

CONSERVATION AND SCENIC EASEMENT DEED

This indenture made this twentieth (20th) day of May, 1983, by and between NATURAL FOOD ASSOCIATES, an Illinois not-for-profit corporation duly authorized to do business in the State of California, hereinafter referred to as "Grantor", and the COUNTY OF SONOMA, a political subdivision of the State of California, hereinafter referred to as "Grantee":

RECITALS

A. The Grantor is the owner in fee of certain real property situated in the County of Sonoma, State of California, more particularly described below and referred to as "the subject property";

B. The real property of the Grantor has certain natural scenic beauty and existing openness;

C. Both the Grantor and the Grantee desire to preserve and conserve for the public benefit the great natural scenic beauty and existing openness, natural condition, and present state of use of the subject property of the Grantor; and

D. The Grantor, subject to the reservations hereinafter set forth, wishes to grant to the Grantee the scenic use of the subject property and thereby protect the present scenic beauty and existing openness by the restricted use and enjoyment of the property by the Grantor;

NOW, THEREFORE, for and in consideration of the premises, the Grantor hereby grants and conveys to Grantee a conservation and scenic easement of the nature and character and to the extent hereinafter expressed, in that certain real property located in the County of Sonoma, State of California, and more particularly described in Exhibit "A" attached hereto and incorporated herein by reference.

The easement shall constitute a servitude upon the subject property which results from the restrictions imposed by this instrument upon the use of the property by Grantor. To that end and for the purpose of accomplishing the intent of the parties, the Grantor hereby covenants on behalf of itself, its successors and assigns, with the Grantee to do and refrain from doing severally and collectively upon the subject property the various acts hereinafter mentioned, to wit:

FIRST: The subject property will be used for no purposes other than those which will maintain the existing openness and rural character of the site, including agricultural uses such as demonstration farms and related uses.

SECOND: The Grantor, its successors and assigns, shall refrain from doing any of the following acts upon the subject property, to-wit:

1. Place or erect any building intended for human occupancy or place any vehicle intended to be occupied for residential or commercial purposes at the site, except such structures as referred to in the reservations hereinafter made in paragraph Fourth.

2. To do or cause to be done any act which will materially change the general topography of the present natural form of the subject property.

THIRD: The Grantor, its successors and assigns, shall not divide the subject property into two or more parcels under separate ownership by sale, gift, or lease.

FOURTH: The Grantor on behalf of itself, its successors and assigns, hereby expressly reserves the following rights and privileges with respect to the subject property, to-wit:

1. The right to place, erect, or maintain upon the subject property one single-family dwelling and such utility and accessory structures as are reasonably necessary for the use and enjoyment of the subject property by the Grantor, its successors and assigns.

2. The right to place, erect, or maintain upon the subject property a meeting room, outbuildings, and demonstration buildings for a demonstration farm.

3. The right to apply to the Sonoma County Board of Supervisors for and to utilize a use permit for those uses set forth in items 26-28 of the Sonoma County Code which are agricultural in nature or which are directly related to the maintenance and enhancement of agriculture.

4. All uses, occupancy, ingress and egress to, in, and upon the subject property not inconsistent with the restrictions specifically enumerated above, including the right to prohibit entry thereon by unauthorized persons.

5. The right to develop water sources, including springs, and to lay, construct, repair, and replace pipes and conduits for the transportation of water.

6. The right to manage the land and its resources in a manner consistent with accepted principles of conservation practice.

FIFTH: The grant of this easement is effective as of the date of its acceptance by the Grantee.

SIXTH: This grant shall bind Grantor and its successors and assigns, shall constitute a servitude upon the subject property, and the reservations set forth herein shall inure to the benefit of the Grantor, its successors and assigns, to the extent hereinabove provided.

IN WITNESS WHEREOF, the Grantor has executed this Deed the day and year first above written.

ATTEST:

NATURAL FOOD ASSOCIATES

By Lorraine Moffett
LORRAINE MOFFETT, Secretary

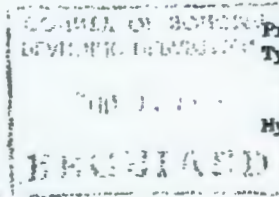
By Hugh Paddock
HUGH PADDOCK, President

State of Indiana)
County of Johnson) ss

On May 27, 1983, before me the undersigned authority, a Notary Public in and for said County and State, personally appeared HUGH PADDOCK, known to me to be or proved to me on the basis of satisfactory evidence to be, the person who executed the within instrument as President of the corporation therein named and acknowledged to me that the corporation executed it.

Barbara Gardner
NOTARY PUBLIC
Printed or Typed Name BARBARA GARDNER
May 26, 1985
My commission expires _____

(Seal)



State of Washington)
County of Lewis) ss

On May 25, 1983, before me the undersigned authority, a Notary Public in and for said County and State, personally appeared LORRAINE MOFFETT, known to me to be or proved to me on the basis of satisfactory evidence to be, the person who executed the within instrument as Secretary of the corporation therein named and acknowledged to me that the corporation executed it.

Herschel Wilson, Jr.
NOTARY PUBLIC

(Seal)

Printed or Typed Name HERSCHEL WILSON, JR.
My commission expires 5-1-84

DESCRIPTION:

All that real property situate in the Unincorporated area, County of Sonoma, State of California, and is described as follows:

Beginning at the Northeast corner of Out Lot 506, as marked and laid down on O'Farrell's map of the Town of Sonoma, and thence running Southerly along the Eastern boundary line of Out Lot 506, a distance of 19.74 chains, or 1302.84 feet to a monument which is a large stone set erect in the ground, and marked with the letter "M"; thence deflecting toward the West, 75°28' running upon a course of South 65-3/4° West, a distance of 6 chains to a stake marked "M"; thence upon a course of South 63-3/4° West, until it intersects the center of Sonoma Creek; thence up the center of Sonoma Creek to its junction with Agua Caliente Creek; thence up said Creek to the point of intersection of a line running at right angles from the Northeast corner of Lot 506; thence running Easterly along the Northern Boundary of Out Lots 507 and 506 to the place of beginning; also all that piece of land extending between said Lots 506 and 507, measuring in length 400 yards, by 18-1/3 yards in width. Also, that certain strip of land adjoining the Town of El Verano, bounded on the Westerly by Riverside Avenue, and Easterly by the land known as the Maxwell Farm, and land formerly owned by Mary J. Storm, and known as the Storm place, and extending from Maple Avenue on the North, to the Northerly boundary line of Lot 3 in Block "O" on the South; said boundary line of Lot 3 in Block "O", beginning on Riverside Avenue, opposite the Southerly line of Sonoma Avenue, and extending from Riverside Avenue, to the center of Sonoma Creek, the said described strips of land including and embracing all the land lying between Riverside Avenue (the same being an Avenue 60 feet in width) on the West, and the center of Sonoma Creek on the East, and said Maple Avenue on the North, and said Northerly line of Lot 3, of Block "O" on the South as laid out, shown and designated on the official map of the Town of El Verano, and subdivisions of adjoining property of the Sonoma Valley Improvement Company, filed in the office of the County Recorder of Sonoma County, California.

The premises above described being the same property conveyed by Amy Maxwell to Maxwell Estate by deed dated December 27, 1911 and recorded August 24, 1912 in Book 302 of Deeds, page 72, Sonoma County Records, and conveyed by Donald Hebard Maxwell to Maxwell Estate dated December 28, 1911 and recorded August 24, 1912 in Book 302 of Deeds, page 74, Sonoma County Records.

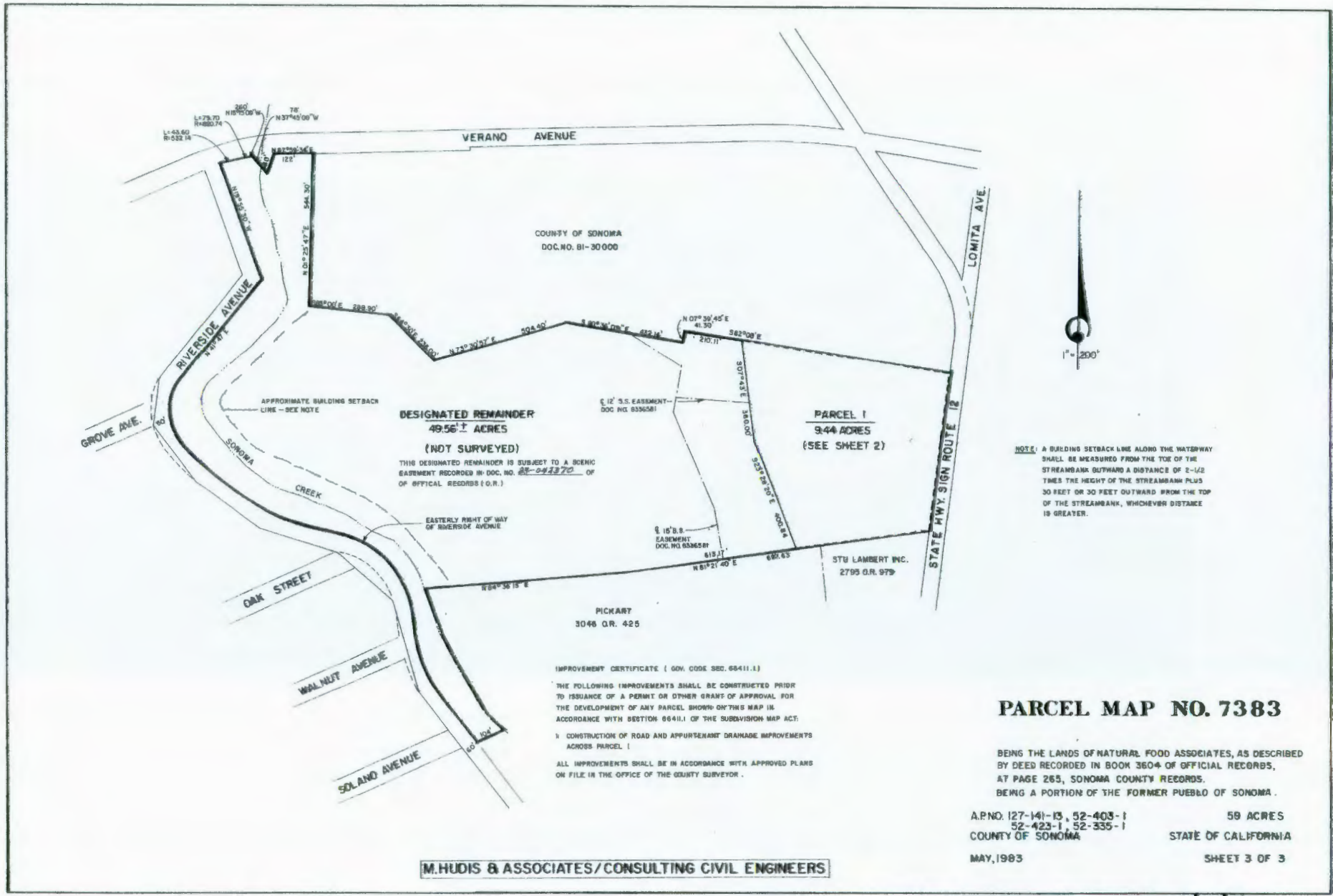
Excepting from said property hereinabove described any portion of said property which may be within the public streets, roads or highways.

Also excepting therefrom the conveyance from Maxwell Estate, a corporation, to Sonoma County dated October 10, 1949 and recorded October 26, 1949 under Recorder's Serial No. C-99940, in Book 914 of Official Records, page 392, Sonoma County Records.

Also excepting therefrom the judgment of condemnation recorded August 9, 1907 in Book 238 of Deeds, page 290, Sonoma County Records.

Also excepting therefrom that property conveyed to the County of Sonoma, a political subdivision, by deed recorded May 11, 1981 under Recorder's Document No. 81-25787, and re-recorded May 29, 1981 under Recorder's Document No. 81-30000, Sonoma County Records.

Also excepting therefrom Parcel 1, Parcel Map No. 7383, as per map thereof filed for record 6-30-83 in Book 347 of Maps, at page 9-11, Sonoma County Records.



NOTE: A BUILDING SETBACK LINE ALONG THE WATERWAY SHALL BE MEASURED FROM THE TOE OF THE STREAMBANK OUTWARD A DISTANCE OF 2-1/2 TIMES THE HEIGHT OF THE STREAMBANK PLUS 30 FEET OR 30 FEET OUTWARD FROM THE TOP OF THE STREAMBANK, WHICHEVER DISTANCE IS GREATER.

DESIGNATED REMAINDER
49.56 ACRES
 (NOT SURVEYED)
 THIS DESIGNATED REMAINDER IS SUBJECT TO A SCENIC EASEMENT RECORDED IN DOC. NO. 86-043370 OF OFFICIAL RECORDS (O.R.)

IMPROVEMENT CERTIFICATE (GOV. CODE SEC. 66411.1)
 THE FOLLOWING IMPROVEMENTS SHALL BE CONSTRUCTED PRIOR TO ISSUANCE OF A PERMIT OR OTHER GRANT OF APPROVAL FOR THE DEVELOPMENT OF ANY PARCEL SHOWN ON THIS MAP IN ACCORDANCE WITH SECTION 66411.1 OF THE SUBDIVISION MAP ACT:
 1. CONSTRUCTION OF ROAD AND APPURTENANT DRAINAGE IMPROVEMENTS ACROSS PARCEL 1
 ALL IMPROVEMENTS SHALL BE IN ACCORDANCE WITH APPROVED PLANS ON FILE IN THE OFFICE OF THE COUNTY SURVEYOR .

PARCEL MAP NO. 7383

BEING THE LANDS OF NATURAL FOOD ASSOCIATES, AS DESCRIBED BY DEED RECORDED IN BOOK 3604 OF OFFICIAL RECORDS, AT PAGE 265, SONOMA COUNTY RECORDS, BEING A PORTION OF THE FORMER PUEBLO OF SONOMA .

A.P.N.O. 127-141-13, 52-403-1 59 ACRES
 52-423-1, 52-335-1
 COUNTY OF SONOMA STATE OF CALIFORNIA
 MAY, 1983 SHEET 3 OF 3

M.HUDIS & ASSOCIATES/CONSULTING CIVIL ENGINEERS

MAP CORRECTION 6/12/86
 86-42354

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DESIGNATED REMAINDER
(not surveyed)
49.56[±] ACRES
SEE SHEET 3

RECORD OF SURVEY
328 MAPS 37
COUNTY OF SONOMA
DOCUMENT NO. 28-30000

PARCEL 1
9.44 ACRES

PICKART, ET AL
3046 O.R. 425

STU LAMBERT INC.
2793 O.R. 979

RECORD OF SURVEY
122 MAPS, 33



LOCATION MAP
no scale

PARCEL MAP NO. 7383

BEING THE LANDS OF NATURAL FOOD ASSOCIATES, AS DESCRIBED
BY DEED RECORDED IN BOOK 3504 OF OFFICIAL RECORDS,
AT PAGE 265, SONOMA COUNTY RECORDS,
BEING A PORTION OF THE FORMER PUEBLO OF SONOMA.

A.P.N.O. 127-141-13, 52-403-1
52-423-1, 52-335-1
COUNTY OF SONOMA

59 ACRES
STATE OF CALIFORNIA

MAY, 1983

SHEET 2 OF 3

M. HUDIS & ASSOCIATES/CONSULTING CIVIL ENGINEERS

MAP CORRECTION 6/12/86
86-42354

BASES OF BEARINGS: SOUTHERLY BOUNDARY OF THE 39.00
ACRE PARCEL, S 82°08'00"E, AS SHOWN ON RECORD OF
SURVEY FILED IN BOOK 328 OF MAPS, PAGE 37.

ALL DIMENSIONS & DISTANCES SHOWN HEREON ARE IN
FEET AND DECIMALS THEREOF

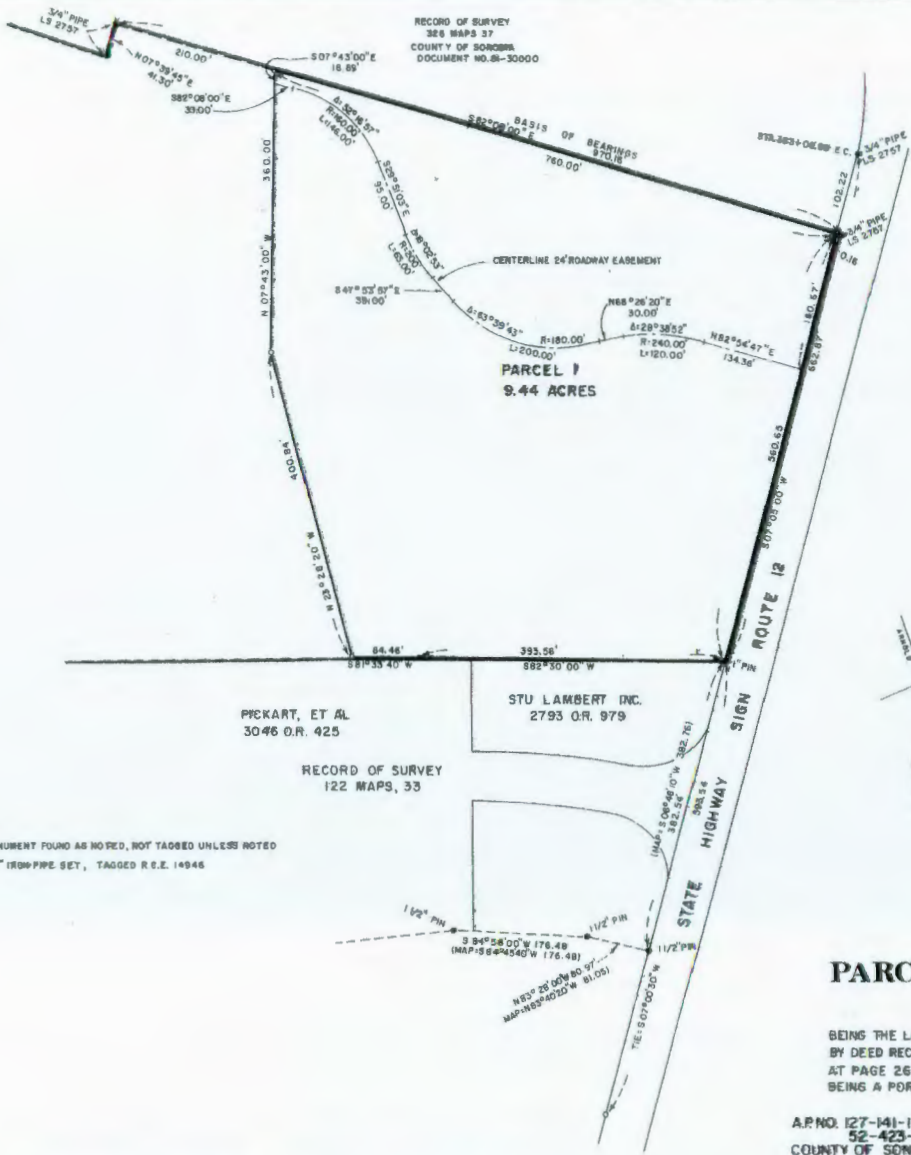
THE RED BORDER INDICATES THE BOUNDARY OF THIS MAP

THIS SITE IS SUBJECT TO SEVERE NOISE LEVELS. NO BUILDING
SHALL BE CONSTRUCTED WITHIN 300 FEET OF HIGHWAY 12 UNLESS
A STUDY IS CONDUCTED BY AN ACUSTICAL ENGINEER DEMONSTRATING
NOISE LEVELS CAN BE MITIGATED TO 45 DBA WITHIN THE COURT
YARD.

ALL UTILITIES FOR LOT NO. 1 SHALL BE PLACED UNDERGROUND.

THE EXISTING WELLS ON PARCELS 1 MAY BE USED ONLY FOR A SINGLE
FAMILY DWELLING. FUTURE DEVELOPMENT WILL REQUIRE
CONNECTION TO PUBLIC WATER.

- MONUMENT FOUND AS NOTED, NOT TAGGED UNLESS NOTED
- 1/2" IRON PIPE SET, TAGGED R.E.Z. 14946



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OWNER'S CERTIFICATE

We hereby certify that we are the sole owners of and have the right, title and interest in and to the real property included within the land shown upon this map, and are the only persons whose consent is necessary to the making of said map of the land shown within the border lines.

NATURAL FOOD ASSOCIATES, an Illinois not-for-profit corporation, Denver
Hugh L. Paddock President
Lorraine Moffett Secretary

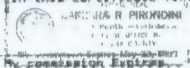
OWNER'S NOTARY

STATE OF CALIFORNIA
COUNTY OF SONOMA

On this 11th day of April, 1983, before me, a Notary Public, in and for the County of Sonoma, State of California, residing therein, duly commissioned and sworn, personally appeared Hugh L. Paddock and Lorraine Moffett, personally known to me (or proved to me on the basis of satisfactory evidence) to be the President and Secretary of NATURAL FOOD ASSOCIATES, an Illinois not-for-profit corporation, the corporation described in and that executed the within instrument as Owner, and also known to me to be the persons who executed the within instrument on behalf of the corporation therein named, and acknowledged to me that such corporation executed the same pursuant to its by-laws or a resolution of its Board of Directors.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

Barbara R. Pirroni
Notary Public in and for the County of Sonoma, State of California



Signatures of the following named parties may be omitted under the provisions of Section 64436 (C) (1) of the Subdivision Map Act if such are not required by the Governing Body. Each interest is such that it cannot ripen into a fee title.

NAMES	RECORDED	NATURE OF INTEREST
State of California	46 O.R. 57	Water
Sonoma Valley County Sanitation District	Doo. 8336580	Sewer Easement
Sonoma County Flood Control & Water Conservation District	2415 O.R. 57	Maintenance
Sonoma County Water Agency	3238 O.R. 460	Maintenance

ENGINEER'S CERTIFICATE

This map was prepared by me or under my direction and is based upon a field survey in conformance with the requirements of the Subdivision Map Act and local ordinance at the request of Natural Foods Associates on February 4, 1983. I hereby state that this parcel map substantially conforms to the approved and conditionally approved tentative map, if any, and that all occupants are of the character and occupy the positions indicated, and are sufficient to enable the survey to be retraced.

Hilton 1983 R.C.E. No. 10578

COUNTY SURVEYOR'S CERTIFICATE

This map conforms with the requirements of the Subdivision Map Act and local ordinance.

Dated June 2, 1983 *Don C. Adams*
County Surveyor Deputy



COUNTY RECORDER'S CERTIFICATE

Filed this 30th day of June, 1983, at 10:00 o'clock P.M. in Book 3604 of maps, Pages 1-11, at the request of the County Surveyor.

105 Fees Paid
83-42368 By Bernice A. Peterson
Recorder of the County of Sonoma
State of California
P. J. Laughlin

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PARCEL MAP NO. 7383

BEING THE LANDS OF NATURAL FOOD ASSOCIATES, AS DESCRIBED BY DEED RECORDED IN BOOK 3604 OF OFFICIAL RECORDS, AT PAGE 265, SONOMA COUNTY RECORDS, BEING A PORTION OF THE FORMER PUEBLO OF SONOMA.

APNO: 127-141-13, 52-403-1 59 ACRES
52-423-1, 52-335-1
COUNTY OF SONOMA STATE OF CALIFORNIA

MAY, 1983

SHEET 1 OF 3

M. HUDIS & ASSOCIATES/CONSULTING CIVIL ENGINEERS

MAP CORRECTION 6/12/86
86-42354