

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

DEPT: Planning and Community Development *AK*

BOARD AGENDA # \*D-1

Urgent

Routine

AGENDA DATE April 29, 2014

CEO Concurs with Recommendation YES  NO   
(Information Attached)

4/5 Vote Required YES  NO

SUBJECT:

Approval to a Rescind a Portion of Williamson Act Contract No. 1971-71 and All of Williamson Act Contract No. 1994-4258, Located on Hawkins Road, South of Hidden Hill Court and East of Hidden Hills Road, in the Hickman Area, Approval of a New Contract Pursuant to Minor Lot Line Adjustment PLN2014-0001, Hawkins Trust, and Authorization for the Director of Planning and Community Development to Execute a New Contract

STAFF RECOMMENDATIONS:

1. Pursuant to Government Code Section 51257, determine that the following seven findings can be made based on the written evidence submitted by the applicant:
  - 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restrict the adjusted boundaries of the parcel for an initial term for at least as long as the unexpired term of the rescinded contract or contracts, but for not less than 10 years except as authorized under the County Implementation of AB 1265.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. 2014-198

On motion of Supervisor Chiesa, Seconded by Supervisor Monteith

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 a Rescind a Portion of Williamson Act Contract No. 1971-71 and All of Williamson Act Contract No. 1994-4258, Located on Hawkins Road, South of Hidden Hill Court and East of Hidden Hills Road, in the Hickman Area, Approval of a New Contract Pursuant to Minor Lot Line Adjustment PLN2014-0001, Hawkins Trust, and Authorization for the Director of Planning and Community Development to Execute a New Contract

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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 Contract No. 1971-71 and all of Williamson Act Contract No. 1994-4258, Located at 2519 Hawkins Road, south of Hidden Hill Court and east of Hidden Hills Road, in the Hickman area.
  3. Approve a new contract pursuant to Minor Lot Line Adjustment PLN2014-0001, Hawkins Trust.
  4. Authorize the Director of Planning and Community Development to execute a new contract pursuant to Minor Lot Line Adjustment PLN2014-0001.

**DISCUSSION:**

Lot Line Adjustment PLN2014-0001 was approved by staff pending the Board's action required by the Williamson Act. The properties are located on 2519 Hawkins Road, south of Hidden Hill Court and east of Hidden Hills Road, in the Hickman area, in the unincorporated area of Stanislaus County.

Approval to a Rescind a Portion of Williamson Act Contract No. 1971-71 and All of Williamson Act Contract No. 1994-4258, Located on Hawkins Road, South of Hidden Hill Court and East of Hidden Hills Road, in the Hickman Area, Approval of a New Contract Pursuant to Minor Lot Line Adjustment PLN2014-0001, Hawkins Trust, and Authorization for the Director of Planning and Community Development to Execute a New Contract

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The lot line adjustment is requesting three parcels go from 321.75, 51.02, and 10.95 acres (383.72 acres total) to three parcels of 128.79, 127.46 and 127.47 acres (383.72 acres total). The reason for the lot line adjustment request is to allow the estate to be divided among the three surviving heirs which will allow them to pursue independent farming operations. The parcels are under the ownership of Fred R. Hawkins Survivors Trust and Ronald W. and Rexann T. Hawkins Trust. The existing 10.95 acre parcel contains a single-family dwelling, three grain bins, three barns, and two sheds, and the existing 321.75 acre parcel contains a barn and windmill. The existing 51.02 acre parcel is unimproved and all parcels are planted in unirrigated range grasses.

Two of the three parcels (321.75 and 51.02 acres) are currently enrolled in a portion of Williamson Act Contract No. 1971-71 and all of Williamson Act Contract No. 1994-4258. The existing 10.95 acre parcel is currently not enrolled in a Williamson Act contract, however, after the lot line adjustment, the additional acreage will be enrolled in a Williamson Act contract. 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.
- (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.

Approval to a Rescind a Portion of Williamson Act Contract No. 1971-71 and All of Williamson Act Contract No. 1994-4258, Located on Hawkins Road, South of Hidden Hill Court and East of Hidden Hills Road, in the Hickman Area, Approval of a New Contract Pursuant to Minor Lot Line Adjustment PLN2014-0001, Hawkins Trust, and Authorization for the Director of Planning and Community Development to Execute a New Contract

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*(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 will not compromise the continued agricultural use of the parcels.

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 a portion of Williamson Act Contract No. 1971-71 and all of Williamson Act Contract No. 1994-4258. The new contract will cover the entire 383.72 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.

#### **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

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

**ATTACHMENTS:**

1. Lot Line Adjustment Application No. PLN2014-0001
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\2014\pln2014-0001 - hawkins trust\lla pln2014-0001-report.doc)



DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT

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

S	9916	T	H	R	102
ZONE	H-2-40				
RECEIVED	1-28-2014				
APPLICATION NO.	PLAN 2014-0001				
RECEIPT NO.					

LOT LINE ADJUSTMENT APPLICATION

1. Property Owner(s):

**Parcel 1**

Fred R. Hawkins Survivors Trust

---

Name  
(see attached Trustee information)

---

Address, City, Zip

---

Phone

---

Fax Number

**Parcel 2**

Fred R. Hawkins Survivors Trust

---

Name  
(see attached Trustee information)

---

Address, City, Zip

---

Phone

---

Fax Number

**Parcel 3**

Fred R. Hawkins Survivors Trust and  
the Ronald W. and Rexann T. Hawkins Trust

---

Name  
(see attached Trustee information)

---

Address, City, Zip

---

Phone

---

Fax Number

**Parcel 4**

---

Name

---

Address, City, Zip

---

Phone

---

Fax Number

2. Name and address of person(s) preparing map: Hawkins and Associates Engineering, inc. 436 Mitchell Road  
Modesto, Ca 95354 (209) 575-4295

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

Parcel 1: Book 020 Page 015 No. 017 Parcel 2: Book 020 Page 003 No. 024  
 Parcel 3: Book 020 Page 003 No. 013 Parcel 4: Book \_\_\_\_\_ Page \_\_\_\_\_ No. \_\_\_\_\_

4. Size of all adjusted parcels:

	<u>Before</u>	<u>After</u>
Parcel 1:	<u>321.75 ac</u>	<u>128.79</u>
Parcel 2:	<u>51.02 ac</u>	<u>127.46</u>
Parcel 3:	<u>10.95 ac</u>	<u>127.47</u>
Parcel 4:	<u>                    </u>	<u>                    </u>

5. Why are the lot lines being changed? BE SPECIFIC The reason for the Lot Line Adjustment is to allow the  
Estate to be divided among the three surviving heirs to allow them to pursue independent farming operations

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

- Residential
    - Single Family
    - Duplex
    - Multiple
  - Commercial
  - Industrial
  - Other (Specify) \_\_\_\_\_
- Agriculture
    - Row Crop -- type \_\_\_\_\_
    - Trees -- type \_\_\_\_\_
    - Vines -- type \_\_\_\_\_
    - Range (unirrigated) \_\_\_\_\_
    - Pasture (irrigated) \_\_\_\_\_
    - Poultry \_\_\_\_\_
    - Dairy \_\_\_\_\_
    - Other (Specify) \_\_\_\_\_

7. List all structures on properties: 1 house, 4 barns, 2 sheds, 10 grain bins, 1 cell tower

8. How have these parcels been utilized in the past, if different than current use? The ranch was used for dry land farming (barley and wheat) until the early 70's when it was planted in range grasses.

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

Parcel 1: 2002 Parcel 2: 2002  
 Parcel 3: 2002 & 2011 Parcel 4: \_\_\_\_\_

10. What are the Williamson Act Contract numbers?

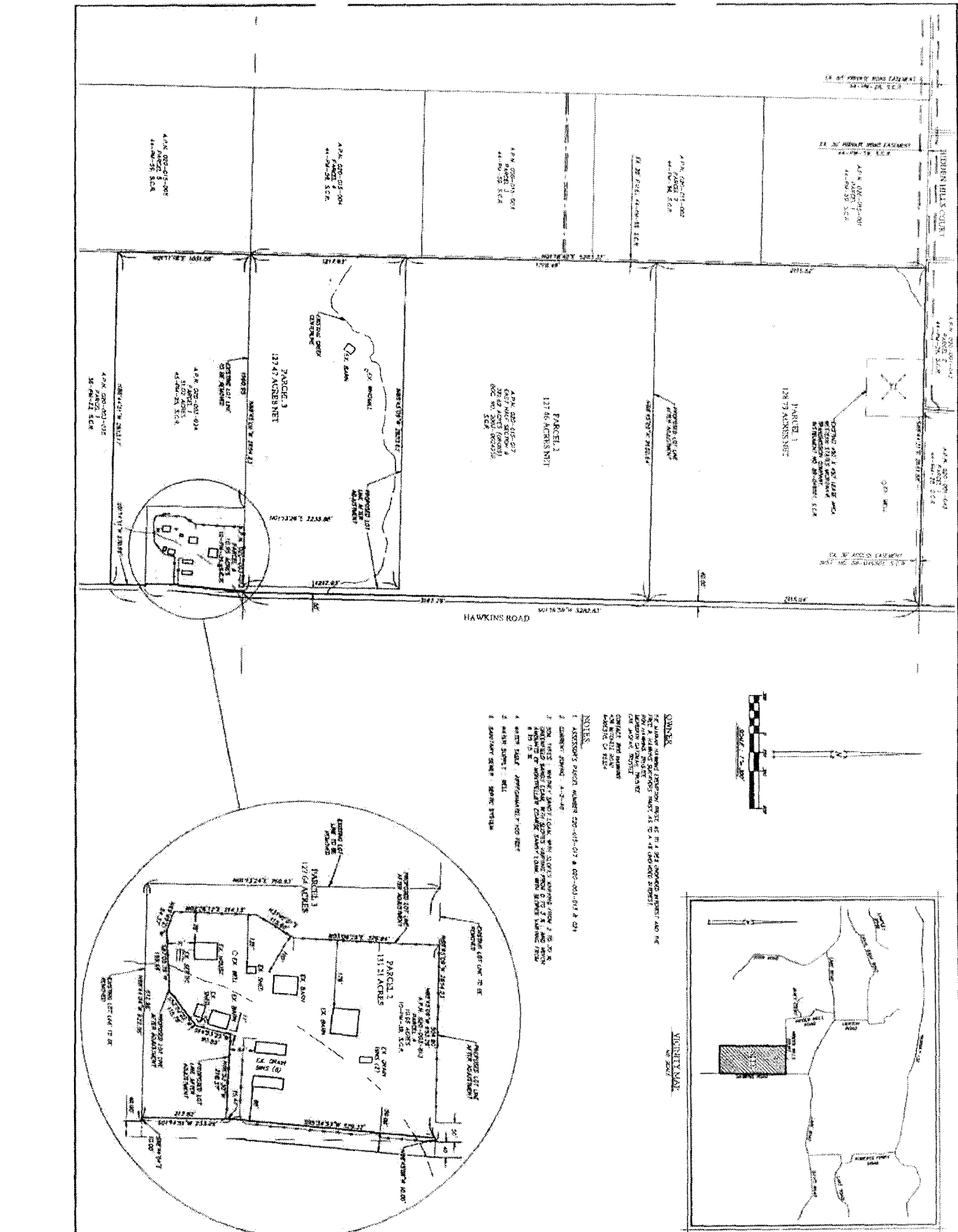
Parcel 1: 71-0071 Parcel 2: 94-4258  
 Parcel 3: not included Parcel 4: \_\_\_\_\_

11. Do the parcels irrigate?  Yes  No If yes, how? \_\_\_\_\_

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

13. Signature of property owner(s)

<u>Meredith J. Gutzman</u> Owner's Signature	<u>Meredith J. Gutzman</u> Owner's Name Printed
<u>Rebecca T. Harwood</u> Owner's Signature	<u>Rebecca T. Harwood</u> Owner's Name Printed
<u>Bevann T. Harwood</u> Owner's Signature	<u>BEVANN T HARWOOD</u> Owner's Name Printed
<u>Gail M. Jasper</u> Owner's Signature	<u>GAIL M JASPAR</u> Owner's Name Printed



A.P.N. 020-015-020  
44,897.58 S.F.  
11.8285 ACRES

A.P.N. 020-015-021  
44,719.28 S.F.  
11.8136 ACRES

A.P.N. 020-015-022  
44,897.58 S.F.  
11.8285 ACRES

A.P.N. 020-015-023  
44,897.58 S.F.  
11.8285 ACRES

A.P.N. 020-015-024  
44,897.58 S.F.  
11.8285 ACRES

A.P.N. 020-015-025  
44,897.58 S.F.  
11.8285 ACRES

PARCEL 2  
127.47 ACRES NET

EXISTING LOT LINE  
EXISTING LOT LINE  
EXISTING LOT LINE

PROPOSED LOT LINE AND AREA ADJUSTMENT

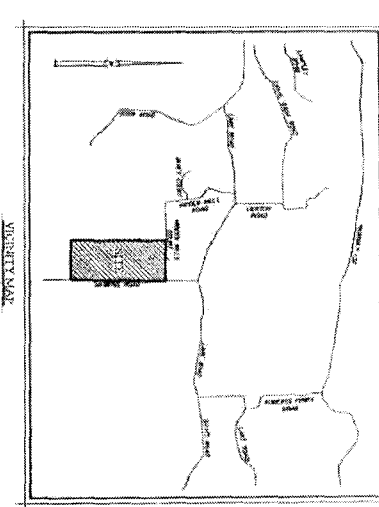
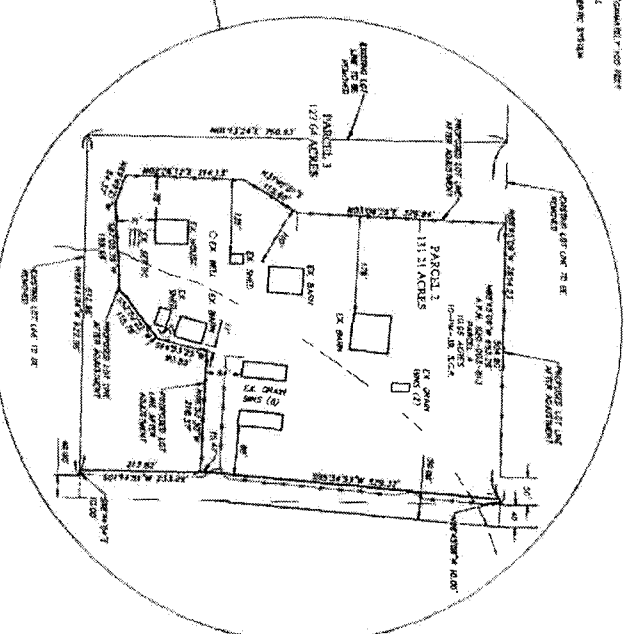
PROPOSED 127.47 ACRES NET

PROPOSED LOT LINE  
PROPOSED LOT LINE  
PROPOSED LOT LINE

PARCEL 1  
128.79 ACRES NET

PROPOSED LOT LINE

HAWKINS ROAD



- SUMMARY**
1. ASSessor's Parcel Number 020-015-017 & 020-001-012 & 021
  2. LOT LINE ADJUSTMENT - A-2-A-10
  3. CONVEYANCE - PARCELS 1 & 2 TO NEW YORK COMPANY, INC. (D/B/S NEW YORK COMPANY), AN ENTITY FORMED UNDER THE LAWS OF THE STATE OF CALIFORNIA, FOR THE PURPOSE OF DEVELOPING AND MANAGING A COMMERCIAL DEVELOPMENT PROJECT.
  4. ALL CITY TAXES: APPROXIMATELY \$100 PER YEAR
  5. ALL CITY FEES: \$100 PER YEAR
- NOTES**
1. ASSessor's Parcel Number 020-015-017 & 020-001-012 & 021
  2. LOT LINE ADJUSTMENT - A-2-A-10
  3. CONVEYANCE - PARCELS 1 & 2 TO NEW YORK COMPANY, INC. (D/B/S NEW YORK COMPANY), AN ENTITY FORMED UNDER THE LAWS OF THE STATE OF CALIFORNIA, FOR THE PURPOSE OF DEVELOPING AND MANAGING A COMMERCIAL DEVELOPMENT PROJECT.
  4. ALL CITY TAXES: APPROXIMATELY \$100 PER YEAR
  5. ALL CITY FEES: \$100 PER YEAR

DATE: 11/20/23  
SHEET: C1  
OF: 1

**LOT LINE ADJUSTMENT NO. 13-XX**  
A.P.N. 020-015-017, 020-003-013 & 024

**1601 HAWKINS ROAD**  
STARNBOUS COUNTY, CALIFORNIA



**HAWKINS & ASSOCIATES  
ENGINEERING, INC.**  
436 MITCHELL ROAD  
MORRISTOWN, CA 95354  
PH: (209) 575-4295  
FX: (209) 578-4295

PROJECT NO.	13-XX
SHEET NO.	C1
DATE	11/20/23
SCALE	AS SHOWN
APPROVED BY	[Signature]
CHECKED BY	[Signature]
DESIGNED BY	[Signature]





DEPARTMENT OF PLANNING & COMMUNITY DEVELOPMENT

1010 10<sup>th</sup> Street, Suite 3400, Modesto, CA 95354  
Phone: 209.525-6330 Fax: 209.525.5911

January 16, 2014

Hawkins & Associates Engineering  
436 Mitchell Road  
Modesto, CA 95354

**SUBJECT: TENTATIVE APPROVAL OF LOT LINE ADJUSTMENT NO. PLN2014-0001  
HAWKINS TRUST**

The Stanislaus County Department of Planning and Community Development, completed its consideration of your application on **January 16, 2014**, 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 4:30 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: Meredith J Gatzman  
Ronald W Hawkins

Gail M Jaspar  
Ronald W & Rexann T Hawkins

STRIVING TO BE THE BEST COUNTY IN AMERICA

**ATTACHMENT 2**

January 2, 2014

Department of Planning  
And Community Development  
Stanislaus County  
1010 10<sup>th</sup> Street  
Modesto, Ca 95354

RE: Lot Line Adjustment Application – The Marian Hawkins Exemption Trust , the Fred R. Hawkins Survivors Trust and the Ronald W. and Rexann T. Hawkins Trust - Findings

This project is a lot line adjustment between Assessor's Parcel #020-015-017 (321.75 acres +/- gross) and Assessor's Parcel # 020-003-024 (51.02 acres +/-) owned by the Marian Hawkins Exemption Trust, the Fred R. Hawkins Survivors Trust which are in the Williamson Act and Parcel #020-003-013 (10.95 acres +/-) owned by the Marian Hawkins Exemption Trust, the Fred R. Hawkins Survivors Trust that is not in the Williamson Act.

The purpose of this lot line adjustment is to allow the Estate to be divided among the three surviving heirs in order to allow them to pursue independent farming operations.

At the completion of this lot line adjustment, Parcel 1 will have an adjusted area of 124.88 acres +/-, Parcel 2 will have an adjusted area of 131.21 acres +/- and Parcel 3 will have an adjusted area of 127.60 acres.

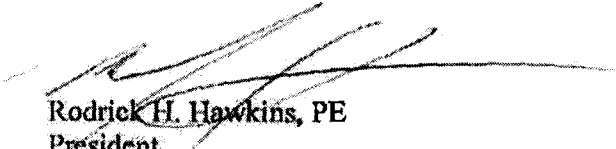
Findings:

- (1) The existing Williamson Act contracts are not subject to non-renewal. The parcels will remain under contract for at least 10 years.
- (2) The existing acreage currently under contract is 372.77 acres. After the lot line adjustment, all 383.72 acres will be under contract.
- (3) As stated in the above finding (2) there will be a net gain of 10.95 acres +/- enrolled in the Williamson Act.
- (4) As consistent with Government Code Section 51222 the contracted parcels will be larger than 40 acres after the lot line adjustment. The parcel qualifies as non-prime farmland according to the Farmland Mapping and Monitoring Program Soil Candidate Listing for Prime Farmland and Farmland of Statewide Importance – Stanislaus County.
- (5) The new configuration of the parcel will in no way alter the agricultural productivity of any of the parcels modified by this adjustment.
- (6) The adjacent lands are all in either permanent trees or 40-acre ranches. The reconfigured Hawkins parcels will continue to be restricted by contract and used for agricultural productivity and therefore will not affect the adjacent uses.

(7) The three parcels currently exist, and after the lot line adjustment three parcels will continue to exist. None of the parcels are currently inconsistent with the Stanislaus County General Plan, nor will the resulting parcels be inconsistent with the Stanislaus County General Plan.

In conclusion, this lot line adjustment will in no way negatively affect the agricultural viability of these parcels. Please feel free to contact me if you have any further questions.

Sincerely,



Rodrick H. Hawkins, PE  
President  
Hawkins and Associates Engineering, Inc.

PARCEL 1  
BEFORE LOT LINE  
ADJUSTMENT  
A.P.N. 020-015-017  
321.75 ACRES GROSS

PARCEL 2  
BEFORE LOT LINE  
ADJUSTMENT  
A.P.N. 020-003-013  
PARCEL A  
10-PM-39  
10.95 ACRES

PARCEL 3  
BEFORE LOT LINE  
ADJUSTMENT  
A.P.N. 020-003-024  
PARCEL 1, 45-PM-25  
51.02 ACRES

HAWKINS ROAD



**EXISTING PARCELS EXB**



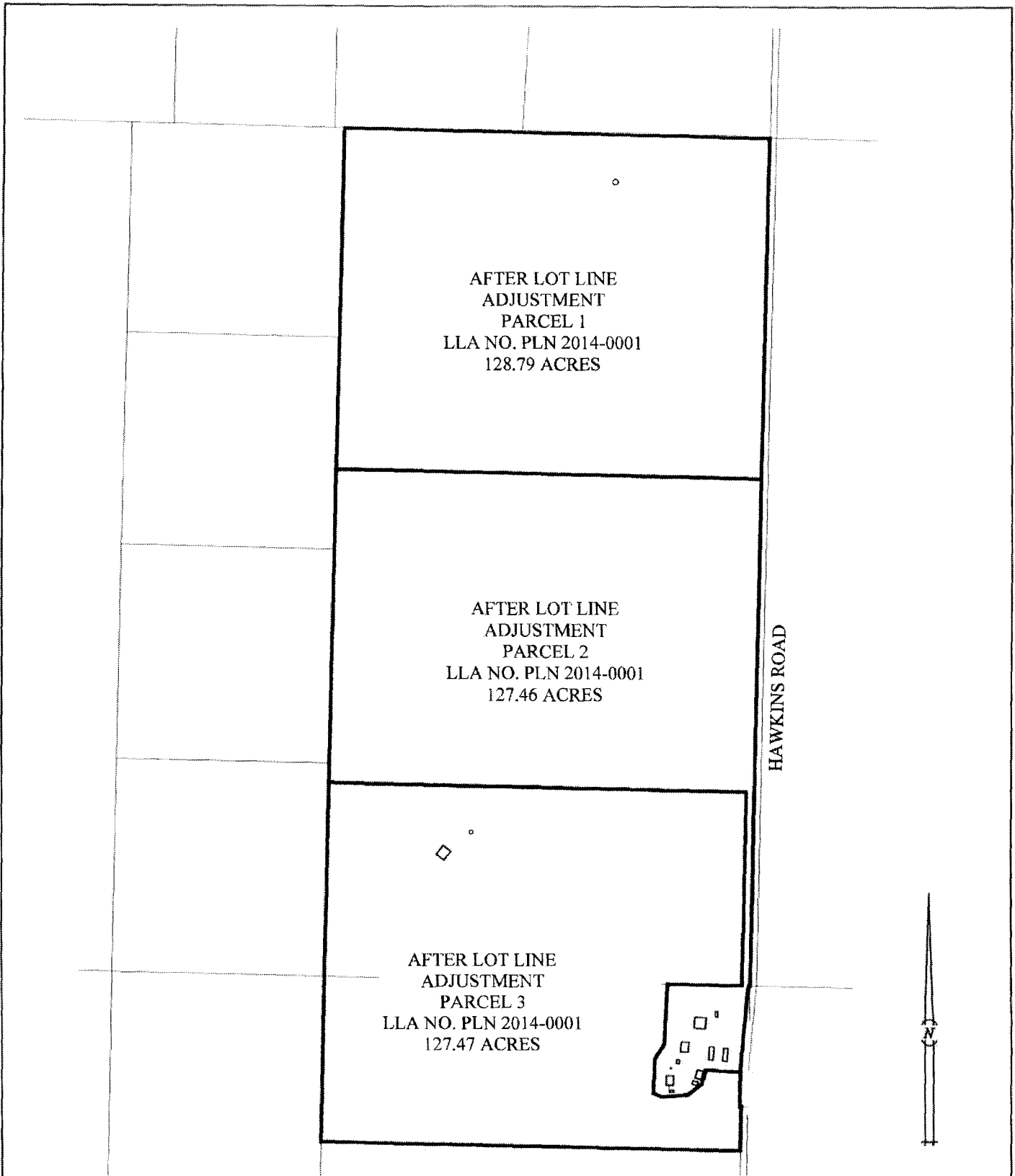
**HAWKINS & ASSOCIATES  
ENGINEERING, INC.**  
436 MITCHELL ROAD  
MODESTO, CA. 95354  
PH: (209) 575 - 4295  
FX: (209) 578 - 4295

**BEFORE LOT LINE ADJUSTMENT  
LLA PLN 2014-0001**

**HAWKINS TRUST  
STANISLAUS COUNTY, CALIFORNIA**

BY: RGS  
CHK: RHH  
DATE: 03/2014  
SCALE: 1"=300'  
JOB #: 2620  
FILE: DWG/EXB

1  
OF  
1



**WILLIAMSON ACT PARCEL EXB**



**HAWKINS & ASSOCIATES  
ENGINEERING, INC.**  
436 MITCHELL ROAD  
MODESTO, CA. 95354  
PH: (209) 575 - 4295  
FX: (209) 578 - 4295

**AFTER LOT LINE ADJUSTMENT  
LLA PLN 2014-0001**

**HAWKINS TRUST  
STANISLAUS COUNTY, CALIFORNIA**

BY: RCS  
CHK: RHH  
DATE: 09/2014  
SCALE: 1"=800'  
JOB #: 2620  
FILE: DWG/EXB

**1**  
OF  
**1**



Stanislaus, County Recorder  
Lee Lundrigan Co Recorder Office  
**DOC- 2014-0029236-00**

Acct 121-Planning.  
Friday, MAY 09, 2014 08:17:34  
Rcpt # 0003519897

MGC/R2/1-19

RECORDING REQUESTED BY AND  
WHEN RECORDED RETURN TO:

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

---

Space Above This Line for Recorder's Use

CERTIFICATE OF LOT LINE ADJUSTMENT

This is to certify that, pursuant to California Government Code Section 66412 (d) and Sections 20.14 and 21.20.060E of the Stanislaus County Code, the Stanislaus County Director of Planning and Community Development on January 16, 2014, approved the lot line adjustment herein described submitted under the name of Hawkins Trust Lot Line Adjustment No. PLN2014-0001 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: Carol Maben  
Carol Maben, Associate Planner  
Stanislaus County Department of Planning  
and Community Development

April 30, 2014  
Date

19 MC

**CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT**

CIVIL CODE § 1189

State of California

County of Stanislaus

On 4/30/2014

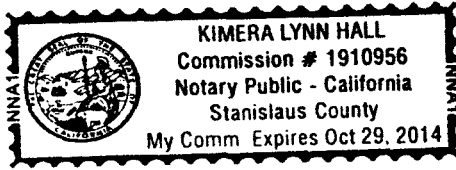
Date

before me, Kimera Lynn Hall

Here Insert Name and Title of the Officer

personally appeared Carol 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. PLN2014-0001**

**HAWKINS TRUST**

**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. PLN2014-0001**

**HAWKINS TRUST**

**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. PLN2014-0001

OWNERS:

NAME (Print or type)	SIGNATURE (All to be notarized)	DATE	SIGNED AT (City)
<u>Meredith J. Gatzman</u> (Co-Trustee)	<u><i>Meredith J. Gatzman</i></u>	<u>2/3/2014</u>	<u>Livermore, CA</u>
<u>Gail M. Jaspar</u> (Co-Trustee)	_____	_____	_____
<u>Ronald W. Hawkins</u> (Co-Trustee)	_____	_____	_____
<u>Ronald W. Hawkins</u> (Co-Trustee)	_____	_____	_____
<u>Rexann T. Hawkins</u> (Co-Trustee)	_____	_____	_____

SECURITY HOLDERS:

NAME (Print or type)	SIGNATURE (All to be notarized)	DATE	SIGNED AT (City)
<u>None</u>	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

LOT LINE NO. PLN2014-0001

OWNERS:

NAME (Print or type)	SIGNATURE (All to be notarized)	DATE	SIGNED AT (City)
Meredith J. Gatzman (Co-Trustee)	<hr/>	<hr/>	<hr/>
Gail M. Jaspar (Co-Trustee)	<i>Gail M Jaspar</i>	<i>2/3/2014</i>	<i>Bakersfield CA</i>
Ronald W. Hawkins (Co-Trustee)	<hr/>	<i>1/27/2014</i>	<hr/>
Ronald W. Hawkins (Co-Trustee)	<hr/>	<hr/>	<hr/>
Rexann T. Hawkins (Co-Trustee)	<hr/>	<hr/>	<hr/>

SECURITY HOLDERS:

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

LOT LINE NO. PLN2014-0001

OWNERS:

NAME (Print or type)	SIGNATURE (All to be notarized)	DATE	SIGNED AT (City)
<u>Meredith J. Gatzman</u> (Co-Trustee)	_____	_____	_____
<u>Gail M. Jaspar</u> (Co-Trustee)	_____	_____	_____
<u>Ronald W. Hawkins</u> (Co-Trustee)	<u>Ronald W. Hawkins</u>	<u>1-24-14</u>	<u>WATERFORD, CA</u>
<u>Ronald W. Hawkins</u> (Co-Trustee)	<u>Ronald W. Hawkins</u>	<u>1-24-14</u>	<u>WATERFORD, CA</u>
<u>Rexann T. Hawkins</u> (Co-Trustee)	<u>Rexann Hawkins</u>	<u>1-24-14</u>	<u>WATERFORD, CA</u>

SECURITY HOLDERS:

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

# CALIFORNIA ALL-PURPOSE CERTIFICATE OF ACKNOWLEDGMENT

State of California

County of ALAMEDA

On FEB 27th 2014 before me,

JASPREET K. DHILLON (Notary Public)  
(Here insert name and title of the officer)

personally appeared

MEREDITH J. GATZMAN

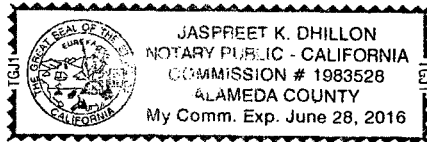
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s),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

(Notary Seal)



## ADDITIONAL OPTIONAL INFORMATION

### INSTRUCTIONS FOR COMPLETING THIS FORM

Any acknowledgment completed in California must contain verbiage exactly as appears above in the notary section or a separate acknowledgment form must be properly completed and attached to that document. The only exception is if a document is to be recorded outside of California. In such instances, any alternative acknowledgment verbiage as may be printed on such a document so long as the verbiage does not require the notary to do something that is illegal for a notary in California (i.e. certifying the authorized capacity of the signer). Please check the document carefully for proper notarial wording and attach this form if required.

- State and County information must be the State and County where the document signer(s) personally appeared before the notary public for acknowledgment.
- Date of notarization must be the date that the signer(s) personally appeared which must also be the same date the acknowledgment is completed.
- The notary public must print his or her name as it appears within his or her commission followed by a comma and then your title (notary public).
- Print the name(s) of document signer(s) who personally appear at the time of notarization.
- Indicate the correct singular or plural forms by crossing off incorrect forms (i.e. he/she/they-, is /are ) or circling the correct forms. Failure to correctly indicate this information may lead to rejection of document recording.
- The notary seal impression must be clear and photographically reproducible. Impression must not cover text or lines. If seal impression smudges, re-seal if a sufficient area permits, otherwise complete a different acknowledgment form.
- Signature of the notary public must match the signature on file with the office of the county clerk.
  - ❖ Additional information is not required but could help to ensure this acknowledgment is not misused or attached to a different document.
  - ❖ Indicate title or type of attached document, number of pages and date.
  - ❖ Indicate the capacity claimed by the signer. If the claimed capacity is a corporate officer, indicate the title (i.e. CEO, CFO, Secretary).
- Securely attach this document to the signed document

#### DESCRIPTION OF THE ATTACHED DOCUMENT

Copy of Jot L.A. Justin  
(Title or description of attached document)

(Title or description of attached document continued)

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

(Additional information)

#### CAPACITY CLAIMED BY THE SIGNER

- Individual (s)
- Corporate Officer

(Title)

- Partner(s)
- Attorney-in-Fact
- Trustee(s)
- Other \_\_\_\_\_

# CALIFORNIA ALL-PURPOSE CERTIFICATE OF ACKNOWLEDGMENT

State of California

County of Kern

On Feb 3, 2014 before me, Leslie J. Laun Notary Public,  
(Here insert name and title of the officer)

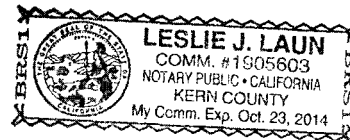
personally appeared Gail M. Jasper

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.

Leslie J. Laun  
Signature of Notary Public



(Notary Seal)

## ADDITIONAL OPTIONAL INFORMATION

### INSTRUCTIONS FOR COMPLETING THIS FORM

Any acknowledgment completed in California must contain verbiage exactly as appears above in the notary section or a separate acknowledgment form must be properly completed and attached to that document. The only exception is if a document is to be recorded outside of California. In such instances, any alternative acknowledgment verbiage as may be printed on such a document so long as the verbiage does not require the notary to do something that is illegal for a notary in California (i.e. certifying the authorized capacity of the signer). Please check the document carefully for proper notarial wording and attach this form if required.

- State and County information must be the State and County where the document signer(s) personally appeared before the notary public for acknowledgment.
- Date of notarization must be the date that the signer(s) personally appeared which must also be the same date the acknowledgment is completed.
- The notary public must print his or her name as it appears within his or her commission followed by a comma and then your title (notary public).
- Print the name(s) of document signer(s) who personally appear at the time of notarization.
- Indicate the correct singular or plural forms by crossing off incorrect forms (i.e. ~~he~~/~~she~~/~~they~~, is /are ) or circling the correct forms. Failure to correctly indicate this information may lead to rejection of document recording.
- The notary seal impression must be clear and photographically reproducible. Impression must not cover text or lines. If seal impression smudges, re-seal if a sufficient area permits, otherwise complete a different acknowledgment form.
- Signature of the notary public must match the signature on file with the office of the county clerk.
  - ❖ Additional information is not required but could help to ensure this acknowledgment is not misused or attached to a different document.
  - ❖ Indicate title or type of attached document, number of pages and date.
  - ❖ Indicate the capacity claimed by the signer. If the claimed capacity is a corporate officer, indicate the title (i.e. CEO, CFO, Secretary).
- Securely attach this document to the signed document

### DESCRIPTION OF THE ATTACHED DOCUMENT

Lot Line No.  
(Title or description of attached document)

(Title or description of attached document continued)

Number of Pages 1 Document Date 2-3-14

(Additional information)

### CAPACITY CLAIMED BY THE SIGNER

- Individual (s)  
 Corporate Officer

(Title)

- Partner(s)  
 Attorney-in-Fact  
 Trustee(s)  
 Other \_\_\_\_\_

**CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT**

**CIVIL CODE § 1189**

State of California

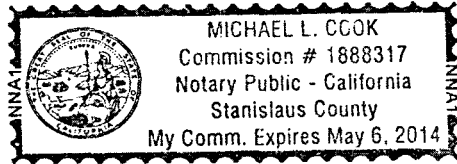
County of STANISLAUS

On 24 JAN 2014 before me, MICHAEL L. COOK, NOTARY  
Date Here Insert Name and Title of the Officer

personally appeared RONALD W HAWKINS  
Name(s) of Signer(s)

REXANN T HAWKINS

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



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

WITNESS my hand and official seal.

Signature: Michael L Cook  
Signature of Notary Public

Place Notary Seal 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: LOT LINE ADJUSTMENT NO PLN 2014 001

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

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: \_\_\_\_\_

**RIGHT THUMBPRINT OF SIGNER**

Top of thumb here

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

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

- Corporate Officer — Title(s): \_\_\_\_\_
- Individual
- 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 LEGAL DESCRIPTION**  
Parcel 1  
Lot Line Adjustment No. 14-01

**BEING** the East half of Section 9, Township 4 South, Range 12 East, Mount Diablo Base and Meridian, County of Stanislaus, State of California.

This description was prepared by me or under my direction in conformance with the Professional Land Surveyors Act.

  
\_\_\_\_\_  
Kevin J. Genasci, P.L.S. 8660  
November 26, 2013






**EXHIBIT A**  
**EXISTING LEGAL DESCRIPTION**  
Parcel 2  
Lot Line Adjustment No. 14-01

**BEING** that property situate in the North East quarter of Section 16, Township 4 South, Range 12 East, Mount Diablo Base and Meridian, County of Stanislaus, State of California, more particularly described as follows:

Parcel 1 as shown on the map filed in Book 45 of Parcel Maps, at Page 25, Stanislaus County Records.

This description was prepared by me or under my direction in conformance with the Professional Land Surveyors Act.

  
\_\_\_\_\_  
Kevin J. Genasci, P.L.S. 8660  
November 26, 2013



**EXHIBIT A**  
**EXISTING LEGAL DESCRIPTION**  
Parcel 3  
Lot Line Adjustment No. 14-01

**BEING** that property situate in the North East quarter of Section 16, Township 4 South, Range 12 East, Mount Diablo Base and Meridian, County of Stanislaus, State of California, more particularly described as follows:

Parcel A as shown on the map filed in Book 10 of Parcel Maps, at Page 39, Stanislaus County Records.

This description was prepared by me or under my direction in conformance with the Professional Land Surveyors Act.



Kevin J. Genasci, P.L.S. 8660  
November 26, 2013



**EXHIBIT B**  
NEW LEGAL DESCRIPTION  
Parcel 1  
Lot Line Adjustment No. 14-01


**BEING** the East half of Section 9, Township 4 South, Range 12 East, Mount Diablo Base and Meridian, County of Stanislaus, State of California.

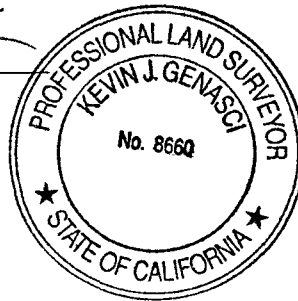
**EXCEPTING THEREFROM** the south 3,167.79 feet thereof.

**CONTAINING** 128.79 acres, more or less.

**SUBJECT TO** all rights-of-way and easements of record.

This description was prepared by me or under my direction in conformance with the Professional Land Surveyors Act.

  
\_\_\_\_\_  
Kevin J. Genasci, P.L.S. 8660  
November 26, 2013



**EXHIBIT B**  
NEW LEGAL DESCRIPTION  
Parcel 2  
Lot Line Adjustment No. 14-01

All that real property situate in the North East quarter of Section 16 and the East Half of Section 9, all in Township 4 South, Range 12 East, Mount Diablo Base and Meridian, County of Stanislaus, State of California, more particularly described as follows:

That portion of Parcel A as shown on the map filed in Book 10 of Parcel Maps, at Page 39, Stanislaus County Records, more particularly described as follows:

**BEGINNING** at the northeast corner of above said Parcel A, said point lying on the westerly right-of-way of Hawkins Road, a 30.00 foot half street; thence along said westerly right-of-way South  $05^{\circ}34'53''$  West, a distance of 529.32 feet; thence South  $01^{\circ}14'51''$  West, a distance of 15.47 feet; thence North  $86^{\circ}52'30''$  West, a distance of 218.37 feet; thence South  $14^{\circ}23'25''$  West, a distance of 90.85 feet; thence South  $52^{\circ}52'22''$  West, a distance of 115.78 feet; thence South  $87^{\circ}05'39''$  West, a distance of 159.66 feet; thence North  $69^{\circ}49'21''$  West, a distance of 54.37 feet; thence North  $02^{\circ}26'17''$  East, a distance of 214.13 feet; thence North  $31^{\circ}40'01''$  East, a distance of 115.60 feet; thence North  $03^{\circ}09'29''$  East, a distance of 376.84 feet to the point of intersection with the north line of above said Parcel A, said line also being south line of Section 9; thence along said north line of Parcel A South  $88^{\circ}45'09''$  East, a distance of 504.80 feet to the **POINT OF BEGINNING**.

**TOGETHER WITH** the south 3,167.79 feet of the East half of Section 9, Township 4 South, Range 12 East, Mount Diablo Base and Meridian, County of Stanislaus, State of California.

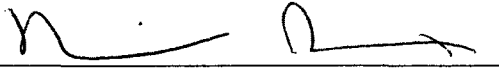
**EXCEPTING THEREFROM** that portion of above said East half of Section 9 more particularly described as follows:

**BEGINNING** at the South Quarter Corner of said Section 9; thence along the south line of Section 9 South  $88^{\circ}45'09''$  East, a distance of 2604.23 feet to a point 50.00 feet distant from the east line of said Section 9; thence North  $01^{\circ}16'58''$  East along a line parallel with and 50.00 feet distant from the east line of said Section 9, a distance of 1217.93 feet; thence North  $88^{\circ}45'09''$  West along a line parallel with and 1217.93 feet distant from the south line of said Section 9, a distance of 2603.62 feet the point of intersection with the north-south Quarter Section line of said Section 9; thence along said north-south Quarter Section Line South  $01^{\circ}18'42''$  West, a distance of 1217.93 feet to the **POINT OF BEGINNING**.

**CONTAINING** 127.46 acres, more or less.

**SUBJECT TO** all rights-of-way and easements of record.

This description was prepared by me or under my direction in conformance with the Professional Land Surveyors Act.



Kevin J. Genasci, P.L.S. 8660  
November 26, 2013



**EXHIBIT B**  
NEW LEGAL DESCRIPTION  
Parcel 3  
Lot Line Adjustment No. 14-01

All that real property situate in the North East quarter of Section 16 and the East Half of Section 9, all in Township 4 South, Range 12 East, Mount Diablo Base and Meridian, County of Stanislaus, State of California, more particularly described as follows:

Parcel 1 as shown on the map filed in Book 45 of Parcel Maps, at Page 25, Stanislaus County Records.

**TOGETHER WITH** Parcel A as shown on the map filed in Book 10 of Parcel Maps, at Page 39, Stanislaus County Records.

**ALSO TOGETHER WITH** that portion of the East half of Section 9, Township 4 South, Range 12 East, Mount Diablo Base and Meridian, more particularly described as follows:

**BEGINNING** at the South Quarter Corner of said Section 9; thence along the south line of Section 9 South  $88^{\circ}45'09''$  East, a distance of 2604.23 feet; thence North  $01^{\circ}16'58''$  East along a line parallel with and 50.00 feet distant from the east line of said Section 9, a distance of 1217.93 feet; thence North  $88^{\circ}45'09''$  West along a line parallel with and 1217.93 feet distant from the east-west Quarter Section line, a distance of 2603.62 feet to the point of intersection with above said north-south Quarter Section Line; thence along said north-south Quarter Section Line South  $01^{\circ}18'42''$  West, a distance of 1217.93 feet to the **POINT OF BEGINNING**.

**ALSO TOGETHER WITH** Parcel A as shown on the map filed in Book 10 of Parcel Maps, at Page 39, Stanislaus County Records.

**EXCEPTING THEREFROM** that portion of above said Parcel A more particularly described as follows:

**BEGINNING** at the northeast corner of above said Parcel A, said point lying on the westerly right-of-way of Hawkins Road, a 30.00 foot half street; thence along said westerly right-of-way South  $05^{\circ}34'53''$  West, a distance of 529.32 feet; thence South  $01^{\circ}14'51''$  West, a distance of 15.47 feet; thence North  $86^{\circ}52'30''$  West, a distance of 218.37 feet; thence South  $14^{\circ}23'25''$  West, a distance of 90.85 feet; thence South  $52^{\circ}52'22''$  West, a distance of 115.78 feet; thence South  $87^{\circ}05'39''$  West, a distance of 159.66 feet; thence North  $69^{\circ}49'21''$  West, a distance of 54.37 feet; thence North  $02^{\circ}26'17''$  East, a distance of 214.13 feet; thence North  $31^{\circ}40'01''$  East, a distance of 115.60 feet; thence North  $03^{\circ}09'29''$  East, a distance of 376.84 feet to the point of intersection with the north line of above said Parcel A, said line also being south line of

Section 9; thence along said north line of Parcel A South 88°45'09" East, a distance of 504.80 feet to the **POINT OF BEGINNING**.

**CONTAINING** 127.47 acres, more or less.

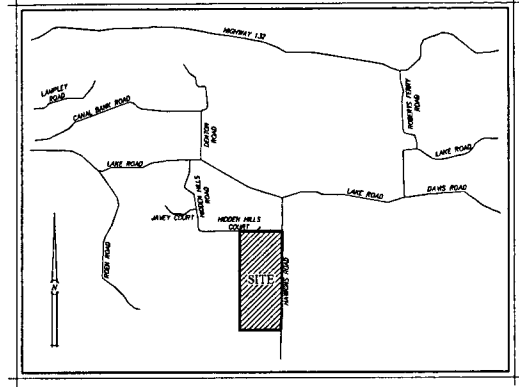
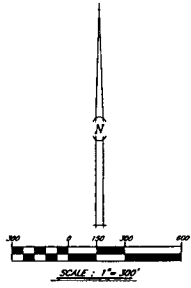
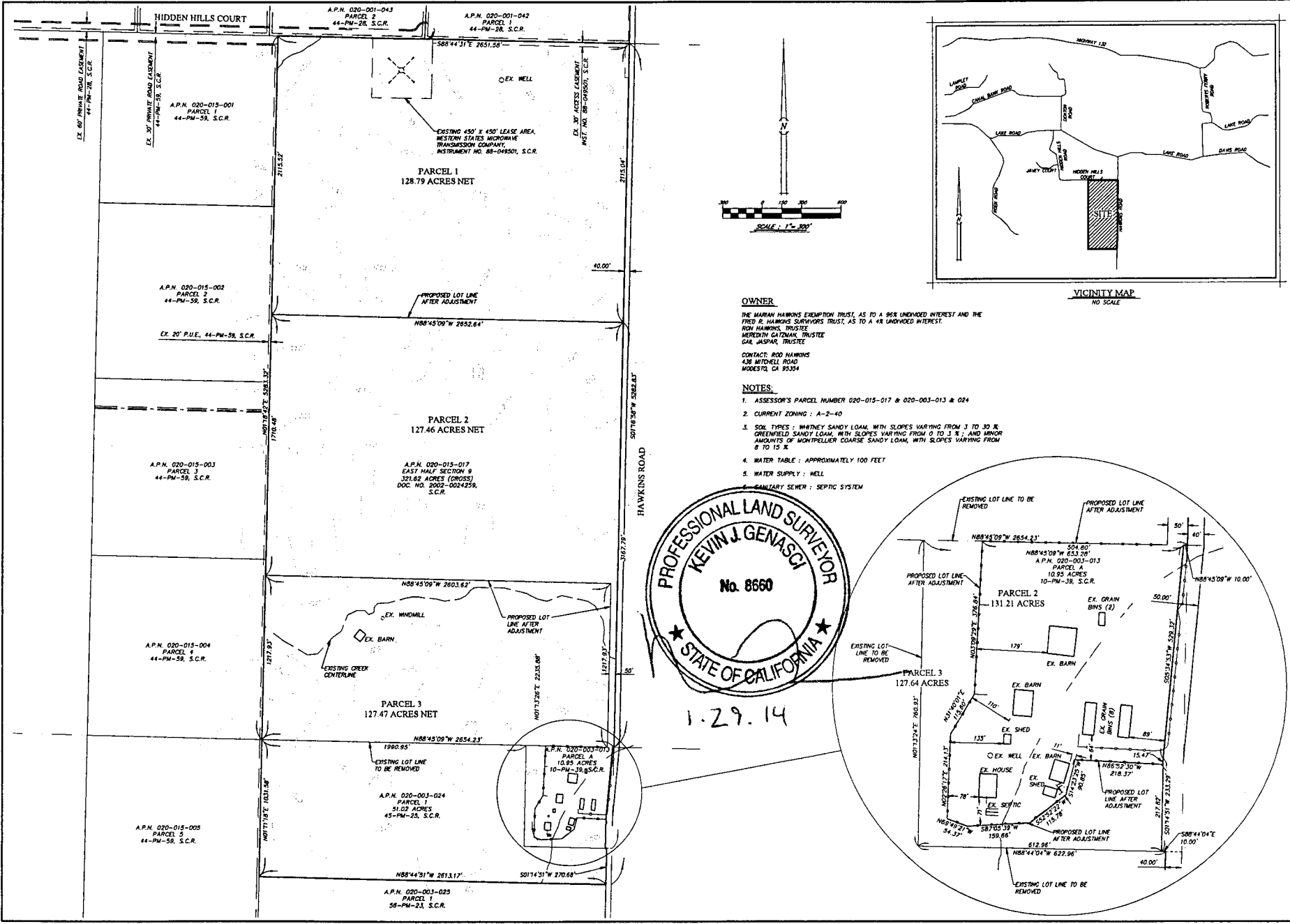
**SUBJECT TO** all rights-of-way and easements of record.

This description was prepared by me or under my direction in conformance with the Professional Land Surveyors Act.



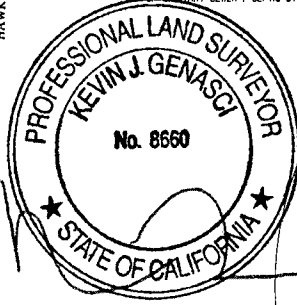
Kevin J. Genasci, P.L.S. 8660  
November 26, 2013



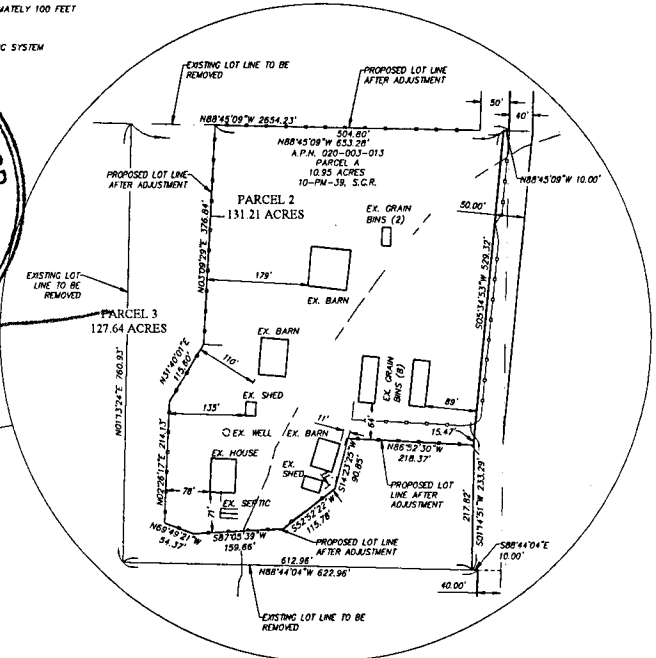


**OWNER**  
 THE MARIAN HAWKINS EXEMPTION TRUST, AS TO A 96% UNDIVIDED INTEREST AND THE  
 FRED R. HAWKINS SURVIVORS TRUST, AS TO A 4% UNDIVIDED INTEREST  
 RON HAWKINS, TRUSTEE  
 MEREDITH GATMAN, TRUSTEE  
 GAIL JASPAP, TRUSTEE  
 CONTACT: ROD HAWKINS  
 436 MITCHELL ROAD  
 MODesto, CA 95354

- NOTES:**
1. ASSESSOR'S PARCEL NUMBER 020-015-017 & 020-003-013 & 024
  2. CURRENT ZONING: A-2-40
  3. SOIL TYPES: WHITNEY SANDY LOAM, WITH SLOPES VARYING FROM 3 TO 35 %; GREENFIELD SANDY LOAM, WITH SLOPES VARYING FROM 0 TO 3 %; AND MINOR AMOUNTS OF MONTPELLIER COARSE SANDY LOAM, WITH SLOPES VARYING FROM 8 TO 15 %
  4. WATER TABLE: APPROXIMATELY 100 FEET
  5. WATER SUPPLY: WELL  
 SANITARY SEWER: SEPTIC SYSTEM



1.29.14



R.C.E. 0018 R.C.E. 31000 P.L.A. 1900 KEVIN J. GENASCI STATE LICENSE NO. 8660 LICENSED LAND SURVEYOR	PROJECT NO. 13-XX SHEET DATE OCTOBER 2013
	HAWKINS & ASSOCIATES ENGINEERING, INC. 436 MITCHELL ROAD MODesto, CA 95354 PH: (209) 575-4955 FX: (209) 578-4295
LOT LINE ADJUSTMENT NO. 13-XX A.P.N. 020-015-017, 020-003-013 & 024 1601 HAWKINS ROAD STANISLAUS COUNTY, CALIFORNIA	
DATE SHEET OF 1	C1



RECORDING REQUESTED BY  
STANISLAUS COUNTY BOARD OF  
SUPERVISORS

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

**NOTICE OF RESCISSION AND  
SIMULTANEOUS RE-ENTRY INTO  
CALIFORNIA LAND CONSERVATION  
CONTRACT NO. 2014-15**



Stanislaus, County Recorder  
Lee Lundrigan Co Recorder Office  
**DOC- 2014-0029237-00**

Acct 121-Planning.  
Friday, MAY 09, 2014 08:18:05  
Rcpt # 0003519899

MGC/R2/2-21

THIS NOTICE OF RESCISSION AND CALIFORNIA LAND CONSERVATION CONTRACT is made and entered into April 29, 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: Rod Hawkins  
436 Mitchell Road  
Modesto, CA 95354

(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>020-003-013</u>	<u>127.46</u>	<u>2519 Hawkins Road, Hickman</u>
<u>020-003-024</u>	<u>128.79</u>	<u>Hawkins Road, Hickman</u>
<u>020-015-017</u>	<u>127.47</u>	<u>1601 Hawkins Road, Hickman</u>

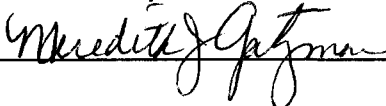
Pursuant to Stanislaus County Board of Supervisors Resolution No. 2014-198, relating to Lot Line Adjustment No. PLN2014-0001 as authorized by Govt. Code § 51257, California Land Conservation Contract Nos. 71-71 & 94-4258 which encumbered the parcel described in Exhibit A are rescinded and this contract which encumbers the newly configured parcel described in Exhibit B is entered into.

31 MC

**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)
Meredith J. Gatzman (Co-Trustee)		7/3/2014	Livermore CA
Gail M. Jaspas (Co-Trustee)			
Ronald W. Hawkins (Co-Trustee)			
Ronald W. Hawkins (Co-Trustee)			
Rexann T. Hawkins (Co-Trustee)			

**SECURITY HOLDERS:**

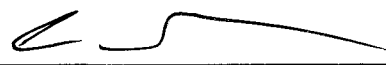
NAME (print or type)	SIGNATURE (all to be notarized)	DATE	SIGNED AT (city)
<i>NDNE</i>			

**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

5-6-2014  
Dated

  
Chairman, Board of Supervisors  
Angela Freitas for Jim DeMartini

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

Page 2

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IN WITNESS WHEREOF, the parties hereto have executed the within Contract the day and year first above written.

OWNER(S) NAME (print or type)	SIGNATURE (all to be notarized)	DATE	SIGNED AT (city)
Meredith J. Gatzman (Co-Trustee)		<i>gj</i> 2/3/2014	
Gail M. Jaspar (Co-Trustee)	<i>Gail M Jaspar</i>	<i>1/27/2014</i>	<i>Bakersfield CA</i>
Ronald W. Hawkins (Co-Trustee)			
Ronald W. Hawkins (Co-Trustee)			
Rexann T. Hawkins (Co-Trustee)			

**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 Angela Freitas for
-------	--

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

Page 2

- (18) The effective date of this Contract shall be date of recording.
- (19) Uses on the subject property are limited to those specifically described in Chapter 21.20 of the Stanislaus County Code - General Agriculture District (A-2), as effective each year upon renewal of the contract, which is herein incorporated by reference.

IN WITNESS WHEREOF, the parties hereto have executed the within Contract the day and year first above written.

OWNER(S) NAME (print or type)	SIGNATURE (all to be notarized)	DATE	SIGNED AT (city)
Meredith J. Gatzman (Co-Trustee)			
Gail M. Jaspar (Co-Trustee)			
Ronald W. Hawkins (Co-Trustee)	<i>Ronald W. Hawkins</i>	1-24-14	WATERLOO, CA
Ronald W. Hawkins (Co-Trustee)	<i>Ronald W. Hawkins</i>	1-24-14	WATERLOO, CA
Rexann T. Hawkins (Co-Trustee)	<i>Rexann T. Hawkins</i>	1-24-14	WATERLOO, 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

\_\_\_\_\_  
Dated

\_\_\_\_\_  
Chairman, Board of Supervisors  
Angela Freitas for

# CALIFORNIA ALL-PURPOSE CERTIFICATE OF ACKNOWLEDGMENT

State of California

County of Alameda

On Feb 3rd 2014 before me,

Jaspreet K. Dhillon (Notary Public)  
(Here insert name and title of the officer)

personally appeared MEREDITH J. GATZMAN

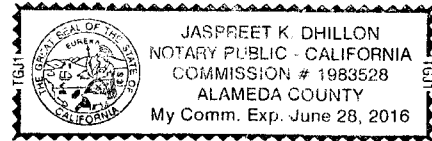
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/het/their signature(s) on the instrument the person(s),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



(Notary Seal)

## ADDITIONAL OPTIONAL INFORMATION

### INSTRUCTIONS FOR COMPLETING THIS FORM

Any acknowledgment completed in California must contain verbiage exactly as appears above in the notary section or a separate acknowledgment form must be properly completed and attached to that document. The only exception is if a document is to be recorded outside of California. In such instances, any alternative acknowledgment verbiage as may be printed on such a document so long as the verbiage does not require the notary to do something that is illegal for a notary in California (i.e. certifying the authorized capacity of the signer). Please check the document carefully for proper notarial wording and attach this form if required.

- State and County information must be the State and County where the document signer(s) personally appeared before the notary public for acknowledgment.
- Date of notarization must be the date that the signer(s) personally appeared which must also be the same date the acknowledgment is completed.
- The notary public must print his or her name as it appears within his or her commission followed by a comma and then your title (notary public).
- Print the name(s) of document signer(s) who personally appear at the time of notarization.
- Indicate the correct singular or plural forms by crossing off incorrect forms (i.e. he/she/they, is /are ) or circling the correct forms. Failure to correctly indicate this information may lead to rejection of document recording.
- The notary seal impression must be clear and photographically reproducible. Impression must not cover text or lines. If seal impression smudges, re-seal if a sufficient area permits, otherwise complete a different acknowledgment form.
- Signature of the notary public must match the signature on file with the office of the county clerk.
  - ❖ Additional information is not required but could help to ensure this acknowledgment is not misused or attached to a different document.
  - ❖ Indicate title or type of attached document, number of pages and date.
  - ❖ Indicate the capacity claimed by the signer. If the claimed capacity is a corporate officer, indicate the title (i.e. CEO, CFO, Secretary).
- Securely attach this document to the signed document

#### DESCRIPTION OF THE ATTACHED DOCUMENT

A Land Conservation Easement  
(Title or description of attached document)

(Title or description of attached document continued)

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

(Additional information)

#### CAPACITY CLAIMED BY THE SIGNER

- Individual (s)  
 Corporate Officer

(Title)

- Partner(s)  
 Attorney-in-Fact  
 Trustee(s)  
 Other \_\_\_\_\_

# CALIFORNIA ALL-PURPOSE CERTIFICATE OF ACKNOWLEDGMENT

State of California

County of Kern

On Feb. 3, 2014 before me, Leslie J. Lavin, Notary Public,  
(Here insert name and title of the officer)

personally appeared Gail M. Jasper

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.

Leslie J. Lavin  
 Signature of Notary Public



(Notary Seal)

## ADDITIONAL OPTIONAL INFORMATION

### DESCRIPTION OF THE ATTACHED DOCUMENT

Notice of Rescission and  
(Title or description of attached document)

Simultaneous Re-entry  
(Title or description of attached document continued)

Number of Pages 1 Document Date 2-3-14

(Additional information)

### CAPACITY CLAIMED BY THE SIGNER

- Individual (s)
- Corporate Officer

(Title)

- Partner(s)
- Attorney-in-Fact
- Trustee(s)
- Other \_\_\_\_\_

### INSTRUCTIONS FOR COMPLETING THIS FORM

*Any acknowledgment completed in California must contain verbiage exactly as appears above in the notary section or a separate acknowledgment form must be properly completed and attached to that document. The only exception is if a document is to be recorded outside of California. In such instances, any alternative acknowledgment verbiage as may be printed on such a document so long as the verbiage does not require the notary to do something that is illegal for a notary in California (i.e. certifying the authorized capacity of the signer). Please check the document carefully for proper notarial wording and attach this form if required.*

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- The notary public must print his or her name as it appears within his or her commission followed by a comma and then your title (notary public).
- Print the name(s) of document signer(s) who personally appear at the time of notarization.
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- Signature of the notary public must match the signature on file with the office of the county clerk.
  - ❖ Additional information is not required but could help to ensure this acknowledgment is not misused or attached to a different document.
  - ❖ Indicate title or type of attached document, number of pages and date.
  - ❖ Indicate the capacity claimed by the signer. If the claimed capacity is a corporate officer, indicate the title (i.e. CEO, CFO, Secretary).
- Securely attach this document to the signed document

**CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT**

CIVIL CODE § 1189

State of California

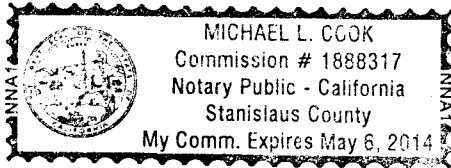
County of STANISLAUS

On 24 JAN 2014 before me, MICHAEL L. COOK, Notary Public  
Date Here Insert Name and Title of the Officer

personally appeared RONALD W. HAWKINS  
Name(s) of Signer(s)

REXANN T HAWKINS

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



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

WITNESS my hand and official seal.

Signature: Michael L. Cook  
Signature of Notary Public

Place Notary Seal 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: LAND CONSERVATION ACT

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

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

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

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

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

Individual  Partner —  Limited  General  Individual  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: \_\_\_\_\_

\_\_\_\_\_

**EXHIBIT A**  
**EXISTING LEGAL DESCRIPTION**  
Parcel 1  
Lot Line Adjustment No. 14-01

**BEING** the East half of Section 9, Township 4 South, Range 12 East, Mount Diablo Base and Meridian, County of Stanislaus, State of California.

This description was prepared by me or under my direction in conformance with the Professional Land Surveyors Act.

  
\_\_\_\_\_  
Kevin J. Genasci, P.L.S. 8660  
November 26, 2013



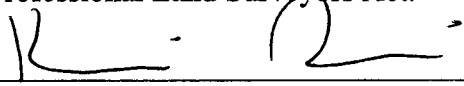


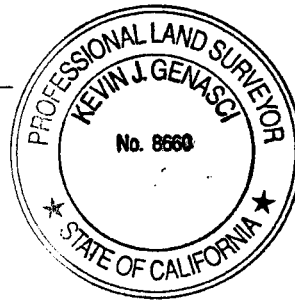
**EXHIBIT A**  
**EXISTING LEGAL DESCRIPTION**  
Parcel 2  
Lot Line Adjustment No. 14-01

**BEING** that property situate in the North East quarter of Section 16, Township 4 South, Range 12 East, Mount Diablo Base and Meridian, County of Stanislaus, State of California, more particularly described as follows:

Parcel 1 as shown on the map filed in Book 45 of Parcel Maps, at Page 25, Stanislaus County Records.

This description was prepared by me or under my direction in conformance with the Professional Land Surveyors Act.

  
\_\_\_\_\_  
Kevin J. Genasci, P.L.S. 8660  
November 26, 2013

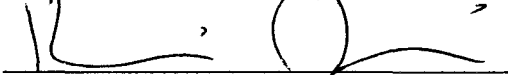


**EXHIBIT A**  
**EXISTING LEGAL DESCRIPTION**  
Parcel 3  
Lot Line Adjustment No. 14-01

**BEING** that property situate in the North East quarter of Section 16, Township 4 South, Range 12 East, Mount Diablo Base and Meridian, County of Stanislaus, State of California, more particularly described as follows:

Parcel A as shown on the map filed in Book 10 of Parcel Maps, at Page 39, Stanislaus County Records.

This description was prepared by me or under my direction in conformance with the Professional Land Surveyors Act.

  
Kevin J. Genasci, P.L.S. 8660  
November 26, 2013



**EXHIBIT B**  
NEW LEGAL DESCRIPTION  
Parcel 1  
Lot Line Adjustment No. 14-01

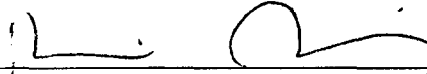
**BEING** the East half of Section 9, Township 4 South, Range 12 East, Mount Diablo Base and Meridian, County of Stanislaus, State of California.

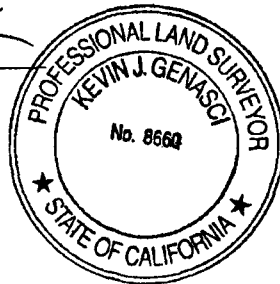
**EXCEPTING THEREFROM** the south 3,167.79 feet thereof.

**CONTAINING** 128.79 acres, more or less.

**SUBJECT TO** all rights-of-way and easements of record.

This description was prepared by me or under my direction in conformance with the Professional Land Surveyors Act.

  
Kevin J. Genasci, P.L.S. 8660  
November 26, 2013



**EXHIBIT B**  
NEW LEGAL DESCRIPTION  
Parcel 2  
Lot Line Adjustment No. 14-01

All that real property situate in the North East quarter of Section 16 and the East Half of Section 9, all in Township 4 South, Range 12 East, Mount Diablo Base and Meridian, County of Stanislaus, State of California, more particularly described as follows:

That portion of Parcel A as shown on the map filed in Book 10 of Parcel Maps, at Page 39, Stanislaus County Records, more particularly described as follows:

**BEGINNING** at the northeast corner of above said Parcel A, said point lying on the westerly right-of-way of Hawkins Road, a 30.00 foot half street; thence along said westerly right-of-way South 05°34'53" West, a distance of 529.32 feet; thence South 01°14'51" West, a distance of 15.47 feet; thence North 86°52'30" West, a distance of 218.37 feet; thence South 14°23'25" West, a distance of 90.85 feet; thence South 52°52'22" West, a distance of 115.78 feet; thence South 87°05'39" West, a distance of 159.66 feet; thence North 69°49'21" West, a distance of 54.37 feet; thence North 02°26'17" East, a distance of 214.13 feet; thence North 31°40'01" East, a distance of 115.60 feet; thence North 03°09'29" East, a distance of 376.84 feet to the point of intersection with the north line of above said Parcel A, said line also being south line of Section 9; thence along said north line of Parcel A South 88°45'09" East, a distance of 504.80 feet to the **POINT OF BEGINNING**.

**TOGETHER WITH** the south 3,167.79 feet of the East half of Section 9, Township 4 South, Range 12 East, Mount Diablo Base and Meridian, County of Stanislaus, State of California.

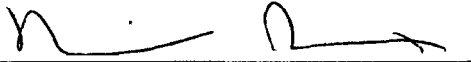
**EXCEPTING THEREFROM** that portion of above said East half of Section 9 more particularly described as follows:

**BEGINNING** at the South Quarter Corner of said Section 9; thence along the south line of Section 9 South 88°45'09" East, a distance of 2604.23 feet to a point 50.00 feet distant from the east line of said Section 9; thence North 01°16'58" East along a line parallel with and 50.00 feet distant from the east line of said Section 9, a distance of 1217.93 feet; thence North 88°45'09" West along a line parallel with and 1217.93 feet distant from the south line of said Section 9, a distance of 2603.62 feet the point of intersection with the north-south Quarter Section line of said Section 9; thence along said north-south Quarter Section Line South 01°18'42" West, a distance of 1217.93 feet to the **POINT OF BEGINNING**.

**CONTAINING** 127.46 acres, more or less.

**SUBJECT TO** all rights-of-way and easements of record.

This description was prepared by me or under my direction in conformance with the Professional Land Surveyors Act.



Kevin J. Genasci, P.L.S. 8660  
November 26, 2013



**EXHIBIT B**  
NEW LEGAL DESCRIPTION  
Parcel 3  
Lot Line Adjustment No. 14-01

All that real property situate in the North East quarter of Section 16 and the East Half of Section 9, all in Township 4 South, Range 12 East, Mount Diablo Base and Meridian, County of Stanislaus, State of California, more particularly described as follows:

Parcel 1 as shown on the map filed in Book 45 of Parcel Maps, at Page 25, Stanislaus County Records.

**TOGETHER WITH** Parcel A as shown on the map filed in Book 10 of Parcel Maps, at Page 39, Stanislaus County Records.

**ALSO TOGETHER WITH** that portion of the East half of Section 9, Township 4 South, Range 12 East, Mount Diablo Base and Meridian, more particularly described as follows:

**BEGINNING** at the South Quarter Corner of said Section 9; thence along the south line of Section 9 South 88°45'09" East, a distance of 2604.23 feet; thence North 01°16'58" East along a line parallel with and 50.00 feet distant from the east line of said Section 9, a distance of 1217.93 feet; thence North 88°45'09" West along a line parallel with and 1217.93 feet distant from the east-west Quarter Section line, a distance of 2603.62 feet the point of intersection with above said north-south Quarter Section Line; thence along said north-south Quarter Section Line South 01°18'42" West, a distance of 1217.93 feet to the **POINT OF BEGINNING**.

**ALSO TOGETHER WITH** Parcel A as shown on the map filed in Book 10 of Parcel Maps, at Page 39, Stanislaus County Records.

**EXCEPTING THEREFROM** that portion of above said Parcel A more particularly described as follows:

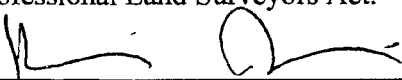
**BEGINNING** at the northeast corner of above said Parcel A, said point lying on the westerly right-of-way of Hawkins Road, a 30.00 foot half street; thence along said westerly right-of-way South 05°34'53" West, a distance of 529.32 feet; thence South 01°14'51" West, a distance of 15.47 feet; thence North 86°52'30" West, a distance of 218.37 feet; thence South 14°23'25" West, a distance of 90.85 feet; thence South 52°52'22" West, a distance of 115.78 feet; thence South 87°05'39" West, a distance of 159.66 feet; thence North 69°49'21" West, a distance of 54.37 feet; thence North 02°26'17" East, a distance of 214.13 feet; thence North 31°40'01" East, a distance of 115.60 feet; thence North 03°09'29" East, a distance of 376.84 feet to the point of intersection with the north line of above said Parcel A, said line also being south line of

Section 9; thence along said north line of Parcel A South 88°45'09" East, a distance of 504.80 feet to the **POINT OF BEGINNING**.

**CONTAINING** 127.47 acres, more or less.

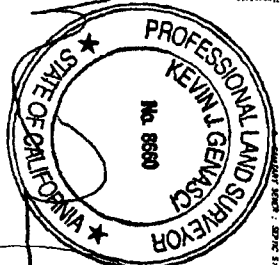
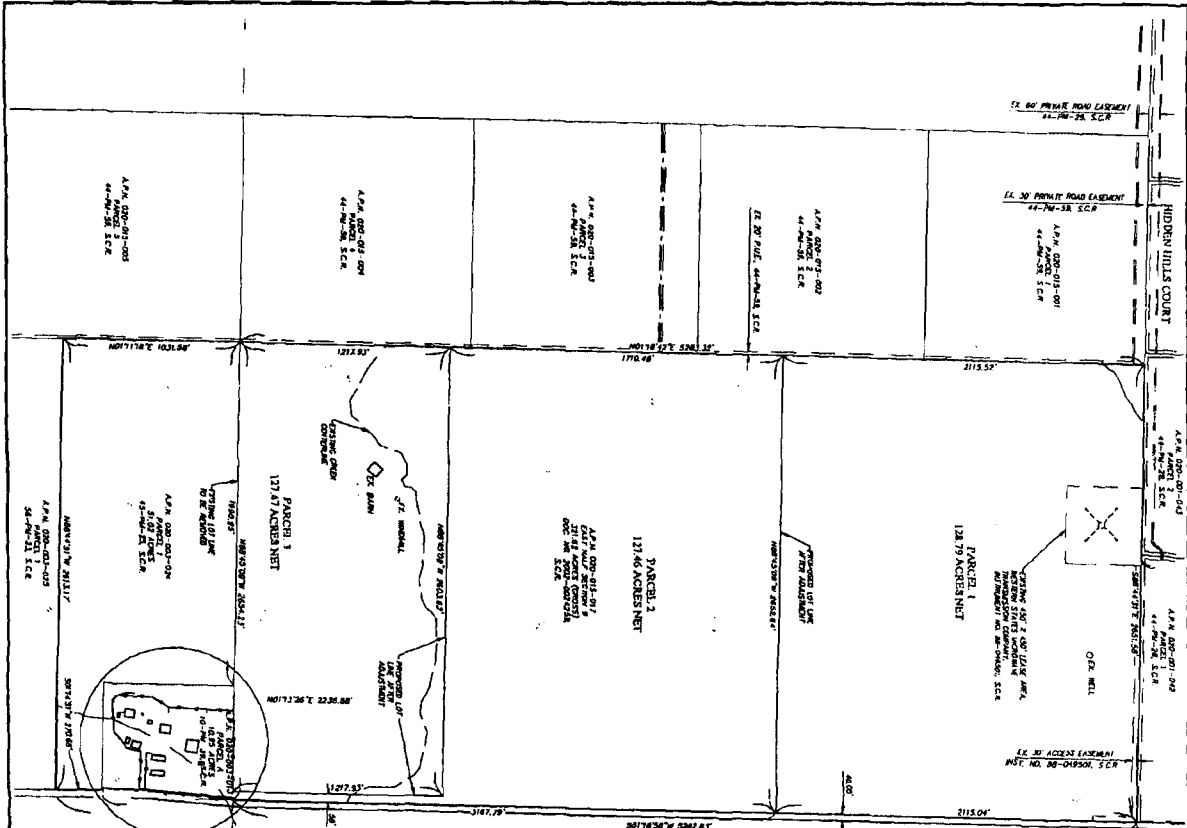
**SUBJECT TO** all rights-of-way and easements of record.

This description was prepared by me or under my direction in conformance with the Professional Land Surveyors Act.

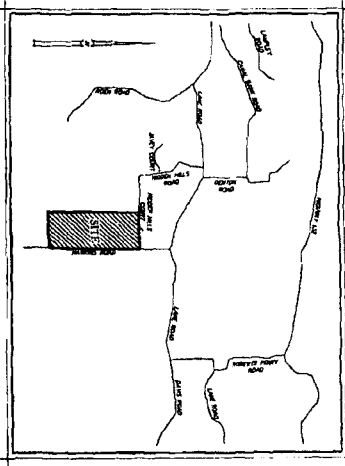
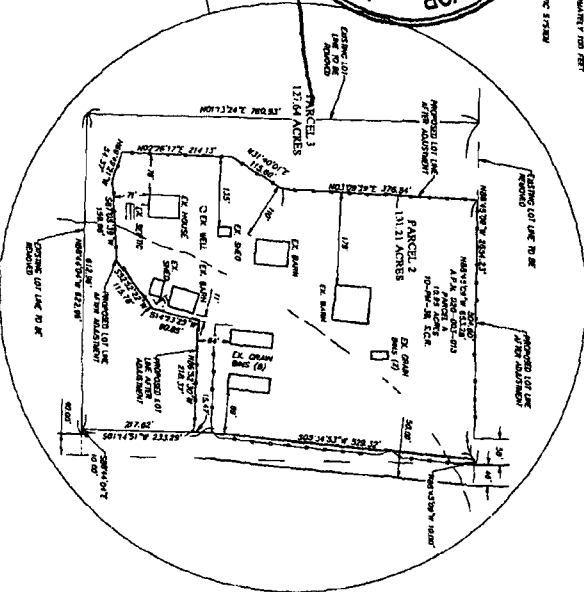


Kevin J. Genasci, P.L.S. 8660  
November 26, 2013





1.29.14



**OWNER**  
 THE PLANNING AND CONSTRUCTION DIVISION OF THE CALIFORNIA HIGH SPEED RAIL AUTHORITY  
 1500 CALIFORNIA STREET, SUITE 200  
 SACRAMENTO, CALIFORNIA 95833  
 CONTACT: BOB ANDERSON  
 PHONE: (916) 661-4400  
 FAX: (916) 661-4401

**NOTES**  
 1. ASSessor'S PARCEL NUMBER: 020-015-017 & 020-015-018 & 024  
 2. CLAMOR: 13-XX  
 3. SEE PLANS: 13-XX-017 (PLAN NO. 13-XX-017) AND 13-XX-018 (PLAN NO. 13-XX-018) FOR THE LOCATION OF THE PROJECT AND THE LOCATION OF THE PROJECT TO THE ADJACENT PARCELS.  
 4. DATE: 1/29/14  
 5. DRAWN BY: J. G. G. G.  
 6. CHECKED BY: J. G. G. G.  
 7. APPROVED BY: J. G. G. G.

DATE	1/29/14
SHEET	C1
OF	1

**LOT LINE ADJUSTMENT NO. 13-XX**  
**A.P.N. 020-015-017, 020-003-013 & 024**

**1601 HAWKINS ROAD**  
 STANISLAUS COUNTY, CALIFORNIA

**HAWKINS & ASSOCIATES ENGINEERING, INC.**  
 436 MITCHELL ROAD  
 MODESTO, CA. 95354  
 PH: (209) 575 - 4295  
 FX: (209) 578 - 4295

DATE	1/29/14	SCALE	AS SHOWN
BY	J. G. G. G.	CHECKED	J. G. G. G.
APP'D		DATE	



EXHIBIT C

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

DEPT: Planning and Community Development AK

BOARD AGENDA # \*D-1

Urgent  Routine

AGENDA DATE April 29, 2014

CEO Concurs with Recommendation YES  NO   
(Information Attached)

4/5 Vote Required YES  NO

SUBJECT:

Approval to a Rescind a Portion of Williamson Act Contract No. 1971-71 and All of Williamson Act Contract No. 1994-4258, Located on Hawkins Road, South of Hidden Hill Court and East of Hidden Hills Road, in the Hickman Area, Approval of a New Contract Pursuant to Minor Lot Line Adjustment PLN2014-0001, Hawkins Trust, and Authorization for the Director of Planning and Community Development to Execute a New Contract

STAFF RECOMMENDATIONS:

1. Pursuant to Government Code Section 51257, determine that the following seven findings can be made based on the written evidence submitted by the applicant:
  - 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 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. 2014-198

On motion of Supervisor Chiesa, Seconded by Supervisor Monteith

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

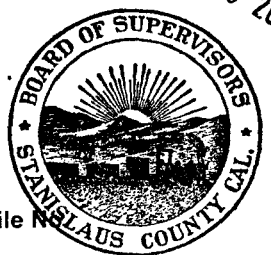
Clerk of the Board of Supervisors of the County of Stanislaus, State of California

*Christine Ferraro Tallman*

ATTEST: CHRISTINE FERRARO TALLMAN, Clerk

By *[Signature]*

File No.



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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 Contract No. 1971-71 and all of Williamson Act Contract No. 1994-4258, Located at 2519 Hawkins Road, south of Hidden Hill Court and east of Hidden Hills Road, in the Hickman area.
  3. Approve a new contract pursuant to Minor Lot Line Adjustment PLN2014-0001, Hawkins Trust.
  4. Authorize the Director of Planning and Community Development to execute a new contract pursuant to Minor Lot Line Adjustment PLN2014-0001.

**DISCUSSION:**

Lot Line Adjustment PLN2014-0001 was approved by staff pending the Board's action required by the Williamson Act. The properties are located on 2519 Hawkins Road, south of Hidden Hill Court and east of Hidden Hills Road, in the Hickman area, in the unincorporated area of Stanislaus County.

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The lot line adjustment is requesting three parcels go from 321.75, 51.02, and 10.95 acres (383.72 acres total) to three parcels of 128.79, 127.46 and 127.47 acres (383.72 acres total). The reason for the lot line adjustment request is to allow the estate to be divided among the three surviving heirs which will allow them to pursue independent farming operations. The parcels are under the ownership of Fred R. Hawkins Survivors Trust and Ronald W. and Rexann T. Hawkins Trust. The existing 10.95 acre parcel contains a single-family dwelling, three grain bins, three barns, and two sheds, and the existing 321.75 acre parcel contains a barn and windmill. The existing 51.02 acre parcel is unimproved and all parcels are planted in unirrigated range grasses.

Two of the three parcels (321.75 and 51.02 acres) are currently enrolled in a portion of Williamson Act Contract No. 1971-71 and all of Williamson Act Contract No. 1994-4258. The existing 10.95 acre parcel is currently not enrolled in a Williamson Act contract, however, after the lot line adjustment, the additional acreage will be enrolled in a Williamson Act contract. 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.
- (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.

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*(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 will not compromise the continued agricultural use of the parcels.

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 a portion of Williamson Act Contract No. 1971-71 and all of Williamson Act Contract No. 1994-4258. The new contract will cover the entire 383.72 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.

#### **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

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

**ATTACHMENTS:**

1. Lot Line Adjustment Application No. PLN2014-0001
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

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