

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

DEPT: Planning and Community Development *At*

BOARD AGENDA # *D-4

Urgent Routine

AGENDA DATE April 29, 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. 1973-1535 and 1972-735, Located at 11949 Crows Landing Road, Between Simmons and Harding Roads, in the Crows Landing Area, Approval of a New Contract Pursuant to Minor Lot Line Adjustment PLN2013-0102, J&L Partners I, L.P. and J&L Partners II, L.P., 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restrict the adjusted boundaries of the parcel for an initial term for at least as long as the unexpired term of the rescinded contract or contracts, but for not less than 10 years except as authorized under the County Implementation of AB 1265.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. 2014-201

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 Rescind a Portion of Williamson Act Contracts No. 1973-1535 and 1972-735, Located at 11949 Crows Landing Road, Between Simmons and Harding Roads, in the Crows Landing Area, Approval of a New Contract Pursuant to Minor Lot Line Adjustment PLN2013-0102, J&L Partners I, L.P. and J&L Partners II, L.P., 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 Contracts No. 1973-1535 and 1972-735, Located at 11949 Crows Landing Road, between Simmons and Harding Roads, in the Crows Landing area.
 3. Approve a new contract pursuant to Minor Lot Line Adjustment PLN2013-0102, J&L Partners I, L.P. & J&L Partners II, L.P.
 4. Authorize the Director of Planning and Community Development to execute a new contract pursuant to Minor Lot Line Adjustment PLN2013-0102.

DISCUSSION:

Lot Line Adjustment PLN2013-0102 was approved by staff pending the Board's action required by the Williamson Act. The properties are located at 11949 Crows Landing, between Simmons and Harding Roads, in the Crows Landing area, in the unincorporated area of Stanislaus County.

Approval to Rescind a Portion of Williamson Act Contracts No. 1973-1535 and 1972-735, Located at 11949 Crows Landing Road, Between Simmons and Harding Roads, in the Crows Landing Area, Approval of a New Contract Pursuant to Minor Lot Line Adjustment PLN2013-0102, J&L Partners I, L.P. and J&L Partners II, L.P., 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 four parcels go from 40.1, 40.1, 40.2 and 40.2 acres (160.6 acres total) to three of 40.0 acre parcels and one 40.6 acre parcel (160.6 acres total). The reason for the lot line adjustment request is that the resultant parcels will align with a natural feature on the ground, the T.I.D. Lateral No. 4, while maintaining a minimum area of 40 gross acres. The 160.6 acres are in irrigated row crops with no structures on site. Two parcels are under the ownership of J&L Partners I, L.P. and the other two parcels are under the ownership of J&L Partners II, L.P.

The four parcels are currently enrolled in a portion of Williamson Act Contracts No. 1973-1535 and 1972-735. 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.

(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

Approval to Rescind a Portion of Williamson Act Contracts No. 1973-1535 and 1972-735, Located at 11949 Crows Landing Road, Between Simmons and Harding Roads, in the Crows Landing Area, Approval of a New Contract Pursuant to Minor Lot Line Adjustment PLN2013-0102, J&L Partners I, L.P. and J&L Partners II, L.P., and Authorization for the Director of Planning and Community Development to Execute a New Contract

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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. 1973-1535 and 1972-735, upon recording. The new contract will cover the entire 160.6 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 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.

Approval to Rescind a Portion of Williamson Act Contracts No. 1973-1535 and 1972-735, Located at 11949 Crows Landing Road, Between Simmons and Harding Roads, in the Crows Landing Area, Approval of a New Contract Pursuant to Minor Lot Line Adjustment PLN2013-0102, J&L Partners I, L.P. and J&L Partners II, L.P., and Authorization for the Director of Planning and Community Development to Execute a New Contract

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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. PLN2013-0102
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\pln2013-0102-j& l parntership\lla pln2013-0102-report.doc)



DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT

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

S	29	T	3	R	9
ZONE	A-2-40				
RECEIVED	11-1-2013				
APPLICATION NO.	PLAN 2013-0102				
RECEIPT NO.					

LOT LINE ADJUSTMENT APPLICATION

1. Property Owner(s):

Parcel 1

J&L PARTNERS II, L.P.
 Name
11949 CROWSLANDING RD CROWSLANDIN
 Address, City, Zip
209-632-1483
 Phone

 Fax Number

Parcel 2

J&L PARTNERS II, L.P.
 Name
11949 CROWSLANDING RD CROWSLANDING
 Address, City, Zip
209-632-1483
 Phone
209-632-1483
 Fax Number

Parcel 3

J&L PARTNERS I, L.P.
 Name
11949 CROWSLANDING RD, CROWSLANDI
 Address, City, Zip
209-632-1483
 Phone

 Fax Number

Parcel 4

J&L PARTNERS I, L.P.
 Name
11949 CROWSLANDING RD, CROWSLANDIN
 Address, City, Zip
209-632-1483
 Phone

 Fax Number

2. Name and address of person(s) preparing map: RIEN GROENEWOUD PLS 6946, NORTHSTAR
ENGINEERING 620 12TH STREET, MODESTO CA 95354. RIEN@NSENG.NET

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

Parcel 1: Book 058 Page 022 No. 048 Parcel 2: Book 058 Page 022 No. 022
 Parcel 3: Book 058 Page 022 No. 049 Parcel 4: Book 058 Page 022 No. 049

4. Size of all adjusted parcels:

	<u>Before</u>	<u>After</u>
Parcel 1:	<u>40.1</u>	<u>40.0 GROSS</u>
Parcel 2:	<u>40.1</u>	<u>40.0 GROSS</u>
Parcel 3:	<u>40.2</u>	<u>40.6 GROSS</u>
Parcel 4:	<u>40.2</u>	<u>40.0 GROSS</u>

5. Why are the lot lines being changed? BE SPECIFIC The lot lines are adjusted to align with a
natural feature on land and estate planning.

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: There are no structures onsite.

8. How have these parcels been utilized in the past, if different than current use? n/a

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

Parcel 1: <u>2004</u>	Parcel 2: <u>2004</u>
Parcel 3: <u>2004</u>	Parcel 4: <u>2004</u>

10. What are the Williamson Act Contract numbers?

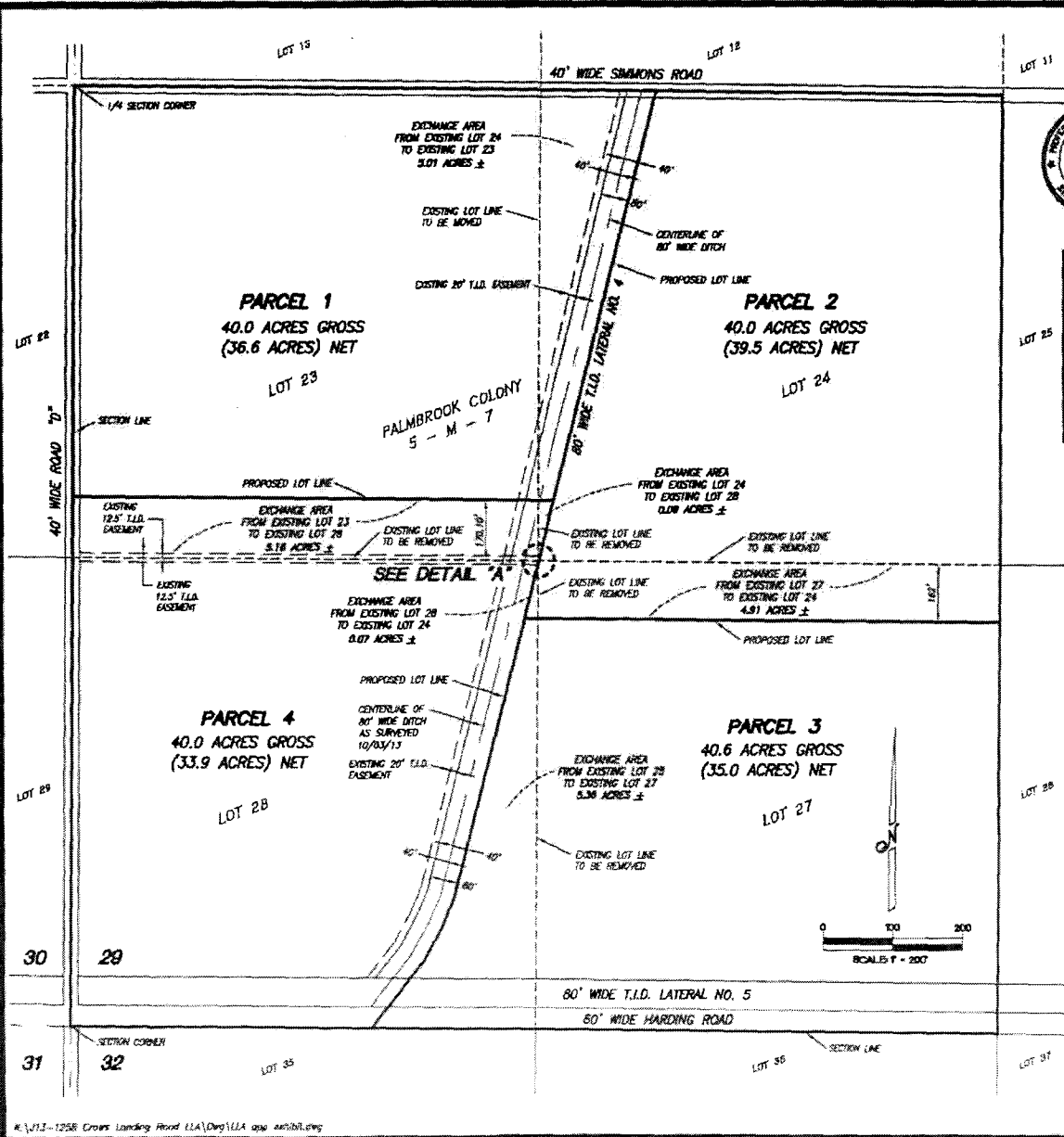
Parcel 1: <u>73-1535</u>	Parcel 2: <u>72-0735</u>
Parcel 3: <u>73-1535</u>	Parcel 4: <u>73-1535</u>

11. Do the parcels irrigate? Yes No If yes, how? T.I.D. Lateral; flood irrigation

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

13. Signature of property owner(s)

<u>Joe P. Mendes</u> Owner's Signature	<u>Joe P. Mendes</u> Owner's Name Printed
<u>Leontina Mendes</u> Owner's Signature	<u>LEONTINA MENDES</u> Owner's Name Printed
_____ Owner's Signature	_____ Owner's Name Printed
_____ Owner's Signature	_____ Owner's Name Printed



PROPOSED LOT LINE ADJUSTMENT

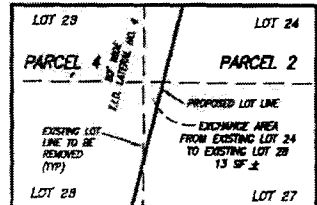
IN THE SOUTHWEST 1/4 OF SECTION 29,
TOWNSHIP 5 SOUTH, RANGE 9 EAST,
MOUNT Diablo MERIDIAN
STANISLAUS COUNTY, CALIFORNIA

NORTHSTAR ENGINEERING GROUP, INC.

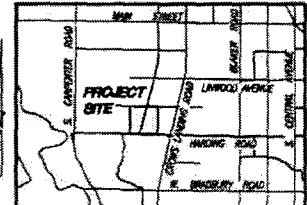
620 12th Street, Modesto, CA 95354
(209) 524-3525



10/29/2013



DETAIL "A"
1"=10'



VICINITY MAP
NOT TO SCALE

EXISTING PARCELS		PROPOSED PARCELS	
LOT 23 APN: 058-022-048	40.1 ACRES	PARCEL 1	40.0 ACRES GROSS (36.6 ACRES) NET
LOT 24 APN: 058-022-021 APN: 058-022-022	40.1 ACRES	PARCEL 2	40.0 ACRES GROSS (39.5 ACRES) NET
LOT 27 APN: 058-022-049	40.2 ACRES	PARCEL 3	40.6 ACRES GROSS (35.0 ACRES) NET
LOT 28 APN: 058-022-049	40.2 ACRES	PARCEL 4	40.0 ACRES GROSS (33.9 ACRES) NET

OWNER:
J & I PARTNERS L.P.
11949 CROWS LANDING ROAD
CROWS LANDING, CA 95313
(209) 632-1483

SURVEYOR:
NORTHSTAR ENGINEERING GROUP, INC.
620 12TH STREET
MODESTO, CA 95354
(209) 524-3525
ATTN: BEN GROENEUWOU, PLS 6946

SITE ADDRESS: 11949 CROWS LANDING ROAD, CROWS LANDING CA

APN: 058-022-021, 022, 048 & 049

EXISTING ZONING: A-2-40

WATER TABLE: ELEVATION 36' +/-
PER CALIFORNIA DEPARTMENT OF WATER RESOURCES
STATE WELL # 0520A228001M

SOIL TYPES:
(From <http://websoilsurvey.nrcs.usda.gov/app/WebSoilSurvey>)
PRESHO SANDY LOAM, SLIGHTLY SALINE-ALKALI, 0 TO 1 PERCENT SLOPES 2.0%
HAMFORD SANDY LOAM, POORLY DRAINED-HARRANT, 0 TO 1 PERCENT SLOPES 6.7%
TRAVER SANDY LOAM, MODERATELY SALINE-ALKALI, 0 TO 1 PERCENT SLOPES 14.2%
WALKERNA FINE SANDY LOAM, MODERATELY SALINE-ALKALI, 0 TO 1 PERCENT SLOPES 77.0%





DEPARTMENT OF PLANNING & COMMUNITY DEVELOPMENT

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

November 15, 2013

Rien Groenewoud
NorthStar Engineering
620 12th Street
Modesto, CA 95354

**SUBJECT: TENTATIVE APPROVAL OF LOT LINE ADJUSTMENT NO. PLN2013-0102
J&L PARTNERS I & II LP**

The Stanislaus County Department of Planning and Community Development, completed its consideration of your application on **November 15, 2013**, 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: J&L Partners I & II LP

STRIVING TO BE THE BEST COUNTY IN AMERICA

ATTACHMENT 2

Project Description and Landowner Justification

This project is a lot line adjustment between Assessor's Parcel Nos. 058-022-021, 058-022-022, 058-022-048 and 058-022-049 (portion), owned by J & L Partners I & II, L.P.

This Lot Line Adjustment is being prepared so that the resultant parcels will align with a natural feature on the ground (T.I.D. Lateral No. 4), while maintaining a minimum area of 40 acres gross.

This Lot Line Adjustment begins with 4 legal parcels and will end with 4 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 058-022-021, 048 & 049 (Parcels 1, 3 & 4) are under the same Williamson Act contract No. 1973-1535 and APN 058-022-022 is under Williamson Act contract No. 1972-0735. Both existing Williamson Act are not subject to a Notice of Non-Renewal.

(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. The aggregate acreages of the new contracts are the same as the aggregate acreages of the old contracts.

(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 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.

Consistent with Section 51222, all parcels will be 40 acres or larger 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 acres in size if prime farmland, or greater than 40 acres in the case of non-prime farmland. The subject properties are identified as 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.

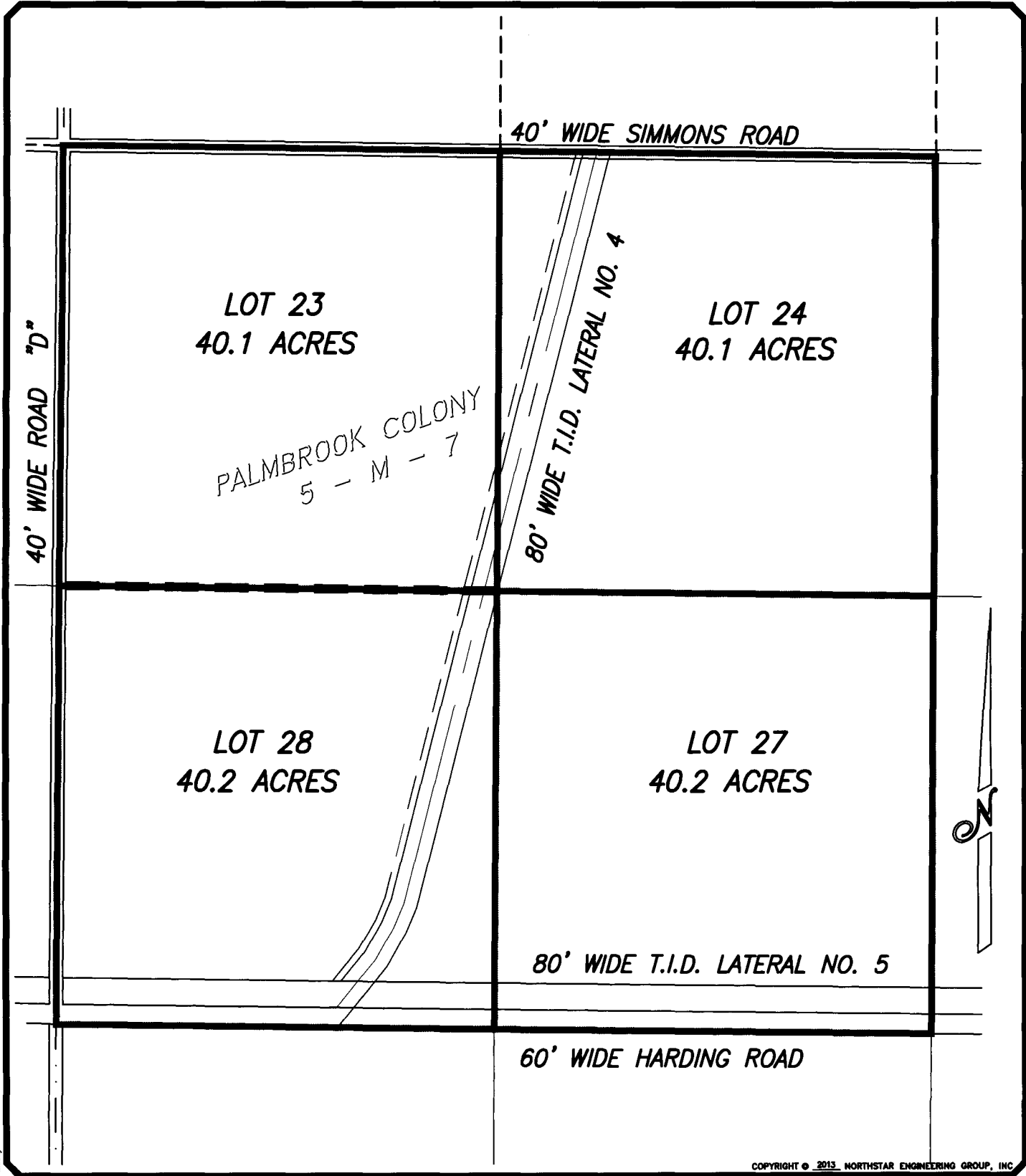
All of these parcels have been used for agricultural productivity in their current configuration for a long time. The new lot configuration, after adjustment, will align the parcels with the 80' wide T.I.D. ditch and no changes are proposed to the agricultural use or irrigation or drainage patterns.

(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.

Four legal parcels currently exist, and the lot line adjustment proposes 4 parcel. 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.



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NorthStar
Engineering Group, Inc.

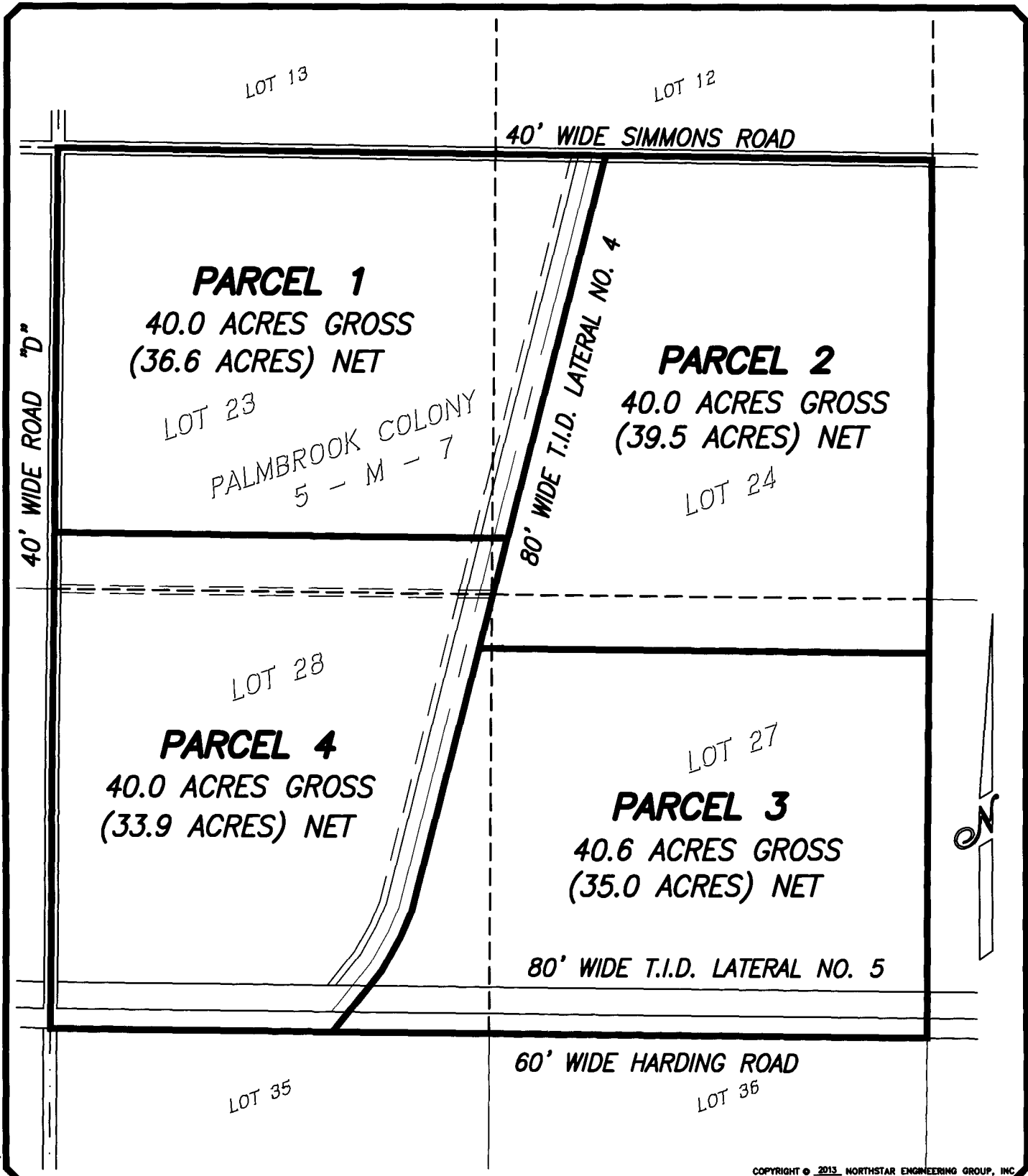
• CIVIL ENGINEERING • SURVEYING • PLANNING •
 620 12th Street Modesto, CA 95354
 (209) 524-3525 Phone (209) 524-3526 Fax

11949 CROWSLANDING ROAD

**BEFORE
LOT LINE ADJUSTMENT**

STANISLAUS COUNTY CALIFORNIA

JOB:	J13-12
DATE:	12/9/13
SCALE:	1"=400'
DRAWN:	NM
DESIGN:	
CHK'D:	RG
SHEET	01
	OF 2



COPYRIGHT © 2013, NORTHSTAR ENGINEERING GROUP, INC

PLOTTED: 12/9/13 10:09 AM
 PLOTTED BY: Mharrise
 DWG NAME: K:\13-1228 Crowslanding Road (LA)\Dwg\LA_cdrk_enh301.dwg

NorthStar
Engineering Group, Inc.

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

11949 CROWSLANDING ROAD

**AFTER
LOT LINE ADJUSTMENT**

STANISLAUS COUNTY CALIFORNIA

JOB:	J13-12
DATE:	12/9/13
SCALE:	1"=400'
DRAWN:	NM
DESIGN:	
CHK'D:	RG
SHEET	2 OF 2



Stanislaus, County Recorder
Lee Lundrigan Co Recorder Office
DOC- 2014-0032901-00

Acct 121-Planning.
Thursday, MAY 22, 2014 08:08:41
Rcpt # 0003525337

OMK/R2/1-11

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 November 15, 2013, approved the lot line adjustment herein described submitted under the name of J&L Partners I & II LP Lot Line Adjustment No. PLN2013-0102 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

ime

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California)

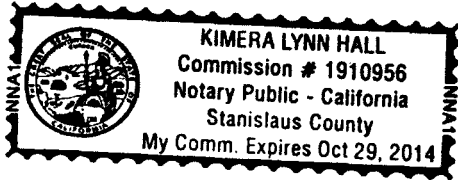
County of Stanislaus)

KH 4/30/2014

On August 11, 2013 before me, Kimera Lynn Hall, Notary Public, personally appeared

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

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



WITNESS my hand and official seal.

Kimera Lynn Hall

Signature of Notary

OPTIONAL

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

DESCRIPTION OF ATTACHED DOCUMENT

Title or Type of Document:

Date of Document:

Number of Pages in words:

Signer(s) Other Than Named Above:

CAPACITY(IES) CLAIMED BY SIGNER(S)

Signer's Name:

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

RIGHT THUMB

SIGNER IS REPRESENTING:

Blank lines for representation details.

1/1/08

Signer's Name:

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

RIGHT THUMB

SIGNER IS REPRESENTING:

Blank lines for representation details.

CONDITIONS FOR LOT LINE ADJUSTMENT NO. PLN2013-0102

J&L PARTNERS I & II LP

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. PLN2013-0102

J&L PARTNERS I & II LP

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. PLN2013-0102

OWNERS:

NAME (Print or type)	SIGNATURE (All to be notarized)	DATE	SIGNED AT (City)
<u>JOE MENDES</u>	<u>[Signature]</u>	<u>11-20-13</u>	<u>NEWMAN</u>
<u>LEONTINA MENDES</u>	<u>[Signature]</u>	<u>11-20-13</u>	<u>NEWMAN</u>
<u>Trustee of the Mendes 2004 Living Trust, General Partner</u>			
<u>Trustee of the Mendes 2004 Living Trust, General Partner</u>			
<u>owners of J.L. Partners, I&II, L.P.</u>			

SECURITY HOLDERS:

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

ACKNOWLEDGMENT

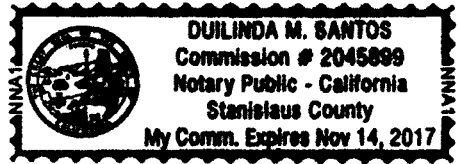
State of California
County of Stanislaus

On 11-20-2013 before me, Dulinda M Santos - Notary Public
(insert name and title of the officer)

personally appeared Joe Mendes & Leontina Mender
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 Dulinda M Santos (Seal)

EXHIBIT 'A'

LOT LINE ADJUSTMENT No. PLN2013-0102

PARCEL 1

Lot 23 of Palmbrook Colony, according to the Official Map thereof, filed in the Office of the Recorder of Stanislaus County, California, on June 18, 1910 in Volume 5 of Maps, at Page 7.

PARCEL 2

Lot 24 of Palmbrook Colony, according to the Official Map thereof, filed in the Office of the Recorder of Stanislaus County, California, on June 18, 1910 in Volume 5 of Maps, at Page 7.

EXCEPTING THEREFROM all oil, gas and other hydrocarbon substances and other minerals in and under the above described property, as excepted and reserved in the following deeds:

- a. Deed from Bank of America National Trust and Savings Association, a National Banking Association, as Trustee under the will of Daisy E. Dolan, also known as Mary B. Brown, deceased, dated April 21, 1960 and recorded July 8, 1960 in Volume 1622 of Official Records, at Page 464, Instrument No. 19286.
- b. Deed from Annaeliza Tate (also known as Ann Eliza Tate) and William S. Tate, her husband, dated April 29, 1960 and recorded July 8, 1960 in Volume 1622 of Official Records, at Page 463, as Instrument No. 19287
- c. Deed from Leland T. McGee and Bernadine McGee, also known as Bernadine McGee, husband and wife, dated March 25, 1964, and recorded April 3, 1964 in Volume 1937 of Official Records, at Page 24, as Instrument No. 135583.

PARCEL 3

Lot 27 of Palmbrook Colony, according to the Official Map thereof, filed in the Office of the Recorder of Stanislaus County, California, on June 18, 1910 in Volume 5 of Maps, at Page 7.

PARCEL 4

Lot 28 of Palmbrook Colony, according to the Official Map thereof, filed in the Office of the Recorder of Stanislaus County, California, on June 18, 1910 in Volume 5 of Maps, at Page 7.



EXHIBIT 'B'

LOT LINE ADJUSTMENT No. PLN2013-0102

ADJUSTED PARCEL 1

Lot 23 of Palmbrook Colony, according to the Official Map thereof, filed in the Office of the Recorder of Stanislaus County, California, on June 18, 1910 in Volume 5 of Maps, at Page 7.

EXCEPTING THEREFROM the South 170.10 feet.

TOGETHER WITH that certain portion of Lot 24 of said Palmbrook Colony lying westerly of the easterly right-of-way line of the 80-foot wide Turlock Irrigation District Lateral No. 4, as described in a Deed, filed for record on March 31, 1905 in Volume 92 of Deeds, at Page 400, Stanislaus County Records, and lying 170.10 feet at right angles North of the South line of said Lot 24.

EXCEPTING THEREFROM all oil, gas and other hydrocarbon substances and other minerals in and under the above described property, as excepted and reserved in the following deeds:

- a. Deed from Bank of America National Trust and Savings Association, a National Banking Association, as Trustee under the will of Daisy E. Dolan, also known as Mary B. Brown, deceased, dated April 21, 1960 and recorded July 8, 1960 in Volume 1622 of Official Records, at Page 464, Instrument No. 19286.
- b. Deed from Annaeliza Tate (also known as Ann Eliza Tate) and William S. Tate, her husband, dated April 29, 1960 and recorded July 8, 1960 in Volume 1622 of Official Records, at Page 463, as Instrument No. 19287
- c. Deed from Leland T. McGee and Bernadine McGee, also known as Bernadine McGee, husband and wife, dated March 25, 1964, and recorded April 3, 1964 in Volume 1937 of Official Records, at Page 24, as Instrument No. 135583.

SUBJECT TO all easements and/or rights-of-way of record.

Containing 40.0 acres, more or less.

ADJUSTED PARCEL 2

Lot 24 of Palmbrook Colony, according to the Official Map thereof, filed in the Office of the Recorder of Stanislaus County, California, on June 18, 1910 in Volume 5 of Maps, at Page 7.

TOGETHER WITH the North 162 feet of Lot 27 and Lot 28 of said Palmbrook Colony lying easterly of the easterly right-of-way line of the 80-foot wide Turlock Irrigation District Lateral

No. 4, as described in a Deed, filed for record on March 31, 1905 in Volume 92 of Deeds, at Page 400, Stanislaus County Records.

EXCEPTING THEREFROM that portion of said Lot 24 of Palmbrook Colony lying westerly of the easterly right-of-way line of the 80-foot wide Turlock Irrigation District Lateral No. 4, as described in a Deed, filed for record on March 31, 1905 in Volume 92 of Deeds, at Page 400, Stanislaus County Records.

ALSO EXCEPTING THEREFROM all oil, gas and other hydrocarbon substances and other minerals in and under the above described property, as excepted and reserved in the following deeds:

- a. Deed from Bank of America National Trust and Savings Association, a National Banking Association, as Trustee under the will of Daisy E. Dolan, also known as Mary B. Brown, deceased, dated April 21, 1960 and recorded July 8, 1960 in Volume 1622 of Official Records, at Page 464, Instrument No. 19286.
- b. Deed from Annaeliza Tate (also known as Ann Eliza Tate) and William S. Tate, her husband, dated April 29, 1960 and recorded July 8, 1960 in Volume 1622 of Official Records, at Page 463, as Instrument No. 19287
- c. Deed from Leland T. McGee and Bernadine McGee, also known as Bernadine McGee, husband and wife, dated March 25, 1964, and recorded April 3, 1964 in Volume 1937 of Official Records, at Page 24, as Instrument No. 135583.

SUBJECT TO all easements and/or rights-of-way of record.

Containing 40.0 acres, more or less.

ADJUSTED PARCEL 3

Lot 27 of Palmbrook Colony, according to the Official Map thereof, filed in the Office of the Recorder of Stanislaus County, California, on June 18, 1910 in Volume 5 of Maps, at Page 7.

EXCEPTING THEREFROM the North 162 feet.

TOGETHER WITH that certain portion of Lot 28 of said Palmbrook Colony lying easterly of the easterly right-of-way line of the 80-foot wide Turlock Irrigation District Lateral No. 4, as described in a Deed, filed for record on March 31, 1905 in Volume 92 of Deeds, at Page 400, Stanislaus County Records, and lying 162 feet at right angles South of the North line of said Lot 28.

SUBJECT TO all easements and/or rights-of-way of record.

Containing 40.6 acres, more or less.

ADJUSTED PARCEL 4

Lot 28 of Palmbrook Colony, according to the Official Map thereof, filed in the Office of the Recorder of Stanislaus County, California, on June 18, 1910 in Volume 5 of Maps, at Page 7.

TOGETHER WITH the North 170.10 feet of Lot 23 of said Palmbrook Colony.

ALSO TOGETHER WITH those portions of Lot 24 and Lot 27 of said Palmbrook Colony lying westerly of the easterly right-of-way line of the 80-foot wide Turlock Irrigation District Lateral No. 4, as described in a Deed, filed for record on March 31, 1905 in Volume 92 of Deeds, at Page 400, Stanislaus County Records.


EXCEPTING THEREFROM that certain portion of said Lot 28 of Palmbrook Colony lying easterly of the easterly right-of-way line of the 80-foot wide Turlock Irrigation District Lateral No. 4, as described in a Deed, filed for record on March 31, 1905 in Volume 92 of Deeds, at Page 400, Stanislaus County Records.

ALSO EXCEPTING THEREFROM all oil, gas and other hydrocarbon substances and other minerals in and under the above described property, as excepted and reserved in the following deeds:

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- b. Deed from Annaeliza Tate (also known as Ann Eliza Tate) and William S. Tate, her husband, dated April 29, 1960 and recorded July 8, 1960 in Volume 1622 of Official Records, at Page 463, as Instrument No. 19287
- c. Deed from Leland T. McGee and Bernadine McGee, also known as Bernadine McGee, husband and wife, dated March 25, 1964, and recorded April 3, 1964 in Volume 1937 of Official Records, at Page 24, as Instrument No. 135583.

SUBJECT TO all easements and/or rights-of-way of record.

Containing 40.0 acres, more or less.


Rien Groenewoud, P.L.S. 6946



12/2/13

PROPOSED LOT LINE ADJUSTMENT

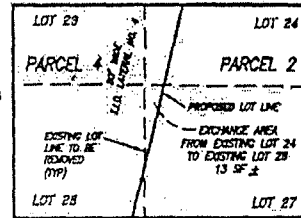
IN THE SOUTHWEST 1/4 OF SECTION 29,
TOWNSHIP 5 SOUTH, RANGE 9 EAST,
MOUNT DIABLO MERIDIAN
STANISLAUS COUNTY, CALIFORNIA

NORTHSTAR ENGINEERING GROUP, INC.

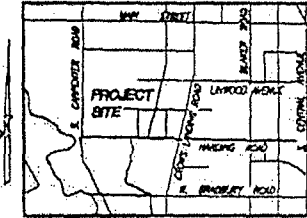
620 12th Street, Modesto, CA 95354
(209) 524-3525



10/29/2013



DETAIL "A"
1"=10'



VICINITY MAP
NOT TO SCALE

EXISTING PARCELS		PROPOSED PARCELS	
LOT 23	40.1 ACRES APN: 058-022-048	PARCEL 1	40.0 ACRES GROSS (36.6 ACRES) NET
LOT 24	40.1 ACRES APN: 058-022-021 APN: 058-022-022	PARCEL 2	40.0 ACRES GROSS (39.5 ACRES) NET
LOT 27	40.2 ACRES APN: 058-022-049	PARCEL 3	40.6 ACRES GROSS (35.0 ACRES) NET
LOT 28	40.2 ACRES APN: 058-022-049	PARCEL 4	40.0 ACRES GROSS (33.9 ACRES) NET

OWNER:

J & L PARTNERS L.P.
11948 CROWS LANDING ROAD
CROWS LANDING, CA 95313
(209) 637-1483

SURVEYOR:

NORTHSTAR ENGINEERING GROUP, INC.
620 12TH STREET
MODESTO, CA 95354
(209) 524-3525
ATtn: BEN GRODENROW, PLS 8946

SITE ADDRESS: 11948 CROWS LANDING ROAD, CROWS LANDING CA

APN: 058-022-021, 022, 048 & 049

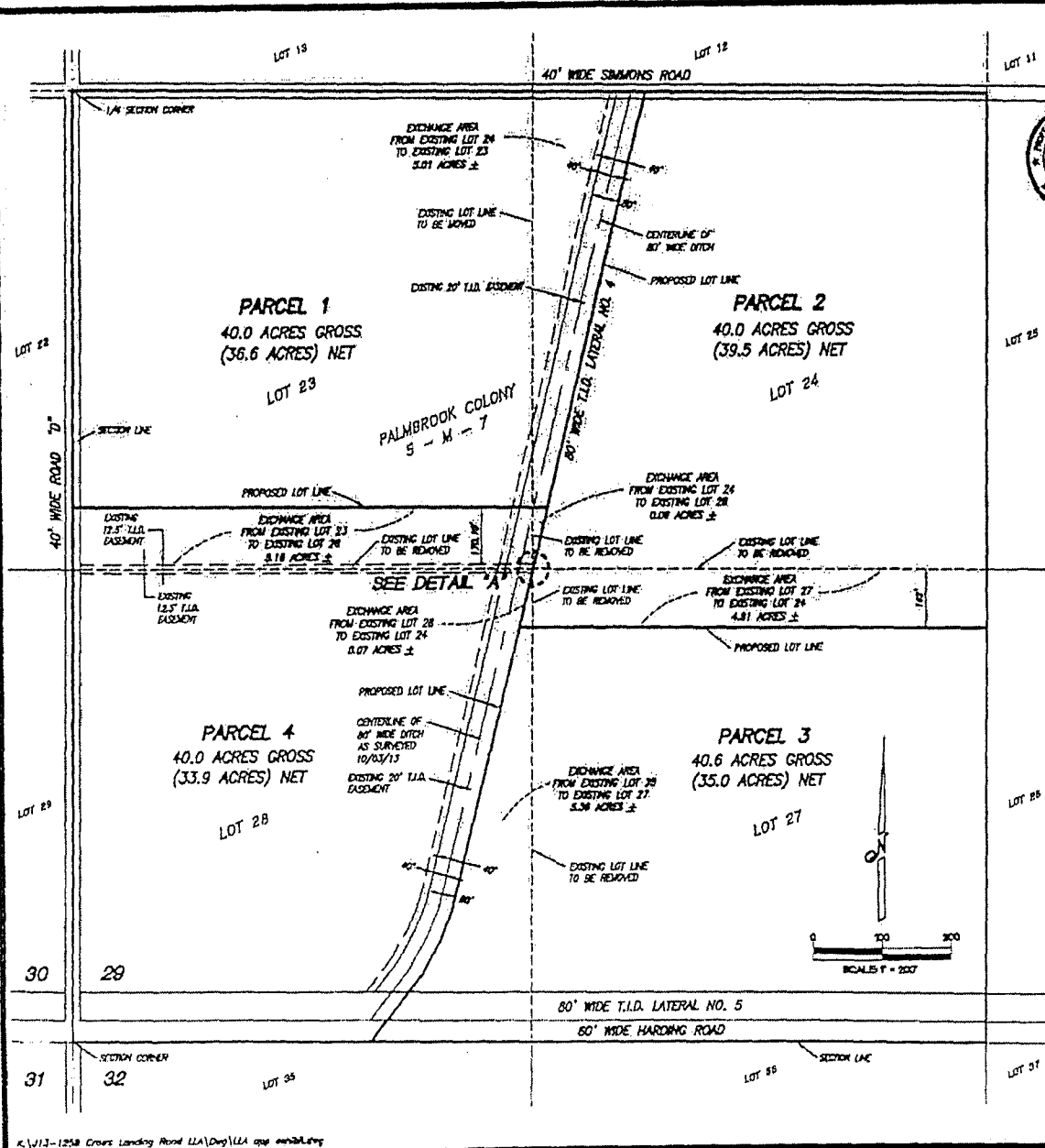
EXISTING ZONING: A-2-40

WATER TABLE: ELEVATION 56' +/-
PER CALIFORNIA DEPARTMENT OF WATER RESOURCES
STATE WELL / 0580220010

SOIL TYPES:

(From <http://websoilsurvey.nrcs.usda.gov/app/WebSoilsSurvey/>)
FRESHWATER SANDY LOAM, SLIGHTLY SALINE-ALKALI 0 TO 1 PERCENT SLOPES 2.0%
HANFORD SANDY LOAM, POORLY DRAINED VARIANT, 0 TO 1 PERCENT SLOPES 6.7%
TOWER SANDY LOAM, MODERATELY SALINE-ALKALI 0 TO 1 PERCENT SLOPES 14.5%
WALNUTVA FINE SANDY LOAM, MODERATELY SALINE-ALKALI, 0 TO 1 PERCENT SLOPES 77.0%

SHEET 1 OF 1



RECORDING REQUESTED BY
STANISLAUS COUNTY BOARD OF
SUPERVISORS

THIS SPACE FOR RECORDER ONLY



Stanislaus, County Recorder
Lee Lundrigan Co Recorder Office
DOC- 2014-0032902-00
Thursday, MAY 22, 2014 08:09:16
Rcpt # 0003525339
OMK/R2/2-13

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. 2014-16**

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: J&L Partners I & II, L.P.
11949 Crows Landing Road
Crows Landing, CA 95313

- (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>058-022-021</u>	<u>40.0</u>	<u>Simmons Road, Crows Landing</u>
<u>058-022-022</u>	<u>40.0</u>	<u>Simmons Road, Crows Landing</u>
<u>058-022-048</u>	<u>40.0</u>	<u>Harding Road, Crows Landing</u>
<u>058-022-049</u>	<u>40.6</u>	<u>11949 Crows Landing Road, Crows Landing</u>

Pursuant to Stanislaus County Board of Supervisors Resolution No. 2014-201, relating to Lot Line Adjustment No. PLN2013-0102 as authorized by Govt. Code § 51257, California Land Conservation Contract Nos. 73-1535 & 72-735 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.

BML

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)
JOSÉ MENDES	José Mendes	11-20-13	Newman
LEONTINA MENDES	Leontina Mendes	11-20-13	Newman
Trustee of the Mendes 2004 Living Trust, General Partner			
Trustee of the Mendes 2004 Living Trust, General Partner			
Owners of J&L Partners I+II, L.P.			

SECURITY HOLDERS:

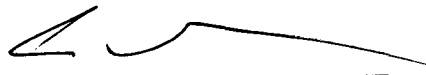
NAME (print or type)	SIGNATURE (all to be notarized)	DATE	SIGNED AT (city)

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

5-16-2014
Dated



Chairman, Board of Supervisors
Angela Freitas for Jim DeMartini

ACKNOWLEDGMENT

State of California
County of Stanislaus

On 11-20-2013 before me, Dulinda M. Santos - Notary Public
(insert name and title of the officer)

personally appeared Joe Mendes & Leontina Mendes
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 Dulinda M Santos (Seal)

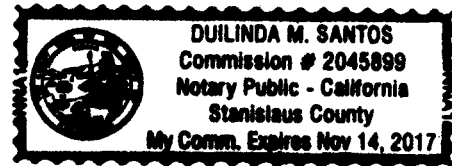


EXHIBIT 'A'

LOT LINE ADJUSTMENT No. PLN2013-0102

PARCEL 1

Lot 23 of Palmbrook Colony, according to the Official Map thereof, filed in the Office of the Recorder of Stanislaus County, California, on June 18, 1910 in Volume 5 of Maps, at Page 7.

PARCEL 2

Lot 24 of Palmbrook Colony, according to the Official Map thereof, filed in the Office of the Recorder of Stanislaus County, California, on June 18, 1910 in Volume 5 of Maps, at Page 7.

EXCEPTING THEREFROM all oil, gas and other hydrocarbon substances and other minerals in and under the above described property, as excepted and reserved in the following deeds:

- a. Deed from Bank of America National Trust and Savings Association, a National Banking Association, as Trustee under the will of Daisy E. Dolan, also known as Mary B. Brown, deceased, dated April 21, 1960 and recorded July 8, 1960 in Volume 1622 of Official Records, at Page 464, Instrument No. 19286.
- b. Deed from Annaeliza Tate (also known as Ann Eliza Tate) and William S. Tate, her husband, dated April 29, 1960 and recorded July 8, 1960 in Volume 1622 of Official Records, at Page 463, as Instrument No. 19287
- c. Deed from Leland T. McGee and Bernadine McGee, also known as Bernadine McGee, husband and wife, dated March 25, 1964, and recorded April 3, 1964 in Volume 1937 of Official Records, at Page 24, as Instrument No. 135583.

PARCEL 3

Lot 27 of Palmbrook Colony, according to the Official Map thereof, filed in the Office of the Recorder of Stanislaus County, California, on June 18, 1910 in Volume 5 of Maps, at Page 7.

PARCEL 4

Lot 28 of Palmbrook Colony, according to the Official Map thereof, filed in the Office of the Recorder of Stanislaus County, California, on June 18, 1910 in Volume 5 of Maps, at Page 7.



EXHIBIT 'B'

LOT LINE ADJUSTMENT No. PLN2013-0102

ADJUSTED PARCEL 1

Lot 23 of Palmbrook Colony, according to the Official Map thereof, filed in the Office of the Recorder of Stanislaus County, California, on June 18, 1910 in Volume 5 of Maps, at Page 7.

EXCEPTING THEREFROM the South 170.10 feet.

TOGETHER WITH that certain portion of Lot 24 of said Palmbrook Colony lying westerly of the easterly right-of-way line of the 80-foot wide Turlock Irrigation District Lateral No. 4, as described in a Deed, filed for record on March 31, 1905 in Volume 92 of Deeds, at Page 400, Stanislaus County Records, and lying 170.10 feet at right angles North of the South line of said Lot 24.

EXCEPTING THEREFROM all oil, gas and other hydrocarbon substances and other minerals in and under the above described property, as excepted and reserved in the following deeds:

- a. Deed from Bank of America National Trust and Savings Association, a National Banking Association, as Trustee under the will of Daisy E. Dolan, also known as Mary B. Brown, deceased, dated April 21, 1960 and recorded July 8, 1960 in Volume 1622 of Official Records, at Page 464, Instrument No. 19286.
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- c. Deed from Leland T. McGee and Bernadine McGee, also known as Bernadine McGee, husband and wife, dated March 25, 1964, and recorded April 3, 1964 in Volume 1937 of Official Records, at Page 24, as Instrument No. 135583.

SUBJECT TO all easements and/or rights-of-way of record.

Containing 40.0 acres, more or less.

ADJUSTED PARCEL 2

Lot 24 of Palmbrook Colony, according to the Official Map thereof, filed in the Office of the Recorder of Stanislaus County, California, on June 18, 1910 in Volume 5 of Maps, at Page 7.

TOGETHER WITH the North 162 feet of Lot 27 and Lot 28 of said Palmbrook Colony lying easterly of the easterly right-of-way line of the 80-foot wide Turlock Irrigation District Lateral

No. 4, as described in a Deed, filed for record on March 31, 1905 in Volume 92 of Deeds, at Page 400, Stanislaus County Records.

EXCEPTING THEREFROM that portion of said Lot 24 of Palmbrook Colony lying westerly of the easterly right-of-way line of the 80-foot wide Turlock Irrigation District Lateral No. 4, as described in a Deed, filed for record on March 31, 1905 in Volume 92 of Deeds, at Page 400, Stanislaus County Records.

ALSO EXCEPTING THEREFROM all oil, gas and other hydrocarbon substances and other minerals in and under the above described property, as excepted and reserved in the following deeds:

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SUBJECT TO all easements and/or rights-of-way of record.

Containing 40.0 acres, more or less.

ADJUSTED PARCEL 3

Lot 27 of Palmbrook Colony, according to the Official Map thereof, filed in the Office of the Recorder of Stanislaus County, California, on June 18, 1910 in Volume 5 of Maps, at Page 7.

EXCEPTING THEREFROM the North 162 feet.

TOGETHER WITH that certain portion of Lot 28 of said Palmbrook Colony lying easterly of the easterly right-of-way line of the 80-foot wide Turlock Irrigation District Lateral No. 4, as described in a Deed, filed for record on March 31, 1905 in Volume 92 of Deeds, at Page 400, Stanislaus County Records, and lying 162 feet at right angles South of the North line of said Lot 28.

SUBJECT TO all easements and/or rights-of-way of record.

Containing 40.6 acres, more or less.

ADJUSTED PARCEL 4

Lot 28 of Palmbrook Colony, according to the Official Map thereof, filed in the Office of the Recorder of Stanislaus County, California, on June 18, 1910 in Volume 5 of Maps, at Page 7.

TOGETHER WITH the North 170.10 feet of Lot 23 of said Palmbrook Colony.

ALSO TOGETHER WITH those portions of Lot 24 and Lot 27 of said Palmbrook Colony lying westerly of the easterly right-of-way line of the 80-foot wide Turlock Irrigation District Lateral No. 4, as described in a Deed, filed for record on March 31, 1905 in Volume 92 of Deeds, at Page 400, Stanislaus County Records.

EXCEPTING THEREFROM that certain portion of said Lot 28 of Palmbrook Colony lying easterly of the easterly right-of-way line of the 80-foot wide Turlock Irrigation District Lateral No. 4, as described in a Deed, filed for record on March 31, 1905 in Volume 92 of Deeds, at Page 400, Stanislaus County Records.

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SUBJECT TO all easements and/or rights-of-way of record.

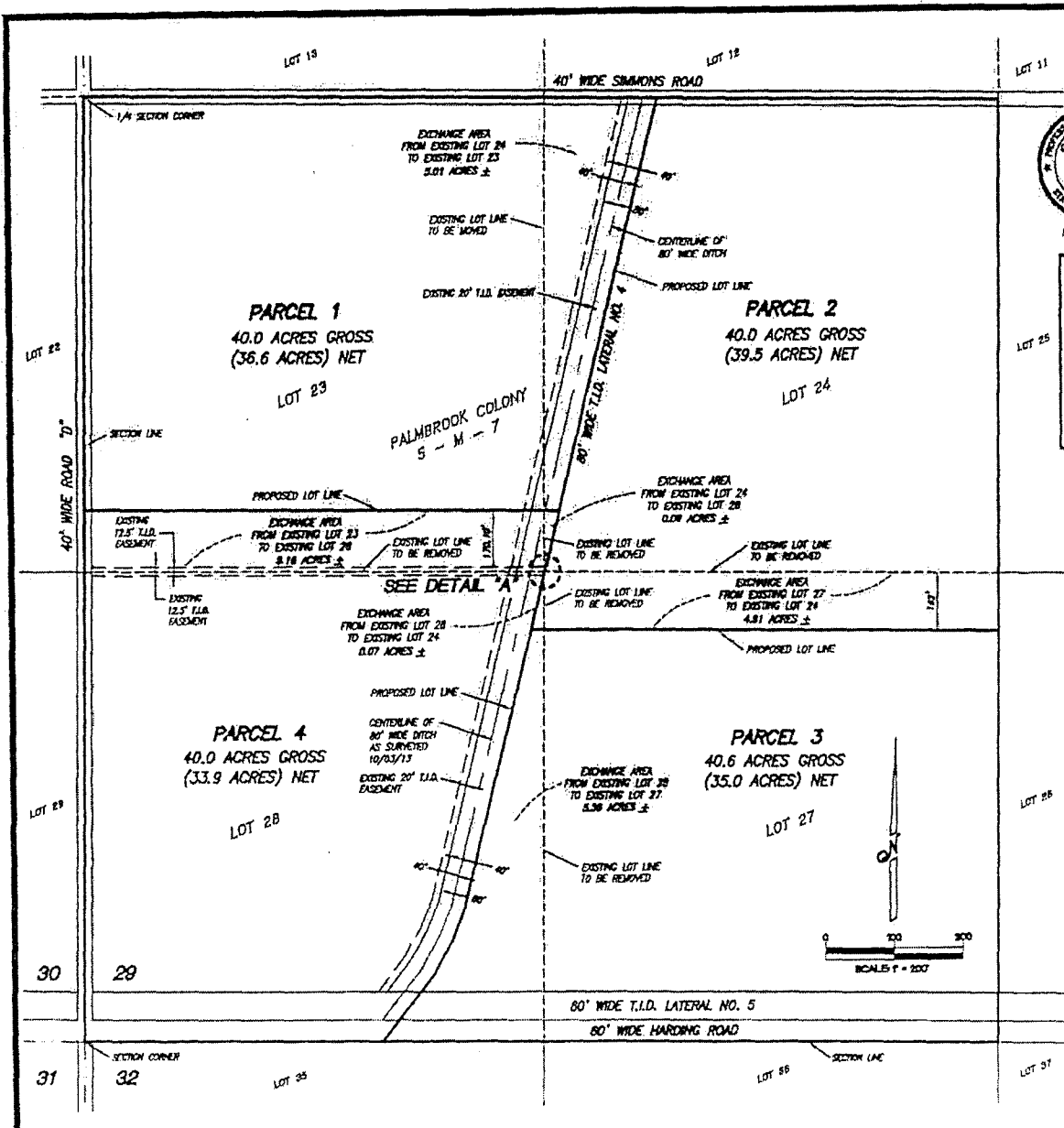
Containing 40.0 acres, more or less.



Rien Groenewoud, P.L.S. 6946



12/5/13

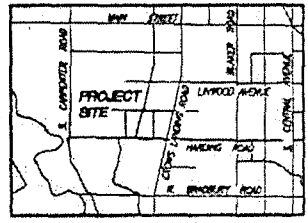
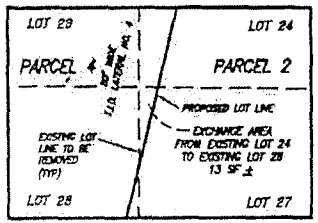


PROPOSED LOT LINE ADJUSTMENT

IN THE SOUTHWEST 1/4 OF SECTION 29,
TOWNSHIP 5 SOUTH, RANGE 9 EAST,
MOUNT DIABLO MERIDIAN
STANISLAUS COUNTY, CALIFORNIA

NORTHSTAR ENGINEERING GROUP, INC.

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



EXISTING PARCELS		PROPOSED PARCELS	
LOT 23	40.1 ACRES APN: 058-022-048	PARCEL 1	40.0 ACRES GROSS (36.6 ACRES) NET
LOT 24	40.1 ACRES APN: 058-022-021 APN: 058-022-022	PARCEL 2	40.0 ACRES GROSS (39.5 ACRES) NET
LOT 27	40.2 ACRES APN: 058-022-049	PARCEL 3	40.6 ACRES GROSS (35.0 ACRES) NET
LOT 28	40.2 ACRES APN: 058-022-049	PARCEL 4	40.0 ACRES GROSS (33.9 ACRES) NET

OWNER:
J & L PARTNERS I, L.P.
11849 CROWS LANDING ROAD
CROWS LANDING, CA 95313
(209) 637-1483

SURVEYOR:
NORTHSTAR ENGINEERING GROUP, INC.
620 12TH STREET
MODESTO, CA 95354
(209) 524-3525
ATTN: BRIAN GRODENWOLD, PLS 8948

SITE ADDRESS: 11949 CROWS LANDING ROAD, CROWS LANDING CA
APN: 058-022-021, 022, 048 & 049

EXISTING ZONING: A-2-40

WATER TABLE: ELEVATION 56.5 +/-
PER CALIFORNIA DEPARTMENT OF WATER RESOURCES
STATE WELL # 058022001M

SOIL TYPES:
(From: <http://websoilsurvey.nrcs.usda.gov/app/MapServlet>)
FRESH SANDY LOAM, SLIGHTLY SALINE-ALKALI 0 TO 1 PERCENT SLOPES 2.0X
HANFORD SANDY LOAM, POORLY DRAINED WARIANT, 0 TO 1 PERCENT SLOPES 6.7X
TINNEY SANDY LOAM, MODERATELY SALINE-ALKALI 0 TO 1 PERCENT SLOPES 14.5X
WALNUT FINE SANDY LOAM, MODERATELY SALINE-ALKALI, 0 TO 1 PERCENT SLOPES 77.0X

K:\112-1258 Crows Landing Road LLA\Draw\LLA app sub\112.dwg

EXHIBIT C

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

DEPT: Planning and Community Development Af

BOARD AGENDA # *D-4

Urgent Routine

AGENDA DATE April 29, 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. 1973-1535 and 1972-735, Located at 11949 Crows Landing Road, Between Simmons and Harding Roads, in the Crows Landing Area, Approval of a New Contract Pursuant to Minor Lot Line Adjustment PLN2013-0102, J&L Partners I, L.P. and J&L Partners II, L.P., 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. 2014-201

On motion of Supervisor Chiesa and approved by the following vote, Seconded by Supervisor Monteith

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.

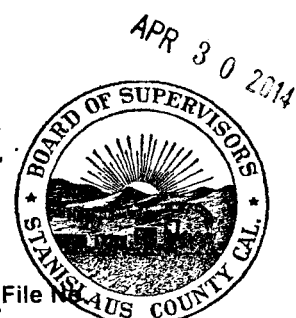
CHRISTINE FERRARO TALLMAN

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

ATTEST: CHRISTINE FERRARO TALLMAN, Clerk

By Patricia [Signature]

File No.



Approval to Rescind a Portion of Williamson Act Contracts No. 1973-1535 and 1972-735, Located at 11949 Crows Landing Road, Between Simmons and Harding Roads, in the Crows Landing Area, Approval of a New Contract Pursuant to Minor Lot Line Adjustment PLN2013-0102, J&L Partners I, L.P. and J&L Partners II, L.P., 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 Contracts No. 1973-1535 and 1972-735, Located at 11949 Crows Landing Road, between Simmons and Harding Roads, in the Crows Landing area.
 3. Approve a new contract pursuant to Minor Lot Line Adjustment PLN2013-0102, J&L Partners I, L.P. & J&L Partners II, L.P.
 4. Authorize the Director of Planning and Community Development to execute a new contract pursuant to Minor Lot Line Adjustment PLN2013-0102.

DISCUSSION:

Lot Line Adjustment PLN2013-0102 was approved by staff pending the Board's action required by the Williamson Act. The properties are located at 11949 Crows Landing, between Simmons and Harding Roads, in the Crows Landing area, in the unincorporated area of Stanislaus County.

Approval to Rescind a Portion of Williamson Act Contracts No. 1973-1535 and 1972-735, Located at 11949 Crows Landing Road, Between Simmons and Harding Roads, in the Crows Landing Area, Approval of a New Contract Pursuant to Minor Lot Line Adjustment PLN2013-0102, J&L Partners I, L.P. and J&L Partners II, L.P., 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 four parcels go from 40.1, 40.1, 40.2 and 40.2 acres (160.6 acres total) to three of 40.0 acre parcels and one 40.6 acre parcel (160.6 acres total). The reason for the lot line adjustment request is that the resultant parcels will align with a natural feature on the ground, the T.I.D. Lateral No. 4, while maintaining a minimum area of 40 gross acres. The 160.6 acres are in irrigated row crops with no structures on site. Two parcels are under the ownership of J&L Partners I, L.P. and the other two parcels are under the ownership of J&L Partners II, L.P.

The four parcels are currently enrolled in a portion of Williamson Act Contracts No. 1973-1535 and 1972-735. 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.

(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

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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. 1973-1535 and 1972-735, upon recording. The new contract will cover the entire 160.6 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 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.

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STAFFING IMPACT:

There are no staffing impacts associated with this item.

CONTACT PERSON:

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