

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

DEPT: Chief Executive Office

BOARD AGENDA # *B-6

Urgent

Routine

Info

AGENDA DATE May 6, 2008

CEO Concurs with Recommendation YES NO
(Information Attached)

4/5 Vote Required YES NO

SUBJECT:

Approval to Expand the Boundaries for the South Modesto Municipal Advisory Council and Amend their Bylaws Including the Boundary Map and Legal Description

STAFF RECOMMENDATIONS:

1. Expand the boundaries for the South Modesto Municipal Advisory Council.
2. Amend the South Modesto Municipal Advisory Council bylaws including the boundary map and legal description.

FISCAL IMPACT:

There is no direct fiscal impact associated with the expansion of the South Modesto Municipal Advisory Council boundaries. Consistent with all current Municipal Advisory Councils in Stanislaus County, the South Modesto Municipal Advisory Council is allocated \$150 annually within the Chief Executive Office - Economic Development budget for administrative expenses.

BOARD ACTION AS FOLLOWS:

No. 2008-325

On motion of Supervisor DeMartini, Seconded by Supervisor Grover, and approved by the following vote,

Ayes: Supervisors: O'Brien, Grover, Monteith, DeMartini and Chairman Mayfield

Noes: Supervisors: None

Excused or Absent: Supervisors: None

Abstaining: Supervisor: None

1) Approved as recommended

2) Denied

3) Approved as amended

4) Other:

MOTION:

REMOVED FROM THE CONSENT CALENDAR AND PLACED ON NON-CONSENT

Christine Ferraro

ATTEST: CHRISTINE FERRARO TALLMAN, Clerk

File No. MAC-07-02

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DISCUSSION:

Formation History

On May 16, 2006, the Stanislaus County Board of Supervisors approved the formation of the South Modesto Municipal Advisory Council (MAC) in Supervisorial District 5. The existing South Modesto MAC encompasses the unincorporated areas or communities commonly known as Bret Harte, Shackelford and Parklawn/Olympic Tract. At that time, the Board also approved the required boundaries and bylaws. The South Modesto MAC became the seventh Municipal Advisory Council in Stanislaus County joining other communities like Denair, Empire, Hickman, Keyes, Knights Ferry, and Salida. Since the South Modesto MAC formation, the Board has also formed the Valley Home Municipal Advisory Council making the total in Stanislaus County eight.

Like all Municipal Advisory Councils, the South Modesto MAC provides a consistent forum, through its monthly regular meetings, for the active exchange of information between the community, Stanislaus County and local partners (i.e., school district, fire district, special district, business sector, non-profit organizations). In addition, through active participation at Municipal Advisory Council meetings, Stanislaus County, through its Departments, is better positioned to address issues and concerns specific to the designated area.

On June 27, 2006, the Board appointed the initial members to the South Modesto Municipal Council. Since that time, the South Modesto MAC has met regularly on a monthly basis. In the first year, meetings were held at the local fire station. More recently, the South Modesto MAC has met, and now meets, at the Stanislaus County Agricultural Center – Harvest Hall conveniently located off of Crows Landing Road. The South Modesto MAC meets the 2nd Thursday of each month at 6:00 p.m.

Accomplishments/Work in Progress

Since inception, the South Modesto MAC has worked with Supervisor DeMartini, County Departments and partner agencies on an array of issues and initiatives in the areas of public safety, infrastructure, recreation, community development and public awareness. Some of the accomplishments that are a direct result of the collaboration that occurs via the local municipal advisory council for the South Modesto area include:

- Development of local neighborhood watch programs;

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- Multiple neighborhood cleanup events in partnership with the County, partner agencies, local churches, neighborhood watch, the business association, and the community;
- Development of a countywide noise ordinance;
- Creation, annexation and improvements of/to local lighting district(s);
- Collaboration and partnership with the Crows Landing Business Association/Comerciantes Unidos on community development efforts;
- Support of local infrastructure improvements and efforts in area, including installation of drywells, implementation of the Shackelford sewer connection program and road maintenance activity;
- Professional development opportunities for local leaders through active participation in information meetings, workshops, retreats, and other events;
- Structural improvements to the local park (Parklawn Park);
- Stronger presence of the after-school recreation program in the community facilitated through Stanislaus County Police Activities League; and
- Active voice and advocacy for the South Modesto community and improved communication with Stanislaus County and critical partners.

Proposed Expansion

Late last year, the South Modesto Municipal Advisory Council was approached by a group of County residents living in the unincorporated area commonly known as North Ceres. A portion of this area is within the Stanislaus – Ceres Redevelopment Agency project area. It was evident by the comments made by the residents of this area, that they share some of the same challenges and community issues currently facing the South Modesto MAC area. Furthermore, this group recognized the value of a Municipal Advisory Council as an empowered voice of the community and the collaboration and partnerships that are made possible through this local elected advisory body formed by the Board of Supervisors. As such, they respectively requested, because of these similarities and the close proximity, that the South Modesto MAC consider expanding its current boundaries to include this additional unincorporated area. The new proposed area is generally bounded by South 7th Street on the west, the Tuolumne River on the north, the City of Ceres on the east and Hatch Road on the south. The South Modesto MAC indicated that they would work with the appropriate County staff to bring this proposal forward for further discussion and consideration first locally and then to the full Board of Supervisors if necessary.

Expansion to Boundaries/Amendment to Bylaws

Per County Counsel, the following describes the general process to expand the boundaries and amend the bylaws of a Municipal Advisory Council in Stanislaus County:

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- The new boundaries must be identified, with the same rules as when the MAC was formed (i.e., typically, boundaries do not include/overlap city limits, a city's sphere of influence, boundaries for another MAC).
- A legal description must be prepared that ideally is the same as another district or entity or at least has a good, clear, and common sense area that is divided by rivers, roads, or other clearly delineated boundary lines.
- A public hearing must be conducted at a MAC meeting seeking input on the expanded boundaries. All comments should be noted, and presented to the Board when the request for expansion is heard. The public hearing date needs to be set and agendized appropriately to allow residents the opportunity to comment on the proposed expansion.
- The bylaws will need to be amended to reflect the expansion.
- The respective Council should go to the Board member in whose district the MAC is located to discuss the expansion proposal and obtain the necessary support.
- The matter is to be placed on the agenda to be heard by the full Board of Supervisors for consideration and action. Revised bylaws (including the boundary map and legal description, will accompany staff report).

Per the community request, the South Modesto MAC discussed the expansion of their boundaries during their January 23, 2008 regular meeting. At that time, the Chief Executive Office discussed the general process to expand boundaries as outlined by the Office of County Counsel. During their February 27, 2008 regular meeting, the South Modesto MAC set the public hearing date of March 26, 2008 for consideration of the proposed expansion to their boundaries. In preparation for the public hearing, the South Modesto Municipal Advisory Council bylaws (including boundary map and legal description) were revised in draft form to assist with the discussion and Council action. The new area, encompassing the North Ceres unincorporated community, was defined as Area III. Area I consisted of Bret Harte and Area II consisted of Shackelford and Parklawn/Olympic Tract. The revised South Modesto Municipal Advisory Council bylaws (including boundary map and legal description) are attached.

During the public hearing, the South Modesto MAC listened to community comments on the proposed expansion by both individuals residing within and outside of the proposed area. Based on the public comments received, there appeared to be general support for the expansion of the South Modesto MAC boundaries and amendment to their bylaws as presented. At the conclusion of the public hearing, the South Modesto MAC voted (3-0) to recommend to the Board of Supervisors the proposed expansion of their boundaries and the necessary amendment to their bylaws. Supervisor DeMartini was in attendance at these meetings and also communicated support for the proposed expansion.

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Appointments to the South Modesto Municipal Advisory Council

There are currently two vacancies on the five-member South Modesto Municipal Advisory Council. If the Board of the Supervisors approves the proposed expansion of the boundaries, it is anticipated that at least one of these future appointments will be from the expanded area to ensure good representation from the entire South Modesto community on the Municipal Advisory Council. Furthermore, the South Modesto MAC bylaws are amended to indicate that it will be a goal of the Board of Supervisors to maintain representation from the three designated areas.

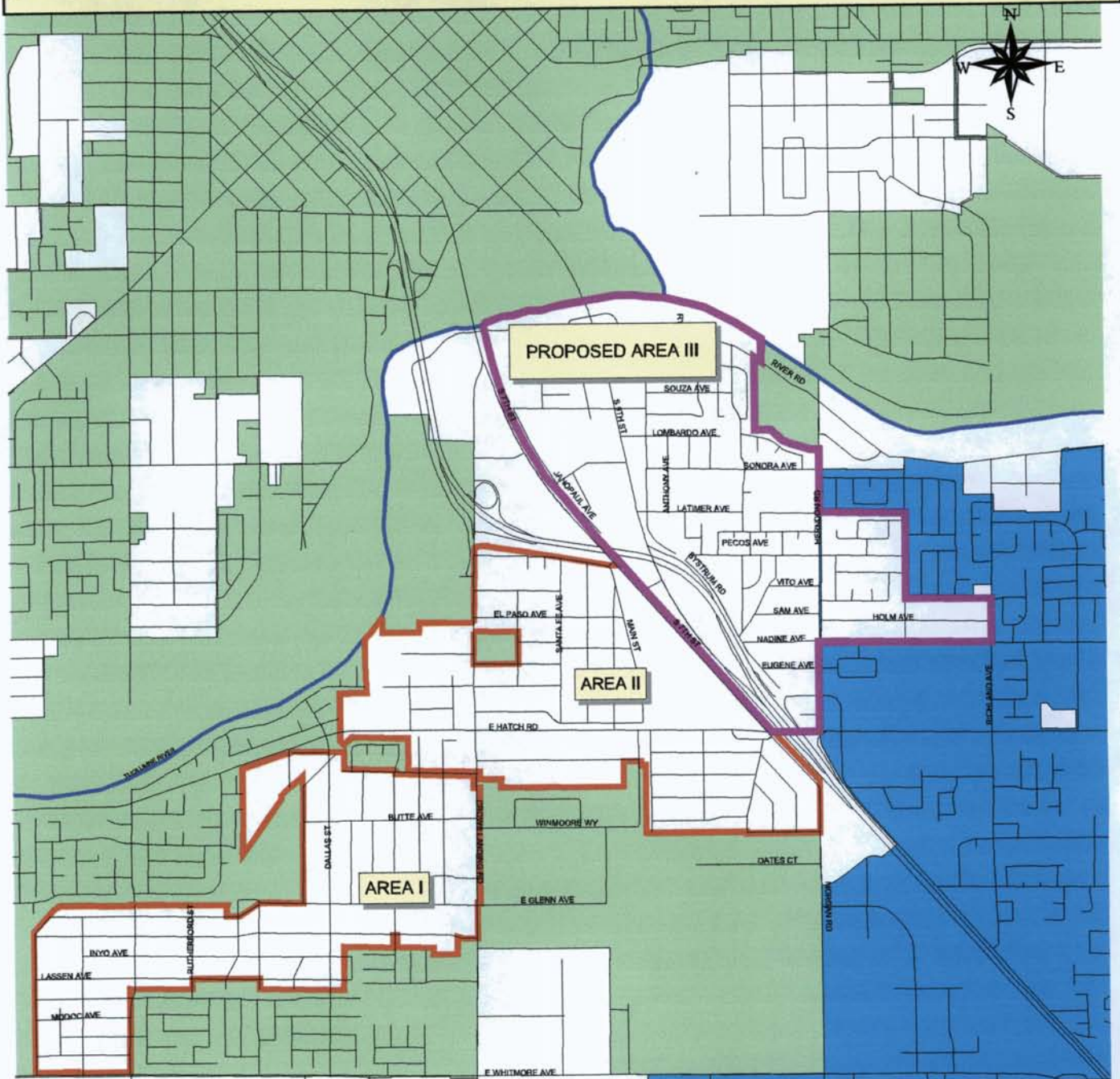
POLICY ISSUE:

The Board of Supervisors should determine whether or not the expansion of the South Modesto Municipal Advisory Council boundaries and amendment to the bylaws (including boundary map and legal description) would be consistent with its current priorities of striving for effective partnerships and the efficient delivery of public services.

STAFFING IMPACT:

The expansion of the boundaries for the South Modesto Municipal Advisory Council is not expected to create additional staffing needs outside of those that currently exist with the County's support of the existing Council. County Departments are expected to be represented at regular meetings periodically. In some cases, like for public safety departments, County staff is in attendance on a monthly basis. In other cases, coverage of meetings is done quarterly or upon request. The Chief Executive Office provides necessary support and assistance to the South Modesto Municipal Advisory Council to ensure that proper procedures are followed and to assist in coordination.

PROPOSED AMENDMENT TO SOUTH MODESTO MAC BOUNDARIES



LEGEND:

- Roads
- Proposed Area III
- Existing South Modesto MAC
- River

Cities:

- CERES
- COUNTY
- HUGHSON
- MODESTO
- NEWMAN
- OKDALE
- PATTERSON
- RIVERBANK
- TURLOCK
- WATERFORD

SOUTH MODESTO MUNICIPAL ADVISORY COUNCIL

I.

Formation of Organization

This Council will be known as the South Modesto Municipal Advisory Council, as established by resolution #2006-364, May 16, 2006, by the Stanislaus County Board of Supervisors pursuant to Government Code Section 31010. The boundaries served by the Council are described as follows and shall be referred to as South Modesto:

SEE EXHIBIT A FOR LEGAL DESCRIPTION OF APPROVED BOUNDARIES FOR THE SOUTH MODESTO MUNICIPAL ADVISORY COUNCIL

II.

Purpose

The Council will advise the Stanislaus County Board of Supervisors on matters of public health, welfare, safety, planning, and public works, and other such matters as the Board may designate which effect the territory and inhabitants of South Modesto; and, represent this community to any governmental agency or other organization on matters concerning the community.

III.

Membership

The Council is composed of five (5) members. Council members shall be registered voters residing within South Modesto. The term of each member is four (4) years or until their successors are elected. The terms of members initially appointed are staggered with two (2) members' terms expiring December 7, 2007 and three (3) members' terms expiring December 4, 2009. Upon expiration of the initial terms, council vacancies shall be filled by a county held election of registered voters in South Modesto. If a council position should become vacant, the Board of Supervisors shall appoint a person to serve the remainder of the term. These elections shall conform to state general election procedures (California Election Code 23500 et seq.). It will be a goal of the Stanislaus County Board of Supervisors to have representation on the Council from the areas identified in the Exhibit A (Legal Description per approved Boundary Map) as Area I, II and III ~~commonly known as Bret Harte, Shackelford and Park Lawn.~~

IV.
Officers & Duties

- a. The Council shall, at its first official meeting each calendar year, nominate and elect a chairperson, vice-chairperson, and secretary. These persons shall serve for one (1) year.
- b. The Duties of the Chairperson are: (1) prepare the agenda for each meeting, (2) to call the members of each meeting to order, (3) to enumerate the business of the meeting and the order in which it is to be acted upon, (4) to recognize members who are entitled to the floor, (5) to state and put to a vote all questions which are properly moved, (6) to maintain order throughout the meeting, (7) to sign all necessary documents, letters, etc., that state the official business of the Council.
- c. The duties of the Vice-Chairperson are to assume the duties of the Chairperson when he/she is absent.
- d. The duties of the Secretary are: (1) to record minutes of all meetings of the Council and read publicly the minutes of the previous meeting, and all special meetings, (2) to maintain a register of those who attend each meeting of the Council, (3) to notify officers and/or committees of their appointment, (4) to maintain the official copy of the By-Laws, (5) to send out written notices of meetings to all those living or who own property within South Modesto who have requested such notice pursuant to the California Government Code, Section 54954.1, (6) to conduct the correspondence of the Council, (7) to have at each meeting a list of committees and their members as well as the By-Laws of the Council and copies of the minutes of all previous meetings, (8) to maintain a current and up to date list of all residents and property owners of South Modesto.

V.
Meetings

The South Modesto Municipal Advisory Council shall meet once each month in a public building which is accessible and can accommodate all those residents and/or property owners of South Modesto. A regular time and place for each meeting will be established and announced by the Council. The Council may, through public notification,

call for those special meetings it deems necessary. If the Council wishes, it may seek the views of those present at a meeting by calling for a vote by those in attendance. Only residents or property owners of South Modesto may vote on issues before the Council. Participants of any meeting may be challenged and the Secretary asked to verify their status as a resident or property owner within South Modesto. The public vote in a meeting shall carry by a majority of those present. A majority of the Council membership shall constitute a quorum for the conduct of business. All special and regular meetings of this Council shall comply with California Government Code Sections 54950 et seq. (The Brown Act.)

VI. Committees

The Chairperson may appoint, as needed, standing committees (those committees that exist for a specified period of time) or special committees (those that are created to consider special issues.) A committee may consist of one (1) member, but not more than two (2) members of the Council.

VII Method of Amending By-Laws

The South Modesto Municipal Advisory Council may amend its By-Laws in the following manner: (1) the amendment must be submitted in writing at the monthly meeting preceding the one at which it is to be voted upon, with a copy for each council member, (2) at the next monthly meeting the amendment shall be placed on the agenda, (for discussion and vote,) (3) adoption of the amendment shall be by a majority of the votes cast by the Council, a quorum being present, (4) upon approval by the Stanislaus County Board of Supervisors, the amendment will be considered adopted and the By-Laws amended.

VIII Parliamentary Authority

The South Modesto Municipal Advisory Council adopts the rules contained in Robert's Rules of Order to govern it in all situation not governed by the By-Laws or any special rules of order of the Council.

EXHIBIT "A"

SOUTH MODESTO MAC
(AREA - I)

All that portion of Sections, 4,5,7,8,9, Township 4 South, Range 9 East, Mount Diablo Base and Meridian described as follows:

Commencing at the northeast corner of Section 8 Township 4 South, Range 9 East; thence South 0°02' West, 860.2 feet, along the east line of said section 8, to the True POINT OF BEGINNING of this description;

(1) Thence South 0° 02' West, 2281.09 feet, along said section line, to the existing City limits of the City of Modesto, also being the centerline of a county road known as Imperial Avenue, thence following said city limit line and centerline;

(2) Thence North 89°14' West, 203.37 feet;

(3) Thence North 74° 24' West, 92.58 feet;

(4) Thence, leaving said centerline, South 0° 02' West, 267.7 feet;

(5) Thence North 89°20' West, 367.85 feet;

(6) Thence North 0° 02' East, 100.00 feet;

(7) Thence North 89° 20' West, 559.30 feet;

(8) Thence North 0°03' 30" East, 204.68 feet;

(9) Thence North 89°14' West, 60.00 feet, along south right of way of said Imperial Avenue;

(10) Thence South 0°03' 30" West, 204.69 feet;

(11) Thence North 89°20' West, 747.90 to a point on the east line of the Rutherford Tract, as recorded in Volume 16 of Maps Page 37, Stanislaus County Record;

(12) Thence along of said the east line South 0°13' West, 660.0 feet to the south line of Rutherford Tract;

(13) Thence along of said the south line North 89°20' 30" West, 1290.8 feet to the center line of Guthrie Street and being also the east line of the existing city limits as established by Whitmore No.3 Annexation;

(14) Thence along said center line North 0°13' East, 170.0 feet, to the center line of Lassen Avenue and the north line of said city limits;

- (15) Thence North $89^{\circ}20'$ West, 1024.67 feet, to center line of Rutherford Road;
- (16) Thence South $0^{\circ}13'$ West, 170.00 feet, to the south line of said Rutherford Tract;
- (17) Thence North $89^{\circ}20'$ West, 952.40 feet, to the west line of said the Whitmore No.3 annexation to city of Modesto;
- (18) Thence along said the west line South $0^{\circ}13'$ East, 1299.41 feet, to the north line of Whitmore Avenue;
- (19) Thence North $89^{\circ}52'30''$ West along said north line of Whitmore Avenue, parallel with and 10.00 feet south of the south line of Blocks 9712 and 9713 of said Fairview Tract, a distance 818.04 feet;
- (20) Thence North $0^{\circ}10' 30''$ East, 10.00 feet;
- (21) Thence North $89^{\circ}52'30''$ West, 60.50 feet;
- (22) Thence South $0^{\circ}10' 30''$ West, 10.00 feet;
- (23) Thence North $89^{\circ}52'30''$ West, 60.50 feet;
- (24) Thence North $0^{\circ}10' 30''$ East, 10.00 feet;
- (25) Thence North $89^{\circ}52'30''$ West, 60.50 feet;
- (26) Thence South $0^{\circ}10' 30''$ West, 10.00 feet to the north right of way line of Whitmore Avenue;
- (27) Thence North $89^{\circ}52'30''$ West along said the north line, parallel with and 10.00 feet south of the south line of Block 9712 of said Fairview Tract, a distance of 467.50 feet to the west of line of said Tract;
- (28) Thence North $0^{\circ}10' 30''$ East along said the west line a distance of 2166.88 feet to the southerly line of a 50 foot wide right-of way T.I.D. Lateral No.1;
- (29) Thence North $41^{\circ}26' 22''$ East, 299.76 feet to northwesterly corner of said Fairview Tract, also being the southwest corner of the Hatch Road No.5 Reorganization to city of Modesto;
- (30) Thence continue on said the southerly line North $41^{\circ}26' 17''$ East, 150.02 feet;
- (31) Thence North $63^{\circ}26' 11''$ East, 131.17 feet;
- (32) Thence South $89^{\circ}31' 44''$ East, 120.52 feet to southwest corner of the existing city limits as established by the Hatch Road No.1 Government Reorganization;

- (33) Thence along of said the south line South 89°51' 15" East, 949.95 feet to the northwest corner of the Bret Harte Landscape and Lighting District;
- (34) Thence North 0°12' 00" West, 10.41 feet;
- (35) Thence South 89°10' East, 1372.85 feet;
- (36) Thence South 0° 13' West, 20.00 feet;
- (37) Thence South 89°10' East, 96.36 feet;
- (38) Thence South 0°13' West, 145.51 feet, to the centerline of Glenn Avenue;
- (39) Thence along said centerline and city limits line, South 89° 20' East, 190.77 feet;
- (40) Thence North 57° 12' East, 388.08 feet;
- (41) Thence South 89°10' East, 653.42 feet, to the centerline of Las Vegas Street and being the east line of the Hatch Road No.1 Reorganization to city of Modesto;
- (42) Thence along said city limits line and said centerline of Las Vegas Street and its northerly extension, North 0°09' East, 1987.09 feet, to the northerly right-of-way line of T.I.D. Lateral No.1;
- (43) Thence following said right-of-way South 46° 47' West, 445.72 feet;
- (44) Thence South 00°26' 00" West, 89.23 feet;
- (45) Thence South 35°20' 00" West, 1117.92 feet;
- (46) Thence South 29°00' West, 462.15 feet;
- (47) Thence South 26°00' 00" West, 171.60 feet, to the southeasterly corner of existing city limits established by Hatch Road No.2 Government Reorganization;
- (48) Thence along the east line of said the city limits North 00°04' 46" East, 1,332.87 feet, to the southerly right-of-way line of Hatch Road and also being the southerly line of existing city limits established by Hatch Road No.4 Reorganization;
- (49) Thence North 71°14' 42" East along the southerly line of said Hatch Road a distance of 801.40 feet more or less to a point on the north line of Dallas Court;
- (50) Thence along said the north line South 88°51' 48" East, 96.54 feet to the east line of said city limits and also being the east line of Lot 8 of Rio Grande Colony;
- (51) Thence continue along said the north line of Dallas Court and being also the south line of existing city limit established by Modesto Industrial Park, South 88°51' 48" East, 659.14

feet;

(52) Thence South $0^{\circ}05'$ West, 360.30 feet to the center line of Amador Avenue;

(53) Thence along said the center line South $88^{\circ}53'00''$ East, 277.26 feet;

(54) Thence South $00^{\circ}05' 00''$ East, 15.00 feet;

(55) Thence South $88^{\circ}53'00''$ East, 490.26 feet to the center line of Seattle Avenue;

(56) Thence South $00^{\circ}04'00''$ West, 30.00 feet to a point on the westerly extension of the south right-of-way of said Amador Avenue;

(57) Thence leaving said center line of Seattle Avenue and continue along said city limit line and the southerly of said right-of-way line of Amador Avenue, South $88^{\circ}39'00''$ East, 1218 feet to a point on the west right-of-way of Crows Landing Road;

(58) Thence South $00^{\circ}02'00''$ West, 205.00 feet;

(59) Thence South $89^{\circ}46'00''$ East, 30.00 feet to the Point of Beginning.

SOUTH MODESTO MAC
(AREA -II)

Beginning at the intersection of the centerline of a 50-foot Morgan Road and the easterly extension of the southerly line of Olympic Tract filed in Volume 14 of Maps Page 55, Stanislaus County Records;

(1) Thence along the centerline of Morgan Road, North $0^{\circ}52' 20''$ West, 715 feet more or less to the southwesterly right-of-way line of the Southern Pacific Railroad;

(2) Thence along said Southwesterly line North $42^{\circ}24'$ West, 4,440 feet more or less to easterly extension of the Southerly line of the 50 foot wide Butcher Town Railroad Spur;

(3) Thence along said Southerly line North $80^{\circ}34' 18''$ West, 2033.50 feet more or less to a point on a non tangent curve, concave to the south having a radius of 357.04 feet, a central angle of $36^{\circ}36' 00''$, and from which point the radius point bears South $27^{\circ}10' 23''$ East;

(4) Thence Westerly on the arc of said curve and the southerly line of said railroad 228.07 feet to the west line of Section 4, and also being the east line of existing city limits established by Crows Landing Industrial Tract Addition;

(5) Thence along said West line and Crows Landing Industrial Tract Addition, South $0^{\circ}03' 00''$ East, 1134.58 feet more less;

(6) Thence North $89^{\circ}41'$ West, 852.74 feet;

- (7) Thence South 0°03' 00" East, 156.9 feet;
- (8) Thence West, 555.26 feet;
- (9) Thence North 0°03' 00" West, 257.1 feet;
- (10) Thence West, 80 feet more or less to the centerline of Tuolumne River, said point also being the Southerly line of the existing city limits as established by Modesto Sewage Disposal Area;
- (11) Thence Southwesterly along said the centerline, 300 feet more or less to the most Northerly corner of the existing city limits as established by Modesto Industrial Park Addition, said point being at the intersection of the centerline of Tuolumne River and the Northern extension of the Eastern line of Lot 1 of Rio Grande Colony;
- (12) Thence Southerly along the Eastern line of said Lot 1 and the its Northerly extension, 806.41 feet more or less to the Northeastern corner of property described in decree to Mabel Marie Nutter recorded September 17, 1956, as Instrument number 25500, Stanislaus County records;
- (13) Thence Westerly, 398.83 feet more or less along the Northern line of said Nutter property and its Westerly extension, to the Northwestern corner of property described in the deed to H.A. Thompson, et ux, and John Cole, recorded April 21, 1956, as instrument number 10352, Stanislaus County records;
- (14) Thence Southerly, 703.91 feet more or less along the Western line of said Thompson and Cole property and their Southerly extension to the northerly line of T.I.D. Lateral No.1;
- (15) Thence Southeasterly 85 feet more or less to the Southeasterly line of T.I.D. Lateral No.1 and the Northwest corner of the Gold Vineyard Estates filed in Volume 28 of Maps Page 71, Stanislaus County Record;
- (16) Thence Northeasterly 188.67 feet on said Southeasterly line of T.I.D. No.1 and Northerly line of Gold Vineyard Estates;
- (17) Thence Easterly, along the Southern right-of-way line of said Lateral No.1 and its westerly extension, 822.38 feet to the Northeast corner of Gold Vineyard Estates;
- (18) Thence Southerly along the east line of the Gold Vineyard Estates and its Southern extension 514.97 feet on the Northern line of Amador Avenue (formerly Second Avenue) as shown on said map of South Acres Tract No.3, filed in Volume 14 of Maps Page 7 Stanislaus County Record;
- (19) Thence Easterly along the Northern line of said Amador Avenue (formerly Second Avenue) and its Easterly extension, 1,112 feet more or less to a point on the Eastern line of a 100 foot Public Road known as Crows Landing Road;

(20) Thence Southerly along the Eastern line of said Crows Landing Road, 132 feet more or less to the Northwestern corner of Lot 6 of said South Modesto Acres;

(21) Thence Easterly along the Northern line of said Lot 6, a distance of 328 feet to the Northeastern corner thereof;

(22) Thence Southerly along the Eastern line of said Lot, a distance of 133 feet to the Southeastern corner thereof, and also being the Northwestern corner of the existing city limits as established by Winmoore Way Annexation;

(23) Thence a long said the northern line of city limit, North $89^{\circ}46'30''$ East, 1872.90 feet;

(24) Thence North $00^{\circ}30'30''$ West, 399.20 feet;

(25) Thence North $89^{\circ}46'00''$ East, 278.00 feet;

(26) Thence South $00^{\circ}30'30''$ East, 59.00 feet;

(27) Thence North $89^{\circ}46'00''$ East, 70.00 feet, to the Western Right of Way line of the Tidewater Southern Railroad;

(28) Thence South $00^{\circ}30'30''$ East, along said Railroad Right of Way 1037.28 feet to the westerly extension of the South line of the Olympic Tract, filed in Volume 14 of Maps Page 55, Stanislaus County Records;

(29) Thence long the Southern line of said Tract and its western extension South $89^{\circ}50'20''$ East, 2,687.53 feet to Point of Beginning.

SOUTH MODESTO MAC
(AREA III)

All those portions of Section 33 of Township 3 South, Range 9 East, and Section 4 of Township 4 South, Range 9 East, Mount Diablo Base and Meridian described as follows:

BEGINNING at a point on the boundary of the South Modesto M.A.C. Area II, said point also being on the Southwesterly right-of-way of the Union Pacific Railroad with it's intersection with the South line of said Section 4, also being the centerline of Hatch Road.

(1) Thence along the said southwesterly line of the Union Pacific Road, North 42° 24' West, 3414 feet more or less to the easterly extension to the southerly line of the Butcher Town Railroad, said point being an angle point on the boundary of the South Modesto M.A.C. Area II.

(2) Thence leaving said boundary of the South Modesto M.A.C. Area II and continuing along the southwesterly right-of-way of said Railroad, Northwesterly, 4262 feet more or less to its intersection with the South Bank of the Tuolumne River.

(3) Thence Northeasterly upstream along said South (left) Bank of the Tuolumne River to its intersection with the west boundary of the Legion Park Addition to the City of Modesto.

Thence along the said Legion Park Addition the following 7 courses:

(4) South 0° 44' 45" East, 250 feet more or less to a point on the centerline of River Road.

(5) Thence North 60° 15' 45" West, 116.00 feet along said centerline.

(6) Thence leaving said centerline South 0° 32' 45" East, 1098.69 feet.

(7) Thence South 88° 38' 30" East, 245.94 feet.

(8) Thence South 54° 36' East, 355.11 feet.

(9) Thence South 76° 48' 30" East, 280.17 feet

(10) Thence South 81° 18' 30" East, 182.93 feet, to a point on the centerline of Herndon Road, said line also being the Section line common to Section 3 and 4 of Township 4 South, Range 9 East.

(11) Thence leaving said Legion Park Addition, South 0° 03' 30" West, 294.00 feet along said centerline of Herndon Road to the northwest corner of the Peachwood Estates Annexation to the City of Ceres.

Thence along the said Peachwood Estates Annexation the following 3 courses:

(12) South 0° 52' 30" East, 659.70 feet

(13) North 89° 07' 30" East, 1326.78 feet

(14) South 0° 45' 00" East, 470.59 feet to the Northwest Corner of the Old Vineyard Estates Annexation to the City of Ceres.

Thence along the said old Vineyard Estates Annexation the following 2 courses:

(15) South 0° 15' 52" East, 857.67 feet.

(16) South 89° 27' 53" East, 1060.33 feet.

(17) Thence leaving said Old Vineyard Estates Annexation, and continuing South 89° 27' 53" East, 275.00 feet to a point on the west line of the Price Annexation to the City of Ceres.

(18) Thence South 0° 51' East, 660 feet along said west line of the Price Annexation to the City of Ceres to the Northeast Corner of the Kraus and Noonan Annexation to the City of Ceres.

Thence along the Kraus and Noonan Annexation the following 3 courses:

(19) North 89° 29' West, 467.25 feet.

(20) North 82° 08' West, 156.33 feet.

(21) North 89° 29' West, 1032.06 feet to the Northwest Corner of said Kraus and Noonan Annexation, said point also being the Northeast Corner of the Nadine-Herndon Governmental Re-Organization to the City of Ceres.

Thence along the said Nadine-Herndon Governmental Re-Organization to the City of Ceres, the following 2 courses:

(22) North 89° 28' 58" West, 975.94 feet.

(23) South 0° 15' 00" West, 679.98 feet to the Southwest Corner of said Nadine-Herndon Governmental Re-Organization to the City of Ceres, also being a point on the north boundary of the Tamkin Annexation to the City of Ceres.

(24) Thence North 89° 33' West, 20.00 feet along said north boundary to the Northwest Corner of said Tamkin Annexation.

(25) Thence South $0^{\circ} 15' 00''$ West, 138.40 feet to the Southwest Corner of said Tamkin Annexation, also being the Northwest Corner of the Palmer Annexation to the City of Ceres.

(26) Thence South $0^{\circ} 25' 11''$ West, 521.35 feet along the west line of said Palmer Annexation to an angle point on said west line, being the Section Corner common to Sections 3, 4, 9 and 10 of Township 4 South, Range 9 East. Said point also being the centerline intersection of Herndon and Hatch Roads.

(27) Thence North $89^{\circ} 44' 47''$ West, 706.5 feet more or less along the South line of said Section 4 and the centerline of Hatch Road to the POINT OF BEGINNING.

Excepting therefrom, that portion of the Peachwood Estates Annexation to the City of Ceres, described as follows:

BEGINNING at the Northwest corner of the Nadine-Herndon Annexation to the City of Ceres, said point also being a point on the Peachwood Annexation, lying on the east line of Herndon Road.

(1) Thence North $0^{\circ} 52' 30''$ West, 50.00 feet along the east line of Herndon Road to the north line of Nadine Avenue.

(2) Thence North $89^{\circ} 30' 30''$ East, 10.00 feet to an angle point on the east line of Herndon Road.

(3) Thence North $0^{\circ} 52' 30''$ West, 1659.38 feet along the east line of Herndon Road.

(4) Thence South $89^{\circ} 07' 30''$ West 10.00 feet to an angle point on the east line of Herndon Road.

(5) Thence North $0^{\circ} 52' 30''$ West, 270.00 feet along the east line of Herndon Road.

(6) Thence leaving said east line South $89^{\circ} 07' 30''$ West 20.00 feet, to the centerline of Herndon Road.

(7) Thence South $0^{\circ} 52' 30''$ East 1979.38 feet along the centerline of Herndon Road to the POINT OF BEGINNING.

STANISLAUS COUNTY SURVEYOR'S CERTIFICATE

I William B. Jones, hereby certify that these descriptions and maps of the South Modesto Municipal Advisory Committee Area III, dated April 2008, were prepared by me or under my direction and are true and correct to the best of my belief, knowledge and information.

William B. Jones
William B. Jones L.S. 7982

Dated: 5.2.2008

