The Marin County Assessor shows no assessed value and ownership by the Waldo Giacomini Trust.

ZONING AND SUBDIVISION REGULATIONS

The subject parcel is zoned C-R-A:B2, Coastal, Residential, Agricultural, with a minimum lot area of 10,000 square feet.

GENERAL PLAN

The subject land use designation in the Countywide Plan is C-SF5, Coastal, Single-family Residential, with a maximum density of two to four units per acre.

U.S. CORPS OF ENGINEERS JURISDICTIONAL WETLANDS

Observation of inundation and marsh vegetation indicates that the lower portion of the parcel is wetland within Corps jurisdiction.

FLOOD HAZARD

FEMA flood map 060173-0208A, effective 3/1/84, indicates that the lower portion of the subject parcel is within the 100-year flood plain.

COUNTY OF MARIN STANDARDS FOR SEPTIC SYSTEMS

Current County standards for septic system leachfields include a drainfield setback from a cut, embankment or natural bluff and the northeast parcel line is defined as the top of the bluff. In addition, a leach field would not be permitted in wetlands or soils with inadequate percolation. Based on the foregoing, it appears that there is no potential site for a leachfield on the

subject parcel. County policy does not allow for installation of an offsite septic system.

HIGHEST AND BEST USE

In considering the highest and best use for the subject property, it is quite apparent that the subject parcel does not have the potential for independent development. The parcel is not a legal lot of record for purposes of building and sale, there is no access to a public road. The parcel does have value, however, as a portion of the 1.30 acre lot of which it is currently a part. Even if it does not have potential for independent development, the parcel area may be used as credit to the allowable residential density of the 1.3 acre lot.

Although unbuildable parcels are rarely transferred, a limited number of such properties are occasionally sold, usually to owners of improved abutting parcels for expansion of land area, to protect scenic or natural resources, or to gain control over any activity on the parcel. Less frequently, such properties are sold on pure speculation that there may be future demand at a higher price. All of the comparable sales used in this report were parcels of land purchased for purposes of land assembly by the owners of abutting properties. As discussed above, the subject property cannot be developed for any use that would constitute fill or require a septic system.

West Marin Family Housing, the owner of the other abutting parcel, would have little incentive to buy the subject parcel because the parcel they own has been fully developed to its maximum density and the subject parcel would not contribute to the utility of their property.

The most probable private-market buyer would be the owner of the abutting parcel on which the dairy's primary residence is situated. The subject parcel would contribute to the potential density of the larger parcel. As currently improved, the highest and best use of the subject parcel in combination with the adjacent parcel would be as additional land area for a lot improved with a single-family residence. The existing residence and enclosed patio cover a considerable amount of land area, leaving little space available for creation of another lot on the combined parcels. Any planned lot in the area southwest of the existing residence probably would have inadequate land area for a residence and a septic system after allowing for a building setback of 25 feet

from the front of the lot and a 50 foot leachfield setback from the top of the bank at the rear of the lot. Even if it were possible to plan for a lot with an additional residence in the mentioned area, the adverse impact of such development on the value of the existing residence would severely limit the possibility of overall economic benefit. It is possible, however, that at some future date the highest and best use of the combined parcels would be for removal of the existing residence and creation of two lots, each of which having adequate space for a single-family residence and septic system. This future potential may provide a small contribution to the value of the adjacent improved lot. The foregoing use of the subject property as additional land area for an abutting parcel is physically possible, legally permissible, economically feasible and provides the highest net return for the property. Such use is therefore the highest and best use of the property.

SELECTION OF COMPARABLES

A search of sales of unbuildable and wetland parcels in Marin County disclosed some sales that provide an indication of subject value. The sales are all parcels that have no potential for independent development. They were all purchased by the owner of an abutting parcel. The parcel areas of the comparables range from 0.10 to 1.27 acres. The dates the sales were recorded range from 8/1/97 to 8/8/03.

UNIT OF MEASUREMENT

For properties such as the subject and the comparable sales, value may be measured in terms of price per square foot of land area or price per ownership parcel. Market practice dictates that the most reliable unit of measurement is price per ownership parcel.

CHANGE IN MARKET CONDITIONS

Any significant change in value over time should be reflected in an appropriate adjustment to sales price per unit of measurement. The number of sales of wetland parcels and other parcels in the area with no building potential is so limited, however, that it is not possible to derive a conclusive trend in market value over time. Comparison of such sales in our appraisal files suggests, however, that the parcels have managed to maintain value roughly in line with increase in the cost of living index for the Bay Area.

FINANCING

Any seller financing or other financing reflecting terms or conditions more favorable than typical of the market are explained and appropriate adjustments are made to the sale price.

ELEMENTS OF COMPARISON

The sale properties are compared to the subject property in terms of location, lot area, scenic resources, land utility and characteristics of abutting lots. The latter two are described below:

Scenic Resources

Scenic resources may include attractive physical features or natural resources of a property as well as the quality of views from the property.

Abutting Private Lots

The highest and best use of the subject and the comparables is for land assemblage by the owner of an abutting parcel. Demand for assemblage increases relative to the number of abutting lots. Motivation for assemblage is distinctly higher when one of the abutting parcels is improved with a residence or other economic use.

Land Utility

The land utility of a wetland parcel is enhanced by the amount of any upland and the potential for recreational use or use as an extension of yard area.

GIACOMINI 0.31 ACRE PARCEL
APN 119-040-12
2/10/2004
COMPARABLE SALES

SALE NUMBER	SUBJECT	1	2	3	4
APN	119-040-12	104-170-15	195-101-02,03,04	193-082-24	114-072-05
STREET	End of C	Hwy. 1	Calle del Arroyo	Wharf	Sir Francis D.
COMMUNITY	Point Reyes	Marshall	Stinson Beach	Bolinas	Inverness
DATE		8/1/1997	5/13/2003	4/5/2000	8/8/2003
LOT ACRES	0.31	1.27	0.22	0.10	0.59
PRICE		50,000	80,000	15,000	50,000
IMPROVEMENT VALUE					
PLAN APPROVAL					
LAND VALUE		50,000	80,000	15,000	50,000
SALE CONDITION					
BUYER MOTIVATION			-0.20		
FINANCING					
MARKET CHANGE	0.0025	0.22	0.02	0.12	0.02
UPDATED NORMAL PRICE/LOT		61,000	65,600	16,800	51,000
LOCATION		0.10	(0.10)	0.00	0.00
LOT AREA		(0.30)	0.10	0.15	(0.13)
SCENIC RESOURCES		(0.10)	0.00	(0.10)	
ABUTTING PRIVATE LOTS		0.00	(0.20)	(0.20)	(0.20)
LAND UTILITY		0.10	0.00	0.20	0.00
TOTAL ADJUSTMENTS		(0.20)	(0.20)	0.05	(0.33)
SUBJECT VALUE/LOT (rounded)		49,000	52,000	18,000	34,000

G3-0.31

7/13/2004

COMPARABLE 1

22747 STATE HIGHWAY 1, MARSHALL

This comparable is the purchase of an unimproved 1.27 acre shoreline parcel by the owner of an abutting parcel improved with a single-family residence. The property is located at Blakes Landing on the east shore of Tomales Bay, a little over one mile south of the community of Tomales. The parcel is a part of a cove with a narrow strip of sandy beach. Access is by way of a frontage road off State Highway 1 that once served as a railroad right-of-way. Most of the property is under water. The parcel is zoned C-RSP-0.5, (Coastal, Residential Single-family, Planned, with a density of one residence per two acres).

There is insufficient upland area to locate either a residence or a septic system on the parcel. The potential for a well on the site is questionable.

The property was purchased 8/1/97 for \$50,000. The property was previously sold 11/95 for \$45,000 to a person who used the site for launching and storing kayaks. The motivation for the last purchase was to control use of the property and thereby avoid the possibility of the property being used for unsightly equipment storage.

The comparable is more remote than the subject and therefore inferior in terms of location. The subject has considerable land utility in terms of its potential to contribute to the minimum lot area required for subdivision of the larger abutting parcel. The sale property has no such contributory value and is therefore inferior to the subject in terms of land utility. It is superior to the subject, however, in terms of scenic resources and parcel area.

After adjustments to sale price as discussed above, the indicated subject value is \$49,000.

COMPARABLE 2

CALLE DEL ARROYO, STINSON BEACH

This 9,600 square foot lot includes a portion of the tidal marsh of a tributary to Bolinas Lagoon. At the highest tides, all but the area closest to the street is inundated or saturated. All of the lots on the northeast side of Calle del Arroyo are subject to the tidal action of the marsh. A few blocks to the east of the sale property is the downtown area of Stinson Beach. A few blocks to the northwest is the Seadrift subdivision, a gated community fronting Bolinas Lagoon on one side and Stinson Beach on the other. The sale property is zoned C-R-1, Coastal, Residential, Single-family, with a minimum 7,500 lot area. The lot is not buildable because of wetland regulations and lack of potential to install an acceptable septic system.

The sale property was purchased 5/13/03 by the owners of an abutting lot improved with a single-family residence. The lot was previously purchased 11/21/01 by the owners of a lot with a single-family residence situated directly across Calle del Arroyo. The prior buyers purchased the land with the hope that the County of Marin would accept the parcel area as an extension of the land area of their improved parcel, allowing them to meet parcel area requirements necessary to enlarge the living area of their residence. The current owners were also motivated to purchase the subject property with the intent of utilizing the additional parcel area to gain approval for expansion of their residence. The compelling motivation of the buyers in this instance justifies an adjustment to the sale price.

The comparable is superior to subject in terms of location. It is inferior in terms of lot size. It is superior to subject in that it has two abutting parcels that are improved with residences.

After adjustments as discussed above, the indicated value of the subject parcel is \$52,000.

COMPARABLE 3

WHARF ROAD, BOLINAS

This comparable is the purchase of an unimproved 0.10 acre underwater lot by the owner of an abutting lot improved with a single-family residence. The property is located between the mentioned residence and the Bolinas Rod and Boat Club facility at Wharf Road in Bolinas. The lot frontage is the seawall retaining Wharf Road from the channel leading to the mouth of Bolinas Lagoon. Most of the property is usually under water. The parcel is zoned C-RA-B2, (Coastal, Residential Agricultural, with a density of one residence per 10,000 square feet).

Almost all of the lots along the waterfront have been improved with residences constructed on pilings. Current land use regulations, including the lack of potential for a septic system, prohibit any development on a vacant lot such as the sale property. Continued use of the developed waterfront lots are allowed on the basis of a "grandfathered" status.

The property was purchased 4/5/00 for \$15,000 by the owner of the abutting residence. The buyer explained that he purchased the property to control use of the property and thereby foreclose any undesirable activity.

The comparable is inferior to subject in terms of lot area and land utility. It is superior to the subject in terms of scenic resources. It is also superior to subject in that it has two abutting parcels that are improved with residences.

After adjustments to sale price as discussed above, the indicated subject value is \$18,000.

COMPARABLE 4

SIR FRANCIS DRAKE BOULEVARD, INVERNESS

This 0.59 acre lot has 75 feet of frontage along Sir Francis Drake Boulevard. It is zoned C-RSP-0.33, Coastal, Residential, Single-family - Planned, with a maximum density of three lots per acre.

The lot is predominantly above normal tidal action, but most of the soil is usually saturated by a high water table. The front of the parcel includes some upland and is wooded with Bay laurel trees. The rear is largely marsh grass

The lot is unbuildable because current regulations prohibit fill of wetlands (including structures on pilings) and the lot will not support a septic system. The property was purchased 8/8/03 by the owner of an improved lot across the highway.

The comparable is superior to subject in terms of parcel size and because it has two abutting parcels that are improved with residences.

After adjustments as discussed above, the indicated value of the subject parcel is \$34,000.

CONCLUSION

After making adjustments to the sale prices of the comparables as previously discussed, the range in the indicated market value of the subject property is \$18,000 to \$52,000.

Comparable 4, indicating a subject market value of \$34,000 is the most recent sale and the most similar in terms of location. With a strong preference for comparable 4, bracketed by the other sales, \$34,000 is selected as the most appropriate indication of subject value.

My opinion of the market value of the fee simple interest in the subject 0.31 acre parcel, as of February 19, 2004, may therefore be stated as follows:

**OPINION OF MARKET VALUE
0.31 ACRE PARCEL**

\$34,000

**GIACOMINI 6.40 ACRES
SIR FRANCIS DRAKE BOULEVARD, INVERNESS PARK
ASSESSOR'S PARCEL 114-213-03**

LOCATION

The subject parcel is located in Inverness Park along the east side of Sir Francis Drake Boulevard south of Laurel Street.

SITE DESCRIPTION

The irregularly-shaped lot has 915.10 feet of frontage along Sir Francis Drake Boulevard and a depth that ranges from about 195.51 to 409.00 feet. The parcel drops off gradually a few feet from the grade of the highway to a relatively level expanse of pasture that drains to the east toward nearby Lagunitas Creek. Fish Hatchery Creek flows through the property near the south property line. With the exception of Willows and other riparian vegetation along the creek, most of the property is grassland used as pasture.

IMPROVEMENTS

There are no improvements on the property.

PRESENT AND PAST USE

The entire parcel is suitable for and used as pasture for cattle. A high water table from Fish Hatchery Creek sustains the productivity of the pasture.

ADJACENT USES

The south property line abuts a 2.92 acre parcel improved with a 2,297 square foot residence constructed in 1912. The property sold 6/9/94 for \$312,340. The buyer reportedly spent \$50,000 to repair the floor, install an improved septic system, and upgrade the plumbing and electrical systems. The parcel is zoned C-RSP-1.0, Coastal, Residential Single-family, Planned, with a maximum density of one lot per acre. The east property line abuts a privately owned 0.34 acre parcel that is improved with a 1,055 square foot single-family residence constructed in 1933. It sold 9/14/95 for \$225,000. Across the highway from the subject on Inverness Ridge are hillside parcels improved with single-family residences.

UTILITIES

Power and telephone are located along Sir Francis Drake Boulevard.



View from northeast corner of 6.4 acre parcel seen across potential building site

ZONING REGULATIONS

The subject parcel is zoned C-RSP-1.0, Coastal, Residential Single-family Planned, with a maximum residential density of one lot per acre. The zone permits single-family residential use on lots of no less than one acre. Horses and livestock are allowed, subject to specific restrictions. A bed and breakfast inn with up to three guest rooms is allowed as a permitted use and an inn of three to five rooms may be approved as a conditional use. Building height is limited to 25 feet and other standards may be imposed as part of a design review process. The zoning regulations are included in the Addenda.

The parcel is not within the Public Trust Easement. The Philip Williams & Associates, Ltd. study indicates the land is "potentially" wetland within U.S. Army Corps of Engineers jurisdiction. More detailed site analysis by Wetlands Research Associates determined that virtually all but the northwest corner of the parcel would probably meet the Corps definition of wetland. Coastal development regulations in the zoning ordinance require a 100 foot building setback from any wetland or stream.

GENERAL PLAN

The subject land use designation in the Countywide Plan is C-SF3, Coastal, Single-family Residential, with a maximum density of one lot per one to five acres. Wetlands are considered a "Conservation Zone." The Inverness Community Plan states that there shall be a buffer strip of at least 100 feet from any wetland or stream.

SEPTIC

There is no public sewer system. Any development would require an on-site septic system that would meet Marin County standards. Current County standards for new septic systems preclude location in wetlands or soils with inadequate percolation. A leachfield must be at least 75 feet from a wetland and 100 feet from a perennial watercourse. County policy does not allow for installation of an offsite septic system to serve a proposed lot. Questa Engineering reviewed the findings of Wetlands Associates regarding wetlands on the parcel and analyzed soil conditions. The report is in the Addenda. Questa Engineering reports that soil and groundwater conditions indicate that the parcel would support a septic mound system or possibly a shallow

GIACOMINI 6.40 ACRES - (Cont.)

pressure-dosed leachfield system in the northwestern corner of the property. The area in which a septic system could be installed is reported to be about 80 feet by 170 feet, a 13,600 square foot area.

U.S. CORPS OF ENGINEERS JURISDICTIONAL WETLANDS

The property is within an area that is "potentially within U.S. Army Corps of Engineers jurisdiction" as per the Philip Williams & Associates, Ltd. study, "An Evaluation of the Feasibility of Wetland Restoration on the Giacomini Ranch, Marin County." The study includes a report by Wetlands Research Associates that concludes that the subject property, and most of the land used as pasture for the Giacomini dairy, is potentially wetland within U.S. Army Corps of Engineers jurisdiction. Field investigation in October, 2003, conducted as a part of this appraisal by Wetlands Research Associates, indicates that the only portions of the subject parcel that cannot be classified as wetland areas are the northwestern corner of the parcel and a strip of land roughly parallel to the southern property line. The strip of land at the southern end of the parcel is so narrow that 100 foot building setbacks from wetlands to the north and Fish Hatchery Creek to the south overlap, leaving absolutely no area for construction.

After reviewing findings of the October, 2003 site investigation by Wetlands Research Associates, Questa Engineering determined that an area with a 75 foot setback from wetlands (required setback for a septic system) would result in an 80 by 170 foot strip of land at the northwest corner of the property suitable for installation of a mound septic system.

After a 100 foot setback from wetlands and a front yard setback of about 25 feet (setback to be determined by design review), the potential building area remaining at the northwestern corner of the parcel is a strip of land about 145 feet parallel to Sir Francis Drake Boulevard and 30 feet deep, a total area of about 4,350 square feet.

WATER

The North Marin Water District has a water main in Sir Francis Drake Boulevard. Fish Hatchery Creek flows through the property near the south property line and continues into the pasture acquired by the National Park

GIACOMINI 6.40 ACRES - (Cont.)

Service. In 1963, the State of California Water Control Board granted license #9730 to Waldo Giacomini for diversion of up to 0.50 cubic feet per second from Fish Hatchery Creek from May 30 to September 30 of each year. The National Park Service is investigating the extent to which this license may apply to the 6.40 acre parcel and has directed that this appraisal of the 6.40 acre parcel therefore should not include speculative consideration of any value that may be attributable to the license. There is no question, however, that the 6.40 acre parcel has riparian water rights that could be used for irrigation or similar beneficial use of adjacent land. The all-year high water table attributable to the creek is such that it has not been necessary to irrigate the pasture through which the creek flows. It follows that the utility of riparian water rights is marginal at best for land that is largely wetlands.

2003 ASSESSOR'S DATA

The Marin County Assessor shows no assessed value and ownership by The National Park Service. The National Park Service reports that the inaccuracy is being corrected.

SEISMIC HAZARD

The subject property is within an Alquist-Priolo earthquake fault rupture zone and any proposed construction must be reviewed to reduce potential damage from earthquake.

FLOOD HAZARD

FEMA flood map 060173-0204A, effective 3/1/84, indicates that the subject parcel is within the 100-year flood plain. The zoning regulations for development within Coastal districts, section 22.56.130L2, states that no permanent structures shall be constructed within the 100-year floodplain. Tom Lai, a County planner, explains that the provision may be problematic for proposed development in Coastal districts, but continues that the County would be hard pressed to attempt to deny any economic use of a parcel by relying on the provision. He states that the provision is currently being used to require a change in the siting of structures proposed for a project in a Coastal district, but that it has not been used to deny the construction of a single-family residence at Seadrift and other Coastal locations.

HIGHEST AND BEST USE

In considering the highest and best use for the subject property, the major constraint to development is the extensive area that is wetland. Analysis by Questa Engineering determined that there is adequate area for a septic system and one building site at the northwest corner of the property. Use of the subject property for construction of a single-family residence is legally permissible, physically possible, economically feasible and provides the highest net return for the property. Such use is therefore the highest and best use of the property.

SELECTION OF COMPARABLES

A search of sales of buildable single-family lots with no potential for subdivision disclosed sales in Inverness that provide an indication of subject value. The parcel areas of the comparables range from 2.14 to 2.85 acres. The dates the sales were recorded range from 4/13/01 to 12/17/03.

CHANGE IN MARKET CONDITIONS

Any significant change in value over time should be reflected in an appropriate adjustment to sales price per unit of measurement. Sales of single-family residential lots in Marin County during the period of time covered by the comparables indicates that an appropriate adjustment is an increase of 0.5% a month.

FINANCING

Any seller financing or other financing reflecting terms or conditions more favorable than typical of the market would require adjustment to the sale price. There is no evidence of such financing for the selected comparables.

ELEMENTS OF COMPARISON

The sale properties are compared to the subject property in terms of such standard items of adjustment as location, lot area, view, traffic influence, topography, access. Additional items of adjustment appropriate for the subject property include the presence of on-site wetlands and proximity to parkland.

GIACOMINI 6.40 ACRE PARCEL.

APN 144-213-03

2/10/2004

COMPARABLE LOT SALES

SALE NUMBER	SUBJECT	5	6	7
STREET NUMBER				
STREET	Sir Francis Drake	Drakes View	S. Dream Farm	N. Dream Farm
COMMUNITY	Inverness	Inverness	Inverness	Inverness
SALE DATE		9/10/2003	4/12/2001	12/17/2003
LOT ACRES	6.40	2.14	2.85	2.71
PRICE		355,000	416,000	349,000
IMPROVEMENT VALUE				
PLAN APPROVAL				
ALLOCATED LAND VALUE		355,000	416,000	349,000
SALE CONDITION				
BUYER MOTIVATION				
FINANCING				
MARKET CHANGE/MONTH	0.00500	0.03	0.19	0.01
UPDATED NORMAL PRICE/ACRE		365,650	495,040	352,490
LOCATION		0.00	0.00	0.00
PARCEL SIZE		0.30	0.20	0.20
VIEW		0.00	(0.03)	(0.05)
TOPOGRAPHY		0.00	0.05	0.15
TRAFFIC INFLUENCE		(0.10)	(0.07)	(0.02)
WETLANDS		(0.10)	(0.10)	(0.10)
ABUTTING PARKLAND		0.10	0.10	0.10
ACCESS		0.00	0.00	0.00
TOTAL ADJUSTMENTS		0.20	0.15	0.28
SUBJECT VALUE/ACRE (rounded)		439,000	569,000	451,000

G3-6.4

COMPARABLE 5

Drakes View Drive, Inverness

Comparable 5 is the sale of a 2.14 acre lot in Paradise Ranch Estates, on the eastern slope of Inverness Ridge, a little over one mile west of the subject. The lot is situated on the north side of Drakes View Drive near Behr Lane. The land is gently sloped. The lot has about 230 feet of frontage on Drakes View Drive, a paved roadway off Sir Francis Drake Boulevard. The view includes the eastern slopes of the Inverness Ridge and, at the back of the lot, a filtered view of Tomales Bay. The parcel is wooded with Bishop pine trees that have grown since the 1995 Mt. Vision fire.

The lot sold 9/10/03 for \$355,000. The lot was listed for \$325,000 and the sale was recorded 28 days after the listing. Unlike the subject, the sale property does not have wetland areas that have limited utility during the rainy season and does not have a building site close to a highway. It is inferior to the subject, however, in terms of parcel size and a lack of abutting parkland.

After adjustments to sale price as discussed above, the indicated subject value is \$439,000.

COMPARABLE 6

South Dream Farm Road, Inverness

Comparable 6 is the sale of a 2.85 acre lot on the eastern slope of Inverness Ridge, about one and a half miles northwest of the subject. The land slopes toward the east. The parcel is wooded, but there are views through the trees of Tomales Bay. The lot is within a small subdivision with one road from Sir Francis Drake Boulevard. Recently constructed residences are large estate-quality homes.

The lot sold 4/12/01 for \$416,000 with a percolation test indicating potential for a four bedroom residence. A well on site tested at 10 gallons per minute. The lot was listed for \$295,000 and the sale was recorded 33 days after the listing.

Unlike the subject, the sale property does not have wetland areas that have limited utility during the rainy season and it does not have a building site close to a highway. The view from the sale property, although less expansive than that of the subject, includes Tomales Bay, a factor that makes the view somewhat more desirable. It is inferior to the subject, however, in terms of topography, parcel size and a lack of abutting parkland.

After adjustments as discussed above, the indicated value of the subject parcel is \$569,000.

COMPARABLE 7

North Dream Farm Road, Inverness

Comparable 7 is the sale of a 2.71 acre lot on the eastern slope of Inverness Ridge, a little more than one and a half miles northwest of the subject. The rear lot line abuts Sir Francis Drake Boulevard, but there is no access from the highway. Access is by way of North Dream Farm Road, a private road, paved to the subject lot. The land slopes toward the east. The parcel is wooded, but there are good views through the trees of Tomales Bay. There are recently constructed homes at North Dream Farm Road worth over a million dollars.

The lot sold 12/17/03 for \$349,000, the price the property was listed at with the regional multiple listing service. The sale was recorded about four months after it was first listed for sale. Testing for septic system capability by the buyer indicated potential for a residence with three or four bedrooms. Public water is available at the lot line. The property was in escrow at a contract price of \$410,000, but the final sale price was negotiated down in escrow based on tests by the buyer indicating extraordinary expense for construction of a foundation and septic system.

Although the sale property is exposed to about as much traffic noise as the subject, the traffic influence is somewhat less because the traffic is less immediate and apparent from the building site of the sale property. Unlike the subject, the sale property does not have wetland areas that have limited utility during the rainy season. The view from the sale property, although less expansive than that of the subject, includes Tomales Bay, a factor that makes the view somewhat more desirable. It is inferior to the subject, however, in terms of topography, parcel size and a lack of abutting parkland.

After adjustments as discussed above, the indicated value of the subject parcel is \$451,000.

CONCLUSION

After making adjustments to the sale prices of the comparables as previously discussed, the range in the indicated market value of the subject property is \$439,000 to \$569,000.

Like the subject, Comparables 6 and 7, indicating subject market values of \$569,000 and \$451,000, respectively, abut or are situated near Sir Francis Drake Boulevard. With a strong preference for these two comparables, \$510,000 is selected as the most appropriate indication of subject value.

My opinion of the market value of the fee simple interest in the subject 6.4 acre parcel, as of February 19, 2004, may therefore be stated as follows:

**OPINION OF MARKET VALUE
6.40 ACRE PARCEL**

\$510,000

**NATIONAL PARK SERVICE 4.30 ACRES AT C STREET, POINT REYES
ASSESSOR'S PARCELS 119-040-26 (PORTION),
119-240-66 (PORTION), 119-240-75 (PORTION)**

LOCATION

The subject parcel is located along the west side of C Street in the community of Point Reyes.

SITE DESCRIPTION

The 4.30 acre parcel is an irregularly shaped parcel with about 345 feet of frontage on C Street and a depth that ranges from about 285 to 360 feet. The parcel slopes gently toward the top of a 15 to 20 foot bluff that separates the dairy compound from the pasture.

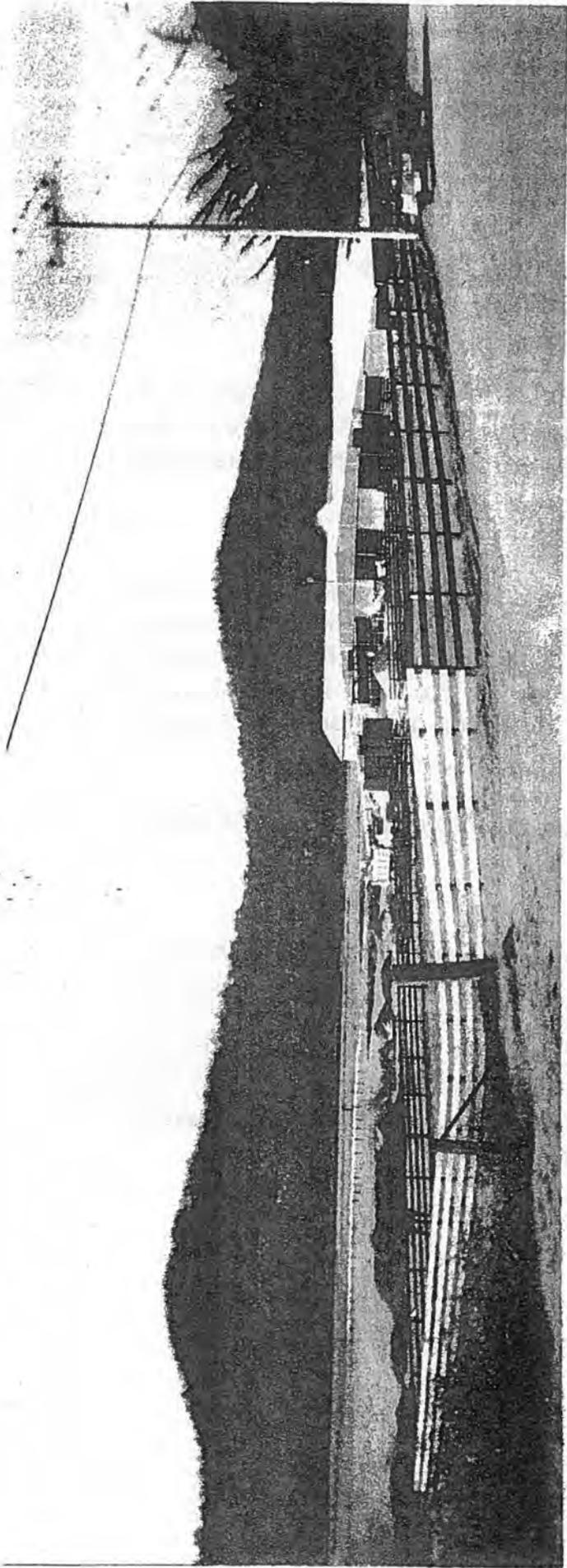
IMPROVEMENTS

The Giacomini Ranch dairy compound is a relatively level area that includes dairy facilities, barns, a large primary residence and an employee residence. The subject 4.30 acre parcel constitutes a little over half of the land area of the compound. The 4.3 acres includes all of the major structural improvements at the compound with the exception of the primary residence and the hay barn.

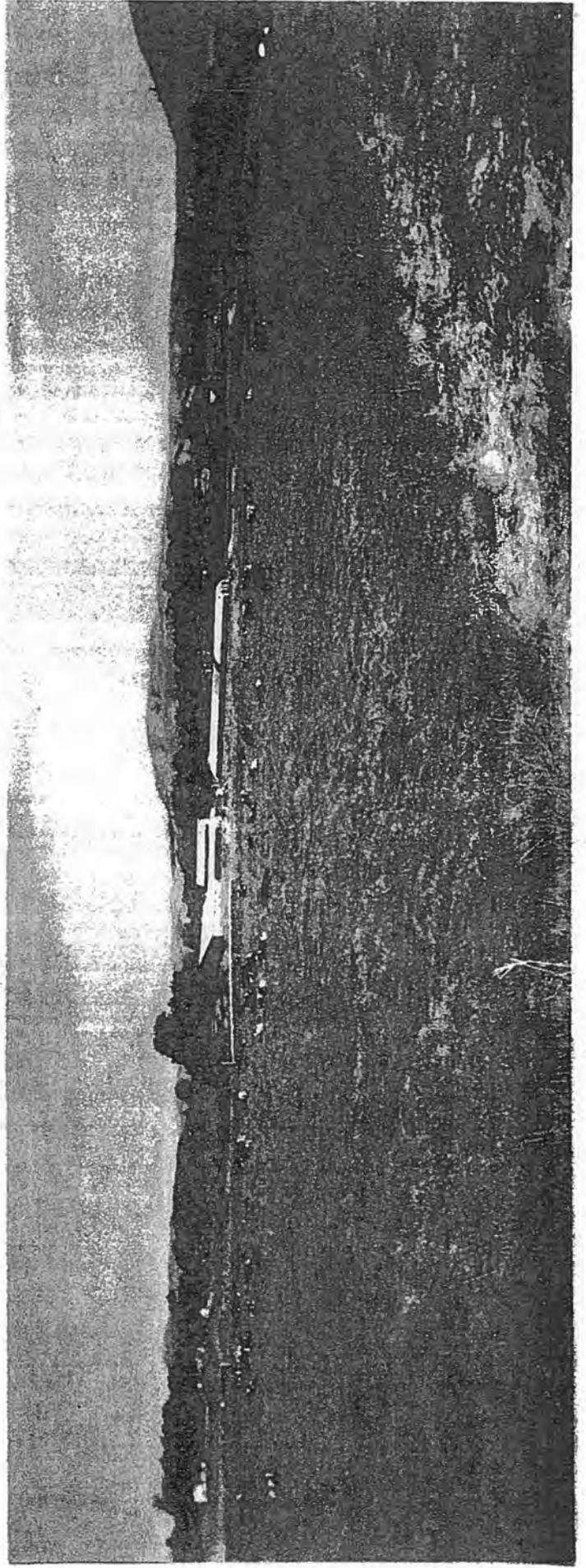
The following is a description of the structural improvements on the subject 4.30 acres.

Employee Residence

A one-story residence between the primary residence and the milk barn is occupied by the family of a farm employee. The 934 square foot residence was constructed in 1920. The structure is wood frame on a concrete foundation. There is a gable roof covered with composition shingles. Construction is of substandard quality. The exterior is wood clapboard siding. Flooring is carpet and linoleum over plywood. Condition is average for the age of the structure.

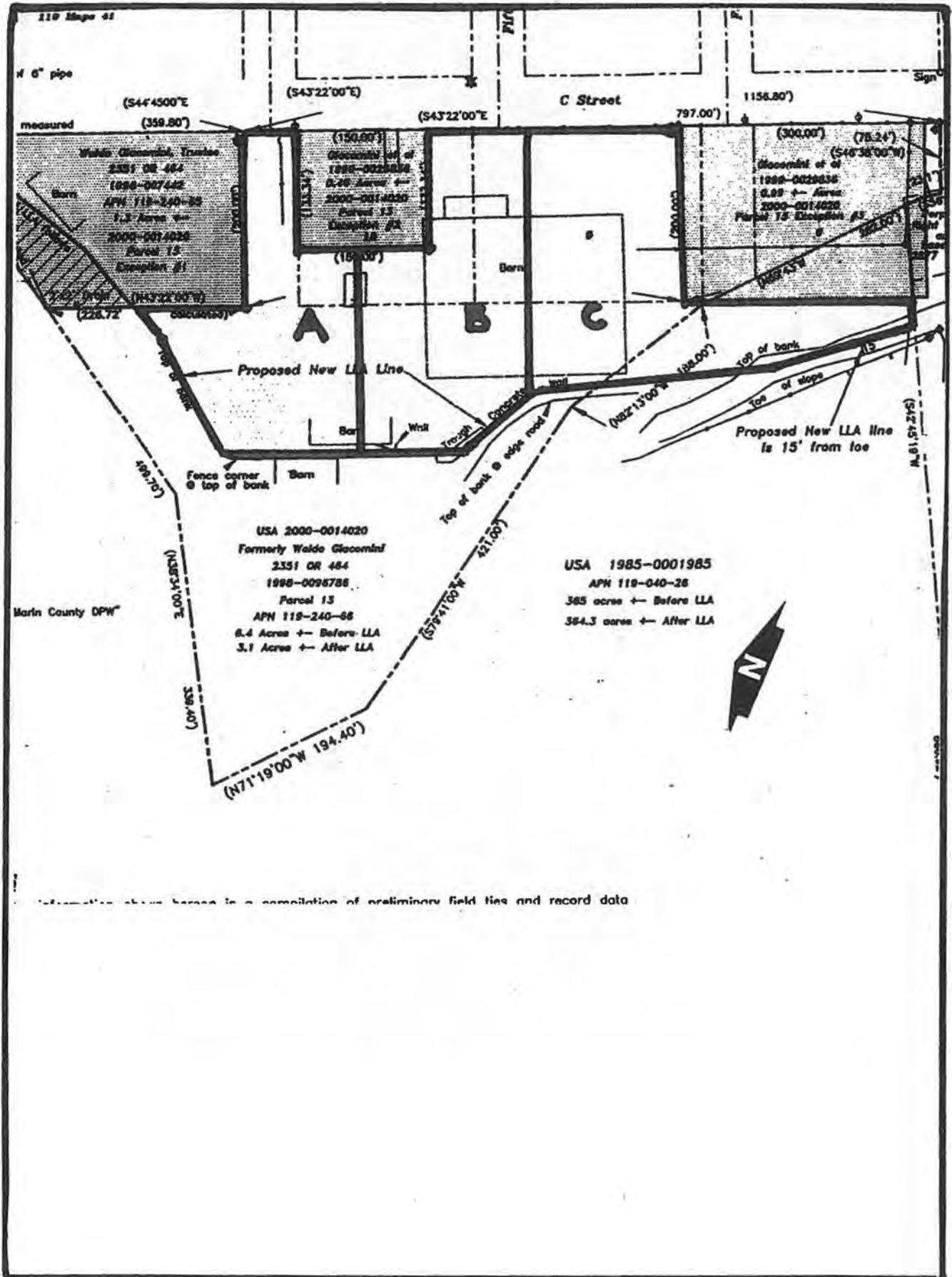


Top: free-stall barn as seen from "C" Street
Bottom: northern portion of eastern pasture





View of nw end of 4.30 acre parcel, extending to front of far barn



Information shown herein is a compilation of preliminary field ties and record data

Free-stall Barn

This barn is used for the feeding of the dairy herd. The 39,600 square foot metal framed building was constructed in 1975. It is a partially enclosed structure with a concrete floor and a long gable roof covered with corrugated iron. There are 486 feeding stalls made of metal pipe. Each stall has a concrete feeding bin and concrete curbs and gutters are designed for power flush cleaning. The roof was just replaced at a reported cost of \$40,000 to \$50,000.

Milk Barn

The sanitary milking parlor is a concrete block structure designed in a trigon configuration for simultaneous milking of 15 cows. The facility was constructed in 1955 and upgraded over the years. An average of about 450 cows are milked daily.

Adjacent to the milk barn is concrete flatwork with iron pipe perimeter fencing. Leading into the milk parlor is an open, concrete surfaced cow washing area that is 3,264 square feet in area. Tubular steel fence material is used as mechanized "pushers" that move a group of cows into the washing area. Once there, a number of floor level water sprinklers do the washing that otherwise would be done manually.

Adjacent to the milking parlor is the milk room, a well insulated concrete block structure that contains the refrigerated stainless steel milk storage tank.

Both the milk barn and the milk room are supplied with high pressure water for cleaning and sufficient electrical supply for milking equipment and refrigerated milk storage.

Next to the milk room is a small office for ranch business.

Calf Barn

The oldest barn is the calf barn. The 4,784 square foot redwood structure has a classic high gable design. It is used to shelter young calves. The floor is part concrete and part dirt.

PRESENT AND PAST USE

The property has been used since the 1940's as a dairy farm.

ADJACENT USES

At the subject parcel's north end, south end, and in the middle, are three parcels owned by the Giacomini family that also have frontage along C Street. The combined frontage of the three parcels is about 715 feet, more than twice the frontage of the subject 4.30 acre parcel. Across C Street are single-family residences and the Point Reyes fire station.

UTILITIES

Power and telephone are located along C Street.

SEPTIC

There is no public sewer system. Any development must be served by on-site septic systems.

WATER

The North Marin Water District has a water main in C Street and provides service to the subject.

2003 ASSESSOR'S DATA

The Marin County Assessor reports the property was purchased by the National Park Service 3/20/00.

ZONING REGULATIONS

The subject property is comprised of two zoning districts. The zoning includes the following:

C-APZ-60 (Coastal-Agricultural-Planned, 60 acre density)

This zone applies to that portion of the subject 4.30 acres that extends from the western boundary of the C-R-A:B2 zone to the western property line of the subject parcel. The portion of the subject parcel included in the zone is about 2.47 acres and includes the milking parlor, the milk room, the calf barn and a portion of the free-stall barn.

The zone requires at least 60 acres per residence or lot. The zone generally permits one-family dwellings, a wide range of agricultural uses and such recreational activities as horseback riding, hunting and fishing. A use permit is required for such uses as the boarding of more than five horses, retail sales of agricultural products or garden materials, agricultural processing plants, mining, lumbering, and bed and breakfast inns.

The zone requires the clustering of any proposed non-agricultural use (and roads serving such use) on no more than 5% of the overall land area. Any development would be located "close to existing roads and shall be sited to minimize impacts on scenic resources, wildlife habitat and streams, and adjacent agricultural operations."

The zone generally permits single-family dwellings, a wide range of agricultural uses and such recreational activities as horseback riding, hunting and fishing. A use permit is required for such uses as the boarding of more than five horses, retail sales of agricultural products or garden materials, agricultural processing plants, mining, lumbering, and bed and breakfast inns.

The land area in the C-APZ-60 zone is not adequate in size to allow for the creation of a lot and the land area cannot be used to contribute to the potential density of land in the C-R-A:B2 zone.

C-R-A:B2 (Coastal-Residential-Agricultural-Planned)

This zone applies to that portion of the subject 4.30 acres that extends from the C Street frontage to a depth 200 feet from the front property line. The portion of the subject parcel included in the zone is about 1.83 acres and includes the secondary residence, a portion of the free-stall barn, and a large corral.

The zone provides for single-family residences and limited agricultural use. A maximum of three horses or three head of livestock is permitted for each lot. A bed and breakfast inn with up to three guest rooms is allowed as a permitted use and an inn of three to five rooms may be approved as a conditional use. A conditional use permit is required for sale of nursery or agricultural products, riding stables, civic, religious and institutional uses and other specified uses. Any proposed subdivision requires lots of no less than 10,000 square feet with an average width of 75 feet. The required front setback is 25 feet and the sideyard setback is 10 feet. The zone is an extension of the zoning on the other side of "C" Street.

GENERAL PLAN

The Point Reyes Station Land Use Policy Map (Map 7.9) in the Countywide Plan shows the eastern 1.83 acres of the subject parcel zoned C-R-A:B2 with a land use designation of C-SF5, Coastal, Single-family, with a maximum density of two to four units per acre. The western 2.47 acres of the subject

parcel zoned C-APZ-60 is shown with a land use designation of AG-1, Agricultural with a density range of one lot per 30 to 60 acres.

U.S. CORPS OF ENGINEERS JURISDICTIONAL WETLANDS

The property is not within an area that is "potentially within U.S. Army Corps of Engineers jurisdiction" as per the Philip Williams & Associates, Ltd. study, "An Evaluation of the Feasibility of Wetland Restoration on the Giacomini Ranch, Marin County."

FLOOD HAZARD

FEMA flood map 060173-0208A, effective 3/1/84, indicates most of the subject parcel, with the exception of the southern end of the parcel, is upland of the 100-year flood plain.

HIGHEST AND BEST USE

As per direction from the National Park Service, the analysis of highest and best use is to be based on the assumption that all structures and site improvements have been removed and the ground cleared of all paving materials. As raw land, ready for development, the highest and best use of the subject property is for land division to create single family residential lots as allowed by the General Plan and the C-R-A:B2 zoning district.

Although the zoning of the subject parcel would support the creation of five single-family residential lots, the need for an on-site septic system for each lot reduces the potential density. Soil tests conducted by Questa Engineering on the subject parcel indicate considerable variability within the subject parcel regarding in the suitability of soils to support septic systems. The only portion of the southernmost lot that would support a mound septic system is the northeast corner. Any attempt to create a lot south of this point would not be feasible because the soils would not support a septic system and any attempt to gerrymander a dogleg lot to gain access to a more northerly location of the subject parcel with good soils for septic systems may not satisfy county lot line design standards and would diminish the value of the other lots to an extent that it would not be a profitable alternative.

A three lot subdivision would be legally permissible, physically possible, economically feasible and would represent the highest return to the property.

SELECTION OF COMPARABLES

A search of sales of subdividable land in Marin and Sonoma counties disclosed three sales that provide the most reliable indication of subject value. None of the sale properties were purchased with any approvals for development nor were the purchase contracts contingent on gaining any permits or plan approvals. The parcel areas of the comparables range from 2.21 acres to 13.93 acres. The dates the sales were recorded range from 4/26/01 to 8/6/03.

UNIT OF MEASUREMENT

For properties such as the subject and the comparable sales, market practice dictates that the most reliable unit of measurement is price per potential lot.

CHANGE IN MARKET CONDITIONS

Any significant change in value over time should be reflected in an appropriate adjustment to sales price per unit of measurement. The number of recent sales of similar subdividable land in Marin and Sonoma counties is not large enough to provide a reliable sample for purposes of tracking change in market value. There is, however, sufficient correlation between change in the value of subdividable land and change in the median sale prices for buildable lots in the two counties. Sales of single-family residential lots in Marin County during the period of time covered by the comparables indicates that an appropriate adjustment is an increase of 0.5% a month.

FINANCING

Sale 8 involved seller financing of \$90,000 for two years at a market rate of interest. None of the other sales involved seller financing or other favorable financing, and there is therefore no need to adjust for unusual financing. A very slight adjustment to sale price is made for the favorable aspect of seller financing, even if it was for a relatively low amount, for a short term, and at a market rate of interest.

LOCATION

The closest comparable is a property in Tomales that is about 13 miles northwest of the subject. The other Marin County comparable is a property in San Rafael that is about 20 miles southeast of the subject. A Sonoma County comparable is located about 18 miles to the northeast of the subject.

Adjustment for location is based upon the relative value per square foot of lots at the sale location as compared to similar lots in Point Reyes.

OVERALL PROJECT SCALE

The sale properties are compared to the subject in terms of project scale, a consideration largely of the cost of the land. When the unit of measurement is price per lot, a downward adjustment must be made for a significantly less costly project (in the case of land sales, usually a property with a smaller parcel size) because price per lot usually increases as overall price and parcel size decrease and, as previously mentioned, a downward adjustment is necessary for a favorable characteristic of a comparable relative to the subject.

DEVELOPMENT COST

A major difference in the prospective development cost for a subdivision of the subject property, as compared to the comparable properties, is that the comparables all require construction of a road within the subdivision, whereas the subject requires only improvement of frontage along C Street, which serves all of the prospective lots.

**USA 4.30 ACRE PARCEL
 APN 119-040-26; 119-240-66 AND 75
 2/10/2004
 COMPARABLE SALES**

SALE NUMBER	SUBJECT	8	9	10
STREET NUMBER		273	209	619
STREET NAME	C St.	San Pedro Tomales - Dillon Beach		Ely
COMMUNITY	Point Reyes	San Rafael	Tomales	Petaluma
DATE		4/26/2001	8/6/2003	5/4/2001
LOT ACRES	4.30	2.21	13.93	5.00
POTENTIAL LOTS	3.00	6.00	18.00	11.00
ACRES/POTENTIAL LOT	1.43	0.37	0.77	0.45
SALE PRICE		1,075,000	1,490,000	975,000
PRICE/POTENTIAL LOT		179,167	82,778	88,636
SALE CONDITION			0.20	
BUYER MOTIVATION				
FINANCING		(0.01)		
MARKET CHANGE	0.0050	0.18	0.03	0.18
UPDATED NORMAL PRICE/LOT		209,625	101,817	104,591
LOCATION		(0.30)	0.20	0.35
PROJECT SCALE		0.05	0.25	0.13
DEVELOPMENT COST		0.10	0.15	0.10
VIEW		0.10	0.05	0.15
SEWER/SEPTIC		(0.06)	0.00	(0.06)
POTENTIAL LOT SIZE		0.53	0.33	0.49
TOTAL ADJUSTMENTS		0.42	0.98	1.16
SUBJECT VALUE/LOT (rounded)		298,000	202,000	226,000

G3-2.9

3-10-04

COMPARABLE SALE NO. 8

273 North San Pedro Road, San Rafael

This is the sale of a 2.21 acre parcel in San Rafael, with County zoning that allows for single-family residential subdivision with a minimum lot area of 7,500. The property sold 4/26/01 for \$1,075,000, with seller financing of \$90,000 for two years at a market rate of interest.

At the time of sale, the property was improved with a plant nursery that did not contribute to the value of the property. The topography is gently sloped and not in the 100-year flood plain. Electricity, public water and sewer connection are currently in place. The property has frontage on North San Pedro Road, a paved County arterial roadway.

The subject property sold with no contingencies at a price over 20% below the asking price. The property had been on the market for 721 days and a number of offers fell out of escrow, including one in which the buyer had spent about \$120,000 in County fees, planning costs, and \$100,000 in earnest money deposited into escrow. November 11, 2002, County Board of Supervisors approved the applicants appeal for a six lot subdivision of single-family residential lots. The six lots represent half of the maximum density indicated by zoning. The first home is currently under construction.

The sale property is in a suburban location where single-family residential lots generally sell for more per square foot than similar lots in Point Reyes. The sale property is also superior to the subject because it is served by a public sewer system and does not require the installation of on-site septic systems. The sale property is inferior to the subject property in terms of the need to construct an on-site street, whereas lots on the subject parcel can be served by the fronting street. The sale property is also inferior to the subject in terms of views and average lot size.

After adjustments to sale price as discussed above, the indicated subject value is \$298,000.

COMPARABLE 9

209 TOMALES - DILLON BEACH ROAD, TOMALES

This sale property is an abandoned ranch with dilapidated structures on 13.934 acres within the community of Tomales in northwest Marin County. The property sold 8/6/03 for \$1,490,000. A portion of the property is zoned at a maximum density of one lot per five acres, another part is zoned at a maximum density of one lot per two acres, and another part is zoned for a maximum density of one lot per 6,000 square feet. The terrain is open grassland with gentle slope to Tomales-Dillon Beach Road. There is frontage on both Tomales-Dillon Beach Road and Carrie Street, paved County roadways. Electricity, public water and sewer are available to the lot line.

The sale property was sold by the County probate court with no contingencies of sale. At the time of sale there were three known legal lots, but, during title search in escrow, it was determined that there were seven legal lots (certain lots thought to have been merged by the County were not subject to merger). No applications were filed with the County for any development application prior to sale and no tests had been completed regarding soils, septic system potential, or other studies necessary for planning a subdivision. The property was not advertised for sale on the MLS and was sold by the court with no competing offers.

The selling broker estimates that the zoning allows a maximum of 23 lots, after deducting land area required for internal streets. He explained that the buyers feel that a density that may be approved would be closer to 18 units. He explained that it would be difficult to get the maximum allowed density because the community sewer system only has a remaining capacity for about 33 new sewer connections. Although the sale property's potential for sewer service is desirable, the uncertainty of gaining approval for any given number of sewer connections, combined with the uncertainty of adequate soils and land area for on-site septic systems, makes the subject's studied potential for on-site septic systems to serve each lot fairly comparable in terms of sewage disposal.

The sale property is inferior to the subject in terms of location, view, and average potential lot size. It is also inferior in terms of the cost to construct an on-site street.

After adjustments to sale price as discussed above, the indicated subject value is \$202,000.

COMPARABLE 10

619 ELY ROAD, PETALUMA

This sale property is a five acre parcel on Ely Road in Petaluma. There is frontage on Ely and Corona Roads, both paved County roadways. The property sold 5/14/01 for \$975,000. The terrain is open grassland with gentle slope to Ely Road. Electricity, public water and sewer are in Ely Road. A small part of the property is in the 100-year floodplain.

The property sold with no contingencies, but the buyers had information from the Petaluma Planning Department that it was probable that the property would be approved for annexation by the City of Petaluma and land use regulations would be approved to allow subdivision into 11 lots. At the time of sale, the property was zoned DA-10, Sonoma County Diverse Agricultural zone with a maximum density of one lot per 10 acres. The property resold 10/17/02 for \$1,725,000 subject to the seller obtaining approval of a final subdivision map from the City of Petaluma for an 11 lot subdivision.

The sale property is superior to the subject property in terms of being served by a public sewer system. It is inferior to the subject in terms of location, view, average potential lot size, and the need for construction of an on-site street.

After adjustments as discussed above, the indicated value of the subject parcel is \$226,000.

CONCLUSION

After making adjustments to the sale prices of the comparables as previously discussed, the range in the indicated market value of the subject property is \$202,000 to \$298,000.

Comparables 1 and 2, with indicated subject values of \$298,000 and \$202,000, respectively, are preferred because they are located in Marin County. With a strong preference for these two comparables, \$250,000 is selected as the most appropriate indication of the average market value of the three potential lots considered to be the most profitable potential subdivision of the subject property. With the highest and best use of the sale parcel indicating a potential for three lots, the indicated subject value is therefore \$750,000.

My opinion of the market value of the fee simple interest in the subject 4.30 acre parcel, as of February 19, 2004, as if cleared of all structures and site improvements, may therefore be stated as follows:

**OPINION OF MARKET VALUE
4.30 ACRE PARCEL**

\$750,000

PART III - ADDENDA

QUALIFICATIONS

QUESTA ENGINEERING ANALYSIS

PHILIP WILLIAMS AND ASSOCIATES, LTD. STUDY EXTRACTS

GENERAL PLAN AND ZONING REGULATIONS

PROPERTY INSPECTION CERTIFICATION

COMPARABLE SALES

QUALIFICATIONS

HERB CASE

EDUCATION

Appraisal Institute courses completed:
all courses for education requirement of MAI candidacy

B.A. Degree: Pomona College, Claremont, California

M.A. Degree: UCLA Graduate Div., Urban and Regional Planning
Thesis: Housing Economics

PROFESSIONAL AFFILIATIONS

Senior Member - ASA - American Society of Appraisers
Member - AICP - American Institute of Certified Planners
Member - Marin County Appraisers Association
Member - Marin County Board of Realtors
Member - American Arbitration Association
California Certified General Real Estate Appraiser #AG001620

EXPERT WITNESS QUALIFICATIONS

Qualified as expert witness in Land Use: U.S. District Court at San Francisco and the Superior Courts of Marin and Sonoma Counties.

EXPERIENCE

Case & Associates, Principal Real Estate Appraiser 12/86 -

Urban Land Research, Principal Real Estate Appraiser/Analyst
1983 to 1986, 1977 to 1981

City of Santee: Director, Planning/Building 1981 to 1983

City of Sausalito: Planning Director 1973 to 1977

SCOPE OF LAND USE ANALYSES

Conservation easements
Land development potential
Office, retail, and industrial properties
Pleasure boat and commercial fishing marinas
Ranches, tidelands and natural resource properties
Public open space, utility easements, right-of-way, railroad corridors

REPRESENTATIVE SAMPLE OF CLIENTS

Law Firms

Freitas, McCarthy, MacMahon & Keating
Nelson, Boyd, MacDonald, Praetzel, Mitchell & Hedin
Bianchi, Engle, Keegin & Talkington
Kopp & DiFranco
Farella, Braun & Martel
Thomas J. Barger
Myron Greenberg

Corporations

Lucasfilm, Pacific Bell, Chevron, The Nature Company, Bianco
Cadillac, Wayne Cross Ford

Government

National Park Service
San Francisco Housing Authority
Marin County Real Estate Division
Sonoma County Real Estate Division
Sonoma County Regional Parks Department
Cities of San Francisco, Novato, Corte Madera
Marin Municipal Water District
North Marin Municipal Water District
San Rafael Fire Department
Tiburon Fire Department
Tamalpais Fire Department
Alto-Richardson Bay Fire District
Novato Fire Protection District
California Coastal Conservancy
Sonoma Agricultural Preservation and Open Space District

Non-Profit Agencies

Marin Senior Housing Corp.
Marin Agricultural Land Trust (MALT)
Sonoma Land Trust

QUESTA ENGINEERING ANALYSIS



July 16, 2004

Herb Case
50 Seascape Drive
Sausalito, California 94985

Subject: Preliminary On-Site Wastewater Disposal Investigation, Marin County APN 114-213-03 on Sir Francis Drake Boulevard, Inverness, California

Dear Mr. Case:

At your request, on February 10, 2004, we performed a preliminary site investigation at the subject property to determine on-site sewage disposal feasibility. This letter report presents my observations made at the site along with conclusions and recommendations.

Site Conditions

The property is 6.4 acres and borders on the wetlands of Tomales Bay. There is no development on the property. Almost all of the property is composed of wetlands that are unsuitable for on-site sewage disposal. There is an area measuring approximately 39,000 square feet in the northwest corner of the property that appears not to be a wetlands area (Figure 1). The area investigated is vegetated with grasses and a large bay tree. Slopes averages 3.5 to 6 percent.

Soil Conditions

The soils and groundwater conditions were investigation using a hand auger, two holes were hand augered (A1 and A2). The soil conditions in auger hole A1 consisted 3 feet of fine gravelly loam topsoils underlain by fine gravelly clay-loam to five feet. Fine gravelly loams to loams were found to a depth of five feet in A2.

Groundwater

On February 10, 2004, groundwater was observed at 47 inches in auger hole A1 and 51 inches in auger hole A2. These observations were made during the normal wet weather season; however, it is possible that groundwater levels could rise higher during very wet periods.

Flood Plain

The project site is shown on the FEMA Flood Insurance Rate Map to be all or partially within the 100-year flood plain and floodway of Lagunitas Creek. According to the flood insurance study the 100-year base flood elevation (BFE) at the property is approximately 10.5 to 10.6 feet above mean sea level. Most of the property is at an elevation below 10-feet; however, available topographic maps of the area (CalTrans 1966) indicate that the northwestern corner of the property (near A1 and A2) is above the BFE. A detailed site survey of the area would be needed to determine exactly how much of the area is above the floodplain.

Page 2
Mr. Herb Case
May 23, 2004

Conclusions and Recommendations

Most of the property is unsuitable for on-site sewage disposal because it is composed of wetlands and floodway. The only potentially suitable area for sewage disposal is in the approximately 39,000-square foot area in the northwest corner of the property bordering Sir Francis Drake Boulevard. However, only portions of this area meet the minimum setbacks from the wetlands (75 feet) and have suitable soil and groundwater conditions to accommodate either a mound system or possibly a shallow pressure-dosed leachfield system with the use of pre-treatment from a sandfilter. We estimate this to be an area measuring approximately 80-feet wide by 170-feet long (13,600 square feet total). This area would have to accommodate the building site as well as the sewage disposal system. The approximate area required for sewage disposal for a three-bedroom residence is 2,600 square feet for a mound and 3,600 square feet for a shallow pressure dosed system.

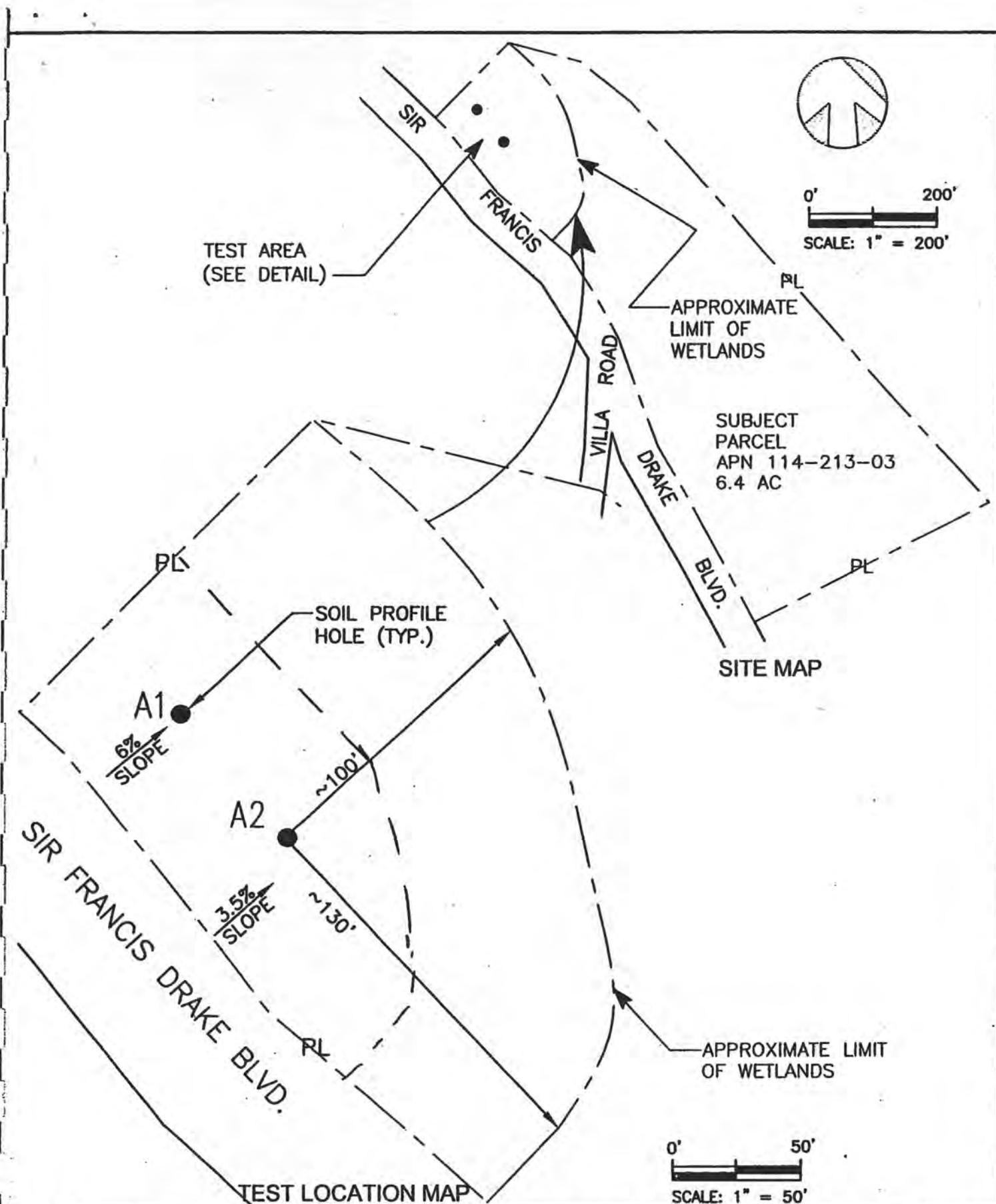
We trust this is the information you require at this time. If you have any questions, please call me at (510) 236-6114, extension 215.

Sincerely,


Paul Pospisil, R.G.
Project Geologist

PP/th/sc

Ref: 230232L1



QUESTA
 Civil
 Environmental
 & Water Resources
 ENGINEERING CORP.
 P.O. Box 70356 1220 Brickyard Cove Road Point Richmond, CA 94807
 (510) 236-8114
 FAX (510) 236-2422
 www.questaeng.com

SITE AND TEST LOCATION MAP
 MARIN CO. APN 114-213-03
 SIR FRANCIS DRAKE BLVD.
 INVERNESS, CALIFORNIA

FIGURE
1



May 21, 2004

Mr. Herb Case
50 Seacape Drive
Sausalito, CA 94985

Subject: Preliminary Investigation for On-Site Sewage Disposal for property at Giacomini Dairy, C Street, Point Reyes Station, CA

Dear Mr. Case:

Reported here are the results of preliminary soil and groundwater observations conducted at the Giacomini Dairy on "C" Street in Point Reyes Station on February 10, 2004. The work was conducted to determine the feasibility for on-site sewage disposal for the subject site. The attached site map (**Sheet 1**) shows areas and test hole locations where suitable soils were found. We used a base map prepared by Pacific Land Surveying titled *Preliminary Layout for Proposed Lot Line Adjustment*. The area investigated includes assessor parcels 119-240-66, 119-240-75, and 119-040-26, encompassing approximately 4.3 acres. The following summarizes the results of our preliminary field investigation and our evaluation of on-site sewage disposal feasibility.

PROJECT SITE

The area investigated is approximately 4.3 acres located on the west side of "C" Street in Point Reyes Station. There is an existing dairy with several barns and a small house on one of the parcels. The location of existing septic systems was not determined. The property is located along the southwestern edge of the town of Point Reyes Station. The western edge of the property is composed of a large natural embankment with a wetland and a seasonal creek at its base. The northeastern property line is formed by "C" Street, with residential properties across the street. Public water is provided to the area by the North Marin Water District; no onsite wells were observed during our site visit. Much of the property is very gently sloping at less than 5-percent; there is a small area bordering on "C" Street that has slopes from 10 to approximately 20 percent. The barns occupy a significant portion of the property. No soil observations were made inside the barns; however, soil profile trenches were excavated around the perimeter of the barns.

Soils Conditions

Seven soil profile test pits were excavated through out the property. Three of the test pits (T-1, T-2, and T-7) exhibited suitable, well-drained, loamy soils up to 7-feet deep. These test pits are located in the northern part of the property in an area where the slopes are nearly level. The soils generally consist of 2 to 2.5 feet of loam topsoils underlain by very gravelly sandy clay

loam to 7 feet. Clay was encountered at 7 feet in trench T-1; T-7 was only excavated to a depth of 6 feet.

Two test pits, T-3 and T-4, were excavated in an area bordering "C" Street. T3 and T4. The soils observed in T3 consisted of loam topsoils to 22 inches deep, underlain by a gravel lens from 22 inches to 47 inches; below this was fine sandy clay from 47 inches to 78 inches. The sandy clay from 47 to 78 inches was dense and not suitable for sewage disposal. Soils observed in T-4 consisted of 7 inches of manure underlain by compact fine sandy clay to 40 inches (limit of hole). The fine sandy clay is not suitable for sewage disposal.

Two test pits, T-5 and T-6, were excavated in the southern part of the property. Test pit T-5 was excavated near the southern end of the barn and the soils consisted of a light clay from 0 to 21 inches and a stiffer clay from 22 to 46 inches. The stiffer clay had many distinct mottles and is not suitable for sewage disposal. The soils at T-6 consisted of light gravelly clay from 0 to 60 inches with some indication of fill in this soil profile. These soils may be suitable for sewage disposal.

Groundwater

Marin County regulations require that groundwater levels be investigated between January 1 and April 15, after 50 percent of the average annual rainfall has occurred. Our February 10, 2004, investigation was done in conformance with these criteria. Groundwater observations were made in the seven test pits previously described. Groundwater was only encountered in test pit T-6 at the southern end of the property. No groundwater was observed in any of the test pits in the northern area of the property. These test pits extended to a depth of 7 feet, indicating very well drained soil conditions. Based on the preliminary review, groundwater should not be a significant constraint for sewage disposal in the northern area. The other areas on the property showed stiffer clay soils that are susceptible to shallow perched groundwater during very wet times of the year, similar to the conditions observed in test pit T-6 where groundwater was encountered at a depth of 4 feet.

CONCLUSIONS

North Area

Based on our investigation, the property has suitable soil and groundwater conditions for on-site sewage disposal in the northern area, in the vicinity of soil profile trenches T-1, T-2, and T-7. Standard gravity leaching trench or pressure-dosed leaching trench systems, with trench depths up to 4-foot deep, would be suitable in this area. The main constraint in this area is the required setback from the large, steep-sloped embankment and the creek at its base. The embankment separates the upper developed areas from the lower wetlands area. The required setback to the embankment is 50 feet. There is also a creek near the base of the bank. A 100-

foot setback from the edge of the creek should be assumed; however, this could potentially be reduced to 75 feet, depending upon the seasonal flow conditions.

The size and area required for a leachfield for a four-bedroom house will vary depending on the percolation rates of the soils. Based on the soil textures observed, it is likely that the rates will be fairly fast, probably between 5 minutes per inch (MPI) and 20 MPI. The length of leachline required, assuming 4-foot deep trenches with 12 inches of cover over the distribution pipes and 5-MPI percolation rates, is 150 lineal feet of trench for a dual system, occupying approximately 1,900 square feet of area. For a percolation rate of 20 MPI, 250 lineal feet of trench would be needed for a dual system, occupying approximately 3,200 square feet of area.

The leaching trenches would be a minimum of 7-feet on center and need to be aligned on contour. The available area for leachfields in the North Area is roughly 46,000 square feet. Considering that only 1,900 to 3,200 square feet of area is required for a four-bedroom leachfield, there is potentially enough area for several residences; the feasibility and overall capacity would be dictated by lot configurations and density or cumulative impact considerations, such as nitrate loading and groundwater mounding. A preliminary estimate of nitrate loading shows that the entire 4.3-acre site would be restricted to approximately 500 gallons of wastewater per acre, or about 2,150 gallons per day (gpd). Individual and residential leachfields are sized on the basis of 105 gpd /bedroom; therefore, 2,150 gpd is equal to a total of 20 bedrooms.

East Area

The East Area is where soil profile test pits T-3 and T-4 were excavated near "C" Street. The suitable soils in this area are not nearly as deep as in the North Area. Test pit T-3 showed suitable topsoils for approximately 22 inches underlain by a gravel lens. Typically, 24 inches of suitable topsoil are required for use of a mound system. It is likely that the topsoils are deeper north of T-3 and the area would be suitable for a mound. The soils at test pit T-4 were judged to be unsuitable; they were very dense and clayey. A mound system in the area north of T-3 to serve a four-bedroom residence mound would require an area measuring approximately 65-feet by 50-feet. This size assumes the use of low flow toilets and the installation of a dual tiered mound. This area is labeled on the attached map as "Possible Mound Location."

South Area

The soil conditions and the setbacks to the embankment adjacent to the wetlands cause the South Area to be very restricted for wastewater disposal. Soil profiles T-5 and T-6 were excavated in this area. Soils were not suitable in test pit T-5 and were marginally suitable in test pit T-6, where groundwater was observed at a depth of 4 feet. An alternative shallow trench system may be feasible north of test pit T-6, where greater setbacks can be maintained from the embankment and wetlands. Further detailed testing, including a County review, would be needed to confirm if a system could be placed in this marginally suitable area.

SUMMARY

In summary, the most suitable area on the property for onsite sewage disposal is in the North Area, where test pits T-1, T-2, and T7 were excavated. The soils are deep and well drained in this area. Several conventional leachfields could be accommodated in this area, depending on locations of property lines, homes, and driveways. Preliminary analysis of nitrate accumulation shows that the 4.3 acres of land being investigated could accommodate approximately 500 gpd/acre, or a total of about 2,150 gpd; this is equal to a total of 20 bedrooms. The East Area could likely accommodate a mound system adjacent to and north of test pit T-3. The South Area is severely restricted by the marginal to poor soils, groundwater, and setbacks to the embankment and wetlands.

This report and our findings are preliminary, based on soil observations and our knowledge of and experience with other properties in the area. To confirm our conclusions detailed site reviews, including percolation testing, wet season groundwater confirmation, and review by Marin County Environmental Health Services, will be needed. If you have any questions, feel free to call me or Norman Hantzsch at (510) 236-6114, ext.215 or ext.214.

Sincerely,

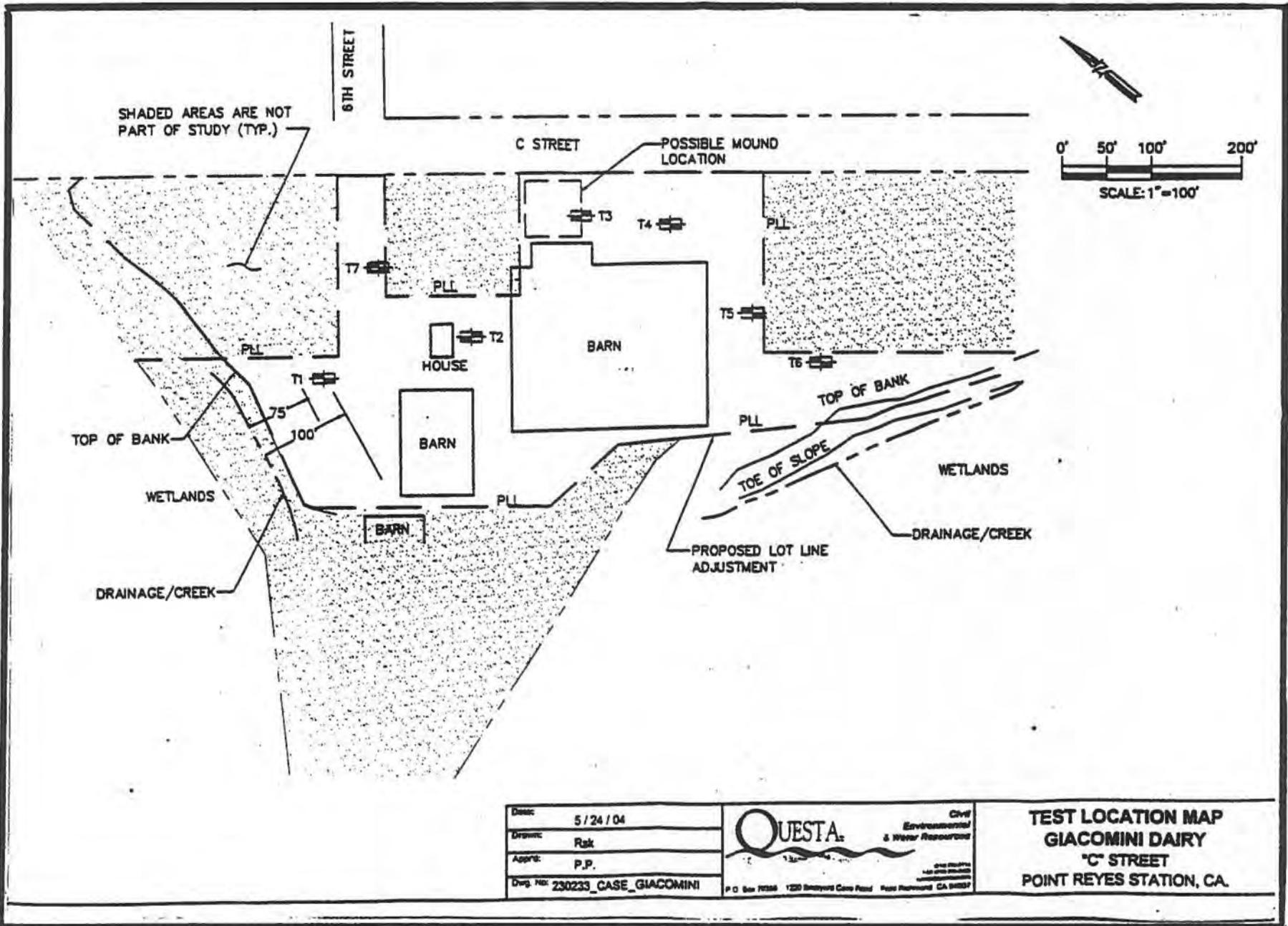


Paul Pospisil, R.G.
Project Geologist

Attachment (Fig. 1)

PP/th

Ref: 230233L3



Date: 5/24/04
 Drawn: Rak
 Appr: P.P.
 Dwg. No: 230233_CASE_GIACOMINI

QUESTA
 Civil Environmental & Water Resources
 6140 HOLLYWOOD BLVD SUITE 200
 HOLLYWOOD, CA 91607
 P O Box 70266 1220 Broadway Camp Field Palo Alto, CA 94307

**TEST LOCATION MAP
 GIACOMINI DAIRY
 "C" STREET
 POINT REYES STATION, CA.**

PHILIP WILLIAMS & ASSOCIATES, LTD. STUDY EXTRACTS

POTENTIAL JURISDICTIONAL WETLANDS

Introduction

The Clean Water Act (1977) was enacted by Congress to protect and restore waters of the United States. Section 404 of the Act specifically regulates the discharge of fill into the waters of the United States, including wetlands. The regulatory agency given jurisdiction over waters of the United States is the Army Corps of Engineers. As stated in the federal regulations, wetlands are defined as:

Those areas that are inundated or saturated by surface or ground waters at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs, and similar areas.

(EPA, 40 CFR 230.3 and CE, 33 CFR 328.3)

Field studies and office evaluations are conducted to determine the presence or absence of wetland indicators used by the Corps of Engineers in making a jurisdictional determination. The three criteria used to delineate wetlands stated in the *Corps of Engineers Wetlands Delineation Manual* (1987) are the presence of (1) hydrophytic vegetation, (2) hydric soils, and (3) wetland hydrology. According to the manual:

...[E]vidence of a minimum of one positive wetland indicator from each parameter (hydrology, soil and vegetation) must be found in order to make a positive wetland determination.

This study is a preliminary determination of potential Corps jurisdiction within the project site. A field review by the Corps will be required to determine if additional information is necessary for the Corps to reach a conclusion concerning their jurisdiction. Furthermore, this determination is for those areas regulated under Section 404 of the Clean Water Act. Other regulatory determinations (such as Section 10) have not been made here.

Methods

The routine method for wetland delineation as described in the *Corps Manual* was used at the Giacomini Ranch site. Prior to the site visit, U.S. Soil Conservation Service Marin county soil survey and the U.S. Fish and Wildlife Service Wetland Inventory Map for the site were reviewed. Field studies were conducted in the pasture areas of Giacomini Ranch during March and April 1992. Soils, vegetation, and hydrology were examined along five transects (Figure H1) and one individual sampling station (Site 6). In addition, eight shallow ground water wells were monitored from January to May to determine ground water levels during a period when there was no irrigation.

The Marin County soil survey (U. S. Soil Conservation Service 1985) indicates that three soil phases are present on the project site (Figure H2): Novato clay, Blucher-Cole

complex (2 to 5 percent slopes), and Inverness loam (50 to 75 percent slopes). Novato clay is listed as a hydric soil and Blucher-Cole complex has hydric components in streams and depression. Inverness loam is not a hydric soil.

The wetland inventory map indicates that most of the site is palustrine wetlands. This includes two ponds located in the eastern pasture. These classifications are determined using high altitude aerial photography (with some ground truthing) and are considered as guideline determinations only.

Soils formed over long periods of time under wetland (anaerobic) conditions possess certain characteristics which identify them as hydric soils. Perhaps the most important and easily identifiable characteristic is the soil color. A soil color designation given to a collected soil sample consists of three simple variables: hue, value, and chroma; and is determined by comparing the sample (moistened) with various color panels in a Munsell color chart. While hue and value can vary widely, the chroma designation is what determines the hydric or non-hydric characteristic. Hydric soils have low chroma designations, 0, 1, or 2 while non-hydric soils have high chroma designations, 3 or greater. Mottles, bright colored mineral clusters which appear as "specks" in the overall soil matrix, are also generally required in chroma 2 soils for a hydric determination. In a Munsell soil color designation, for example 10YR 3/1, the hue is given first (10YR) followed by value and chroma which are separated by a "/" (3/1).

The jurisdictional wetland hydrology criterion is satisfied if an area is inundated or if the soil is saturated for a period long enough to support wetland vegetation during the growing season under normal rainfall conditions. Evidence of hydrology can include visible inundation or saturation or indirect indicators such as oxidized root channels, algal mats or surface sediment deposits, drift lines, and others.

Plant species identified were assigned a wetland status according to the U.S. Fish and Wildlife Service (Reed 1988) list of plant species that occur in wetlands. This wetland classification system is based on the expected frequency occurrence in wetlands as follows:

OBL	Obligate, always found in wetlands	> 99% frequency
FACW	Facultative wetland, usually found in wetlands	67-99%
FAC	Facultative, equal in wetland or non-wetlands	34-66%
FACU	Facultative upland, usually found in non-wetlands	1-33%
UPL	Upland, not found in local wetlands	< 1%
NL	Not listed, considered upland	

Plants with OBL, FACW, and FAC classifications are considered wetland plants. In using the routine wetland delineation method described in the *Corps Manual*, the dominant plants in the area are listed. Usually the list will consist of between one and five dominant plants. If the list consists of 50 percent or more of wetland classified plants, the wetland vegetation criterion is satisfied.

The *Corps Manual* provides standard forms on which soil, hydrology, and vegetation data can be recorded. The Corps of Engineers normally requires that these forms be completed for wetland delineations. Completed data forms for this study are provided.

Jurisdictional Delineation

Western Pasture. The western pasture is former baylands diked in the late 1940's for agricultural use. The site slopes from the south and from the west with a total elevational differential of approximately 4 feet.

Soils. Novato clay is present on most of the site with Inverness loam occurring mainly along the extreme western boundary paralleling Sir Francis Drake Highway.

Soil on this site has low chroma. Soil chroma of 0, 1, or 2 is considered low chroma and a hydric soil characteristic (chroma 2 soils must also have mottles). Chroma of 1 was found at all transect sampling stations except transect stations 1e, 2a, and 3b. Chroma of 2 with mottles was found at stations 1e and 3b; sandy soil at 2a was not given a color notation since sandy soils, because of their coarseness, do not generally develop hydric characteristics (even under hydric conditions). All soils sampled were considered hydric soils.

Vegetation. Vegetation on the site is managed for cattle forage. Wetland classified plants are dominant on the site, including OBL classified plants (pickleweed [*Salicornia virginia*] and Baltic rush [*Juncus balticus*]), FACW classified plants (brass buttons [*Cotula coronopifolia*], salt grass [*Distichlis spicata*], and annual bluegrass [*Poa annua*]), and FAC classified plants (Italian ryegrass [*Lolium perenne*]).

Hydrology. Evidence of hydrology was observed at every transect station on the site and included oxidized root channels and/or saturation/inundation on the surface. Ground water wells indicated that water levels were maintained within 12 inches of the surface for several weeks (Figures H3 through 5). Since the site is not irrigated, hydrology on the site is from natural sources.

Eastern pasture. The eastern pasture is former baylands diked in the late 1940's. The elevation slopes from the south with a total elevational differential of approximately 6 feet. One pond (northeastern pond) identified in the National Wetlands Inventory Map was observed to have been filled at the time of the field work.

Soils. Blucher-Cole soils at the southern end of the pasture are generally coarse sand and gravel that intergrade into fine sand and clay moving northward into Novato clay.

Soil in the eastern pasture has low chroma throughout. Lower soil chroma (1) is characteristic in Novato clay while slightly higher chroma (2) with mottles is characteristic

of Blucher-Cole complex. Soils in the eastern pasture, therefore, meet the hydric soil criteria.

Vegetation. Vegetation is managed for cattle forage using irrigation, grazing, and disking and reseeded in various sections of the pasture on a rotational basis. Still, plants with wetland classifications, such as annual bluegrass (*Poa annua*) and meadow barley (*Hordeum brachyantherum*), both FACW classified plants, and Italian ryegrass (*Lolium perenne*), a FAC classified plant, are dominant throughout the pasture.

Hydrology. Evidence of natural hydrology during non-irrigation periods is distinct in Novato clay soils. Oxidized root channels were observed at soil sampling stations and wells (1 and 2) indicated that water levels were within 10 inches of the surface for several weeks during the late winter and spring (Figure H6).

Evidence of hydrology in Blucher-Cole complex soils is not distinct, however. Oxidized root channels and cattle hoof prints were observed at Site 6, however, these indicators could have been created by earlier irrigation. The elements that indicate wetland hydrology does not exist in most of the Blucher-Cole complex is ground water well data, elevation, and presence of coarse soil. Water levels were not maintained in wells (3 and 5) above the 12 inch level during the wet season probably because this area is well drained due to high elevation and sandy soils. Wetland hydrology is present in portions of the Blucher-Cole complex, however, at the mouth of Tomasini Creek (well 4, transect 5) which probably receives some runoff from the creek and at well 6 (transect station 4c) near Lagunitas Creek.

Extent of Jurisdictional Wetlands. Potential jurisdictional wetlands meeting the required criteria (hydric soil, wetland vegetation, and hydrology) were determined to cover approximately 108 acres in the western pasture and approximately 191 acres in the eastern pasture. These areas are shown in Figure H7.

Potential Jurisdictional Wetlands

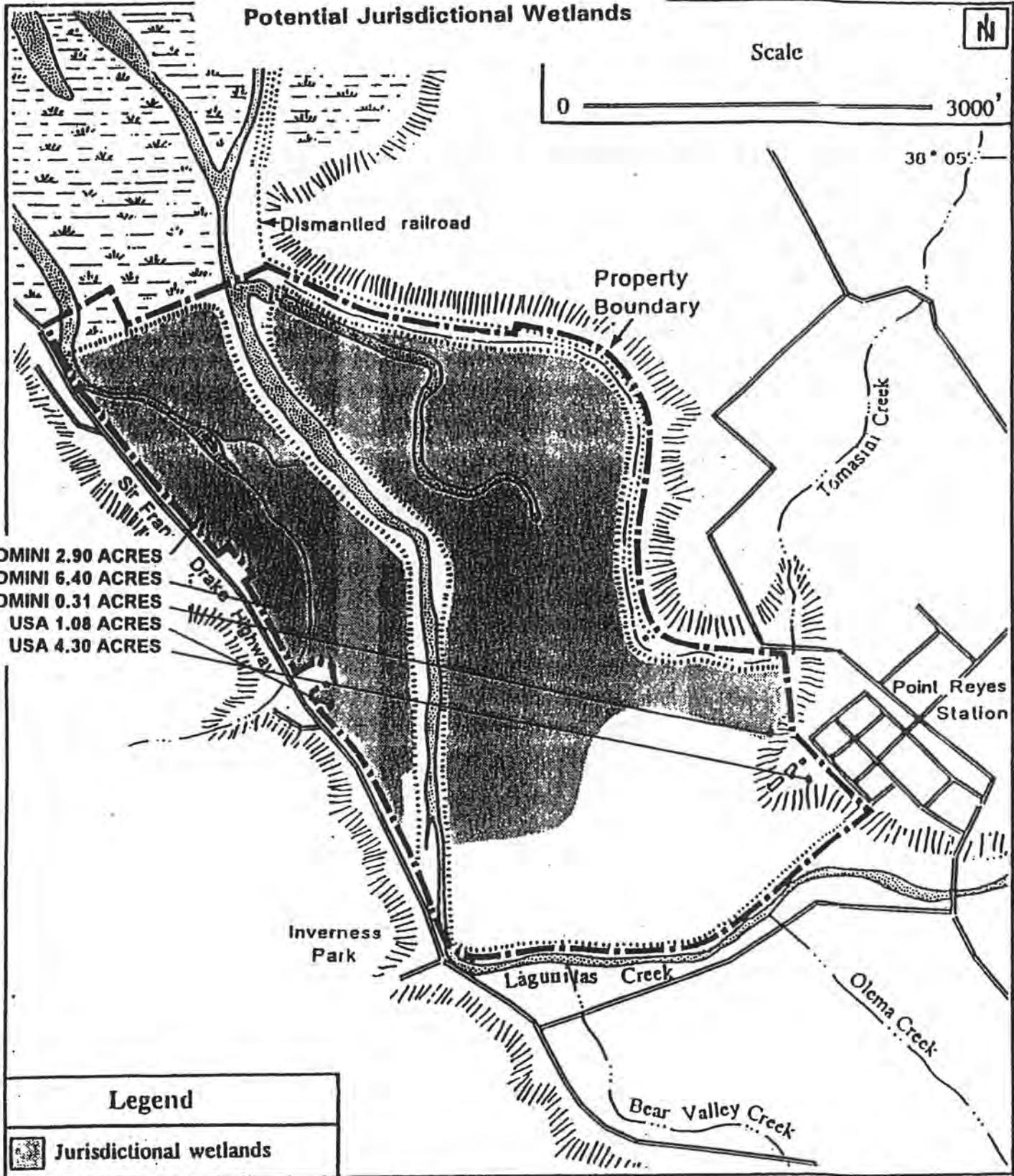
Scale



0 ————— 3000'

38° 05'

- GIACOMINI 2.90 ACRES
- GIACOMINI 6.40 ACRES
- GIACOMINI 0.31 ACRES
- USA 1.08 ACRES
- USA 4.30 ACRES



Legend

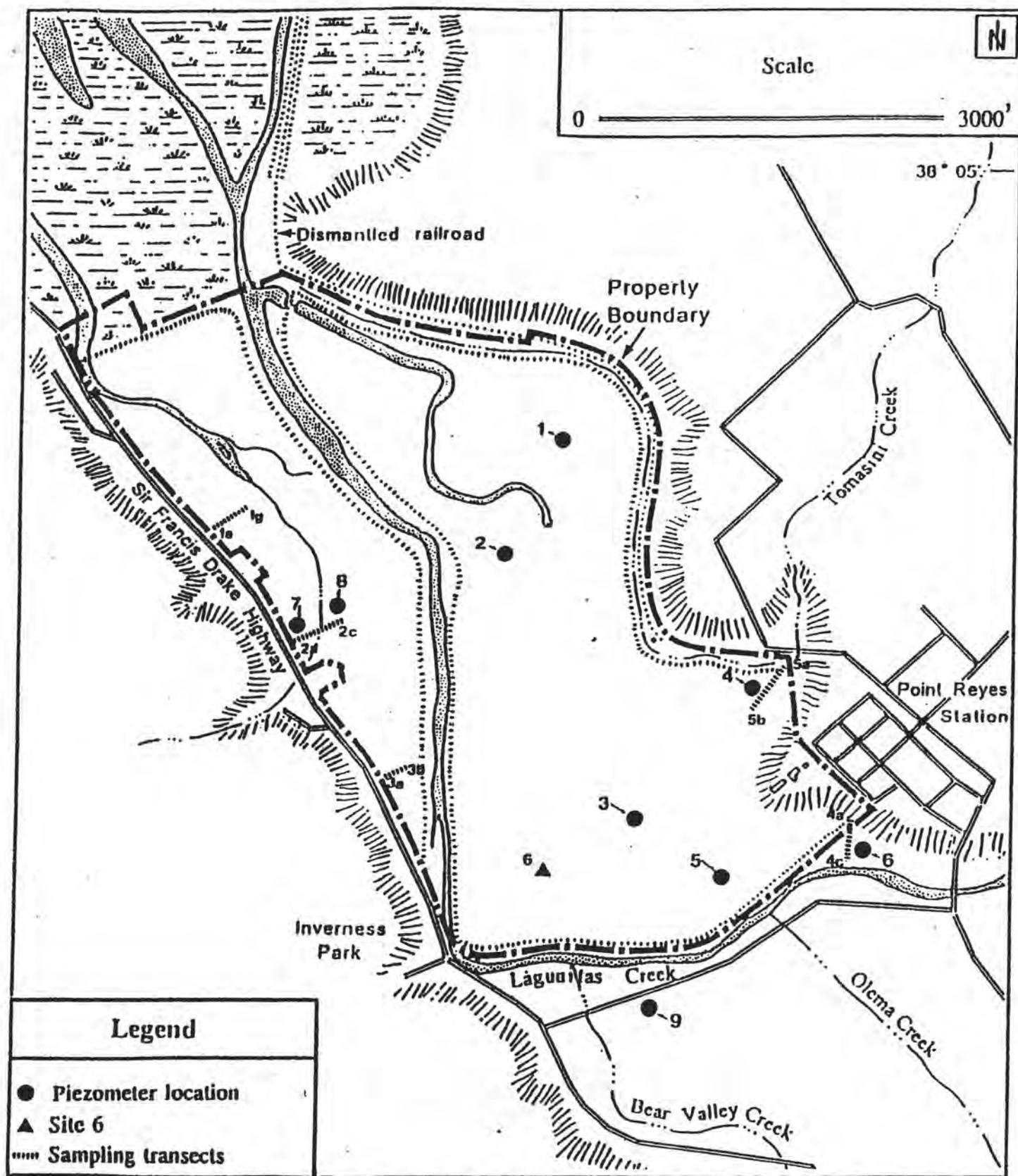
 Jurisdictional wetlands

Figure H7 Distribution of potential jurisdictional wetlands on Giacomini Ranch.



Wellands Research Associates, Inc.

Source: The Philip Williams & Assoc. et al Report



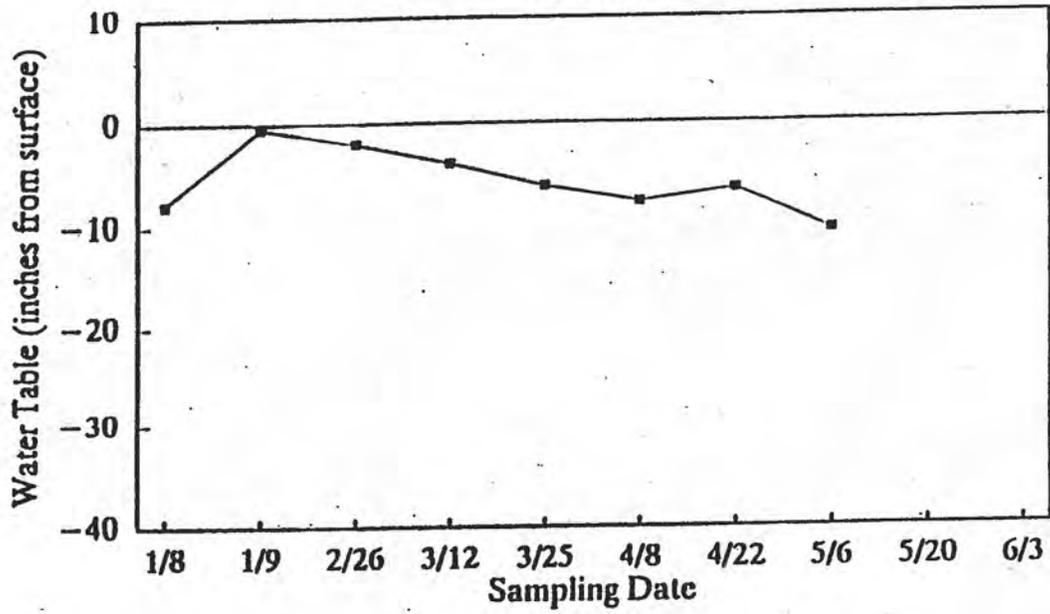
Legend	
●	Piezometer location
▲	Site 6
-----	Sampling transects

Figure H1 Location of piezometers and sampling transects on Giacomini Ranch.



Wellands Research Associates, Inc.

Giacomini Ranch Piezometer Data - 1992
Station 7



Station 8

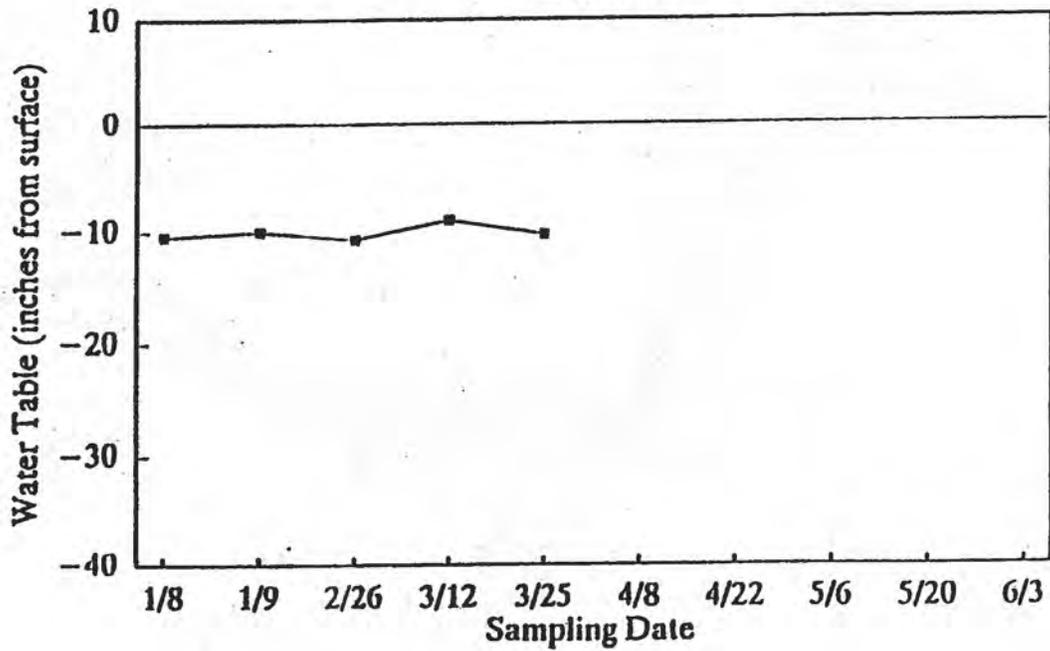


Figure H6



Wellands Research Associates, Inc.

DATA FORM 1
WETLAND DETERMINATION

Applicant Name: _____ Application Number: _____ Project Name: Giacomini Ranch
 State: CA County: Marin Legal Description: _____ Township: _____ Range: _____
 Date: 4/14/92 Plot No.: 2b Section: _____

Vegetation (list the three dominant species in each vegetation layer (5 if only 1 or 2 layers)). Indicate species with observed morphological or known physiological adaptations with an asterisk.

Species	Indicator Status	Species	Indicator Status
<u>Trees</u>		<u>Herbs</u>	
1.		7. Trifolium sp.	-
2.		8. Poa annua	FACW
3.		9. Lolium perenne	FAC
<u>Saplings/shrubs</u>		<u>Woody vines</u>	
4.		10.	
5.		11.	
6.		12. At least	

1 of species that are OBL, FACW, and/or FAC: 66% Other indicators: _____
 Hydrophytic vegetation: Yes No Basis: _____

Soil

Series and phase: Norato clay On hydric soils list? Yes ; No
 Mottled: Yes ; No Mottle color: _____ ; Matrix color: 10YR 7/1
 Gleyed: Yes No Other indicators: muck at 10"
 Hydric soils: Yes No ; Basis: Low chroma

Hydrology

Inundated: Yes ; No Depth of standing water: _____
 Saturated soils: Yes ; No Depth to saturated soil: surface
 Other indicators: Oxidized rhizospheres top 8"
 Wetland hydrology: Yes ; No Basis: _____
 Atypical situation: Yes ; No
 Normal Circumstances? Yes No
 Wetland Determination: Wetland ; Nonwetland

Comments: meets 3 criteria

Determined by: M. Miller, K. Bobzien

It should be noted that the edge of the Delta and marsh plain advances and retreats in response to episodes of sedimentation and continual wave action. At present (1992) the marsh edge has retreated at least 50 feet since the last episode of deposition. Tidal slough channels are formed by the scouring of the ebb and flood tides and their geometry has distinct relationship with the tidal prism and marshplain area that feeds them (Coats and Williams, 87).

Although Lagunitas Creek is tidal, its character is mainly influenced by river floods that have created a relatively wide shallow sandy bedded channel that dissipates itself on the mudflats at the south end of Tomales Bay. More typical of tidally influenced systems are the slough channel on the west side that now extends past Willow Point and has depths to about -1 foot NGVD; and the Bivalve channel. The Bivalve channel is of interest, because while it now receives a small amount of flood flow from Lagunitas Creek, it has been rejuvenated by the restoration of tidal action about ten to fifteen years ago on the 70-acre Wildlife Conservation Board Property. This substantial increase in tidal prism has now scoured out a deeper channel to -3 feet NGVD that extends about a mile north along the eastern edge of the bay and has also maintained deeper water upstream of the levee breach nearly to the junction with Lagunitas Creek.

9. Flood Hazards

There are two major flood threats to the site. Flooding that overtops the levees on Lagunitas Creek, and extreme tides.

The reservoirs in the 32-square mile Lagunitas Creek watershed while affecting flood hydrographs, are not intended to be operated for flood control and have little affect on the peak flow of extreme floods. Olema Creek, a major tributary with a total watershed area of 15 square miles has no dams in its watershed. Flood stages on Lagunitas Creek through the Giacomini property are affected by Lagunitas Creek runoff, Olema Creek runoff, and the tide level in Tomales Bay.

The largest recorded flood was the one in 75 year event that occurred in January 1982, with a peak flow measured at the Gallagher gage of 22,900 cfs (Corps of Engineers, 1984). Combined with Olema Creek flows it appears that flows through the property exceeded 25,000 cfs. The next highest recorded flow was the 9,500 cfs flow recorded in February, 1986, estimated to be a 1 in 6 year event. Both the 1982 flood and 1986 floods overtopped the Giacomini levees, flooding the entire property.

The levee system was originally designed to a crest elevation of about +14 feet. It was not intended to provide protection against all floods and it was anticipated that overtopping would occur. In fact a 1965 flood control study indicated that the channel had very limited capacity and that even a one in 2-year flood could reach the top of the right bank levee (Nolte, 1965). Accordingly large overflow spillways were constructed at the northern end of each pasture to allow passage of floodwater across the ranch with minimal

damage to the levees. The western pasture has a concrete spillway approximately 100 feet long with a crest elevation of +4.6 feet.² The eastern area has a similar concrete spillway with a crest elevation of +5.2 feet¹ and an unreinforced 600-foot spillway (a lowered section of the levee) with crest elevations varying from +4.8 to +5.5 NGVD¹.

After the 1982 flood the right bank levee above the dam site was reconstructed by the Corps of Engineers and faced with riprap erosion protection at critical points. This levee now varies in elevation between about +15 and +13 feet. Elsewhere the right bank levee has subsided and is now typically at elevations of between +8 and +9 feet, with the lowest point measured at +7.1 feet¹ (see Figure 19). The left bank levee was completely reconstructed and now typically varies in elevation between +9 and +10 feet. The right bank spillway crest is now at +5.2 feet and the left bank spillway at +4.6 feet¹.

A detailed flood flow analysis was not within the scope of this study. However with the present levee system there appears to be a significant risk of levee failure due to flood flow overtopping (as well as the risk of levee failure due to erosion undercutting), with the risk of levee failure is now of the order of once in five years.

On the left bank of Lagunitas Creek, along Sir Francis Drake Boulevard, a number of houses have been constructed in the flood plain of Lagunitas Creek and experienced damages during the 1982 flood. From the time the Giacomini levee was constructed on the right bank in 1946; flood levels would have been increased for moderate to large floods. This is because the levee was constructed higher than the roadway and floodplain on the left bank. However, overtopping of the Giacomini's levee on the right bank limits maximum flood heights in extremely large events like the 1982 flood, when the maximum water level was +16 feet. (Corps of Engineers, 1984)

Extreme tides are caused by the coincidence of different physical phenomena affecting the water level in Tomales Bay. These are: storm surges that raise water levels on the coastal shelf; local storm surges within Tomales Bay; low barometric pressure; high surface water temperatures associated with El Niño events; all coinciding with normal spring tides. The highest extreme tide for Inverness is estimated to be 8 feet above MLLW plus or minus 0.5 feet (5.9 feet NGVD) based on Point Reyes tide measurements (NOAA). No specific analysis has been carried out of extreme water levels in Tomales Bay and it appears that local storm surges increase water levels at the shallow southern end of the Bay.

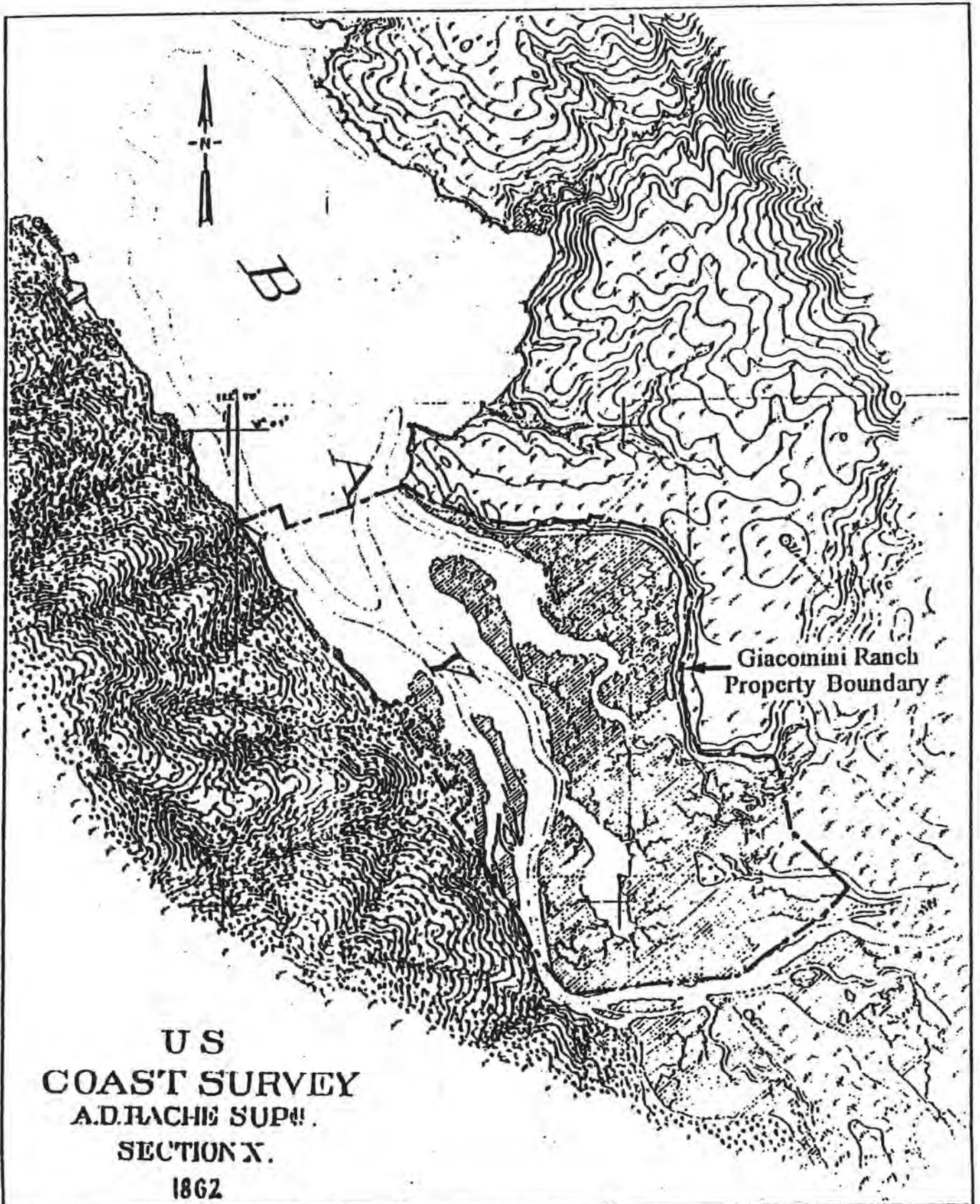
Extreme tides therefore do not overtop the Giacomini levees but could erode them and would overtop the spillways. Even with normal astronomical tides it appears that the highest spring tides of the levee on the right bank of Lagunitas Creek are able to overtop the low overflow section. In November 1982, a local wind storm surge raised tide levels about 1.5 feet above predicted high tides causing inundation of the Giacomini property.

²Note: all survey elevations subject to confirmation.

TABLE 4.**TIDAL ELEVATIONS IN TOMALES BAY AT INVERNESS**

	1960-78 Tidal Epoch		1941-59 Tidal Epoch ¹	
	MLLW	NGVD	MLLW	NGVD
Highest estimated tide	8.0	5.85		
Highest observed tide	6.39	4.24		
Mean higher high water (MHHW)	5.39	3.19		
Mean high water (MHW)	4.64	2.49		
Mean tide level (MTL)	2.76	0.61		
National Geodetic Vertical Datum (NGVD)	2.15	0.0	2.48	0.0
Mean low water (MLW)	0.88	-1.27		
Mean lower low water (MLLW)	0.0	-2.15	0.0	-2.48
Lowest observed tide	-0.31	-2.46		

¹Note: 1941-59 tidal epoch MLLW correction used to adjust historic MLLW elevations and 1966 Caltrans survey.



Philip Williams & Associates, Ltd.
Consultants in Hydrology

1862 U.S. Coast Survey
Tomales Bay (detail)

Figure
2

GENERAL PLAN AND ZONING MAPS AND REGULATIONS



- A. Diking, filling, and dredging of wetlands shall be permitted only in conformance with the policies contained in the LCP on this subject, presented on page 136 of the LCP. In conformance with these policies, filling of wetlands for the purposes of single-family residential development shall not be permitted.
- B. Allowable resource-dependent activities in wetlands shall include fishing, recreational clamming, hiking, hunting, nature study, bird-watching and boating.
- C. No grazing or other agricultural uses shall be permitted in wetlands except in those reclaimed areas presently used for such activities.
- D. A buffer strip 100 feet in width, minimum, as measured landward from the edge of the wetland, shall be established along the periphery of all wetlands. Where appropriate, the required buffer strip may be wider based upon the findings of the supplemental report required in (E). Development activities and uses in the wetland buffer shall be limited to those specified in (A) and (B) above.
- E. As part of the application for a coastal development permit on any parcel adjacent to Tomales Bay, except where there is no evidence of wetlands pursuant to the Coastal Commission's guidelines, the applicant shall be required to submit supplemental biological information prepared by a qualified ecologist at a scale sufficient to identify the extent of the existing wetlands, based on Section 30121 of the Coastal Act and the area of the proposed buffer area.

9.05 Native Vegetation. The Inverness Ridge Planning Area can be typified by three unifying elements - the shoreline of Tomales Bay, the ridge itself, and a continuous band of native and introduced vegetation. Although tree cover along the north facing slopes of the ridge inhibits solar access in many areas,

INNERNESS
COMMUNITY
PLAN

- B. Undeveloped lands located on the bay side of Sir Francis Drake Boulevard presently zoned for neighborhood commercial occupancies in the Inverness Park area should be reclassified pursuant to the recommendations of the Tidelands section of this Plan and in conformity with the LCP.
- 2.01 Recognize and support established visitor serving enterprises within the Planning Area.
- A. Retain existing C-R-C-R (Coastal, Resort and Commercial Recreation) District Zoning for the Inverness Valley Inn to its planned capacity of 30 units providing overnight accommodation.
 - B. Retain existing C-R-C-R (Coastal, Resort and Commercial Recreation) District zoning for the Inverness Motel and the Golden Hinde Boatel.
 - C. Visitor serving enterprises, particularly those which offer and provide places of overnight accommodation, shall remain available to any prospective guest on a space available basis; conversion of such places of overnight accommodations into time sharing, club, condominium or any similar restricted or limited type of occupancy shall be prohibited.
- 2.02 Expand local commercial enterprises only within established village centers.
- A. Expansion of locally serving uses should occur only in close proximity to the established commercial entities of Inverness Park and Inverness on the southside of Sir Francis Drake, rather than establishing new commercial codes in different locations.
- 2.03 Provide policy guidance to be used should new visitor serving enterprises be proposed within the Planning Area.
- A. Proposed new visitor serving uses shall be evaluated against the following policy guides:

Chapter 22.57 SPECIFIC REGULATIONS FOR VARIOUS COASTAL DISTRICTS

Section 22.57.100 C-CP – Coastal planned commercial district.

22.57.101 Purpose. The purpose of this district is to create and protect areas within the coastal zone for commercial and institutional uses and to control the density and development of such uses thereby assuring compatibility with the goals and policies of the local coastal plan.

22.57.102 Principal Permitted Uses. The following uses are permitted in all C-CP districts, subject to master plan approval:

1. All commercial and institutional uses as approved by an adopted master plan. In accordance with LCP policies, residential uses existing as of the date of adoption of the ordinance codified in this chapter shall be allowed to be rebuilt if destroyed by natural disaster.

22.57.103 Design Standards. Requirements for design, site preparation and use of the project shall be imposed as necessary to implement the goals and policies of the local coastal plan, the Marin Countywide Plan and any applicable community plan.

22.57.104 Submission Requirements. Applications shall contain all the elements or requirements of Chapters 22.45 and 22.56. All or a portion of the general submission requirements for master plan and/or development plan review and approval (Chapter 22.45) may be waived by the planning director. If master plan requirements are waived, a proposal shall be submitted which meets the requirements of Chapter 22.82 (Design Review).

22.57.105 Additional Findings. Establishment of self-service stations or conversion of existing full-service stations to self-service stations will require periodic review and additional findings that the establishment of a self-service station will not adversely affect public health, safety and welfare by either diminishing the availability of minor emergency help and safety services, including minor automobile repair and public restrooms or discriminating against individuals needing refueling assistance. (Ord. 2888 § 2, 1985; Ord. 2703 § 16, 1982)

Chapter 22.57 SPECIFIC REGULATIONS FOR VARIOUS COASTAL DISTRICTS

Section 22.57.040 C-R-A – Coastal residential, agricultural districts.

22.57.041 Purpose. The purpose of this district is to provide for residential use, combined with small scale agricultural activities, subject to specific development standards.

22.57.042 Principal Permitted Uses. The following uses are permitted in all C-R-A districts:

1. Single-family residence;
2. Small livestock farming; provided, that not to exceed one horse, or one cow, or one hog, or three sheep, or three goats, or other similar livestock may be kept for each twenty thousand square feet of area of the lot, to a maximum of three horses, or three cows, or three hogs, or six sheep, or six goats or other similar livestock maintained on any one lot;
3. Crops, horticulture, nurseries and greenhouses;
4. Accessory buildings;
5. Home occupations; and
6. Bed and breakfast operations as defined in Section 22.02.103, for such operations which offer or provide not more than three guest rooms.

22.57.043 Conditional Uses. The following uses are permitted in all C-R-A districts, subject to securing a use permit in each case:

1. Public and private stables and riding academies;
2. Sale of agricultural products produced on the premises;
3. Public parks and playgrounds;
4. Buildings for the sale of agricultural and nursery products;
5. Schools, libraries, museums, churches, retreats, noncommercial tennis courts, and day child-care centers for seven or more children;
6. Dog kennels;
7. Livestock farming exceeding three cows or three horses or three hogs or six sheep;
8. Bed and breakfast operations as defined in Section 22.02.103, which provide four but not more than five guest rooms.

22.57.044 Design Standards. Building site area and width; building setbacks, height and floor area ratio shall comply with the standards listed in Section 22.57.200, "Design standards table."

22.57.045 Exceptions. Any parcel of land with an area of less than seven thousand five hundred square feet, and/or with an average width of less than sixty feet, which was under one ownership on September 2, 1938, which owner thereof owned or has owned no adjoining land and provided that no succeeding owner has owned adjoining land, or which parcel is shown as a lot on any subdivision map or land division or parcel map or record of survey which was recorded after approval of the map in the manner provided by law, may be used as a building site for one-family dwelling by the owner of such parcel of land or by his successor in interest, provided that all other regulations for the district, as prescribed in this title, shall be complied with; provided further, that in lieu of the foregoing building site area regulations in any C-R-A district, in which there are also applied the regulations of any B district under the provisions of this title, each one-family dwelling with its accessory buildings, hereafter erected, shall be located on a building site, in one ownership, having an area not less than specified for such B district. In no case, however, shall there be more than one dwelling on any one lot. (Ord. 2884 § 4 (5, 6), 1985; Ord. 2637 § 6 (part), 1981)

REGULATIONS FOR COASTAL DISTRICTS

22.57.200-22.57.201

finds are appropriate for a resort area or which are desirable or necessary for public service, utility service or for the servicing of the recreation industry. Residential, industrial, institutional, general commercial uses, mobile home parks and floating home marinas are not permitted. In accordance with LCP policies, residential uses existing as of the date of adoption of this ordinance shall be allowed to be rebuilt if destroyed by natural disaster.

22.57.153 Design Standards. Requirements for design, site preparation and use of the project shall be imposed as necessary to implement the goals and policies of the local coastal plan, the Marin Countywide Plan and any applicable community plan.

22.57.154 Submission Requirements. Applications shall contain all the elements or requirements of Chapters 22.45 and 22.56. All or a portion of the general submission requirements for master plan and/or development plan review and approval may be waived by the planning director. If master plan requirements are waived, a proposal shall be submitted which meets the requirements of Chapter 22.82 (Design Review). (Ord. 2703 § 18, 1982).

22.57.200 Design standards table. The following design standards shall apply in the respective coastal districts:

Zone District	Building Site Requirements		Setbacks				Floor area Ratio
	Lot Area	Average Width	Front	Side	Rear	Height	
C-R-A	7,500 sq. ft.	60 ft.	25 ft.	6 ft.	20%	25 ft.*	30%
						lot depth ¹	
C-H-1	7,500 sq. ft.	60 ft.	---	---	---	25 ft.*	---
C-R-1	7,500 sq. ft.	60 ft.	25 ft.	6 ft.	20%	25 ft.*	30%
						lot depth ¹	
C-R-2	7,500 sq. ft.	60 ft.	25 ft.	6 ft.	20%	25 ft.*	30%
						lot depth ¹	
C-VCR	7,500 sq. ft.	60 ft.	0 ft.	5 ft. ²	15 ft. ¹	25 ft.*	---

¹ Maximum rear yard setback of 25 feet.

* Height limit in Stinson Beach Highlands shall be seventeen feet.

² Commercial uses in C-VCR districts have no side and rear setbacks required.

(Ord. 2637 § 6 (part), 1981).

22.57.201 Regulations for B districts. In any C district which is combined with any B district, the following design standard regulations, as specified for the respective B district, shall apply.

22.58.010-22.58.020 ZONING

Zone District	Building Site Requirements		Setbacks			Height
	Lot Area	Average Width	Front	Side	Rear	
B-D	1,750 sq. ft.	35 ft.	10 ft.	5 ft.*	10 ft.	20 ft.
B-1	6,000 sq. ft.	50 ft.	25 ft.	5 ft.*		
B-2	10,000 sq. ft.	75 ft.	25 ft.	10 ft.		
B-3	20,000 sq. ft.	100 ft.	30 ft.	15 ft.		
B-4	1 acre	150 ft.	30 ft.	20 ft.		
B-5	2 acres	150 ft.	30 ft.	20 ft.		
B-6	3 acres	175 ft.	30 ft.	20 ft.		

*Side setback on corner lots - minimum of 10 feet.

(Ord. 2703 § 19, 1982; Ord. 2637 § 6 (part), 1981).

Chapter 22.57 SPECIFIC REGULATIONS FOR VARIOUS COASTAL DISTRICTS**Section 22.57.080 C-RSP -- Coastal residential single-family planned districts.**

22.57.081 Purpose. The purpose of this district is to allow development of single-family detached units to be designed according to the policies set forth in the local coastal plan and without the confines of specific yard requirements, in order to allow the greatest possible compatibility with the characteristics of the site.

22.57.082 Principal Permitted Uses. The following uses are permitted in all C-RSP districts, subject to master plan approval:

1. One-family dwelling;
2. Crops, tree and truck farming, nurseries, and greenhouses;
3. Home occupations;
4. Accessory buildings;
5. Nature reserves;
6. Bed and breakfast operations as defined in Section 22.02.103, for such operations which offer or provide not more than three guest rooms.

22.57.083 Conditional Uses. The following uses are permitted in all C-RSP districts, subject to securing a use permit in each case:

1. Public parks and public playgrounds;
2. Salesrooms or other buildings for the sale of nursery and agricultural products;
3. Schools, libraries, museums, churches, retreats, noncommercial tennis courts, and day child-care centers for seven or more children;
4. Horses, donkeys, mules, and ponies shall be permitted subject to provisions of Section 22.68.040. The grazing of livestock shall not be permitted in areas where it is likely to cause damaging soil erosion or water pollution;
5. "Bed and breakfast" operations as defined in Section 22.02.103; provided, however, that prior to the establishment of such a use which provides four but not more than five guest rooms, a use permit shall first be secured.

22.57.084 Density. The ordinance adopting a C-RSP district shall specify the maximum number of dwelling units per gross acre which will be allowed within the C-RSP district.

22.57.085 Submission Requirements. Applicant shall submit:

1. Requirements contained in Chapters 22.45 and 22.56; except that all or a portion of the general submission requirements for master plan and development plan approval (Chapter 22.45) may be waived by the planning director. If these requirements are waived a proposal shall be submitted which meets the requirements of Chapter 22.82 (Design Review).

22.57.086 Site Preparation and Project Design. The following requirements for site preparation, design and use of the project shall be imposed through the master plan, development plan and/or design review process, as necessary, to implement the goals and policies of the LCP, the Marin Countywide Plan and any applicable community plan:

1. Site Preparation.
 - a. Grading. All grading shall be reviewed by the environmental protection committee or by staff members designated by the committee. Grading shall be held to a minimum. Every reasonable effort shall be made to retain the natural features of the land: skylines and ridgetops, rolling land forms, knolls, native vegetation, trees, rock outcroppings, watercourses. Where grading is required, it shall be done in such a manner as to eliminate flat planes and sharp angles of intersection with natural terrain. Slopes shall be rounded and contoured to blend with existing topography.
 - b. Roads. No new roads shall be developed where the required grade is more than fifteen percent unless convincing evidence is presented that such roads can be built without environmental damage and used without public inconvenience.
 - c. Erosion Control. Grading plans shall include erosion control and revegetation programs. Where erosion potential exists, silt traps or other engineering solutions may be required. The timing of grading and construction shall be controlled by the department of public works to avoid failure during construction. No

grading shall be done during the rainy season, from November through March.

d. **Drainage.** The areas adjacent to creeks shall be kept as much as possible in their natural state. All construction shall assure drainage into the natural watershed in a manner that will avoid significant erosion or damage to adjacent properties. Impervious surfaces shall be minimized.

e. **Trees and Vegetation.** In all instances, every effort shall be made to avoid removal, changes or construction which would cause the death of the trees or rare plant communities and wildlife habitats.

f. **Fire Hazards.** Development shall be permitted in areas of extreme wildfire hazard only where there are good access roads, adequate water supply, a reliable fire warning system, and fire protection service. Setbacks to allow for firebreaks shall be provided if necessary.

g. **Geologic Hazards.** Construction shall not be permitted on identified seismic or geologic hazard areas such as on slides, on natural springs, on identified fault zones, or on bay mud without approval from the department of public works, based on acceptable soils and geologic reports.

h. **Watershed Areas.** All projects within water district watershed areas shall be referred to that district for review and comment.

2. Project Design.

a. **Clustering.** Generally, buildings should be clustered or sited in the most accessible, least visually prominent, and most geologically stable portion or portions of the site, consistent with the need for privacy to minimize visual and aural intrusion into each unit's indoor and outdoor living area from other living areas. Clustering is especially important on open grassy hillsides. A greater scattering of buildings may be preferable on wooded hillsides to save trees. The prominence of construction can be minimized by such devices as placing buildings so that they will be screened by wooded areas, rock outcroppings and depressions in the topography.

b. **Ridgelines.** There shall be no construction permitted on top or within three hundred feet horizontally, or within one hundred feet vertically of visually prominent ridgelines, whichever is more restrictive, if other suitable locations are available on the site. If structures must be placed within this restricted area because of site size or similar constraints, they shall be on locations that are least visible from nearby highways and developed areas.

c. **Landscaping.** Landscaping shall minimally disturb natural areas, including open areas, and additional landscaping in a natural or seminatural area shall be compatible with the native plant setting. Fire protection and minimal water use shall be considered in landscaping plans. Planting shall not block views from adjacent properties or disturb wildlife trails.

d. **Utilities.** In the ridge land areas designated by the countywide plan, roads shall be designed to rural standards. (Generally, not more than eighteen feet pavement width, depending on safety requirements. A minimum of sixteen feet may be permitted in certain very low use areas, as provided in the improvement standards established pursuant to this code, Chapter 24.04.) In ridge land areas, street lights shall be of low level intensity, and low in profile. In all areas, power and telephone lines shall be underground where feasible.

e. **Building Height.** No part of a building shall exceed twenty-five feet in height above natural grade, and no accessory building shall exceed fifteen feet in height above natural grade. The lowest floor level shall not exceed ten feet above natural grade at the lowest corner. Where a ridge lot is too flat to allow placement of the house down from the ridge, a height limit of one story or a maximum of eighteen feet to the top of the roof shall be imposed. These requirements may be waived by the planning director upon presentation of evidence that a deviation from these standards will not violate the intent of Sections 22.47.020 and 22.47.030.

f. **Materials and colors** shall blend into the natural environment unobtrusively, to the greatest extent possible.

g. **Noise impacts** on residents and persons in nearby areas shall be minimized through placement of buildings, recreation areas, roads, and landscaping.

h. **Facilities.** Where possible, facilities and design features called for in the countywide plan shall be provided on the site. These include units with three or more bedrooms, available to households with children; child-care facilities; use of reclaimed wastewater; use of materials; siting, and construction techniques to minimize consumption of resources such as energy and water; use of water-conserving appliances; recreation facilities geared to age groups anticipated in the project; bus shelters; design features to accommodate the handicapped; bicycle paths linked to city-county system; and facilities for composting and recycling.

i. **Open Space Dedication.** Land to be preserved as open space may be dedicated by fee title to the county of Marin prior to issuance of any construction permit, or may remain in private ownership with appropriate scenic and/or open space easements in perpetuity, and the county may require reasonable public access across those lands remaining in private ownership.

j. **Open Space Maintenance.** The county of Marin or other designated public jurisdiction will maintain all open space lands accepted in fee title, as well as public access and trail easements across private property. Where open space lands remain in private ownership with scenic easements, these lands shall be maintained

in accordance with the adopted policies of the Marin County open space district and may require the creation of a homeowners' association or other organization for the maintenance of these private open space lands where appropriate.

k. **Open Space Uses.** Uses in open space areas shall be in accordance with policies of the Marin County open space district. Generally, uses shall have no or minimal impact on the natural environment. Pedestrian and equestrian access shall be provided where possible and reasonable, and where liability issues have been resolved. The intent is to serve the people in adjacent communities without attracting large numbers of visitors from other areas. (Ord. 2933 § 2 (2), 1987; Ord. 2884 § 4 (11, 12), 1985; Ord. 2637 § 6 (part), 1981)

Chapter 22.56 C DISTRICTS

Section 22.56.130 Development requirements, standards and conditions.

A. Water Supply. Coastal project permits shall be granted only upon a determination that water service to the proposed project is of an adequate quantity and quality to serve the proposed use.

1. Except as provided in this section, the use of individual water wells shall be allowed within the zone in conformance with Chapter 7.28 (Domestic Water Supply) of the Marin County Code:

a. New developments located within the service area of a community or mutual water system may not utilize individual domestic water wells unless the community or mutual water system is unable or unwilling to provide water or the physical distribution improvements are economically or physically infeasible to extend to the proposed site. Additionally, wells or water sources shall be at least one hundred feet from all property lines or a finding shall be made that no development constraints are placed on neighboring properties.

b. Within the Inverness planning area, individual wells for domestic use shall not be allowed on parcels of less than 2.8 acres in size. Exceptions to this requirement may be granted pursuant to the issuance of a coastal permit. In addition to the findings of Chapters 22.56 and 22.86, the applicant must demonstrate to the satisfaction of the health officer that a well can be developed on the substandard size parcel in a completely safe and sanitary manner.

c. Within the Inverness public utility district (IPUD), individual wells for domestic use shall not be permitted in the same watershed, at an elevation higher than the IPUD surface water sources existing as of June 14, 1983.

d. The issuance of a coastal permit for any well shall be subject to a finding that the well will not have an adverse impact on coastal resources individually or cumulatively.

2. Prior to the authorization of subdivisions or construction of projects utilizing individual water wells, the applicant shall demonstrate a sustained water-well yield of at least one gallon per minute per residential unit. Additional requirements for fire protection, including increased yield rates, water storage facilities and fire hydrants shall be installed as recommended by the applicable fire protection agency.

3. New community and mutual water wells serving five or more parcels shall demonstrate, by professional engineering studies, that such groundwater withdrawal will not adversely affect aquifer systems. Such engineering studies shall provide the basis of establishing safe, sustained yields from these wells.

4. New development shall be required to incorporate low-flow water fixtures and other water-saving devices.

B. Septic System Standards. The following standards apply for projects which utilize septic systems for sewage disposal.

1. All septic systems within the coastal zone shall conform with the "Minimum Guidelines for the Control of Individual Wastewater Treatment and Disposal Systems" adopted by the Regional Water Quality Control Board on April 17, 1979, or the Marin County Code, whichever is more stringent. No waivers shall be permitted except where a public entity has formally assumed responsibility for inspecting, monitoring and enforcing the maintenance of the system in accordance with criteria adopted by the Regional Water Quality Control Board, or where such waivers have otherwise been reviewed and approved under standards established by the Regional Water Quality Control Board.

2. Alternate waste disposal systems shall be approved only where a public entity has formally assumed responsibility for inspecting, monitoring and enforcing the maintenance of the system in accordance with criteria adopted by the Regional Water Quality Control Board.

3. Where a coastal project permit is necessary for the enlargement or change in the type of intensity of use of an existing structure the project's septic system must be determined consistent with the current guidelines of the Regional Water Quality Control Board or such other program standards as adopted by the county.

C. Grading and Excavation. The following standards shall apply to coastal projects which involve the grading and excavation of one hundred fifty cubic yards or more of material:

1. Development shall be designed to fit a site's topography and existing soil, geological, and hydrological conditions so that grading, cut and fill operations, and other site preparations are kept to an absolute minimum and natural landforms are preserved. Development shall not be allowed on sites, or areas of a site, which are not suited to development because of known soil, geology, flood, erosion or other hazards that exist to such a degree that corrective work, consistent with these policies (including but not limited to the protection of natural landform), is unable to eliminate hazards to the property endangered thereby.

2. For necessary grading operations, the smallest practicable area of land shall be exposed at any one time during development and the length of exposure shall be kept to the shortest practicable time. The clearing of land shall be discouraged during the winter rainy season and stabilizing slopes shall be in place before the beginning of the rainy season.

3. In addition to such standards as may be imposed under Section 23.08.090, the following standards shall be required:

a. Sediment basins (including debris basins, desilting basins, ponding areas or silt traps) shall be installed at the beginning of grading operations and maintained throughout the development process to remove sediment from runoff waters. Temporary vegetation, seeding, mulching, or other suitable stabilization methods shall be used to protect soils which have been exposed during grading or development. Cut and fill slopes shall be permanently stabilized as soon as possible with native plants or other suitable landscaping techniques.

b. The extent of impervious surfaces shall be minimized to the greatest degree possible. Water runoff beyond natural levels shall be retained on-site whenever possible to facilitate maximum groundwater recharge. In order to prevent gulying on-site and down stream erosion of existing stream channels, the velocity of runoff on and off the site shall be dissipated through the application of appropriate drainage controls so that the runoff rate does not exceed the stormwater runoff from the area in its natural or undeveloped state. Grassed or natural waterways are preferred to concrete storm drains for runoff conveyance.

c. Pollutants such as chemicals, fuels, and other harmful materials shall be collected and disposed of in an approved manner.

d. Where topsoil is removed by grading operations, it shall be stock-piled for subsequent reuse, where appropriate.

e. All debris shall be removed from the site upon the completion of the project.

f. Permit applications for grading which involve cut slopes in excess of eight feet or fill in excess of five feet shall include a report from a registered soils or civil engineer.

D. Archaeological Resources.

1. Prior to the approval of any proposed development within an area of known or probable archaeological significance, a limited field survey by a qualified professional at the applicant's expense shall be required to determine the extent of the archaeological resources on the site. Where the results of such survey indicate the potential to adversely impact probable archaeological resources, the report shall be transmitted to the appropriate clearinghouse for comment. The county planning department shall maintain a confidential map file of known or probable archaeological sites so as to assist in site identification.

2. Where development would adversely impact archaeological resources or paleontological resources which have been identified, reasonable mitigation measures shall be required as may be recommended by the field surveyor or by the State Historic Preservation Officer. Such mitigation shall include, as necessary:

a. The resiting or redesign of development to avoid the site;

b. That, for a specified period of time prior to the commencement of development, the site be opened to qualified, approved professional/ educational parties for the purpose of exploration/excavation;

c. The utilization of special construction techniques to maintain the resources intact and reasonably accessible;

d. Where specific or long-term protection is necessary, sites shall be protected by the imposition of recorded open space easements; and

e. For significant sites of unique archaeological resource value, where other mitigation techniques do not provide a necessary level of protection, the project shall not be approved until the determination is made that there are no reasonably available sources of funds to purchase the property.

E. Coastal Access:

1. All coastal project permits shall be evaluated to determine the project's relationship to the maintenance and provision of public access and use of coastal beaches, waters and tidelands.

a. Except as provided in paragraph b below, for projects located between the sea and first public road (as established by the mapped appeal area), a coastal project permit shall include provisions to assure public access to coastal beaches and tidelands. Such access shall include, either singularly or in combination:

i. The offer of dedication of public pedestrian access easements from the public road to the ocean;

ii. The offer of dedication of public access easements along the dry sand beach areas adjacent public tidelands; and

iii. Bluff top trail easements where necessary to provide and maintain public views and access to coastal areas.

Such offers of easement shall be for a minimum period of twenty years and shall provide for the easement acceptance by an appropriate public agency and/or private organization. Liability issues pertaining to the access easement shall be resolved prior to acceptance of any offer of dedication.

b. Upon specific findings that public access would be inconsistent with the protection of: (1) public safety; (2) fragile coastal resources; or (3) agricultural production or, upon specific findings that public use of an accessway would seriously interfere with the privacy of existing homes, provision for coastal access need not be required. In determining whether access is inconsistent with the above, the findings shall specifically consider whether mitigation measures such as setbacks from sensitive habitats, trail or stairway development, or regulation of time, seasons, or types of use could be developed which would adequately mitigate any potential adverse impacts of public access. A finding that an access way can be located ten feet or more from an existing single-family residence or be separated by a landscape buffer or fencing if necessary should be considered to provide adequately for the privacy of existing homes.

c. **Prescriptive Rights.** Where evidence of prescriptive rights (historic public use) is found in reviewing a coastal permit application, equivalent access easements to protect the types, intensity and areas subject to prescriptive rights shall be required as a condition of permit approval. Development may be sited in an area of historic public use if equivalent type, intensity and area of replacement public access is provided on or reasonably adjacent to the project site (parcel). If requirement of access easements to protect areas of historic use would preclude all reasonable private use of the project site, the county, in consultation with the Coastal Commission and the California Attorney General's Office, shall review the existence of prescriptive rights. If the county concludes that convincing evidence of implied dedication or prescriptive rights in favor of the public exists, the county or the Coastal Commission and the Attorney General at the request of the county shall, consistent with the availability of staff and funds, seek a court determination and confirmation of such public rights. If, after sixty days, the county concludes that such evidence is inconclusive, the county may approve development on such areas (except those used for lateral access), provided that all impacts on public access are mitigated in the same vicinity substantially in accordance with the local coastal program's public access policies. Such mitigation may include securing an accessway on other property in the same vicinity, or providing an in-lieu fee to a public agency or private association approved by the county and Commission for acquisition, improvement, or maintenance of access in the same vicinity. Same vicinity is considered to be within one thousand feet or less of the project site (parcel).

d. Where development involves land which may be subject to the doctrine of public trust easements, a project description shall be forwarded to the office of the State Lands Commission for its determination of the status of the land in question. The State Lands Commission shall be requested to indicate if the project is located on tidelands or submerged lands and whether a State Lands Commission permit or lease is required for the proposed development. Such a determination shall be made prior to any authorization of construction for a coastal project. County action on proposed coastal projects identified as located upon tidelands, submerged lands or public trust lands, per the provision of Public Resources Code Section 30519 (b), shall be advisory only. Such project applications, including those advisory recommendations as the county deems appropriate, shall be forwarded to the California Coastal Commission for its action on the coastal project.

2. Specific Geographic Requirements – Coastal Access.

a. **Mount Tamalpais State Park and Lands.** The development of additional recreational and visitor services on those portions of the Mount Tamalpais State Park within the coastal zone, including hiking trails, equestrian trails, a "primitive" hostel at the Steep Ravine cabins and improved parking and support facilities at Red Rock are consistent with the LCP policies. Such facilities shall be similar in design, size and/or location as those proposed by the Mount Tamalpais State Park Plan. Consistent with the protection of significant resources, additional trail development to improve access to public tidelands is encouraged.

b. **Maintenance of Existing Coastal Access.** Development which may interfere with existing coastal access shall not be permitted or shall be conditioned to assure substantially the same level and location of public access is maintained. The following specific access areas shall be retained through coastal permit regulation program:

i. **Stinson Beach.** The county park lands at Calle del Sierra: (Upton Beach) established pedestrian access ways at Walla Vista and the Calles, and the maintenance of on-street parking along the northerly side of Calle del Arroyo;

ii. **Bolinas.** Historic public use of the two access trails across Bolinas Mesa to the RCA beach and of the beach area itself shall be protected in accordance with the access program approved by the North Central Coast Regional Commission in its action on Permit No. 31-78 (Commonweal). As provided by the conditions of the commonweal permit approval, use of the access trails and beach areas shall be limited to the level and character of the historic use of the property (including but not limited to use for beach access, hiking, swimming, and horseback riding) in order to protect the natural resources of Duxbury Reef. The public access to Duxbury Reef shall continue under present management programs.

F. **Housing.** Existing residential buildings which provide housing opportunities for persons of low and moderate income (as defined by the most recent federal housing and urban development guidelines) shall be

removed or demolished only upon specific findings that:

1. The structure poses an immediate and established health or safety hazard;
2. Based upon established procedures, that the rehabilitation of the existing structure is not feasible ("feasible" shall be defined per Section 30108 of the Coastal Act); and
3. Such demolition coupled with subsequent reconstruction would provide replacement housing of comparable rental value either on site or within the immediate coastal zone area.

G. Stream and Wetland Resource Protection. The following standards shall apply to all development within or adjacent streams identified as blue-line streams on the most recent edition of the USGS seven and one-half minute quadrangle map(s) for the project area.

1. Stream impoundments and diversions shall be limited to necessary water supply projects, flood control projects where no other method for protecting existing structures in the floodplain is feasible and where such protection is necessary for public safety or to protect existing development, or developments where the primary function is the improvement of fish and wildlife habitat. Before any such activities are permitted, minimum flows necessary to maintain fish habitat and existing water quality, and to protect downstream resources (e.g., riparian vegetation, groundwater recharge areas, receiving waters, estuarine habitats, spawning areas) and other downstream users shall be determined by the Department of Fish and Game and the Division of Water Rights of the State Water Resources Control Board. New impoundments or diversions which, individually or cumulatively, would decrease streamflows below the minimum shall not be permitted.

2. The alteration of stream channels and banks shall be allowed only for the developments identified in subdivision G1 of this section in order to protect streamwater quality and the volume and rate of streamflow. All such developments shall incorporate the best mitigation measures feasible, including erosion and runoff control measures and revegetation of disturbed areas with native species.

3. For proposed projects located adjacent to streams, application submittals shall include the identification of existing riparian vegetation as a riparian protection area. No construction, alteration of land forms or vegetation removal shall be permitted within such riparian protection area. Additionally, such project applications shall identify a stream buffer area which shall extend a minimum of fifty feet from the outer edge of riparian vegetation, but in no case less than one hundred feet from the banks of a stream. Development shall not be located within this stream buffer area. When a parcel is located entirely within a stream buffer area, design review shall be required to identify and implement the mitigation measures necessary to protect water quality, riparian vegetation and the rate and volume of stream flows. The design process shall also address the impacts of erosion and runoff, and provide for the restoration of disturbed areas by replacement landscaping with plant species naturally found on the site. Where a finding based upon factual evidence is made that development outside a riparian protection or stream buffer area would be more environmentally damaging to the riparian habitat than development within the riparian protection or stream buffer area, development of principal permitted uses may occur within such area subject to design review and appropriate mitigation measures.

4. Development applications on lands surrounding Bolinas Lagoon and other wetlands as identified on the appeals area map(s) shall include the designation of a wetland buffer area. The buffer area shall include those identified or apparent wetland related resources but in no case shall be less than a minimum of one hundred feet in width from the subject wetland. To the maximum extent feasible, the buffer area shall be retained in a natural condition and development located outside the buffer area. Only those uses dependent upon the resources of the wetland shall be permitted within the wetland buffer area.

5. The diking, filling, dredging and other alterations of wetlands shall occur only for minor, public works projects and shall be in conformance with the Coastal Act Section 30233. No physical improvements along the county parklands surrounding Bolinas Lagoon shall occur. Land uses in and adjacent to wetlands shall be evaluated as follows:

- a. Filling of wetlands for the purposes of single-family residential development shall not be permitted.
- b. Allowable resource-dependent activities in wetlands shall include fishing, recreational clamming, hiking, hunting, nature study, birdwatching and boating.
- c. No grazing or other agricultural uses shall be permitted in wetlands except in those reclaimed areas presently used for such activities.
- d. A buffer strip one hundred feet in width, minimum, as measured landward from the edge of the wetland, shall be established along the periphery of all wetlands. Development activities and uses in the wetland buffer shall be limited to those allowed pursuant to Section 30233 of the Coastal Act of 1976.
- e. As part of the development on any parcel adjacent to Tomales Bay, except where there is no evidence of wetlands pursuant to the Coastal Commission's adopted guidelines, the applicant shall be required to submit supplemental biological information prepared by a qualified ecologist at a scale sufficient to identify the extent of existing wetlands based on Section 30121 of the Coastal Act and the area of the proposed buffer areas.

f. All conditions and standards of the LCP, relating to diking, filling and dredging shall be met.

6. In order to protect the significant wetland and upland habitat value of that eleven-acre property known as the Henry Wilkins property (AP # 195-290-13 and 24) and any change in the present density and type of use shall be preceded by a detailed environmental investigation and assessment of the resources of the site. No development or change in use which adversely impacts these resource values shall be permitted.

H. Dune Protection.

1. No development, including grading, erection of fences, signs or other primary or accessory structures shall be permitted seaward of that undeveloped right-of-way known as Mira Vista Street in Stinson Beach.

2. Except for those shoreline protective works otherwise permitted by this chapter, development, including signs, fences and grading activities shall not be permitted seaward of the established building setback lines established by zoning districts for shoreline parcels.

3. Development of shorefront lots within the Stinson Beach and Seadrift area shall assure preservation of the existing sand dune formations in order to protect environmentally sensitive dune habitat, vegetation and to maintain the natural protection from wave runup which such natural dunes provide. Where no dunes are evident, new development shall, to the maximum extent feasible, be set back behind the first line of terrestrial vegetation. Development approvals for new projects located along such shorefront parcels shall be accompanied by findings, including mitigation conditions, establishing the project's design and location, minimizing the need for shoreline protective works, protecting sandy beach habitat, providing a buffer area between public and private use areas, protecting the scenic and recreational character of the beach and maintaining the public rights of access to and use of beach dry sand areas. Permits authorizing repair and maintenance to existing shoreline structures shall to the extent feasible, provide for the above standards and objectives.

4. Project proposals for the subdivision of beach front lots shall be permitted only upon explicit findings that the increased development density and/or location is consistent with the standards and objectives established in subdivision 3 of this subsection.

5. No development shall be permitted in the sensitive coastal dune habitats in order to preserve dune formations, vegetation and wildlife habitats. Overuse in dune areas shall be prevented by such mechanisms as restricting parking, directing pedestrian traffic to areas capable of sustaining increased use, and fencing. No motor vehicles shall be permitted in beach or dune areas except for emergency purposes.

I. Wildlife Habitat Protection.

1. Proposal to remove significant vegetation on sites identified on the adopted natural resource map(s) and generally described in Section 2 of the LCP shall require a coastal permit. Significant alteration or removal of such vegetation shall not be permitted except where it poses a threat to life or property.

2. Siting of New Development. Coastal project permit applications shall be accompanied by detailed site plans indicating existing and proposed construction, major vegetation, watercourses, natural features and other probable wildlife habitat areas. Development shall be sited to avoid such wildlife habitat areas and to provide buffers for such habitat areas. Construction activities shall be phased to reduce impacts during breeding and nesting periods. Development that significantly interferes with wildlife movement, particularly access to water, shall not be permitted.

J. Protection of Native Plant Communities. Where the officer or body reviewing a coastal project application determines that a project site contains a significant number or type of nonindigenous, invasive plant species which would threaten the preservation or reestablishment of native plant species, either on or off site, the project's approval shall be conditioned upon the removal of such nonindigenous plant material.

K. Shoreline Protection.

1. Bluff Top Setbacks. New structures shall be set back from coastal bluff areas a sufficient distance to ensure with reasonable certainty that they are not threatened from cliff retreat within their economic life expectancies. Adequate setback distances will be determined from information contained in required geologic reports and the setback formula established below. These setbacks will be of sufficient distance to eliminate the need for shoreline protective works. The following formula will be used to determine setbacks from the bluff for new structures:

Setback (meters) = structure life (years, normally at least 40 years) X retreat rate (meters/year). In areas where vigorous sliding is taking place, an additional 15 meters should be added as a safety factor.

The retreat rate shall be determined by a geotechnical investigation conducted by a professional engineer or registered geologist which explicitly examines the site's geotechnical capability to adequately support the proposed development. The report shall include the historic and projected rate(s) of bluff retreat attributable to wave and/or surface runoff erosion. The geotechnical report shall be required in either of the following:

a. The building or proposed development site is within one hundred fifty feet of a blufftop.

b. The building site is located within stability zones 3 or 4 as indicated on the slope stability maps for the Bolinas and Tomales areas, which maps accompany Wagner's 1977 report, "Geology for Planning, Western Marin County." This report and accompanying maps are incorporated by reference as part of this chapter.

2. Standards and requirements for shoreline protective works. Revetments, breakwaters, groins, harbor channels, seawalls, cliff retaining walls, and other such construction that alters natural shoreline process shall be permitted only when:

a. Required to serve coastal-dependent uses or to protect existing structures (constructed before adoption of the LCP).

b. No other nonstructural alternative is practical or preferable.

c. The condition causing the problem is site specific and not attributable to a general erosion trend, or the project reduces the need for a number of individual projects and solves a regional erosion problem.

d. The structure will not be located in wetlands or other significant resource or habitat area, and will not cause significant adverse impacts to fish or wildlife.

e. There will be no reduction in public access, use and enjoyment of the natural shoreline environment, and construction of a structure will preserve or provide access to related public recreational lands or facilities.

f. The structure will not restrict navigation, mariculture or other coastal use and will not create a hazard in the area in which it is built.

In the absence of an overall wave hazard/shoreline erosion study, any permit application for seawalls, riprap or other protective structures on beaches, shall be accompanied by engineering reports stating the nature and extent of wave erosion hazard along the beach area and an explanation of how the proposed protective works will mitigate the hazard, both on and off the project site. This requirement shall not apply to emergency permit applications applied for prior to January 1, 1983. Emergency permit applications after that date shall be subject to report requirement or shall specifically establish why the need for such protective devices was not foreseen and previously addressed through nonemergency permit applications.

Applications for placement of protective structures on beaches shall be accompanied by an engineers report unless an overall wave hazard/ shoreline erosion report exists. Said engineers report shall include:

a. A statement of the nature and extent of wave erosion hazard;

b. An analysis of how the proposed protective works will mitigate the hazard both on and off the site;

c. An assessment of any adverse impacts to adjacent properties or resources that might reasonably be expected to result from construction of the protective structure.

Design standards for all shoreline structures. The design and construction of any shoreline structure shall:

a. Make it as visually unobtrusive as possible;

b. Respect natural landforms to the greatest degree possible;

c. Include mitigation measures to offset any impacts on fish and wildlife resources caused by the project;

d. Minimize the impairment and movement of sand supply and the circulation of coastal waters;

e. Address the geologic hazards presented by construction in or near Alquist-Priola earthquake hazard zones;

f. Provide for the reestablishment of the former dune contour and appearance.

L. Geologic Hazardous Areas.

1. Prior to the issuance of a coastal development permit for projects located in areas depicted by the Unit I LCP geologic hazards maps, the owner (applicant) shall:

a. Execute and record a waiver of public liability holding the county, other governmental agencies and the public harmless because of loss experienced by geologic activities. The waiver of liability shall be in a form approved by county counsel and run with the property; and

b. Submit along with the permit application, a report from a registered civil or structural engineer briefly describing the extent of potential geologic hazards and those construction, siting and other recommended techniques to mitigate those possible geologic hazards.

The planning commission, following consultation with the director of public works, may modify said requirement in subdivision 1 above for selected areas or types of projects where the commission finds that:

i. The project area is of the same general geologic nature and sufficient data has been developed (such as by a "Master Engineering Report") to adequately judge the risk and resulting standards necessary for such areas; or

ii. The type of project is a minor structure, not for human habitation, which presents little risk on or off site,

by possible geologic hazards.

2. **Floodplain Development.** Coastal project permit applications adjacent to streams which periodically flood shall include a site plan that identifies the one hundred-year floodplain (as described by the Army Corps of Engineers). Development of permanent structures and other significant improvements shall not be permitted within the limits of the one hundred-year floodplain.

M. Public Works Projects.

1. **Transportation.** Highway 1 shall remain a scenic two-lane roadway. Roadway improvements to Highway 1 and other public roadways shall not, either individually or cumulatively, distract from rural, scenic characteristics of the existing roadway.

Improvements (beyond repair and maintenance) shall be limited to minor roadway improvements as identified below:

a. Slope stabilization, drainage control and minor safety improvements such as guardrail placement, signings;

b. Expansion of roadway shoulder paving to accommodate bicycle/pedestrian traffic along the highway shoulder;

c. Creation of slow traffic and vista turnouts as a safety and convenience improvement;

d. Other minor selected roadway improvements necessary to adequately accommodate public transit consistent with the goals of this policy; providing, however, that no filling of streams or wetlands shall be permitted. Specifically, the development of new public transit service routes and associated off-loading and turn facilities is consistent with the LCP policy to utilize public transit to meet increased use of coastal recreational areas.

2. **Water and Sewer Improvements.** In the consideration of a coastal project permit for expansion of water and/or sewer treatment facilities for the Bolinas Public Utility District, the county shall determine that adequate water and/or sewer treatment capacity is guaranteed from the expanded facilities to serve VCR zoned property in the community.

3. **Other Public Works Project Standards and Requirements.** Roads, flood control projects and utility service expansions shall be limited to the minimum necessary to serve development as identified by LCP land use policies. All such public works projects shall conform to the resource and visual policies of the LCP and the requirements of this chapter.

N. Land Division Standards. Land divisions of small agricultural holdings designated under ARP zoning shall conform to the following standards: New land divisions shall demonstrate to the planning director that the design of the created parcels provides the maximum feasible concentration of clustering. Clustering shall be located both to provide for the retention of the maximum amount of land in agricultural use and to protect important upland feeding areas. Clustered development shall also be located in the area of least environmental sensitivity on the parcel. Open space easements or other restrictions shall be required to designate intended use and restrictions on the property being subdivided.

O. Visual Resources and Community Character.

1. All new construction in Bolinas, Stinson Beach, and Muir Beach shall be restricted to a maximum height of twenty-five feet; except that the Stinson Beach Highlands will have a maximum height of seventeen feet, and the Seadrift Subdivision will have a maximum of fifteen feet above finished floor elevation.

2. To the maximum extent feasible, new development shall be designed and sited so as not to impair or obstruct existing coastal views from Highway 1 or Panoramic Highway.

3. The height, scale and design of new structures shall be compatible with the character of the surrounding natural or built environment. Structures shall be designed to follow the natural contours of the landscape and sited so as not to obstruct significant views as seen from public viewing places.

4. Development shall be screened with appropriate landscaping; however, such landscaping shall not, when mature, interfere with public views to and along the coast. The use of native plant material is encouraged.

5. Signs shall be of a size, location and appearance so as not to detract from scenic areas or views from public roads and other viewing points and shall conform to the county's sign ordinance.

6. Distribution utility lines shall be placed underground in new developments to protect scenic resources except where the cost of undergrounding would be so high as to deny service.

7. Standards for development in RSP districts on the shoreline of Tomales Bay:

a. Existing dwellings shall be permitted to be rebuilt if damaged or destroyed by natural disaster, provided that the floor area height and bulk of the new structure shall not exceed that of the destroyed structure by more than ten percent. Any proposed improvement to an existing house which results in an increase of internal floor area of more than ten percent shall require a coastal permit in order to ensure that such

improvement is sited and designed to minimize impacts on Tomales Bay.

b. New residential construction shall be limited in height to fifteen feet, as measured from natural grade on the highest side of the improvement to the highest point of the roof or any projection therefrom. Exceptions to this height limit may be permitted where the topography, vegetation, or character of existing development is such that a higher structure would not create additional interference with coastal views either to, along, or from the water.

c. New development shall meet all other LCP policies, including those on public access, natural resources and wetland protection, shoreline structures, diking/filling/dredging, public services, hazards, visual resources, and new development.

P. Recreational/Commercial/Visitor Facilities. In order to maintain the established character of the village commercial areas in Stinson Beach and Bolinas, a mixture of residential and commercial uses shall be permitted within the VCR zone. The principal permitted use of the VCR zone in the two village centers shall include commercial and residential uses; provided, however, that new residential uses shall be permitted only if they are incidental to the commercial use. Exclusive residential uses shall also be permitted as a conditional use; however, in no case shall such use be permitted on more than twenty-five percent of the lots which are vacant at the time of adoption of the ordinance codified in this chapter in each community. Replacement of any existing residential use destroyed by natural disaster shall be exempt from this provision and will be permitted.

Q. Historic Research Preservation. In the issuance of any coastal permit, the planning director or appropriate hearing body shall make findings that the proposed project is consistent with the historic resource policies of the local coastal plan and the historic study. Additionally, when considering any permit which pertains to any identified historic area or pre-1930 structure, the following criteria shall apply:

1. New Construction. New construction located within an identified historic area shall be consistent in scale, design, materials and texture with the surrounding community character.

2. Alterations and Additions. Alterations or additions to any pre-1930 structure shall retain the scale and original architectural features of the structure, especially for the front facade.

3. Demolitions. Issuance of a coastal project permit for the demolition of any pre-1930 structure may be delayed for a period not to exceed six months. During this period, the property owner or local historic group or society may attempt to find a purchaser or alternate location for the structure. This six-month period may be waived by the planning director or appropriate hearing body upon a finding that the structure is not historically significant or cannot be rehabilitated. (Ord. 2739 § 4, 1982; Ord. 2703 §§ 6, 7, 8, 9, 10, 11, 1982; Ord. 2637 § 6 (part), 1981)

PROPERTY INSPECTION CERTIFICATE

CERTIFICATION OF PROPERTY INSPECTION WITH THE OWNER

The subject property was inspected by me August 29, 2003 in the presence of Robert and Richard Giacomini.

CASE & ASSOCIATES



Herb Case, ASA, AICP

California Certified General Real Estate Appraiser #AG001620

COMPARABLE SALES

COMPARABLE SALE NO. 1

GRANTEE: Malcolm & Joan Watkins

GRANTOR: Carolyn Cooper

LOCATION: 22747 State Highway 1

APN: 104-170-15

ZONING: C-RSP-0.5, (Coastal, Residential Single-family, Planned, with a density of one residence per two acres

USE AT SALE: Unimproved tideland parcel in a natural condition suitable for recreational use

HIGHEST AND BEST USE: Land assemblage by abutting parcel improved with a residence

LOT AREA: 1.27 acres

SALE RECORDED: 8/1/97 grant deed #97-041213

SALE PRICE: \$50,000 Cash to Seller

UTILITIES, SEWER, WATER: Electricity at lot line. On site septic system and well required

TERRAIN: Tideland with sandy beach

ACCESS: About 140 feet of frontage along an unnamed roadway off State Highway 1

REMARKS: Unbuildable because lot inadequate for installation of a septic system. Current standards require leach field setback 100 feet from average highest high water. Prior sale 11/95 for \$45,000 for use as a kayak launching site. 8/1/97 sale was to owner of abutting lot improved with a residence. The buyer's motivation was to control activity on the site.

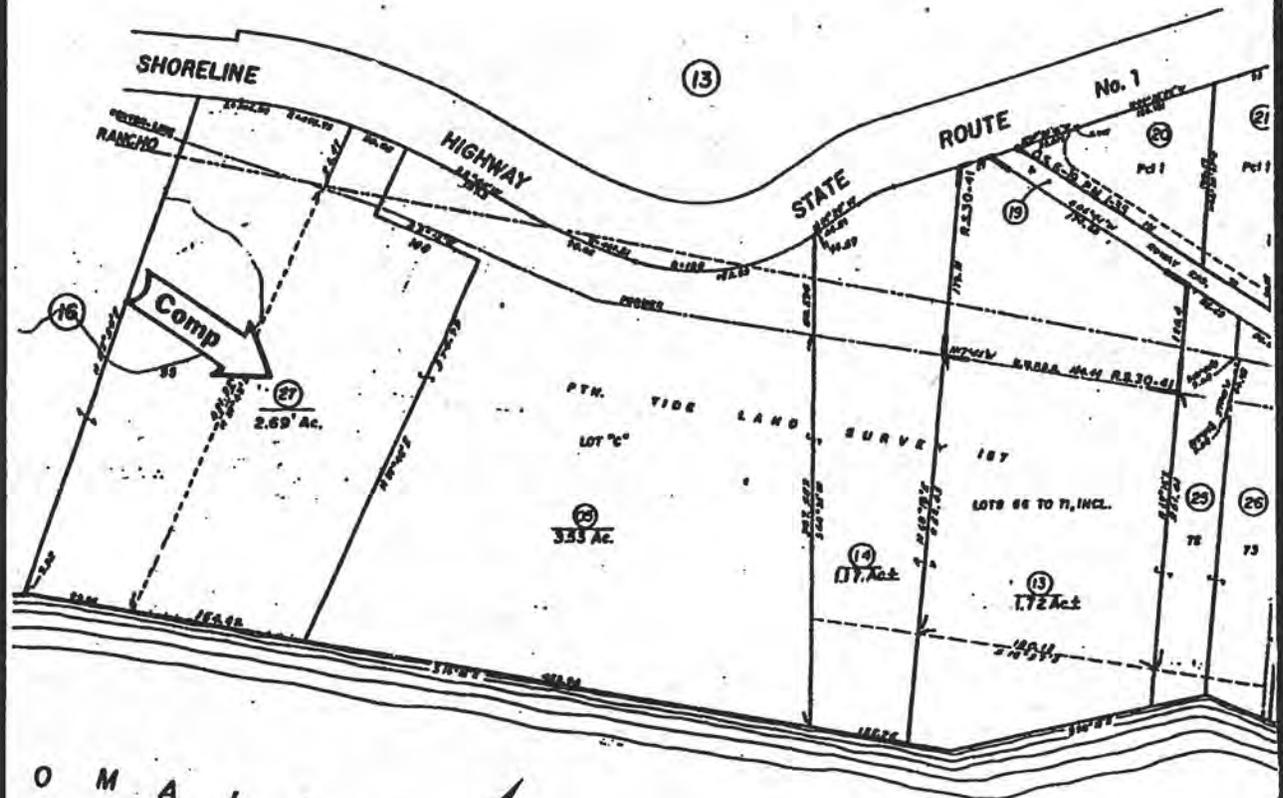
SOURCE: Current owners who recently acquired the Watkins residence and abutting unimproved lot; Assessors data, MLS data

DIRECTIONS: From unpaved frontage road outboard of State Highway One leading to Blakes Landing to the north and shorefront residences to the south, subject parcel is the small cove with sandy shore to the north of first shoreline residence

PHOTO: Photo of sale taken 9/6/02 by Herb Case

POR. RANCHO NICASIO

Tax 94



O M A L E S



BLK 109 31

B A

Ass

1/4" = 100'
 1/8" = 50'
 1/16" = 25'
 1/32" = 12.5'
 1/64" = 6.25'
 1/128" = 3.125'
 1/256" = 1.5625'

Por. Tide Land Survey 157
 Assessor's Unrec. Map of Blake's Tomales Bay Sub.

NOTE—Assessor's Block Numbers Shown in Ellipses.
 Assessor's Parcel Numbers Shown in Circles.

COMPARABLE SALE NO. 2

GRANTEE: Brian and Gail Lanigan

GRANTOR: Rick and Kristen D. Addicks

LOCATION: Calle del Arroyo, Stinson Beach

APN: 195-101-02, 03, & 04

ZONING: C-R-1, Coastal, Residential Single-family, 7,500 square feet minimum lot area

USE AT SALE: Unimproved wetland parcel in a natural condition

HIGHEST AND BEST USE: Land assemblage by abutting parcel improved with a residence

LOT AREA: 9,600 square feet

SALE RECORDED: 5/13/03 grant deed #03-55568

SALE PRICE: \$80,000 Cash to Seller

UTILITIES, SEWER, WATER: Electricity and water at lot line. On site septic system required

TERRAIN: Wetlands and limited upland

ACCESS: 120 feet of frontage along Calle del Arroyo

REMARKS: The lot is unbuildable because current standards require that a septic system leach field have a setback of 100 feet from a tidal estuary or wetland. The owner purchased the lot to merge with his abutting lot and gain additional parcel area to meet zoning standards for an addition to his residence.

SOURCE: Kristen Addicks, seller; Assessor's data

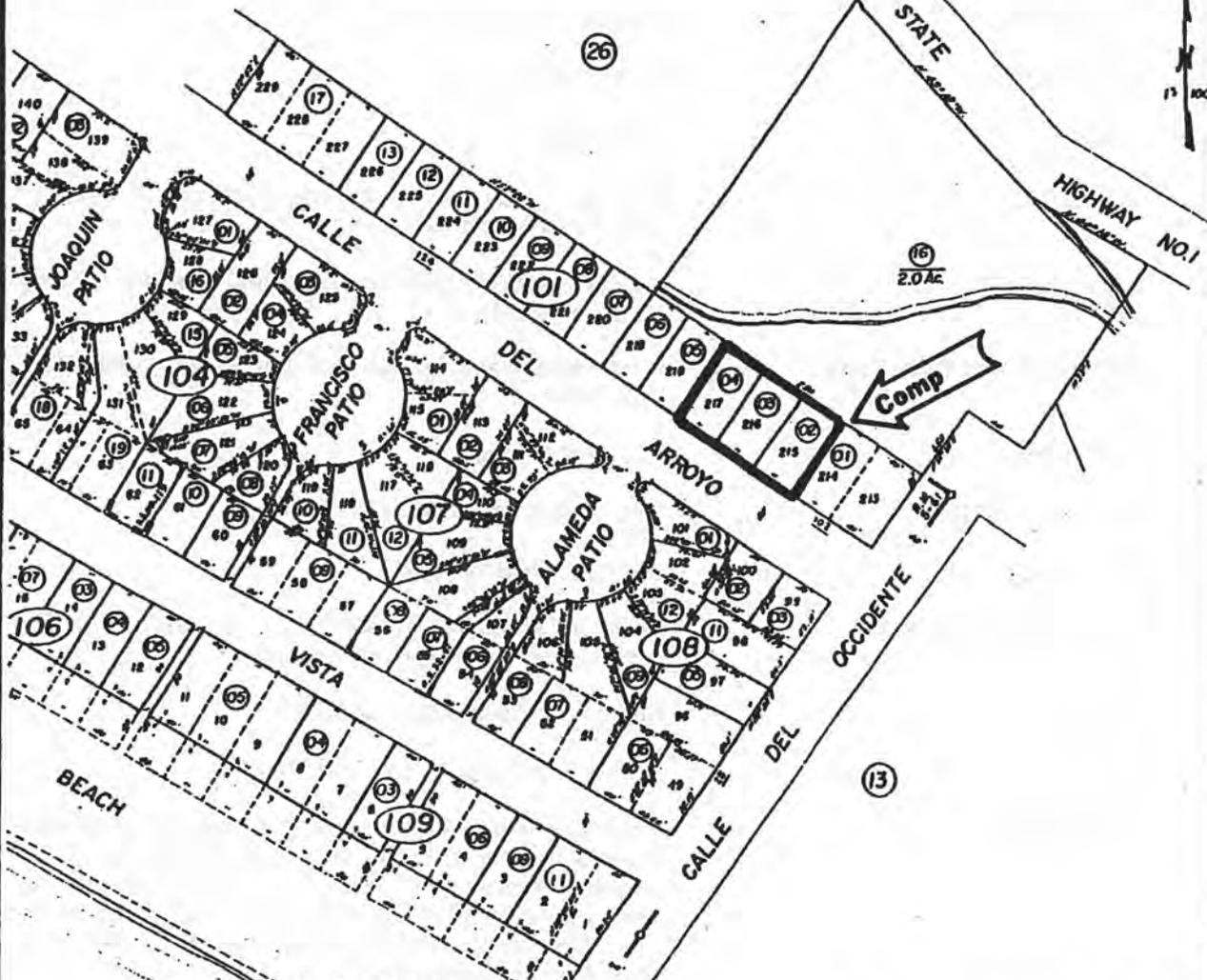
DIRECTIONS: From Highway 1, turn on Calle de Arroyo 1/4 mile n.w. of downtown Stinson Beach; subject is first vacant lot on the right past Calle del Occidente

PHOTO: Photo of sale taken 9/6/02 by Herb Case

POR. RANCHO LAS BAULINES

Tax Rate Area
56-013
56-022

195-10



Uplon Tract R.M. Bk.5-Pg.61

Assessor's Map Bk.195-Pg.10
County of Marin, Calif.

NOTE—Assessor's Block Numbers Shown in Ellipses.
Assessor's Parcel Numbers Shown in Circles.

COMPARABLE SALE NO. 3

GRANTEE: A. Ewan MacDonald Trust

GRANTOR: William H. Conrad Trust

LOCATION: Wharf Road, Bolinas

APN: 193-082-24

ZONING: C-RA-B2, Coastal, Residential Agricultural, with a 10,000 square feet minimum lot area

USE AT SALE: Unimproved tideland parcel in a natural condition suitable for recreational use

HIGHEST AND BEST USE: Land assemblage by abutting parcel improved with a residence

LOT AREA: 4,471 square feet

SALE RECORDED: 4/5/00 grant deed #00-017597

SALE PRICE: \$15,000 Cash to Seller

UTILITIES, SEWER, WATER: Electricity at lot line. Long term moratorium in effect for public sewer and water connections

TERRAIN: Entire parcel subject to tidal action

ACCESS: 40 feet of frontage along Wharf Road

REMARKS: The lot is unbuildable because current regulations prohibit by fill (including structures on pilings) and the lot will not support a septic system. The property was purchased by the owner of an abutting lot improved with a residence. The buyer explained that he purchased the parcel to control activity on the site

SOURCE: Ewan MacDonald, buyer; Assessor's data

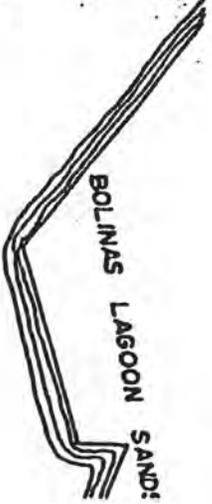
DIRECTIONS: From Highway 1, turn south on Olema -Bolinas Road (unmarked) to follow west shore of Bolinas Lagoon, heading toward the village center of Bolinas. At the town center, the street becomes Wharf Road. The sale property is the tideland lot just past the Bolinas Rod and Gun Club

PHOTO: Photo of sale taken 9/6/02 by Herb Case

56-001
56-003
56-014



Bk. 195
29



COMPARABLE SALE NO. 4

GRANTEE: Barbra Leigh

GRANTOR: L. J. M. Griffith

LOCATION: Sir Francis Drake Boulevard, south of Redwood Avenue, Inverness

APN: 114-072-05

ZONING: C-RSP-0.33, Coastal, Residential Single-family, Planned, with a maximum density of three lots per acre

USE AT SALE: Unimproved tideland parcel in a natural condition suitable for recreational use

HIGHEST AND BEST USE: Land assemblage by abutting parcel improved with a residence

LOT AREA: 0.59 acre

SALE RECORDED: 8/8/03 grant deed #03-95915

SALE PRICE: \$50,000 Cash to Seller

UTILITIES, SEWER, WATER: Electricity and public water at lot line. On-site septic system required

TERRAIN: The lot is predominantly above normal tidal action, but most of the soil is usually saturated by a high water table. The front of the parcel includes some upland and is wooded with Bay laurel trees. The rear is largely marsh grass

ACCESS: 75 feet of frontage along Sir Francis Drake Boulevard

REMARKS: The lot is unbuildable because current regulations prohibit fill of wetlands (including structures on pilings) and the lot will not support a septic system. The property was purchased by the owner of an improved lot across the highway.

SOURCE: Daughter of seller; Assessor's data

DIRECTIONS: Traveling north on Sir Francis Drake Boulevard toward Inverness, pass Drakes View Drive to subject, about a block south of Redwood Avenue

PHOTO: Photo of sale taken 9/6/02 by Herb Case

NCHO PUNTA DE LOS
.. SURV. 185

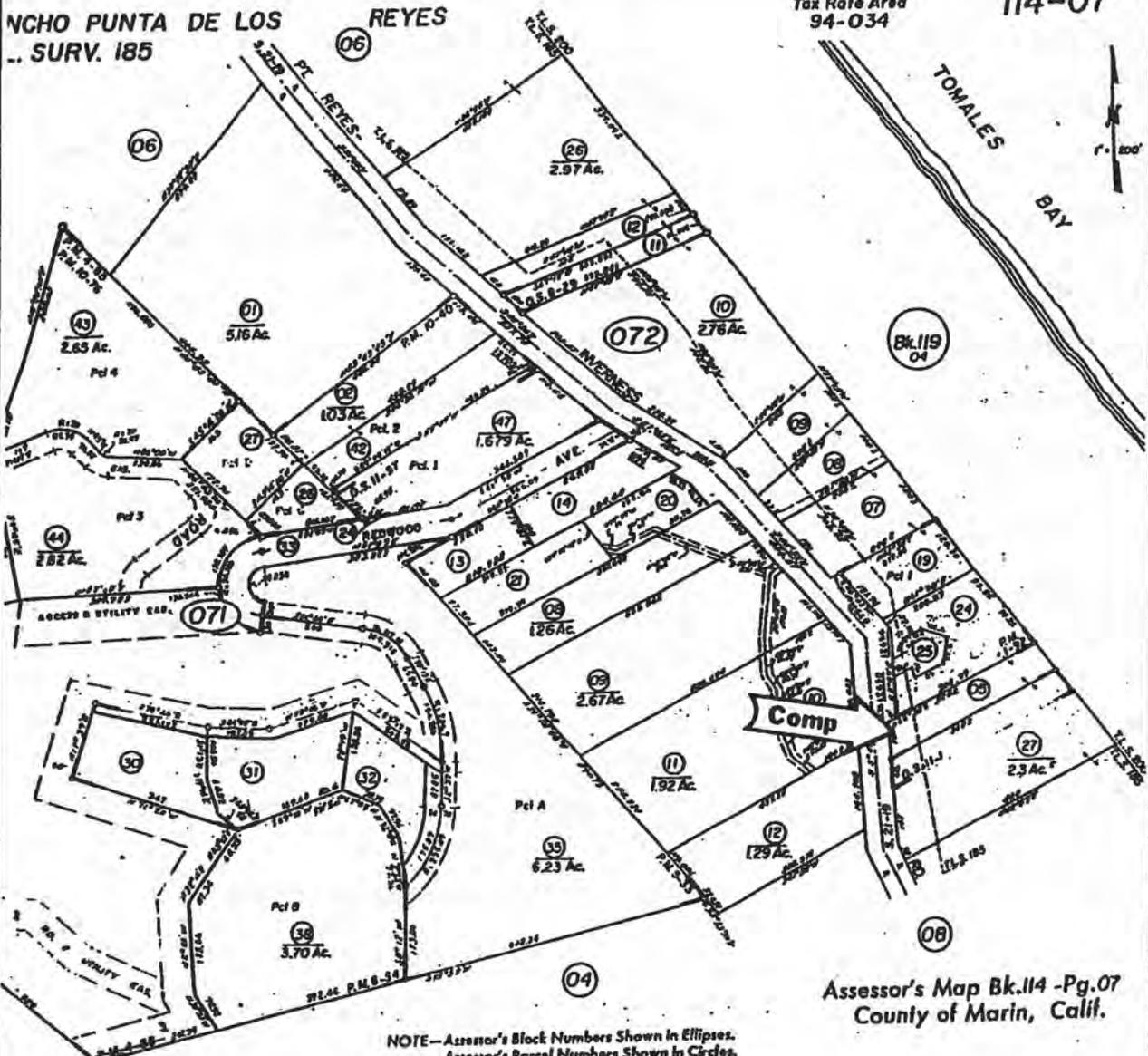
REYES

Tax Rate Area
94-034

114-07

TOMALES
BAY

1" = 100'



NOTE—Assessor's Block Numbers Shown in Ellipses.
Assessor's Parcel Numbers Shown in Circles.

Assessor's Map Bk.114 -Pg.07
County of Marin, Calif.

COMPARABLE SALE NO. 5

GRANTEE: Stephen A. Ryan

GRANTOR: Margaret B. Vandebosch

LOCATION: Drakes View Drive, Inverness

APN: 114-120-37

ZONING: C-RSP-0.25, (Coastal, Residential Single-family, Planned, with a density of one residence per four acres

LOT AREA: 2.14 acres

SALE RECORDED: 9/10/03 03-111725

SALE PRICE: \$355,000 Cash to Seller

IMPROVEMENTS: None

TOPO/VEGETATION: Gently rolling topography with mix of open area and woodland

REMARKS: View of hills and distant view of Tomales Bay at back of lot. Probate sale with no required court confirmation. No percolation test at time of sale. MLS indicates 28 days on market

SOURCES: Melissa Lyckberg, listing agent; Assessor's records; Bay Area Real Estate Information Service (MLS)

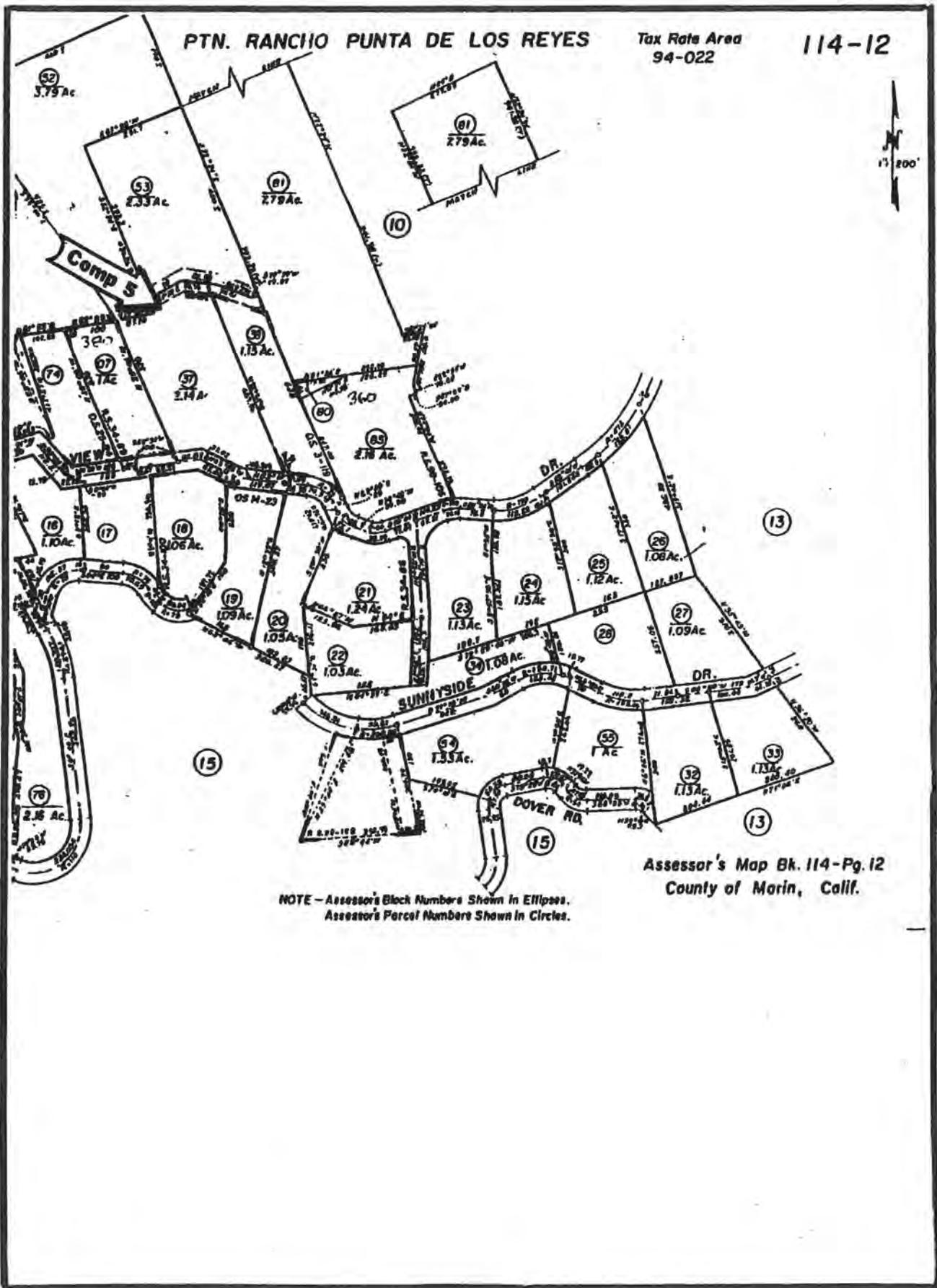
DIRECTIONS: Sir Francis Drake Boulevard to Drakes View Drive to 355 just before Behr Lane

PHOTO: Photo of sale taken by Herb Case 11/18/03

PTN. RANCHO PUNTA DE LOS REYES

Tax Rate Area
94-022

114-12



NOTE - Assessor's Block Numbers Shown in Ellipses.
Assessor's Parcel Numbers Shown in Circles.

Assessor's Map Bk. 114-Pg. 12
County of Marin, Calif.

COMPARABLE SALE NO. 6

GRANTEE: Kent W. Sparling and Vanessa Lowenstein

GRANTOR: Richard F. Shoemaker and Neysa Young

LOCATION: 116 South Dream Farm Road, Inverness

APN: 114-350-03

ZONING: C-RSP-0.33, Coastal, Residential Single-family residential, Planned, with a maximum density of one lot per three acres

USE AT SALE: Unimproved lot

HIGHEST AND BEST USE: Single-family residence

LOT AREA: 2.85 acres

SALE RECORDED: 4/13/01 grant deed #01-19050

SALE PRICE: \$416,000 terms of any financing unknown

UTILITIES, SEWER, WATER: Electricity and public water at lot line. On-site septic system required

TERRAIN: Upslope from road

ACCESS: Frontage on South Dream Farm Road, a paved roadway

REMARKS: View of wooded hillside, perc test supporting four-bedroom house, and well with indicated 10 gallons per minute production. MLS indicates 13 days on market.

SOURCES: MLS listing; Dan Morse, buyer's agent; Assessor's data

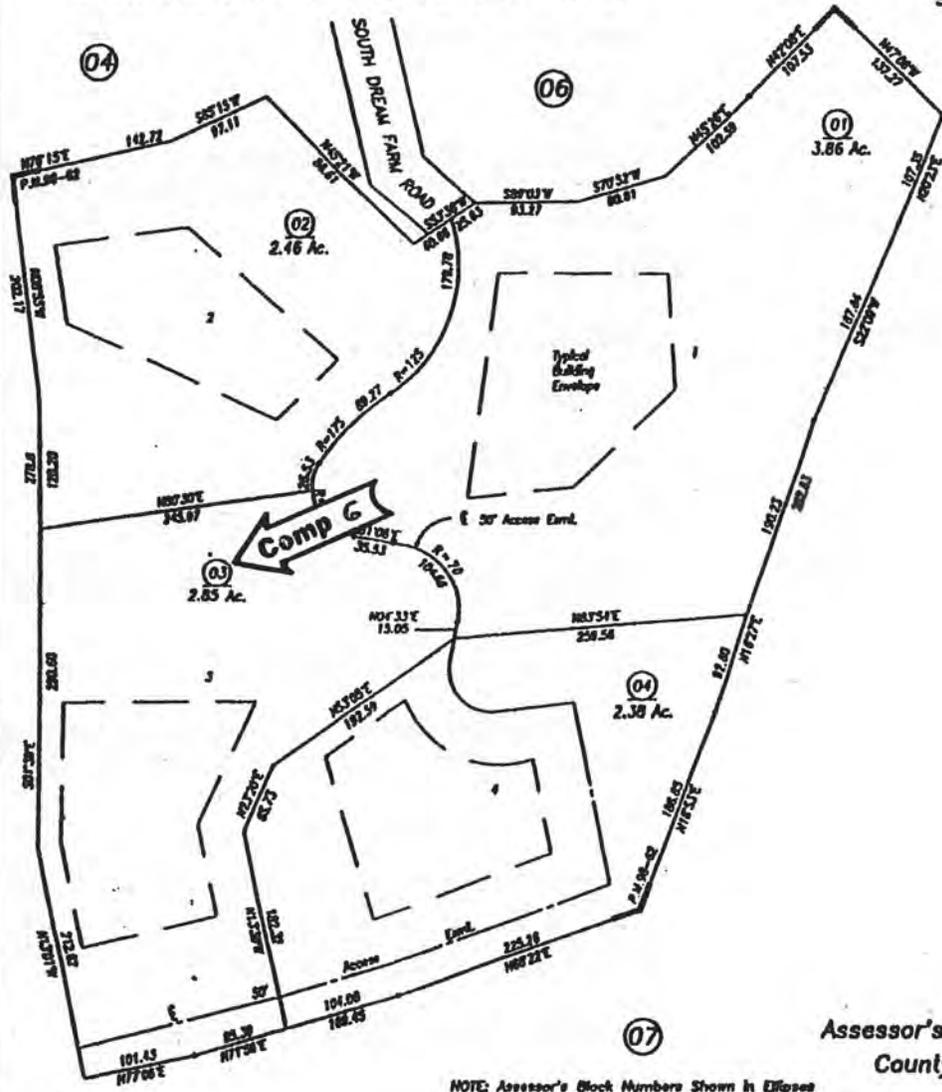
DIRECTIONS: Sir Francis Drake Boulevard to South Dream Farm Road in Inverness

PHOTO: Photo of sale taken 10/27/03 by Herb Case

PTN. RANCHO PUNTA DE LOS REYES

Tax Rate Area
94-034

114-35



Assessor's Map Bk. 114 Pg. 35
County of Marin, Calif.

NOTE: Assessor's Block Numbers Shown in Ellipses
Assessor's Parcel Numbers Shown in Circles

COMPARABLE SALE NO. 7

GRANTEE: Sant Of Johnson Trust

GRANTOR: Russell D And Gloriann Hopkins

LOCATION: North Dream Farm, Inverness

APN: 114-061-18

ZONING: C-RSP-0.33, Coastal, Residential Single-family residential, Planned, with a maximum density of one lot per three acres

USE AT SALE: Unimproved lot

HIGHEST AND BEST USE: Single-family residence

LOT AREA: 2.70 acres

SALE RECORDED: 12/17/03 document #03-152056

SALE PRICE: \$349,000 terms of any financing unknown

UTILITIES, SEWER, WATER: Electricity and public water at lot line. On-site septic system required

TERRAIN: Wooded with slope to Sir Francis Drake Boulevard

ACCESS: Frontage on North Dream Farm Road, a paved roadway. Too steep for access from Sir Francis Drake Boulevard

REMARKS: View of Tomales Bay

SOURCES: Dan Morse, listing broker; MLS listing; Assessor's data

DIRECTIONS: Sir Francis Drake Boulevard to North Dream Farm Road in Inverness

PHOTO: Photo of sale taken 10/27/03 by Herb Case

COMPARABLE SALE NO. 8

GRANTEE: W Brent and Patricia B Dickens

GRANTOR: Robert M and Beverly M Tanem

LOCATION: 273 North San Pedro Road, San Rafael

APN: 180-181-30

ZONING: RA, Residential Agricultural with a minimum lot size of 7,500 square feet

USE AT SALE: Plant Nursery

HIGHEST AND BEST USE: The highest and best use is residential development at a density allowed by zoning and the local plan review process. The maximum density allowed by zoning is 12 units. After a series of failed attempts to gain approval for development at the maximum allowed density by various potential buyers, the current owner gained approval, on appeal to the Board of Supervisors, to create a subdivision of six single-family residential lots

LOT AREA: 2.21 acres

SALE RECORDED: 4/26/01 #01-23009

SALE PRICE: \$1,075,000 \$90,000 2nd td financed by seller at a market rate of interest for a period of about two years

UTILITIES, SEWER, WATER: Electricity and public water and sewer at lot line.

TERRAIN: Level to gentle slopes

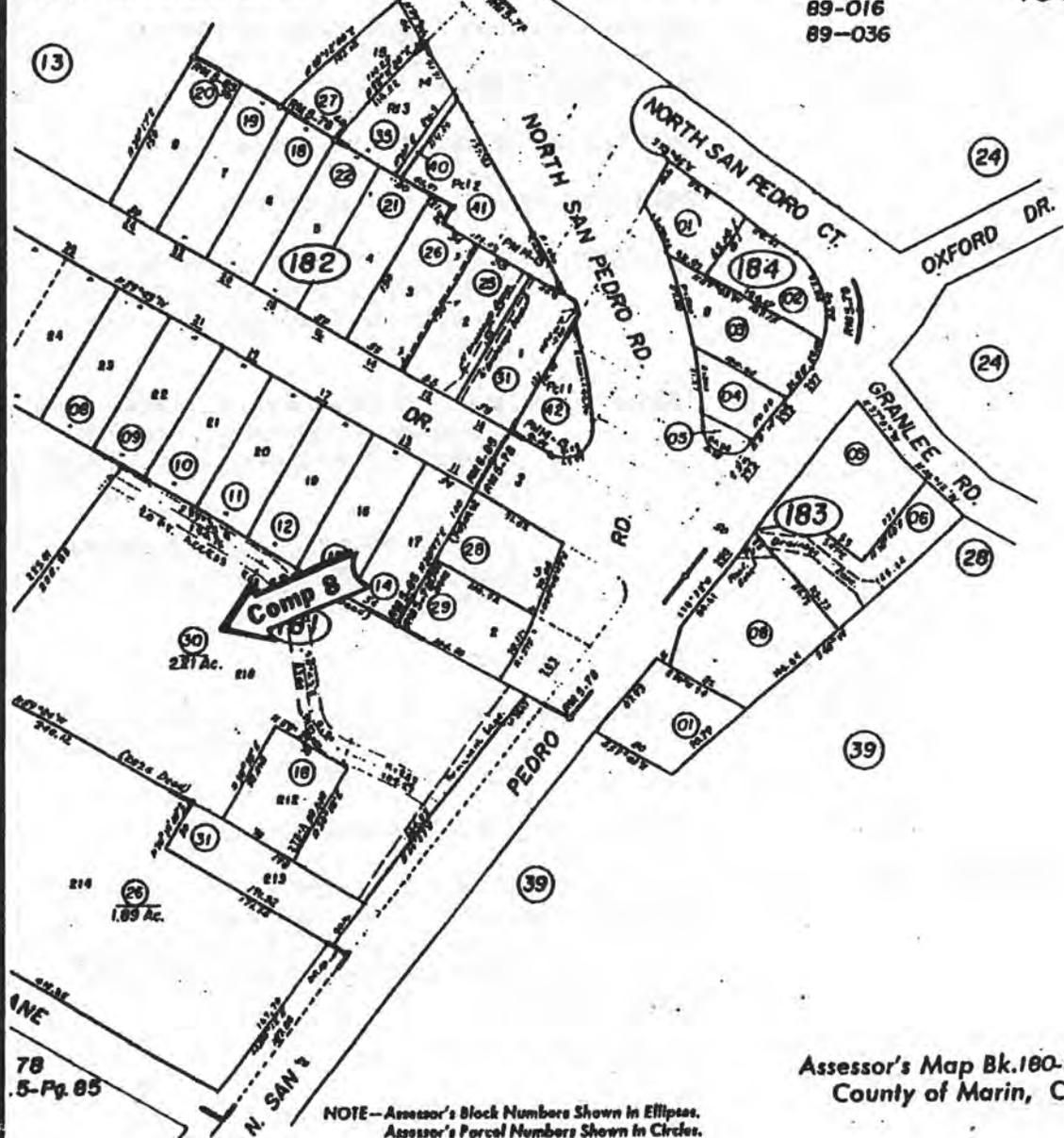
ACCESS: Frontage on North San Pedro Road, a paved County arterial roadway

REMARKS: Sold with no contingencies at a price over 20% below the asking price. Property had been on the market for 721 days and a number of offers fell out of escrow, including one in which the buyer had spent about \$120,000 in County fees, planning costs, and \$100,000 in earnest money deposited into escrow. November 11, 2002, the County Board of Supervisors approved the applicants appeal for a six lot subdivision of single-family residential lots

SOURCES: Catherine Hogan, listing agent; Jeremy Tejiriam, County Planner; Assessor's data

DIRECTIONS: U.S. Highway 101, east on North San Pedro Road

PHOTO: Photo of sale taken by Herb Case



NOTE—Assessor's Block Numbers Shown in Ellipses.
Assessor's Parcel Numbers Shown in Circles.

Assessor's Map Bk.180-Pg.18
County of Marin, Calif.

78
5-Pg. 85

COMPARABLE SALE NO. 9

GRANTEES: Michael A. and Tracy Sass (102-020-01) 5.50 acres
Clement C. Carinalli (102-041-01) 2.54 acres
N/A (102-041-40 thru 44) 5.89 acres

GRANTOR: Timothy J. Jorstad, probate court receiver

LOCATION: 209 Tomales-Dillon Beach Road, Tomales

APN AND ZONING:

102-020-01	C-ARP-5, Coastal, Agricultural, Residential Single-family residential, Planned, with a minimum of five acres per lot
102-041-01	One half C-ARP-2, Coastal, Agricultural, Residential Single-family residential, Planned, with a minimum of two acres per lot
	One half C-RSP-7.5, Coastal, Residential Single-family, Planned with a minimum 6,000 square feet per lot.
102-041- 40 thru 44	
102-041-01	C-RSP-7.5, Coastal, Residential Single-family, Planned with a minimum 6,000 square feet per lot.

USE AT SALE: Abandoned ranch with dilapidated structures

HIGHEST AND BEST USE: The highest and best use is single-family residential subdivision. Although the maximum potential lots allowed by zoning is estimated as 23 by the selling broker, the buyers have submitted plans for 18 units as a gesture to gain local approval.

LOT AREA: 13.934 acres

SALE RECORDED: 8/6/03 grant deed #03-095172 and 095173

SALE PRICE: \$1,490,000 Cash to seller

UTILITIES, SEWER, WATER: Electricity and sewer at lot line. Water requires wells or mutual water system. The selling broker is of the opinion that sufficient ground water is available to support the number of lots allowed by zoning.

TERRAIN: Open grassland with gentle slope to Tomales-Dillon Beach Road

ACCESS: Frontage on Tomales-Dillon Beach Road and Carrie Street, paved County roadways

REMARKS: Sold by probate court with no contingencies of sale. At the time of sale there were three known legal lots, but, during title search in escrow, it was determined that there were seven legal lots (certain lots thought to have been merged by the County were not subject to merger). No

applications were filed with the County for any development application prior to sale and no tests had been completed regarding soils, septic system potential, or other studies necessary for planning a subdivision. Property was not advertised for sale on the MLS, but a number of brokers were reportedly aware of the opportunity to present an offer. The selling broker stated

that the court planned to list the property with a broker the day he presented an offer to purchase from a group of investors. He reported that the court-appointed probate receiver determined that acceptance of the offer was in the best interests of the estate. There were no competing offers or response at the hearing of any overbids. The buyers reportedly had no ties to the sellers and the transaction was characterized by the selling broker as being "arms length."

SOURCES:

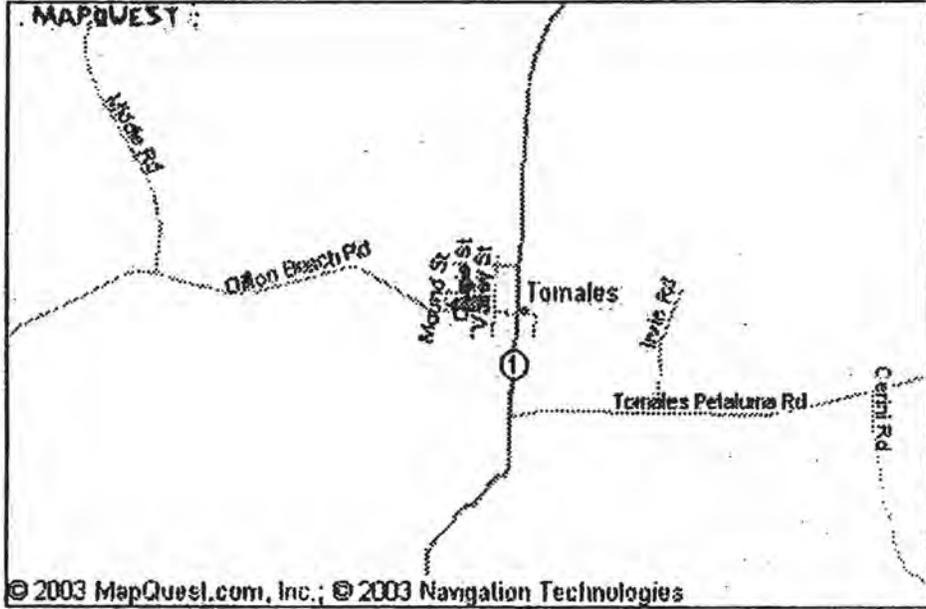
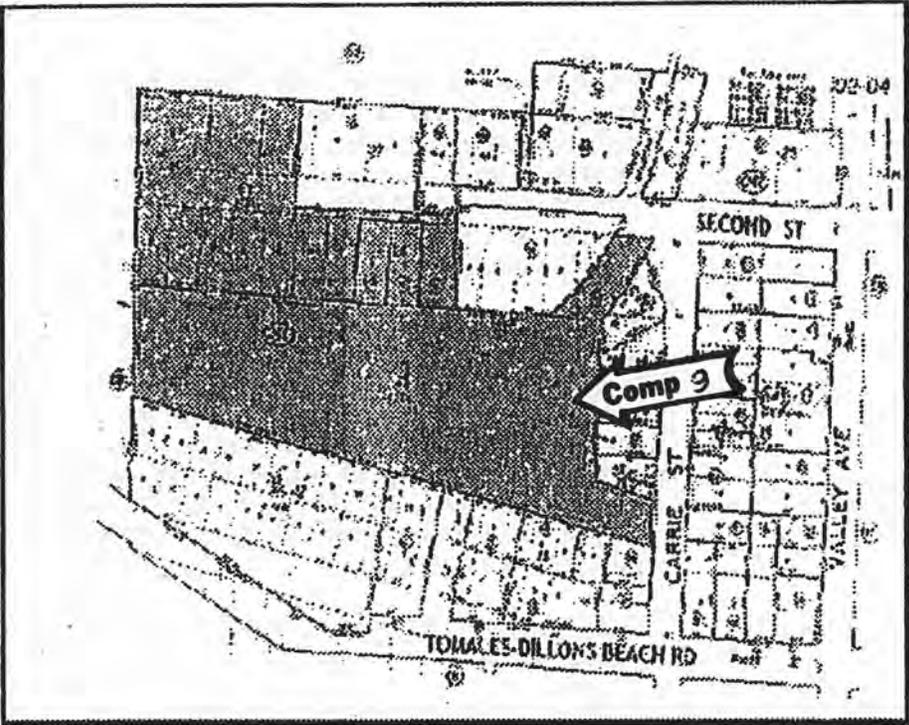
Kenneth Bizzell, buyers' real estate agent; Costar report; Assessor's data

DIRECTIONS:

Sir Francis Drake Boulevard to South Dream Farm Road in Inverness

PHOTO:

Photo of sale taken 10/27/03 by Herb Case



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COMPARABLE SALE NO. 10

GRANTEE: Waterford Associates - Baker (LLC)

GRANTOR: Mr. And Mrs. Larry C. And Joe Ann Baker

LOCATION: 619 Ely Road North, Petaluma (unincorporated)

APN: 137-070-009

ZONING: DA-10, Sonoma County zoning of Diverse Agriculture with a maximum density of one lot per 10 acres

USE AT SALE: Single-family residence that does not contribute to the value of the land

HIGHEST AND BEST USE: Single-family residential subdivision

LOT AREA: 5 acres

SALE RECORDED: 5/14/01 #01-60287

SALE PRICE: \$975,000 Cash to seller

UTILITIES, SEWER, WATER: Electricity and public water and sewer at lot line.

TERRAIN: Open grassland with gentle slope to Ely Road. Small part of property in the 100-year floodplain

ACCESS: Frontage on Ely and Corona Roads, both paved County roadways

REMARKS: Sold with no contingencies, but buyers had information from the Petaluma Planning Department that it was probable that the property would be approved for annexation into the city and land use regulations would be approved to allow subdivision into 11 lots. Property resold 10/17/02 for \$1,725,000 subject to seller obtaining approval of a final subdivision map.

SOURCES: Lou Rago, one of the buyers; Costar report; Assessor's data

DIRECTIONS: North on U.S. Highway 101, east on Corona Road in Petaluma to Ely Road

PHOTO: Photo of sale taken by Herb Case

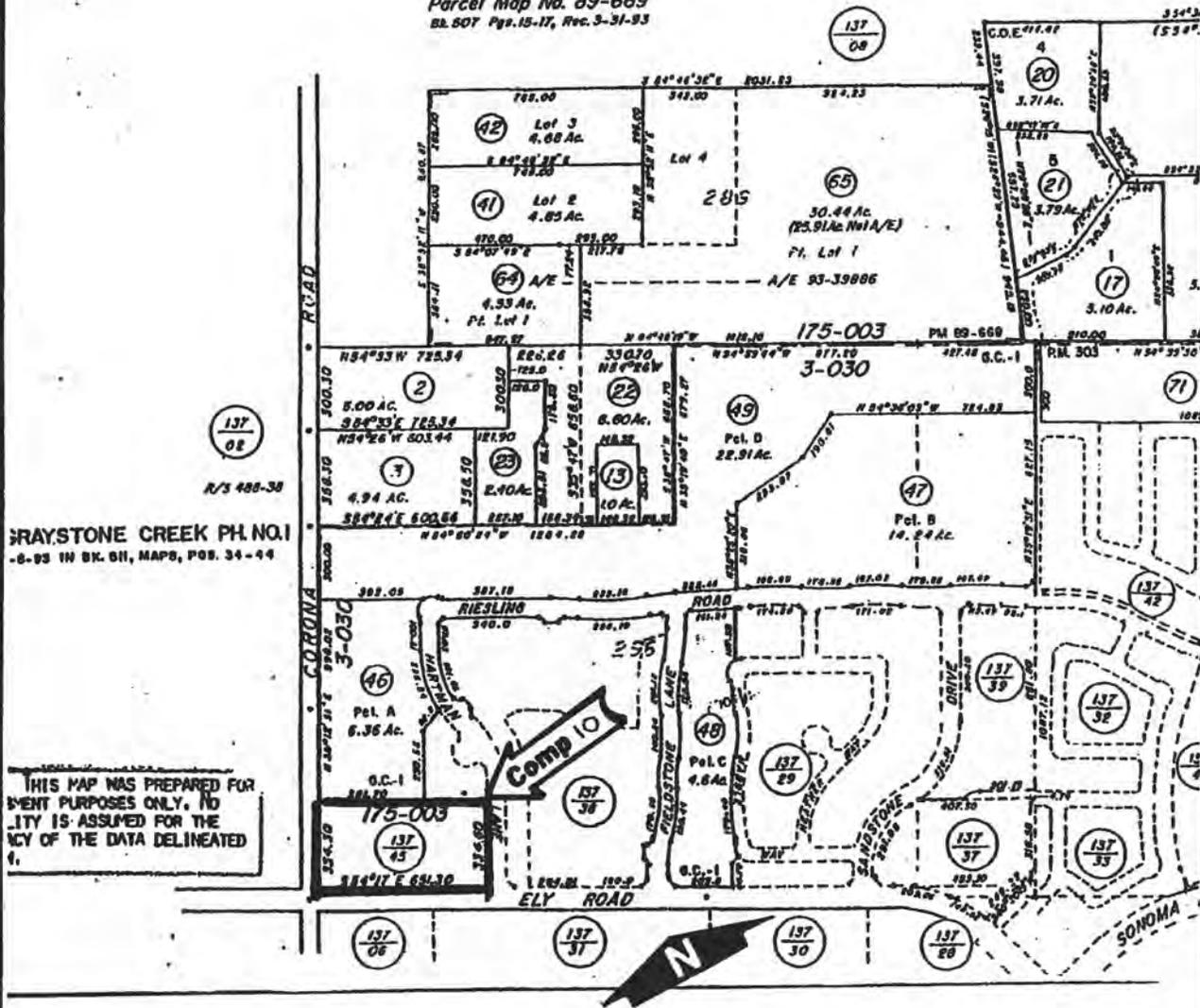
COUNTY ASSESSOR'S PARCEL MAP

Parcel Map No. 278
BL 526 Pgs. 14-15, Rev. 6-17-94

PE Pct Map No. 303
BL 562, Pgs. 33-36, Rev. 4-20-97

CIRCLE O A
Rec. 22 September,

Parcel Map No. 89-669
BL 507 Pgs. 15-17, Rev. 3-31-93



GRAYSTONE CREEK PH. NO. 1
-6-93 IN BK. 611, MAPS, PGS. 34-44

THIS MAP WAS PREPARED FOR
INFORMATIONAL PURPOSES ONLY. NO
WARRANTY IS ASSUMED FOR THE
ACCURACY OF THE DATA DELINEATED
HEREON.

COMPARABLE SALE NO. 11

GRANTEE: Randall C. Fleming

GRANTOR: William C. And Helen E. Lancaster Trust

LOCATION: Lot between 26 and 42 Cypress Road, Point Reyes

APN: 119-082-21

ZONING: C-R-A:B3, Coastal, Residential Single-family Agricultural, with a maximum density of one lot per 20,000 square feet

USE AT SALE: Unimproved lot

HIGHEST AND BEST USE: Single-family residential use

LOT AREA: 1.26 acres

SALE RECORDED: 3/9/01 grant deed #01-11064

SALE PRICE: \$225,000 terms of any financing unknown

UTILITIES, SEWER, WATER: Electricity and public water at lot line. On-site septic system required

TERRAIN: Gentle slope to Cypress Road with open grassland and perimeter cypress trees

ACCESS: Frontage on Cypress Road

REMARKS: Property sold without benefit of MLS listing. Sellers stated that they agreed to an offer they received in the mail. They said they had a perc test on the property some years ago that indicated that a residence could be built on the property

SOURCES: Helen Lancaster, seller; Assessor's data

DIRECTIONS: State Highway One to Point Reyes, Mesa Road to Cypress Road

PHOTO: Photo of sale taken 10/27/03 by Herb Case

