

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 February 15, 2011

CEO Concurs with Recommendation YES NO
(Information Attached)

4/5 Vote Required YES NO

SUBJECT:

Approval to Rescind Williamson Act Contracts No. 1972-0588 and 2005-4576, Located on Church Street and Milnes Road, in the Modesto Area, Approval of New Contracts Pursuant to Minor Lot Line Adjustment 2010-18, Davis & Rossi, and Authorization for the Director of Planning and Community Development to Execute New Contracts

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restrict the adjusted boundaries of the parcel for an initial term for at least as long as the unexpired term of the rescinded contract or contracts, but for not less than 10 years except as authorized under the County's implementation of SB 863.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. 2011-110

On motion of Supervisor Withrow, Seconded by Supervisor Chiesa

and approved by the following vote,

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

Noes: Supervisors: None

Excused or Absent: Supervisors: None

Abstaining: Supervisor: None

1) 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 In cases where two parcels involved in a lot line adjustment are both subject to contracts rescinded pursuant to this section, this finding will be satisfied if the aggregate acreage of the land restricted by the new contracts is at least as great as the aggregate acreage restricted by the rescinded contracts.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 Contracts No. 1972-0588 and 2005-4576 (Located on Church Street and Milnes Road, in the Empire/Modesto area).
 3. Approve a new contract pursuant to Minor Lot Line Adjustment 2010-18 – Davis and Rossi.
 4. Authorize the Director of Planning and Community Development to execute new contracts pursuant to Minor Lot Line Adjustment 2010-18.

DISCUSSION:

Lot Line Adjustment Application No. 2010-18 was approved by staff pending the Board's action required by the Williamson Act. The properties are located on Church Street and Milnes Road, in the Empire/Modesto area, in the unincorporated area of Stanislaus County. The lot line adjustment is requesting to go from 20.19 and 64.56 acres to 20.66 and 64.09 acres. There is an equal exchange of land (.47 acres) with this proposed lot line adjustment.

The proposed parcels involved in the lot line request are currently enrolled in Williamson Act Contracts No. 1972-0588 and 2005-4576, and when the lot line is completed, both parcels will be enrolled in new contracts. The new contracts 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.

- (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 applicants have 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 new contracts replace Contracts No. 1972-0588 and 2005-4576 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.

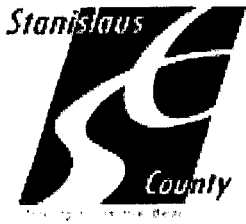
CONTACT PERSON:

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

ATTACHMENTS:

1. Lot Line Adjustment Application No. 2010-18
2. Lot Line Adjustment Approval Letter
3. Applicant's Statement of Findings
4. Map of Proposed Changes

(i:\planning\board of supervisors\lotlineadjustments\2010\davis & rossi\board report.doc)



DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT

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

S	17	T	3	R	10
ZONE	A-2-40				
RECEIVED	10-29-2010				
APPLICATION NO.	2010-18				
RECEIPT NO.	CC # 1709.00				

LOT LINE ADJUSTMENT APPLICATION

1. Property Owner(s):

Parcel 1

Name Dennise Ann Davis

Address, City, Zip 2424 Church Street, Modesto, CA 95357

Phone 209-541-9678

Fax Number _____

Parcel 2

Name William & Janis Rossi

Address, City, Zip 3818 Roberts Road, Ceres, CA 95307

Phone 209-656-6615

Fax Number 209-656-6615 (Cell 1st)

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: Jack M. Smith, Muir Consulting, Inc
139 Church Avenue, Oakdale, CA 95361

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

Parcel 1: Book 014 Page 027 No. 007 Parcel 2: Book 014 Page 027 No. 030

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>20.19 Acres</u>	<u>20.66 Acres</u>
Parcel 2:	<u>64.36 Acres</u>	<u>64.09 Acres</u>
Parcel 3:	_____	_____
Parcel 4:	_____	_____

5. Why are the lot lines being changed? BE SPECIFIC The lot line being adjusted is being moved to match the existing fence line delineating the line between the two properties

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 ALMONDS
 - Vines - type _____
 - Range (unirrigated) _____
 - Pasture (irrigated) _____
 - Poultry _____
 - Dairy _____
 - Other (Specify) _____

7. List all structures on properties: Parcel 1: 1 house, 1 garage, 1 barn
Parcel 2: none

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: 9/26/97 Parcel 2: 12/2003
Parcel 3: _____ Parcel 4: _____

10. What are the Williamson Act Contract numbers?

Parcel 1: 22-05-88 Parcel 2: 2005-4576
Parcel 3: _____ Parcel 4: _____

11. Do the parcels irrigate? Yes No If yes, how? Flood & microir

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

13. Signature of property owner(s)

<u>William Rossi, Jr.</u> Owner's Signature	<u>WILLIAM ROSSI, JR.</u> Owner's Name Printed
<u>Janis M. Rossi</u> Owner's Signature	<u>JANIS M ROSSI</u> Owner's Name Printed
<u>Dennise Ann Davis</u> Owner's Signature	<u>Dennise Ann Davis</u> Owner's Name Printed
_____ Owner's Signature	_____ Owner's Name Printed



November 17, 2010

Jack M. Smith
Muir Consulting, Inc.
139 Church Avenue
Oakdale, CA 95361

**SUBJECT: TENTATIVE APPROVAL OF LOT LINE ADJUSTMENT NO. 2010-18
DAVIS & ROSSI**

The Stanislaus County Department of Planning and Community Development, completed its consideration of your application on November 17, 2010, 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,

Carole Maben
Associate Planner

Enclosure

cc: Dennise Ann Davis
William & Janis Rossi

ATTACHMENT 2

Project Description and Landowner Justification

October 29, 2010

Parcel/Owner No.1 is Lands of Davis
Parcel/Owner No.2 is Lands of Rossi

This project is a lot line adjustment between Assessors Parcel No. 014-027-007 (20.19 acres) owned by Owner 1 and Parcel No. 014-027-030 (64.86 acres) owned by Owner 2.

Reasons for lot line adjustment: As part of the survey work, it was discovered that an existing and long-standing fence between the parcels included .47 acres of the owner 2 property within the area of owner 1 parcel. This .47 acres has been farmed for many years by owner 1. Owner 1 and Owner 2 have met and determined that lot line between their properties should occur to recognize this fence location.

At the completion of this lot line adjustment, Parcel 1 will have an adjusted area of 20.66 acres, while the Parcel 2 adjusted acreage will be 64.09 acres. Both parcels are currently enrolled in the Williamson Act.

Government Code Section 51257 contains seven findings to be made related to lot line adjustments. These findings are each listed below with the justification following in italics.

(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.

Neither of the contracts are subject to a Notice of Non-Renewal. At the conclusion of the lot line adjustment, both contracts 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 84.75 acres. After the lot line adjustment, all 84.75 acres will remain under contract.

(3) At least 90 percent of the land under the former contract or contracts remains under the new contract or contracts.

The amount of land changing hands is less than 4% of the area of the smallest parcel. As such, more than 90% of the land under each of the former contracts will remain within each contract. In addition, as set forth above in finding (2), the entire amount of land

included within this lot line adjustment will continue to remain under Williamson Act contract.

(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, both parcels will be larger than 40 (or 10) acres both before and after the lot line adjustment. Parcels are presumed to be large enough to sustain their agricultural use if they are greater than 10 acres in size if prime farmland, or greater than 40 acres in the case of non-prime farmland. The subject properties are both identified as prime farmland by the Natural Resource Conservation Service Farmland Mapping Program.

(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.

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 recognize an existing fence location. The moving of the lot line to add .47 acres to an existing 20.19 acre parcel and remove .47 acres from 64.86 acre parcel will in no way affect the long term agricultural productivity of either of the parcels. This is especially true since the fence has existed in this location for many years.

(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.

The two parcels currently exist, and after the lot line adjustment two parcels will continue to exist. Neither parcel is currently inconsistent with the Stanislaus County General Plan, nor will the resulting parcels be inconsistent with the Stanislaus County General Plan.

In conclusion, the lot line adjustment is nothing more than the movement of a lot line to recognize an existing fence line which has been located in its current location for many years. As set forth previously, the properties will continue to be used for agricultural purposes, and this lot line adjustment will in no way affect the agricultural viability of either parcel.

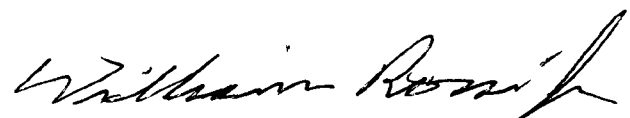
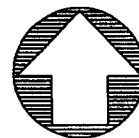


EXHIBIT "C"

LANGWORTH ROAD



1"=500'

NOTES:

1. ALL DISTANCES ARE IN FEET AND DECIMALS THEREOF.
2. THE DATE OF THE FIELD SURVEY WAS AUGUST, 2010.

33' HALF WIDTH

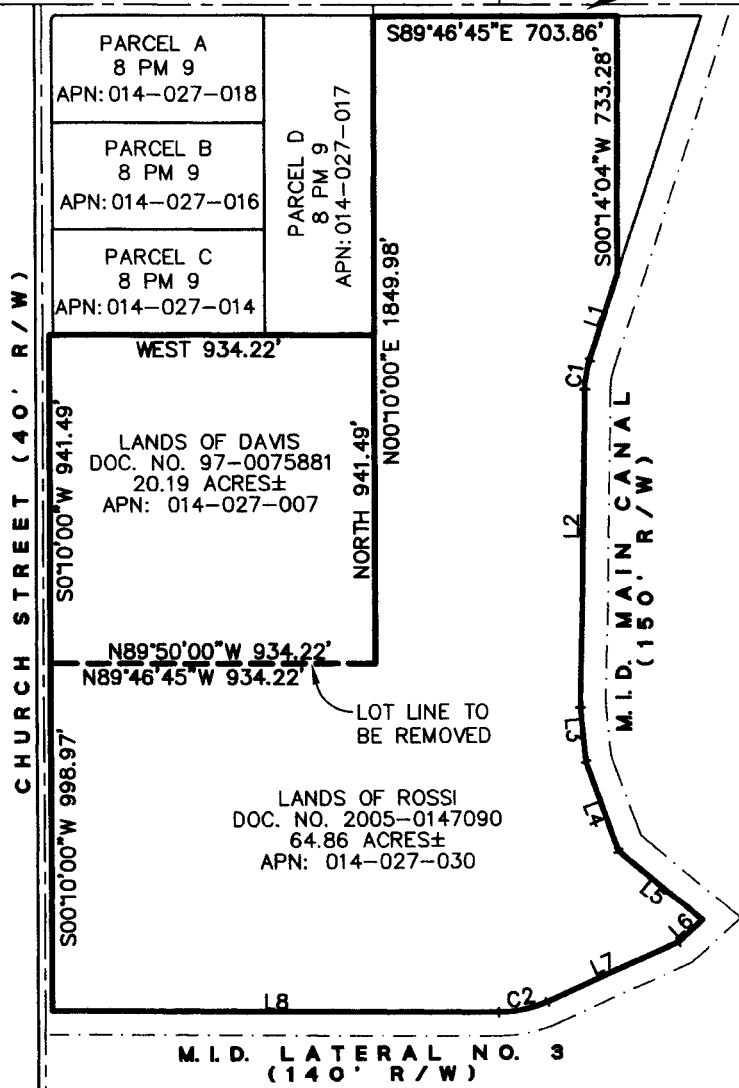
MILNES ROAD (R/W VARIES)

LEGEND:

POB POINT OF BEGINNING
TPOB TRUE POINT OF BEGINNING

LINE TABLE		
L1	S18°11'17"W	258.88'
L2	S01°16'54"W	912.60'
L3	S05°30'31"E	156.10'
L4	S19°49'02"E	271.82'
L5	S49°58'32"E	310.95'
L6	S47°25'19"W	95.22'
L7	S65°31'36"W	413.93'
L8	N89°31'14"W	1286.42'

CURVE TABLE			
CURVE	LENGTH	RADIUS	DELTA
C1	86.74	295.00	16°50'46"
C2	143.72	330.00	24°57'10"



MUIR CONSULTING, INC.
460 N. YOSEMITE AVE., SUITE #9
OAKDALE, CA 95361
(209) 845-8630 FAX (209) 845-8639
www.muirconsulting.com

Subject LANDS OF ROSSI & DAVIS
LOT LINE ADJUSTMENT - EXISTING

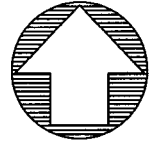
Job No. 2766-01

By TJE Date 9/30/10 Chkd. JMS

Scale 1"=500' Sheet 1 of 2

EXHIBIT "C"

LANGWORTH ROAD



1"=500'

NOTES:

1. ALL DISTANCES ARE IN FEET AND DECIMALS THEREOF.
2. THE DATE OF THE FIELD SURVEY WAS AUGUST, 2010.

MILNES ROAD (R/W VARIES)

S00°10'00"E
33.00'

POB
PCL B

33' HALF WIDTH

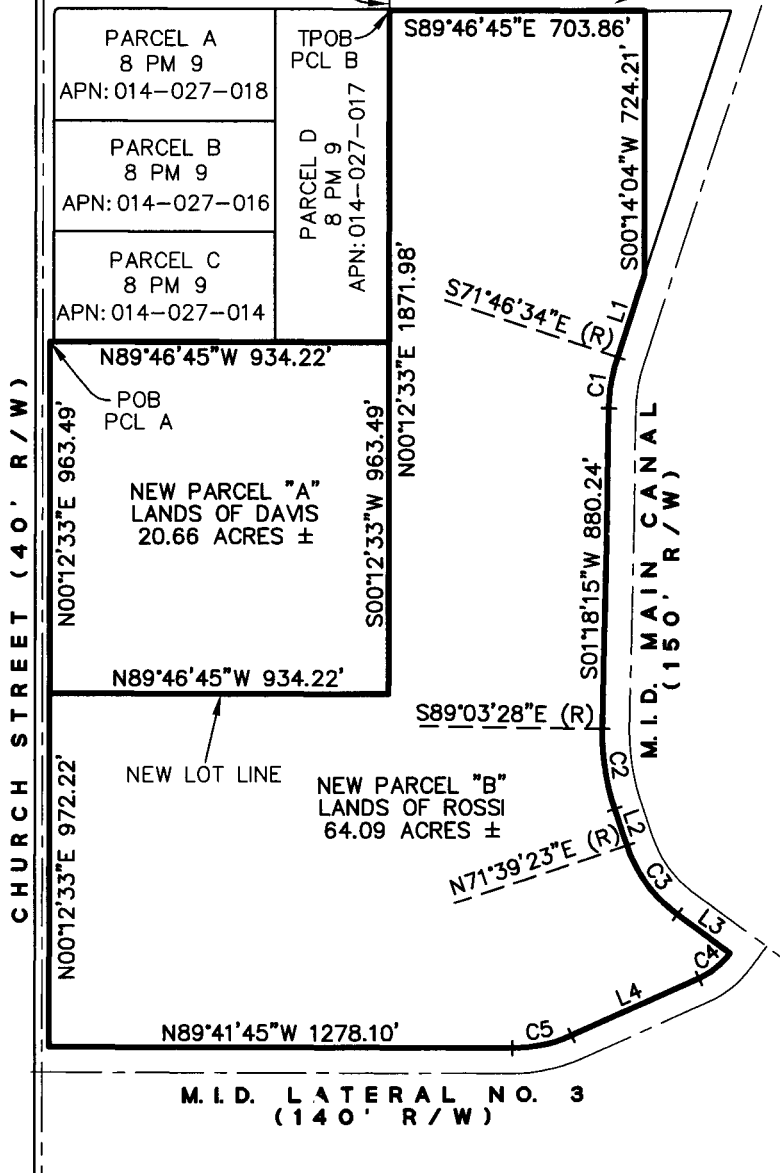


LEGEND:

POB POINT OF BEGINNING
TPOB TRUE POINT OF BEGINNING

LINE TABLE		
L1	S18°18'15"W	234.61'
L2	S18°26'45"E	106.33'
L3	S53°26'45"E	180.00'
L4	S66°03'15"W	385.09'

CURVE TABLE			
CURVE	LENGTH	RADIUS	DELTA
C1	141.60'	479.50'	16°55'11"
C2	223.81'	661.40'	19°23'17"
C3	239.48'	390.90'	35°06'08"
C4	110.87'	218.10'	29°07'35"
C5	167.56'	398.50'	24°05'32"



MUIR CONSULTING, INC.
460 N. YOSEMITE AVE., SUITE #9
OAKDALE, CA 95361
(209) 845-8630 FAX (209) 845-8639
www.muirconsulting.com

Subject LANDS OF ROSSI & DAVIS
LOT LINE ADJUSTMENT - ADJUSTED
Job No. 2766-01
By TJE Date 12/1/10 Chkd. JMS
Scale 1"=500' Sheet 2 of 2



BOARD OF SUPERVISORS

2011 MAR -7 P 2:11

DATE: March 4, 2011

TO: Jack M. Smith
Muir Consulting, Inc.
139 Church Avenue
Oakdale, CA 95361

FROM: Carole Maben, Associate Planner

SUBJECT: **RECORDED COPY OF LOT LINE ADJUSTMENT NO. 2010-18;
RECORDED COPY OF RESCISSION AND SIMULTANEOUS RE-ENTRY
CALIFORNIA LAND CONSERVATION CONTRACT NO. - 2011-06 & 2011-07
DAVIS & ROSSI**

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: Dennise Ann Davis
William & Janis Rossi
Board of Supervisor's Office
Don Hosley, Assessor's Office

44A-2010-18



Stanislaus, County Recorder
Lee Lundrigan Co Recorder Office
DOC- 2011-0013412-00

Acct 121-Planning.
Thursday, FEB 17, 2011 08:04:57
Ttl Pd \$62.00 Nbr-0003015775
OMK/R2/1-17

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 November 17, 2010 approved the lot line adjustment herein described submitted under the name of Davis & Rossi Lot Line Adjustment No. 2010-18 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

2-16-2011
Date

!TMC

CONDITIONS FOR LOT LINE ADJUSTMENT NO. 2010-18

DAVIS & ROSSI

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. 2010-18

DAVIS & ROSSI

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. 2010-18

OWNERS:

NAME (Print or type)	SIGNATURE (All to be notarized)	DATE	SIGNED AT (City)
<u>WILLIAM S. ROSSI, JR.</u>	<u>William S. Rossi</u>	<u>12-1-10</u>	<u>Modesto</u>
<u>Janis M. Rossi</u>	<u>Janis M. Rossi</u>	<u>12-1-10</u>	<u>modesto</u>
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

SECURITY HOLDERS:

NAME (Print or type)	SIGNATURE (All to be notarized)	DATE	SIGNED AT (City)
<u>Joseph C. Murray</u>	<u>Joseph C. Murray</u>	<u>11-24-10</u>	<u>Modesto, CA.</u>
<u>Vice President/Branch Manager, Yosemite Farm Credit</u>			
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

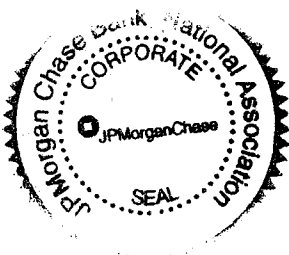
LOT LINE NO. 2010-18

OWNERS:

NAME (Print or type)	SIGNATURE (All to be notarized)	DATE	SIGNED AT (City)
<u>Dennise Ann Davis</u>	<u>[Signature]</u>	<u>1/19/11</u>	<u>Modesto, CA</u>
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

SECURITY HOLDERS:

NAME (Print or type)	SIGNATURE (All to be notarized)	DATE	SIGNED AT (City)
<u>Rhonda Thompson</u>	<u>[Signature]</u>	<u>1-7-11</u>	<u>Monroe, LA</u>
<u>JPMorgan Chase Bank, N.A. successor in interest from the Federal Deposit of Insurance Corporation, as receiver for Washington Mutual Bank formerly Washington Mutual Bank, FA</u>			
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____



ACKNOWLEDGMENT

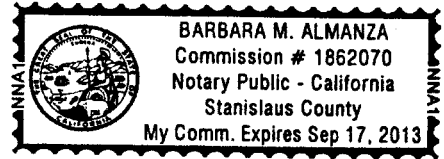
State of California
County of Stanislaus)

On December 1, 2010 before me, Barbara M. Almanza, Notary Public
(insert name and title of the officer)

personally appeared William S. Rossi, Jr and Janis M. Rossi,
who proved to me on the basis of satisfactory evidence to be the pers on(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 pers on(s) acted, executed the instrument.

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

WITNESS my hand and official seal.



Signature Barbara M. Almanza (Seal)

ACKNOWLEDGMENT

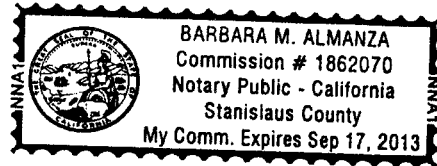
State of California
County of Stanislaus)

On November 24, 2010 before me, Barbara M. Almanza, Notary Public
(insert name and title of the officer)

personally appeared Joseph C. Mauzy,
who proved to me on the basis of satisfactory evidence to be the pers on(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 pers on(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 Barbara M. Almanza (Seal)

State of CALIFORNIA)
County of STANISLAUS)

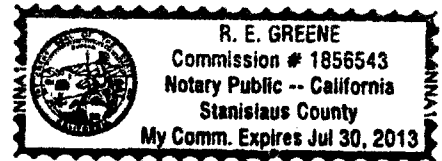
On JANUARY 19, 2011 before me,
R. E. GREENE, Notary Public (here insert name and title of the officer),
personally appeared DENNISE ANN DAVIS

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 R. E. Greene (Seal)



ACKNOWLEDEMENT


STATE OF LOUISIANA

PARISH OF OUACHITA

On this 7th day of January, 2011, before me, Vicki C. Knighten, Notary Public, personally appeared Rhonda Thompson, Vice President, 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 she executed the same in her authorized capacity, and that by her signature on the instrument the person or the entity upon behalf of which the person acted, executed the instrument.

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

WITNESS my hand and official seal.



Notary Public: **VICKI C. KNIGHTEN**

My Commission Expires: Lifetime

OFFICIAL SEAL
VICKI C. KNIGHTEN #54231
NOTARY PUBLIC OUACHITA PARISH
STATE OF LOUISIANA LIFETIME COMMISSION

LLA 2010-18

September 27, 2010
Job No. 2766-02

EXHIBIT "A"
EXISTING LOT DESCRIPTIONS
(PARCEL A)

Lot 2 of Milnes Colony, as per map thereof recorded November 21, 1903 in Book 1 of Maps, Page 73, Stanislaus County records, bounded and particularly described as follows, to wit:


Commencing at a point South 0 degrees 10' West 941.49 feet from the northwest corner of Lot 2 of said tract; thence South 0 degrees 10' West 941.49 feet; thence South 89 degrees 50' East 954.22 feet; thence North 941.49 feet; thence West 954.22 feet to the place of commencement.

EXCEPTING THEREFROM the West 20 feet thereof reserved for road purposes.

A plat showing the above description is attached hereto and made part hereof.

Note: The above description being the same description as that in the certain Grant Deed to Dennise Ann Davis, recorded on September 26, 1997 as Document Number 97-0075881 in the Office of the Recorder of Stanislaus County.

This description was prepared by me or under my direct supervision.


Jack M. Smith P.L.S. 7539
Expires: 12/31/14



12/3/10
Dated

September 27, 2010
Job No. 2766-02

EXHIBIT "A"
EXISTING LOT DESCRIPTIONS
(PARCEL B)

The land referred to is situated in the County of Stanislaus, State of California, and is described as follows:

Being a portion of Lot 2 and a portion of Lot 5 as shown on that certain map filed for record on November 21, 1903 in Volume 1 of Maps, at page 73 in the Office of the Recorder, Stanislaus County, and being more particularly described as follows:

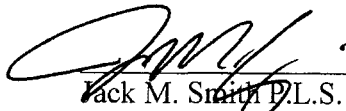
BEGINNING at the northwesterly corner of that certain parcel of land granted to William Rossi, Jr, by that certain Grant Deed filed for record on December 15, 2003 as Document No. 2003-0211179-00 in the Office of the Recorder, Stanislaus County; thence South 00°10'00" West, a distance of 33.00 feet to a point on the southerly line of Milnes Avenue and the TRUE POINT OF BEGINNING; thence along said line South 89°46'45" East, a distance of 703.83 feet; thence leaving said line South 00°14'04" West, a distance of 733.28 feet; thence South 18°11'17" West, a distance of 258.88 feet to the beginning of a tangent curve to the left; thence along said curve having a radius of 295.00 feet, through a central angle of 16°50'46", an arc length of 86.74 feet; thence leaving said curve South 01°16'54" West, a distance of 912.60 feet; thence South 05°30'31" East, a distance of 156.10 feet; thence South 19°49'02" East, a distance of 271.82 feet; thence South 49°58'32" East, a distance of 310.95 feet; thence South 47°25'19" West, a distance of 95.22 feet; thence South 65°31'36" West, a distance of 413.93 feet to the beginning of a tangent curve to the right; thence along said curve having a radius of 330.00 feet, through a central angle of 24°57'10", an arc length of 143.72 feet; thence leaving said curve North 89°31'14" West, a distance of 1286.42 feet to the easterly right-of-way line of Church Street, said street being 40.00 feet wide; thence along said right-of-way North 00°10'00" East, a distance of 998.97 feet; thence leaving said right-of-way South 89°46'45" East, a distance of 934.22 feet; thence North 00°10'00" East, a distance of 1849.98 feet to the TRUE POINT OF BEGINNING and containing an area of 2,825,273 square feet, more or less.

A plat showing the above description is attached hereto and made part hereof.

Note: The above description being the same description as that in the certain Grant Deed to William Rossi, Jr., Trustee and Janis M. Rossi, Trustees of the 1995 Rossi Revocable

Trust, recorded on August 17, 2005 as Document Number 2005-0147090 in the Office of the Recorder of Stanislaus County.

This description was prepared by me or under my direct supervision.



Jack M. Smith P.L.S. 7539
Expires: 12/31/11

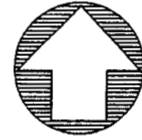


12/3/10
Dated _____

LANGWORTH ROAD

NOTES:

1. ALL DISTANCES ARE IN FEET AND DECIMALS THEREOF.
2. THE DATE OF THE FIELD SURVEY WAS AUGUST, 2010.



1"=500'

33' HALF WIDTH

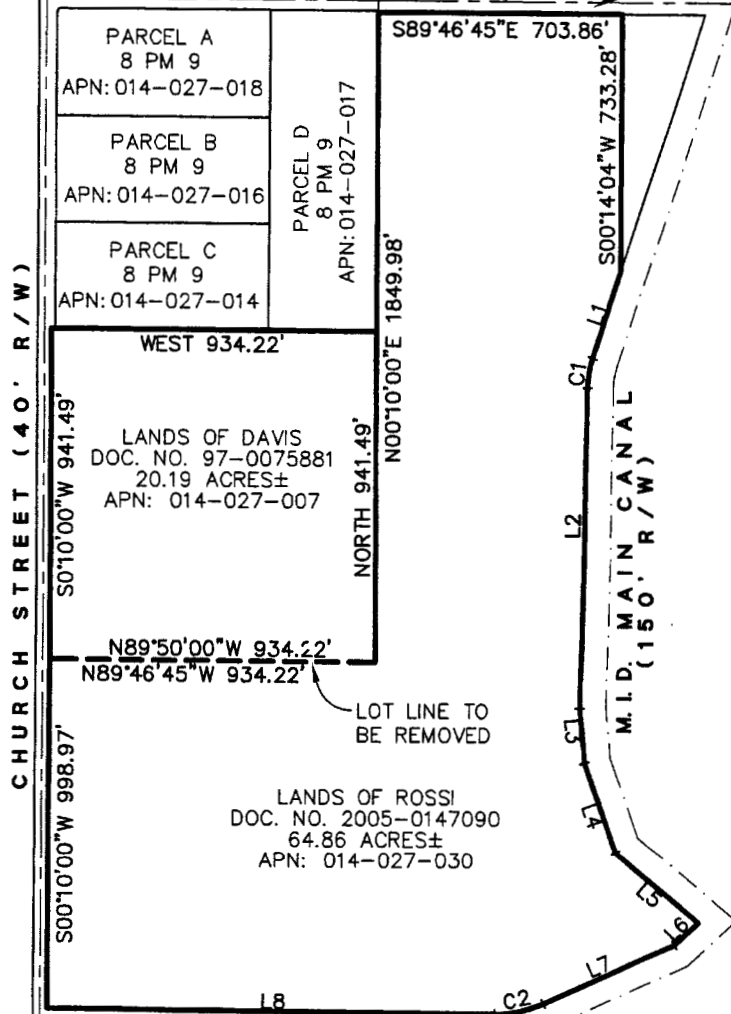
MILNES ROAD (R/W VARIES)

LEGEND:

POB POINT OF BEGINNING
TPOB TRUE POINT OF BEGINNING

LINE TABLE		
L1	S18°11'17"W	258.88'
L2	S01°16'54"W	912.60'
L3	S05°30'31"E	156.10'
L4	S19°49'02"E	271.82'
L5	S49°58'32"E	310.95'
L6	S47°25'19"W	95.22'
L7	S65°31'36"W	413.93'
L8	N89°31'14"W	1286.42'

CURVE TABLE			
CURVE	LENGTH	RADIUS	DELTA
C1	86.74	295.00	16°50'46"
C2	143.72	330.00	24°57'10"



**M.I.D. LATERAL NO. 3
(140' R/W)**



MUIR CONSULTING, INC.

460 N. YOSEMITE AVE., SUITE #9
OAKDALE, CA 95361
(209) 845-8630 FAX (209) 845-8639
www.muirconsulting.com

Subject LANDS OF ROSSI & DAVIS
LOT LINE ADJUSTMENT - EXISTING
Job No. 2766-01
By TJE Date 12/1/10 Chkd. JMS
Scale 1"=500' Sheet 1 of 2

September 27, 2010
Job No. 2766-02

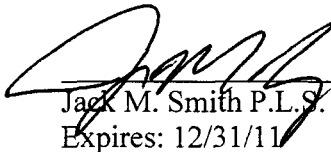
EXHIBIT "B"
NEW LOT DESCRIPTIONS
(PARCEL A)

All that real property situate in the County of Stanislaus, State of California, being a portion of the lands described in that certain Grant Deed to Dennise Ann Davis recorded on September 26, 1997 as Document No. 97-0075881, Stanislaus County Records, and a portion of Lot 2, as said Lot is shown on that certain map entitled "MILNES COLONY" and filed for record on November 21, 1903 in Book 1 of Maps at page 73, Stanislaus County Records, and being more particularly described as follows:

BEGINNING at the northwesterly corner of said Lands of Davis, said point being on the easterly right-of-way line of Church Street and being 20 feet easterly of the westerly line of said Lot 2; thence along the northerly line of said lands South 89°46'45" East, a distance of 934.22 feet to the northeasterly corner of said lands; thence along the easterly line of said lands and its southerly prolongation South 0°12'33" West, a distance of 963.49 feet; thence parallel with the southerly line of said Lot 2 North 89°46'45" West, a distance of 934.22 feet to said easterly right-of-way line of Church Street; thence along said right-of-way line and parallel with the westerly line of said Lot 2 North 0°12'33" East, a distance of 963.49 feet to the POINT OF BEGINNING and containing an area of 20.66 acres, more or less.

A plat showing the above description is attached hereto and made part hereof.

This description was prepared by me or under my direct supervision.


Jack M. Smith P.L.S. 7539
Expires: 12/31/11



12/3/10
Dated

September 27, 2010
Job No. 2766-02

EXHIBIT "B"
NEW LOT DESCRIPTIONS
(PARCEL B)

All that real property situate in the County of Stanislaus, State of California, being a portion of Lot 2 and Lot 5, as said Lots are shown on that certain map entitled "MILNES COLONY" and filed for record on November 21, 1903 in Book 1 of Maps at page 73, Stanislaus County Records, and being more particularly described as follows:


BEGINNING at a point on the northerly line of said Lot 2, said point being South 89°46'45" East, 954.22 feet from the northwesterly corner of said Lot 2; thence leaving said line South 0°12'33" West, a distance of 33.00 feet to the southerly right-of-way line of Milnes Road (66' R/W) and the TRUE POINT OF BEGINNING; thence along said right-of-way line South 89°46'45" East, a distance of 703.83 feet to a 3/4" iron pipe w/ plastic plug & tack, tagged "LS 7539", as said pipe is shown on that certain Record of Survey filed for record on September 23, 2005 in Book 29 of Record of Surveys, at Page 31, Stanislaus County Records; thence leaving said right-of-way line South 00°14'04" West, a distance of 724.21 feet to the westerly right-of-way line of the Modesto Irrigation District Main Canal (150' R/W), as said canal is described in that certain Grant Deed to Modesto Irrigation District recorded on April 30, 1903 in Volume 87 of Deeds at page 8, Stanislaus County Records; thence along said line the following seven courses:

1. South 18°18'15" West, a distance of 234.61 feet to the beginning of a non-tangent curve to the left, from which point a radial line bears South 71°46'34" East;
2. thence along said curve having a radius of 479.50 feet, through a central angle of 16°55'11", an arc length of 141.60 feet;
3. thence South 01°18'15" West, a distance of 880.24 feet to the beginning of a non-tangent curve to the left, from which point a radial line bears South 89°03'28" East;
4. thence along said curve having a radius of 661.40 feet, through a central angle of 19°23'17", an arc length of 223.81 feet;
5. thence South 18°26'45" East, a distance of 106.33 feet to the beginning of a non-tangent curve to the left, from which point a radial line bears North 71°39'23" East;
6. thence along said curve having a radius of 390.90 feet, through a central angle of 35°06'08", an arc length of 239.48 feet;
7. thence South 53°26'45" East, a distance of 180.00 feet to the northerly right-of-way line of Modesto Irrigation District Lateral No. 3 (140' R/W), as said lateral is described in said Grant Deed to Modesto Irrigation District, and the beginning of a non-tangent curve to the right, from which point a radial line bears North 53°26'45" West; thence along said right-of-way line the following four courses:

1. along said curve having a radius of 218.10 feet, through a central angle of $29^{\circ}07'35''$, an arc length of 110.87 feet;
2. thence South $66^{\circ}03'15''$ West, a distance of 385.09 feet to the beginning of a tangent curve to the right;
3. thence along said curve having a radius of 398.50 feet, through a central angle of $24^{\circ}05'32''$, an arc length of 167.56 feet;
4. thence North $89^{\circ}41'45''$ West, a distance of 1278.10 feet to the easterly right-of-way line of Church Street (40' R/W), said line being 20 feet easterly of and parallel with the westerly line of said Lot 5; thence along said right-of-way line North $00^{\circ}12'33''$ East, a distance of 972.22 feet to a point 22.00 feet southerly of the northerly line of said Lot 5; thence South $89^{\circ}46'45''$ East, a distance of 934.22 feet to the southerly prolongation of the easterly line of the lands described in that certain Grant Deed to Dennise Ann Davis recorded on September 26, 1997 as Document No. 97-0075881, Stanislaus County Records; thence along said prolongation and easterly line and continuing along the easterly line of the lands shown on that certain Parcel Map filed for record on December 24, 1969 in Book 8 of Parcel Maps at page 9, Stanislaus County Records, North $00^{\circ}12'33''$ East, a distance of 1871.98 feet to the TRUE POINT OF BEGINNING and containing an area of 64.09 acres, more or less.

A plat showing the above description is attached hereto and made part hereof.

This description was prepared by me or under my direct supervision.


Jack M. Smith P.L.S. 7539
Expires: 12/31/11

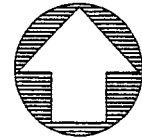


12/3/10
Dated

LANGWORTH ROAD

NOTES:

1. ALL DISTANCES ARE IN FEET AND DECIMALS THEREOF.
2. THE DATE OF THE FIELD SURVEY WAS AUGUST, 2010.



1"=500'

S00°10'00"E
33.00'

POB
PCL B

33' HALF WIDTH

MILNES ROAD (R/W VARIES)

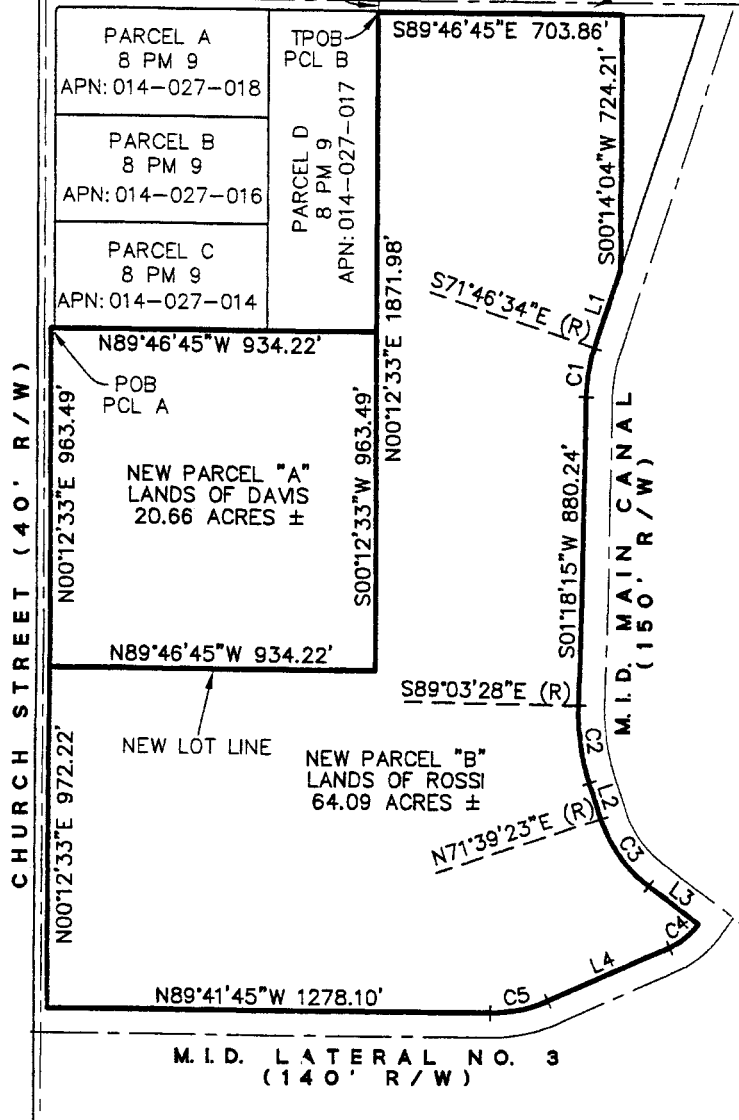


LEGEND:

POB POINT OF BEGINNING
TPOB TRUE POINT OF BEGINNING

LINE TABLE		
L1	S18°18'15"W	234.61'
L2	S18°26'45"E	106.33'
L3	S53°26'45"E	180.00'
L4	S66°03'15"W	385.09'

CURVE TABLE			
CURVE	LENGTH	RADIUS	DELTA
C1	141.60'	479.50'	16°55'11"
C2	223.81'	661.40'	19°23'17"
C3	239.48'	390.90'	35°06'08"
C4	110.87'	218.10'	29°07'35"
C5	167.56'	398.50'	24°05'32"



	MUIR CONSULTING, INC.	Subject <u>LANDS OF ROSSI & DAVIS</u>
	460 N. YOSEMITE AVE., SUITE #9	<u>LOT LINE ADJUSTMENT - ADJUSTED</u>
	OAKDALE, CA 95361	Job No. <u>2766-01</u>
	(209) 845-8630 FAX (209) 845-8639	By <u>TJE</u> Date <u>12/1/10</u> Chkd. <u>JMS</u>
	www.muirconsulting.com	Scale <u>1"=500'</u> Sheet <u>2</u> of <u>2</u>

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. 2011-06**



Stanislaus, County Recorder
Lee Lundrigan Co Recorder Office
DOC- 2011-0013413-00
Thursday, FEB 17, 2011 08:05:10
Ttl Pd \$0.00 Nbr-0003015776
OMK/R2/1-13

THIS NOTICE OF RESCISSION AND CALIFORNIA LAND CONSERVATION CONTRACT is made and entered into February 15, 2011, 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: Dennise Ann Davis
2424 Church Street
Modesto, CA 95357

- (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)
014-027-007	20.66	2424 Church Street, Modesto

Pursuant to Stanislaus County Board of Supervisors Resolution No. 2011-110, relating to Lot Line Adjustment No. 2010-18 as authorized by Govt. Code § 51257, California Land Conservation Contract No. 72-0588 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.

BMC

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

Page 2

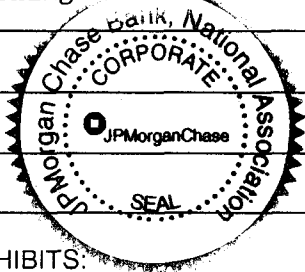
- (18) The effective date of this Contract shall be date of recording.
- (19) Uses on the subject property are limited to those specifically described in Chapter 21.20 of the Stanislaus County Code - General Agriculture District (A-2), as effective each year upon renewal of the contract, which is herein 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)
Dennise Ann Davis	<i>[Signature]</i>	1/19/11	Modesto, CA

SECURITY HOLDERS:

NAME (print or type)	SIGNATURE (all to be notarized)	DATE	SIGNED AT (city)
Rhonda Thompson JPMorgan Chase Bank, N.A. successor in interest from the Federal Deposit of Insurance Corporation, as receiver for Washington Mutual Bank formerly Washington Mutual Bank, FA	<i>[Signature]</i>	1-7-2011	Monroe, LA



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

2/16/11
Dated

[Signature]
Chairman, Board of Supervisors
Kirk Ford for Dick Montieth

State of CALIFORNIA)
County of STANISLAUS)

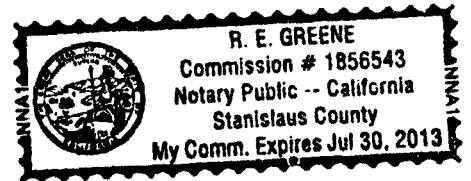
On JANUARY 19, 2011 before me,
R. E. GREENE, Notary Public (here insert name and title of the officer),
personally appeared DENNISE ANN DAVIS

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 *R. E. Greene* (Seal)



ACKNOWLEDEMENT

STATE OF LOUISIANA

PARISH OF OUACHITA

On this 7th day of January, 2011, before me, Vicki C. Knighten, Notary Public, personally appeared Rhonda Thompson, Vice President, 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 she executed the same in her authorized capacity, and that by her signature on the instrument the person or the entity upon behalf of which the person acted, executed the instrument.

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

WITNESS my hand and official seal.



Notary Public: **VICKI C. KNIGHTEN**

My Commission Expires: Lifetime

OFFICIAL SEAL
VICKI C. KNIGHTEN #54231
NOTARY PUBLIC OUACHITA PARISH
STATE OF LOUISIANA LIFETIME COMMISSION

September 27, 2010
Job No. 2766-02

EXHIBIT "A"
EXISTING LOT DESCRIPTIONS
(PARCEL A)

Lot 2 of Milnes Colony, as per map thereof recorded November 21, 1903 in Book 1 of Maps, Page 73, Stanislaus County records, bounded and particularly described as follows, to wit:


Commencing at a point South 0 degrees 10' West 941.49 feet from the northwest corner of Lot 2 of said tract; thence South 0 degrees 10' West 941.49 feet; thence South 89 degrees 50' East 954.22 feet; thence North 941.49 feet; thence West 954.22 feet to the place of commencement.

EXCEPTING THEREFROM the West 20 feet thereof reserved for road purposes.

A plat showing the above description is attached hereto and made part hereof.

Note: The above description being the same description as that in the certain Grant Deed to Dennise Ann Davis, recorded on September 26, 1997 as Document Number 97-0075881 in the Office of the Recorder of Stanislaus County.

This description was prepared by me or under my direct supervision.



Jack M. Smith P.L.S. 7539
Expires: 12/31/11



12/3/10
Dated

September 27, 2010
Job No. 2766-02

EXHIBIT "A"
EXISTING LOT DESCRIPTIONS
(PARCEL B)

The land referred to is situated in the County of Stanislaus, State of California, and is described as follows:

Being a portion of Lot 2 and a portion of Lot 5 as shown on that certain map filed for record on November 21, 1903 in Volume 1 of Maps, at page 73 in the Office of the Recorder, Stanislaus County, and being more particularly described as follows:


BEGINNING at the northwesterly corner of that certain parcel of land granted to William Rossi, Jr, by that certain Grant Deed filed for record on December 15, 2003 as Document No. 2003-0211179-00 in the Office of the Recorder, Stanislaus County; thence South 00°10'00" West, a distance of 33.00 feet to a point on the southerly line of Milnes Avenue and the TRUE POINT OF BEGINNING; thence along said line South 89°46'45" East, a distance of 703.83 feet; thence leaving said line South 00°14'04" West, a distance of 733.28 feet; thence South 18°11'17" West, a distance of 258.88 feet to the beginning of a tangent curve to the left; thence along said curve having a radius of 295.00 feet, through a central angle of 16°50'46", an arc length of 86.74 feet; thence leaving said curve South 01°16'54" West, a distance of 912.60 feet; thence South 05°30'31" East, a distance of 156.10 feet; thence South 19°49'02" East, a distance of 271.82 feet; thence South 49°58'32" East, a distance of 310.95 feet; thence South 47°25'19" West, a distance of 95.22 feet; thence South 65°31'36" West, a distance of 413.93 feet to the beginning of a tangent curve to the right; thence along said curve having a radius of 330.00 feet, through a central angle of 24°57'10", an arc length of 143.72 feet; thence leaving said curve North 89°31'14" West, a distance of 1286.42 feet to the easterly right-of-way line of Church Street, said street being 40.00 feet wide; thence along said right-of-way North 00°10'00" East, a distance of 998.97 feet; thence leaving said right-of-way South 89°46'45" East, a distance of 934.22 feet; thence North 00°10'00" East, a distance of 1849.98 feet to the TRUE POINT OF BEGINNING and containing an area of 2,825,273 square feet, more or less.

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Note: The above description being the same description as that in the certain Grant Deed to William Rossi, Jr., Trustee and Janis M. Rossi, Trustees of the 1995 Rossi Revocable

Trust, recorded on August 17, 2005 as Document Number 2005-0147090 in the Office of the Recorder of Stanislaus County.

This description was prepared by me or under my direct supervision.



Jack M. Smith P.L.S. 7539
Expires: 12/31/11

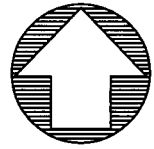


12/3/10
Dated

LANGWORTH ROAD

NOTES:

1. ALL DISTANCES ARE IN FEET AND DECIMALS THEREOF.
2. THE DATE OF THE FIELD SURVEY WAS AUGUST, 2010.



1"=500'

33' HALF WIDTH

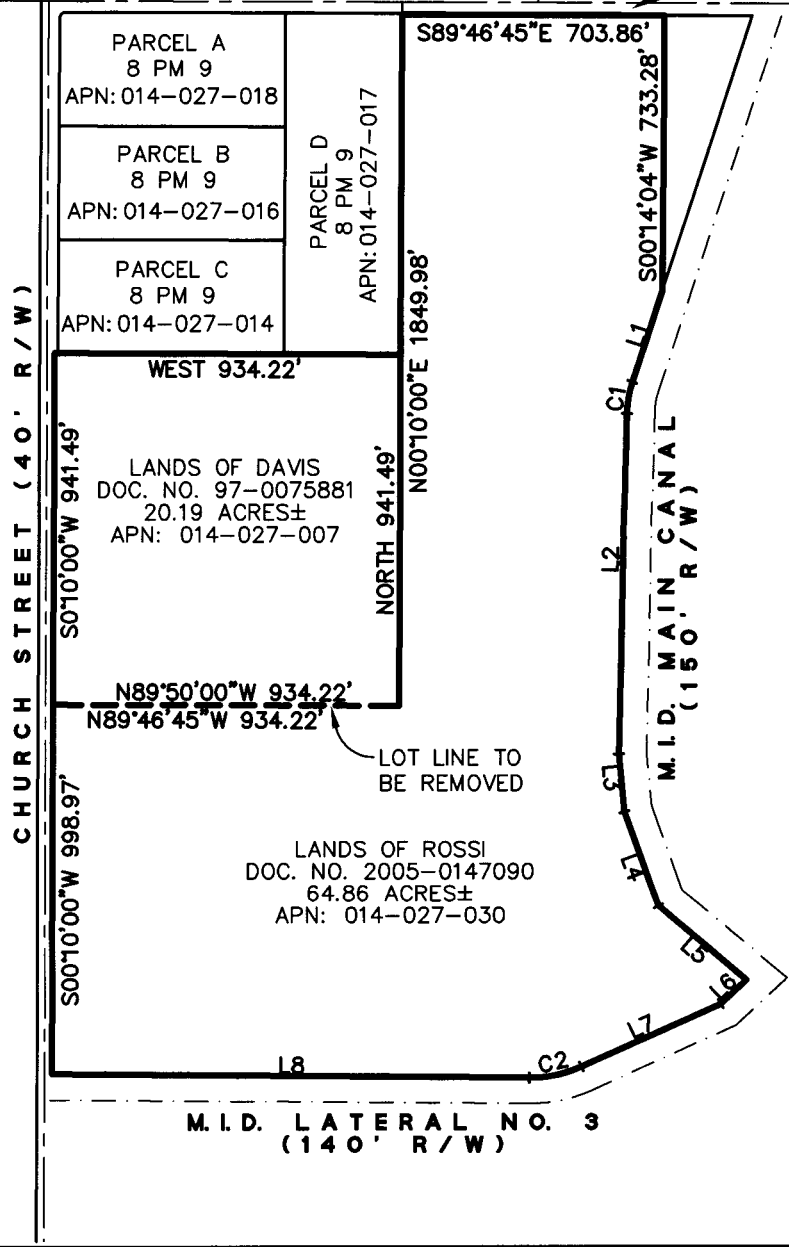
MILNES ROAD (R/W VARIES)

LEGEND:

POB POINT OF BEGINNING
TPOB TRUE POINT OF BEGINNING

LINE TABLE		
L1	S18°11'17"W	258.88'
L2	S01°16'54"W	912.60'
L3	S05°30'31"E	156.10'
L4	S19°49'02"E	271.82'
L5	S49°58'32"E	310.95'
L6	S47°25'19"W	95.22'
L7	S65°31'36"W	413.93'
L8	N89°31'14"W	1286.42'

CURVE TABLE			
CURVE	LENGTH	RADIUS	DELTA
C1	86.74	295.00	16°50'46"
C2	143.72	330.00	24°57'10"



	MUIR CONSULTING, INC.	Subject <u>LANDS OF ROSSI & DAVIS</u>
	460 N. YOSEMITE AVE., SUITE #9	<u>LOT LINE ADJUSTMENT - EXISTING</u>
	OAKDALE, CA 95361	Job No. <u>2766-01</u>
	(209) 845-8630 FAX (209) 845-8639	By <u>TJE</u> Date <u>12/1/10</u> Chkd. <u>JMS</u>
	www.muirconsulting.com	Scale <u>1"=500'</u> Sheet <u>1</u> of <u>2</u>

September 27, 2010
Job No. 2766-02

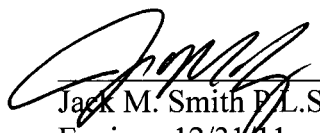
EXHIBIT "B"
NEW LOT DESCRIPTIONS
(PARCEL A)

All that real property situate in the County of Stanislaus, State of California, being a portion of the lands described in that certain Grant Deed to Dennise Ann Davis recorded on September 26, 1997 as Document No. 97-0075881, Stanislaus County Records, and a portion of Lot 2, as said Lot is shown on that certain map entitled "MILNES COLONY" and filed for record on November 21, 1903 in Book 1 of Maps at page 73, Stanislaus County Records, and being more particularly described as follows:

BEGINNING at the northwesterly corner of said Lands of Davis, said point being on the easterly right-of-way line of Church Street and being 20 feet easterly of the westerly line of said Lot 2; thence along the northerly line of said lands South 89°46'45" East, a distance of 934.22 feet to the northeasterly corner of said lands; thence along the easterly line of said lands and its southerly prolongation South 0°12'33" West, a distance of 963.49 feet; thence parallel with the southerly line of said Lot 2 North 89°46'45" West, a distance of 934.22 feet to said easterly right-of-way line of Church Street; thence along said right-of-way line and parallel with the westerly line of said Lot 2 North 0°12'33" East, a distance of 963.49 feet to the POINT OF BEGINNING and containing an area of 20.66 acres, more or less.

A plat showing the above description is attached hereto and made part hereof.

This description was prepared by me or under my direct supervision.



Jack M. Smith P.L.S. 7539
Expires: 12/31/11



12/3/10
Dated _____

September 27, 2010
Job No. 2766-02

EXHIBIT "B"
NEW LOT DESCRIPTIONS
(PARCEL B)

All that real property situate in the County of Stanislaus, State of California, being a portion of Lot 2 and Lot 5, as said Lots are shown on that certain map entitled "MILNES COLONY" and filed for record on November 21, 1903 in Book 1 of Maps at page 73, Stanislaus County Records, and being more particularly described as follows:


BEGINNING at a point on the northerly line of said Lot 2, said point being South 89°46'45" East, 954.22 feet from the northwesterly corner of said Lot 2; thence leaving said line South 0°12'33" West, a distance of 33.00 feet to the southerly right-of-way line of Milnes Road (66' R/W) and the TRUE POINT OF BEGINNING; thence along said right-of-way line South 89°46'45" East, a distance of 703.83 feet to a 3/4" iron pipe w/ plastic plug & tack, tagged "LS 7539", as said pipe is shown on that certain Record of Survey filed for record on September 23, 2005 in Book 29 of Record of Surveys, at Page 31, Stanislaus County Records; thence leaving said right-of-way line South 00°14'04" West, a distance of 724.21 feet to the westerly right-of-way line of the Modesto Irrigation District Main Canal (150' R/W), as said canal is described in that certain Grant Deed to Modesto Irrigation District recorded on April 30, 1903 in Volume 87 of Deeds at page 8, Stanislaus County Records; thence along said line the following seven courses:

1. South 18°18'15" West, a distance of 234.61 feet to the beginning of a non-tangent curve to the left, from which point a radial line bears South 71°46'34" East;
2. thence along said curve having a radius of 479.50 feet, through a central angle of 16°55'11", an arc length of 141.60 feet;
3. thence South 01°18'15" West, a distance of 880.24 feet to the beginning of a non-tangent curve to the left, from which point a radial line bears South 89°03'28" East;
4. thence along said curve having a radius of 661.40 feet, through a central angle of 19°23'17", an arc length of 223.81 feet;
5. thence South 18°26'45" East, a distance of 106.33 feet to the beginning of a non-tangent curve to the left, from which point a radial line bears North 71°39'23" East;
6. thence along said curve having a radius of 390.90 feet, through a central angle of 35°06'08", an arc length of 239.48 feet;
7. thence South 53°26'45" East, a distance of 180.00 feet to the northerly right-of-way line of Modesto Irrigation District Lateral No. 3 (140' R/W), as said lateral is described in said Grant Deed to Modesto Irrigation District, and the beginning of a non-tangent curve to the right, from which point a radial line bears North 53°26'45" West; thence along said right-of-way line the following four courses:

1. along said curve having a radius of 218.10 feet, through a central angle of $29^{\circ}07'35''$, an arc length of 110.87 feet;
2. thence South $66^{\circ}03'15''$ West, a distance of 385.09 feet to the beginning of a tangent curve to the right;
3. thence along said curve having a radius of 398.50 feet, through a central angle of $24^{\circ}05'32''$, an arc length of 167.56 feet;
4. thence North $89^{\circ}41'45''$ West, a distance of 1278.10 feet to the easterly right-of-way line of Church Street (40' R/W), said line being 20 feet easterly of and parallel with the westerly line of said Lot 5; thence along said right-of-way line North $00^{\circ}12'33''$ East, a distance of 972.22 feet to a point 22.00 feet southerly of the northerly line of said Lot 5; thence South $89^{\circ}46'45''$ East, a distance of 934.22 feet to the southerly prolongation of the easterly line of the lands described in that certain Grant Deed to Dennise Ann Davis recorded on September 26, 1997 as Document No. 97-0075881, Stanislaus County Records; thence along said prolongation and easterly line and continuing along the easterly line of the lands shown on that certain Parcel Map filed for record on December 24, 1969 in Book 8 of Parcel Maps at page 9, Stanislaus County Records, North $00^{\circ}12'33''$ East, a distance of 1871.98 feet to the TRUE POINT OF BEGINNING and containing an area of 64.09 acres, more or less.

A plat showing the above description is attached hereto and made part hereof.

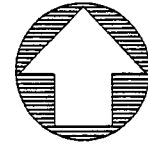
This description was prepared by me or under my direct supervision.


Jack M. Smith P.L.S. 7539
Expires: 12/31/11



12/3/10
Dated

LANGWORTH ROAD



1"=500'

NOTES:

1. ALL DISTANCES ARE IN FEET AND DECIMALS THEREOF.
2. THE DATE OF THE FIELD SURVEY WAS AUGUST, 2010.

MILNES ROAD (R/W VARIES) 33.00' POB PCL B 33' HALF WIDTH

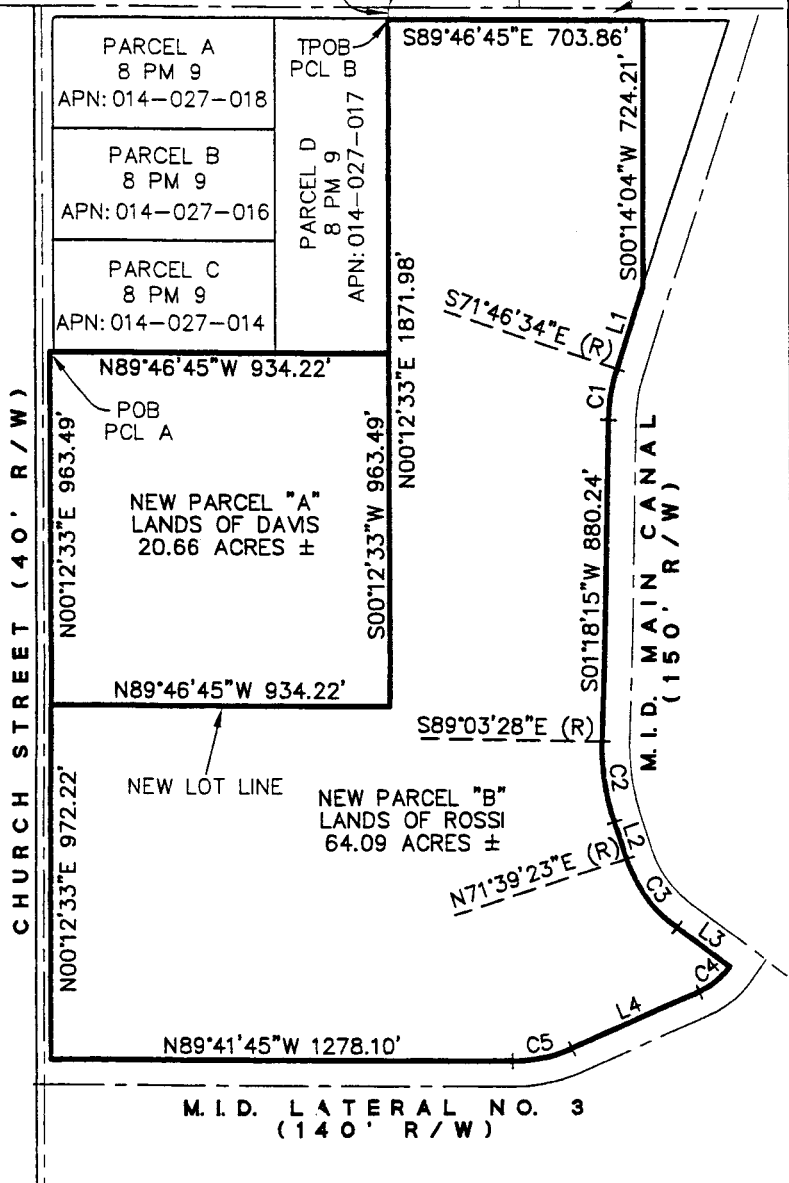


LEGEND:

POB POINT OF BEGINNING
TPOB TRUE POINT OF BEGINNING

LINE TABLE		
L1	S18°18'15"W	234.61'
L2	S18°26'45"E	106.33'
L3	S53°26'45"E	180.00'
L4	S66°03'15"W	385.09'

CURVE TABLE			
CURVE	LENGTH	RADIUS	DELTA
C1	141.60'	479.50'	16°55'11"
C2	223.81'	661.40'	19°23'17"
C3	239.48'	390.90'	35°06'08"
C4	110.87'	218.10'	29°07'35"
C5	167.56'	398.50'	24°05'32"



MUIR CONSULTING, INC.
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Subject LANDS OF ROSSI & DAVIS
LOT LINE ADJUSTMENT - ADJUSTED
 Job No. 2766-01
 By TJE Date 12/1/10 Chkd. JMS
 Scale 1"=500' Sheet 2 of 2

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 February 15, 2011

CEO Concurs with Recommendation YES NO
(Information Attached)

4/5 Vote Required YES NO

SUBJECT:

Approval to Rescind Williamson Act Contracts No. 1972-0588 and 2005-4576, Located on Church Street and Milnes Road, in the Modesto Area, Approval of New Contracts Pursuant to Minor Lot Line Adjustment 2010-18, Davis & Rossi, and Authorization for the Director of Planning and Community Development to Execute New Contracts

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. 2011-110

On motion of Supervisor Withrow, Seconded by Supervisor Chiesa
and approved by the following vote,

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

Noes: Supervisors: None

Excused or Absent: Supervisors: None

Abstaining: Supervisor: None

1) Approved as recommended

2) Denied

3) Approved as amended

4) Other:

MOTION:

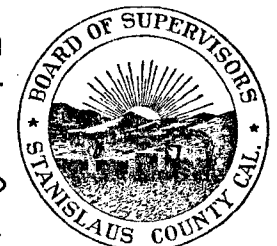
I hereby certify that the foregoing is a full, true and correct copy of the Original entered in the Minutes of the Board of Supervisors.

CHRISTINE FERRARO TALLMAN

Clerk of the Board of Supervisors of the County of Stanislaus, State of California

Christine Ferraro Tallman
Juzi Gibert

ATTEST: CHRISTINE FERRARO TALLMAN, Clerk



FEB 15 2011

File No.



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. 2011-07**

Stanislaus, County Recorder
Lee Lundrigan Co Recorder Office
DOC- 2011-0013414-00

Thursday, FEB 17, 2011 08:05:18

Ttl Pd \$0.00

Nbr-0003015778

OMK/R2/1-13

THIS NOTICE OF RESCISSION AND CALIFORNIA LAND CONSERVATION CONTRACT is made and entered into February 15, 2011, 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: Rossi 1995 Revocable Trust, William Rossi, Jr. Trustee
3818 Roberts Road
Ceres, CA 95307

- (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)
<u>014-027-030</u>	<u>64.09</u>	<u>Milnes Road/Church Street</u>

Pursuant to Stanislaus County Board of Supervisors Resolution No. 2011-110, relating to Lot Line Adjustment No. 2010-18 as authorized by Govt. Code § 51257, California Land Conservation Contract No. 2005-4576 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.

12m(10)

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)
WILLIAM S. ROSSI JR	<i>William S. Rossi</i>	12-1-10	Moderato
Janis M. Rossi	<i>Janis M. Rossi</i>	12-1-10	Moderato

SECURITY HOLDERS:

NAME (print or type)	SIGNATURE (all to be notarized)	DATE	SIGNED AT (city)
Joseph C. Manzy	<i>Joseph C. Manzy</i>	11-24-10	Moderato, 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

2/16/11
Dated

Kirk Ford
Chairman, Board of Supervisors
Kirk Ford for Dick Montieth

ACKNOWLEDGMENT

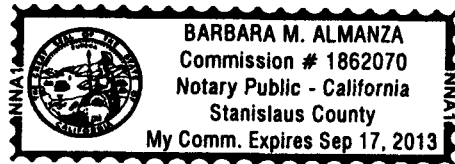
State of California
County of Stanislaus)

On December 1, 2010 before me, Barbara M. Almanza, Notary Public
(insert name and title of the officer)

personally appeared William S. Rossi, Jr and Janis M. Rossi,
who proved to me on the basis of satisfactory evidence to be the pers on(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 pers on(s) acted, executed the instrument.

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

WITNESS my hand and official seal.



Signature Barbara M. Almanza (Seal)

ACKNOWLEDGMENT

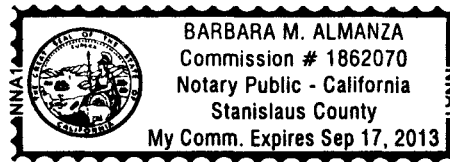
State of California
County of Stanislaus)

On November 24, 2010 before me, Barbara M. Almanza, Notary Public
(insert name and title of the officer)

personally appeared Joseph C. Mauzy,
who proved to me on the basis of satisfactory evidence to be the pers on(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 pers on(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 Barbara M. Almanza (Seal)

September 27, 2010
Job No. 2766-02

EXHIBIT "A"
EXISTING LOT DESCRIPTIONS
(PARCEL A)

Lot 2 of Milnes Colony, as per map thereof recorded November 21, 1903 in Book 1 of Maps, Page 73, Stanislaus County records, bounded and particularly described as follows, to wit:

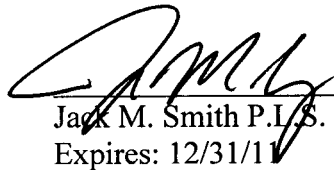
Commencing at a point South 0 degrees 10' West 941.49 feet from the northwest corner of Lot 2 of said tract; thence South 0 degrees 10' West 941.49 feet; thence South 89 degrees 50' East 954.22 feet; thence North 941.49 feet; thence West 954.22 feet to the place of commencement.

EXCEPTING THEREFROM the West 20 feet thereof reserved for road purposes.

A plat showing the above description is attached hereto and made part hereof.

Note: The above description being the same description as that in the certain Grant Deed to Dennise Ann Davis, recorded on September 26, 1997 as Document Number 97-0075881 in the Office of the Recorder of Stanislaus County.

This description was prepared by me or under my direct supervision.


Jack M. Smith P.L.S. 7539
Expires: 12/31/11



10/15/10
Dated

September 27, 2010
Job No. 2766-02

EXHIBIT "A"
EXISTING LOT DESCRIPTIONS
(PARCEL B)

The land referred to is situated in the County of Stanislaus, State of California, and is described as follows:

Being a portion of Lot 2 and a portion of Lot 5 as shown on that certain map filed for record on November 21, 1903 in Volume 1 of Maps, at page 73 in the Office of the Recorder, Stanislaus County, and being more particularly described as follows:


BEGINNING at the northwesterly corner of that certain parcel of land granted to William Rossi, Jr, by that certain Grant Deed filed for record on December 15, 2003 as Document No. 2003-0211179-00 in the Office of the Recorder, Stanislaus County; thence South 00°10'00" West, a distance of 33.00 feet to a point on the southerly line of Milnes Avenue and the TRUE POINT OF BEGINNING; thence along said line South 89°46'45" East, a distance of 703.83 feet; thence leaving said line South 00°14'04" West, a distance of 733.28 feet; thence South 18°11'17" West, a distance of 258.88 feet to the beginning of a tangent curve to the left; thence along said curve having a radius of 295.00 feet, through a central angle of 16°50'46", an arc length of 86.74 feet; thence leaving said curve South 01°16'54" West, a distance of 912.60 feet; thence South 05°30'31" East, a distance of 156.10 feet; thence South 19°49'02" East, a distance of 271.82 feet; thence South 49°58'32" East, a distance of 310.95 feet; thence South 47°25'19" West, a distance of 95.22 feet; thence South 65°31'36" West, a distance of 413.93 feet to the beginning of a tangent curve to the right; thence along said curve having a radius of 330.00 feet, through a central angle of 24°57'10", an arc length of 143.72 feet; thence leaving said curve North 89°31'14" West, a distance of 1286.42 feet to the easterly right-of-way line of Church Street, said street being 40.00 feet wide; thence along said right-of-way North 00°10'00" East, a distance of 998.97 feet; thence leaving said right-of-way South 89°46'45" East, a distance of 934.22 feet; thence North 00°10'00" East, a distance of 1849.98 feet to the TRUE POINT OF BEGINNING and containing an area of 2,825,273 square feet, more or less.

A plat showing the above description is attached hereto and made part hereof.

Note: The above description being the same description as that in the certain Grant Deed to William Rossi, Jr., Trustee and Janis M. Rossi, Trustees of the 1995 Rossi Revocable

Trust, recorded on August 17, 2005 as Document Number 2005-0147090 in the Office of the Recorder of Stanislaus County.

This description was prepared by me or under my direct supervision.

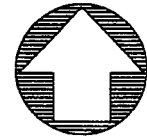


Jack M. Smith P.L.S. 7539
Expires: 12/31/14



10/15/10
Dated

LANGWORTH ROAD



1"=500'

NOTES:

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33' HALF WIDTH

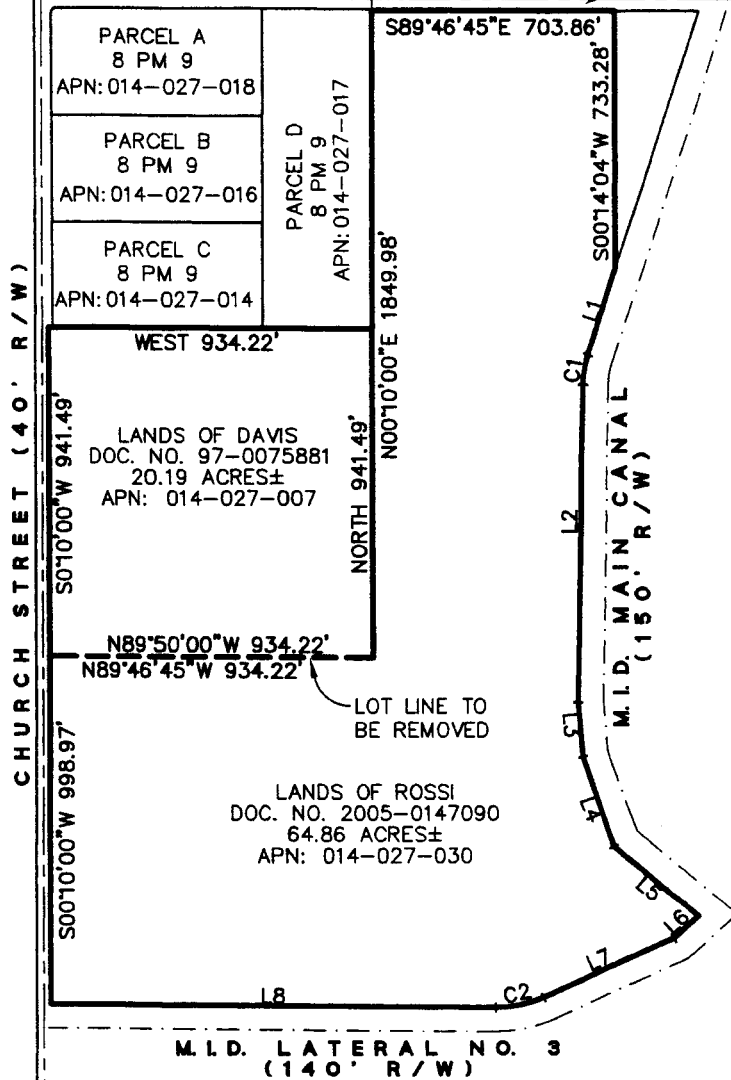
MILNES ROAD (R/W VARIES)

LEGEND:

POB POINT OF BEGINNING
TPOB TRUE POINT OF BEGINNING

LINE TABLE		
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Subject LANDS OF ROSSI & DAVIS
LOT LINE ADJUSTMENT - EXISTING
Job No. 2766-01
By TJE Date 9/30/10 Chkd. JMS
Scale 1"=500' Sheet 1 of 2

September 27, 2010
Job No. 2766-02

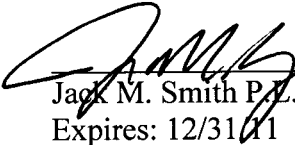
EXHIBIT "B"
NEW LOT DESCRIPTIONS
(PARCEL A)

All that real property situate in the County of Stanislaus, State of California, being a portion of the lands described in that certain Grant Deed to Dennise Ann Davis recorded on September 26, 1997 as Document No. 97-0075881, Stanislaus County Records, and a portion of Lot 2, as said Lot is shown on that certain map entitled "MILNES COLONY" and filed for record on November 21, 1903 in Book 1 of Maps at page 73, Stanislaus County Records, and being more particularly described as follows:

BEGINNING at the northwesterly corner of said Lands of Davis, said point being on the easterly right-of-way line of Church Street and being 20 feet easterly of the westerly line of said Lot 2; thence along the northerly line of said lands South 89°46'45" East, a distance of 934.22 feet to the northeasterly corner of said lands; thence along the easterly line of said lands and its southerly prolongation South 0°12'33" West, a distance of 963.49 feet; thence parallel with the southerly line of said Lot 2 North 89°46'45" West, a distance of 934.22 feet to said easterly right-of-way line of Church Street; thence along said right-of-way line and parallel with the westerly line of said Lot 2 North 0°12'33" East, a distance of 963.49 feet to the POINT OF BEGINNING and containing an area of 20.66 acres, more or less.

A plat showing the above description is attached hereto and made part hereof.

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Jack M. Smith P.L.S. 7539
Expires: 12/31/11



10/15/10
Dated

September 27, 2010
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EXHIBIT "B"
NEW LOT DESCRIPTIONS
(PARCEL B)

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1. South 18°18'15" West, a distance of 234.61 feet to the beginning of a non-tangent curve to the left, from which point a radial line bears South 71°46'34" East;
2. thence along said curve having a radius of 479.50 feet, through a central angle of 16°55'11", an arc length of 141.60 feet;
3. thence South 01°18'15" West, a distance of 880.24 feet to the beginning of a non-tangent curve to the left, from which point a radial line bears South 89°03'28" East;
4. thence along said curve having a radius of 661.40 feet, through a central angle of 19°23'17", an arc length of 223.81 feet;
5. thence South 18°26'45" East, a distance of 106.33 feet to the beginning of a non-tangent curve to the left, from which point a radial line bears North 71°39'23" East;
6. thence along said curve having a radius of 390.90 feet, through a central angle of 35°06'08", an arc length of 239.48 feet;
7. thence South 53°26'45" East, a distance of 180.00 feet to the northerly right-of-way line of Modesto Irrigation District Lateral No. 3 (140' R/W), as said lateral is described in said Grant Deed to Modesto Irrigation District, and the beginning of a non-tangent curve to the right, from which point a radial line bears North 53°26'45" West; thence along said right-of-way line the following four courses:

1. along said curve having a radius of 218.10 feet, through a central angle of $29^{\circ}07'35''$, an arc length of 110.87 feet;
2. thence South $66^{\circ}03'15''$ West, a distance of 385.09 feet to the beginning of a tangent curve to the right;
3. thence along said curve having a radius of 398.50 feet, through a central angle of $24^{\circ}05'32''$, an arc length of 167.56 feet;
4. thence North $89^{\circ}41'45''$ West, a distance of 1278.10 feet to the easterly right-of-way line of Church Street (40' R/W), said line being 20 feet easterly of and parallel with the westerly line of said Lot 5; thence along said right-of-way line North $00^{\circ}12'33''$ East, a distance of 972.22 feet to a point 22.00 feet southerly of the northerly line of said Lot 5; thence South $89^{\circ}46'45''$ East, a distance of 934.22 feet to the southerly prolongation of the easterly line of the lands described in that certain Grant Deed to Dennise Ann Davis recorded on September 26, 1997 as Document No. 97-0075881, Stanislaus County Records; thence along said prolongation and easterly line and continuing along the easterly line of the lands shown on that certain Parcel Map filed for record on December 24, 1969 in Book 8 of Parcel Maps at page 9, Stanislaus County Records, North $00^{\circ}12'33''$ East, a distance of 1871.98 feet to the TRUE POINT OF BEGINNING and containing an area of 64.09 acres, more or less.

A plat showing the above description is attached hereto and made part hereof.

This description was prepared by me or under my direct supervision.



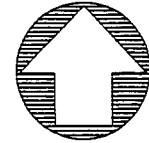
Jack M. Smith P.L.S. 7539
Expires: 12/31/11



10/15/10

Dated

LANGWORTH ROAD



1"=500'

NOTES:

1. ALL DISTANCES ARE IN FEET AND DECIMALS THEREOF.
2. THE DATE OF THE FIELD SURVEY WAS AUGUST, 2010.

MILNES ROAD (R/W VARIES) 33.00' POB PCL B 33' HALF WIDTH

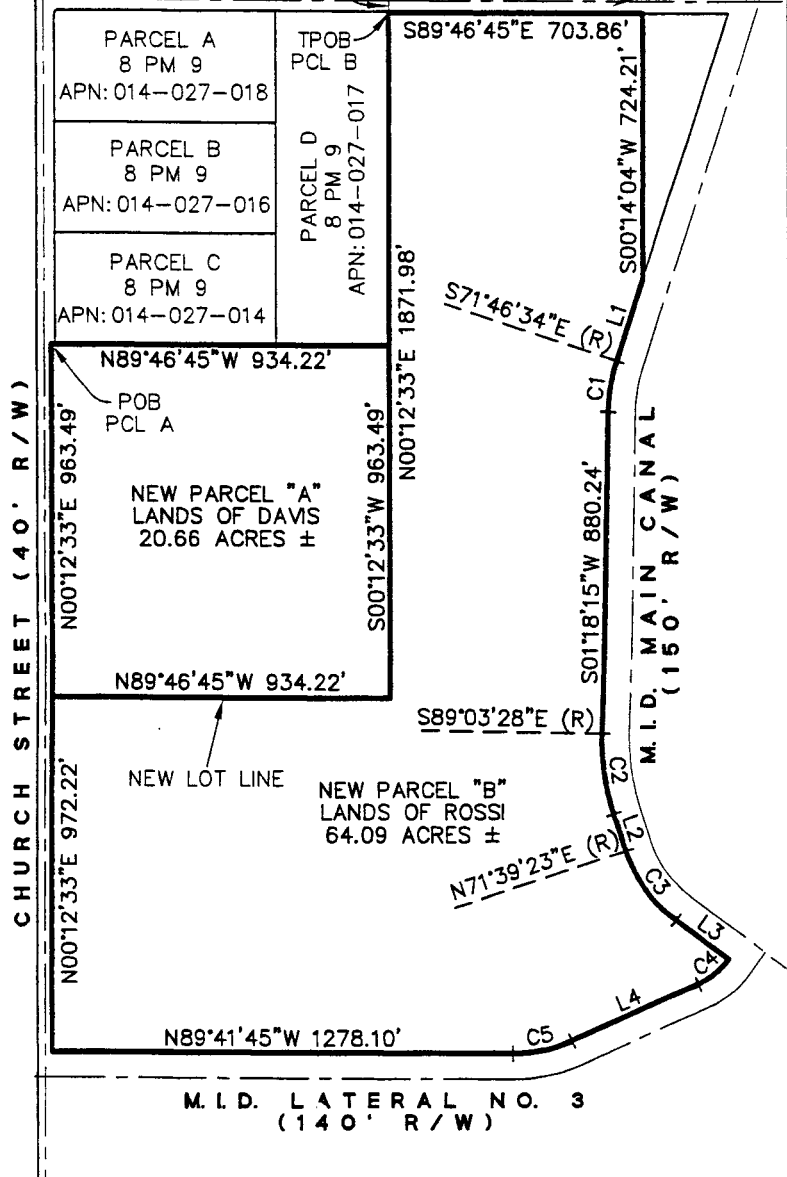


LEGEND:

POB POINT OF BEGINNING
TPOB TRUE POINT OF BEGINNING

LINE TABLE		
L1	S18°18'15"W	234.61'
L2	S18°26'45"E	106.33'
L3	S53°26'45"E	180.00'
L4	S66°03'15"W	385.09'

CURVE TABLE			
CURVE	LENGTH	RADIUS	DELTA
C1	141.60'	479.50'	16°55'11"
C2	223.81'	661.40'	19°23'17"
C3	239.48'	390.90'	35°06'08"
C4	110.87'	218.10'	29°07'35"
C5	167.56'	398.50'	24°05'32"



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 460 N. YOSEMITE AVE., SUITE #9
 OAKDALE, CA 95361
 (209) 845-8630 FAX (209) 845-8639
 www.muirconsulting.com

Subject LANDS OF ROSSI & DAVIS
LOT LINE ADJUSTMENT - ADJUSTED
 Job No. 2766-01
 By TJE Date 12/1/10 Chkd. JMS
 Scale 1"=500' Sheet 2 of 2

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 February 15, 2011

CEO Concurs with Recommendation YES NO

4/5 Vote Required YES NO

(Information Attached)

SUBJECT:

Approval to Rescind Williamson Act Contracts No. 1972-0588 and 2005-4576, Located on Church Street and Milnes Road, in the Modesto Area, Approval of New Contracts Pursuant to Minor Lot Line Adjustment 2010-18, Davis & Rossi, and Authorization for the Director of Planning and Community Development to Execute New Contracts

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. 2011-110

On motion of Supervisor Withrow and approved by the following vote, **Seconded by Supervisor** Chiesa

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

Noes: Supervisors: None

Excused or Absent: Supervisors: None

Abstaining: Supervisor: None

1) Approved as recommended

2) Denied

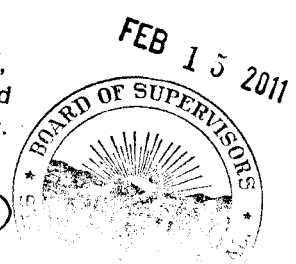
3) Approved as amended

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, Calif.

By [Signature]



Christine Ferraro

ATTEST: CHRISTINE FERRARO TALLMAN, Clerk

File No.