

**IRREVOCABLE SECRET BALLOT  
FOR  
RANCHO SAN CLEMENTE BUSINESS PARK  
TERMINATION OF CC&R'S AS TO  
VACANT MASTER ASSOCIATION PARCELS**

Please return by **October 30, 2019**

California law now requires that all voting be done by Secret Ballot Process. **DO NOT** put your name, address or other identification on this Secret Ballot

**VOTING INSTRUCTIONS:** Each member may cast 1 vote. Please indicate by your vote if you **AGREE** or **DO NOT AGREE** by marking and X.

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\_\_\_\_\_ **I AGREE** to terminate Parcel #688-011-01 and Parcel #688-011-02 from the "Master Declaration of Covenants, Conditions, Restrictions, and Reservation of Easements for Rancho San Clemente Business Park."

\_\_\_\_\_ **I DO NOT AGREE** to terminate Parcel #688-011-01 and Parcel #688-011-02 from the "Master Declaration of Covenants, Conditions, Restrictions, and Reservation of Easements for Rancho San Clemente Business Park."

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If I did not cast Any vote above, I authorize this Secret Ballot to be used only to establish quorum.

**Mailing Instructions**

1. Place your completed Irrevocable Secret Ballot inside INNER Conditional Secret Ballot Envelope. DO NOT put your name, address or other identification on the Secret Ballot.
2. Seal the INNER envelope and place it inside the enclosed pre-addressed return OUTER Envelope.
3. **TO VALIDATE YOUR SECRET BALLOT**, your **NAME, ADDRESS, AND SIGNATURE** are required on the OUTER Envelope
4. Mail the pre-addressed stamped envelope to:

**RANCHO SAN CLEMENTE BUSINESS PARK**  
%Coast Property Management  
P.O. Box 3235  
San Clemente, CA 92674-3235  
949 492-9552

RANCHO SAN CLEMENTE BUSINESS PARK COMMUNITY ASSOCIATION  
c/o Coast Property Management  
PO Box 3235  
San Clemente, CA 92674  
Email: *ranchosanclementebusinesspark@gmailcom*

September 30, 2019

DEAR BUSINESS PARK OWNER:

Re: ENCLOSED BALLOT FOR VOTE ON TERMINATION OF  
CC&RS AS TO VACANT MASTER ASSOCIATION PARCELS

**THE BOARD IS REQUESTING YOUR VOTE IN FAVOR OF THE  
TERMINATION OF TWO PARCELS OF LAND (APN #S 688-011-01 AND  
688-011-02 (THE "PARCELS")) FROM THE "MASTER DECLARATION  
OF COVENANTS, CONDITIONS, RESTRICTIONS AND RESERVA-  
TIONS OF EASEMENTS FOR RANCHO SAN CLEMENTE BUSINESS  
PARK" (THE "CC&R'S").**

In 1996, the Business Park Master Association was granted, for free, title to the Parcels, which are undeveloped land totaling approximately 10 acres located on the north side of Avenida Pico opposite Calle Del Cerro. (A picture of the Parcels is enclosed.) Since assuming ownership, the Association has been responsible for their landscaping, water, maintenance, insurance and security, which has cost the Association an average of approximately \$20,000 annually. Conversely, there is no economic benefit from the Parcels. Because they are located in an "open space" zone, development of the Parcels may occur only in rare circumstances which in the Board's opinion are very unlikely ever occur.

For several years the Board has searched for opportunities to dispose of the parcels, including unsuccessful efforts to offer the Parcels to the City of San Clemente to designate as a homeless shelter zoning area (in an effort to avoid that zoning within the main area of the Business Park south of Avenida Pico).

The Association recently entered into a Purchase and Sale Agreement (the "PSA") with Emergency Shelter Coalition, a nonprofit corporation ("Buyer") for the sale of the Parcels for \$19,500. This is more than the appraised value of \$12,000 contained in a 2017 appraisal obtained by the Board. This low appraisal is due mainly to the open space restriction on the Parcels.

Buyer has stated an intention to develop a homeless shelter on the Parcels which are within the City's homeless shelter zoning overlay. It is unknown how

Buyer could circumvent the open space restrictions on the Parcels to develop a shelter, but they are willing to assume that risk. Once the Parcels are sold, the Association would have no further responsibility for them. If this sale is not consummated, it may be unlikely that we could locate another purchaser in the future, given the open space restrictions.

Under the express terms of the contract, once Buyer takes title to the parcels, Buyer has agreed that it shall never develop, operate, or support a shelter within the main part of the Business Park

Buyer has indicated that if the sale of the parcels is not closed, it will implement a back-up plan to locate space in the Business Park for purchase or lease to develop a homeless shelter. While we cannot predict whether that would occur, Buyer may very well have the ability and resources to develop a shelter in the main part of the Business Park, should space become available.

If a homeless shelter were developed on the Parcels, the Board believes that would decrease the likelihood of a shelter being constructed within the main area of the Business Park. Although this is not guaranteed, the Board believes that the sale of the Parcels to the Buyer thus will make it less likely that a shelter will be developed in the main area of the Business Park.

Finally, although the Board is not advocating for development of a homeless shelter on the Parcels, we note that despite efforts to prevent camping on the Parcels, homeless persons consistently have been located on the Parcels over the past years. Related concerns including security issues, fire risks, and other liabilities would remain if a shelter is not developed on the Parcels.

Termination of the Parcels from the CC&R's is a condition of the closing. While a vote of owners is not required for sale of the Parcels, a Two-Thirds vote of owners is required to terminate the Parcels from the CC&R's, pursuant to Section 10.03 of the CC&R's.

For all the above reasons, the Board requests your vote **IN FAVOR** of the proposal. A ballot, return envelopes, and instructions are enclosed. Ballots must be returned within Thirty (30) days of the date of this letter. Thank you.

Very Truly Yours,

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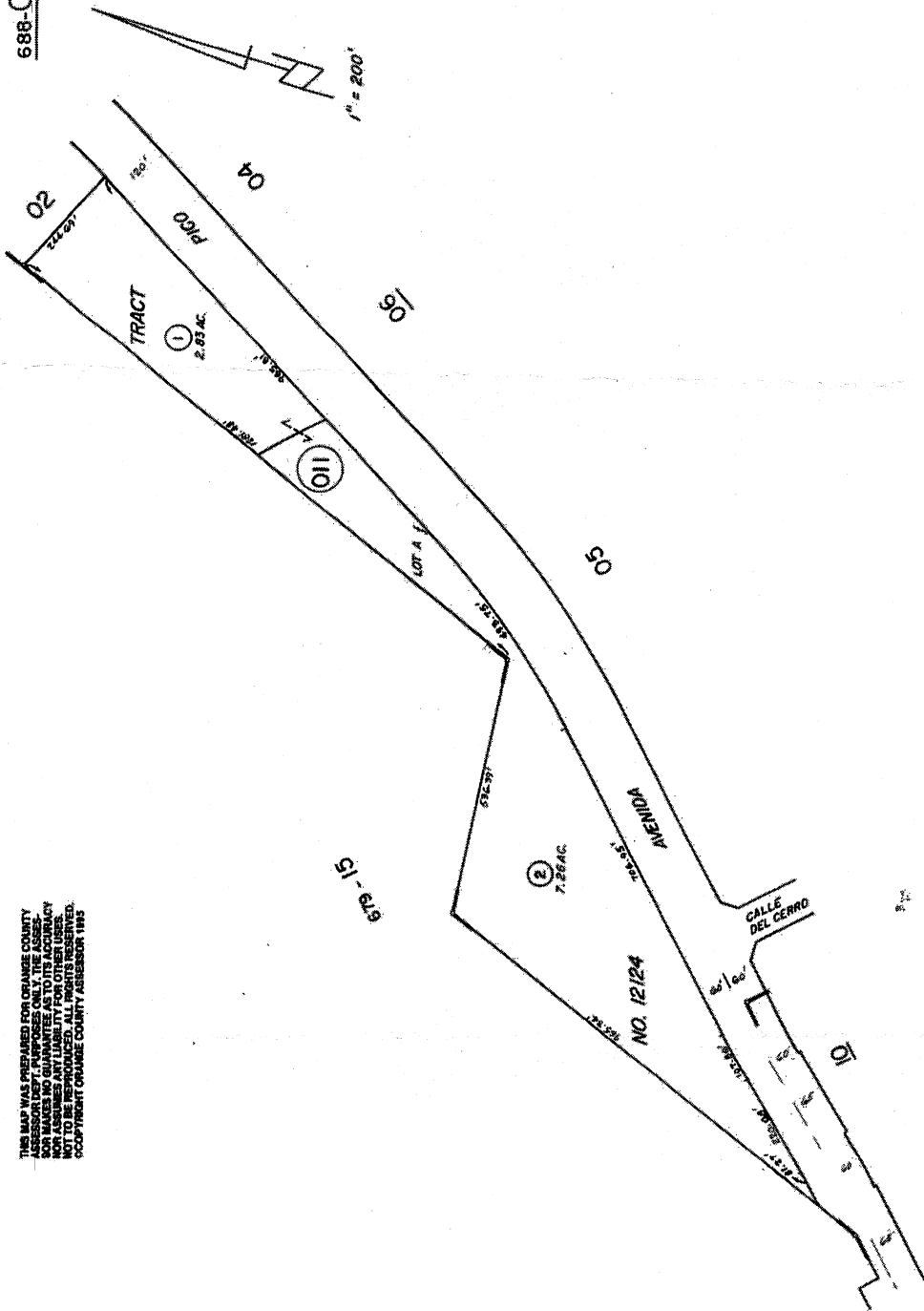
BOARD OF DIRECTORS, RANCHO  
SAN CLEMENTE BUSINESS PARK  
COMMUNITY ASSOCIATION

688-011-01 v 02

# ASSESSOR PARCEL MAP

THIS MAP WAS PREPARED FOR ORANGE COUNTY ASSESSOR DEPT. EMPLOYEES ONLY. THE COUNTY MAKES NO GUARANTEE AS TO ITS ACCURACY AND ASSUMES ANY LIABILITY FOR OTHER USER. OCCUPY TRACT ORANGE COUNTY ASSESSOR 1985.

688-01



MARCH 1985 TRACT NO. 12124 M. M. 532 - 1 TO 10 INC. NOTE - ASSESSOR'S BLOCK & PARCEL NUMBERS SHOWN IN CIRCLES

ASSESSOR'S MAP BOOK 688 PAGE 01 COUNTY OF ORANGE

RANCHO SAN CLEMENTE BUSINESS PARK →

LOWE'S & WALMART PLAZA →

MARBLEHEAD →



RANCHO SAN CLEMENTE HOMES ←

2 PARCELS ←



Owner Name \_\_\_\_\_

Property Address \_\_\_\_\_

City, State, Zip \_\_\_\_\_

Lot/Parcel/Unit# \_\_\_\_\_

I authorize the Inspectors of Election to act as my proxy for the purpose of establishing a quorum.

Date: \_\_\_\_\_

Signed: \_\_\_\_\_

**INSPECTOR(S) OF ELECTION**

Rancho S. C. Business Park  
% Coast Property Management  
P.O. Box 3235  
San Clemente, Ca. 92674-3235

B 45580 220



**\$0.50 0**  
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