

ART BEAL FOUNDATION

Minutes of the Board Meeting July 25, 1994

1:00 PM — Art's house Bedford Street, West Cambria Pines.

Present:

Joseph Bectol, Tom Hetrick, Jo Anne Orr, Steve Rebuck, Michael Rice, Seymour Rosen and Guest — former President, Elizabeth Appel.

1. Welcome new Board members:

Tom Hetrick and Seymour Rosen have been recently voted in by mail as new Board members. S. Rebuck said that Fran Rebuck resigned from the Board in January 1993.

2. Physical Status of Ridge:

Approximate cost of restoring the Ridge is approximately \$200,000. It was agreed by all that it would be virtually impossible to keep that dream alive since we are facing a deadline of December 1, 1994 to pay the back property taxes before we go into default.

3. Report of Financial Status:

Treasurer S. Rebuck reports that

Property Taxes due on the four (4) lots total \$8,506.89.

Water bill \$124.90

PG&E bill (overdo for five months) equals \$25.00

~~With misc. other "housekeeping" bills the Foundation is in debt some \$9,000.00 ?~~

Other debts:

It was determined by the unanimous vote of the Board that loans and other debts of the Foundation be reimbursed.

These debts include:

J. Becktoll — \$150.00 (misc. building supplies)

S. Rebuck — \$700.00

S. Rosen — \$2,000.00 (Loan for back taxes in 19)

With misc. other "housekeeping" bills the Foundation is in debt some \$12,000.00

Total funds in the bank — \$4.00

S. Rosen offers to put in an additional \$1,000.00 of his money to cover newly needed expenses.

4. Voting in new officers:

Seymour Rosen — President

Steve Rebuck — Treasurer

Jo Anne Orr — Recording Secretary

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5. Solutions offered to raise funds / save site:

Discussion about turning the Ridge over to another non-profit who can use it for their own activities but who would restore and maintain the site.

A number of local and countywide organizations had already been contacted but showed no interest.

It was the sense of the Board that the Foundation and the local community were incapable of saving the site. If the answer is selling the site consideration would be given to the developer who would retain all or some of the built environment.

- a. Sell off all four lots with Water Meter to individual willing to keep terraced gardens and the spirit of Art intact.
- b. Sell two top lots alone. (Could possibly use excess funds to stabilize bottom two lots)
- c. Selling the Water Meter alone.
- d. Auction?, lottery?, contest with entry fee?
- e Sell the two upper lots and the Water Meter and default on the other lots and have it revert to the county.

Jobs.

Elizabeth Appel graciously accepted non voting role as a liaison to the local Real Estate community (.. Bill Miller) to explore the feasibility of these options. She will also look into insurance on the property.

Steve Rebuck will arrange to get the Foundations' books to volunteer Jerry Boxer for a mini audit and will look into getting extensions for or paying small bills.

Seymour Rosen will try to coordinate these activities and contact the state to verify the status of the Art Beal Foundation as a non-profit entity.

Submitted by:

Jo Anne Orr - Recording Secretary

SECTION A OF CLAIM FOR WELFARE EXEMPTION*

INFORMATION ON ORGANIZATION

Follow Instructions Carefully

Name of Organization Art Beal Foundation Inc.

1. Corporations

March 23, 1977

(a) Date of incorporation (b) Date or dates of all amendments to
(Date filed with Sec. of State)the articles of incorporation none

(Date filed with Sec. of State)

(c) Have there been any amendments to the articles of incorporation filed with the Sec. of State since the last

filing for the welfare exemption? no

(yes or no)

If the answer is yes, attach copy.

2. Non-corporations

(a) Date of organization (b) Date or dates of all amendments to
the constitution, trust instrument, or other document evidencing nature of organization

(c) Have there been any amendments to the constitution, trust instrument, etc., since the last filing for the

welfare exemption? If the answer is yes, attach copy.

(yes or no)

3. Activities

State fully all activities in which the organization is engaged (Include all activities since March 1 of prior year)

Restoration, preservation and protectionof landmark within San Luis Obispo County

4. Indebtedness

Has the organization any outstanding bonds, debentures, promissory notes, or other evidence of indebtedness issued for its over-all operation? yes If yes, give specific details as to type and terms of such indebtedness and to whom owing.
(yes or no)loans for property taxes: Steven Rebuck \$802.46Seymour Rosen \$2100.00

5. Is the organization exempt from state franchise or income tax under the provisions of Section 23701d of the Revenue and Taxation Code and also exempt from federal income tax under the provisions of Section

501(c)(3) of the Internal Revenue Code of 1954? yes If the answer is yes, attach a copy of
(yes or no)

the letters evidencing the exemption to the first claim filed.

6. Salaries

Is the rate of pay to any individual in excess of \$600 weekly or \$30,000 annually? no
(yes or no)

If yes, list each position with its rate of pay in a separate schedule.

7. Prior filings

Has the organization filed for the welfare exemption in prior years? yes If yes, state:
(yes or no)(a) Latest year filed 1990/91(b) County filed in San Luis Obispo(c) Exact name of organization filed under Art Beal Foundation Inc.

8. Financial statements of the organization

Attach to Section A of this claim a copy of your operating statement and balance sheet for the immediately preceding calendar or fiscal year.

*If the owner and operator of the property are not the same, each must execute a separate claim, including a complete Section A and B.

WELFARE EXEMPTION

**CLAIM FOR EXEMPTION FROM PROPERTY TAXES UNDER
SECTIONS 4(b) AND 5 OF ARTICLE XIII OF THE CONSTITUTION OF THE STATE OF CALIFORNIA AND
SECTIONS 214, 254.5, AND 259.5 OF THE REVENUE AND TAXATION CODE**

See the following Sections of the Revenue and Taxation Code:

213.5 Polling place	214.4 Elementary & high school	214.13 Community Redevelopment	254 Affidavit
213.7 Vol. fire dept.	214.5 School of, less than college	215.2 Bingo	254.5 SBE reviews claim
214 Welfare exemption	214.6 Leased to exempt govt. entity	221 Nursery school	255 Time to file
214.01 Irrevocable dedication	214.7 Hospitals	222 Zoological, horticultural	259.5 Contents of affidavit
214.02 Natural areas	214.8 Sec 23701d and Sec 501(c)(3)	222.5 Possessory interest, zoo, hort.	260 Exemption waived
214.1 Under construction	214.9 Outpatient clinic	225.5 Educational TV and FM	261 Recordation requirement
214.2 Demolition	214.10 Government funded	231 Leased to government	270 Late filing
214.3 30 years use	214.11 Needs of hospitals	251 Prescribed form & procedures	271 Acquired after lien date

To receive the full exemption, a claimant must complete and file this form in duplicate with the Assessor by March 15.

(Read instructions carefully before preparing claim and supporting schedules.)

Steven L. Rebuck

(Name of person making claim) states:

- He is Secretary/Treasurer
(Title, such as President, etc.)
- of the Art Beal Foundation
(Corporate name from articles if incorporated)
- the mailing address of which is 1120 Peach St., San Luis Obispo CA 93401
(Give complete address)
- that he makes this claim for welfare exemption on behalf of said organization for the 1991 - 1992 fiscal year (carefully follow instructions for the year to be entered here);
- that the owner is not organized or operated for profit;
- that no part of the net earnings of the owner inures to the benefit of any private shareholder or individual;
- that the property is used for the actual operation of the exempt activity;
- that the property is not used or operated by the owner or by any other person so as to benefit any officer, trustee, director, shareholder, member, employee, contributor, or bondholder of the owner or operator, or any other person, through the distribution of profits, payment of excessive charges or compensations, or the more advantageous pursuit of his business or profession;
- that the property is not used by the owners or members for fraternal or lodge purposes, or for social club purposes except where such use is clearly incidental to a primary religious, hospital, scientific, or charitable purpose.

I certify (or declare) under penalty of perjury under the laws of the State of California that the foregoing and all information hereon, including any accompanying statements or documents, is true, correct and complete to the best of my knowledge and belief.

Steven L. Rebuck
(Signature of person making claim)

March 13, 1992
(Date)

THIS EXEMPTION CLAIM IS A PUBLIC RECORD AND IS SUBJECT TO PUBLIC INSPECTION.

Received by
(Deputy Assessor)
of
(County or City)
on
(Date)

**PERSON TO CONTACT DURING NORMAL BUSINESS
HOURS FOR ADDITIONAL INFORMATION**
Name David Fitzpatrick
Address 1326 Chorro St.
San Luis Obispo, CA 93401
Telephone Number 805/541-6400

Number of Sections Bs in claim

ART BEAL FOUNDATION INC.
PO BOX 571
SAN LUIS OBISPO, CA 93406

INCOME STATEMENT & BALANCE SHEET (JAN. 1, 1991 to DEC. 31, 1991)

REVENUE

Individual Donations.....	\$ 337.18
Cash in Bank (as of 1-91).....	\$ 72.40
Bank Interest.....	\$ 6.34
	<u>415.92</u>

EXPENDITURES

Postage, PO Box, Office Expenses.....	\$ 47.18
Disposal of Waste Materials.....	\$ 95.00
Repair Materials & Garden Tools.....	\$ <u>47.28</u>
Total Expenditures.....	\$189.46

ASSETS

Fixed Assets: Lots # 41, 42, 43, 44, 45
in Block 35, Cambria Pines Unit 4

Value of Exemptions.....\$ 82,688.00

Current Assets:

Cash in Bank (as of 12-31-91).....\$ 197.24

Total Fixed Assets.....\$ 82,885.24

LIABILITIES

Property Taxes on Lots # 41, 42, 43, 44, 45
in Cambria Pines (State of California Historic Landmark # 939)

Redemptions:

022,131,117.....\$ 370.59

022,131,031.....\$1,690.05

022,131,015.....\$ 511.92

022,131,016.....\$ 641.54

Balance on unpaid loans.....\$ 2,882.58

1991/92 Propert Taxes.....\$ 1,218.30

Total Current Liabilities.....\$6,314.98

NET WORTH.....76,570.26

Statement & Balance Sheet prepared by Steven L. Rebuck Sec./Tres. 805/543-2248

ART BEAL FOUNDATION:ANNUAL MEETING MINUTES, SUNDAY JANUARY 24, 1993 11:30 a.m.

PRESENT:ELIZABETH APPEL, MICHAEL RICE, STEVE REBUCK

PRESIDENT, ELIZABETH APPEL CALLED THE MEETING TO ORDER AT 12:03 p.m.

PRESIDENT COMMENTED THAT OUR BOARD WAS A JOKE AND THAT SHE WAS PREPARED TO RESIGN FROM THE BOARD. SHE CITED FEAR OF PERSONAL LIABILITY BECAUSE OF THE CONDITION OF THE STRUCTURE AND AND SLIPPAGE OF GROUND ONTO BEDFORD ST. DURING THE PREVIOUS WINTER RAINS. (NOTE:E. APPEL DID RESIGN BY LETTER TO THE BOARD DATED JANUARY 24, 1993).

MICHAEL RICE ALSO HAD CONCERNS ABOUT LIABILITIES FROM CONDITION OF THE STRUCTURE AND ALSO FIRE.

BOARD ACTION:

- 1.E.A. NOMINATED JOANNE ORR TO THE BOARD. M.R. SECONDED. VOTE WAS UNANIMOUS.
- 2.E.A. PROPOSED TO PURSUE THE "HEARST OPTION". SECOND BY S.R. APPROVED UNANIMOUSLY.
- 3.BOARD DICUSSED JOSEPH BECKTOLD'S MOTOR HOME. JOSEPH HAD BEEN NOTIFIED OF RISK TO HIS VEHICLE DUE TO LEANING TREE ADJOINING BILL POWERS PROPERTY. S.R. HAD BEEN IN CONTACT WITH MR. POWERS CONCERNING POOR CONDITION OF TREE AND JOINTLY REQUESTING REMOVAL BY S.L.O. COUNTY. EVEN WITH HELP FROM SUPERVISOR LAURENT, WE RECEIVED NO HELP FROM COUNTY. WERE ADVISED "WE" COULD SEEK PERMIT AND THEN PAY FOR REMOVAL. EFFORT HAD LED TO IMPROVED RELATIONSHIP WITH NEIGHBOR POWERS.
- 4.BOARD DISCUSSED DIFFICULTIES WITH JOSEPH. ALL TO OFTEN HIS ATTITUDE WAS NEGATIVE AND CAUSED PROBLEMS FOR THE BOARD AND NEIGHBORS ALIKE. HOWEVER, IT WAS ALSO ACKNOELEDGED HE HAD DONE AN ADMIRABLE JOB CLEANING UP THE PROPERTY, STRUCTURES AND GROUNDS. IT APPEARED THAT JOSEPH HAD MISSED THE MEETING DUE TO ILL HEALTH AND NO ACTION WAS TAKEN. THE BOARD SUGGESTED HIS MOTOR HOME BE REMOVED A.S.A.P.

ELECTION OF OFFICERS

S.R. INFORMED THE BOARD FRAN DUKEHART-REBUCK, WAS RESIGNING. AS E.A. HAD INFORMED THE BOARD OF HER PLANS TO LEAVE, ELECTIONS WERE POSTPONED.

THE MEETING WAS ADJOURNED AT 1:00 p.m.

prepared by Steve Rebuck

ART BEAL FOUNDATION:MEETING MINUTES JULY 25, 1994, NITT WITT RIDGE, CAMBRIA PINES, CA

PRESENT:STEVE REBUCK, MICHAEL RICE, JOSEPH BECKTOLD, SEYMOUR ROSEN, TOM HEDRICK,
JOANN ORR, GUEST:ELIZABETH APPEL

WELCOME TO NEW BOARD MEMBERS:

1. SEYMOUR ROSEN AND TOM HEDRICK HAD BEEN RECENTLY VOTED IN BY MAIL (AND VIA FAX MACHINE) AS NEW BOARD MEMBERS.
2. S. REBUCK SAID FRAN REBUCK RESIGNED FROM THE BOARD IN JANUARY 1993.

PHYSICAL STATUS OF NITT WITT RIDGE:

BEING DETERMINED THAT THE COST OF RESTORING THE RIDGE WOULD BE APPROXIMATELY \$200,000., IT WAS AGREED BY ALL THAT IT WOULD BE VIRTUALLY IMPOSSIBLE TO KEEP THAT DREAM ALIVE SINCE WE ARE FACING A DEADLINE OF DECEMBER 1, 1994 TO PAY BACK PROPERTY TAXES.

REPORT ON FINANCIAL STATUS:

3. TREASURER, STEVE REBUCK REPORTS THAT ARREARAGE OF PROPERTY TAXES TOTAL \$ 8,506.84.
4. THERE IS A PAST DUE WATER BILL OF \$124.90.
5. PG&E IS ON BASIC \$ 5. PER MONTH AND IS APPROXIMATELY 4-5 MONTHS DELINQUENT.
6. FOUNDATION TOTAL DEBT IS APPROXIMATELY \$ 9000.
7. S. REBUCK PAID OUT OF POCKET 2 WATER BILLS, ONE OF \$ 52. AND ONE OF \$ 50.
8. DETERMINED BY ALL THAT BOARD MEMBERS THAT HAVE PUT THEIR MONIES FORTH, SHALL BE REIMBURSED. IF AT ALL POSSIBLE, OBLIGATIONS TO BE REPAYED ARE:
 - A.S. REBUCK, \$954.56
 - B.S. ROSEN, \$2100.00
 - C.J. BECKTOLD, \$ 150.00
9. TOTAL FUNDS NOW IN BANK ACCOUNT ARE \$ 4.
10. S. ROSEN OFFERS TO PUT IN AN ADDITIONAL \$ 1,000. OF HIS MONEY TO COVER NEEDED EXPENSES.

VOTING IN OFFICERS

1. SEYMOUR ROSEN, PRESIDENT
2. STEVE REBUCK, TREASURER
3. JOANNE ORR, RECORDING SECRETARY

SOLUTIONS OFFERED TO RAISE FUNDS

1. SELLING OFF OF ALL 4 LOTS WITH WATER METER TO INDIVIDUAL WILLING TO KEEP TERRACED GARDENS AND THE SPIRIT OF ART INTACT.
 2. SELLING OF TOP 2 LOTS ALONE. COULD POSSIBLY USE EXCESS FUNDS TO STABILIZE BOTTOM 2 LOTS.
 3. SELLING OFF OF WATER METER ALONE.
 - A. ELIZABETH APPEL GRACIOUSLY ACCEPTED NON-VOTING ROLE AS LIAISON TO LOCAL REAL ESTATE COMMUNITY (RE: BILL MILLER) TO GATHER & EXPLORE FEASIBILITY OF THESE OPTIONS.
 4. OTHER POSSIBILITIES
 - A. AUCTION
 - B. LOTTERY TICKETS OR DRAWING
 - C. CONTEST WITH ENTRY FEE. COULD BE ANNOUNCED COUNTY WIDE.
 5. IF UPPER LOTS ARE SOLD TO DEFRAY PAST DUE TAXES, LOWER LOTS COULD BE ALLOWED TO GO DELINQUENT AND REVERT TO COUNTY.
- THE MEETING ADJOURNED AT 4:00 p.m. THE BOARD WALKED THE GROUNDS FOR THE NEXT 60 MINUTES.
RETYPE FROM MINUTES PROVIDED BY JOANNE ORR, 9-20-94, Steve Rebuck 9-22-94