



LandWatch
monterey county

Press Release

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Lawsuit Filed on Rancho San Juan H-Y-H Corporate Status Has Been Suspended

The Rancho San Juan Opposition Coalition and LandWatch Monterey County have filed a lawsuit to overturn the approval of the Rancho San Juan project by the Monterey County Board of Supervisors. The Board approved the Rancho San Juan Specific Plan and the “Butterfly Village” golf course development by a 3-2 vote, on December 14, 2004, with Supervisors Potter and Calcagno voting “no.” The lawsuit was filed on Friday, January 14th, and charges Monterey County with violating both state and local law in its approval of the project.

In connection with its research on the lawsuit, LandWatch and the Rancho San Juan Opposition Coalition have discovered that the H-Y-H Corporation (incorporated in Delaware) and the HYH Corporation of California have both lost their corporate rights and privileges, effective March 1, 2004. In other words, at the very time that the H-Y-H Corporation was asking for approval of its mammoth project, and at the time that the County approved the project, the corporate powers, rights and privileges of H-Y-H were suspended, and the corporation was not authorized to do business in the state.

LandWatch will be happy to send a facsimile copy of the Certificate of Filing and Suspension, signed by the California Secretary of State, upon request. As long as the corporate powers of the H-Y-H Corporation are suspended, the corporation will not be able to participate in the lawsuit against Monterey County. The fact that the corporation was not entitled to do business in California on the date that the project was approved may be grounds for invalidation of the Board’s action.

The lawsuit against Monterey County charges violations of the California Environmental Quality Act, and further seeks a writ of mandate under Code of Civil Procedure section 1085, commanding the County to bring its General

Plan and zoning ordinance into compliance with the requirements of the Planning and Zoning Law within 120 days, and to set aside the project-related General Plan amendment, zoning changes, subdivision ordinance amendments, development agreement, and specific plan.

Please direct any questions to:

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