

Exhibit 2: TDC Bid Big Sur Preservation Alliance

**THE LAW OFFICE OF AENGUS L. JEFFERS**

A Professional Corporation  
215 West Franklin Street, Fifth Floor  
Monterey, California 93940

Phone: (831) 649-6100  
Fax: (831) 325-0150  
Email: aengus@aengusljeffers.com

October 21, 2013

**VIA FEDERAL EXPRESS**

SEALED BID – TDC  
c/o Christopher Kroll  
1330 Broadway, 13<sup>th</sup> Floor  
Oakland, CA  
94612

**Re: Submission of TDC Auction Bid**

Dear Mr. Kroll:

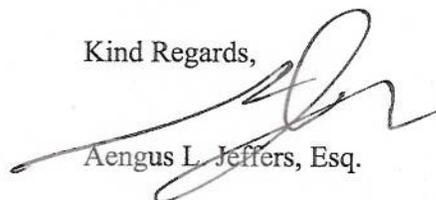
I am writing on behalf of my client, the Big Sur Preservation Alliance, a California Limited Liability Company (“BSPA”). The purpose of this letter is to submit BSPA’s sealed bid for one of the Conservancy’s Kasler Point TDC’s.

This bid is made despite communications from the County of Monterey that a valid recorded quitclaim of the Conservancy’s interest in a TDC will not be accepted as a ‘binding commitment’ pursuant to the County’s TDC Ordinance (Monterey County Code section 20.64.190.060.1.b). **BSPA submits this bid despite this issue and furthermore waives its opportunity for due diligence should it be selected as the winning bidder.**

BSPA purchased the 400+ acre Harlan Ranch in 2008. Since that time, BSPA has donated conservation easements over the Harlan Ranch which quashed future residential development on 2 of the Harlan Ranch’s 5 certified separate and legal parcels and also restricted all future residential development to legally described and mapped building envelopes. The size, shape, and location of each of these building envelopes was established with cooperation from the County and the Coastal Commission to avoid critical viewshed, slope, and ESHA concerns.

BSPA’s primary TDC objective would be to separate one of the established building envelopes onto its own separate and legal parcel. The County and the Coastal Commissioner were aware of this potential objective prior to establishing the Ranch’s building envelopes.

Kind Regards,



Aengus L. Jeffers, Esq.

ALJ

**TRANSFER OF DEVELOPMENT CREDITS  
OFFER FORM**

Christopher Kroll  
California State Coastal Conservancy  
1330 Broadway, 13th Floor  
Oakland, CA 94612  
(510) 286-4169

Subject to the conditions in the Transfer of Development Credits Request for Offers (the "Request for Offers"), the undersigned hereby offers the sum of \$ 75,000 for the purchase of One [insert the number of TDCs to which this offer applies – "one" or "two"] Transfer of Development Credit(s) ("TDC(s)") as described in the Request for Offers.

The undersigned offers to purchase the TDC(s) "as is," without reliance on any representation of seller.

**TERMS AND CONDITIONS OF OFFER:**

This Bid is contingent upon the winning bidder receiving a valid recorded quitclaim of all of the State of California's interest in one of the auctioned TDC's. Subject to this contingency, Bidder waives any right to conduct due diligence on this purchase and is ready to close escrow as early as the State of California desires.

**Brokerage Commission:** If a real estate brokerage commission is to be deducted from the amount offered for the property, the amount of that commission is as follows: \$ N/A.

**Earnest Money Deposit:** For an offer to be considered, the offeror must submit to the Coastal Conservancy, along with the offer, an earnest money deposit in the amount of two thousand five hundred dollars (\$2,500) in the form of a certified check or cashier's check payable to the State Coastal Conservancy. Upon acceptance of the highest bid, the successful offeror's deposit will be applied to the purchase price and all other deposits will be returned to the unsuccessful offerors.

*If the successful offeror fails to complete the purchase of the TDCs in accordance with the terms hereof, the deposit will be forfeited and retained by the State as liquidated damages, and the offeror shall forfeit all rights hereunder. The offeror agrees that damages, in the event of failure to complete the purchase, would be difficult to ascertain, and that such sum represents a reasonable attempt to ascertain what such damages would be.*

Initial Here:

A  
Offeror

SCC

***Request for Offers, Victorine Ranch Property and TDCs***

***Page 21***

***Offer must be enclosed in  
sealed envelope clearly marked  
"Sealed Bid-TDC."***

***Offer opening is 10 a.m. on  
Wednesday, October 23 at  
1330 Broadway, 13<sup>th</sup> Floor  
Oakland, CA 94612***

Name of Offeror (print or type):

Big Sur Preservation Alliance

Type of entity (if not individual):

A California Limited Liability Company

Contact Person:

Aengus L. Jeffers, Esq.

Mailing Address:

215 West Franklin Street, 5th Floor  
Monterey, California 93940

Email Address:

aengus@aengusljeffers.com

Phone:

831-649-6100

Date:

October 21, 2013

  
\_\_\_\_\_  
***Authorized Signature***

Name: Aengus L. Jeffers, Esq.

Title: Attorney in Fact for Big Sur Preservation Alliance, LLC.