

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

DEPT: Planning and Community Development

BOARD AGENDA # *D-1

Urgent Routine

AGENDA DATE November 18, 2008

CEO Concurs with Recommendation YES NO
(Information Attached)

4/5 Vote Required YES NO

SUBJECT:

Approval to Rescind All or a Portion of Williamson Act Contract No. 1976-2403 (Kiernan Avenue, Modesto) and Contract No. 2005-4572 (Kiernan Avenue, Modesto) and Approve a New Contract Pursuant to Minor Lot Line Adjustment 2008-25, Rodarakis, and Authorize the Planning Director to Execute a New Contract

STAFF RECOMMENDATIONS:

Approval and the establishment of the following findings:

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restrict the adjusted boundaries of the parcel for an initial term for at least as long as the unexpired term of the rescinded contract or contracts, but for not less than 10 years.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:

There are no fiscal impacts associated with this item.

BOARD ACTION AS FOLLOWS:

No. 2008-787

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

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

Noes: Supervisors: None

Excused or Absent: Supervisors: Mayfield

Abstaining: Supervisor: None

1) X Approved as recommended

2) _____ Denied

3) _____ Approved as amended

4) _____ Other:

MOTION:



ATTEST: CHRISTINE FERRARO TALLMAN, Clerk

File No.

Approval to Rescind All or a Portion of Williamson Act Contract No. 1976-2403 (Kiernan Avenue, Modesto) and Contract No. 2005-4572 (Kiernan Avenue, Modesto) and Approve a New Contract Pursuant to Minor Lot Line Adjustment 2008-25, Rodarakis, and Authorize the Planning Director to Execute a New Contract

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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 In cases where two parcels involved in a lot line adjustment are both subject to contracts rescinded pursuant to this section, this finding will be satisfied if the aggregate acreage of the land restricted by the new contracts is at least as great as the aggregate acreage restricted by the rescinded contracts.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 Williamson Act Contracts on Assessor's Parcel Numbers 012-002-007 (54.86 acres) and 012-002-015 (27.99 acres) and to reestablish a new contract pursuant to Section 51257 of the Government Code regulating Williamson Act contracts. The new contract would restrict adjusted parcels as required in Government Code Section 51257 and not effect the total acreage within the contracted area. The properties consist of a total of 82.85 acres located in the Modesto area, in the unincorporated area of Stanislaus County. The existing parcel sizes are approximately 54.86± (covered by Contract No. 1976-2403) and 27.99± acres (covered by Contract No. 2005-4572). The proposed reconfiguration parcel sizes are 20.71± and 62.14±, respectfully.

The proposed adjustment would not increase the number of developable parcels, will not reduce the number of acres in the existing Williamson Act contracts, and would increase the agricultural viability of the parcel.

Approval to Rescind All or a Portion of Williamson Act Contract No. 1976-2403 (Kiernan Avenue, Modesto) and Contract No. 2005-4572 (Kiernan Avenue, Modesto) and Approve a New Contract Pursuant to Minor Lot Line Adjustment 2008-25, Rodarakis, and Authorize the Planning Director to Execute a New Contract

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There are two parcels involved in the lot line adjustment are currently in a Williamson Act Contract and will remain that way. Lot Line Adjustment Application 2008-25 was approved by staff pending the Board's action required by the Williamson Act. Since both parcels are currently covered by a Williamson Act Contract, all or portions of that contract must be rescinded and replaced with new contracts.

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")

Approval to Rescind All or a Portion of Williamson Act Contract No. 1976-2403 (Kiernan Avenue, Modesto) and Contract No. 2005-4572 (Kiernan Avenue, Modesto) and Approve a New Contract Pursuant to Minor Lot Line Adjustment 2008-25, Rodarakis, and Authorize the Planning Director to Execute a New Contract

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- (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.

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, it is prudent to act on this action independently of other Williamson Act contracts. Therefore, it is the intention of this action that a new contract replace Contract No. 1976-2403 and Contract No. 2005-4572 upon recording.

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 agriculture remain in production without premature conversion to urban uses. Other relevant policies are discussed above as provided in State law.

STAFFING IMPACT:

None.

ATTACHMENTS:

1. Lot Line Adjustment Application 2008-25
2. Lot Line Adjustment Approval Letter
3. Applicant's Statement of Findings
4. Map of Proposed Changes



DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT

1010 10TH Street, Suite 3400, Modesto, CA 95354
 Phone: 209.525.6330 Fax: 209.525-5911

S	1	T	3	R	7
ZONE	A-2-40				
RECEIVED	PM				
APPLICATION NO.	LP008-25				
RECEIPT NO.					

LOT LINE ADJUSTMENT APPLICATION

1. Property Owner(s):

Parcel 1

Panagiotis Rodarakis, et al

Name
 1601 "I" Street, 5th Floor, Modesto, 95354

Address, Ci ty, Zip
 (209) 988-3829

Phone

Fax Number

Parcel 2

Same as Parcel 1

Name

Address, City, Zip

Phone

Fax Number

Parcel 3

Name

Address, Ci ty, Zip

Phone

Fax Number

Parcel 4

Name

Address, City, Zip

Phone

Fax Number

2. Name and address of person(s) preparing map: Associated Engineering Group, Inc.: 4206 Technology Drive, Modesto, CA 95356, Phone: (209) 545-1143, Fax: (209) 545-3875, E-mail: rachel@assoceng.com

3. Assessor's Parcel No. of parcels adjusted:

Parcel 1: Book 012 Page 002 No. 015 Parcel 2: Book 012 Page 002 No. 007
 Parcel 3: Book Page No. Parcel 4: Book Page No.

4. Size of all adjusted parcels:

	<u>Before</u>	<u>After</u>
Parcel 1:	<u>27.99+/-</u>	<u>62.14+/-</u>
Parcel 2:	<u>54.86+/-</u>	<u>20.71+/-</u>
Parcel 3:	<u> </u>	<u> </u>
Parcel 4:	<u> </u>	<u> </u>

5. Why are the lot lines being changed? BE SPECIFIC See attached.

6. How are these parcels currently utilized? Please check appropriate uses

- Residential
 - Single Family
 - Duplex
 - Multiple
 - Commercial
 - Industrial
 - Other (Specify) _____
- Agriculture
 - Row Crop - type _____
 - Trees - type _____
 - Vines - type Grapes
 - Range (unirrigated) _____
 - Pasture (irrigated) _____
 - Poultry _____
 - Dairy _____
 - Other (Specify) Open ground

7. List all structures on properties: Two single family residences (one uninhabitable), one shop & one barn on the Northwest side of Lot 2.

8. How have these parcels been utilized in the past, if different than current use? N/A

9. When did current owner(s) acquire the parcel(s)?

Parcel 1: 1976 Parcel 2: 1976
 Parcel 3: _____ Parcel 4: _____

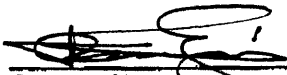
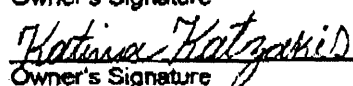
10. What are the Williamson Act Contract numbers?

Parcel 1: 05-4572 Parcel 2: 76-2403
 Parcel 3: _____ Parcel 4: _____

11. Do the parcels irrigate? Yes No If yes, how? Existing Lateral/Flood

12. Will these parcels continue to irrigate? Yes No If yes, describe any physical changes in the irrigation system. No changes to irrigation system.

13. Signature of property owner(s)

	Panagiotis G. Rodarakis
Owner's Signature	Owner's Name Printed
_____	Michael G. Rodarakis
Owner's Signature	Owner's Name Printed
	Katina Rodarakis Katzakis
Owner's Signature	Owner's Name Printed
_____	Mary Rodarakis Stavropoulos
Owner's Signature	Owner's Name Printed

ROADARAKIS LOT LINE ADJUSTMENT
STANISLAUS COUNTY, CALIFONIRA
APN: 012-002-007 & 015

The lot lines are being adjusted for several reasons; most importantly they are being adjusted to give Lot 1 legal access to Kiernan Road. Currently the lot is completely landlocked, and the property owners have been accessing their property by using a dirt road on the West side of Lot 2. The property owners need to ensure they have legal access to that parcel in order to serve that lot's agriculture use (ie: moving farm equipment). Additionally the lot lines are being adjusted to enhance their agricultural viability. The change in lot configuration creates substantial acreage South of M.I.D. Lateral No. 6 which can sustain an agricultural use (ie: grapes), and also creates large acreage North of that lateral that can sustain the same agricultural use, or provide the opportunity to farm a different type of crop.



September 24, 2008

Associated Engineering Group, Inc.
4206 Technology Drive
Modesto, CA 95356

**SUBJECT: TENTATIVE APPROVAL OF LOT LINE ADJUSTMENT NO. 2008-25
RODARAKIS**

The Stanislaus County Department of Planning and Community Development, completed its consideration of your application on **September 24, 2008**, and has tentatively 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 \$540.00, 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.

As stated in the Conditions of Approval a new deed reflecting this lot line adjustment will need to be recorded.

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

Sincerely,

Kristin Doud
Assistant Planner

Enclosure

cc: Panagiotis Rodarakis, et al

ATTACHMENT 2

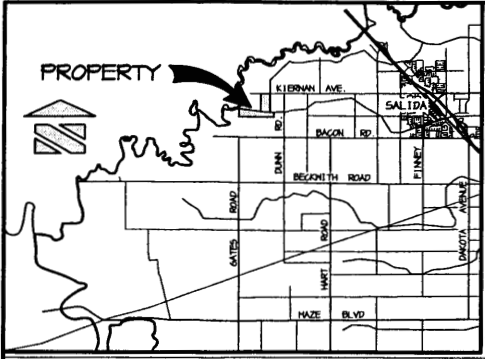
APPLICANT STATEMENT

Rodarakis Lot Line Adjustment
Stanislaus County, California

This project is a lot line adjustment of Assessors Parcel No. 012-002-015 & 012-002-007 owned by Panagiotis Rodarakis, et al. The primary reason for this lot line adjustment is to provide legal access from Kiernan Avenue to Parcel 2, which is currently landlocked, and the property owner's have been accessing their property by using a dirt road on the West side of Parcel 1.

Government Code Section 51257 contains seven findings to be made related to this lot line adjustment. These findings are listed below along with the justification:

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.
The contract is not subject to a Notice of Non-Renewal. At the conclusion of the lot line adjustment, the contract will continue to be in force and effect for a period of at least 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.
The land currently under contract is 82.9 acres +/- . After the lot line adjustment, all 82.9 acres +/- will remain under contract this adjustment will only reconfigure the parcels lines.
3. At least 90 percent of the land under the former contract remains under the new contract.
The entire amount of land included within this lot line adjustment will remain under a Williamson Act contract; the configuration of the parcels is all that will change.
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.
Consistent with Section 51222, the parcels will be large enough to sustain their agricultural use as grape vineyards.
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.
These parcels have been used for agricultural productivity in its current configuration for a long time. The new lot configurations, after adjustment, will recognize the current Williamson Act requirements, and further preserve the agricultural nature of these parcels.
6. The lot line adjustment is not likely to result in the removal of adjacent land from agricultural use.
The parcels will continue to remain restricted by contract and used for agricultural productivity. As such, the lot line adjustment will have no impact on adjacent lands currently utilized for agricultural purposes.
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.
With this lot line adjustment we are not creating any additional parcels, rather we are just reconfiguring the parcel lines in order to better serve the needs of agricultural uses on the parcels.



VICINITY MAP
NO SCALE

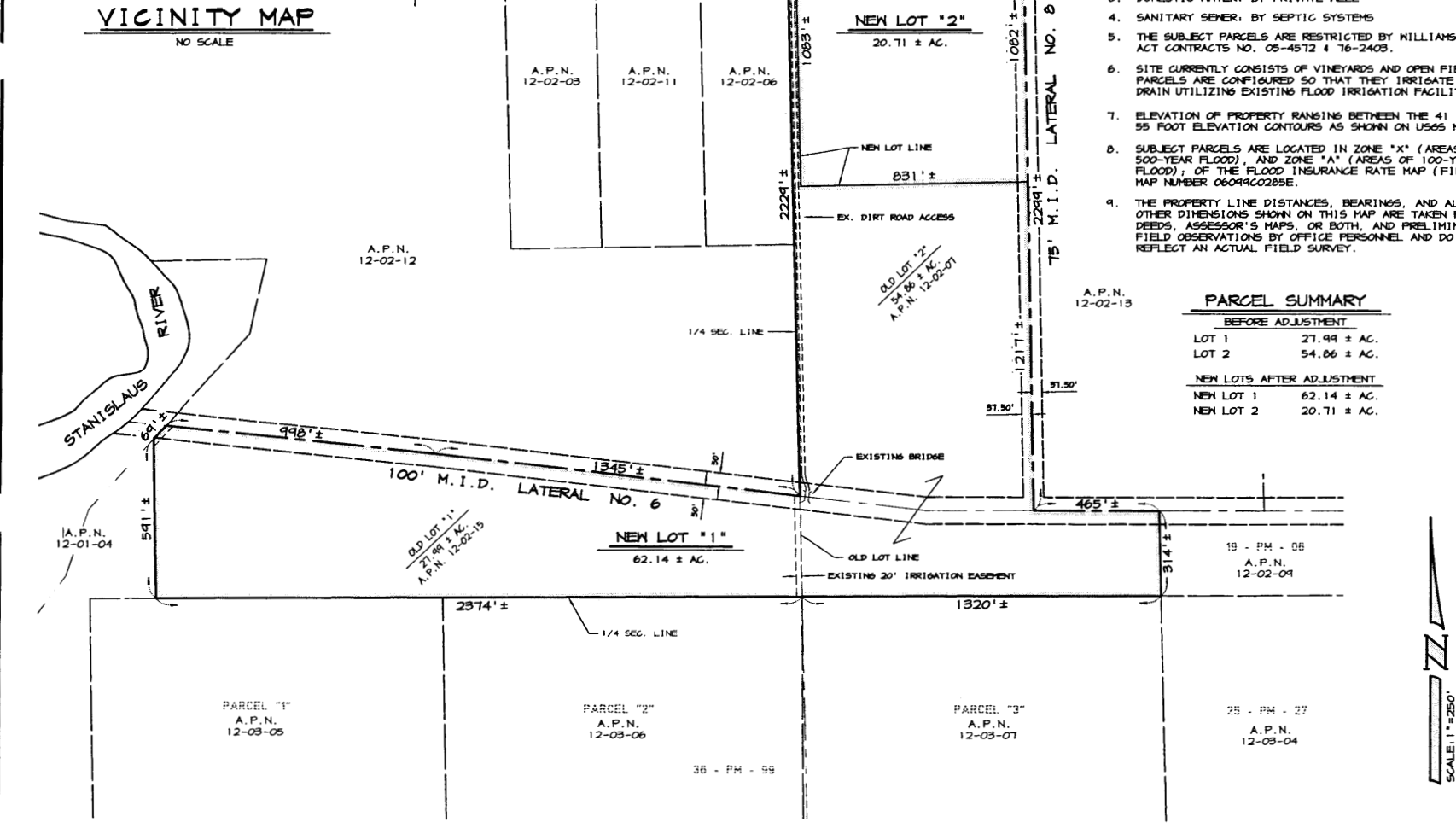
OWNER/APPLICANT:
 PANAGIOTIS RODARAKIS, ET AL
 1601 "I" STREET, 5TH FLOOR
 MODESTO, CA 95354
 PHONE: (209) 488-3829

GENERAL NOTES

1. ASSESSOR'S PARCEL NUMBER, 012-002-007 AND 012-002-015
2. EXISTING ZONING: A-2-40
3. DOMESTIC WATER: BY PRIVATE MELL
4. SANITARY SEWER: BY SEPTIC SYSTEMS
5. THE SUBJECT PARCELS ARE RESTRICTED BY WILLIAMSON ACT CONTRACTS NO. 05-4572 & 76-2403.
6. SITE CURRENTLY CONSISTS OF VINEYARDS AND OPEN FIELDS. PARCELS ARE CONFIGURED SO THAT THEY IRRIGATE AND DRAIN UTILIZING EXISTING FLOOD IRRIGATION FACILITIES.
7. ELEVATION OF PROPERTY RANGING BETWEEN THE 41 AND 55 FOOT ELEVATION CONTOURS AS SHOWN ON US65 MAPS.
8. SUBJECT PARCELS ARE LOCATED IN ZONE "X" (AREAS OF 500-YEAR FLOOD), AND ZONE "A" (AREAS OF 100-YEAR FLOOD); OF THE FLOOD INSURANCE RATE MAP (FIRM), MAP NUMBER 06049C0285E.
9. THE PROPERTY LINE DISTANCES, BEARINGS, AND ALL OTHER DIMENSIONS SHOWN ON THIS MAP ARE TAKEN FROM DEEDS, ASSESSOR'S MAPS, OR BOTH, AND PRELIMINARY FIELD OBSERVATIONS BY OFFICE PERSONNEL AND DO NOT REFLECT AN ACTUAL FIELD SURVEY.

PARCEL SUMMARY

BEFORE ADJUSTMENT	
LOT 1	27.99 ± AC.
LOT 2	54.86 ± AC.
NEW LOTS AFTER ADJUSTMENT	
NEW LOT 1	62.14 ± AC.
NEW LOT 2	20.71 ± AC.



REVISION	DATE	DESCRIPTION	BY

ASSOCIATED ENGINEERING, INC.
 Surveying • Design • Planning
 4286 TECHNOLOGY DRIVE
 MODESTO, CALIFORNIA 95356
 PH: (209) 545-3390 FAX: (209) 545-3875

LOT LINE ADJUSTMENT SITE MAP
 BEING A PORTION OF SECTION 1, TOWNSHIP 3 SOUTH, RANGE 7 EAST, MOUNT DIABLO MERIDIAN STANISLAUS COUNTY CALIFORNIA

DRAWN BY: R. M. U.
 DATE: 9/5/06 11:09
 SCALE: 1"=250'
 DWG: 694-LLA
 CHECKED:
 JOB #: 694-06

SHEET
 OF 1





BOARD OF SUPERVISORS

2009 JAN 12 P 1: 32

DATE: January 9, 2009

TO: Associated Engineering
4206 Technology Drive
Modesto, CA 95356

FROM: Kristin Doud, Assistant Planner

**SUBJECT: RECORDED COPY OF LOT LINE ADJUSTMENT NO. 2008-25;
RECORDED COPY OF RECISSION AND SIMULTANEOUS RE-ENTRY
CALIFORNIA LAND CONSERVATION CONTRACT NOS. - 2008-19 & 2008-20
RODARAKIS**

Enclosed are recorded copies of the above described documents for your files. A copy has also been sent to the person(s) listed below.

cc: Panagiotis Rodarakis
Board of Supervisor's Office
Cindy Schmidt, Assessor's Office



Stanislaus, County Recorder
Lee Lundrigan Co Recorder Office
DOC- 2008-0129865-00

Acct 127-Planning - Special Rec
Thursday, DEC 11, 2008 08:14:49
Ttl Pd \$41.00 Nbr-0002645978
OCE/R2/1-12

RECORDING REQUESTED BY AND
WHEN RECORDED RETURN TO:

Stanislaus County
Department of Planning
and Community Development
1010 10th Street, Suite 3400
Modesto, CA 95354

Space Above This Line for Recorder's Use

CERTIFICATE OF LOT LINE ADJUSTMENT

This is to certify that, pursuant to California Government Code Section 66412 (d) and Sections 20.14 and 21.20.060E of the Stanislaus County Code, the Stanislaus County Director of Planning and Community Development on September 24, 2008 approved the lot line adjustment herein described submitted under the name of Rodarakis Lot Line Adjustment No. 2008-25 was approved to adjust the lines between contiguous parcels whereby the boundary lines of the real property described as Exhibit "~~X~~", attached hereto and made a part hereof, will be adjusted to result in parcels described in Exhibit "~~X~~", also attached and incorporated herein. The approved lot line adjustment shall not result in the creation of a greater number of parcels than originally existed. The above described lot line adjustment shall be reflected in a deed which shall be recorded as required by Section 66412 (d) of the California Government Code.

A-1 + A-2
B-1 + B-2

The undersigned duly authorized officer of Stanislaus County declares that the foregoing is true and correct under penalty of perjury under the laws of the State of California.

KIRK FORD, INTERIM DIRECTOR



By: Kristin Doud
Kristin Doud, Assistant Planner
Stanislaus County Department of Planning
and Community Development

11/21/08
Date

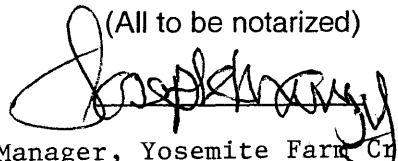
CE
12

LOT LINE NO. 2008-25

OWNERS:

NAME (Print or type)	SIGNATURE (All to be notarized)	DATE	SIGNED AT (City)
<u>Panagiotis G. Rodarakis</u>		<u>10-28-08</u>	<u>Modesto CA</u>
<u>Michael G. Rodarakis</u>		<u>10/21/08</u>	<u>MODESTO, CA.</u>
<u>Katina Rodarakis Katzakis</u>	<u>Katina Rodarakis Katzakis</u>	<u>10-31-08</u>	<u>Modesto, CA</u>
<u>Mary Rodarakis Stavropoulos</u>	<u>Mary Rodarakis Stavropoulos</u>	<u>10-21-08</u>	<u>Modesto, CA</u>
_____	_____	_____	_____

SECURITY HOLDERS:

NAME (Print or type)	SIGNATURE (All to be notarized)	DATE	SIGNED AT (City)
<u>Joseph Mauzy</u>		<u>10-24-08</u>	<u>Modesto, c</u>
<u>Vice President / Branch Manager, Yosemite Farm Credit</u>	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California

County of Stanislaus }

On Oct. 28, 2008 before me, Linda Caldera a Notary Public

personally appeared Panagiotis G. Rodarakis

who 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.



I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature Linda Caldera
Signature of Notary Public

Place Notary Seal Above

OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Description of Attached Document

Title or Type of Document: _____

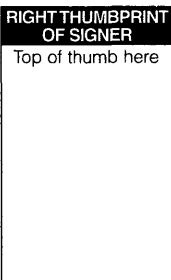
Document Date: _____ Number of Pages: _____

Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: _____

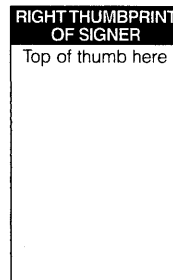
- Individual
- Corporate Officer — Title(s): _____
- Partner — Limited General
- Attorney in Fact
- Trustee
- Guardian or Conservator
- Other: _____



Signer Is Representing: _____

Signer's Name: _____

- Individual
- Corporate Officer — Title(s): _____
- Partner — Limited General
- Attorney in Fact
- Trustee
- Guardian or Conservator
- Other: _____



Signer Is Representing: _____

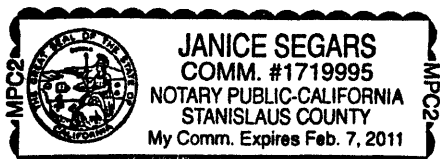
ACKNOWLEDGMENT

STATE OF CALIFORNIA)
) ss.
COUNTY OF STANISLAUS)

On October 21, 2008, before me, Janice Segars, a Notary Public in and for said State, personally appeared Michael G. Rodarakis and Mary Rodarakis Stavropoulos, who 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.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.



Janice Segars

NOTARY PUBLIC IN AND FOR SAID STATE

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California

County of Stanislaus

On Oct. 31, 2008 before me, Linda Caldera, a Notary Public

personally appeared Katina Rodarakis Katzakis

who 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.



I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature Linda Caldera
Signature of Notary Public

Place Notary Seal Above

OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

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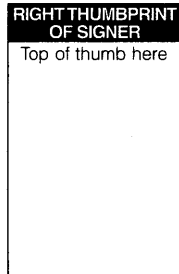
Document Date: _____ Number of Pages: _____

Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: _____

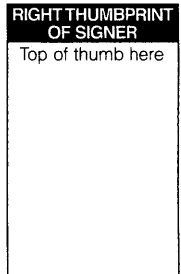
- Individual
- Corporate Officer — Title(s): _____
- Partner — Limited General
- Attorney in Fact
- Trustee
- Guardian or Conservator
- Other: _____



Signer Is Representing: _____

Signer's Name: _____

- Individual
- Corporate Officer — Title(s): _____
- Partner — Limited General
- Attorney in Fact
- Trustee
- Guardian or Conservator
- Other: _____



Signer Is Representing: _____

State of California)
County of Stanislaus)

On October 24, 2008 before me, Keri C. Layne, a notary public, personally appeared Joseph Mauzy, who 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.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature Keri C. Layne (Seal)



EXHIBIT "A-1"
LEGAL DESCRIPTION
RODARAKIS PRIOR TO LOT LINE ADJUSTMENT

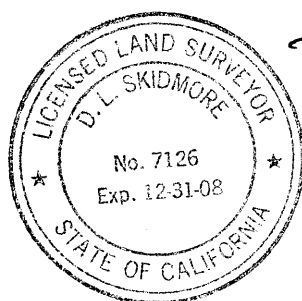
ALL that certain real property situate in the County of Stanislaus, State of California, described as follows:

ALL that portion of fractional Northwest Quarter of Section 1, Township 3 South, Range 7 East, Mount Diablo Meridian, lying South of the centerline of Lateral No. 6 of the Modesto Irrigation District.

EXCEPTING THEREFROM all that portion of the above described parcel of land lying Westerly of the following described line:

COMMENCING at the Southwest corner of said fractional Northwest Quarter of Section 1, said corner being marked by a 6" concrete monument; thence North 89°42'26" East along the South line of said fractional Northwest Quarter, a distance of 246.53 feet to the TRUE POINT OF BEGINNING of this line description; thence North 01°07'41" West, a distance of 590.72 feet to a point on the Southeasterly line of that certain parcel of land depicted as Parcel No. 4 in Grant Deed conveyed to John L. Hertle on June 23, 1998 as Instrument No. 98-0055758 and the terminus point of this line description.

SUBJECT TO all easements and/or rights-of-way of record.



Dave L. Skidmore, L.S. 7126

License Expires 12/31/08

10/14/08

EXHIBIT "A-2"
LEGAL DESCRIPTION
RODARAKIS PRIOR TO LOT LINE ADJUSTMENT

ALL that certain real property situate in the County of Stanislaus, State of California, described as follows:

THE West half of the Northeast Quarter of Section 1, Township 3 South, Range 7 East, Mount Diablo Meridian.

EXCEPTING THEREFROM all that portion thereof described as follows, to wit: Commencing at a point on the North line of said Section 1, 20 chains West of the Northeast corner of said Section 1; running thence South along the East line of the West half of the Northeast Quarter of said Section 1, a distance of 2302 feet more or less to the center line of Lateral No. 6 of the Modesto Irrigation District; thence in a Westerly direction along the center line of Lateral No. 6, a distance of 647 feet more or less to a point where the center line of Lateral No. 6 intersects the center line of Lateral No. 8 of the Modesto Irrigation District; thence following in a Northeasterly and Northerly direction along the center line of Lateral No. 8 to the North line of Section 1; thence East along the North line of Section 1, a distance of 455 feet to the point of commencement.

SUBJECT TO all easements and/or rights-of-way of record.



A handwritten signature in black ink, appearing to read "Dave L. Skidmore".

Dave L. Skidmore, L.S. 7126
License Expires 12/31/08

10/14/08

EXHIBIT "B-1"
LEGAL DESCRIPTION
RODARAKIS AFTER LOT LINE ADJUSTMENT

ALL that certain real property situate in the County of Stanislaus, State of California, described as follows:

ALL that portion of fractional Northwest Quarter of Section 1, Township 3 South, Range 7 East, Mount Diablo Meridian, lying South of the centerline of Lateral No. 6 of the Modesto Irrigation District.

EXCEPTING THEREFROM all that portion of the above described parcel of land lying Westerly of the following described line:

COMMENCING at the Southwest corner of said fractional Northwest Quarter of Section 1, said corner being marked by a 6" concrete monument; thence North 89°42'26" East along the South line of said fractional Northwest Quarter, a distance of 246.53 feet to the TRUE POINT OF BEGINNING of this line description; thence North 01°07'41" West, a distance of 590.72 feet to a point on the Southeasterly line of that certain parcel of land depicted as Parcel No. 4 in Grant Deed conveyed to John L. Hertle on June 23, 1998 as Instrument No. 98-0055758 and the terminus point of this line description.

TOGETHER with the West half of the Northeast Quarter of Section 1, Township 3 South, Range 7 East, Mount Diablo Meridian.

EXCEPTING THEREFROM all that portion thereof described as follows, to wit: Commencing at a point on the North line of said Section 1, 20 chains West of the Northeast corner of said Section 1; running thence South along the East line of the West half of the Northeast Quarter of said Section 1, a distance of 2302 feet more or less to the center line of Lateral No. 6 of the Modesto Irrigation District; thence in a Westerly direction along the center line of Lateral No. 6, a distance of 647 feet more or less to a point where the center line of Lateral No. 6 intersects the center line of Lateral No. 8 of the Modesto Irrigation District; thence following in a Northeasterly and Northerly direction along the center line of Lateral No. 8 to the North line of Section 1; thence East along the North line of Section 1, a distance of 455 feet to the point of commencement.

ALSO EXCEPTING THEREFROM all that portion of the Northeast Quarter of said Section 1, being more particularly described as follows:

COMMENCING at the Northwest corner of the Northeast Quarter of said Section 1, said corner lies on the center line of Kiernan Avenue; thence North 88°53'00" East along last said center line and the North line of said Northeast Quarter of Section 1, a distance of 30.00 feet to the TRUE POINT OF BEGINNING of this description; thence continuing North 88°53'00" East along last said lines, a distance of 836.82 feet to a point on the center line of the Modesto Irrigation District Lateral No. 8; thence South 01°12'00" East along last said center line, a distance of 1082.00 feet; thence South 88°53'00" West, parallel with and 1082.00 feet Southerly of, measured perpendicular to, the North line of said Northeast Quarter of Section 1, a distance of 830.91 feet to a point which lies 30.00 feet, measured perpendicular to, the West line of said Northeast Quarter of Section 1; thence North 01°30'47" West, 30.00 feet East of and parallel with last said West line of the Northeast Quarter of Section 1, a distance of 1082.03 feet to the point of beginning.

CONTAINING 62.14 acres gross more or less.

SUBJECT TO all easements and/or rights-of-way of record.

*hegler is correct
David L. Skidmore
10/23/08*



[Handwritten Signature]
Dave L. Skidmore, L.S. 7126
License Expires 12/31/08
10/14/08

EXHIBIT "B-2"
LEGAL DESCRIPTION
RODARAKIS AFTER LOT LINE ADJUSTMENT

ALL that certain real property situate in the County of Stanislaus, State of California, lying within the Northeast Quarter of Section 1, Township 3 South, Range 7 East, Mount Diablo Meridian, described as follows:

COMMENCING at the Northwest corner of the Northeast Quarter of said Section 1, said corner lies on the center line of Kiernan Avenue; thence North 88°53'00" East along last said center line and the North line of said Northeast Quarter of Section 1, a distance of 30.00 feet to the TRUE POINT OF BEGINNING of this description; thence continuing North 88°53'00" East along last said lines, a distance of 836.82 feet to a point on the center line of the Modesto Irrigation District Lateral No. 8; thence South 01°12'00" East along last said center line, a distance of 1082.00 feet; thence South 88°53'00" West, parallel with and 1082.00 feet Southerly of, measured perpendicular to, the North line of said Northeast Quarter of Section 1, a distance of 830.91 feet to a point which lies 30.00 feet, measured perpendicular to, the West line of said Northeast Quarter of Section 1; thence North 01°30'47" West, 30.00 feet East of and parallel with last said West line of the Northeast Quarter of Section 1, a distance of 1082.03 feet to the point of beginning.

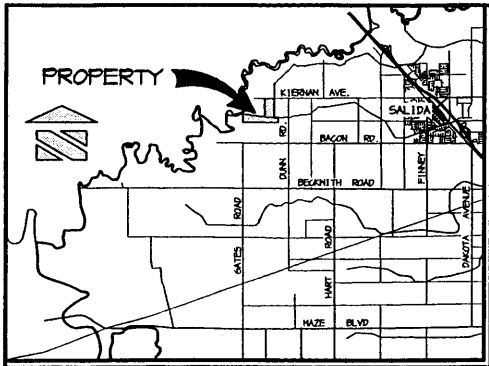
CONTAINING 20.71 acres gross more or less.

SUBJECT TO all easements and/or rights-of-way of record.

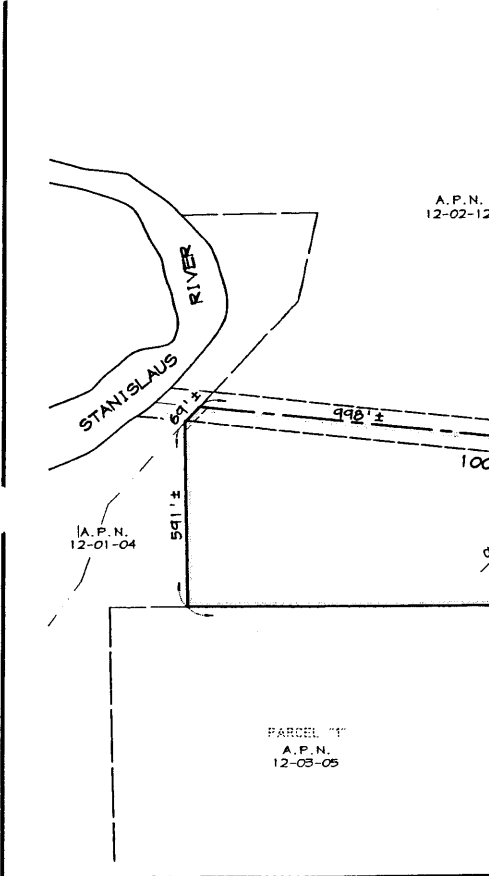
*Legal is correct
Dariusz G. Witt
10/23/08*



[Signature]
Dave L. Skidmore, L.S. 7126
License Expires 12/31/08
10/14/08



VICINITY MAP
NO SCALE



OWNER/APPLICANT:
PANAGIOTIS RODARAKIS, ET AL
1601 "I" STREET, 5TH FLOOR
MODESTO, CA 95354
PHONE: (209) 988-3829

GENERAL NOTES

- ASSESSOR'S PARCEL NUMBER: 012-002-007 AND 012-002-015
- EXISTING ZONING: A-2-40
- DOMESTIC WATER, BY PRIVATE WELL
- SANITARY SEWER, BY SEPTIC SYSTEMS
- THE SUBJECT PARCELS ARE RESTRICTED BY WILLIAMSON ACT CONTRACTS NO. 05-4572 & 76-2403.
- SITE CURRENTLY CONSISTS OF VINEYARDS AND OPEN FIELDS. PARCELS ARE CONFIGURED SO THAT THEY IRRIGATE AND DRAIN UTILIZING EXISTING FLOOD IRRIGATION FACILITIES.
- ELEVATION OF PROPERTY RANGING BETWEEN THE 41 AND 55 FOOT ELEVATION CONTOURS AS SHOWN ON USGS MAPS.
- SUBJECT PARCELS ARE LOCATED IN ZONE "X" (AREAS OF 500-YEAR FLOOD) AND ZONE "A" (AREAS OF 100-YEAR FLOOD); OF THE FLOOD INSURANCE RATE MAP (FIRM), MAP NUMBER 06049C0285E.
- THE PROPERTY LINE DISTANCES, BEARINGS, AND ALL OTHER DIMENSIONS SHOWN ON THIS MAP ARE TAKEN FROM DEEDS, ASSESSOR'S MAPS, OR BOTH, AND PRELIMINARY FIELD OBSERVATIONS BY OFFICE PERSONNEL AND DO NOT REFLECT AN ACTUAL FIELD SURVEY.

PARCEL SUMMARY

BEFORE ADJUSTMENT	
LOT 1	27.99 ± AC.
LOT 2	54.86 ± AC.
NEW LOTS AFTER ADJUSTMENT	
NEW LOT 1	62.14 ± AC.
NEW LOT 2	20.71 ± AC.

REVISION	DATE	DESCRIPTION	BY

ASSOCIATED ENGINEERING, INC.
Surveying - Design - Planning
406 TECHNOLOGY DRIVE
MODESTO, CALIFORNIA 95356
PH: (209) 945-3390 FAX: (209) 945-3875



LOT LINE ADJUSTMENT SITE MAP
BEING A PORTION OF SECTION 1, TOWNSHIP 3 SOUTH, RANGE 7 EAST, MOUNT DIABLO MERIDIAN STANISLAUS COUNTY CALIFORNIA

DRAWN BY: R.M.U.
DATE: 4/5/08 11:04
SCALE: 1"=250'
DWG: 694-LLA
CHECKED:
JOB #: 694-08



RECORDING REQUESTED BY
STANISLAUS COUNTY BOARD OF
SUPERVISORS

WHEN RECORDED RETURN TO
STANISLAUS COUNTY PLANNING
DEPARTMENT

**NOTICE OF RESCISSION AND
SIMULTANEOUS RE-ENTRY INTO
CALIFORNIA LAND CONSERVATION
CONTRACT NO. 2008-19**



Stanislaus, County Recorder
Lee Lundrigan Co Recorder Office
DOC- 2008-0129866-00

Thursday, DEC 11, 2008 08:15:41
Ttl Pd \$0.00 Nbr-0002645979
OCE/R2/2-10

THIS NOTICE OF RESCISSION AND CALIFORNIA LAND CONSERVATION CONTRACT is made and entered into November 18, 2008, 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: Panagiotis Rodarakis
1601 "I" Street, Fifth Floor
Modesto, CA 95354

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

ASSESSORS PARCEL NUMBER	ACREAGE	SITUS ADDRESS (If none, please provide Legal Description)
012-002-015	62.14	Kiernan Avenue, Modesto 95358

Pursuant to Stanislaus County Board of Supervisors Resolution No. 2008-787, relating to Lot Line Adjustment No. 2008-25 as authorized by Govt. Code § 51257, California Land Conservation Contract No. 05-4572 which encumbered the parcel described in Exhibit A is rescinded and this contract which encumbers the newly configured parcel described in Exhibit B is entered into.

06/10

NOTICE OF RESCISSION AND SIMULTANEOUS RE-ENTRY INTO CALIFORNIA LAND CONSERVATION CONTRACT Page 2

(17) The effective date of this Contract shall be date of recording.

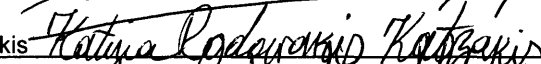
(18) Uses on the subject property are limited to those specifically described in Chapter 21.20 of the Stanislaus County Code . General Agriculture District (A-2), as effective each year upon renewal of the contract, which is herein incorporated by reference.

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)
----------------------------------	------------------------------------	------	---------------------

Panagiotis G. Rodarakis		10-28-08	Modesto CA
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Michael G. Rodarakis		10/21/08	Modesto, CA.
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Katina Rodarakis Katzakis		10-31-08	Modesto, CA
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Mary Rodarakis Stavropoulos		10-21-08	Modesto, CA
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SECURITY HOLDERS:

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

Joseph Mauzy		10-24-08	Modesto, CA
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Vice President / Branch Manager, Yosemite Farm Credit

EXHIBITS:

- (A) Legal description of Parcel covered under old contract
- (B) Legal description of newly configured Parcel covered under new contract
- (C) Board of Supervisors Action Item approving referenced rescission and new contract

COUNTY: Stanislaus County

12/8/08
Dated


Kirk Ford, Chairman
for Board of Supervisors

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California

County of Stanislaus }

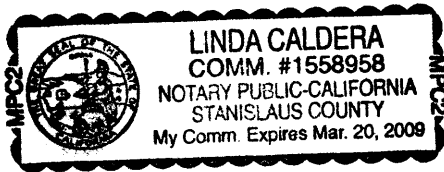
On Oct. 28, 2008 before me, Linda Caldera, a Notary Public
Date Here Insert Name and Title of the Officer
 personally appeared Panagiotis G. Kodarakis
Name(s) of Signer(s)

who 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.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature Linda Caldera
Signature of Notary Public



Place Notary Seal Above

OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Description of Attached Document

Title or Type of Document: _____

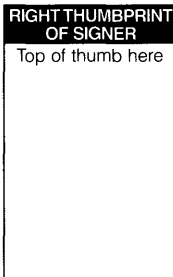
Document Date: _____ Number of Pages: _____

Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: _____

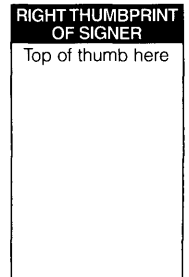
- Individual
- Corporate Officer — Title(s): _____
- Partner — Limited General
- Attorney in Fact
- Trustee
- Guardian or Conservator
- Other: _____



Signer Is Representing: _____

Signer's Name: _____

- Individual
- Corporate Officer — Title(s): _____
- Partner — Limited General
- Attorney in Fact
- Trustee
- Guardian or Conservator
- Other: _____



Signer Is Representing: _____

ACKNOWLEDGMENT

STATE OF CALIFORNIA)
) ss.
COUNTY OF STANISLAUS)

On October 21, 2008, before me, Janice Segars, a Notary Public in and for said State, personally appeared Michael G. Rodarakis and Mary Rodarakis Stavropoulos, who 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.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.



Janice Segars

NOTARY PUBLIC IN AND FOR SAID STATE

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California

County of Stanislaus

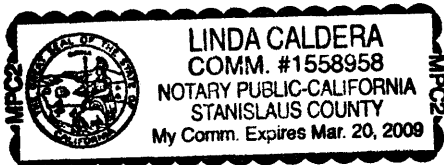
On Oct. 31, 2008
Date

before me,

} Linda Caldera, a Notary Public
Here Insert Name and Title of the Officer

personally appeared Katina Rodarakis Katzakis
Name(s) of Signer(s)

who 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.



Place Notary Seal Above

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature Linda Caldera
Signature of Notary Public

OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Description of Attached Document

Title or Type of Document: _____

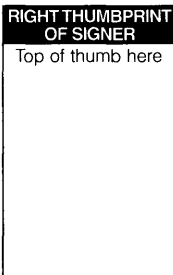
Document Date: _____ Number of Pages: _____

Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: _____

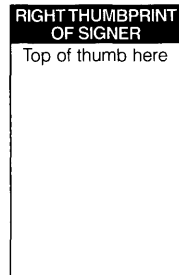
- Individual
- Corporate Officer — Title(s): _____
- Partner — Limited General
- Attorney in Fact
- Trustee
- Guardian or Conservator
- Other: _____



Signer Is Representing: _____

Signer's Name: _____

- Individual
- Corporate Officer — Title(s): _____
- Partner — Limited General
- Attorney in Fact
- Trustee
- Guardian or Conservator
- Other: _____



Signer Is Representing: _____

State of California)
County of Stanislaus)

On October 24, 2008 before me, Keri C. Layne, a notary public, personally appeared Joseph Mauzy, who 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.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature *Keri C. Layne* (Seal)



EXHIBIT "A"
LEGAL DESCRIPTION
RODARAKIS

WILLIAMSON ACT UNDER OLD CONTRACT

ALL that certain real property situate in the County of Stanislaus, State of California, described as follows:

ALL that portion of fractional Northwest Quarter of Section 1, Township 3 South, Range 7 East, Mount Diablo Meridian, lying South of the centerline of Lateral No. 6 of the Modesto Irrigation District.

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SUBJECT TO all easements and/or rights-of-way of record.

EXHIBIT "B"
LEGAL DESCRIPTION
RODARAKIS

WILLIAMSON ACT UNDER NEW CONTRACT

ALL that certain real property situate in the County of Stanislaus, State of California, described as follows:

ALL that portion of fractional Northwest Quarter of Section 1, Township 3 South, Range 7 East, Mount Diablo Meridian, lying South of the centerline of Lateral No. 6 of the Modesto Irrigation District.

EXCEPTING THEREFROM all that portion of the above described parcel of land lying Westerly of the following described line:

COMMENCING at the Southwest corner of said fractional Northwest Quarter of Section 1, said corner being marked by a 6" concrete monument; thence North 89°42'26" East along the South line of said fractional Northwest Quarter, a distance of 246.53 feet to the TRUE POINT OF BEGINNING of this line description; thence North 01°07'41" West, a distance of 590.72 feet to a point on the Southeasterly line of that certain parcel of land depicted as Parcel No. 4 in Grant Deed conveyed to John L. Hertle on June 23, 1998 as Instrument No. 98-0055758 and the terminus point of this line description.

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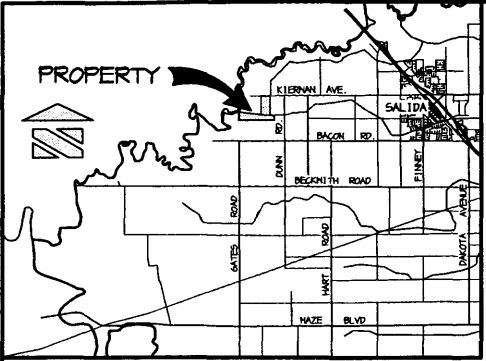
EXCEPTING THEREFROM all that portion thereof described as follows, to wit: Commencing at a point on the North line of said Section 1, 20 chains West of the Northeast corner of said Section 1; running thence South along the East line of the West half of the Northeast Quarter of said Section 1, a distance of 2302 feet more or less to the center line of Lateral No. 6 of the Modesto Irrigation District; thence in a Westerly direction along the center line of Lateral No. 6, a distance of 647 feet more or less to a point where the center line of Lateral No. 6 intersects the center line of Lateral No. 8 of the Modesto Irrigation District; thence following in a Northeasterly and Northerly direction along the center line of Lateral No. 8 to the North line of Section 1; thence East along the North line of Section 1, a distance of 455 feet to the point of commencement.

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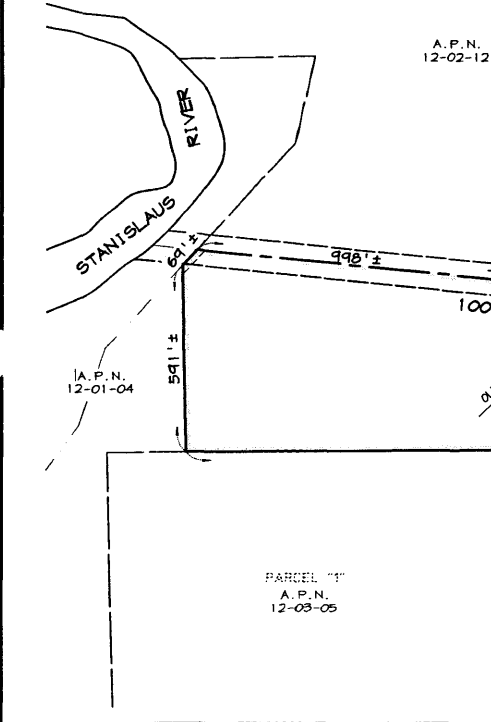
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CONTAINING 62.14 acres gross more or less.

SUBJECT TO all easements and/or rights-of-way of record



VICINITY MAP
NO SCALE



OWNER/APPLICANT:
PANAGIOTIS RODARAKIS, ET AL
 1601 "I" STREET, 5TH FLOOR
 MODESTO, CA 95354
 PHONE: (209) 988-3824

GENERAL NOTES

1. ASSESSOR'S PARCEL NUMBER: 012-002-007 AND 012-002-015
2. EXISTING ZONING: A-2-40
3. DOMESTIC WATER: BY PRIVATE WELL
4. SANITARY SEWER: BY SEPTIC SYSTEMS
5. THE SUBJECT PARCELS ARE RESTRICTED BY WILLIAMSON ACT CONTRACTS NO. 05-4572 & 76-2403.
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7. ELEVATION OF PROPERTY RANGING BETWEEN THE 41 AND 55 FOOT ELEVATION CONTOURS AS SHOWN ON USGS MAPS.
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LOT 2	54.66 ± AC.
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NEW LOT 1	62.14 ± AC.
NEW LOT 2	20.71 ± AC.

REVISION	DATE	DESCRIPTION

ASSOCIATED ENGINEERING, INC.
 Surveying • Design • Planning
 4206 TECHNOLOGY DRIVE
 MODESTO, CALIFORNIA 95336
 PH: (209) 545-3390 FAX: (209) 545-3875



LOT LINE ADJUSTMENT SITE MAP
 BEING A PORTION OF SECTION 1, TOWNSHIP 3 SOUTH, RANGE 7 EAST, MOUNT DIABLO MERIDIAN
 STANISLAUS COUNTY CALIFORNIA

DRAWN BY: R.M.U.
 DATE: 9/5/08 11:01
 SCALE: 1"=250'
 DWG: 694-LLA
 CHECKED:
 JOB #: 694-08

SHEET
 OF 1



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

DEPT: Planning and Community Development

BOARD AGENDA # *D-1

Urgent Routine

AGENDA DATE November 18, 2008

CEO Concurs with Recommendation YES NO
(Information Attached)

4/5 Vote Required YES NO

SUBJECT:

Approval to Rescind All or a Portion of Williamson Act Contract No. 1976-2403 (Kiernan Avenue, Modesto) and Contract No. 2005-4572 (Kiernan Avenue, Modesto) and Approve a New Contract Pursuant to Minor Lot Line Adjustment 2008-25, Rodarakis, and Authorize the Planning Director to Execute a New Contract

STAFF RECOMMENDATIONS:

Approval and the establishment of the following findings:

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:

There are no fiscal impacts associated with this item.

BOARD ACTION AS FOLLOWS:

No. 2008-787

On motion of Supervisor Monteith, Seconded by Supervisor Grover

and approved by the following vote,

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

Noes: Supervisors: None

Excused or Absent: Supervisors: Mayfield

Abstaining: Supervisor: None

1) Approved as recommended

2) Denied

3) Approved as amended

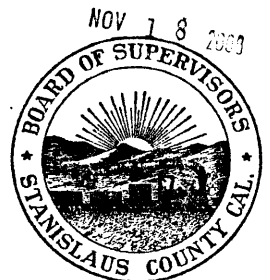
4) Other:

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 Christine Ferraro Tallman



ATTEST: CHRISTINE FERRARO TALLMAN, Clerk

File No.



Stanislaus, County Recorder
 Lee Lundrigan Co Recorder Office
DOC- 2008-0129867-00
 Thursday, DEC 11, 2008 08:15:52
 Ttl Pd \$0.00 Nbr-0002645980
 OCE/R2/2-10

RECORDING REQUESTED BY
 STANISLAUS COUNTY BOARD OF
 SUPERVISORS

WHEN RECORDED RETURN TO
 STANISLAUS COUNTY PLANNING
 DEPARTMENT

**NOTICE OF RESCISSION AND
 SIMULTANEOUS RE-ENTRY INTO
 CALIFORNIA LAND CONSERVATION
 CONTRACT NO. 2008-20**

THIS NOTICE OF RESCISSION AND CALIFORNIA LAND CONSERVATION CONTRACT is made and entered into November 18, 2008, 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: Panagiotis Rodarakis
1601 "I" Street, Fifth Floor
Modesto, CA 95354

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

ASSESSORS PARCEL NUMBER	ACREAGE	SITUS ADDRESS (If none, please provide Legal Description)
012-002-007	20.71	8436 Kiernan Avenue, Modesto 95358

Pursuant to Stanislaus County Board of Supervisors Resolution No. 2008-787, relating to Lot Line Adjustment No. 2008-25 as authorized by Govt. Code § 51257, California Land Conservation Contract No. 76-2403 which encumbered the parcel described in Exhibit A is rescinded and this contract which encumbers the newly configured parcel described in Exhibit B is entered into.

CE
10

NOTICE OF RESCISSION AND SIMULTANEOUS RE-ENTRY INTO CALIFORNIA LAND CONSERVATION CONTRACT Page 2

(17) The effective date of this Contract shall be date of recording.

(18) Uses on the subject property are limited to those specifically described in Chapter 21.20 of the Stanislaus County Code . General Agriculture District (A-2), as effective each year upon renewal of the contract, which is herein incorporated by reference.

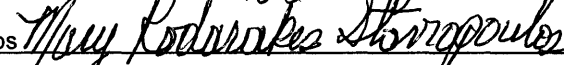
IN WITNESS WHEREOF, the parties hereto have executed the within Contract the day and year first above written.

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

Panagiotis G. Rodarakis  10-28-08 Modesto CA

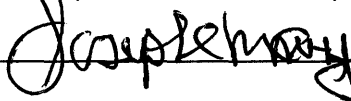
Michael G. Rodarakis  10/21/08 MODESTO, CA.

Katrina Rodarakis Katzakis  10-31-08 Modesto, CA

Mary Rodarakis Stavropoulos  10-21-08 Modesto, CA

SECURITY HOLDERS:

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

Joseph Mauzy  10-24-08 Modesto, CA

Vice President / Branch Manager, Yosemite Farm Credit

EXHIBITS:

- (A) Legal description of Parcel covered under old contract
- (B) Legal description of newly configured Parcel covered under new contract
- (C) Board of Supervisors Action Item approving referenced rescission and new contract

COUNTY: Stanislaus County

12/8/08
Dated


Kirk Ford, Chairman
for Board of Supervisors

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

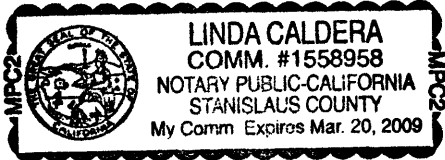
State of California

County of Stanislaus

On Oct. 28, 2008 before me, Linda Caldera, a Notary Public

personally appeared Panagiotis G. Rodarakis

who 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~~ executed the same in his/~~her~~ authorized capacity(ies), and that by his/~~her~~ signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.



I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature Linda Caldera
Signature of Notary Public

Place Notary Seal Above

OPTIONAL

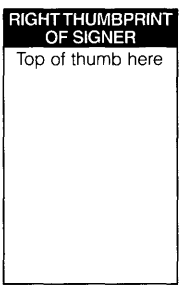
Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Description of Attached Document

Title or Type of Document: _____
Document Date: _____ Number of Pages: _____
Signer(s) Other Than Named Above: _____

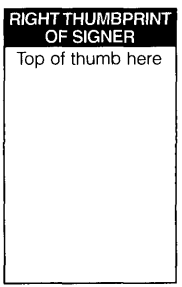
Capacity(ies) Claimed by Signer(s)

- Signer's Name: _____
- Individual
- Corporate Officer — Title(s): _____
- Partner — Limited General
- Attorney in Fact
- Trustee
- Guardian or Conservator
- Other: _____



Signer Is Representing: _____

- Signer's Name: _____
- Individual
- Corporate Officer — Title(s): _____
- Partner — Limited General
- Attorney in Fact
- Trustee
- Guardian or Conservator
- Other: _____



Signer Is Representing: _____

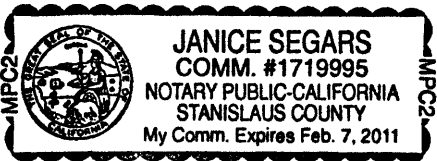
ACKNOWLEDGMENT

STATE OF CALIFORNIA)
) ss.
COUNTY OF STANISLAUS)

On October 21, 2008, before me, Janice Segars, a Notary Public in and for said State, personally appeared Michael G. Rodarakis and Mary Rodarakis Stavropoulos, who 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.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.



Janice Segars

NOTARY PUBLIC IN AND FOR SAID STATE

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

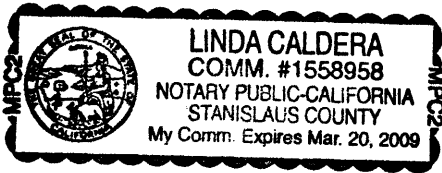
State of California

County of Stanislaus

On Oct. 31, 2008 before me, Linda Caldera, a Notary Public
Date Here Insert Name and Title of the Officer

personally appeared Katina Rodarakis Katzakis
Name(s) of Signer(s)

who 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.



Place Notary Seal Above

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature Linda Caldera
Signature of Notary Public

OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Description of Attached Document

Title or Type of Document: _____

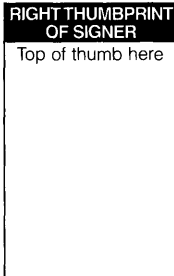
Document Date: _____ Number of Pages: _____

Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: _____

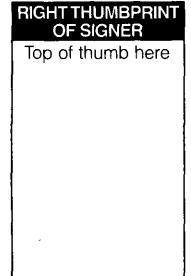
- Individual
- Corporate Officer — Title(s): _____
- Partner — Limited General
- Attorney in Fact
- Trustee
- Guardian or Conservator
- Other: _____



Signer Is Representing: _____

Signer's Name: _____

- Individual
- Corporate Officer — Title(s): _____
- Partner — Limited General
- Attorney in Fact
- Trustee
- Guardian or Conservator
- Other: _____



Signer Is Representing: _____

State of California)
County of Stanislaus)

On October 24, 2008 before me, Keri C. Layne, a notary public, personally appeared Joseph Mauzy, who 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.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature *Keri C. Layne* (Seal)



EXHIBIT "A"
LEGAL DESCRIPTION
RODARAKIS

WILLIAMSON ACT UNDER OLD CONTRACT

ALL that certain real property situate in the County of Stanislaus, State of California, described as follows:

THE West half of the Northeast Quarter of Section 1, Township 3 South, Range 7 East, Mount Diablo Meridian.

EXCEPTING THEREFROM all that portion thereof described as follows, to wit:
Commencing at a point on the North line of said Section 1, 20 chains West of the Northeast corner of said Section 1; running thence South along the East line of the West half of the Northeast Quarter of said Section 1, a distance of 2302 feet more or less to the center line of Lateral No. 6 of the Modesto Irrigation District; thence in a Westerly direction along the center line of Lateral No. 6, a distance of 647 feet more or less to a point where the center line of Lateral No. 6 intersects the center line of Lateral No. 8 of the Modesto Irrigation District; thence following in a Northeasterly and Northerly direction along the center line of Lateral No. 8 to the North line of Section 1; thence East along the North line of Section 1, a distance of 455 feet to the point of commencement.

SUBJECT TO all easements and/or rights-of-way of record.

EXHIBIT "B"
LEGAL DESCRIPTION
RODARAKIS

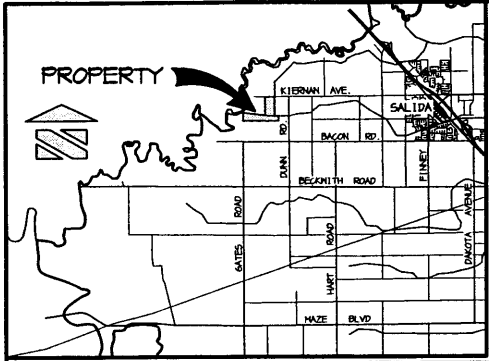
WILLIAMSON ACT UNDER NEW CONTRACT

ALL that certain real property situate in the County of Stanislaus, State of California, lying within the Northeast Quarter of Section 1, Township 3 South, Range 7 East, Mount Diablo Meridian, described as follows:

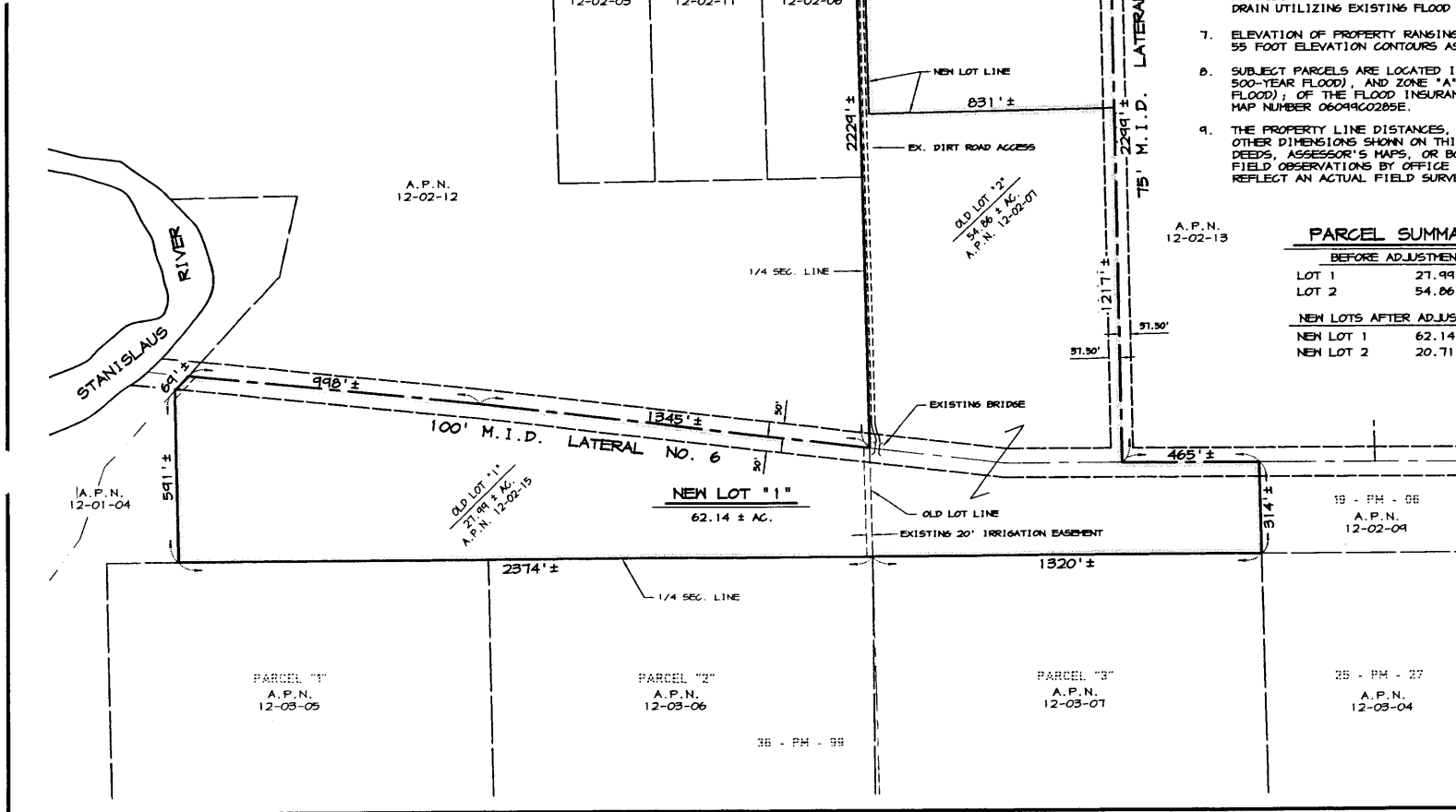
COMMENCING at the Northwest corner of the Northeast Quarter of said Section 1, said corner lies on the center line of Kiernan Avenue; thence North 88°53'00" East along last said center line and the North line of said Northeast Quarter of Section 1, a distance of 30.00 feet to the TRUE POINT OF BEGINNING of this description; thence continuing North 88°53'00" East along last said lines, a distance of 836.82 feet to a point on the center line of the Modesto Irrigation District Lateral No. 8; thence South 01°12'00" East along last said center line, a distance of 1082.00 feet; thence South 88°53'00" West, parallel with and 1082.00 feet Southerly of, measured perpendicular to, the North line of said Northeast Quarter of Section 1, a distance of 830.91 feet to a point which lies 30.00 feet, measured perpendicular to, the West line of said Northeast Quarter of Section 1; thence North 01°30'47" West, 30.00 feet East of and parallel with last said West line of the Northeast Quarter of Section 1, a distance of 1082.03 feet to the point of beginning.

CONTAINING 20.71 acres gross more or less.

SUBJECT TO all easements and/or rights-of-way of record.



VICINITY MAP
NO SCALE



OWNER/APPLICANT:
 PANAGIOTIS RODARAKIS, ET AL
 1601 "I" STREET, 5TH FLOOR
 MODESTO, CA 95354
 PHONE: (209) 988-3829

GENERAL NOTES

- ASSESSOR'S PARCEL NUMBER: 012-002-007 AND 012-002-015
- EXISTING ZONING: A-2-40
- DOMESTIC WATER, BY PRIVATE WELL
- SANITARY SEWER, BY SEPTIC SYSTEMS
- THE SUBJECT PARCELS ARE RESTRICTED BY WILLIAMSON ACT CONTRACTS NO. 05-4572 & 76-2403.
- SITE CURRENTLY CONSISTS OF VINEYARDS AND OPEN FIELDS. PARCELS ARE CONFIGURED SO THAT THEY IRRIGATE AND DRAIN UTILIZING EXISTING FLOOD IRRIGATION FACILITIES.
- ELEVATION OF PROPERTY RANGING BETWEEN THE 41 AND 55 FOOT ELEVATION CONTOURS AS SHOWN ON US66 MAPS.
- SUBJECT PARCELS ARE LOCATED IN ZONE "X" (AREAS OF 500-YEAR FLOOD) AND ZONE "A" (AREAS OF 100-YEAR FLOOD); OF THE FLOOD INSURANCE RATE MAP (FIRM), MAP NUMBER 06099C0285E.
- THE PROPERTY LINE DISTANCES, BEARINGS, AND ALL OTHER DIMENSIONS SHOWN ON THIS MAP ARE TAKEN FROM DEEDS, ASSESSOR'S MAPS, OR BOTH, AND PRELIMINARY FIELD OBSERVATIONS BY OFFICE PERSONNEL AND DO NOT REFLECT AN ACTUAL FIELD SURVEY.

PARCEL SUMMARY

BEFORE ADJUSTMENT	
LOT 1	27.99 ± AC.
LOT 2	54.86 ± AC.
NEW LOTS AFTER ADJUSTMENT	
NEW LOT 1	62.14 ± AC.
NEW LOT 2	20.71 ± AC.



REVISION	DATE	DESCRIPTION	BY

ASSOCIATED ENGINEERING, INC.
 Surveying • Design • Planning
 4208 TECHNOLOGY DRIVE
 MODESTO, CALIFORNIA 95358
 PH: (209) 545-3390 FAX: (209) 545-3875

LOT LINE ADJUSTMENT SITE MAP
 BEING A PORTION OF SECTION 11, TOWNSHIP 3 SOUTH, RANGE 7 EAST, MOUNT DIABLO MERIDIAN STANISLAUS COUNTY CALIFORNIA

DRAWN BY: R.M.U.
 DATE: 9/5/08 11:09
 SCALE: 1"=250'
 DWG: 694-LLA
 CHECKED:
 JOB #: 694-08

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

DEPT: Planning and Community Development

BOARD AGENDA # *D-1

Urgent Routine

AGENDA DATE November 18, 2008

CEO Concurs with Recommendation YES NO
(Information Attached)

4/5 Vote Required YES NO

SUBJECT:

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STAFF RECOMMENDATIONS:

Approval and the establishment of the following findings:

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(Continued on Page 2)

FISCAL IMPACT:

There are no fiscal impacts associated with this item.

BOARD ACTION AS FOLLOWS:

No. 2008-787

On motion of Supervisor Monteith, Seconded by Supervisor Grover

and approved by the following vote,

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

Noes: Supervisors: None

Excused or Absent: Supervisors: Mayfield

Abstaining: Supervisor: None

1) Approved as recommended

2) Denied

3) Approved as amended

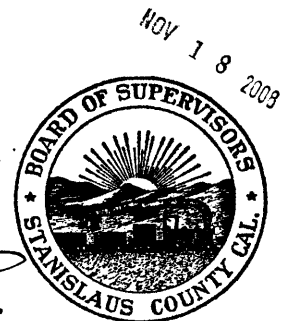
4) Other:

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

Christine Ferraro By Suzi Sibert



ATTEST: CHRISTINE FERRARO TALLMAN, Clerk

File No.