

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 September 13, 2011

CEO Concurs with Recommendation YES  NO   
(Information Attached)

4/5 Vote Required YES  NO

SUBJECT:

Approval to Rescind Williamson Act Contracts No. 1972-0779 and 1972-0795, Located on Tim Bell Road, in the Waterford Area, Approval of New Contracts Pursuant to Minor Lot Line Adjustment 2011-15, Lemos and Ward, 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restrict the adjusted boundaries of the parcel for an initial term for at least as long as the unexpired term of the rescinded contract or contracts, but for not less than 10 years except as authorized under the County's implementation of AB 1265.

(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. 2011-533

On motion of Supervisor Chiesa, Seconded by Supervisor Withrow  
 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) 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 In cases where two parcels involved in a lot line adjustment are both subject to contracts rescinded pursuant to this section, this finding will be satisfied if the aggregate acreage of the land restricted by the new contracts is at least as great as the aggregate acreage restricted by the rescinded contracts.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 Contracts No. 1972-0779 and 1972-0795 (Located on Tim Bell Road, in the Waterford area).
  3. Approve new contracts pursuant to Minor Lot Line Adjustment 2011-15 – Lemos and Ward.
  4. Authorize the Director of Planning and Community Development to execute new contracts pursuant to Minor Lot Line Adjustment 2011-15.

**DISCUSSION:**

Lot Line Adjustment Application No. 2011-15 was approved by staff pending the Board's action required by the Williamson Act. The lot line adjustment is requesting to go from 76.04 and 25.85 acres to 76.021 and 25.869 acres, a proposed adjustment of 0.019 acres to follow the existing fence line. The properties are located on Tim Bell, in the Waterford area, in the unincorporated area of Stanislaus County. (APNs: 008-003-005 and 008-003-030)

The proposed parcels involved in the lot line request are currently enrolled in Williamson Act Contracts No. 1972-0779 and 1972-0795, 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 AB 1265.
- (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. 1972-0779 and 1972-0795 upon recording. As in the case with all Williamson Act contracts in Stanislaus County, the new contract will be subject to the provisions of AB 1265, pursuant to the Board of Supervisors' action on August 2, 2011.

**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. 2011-15
- 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

Stamp box containing: S 18 T 3 R 12, ZONE A 240, RECEIVED BC, APPLICATION NO. LLA 2011-15, RECEIPT NO. Check 3196

LOT LINE ADJUSTMENT APPLICATION

1. Property Owner(s):

Form with four columns for Parcel 1, Parcel 2, Parcel 3, and Parcel 4. Each column contains fields for Name, Address, City, Zip, Phone, and Fax Number. Handwritten entries include 'Lemos Family Trust ~ James & Betty Lemos' and 'Brian and Tina Ward'.

2. Name and address of person(s) preparing map: Robert Braden Consulting ~ P.M.B. #185 ~ 2900 Standiford Ave. ~ Suite 16-B ~ Modesto, Ca. 95350

3. Assessor's Parcel No. of parcels adjusted: Parcel 1: Book 008 Page 003 No. 005 Parcel 2: Book 008 Page 003 No. 030 Parcel 3: Book Page No. Parcel 4: Book Page No.

4. Size of all adjusted parcels: Before After Parcel 1: 76.04 Ac. 76.021 Ac. Parcel 2: 25.85 Ac. 25.869 Ac. Parcel 3: Parcel 4:

5. Why are the lot lines being changed? BE SPECIFIC A portion of the property lines cross the existing fence and road. The lot line adjustment will follow the existing fence.

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 walnuts
    - Vines - type \_\_\_\_\_
    - Range (unirrigated) \_\_\_\_\_
    - Pasture (irrigated) \_\_\_\_\_
    - Poultry \_\_\_\_\_
    - Dairy \_\_\_\_\_
    - Other (Specify) Vacant

7. List all structures on properties: Parcel 1 ~ Mobile Home and Shed  
Parcel 2 ~ House, Barn and Shed

8. How have these parcels been utilized in the past, if different than current use? Parcel 1 ~ Row Crop  
Parcel 2 ~ No Change

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

Parcel 1: 2007 - Dec. Parcel 2: 2002 - Oct.  
Parcel 3: \_\_\_\_\_ Parcel 4: \_\_\_\_\_

10. What are the Williamson Act Contract numbers?

Parcel 1: 1972 - 0779 Parcel 2: 1972 - 0795  
Parcel 3: \_\_\_\_\_ Parcel 4: \_\_\_\_\_

11. Do the parcels irrigate?  Yes  No If yes, how? Flood Irrigation from ex. irrig. lines

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

13. Signature of property owner(s)

<u>James R. Lemas</u> Owner's Signature	<u>James R. Lemas</u> Owner's Name Printed
<u>Betty J. Lemas</u> Owner's Signature	<u>Betty J. Lemas</u> Owner's Name Printed
<u>Brian K. Ward</u> Owner's Signature	<u>Brian K. Ward</u> Owner's Name Printed
<u>Tina M. Ward</u> Owner's Signature	<u>Tina M. Ward</u> Owner's Name Printed



June 21, 2011

Robert Braden Consulting  
P.M.B. No. 185  
2900 Standiford Avenue, Suite 16-B  
Modesto, CA 95350

**SUBJECT: TENTATIVE APPROVAL OF LOT LINE ADJUSTMENT NO. 2011-15  
LEMOS & WARD**

The Stanislaus County Department of Planning and Community Development, completed its consideration of your application on **June 21, 2011**, 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 \$628.00, 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,

Bill Carlson  
Senior Planner

Enclosure

cc: Lemos Family Trust, James & Betty Lemos

Brian & Tina Ward

May 2, 2011

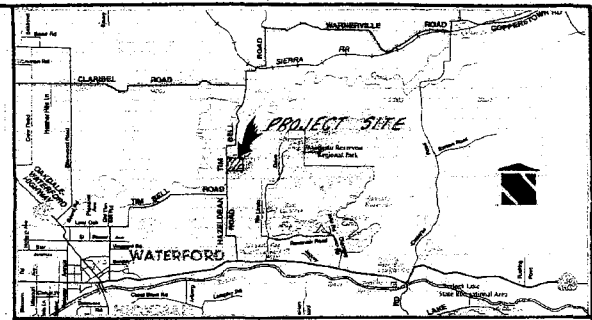
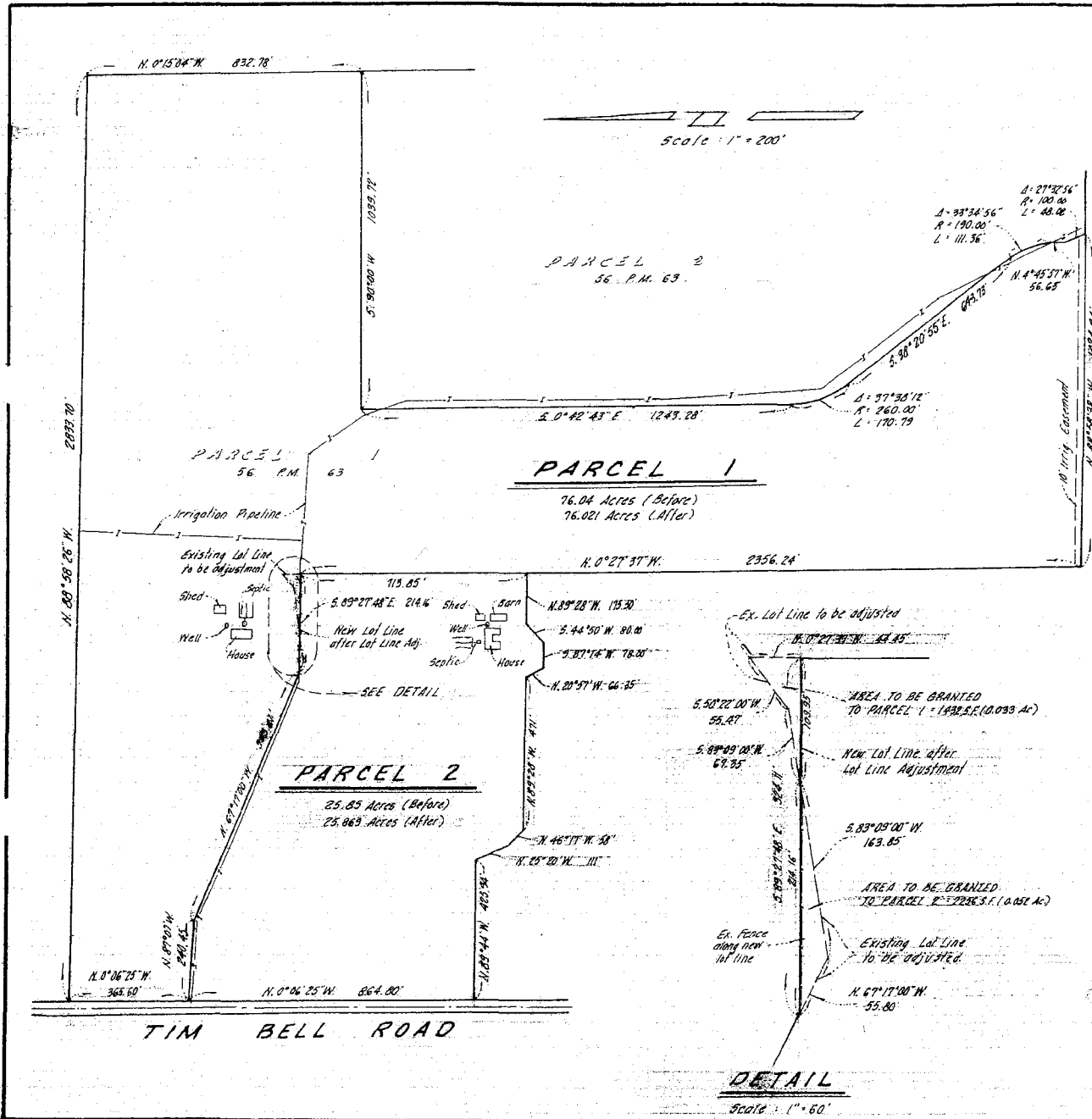
**Applicant Statement  
Reason for Lot Line Adjustment**

Re: Parcel 1 (APN 008-003-005) - 76.04 Acres  
Parcel 2 (APN 008-003-030) - 25.85 Acres

This project is a Lot Line Adjustment between the above referenced parcels. The proposed Lot Line Adjustment will place the property line along the existing fence line. The area of adjustment will allow the existing property owners to operate and maintain the appropriate areas they currently occupy.

The Lot Line Adjustment is nothing more than the movement of the lot lines to recognize the existing fence line. The properties will continue to be used for agriculture purposes. No change in the use or operation of the properties will occur.





VICINITY MAP  
No scale

# LOT LINE ADJUSTMENT

BEING A PORTION OF THE NORTHWEST QUARTER OF SECTION 18, T.35. R.12 E., M.D.B & M. STANISLAUS COUNTY, CALIFORNIA

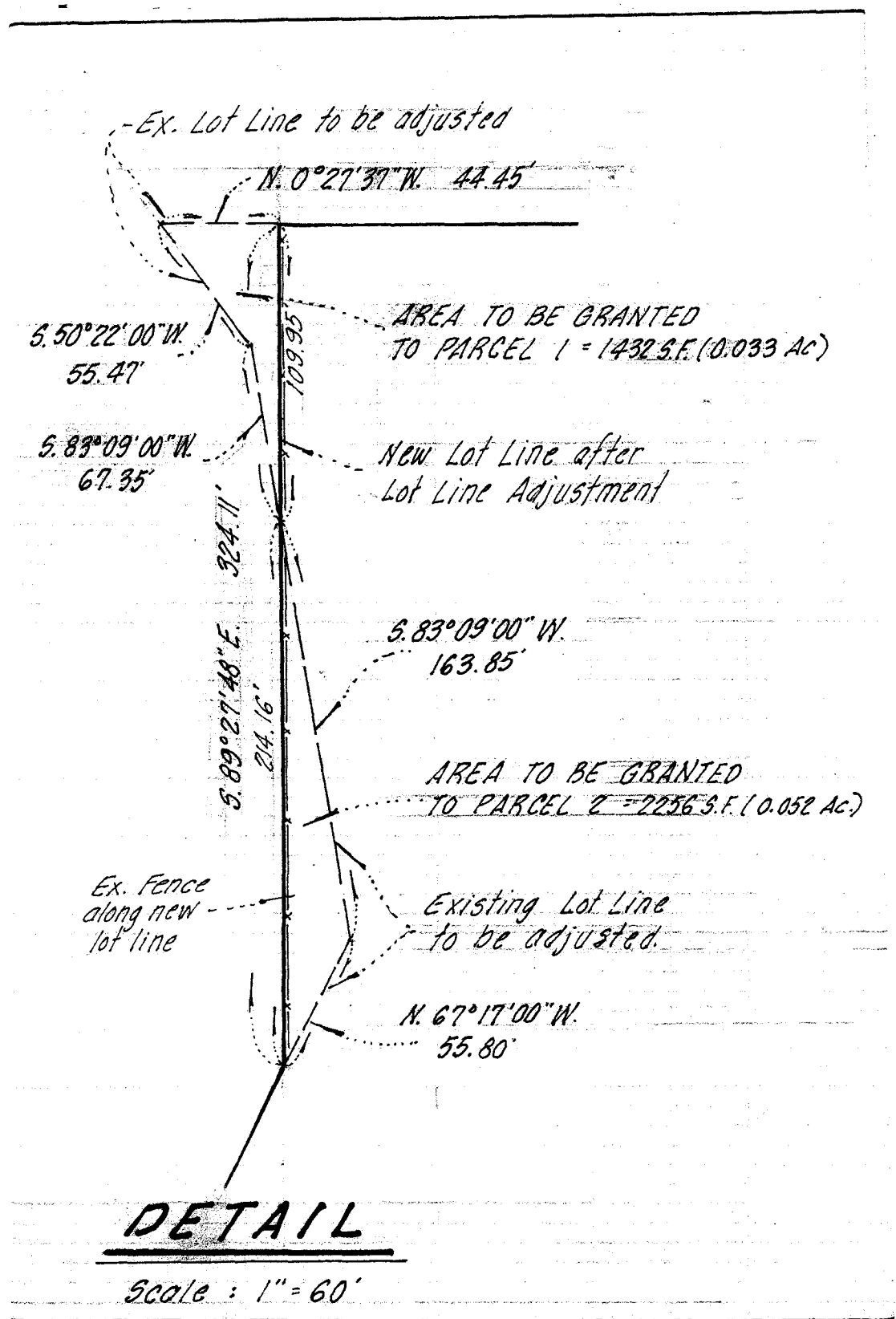
**OWNERS:**

LEMO'S FAMILY TRUST and BRIAN and TINA WARD  
 James and Betty Lemos, Trustees 2618 Tim Bell Road  
 15343 Tim Bell Road Waterford, California 95386  
 (209) 874-3184

**NOTES:**

1. Assessor's Parcel No. : 008-003-005 and 030
2. Current Zone : A-2-40
3. Parcel Areas:  
 Existing Parcel 1 = 76.04 Acres  
 Parcel 2 = 25.85 Acres  
 Proposed Parcel 1 = 76.021 Acres  
 Parcel 2 = 25.863 Acres

ROBERT BRADEN CONSULTING LAND USE PLANNING AND ZONING P.M.B. # 185 2900 STANDIFORD AVE. - SUITE 16-B MADRID, CALIFORNIA 95350 (209) 329-4528	Drawn By: RRB	REVISIONS	SHEET A OF 11
	Scale: As Shown	Date: Feb. 11 Job No.	



THIS SPACE FOR RECORDER ONLY

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. 2011-12**

 Stanislaus, County Recorder Lee Lundrigan Co Recorder Office <b>DOC- 2011-0092023-00</b> Monday, NOV 07, 2011 08:17:58 Ttl Pd \$0.00 Rcpt # 0003129268 OLD/R2/2-13		
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THIS NOTICE OF RESCISSION AND CALIFORNIA LAND CONSERVATION CONTRACT is made and entered into September 13, 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: James R. Lemos

15343 Tim Bell Road

Waterford, CA 95386

(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>008-003-005</u>	<u>76.04</u>	<u>2900 Tim Bell Road, Waterford</u>

Pursuant to Stanislaus County Board of Supervisors Resolution No. 2011-533, relating to Lot Line Adjustment No. 2011-15 as authorized by Govt. Code § 51257, California Land Conservation Contract Nos. 1972-0779 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.

1300

**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)
<i>James R. Lemos ~ Trustee</i>	<i>James R. Lemos</i>	<i>7-26-11</i>	<i>Ceres</i>
<i>Betty J. Lemos ~ Trustee for the Lemos Family Trust 4/1/10 Jan. 21, 1999</i>	<i>Betty J. Lemos</i>	<i>7/12/11</i>	<i>Placerville</i>

*See Attached Certificate*

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

*10/25/11*  
Dated \_\_\_\_\_

*K 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)
<i>Mary C. Garecht</i>	<i>Mary C. Garecht</i>	<i>7/12/11</i>	<i>Placerville</i>
<i>see attached certificate</i>			

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**

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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)
<i>Lance E. Lemos</i>	<i>Lance E. Lemos</i>	<i>7/13/11</i>	<i>ELK GROVE</i>

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)
Darin D. Lemos	<i>Darin D. Lemos</i>	7-28-2011	Ceres
Derek D. Lemos	<i>Derek D. Lemos</i>	7/26/11	Ceres
Jeffery J. Lemos	<i>Jeffery J. Lemos</i>	7/26/11	Ceres

**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

THE ATTACHED  
SIGNATURE PAGE  
BEARS EMBOSSMENT

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

CIVIL CODE § 1189

State of California

County of Stanislaus

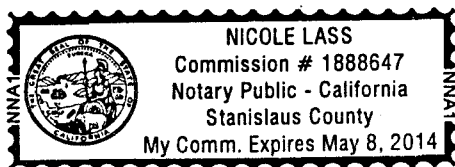
On Jul 26, 2011 before me, Nicole Lass, Notary Public

Date

Here Insert Name and Title of the Officer

personally appeared JAMES R. LEMOS

Name(s) of Signer(s)



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

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

WITNESS my hand and official seal.

Signature: Nicole Lass

Signature of Notary Public

Place Notary Seal Above

OPTIONAL

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

Description of Attached Document

Title or Type of Document: \_\_\_\_\_

Document Date: \_\_\_\_\_ Number of Pages: \_\_\_\_\_

Signer(s) Other Than Named Above: \_\_\_\_\_

Capacity(ies) Claimed by Signer(s)

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

Corporate Officer — Title(s): \_\_\_\_\_  Corporate Officer — Title(s): \_\_\_\_\_

Individual  Individual

Partner —  Limited  General  Partner —  Limited  General

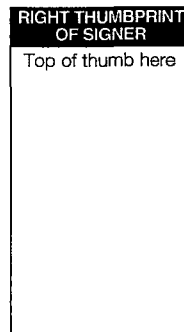
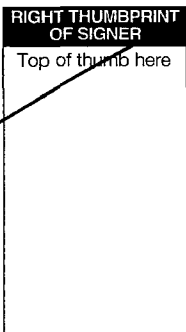
Attorney in Fact  Attorney in Fact

Trustee  Trustee

Guardian or Conservator  Guardian or Conservator

Other: \_\_\_\_\_  Other: \_\_\_\_\_

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



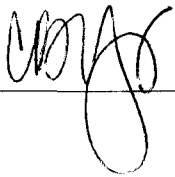


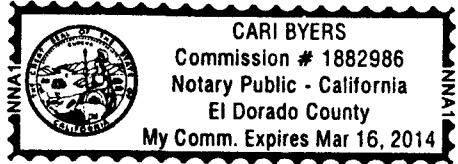
CALIFORNIA ACKNOWLEDGMENT FOR NOTICE OF RESCISSION AND  
SIMULTANEOUS RE-ENTRY INTO CALIFOR LAND CONSERVATION

State of California                    )  
  )ss.  
County of El Dorado                 )

On 07-12-11 before me, Cari Byers, Notary Public,  
personally appeared BETTY J. LEMOS AND MARY C. GARECHT 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 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)



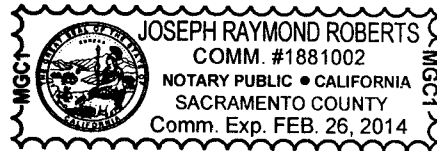
**CALIFORNIA ALL-PURPOSE  
CERTIFICATE OF ACKNOWLEDGMENT**

State of California  
County of Sacramento

On July 13, 2011 before me, Joseph Raymond Roberts, Notary Public, personally appeared Lance E. Lemos, 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 \_\_\_\_\_

A large, stylized handwritten signature in black ink, appearing to read 'Joseph Raymond Roberts', written over a horizontal line.

(Seal)

=====Other=====  
Information=====

**Document Identification:**

Name/Type \_\_\_\_\_  
(Title or Description of Attached Document)

Document Date: \_\_\_\_\_ Number of Pages: \_\_\_\_\_

Additional Information: \_\_\_\_\_

**Signer Information :**

Name: \_\_\_\_\_

Capacity Claimed by the Signer:

- Individual(s)
- Corporate Officer: Title \_\_\_\_\_
- Partner(s)
- Attorney-in-Fact
- Trustee(s)
- Other \_\_\_\_\_

THE ATTACHED  
SIGNATURE PAGE  
BEARS EMBOSSEMENT

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

CIVIL CODE § 1189

State of California

County of Stanislaus

On JUL 28, 2011 before me, Nicole Lass, Notary Public

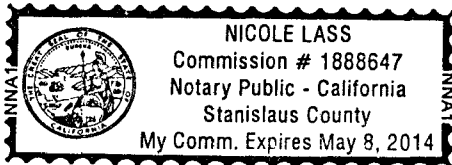
Date

Here Insert Name and Title of the Officer

personally appeared DARIN D. LEMOS

Name(s) of Signer(s)

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



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

WITNESS my hand and official seal.

Signature: Nicole Lass

Signature of Notary Public

Place Notary Seal Above

OPTIONAL

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

Description of Attached Document

Title or Type of Document: \_\_\_\_\_

Document Date: \_\_\_\_\_ Number of Pages: \_\_\_\_\_

Signer(s) Other Than Named Above: \_\_\_\_\_

Capacity(ies) Claimed by Signer(s)

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

Corporate Officer — Title(s): \_\_\_\_\_  Corporate Officer — Title(s): \_\_\_\_\_

Individual  Individual

Partner —  Limited  General  Partner —  Limited  General

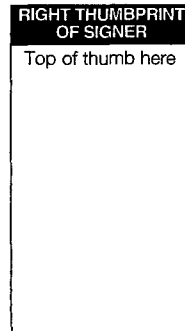
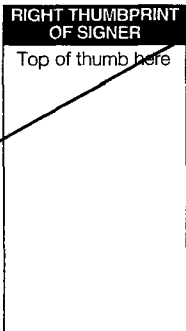
Attorney in Fact  Attorney in Fact

Trustee  Trustee

Guardian or Conservator  Guardian or Conservator

Other: \_\_\_\_\_  Other: \_\_\_\_\_

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



THE ATTACHED  
SIGNATURE PAGE  
BEARS EMBOSSEMENT

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

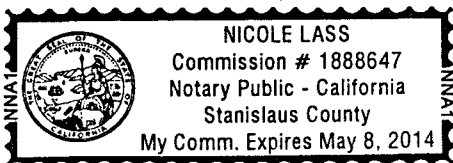
CIVIL CODE § 1189

State of California

County of Stanislaus

On Jul 26, 2011 before me, Nicole Lass, Notary Public

personally appeared DEREK D. LEMOS and JEFFERY J. LEMOS



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: Nicole Lass

Place Notary Seal Above

OPTIONAL

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

Description of Attached Document

Title or Type of Document:

Document Date: Number of Pages:

Signer(s) Other Than Named Above:

Capacity(ies) Claimed by Signer(s)

Signer's Name: Signer's Name:

Corporate Officer — Title(s): Corporate Officer — Title(s):

Individual Individual

Partner — Limited General Partner — Limited General

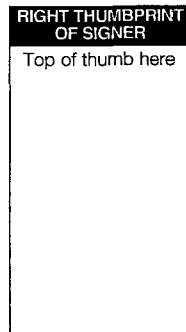
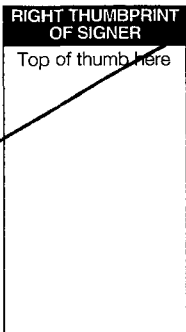
Attorney in Fact Attorney in Fact

Trustee Trustee

Guardian or Conservator Guardian or Conservator

Other: Other:

Signer Is Representing: Signer Is Representing:



May 1, 2011

**EXHIBIT "A"**

Parcel 1

**ORIGINAL PARCEL, A.P.N. 008-03-05**

James R. Lemos and Betty J. Lemos, Trustees for the Lemos  
Family Trust U/A/D January 21, 1999, as amended, et al,

**DESCRIPTION**

The following real property in the County of Stanislaus, State of California, lying in a portion of the Northwest quarter of Section 18, Township 3 South, Range 12 East, Mount Diablo Base and Meridian, described as follows:

Parcel "1" as shown on that certain Parcel Map filed for record April 19, 2011, in Book 56, of Parcel Maps, at Page 63, Stanislaus County Records.

CONTAINING: 76.04 acres, more or less, per parcel map.

May 1, 2011

**EXHIBIT "B"**

Parcel 1

**ADJUSTED LEMOS PARCEL**

**DESCRIPTION**

The following real property in the County of Stanislaus, State of California, lying in a portion of the Northwest quarter of Section 18, Township 3 South, Range 12 East, Mount Diablo Base and Meridian, described as follows:

Parcel "1" as shown on that certain Parcel Map filed for record April 19, 2011, in Book 56 of Parcel Maps, Page 63, Stanislaus County Records, and also including that certain property described as **COMMENCING** at the Northwest corner of said Section 18; thence South 00° 06' 25" East 365.60 feet and along the section line to the center line of an irrigation lateral; thence following said lateral South 87° 07' 00" East 240.45 feet; thence South 67° 17' 00" East 849.41 feet; thence North 83° 09' East 163.85 feet to the **POINT OF BEGINNING**; thence continuing North 83° 09' 00" East 67.35 feet to an angle to the left; thence North 50° 22' 00" East 55.47 feet; thence South 00° 27' 37" East 44.45 feet; thence North 89° 27' 48" West 109.95 feet to the point of beginning.

**EXCEPTING THEREFROM** that portion described as **COMMENCING** at the Northwest corner of said Section 18; thence South 00° 06' 25" East 365.60 feet and along the section line to the center line of an irrigation lateral; thence following said lateral South 87° 07' 00" East 240.45 feet; thence South 67° 17' 00" East 793.61 feet to the **POINT OF BEGINNING**; thence South 89° 27' 48" East 214.16 feet; thence South 83° 09' 00" West 163.85 feet; thence North 67° 17' 00" West 55.80 feet to the point of beginning.

CONTAINING: 76.02 acres, more or less

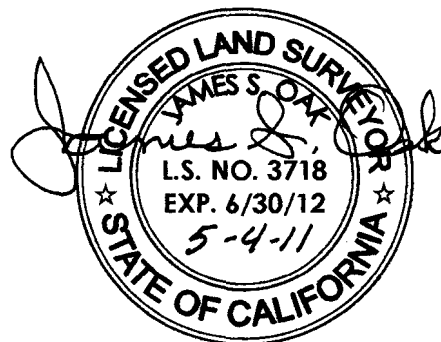


EXHIBIT C

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 September 13, 2011

CEO Concurs with Recommendation YES  NO   
(Information Attached)

4/5 Vote Required YES  NO

SUBJECT:

Approval to Rescind Williamson Act Contracts No. 1972-0779 and 1972-0795, Located on Tim Bell Road, in the Waterford Area, Approval of New Contracts Pursuant to Minor Lot Line Adjustment 2011-15, Lemos and Ward, 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 AB 1265.

(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. 2011-533

On motion of Supervisor Chiesa, Seconded by Supervisor Withrow  
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

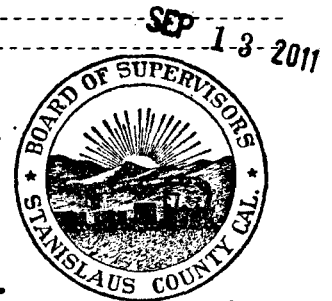
- 1)  Approved as recommended
- 2)  Denied
- 3)  Approved as amended
- 4)  Other:

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

By [Signature]



Christine Ferraro Tallman

ATTEST: CHRISTINE FERRARO TALLMAN, Clerk

File No.

THIS SPACE FOR RECORDER ONLY

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. 2011-13**

  
 Stanislaus, County Recorder  
 Lee Lundrigan Co Recorder Office  
**DOC- 2011-0092022-00**  
 Monday, NOV 07, 2011 08:17:49  
 Ttl Pd \$0.00 Rcpt # 0003129267  
 OLD/R2/2-6

THIS NOTICE OF RESCISSION AND CALIFORNIA LAND CONSERVATION CONTRACT is made and entered into September 13, 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: Brian K Ward

2618 Tim Bell Road

Waterford, CA 95386

(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)
008-003-030	25.85	2618 Tim Bell Road, Waterford

Pursuant to Stanislaus County Board of Supervisors Resolution No. 2011-533, relating to Lot Line Adjustment No. 2011-15 as authorized by Govt. Code § 51257, California Land Conservation Contract Nos. 1972-0795 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.

*Handwritten initials*



**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)
<i>Brian K. Ward</i>	<i>Brian K. Ward</i>	<i>8-12-11</i>	<i>Waterford</i>
<i>Tina M. Ward</i>	<i>Tina M. Ward</i>	<i>8-12-11</i>	<i>Waterford</i>

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

10/25/11  
Dated

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

**CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT**

State of California

County of STANISLAUS

On 12 Aug 2011 before me, MICHAEL L COOK, Notary  
Date Here Insert Name and Title of the Officer

personally appeared BRIAN H. WARD  
Name(s) of Signer(s)

TINA M. WARD

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: Michael L Cook  
Signature of Notary Public

Place Notary Seal and/or Stamp Above

**OPTIONAL**

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

**Description of Attached Document**

Title or Type of Document: \_\_\_\_\_

Document Date: \_\_\_\_\_ Number of Pages: \_\_\_\_\_

Signer(s) Other Than Named Above: \_\_\_\_\_

**Capacity(ies) Claimed by Signer(s)**

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

Corporate Officer — Title(s): \_\_\_\_\_  Corporate Officer — Title(s): \_\_\_\_\_

Individual  Partner —  Limited  General  Attorney in Fact  Trustee  Guardian or Conservator  Other: \_\_\_\_\_

**RIGHT THUMBPRINT OF SIGNER**  
Top of thumb here

**RIGHT THUMBPRINT OF SIGNER**  
Top of thumb here

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

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

**EXHIBIT "A"**

**Parcel 2**

**VAL PARCEL, A.P.N. 008-003-030**

Ward and Tina M. Ward, Husband and Wife  
er 6, 2002, as Instrument Number 2002-0130410,  
Stanislaus County Records

the County of Stanislaus, State of California, lying in a portion  
ction 18, Township 3 South, Range 12 East, Mount Diablo Base  
ows:

d Ward Deed:

e Northwest corner of said Section 18; thence South 365.60 feet  
re to the center line of an irrigation lateral and the point of begin-  
said lateral South 87° 07' East 240.40 feet; thence South 67° 17'  
; North 83° 09' East 231.00 feet; thence North 50° 22' East 87.20  
d lateral South 1408.30 feet; thence West 1320.00 feet to a point  
l Section 18; thence North along said West section line 1665.00  
nning.

**FROM** that portion described as follows:

e Northwest corner of said Section 18; thence South 1230.40 feet  
line to the point of beginning; thence continuing South 800.20  
.00 feet; thence North 650.00 feet; thence North 89° 28' West  
th 44° 50' West 80.00 feet; thence South 87° 14' West 78.00 feet;  
West 66.35 feet to center of a ditch; thence along center of ditch  
West 471.00 feet; thence North 46° 17' West 58.00 feet; thence  
.00 feet; thence North 89° 44' West 425.94 feet to a point on the  
; and the place of beginning.

er Stanislaus County Assessor.

May 1, 2011

**EXHIBIT "B"**

**Parcel 2**

**ADJUSTED WARD PARCEL**

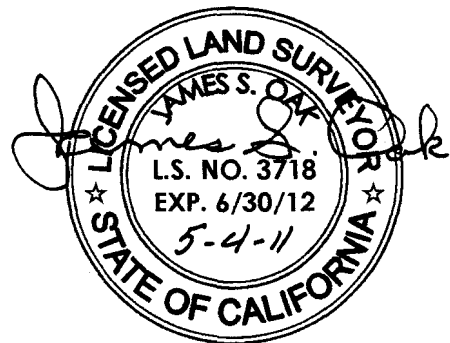
The following real property in the County of Stanislaus, State of California, lying in a portion of the Northwest quarter of Section 18, Township 3 South, Range 12 East, Mount Diablo Base and Meridian, described as follows:

**COMMENCING** at the Northwest corner of said Section 18; thence South 00° 06' 25" East 365.60 feet and along the section line to the center line of an irrigation lateral and the **POINT OF BEGINNING**; thence following said lateral South 87° 07' 00" East 240.45 feet; thence South 67° 17' 00" East 793.61 feet to a wire fence running Easterly; thence South 89° 27' 48" East 324.11 feet along said fence; thence South 00° 27' 37" East 1363.85 feet; thence West 1320.00 feet to a point in the West line of said Section 18; thence North 00° 06' 25" West 1665.00 feet along said West section line to the point of beginning.

**EXCEPTING THEREFROM** that portion described as follows:

**COMMENCING** at the Northwest corner of said Section 18; thence South 1230.40 feet and along the section line to the point of beginning; thence continuing South 800.20 feet; thence East 1320.00 feet; thence North 650.00 feet; thence North 89° 28' West 175.50 feet; thence South 44° 50' West 80.00 feet; thence South 87° 14' West 78.00 feet; thence North 20° 57' West 66.35 feet to center of a ditch; thence along center of ditch thence North 89° 28' West 471.00 feet; thence North 46° 17' West 58.00 feet; thence North 25° 20' West 111.00 feet; thence North 89° 44' West 425.94 feet to a point on the West line of Section 18 and the place of beginning.

CONTAINING: 25.87 acres, per Stanislaus County Assessor.



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 September 13, 2011

CEO Concurs with Recommendation YES  NO   
(Information Attached)

4/5 Vote Required YES  NO

SUBJECT:

Approval to Rescind Williamson Act Contracts No. 1972-0779 and 1972-0795, Located on Tim Bell Road, in the Waterford Area, Approval of New Contracts Pursuant to Minor Lot Line Adjustment 2011-15, Lemos and Ward, 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 AB 1265.

(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. 2011-533

On motion of Supervisor Chiesa, Seconded by Supervisor Withrow

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:

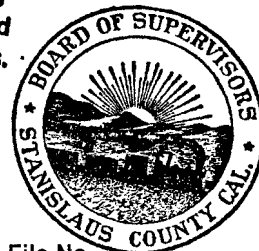
MOTION:

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

By Sigi Sibert

SEP 13 2011



File No.

ATTEST:

Christine Ferraro Tallman  
CHRISTINE FERRARO TALLMAN, Clerk



Stanislaus, County Recorder  
Lee Lundrigan Co Recorder Office  
**DOC- 2011-0092021-00**

Acct 121-Planning.  
Monday, NOV 07, 2011 08:17:35  
Ttl Pd \$62.00 Rcpt # 0003129266  
OLD/R2/1-17

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 June 21, 2011 approved the lot line adjustment herein described submitted under the name of Lemos & Ward Lot Line Adjustment No. 2011-15 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:   
\_\_\_\_\_  
Bill Carlson, Senior Planner  
Stanislaus County Department of Planning  
and Community Development

9/14/11  
\_\_\_\_\_  
Date

67

LOT LINE NO. 2011-15

OWNERS:

NAME (Print or type)	SIGNATURE (All to be notarized)	DATE	SIGNED AT (City)
<u>Lance E. Lemos</u>		<u>9/26/11</u>	<u>ELK GROVE</u>
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

SECURITY HOLDERS:

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

LOT LINE NO. 2011-15

OWNERS:

NAME (Print or type)	SIGNATURE (All to be notarized)	DATE	SIGNED AT (City)
<u>Darin D. Lemos</u>	<u><i>Darin D. Lemos</i></u>	<u>7/28/11</u>	<u>Ceres</u>
<u>Derek D. Lemos</u>	<u><i>Derek D. Lemos</i></u>	<u>7/26/11</u>	<u>Ceres</u>
<u>Jeffery J. Lemos</u>	<u><i>Jeffery J. Lemos</i></u>	<u>7/26/11</u>	<u>Ceres</u>
<u> </u>	<u> </u>	<u> </u>	<u> </u>
<u> </u>	<u> </u>	<u> </u>	<u> </u>

SECURITY HOLDERS:

NAME (Print or type)	SIGNATURE (All to be notarized)	DATE	SIGNED AT (City)
<u> </u>	<u> </u>	<u> </u>	<u> </u>
<u> </u>	<u> </u>	<u> </u>	<u> </u>
<u> </u>	<u> </u>	<u> </u>	<u> </u>
<u> </u>	<u> </u>	<u> </u>	<u> </u>
<u> </u>	<u> </u>	<u> </u>	<u> </u>



LOT LINE NO. 2011-15

OWNERS:

NAME (Print or type)	SIGNATURE (All to be notarized)	DATE	SIGNED AT (City)
<u>James R. Lemos - Trustee</u>	<u>James R. Lemos</u>	<u>7-26-11</u>	<u>Ceres</u>
<del><u>Betty J. Lemos - Trustee</u></del>	<del><u>Betty J. Lemos</u></del>	<del><u>7/12/11</u></del>	<del><u>Placerville</u></del>
<u>for the Lemos Family Trust U/A/D Jan. 21, 1999</u>			
<u>See Attached Certificate</u>			
_____	_____	_____	_____

SECURITY HOLDERS:

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

LOT LINE NO. 2011-15

OWNERS:

NAME (Print or type)	SIGNATURE (All to be notarized)	DATE	SIGNED AT (City)
<u>Mary C. Gorecht</u>	<u>Mary C. Gorecht</u>	<u>9/29/11</u>	<u>Placerville</u>
<u>Betty J. Lemos-Trustee</u> <u>for the Lemos Family Trustee</u>	<u>Betty J. Lemos</u> <u>U/A/D Jan. 21, 1999</u>	<u>9/29/11</u>	<u>Placerville</u>
_____	_____	_____	_____
<u>* See attached acknowledgment.</u>			
_____	_____	_____	_____

SECURITY HOLDERS:

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

LOT LINE NO. 2011-15

OWNERS:

NAME (Print or type)	SIGNATURE (All to be notarized)	DATE	SIGNED AT (City)
<u>Brian K. Ward</u>	<u>Brian K. Ward</u>	<u>8-12-11</u>	<u>Waterford</u>
<u>Tina M. Ward</u>	<u>Tina M. Ward</u>	<u>8-12-11</u>	<u>Waterford</u>
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

SECURITY HOLDERS:

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

**CALIFORNIA ALL PURPOSE  
CERTIFICATE OF ACKNOWLEDGEMENT**

State of California

County of Sacramento

On 210 SEPT 2011 before me, **Laura Kay Johnson, Notary Public**, personally appeared

LANCE E. LEMOS, 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 \_\_\_\_\_

(Seal)

----- Other Information -----

**Document Identification:**

Name/Type LOT LINE # 2011-15  
(Title or Description of Attached Document)

Document Date: \_\_\_\_\_ Number of Pages: \_\_\_\_\_

Additional Information: \_\_\_\_\_

**Signer Information**

Name: \_\_\_\_\_

Capacity Claimed by the Signer:

- Individual(s)
- Corporate Officer: Title \_\_\_\_\_
- Partner(s)
- Attorney-in-Fact
- Trustee(s)
- Other \_\_\_\_\_

THE ATTACHED  
SIGNATURE PAGE  
BEARS EMBOSSMENT

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

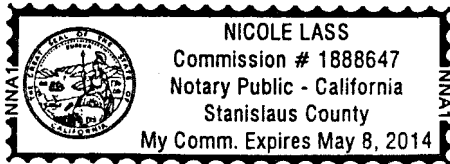
CIVIL CODE § 1189

State of California

County of Stanislaus

On Jul 28, 2011 before me, Nicole Lass, Notary Public

personally appeared DARIN D. LEMOS



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: Nicole Lass

Place Notary Seal Above

OPTIONAL

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

Description of Attached Document

Title or Type of Document:

Document Date: Number of Pages:

Signer(s) Other Than Named Above:

Capacity(ies) Claimed by Signer(s)

Signer's Name: Signer's Name:

Corporate Officer — Title(s): Corporate Officer — Title(s):

Individual Individual

Partner — Limited General Partner — Limited General

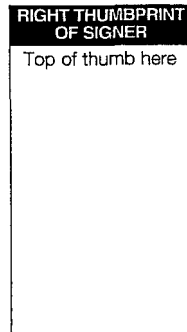
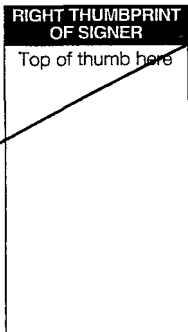
Attorney in Fact Attorney in Fact

Trustee Trustee

Guardian or Conservator Guardian or Conservator

Other: Other:

Signer Is Representing: Signer Is Representing:



THE ATTACHED  
SIGNATURE PAGE  
BEARS EMBOSSMENT

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

CIVIL CODE § 1189

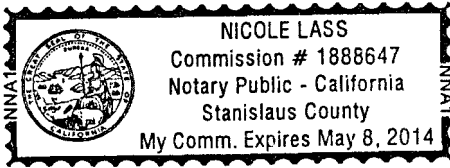
State of California

County of Stanislaus

On Jul 26, 2011 before me, Nicole Lass, Notary Public  
Date Here Insert Name and Title of the Officer

personally appeared DEREK D. LEMOS and  
Name(s) of Signer(s)  
JEFFERY J. LEMOS

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: Nicole Lass  
Signature of Notary Public

Place Notary Seal Above

OPTIONAL

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Description of Attached Document

Title or Type of Document: \_\_\_\_\_

Document Date: \_\_\_\_\_ Number of Pages: \_\_\_\_\_

Signer(s) Other Than Named Above: \_\_\_\_\_

Capacity(ies) Claimed by Signer(s)

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

Corporate Officer — Title(s): \_\_\_\_\_  Corporate Officer — Title(s): \_\_\_\_\_

Individual  Individual

Partner —  Limited  General  Partner —  Limited  General

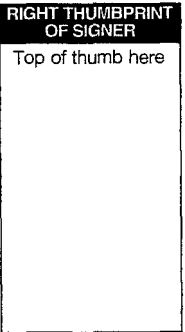
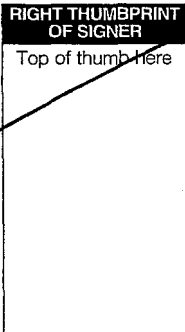
Attorney in Fact  Attorney in Fact

Trustee  Trustee

Guardian or Conservator  Guardian or Conservator

Other: \_\_\_\_\_  Other: \_\_\_\_\_

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



THE ATTACHED  
SIGNATURE PAGE  
BEARS EMBOSSMENT

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

CIVIL CODE § 1189

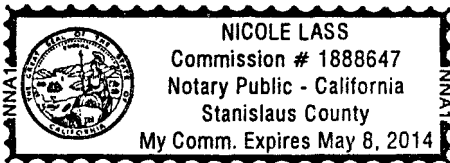
State of California

County of Stanislaus

On Jul 26, 2011 before me, Nicole Lass, Notary Public  
Date Here Insert Name and Title of the Officer

personally appeared JAMES R. LEMOS  
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/hen/their authorized capacity(ies), and that by his/hen/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: Nicole Lass  
Signature of Notary Public

Place Notary Seal Above

OPTIONAL

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Description of Attached Document

Title or Type of Document: \_\_\_\_\_

Document Date: \_\_\_\_\_ Number of Pages: \_\_\_\_\_

Signer(s) Other Than Named Above: \_\_\_\_\_

Capacity(ies) Claimed by Signer(s)

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

Corporate Officer — Title(s): \_\_\_\_\_  Corporate Officer — Title(s): \_\_\_\_\_

Individual  Individual

Partner —  Limited  General  Partner —  Limited  General

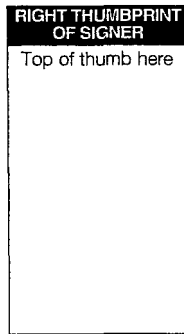
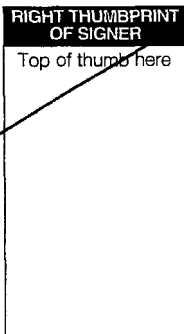
Attorney in Fact  Attorney in Fact

Trustee  Trustee

Guardian or Conservator  Guardian or Conservator

Other: \_\_\_\_\_  Other: \_\_\_\_\_

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



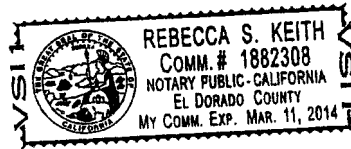
CALIFORNIA ALL PURPOSE ACKNOWLEDGMENT

State of California )  
 )ss.  
County of EL DORADO )

On SEPTEMBER 29, 2011 before me, REBECCA S. KEITH, Notary Public, personally appeared MARY C. GARECHT AND BETTY J. LEMOS, 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 Rebecca Keith (Seal)





**CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT**

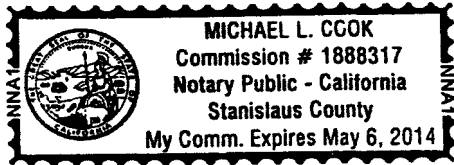
State of California

County of STANISLAUS

On 12 Aug 2011 before me, Michael L Cook, Notary  
Date Here Insert Name and Title of the Officer

personally appeared BRIAN W. WARD  
Name(s) of Signer(s)  
TINA M. WARD

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: Michael L Cook  
Signature of Notary Public

Place Notary Seal and/or Stamp Above

**OPTIONAL**

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

**Description of Attached Document**

Title or Type of Document: \_\_\_\_\_

Document Date: \_\_\_\_\_ Number of Pages: \_\_\_\_\_

Signer(s) Other Than Named Above: \_\_\_\_\_

**Capacity(ies) Claimed by Signer(s)**

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

Corporate Officer — Title(s): \_\_\_\_\_  Corporate Officer — Title(s): \_\_\_\_\_

Individual  Individual

Partner —  Limited  General  Partner —  Limited  General

Attorney in Fact  Attorney in Fact

Trustee  Trustee

Guardian or Conservator  Guardian or Conservator

Other: \_\_\_\_\_  Other: \_\_\_\_\_

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

RIGHT THUMBPRINT OF SIGNER

Top of thumb here

RIGHT THUMBPRINT OF SIGNER

Top of thumb here

May 1, 2011

**EXHIBIT "A"**

Parcel 1

**ORIGINAL PARCEL, A.P.N. 008-03-05**

James R. Lemos and Betty J. Lemos, Trustees for the Lemos  
Family Trust U/A/D January 21, 1999, as amended, et al,

**DESCRIPTION**

The following real property in the County of Stanislaus, State of California, lying in a portion of the Northwest quarter of Section 18, Township 3 South, Range 12 East, Mount Diablo Base and Meridian, described as follows:

Parcel "1" as shown on that certain Parcel Map filed for record April 19, 2011, in Book 56, of Parcel Maps, at Page 63, Stanislaus County Records.

CONTAINING: 76.04 acres, more or less, per parcel map.



May 1, 2011

**EXHIBIT "A"**

**Parcel 2**

**ORIGINAL PARCEL, A.P.N. 008-003-030**

Brian K. Ward and Tina M. Ward, Husband and Wife

Recorded October 6, 2002, as Instrument Number 2002-0130410,  
Stanislaus County Records

The following real property in the County of Stanislaus, State of California, lying in a portion of the Northwest quarter of Section 18, Township 3 South, Range 12 East, Mount Diablo Base and Meridian, described as follows:

**PARCEL TWO** of said Ward Deed:

**COMMENCING** at the Northwest corner of said Section 18; thence South 365.60 feet and along the section line to the center line of an irrigation lateral and the point of beginning; thence following said lateral South 87° 07' East 240.40 feet; thence South 67° 17' East 849.25 feet; thence North 83° 09' East 231.00 feet; thence North 50° 22' East 87.20 feet; thence leaving said lateral South 1408.30 feet; thence West 1320.00 feet to a point in the West line of said Section 18; thence North along said West section line 1665.00 feet to the point of beginning.

**EXCEPTING THEREFROM** that portion described as follows:

**COMMENCING** at the Northwest corner of said Section 18; thence South 1230.40 feet and along the section line to the point of beginning; thence continuing South 800.20 feet; thence East 1320.00 feet; thence North 650.00 feet; thence North 89° 28' West 175.50 feet; thence South 44° 50' West 80.00 feet; thence South 87° 14' West 78.00 feet; thence North 20° 57' West 66.35 feet to center of a ditch; thence along center of ditch thence North 89° 28' West 471.00 feet; thence North 46° 17' West 58.00 feet; thence North 25° 20' West 111.00 feet; thence North 89° 44' West 425.94 feet to a point on the West line of Section 18 and the place of beginning.

CONTAINING: 25.85 acres, per Stanislaus County Assessor.



May 1, 2011

**EXHIBIT "B"**

**Parcel 1**

**ADJUSTED LEMOS PARCEL**

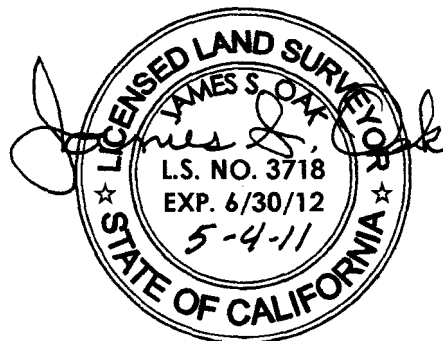
**DESCRIPTION**

The following real property in the County of Stanislaus, State of California, lying in a portion of the Northwest quarter of Section 18, Township 3 South, Range 12 East, Mount Diablo Base and Meridian, described as follows:

Parcel "1" as shown on that certain Parcel Map filed for record April 19, 2011, in Book 56 of Parcel Maps, Page 63, Stanislaus County Records, and also including that certain property described as **COMMENCING** at the Northwest corner of said Section 18; thence South 00° 06' 25" East 365.60 feet and along the section line to the center line of an irrigation lateral; thence following said lateral South 87° 07' 00" East 240.45 feet; thence South 67° 17' 00" East 849.41 feet; thence North 83° 09' East 163.85 feet to the **POINT OF BEGINNING**; thence continuing North 83° 09' 00" East 67.35 feet to an angle to the left; thence North 50° 22' 00" East 55.47 feet; thence South 00° 27' 37" East 44.45 feet; thence North 89° 27' 48" West 109.95 feet to the point of beginning.

**EXCEPTING THEREFROM** that portion described as **COMMENCING** at the Northwest corner of said Section 18; thence South 00° 06' 25" East 365.60 feet and along the section line to the center line of an irrigation lateral; thence following said lateral South 87° 07' 00" East 240.45 feet; thence South 67° 17' 00" East 793.61 feet to the **POINT OF BEGINNING**; thence South 89° 27' 48" East 214.16 feet; thence South 83° 09' 00" West 163.85 feet; thence North 67° 17' 00" West 55.80 feet to the point of beginning.

CONTAINING: 76.02 acres, more or less



May 1, 2011

**EXHIBIT "B"**

**Parcel 2**

**ADJUSTED WARD PARCEL**

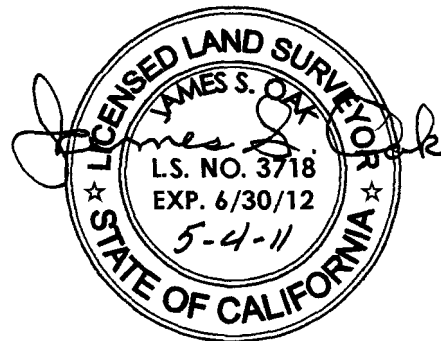
The following real property in the County of Stanislaus, State of California, lying in a portion of the Northwest quarter of Section 18, Township 3 South, Range 12 East, Mount Diablo Base and Meridian, described as follows:

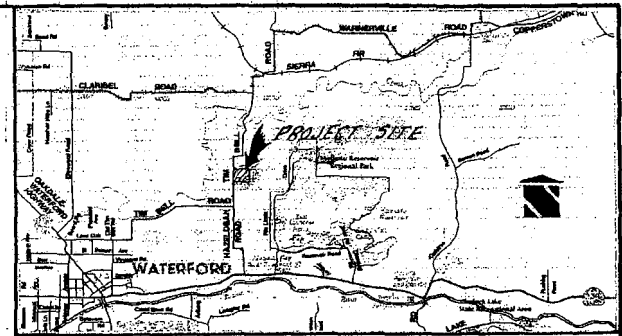
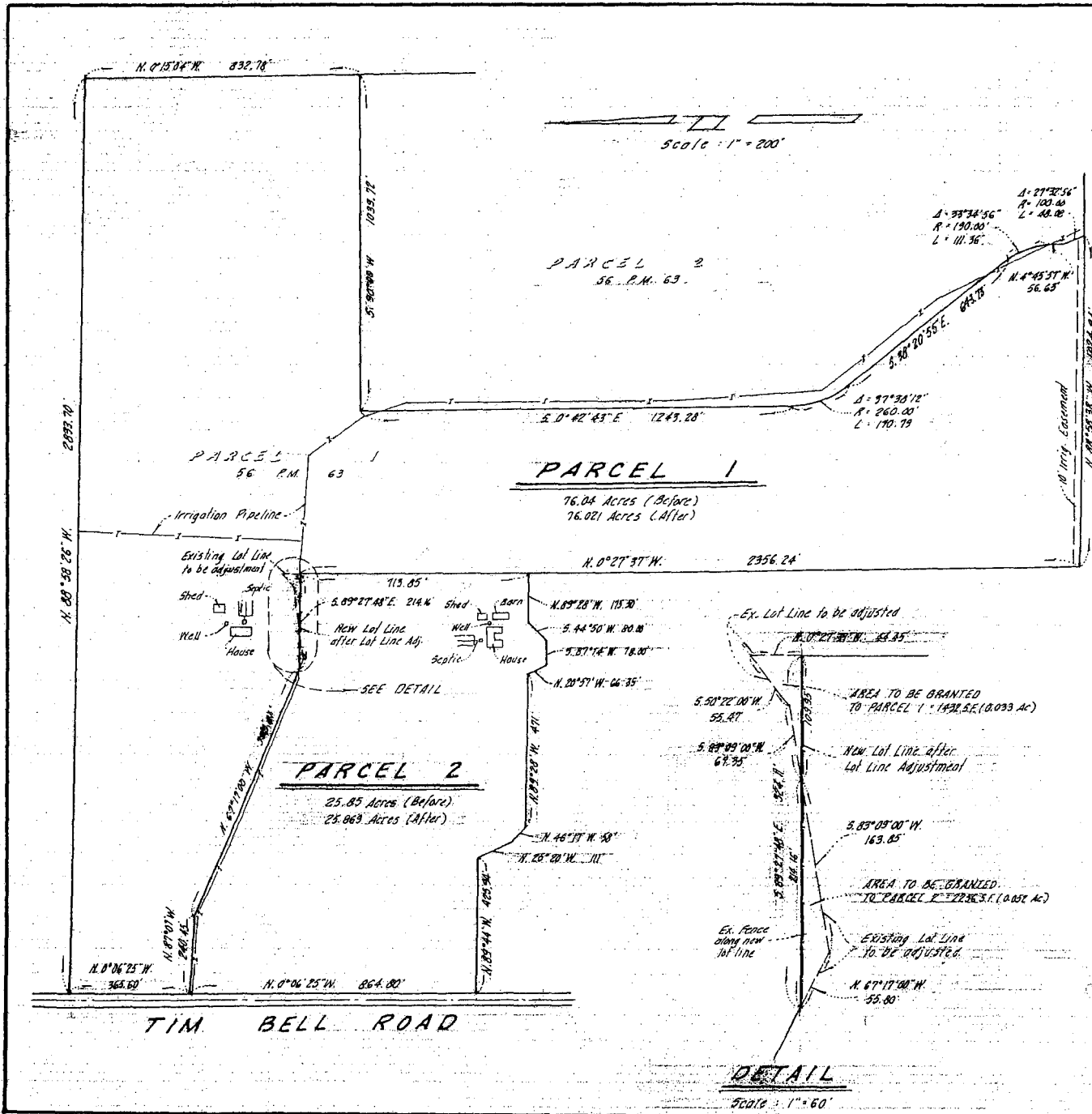
**COMMENCING** at the Northwest corner of said Section 18; thence South 00° 06' 25" East 365.60 feet and along the section line to the center line of an irrigation lateral and the **POINT OF BEGINNING**; thence following said lateral South 87° 07' 00" East 240.45 feet; thence South 67° 17' 00" East 793.61 feet to a wire fence running Easterly; thence South 89° 27' 48" East 324.11 feet along said fence; thence South 00° 27' 37" East 1363.85 feet; thence West 1320.00 feet to a point in the West line of said Section 18; thence North 00° 06' 25" West 1665.00 feet along said West section line to the point of beginning.

**EXCEPTING THEREFROM** that portion described as follows:

**COMMENCING** at the Northwest corner of said Section 18; thence South 1230.40 feet and along the section line to the point of beginning; thence continuing South 800.20 feet; thence East 1320.00 feet; thence North 650.00 feet; thence North 89° 28' West 175.50 feet; thence South 44° 50' West 80.00 feet; thence South 87° 14' West 78.00 feet; thence North 20° 57' West 66.35 feet to center of a ditch; thence along center of ditch thence North 89° 28' West 471.00 feet; thence North 46° 17' West 58.00 feet; thence North 25° 20' West 111.00 feet; thence North 89° 44' West 425.94 feet to a point on the West line of Section 18 and the place of beginning.

CONTAINING: 25.87 acres, per Stanislaus County Assessor.





**VICINITY MAP**

No scale

# LOT LINE ADJUSTMENT

BEING A PORTION OF THE NORTHWEST QUARTER OF SECTION 18, T.35, R.12 E., M.D.B & M. STANISLAUS COUNTY, CALIFORNIA

**OWNERS:**

LEMONS FAMILY TRUST and BRIAN and TINA WARD  
 James and Betty Lemus, Trustees  
 15343 Tim Bell Road  
 Waterford, California 95386  
 (209) 874-3184  
 2618 Tim Bell Road  
 Waterford, California 95386

**NOTES:**

- Assessor's Parcel No. : 008-003-005 and 030
- Current Zone : A-2-40
- Parcel Areas:  
 Existing : A.P.N. 008-003-005 = 76.04 Acres  
                   A.P.N. 008-003-030 = 25.85 Acres  
 Proposed Parcel 1 = 76.021 Acres  
                   Parcel 2 = 25.863 Acres

<b>ROBERT BRADEN CONSULTING</b> LAND USE PLANNING AND ZONING P.M.B. # 185 2900 STANDIFORD AVE. - SUITE 16-B MODESTO, CALIFORNIA 95350 (209) 529-4598	Drawn By: RRB Scale: As Shown Date: Feb. 11 Job No.	REVISIONS _____ _____ _____	SHEET 1 OF 11
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