

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 December 14, 2010

CEO Concurs with Recommendation YES  NO   
(Information Attached)

4/5 Vote Required YES  NO

SUBJECT:

Approval to Rescind Williamson Act Contract No. 1973-1421, Located on the Eleanor Avenue, North of Claribel Road, in the Oakdale Area, Approval of a New Contract Pursuant to Minor Lot Line Adjustment 2009-11, Oosterman-Andersen, and Authorization for the Director of Planning and Community Development to Execute a New Contract

STAFF RECOMMENDATIONS:

1. Approve and establish the following findings:
  - a. 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restrict the adjusted boundaries of the parcel for an initial term for at least as long as the unexpired term of the rescinded contract or contracts, but for not less than 10 years except as authorized under the County's implementation of SB 863.

(Continued on page 2)

FISCAL IMPACT:

All costs associated with this item are included in the Lot Line Adjustment application fee. It is anticipated that there will be no net change in property tax or other revenue.

BOARD ACTION AS FOLLOWS:

No. 2010-760

On motion of Supervisor O'Brien, Seconded by Supervisor Monteith

and approved by the following vote,

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

Noes: Supervisors: None

Excused or Absent: Supervisors: None

Abstaining: Supervisor: None

1) X Approved as recommended

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

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

4) \_\_\_\_\_ Other:

MOTION:

ATTEST: CHRISTINE FERRARO TALLMAN, Clerk

File No.

**STAFF RECOMMENDATION: (Continued)**

- b. 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 In cases where two parcels involved in a lot line adjustment are both subject to contracts rescinded pursuant to this section, this finding will be satisfied if the aggregate acreage of the land restricted by the new contracts is at least as great as the aggregate acreage restricted by the rescinded contracts.
  - c. At least 90 percent of the land under the former contract or contracts remains under the new contract or contracts.
  - d. 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.
  - e. 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.
  - f. The lot line adjustment is not likely to result in the removal of adjacent land from agricultural use.
  - g. 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.
2. Rescind Williamson Act Contract No. 1973-1421 (Located on Eleanor Avenue, north of Claribel Road, in the Oakdale area).
  3. Approve a new contract pursuant to Minor Lot Line Adjustment 2009-11 – Oosterman and Andersen.
  4. Authorize the Director of Planning and Community Development to execute a new contract pursuant to Minor Lot Line Adjustment 2009-11.

**DISCUSSION:**

Lot Line Adjustment Application No. 2009-11 was approved by staff pending the Board's action required by the Williamson Act. The properties are located on Eleanor Avenue, north of Claribel Road, in the Oakdale area, in the unincorporated area of Stanislaus County. The lot line adjustment is requesting to go from 29.30 and 15.88 acres to 29.30 and 15.88 acres. There is an equal exchange of land (33,181 square feet) with this proposed lot line adjustment.

The 29.30 parcel involved in the lot line request is currently enrolled in Williamson Act Contract No. 1973-1421; however, when the lot line is completed, this parcel will be enrolled in a new contract. The new contract will be required to reflect the adjusted boundaries of the parcels. Pursuant to Section 51257 of the Government Code, Board approval is required for the rescission and simultaneous re-entry into the Williamson Act. 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 except as authorized under the County's implementation of SB 863.
- (2) There is no net decrease in the amount of the acreage restricted. In cases where two parcels involved in a lot line adjustment are both subject to contracts rescinded pursuant to this section, this finding will be satisfied if the aggregate acreage of the land restricted by the new contracts is at least as great as the aggregate acreage restricted by the rescinded contracts.
- (3) At least 90 percent of the land under the former contract or contracts remains under the new contract or contracts.
- (4) After the lot line adjustment, the parcels of land subject to contract will be large enough to sustain their agricultural use, as defined in Section 51222.

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

- (5) The lot line adjustment would not compromise the long-term agricultural productivity of the parcel or other agricultural lands subject to a contract or contracts.

Approval to Rescind Williamson Act Contract No. 1973-1421, Located on the Eleanor Avenue, North of Claribel Road, in the Oakdale Area, Approval of a New Contract Pursuant to Minor Lot Line Adjustment 2009-11, Oosterman-Andersen, and Authorization for the Director of Planning and Community Development to Execute a New Contract

Page 4

- (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. 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.

New Williamson Act contracts would typically come before the Board once a year, in December. 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 replaces Contract No. 1973-1421 upon recording. As in the case with all Williamson Act contracts in Stanislaus County, the new contract will be subject to the provisions of SB863, pursuant to the Board of Supervisors action on November 9, 2010.

**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 December 2007) 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. Thus, this action supports the Board’s priority of A Strong Agricultural Economy/Heritage.

**STAFFING IMPACT:**

There are no staffing impacts associated with this item.

**CONTACT PERSON:**

Kirk Ford, Planning & Community Development Director. Telephone: (209) 525-6330

**ATTACHMENTS:**

- 1. Lot Line Adjustment Application No. 2009-11
- 2. Lot Line Adjustment Approval Letter
- 3. Applicant’s Statement of Findings
- 4. Map of Proposed Changes



DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT

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

S	<u>31</u>	T	<u>2</u>	R	<u>10</u>
ZONE <u>Dir-40</u>					
RECEIVED <u>10/21/09</u>					
APPLICATION NO. <u>224-2009-1</u>					
RECEIPT NO. _____					

LOT LINE ADJUSTMENT APPLICATION

1. Property Owner(s):

**Parcel 1**

JACOB & ADA OOSTERMAN

---

Name  
5224 ELEANOR RD. OAKDALE 95361

---

Address, City, Zip  
209-869-1978

---

Phone  
--

---

Fax Number

**Parcel 2**

JEFFREY B. & KELLY L. ANDERSEN

---

Name  
5036 ELEANOR RD. OAKDALE 95361

---

Address, City, Zip  
209-869-6889

---

Phone  
--

---

Fax Number

**Parcel 3**

---

Name

---

Address, City, Zip

---

Phone

---

Fax Number

**Parcel 4**

---

Name

---

Address, City, Zip

---

Phone

---

Fax Number

2. Name and address of person(s) preparing map: JACOB OOSTERMAN

---

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

Parcel 1: Book 062 Page 030 No. 009

Parcel 3: Book \_\_\_\_\_ Page \_\_\_\_\_ No. \_\_\_\_\_

Parcel 2: Book 062 Page 030 No. 020

Parcel 4: Book \_\_\_\_\_ Page \_\_\_\_\_ No. \_\_\_\_\_

4. Size of all adjusted parcels:

	<u>Before</u>	<u>After</u>
Parcel 1:	<u>29.30 Ac.</u>	<u>29.30 Ac.</u>
Parcel 2:	<u>15.88 Ac.</u>	<u>15.88 Ac.</u>
Parcel 3:	_____	_____
Parcel 4:	_____	_____

5. Why are the lot lines being changed? BE SPECIFIC TO INCREASE THE EASE OF FARMING AND THE EFFICIENCY OF IRRIGATING BY MAKING THE NORTH AND SOUTH BOUNDARY LINES PARALLEL.

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

- |   |   |
|---|---|
| <input checked="" type="checkbox"/> Residential   | <input checked="" type="checkbox"/> Agriculture               |
| <input checked="" type="checkbox"/> Single Family | <input type="checkbox"/> Row Crop – type _____                |
| <input type="checkbox"/> Duplex                   | <input type="checkbox"/> Trees – type _____                   |
| <input type="checkbox"/> Multiple                 | <input type="checkbox"/> Vines – type _____                   |
| <input type="checkbox"/> Commercial               | <input type="checkbox"/> Range (unirrigated) _____            |
| <input type="checkbox"/> Industrial               | <input checked="" type="checkbox"/> Pasture (irrigated) _____ |
| <input type="checkbox"/> Other (Specify) _____    | <input type="checkbox"/> Poultry _____                        |
| _____   | <input type="checkbox"/> Dairy _____                          |
| _____   | <input type="checkbox"/> Other (Specify) _____                |

7. List all structures on properties: 3 RESIDENCES; BARNs

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: <u>1994</u>	Parcel 2: <u>1991</u>
Parcel 3: _____	Parcel 4: _____

10. What are the Williamson Act Contract numbers?

Parcel 1: <u>73-1421</u>	Parcel 2: <u>-----</u>
Parcel 3: _____	Parcel 4: _____

11. Do the parcels irrigate?  Yes  No If yes, how? PIPELINE FLOOD IRRIGATION

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

13. Signature of property owner(s)

<u>Jacob Oosterman</u> Owner's Signature	<u>Jacob Oosterman</u> Owner's Name Printed
<u>Ada C. Oost</u> Owner's Signature	<u>Ada OOSTERMAN</u> Owner's Name Printed
<u>Jeffrey B. Anderson</u> Owner's Signature	<u>Jeffrey B Anderson</u> Owner's Name Printed
<u>Kelly L. Anderson</u> Owner's Signature	<u>Kelly L Anderson</u> Owner's Name Printed



October 14, 2009

Jacob & Ada Oosterman  
5224 Eleanor Road  
Oakdale, CA 95361

**SUBJECT: TENTATIVE APPROVAL OF LOT LINE ADJUSTMENT NO. 2009-11  
OOSTERMAN - ANDERSEN**

The Stanislaus County Department of Planning and Community Development, completed its consideration of your application on **October 14, 2009**, 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 \$610.00, 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.

A "Certificate of Lot Line Adjustment" form is enclosed for property owner/security holders signatures. All signatures must be accompanied by a notarized acknowledgment page. After the signatures are secured this form shall be turned into the Planning Department for review and my signature. When this has been done, you will be notified that the subject form has been recorded.

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

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

Sincerely,

Carole Maben  
Associate Planner

Enclosure

cc: Jeffrey B. & Kelly L. Andersen

**ATTACHMENT 2**

## PROJECT DESCRIPTION AND LANDOWNER JUSTIFICATION

This project is a lot line adjustment between Assessor's Parcel No. 062-030-009 (29.30 Acres), owned by Jacob & Ada Oosterman, and 062-030-020 (15.88 Acres), owned by Jeffrey B. & Kelly L. Andersen.

(See attached separate sheet for reasons for lot line adjustment by Mr. Jacob Oosterman.)

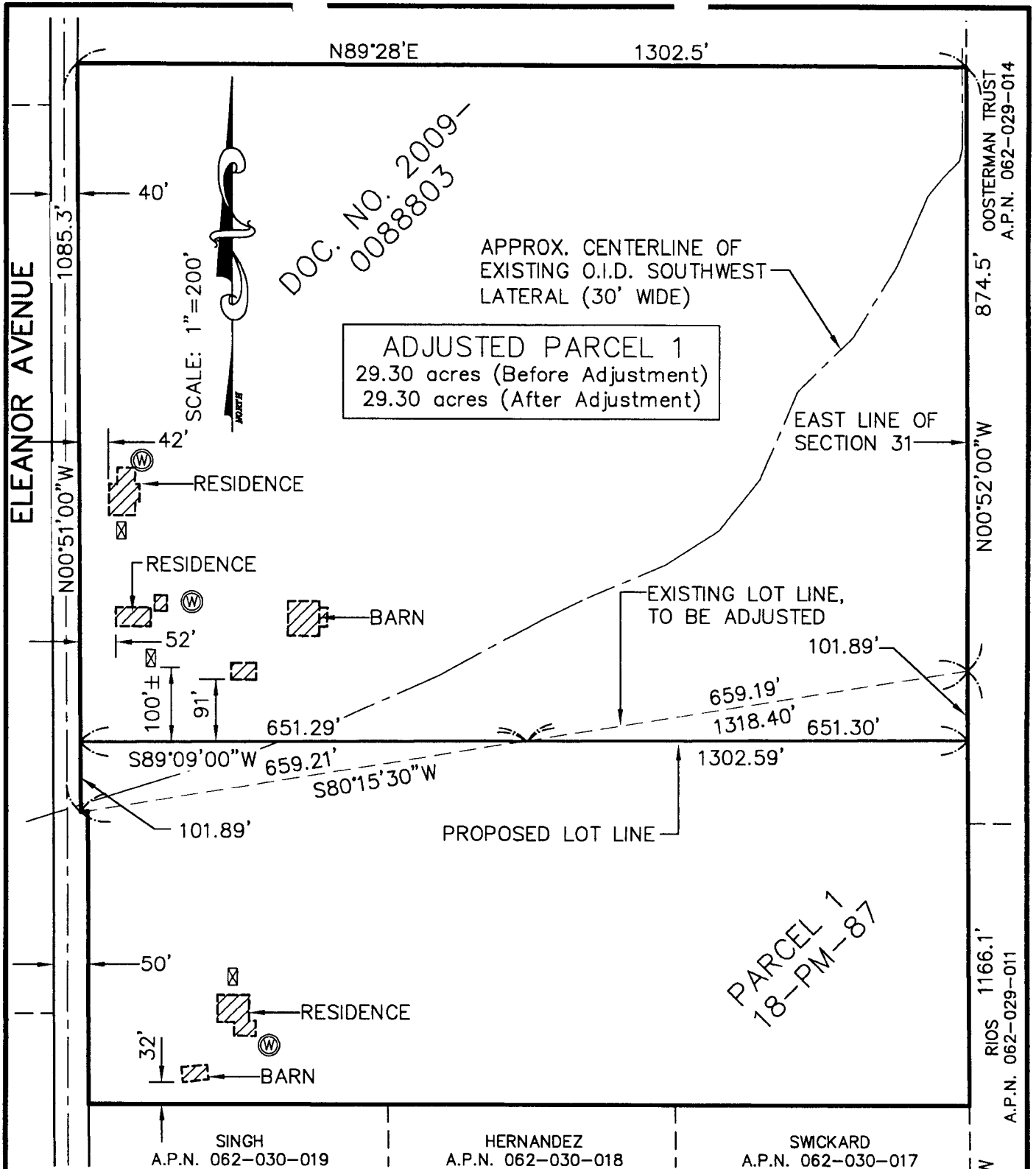
At the completion of this lot line adjustment, Parcel 1 will have an adjusted area of 29.30 acres, while the Parcel 2 adjusted acreage will be 15.88 acres. Only Parcel 1 is currently enrolled in the Williamson Act.

The seven required findings as specified in Government Code Section 51257 can be made based on the following explanations and justifications:

1. The contract for Parcel 1 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 ten years.
2. The land currently under contract is 29.30 acres. After the lot line adjustment, all 29.30 acres will remain under contract.
3. There will be no net decrease or increase in the land covered by the Williamson Act contract after the lot line adjustment.
4. Consistent with Section 51222, both parcels will be larger than 10 acres both before and after the lot line adjustment. Both parcels are presumed to be large enough to sustain its agricultural use.
5. Both of these parcels have been used for agricultural productivity in their current configuration for a long time. The new lot configuration, after adjustment, will increase the ease of farming and the efficiency of irrigating and will in no way compromise the long-term agricultural productivity of either of the parcels.
6. The lot line adjustment will not result in removal of land from agricultural use. Mr. Oosterman's parcel will remain restricted by the Williamson Act contract and both parcels will continue to be used for agricultural productivity.
7. The proposed lot line adjustment will not create more parcels than currently exist. Two parcels currently exist, each with home(s), which will be the same configuration after the lot line adjustment. Currently on parcel is under the Williamson Act and one is not, which will be the same after the lot line adjustment.

In conclusion, the lot line adjustment is a means to make the farming of this land a lot easier after converting Mr. Oosterman's land into row crop land (corn), and to make the irrigation a lot more efficient. The number of parcels stays the same, and the acreage of each parcel will stay the same after the lot line adjustment.





## EXHIBIT MAP

OF A PORTION OF THE EAST HALF OF THE SOUTHEAST QUARTER OF SECTION 31, TOWNSHIP 2 SOUTH, RANGE 10 EAST, M.D.B. & M.

⊙ EXIST. DOMESTIC WELL      ☒ EXIST. SEPTIC SYSTEM

NOTE: All dimensions are record or calculated from record.

37	32
6	5



DEPARTMENT OF PLANNING & COMMUNITY DEVELOPMENT

1010 10<sup>TH</sup> Street, Suite 3400, Modesto, CA 95354  
Phone: 209.525-6330 Fax: 209.525.5911

BOARD OF SUPERVISORS  
2011 APR 12 P 2 21

DATE: April 13, 2011

TO: Jacob & Ada Oosterman  
5224 Eleanor Road  
Oakdale, CA 95361

FROM: Carole Maben, Associate Planner

SUBJECT: **RECORDED COPY OF LOT LINE ADJUSTMENT NO. 2009-11;  
RECORDED COPY OF RESCISSION AND SIMULTANEOUS RE-ENTRY  
CALIFORNIA LAND CONSERVATION CONTRACT NO. - 2011-08  
OOSTERMAN - ANDERSEN**

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: Jeffery & Kelly Anderson  
Board of Supervisor's Office  
Don Hosley, Assessor's Office

I:\Planning\Lot Lines and Mergers\LLA\WAC RE RE & LLA- Notice of Recording Letters\2011\RE RE WAC 2011-08 and LLA 2009-11.wpd

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. 2011-08**



Stanislaus, County Recorder  
Lee Lundrigan Co Recorder Office  
**DOC- 2011-0025782-00**

Thursday, MAR 24, 2011 08:22:35

Ttl Pd \$0.00

Nbr-0003033220

LLP/R2/2-13

THIS NOTICE OF RESCISSION AND CALIFORNIA LAND CONSERVATION CONTRACT is made and entered into December 14, 2010, 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: Jacob Oosterman  
5224 Eleanor Road  
Oakdale, CA 95361

- (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)
062-030-009	29.3	5236 Eleanor Road, Oakdale

2011 APR 12 P 2:21  
BOARD OF SUPERVISORS

Pursuant to Stanislaus County Board of Supervisors Resolution No. 2010-760, relating to Lot Line Adjustment No. 2009-11 as authorized by Govt. Code § 51257, California Land Conservation Contract No. 1973-1421 which encumbered the parcel described in Exhibit A are rescinded and this contract which encumbers the newly configured parcel described in Exhibit B is entered into.

13  
20

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

- (18) The effective date of this Contract shall be date of recording.
- (19) 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)
Jacob Oosterman	<i>Jacob Oosterman</i>	7/12/10	Modesto
Adag OOSTERMAN	<i>Adag C. Oost</i>	7/12/10	"

SECURITY HOLDERS:

NAME (print or type)	SIGNATURE (all to be notarized)	DATE	SIGNED AT (city)
Oosterman Trust	<i>Jacob Oosterman</i>	7-14-2010	Modesto, CA
John Oosterman			

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

3/21/2011  
Dated

*Kirk Ford*  
Chairman, Board of Supervisors  
Kirk Ford for Dick Monteith

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

Page 2

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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)
Kelly L Anderson	<i>Kelly L Anderson</i>	02/21/11	Modesto, CA
Jeffrey B Anderson	<i>Jeffrey B Anderson</i>	02/21/11	Modesto, Ca

SECURITY HOLDERS:

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

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

\_\_\_\_\_ Dated \_\_\_\_\_

\_\_\_\_\_ Chairman, Board of Supervisors  
Kirk Ford for

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

- (18) The effective date of this Contract shall be date of recording.
- (19) 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)
Jacob Osterman	<i>Jacob Osterman</i>	7/12/10	Modesto
Ada OSTERMAN	<i>Ada C. Oost</i>	7/12/10	"
<del>Jeffrey B. Anderson</del>	<del>Jeffrey B. Anderson</del>	<del>7/28/10</del>	<del>Modesto</del>
<del>Kelly L. Anderson</del>	<del>Kelly L. Anderson</del>	<del>7/28/10</del>	<del>Modesto</del>

**SECURITY HOLDERS:**

NAME (print or type)	SIGNATURE (all to be notarized)	DATE	SIGNED AT (city)
Osterman Trust	<i>[Signature]</i>	7-14-2010	Modesto
BANK OF AMERICA PHILIP CARY	<i>[Signature]</i>	8/4/2010	RICHARDSON, TEXAS

Phil Cary  
 MLO-Unit Leader I, AVP  
 2380 Performance Drive, Building C  
 Richardson, TX 75082  
 Phone: 1-817-230-6001

act  
 and under new contract  
 rescinded rescission and new contract

COUNTY: Stanislaus County

Dated \_\_\_\_\_

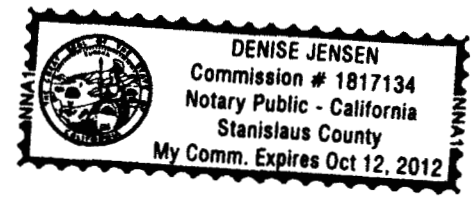
Chairman, Board of Supervisors  
 Kirk Ford for

STATE OF CALIFORNIA      )  
  ) ss.  
COUNTY OF STANISLAUS    )

On July 12, 2010, before me, DENISE JENSEN, a Notary Public, personally appeared Jacob Dosterman + Ada C. Dosterman, 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/they authorized capacity(ies), and that by ~~his~~/her/they 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.  
  
Denise Jensen  
Signature \_\_\_\_\_



(Seal)

Notice of Rescission.

**ACKNOWLEDGMENT**

State of California  
County of Stanislaus )

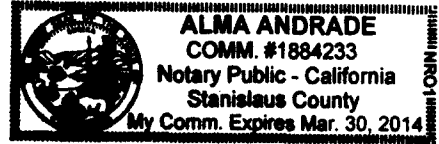
On July 14, 2010 before me, Alma Andrade, Notary Public  
(insert name and title of the officer)

personally appeared John L. Oosterman  
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 Alma Andrade (Seal)





**ACKNOWLEDGMENT**

State of California  
County of Stanislaus

On February 21, 2011 before me, Amanda Pereira Notary Public  
(insert name and title of the officer)

personally appeared KEITH L ANDERSON & JEFFREY B. ANDERSON  
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 *Amanda Pereira*

(Seal)



CERTIFICATE OF ACKNOWLEDGMENT

STATE OF TEXAS )

)ss.

COUNTY OF COLLIN )

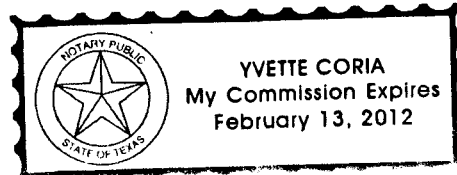
On August 4, 2010, before me, Yvette Coria, Notary Public, personally appeared PHILIP CARY, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized 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 this 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 \_\_\_\_\_



(Seal)

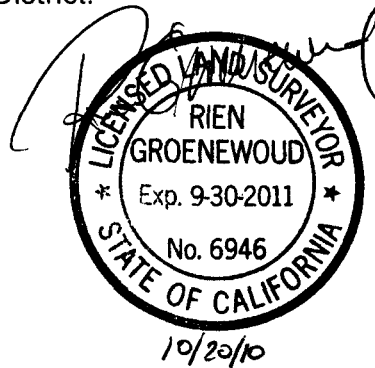


**EXHIBIT 'A'**

All that portion of the East half of the Southeast quarter of Section 31, Township 2 South, Range 10 East, Mount Diablo Base & Meridian, according to the U.S. Government Township plat, described as follows:

COMMENCING at a point 25 feet North of the Southeast corner of Section 31, Township 2 South, Range 10 East, marked by a 4 by 4 stake; running thence North 0 degrees 52' West along the East line of said Section 1141.1 feet to the Northeasterly corner of that certain parcel of land heretofore conveyed by Oakdale Irrigation District, a public corporation, to Oscar S. Vincent and wife, by deed dated December 6, 1938 and recorded December 22, 1938 in Volume 632 of Official Records, Page 465, being THE TRUE POINT OF BEGINNING; thence South 80 degrees 16' West along the Northerly boundary of said land so conveyed to Vincent 1318.5 feet to the East line of Eleanor Avenue; thence North 0 degrees 51' West along the East line of said Avenue 1085.3 feet to a 1 ½ inch iron pipe; thence North 89 degrees 28' East 1302.5 feet to the East line of said Section 31 and marked by a 1 ½ inch iron pipe; thence 0 degrees 52' East along the East line of said Section 31, 874.5 feet to the Point of Beginning.

EXCEPTING THEREFROM that portion thereof located within the boundaries of the Southwest Lateral of the Oakdale Irrigation District.



## EXHIBIT 'B'

All that portion of the East half of the Southeast quarter of Section 31, Township 2 South, Range 10 East, Mount Diablo Meridian, County of Stanislaus, State of California, more particularly described as follows:

COMMENCING at a point 25 feet North of the Southeast corner of Section 31, Township 2 South, Range 10 East, marked by a 4 by 4 stake; running thence North 0 degrees 52' West along the East line of said Section 1141.1 feet to the Northeasterly corner of that certain parcel of land heretofore conveyed by Oakdale Irrigation District, a public corporation, to Oscar S. Vincent and wife, by deed dated December 6, 1938 and recorded December 22, 1938 in Volume 632 of Official Records, Page 465, being THE TRUE POINT OF BEGINNING; thence South 80 degrees 16' West along the Northerly boundary of said land so conveyed to Vincent 1318.5 feet to the East line of Eleanor Avenue; thence North 0 degrees 51' West along the East line of said Avenue 1085.3 feet to a 1 ½ inch iron pipe; thence North 89 degrees 28' East 1302.5 feet to the East line of said Section 31 and marked by a 1 ½ inch iron pipe; thence South 0 degrees 52' East along the East line of said Section 31, 874.5 feet to the Point of Beginning.

TOGETHER WITH a portion of Parcel 1, as shown in Book 18 of Parcel Maps, at Page 87, Stanislaus County Records, and situate in the Southeast ¼ of Section 31, Township 2 South, Range 10 East, Mount Diablo Base & Meridian, being more particularly described as follows:

BEGINNING at the Northeast corner of said Parcel 1; thence along the East line of said Parcel 1, being also the East line of said Section 31, South 00 degrees 52'00" East, a distance of 101.89 feet; thence leaving last said East line and proceeding into said Parcel 1, South 89 degrees 09'00" West, a distance of 651.30 feet to a point on the Northwesterly line of said Parcel 1; thence along said Northwesterly line North 80 degrees 15'30" East, a distance of 659.19 feet to the Point of Beginning.

EXCEPTING THEREFROM a portion of that certain real property, described in a Grant deed to the Jacob Oosterman and Ada C. Oosterman Trust UDT, filed for record in Document No. 2009-0088803-00, Stanislaus County Records, and situate in the Southeast ¼ of Section 31, Township 2 South, Range 10 East, Mount Diablo Base & Meridian, being more particularly described as follows:

BEGINNING at the Southwest corner of said Oosterman Trust property, being also a point on the East right-of-way line of Eleanor Avenue (40 feet wide); thence along said East right-of-way line, North 00 degrees 51'00" West, a distance of 101.89 feet; thence leaving said right-of-way line and proceeding North 89 degrees 09'00" East, a distance of 651.29 feet to a point on the

Southeasterly line of said Oosterman Trust property; thence along last said Southeasterly line South 80 degrees 15'30" West, a distance of 659.21 feet to the Point of Beginning.

ALSO EXCEPTING THEREFROM that portion thereof located within the boundaries of the Southwest Lateral of the Oakdale Irrigation District.

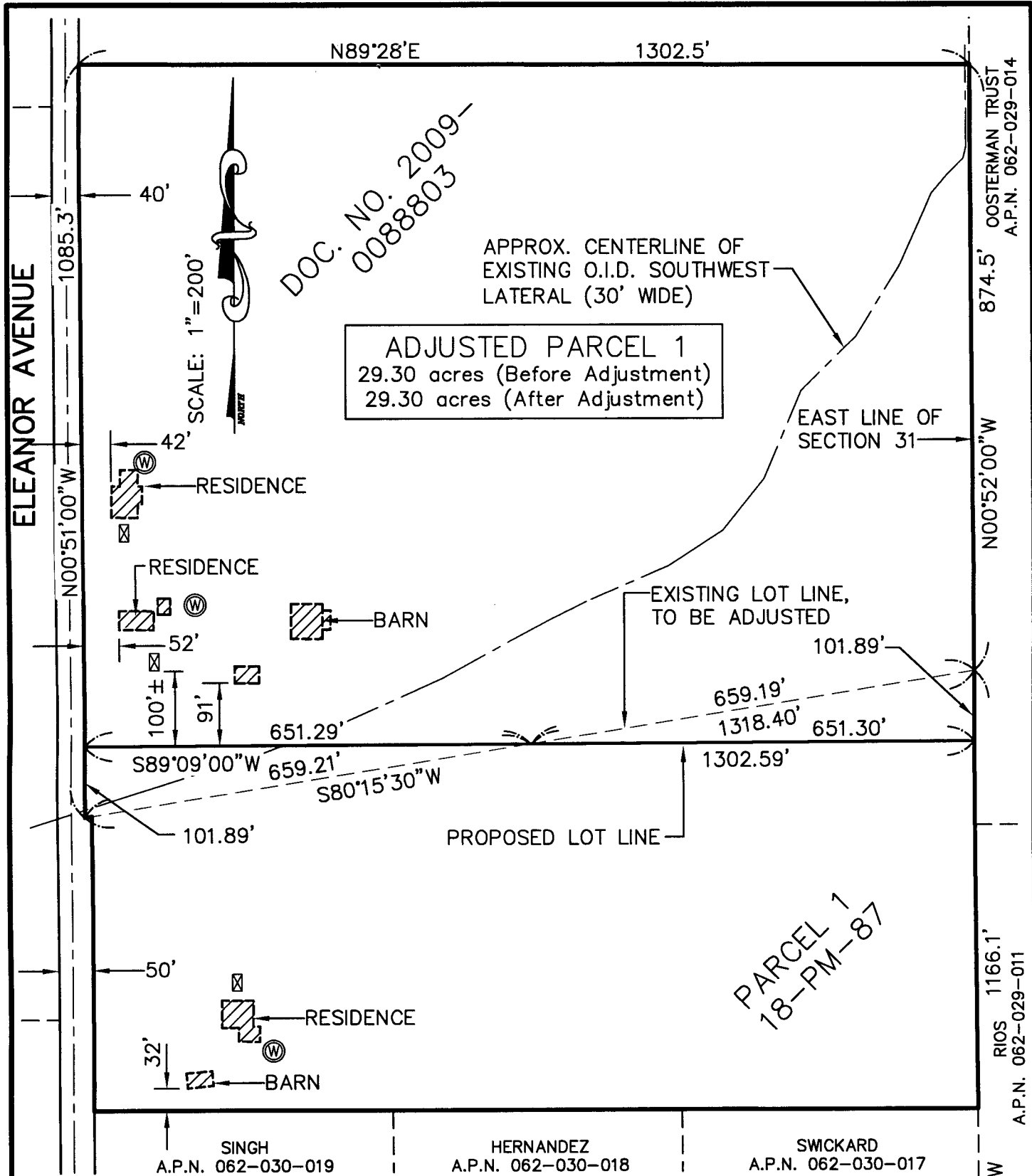
Subject to all existing easements and/or rights-of-ways of record.

Containing 29.30 Acres more or less.

BASIS OF BEARINGS for this description is a course of North 0 degrees 52' West for the East line of Section 31, Township 2 South, Range 10 East, Mount Diablo Meridian as referenced in Document No. 2009-0088803-00, Stanislaus County Records.

END OF DESCRIPTION.





DOC. NO. 2009-0088803

ADJUSTED PARCEL 1  
 29.30 acres (Before Adjustment)  
 29.30 acres (After Adjustment)

PARCEL 1  
 18-PM-87

**EXHIBIT MAP**

OF A PORTION OF THE EAST HALF OF THE SOUTHEAST QUARTER OF SECTION 31, TOWNSHIP 2 SOUTH, RANGE 10 EAST, M.D.B. & M.

⊙ EXIST. DOMESTIC WELL    ☒ EXIST. SEPTIC SYSTEM

NOTE: All dimensions are record or calculated from record.

3 1/2 3 2  
 8 5

EXHIBIT C

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 December 14, 2010

CEO Concurs with Recommendation YES  NO   
(Information Attached)

4/5 Vote Required YES  NO

SUBJECT:

Approval to Rescind Williamson Act Contract No. 1973-1421, Located on the Eleanor Avenue, North of Claribel Road, in the Oakdale Area, Approval of a New Contract Pursuant to Minor Lot Line Adjustment 2009-11, Oosterman-Andersen, and Authorization for the Director of Planning and Community Development to Execute a New Contract

STAFF RECOMMENDATIONS:

1. Approve and establish the following findings:

- a. 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 except as authorized under the County's implementation of SB 863.

(Continued on page 2)

FISCAL IMPACT:

All costs associated with this item are included in the Lot Line Adjustment application fee. It is anticipated that there will be no net change in property tax or other revenue.

BOARD ACTION AS FOLLOWS:

No. 2010-760

On motion of Supervisor O'Brien, Seconded by Supervisor Monteith

and approved by the following vote,

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

Noes: Supervisors: None

Excused or Absent: Supervisors: None

Abstaining: Supervisor: None

1)  Approved as recommended

2)  Denied

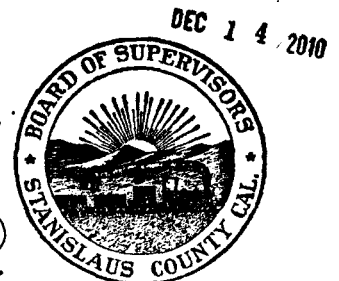
3)  Approved as amended

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



ATTEST:

Christine Ferraro Tallman  
CHRISTINE FERRARO TALLMAN, Clerk

File No.



Stanislaus, County Recorder  
Lee Lundrigan Co Recorder Office  
**DOC- 2011-0025779-00**

Acct 121-Planning.

Thursday, MAR 24, 2011 08:21:59

Ttl Pd \$56.00

Nbr-0003033218

LLP/R2/1-15

RECORDING REQUESTED BY AND  
WHEN RECORDED RETURN TO:

Stanislaus County  
Department of Planning  
and Community Development  
1010 10<sup>th</sup> 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 October 14, 2009 approved the lot line adjustment herein described submitted under the name of Oosterman - Andersen Lot Line Adjustment No. 2009-11 was approved to adjust the lines between contiguous parcels whereby the boundary lines of the real property described as Exhibit "A", attached hereto and made a part hereof, will be adjusted to result in parcels described in Exhibit "B", 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.

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, DIRECTOR

By: Carole Maben  
Carole Maben, Associate Planner  
Stanislaus County Department of Planning  
and Community Development

December 14, 2010  
Date

15  
AP



**CONDITIONS FOR LOT LINE ADJUSTMENT NO. 2009-11**

**OOSTERMAN - ANDERSEN**

**PLANNING DEPARTMENT**

1. Following Staff approval, all parties of interest in the subject parcels, including security holders, shall sign a Certificate of Lot Line Adjustment.
2. A deed shall be prepared and recorded for all parcels which reflect the lot line adjustment.
3. A Record of Survey shall be filed if required by Section 8762 of the Business and Professions Code.
4. Because all parcels are currently covered by Williamson Act Contracts, all contracts must be rescinded and replaced with new contracts for the new parcels. The Board of Supervisors MUST approve the new contracts as Per Section 51257 of the Government Code:

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

(5) The lot line adjustment would not compromise the long-term agricultural productivity of the parcel or other agricultural lands subject to a contract or contracts.

CONDITIONS FOR LOT LINE ADJUSTMENT NO. 2009-11

OOSTERMAN - ANDERSEN

Page 2

(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.

You must provide written evidence to support the seven findings listed above.

**NOTE: A record of survey would be very helpful in documenting this lot line adjustment, to accommodate any future transaction involving your property**

.....

LOT LINE NO. 2009-11

OWNERS:

NAME (Print or type)	SIGNATURE (All to be notarized)	DATE	SIGNED AT (City)
<u>Co-trustee</u> <u>Jacob Oosterman</u>	<u>Jacob Oosterman</u>	<u>10/21/09</u>	<u>Modesto</u>
<u>Ada Oosterman, co-trustee</u>	<u>Ada Oosterman</u>	<u>10/21/09</u>	<u>Modesto</u>
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

LOT LINE NO. 2009-11

SECURITY HOLDERS:

OWNERS:

NAME (Print or type)	SIGNATURE (All to be notarized)	DATE	SIGNED AT (City)
<u>Oosterman Trust</u>	<u>[Signature]</u>	<u>10-17-09</u>	<u>Riverbank, CA</u>
<u>John L. Oosterman</u>	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

See attached certificate

LOT LINE NO. 2009-11

OWNERS:

NAME (Print or type)	SIGNATURE (All to be notarized)	DATE	SIGNED AT (City)
-------------------------	------------------------------------	------	---------------------

<u>Co-trustee</u> <u>Jacob Oosterman</u>	<u>Jacob Oosterman</u>	<u>10/21/09</u>	<u>Modesto</u>
<u>Ada Oosterman, co-trustee</u>	<u>Ada Oosterman</u>	<u>10/21/09</u>	<u>Modesto</u>
<u>Jeffrey Brian Anderson</u>	<u>Jeffrey Brian Anderson</u>	<u>2/19/10</u>	<u>Riverbank</u>
<u>Kelly Lynn Anderson</u>	<u>Kelly Lynn Anderson</u>	<u>2/19/10</u>	<u>Riverbank</u>
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

LOT LINE NO. 2009-11

SECURITY HOLDERS:

OWNERS:

NAME (Print or type)	SIGNATURE (All to be notarized)	DATE	SIGNED AT (City)
-------------------------	------------------------------------	------	---------------------

<u>o-x</u> <u>Oosterman Trust</u>	<u>Jacob Oosterman</u>	<u>10-17-09</u>	<u>Riverbank, CA</u>
<u>A-x</u> _____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

See attached certificate

LOT LINE NO. 2009-11

OWNERS:

NAME (Print or type)	SIGNATURE (All to be notarized)	DATE	SIGNED AT (City)
Co-trustee <u>Jacob Osterman</u>	<u>[Signature]</u>	<u>10/21/09</u>	<u>Modesto</u>
<u>Ada Osterman, co-trustee</u>	<u>[Signature]</u>	<u>10/21/09</u>	<u>Modesto</u>
<u>Jeffrey Brian Anderson</u>	<u>[Signature]</u>	<u>2/19/10</u>	<u>Riverbank</u>
<u>Kelly Lynn Anderson</u>	<u>[Signature]</u>	<u>2/19/10</u>	<u>Riverbank</u>
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

LOT LINE NO. 2009-11

SECURITY HOLDERS:

OWNERS:

NAME (Print or type)	SIGNATURE (All to be notarized)	DATE	SIGNED AT (City)
<u>o-x Osterman Trust</u>	<u>[Signature]</u>	<u>10-17-09</u>	<u>Riverbank, CA</u>
<u>A-x BANK OF AMERICA</u>	<u>[Signature]</u>	<u>3-2-2010</u>	<u>Richardson, TEXAS</u>
<u>PHILIP CARY</u>	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

Phil Cary  
 MLO-Unit Leader I, AVP  
 2380 Performance Drive, Building C  
 Richardson, TX 75082  
 Phone: 1-817-230-6001

TLofLines and MarginsLLAApprovalLLA2009LLA 2009-11.spd

See attached certificate

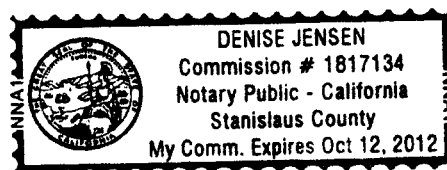
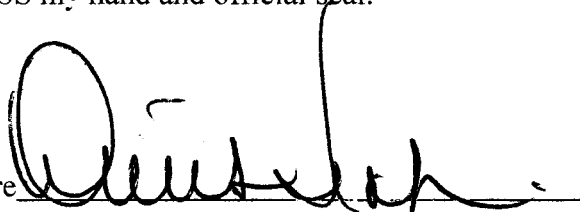
STATE OF CALIFORNIA     )  
  ) ss.  
COUNTY OF STANISLAUS   )

On September 7, 2010, before me, DENISE JENSEN, a Notary Public, personally appeared JACOB OOSTERMAN and ADA C. OOSTERMAN, 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~~/they authorized capacity (ies), and that by ~~his/her~~/they 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



(Seal)

# CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

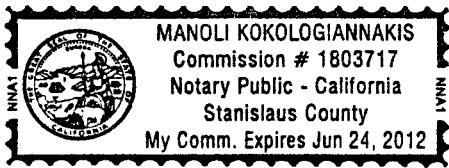
STATE OF CALIFORNIA

County of Stanislaus }

On October 17, 2009 before me, Manoli Kokologiannakis, Notary Public,  
Date Here Insert Name and Title of the Officer

personally appeared John L. Oosterman -----  
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 Manoli Kokologiannakis  
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: CERTIFICATE OF LOT LINE ADJUSTMENT

Document Date: October 17, 2009 Number of Pages: 3

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: \_\_\_\_\_

**RIGHT THUMBPRINT OF SIGNER**

Top of thumb here

Signer Is Representing: \_\_\_\_\_

Signer's Name: \_\_\_\_\_

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

**RIGHT THUMBPRINT OF SIGNER**

Top of thumb here

Signer Is Representing: \_\_\_\_\_

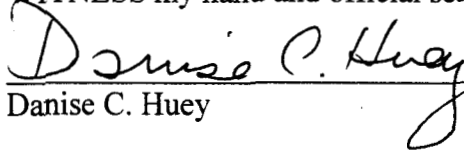
ACKNOWLEDGMENT OF SIGNATURE  
FOR LOT LINE APPLICATION

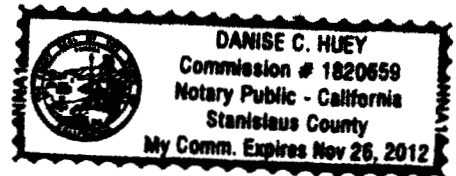
STATE OF CALIFORNIA  
COUNTY OF STANISLAUS

On February 19, 2010 before me, Danise C. Huey, Notary Public personally appeared Jeffrey Brian Anderson and Kelly Lynn Anderson, who proved to me on the basis of satisfactory evidence to be the person whose names is subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity), and that by his/her/their signature on the instrument the person, 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.

  
\_\_\_\_\_  
Danise C. Huey





CERTIFICATE OF ACKNOWLEDGMENT

STATE OF TEXAS

)

)ss.

COUNTY OF COLLIN

)

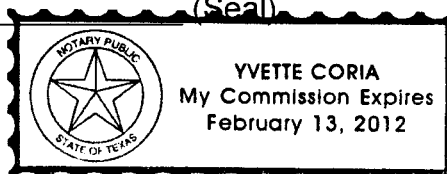
On August 4, 2010, before me, Yvette Coria, Notary Public, personally appeared PHILIP CARY, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized 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 this 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



(Seal)



**LOT LINE ADJUSTMENT  
FILE NO. 2009-11**

**EXHIBIT 'A'**

LOT 1:


All that portion of the East half of the Southeast quarter of Section 31, Township 2 South, Range 10 East, Mount Diablo Base & Meridian, according to the U.S. Government Township plat, described as follows:

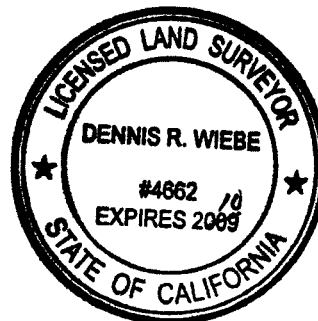
COMMENCING at a point 25 feet North of the Southeast corner of Section 31, Township 2 South, Range 10 East, marked by a 4 by 4 stake; running thence North 0 degrees 52' West along the East line of said Section 1141.1 feet to the Northeasterly corner of that certain parcel of land heretofore conveyed by Oakdale Irrigation District, a public corporation, to Oscar S. Vincent and wife, by deed dated December 6, 1938 and recorded December 22, 1938 in Volume 632 of Official Records, Page 465, being THE TRUE POINT OF BEGINNING; thence South 80 degrees 16' West along the Northerly boundary of said land so conveyed to Vincent 1318.5 feet to the East line of Eleanor Avenue; thence North 0 degrees 51' West along the East line of said Avenue 1085.3 feet to a 1 ½ inch iron pipe; thence North 89 degrees 28' East 1302.5 feet to the East line of said Section 31 and marked by a 1 ½ inch iron pipe; thence 0 degrees 52' East along the East line of said Section 31, 874.5 feet to the Point of Beginning.

EXCEPTING THEREFROM that portion thereof located within the boundaries of the Southwest Lateral of the Oakdale Irrigation District.

LOT 2:

Parcel 1 as shown on that certain Parcel Map filed March 22, 1974, in Volume 18, of Parcel Maps, at Page 87, Stanislaus County Records, being a portion of the Southeast quarter of Section 31, Township 2 South, Range 10 East, Mount Diablo Base and Meridian, State of California.

  
Dennis R. Wiebe, P.L.S. 4662  
License Expiration Date: 09-30-2010



**LOT LINE ADJUSTMENT  
FILE NO. 2009-11**

**EXHIBIT 'B'**

ADJUSTED PARCEL 1:

All that portion of the East half of the Southeast quarter of Section 31, Township 2 South, Range 10 East, Mount Diablo Meridian, County of Stanislaus, State of California, more particularly described as follows:

COMMENCING at a point 25 feet North of the Southeast corner of Section 31, Township 2 South, Range 10 East, marked by a 4 by 4 stake; running thence North 0 degrees 52' West along the East line of said Section 1141.1 feet to the Northeasterly corner of that certain parcel of land heretofore conveyed by Oakdale Irrigation District, a public corporation, to Oscar S. Vincent and wife, by deed dated December 6, 1938 and recorded December 22, 1938 in Volume 632 of Official Records, Page 465, being THE TRUE POINT OF BEGINNING; thence South 80 degrees 16' West along the Northerly boundary of said land so conveyed to Vincent 1318.5 feet to the East line of Eleanor Avenue; thence North 0 degrees 51' West along the East line of said Avenue 1085.3 feet to a 1 ½ inch iron pipe; thence North 89 degrees 28' East 1302.5 feet to the East line of said Section 31 and marked by a 1 ½ inch iron pipe; thence South 0 degrees 52' East along the East line of said Section 31, 874.5 feet to the Point of Beginning.

TOGETHER WITH a portion of Parcel 1, as shown in Book 18 of Parcel Maps, at Page 87, Stanislaus County Records, and situate in the Southeast ¼ of Section 31, Township 2 South, Range 10 East, Mount Diablo Base & Meridian, being more particularly described as follows:

BEGINNING at the Northeast corner of said Parcel 1; thence along the East line of said Parcel 1, being also the East line of said Section 31, South 00 degrees 52'00" East, a distance of 101.89 feet; thence leaving last said East line and proceeding into said Parcel 1, South 89 degrees 09'00" West, a distance of 651.30 feet to a point on the Northwesterly line of said Parcel 1; thence along said Northwesterly line North 80 degrees 15'30" East, a distance of 659.19 feet to the Point of Beginning.

EXCEPTING THEREFROM a portion of that certain real property, described in a Grant deed to the Jacob Oosterman and Ada C. Oosterman Trust UDT, filed for record in Document No. 2009-0088803-00, Stanislaus County Records, and situate in the Southeast ¼ of Section 31, Township 2 South, Range 10 East, Mount Diablo Base & Meridian, being more particularly described as follows:

BEGINNING at the Southwest corner of said Oosterman Trust property, being also a point on the East right-of-way line of Eleanor Avenue (40 feet wide);

thence along said East right-of-way line, North 00 degrees 51'00" West, a distance of 101.89 feet; thence leaving said right-of-way line and proceeding North 89 degrees 09'00" East, a distance of 651.29 feet to a point on the Southeasterly line of said Oosterman Trust property; thence along last said Southeasterly line South 80 degrees 15'30" West, a distance of 659.21 feet to the Point of Beginning.

ALSO EXCEPTING THEREFROM that portion thereof located within the boundaries of the Southwest Lateral of the Oakdale Irrigation District.

Subject to all existing easements and/or rights-of-ways of record.

Containing 29.30 Acres more or less.

ADJUSTED PARCEL 2:

Parcel 1 as shown on that certain Parcel Map filed March 22, 1974, in Volume 18, of Parcel Maps, at Page 87, Stanislaus County records, being a portion of the Southeast quarter of Section 31, Township 2 South, Range 10 East, Mount Diablo Base and Meridian, State of California.

TOGETHER WITH a portion of that certain real property, described in a Grant deed to the Jacob Oosterman and Ada C. Oosterman Trust UDT, filed for record in Document No. 2009-0088803-00, Stanislaus County Records, and situate in the Southeast ¼ of Section 31, Township 2 South, Range 10 East, Mount Diablo Base & Meridian, being more particularly described as follows:

BEGINNING at the Southwest corner of said Oosterman Trust property, being also a point on the East right-of-way line of Eleanor Avenue (40 feet wide); thence along said East right-of-way line, North 00 degrees 51'00" West, a distance of 101.89 feet; thence leaving said right-of-way line and proceeding North 89 degrees 09'00" East, a distance of 651.29 feet to a point on the Southeasterly line of said Oosterman Trust property; thence along last said Southeasterly line South 80 degrees 15'30" West, a distance of 659.21 feet to the Point of Beginning.

EXCEPTING THEREFROM a portion of Parcel 1, as shown in Book 18 of Parcel Maps, at Page 87, Stanislaus County Records, and situate in the Southeast ¼ of Section 31, Township 2 South, Range 10 East, Mount Diablo Base & Meridian, being more particularly described as follows:

BEGINNING at the Northeast corner of said Parcel 1; thence along the East line of said Parcel 1, being also the East line of said Section 31, South 00 degrees 52'00" East, a distance of 101.89 feet; thence leaving last said East line and proceeding into said Parcel 1, South 89 degrees 09'00" West, a distance of

651.30 feet to a point on the Northwesterly line of said Parcel 1; thence along said Northwesterly line North 80 degrees 15'30" East, a distance of 659.19 feet to the Point of Beginning.


ALSO EXCEPTING THEREFROM that portion thereof located within the boundaries of the Southwest Lateral of the Oakdale Irrigation District.

Subject to all existing easements and/or rights-of-ways of record.

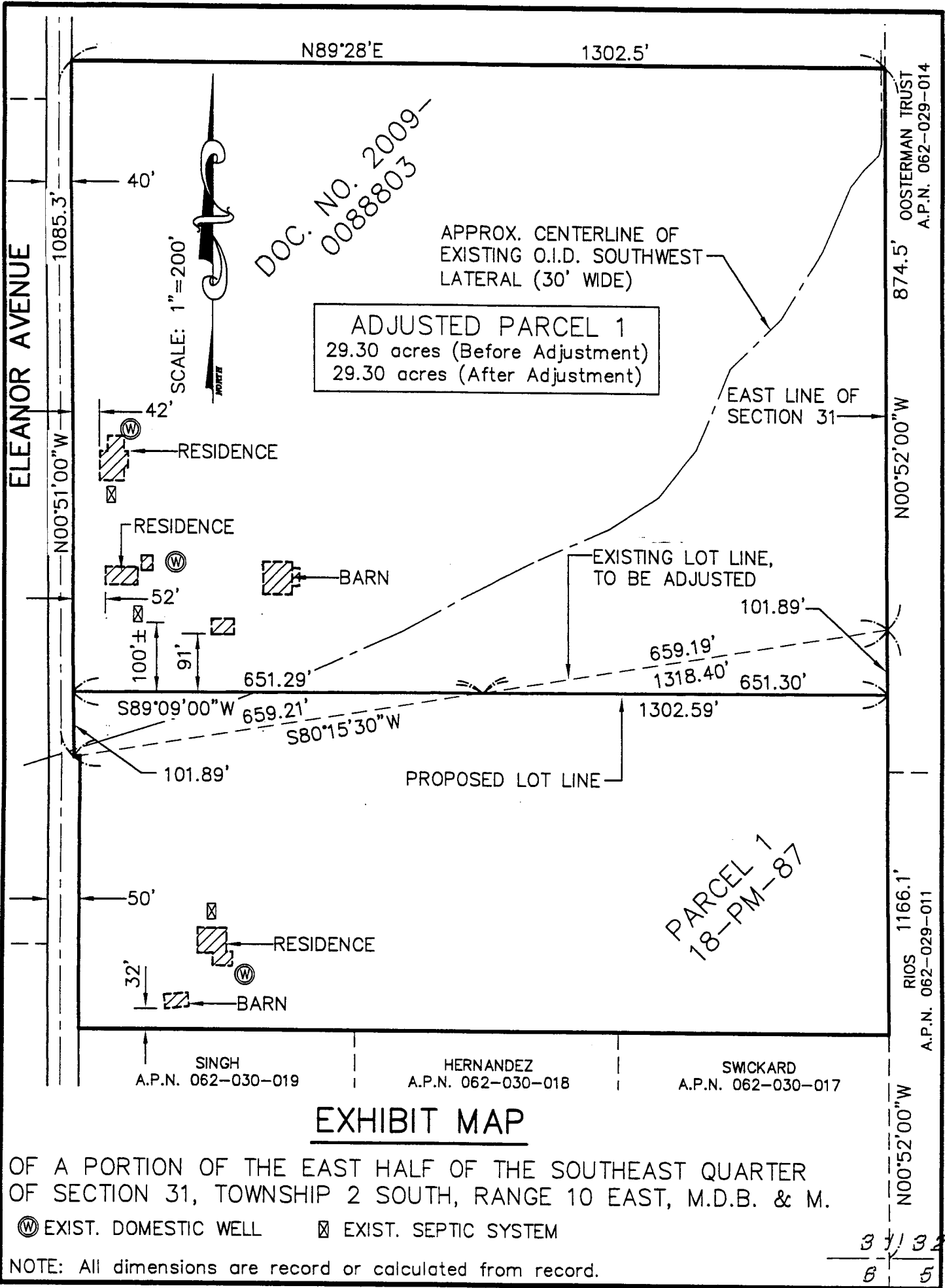
Containing 15.88 Acres more or less.

BASIS OF BEARINGS for this description is a course of North 0 degrees 52' West for the East line of Section 31, Township 2 South, Range 10 East, Mount Diablo Meridian as referenced in Document No. 2009-0088803-00, Stanislaus County Records.

END OF DESCRIPTION.

  
Dennis R. Wiebe, P.L.S. 4662  
License Expiration Date: 09-30-2010





DOC. NO. 2009-0088803

**ADJUSTED PARCEL 1**  
 29.30 acres (Before Adjustment)  
 29.30 acres (After Adjustment)

APPROX. CENTERLINE OF EXISTING O.I.D. SOUTHWEST LATERAL (30' WIDE)

SCALE: 1"=200'

ELEANOR AVENUE

1085.3'  
 N00°51'00"W

N89°28'E 1302.5'

874.5'  
 N00°52'00"W  
 OOSTERMAN TRUST  
 A.P.N. 062-029-014

42'  
 RESIDENCE

RESIDENCE  
 52'  
 100'±  
 91'

BARN

EXISTING LOT LINE, TO BE ADJUSTED

EAST LINE OF SECTION 31

651.29'  
 S89°09'00"W  
 659.21'  
 S80°15'30"W  
 659.19'  
 1318.40'  
 651.30'  
 101.89'

PROPOSED LOT LINE

50'  
 RESIDENCE  
 32'  
 BARN

PARCEL 1  
 18-PM-87

1166.1'  
 N00°52'00"W  
 RIOS  
 A.P.N. 062-029-011

SINGH  
 A.P.N. 062-030-019

HERNANDEZ  
 A.P.N. 062-030-018

SWICKARD  
 A.P.N. 062-030-017

EXHIBIT MAP

OF A PORTION OF THE EAST HALF OF THE SOUTHEAST QUARTER OF SECTION 31, TOWNSHIP 2 SOUTH, RANGE 10 EAST, M.D.B. & M.

⊙ EXIST. DOMESTIC WELL      ☒ EXIST. SEPTIC SYSTEM

NOTE: All dimensions are record or calculated from record.

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