

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

DEPT: Planning and Community Development Af

BOARD AGENDA # *D-1

Urgent

Routine

AGENDA DATE January 7, 2014

CEO Concurs with Recommendation YES NO
(Information Attached)

4/5 Vote Required YES NO

SUBJECT:

Approval to Rescind a Portion of Williamson Act Contracts No. 72-0879 and 71-0157, Located on Warnerville Road, East of Tim Bell Road, in the Oakdale Area, Approval of New Contracts Pursuant to Minor Lot Line Adjustment PLN2013-0066, Louis F. Bricchetto/Trinitas Crabtree, LLC, and Authorization for the Director of Planning and Community Development to Execute New Contracts

STAFF RECOMMENDATIONS:

1. Approve and establish the following findings:
 - a. The new contract would enforceable restrict the adjusted boundaries of the parcel for an initial term for at least as long as the unexpired term of the rescinded contract or contracts, but for not less than 10 years except as authorized under the County implementation of AB 1265.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. 2014-11

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

and approved by the following vote,

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

Noes: Supervisors: None

Excused or Absent: Supervisors: None

Abstaining: Supervisor: None


1) X Approved as recommended

2) _____ Denied

3) _____ Approved as amended

4) _____ Other:

MOTION:



ATTEST: CHRISTINE FERRARO TALLMAN, Clerk

File No.

Approval to Rescind a Portion of Williamson Act Contracts No. 72-0879 and 71-0157, Located on Warnerville Road, East of Tim Bell Road, in the Oakdale Area, Approval of New Contracts Pursuant to Minor Lot Line Adjustment PLN2013-0066, Louis F. Brichetto/Trinitas Crabtree, LLC, and Authorization for the Director of Planning and Community Development to Execute New Contracts

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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 In cases where two parcels involved in a lot line adjustment are both subject to contracts rescinded pursuant to this section, this finding will be satisfied if the aggregate acreage of the land restricted by the new contracts is at least as great as the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 a portion of Williamson Act Contracts No. 72-0879 and 71-0157, located on Warnerville Road, east of the Tim Bell Road, in the Oakdale area.
 3. Approve a new contract pursuant to Minor Lot Line Adjustment PLN2013-0066 – Louis F. Brichetto/Trinitas Crabtree, LLC.
 4. Authorize the Director of Planning and Community Development to execute a new contract pursuant to Minor Lot Line Adjustment PLN2013-0066.

Approval to Rescind a Portion of Williamson Act Contracts No. 72-0879 and 71-0157, Located on Warnerville Road, East of Tim Bell Road, in the Oakdale Area, Approval of New Contracts Pursuant to Minor Lot Line Adjustment PLN2013-0066, Louis F. Bricchetto/Trinitas Crabtree, LLC, and Authorization for the Director of Planning and Community Development to Execute New Contracts
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DISCUSSION:

Lot Line Adjustment Application No. PLN2013-0066 was approved by staff pending the Board's action required by the Williamson Act. The properties are located on Warnerville Road, east of the Tim Bell Road, in the Oakdale Area, in the unincorporated area of Stanislaus County.

The lot line adjustment is requesting that three parcels go from 151.05, 1.15, and 79.36 acres (231.56 acres) to two parcels of 151.34 and 80.22 acres (total 231.56 acres). The lot lines for the two larger parcels are being adjusted to agree with the occupation lines (along Warnerville Road) and to merge the 1.15 acre parcel with the 79.36 acre parcel. All parcels are planted in almonds, and there are no structures located on any of the parcels.

The three parcels are currently enrolled in a portion of Williamson Act Contracts No. 72-0879 and 71-0157. A new contract will be required to reflect the adjusted boundaries of the parcels. Pursuant to Section 51257 of the Government Code, Board approval is required for the rescission and simultaneous re-entry into the Williamson Act. Seven specific findings must be made pursuant to that section in order to facilitate the adjustment. According to the Government Code "... pursuant to subdivision (d) of Section 66412, and notwithstanding any other provision of this chapter, the parties may mutually agree to rescind the contract or contracts and simultaneously enter into a new contract or contracts pursuant to this chapter, provided that the board or council finds all of the following:

- (1) The new contract or contracts would enforceably restrict the adjusted boundaries of the parcel for an initial term for at least as long as the unexpired term of the rescinded contract or contracts, but for not less than 10 years except as authorized under the County's implementation of AB 1265.
- (2) There is no net decrease in the amount of the acreage restricted. In cases where two parcels involved in a lot line adjustment are both subject to contracts rescinded pursuant to this section, this finding will be satisfied if the aggregate acreage of the land restricted by the new contracts is at least as great as the aggregate acreage restricted by the rescinded contracts.

Approval to Rescind a Portion of Williamson Act Contracts No. 72-0879 and 71-0157, Located on Warnerville Road, East of Tim Bell Road, in the Oakdale Area, Approval of New Contracts Pursuant to Minor Lot Line Adjustment PLN2013-0066, Louis F. Brichetto/Trinitas Crabtree, LLC, and Authorization for the Director of Planning and Community Development to Execute New Contracts

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- (3) At least 90 percent of the land under the former contract or contracts remains under the new contract or contracts.
- (4) After the lot line adjustment, the parcels of land subject to contract will be large enough to sustain their agricultural use, as defined in Section 51222.

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

- (5) The lot line adjustment would not compromise the long-term agricultural productivity of the parcel or other agricultural lands subject to a contract or contracts.
- (6) The lot line adjustment is not likely to result in the removal of adjacent land from agricultural use.
- (7) The lot line adjustment does not result in a greater number of developable parcels than existed prior to the adjustment, or an adjusted lot that is inconsistent with the general plan.

The applicants have provided written evidence to support the seven findings listed above, and staff agrees with that evidence. The proposed adjustment would not increase the number of developable parcels, will not reduce the number of acres in the existing Williamson Act 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 new contracts replace a portion of Williamson Act Contracts No. 72-0879 and 71-0157 upon recording. The new contracts will cover the entire 231.56 acres. 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 October 15, 2013.

Approval to Rescind a Portion of Williamson Act Contracts No. 72-0879 and 71-0157, Located on Warnerville Road, East of Tim Bell Road, in the Oakdale Area, Approval of New Contracts Pursuant to Minor Lot Line Adjustment PLN2013-0066, Louis F. Bricchetto/Trinitas Crabtree, LLC, and Authorization for the Director of Planning and Community Development to Execute New Contracts

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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:

The Planning and Community Development Department staff reviews Lot Line Adjustment applications for conformance with applicable regulations (county and state) and prepares agenda items for associated rescission/re-entry of Williamson Act contracts.

CONTACT PERSON:

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

ATTACHMENTS:

1. Applicant's Statement of Findings
2. Map of Parcels Before the Proposed Lot Line Adjustment
3. Map of Parcels After the Proposed Lot Line Adjustment

Project Description and Landowner Justification

This project is a lot line adjustment between Assessors Parcel Nos. 011-005-060 (151+ acres)(1+ acres) LOUIS F. BRICHETTO, TRUSTEE and of Parcel No. 011-005-062 (79+-acres) owned by TRINITAS CRABTREE LLC.

This Lot Line Adjustment is being prepared so that the resultant parcels will better match occupation.

Assessor's parcel 011-005-060 is currently two legal parcels and will be merged into one parcel. The parcel line between parcels 011-005-060 and 011-005-062 is currently the 1/4 section line but will be adjusted to conform to 40' wide Warnerville Road.

This Lot Line begins with 4 legal parcels and will end with 3 legal parcels in its final configuration.

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

(1) The new contract or contracts would enforceably restrict the adjusted boundaries of the parcel for an initial term for at least as long as the unexpired term of the rescinded contract or contracts, but for not less than 10 years.

APN 011-005-060 (Parcels 1 and 2) are under the same Williamson Act contract No. 1972-0879 and APN 011-005-062 is under Williamson Act contract No. 1971-0157. At the conclusion of the lot line adjustment, these parcels will be in compliance with the minimum of 40 acres.

(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.

After the lot line adjustment, all parcels will continue to be in the same Williamson Act status as before. There are no changes to the restrictions.

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

The entire amount of land included within this lot line adjustment will continue to remain under Williamson Act contract.

(4) After the lot line adjustment, the parcels of land subject to contract will be large enough to sustain their agricultural use, as defined in Section 51222.

Consistent with Section 51222, all parcels will be larger than 40 both before and after the lot line adjustment. Parcels are presumed to be large enough to sustain their agricultural use if they are greater than 10 ares in size if prime farmland, or greater than 40 acres in the case of non-prime farmland. The subject properties are identified as 40 acres in the case of non-prime farmland.

(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.

All of these parcels have been used for agricultural productivity in their current configuration for a long time. The new lot configuration, after adjustment, will recognize an existing 40' wide Warnerville Road right-of-way and no changes are proposed to the agricultural use or irrigation or drainage patterns. This is especially true since the roadway has existed in this location for many years.

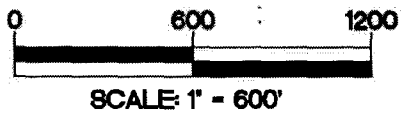
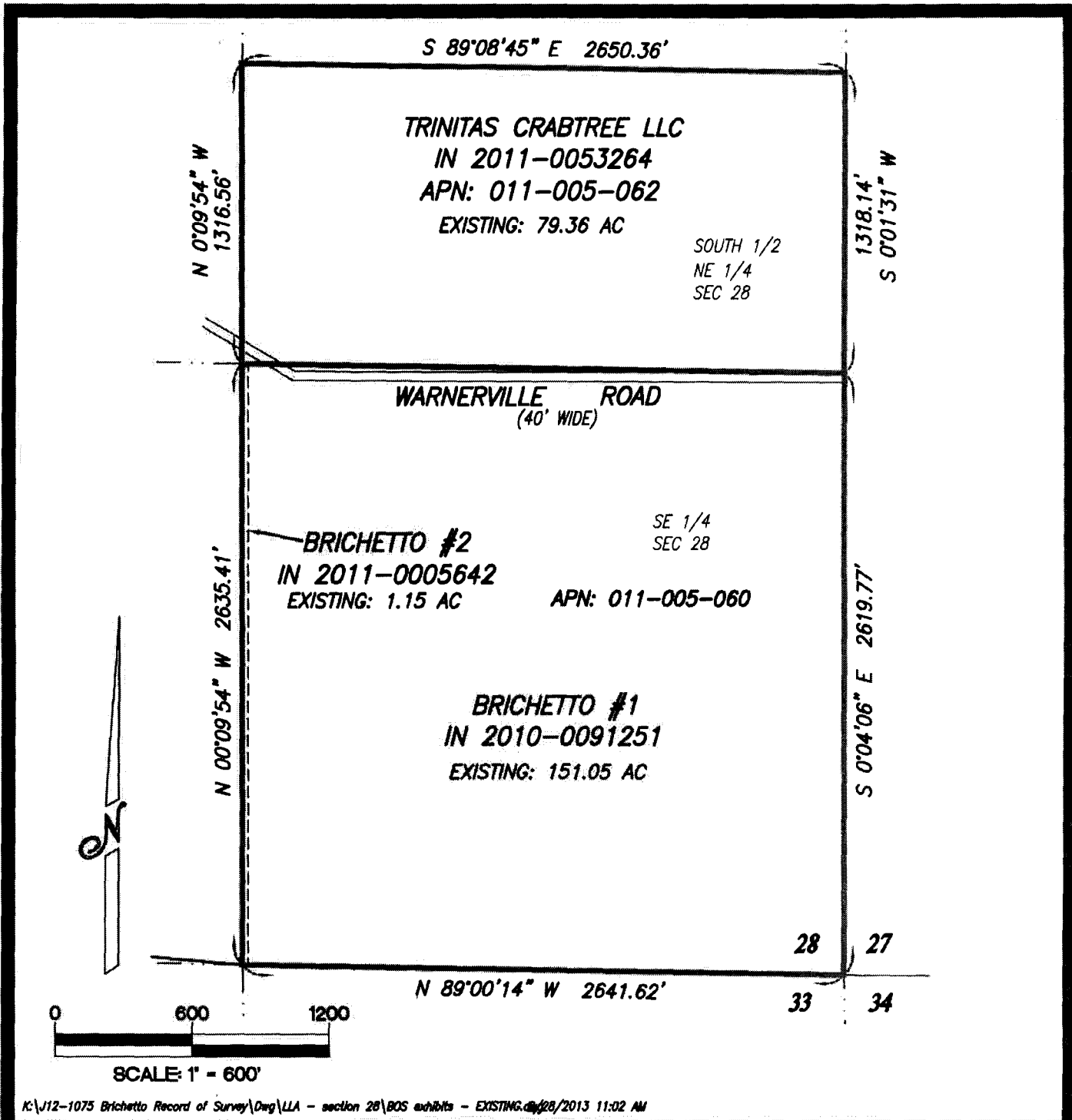
(6) The lot line adjustment is not likely to result in the removal of adjacent land from agricultural use.

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

(7) The lot line adjustment does not result in a greater number of developable parcels than existed prior to the adjustment, or an adjusted lot that is inconsistent with the general plan.

The three parcels currently exist, and after the lot line adjustment 2 parcels will exist. Neither parcel is currently inconsistent with the Stanislaus County General Plan, nor will the resulting parcels be inconsistent with the Stanislaus County General Plan.

In conclusion, the lot line adjustment is nothing more than the movement of a lot line to recognize Warnerville Road right-of-way lines which has been located in its current location for many years. As set forth previously, the properties will continue to be used for agricultural purposes, and this lot line adjustment will in no way affect the agricultural viability of any of the parcels.



K:\J12-1075 Brichetto Record of Survey\Draw\LLA - section 28\BOS exhibits - EXISTING.dwg/28/2013 11:02 AM

EXISTING PARCELS

North Star
Engineering Group, Inc.

• CIVIL ENGINEERING • SURVEYING • PLANNING •

909 14th Street Modesto, CA 95354
 (209) 524-3525 Phone (209) 524-3526 Fax

JOB NO:	12-1075 & 12-836
SCALE:	AS SHOWN
DR BY:	NM
CK BY:	KWS
FILE:	BOS-EXISTING
DATE:	8/13/13



SIGNATURE:

TRINITAS CRABTREE LLC

APN: 011-005-062

PROPOSED: 80.22 AC (NET)

SOUTH 1/2
NE 1/4
SEC 28

WARNERVILLE ROAD
(40' WIDE)

SE 1/4
SEC 28

BRICHETTO

APN: 011-005-060

PROPOSED: 151.34 AC (NET)



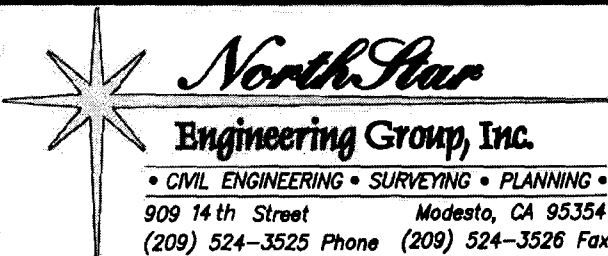
SCALE: 1" = 600'

28 27

33 34

K:\J12-1075 Brichetto Record of Survey\Dwg\LLA - section 28\BOS exhibits - PROPOSED.dwg/2013 11:02 AM

PROPOSED PARCELS



North Star
Engineering Group, Inc.

• CIVIL ENGINEERING • SURVEYING • PLANNING •
909 14th Street Modesto, CA 95354
(209) 524-3525 Phone (209) 524-3526 Fax

JOB NO: 12-1075 & 12-836

SCALE: AS SHOWN

DR BY: NM

CK BY: KWS

FILE: BOS-EXISTING

DATE: 8/13/13



SIGNATURE:



Stanislaus, County Recorder
Lee Lundrigan Co Recorder Office
DOC- 2014-0006345-00

Acct 121-Planning.
Friday, JAN 31, 2014 08:06:23
Rcpt # 0003483409

OMK/R2/1-15

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 August 22, 2013, approved the lot line adjustment herein described submitted under the name of Louis F Brichetto/Trinitas Crabtree LLC Lot Line Adjustment No. PLN2013-0066 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, DIRECTOR

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

January 29, 2014
Date

13mt

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

CIVIL CODE § 1189

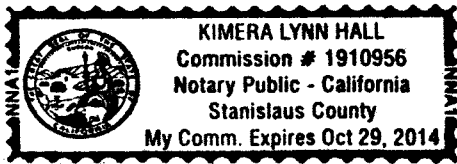
State of California

County of Stanislaus }

On 1/29/14 before me, Kimera Lynn Hall
Date Here Insert Name and Title of the Officer

personally appeared Carote Maben
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: Kimera Lynn Hall
Signature of Notary Public

Place Notary Seal Above

OPTIONAL

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

Description of Attached Document

Title or Type of Document: _____

Document Date: _____ Number of Pages: _____

Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: _____ Signer's Name: _____

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

Individual Individual

Partner — Limited General Partner — Limited General

Attorney in Fact Attorney in Fact

Trustee Trustee

Guardian or Conservator Guardian or Conservator

Other: _____ Other: _____

Signer Is Representing: _____ Signer Is Representing: _____

CONDITIONS FOR LOT LINE ADJUSTMENT NO. PLN2013-0066

LOUIS F BRICHETTO/TRINITAS CRABTREE LLC

PLANNING DEPARTMENT

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

To facilitate a lot line adjustment, pursuant to subdivision (d) of Section 66412, and notwithstanding any other provision of this chapter, the parties may mutually agree to rescind the contract or contracts and simultaneously enter into a new contract or contracts pursuant to this chapter, provided that the board or council finds all of the following:

(1) The new contract or contracts would enforceably restrict the adjusted boundaries of the parcel for an initial term for at least as long as the unexpired term of the rescinded contract or contracts, but for not less than 10 years.

(2) There is no net decrease in the amount of the acreage restricted. In cases where two parcels involved in a lot line adjustment are both subject to contracts rescinded pursuant to this section, this finding will be satisfied if the aggregate acreage of the land restricted by the new contracts is at least as great as the aggregate acreage restricted by the rescinded contracts.

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

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

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

CONDITIONS FOR LOT LINE ADJUSTMENT NO. PLN2013-0066

LOUIS F BRICHETTO/TRINITAS CRABTREE LLC

Page 2

(6) The lot line adjustment is not likely to result in the removal of adjacent land from agricultural use.

(7) The lot line adjustment does not result in a greater number of developable parcels than existed prior to the adjustment, or an adjusted lot that is inconsistent with the general plan.

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

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

.....

LOT LINE NO. PLN2013-0066

OWNERS:

NAME
(Print or type)

SIGNATURE
(All to be notarized)

DATE

SIGNED AT
(City)

Louis F. Brichetto

Louis F. Brichetto

9-27-2013

Modesto CA,

Robert Ryan Farrow

[Signature]

9/30/13

Modesto CA

Principal, Transit Center LLC

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 9-27-13 before me, Michelle Ellis
Date Here Insert Name and Title of the Officer

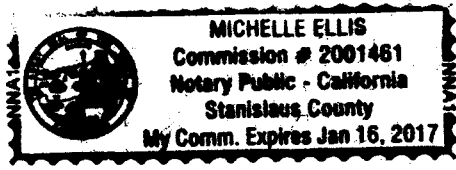
personally appeared Louis F. Brichetto
Name(s) of Signer(s)

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 Michelle Ellis
Signature of Notary Public



Place Notary Seal Above

OPTIONAL

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

Description of Attached Document

Title or Type of Document: Certificate of Lot Line Adjustment

Document Date: 9-27-13 Number of Pages: 9

Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: Louis F. Brichetto

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

RIGHT THUMBPRINT OF SIGNER

Signer Is Representing: _____

Signer's Name: _____

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

RIGHT THUMBPRINT OF SIGNER

Top of thumb here

Signer Is Representing: _____

GOVERNMENT CODE 27361.7

I certify under the penalty of perjury that the notary seal on the document to which this statement is attached reads as follows:


NAME OF NOTARY MICHELLE ELLIS

COMMISSION NO. 2001461

DATE COMMISSION EXPIRES Jan 16, 2017

PLACE OF EXECUTION Stanislaus County

January 29, 2014
(Date)



Crystal D. Rein
Stanislaus County Department of
Planning & Community Development

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

CIVIL CODE § 1189

State of California

County of SAN MATEO

On Oct. 2, 2013 before me, V. Levitt, NOTARY PUBLIC
Date Here Insert Name and Title of the Officer

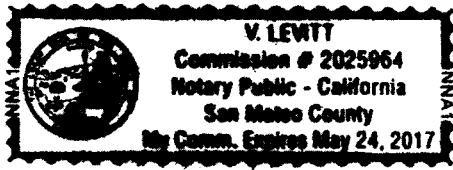
personally appeared ROBERT RYON PATON
Name(s) of Signer(s)

PRINCIPAL, FAIRITAS CRANSTON LLC

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.



Place Notary Seal Above

Signature: [Handwritten Signature]
Signature of Notary Public

OPTIONAL

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

Description of Attached Document

Title or Type of Document: CERTIFICATE OF LOT LINE ADJUSTMENT

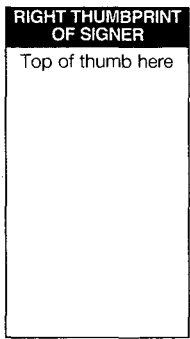
Document Date: AUGUST 22, 2013 Number of Pages: 9

Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: _____

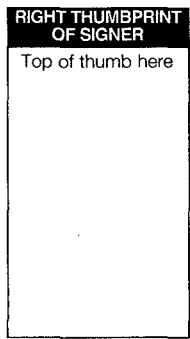
- Corporate Officer — Title(s): _____
- Individual
- Partner — Limited General
- Attorney in Fact
- Trustee
- Guardian or Conservator
- Other: _____



Signer Is Representing: _____

Signer's Name: _____

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




Signer Is Representing: _____

GOVERNMENT CODE 27361.7

I certify under the penalty of perjury that the notary seal on the document to which this statement is attached reads as follows:

NAME OF NOTARY V. LEVITT
COMMISSION NO. 2025964
DATE COMMISSION EXPIRES May 24, 2017
PLACE OF EXECUTION Stanislaus County

January 29, 2014
(Date)



Crystal D. Rein
Stanislaus County Department of
Planning & Community Development

Exhibit "A"

EXISTING BRICHETTO 1

LEGAL DESCRIPTION

The Southeast Quarter (SE 1/4) of Section 28, Township 2 South, Range 12 East, Mount Diablo Meridian.

Excepting from the Southeast Quarter (SE 1/4) of said Section 28, the following described property:

The Westerly 25 feet of the Southeast quarter of Section 28, Township 2 South, Range 12 East, Mount Diablo Base and Meridian, as conveyed to James Scanlon, et ux in deed recorded October 17, 1903 in Book 86 of Deeds at Page 139, Stanislaus County Records, described as follows:

Commencing at a point of intersection of the mid-section line running East and West with the mid-section line running North and South through said Section; and running thence Easterly, along the First mentioned line, 25 feet; thence at right angles Southerly and parallel with the last mentioned lined, 2640 feet, more or less, to the South line of said Section; thence at right angles Westerly, along the last mentioned line, 25 feet, to its intersection with said mid-section line running North and South through said Section; and thence Northerly, along the last mentioned line, 2640 feet more or less, to the point of commencement.



A handwritten signature in black ink, appearing to read "Keith W. Spencer", written over a horizontal line.

September 4, 2013

Exhibit "A"

EXISTING BRICHETTO 2

LEGAL DESCRIPTION

The Westerly 25 feet of the Southeast quarter of Section 28, Township 2 South, Range 12 East, Mount Diablo Base and Meridian, as conveyed to James Scanlon, et ux in deed recorded October 17, 1903 in Book 86 of Deeds at Page 139, Stanislaus County Records, described as follows:

Commencing at a point of intersection of the mid-section line running East and West with the mid-section line running North and South through said Section; and running thence Easterly, along the First mentioned line, 25 feet; thence at right angles Southerly and parallel with the last mentioned lined, 2640 feet, more or less, to the South line of said Section; thence at right angles Westerly, along the last mentioned line, 25 feet, to its intersection with said mid-section line running North and South through said Section; and thence Northerly, along the last mentioned line, 2640 feet more or less, to the point of commencement.



September 4, 2013

A handwritten signature in black ink, appearing to read "Keith W. Spencer", written over a horizontal line.

Exhibit "A"

EXISTING TRINITAS

LEGAL DESCRIPTION

The south half of the northeast quarter of Section 28, Township 2 South, Range 12 East,
Mount Diablo Meridian.



September 4, 2013

A handwritten signature in black ink, appearing to read "Keith W. Spencer", written over a horizontal line.

Exhibit "B"

RESULTANT BRICHETTO LEGAL DESCRIPTION

The Southeast Quarter (SE 1/4) of Section 28, Township 2 South, Range 12 East, Mount Diablo Meridian.

TOGETHER WITH:

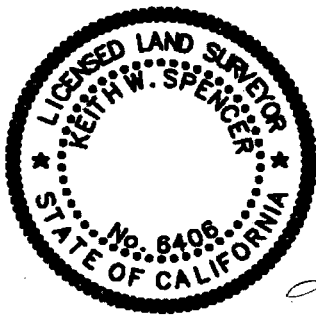
All that portion of the south half of the northeast quarter of Section 28, Township 2 South, Range 12 East, Mount Diablo Meridian north of the north line of 40-foot wide Warnerville Road.

EXCEPTING THEREFROM:

All that portion of the north half of the southeast quarter of Section 28, Township 2 South, Range 12 East, Mount Diablo Meridian south of the south right-of-way line of 40-foot wide Warnerville Road.

TOGETHER WITH:

The underlying fee title to the centerline of Warnerville Road.



September 4, 2013

A handwritten signature in black ink, appearing to read "Keith W. Spencer", written over the bottom right portion of the seal.

Exhibit "B"

RESULTANT TRINITAS

LEGAL DESCRIPTION

The south half of the northeast quarter of Section 28, Township 2 South, Range 12 East, Mount Diablo Meridian.

TOGETHER WITH:

All that portion of the north half of the southeast quarter of Section 28, Township 2 South, Range 12 East, Mount Diablo Meridian south of the south right-of-way line of 40-foot wide Warnerville Road.

EXCEPTING THEREFROM:

All that portion of the south half of the northeast quarter of Section 28, Township 2 South, Range 12 East, Mount Diablo Meridian north of the north line of 40-foot wide Warnerville Road.

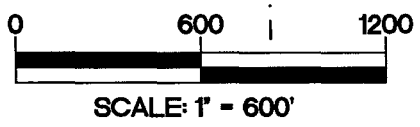
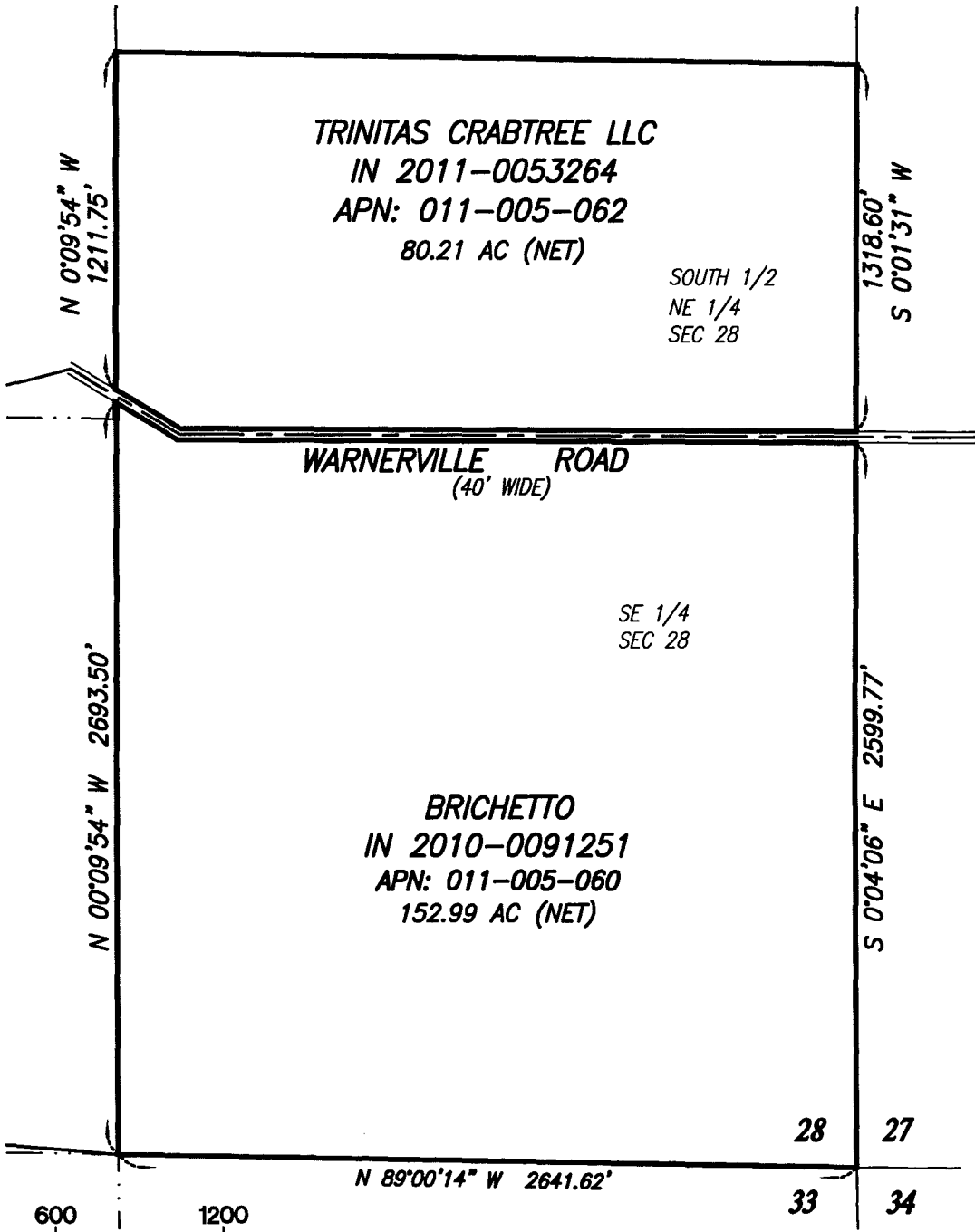
TOGETHER WITH:

The underlying fee title to the centerline of Warnerville Road.



September 4, 2013

A handwritten signature in black ink, appearing to read "Keith W. Spencer", written over a horizontal line.



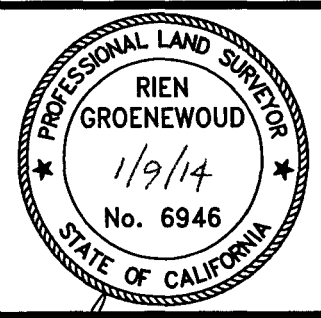
K:\J12-1075 Brichetto Record of Survey\Draw\LLA - section 28\LLA - sec 28-Williamson Act.dwg

North Star
Engineering Group, Inc.

• CIVIL ENGINEERING • SURVEYING • PLANNING •

620 12th Street Modesto, CA 95354
 (209) 524-3525 Phone (209) 524-3526 Fax

JOB NO:	12-1075 & 12-836
SCALE:	AS SHOWN
DR BY:	RG
CK BY:	RG
FILE:	
DATE:	2/28/2013 11:02 AM



SIGNATURE: *Rien Groenewoud*

RECORDING REQUESTED BY
STANISLAUS COUNTY BOARD OF
SUPERVISORS

WHEN RECORDED RETURN TO
STANISLAUS COUNTY DEPARTMENT OF
PLANNING & COMMUNITY DEVELOPMENT
1010 10TH STREET, SUITE 3400
MODESTO, CA 95354

**NOTICE OF RESCISSION AND
SIMULTANEOUS RE-ENTRY INTO
CALIFORNIA LAND CONSERVATION
CONTRACT NO. 2014-13**

THIS SPACE FOR RECORDER ONLY



Stanislaus, County Recorder
Lee Lundrigan Co Recorder Office
DOC- 2014-0006346-00

Acct 121-Planning.

Friday, JAN 31, 2014 08:06:29

Rcpt # 0003483410

OMK/R2/2-9

THIS NOTICE OF RESCISSION AND CALIFORNIA LAND CONSERVATION CONTRACT is made and entered into January 7, 2014, 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: Keith Spencer, LS 6406, NorthStar Engineering Group
620 12th Street
Modesto, CA 95354 (209) 524-3525

(16) Owner desires to place the following parcels of real property under Contract:

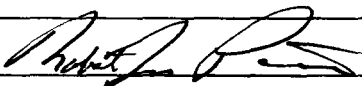
ASSESSORS PARCEL NUMBER	ACREAGE	SITUS ADDRESS (If none, please provide Legal Description)
011-005-062	80.22	Warnerville Road

Pursuant to Stanislaus County Board of Supervisors Resolution No. 2014-11, relating to Lot Line Adjustment No. PLN2013-0066 as authorized by Govt. Code § 51257, California Land Conservation Contract Nos. 71-157 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.

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)
Trinitas Crabtree LLC		9/30/13	Merced Park
	↳ Partner, Trinitas Crabtree LLC		

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

1-30-2014
Dated


Chairman, Board of Supervisors
Angela Freitas for Jim DeMartini

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

CIVIL CODE § 1189

State of California

County of SAN MATEO

On Oct. 2, 2013 before me, V. Levitt, NOTARY PUBLIC
Date Here Insert Name and Title of the Officer

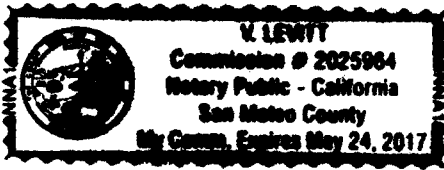
personally appeared ROBERT RYAN PATON
Name(s) of Signer(s)

Principal, Tamara Crabtree LLC

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: [Signature]
Signature of Notary Public

Place Notary Seal Above

OPTIONAL

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

Description of Attached Document

Title or Type of Document: NOTICE OF RESCISSION AND SIMULTANEOUS RE-ENTRY INTO CALIFORNIA LAND CONSERVATION
Document Date: 9/30/13 Number of Pages: 4

Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: _____ Signer's Name: _____

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

RIGHT THUMBPRINT OF SIGNER

Top of thumb here

RIGHT THUMBPRINT OF SIGNER

Top of thumb here

Signer Is Representing: _____


Signer Is Representing: _____

GOVERNMENT CODE 27361.7

I certify under the penalty of perjury that the notary seal on the document to which this statement is attached reads as follows:

NAME OF NOTARY V. LEVITT
COMMISSION NO. 2025964
DATE COMMISSION EXPIRES May 24, 2017
PLACE OF EXECUTION Stanislaus County

January 29, 2014
(Date)



Crystal D. Rein
Stanislaus County Department of
Planning & Community Development

Exhibit "A"

EXISTING TRINITAS

LEGAL DESCRIPTION

The south half of the northeast quarter of Section 28, Township 2 South, Range 12 East,
Mount Diablo Meridian.



September 4, 2013

A handwritten signature in black ink, appearing to read "Keith W. Spencer", written over a horizontal line.

Exhibit "B"

RESULTANT TRINITAS

LEGAL DESCRIPTION

The south half of the northeast quarter of Section 28, Township 2 South, Range 12 East, Mount Diablo Meridian.

TOGETHER WITH:

All that portion of the north half of the southeast quarter of Section 28, Township 2 South, Range 12 East, Mount Diablo Meridian south of the south right-of-way line of 40-foot wide Warnerville Road.

EXCEPTING THEREFROM:

All that portion of the south half of the northeast quarter of Section 28, Township 2 South, Range 12 East, Mount Diablo Meridian north of the north line of 40-foot wide Warnerville Road.

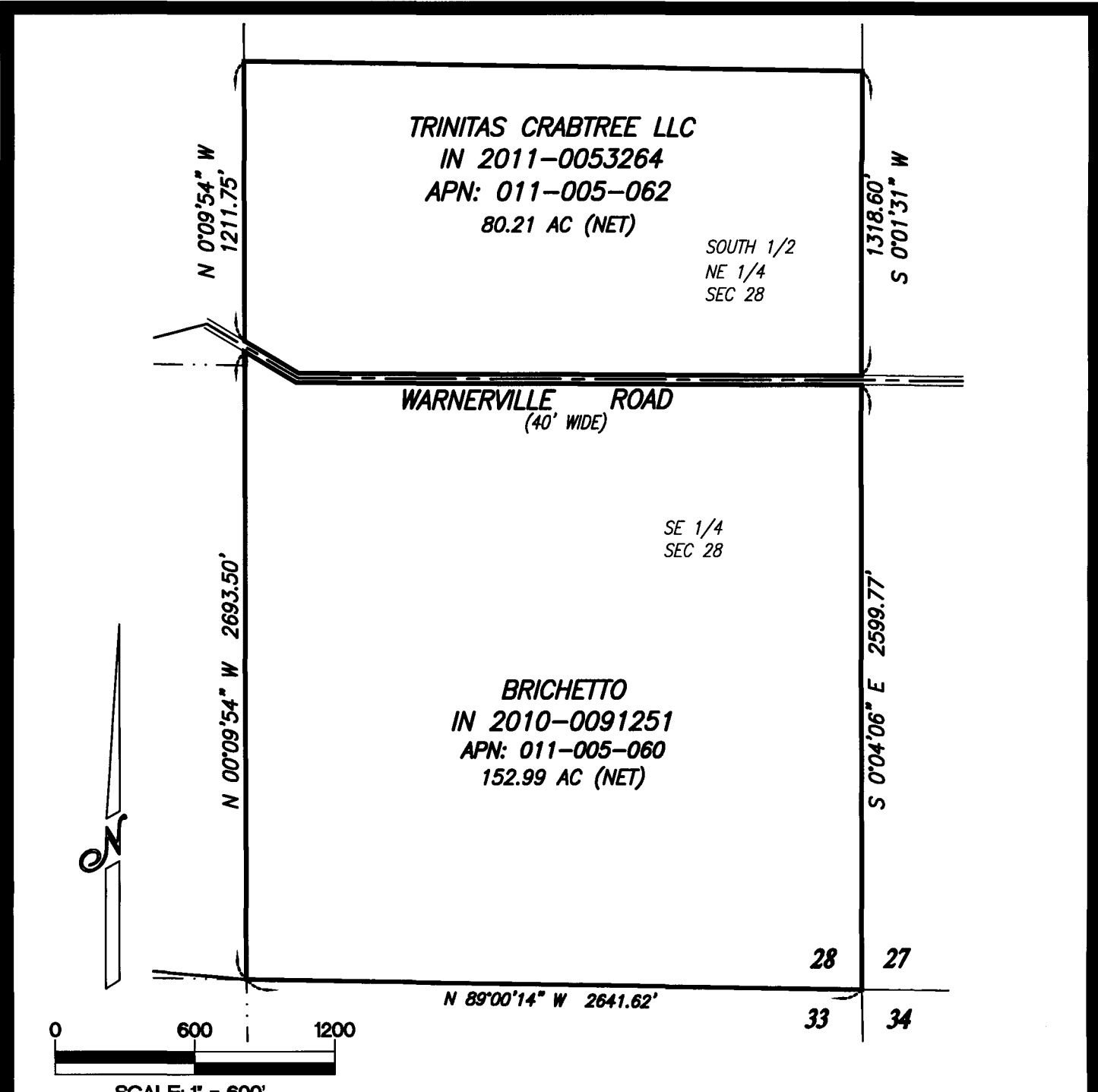
TOGETHER WITH:

The underlying fee title to the centerline of Warnerville Road.



A handwritten signature in black ink, appearing to read "Keith W. Spencer", written over a horizontal line.

September 4, 2013



K:\J12-1075 Brichetto Record of Survey\dwg\LLA - section 28\LLA - sec 28-Williamson Act.dwg

North Star
Engineering Group, Inc.

• CIVIL ENGINEERING • SURVEYING • PLANNING •
 620 12th Street Modesto, CA 95354
 (209) 524-3525 Phone (209) 524-3526 Fax

JOB NO: 12-1075 & 12-836
 SCALE: AS SHOWN
 DR BY: RG
 CK BY: RG
 FILE:
 DATE: 01/30/2014



SIGNATURE: *Rien Groenewoud*

EXHIBIT C

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

DEPT: Planning and Community Development Af

BOARD AGENDA # *D-1

Urgent Routine

AGENDA DATE January 7, 2014

CEO Concurs with Recommendation YES NO
(Information Attached)

4/5 Vote Required YES NO

SUBJECT:

Approval to Rescind a Portion of Williamson Act Contracts No. 72-0879 and 71-0157, Located on Warnerville Road, East of Tim Bell Road, in the Oakdale Area, Approval of New Contracts Pursuant to Minor Lot Line Adjustment PLN2013-0066, Louis F. Brichetto/Trinitas Crabtree, LLC, and Authorization for the Director of Planning and Community Development to Execute New Contracts

STAFF RECOMMENDATIONS:

1. Approve and establish the following findings:
 - a. The new contract would enforceable 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 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. 2014-11

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

and approved by the following vote,

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

Noes: Supervisors: None

Excused or Absent: Supervisors: None

Abstaining: Supervisor: None

1) X Approved as recommended

2) _____ Denied

3) _____ Approved as amended

4) _____ Other:

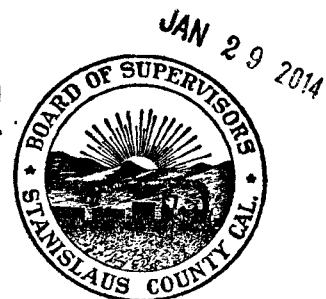
MOTION:

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

CHRISTINE FERRARO TALLMAN

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

By Patricia Gonzalez



File No.

ATTEST: CHRISTINE FERRARO TALLMAN, Clerk

Approval to Rescind a Portion of Williamson Act Contracts No. 72-0879 and 71-0157, Located on Warnerville Road, East of Tim Bell Road, in the Oakdale Area, Approval of New Contracts Pursuant to Minor Lot Line Adjustment PLN2013-0066, Louis F. Bricchetto/Trinitas Crabtree, LLC, and Authorization for the Director of Planning and Community Development to Execute New Contracts
Page 2

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 a portion of Williamson Act Contracts No. 72-0879 and 71-0157, located on Warnerville Road, east of the Tim Bell Road, in the Oakdale area.
 3. Approve a new contract pursuant to Minor Lot Line Adjustment PLN2013-0066 – Louis F. Bricchetto/Trinitas Crabtree, LLC.
 4. Authorize the Director of Planning and Community Development to execute a new contract pursuant to Minor Lot Line Adjustment PLN2013-0066.

RECORDING REQUESTED BY
STANISLAUS COUNTY BOARD OF
SUPERVISORS

WHEN RECORDED RETURN TO
STANISLAUS COUNTY DEPARTMENT OF
PLANNING & COMMUNITY DEVELOPMENT
1010 10TH STREET, SUITE 3400
MODESTO, CA 95354

**NOTICE OF RESCISSION AND
SIMULTANEOUS RE-ENTRY INTO
CALIFORNIA LAND CONSERVATION
CONTRACT NO. 2014-14**

THIS SPACE FOR RECORDER ONLY



Stanislaus, County Recorder
Lee Lundrigan Co Recorder Office
DOC- 2014-0006347-00

Acct 121-Planning.
Friday, JAN 31, 2014 08:06:34
Rcpt # 0003483411

OMK/R2/2-9

THIS NOTICE OF RESCISSION AND CALIFORNIA LAND CONSERVATION CONTRACT is made and entered into January 7, 2014, 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: Keith Spencer, LS 6406, NorthStar Engineering Group
620 12th Street
Modesto, CA 95354 (209) 524-3525

(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)
011-005-060	151.34	Warnerville Road

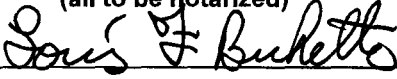
Pursuant to Stanislaus County Board of Supervisors Resolution No. 2014-11, relating to Lot Line Adjustment No. PLN2013-0066 as authorized by Govt. Code § 51257, California Land Conservation Contract Nos. 72-879 which encumbered the parcel described in Exhibit A are rescinded and this contract which encumbers the newly configured parcel described in Exhibit B is entered into.

OMK

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)
Louis F. Bricchetto		9-27-2013	Modesto CA

SECURITY HOLDERS:


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

EXHIBITS:

- (A) Legal description of Parcel covered under old contract
- (B) Legal description of newly configured Parcel covered under new contract
- (C) Board of Supervisors Action Item approving referenced rescission and new contract

COUNTY: Stanislaus County

1-30-2014
Dated


Chairman, Board of Supervisors
Angela Freitas for Jim DeMartini

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California

County of Stanislaus

On 9-27-13 before me, Michelle Ellis
Date Here Insert Name and Title of the Officer

personally appeared Louis F. Bricchetto
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 Michelle Ellis
Signature of Notary Public



Place Notary Seal Above

OPTIONAL

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

Description of Attached Document

Title or Type of Document: Notice of Rescission & Simultaneous Re-entry into CA Land Conservation

Document Date: 9-27-13 Number of Pages: 5

Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: Louis F. Bricchetto

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

RIGHT THUMBPRINT OF SIGNER

Signer Is Representing: _____

Signer's Name: _____

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

RIGHT THUMBPRINT OF SIGNER

Top of thumb here

Signer Is Representing: _____

Exhibit "A"

EXISTING BRICHETTO 1

LEGAL DESCRIPTION

The Southeast Quarter (SE 1/4) of Section 28, Township 2 South, Range 12 East, Mount Diablo Meridian.

Excepting from the Southeast Quarter (SE 1/4) of said Section 28, the following described property:

The Westerly 25 feet of the Southeast quarter of Section 28, Township 2 South, Range 12 East, Mount Diablo Base and Meridian, as conveyed to James Scanlon, et ux in deed recorded October 17, 1903 in Book 86 of Deeds at Page 139, Stanislaus County Records, described as follows:

Commencing at a point of intersection of the mid-section line running East and West with the mid-section line running North and South through said Section; and running thence Easterly, along the First mentioned line, 25 feet; thence at right angles Southerly and parallel with the last mentioned lined, 2640 feet, more or less, to the South line of said Section; thence at right angles Westerly, along the last mentioned line, 25 feet, to its intersection with said mid-section line running North and South through said Section; and thence Northerly, along the last mentioned line, 2640 feet more or less, to the point of commencement.



A handwritten signature in black ink, appearing to read "Keith W. Spencer", written over a light blue horizontal line.

September 4, 2013

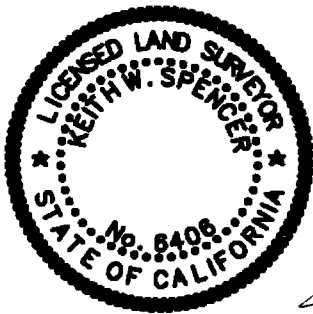
Exhibit "A"

EXISTING BRICHETTO 2

LEGAL DESCRIPTION

The Westerly 25 feet of the Southeast quarter of Section 28, Township 2 South, Range 12 East, Mount Diablo Base and Meridian, as conveyed to James Scanlon, et ux in deed recorded October 17, 1903 in Book 86 of Deeds at Page 139, Stanislaus County Records, described as follows:

Commencing at a point of intersection of the mid-section line running East and West with the mid-section line running North and South through said Section; and running thence Easterly, along the First mentioned line, 25 feet; thence at right angles Southerly and parallel with the last mentioned lined, 2640 feet, more or less, to the South line of said Section; thence at right angles Westerly, along the last mentioned line, 25 feet, to its intersection with said mid-section line running North and South through said Section; and thence Northerly, along the last mentioned line, 2640 feet more or less, to the point of commencement.



September 4, 2013

A handwritten signature in black ink, appearing to read "Keith W. Spencer", written over a horizontal line.

Exhibit "B"

RESULTANT BRICHETTO LEGAL DESCRIPTION

The Southeast Quarter (SE 1/4) of Section 28, Township 2 South, Range 12 East, Mount Diablo Meridian.

TOGETHER WITH:

All that portion of the south half of the northeast quarter of Section 28, Township 2 South, Range 12 East, Mount Diablo Meridian north of the north line of 40-foot wide Warnerville Road.

EXCEPTING THEREFROM:

All that portion of the north half of the southeast quarter of Section 28, Township 2 South, Range 12 East, Mount Diablo Meridian south of the south right-of-way line of 40-foot wide Warnerville Road.

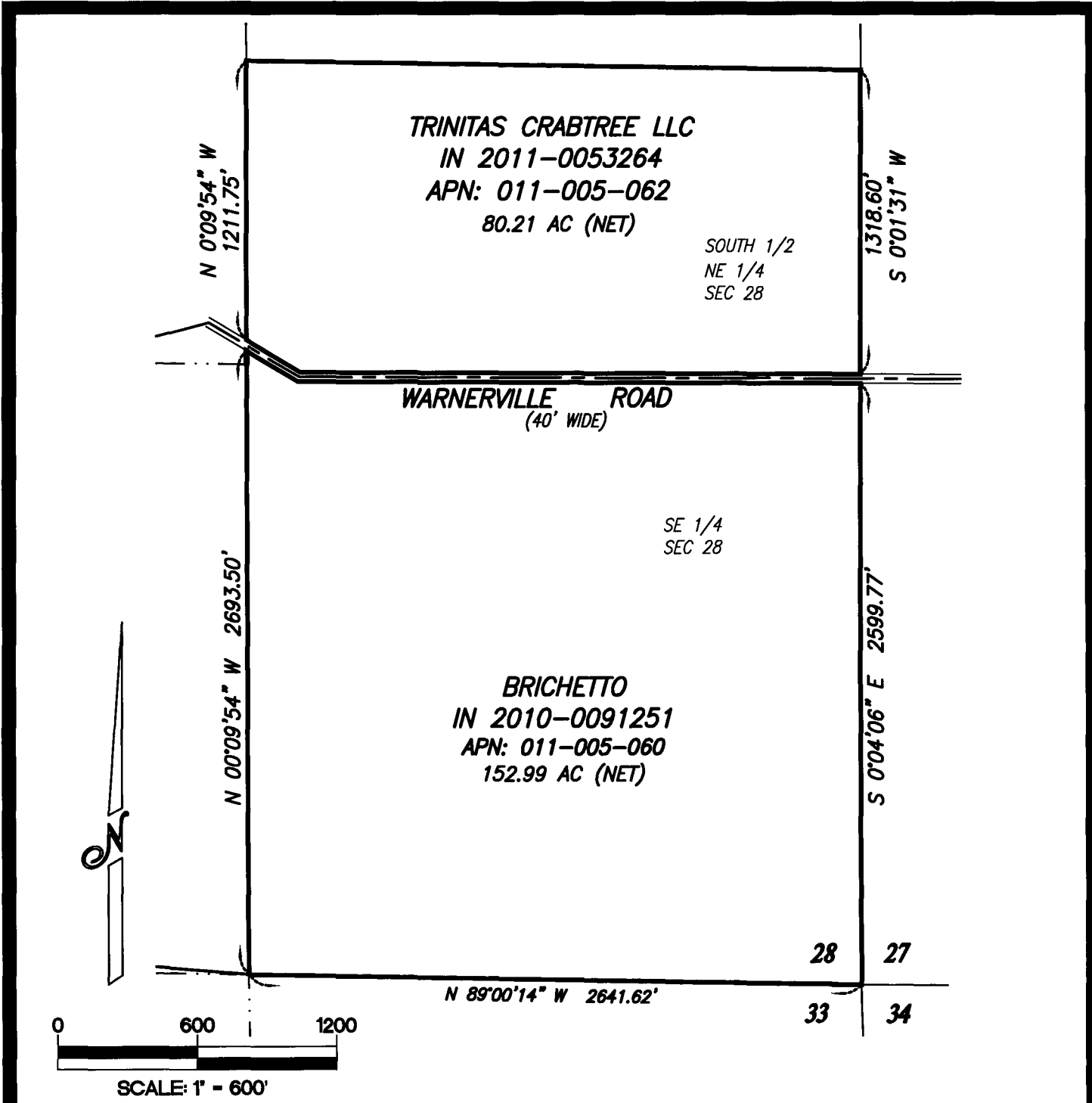
TOGETHER WITH:

The underlying fee title to the centerline of Warnerville Road.



September 4, 2013

A handwritten signature in black ink, appearing to read "Keith W. Spencer", written over the bottom right portion of the seal.



K:\J12-1075 Brichetto Record of Survey\Dwg\LLA - section 28\LLA - sec 28-Williamson Act.dwg

North Star
Engineering Group, Inc.

• CIVIL ENGINEERING • SURVEYING • PLANNING •
 620 12th Street Modesto, CA 95354
 (209) 524-3525 Phone (209) 524-3526 Fax

JOB NO: 12-1075 & 12-836
 SCALE: AS SHOWN
 DR BY: RG
 CK BY: RG
 FILE:
 DATE: 2/28/2013 11:02 AM



SIGNATURE: *Rien Groenewoud*

EXHIBIT C

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

DEPT: Planning and Community Development Af

BOARD AGENDA # *D-1

Urgent Routine

AGENDA DATE January 7, 2014

CEO Concurs with Recommendation YES NO
(Information Attached)

4/5 Vote Required YES NO

SUBJECT:

Approval to Rescind a Portion of Williamson Act Contracts No. 72-0879 and 71-0157, Located on Warnerville Road, East of Tim Bell Road, in the Oakdale Area, Approval of New Contracts Pursuant to Minor Lot Line Adjustment PLN2013-0066, Louis F. Brichetto/Trinitas Crabtree, LLC, and Authorization for the Director of Planning and Community Development to Execute New Contracts

STAFF RECOMMENDATIONS:

1. Approve and establish the following findings:
 - a. The new contract would enforceable 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 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. 2014-11

On motion of Supervisor Chiesa, Seconded by Supervisor O'Brien
 and approved by the following vote,
 Ayes: Supervisors: O'Brien, Chiesa, Withrow, Monteith, and Chairman De Martini
 Noes: Supervisors: None
 Excused or Absent: Supervisors: None
 Abstaining: Supervisor: None

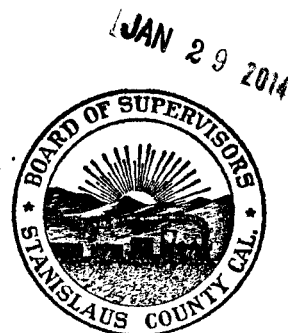
- 1) X Approved as recommended
- 2) _____ Denied
- 3) _____ Approved as amended
- 4) _____ Other:

MOTION:

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

CHRISTINE FERRARO TALLMAN
Clerk of the Board of Supervisors of the County of Stanislaus, State of California

By Patricia Gonzalez



ATTEST:

CHRISTINE FERRARO TALLMAN, Clerk

File No.

Approval to Rescind a Portion of Williamson Act Contracts No. 72-0879 and 71-0157, Located on Warnerville Road, East of Tim Bell Road, in the Oakdale Area, Approval of New Contracts Pursuant to Minor Lot Line Adjustment PLN2013-0066, Louis F. Brichetto/Trinitas Crabtree, LLC, and Authorization for the Director of Planning and Community Development to Execute New Contracts

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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 a portion of Williamson Act Contracts No. 72-0879 and 71-0157, located on Warnerville Road, east of the Tim Bell Road, in the Oakdale area.
 3. Approve a new contract pursuant to Minor Lot Line Adjustment PLN2013-0066 – Louis F. Brichetto/Trinitas Crabtree, LLC.
 4. Authorize the Director of Planning and Community Development to execute a new contract pursuant to Minor Lot Line Adjustment PLN2013-0066.