

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

DEPT: Planning and Community Development *AF*

BOARD AGENDA # *D-4

Urgent Routine

AGENDA DATE August 7, 2012

CEO Concurs with Recommendation YES NO
(Information Attached)

4/5 Vote Required YES NO

SUBJECT:

Approval to Rescind Williamson Act Contract No. 1987-4129, Located on Delaware and Hickman Roads, in the Hickman Area, Approval of a New Contract Pursuant to Minor Lot Line Adjustment 2012-11, Frantz/Barlow, and Authorization for the Director of Planning and Community Development to Execute a New Contract

STAFF RECOMMENDATIONS:

1. Approve and establish the following findings:
 - a. The new contract 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restrict the adjusted boundaries of the parcel for an initial term for at least as long as the unexpired term of the rescinded contract or contracts, but for not less than 10 years except as authorized under the County's implementation of AB 1265.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. 2012-414

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.

STAFF RECOMMENDATIONS: (Continued)

- b. There is no net decrease in the amount of the acreage restricted. In cases where two parcels involved in a lot line adjustment are both subject to contracts rescinded pursuant to this section, this finding will be satisfied if the aggregate acreage of the land restricted by the new contracts is at least as great as the aggregate acreage restricted by the rescinded contracts.
 - c. At least 90 percent of the land under the former contract or contracts remains under the new contract or contracts.
 - d. After the lot line adjustment, the parcels of land subject to contract will be large enough to sustain their agricultural use, as defined in Section 51222.
 - e. The lot line adjustment would not compromise the long-term agricultural productivity of the parcel or other agricultural lands subject to a contract or contracts.
 - f. The lot line adjustment is not likely to result in the removal of adjacent land from agricultural use.
 - g. The lot line adjustment does not result in a greater number of developable parcels than existed prior to the adjustment, or an adjusted lot that is inconsistent with the general plan.
2. Rescind Williamson Act Contract No.1987-4129 (Located on Delaware and Hickman Roads, in the Hickman Area).
 3. Approve a new contract pursuant to Minor Lot Line Adjustment 2012-11 – Frantz/Barlow.
 4. Authorize the Director of Planning and Community Development to execute new contracts pursuant to Minor Lot Line Adjustment 2012-11.

DISCUSSION:

Lot Line Adjustment Application No. 2012-11 was approved by staff pending the Board's action required by the Williamson Act. The properties are located on Delaware and Hickman Roads, in the Hickman area, in the unincorporated area of Stanislaus County.

The lot line adjustment is requesting 4 parcels go from 7.7+/-, 5.44+/-, .9+/-, and 21.06+/- acres to three parcels of 13.1+/-, 1.69+/-, and 20.31+/-acres (total 35.1+/- acres). The 7.7 and .9 acre parcels consist of an abandoned railroad right-of-way and an abandoned portion of Hickman Road. As part of the lot line adjustment, the .9 acre

parcel is being merged. The 5.44 and 21.06 acre parcels (26.5 acres total) are currently enrolled in a Williamson Act Contract (1978-4129) and the other two parcels are not enrolled. After the lot line adjustment, 33.41+/- acres (the 13.1 and 20.31 acre parcels) will be enrolled in a new contract. The 1.69+/- acre parcel is too small in size to be enrolled in a contract. The reason for the lot line adjustment request is that the 21.06+/- acre parcel has challenges due to the lower southern gradient portion of the property and the inability to properly irrigate that section. The results of the proposed lot line adjust will avoid loss of farmland due to the irrigation issue.

The new contracts will be required to reflect the adjusted boundaries of the parcels. Pursuant to Section 51257 of the Government Code, Board approval is required for the rescission and simultaneous re-entry into the Williamson Act. Seven (7) specific findings must be made pursuant to that section in order to facilitate the adjustment. According to the Government Code "... pursuant to subdivision (d) of Section 66412, and notwithstanding any other provision of this chapter, the parties may mutually agree to rescind the contract or contracts and simultaneously enter into a new contract or contracts pursuant to this chapter, provided that the board or council finds all of the following:

- (1) The new contract or contracts would enforceably restrict the adjusted boundaries of the parcel for an initial term for at least as long as the unexpired term of the rescinded contract or contracts, but for not less than 10 years except as authorized under the County's implementation of SB 863.
- (2) There is no net decrease in the amount of the acreage restricted. In cases where two parcels involved in a lot line adjustment are both subject to contracts rescinded pursuant to this section, this finding will be satisfied if the aggregate acreage of the land restricted by the new contracts is at least as great as the aggregate acreage restricted by the rescinded contracts.
- (3) At least 90 percent of the land under the former contract or contracts remains under the new contract or contracts.
- (4) After the lot line adjustment, the parcels of land subject to contract will be large enough to sustain their agricultural use, as defined in Section 51222.

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

Approval to Rescind Williamson Act Contract No. 1987-4129, Located on Delaware and Hickman Roads, in the Hickman Area, Approval of a New Contract Pursuant to Minor Lot Line Adjustment 2012-11, Frantz/Barlow, and Authorization for the Director of Planning and Community Development to a Execute New Contract

Page 4

- (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 contract, and would increase the agricultural viability of the parcel.

New Williamson Act contracts would typically come before the Board once a year, in December. Because this action is related to a Lot Line Adjustment, it is prudent to act on this action independently of other Williamson Act contracts. Therefore, it is the intention of this action that a new contract replaces Contract No. 1987-4129 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 Stanislaus County Board of Supervisors’ actions 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:

Angela Freitas, Interim Planning & Community Development Director
Telephone: (209) 525-6330

Approval to Rescind Williamson Act Contract No. 1987-4129, Located on Delaware and Hickman Roads, in the Hickman Area, Approval of a New Contract Pursuant to Minor Lot Line Adjustment 2012-11, Frantz/Barlow, and Authorization for the Director of Planning and Community Development to a Execute New Contract
Page 5

ATTACHMENTS:

1. Lot Line Adjustment Application No. 2012-11
2. Lot Line Adjustment Approval Letter
3. Applicant's Statement of Findings
4. Map of Parcels Before the Proposed Lot Line Adjustment
5. Map of Parcels After the Proposed Lot Line Adjustment

(I:\PLANNING\BOARD OF SUPERVISORS\LOTLINEADJUSTMENTS\2012\LLA 2012-11-FRANTZ-BARLOW\LLA 2012-11 BOARD REPORT.DOC)



DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT

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

S	<u>33</u>	T	<u>3</u>	R	<u>11</u>
ZONE	<u>A-2-40</u>				
RECEIVED	<u>3-23-2012</u>				
APPLICATION NO.	<u>257 242-11</u>				
RECEIPT NO.	_____				

LOT LINE ADJUSTMENT APPLICATION

1. Property Owner(s):

Parcel 1
 Mitzi Frantz, trustee of the Frantz Fam Lvg Tr,
 Name
 12161 Delaware Road
 Address, City, Zip
 Hickman, Ca., 95323
 Phone
 209 874 1157
 Fax Number

Parcel 2
 Roy and Betty Barlow, trustees, Barlow lvg Tr
 Name
 443 Hickmman Road
 Address, City, Zip
 Hickman, Ca., 95323
 Phone
 N/A
 Fax Number

Parcel 3
 Mitzi Frantz, trustee of the Frantz Fam Lvg Tr,
 Name
 12161 Delaware Road
 Address, City, Zip
 Hickman, Ca., 95323
 Phone
 209 874 1157
 Fax Number

Parcel 4
 Roy and Betty Barlow, trustees, Barlow lvg Tr
 Name
 443 Hickmman Road
 Address, City, Zip
 Hickman, Ca., 95323
 Phone
 N/A
 Fax Number

2. Name and address of person(s) preparing map: Aspen Survey Company Inc.
1121 Oakdale Road, suite 6, Modesto, Ca. 95355

3. Assessor's Parcel No. of parcels adjusted:
 Parcel 1: Book 080 Page 010 No. 021 Parcel 2: Book 080 Page 010 No. 022
 Parcel 3: Book 080 Page 010 No. 021 Parcel 4: Book 080 Page 010 No. 022

4. Size of all adjusted parcels:

	<u>Before</u>	<u>After</u>
Parcel 1:	<u>7.7 AC</u>	<u>13.1 AC</u>
Parcel 2:	<u>5.44 AC</u>	<u>1.69 AC</u>
Parcel 3:	<u>0.9 AC</u>	<u>merged</u>
Parcel 4:	<u>21.06 AC</u>	<u>20.31 AC</u>

5. Why are the lot lines being changed? BE SPECIFIC This lot line adjustment is being done in recognition of the challenges presented by the lower gradient portion of the (Barlow) property. The results of this adjustment, will avoid loss of farmland due to the inability of proper irrigation.

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

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

7. List all structures on properties: Mobile homes, Office, Pole barn, Shop, Sheds, Garages misc small Ag storage buildings

8. How have these parcels been utilized in the past, if different than current use? Same use for the North piece for decades. The southern piece was used for Swine production and had been in poor condition for the past years

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



Parcel 1: <u>Aug 24, 2010</u>	Parcel 2: <u>Nov 1 1982</u>
Parcel 3: <u>Aug 24, 2010</u>	Parcel 4: <u>Aug 11, 1980</u>

10. What are the Williamson Act Contract numbers?

Parcel 1: <u>NONE</u>	Parcel 2: <u>87-4129</u>
Parcel 3: <u>NONE</u>	Parcel 4: <u>87-4129</u>

11. Do the parcels irrigate? Yes No If yes, how? TID pipeline On the proposed new Prop line

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

13. Signature of property owner(s)	<u></u>	Mitzi Frantz
	Owner's Signature	Owner's Name Printed
	Owner's Signature	Owner's Name Printed
	<u></u>	Betty Barlow
	Owner's Signature	Owner's Name Printed
	Owner's Signature	Owner's Name Printed



DEPARTMENT OF PLANNING & COMMUNITY DEVELOPMENT

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

May 7, 2012

Aspen Survey
1121 Oakdale Road, Suite 6
Modesto, CA 95355

**SUBJECT: TENTATIVE APPROVAL OF LOT LINE ADJUSTMENT NO. 2012-11
FRANTZ/BARLOW**

The Stanislaus County Department of Planning and Community Development, completed its consideration of your application on **May 7, 2012**, 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,

Carole Maben
Associate Planner

Enclosure

cc: Mitzi Frantz, Trustee Frantz Fam Lvg Tr

Roy & Betty Barlow, Trustees Barlow Lvg Tr

ATTACHMENT 2

STRIVING TO BE THE BEST COUNTY IN AMERICA

APPLICANT STATEMENT
(Williamson Act)

This project is a lot line adjustment between Assessor's Parcel No. 080-010-021-000 (8.6± Acres) owned by the Frantz Family Living Trust and Assessor's Parcel No. 080-010-022-000 (26.5± acres) owned by the Barlow Family Living Trust.

The portion of land on assessor's parcel 080-010-022-000, (Barlow), lying between the irrigation line and extended levee and the north line of assessor's parcel 080-010-021-000 (Frantz), is the same grade as the southern parcel and therefore difficult to maintain and irrigate. Water continues to pond and has become a breeding ground for mosquitos, minimizing its agricultural effectiveness. This southern (lower) portion shall be adjusted and transferred to the southern parcel. Current irrigation checks can be modified to allow for proper irrigation and drainage thereby returning this portion of the property to agricultural use.

Following approval of the lot line adjustment, the existing Williamson Act contract on the (Barlow) property, will be rescinded and simultaneously reentered. The 1.69± acre (Barlow) parcel will be noticed for non-renewal. A **new** contract for the (Frantz) parcel will be entered into pursuant to the adjusted boundaries in conformance with **Government code § 51257**. The new contracts will be in effect for a period of at least 10 years.

The current land contracts cover a total acreage of 26.5 ±acres. After the lot line adjustment, the cumulative (but separate) contracts will cover 33.4±acres. 100% of land under former contracts will remain under the new contracts. There will be a **gain of 6.9±** contract acres as a result of this adjustment.

Consistent with **Government code § 51222**, both resulting parcels will be over 10 acres after the lot line adjustment.

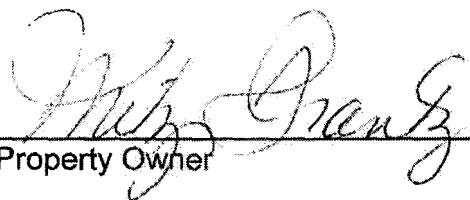
This lot line adjustment does not compromise the long-term agricultural productivity of either parcel. The (Frantz) parcel, has been used as a hog farm in the past and was recently involved in alleged illegal (non-toxic) substance transfer (*by previous owners*). The (Barlow) parcel has been used as irrigated pasture for bovine and will remain the same.

The parcels will continue to remain restricted by contract and used for agricultural productivity. As such, the lot line adjustment will have no impact on adjacent lands currently utilized for agricultural purposes.

This lot line adjustment does not result in a greater number of parcels that previously existed. There were two existing parcels prior to this lot line adjustment. The resultant two parcels are consistent with the general plan.

This lot line adjustment is being done in recognition of the challenges presented by the lower gradient portion of the (Barlow) property. The results of this adjustment, will avoid loss of farmland due to the inability of proper irrigation.

Signed:



A handwritten signature in cursive script, appearing to read "Mike Grantz", written over a horizontal line.

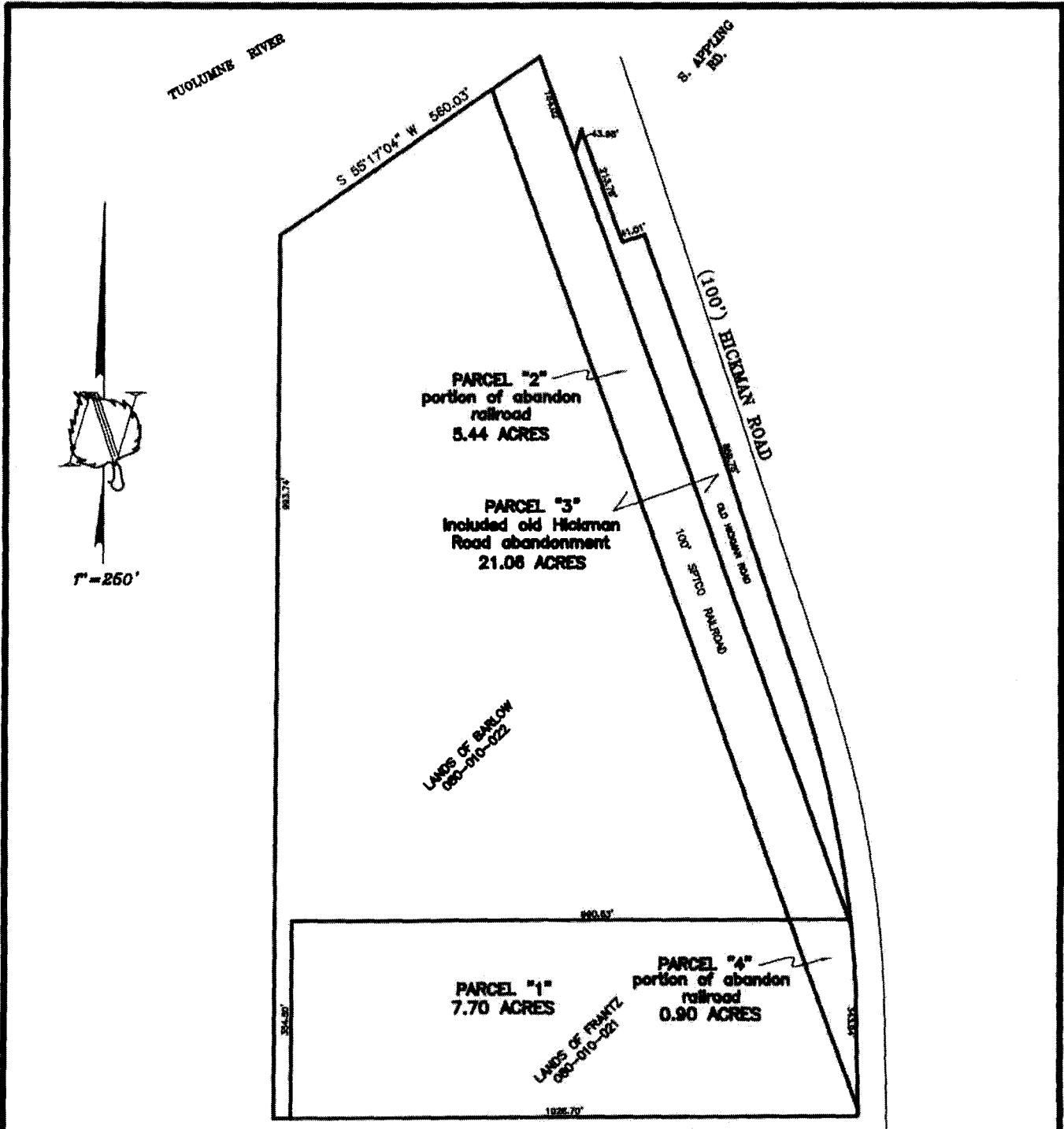
Property Owner

Property Owner



A handwritten signature in cursive script, appearing to read "Betty M. Barlow", written over a horizontal line.

Property Owner



(50') DELAWARE ROAD

**SUPPLIMENT PLAT
FOR LOT LINE
ADJUSTMENT**

BEING AN ADJUSTMENT OF PARCEL A & PARCEL D AS SHOWN IN 17 PM 23, PORTIONS OF OLD HICKMAN RD., AND PORTIONS OF FORMER SPTCo. RAILROAD PROPERTY STANISLAUS COUNTY CALIFORNIA

**ASPEN SURVEY
COMPANY INC.**
1121 OAKDALE RD., STE. 8 MODESTO, CA 95356
PH: (209) 626 9724 FX: (209) 626 0472

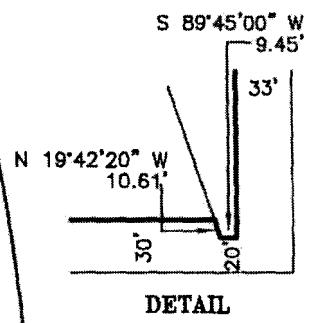
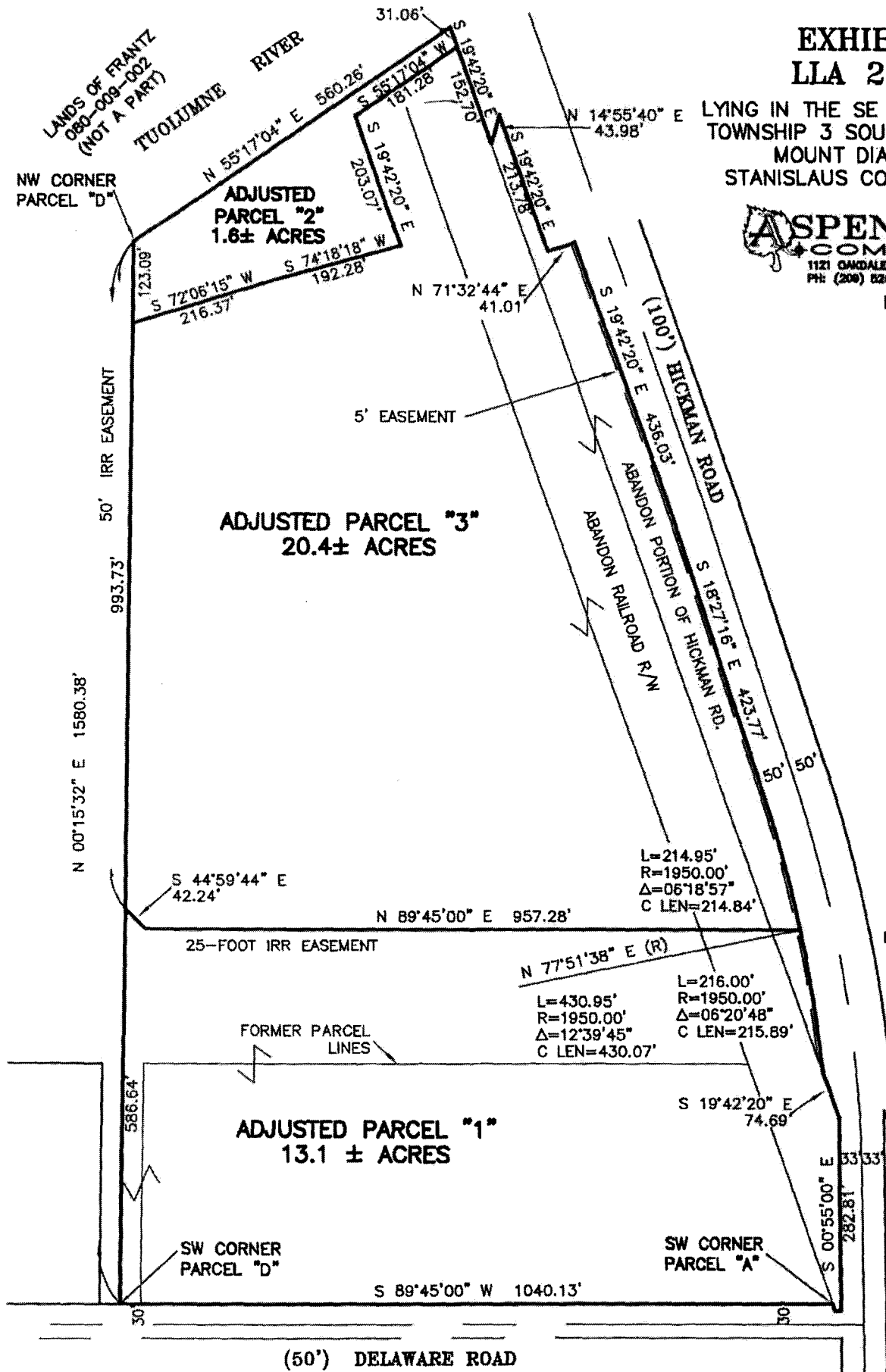
JULY, 2011

BEFORE ADJUSTMENT

EXHIBIT "C"
LLA 2012-11

LYING IN THE SE 1/4 OF SECTION 33
TOWNSHIP 3 SOUTH, RANGE 11 EAST
MOUNT DIABLO MERIDIAN.
STANISLAUS COUNTY, CALIFORNIA

ASPEN SURVEY
COMPANY INC.
1121 GANDALE RD., STE. 6, MODESTO, CA 95356
PH: (209) 828-9724 FAX: (209) 828-0472
MAY 2012





Stanislaus, County Recorder
Lee Lundrigan Co Recorder Office
DOC- 2012-0073649-00

Acct 121-Planning.

Monday, AUG 20, 2012 08:13:22

Ttl Pd \$41.00 Rcpt # 0003255554

OLD/R2/1-10

RECORDING REQUESTED BY AND
WHEN RECORDED RETURN TO:

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

Space Above This Line for Recorder's Use

CERTIFICATE OF LOT LINE ADJUSTMENT

This is to certify that, pursuant to California Government Code Section 66412 (d) and Sections 20.14 and 21.20.060E of the Stanislaus County Code, the Stanislaus County Director of Planning and Community Development on May 7, 2012 approved the lot line adjustment herein described submitted under the name of Frantz/Barlow Lot Line Adjustment No. 2012-11 was approved to adjust the lines between contiguous parcels whereby the boundary lines of the real property described as Exhibit "A", attached hereto and made a part hereof, will be adjusted to result in parcels described in Exhibit "B", also attached and incorporated herein. The approved lot line adjustment shall not result in the creation of a greater number of parcels than originally existed. The above described lot line adjustment shall be reflected in a deed which shall be recorded as required by Section 66412 (d) of the California Government Code.

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

ANGELA FREITAS, INTERIM DIRECTOR

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

August 17, 2012
Date

1015

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California)
County of Stanislaus)

On August 17, 2012 before me, Aaron Farnon, Notary Public, personally appeared Carole Maben, 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.

Handwritten signature of the notary over a line labeled 'Signature of Notary'.

OPTIONAL

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

DESCRIPTION OF ATTACHED DOCUMENT

Title or Type of Document: Certificate of Lot Line Adjustment

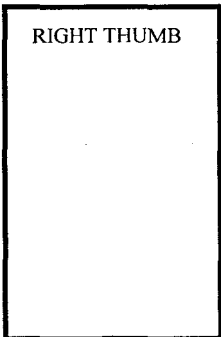
Date of Document: 5/7/2012 Number of Pages in words: ten (10) (including this page)

Signer(s) Other Than Named Above:

CAPACITY(IES) CLAIMED BY SIGNER(S)

Signer's Name:

- Individual(s)
Corporate Officer
Partner(s) - Limited General
Attorney-In-Fact
Trustee(s)
Guardian/Conservator
Other:

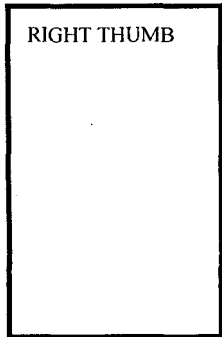


SIGNER IS REPRESENTING:

Blank lines for representing information.

Signer's Name:

- Individual(s)
Corporate Officer
Partner(s) - Limited General
Attorney-In-Fact
Trustee(s)
Guardian/Conservator
Other:



SIGNER IS REPRESENTING:

Blank lines for representing information.

LOT LINE NO. 2012-11

OWNERS:

NAME (Print or type)	SIGNATURE (All to be notarized)	DATE	SIGNED AT (City)
<u>BETTY M BARLOW</u>	<u>Betty M. Barlow</u>	<u>6/20-12</u>	<u>Modesto</u>
<u>Mitzi Frantz</u>	<u>Mitzi Frantz</u>	<u>6/21-12</u>	<u>Modesto</u>
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

SECURITY HOLDERS:

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

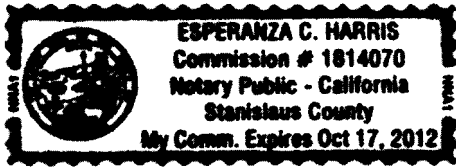
CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California

County of Stanislaus

On June 20, 2012 before me, Esperanza C. Harris, Notary Public

personally appeared Betty M. Barlow



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 Esperanza C. Harris

Place Notary Seal Above

OPTIONAL

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

Description of Attached Document

Title or Type of Document: _____

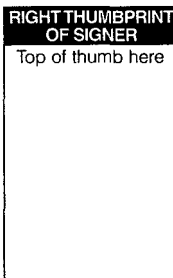
Document Date: _____ Number of Pages: _____

Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: _____

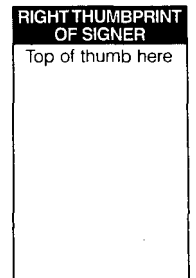
- Individual
- Corporate Officer — Title(s): _____
- Partner — Limited General
- Attorney in Fact
- Trustee
- Guardian or Conservator
- Other: _____



Signer Is Representing: _____

Signer's Name: _____

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



Signer Is Representing: _____

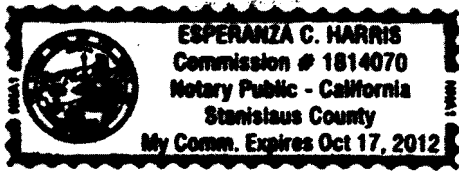
CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California

County of Stanislaus }

On June 21, 2012 before me, Esperanza C. Harris, Notary Public,
Date Here Insert Name and Title of the Officer

personally appeared Mitzi Frantz
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 Esperanza C. Harris
Signature of Notary Public

Place Notary Seal Above

OPTIONAL

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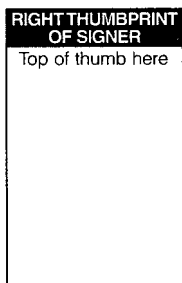
Document Date: _____ Number of Pages: _____

Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: _____

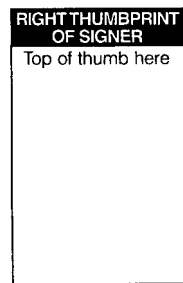
- Individual
- Corporate Officer — Title(s): _____
- Partner — Limited General
- Attorney in Fact
- Trustee
- Guardian or Conservator
- Other: _____



Signer Is Representing: _____

Signer's Name: _____

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



Signer Is Representing: _____

EXHIBIT "A"
BEFORE ADJUSTMENT
BARLOW

Parcel 1:

Parcel "D" as shown and designated on that certain parcel map filed August 10, 1973, in book 17 of Parcel Maps at Page 72, Stanislaus County Records.

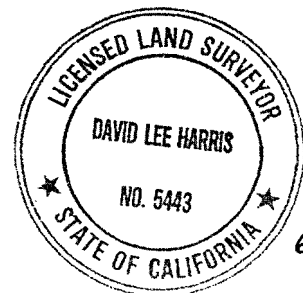
Parcel 2:

A strip of land (100 feet wide) situated in Section 33, Township 3 South, Range 11 East, Mount Diablo Meridian, County of Stanislaus, State of California, described as follows:

That portion of the land described in deed dated May 28, 1890, from Ellen C. Dallas to Southern Pacific Railroad Company, recorded June 5, 1890, in Deed Book 48, Page 13, Records of said County, lying between the east line of Section 33 and the easterly prolongation of the northerly and southerly line of Parcel "D" as shown and designated of that certain parcel map filed August 10, 1973, in Book 17 of Parcel Maps at Page 72, Stanislaus County Records.

Together with:

That portion of Old Hickman Road vacated by Board of Supervisors Resolution No. 82-1859, recorded November 16, 1982, in Liber 3614, Page 503, as Instrument No. 25723, said portion of road lying northerly of the easterly prolongation of the northerly line of said Parcel "A" as shown in said Book 17 of Parcel Maps at Page 72.



6-19-12

DLH

EXHIBIT "A"
BEFORE ADJUSTMENT
FRANTZ

Parcel 1:

Parcel "A" as shown and designated on that certain parcel map filed August 10, 1973, in book 17 of Parcel Maps, at Page 72, Stanislaus County Records; being a portion of Lots 1, 2 and 3 of Turlock Irrigated Farms on the Tuolumne, as per map filed February 13, 1913, in Book 7 of Maps, Page 25, Stanislaus County Records.

Parcel 2:

A strip of land (100 feet wide) situated in Section 33, Township 3 South, Range 11 East, Mount Diablo Meridian, County of Stanislaus, State of California, described as follows:

That portion of the land described in deed dated May 28, 1890, from Ellen C. Dallas to Southern Pacific Railroad Company, recorded June 5, 1890, in Deed Book 48, Page 13, Records of said County, lying between the east line of Section 13 and the easterly prolongation of the northerly and southerly line of Parcel "A" as shown and as designated of that certain parcel map filed August 10, 1973, in Book 17 of Parcel Maps at Page 72, Stanislaus County Records. Reserving therefrom all that portion of land conveyed to the County of Stanislaus described in that certain Grant of Easement Recorded January 12 1983, in Volume 3632 of Official Records, Page 721, Stanislaus County Records, as Instrument No. 36520.

Together with:

That portion of Old Hickman Road vacated by Board of Supervisors Resolution No. 82-1859 recorded November 16, 1982, in Liber 3614, Page 503, as Instrument No. 25723, said portion of road lying between the easterly prolongation of the northerly and southerly lines of said parcel "A"



6-19-12

DLH

EXHIBIT "B"
AFTER ADJUSTMENT
BARLOW

Parcel "3":

All that portion of Parcel "D" as shown and designated on that certain parcel map filed August 10, 1973, in Book 17 of Parcel Maps at Page 72, Stanislaus County Records and a portion of the land described in deed dated May 28, 1890, from Ellen C. Dallas to Southern Pacific Railroad Company, recorded June 5, 1890, in Deed Book 48, Page 13, Records of said County, lying between the east line of Section 33 and the easterly prolongation of the northerly and southerly line of Parcel "D" as shown and designated on said parcel map filed in Book 17 of Parcel Maps at Page 72, and that portion of Old Hickman Road vacated by Board of Supervisors Resolution No. 82-1859, recorded November 16, 1982, in Liber 3614, Page 503, as Instrument No. 25723, said portion of road lying northerly of the easterly prolongation of the northerly line of said Parcel "A" as shown in said Book 17 of Parcel Maps at Page 72.

The subject parcel being described as follows:

Beginning at the northwest corner of said Parcel "D"; thence North 55°17'04" East along the north line of said Parcel "D" and its easterly extension, 560.26 feet to the westerly right-of-way line of Hickman Road; thence following said westerly right-of-way line of Hickman road, South 19°42'20" East, 152.70 feet; thence North 14° 55'40" East, 43.98 feet; thence South 19° 42'20" East, 213.78 feet; thence North 71°32'44" East, 41.01 feet; thence South 19°42'20" East, 436.03'; thence South 18°27'16" East, 423.77 feet to the beginning of a curve concave westerly and having a radius of 1950 feet; thence southerly along the arc of said curve, 214.95 feet through a central angle of 06°18'57" to a point from which a radial from the center of said curve bears North 77°51'38" East; thence leaving said right-of-way South 89°45'00" West, 957.28 feet; thence North 44° 59'44" West, 42.24 feet to the west line of said Parcel "D"; thence North 00°15'32" East, 993.73 feet to the Point of Beginning.

EXCEPTING THEREFROM the following described parcel:

Beginning at the northwest corner of said Parcel "D"; thence North 55°17'04" East along the north line of said Parcel "D" and its easterly extension, 560.26 feet to the westerly right-of-way line of Hickman Road; thence following said westerly right-of-way line of Hickman Road, South 19°42'20" East, 31.06 feet; thence South 55°17'04" West, 181.28 feet; thence South 19°42'20" East, 203.07 feet; thence South 74°18'18" West, 192.28 feet; thence South 72°06'15" West, 216.37 feet to the west line of said Parcel "D"; thence North 00°15'32" East, 123.09 feet to the Point of Beginning.

Containing 20.0 acres more or less

The Above described parcel also being subject to all easements and rights-of-way of record.



EXHIBIT "B"
AFTER ADJUSTMENT
FRANTZ

Parcel "1":

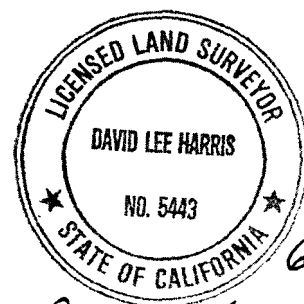
Parcel "A" and a portion of Parcel "D" as shown and designated on that certain parcel map filed August 10, 1973, in Book 17 of Parcel Maps, at Page 72, Stanislaus County Records, and a portion of Old Hickman Road vacated by Board of Supervisors Resolution No. 82-1859 recorded November 16, 1982, in Liber 3614, Page 503, as Instrument No. 25723 and that portion of the land described in deed dated May 28, 1890, from Ellen C. Dallas to Southern Pacific Railroad Company, recorded June 5, 1890, in Deed Book 48, Page 13, Records of said county, lying between the east line of Section 13 and the easterly prolongation of the northerly and southerly line of Parcels "A" and "D" as shown and as designated on that certain parcel map filed August 10, 1973, in Book 17 of Parcel Maps at Page 72, Stanislaus County Records. Reserving therefrom all that portion of land conveyed to the County of Stanislaus described in that certain Grant of Easement recorded January 12 1983, in Volume 3632 of Official Records, Page 721, Stanislaus County Records, as Instrument No. 36520.

The subject parcel being more particularly described as follows:

Beginning at the southwest corner of said Parcel "D" said point being South 89°45'00" West, 30 feet from the southwest corner of said Parcel "A"; thence North 00°15'32" East along the west line of said Parcel "D", 586.64 feet; thence South 44°59'44" East, 42.24 feet; thence North 89°45'00" East, 957.28 feet to the west line of Hickman Road a 100-foot wide county road, said point also being the beginning of a non-tangent curve concave to the west having a radius of 1950.00 feet and a radial bearing North 77°51'38" East from the radius point of said curve; thence southerly along the arc of said curve a distance of 216.00 feet through a central angle of 06°20'48" to a point on the easterly right-of-way line of said abandon railroad; thence South 19°42'20" East along said right-of-way, 74.69 feet to the west right-of-way line of Hickman road, a 66-foot wide right-of-way; thence South 00°55'00" East, along said right-of-way, 282.81 feet to the north line of Delaware Road being 20 feet northerly from the center line of said road; thence along said right-of-way, South 89°45'00" West, 9.45 feet to the easterly right-of-way line of said abandon railroad; thence along said easterly line North 19°42'20" West, 10.61 feet to the Southeast corner of Parcel "A" of said Book 17 of Parcel Maps, Page 72; thence South 89°45'00" West, 1040.13 to the Point of Beginning.

Containing 13.1 acres more of less

The Above described parcel also being subject to all easements and rights-of-way of record.



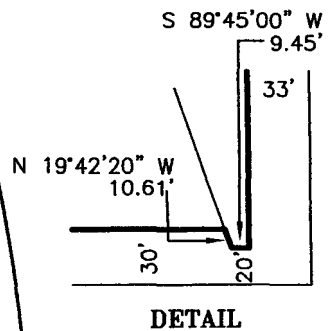
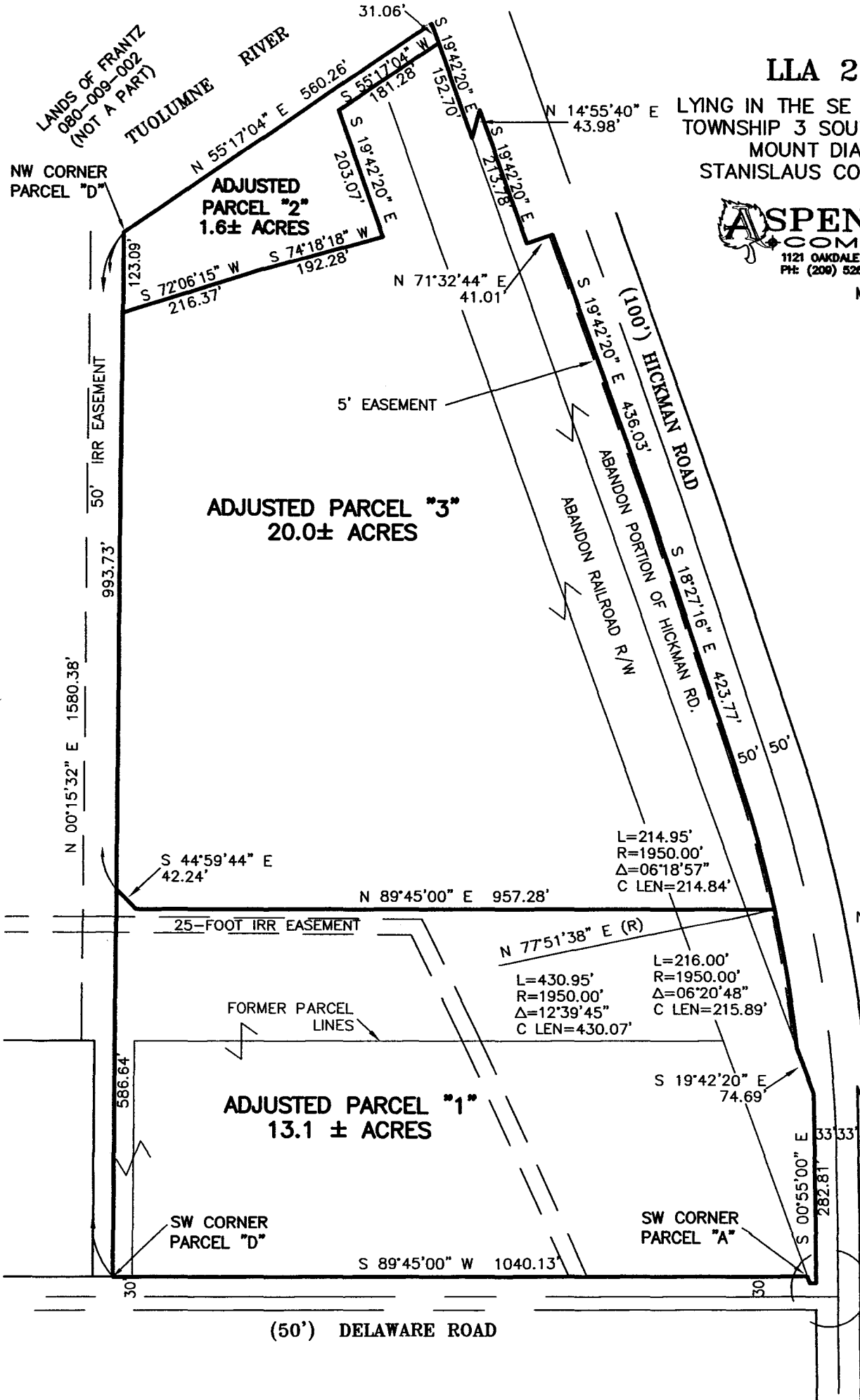
6-19-12
DLH

LLA 2012-11

LYING IN THE SE 1/4 OF SECTION 33
TOWNSHIP 3 SOUTH, RANGE 11 EAST
MOUNT DIABLO MERIDIAN.
STANISLAUS COUNTY, CALIFORNIA

ASPEN SURVEY
COMPANY INC.
1121 OAKDALE RD., STE. 6 MODESTO, CA 95355
PH: (209) 526 9724 FX: (209) 526 0472

MAY 2012



(50') DELAWARE ROAD



Stanislaus, County Recorder
 Lee Lundrigan Co Recorder Office
DOC- 2012-0073650-00
 Monday, AUG 20, 2012 08:13:30
 Ttl Pd \$0.00 Rcpt # 0003255555
 OLD/R2/1-11

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. 2012-10**

THIS NOTICE OF RESCISSION AND CALIFORNIA LAND CONSERVATION CONTRACT is made and entered into August 7, 2012, 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:	<u>Betty M Barlow</u>	<u>Mitzi C Frantz, Trustee of the Frantz Living</u>
	<u>1313 Randy Avenue</u>	<u>Trust, dated August 15, 2000</u>
	<u>Modesto, CA 95355</u>	<u>12161 Delaware Road, Hickman, CA 95323</u>

- (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>080-010-022</u>	<u>20</u>	<u>443 Hickman Road, Hickman</u>
<u>080-010-021</u>	<u>13.1</u>	<u>12913 Delaware Road, Hickman</u>

Pursuant to Stanislaus County Board of Supervisors Resolution No. 2012-414, relating to Lot Line Adjustment No. 2012-11 as authorized by Govt. Code § 51257, California Land Conservation Contract Nos. 1987-4129 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.

1100

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)
BETTY M. BARLOW	<i>Betty M. Barlow</i>	06/20/12	Modesto

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

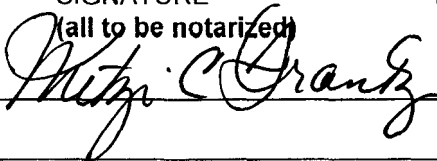
8-17-2012
Dated


Chairman, Board of Supervisors
Angela Freitas for William O'Brien

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)
MITZI C. FRANTZ		06/21/12	Modesto

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

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

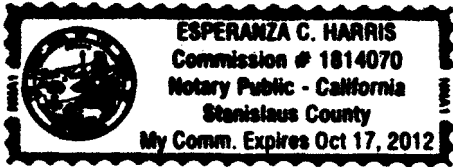
State of California

County of Stanislaus

On June 20, 2012 before me, Esperanza C. Harris, Notary Public

personally appeared Betty M. Barlow

Name(s) of Signer(s)



Place Notary Seal Above

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 Esperanza C. Harris
Signature of Notary Public

OPTIONAL

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

Description of Attached Document

Title or Type of Document: _____

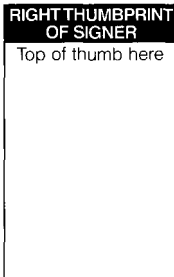
Document Date: _____ Number of Pages: _____

Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: _____

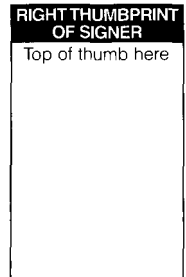
- Individual
- Corporate Officer — Title(s): _____
- Partner — Limited General
- Attorney in Fact
- Trustee
- Guardian or Conservator
- Other: _____



Signer Is Representing: _____

Signer's Name: _____

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



Signer Is Representing: _____

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California

County of Stanislaus

On June 21, 2012 before me, Esperanza C. Harris, Notary Public

personally appeared Mitzi C. Frantz



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 Esperanza C. Harris

Place Notary Seal Above

OPTIONAL

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

Description of Attached Document

Title or Type of Document: _____

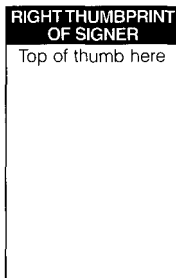
Document Date: _____ Number of Pages: _____

Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: _____

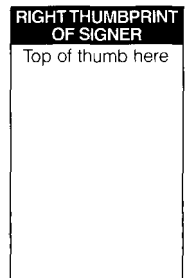
- Individual
- Corporate Officer — Title(s): _____
- Partner — Limited General
- Attorney in Fact
- Trustee
- Guardian or Conservator
- Other: _____



Signer Is Representing: _____

Signer's Name: _____

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



Signer Is Representing: _____

EXHIBIT "A"
BEFORE ADJUSTMENT
BARLOW

*Currently
Under Contract*

Parcel 1:

Parcel "D" as shown and designated on that certain parcel map filed August 10, 1973, in book 17 of Parcel Maps at Page 72, Stanislaus County Records.

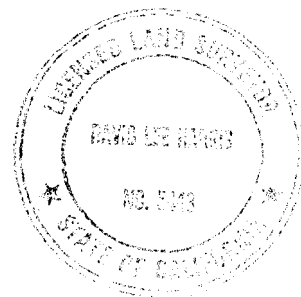
Parcel 2:

A strip of land (100 feet wide) situated in Section 33, Township 3 South, Range 11 East, Mount Diablo Meridian, County of Stanislaus, State of California, described as follows:

That portion of the land described in deed dated May 28, 1890, from Ellen C. Dallas to Southern Pacific Railroad Company, recorded June 5, 1890, in Deed Book 48, Page 13, Records of said County, lying between the east line of Section 33 and the easterly prolongation of the northerly and southerly line of Parcel "D" as shown and designated of that certain parcel map filed August 10, 1973, in Book 17 of Parcel Maps at Page 72, Stanislaus County Records.

Together with:

That portion of Old Hickman Road vacated by Board of Supervisors Resolution No. 82-1859, recorded November 16, 1982, in Liber 3614, Page 503, as Instrument No. 25723, said portion of road lying northerly of the easterly prolongation of the northerly line of said Parcel "A" as shown in said Book 17 of Parcel Maps at Page 72.



6-19-12

D. H. H.

EXHIBIT "A"
BEFORE ADJUSTMENT
FRANTZ

Parcel 1:

Parcel "A" as shown and designated on that certain parcel map filed August 10, 1973, in book 17 of Parcel Maps, at Page 72, Stanislaus County Records; being a portion of Lots 1, 2 and 3 of Turlock Irrigated Farms on the Tuolumne, as per map filed February 13, 1913, in Book 7 of Maps, Page 25, Stanislaus County Records.

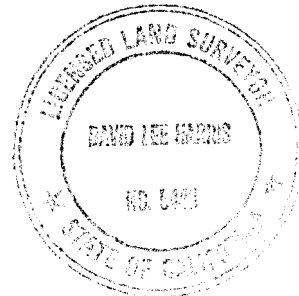
Parcel 2:

A strip of land (100 feet wide) situated in Section 33, Township 3 South, Range 11 East, Mount Diablo Meridian, County of Stanislaus, State of California, described as follows:

That portion of the land described in deed dated May 28, 1890, from Ellen C. Dallas to Southern Pacific Railroad Company, recorded June 5, 1890, in Deed Book 48, Page 13, Records of said County, lying between the east line of Section 13 and the easterly prolongation of the northerly and southerly line of Parcel "A" as shown and as designated of that certain parcel map filed August 10, 1973, in Book 17 of Parcel Maps at Page 72, Stanislaus County Records. Reserving therefrom all that portion of land conveyed to the County of Stanislaus described in that certain Grant of Easement Recorded January 12 1983, in Volume 3632 of Official Records, Page 721, Stanislaus County Records, as Instrument No. 36520.

Together with:

That portion of Old Hickman Road vacated by Board of Supervisors Resolution No. 82-1859 recorded November 16, 1982, in Liber 3614, Page 503, as Instrument No. 25723, said portion of road lying between the easterly prolongation of the northerly and southerly lines of said parcel "A"



6-19-12

Ad Z. H.

EXHIBIT "B"
AFTER ADJUSTMENT
BARLOW

Lands of
Barlow to be
Reentered

Parcel "3":

All that portion of Parcel "D" as shown and designated on that certain parcel map filed August 10, 1973, in Book 17 of Parcel Maps at Page 72, Stanislaus County Records and a portion of the land described in deed dated May 28, 1890, from Ellen C. Dallas to Southern Pacific Railroad Company, recorded June 5, 1890, in Deed Book 48, Page 13, Records of said County, lying between the east line of Section 33 and the easterly prolongation of the northerly and southerly line of Parcel "D" as shown and designated on said parcel map filed in Book 17 of Parcel Maps at Page 72, and that portion of Old Hickman Road vacated by Board of Supervisors Resolution No. 82-1859, recorded November 16, 1982, in Liber 3614, Page 503, as Instrument No. 25723, said portion of road lying northerly of the easterly prolongation of the northerly line of said Parcel "A" as shown in said Book 17 of Parcel Maps at Page 72.

The subject parcel being described as follows:

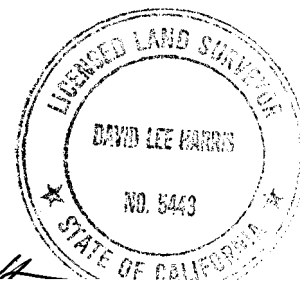
Beginning at the northwest corner of said Parcel "D"; thence North 55°17'04" East along the north line of said Parcel "D" and its easterly extension, 560.26 feet to the westerly right-of-way line of Hickman Road; thence following said westerly right-of-way line of Hickman road, South 19°42'20" East, 152.70 feet; thence North 14° 55'40" East, 43.98 feet; thence South 19° 42'20" East, 213.78 feet; thence North 71°32'44" East, 41.01 feet; thence South 19°42'20" East, 436.03'; thence South 18°27'16" East, 423.77 feet to the beginning of a curve concave westerly and having a radius of 1950 feet; thence southerly along the arc of said curve, 214.95 feet through a central angle of 06°18'57" to a point from which a radial from the center of said curve bears North 77°51'38" East; thence leaving said right-of-way South 89°45'00" West, 957.28 feet; thence North 44° 59'44" West, 42.24 feet to the west line of said Parcel "D"; thence North 00°15'32" East, 993.73 feet to the Point of Beginning.

EXCEPTING THEREFROM the following described parcel:

Beginning at the northwest corner of said Parcel "D"; thence North 55°17'04" East along the north line of said Parcel "D" and its easterly extension, 560.26 feet to the westerly right-of-way line of Hickman Road; thence following said westerly right-of-way line of Hickman Road, South 19°42'20" East, 31.06 feet; thence South 55°17'04" West, 181.28 feet; thence South 19°42'20" East, 203.07 feet; thence South 74°18'18" West, 192.28 feet; thence South 72°06'15" West, 216.37 feet to the west line of said Parcel "D"; thence North 00°15'32" East, 123.09 feet to the Point of Beginning.

Containing 20.0 acres more or less

The Above described parcel also being subject to all easements and rights-of-way of record.



6-19-12

David L. Harris

EXHIBIT "B"
AFTER ADJUSTMENT
FRANTZ

Parcel "1":

Parcel "A" and a portion of Parcel "D" as shown and designated on that certain parcel map filed August 10, 1973, in Book 17 of Parcel Maps, at Page 72, Stanislaus County Records, and a portion of Old Hickman Road vacated by Board of Supervisors Resolution No. 82-1859 recorded November 16, 1982, in Liber 3614, Page 503, as Instrument No. 25723 and that portion of the land described in deed dated May 28, 1890, from Ellen C. Dallas to Southern Pacific Railroad Company, recorded June 5, 1890, in Deed Book 48, Page 13, Records of said county, lying between the east line of Section 13 and the easterly prolongation of the northerly and southerly line of Parcels "A" and "D" as shown and as designated on that certain parcel map filed August 10, 1973, in Book 17 of Parcel Maps at Page 72, Stanislaus County Records. Reserving therefrom all that portion of land conveyed to the County of Stanislaus described in that certain Grant of Easement recorded January 12 1983, in Volume 3632 of Official Records, Page 721, Stanislaus County Records, as Instrument No. 36520.

The subject parcel being more particularly described as follows:

Beginning at the southwest corner of said Parcel "D" said point being South 89°45'00" West, 30 feet from the southwest corner of said Parcel "A"; thence North 00°15'32" East along the west line of said Parcel "D", 586.64 feet; thence South 44°59'44" East, 42.24 feet; thence North 89°45'00" East, 957.28 feet to the west line of Hickman Road a 100-foot wide county road, said point also being the beginning of a non-tangent curve concave to the west having a radius of 1950.00 feet and a radial bearing North 77°51'38" East from the radius point of said curve; thence southerly along the arc of said curve a distance of 216.00 feet through a central angle of 06°20'48" to a point on the easterly right-of-way line of said abandon railroad; thence South 19°42'20" East along said right-of-way, 74.69 feet to the west right-of-way line of Hickman road, a 66-foot wide right-of-way; thence South 00°55'00" East, along said right-of-way, 282.81 feet to the north line of Delaware Road being 20 feet northerly from the center line of said road; thence along said right-of-way, South 89°45'00" West, 9.45 feet to the easterly right-of-way line of said abandon railroad; thence along said easterly line North 19°42'20" West, 10.61 feet to the Southeast corner of Parcel "A" of said Book 17 of Parcel Maps, Page 72; thence South 89°45'00" West, 1040.13 to the Point of Beginning.

Containing 13.1 acres more or less

The Above described parcel also being subject to all easements and rights-of-way of record.



6-19-12

DLH

LLA 2012-11

LYING IN THE SE 1/4 OF SECTION 33
TOWNSHIP 3 SOUTH, RANGE 11 EAST
MOUNT DIABLO MERIDIAN.
STANISLAUS COUNTY, CALIFORNIA

ASPEN SURVEY
COMPANY INC.
1121 OAKDALE RD., STE. 6 MODESTO, CA 95385
PH: (209) 528 9724 FX: (209) 528 0472

MAY 2012

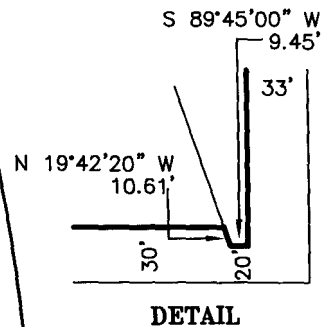
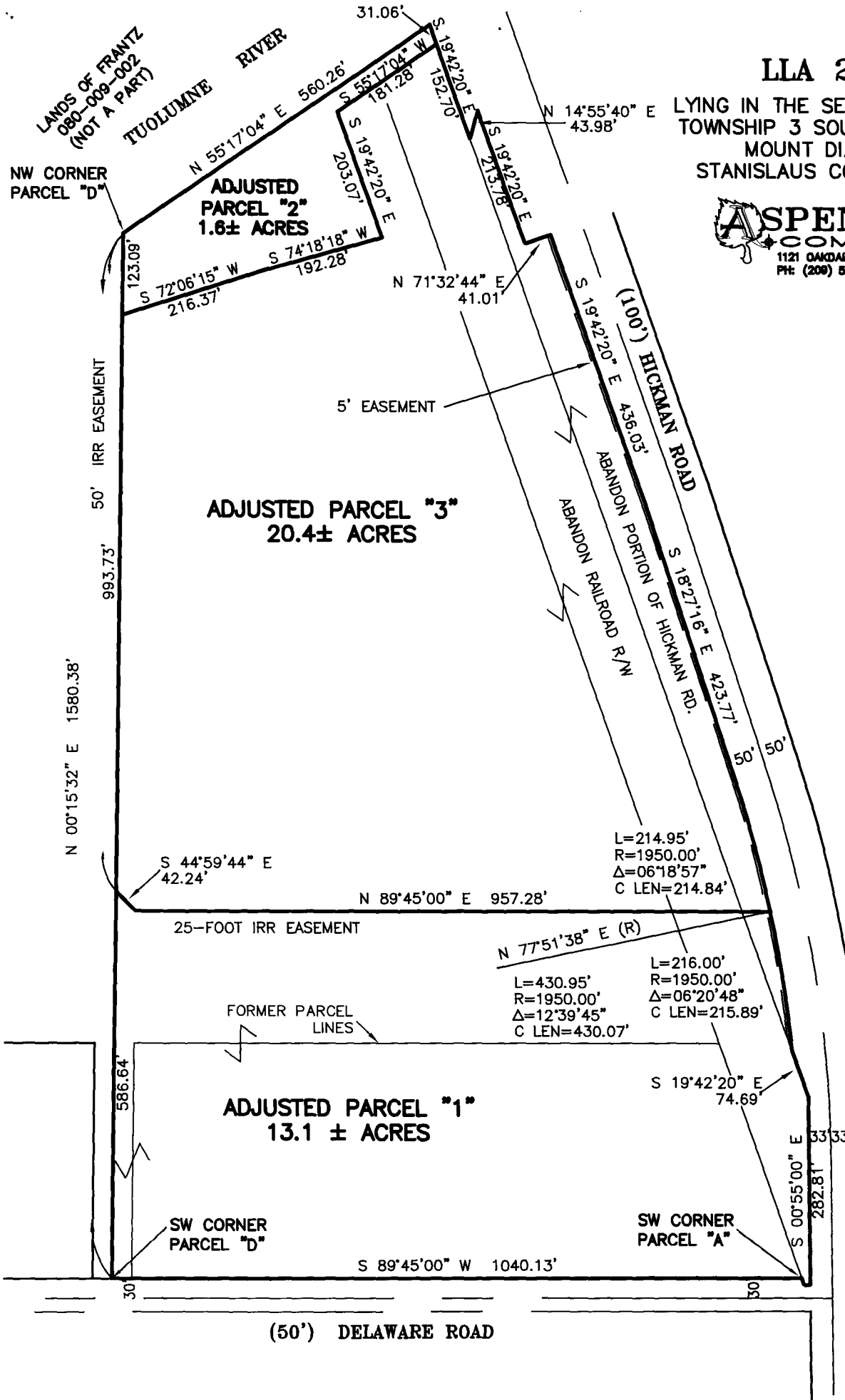


EXHIBIT C

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

DEPT: Planning and Community Development *AF*

BOARD AGENDA # *D-4

Urgent Routine

AGENDA DATE August 7, 2012

CEO Concur with Recommendation YES NO
(Information Attached)

4/5 Vote Required YES NO

SUBJECT:

Approval to Rescind Williamson Act Contract No. 1987-4129, Located on Delaware and Hickman Roads, in the Hickman Area, Approval of a New Contract Pursuant to Minor Lot Line Adjustment 2012-11, Frantz/Barlow, and Authorization for the Director of Planning and Community Development to Execute a New Contract

STAFF RECOMMENDATIONS:

1. Approve and establish the following findings:
 - a. The new contract 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. 2012-414

On motion of Supervisor Withrow, Seconded by Supervisor De Martini

and approved by the following vote,

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

Noes: Supervisors: None

Excused or Absent: Supervisors: Monteith

Abstaining: Supervisor: None

1) Approved as recommended

2) Denied

3) Approved as amended

4) Other:

MOTION:

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

CHRISTINE FERRARO TALLMAN

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

Christine Ferraro By *San Illand*

ATTEST: CHRISTINE FERRARO TALLMAN, Clerk

File No.

