

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

DEPT: Chief Executive Office

BOARD AGENDA # \*B-2

Urgent

Routine

AGENDA DATE August 7, 2012

CEO Concurs with Recommendation YES  NO

(Information Attached)

4/5 Vote Required YES  NO

SUBJECT:

Approval to Amend the South Modesto Municipal Advisory Council Bylaws Modifying the Boundary Map, Legal Description and Other Minor Administrative Changes

STAFF RECOMMENDATIONS:

Amend the South Modesto Municipal Advisory Council Bylaws Modifying the Boundary Map and Legal Description and Other Minor Administrative Changes

FISCAL IMPACT:

There is no direct fiscal impact associated with the proposed amendments to the South Modesto Municipal Advisory Council bylaws. Consistent with the current Municipal Advisory Councils in Stanislaus County, the South Modesto Municipal Advisory Council is allocated \$150 annually within the Chief Executive Office - Operations and Services budget for administrative and meeting expenses.

BOARD ACTION AS FOLLOWS:

No. 2012-404

On motion of Supervisor Withdraw, Seconded by Supervisor De Martini  
and approved by the following vote,

Ayes: Supervisors: Chiesa, Withdraw, De Martini, and Chairman O'Brien

Noes: Supervisors: None

Excused or Absent: Supervisors: Monteith

Abstaining: Supervisor: None

1) X Approved as recommended

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

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

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

MOTION:

ATTEST:

  
CHRISTINE FERRARO TALLMAN, Clerk

File No. MAC-7-4

# Approval to Amend the South Modesto Municipal Advisory Council Bylaws Modifying the Boundary Map and Legal Description and Other Minor Administrative Changes

## **DISCUSSION:**

### Formation History

On May 16, 2006, the Stanislaus County Board of Supervisors approved the formation of the South Modesto Municipal Advisory Council (South Modesto MAC) in Supervisorial District 5. At that time, the Board also approved the required bylaws and boundaries. The original boundaries encompassed the unincorporated areas or communities commonly known as Bret Harte, Shackelford and Parklawn/Olympic Tract. On May 6, 2008, the Board approved an amendment to the bylaws and boundaries that expanded the designated area to include an additional unincorporated area known as North Ceres. On March 24, 2009, the Board approved some minor administrative changes to the bylaws that clarified the expectation regarding attendance and the process for filling vacancies.

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

Like all Municipal Advisory Councils, the South Modesto MAC provides a consistent forum, through its monthly regular meetings, for the active exchange of information between the community, Stanislaus County and local partners (i.e., school district, fire district, special district, business sector, non-profit organizations). Due to budget constraints, attendance by County Departments and local partners at MAC meetings is less frequent, yet the South Modesto MAC has continued to be instrumental in a participating in a variety of community initiatives including, but not limited to, community development projects, infrastructure improvements, beautification efforts, public outreach, government access and strategic planning.

### Proposed Amendment

On January 31, 2012, the Board approved the Shackelford Annexation Property Tax Revenue Exchange Agreement with the City of Modesto and related actions. Included in the Board action, the Chief Executive Office was authorized to negotiate and execute the Shackelford Landscape and Lighting District Transfer Agreement as well as directed to commence the process to amend the bylaws of the South Modesto Municipal Advisory Council inclusive of the approved boundaries and the detachment of the Shackelford Annexation Area, upon approval by the Local Agency Formation Commission (LAFCO) of the Shackelford Annexation. On June 1, 2012, LAFCO notified the Chief Executive Office that the Shackelford Annexation had been completed and recorded.

## Approval to Amend the South Modesto Municipal Advisory Council Bylaws Modifying the Boundary Map and Legal Description and Other Minor Administrative Changes

The Chief Executive Office worked with the Department of Public Works to amend the South Modesto MAC bylaws accordingly to reflect the Shackelford Annexation. This included updating both the legal description and the boundary map for consideration by the South Modesto Municipal Advisory Council and ultimately the Board of Supervisors. Per a request by the South Modesto MAC Chairperson, the bylaws were also amended to remove the requirement that the MAC Secretary read the minutes from the prior session during each regular or special meeting. This change was requested as a measure to facilitate the meetings more efficiently.

### Method of Amending Bylaws

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

### South Modesto Municipal Advisory Council Considers Amendment to Bylaws

The South Modesto MAC formally discussed the proposed amendment to the bylaws (legal description, boundary map and duties of the MAC Secretary) during its June 2012 regular meeting. The recommended changes to the bylaws were made available in draft form and presented during the meeting. The South Modesto MAC discussed the recommended changes and asked that they be brought back for consideration by the Council at the next available meeting. During the July 2012 regular meeting, the South Modesto MAC reviewed the draft revised bylaws. The South Modesto MAC also sought community input on the proposed amendment, and no one spoke in support or opposition to the proposed amendment. At the conclusion of the discussion, the South Modesto MAC voted by majority to recommend to the Board of Supervisors the proposed amendment to their bylaws. The South Modesto MAC requested that the Chief Executive Office bring their recommendation to the Board of Supervisors for consideration and action.

### **POLICY ISSUE:**

The recommended amendment to the South Modesto MAC bylaws would be consistent with the Board's priorities of striving for effective partnerships and the efficient delivery of public services. Removing the Shackelford area from the South Modesto Municipal Advisory Council boundary is appropriate since that area is now part of the City of Modesto.

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**STAFFING IMPACT:**

The amendment of the South Modesto MAC bylaws is not expected to create additional staffing needs outside of those that currently exist with the County's support of the existing Council. County Departments are expected to be represented at regular meetings periodically. The Board of Supervisors and the Chief Executive Office also provide ongoing support and assistance to the South Modesto MAC as needed. The Supervisor attends the regular meetings on a monthly basis and the Chief Executive Office is available as a resource to the Council on an ongoing basis.

**CONTACT PERSONS:**

Raul Mendez, Sr. Management Consultant	Telephone: (209) 652-1128
Keith Boggs, Assistant Executive Officer	Telephone: (209) 652-1514

## **SOUTH MODESTO MUNICIPAL ADVISORY COUNCIL**

### I.

#### Formation of Organization

This Council will be known as the South Modesto Municipal Advisory Council, as established by resolution #2006-364, May 16, 2006, and amended on May 6, 2008 and ~~again~~ on March 24, 2009, and on August 7, 2012 by the Stanislaus County Board of Supervisors pursuant to Government Code Section 31010. The boundaries served by the Council are described as follows and shall be referred to as South Modesto:

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

### II.

#### Purpose

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

### III.

#### Membership

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

IV.  
Officers & Duties

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

V.  
Meetings

The South Modesto Municipal Advisory Council shall meet once each month in a public building which is accessible and can accommodate all those residents and/or property owners of South Modesto. A regular time and place for each meeting will be established and announced by the Council. The Council may, through public notification, call for those special meetings it deems necessary. If the Council wishes, it may seek the views of those present at a meeting by calling for a vote by those in attendance. Only residents or property owners of South Modesto may vote on issues before the Council. Participants of any

meeting may be challenged and the Secretary asked to verify their status as a resident or property owner within South Modesto. The public vote in a meeting shall carry by a majority of those present. A majority of the Council membership shall constitute a quorum for the conduct of business. All special and regular meetings of this Council shall comply with California Government Code Sections 54950 et seq. (The Brown Act.). In the event that a Council member is unable to attend a regular meeting or anticipates not arriving on time, he/she should notify the Chairperson and/or Chief Executive Office prior to the meeting. Failure to do so would result in that absence or tardy being categorized as unexcused. The Secretary will keep track of excused and unexcused absences or tardies as part of the regular meeting minutes.

VI.  
Committees

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

VII  
Method of Amending By-Laws

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

VIII  
Parliamentary Authority

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

IX  
Vacancies

Vacancies on the Council shall exist (1) on the death, resignation or removal of any members, and (2) whenever the number of authorized members is increased. The Council members may declare vacant the seat of a council member who has missed three unexcused absences or tardies from the regular meeting dates during any one term, or has been declared of unsound mind by a final order of court, or has been convicted of a felony. Any member may resign effective upon giving written notice to the Chairperson of the Council and the Stanislaus County Board of Supervisors, unless the notice specifies a later time for the effectiveness of the resignation. The Board of Supervisors shall fill vacancies on the Council pursuant to the California Election Code.



EXHIBIT "A"

SOUTH MODESTO MAC  
(AREA - I)

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

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

- (1) Thence South 0° 02' West, 2281.09 feet, along said section line, to the existing City limits of the City of Modesto, also being the centerline of a county road known as Imperial Avenue, thence following said city limit line and centerline;
- (2) Thence North 89°14' West, 203.37 feet;
- (3) Thence North 74° 24' West, 92.58 feet;
- (4) Thence, leaving said centerline, South 0° 02' West, 267.7 feet;
- (5) Thence North 89°20' West, 367.85 feet;
- (6) Thence North 0° 02' East, 100.00 feet;
- (7) Thence North 89° 20' West, 559.30 feet;
- (8) Thence North 0° 03' 30" East, 204.68 feet;
- (9) Thence North 89° 14' West, 60.00 feet, along south right of way of said Imperial Avenue;
- (10) Thence South 0° 03' 30" West, 204.69 feet;
- (11) Thence North 89° 20' West, 747.90 to a point on the east line of the Rutherford Tract, as recorded in Volume 16 of Maps Page 37, Stanislaus County Record;
- (12) Thence along of said the east line South 0°13' West, 660.0 feet to the south line of Rutherford Tract;
- (13) Thence along of said the south line North 89°20' 30" West, 1290.8 feet to the center line of Guthrie Street and being also the east line of the existing city limits as established by Whitmore No.3 Annexation;

- (14) Thence along said center line North  $0^{\circ}13'$  East, 170.0 feet, to the center line of Lassen Avenue and the north line of said city limits;
- (15) Thence North  $89^{\circ}20'$  West, 1024.67 feet, to center line of Rutherford Road;
- (16) Thence South  $0^{\circ}13'$  West, 170.00 feet, to the south line of said Rutherford Tract;
- (17) Thence North  $89^{\circ}20'$  West, 952.40 feet, to the west line of said the Whitmore No.3 annexation to city of Modesto;
- (18) Thence along said the west line South  $0^{\circ}13'$  East, 1299.41 feet, to the north line of Whitmore Avenue;
- (19) Thence North  $89^{\circ}52'30''$  West along said north line of Whitmore Avenue, parallel with and 10.00 feet south of the south line of Blocks 9712 and 9713 of said Fairview Tract, a distance 818.04 feet;
- (20) Thence North  $0^{\circ}10' 30''$  East, 10.00 feet;
- (21) Thence North  $89^{\circ}52'30''$  West, 60.50 feet;
- (22) Thence South  $0^{\circ}10' 30''$  West, 10.00 feet;
- (23) Thence North  $89^{\circ}52'30''$  West, 60.50 feet;
- (24) Thence North  $0^{\circ}10' 30''$  East, 10.00 feet;
- (25) Thence North  $89^{\circ}52'30''$  West, 60.50 feet;
- (26) Thence South  $0^{\circ}10' 30''$  West, 10.00 feet to the north right of way line of Whitmore Avenue;
- (27) Thence North  $89^{\circ}52'30''$  West along said the north line, parallel with and 10.00 feet south of the south line of Block 9712 of said Fairview Tract, a distance of 467.50 feet to the west of the line of said Tract;
- (28) Thence North  $0^{\circ}10' 30''$  East along said the west line a distance of 2166.88 feet to the southerly line of a 50 foot wide right-of way T.I.D. Lateral No.1;
- (29) Thence North  $41^{\circ}26' 22''$  East, 299.76 feet to northwesterly corner of said Fairview Tract, also being the southwest corner of the Hatch Road No.5 Reorganization to city of Modesto;
- (30) Thence continue on said the southerly line North  $41^{\circ}26' 17''$  East, 150.02 feet;
- (31) Thence North  $63^{\circ}26' 11''$  East, 131.17 feet;

- (32) Thence South  $89^{\circ}31' 44''$  East, 120.52 feet to southwest corner of the existing city limits as established by the Hatch Road No.1 Government Reorganization;
- (33) Thence along of said the south line South  $89^{\circ}51' 15''$  East, 949.95 feet to the northwest corner of the Bret Harte Landscape and Lighting District;
- (34) Thence North  $0^{\circ}12' 00''$  West, 10.41 feet;
- (35) Thence South  $89^{\circ}10'$  East, 1372.85 feet;
- (36) Thence South  $0^{\circ} 13'$  West, 20.00 feet;
- (37) Thence South  $89^{\circ}10'$  East, 96.36 feet;
- (38) Thence South  $0^{\circ}13'$  West, 145.51 feet, to the centerline of Glenn Avenue;
- (39) Thence along said centerline and city limits line, South  $89^{\circ} 20'$  East, 190.77 feet;
- (40) Thence North  $57^{\circ} 12'$  East, 388.08 feet;
- (41) Thence South  $89^{\circ}10'$  East, 653.42 feet, to the centerline of Las Vegas Street and being the east line of the Hatch Road No.1 Reorganization to city of Modesto;
- (42) Thence along said city limits line and said centerline of Las Vegas Street and its northerly extension, North  $0^{\circ}09'$  East, 1987.09 feet, to the northerly right-of-way line of T.I.D. Lateral No.1;
- (43) Thence following said right-of-way South  $46^{\circ} 47'$  West, 445.72 feet;
- (44) Thence South  $00^{\circ}26' 00''$  West, 89.23 feet;
- (45) Thence South  $35^{\circ}20' 00''$  West, 1117.92 feet;
- (46) Thence South  $29^{\circ}00'$  West, 462.15 feet;
- (47) Thence South  $26^{\circ}00' 00''$  West, 171.60 feet, to the southeasterly corner of existing city limits established by Hatch Road No.2 Government Reorganization;
- (48) Thence along the east line of said the city limits North  $00^{\circ}04' 46''$  East, 1,332.87 feet, to the southerly right-of-way line of Hatch Road and also being the southerly line of existing city limits established by Hatch Road No.4 Reorganization;
- (49) Thence North  $71^{\circ}14' 42''$  East along the southerly line of said Hatch Road a distance of 801.40 feet more or less to a point on the north line of Dallas Court;

(50) Thence along said the north line South 88°51' 48" East, 96.54 feet to the east line of said city limits and also being the east line of Lot 8 of Rio Grande Colony;

(51) Thence continue along said the north line of Dallas Court and being also the south line of existing city limit established by Modesto Industrial Park, South 88°51' 48" East, 659.14 feet;

(52) Thence South 0°05' West, 360.30 feet to the center line of Amador Avenue;

(53) Thence along said the center line South 88°53'00" East, 277.26 feet;

(54) Thence South 00°05' 00" East, 15.00 feet;

(55) Thence South 88°53'00" East, 490.26 feet to the center line of Seattle Avenue;

(56) Thence South 00°04'00" West, 30.00 feet to a point on the westerly extension of the south right-of-way of said Amador Avenue;

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

(58) Thence South 00°02'00" West, 205.00 feet;

(59) Thence South 89°46'00" East, 30.00 feet to the Point of Beginning.

SOUTH MODESTO MAC  
(AREA -II)

**Beginning** at the intersection of the centerline of a 50-foot Morgan Road and the easterly extension of the south line of Olympic Tract filed in Volume 14 of Maps Page 55, Stanislaus County Records (S.C.R.), thence;

- 1) North  $00^{\circ}52'20''$  West 715 feet along the centerline of Morgan Road to the southwest right-of-way line of the Southern Pacific Railroad as shown on said map of Olympic Tract;
- 2) thence North  $42^{\circ}04'$  West 4,440 feet along said southwest line to the easterly extension of the south right-of-way line of 50 foot wide Butcher Town Railroad Spur;
- 3) thence North  $80^{\circ}20'27''$  West 113.68 feet along said extension of the south line, to the west right-of-way line of 50 foot wide Union Pacific Railroad also being the east right-of-way line of 60 foot wide Main Street as shown on the map of South Modesto Acres No. 4 filed in Vol. 14 of Maps at Page 23, S.C.R.;

thence along said east right-of-way line the following three (3) courses:

- 4) South  $13^{\circ}31'41''$  East 1688.20 feet to the beginning of a curve, concave to the west, having a radius of 2827.74 feet, to which point a radial line bears North  $76^{\circ}20'08''$  East;
- 5) thence southerly along said curve, through a central angle of  $13^{\circ}36'46''$ , an arc distance of 671.84 feet;
- 6) thence south  $00^{\circ}03'22''$  East 111.67 feet to the north right-of-way line of Turlock Irrigation District (T.I.D.) Lateral No. 1 as shown on the map of South Modesto Acres, Tract No. 2 filed in Volume 11 of Maps at Page 69, S.C.R.;
- 7) thence North  $89^{\circ}44'55''$  West 1293.65 feet along said north right-of-way line to the centerline of Santa Fe Avenue as shown on the map of the Clinton Tract filed in Volume 14 of maps at Page 2, S.C.R.;
- 8) thence North  $00^{\circ}15'05''$  East 15.00 feet along said centerline of Santa Fe Avenue to said north right-of-way line of the T.I.D. Lateral No. 1 as shown on said Clinton Tract;
- 9) thence North  $89^{\circ}44'55''$  West 1369.76 feet along said north right-of-way line and the westerly extension of said north right-of-way line to the west right-of-way line of Crows Landing Road;

thence along the general west right-of-way line of said Crows Landing Road the following twelve (12) courses:

- 10) North  $00^{\circ}25'10''$  East 270.87 feet to the beginning of a curve, concave to the west, having a radius of 1989.87 feet,

- 11) thence northerly along said curve, through a central angle of  $05^{\circ}17'03''$ , an arc distance of 183.52 feet to a point of reverse curvature, concave to the east, having a radius of 2009.87 feet;
- 12) thence northerly along said reverse curve, through a central angle of  $02^{\circ}23'58''$ , an arc distance of 84.17 feet to a point of reverse curvature, concave to the southwest, having a radius of 15.00 feet;
- 13) thence northwesterly along said reverse curve, through a central angle of  $88^{\circ}02'25''$ , an arc distance of 23.05 feet to the south right-of-way line of Crater Avenue;
- 14) thence North  $01^{\circ}34'09''$  West 60.01 feet to a point on the north right-of-way line of said Crater Avenue and being a point of curvature, concave to the northwest, having a radius of 15.00 feet, to which point a radial line bears South  $00^{\circ}30'20''$  East,
- 15) thence northeasterly along said curve, through a central angle of  $89^{\circ}04'30''$ , and an arc distance of 23.32 feet;
- 16) thence North  $00^{\circ}25'10''$  East 390.63 feet to the beginning of a curve, concave to the southwest, having a radius of 15.00 feet;
- 17) thence northwesterly along said curve, through a central angle of  $89^{\circ}41'00''$ , and an arc distance of 23.48 feet;
- 18) thence North  $00^{\circ}44'10''$  East 8.00 feet;
- 19) thence North  $00^{\circ}09'48''$  East 47.00 feet to the beginning of a curve, concave to the northwest, having a radius of 15.00 feet, to which point a radial line bears South  $00^{\circ}44'10''$  West;
- 20) thence northeasterly along said curve, through a central angle of  $90^{\circ}19'00''$ , an arc distance of 23.64 feet;
- 21) thence North  $00^{\circ}25'10''$  East 430.69 feet to the south line of the Crows Landing Industrial Addition Annexation recorded August 5, 1952 in Volume 110 of O.R., Pg. 427, S.C.R.;

thence along the south line of said Annexation the following five (5) courses:

- 22) North  $89^{\circ}41'$  West 782.74 feet;
- 23) thence South  $00^{\circ}03'00''$  East 156.9 feet;
- 24) thence WEST 555.26 feet;
- 25) thence North  $00^{\circ}03'00''$  West 257.1 feet;
- 26) thence WEST 80 feet more or less to the centerline of Tuolumne River, said point also being the south line of the existing city limits as established by Modesto Sewage Disposal Area recorded March 7, 1950 as Instrument No. 5120 in Vol. 871, O.R. Pg. 92, S.C.R.;

- 27) thence southwesterly along said centerline, 300 feet more or less to the most northerly corner of the existing city limits as established by Modesto Industrial Park Addition recorded March 10, 1959 as Instrument No. 6807, S.C.R., said point being at the intersection of the centerline of Tuolumne River and the northerly extension of the east line of Lot 1 of the map of Rio Grande Colony filed in Volume 6 of Maps at Page 47, S.C.R.;
- 28) thence South 00°18' East 806.41 feet along the east line of said Lot 1 and said northerly extension, to the northeast corner of property described in decree to Mabel Marie Nutter recorded September 17, 1956 as Instrument Number 25500, S.C.R.;
- 29) thence westerly 398.83 feet along the north line of said Nutter property and its westerly extension to the northwest corner of property described in the deed to H.A. Thompson, et ux, and John Cole recorded April 21, 1956 as Instrument Number 10352, S.C.R.;
- 30) thence southerly 703.91 feet along the west line of said Thompson and Cole property and the southerly extension of said west line to the north line of T.I.D. Lateral No. 1;
- 31) thence southeasterly 85 feet to the southeast line of T.I.D. Lateral No. 1 and the northwest corner of Gold Vineyard Estates filed in Volume 28 of Maps at Page 71, S.C.R.;
- 32) thence North 46°30'52" East 188.67 feet along said southeast line of T.I.D. Lateral No.1 and north line of said Gold Vineyard Estates;
- 33) thence South 89°09'00" East 822.38 feet along the south right-of-way line of said T.I.D. Lateral No.1 to the northeast corner of said Gold Vineyard Estates;
- 34) thence South 00°13'06" East 514.97 feet along the east line of said Gold Vineyard Estates and its southerly extension to the north line of Amador Avenue (formerly Second Avenue) as shown on the map of South Modesto Acres, Tract No. 3 filed in Volume 14 of Maps at Page 7, S.C.R.;
- 35) thence South 88°39' East 1,111.78 feet along said north line of Amador Avenue and its easterly extension, to the east right-of-way line of Crows Landing Road;
- 36) thence South 00°11" East 132 feet along said east right-of-way line of Crows Landing Road to the northwest corner of Lot 6 as shown on the map of South Modesto Acres filed in Volume 11 of Maps at page 27, S.C.R.;
- 37) thence North 89°46' East along the north line of said Lot 6, a distance of 328 feet to the northeast corner of said Lot 6;
- 38) thence South 00°11' East 133.20 feet along the east line of said Lot 6, to the southeast corner of said Lot 6 and also being the northwest corner of the existing city limits as established by the Winmoore Way Annexation recorded January 9, 1979 as Instrument No. 43059, S.C.R.;

thence along north line of said Winmoore Way Annexation the following five (5) courses:

- 39) North 89°46'30" East 1872.90 feet;

- 40) thence North  $00^{\circ}30'30''$  West 399.20 feet;
- 41) thence North  $89^{\circ}46'00''$  East 278.00 feet;
- 42) thence South  $00^{\circ}30'30''$  East 59.00 feet;
- 43) thence North  $89^{\circ}46'00''$  East 70.00 feet to the west right-of-way line of the Tidewater Southern Railroad as shown on said map of South Modesto Acres;
- 44) thence South  $00^{\circ}30'30''$  East 1037.28 feet, along said railroad right-of-way to the westerly extension of the south line of said Olympic Tract;
- 45) thence South  $89^{\circ}50'20''$  East 2,687.53 feet along said south line and its westerly extension, to the Point of Beginning.



SOUTH MODESTO MAC  
(AREA III)

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

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

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

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

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

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

(4) South  $0^{\circ} 44' 45''$  East, 250 feet more or less to a point on the centerline of River Road.

(5) Thence North  $60^{\circ} 15' 45''$  West, 116.00 feet along said centerline.

(6) Thence leaving said centerline South  $0^{\circ} 32' 45''$  East, 1098.69 feet.

(7) Thence South  $88^{\circ} 38' 30''$  East, 245.94 feet.

(8) Thence South  $54^{\circ} 36'$  East, 355.11 feet.

(9) Thence South  $76^{\circ} 48' 30''$  East, 280.17 feet

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

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

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

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

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

(14) South 0° 45' 00" East, 470.49 feet to the Northwest Corner of the Old Vineyard Estates Annexation to the City of Ceres.

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

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

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

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

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

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

(19) North 89° 29' West, 467.25 feet.

(20) North 82° 08' West, 156.33 feet.

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

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

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

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

(24) Thence North  $89^{\circ} 33'$  West, 20.00 feet along said north boundary to the Northwest Corner of said Tamkin Annexation.

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

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

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

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

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

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

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

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

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

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

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

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

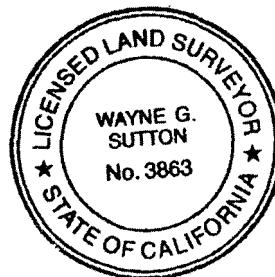
## STANISLAUS COUNTY SURVEYOR'S STATEMENT

I, Wayne G. Sutton, hereby state that these descriptions and maps of the South Modesto Municipal Advisory Committee Areas I, II, and III, dated June 12<sup>th</sup> 2012, were prepared by me or under my direction and are true and correct to the best of my belief, knowledge and information.

*Wayne G. Sutton*

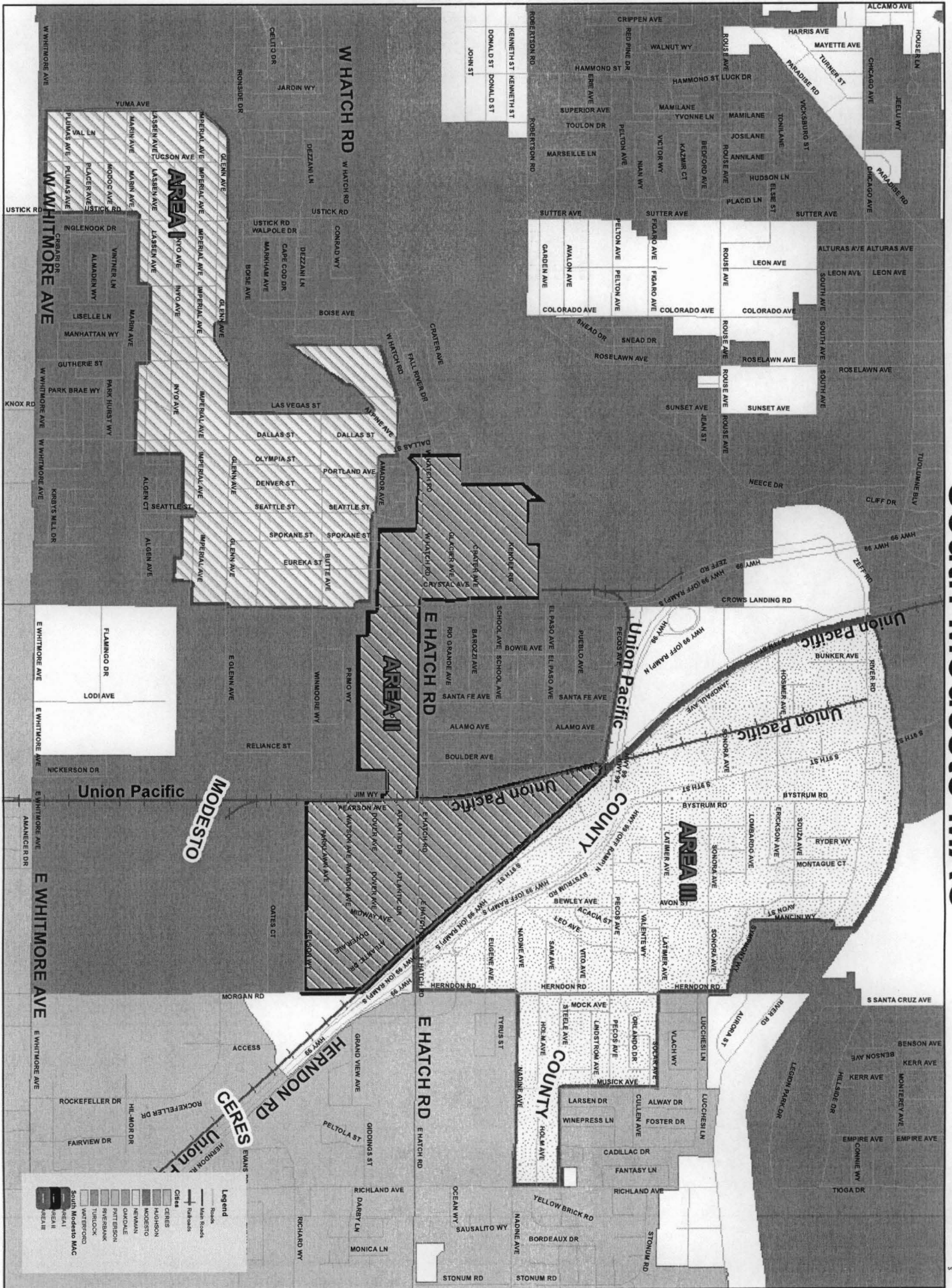
Wayne G. Sutton      PLS 3863  
County Surveyor

Dated: 14-JUNE-12



1,500 750 0 1,500 Feet

# South Modesto MAC



**Legend**

- Main Roads
- Other Roads
- Ceres
- Area I
- Area II
- Area III
- Water
- Railroads
- Other

South Modesto MAC  
 AREA I  
 AREA II  
 AREA III