

THE BOARD OF SUPERVISORS OF THE COUNTY OF STANISLAUS  
ACTION AGENDA SUMMARY

DEPT: Planning & Community Development  
Urgent \_\_\_\_\_ Routine X  
CEO Concurs with Recommendation YES \_\_\_\_\_ NO \_\_\_\_\_  
(Information Attached)

BOARD AGENDA # \*D-4  
AGENDA DATE: October 30, 2001  
4/5 Vote Required YES \_\_\_\_\_ NO X

**SUBJECT:**

APPROVAL TO RESCIND WILLIAMSON ACT CONTRACT NO. 77-2767 AND APPROVE NEW CONTRACT - TOM AND DEBBIE SCHWARTZ PURSUANT TO MINOR LINE ADJUSTMENT 2001-41 AND AUTHORIZE PLANNING DIRECTOR TO EXECUTE THE NEW CONTRACT.

**STAFF RECOMMENDATION:**

STAFF RECOMMENDS APPROVAL. SHOULD THE BOARD OPT FOR APPROVAL, THE FOLLOWING FINDINGS MUST BE MADE:

- (1) THE NEW CONTRACT OR CONTRACTS WOULD ENFORCEABLY RESTRICT THE ADJUSTED BOUNDARIES OF THE PARCEL FOR AN INITIAL TERM FOR AT LEAST AS LONG AS THE UNEXPIRED TERM OF THE RESCINDED CONTRACT OR CONTRACTS, BUT FOR NOT LESS THAN 10 YEARS.

(Continued on Page 2)

**FISCAL IMPACT:**

None.

**BOARD ACTION AS FOLLOWS:**

No. 2001-838

On motion of Supervisor Blom, Seconded by Supervisor Mayfield  
and approved by the following vote,  
Ayes: Supervisors: Mayfield, Blom, Simon, and Chair Paul  
Noes: Supervisors: None  
Excused or Absent: Supervisors: Caruso  
Abstaining: Supervisor: None

- 1) X Approved as recommended
- 2) \_\_\_\_\_ Denied
- 3) \_\_\_\_\_ Approved as amended

MOTION:

ATTEST: CHRISTINE FERRARO TALLMAN, Clerk

By: Deputy



File No.

**SUBJECT:** APPROVAL TO RESCIND WILLIAMSON ACT CONTRACT NO. 77-2767 AND APPROVE NEW CONTRACT - TOM AND DEBBIE SCHWARTZ PURSUANT TO MINOR LINE ADJUSTMENT 2001-41 AND AUTHORIZE PLANNING DIRECTOR TO EXECUTE THE NEW CONTRACT.

**PAGE: 2**

**STAFF  
RECOMMENDATION  
(CONTINUED):**

- (2) THERE IS NO NET DECREASE IN THE AMOUNT OF THE ACREAGE RESTRICTED. IN CASES WHERE TWO PARCELS INVOLVED IN A LOT LINE ADJUSTMENT ARE BOTH SUBJECT TO CONTRACTS RESCINDED PURSUANT TO THIS SECTION, THIS FINDING WILL BE SATISFIED IF THE AGGREGATE ACREAGE OF THE LAND RESTRICTED BY THE NEW CONTRACTS IS AT LEAST AS GREAT AS THE AGGREGATE ACREAGE RESTRICTED BY THE RESCINDED CONTRACTS.
- (3) AT LEAST 90 PERCENT OF THE LAND UNDER THE FORMER CONTRACT OR CONTRACTS REMAINS UNDER THE NEW CONTRACT OR CONTRACTS.
- (4) AFTER THE LOT LINE ADJUSTMENT, THE PARCELS OF LAND SUBJECT TO CONTRACT WILL BE LARGE ENOUGH TO SUSTAIN THEIR AGRICULTURAL USE, AS DEFINED IN SECTION 51222.
- (5) THE LOT LINE ADJUSTMENT WOULD NOT COMPROMISE THE LONG-TERM AGRICULTURAL PRODUCTIVITY OF THE PARCEL OR OTHER AGRICULTURAL LANDS SUBJECT TO A CONTRACT OR CONTRACTS.
- (6) THE LOT LINE ADJUSTMENT IS NOT LIKELY TO RESULT IN THE REMOVAL OF ADJACENT LAND FROM AGRICULTURAL USE.
- (7) THE LOT LINE ADJUSTMENT DOES NOT RESULT IN A GREATER NUMBER OF DEVELOPABLE PARCELS THAN EXISTED PRIOR TO THE ADJUSTMENT, OR AN ADJUSTED LOT THAT IS INCONSISTENT WITH THE GENERAL PLAN.

**DISCUSSION:** The proposal is to rescind the Williamson Act Contract on Assessor's Parcel Numbers 010-06-13 and 010-06-14 and to re-establish separate contracts pursuant to Section 51257 of the Government Code regulating Williamson Act contracts and Lot Line Adjustments. The properties consist of a total of 20 and 21 acres respectively and are located on Orange Blossom Road in the Oakdale area. Both parcels are covered under one Williamson Act contract (77-2767).

A Lot Line Adjustment (LL2001-41) was conditionally approved by staff on July 25, 2001. Following the recording of the Certificate of Lot Line Adjustment, the parcels will be 31 and 10 acres in size. Because the parcels are currently covered by a Williamson Act Contract, this contract must be rescinded and replaced with two separate contracts for the resulting agricultural parcels. The new contracts will cover the entire 41 acres and there will be no net change in total acreage covered under the contracts.

**SUBJECT:** APPROVAL TO RESCIND WILLIAMSON ACT CONTRACT NO. 77-2767 AND APPROVE NEW CONTRACT - TOM AND DEBBIE SCHWARTZ PURSUANT TO MINOR LINE ADJUSTMENT 2001-41 AND AUTHORIZE PLANNING DIRECTOR TO EXECUTE THE NEW CONTRACT.

**PAGE:** 3

**DISCUSSION  
CONTINUED:**

Government Code section 51257 was revised in January 2000 to facilitate lot line adjustments on Williamson Act parcels. Seven (7) specific findings must be made pursuant to that section in order to facilitate the adjustment. According to the Government Code "... pursuant to subdivision (d) of Section 66412, and notwithstanding any other provision of this chapter, the parties may mutually agree to rescind the contract or contracts and simultaneously enter into a new contract or contracts pursuant to this chapter, provided that the board or council finds all of the following:

- (1) The new contract or contracts would enforceably restrict the adjusted boundaries of the parcel for an initial term for at least as long as the unexpired term of the rescinded contract or contracts, but for not less than 10 years.
- (2) There is no net decrease in the amount of the acreage restricted. In cases where two parcels involved in a lot line adjustment are both subject to contracts rescinded pursuant to this section, this finding will be satisfied if the aggregate acreage of the land restricted by the new contracts is at least as great as the aggregate acreage restricted by the rescinded contracts.
- (3) At least 90 percent of the land under the former contract or contracts remains under the new contract or contracts.
- (4) After the lot line adjustment, the parcels of land subject to contract will be large enough to sustain their agricultural use, as defined in Section 51222.

*(Note: the definition in Govt. Code §51222 is as follows: "... retain agricultural lands which are subject to contracts entered into pursuant to this act in parcels large enough to sustain agricultural uses permitted under the contracts. For purposes of this section, agricultural land shall be presumed to be in parcels large enough to sustain their agricultural use if the land is (1) at least 10 acres in size in the case of prime agricultural land, or (2) at least 40 acres in size in the case of land which is not prime agricultural land")*

- (5) The lot line adjustment would not compromise the long-term agricultural productivity of the parcel or other agricultural lands subject to a contract or contracts.
- (6) The lot line adjustment is not likely to result in the removal of adjacent land from agricultural use.
- (7) The lot line adjustment does not result in a greater number of developable parcels than existed prior to the adjustment, or an adjusted lot that is inconsistent with the general plan.

**SUBJECT:** APPROVAL TO RESCIND WILLIAMSON ACT CONTRACT NO. 77-2767 AND APPROVE NEW CONTRACT - TOM AND DEBBIE SCHWARTZ PURSUANT TO MINOR LINE ADJUSTMENT 2001-41 AND AUTHORIZE PLANNING DIRECTOR TO EXECUTE THE NEW CONTRACT.

**PAGE:** 4

**DISCUSSION  
CONTINUED:**

The applicant has provided written evidence to support the seven findings listed above, and staff agrees with that evidence.

New Williamson Act contracts would typically come before the Board once a year, in November. Because this action is related to a Lot Line Adjustment, and real estate transactions are in process, it is prudent to act on this action independently of other Williamson Act contracts. Therefore, it is the intention of this action that the new contracts immediately replace contract 77-2767.

**POLICY  
ISSUES:**

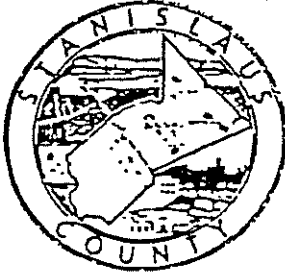
This proposal is consistent with policies of the County. The General Plan Land Use and Agricultural Elements both encourage the use of the Williamson Act to help preserve agriculture as the primary industry of the County. The Agricultural Element (adopted 1992) specifically states that the County shall continue to participate in the Williamson Act program while supporting reasonable measures to strengthen the act and make it more effective. By providing a means to keep property taxes based on an agricultural income level rather than a market value which may be at a level based on speculation of future use, the Williamson Act helps agriculturists remain in production without premature conversion to urban uses. Other relevant policies are discussed above as provided in State law.

**STAFFING  
IMPACT:**

None.

**ATTACHMENTS:**

Lot Line Adjustment 2001-41 Application and Approval Letter  
Applicant's Statement of Findings  
Map



# Stanislaus County

Department of Planning and  
Community Development

35 1 11

S 2 T 2 R 11
ZONE A-2-5
RECEIVED: 6-14-01
L.L.# 2001-41
REC.# 1470
FOR OFFICIAL USE

## LOT LINE ADJUSTMENT APPLICATION

1. PROPERTY OWNER(S):

TOM SCHWARTZ  
 (Name)  
590 N. YOSEMITE AVE  
 (Address, City, Zip) OAKDALE  
847-8121  
 (Phone)

DEBBIE SCHWARTZ  
 (Name)  
590 N. YOSEMITE AVE  
 (Address, City, Zip) OAKDALE, CA  
847-8121  
 (Phone)

2. Assessor's Parcel No. of parcels adjusted: Book \_\_\_\_\_ Page \_\_\_\_\_ No. \_\_\_\_\_

3. Name and address of persons preparing map: WHF INU  
LFE DELANO 1316 S. FIRST ST. OAKDALE CO.

4. Size of all adjusted parcels: 30 ACS & 10 ACS.

5. Why are the lot lines being changed? BE SPECIFIC WISH TO SELL  
HOME BUT WANT TO MAKE AS MUCH OF PROPERTY  
AS POSSIBLE AGRICULTURALLY USABLE 30 ACS.

6. How are these parcels currently utilized? Please check appropriate use(s):

- Residential:
- Single Family \_\_\_\_\_
  - Duplex \_\_\_\_\_
  - Multiple \_\_\_\_\_
  - Commercial \_\_\_\_\_
  - Industrial \_\_\_\_\_
  - Other (Specify) \_\_\_\_\_

- Agriculture:
- Row Crop - type \_\_\_\_\_
  - Trees - type \_\_\_\_\_
  - Vines - type \_\_\_\_\_
  - Range (Unirrigated) \_\_\_\_\_
  - Pasture (Irrigated)
  - Poultry \_\_\_\_\_
  - Dairy \_\_\_\_\_
  - Other (Specify) \_\_\_\_\_

7. List all structures on properties: HOUSE, BARN, 4 CAR SHOP

8. How have these parcels been utilized in the past, if different than current use? \_\_\_\_\_

9. When did current owner(s) acquire the parcels? JULY OF 2000

10. Is the property under Williamson Act Contract? YES

11. Do the parcels irrigate? (yes/no). If yes, how? FLOOD

12. Will these parcels continue to irrigate? (Yes/No). If yes, describe any physical changes in the irrigation system. EXTEND ONE  
LINE TO SUPPLY 10 AC PARCEL

13. Signature of property owner(s): [Signature]  
[Signature]



July 25, 2001

Tom & Debbie Schwartz  
590 N. Yosemite Ave.,  
Oakdale, CA 95361

**SUBJECT: APPROVAL OF LOT LINE ADJUSTMENT NO. 2001-41  
TOM SCHWARTZ & DEBBIE SCHWARTZ**

The Stanislaus County Department of Planning and Community Development, completed its consideration of your application on **July 25, 2001**, and has approved your request, subject to the attached conditions.

Staff's decision and/or all conditions attached hereto may be appealed to the Planning Commission, in writing, within **ten (10) days** from the date of this notification. The appeal letter addressed to the Planning Commission, must state reasons why the appeal should be granted. If you wish to appeal this decision, a filing fee of \$315.00, payable to the Planning Department, along with a copy of the letter must be delivered to this office by **5:00 p.m.** within **ten days** of the postmark of this letter.

Before a Certificate of Lot Line Adjustment can be recorded, Exhibit "A", describing the property before the adjustment, and an Exhibit "B", describing the property after the change must be attached. These Exhibits must be stamped and signed by a licensed engineer/surveyor. This adjustment shall not result in the creation of a greater number of parcels than originally existed.

A "Certificate of Lot Line Adjustment" form is enclosed for property owner/security holders signatures. After the signatures are secured this form shall be turned into the Planning Department for checking and my signature. When this has been done, you will be notified that the subject form is ready to be recorded.

If you have any questions, please contact this department at (209) 525-6330.

Sincerely,

A handwritten signature in black ink, appearing to read "Phillip J. Irons".

Phillip J. Irons  
Assistant Planner  
Enclosure

cc: Engineer

**T. W. Schwartz**  
*Builder/Designer*

Lic. No. 420793

590 N. Yosemite Ave., Suite 2  
Oakdale, California 95361  
209/847-8121

Conditions of Lot Line Adjustment # 2001-41  
Response to #4 of conditions:

1. Both properties are currently covered by a Williamson Act contract.
2. The same amount of acreage is restricted.
3. All of the property remains under contract.
4. Parcels are now each 20 acres. After lot line adjustment they will be 30 acres with no house and 10 acres with a house. Both are class 1 soil as per the attached letter from the USDA confirming Prime Agricultural Land.
5. The lot Line Adjustment makes the 30 acres more agriculturally useable while allowing the remaining parcel the same use that is existing now.
6. Has no effect on agricultural use of adjacent lands.
7. The Lot Line Actually reduces the amount of possible homes under the present zoning which is A-2-5, allowing down to 5 acre parcels. The lot line adjustment is consistent with the general plan.

  
T W Schwartz

ORANGE BLOSSOM RD

New Line

Old Line



# Lot Line Adjustment #2001-41

Public Works  
Stanislaus County

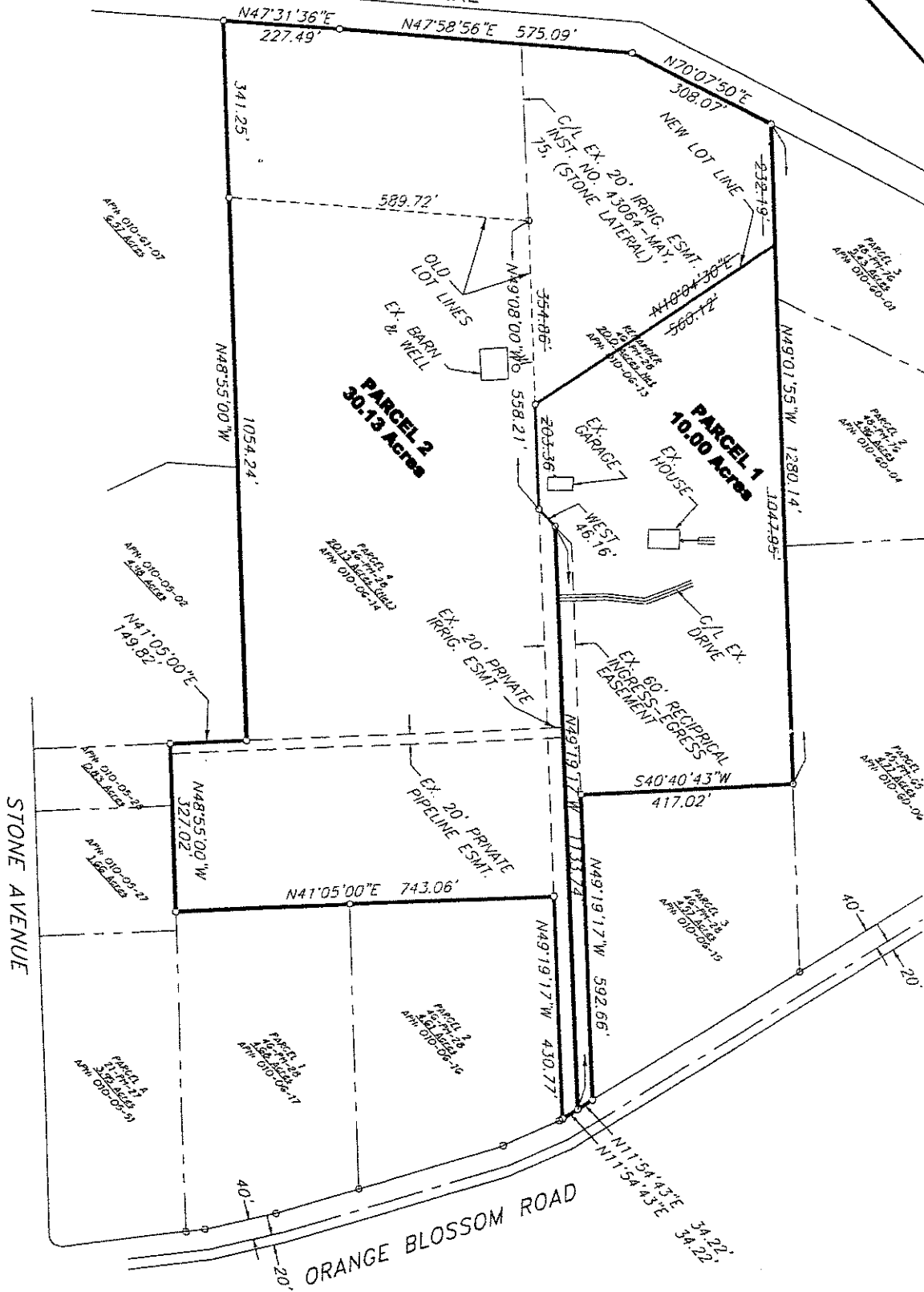
Map printed: 9/25/2001



This map is for display purposes only.




60' TULLOCH LATERAL



CALIFORNIA LAND CONSERVATION  
CONTRACT NO. 2002-4457

RECORDED AT REQUEST OF  
STANISLAUS COUNTY BOARD OF  
SUPERVISORS

WHEN RECORDED RETURN TO  
STANISLAUS COUNTY PLANNING  
DEPARTMENT



Stanislaus, County Recorder  
JOYCE GOUDIE Co Recorder Office  
**DOC- 2001-0151315-00**  
Tuesday, DEC 18, 2001 10:43:31  
Ttl Pd \$0.00 Nbr-0000852067  
ELM/R3/1-7

THIS CALIFORNIA LAND  
CONSERVATION CONTRACT is made  
and entered into OCT. 30, 2001, by and between the County of Stanislaus, a political  
subdivision of the State of California, hereinafter referred to as "County" and the undersigned landowners  
or the successors thereof, hereinafter referred to as "Owner" as follows:

The recitals and paragraphs 1 through 14, inclusive, of a certain Fictitious California Land  
Conservation Contract, recorded on February 1, 1979, as Instrument Number 48604, Book 3151, Page 132,  
in the Office of Recorder of the County of Stanislaus, State of California, are incorporated herein as if  
specifically set forth.

(15) Owner and holders of security interests designate the following persons as the Agent for Notice to  
receive any and all notices and communications from County during the life of the Contract. Owner  
will notify County in writing of any change of designated persons or change of address for him.

DESIGNATED AGENT: THOMAS W. SCHWARTZ  
590 N. YOSEMITE AVE  
DAKDALE, CA 95361

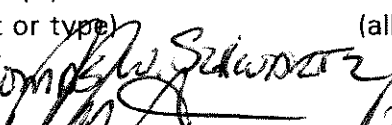
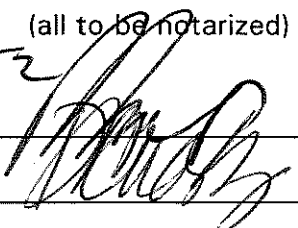
(16) Owner desires to place the following parcels of real property under Contract:

ASSESSMENT NUMBER	CODE AREA	ACREAGE	SITUS ADDRESS
<u>010-06-13</u>	<u>724</u>	<u>10.0±</u>	<u>14297 ORANGETBLOSSOM RD</u> <u>DAKDALE, CA 95361</u>
<u> </u>	<u> </u>	<u> </u>	<u> </u>
<u> </u>	<u> </u>	<u> </u>	<u> </u>
<u> </u>	<u> </u>	<u> </u>	<u> </u>
<u> </u>	<u> </u>	<u> </u>	<u> </u>
<u> </u>	<u> </u>	<u> </u>	<u> </u>

151315 DEC 18 01

(17) The effective date of this Contract shall be January 1, 2002.

IN WITNESS WHEREOF, the parties hereto have executed the within Contract the day and year first above written.


OWNER(S) NAME (print or type)	SIGNATURE (all to be notarized)	DATE	SIGNED AT (city)
Thomas Schwartz		10/31/01	MODESTO
Debra Schwartz		10/31/01	ODDLE

SECURITY HOLDERS:

NAME (print or type)	SIGNATURE (all to be notarized)	DATE	SIGNED AT (city)

COUNTY:

10/31/2001  
Dated

 FOR  
Chairman, Board of Supervisors

AS PER BOARD OF SUPERVISOR'S  
ACTION ON OCTOBER 30, 2001

15 | 3 | 5 DEC 18 01

# ALL-PURPOSE ACKNOWLEDGMENT

State of California )

County of STANISLAUS )

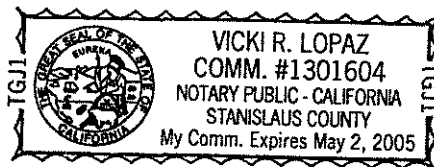
On 10/31/01 before me, VICKI R. LOPAZ, NOTARY PUBLIC,  
Date Name and Title of Officer (i.e., Your Name, Notary Public)

personally appeared DEBRA SCHWARTZ,  
Name(s) of Document Signer(s)

personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) ~~is~~ are subscribed to the within instrument and acknowledged to me that he/~~she~~/they executed the same in his/~~her~~/their authorized capacity(ies), and that by his/~~her~~/their signatures(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

Vicki R. Lopez  
Signature of Notary



Williamson Act

(Affix seal in the above blank space)

151315 DEC 18 01

# ALL PURPOSE ACKNOWLEDGMENT

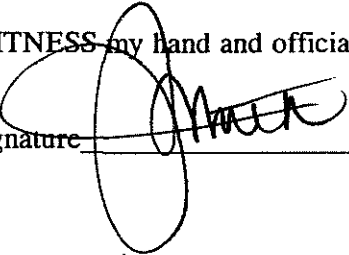
STATE OF CALIFORNIA }  
COUNTY OF STANISLAUS }

On 10/31/01, before me, J. SMITH, NOTARY PUBLIC,

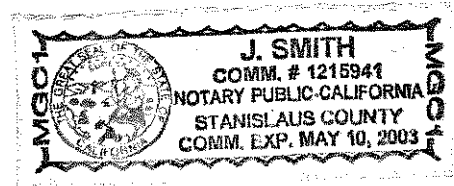
personally appeared THOMAS W. SCHWARTZ

personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s) or the entity upon behalf of which the person(s) acted, executed the Instrument.

WITNESS my hand and official seal.

Signature 

(This area for official notarial seal)



151315 DEC 18 01

**EXHIBIT "B"**

**APN 10-06-13**

Parcel B as per Map filed May 12, 1975 in Volume 21 of Parcel Maps, Page 27, Stanislaus County Records

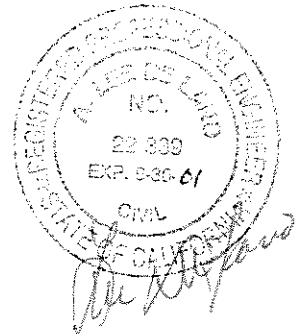
**Excepting Therefrom:**

Parcels 1, 2, 3 and 4 of Volume 46 of Parcel Maps, Page 28, filed December 1, 1993, Stanislaus County Records

**Excepting Therefrom:**

Beginning at the northwest corner of Parcel B as per Map filed May 12, 1975 in Volume 21 of Parcel Maps, Page 27, Stanislaus County Records, thence along the northwest line of said Parcel B North 47°31'36" East a distance of 227.49 feet, thence continuing along said northwest line North 47°58'56" East a distance of 575.09 feet and North 70°07'50" East a distance of 308.07 feet, thence along the northeast line of said Parcel B South 49°01'55" East a distance of 232.23 feet, thence leaving said northeast line South 10°04'30" West a distance of 559.70 feet to the northeast line of said Parcel 4 as per Map filed in Volume 46 of Parcel Maps, Page 28, filed December 1, 1993, Stanislaus County Records, thence along said northeast line North 49°08'00" West a distance of 354.87 feet to the north point of said Parcel 4, thence along the northwest line of said Parcel 4 South 47°46'00" West a distance of 589.72 feet to the west corner of said Parcel 4 and the southwest line of said Parcel B, thence North 48°55'00" West along said southwest line 341.25 feet to the west point of said Parcel B and the true point of beginning

Said parcel contains 10.00 acres more or less.



151315 DEC 18 01

THE BOARD OF SUPERVISORS OF THE COUNTY OF STANISLAUS  
ACTION AGENDA SUMMARY

DEPT: Planning & Community Development  
Urgent \_\_\_\_\_ Routine X  
CEO Concurs with Recommendation YES \_\_\_\_\_ NO \_\_\_\_\_  
(Information Attached)

BOARD AGENDA # \*D-4  
AGENDA DATE: October 30, 2001  
4/5 Vote Required YES \_\_\_\_\_ NO X

SUBJECT:

APPROVAL TO RESCIND WILLIAMSON ACT CONTRACT NO. 77-2767 AND APPROVE NEW CONTRACT - TOM AND DEBBIE SCHWARTZ PURSUANT TO MINOR LINE ADJUSTMENT 2001-41 AND AUTHORIZE PLANNING DIRECTOR TO EXECUTE THE NEW CONTRACT.

STAFF RECOMMENDATION:

STAFF RECOMMENDS APPROVAL. SHOULD THE BOARD OPT FOR APPROVAL, THE FOLLOWING FINDINGS MUST BE MADE:

- (1) THE NEW CONTRACT OR CONTRACTS WOULD ENFORCEABLY RESTRICT THE ADJUSTED BOUNDARIES OF THE PARCEL FOR AN INITIAL TERM FOR AT LEAST AS LONG AS THE UNEXPIRED TERM OF THE RESCINDED CONTRACT OR CONTRACTS, BUT FOR NOT LESS THAN 10 YEARS.

(Continued on Page 2)

FISCAL IMPACT:

None.

151315 DEC 18 01

BOARD ACTION AS FOLLOWS:

No. 2001-838

On motion of Supervisor Blom, Seconded by Supervisor Mayfield

and approved by the following vote,

Ayes: Supervisors: Mayfield, Blom, Simon, and Chair Paul

Noes: Supervisors: None

Excused or Absent: Supervisors: Caruso

Abstaining: Supervisor: None

1) X Approved as recommended

2) \_\_\_\_\_ Denied

3) \_\_\_\_\_ Approved as amended

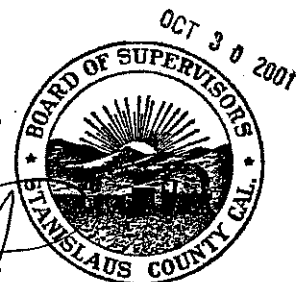
MOTION:

I hereby certify that the foregoing is a full, true and correct copy of the Original entered in the Minutes of the Board of Supervisors.

CHRISTINE FERRARO TALLMAN  
Clerk of the Board of Supervisors of the County of Stanislaus, State of California

By \_\_\_\_\_

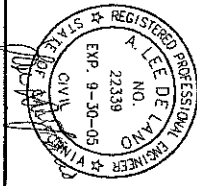
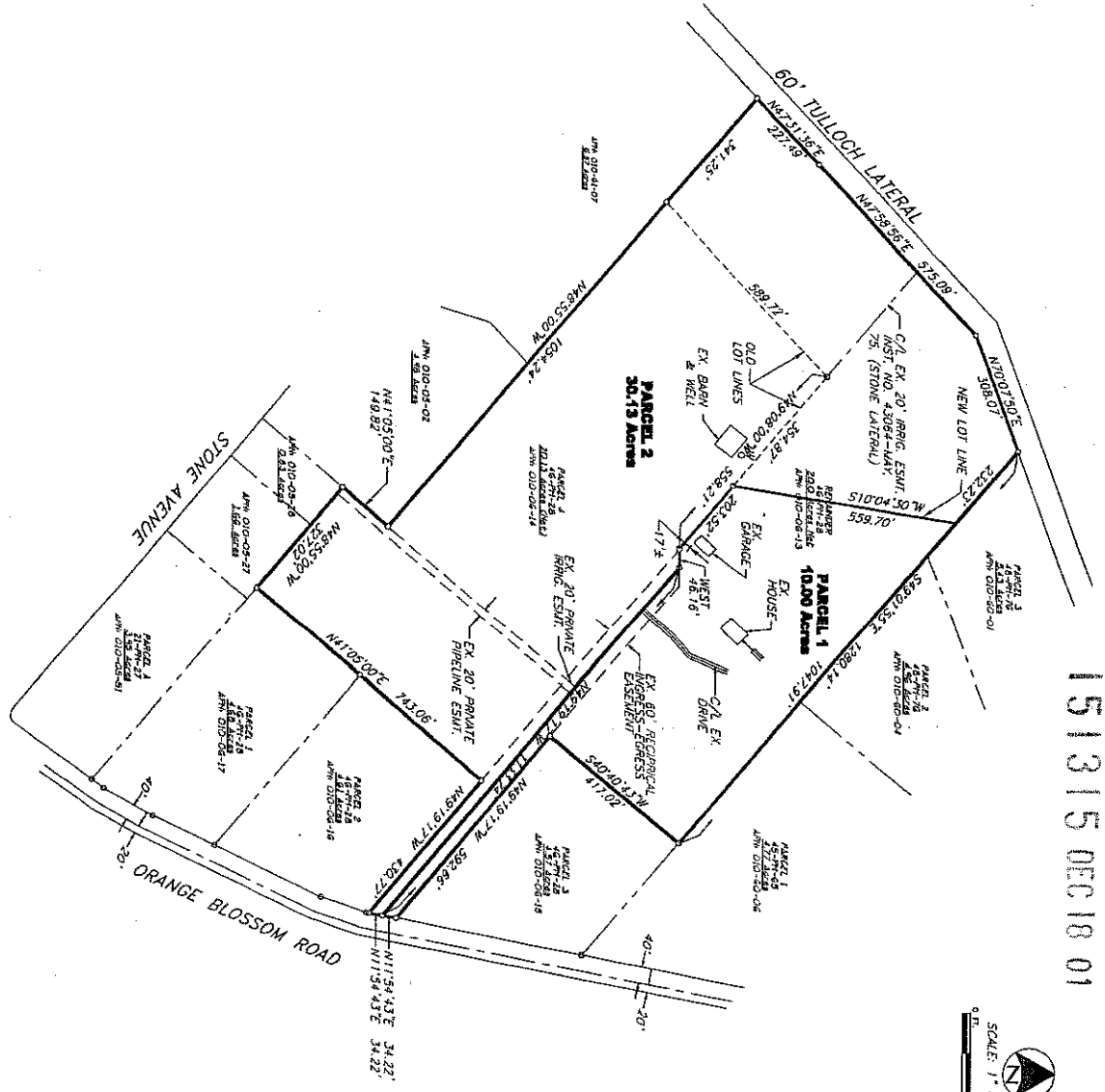
By \_\_\_\_\_



ATTEST: CHRISTINE FERRARO TALLMAN, Clerk By: Deputy

File No.

151315 DEC 18 01




REVISIONS: NO. DATE BY 1 09-11-01 SHEET 1 OF 1	<b>WHE Inc.</b> Environmental and Engineering Group Lee DeLano Registered Agricultural Engineer Registered Civil Engineer	<b>LOT LINE ADJUSTMENT</b> 14297 ORANGE BLOSSOM RD. OAKDALE, CA 95361 APN: 010-06-13, 010-06-14, STANISLAUS COUNTY	<b>OWNER:</b> THOMAS W. AND DEBRA L. SCHWARTZ 590 YOSEMITE AVE., SUITE #2 OAKDALE, CA 95361



CALIFORNIA LAND CONSERVATION  
CONTRACT NO. 2002-4458

RECORDED AT REQUEST OF  
STANISLAUS COUNTY BOARD OF  
SUPERVISORS

WHEN RECORDED RETURN TO  
STANISLAUS COUNTY PLANNING  
DEPARTMENT



Stanislaus, County Recorder  
JOYCE GOUDIE Co Recorder Office  
**DOC- 2001-0151316-00**  
Tuesday, DEC 18, 2001 10:43:40  
Ttl Pd \$0.00 Nbr-0000852068  
ELM/R3/1-7

THIS CALIFORNIA LAND CONSERVATION CONTRACT is made and entered into OCTOBER 30, 2001, by and between the County of Stanislaus, a political subdivision of the State of California, hereinafter referred to as "County" and the undersigned landowners or the successors thereof, hereinafter referred to as "Owner" as follows:

The recitals and paragraphs 1 through 14, inclusive, of a certain Fictitious California Land Conservation Contract, recorded on February 1, 1979, as Instrument Number 48604, Book 3151, Page 132, in the Office of Recorder of the County of Stanislaus, State of California, are incorporated herein as if specifically set forth.

(15) Owner and holders of security interests designate the following persons as the Agent for Notice to receive any and all notices and communications from County during the life of the Contract. Owner will notify County in writing of any change of designated persons or change of address for him.

DESIGNATED AGENT: THOMAS W SCHWARTZ  
590 N. YOSEMITE AVE  
OAKDALE, CA 95361

(16) Owner desires to place the following parcels of real property under Contract:

ASSESSMENT NUMBER	CODE AREA	ACREAGE	SITUS ADDRESS
<u>010-16-14</u>	<u>726</u>	<u>30.13±</u>	<u>ORANGE BLOSSOM RD</u> <u>OAKDALE AREA</u>
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

151316 DEC 18 01

(17) The effective date of this Contract shall be January 1, 20 02.

IN WITNESS WHEREOF, the parties hereto have executed the within Contract the day and year first above written.

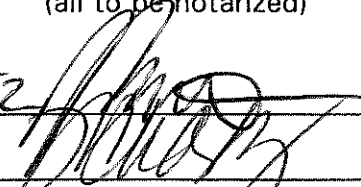
OWNER(S) NAME  
(print or type)

SIGNATURE  
(all to be notarized)

DATE

SIGNED AT  
(city)

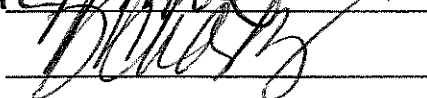
Thomas W. Schwartz



10/31/01

MODesto

Debra Schwartz



10/31/01

BAKDALE

SECURITY HOLDERS:

NAME  
(print or type)

SIGNATURE  
(all to be notarized)

DATE

SIGNED AT  
(city)

\_\_\_\_\_  
\_\_\_\_\_  
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COUNTY:

10/31/2001  
Dated

 FOR

Chairman, Board of Supervisors

AS PER BOARD OF SUPERVISOR'S  
ACTION OF OCTOBER 30, 2001

# ALL-PURPOSE ACKNOWLEDGMENT

State of California )

County of STANISLAUS )

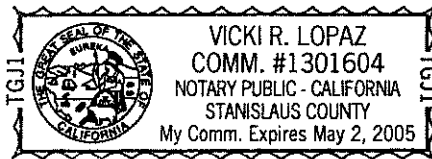
On 10/31/01 before me, VICKI R. LOPAZ, NOTARY PUBLIC,  
Date Name and Title of Officer (i.e., Your Name, Notary Public)

personally appeared DEBRA SCHWARTZ,  
Name(s) of Document Signer(s)

personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signatures(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

Vicki R. Lopez  
Signature of Notary



Williamson Act

(Affix seal in the above blank space)

151316 DEC 18 01

# ALL PURPOSE ACKNOWLEDGMENT

STATE OF CALIFORNIA }  
COUNTY OF STANISLAUS }

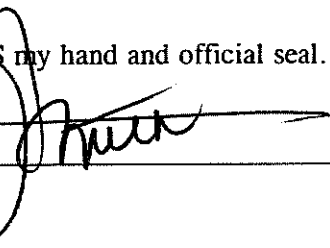
On 10/31/01, before me, J. SMITH, NOTARY PUBLIC,

personally appeared THOMAS W. SCHWARTZ

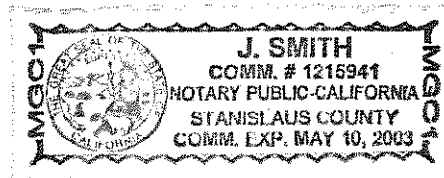
personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s) or the entity upon behalf of which the person(s) acted, executed the Instrument.

WITNESS my hand and official seal.

Signature



(This area for official notarial seal)



151316 DEC 18 01

**EXHIBIT "B"**

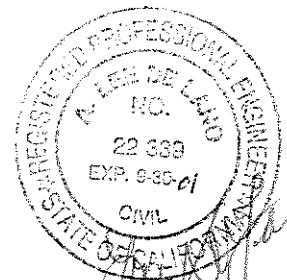
APN 10-06-14

Parcel 4 as per Map filed December 1, 1993 in volume 46 of Parcel Maps, Page 28, Stanislaus County Records

Together with:

Beginning at the northwest corner of Parcel B as per Map filed May 12, 1975 in Volume 21 of Parcel Maps, Page 27, Stanislaus County Records, thence along the northwest line of said Parcel B North 47°31'36" East a distance of 227.49 feet, thence continuing along said northwest line North 47°58'56" East a distance of 575.09 feet and North 70°07'50" East a distance of 308.07 feet, thence along the northeast line of said Parcel B South 49°01'55" East a distance of 232.23 feet, thence leaving said northeast line South 10°04'30" West a distance of 559.70 feet to the northeast line of said Parcel 4 as per Map filed in Volume 46 of Parcel Maps, Page 28, filed December 1, 1993, Stanislaus County Records, thence along said northeast line North 49°08'00" West a distance of 354.87 feet to the north point of said Parcel 4, thence along the northwest line of said Parcel 4 South 47°46'00" West a distance of 589.72 feet to the west corner of said Parcel 4 and the southwest line of said Parcel B, thence North 48°55'00" West along said southwest line 341.25 feet to the west point of said Parcel B and the true point of beginning

Said parcel contains 30.13 acres more or less.



151316 DEC 18 01

THE BOARD OF SUPERVISORS OF THE COUNTY OF STANISLAUS  
ACTION AGENDA SUMMARY

DEPT: Planning & Community Development  
Urgent \_\_\_\_\_ Routine X  
CEO Concurs with Recommendation YES \_\_\_\_\_ NO \_\_\_\_\_  
(Information Attached)

BOARD AGENDA # \*D-4  
AGENDA DATE: October 30, 2001  
4/5 Vote Required YES \_\_\_\_\_ NO X

SUBJECT:

APPROVAL TO RESCIND WILLIAMSON ACT CONTRACT NO. 77-2767 AND APPROVE NEW CONTRACT - TOM AND DEBBIE SCHWARTZ PURSUANT TO MINOR LINE ADJUSTMENT 2001-41 AND AUTHORIZE PLANNING DIRECTOR TO EXECUTE THE NEW CONTRACT.

STAFF RECOMMENDATION:

STAFF RECOMMENDS APPROVAL. SHOULD THE BOARD OPT FOR APPROVAL, THE FOLLOWING FINDINGS MUST BE MADE:

- (1) THE NEW CONTRACT OR CONTRACTS WOULD ENFORCEABLY RESTRICT THE ADJUSTED BOUNDARIES OF THE PARCEL FOR AN INITIAL TERM FOR AT LEAST AS LONG AS THE UNEXPIRED TERM OF THE RESCINDED CONTRACT OR CONTRACTS, BUT FOR NOT LESS THAN 10 YEARS.

(Continued on Page 2)

FISCAL IMPACT:

None.

151316 DEC 18 01

BOARD ACTION AS FOLLOWS:

No. 2001-838

On motion of Supervisor Blom, Seconded by Supervisor Mayfield  
and approved by the following vote,  
Ayes: Supervisors: Mayfield, Blom, Simon, and Chair Paul  
Noes: Supervisors: None  
Excused or Absent: Supervisors: Caruso  
Abstaining: Supervisor: None

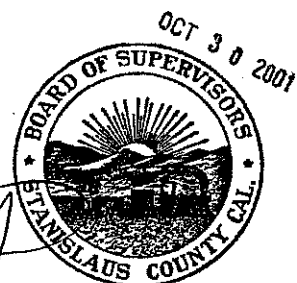
- 1) X Approved as recommended
- 2) \_\_\_\_\_ Denied
- 3) \_\_\_\_\_ Approved as amended

MOTION:

I hereby certify that the foregoing is a full, true and correct copy of the Original entered in the Minutes of the Board of Supervisors.

CHRISTINE FERRARO TALLMAN  
Clerk of the Board of Supervisors of the County of Stanislaus, State of California

By \_\_\_\_\_



ATTEST: CHRISTINE FERRARO TALLMAN, Clerk By: Deputy

File No.

