

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

DEPT: Planning and Community Development *Ar*

BOARD AGENDA # \*D-1

Urgent  Routine

AGENDA DATE September 22, 2015

CEO Concurs with Recommendation YES  NO   
(Information Attached)

4/5 Vote Required YES  NO

SUBJECT:

Approval to Rescind a Portion of Both Williamson Act Contract Nos. 1971-0089 and 1980-3715, Located at 301 Crabtree Road, North of Yosemite Boulevard, East of Tim Bell Road, East of the City of Waterford; and Approval of New Contracts Pursuant to Lot Line Adjustment PLN2015-0028, Warner Gulch LP/Stueve Brothers Farms of Oakdale LLC

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restrict the adjusted boundaries of the parcel for an initial term for at least as long as the unexpired term of the rescinded contract or contracts but for not less than 10 years except as authorized under the County implementation of AB1265.

(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. 2015-441

On motion of Supervisor Monteith, Seconded by Supervisor Chiesa

and approved by the following vote,

Ayes: Supervisors: Chiesa, Monteith, DeMartini, and Chairman Withrow

Noes: Supervisors: None

Excused or Absent: Supervisors: O'Brien

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 Both Williamson Act Contract Nos. 1971-0089 and 1980-3715, Located at 301 Crabtree Road, North of Yosemite Boulevard, East of Tim Bell Road, East of the City of Waterford; and Approval of New Contracts Pursuant to Lot Line Adjustment PLN2015-0028, Warner Gulch LP/Stueve Brothers Farms of Oakdale LLC

Page 2

**STAFF RECOMMENDATIONS: (Continued)**

- b. There is no net decrease in the amount of the acreage restricted. In cases where two parcels involved in a lot line adjustment are both subject to contracts rescinded pursuant to this section, this finding will be satisfied if the aggregate acreage of the land restricted by the new contracts is at least as great as the aggregate acreage restricted by the rescinded contracts.
  - c. At least 90 percent of the land under the former contract or contracts remains under the new contract or contracts.
  - d. After the lot line adjustment, the parcels of land subject to contract will be large enough to sustain their agricultural use, as defined in Section 51222.
  - e. The lot line adjustment would not compromise the long-term agricultural productivity of the parcel or other agricultural lands subject to a contract or contracts.
  - f. The lot line adjustment is not likely to result in the removal of adjacent land from agricultural use.
  - g. The lot line adjustment does not result in a greater number of developable parcels than existed prior to the adjustment, or an adjusted lot that is inconsistent with the general plan.
2. Rescind a portion of both Williamson Act Contracts No. 1971-0089 and 1980-3715, Located at 301 Crabtree Road, north of Yosemite Boulevard, east of Tim Bell Road, east of the City of Waterford.
  3. Approve new contracts pursuant to Minor Lot Line Adjustment PLN2015-0028, Warner Gulch LP/Stueve Brothers Farms of Oakdale LLC.
  4. Authorize the Director of Planning and Community Development to execute new contracts pursuant to Minor Lot Line Adjustment PLN2015-0028, Warner Gulch LP/Stueve Brothers Farms of Oakdale LLC.

**DISCUSSION:**

The parcels involved in the lot line adjustment are located at 301 Crabtree Road, north of Yosemite Boulevard, east of Tim Bell Road, east of the City of Waterford, in the unincorporated area of Stanislaus County. Lot Line Adjustment PLN2015-0028 was approved by staff pending the Board's action required by the Williamson Act. The lot

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Page 3

line adjustment is requesting four parcels to go from 589.4, 105.5, 21 and 128.1 acres (844 gross acres total) to four parcels of 590.4, 117.3, 20 and 116.3 acres (844 gross acres total). All four parcels are presently producing almond orchards. Parcel 1, 589.4 acres, is undeveloped and is recognized as APN 008-004-009. Parcel 2, 105.5 acres, is presently developed with a single family dwelling, a barn and multiple accessory agricultural buildings. It is also recognized as APN 008-007-006 and has a site address of 301 Crabtree Road. Parcel 3 and 4, 21 and 128.1 acres respectively, are both presently recognized as APN 008-007-005 and are undeveloped. The reason for the lot line adjustment request is to conform the underlying parcels with actual conditions onsite. The parcels are being adjusted to match an existing boundary fence that straddles between property lines.

Existing Parcels 1 and 2 are currently enrolled in Williamson Act Contract No. 1971-0089. If this lot line is approved, both proposed Parcels 1 and 2 (707.7 gross acres) will be enrolled in a new contract. Parcels 3 and 4 are currently enrolled in Williamson Act Contract No. 1980-3715. If this lot line is approved, both Parcels 3 and 4 (136.3 gross acres) will be enrolled in a new contract. 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 AB1265.
- (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 Rescind a Portion of Both Williamson Act Contract Nos. 1971-0089 and 1980-3715, Located at 301 Crabtree Road, North of Yosemite Boulevard, East of Tim Bell Road, East of the City of Waterford; and Approval of New Contracts Pursuant to Lot Line Adjustment PLN2015-0028, Warner Gulch LP/Stueve Brothers Farms of Oakdale LLC

Page 4

*(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 contracts, 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 the new contracts supersede a portion of both Williamson Act Contract Nos. 1971-0089 and 1980-3715, upon recording. The new contracts will cover the entire 844 acres. As in the case with all Williamson Act contracts in Stanislaus County, the new contracts will be subject to the provisions of AB1265.

#### **POLICY ISSUES:**

Approval of this action supports the Board's priority of A Strong Agricultural Economy/Heritage by establishing parcels that are consistent with the County General Plan, County Zoning Ordinance, and locally adopted Williamson Act Uniform Rules. 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

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Page 5

continue to participate in the Williamson Act program while supporting reasonable measures to strengthen the act and make it more effective.

**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. PLN2015-0028
2. Applicant's Statement of Findings
3. Map of Parcels Before the Proposed Lot Line Adjustment
4. Map of Parcels After the Proposed Lot Line Adjustment



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

22-03624

S	216+271	R	72
ZONE	A-2-540		
RECEIVED	3-12-2015		
APPLICATION NO	PLN 2015-0028		
RECEIPT NO.			

LOT LINE ADJUSTMENT APPLICATION

1. Property Owner(s):

Parcel 1

Warner Gulch LP  
 Name c/o Robert W. Crabtree  
 1100 14th Street, Ste E, Modesto, CA 95354  
 Address, City, Zip  
 (209) 522-5231  
 Phone  
 Fax Number

Parcel 2

Warner Gulch LP  
 Name c/o Robert W. Crabtree  
 1100 14th Street, Ste E, Modesto, CA 95354  
 Address, City, Zip  
 (209) 522-5231  
 Phone  
 Fax Number

Parcel 3

Stueve Brothers Farms of Oakdale LLC  
 Name c/o Joe Blum  
 1730 Evergreen Street, Duarte, CA 91010  
 Address, City, Zip  
 (714) 448-0216  
 Phone  
 Fax Number

Parcel 4

Stueve Brothers Farms of Oakdale LLC  
 Name c/o Joe Blum  
 1730 Evergreen Street, Duarte, CA 91010  
 Address, City, Zip  
 (714) 448-0216  
 Phone  
 Fax Number

2. Name and address of person(s) preparing map: Hawkins & Associates Engineering, Inc., 436 Mitchell Road,  
Modesto, CA 95354

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

Parcel 1: Book 008 Page 004 No. 009 Parcel 2: Book 008 Page 007 No. 006  
 Parcel 3: Book 008 Page 007 No. 005 Parcel 4: Book 008 Page 007 No. 005

4. Size of all adjusted parcels:

	<u>Before</u>	<u>After</u>
Parcel 1:	<u>589.4+/-</u>	<u>590.4+/-</u>
Parcel 2:	<u>105.5+/-</u>	<u>117.3+/-</u>
Parcel 3:	<u>21.0+/-</u>	<u>20.0+/-</u>
Parcel 4:	<u>128.1+/-</u>	<u>116.3+/-</u>

5. Why are the lot lines being changed? BE SPECIFIC The purpose of the lot line adjustment is to conform the  
underlying parcels with actual occupation on the ground. The parcels are being adjusted to match an existing  
boundary fence.

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

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

7. List all structures on properties: Parcels 1, 3, 4 -no structures, Parcel 2-house, barn, 2 shops, and 2 sheds

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

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

Parcel 1: <u>2013</u>	Parcel 2: <u>2013</u>
Parcel 3: <u>2012</u>	Parcel 4: <u>2012</u>

10. What are the Williamson Act Contract numbers?

Parcel 1: <u>1971-0089</u>	Parcel 2: <u>1971-0089</u>
Parcel 3: <u>1980-3715</u>	Parcel 4: <u>1980-3715</u>

11. Do the parcels irrigate?  Yes  No If yes, how? Microsprinklers via individual wells.

12. Will these parcels continue to irrigate?  Yes  No If yes, describe any physical changes in the irrigation system. None.

13. Signature of property owner(s)	<u>William A. Crabtree</u>	<u>WILLIAM A. CRABTREE</u>
	Owner's Signature	Owner's Name Printed
	_____	<u>Manager, Warner</u>
	Owner's Signature	Owner's Name Printed
	_____	<u>Crabtree, LLC</u>
	Owner's Signature	Owner's Name Printed
	_____	_____
	Owner's Signature	Owner's Name Printed
	_____	_____

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

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

7. List all structures on properties: Parcels 1, 3, 4, --no structures, Parcel 2-house, barn, 2 shops, and 2 sheds

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

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

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11. Do the parcels irrigate?  Yes  No If yes, how? Microsprinklers via individual wells.

12. Will these parcels continue to irrigate?  Yes  No If yes, describe any physical changes in the irrigation system. None.

13. Signature of property owner(s)

Owner's Signature

Michael Meyer

Owner's Signature

Michael Meyer

Owner's Signature

Owner's Signature

Owner's Name Printed

Stueve Brothers Farms of Oakdale LLC By: Michael Meyer, Manager

Owner's Name Printed

Stueve Brothers Farms of Oakdale LLC By: Michael Meyer, Manager

Owner's Name Printed

Owner's Name Printed



March 11, 2015

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

RE: Lot Line Adjustment Application-- Warner Gulch LP & Stueve Brothers Farms of Oakdale LLC- Findings

This project is a lot line adjustment between Assessors Parcel #008-007-005 (portion) owned by Stueve Brothers Farms of Oakdale LLC & 008-004-009 (portion) owned by Warner Gulch, LP (21.0 acres & 589.4 acres) and Parcel #008-007-005 (portion) owned by Stueve Brothers Farms of Oakdale LLC and Parcel #008-007-006 owned by Warner Gulch, LP (128.1 acres & 105.5 acres). All Parcels are in the Williamson Act.

The purpose of the lot line adjustment is to conform the described legal parcels with the actual occupation on the ground. The parcels are being adjusted so that the resulting lot lines will match the existing boundary fence.

At the completion of this lot line adjustment Parcel 1 will have an adjusted area of 590.4 acres, Parcel 2 will have an adjusted area of 117.3 acres, Parcel 3 will have an adjusted area of 20.0 acres, and Parcel 4 will have an adjusted area of 116.3 acres. All Parcels are currently enrolled in the Williamson Act.

Findings:

- (1) The Warner Gulch LP Parcels and the Stueve Brothers Farms of Oakdale LLC Parcels are not subject to non-renewal. All the parcels will remain under contract for at least 10 years.
- (2) There will be no net change in the acreage enrolled in the Williamson Act.
- (3) As stated in the above finding (2) there will be no net change in the acreage enrolled in the Williamson Act.
- (4) As consistent with Government Code Section 51222 the contracted Parcels 1, 2, and 4 will be larger than 40 acres after the lot line adjustment. Parcel 3 will be larger than 10 acres. The parcels qualify as prime farmland according to the Farmland Mapping and Monitoring Program Soil Candidate Listing for Prime Farmland and Farmland of Statewide Importance – Stanislaus County.
- (5) All the Parcels have been used for agriculture in their current physical configuration for an extended period of time. The new described lot configuration, after adjustment, will recognize the existing fence location, represents existing occupation. The moving of the lot lines to the

existing fence will in no way affect the long term agricultural productivity of either of the parcels.

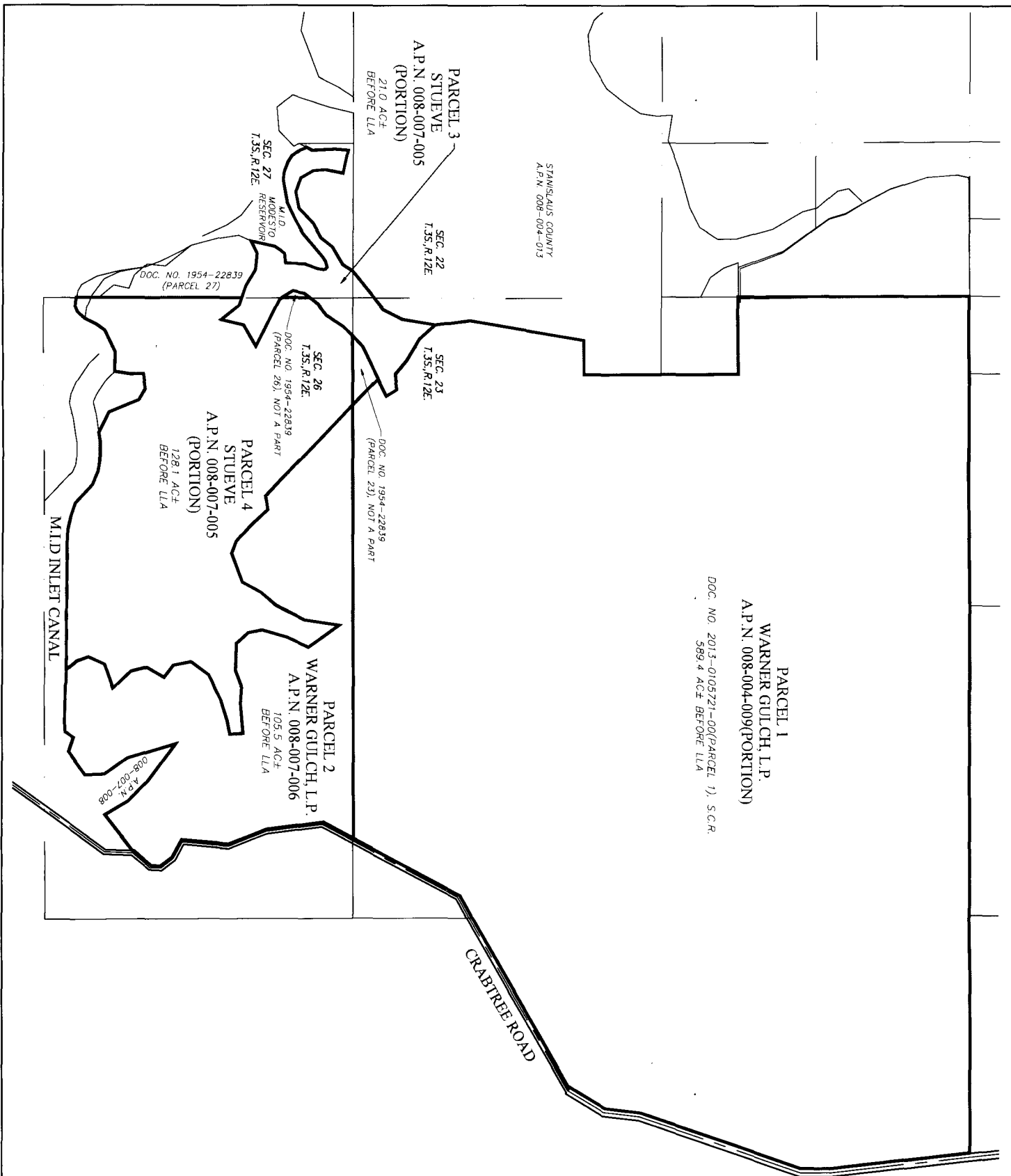
(6) The Parcels will continue to remain restricted by contract and used for agricultural productivity. As such, the Lot Line Adjustment will have no impact on adjacent lands currently utilized for agricultural purposes.

(7) Four Parcels currently exist, and after the lot line adjustment four Parcels will continue to exist. Each Parcel is currently consistent with the Stanislaus County General Plan, and the resulting Parcels will be consistent with the Stanislaus County General Plan.


In conclusion, this lot line adjustment is nothing more than the movement of lot lines to recognize existing fence lines that are better suited for the agricultural use. As set forth previously, the properties will continue to be used for agricultural purposes, and this Lot Line Adjustment will in no way affect the agricultural viability of the parcels.

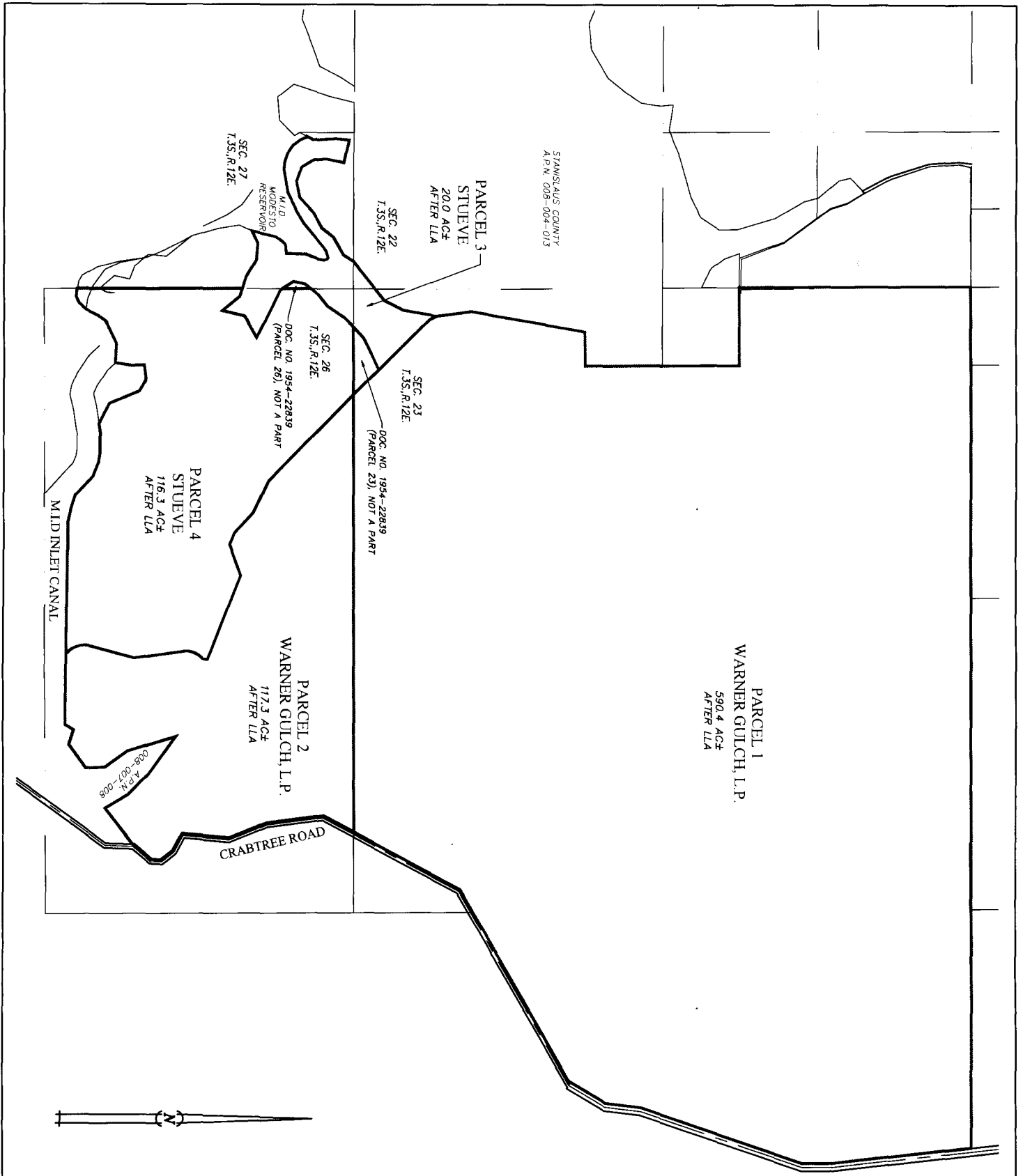
Sincerely,

Kevin Genasci, PLS  
Hawkins and Associates Engineering




PLN 2015-028

	<b>HAWKINS &amp; ASSOCIATES ENGINEERING, INC.</b> 436 MITCHELL ROAD MODESTO, CA. 95354 PH: (209) 575 - 4295 FX: (209) 578 - 4295		BY: <u>RCS</u> CHK: <u>KJG</u> DATE: <u>08/2015</u> SCALE: <u>1"=1100'</u> JOB #: <u>3200</u> FILE: <u>SUR/LLA</u>
	<b>EXISTING PARCELS EXHIBIT BEFORE LOT LINE ADJUSTMENT</b> <b>STUEVE/WARNER GULCH LP</b> <b>STANISLAUS COUNTY, CALIFORNIA</b>		



PLN 2015-028

 <p><b>HAWKINS &amp; ASSOCIATES ENGINEERING, INC.</b> 436 MITCHELL ROAD MODESTO, CA. 95354 PH: (209) 575 - 4295 FX: (209) 578 - 4295</p>	<p><b>WILLIAMSON ACT PARCELS AFTER LOT LINE ADJUSTMENT</b></p>	<p>BY: <u>RCS</u> CHK: <u>KJG</u> DATE: <u>08/2015</u> SCALE: <u>1"=1100'</u> JOB #: <u>3200</u> FILE: <u>SUR/LLA</u></p>
	<p><b>STUEVE/WARNER GULCH LP STANISLAUS COUNTY, CALIFORNIA</b></p>	

THIS SPACE FOR RECORDER ONLY



Stanislaus, County Recorder  
Lee Lundrigan Co Recorder Office  
**DOC- 2016-0012264-00**  
Thursday, FEB 18, 2016 15:54:07  
Ttl Pd \$0.00 Rcpt # 0003775456  
OJC/R2/2-23

RECORDING REQUESTED BY  
STANISLAUS COUNTY BOARD OF  
SUPERVISORS

WHEN RECORDED RETURN TO  
STANISLAUS COUNTY PLANNING  
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. 2015-16**

THIS NOTICE OF RESCISSION AND CALIFORNIA LAND CONSERVATION CONTRACT is made and entered into September 23, 2015, 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: Warner Gulch LP, c/o Robert W. Crabtree  
1100 14<sup>th</sup> Street, Suite E,  
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>008-004-009</u>	<u>590.4</u>	<u>Crabtree W of Road Waterford, CA 95386</u>
<u>008-007-006</u>	<u>117.3</u>	<u>301 Crabtree Road Waterford, CA 95386</u>

Pursuant to Stanislaus County Board of Supervisors Resolution No. 2015-441, relating to Lot Line Adjustment No. 2015-0028 as authorized by Govt. Code § 51257, California Land Conservation Contract Nos. 1971-0089 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.

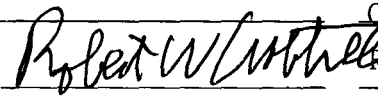
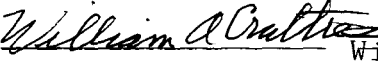
23J

**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.

**OWNERS:**

NAME (Print or type)	SIGNATURE (All to be notarized)	DATE	SIGNED AT (City)
Warner Gulch, LP, a California Limited Partnership			
By Warner Gulch, LLC, a California Limited Liability Company			
By	Catherine C. Edson, Manager		
	Robert W. Crabtree, Manager	6/5/15	Modesto
	William A. Crabtree, Manager		Modesto

**SECURITY HOLDERS:**

**OWNERS:**

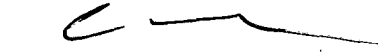
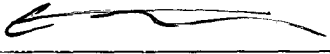
NAME (Print or type)	SIGNATURE (All to be notarized)	DATE	SIGNED AT (City)

**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

2-18-2016  
10-9-2015  
Dated \_\_\_\_\_

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

**CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT**

**CIVIL CODE § 1189**

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California

County of Stanislaus )

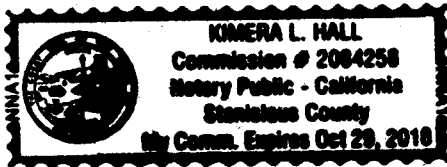
On 2/18/2016 before me, Kimera L. Hall, Notary Public  
Date Here Insert Name and Title of the Officer

personally appeared Angela Freitas  
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 L. Hall  
Signature of Notary Public

\* Kimera L. Hall  
Commission # 2084258  
Exp. Oct. 29, 2018  
Place Notary Seal Above

**OPTIONAL**

Though this section is optional, completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended 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: \_\_\_\_\_

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

Partner —  Limited  General

Individual  Attorney in Fact

Trustee  Guardian or Conservator

Other: \_\_\_\_\_

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

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

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

Partner —  Limited  General

Individual  Attorney in Fact

Trustee  Guardian or Conservator

Other: \_\_\_\_\_

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

**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.

**OWNERS:**

NAME (Print or type)	SIGNATURE (All to be notarized)	DATE	SIGNED AT (City)
Warner Gulch, LP, a California Limited Partnership			
By Warner Gulch, LLC, a California Limited Liability Company			
By <i>Catherine C Edson</i>	Catherine C. Edson, Manager	6-8-15	
<i>Robert W Crabtree</i>	Robert W. Crabtree, Manager	6/5/15	Modesto
	<del>William A. Crabtree, Manager</del>		<del>Modesto</del>

**SECURITY HOLDERS:**

**OWNERS:**

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 ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

STATE OF CALIFORNIA )

COUNTY OF YOLO )

On JUNE 8, 2015 before me, G. BERMUDEZ Notary Public,

Date

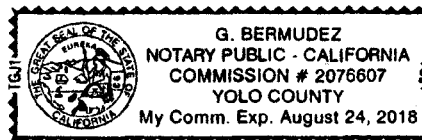
(here insert name and title of the officer)

personally appeared CATHERINE C. EDSON

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: *G. Bermudez* (Seal)

OPTIONAL

Description of Attached Document

Title or Type of Document: \_\_\_\_\_ Number of Pages: \_\_\_\_\_

Document Date: \_\_\_\_\_ Other: \_\_\_\_\_

**CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT - CIVIL CODE §1189**

\*\*\*\*\*

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California                    } ss.  
County of Stanislaus                }

On June 5, 2015, before me, CATHERINE F. SCHOONOVER, Notary Public, personally appeared ROBERT W. CRABTREE, 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: Catherine F. Schoonover  
Signature of Notary Public



**CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT - CIVIL CODE §1189**

\*\*\*\*\*

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California                    } ss.  
County of Stanislaus                }

On June 9, 2015, before me, Linda Holbrooks, Notary Public, personally appeared WILLIAM A. CRABTREE, 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: Linda Holbrooks  
Signature of Notary Public




GOVERNMENT CODE 27361.7

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

NAME OF NOTARY Linda Holbrooks  
COMMISSION NO. 2050784  
DATE COMMISSION EXPIRES December 31, 2017  
PLACE OF EXECUTION Stanislaus County

10/9/15  
(Date)

  
(Signature) Jennifer Akin  
Stanislaus County Department of  
Planning & Community Development

**EXHIBIT A**  
**LEGAL DESCRIPTION**  
Parcel 1  
Before Lot Line Adjustment

All of Section 23, Township 3 South, Range 12 East, Mount Diablo Base and Meridian:

**EXCEPTING THEREFROM** the following:

**COMMENCING** at corner common to Sections 22, 23, 26 and 27, thence North 89°34' East, a distance of 321 feet along the lines between Sections 23 and 26 to the 130 foot contour line of the Modesto Irrigation District; thence along the said 130 foot contour line as follows: North 46°41' East, a distance of 127 feet; thence North 64°8' East, a distance of 465 feet; thence North 30°40' West, a distance of 105 feet; thence South 83° 54' West 132 feet; thence North 50°4' West, a distance of 105 feet; thence South 83°54' West, a distance of 214 feet; thence North 41°49' West 180 feet; thence South 9°35' West, a distance of 285 feet; thence South 26°40' West, a distance of 180 feet; thence South 51°36' West, a distance of 127 feet to the line between Sections 22 and 23; thence South 0°40' East, a distance of 192.5 feet along said lines between Sections 22 and 23 to the **POINT OF COMMENCEMENT**.

**ALSO EXCEPTING THEREFROM** the Northwest quarter of the Northwest quarter of the Southwest quarter.

**ALSO EXCEPTING THEREFROM** the Southwest Quarter of the Southwest Quarter of the Northwest Quarter.

**ALSO EXCEPTING THEREFROM** the following:

**COMMENCING** at a point on the line between Section 22 and 23, at its intersection with a 130 foot contour line of the Modesto Irrigation District North 0°40' West 192.5 feet from the corner common to Sections 22, 23, 26 and 27; thence along the said 130 foot contour line as follows: North 51°36' East, a distance of 127 feet; thence North 26°40' East, a distance of 180 feet; thence North 9°36' East, a distance of 285 feet; thence North 7°15' West, a distance of 304 feet; thence North 9°46' East, a distance of 986.5 feet to the North line of the South Half of the Northwest Quarter of the Southwest Quarter of Section 23; thence along the said North line of the South Half of the Northwest Quarter of the Southwest Quarter of Section 23 South 89°13' West, a distance of 400.5 feet to the line between Sections 22 and 23; thence South 0°40' East, a distance of 1,792 feet along said line between Sections 22 and 23 to the **POINT OF COMMENCEMENT**.

**ALSO EXCEPTING THEREFROM** the following:


**COMMENCING** at a point on the line between Sections 23 and 26 at its intersection with the 130 foot contour lines of the Modesto Irrigation District North 89°34' East and 321 feet from the corner common to Sections 22, 23, 26 and 27; thence along the said 130 foot contour line as follows: North 46°41' East, a distance of 127 feet; thence North 64°08' East, a distance of 305.5

feet; thence South 45° 12' East, a distance of 311 feet to the line between Sections 23 and 26; thence South 89°34' West, a distance of 588 feet along said line between Sections 23 and 26 to the **POINT OF COMMENCEMENT**.

**ALSO EXCEPTING THEREFROM** that portion of said Section 23 lying south and east of the northwesterly right-of-way line of the new County Road more particularly described as follows:

**BEGINNING** at a point bearing South 73°40' West and 18.831 chains from the Quarter Section corner between Sections 25 and 26, Township 3 South, Range 12 East, Mount Diablo Base and Meridian, thence North 35°40' East, a distance of 16.00 chains; thence North 1°33' West, a distance of 3.36 chains; thence North 39°30' East, a distance of 2.96 chains; thence North 2°38' East, a distance of 1.406 chains; thence North 37° 12' West 2.058 chains; thence North 60°37' West, a distance of 2.437 chains; thence North 5°16' East, a distance of 5.991 chains; thence North 21°39' West, a distance of 5.273 chains; thence North 6°51' West, a distance of 7.264 chains; thence North 33°3' East, a distance of 19.842 chains; thence North 65°33' East, a distance of 29.132 chains; thence North 16°40' East, a distance of 31.66 chains; thence North 7°6' West, a distance of 44.54 chains; thence North 3°10' East, a distance of 16.823 chains to the intersection of the East and West line through the center of Section 13, Township 3 South, Range 12 East, Mount Diablo Base and Meridian; thence South 89°53' West, a distance of 29.55 chains along the said East and West line through the center of Section 13 to the Quarter Section corner between Sections 14 and 13, Township 3 South, Range 12 East, Mount Diablo Base and Meridian.

**CONTAINING** 589.4 acres, more or less.

  
Kevin J. Genasci, P.L.S. 8660  
June 18, 2015



**EXHIBIT A**  
**LEGAL DESCRIPTION**  
Parcel 2  
Before Lot Line Adjustment

All that portion of Section 26, Township 3 South, Range 12 East, Mount Diablo Base and Meridian, more particularly described as follows:

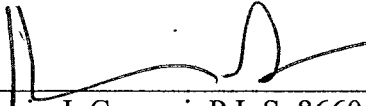
**COMMENCING** at the corner common to Sections 23, 24, 25 and 26, Township 3 South, Range 12 East, Mount Diablo Base and Meridian; thence South 1°55' West 1296.5 feet along the line between the Sections to a point on the 130 foot contour line of the Modesto Irrigation District; thence along the said 130 foot contour line as follows: North 31°43' West 136 feet; thence North 50°46' West 417 feet; North 38°47' West 331 feet; South 82°32' West 162 feet; South 22°18' East 408 feet; South 2°12' West 169 feet; South 17°4' West 200 feet; South 58°6' East 186 feet; South 38°27' East 167 feet; South 3°15' West 91.3 feet to a point on the right of way of Inlet No. 2 of Modesto Irrigation District and distant 75 feet at right angles from Station 2 of said Inlet No. 2; thence South 47°55' West 571.7 feet along the Northerly right of way of said Inlet No. 2 to the 130 foot contour line of the Modesto Irrigation District; thence along the line of the 130 foot contour as follows: North 30°38' West 229 feet; North 45°5' West 240 feet; North 53°20' West 400 feet; South 16°27' East 431 feet; South 34°57' East 238 feet; South 2°17' East 166.0 feet to a point on the Northerly right of way of said Inlet No. 2 at right angles to Station 11 x 395 of said Inlet No. 2; thence following the right 6° curve of the Northerly right of way of said Inlet No. 2, 355 feet to the intersection of the said right of way with the 130 foot contour of the Modesto Irrigation District; thence along the line of the said 130 foot contour as follows: North 71°34' West 128 feet; South 32°35' West 83.3 feet to a point on the Northerly right of way of said Inlet No. 2 at right angles to Station 16 x 69 of said Inlet No. 2 and on a right 6° curve; thence along the said right of way following said 6° curve 81 feet to the end of said 6° curve; thence on a tangent South 89°21' West 433.5 feet along the 130 foot contour of the said District; thence along the said 130 foot contour as follows: North 41°28' West 130 feet; North 20°8' West 107 feet; North 24°14' East 152 feet; North 70°25' East 217 feet; North 43°21' West 210 feet; North 14°46' West 143 feet; North 30°7' East 171 feet; North 53°55' West 130 feet; North 11°10' West 157 feet; North 36°34' East 188 feet; North 63°20' East 240 feet; North 72°44' East 183 feet; North 79°14' East 115 feet; North 2°43' West 112 feet; South 85°1' West 257 feet; 86°6' West 233 feet; North 41°53' West 135 feet; North 11°33' West 122 feet; North 15°54' East 222 feet; North 24°19' East 200 feet; North 35°29' West 322 feet; South 8°14' West 300 feet; South 25°48' West 270 feet; South 40°16' West 173 feet; South 28°19' West 182 feet; South 69°19' West 263 feet; North 69°23' West 110 feet; North 47°19' West 200 feet; North 42°34' West 692.5 feet; North 45°12' West 384 feet, more or less, to the line between Section 23 and 26 to a point 4363 feet to the **POINT OF COMMENCEMENT**.

**EXCEPTING THEREFROM** the above described land that portion of Section 26 lying East of the West line of the new County Road hereinbefore described.

**ALSO EXCEPTING** that portion thereof lying South and East of the Modesto Irrigation District's canal.

All of said land in Township 3 South, Range 12 East, Mount Diablo Base and Meridian.

**CONTAINING** 105.5 acres, more or less.

  
\_\_\_\_\_  
Kevin J. Genasci, P.L.S. 8660  
June 18, 2015





**EXHIBIT B**  
LEGAL DESCRIPTION  
Parcel 1  
After Lot Line Adjustment

All of Section 23, Township 3 South, Range 12 East, Mount Diablo Meridian:

**EXCEPTING THEREFROM** the following:

**COMMENCING** at corner common to Sections 22, 23, 26 and 27, thence North 89°34' East, a distance of 321 feet along the lines between Sections 23 and 26 to the 130 foot contour line of the Modesto Irrigation District; thence along the said 130 foot contour line as follows: North 46°41' East, a distance of 127 feet; thence North 64°8' East, a distance of 465 feet; thence North 30°40' West, a distance of 105 feet; thence South 83° 54' West 132 feet; thence North 50°4' West, a distance of 105 feet; thence South 83°54' West, a distance of 214 feet; thence North 41°49' West 180 feet; thence South 9°35' West, a distance of 285 feet; thence South 26°40' West, a distance of 180 feet; thence South 51°36' West, a distance of 127 feet to the line between Sections 22 and 23; thence South 0°40' East, a distance of 192.5 feet along said lines between Sections 22 and 23 to the **POINT OF COMMENCEMENT**.

**ALSO EXCEPTING THEREFROM** the Northwest quarter of the Northwest quarter of the Southwest quarter.

**ALSO EXCEPTING THEREFROM** the Southwest Quarter of the Southwest Quarter of the Northwest Quarter.

**ALSO EXCEPTING THEREFROM** the following:

**COMMENCING** at a point on the line between Section 22 and 23, at its intersection with a 130 foot contour line of the Modesto Irrigation District North 0°40' West 192.5 feet from the corner common to Sections 22, 23, 26 and 27; thence along the said 130 foot contour line as follows: North 51°36' East, a distance of 127 feet; thence North 26°40' East, a distance of 180 feet; thence North 9°36' East, a distance of 285 feet; thence North 7°15' West, a distance of 304 feet; thence North 9°46' East, a distance of 986.5 feet to the North line of the South Half of the Northwest Quarter of the Southwest Quarter of Section 23; thence along the said North line of the South Half of the Northwest Quarter of the Southwest Quarter of Section 23 South 89°13' West, a distance of 400.5 feet to the line between Sections 22 and 23; thence South 0°40' East, a distance of 1,792 feet along said line between Sections 22 and 23 to the **POINT OF COMMENCEMENT**.

**ALSO EXCEPTING THEREFROM** the following:

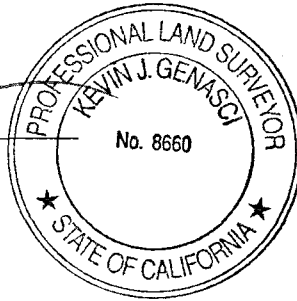
**COMMENCING** at a point on the line between Sections 23 and 26 at its intersection with the 130 foot contour lines of the Modesto Irrigation District North 89°34' East and 321 feet from the corner common to Sections 22, 23, 26 and 27; thence along the said 130 foot contour line as

**CONTAINING** 590.4 acres, more or less.

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  
June 18, 2015



**EXHIBIT B**  
LEGAL DESCRIPTION  
Parcel 2  
After Lot Line Adjustment

All that portion of Section 26, Township 3 South, Range 12 East, Mount Diablo Meridian, described as follows:

**COMMENCING** at the corner common to Sections 23, 24, 25 and 26, Township 3 South, Range 12 East, Mount Diablo Meridian; thence South 1°55' West 1296.5 feet along the line between the Sections to a point on the 130 foot contour line of the Modesto Irrigation District; thence along the said 130 foot contour line as follows: North 31°43' West 136 feet; thence North 50°46' west 417 feet; North 38°47' West 331 feet; South 82°32' West 162 feet; South 22°18' East 408 feet; South 2°12' West 169 feet; South 17°4' West 200 feet; South 58°6' East 186 feet; South 38°27' East 167 feet; South 3°15' West 91.3 feet to a point on the right of way of Inlet No. 2 of Modesto Irrigation District and distant 75 feet at right angles from Station 2 of said Inlet No. 2; thence South 47°55' West 571.7 feet along the Northerly right of way of said Inlet No. 2 to the 130 foot contour line of the Modesto Irrigation District; thence along the line of the 130 foot contour as follows: North 30°38' West 229 feet; North 45°5' West 240 feet; North 53°20' West 400 feet; South 16°27' East 431 feet; South 34°57' East 238 feet; South 2°17' East 166.0 feet to a point on the Northerly right of way of said Inlet No. 2 at right angles to Station 11 x 395 of said Inlet No. 2; thence following the right 6° curve of the Northerly right of way of said Inlet No. 2, 355 feet to the intersection of the said right of way with the 130 foot contour of the Modesto Irrigation District; thence along the line of the said 130 foot contour as follows: North 71°34' West 128 feet; South 32°35' West 83.3 feet to a point on the Northerly right of way of said Inlet No. 2 at right angles to Station 16 x 69 of said Inlet No. 2 and on a right 6° curve; thence along the said right of way following said 6° curve 81 feet to the end of said 6° curve; thence on a tangent South 89°21' West 433.5 feet along the 130 foot contour of the said District; thence along the said 130 foot contour as follows: North 41°28' West 130 feet; North 20°8' West 107 feet; North 24°14' East 152 feet; North 70°25' East 217 feet; North 43°21' West 210 feet; North 14°46' West 143 feet; North 30°7' East 171 feet; North 53°55' West 130 feet; North 11°10' West 157 feet; North 36°34' East 188 feet; North 63°20' East 240 feet; North 72°44' East 183 feet; North 79°14' East 115 feet; North 2°43' West 112 feet; South 85°1' West 257 feet; 86°6' West 233 feet; North 41°53' West 135 feet; North 11°33' West 122 feet; North 15°54' East 222 feet; North 24°19' East 200 feet; North 35°29' West 322 feet; South 8°14' West 300 feet; South 25°48' West 270 feet; South 40°16' West 173 feet; South 28°19' West 182 feet; South 69°19' West 263 feet; North 69°23' West 110 feet; North 47°19' West 200 feet; North 42°34' West 692.5 feet; North 45°12' West 384 feet, more or less, to the line between Section 23 and 26 to a point 4363 feet to the **POINT OF COMMENCEMENT**.

**EXCEPTING THEREFROM** the above described land that portion of Section 26 lying East of the West line of Crabtree Road.


**ALSO EXCEPTING THEREFROM** that portion thereof lying South and East of the Modesto Irrigation District's canal.

**TOGETHER WITH** that portion of above said Section 26 lying easterly and northerly of the following described line:

**COMMENCING** at the east Quarter Corner of above said Section 26; thence South 89°44'20" West along the Quarter Section line, a distance of 2203.48 feet; thence North 00°15'40" West, a distance of 183.19 feet to the point of intersection with the north right-of-way line of Modesto irrigation Inlet Canal and the **POINT OF BEGINNING**; thence North 40°50'09" West, a distance of 62.76 feet; thence North 26°22'39" West, a distance of 63.57 feet; thence North 03°40'48" East, a distance of 63.57 feet; thence North 11°13'00" East, a distance of 60.17 feet; thence North 15°23'45" East, a distance of 368.00 feet; thence North 07°55'24" West, a distance of 415.73 feet; thence North 05°03'28" West, a distance of 29.87 feet; thence North 06°17'16" East, a distance of North 18°00'59" East, a distance of 60.17 feet; thence North 33°59'41" East, a distance of 49.20 feet; thence North 44°56'41" East, a distance of 31.98 feet; thence North 00°24'54" East, a distance of 38.96 feet; thence North 67°59'14" West, a distance of 758.98 feet; thence South 70°11'16" West, a distance of 282.95 feet; thence North 67°28'46" West, a distance of 106.84 feet; thence North 46°37'47" West, a distance of 236.05 feet; thence North 63°54'13" West, a distance of 289.91 feet; thence North 45°58'02" West, a distance of 638.00 feet; thence North 44°35'32" West, a distance of 394.15 feet to the **POINT OF TERMINATION**.

**CONTAINING** 117.3 acres, more or less.

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  
June 18, 2015



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

DEPT: Planning and Community Development Ar

BOARD AGENDA # \*D-1

Urgent  Routine

AGENDA DATE September 22, 2015

CEO Concurs with Recommendation YES  NO   
(Information Attached)

4/5 Vote Required YES  NO

SUBJECT:

Approval to Rescind a Portion of Both Williamson Act Contract Nos. 1971-0089 and 1980-3715, Located at 301 Crabtree Road, North of Yosemite Boulevard, East of Tim Bell Road, East of the City of Waterford; and Approval of New Contracts Pursuant to Lot Line Adjustment PLN2015-0028, Warner Gulch LP/Stueve Brothers Farms of Oakdale LLC

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 AB1265.

(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. 2015-441

On motion of Supervisor Monteith, Seconded by Supervisor Chiesa

and approved by the following vote,

Ayes: Supervisors: Chiesa, Monteith, DeMartini, and Chairman Withrow

Noes: Supervisors: None

Excused or Absent: Supervisors: O'Brien

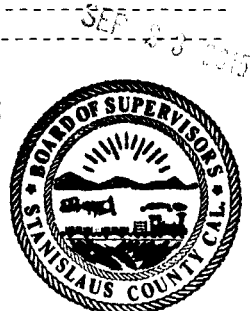
Abstaining: Supervisor: None

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

MOTION:

I hereby certify that the foregoing is a full, true and correct copy of the Original entered in the Minutes of the Board of Supervisors.  
CHRISTINE FERRARO TALLMAN  
Clerk of the Board of Supervisors of the County of Stanislaus, State of California

By Patricia Gonzalez



ATTEST: Christine Ferraro  
CHRISTINE FERRARO TALLMAN, Clerk

File EXHIBIT C

Approval to Rescind a Portion of Both Williamson Act Contract Nos. 1971-0089 and 1980-3715, Located at 301 Crabtree Road, North of Yosemite Boulevard, East of Tim Bell Road, East of the City of Waterford; and Approval of New Contracts Pursuant to Lot Line Adjustment PLN2015-0028, Warner Gulch LP/Stueve Brothers Farms of Oakdale LLC

Page 2

**STAFF RECOMMENDATIONS: (Continued)**

- b. There is no net decrease in the amount of the acreage restricted. In cases where two parcels involved in a lot line adjustment are both subject to contracts rescinded pursuant to this section, this finding will be satisfied if the aggregate acreage of the land restricted by the new contracts is at least as great as the aggregate acreage restricted by the rescinded contracts.
  - c. At least 90 percent of the land under the former contract or contracts remains under the new contract or contracts.
  - d. After the lot line adjustment, the parcels of land subject to contract will be large enough to sustain their agricultural use, as defined in Section 51222.
  - e. The lot line adjustment would not compromise the long-term agricultural productivity of the parcel or other agricultural lands subject to a contract or contracts.
  - f. The lot line adjustment is not likely to result in the removal of adjacent land from agricultural use.
  - g. The lot line adjustment does not result in a greater number of developable parcels than existed prior to the adjustment, or an adjusted lot that is inconsistent with the general plan.
2. Rescind a portion of both Williamson Act Contracts No. 1971-0089 and 1980-3715, Located at 301 Crabtree Road, north of Yosemite Boulevard, east of Tim Bell Road, east of the City of Waterford.
  3. Approve new contracts pursuant to Minor Lot Line Adjustment PLN2015-0028, Warner Gulch LP/Stueve Brothers Farms of Oakdale LLC.
  4. Authorize the Director of Planning and Community Development to execute new contracts pursuant to Minor Lot Line Adjustment PLN2015-0028, Warner Gulch LP/Stueve Brothers Farms of Oakdale LLC.

**DISCUSSION:**

The parcels involved in the lot line adjustment are located at 301 Crabtree Road, north of Yosemite Boulevard, east of Tim Bell Road, east of the City of Waterford, in the unincorporated area of Stanislaus County. Lot Line Adjustment PLN2015-0028 was approved by staff pending the Board's action required by the Williamson Act. The lot

Approval to Rescind a Portion of Both Williamson Act Contract Nos. 1971-0089 and 1980-3715, Located at 301 Crabtree Road, North of Yosemite Boulevard, East of Tim Bell Road, East of the City of Waterford; and Approval of New Contracts Pursuant to Lot Line Adjustment PLN2015-0028, Warner Gulch LP/Stueve Brothers Farms of Oakdale LLC

Page 3

line adjustment is requesting four parcels to go from 589.4, 105.5, 21 and 128.1 acres (844 gross acres total) to four parcels of 590.4, 117.3, 20 and 116.3 acres (844 gross acres total). All four parcels are presently producing almond orchards. Parcel 1, 589.4 acres, is undeveloped and is recognized as APN 008-004-009. Parcel 2, 105.5 acres, is presently developed with a single family dwelling, a barn and multiple accessory agricultural buildings. It is also recognized as APN 008-007-006 and has a site address of 301 Crabtree Road. Parcel 3 and 4, 21 and 128.1 acres respectively, are both presently recognized as APN 008-007-005 and are undeveloped. The reason for the lot line adjustment request is to conform the underlying parcels with actual conditions onsite. The parcels are being adjusted to match an existing boundary fence that straddles between property lines.

Existing Parcels 1 and 2 are currently enrolled in Williamson Act Contract No. 1971-0089. If this lot line is approved, both proposed Parcels 1 and 2 (707.7 gross acres) will be enrolled in a new contract. Parcels 3 and 4 are currently enrolled in Williamson Act Contract No. 1980-3715. If this lot line is approved, both Parcels 3 and 4 (136.3 gross acres) will be enrolled in a new contract. 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 AB1265.
- (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 Rescind a Portion of Both Williamson Act Contract Nos. 1971-0089 and 1980-3715, Located at 301 Crabtree Road, North of Yosemite Boulevard, East of Tim Bell Road, East of the City of Waterford; and Approval of New Contracts Pursuant to Lot Line Adjustment PLN2015-0028, Warner Gulch LP/Stueve Brothers Farms of Oakdale LLC

Page 4

*(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 contracts, 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 the new contracts supersede a portion of both Williamson Act Contract Nos. 1971-0089 and 1980-3715, upon recording. The new contracts will cover the entire 844 acres. As in the case with all Williamson Act contracts in Stanislaus County, the new contracts will be subject to the provisions of AB1265.

#### **POLICY ISSUES:**

Approval of this action supports the Board's priority of A Strong Agricultural Economy/Heritage by establishing parcels that are consistent with the County General Plan, County Zoning Ordinance, and locally adopted Williamson Act Uniform Rules. 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



Approval to Rescind a Portion of Both Williamson Act Contract Nos. 1971-0089 and 1980-3715, Located at 301 Crabtree Road, North of Yosemite Boulevard, East of Tim Bell Road, East of the City of Waterford; and Approval of New Contracts Pursuant to Lot Line Adjustment PLN2015-0028, Warner Gulch LP/Stueve Brothers Farms of Oakdale LLC

Page 5

continue to participate in the Williamson Act program while supporting reasonable measures to strengthen the act and make it more effective.

**STAFFING IMPACT:**

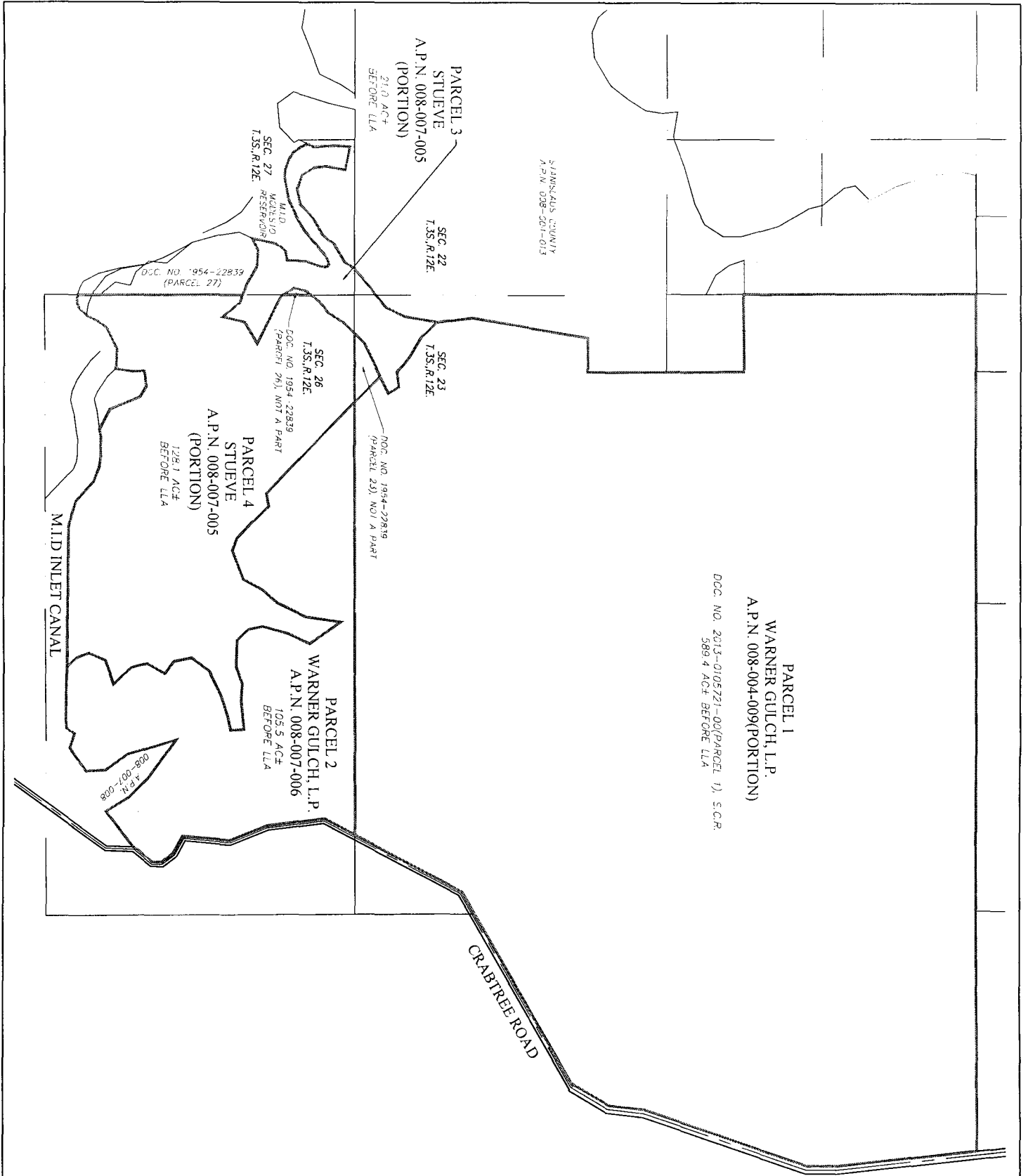
There are no staffing impacts associated with this item.

**CONTACT PERSON:**

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

**ATTACHMENTS:**

1. Lot Line Adjustment Application No. PLN2015-0028
2. Applicant's Statement of Findings
3. Map of Parcels Before the Proposed Lot Line Adjustment
4. Map of Parcels After the Proposed Lot Line Adjustment



PLN 2015-028

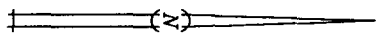
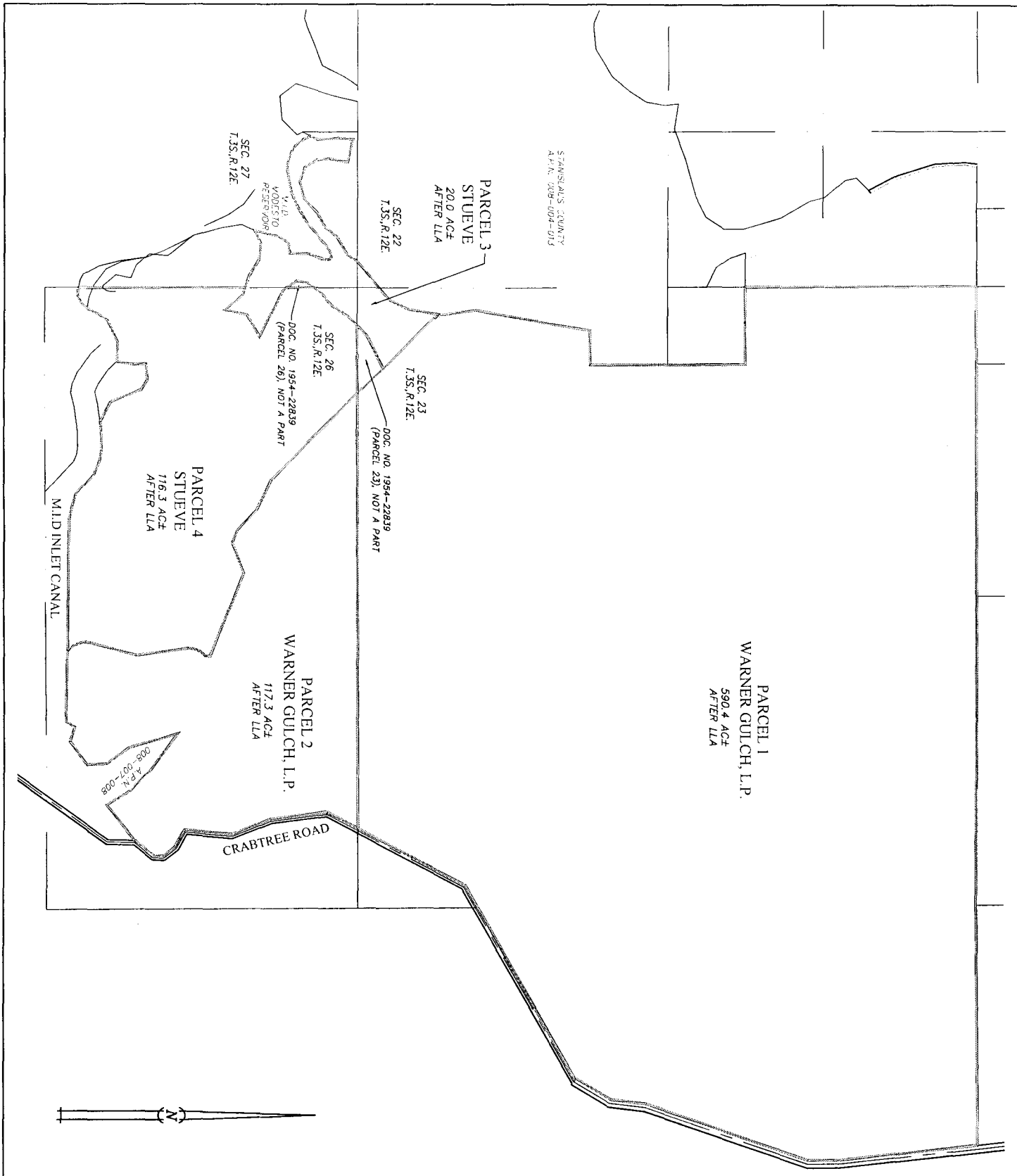
1  
OF  
1




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

**EXISTING PARCELS EXHIBIT  
BEFORE LOT LINE ADJUSTMENT**  
**STUEVE/WARNER GULCH LP**  
**STANISLAUS COUNTY, CALIFORNIA**

BY: RCS  
CHK: KJG  
DATE: 08/2015  
SCALE: 1"=1100'  
JOB #: 3200  
FILE: SUR/LLA



PLN 2015-028

	<b>HAWKINS &amp; ASSOCIATES ENGINEERING, INC.</b> 436 MITCHELL ROAD MODESTO, CA. 95354 PH: (209) 575 - 4295 FX: (209) 578 - 4295	<b>WILLIAMSON ACT PARCELS AFTER LOT LINE ADJUSTMENT</b>	BY: <u>RCS</u> CHK: <u>KJG</u> DATE: <u>08/2015</u>
	<b>STUEVE/WARNER GULCH LP STANISLAUS COUNTY, CALIFORNIA</b>	SCALE: <u>1"=1100'</u> JOB #: <u>3200</u> FILE: <u>SUR/LLA</u>	

RECORDING REQUESTED BY  
STANISLAUS COUNTY BOARD OF  
SUPERVISORS

WHEN RECORDED RETURN TO  
STANISLAUS COUNTY PLANNING  
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. 2015-17**

THIS SPACE RESERVED FOR RECORDING INFORMATION

Stanislaus, County Recorder  
Lee Lundrigan Co Recorder Office  
**DOC- 2016-0012265-00**  
Thursday, FEB 18, 2016 15:54:23  
Ttl Pd \$0.00 Rcpt # 0003775457  
OJC/R2/2-22

THIS NOTICE OF RESCISSION AND CALIFORNIA LAND CONSERVATION CONTRACT is made and entered into September 23,2015, 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: Stueve Brothers Farms of Oakdale LLC c/o Joe Blum  
1730 Evergreen Street  
Duarte, CA 91010

(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>008-007-005</u>	<u>20</u>	<u>Crabtree W of Road Waterford, CA 95386</u>
<u>008-007-005</u>	<u>116.3</u>	<u>Crabtree W of Road Waterford, CA 95386</u>

Pursuant to Stanislaus County Board of Supervisors Resolution No. 2015-441, relating to Lot Line Adjustment No. 2015-0028 as authorized by Govt. Code § 51257, California Land Conservation Contract Nos. 1980-3715 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.


*22K*

**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.

**OWNERS:**

NAME (Print or type)	SIGNATURE (All to be notarized)	DATE	SIGNED AT (City)
JOHN STUEVE MANAGER OF STUDENT BROS OF CATHALA, LLC		7-1-15	DUARTE, CA.

**SECURITY HOLDERS:**

**OWNERS:**


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

2.18.2016  
10.9.2015  
Dated \_\_\_\_\_

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

**CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT**

**CIVIL CODE § 1189**

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California

County of Stanislaus )

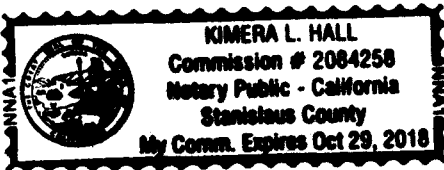
On 2/18/2016 before me, Kimera L. Hall, Notary Public  
Date Here Insert Name and Title of the Officer

personally appeared Angela Freitas  
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 L. Hall  
Signature of Notary Public

Place Notary Seal Above

**OPTIONAL**

Though this section is optional, completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended 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: \_\_\_\_\_  
 Corporate Officer — Title(s): \_\_\_\_\_  
 Partner —  Limited  General  
 Individual  Attorney in Fact  
 Trustee  Guardian or Conservator  
 Other: \_\_\_\_\_  
Signer Is Representing: \_\_\_\_\_


Signer's Name: \_\_\_\_\_  
 Corporate Officer — Title(s): \_\_\_\_\_  
 Partner —  Limited  General  
 Individual  Attorney in Fact  
 Trustee  Guardian or Conservator  
 Other: \_\_\_\_\_  
Signer Is Representing: \_\_\_\_\_

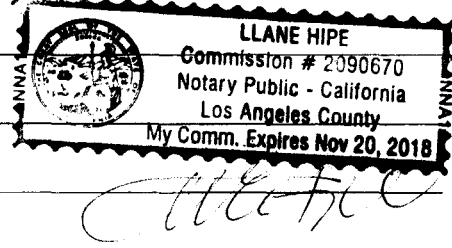
**NOTICE OF RESCISSION AND SIMULTANEOUS RE-ENTRY INTO CALIFORNIA LAND CONSERVATION CONTRACT- Page 2**

- (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.

**OWNERS:**

NAME (Print or type)	SIGNATURE (All to be notarized)	DATE	SIGNED AT (City)
JOHN STUEBE TRUSTEE		11-9-15	MONROVIA, CA
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____



**SECURITY HOLDERS:**

**OWNERS:**

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 William O'Brien

## ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California  
County of San Angeles

On November 9, 2015 before me, Llane Hipe, Notary Public  
(insert name and title of the officer)

personally appeared John Strove - Trustee  
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 [Handwritten Signature] (Seal)






GOVERNMENT CODE 27361.7

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

NAME OF NOTARY Llane Hipe  
COMMISSION NO. 2090670  
DATE COMMISSION EXPIRES November 20, 2018  
PLACE OF EXECUTION Los Angeles

September 30, 2015  
(Date)

  
\_\_\_\_\_  
(Signature)  
Stanislaus County Department of  
Planning & Community Development

**EXHIBIT A**  
LEGAL DESCRIPTION  
Parcel 3  
Before Lot Line Adjustment

All that portion of Sections 22, 23, 26, and 27, Township 3 South, Range 12 East, Mount Diablo Base and Meridian, more particularly described as follows:

**BEGINNING** at the point of intersection of the East Quarter Quarter Section line of Section 27, Township 3 South, Range 12 East, Mount Diablo Base and Meridian, with the 221.4 foot contour (this being the 130 foot contour as used in the deed filed October 7, 1909 in Volume 87 of Deeds, Page 217, Stanislaus County Records), said point of intersection being 400 feet more or less South of the North Section line of said Section 27; thence Easterly along said contour line (as described in said deed) to a point where it intersects a line 100 feet north of and parallel to the center line of the Inlet Canal of the Dallas Warner Reservoir in the Southwest Quarter of the Southwest Quarter of the Northeast Quarter of Section 26, Township 3 South, Range 12 East, Mount Diablo Base and Meridian; thence Westerly along a line parallel to and 100 feet northerly and easterly from the center line of said canal or along the 211.4 foot contour line, whichever is farther from said center line at any given point, to a point of intersection with said 211.4 foot contour line in the Northeast Quarter of the Southeast Quarter of the Northeast Quarter of said Section 27; thence Northerly, Easterly, and Westerly along said contour line to its point of intersection with the East Quarter Quarter Section line of said Section 27; thence North to the **POINT OF BEGINNING**.

**EXCEPTING THEREFROM** that portion of above said Section 26 lying east of following described line:

**BEGINNING** at a point on the line between Sections 23 and 26, Township 3 South, Range 12 East, Mount Diablo Base and Meridian, at its intersection with the 130 foot contour line of the Modesto Irrigation District, and North 89°43' East 321 feet from the corner common to Sections 22, 23, 26, and 27, Township 3 South, Range 12 East, Mount Diablo Base and Meridian; thence along said 130 contour line South 46°41' West 103 feet; thence South 33°01' West 180 feet; thence South 51°27' West 113 feet; thence South 37°20' West 91 feet to a point on the line between said Sections 26 and 27; thence along said Section line South 0°40' East 242 feet to the point of intersection with above said 130 foot contour line; thence along said 130 contour line South 32°50' East 24 feet; thence South 63°40' East 445 feet; thence South 59°39' West 210 feet; thence South 12°46' West 196 feet; thence North 39°06' West 190 feet; thence North 71°48' West 70 feet to a point on the line between said Sections 26 and 27; thence along said Section line South 0°40' East 1212 feet to the point of intersection with the 211.4 foot contour of the Modesto Irrigation District or a line parallel to and 100 feet northerly of the centerline of the Inlet Canal of the Dallas Warner Reservoir, whichever is farthest from said centerline, and the **POINT OF TERMINATION**.


**ALSO EXCEPTING THEREFROM** that portion of above said Section 27 more particularly described as follows:

**COMMENCING** at a point on the line between Sections 26 and 27, Township 3 South, Range 12 East, Mount Diablo Base and Meridian, and South 0°40' East 605 feet from the corner common to Sections 22, 23, 26, and 27, Township 3 South, Range 12 East, Mount Diablo Base and Meridian, which point is on the 130 foot contour line of the Modesto Irrigation District; thence along the 130 foot contour line as follows: North 32°50' West 111 feet; thence North 11°09' East 100 feet; thence North 37°20' East 59 feet to the line between said Sections 26 and 27; thence South 0°40' East 242 feet along said Section line to the **POINT OF COMMENCEMENT**.

**ALSO EXCEPTING THEREFROM** that portion of above said Section 27 more particularly described as follows:

**COMMENCING** at a point on the line between Sections 26 and 27, Township 3 South, Range 12 East, Mount Diablo Base and Meridian; thence South 0°40' East 2159 feet from the corner common to Sections 22, 23, 26, and 27, in Township 3 South, Range 12 East, Mount Diablo Base and Meridian, which point is on the 130 foot contour line of the Modesto Irrigation District; thence along said 130 foot contour line as follows: North 72°30' West 19 feet; thence North 40°06' West 141 feet; thence North 11°20' East 133 feet; thence North 68°14' West 120 feet; thence North 41°44' West 147 feet; thence North 5°40' East 156 feet; thence North 38°58' West 282 feet; thence North 15°51' West 235 feet; thence North 9°19' West 180 feet; thence North 24°35' East 120 feet; thence North 63°28' East 118 feet; thence South 85°09' East 140 feet; thence South 58°57' East 164 feet; thence South 71°48' East 100 feet to the line between said Sections 26 and 27; thence South 0°40' East 1212 feet along said line between said Sections 26 and 27 to the **POINT OF COMMENCEMENT**.

**CONTAINING** 21.0 acres, more or less

  
Kevin J. Genasci, P.L.S. 8660  
June 18, 2015



**EXHIBIT A**  
LEGAL DESCRIPTION  
Parcel 4  
Before Lot Line Adjustment

All that portion of Section 26, Township 3 South, Range 12 East, Mount Diablo Base and Meridian, more particularly described as follows:

**BEGINNING** at the point of intersection of the East Quarter Quarter Section line of Section 27, Township 3 South, Range 12 East, Mount Diablo Base and Meridian, with the 221.4 foot contour (this being the 130 foot contour as used in the deed filed October 7, 1909 in Volume 87 of Deeds, Page 217, Stanislaus County Records), said point of intersection being 400 feet more or less South of the North Section line of said Section 27; thence Easterly along said contour line (as described in said deed) to a point where it intersects a line 100 feet north of and parallel to the center line of the Inlet Canal of the Dallas Warner Reservoir in the Southwest Quarter of the Southwest Quarter of the Northeast Quarter of Section 26, Township 3 South, Range 12 East, Mount Diablo Base and Meridian; thence Westerly along a line parallel to and 100 feet northerly and easterly from the center line of said canal or along the 211.4 foot contour line, whichever is farther from said center line at any given point, to a point of intersection with said 211.4 foot contour line in the Northeast Quarter of the Southeast Quarter of the Northeast Quarter of said Section 27; thence Northerly, Easterly, and Westerly along said contour line to its point of intersection with the East Quarter Quarter Section line of said Section 27; thence North to the **POINT OF BEGINNING**.

**EXCEPTING THEREFROM** that portion of above said Section 26 lying west of following described line:

**BEGINNING** at a point on the line between Sections 23 and 26, Township 3 South, Range 12 East, Mount Diablo Base and Meridian, at its intersection with the 130 foot contour line of the Modesto Irrigation District, and North 89°43' East 321 feet from the corner common to Sections 22, 23, 26, and 27, Township 3 South, Range 12 East, Mount Diablo Base and Meridian; thence along said 130 contour line South 46°41' West 103 feet; thence South 33°01' West 180 feet; thence South 51°27' West 113 feet; thence South 37°20' West 91 feet to a point on the line between said Sections 26 and 27; thence along said Section line South 0°40' East 242 feet to the point of intersection with above said 130 foot contour line; thence along said 130 contour line South 32°50' East 24 feet; thence South 63°40' East 445 feet; thence South 59°39' West 210 feet; thence South 12°46' West 196 feet; thence North 39°06' West 190 feet; thence North 71°48' West 70 feet to a point on the line between said Sections 26 and 27; thence along said Section line South 0°40' East 1212 feet to the point of intersection with the 211.4 foot contour of the Modesto Irrigation District or a line parallel to and 100 feet northerly of the centerline of the Inlet Canal of the Dallas Warner Reservoir, whichever is farthest from said centerline, and the **POINT OF TERMINATION**.

CONTAINING 128.1 acres, more or less.



Kevin J. Genasci, P.L.S. 8660  
June 18, 2015



**EXHIBIT B**  
LEGAL DESCRIPTION  
Parcel 3  
After Lot Line Adjustment

All that portion of Sections 22, 23, 26, and 27, Township 3 South, Range 12 East, Mount Diablo Base and Meridian, more particularly described as follows:

**BEGINNING** at the point of intersection of the East Quarter Quarter Section line of Section 27, Township 3 South, Range 12 East, Mount Diablo Base and Meridian, with the 221.4 foot contour (this being the 130 foot contour as used in the deed filed October 7, 1909 in Volume 87 of Deeds, Page 217, Stanislaus County Records), said point of intersection being 400 feet more or less South of the North Section line of said Section 27; thence Easterly along said contour line (as described in said deed) to a point where it intersects a line 100 feet north of and parallel to the center line of the Inlet Canal of the Dallas Warner Reservoir in the Southwest Quarter of the Southwest Quarter of the Northeast Quarter of Section 26, Township 3 South, Range 12 East, Mount Diablo Base and Meridian; thence Westerly along a line parallel to and 100 feet northerly and easterly from the center line of said canal or along the 211.4 foot contour line, whichever is farther from said center line at any given point, to a point of intersection with said 211.4 foot contour line in the Northeast Quarter of the Southeast Quarter of the Northeast Quarter of said Section 27; thence Northerly, Easterly, and Westerly along said contour line to its point of intersection with the East Quarter Quarter Section line of said Section 27; thence North to the **POINT OF BEGINNING**.

**EXCEPTING THEREFROM** that portion of above said Section 26 lying east of following described line:

**BEGINNING** at a point on the line between Sections 23 and 26, Township 3 South, Range 12 East, Mount Diablo Base and Meridian, at its intersection with the 130 foot contour line of the Modesto Irrigation District, and North 89°43' East 321 feet from the corner common to Sections 22, 23, 26, and 27, Township 3 South, Range 12 East, Mount Diablo Base and Meridian; thence along said 130 contour line South 46°41' West 103 feet; thence South 33°01' West 180 feet; thence South 51°27' West 113 feet; thence South 37°20' West 91 feet to a point on the line between said Sections 26 and 27; thence along said Section line South 0°40' East 242 feet to the point of intersection with above said 130 foot contour line; thence along said 130 contour line South 32°50' East 24 feet; thence South 63°40' East 445 feet; thence South 59°39' West 210 feet; thence South 12°46' West 196 feet; thence North 39°06' West 190 feet; thence North 71°48' West 70 feet to a point on the line between said Sections 26 and 27; thence along said Section line South 0°40' East 1212 feet to the point of intersection with the 211.4 foot contour of the Modesto Irrigation District or a line parallel to and 100 feet northerly of the centerline of the Inlet Canal of the Dallas Warner Reservoir, whichever is farthest from said centerline, and the **POINT OF TERMINATION**.

**ALSO EXCEPTING THEREFROM** that portion of above said Section 27 more particularly described as follows:

**COMMENCING** at a point on the line between Sections 26 and 27, Township 3 South, Range 12 East, Mount Diablo Base and Meridian, and South 0°40' East 605 feet from the corner common to Sections 22, 23, 26, and 27, Township 3 South, Range 12 East, Mount Diablo Base and Meridian, which point is on the 130 foot contour line of the Modesto Irrigation District; thence along the 130 foot contour line as follows: North 32°50' West 111 feet; thence North 11°09' East 100 feet; thence North 37°20' East 59 feet to the line between said Sections 26 and 27; thence South 0°40' East 242 feet along said Section line to the **POINT OF COMMENCEMENT**.

**ALSO EXCEPTING THEREFROM** that portion of above said Section 27 more particularly described as follows:

**COMMENCING** at a point on the line between Sections 26 and 27, Township 3 South, Range 12 East, Mount Diablo Base and Meridian, said point being South 0°40' East 2159 feet from the corner common to Sections 22, 23, 26, and 27, in Township 3 South, Range 12 East, Mount Diablo Base and Meridian, which point is on the 130 foot contour line of the Modesto Irrigation District; thence along said 130 foot contour line as follows: North 72°30' West 19 feet; thence North 40°06' West 141 feet; thence North 11°20' East 133 feet; thence North 68°14' West 120 feet; thence North 41°44' West 147 feet; thence North 5°40' East 156 feet; thence North 38°58' West 282 feet; thence North 15°51' West 235 feet; thence North 9°19' West 180 feet; thence North 24°35' East 120 feet; thence North 63°28' East 118 feet; thence South 85°09' East 140 feet; thence South 58°57' East 164 feet; thence South 71°48' East 100 feet to the line between said Sections 26 and 27; thence South 0°40' East 1212 feet along said line between said Sections 26 and 27 to the **POINT OF COMMENCEMENT**.


**ALSO EXCEPTING THEREFROM** that portion of above said Section 23 lying easterly and northerly of the following described line:

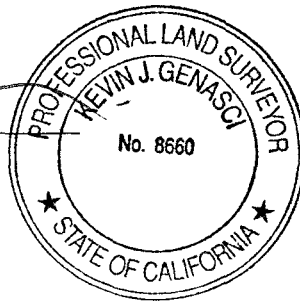
**COMMENCING** at the east Quarter Corner of above said Section 26; thence South 89°44'20" West along the Quarter Section line, a distance of 2203.48 feet; thence North 00°15'40" West, a distance of 183.19 feet to the point of intersection with the north right-of-way line of Modesto irrigation Inlet Canal; thence North 40°50'09" West, a distance of 62.76 feet; thence North 26°22'39" West, a distance of 63.57 feet; thence North 03°40'48" East, a distance of 63.57 feet; thence North 11°13'00" East, a distance of 60.17 feet; thence North 15°23'45" East, a distance of 368.00 feet; thence North 07°55'24" West, a distance of 415.73 feet; thence North 05°03'28" West, a distance of 29.87 feet; thence North 06°17'16" East, a distance of North 18°00'59" East, a distance of 60.17 feet; thence North 33°59'41" East, a distance of 49.20 feet; thence North 44°56'41" East, a distance of 31.98 feet; thence North 00°24'54" East, a distance of 38.96 feet; thence North 67°59'14" West, a distance of 758.98 feet; thence South 70°11'16" West, a distance of 282.95 feet; thence North 67°28'46" West, a distance of 106.84 feet; thence North 46°37'47" West, a distance of 236.05 feet; thence North 63°54'13" West, a distance of 289.91 feet; thence North 45°58'02" West, a distance of 638.00 feet; thence North 44°35'32" West, a distance of 394.15 feet; thence continuing North 44°35'32" West, a distance of 299.24 feet to the

**POINT OF BEGINNING**; thence North 44°13'24" West, a distance of 611.49 feet; thence North 28°10'40" West, a distance of 62.06 feet to the **POINT OF TERMINATION**.

**CONTAINING** 20.0 acres, more or less.

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  
June 18, 2015





**EXHIBIT B**  
LEGAL DESCRIPTION  
Parcel 4  
After Lot Line Adjustment

All that portion of Section 26, Township 3 South, Range 12 East, Mount Diablo Base and Meridian, more particularly described as follows:

**BEGINNING** at the point of intersection of the East Quarter Quarter Section line of Section 27, Township 3 South, Range 12 East, Mount Diablo Base and Meridian, with the 221.4 foot contour (this being the 130 foot contour as used in the deed filed October 7, 1909 in Volume 87 of Deeds, Page 217, Stanislaus County Records), said point of intersection being 400 feet more or less South of the North Section line of said Section 27; thence Easterly along said contour line (as described in said deed) to a point where it intersects a line 100 feet north of and parallel to the center line of the Inlet Canal of the Dallas Warner Reservoir in the Southwest Quarter of the Southwest Quarter of the Northeast Quarter of Section 26, Township 3 South, Range 12 East, Mount Diablo Base and Meridian; thence Westerly along a line parallel to and 100 feet northerly and easterly from the center line of said canal or along the 211.4 foot contour line, whichever is farther from said center line at any given point, to a point of intersection with said 211.4 foot contour line in the Northeast Quarter of the Southeast Quarter of the Northeast Quarter of said Section 27; thence Northerly, Easterly, and Westerly along said contour line to its point of intersection with the East Quarter Quarter Section line of said Section 27; thence North to the **POINT OF BEGINNING**.

**EXCEPTING THEREFROM** that portion of above said Section 26 lying west of following described line:

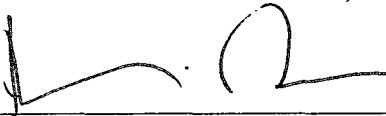
**BEGINNING** at a point on the line between Sections 23 and 26, Township 3 South, Range 12 East, Mount Diablo Base and Meridian, at its intersection with the 130 foot contour line of the Modesto Irrigation District, and North 89°43' East 321 feet from the corner common to Sections 22, 23, 26, and 27, Township 3 South, Range 12 East, Mount Diablo Base and Meridian; thence along said 130 contour line South 46°41' West 103 feet; thence South 33°01' West 180 feet; thence South 51°27' West 113 feet; thence South 37°20' West 91 feet to a point on the line between said Sections 26 and 27; thence along said Section line South 0°40' East 242 feet to the point of intersection with above said 130 foot contour line; thence along said 130 contour line South 32°50' East 24 feet; thence South 63°40' East 445 feet; thence South 59°39' West 210 feet; thence South 12°46' West 196 feet; thence North 39°06' West 190 feet; thence North 71°48' West 70 feet to a point on the line between said Sections 26 and 27; thence along said Section line South 0°40' East 1212 feet to the point of intersection with the 211.4 foot contour of the Modesto Irrigation District or a line parallel to and 100 feet northerly of the centerline of the Inlet Canal of the Dallas Warner Reservoir, whichever is farthest from said centerline, and the **POINT OF TERMINATION**.

**EXCEPTING THEREFROM** that portion of above said Section 26 lying easterly and northerly of the following described line:

**COMMENCING** at the east Quarter Corner of above said Section 26; thence South 89°44'20" West along the Quarter Section line, a distance of 2203.48 feet; thence North 00°15'40" West, a distance of 183.19 feet to the point of intersection with the north right-of-way line of Modesto irrigation Inlet Canal and the **POINT OF BEGINNING**; thence North 40°50'09" West, a distance of 62.76 feet; thence North 26°22'39" West, a distance of 63.57 feet; thence North 03°40'48" East, a distance of 63.57 feet; thence North 11°13'00" East, a distance of 60.17 feet; thence North 15°23'45" East, a distance of 368.00 feet; thence North 07°55'24" West, a distance of 415.73 feet; thence North 05°03'28" West, a distance of 29.87 feet; thence North 06°17'16" East, a distance of North 18°00'59" East, a distance of 60.17 feet; thence North 33°59'41" East, a distance of 49.20 feet; thence North 44°56'41" East, a distance of 31.98 feet; thence North 00°24'54" East, a distance of 38.96 feet; thence North 67°59'14" West, a distance of 758.98 feet; thence South 70°11'16" West, a distance of 282.95 feet; thence North 67°28'46" West, a distance of 106.84 feet; thence North 46°37'47" West, a distance of 236.05 feet; thence North 63°54'13" West, a distance of 289.91 feet; thence North 45°58'02" West, a distance of 638.00 feet; thence North 44°35'32" West, a distance of 394.15 feet to the **POINT OF TERMINATION**.

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

**CONTAINING** 116.3 acres, more or less

  
Kevin J. Genasci, P.L.S. 8660  
June 18, 2015



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 September 22, 2015

CEO Concurs with Recommendation YES  NO   
(Information Attached)

4/5 Vote Required YES  NO

SUBJECT:

Approval to Rescind a Portion of Both Williamson Act Contract Nos. 1971-0089 and 1980-3715, Located at 301 Crabtree Road, North of Yosemite Boulevard, East of Tim Bell Road, East of the City of Waterford; and Approval of New Contracts Pursuant to Lot Line Adjustment PLN2015-0028, Warner Gulch LP/Stueve Brothers Farms of Oakdale LLC

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 AB1265.

(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. 2015-441

On motion of Supervisor Monteith, Seconded by Supervisor Chiesa

and approved by the following vote,

Ayes: Supervisors: Chiesa, Monteith, DeMartini, and Chairman Withrow

Noes: Supervisors: None

Excused or Absent: Supervisors: O'Brien

Abstaining: Supervisor: None

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

MOTION:

I hereby certify that the foregoing is a full, true and correct copy of the Original entered in the Minutes of the Board of Supervisors.  
CHRISTINE FERRARO TALLMAN  
Clerk of the Board of Supervisors of the County of Stanislaus, State of California

By Patricia Gonzalez



Christine Ferraro

ATTEST: CHRISTINE FERRARO TALLMAN, Clerk

EXHIBIT C

File

Approval to Rescind a Portion of Both Williamson Act Contract Nos. 1971-0089 and 1980-3715, Located at 301 Crabtree Road, North of Yosemite Boulevard, East of Tim Bell Road, East of the City of Waterford; and Approval of New Contracts Pursuant to Lot Line Adjustment PLN2015-0028, Warner Gulch LP/Stueve Brothers Farms of Oakdale LLC

Page 2

**STAFF RECOMMENDATIONS: (Continued)**

- b. There is no net decrease in the amount of the acreage restricted. In cases where two parcels involved in a lot line adjustment are both subject to contracts rescinded pursuant to this section, this finding will be satisfied if the aggregate acreage of the land restricted by the new contracts is at least as great as the aggregate acreage restricted by the rescinded contracts.
  - c. At least 90 percent of the land under the former contract or contracts remains under the new contract or contracts.
  - d. After the lot line adjustment, the parcels of land subject to contract will be large enough to sustain their agricultural use, as defined in Section 51222.
  - e. The lot line adjustment would not compromise the long-term agricultural productivity of the parcel or other agricultural lands subject to a contract or contracts.
  - f. The lot line adjustment is not likely to result in the removal of adjacent land from agricultural use.
  - g. The lot line adjustment does not result in a greater number of developable parcels than existed prior to the adjustment, or an adjusted lot that is inconsistent with the general plan.
2. Rescind a portion of both Williamson Act Contracts No. 1971-0089 and 1980-3715, Located at 301 Crabtree Road, north of Yosemite Boulevard, east of Tim Bell Road, east of the City of Waterford.
  3. Approve new contracts pursuant to Minor Lot Line Adjustment PLN2015-0028, Warner Gulch LP/Stueve Brothers Farms of Oakdale LLC.
  4. Authorize the Director of Planning and Community Development to execute new contracts pursuant to Minor Lot Line Adjustment PLN2015-0028, Warner Gulch LP/Stueve Brothers Farms of Oakdale LLC.

**DISCUSSION:**

The parcels involved in the lot line adjustment are located at 301 Crabtree Road, north of Yosemite Boulevard, east of Tim Bell Road, east of the City of Waterford, in the unincorporated area of Stanislaus County. Lot Line Adjustment PLN2015-0028 was approved by staff pending the Board's action required by the Williamson Act. The lot

Approval to Rescind a Portion of Both Williamson Act Contract Nos. 1971-0089 and 1980-3715, Located at 301 Crabtree Road, North of Yosemite Boulevard, East of Tim Bell Road, East of the City of Waterford; and Approval of New Contracts Pursuant to Lot Line Adjustment PLN2015-0028, Warner Gulch LP/Stueve Brothers Farms of Oakdale LLC

Page 3

line adjustment is requesting four parcels to go from 589.4, 105.5, 21 and 128.1 acres (844 gross acres total) to four parcels of 590.4, 117.3, 20 and 116.3 acres (844 gross acres total). All four parcels are presently producing almond orchards. Parcel 1, 589.4 acres, is undeveloped and is recognized as APN 008-004-009. Parcel 2, 105.5 acres, is presently developed with a single family dwelling, a barn and multiple accessory agricultural buildings. It is also recognized as APN 008-007-006 and has a site address of 301 Crabtree Road. Parcel 3 and 4, 21 and 128.1 acres respectively, are both presently recognized as APN 008-007-005 and are undeveloped. The reason for the lot line adjustment request is to conform the underlying parcels with actual conditions onsite. The parcels are being adjusted to match an existing boundary fence that straddles between property lines.

Existing Parcels 1 and 2 are currently enrolled in Williamson Act Contract No. 1971-0089. If this lot line is approved, both proposed Parcels 1 and 2 (707.7 gross acres) will be enrolled in a new contract. Parcels 3 and 4 are currently enrolled in Williamson Act Contract No. 1980-3715. If this lot line is approved, both Parcels 3 and 4 (136.3 gross acres) will be enrolled in a new contract. 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 AB1265.
- (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 Rescind a Portion of Both Williamson Act Contract Nos. 1971-0089 and 1980-3715, Located at 301 Crabtree Road, North of Yosemite Boulevard, East of Tim Bell Road, East of the City of Waterford; and Approval of New Contracts Pursuant to Lot Line Adjustment PLN2015-0028, Warner Gulch LP/Stueve Brothers Farms of Oakdale LLC

Page 4

*(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 contracts, 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 the new contracts supersede a portion of both Williamson Act Contract Nos. 1971-0089 and 1980-3715, upon recording. The new contracts will cover the entire 844 acres. As in the case with all Williamson Act contracts in Stanislaus County, the new contracts will be subject to the provisions of AB1265.

#### **POLICY ISSUES:**

Approval of this action supports the Board's priority of A Strong Agricultural Economy/Heritage by establishing parcels that are consistent with the County General Plan, County Zoning Ordinance, and locally adopted Williamson Act Uniform Rules. 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

Approval to Rescind a Portion of Both Williamson Act Contract Nos. 1971-0089 and 1980-3715, Located at 301 Crabtree Road, North of Yosemite Boulevard, East of Tim Bell Road, East of the City of Waterford; and Approval of New Contracts Pursuant to Lot Line Adjustment PLN2015-0028, Warner Gulch LP/Stueve Brothers Farms of Oakdale LLC

Page 5

continue to participate in the Williamson Act program while supporting reasonable measures to strengthen the act and make it more effective.

**STAFFING IMPACT:**

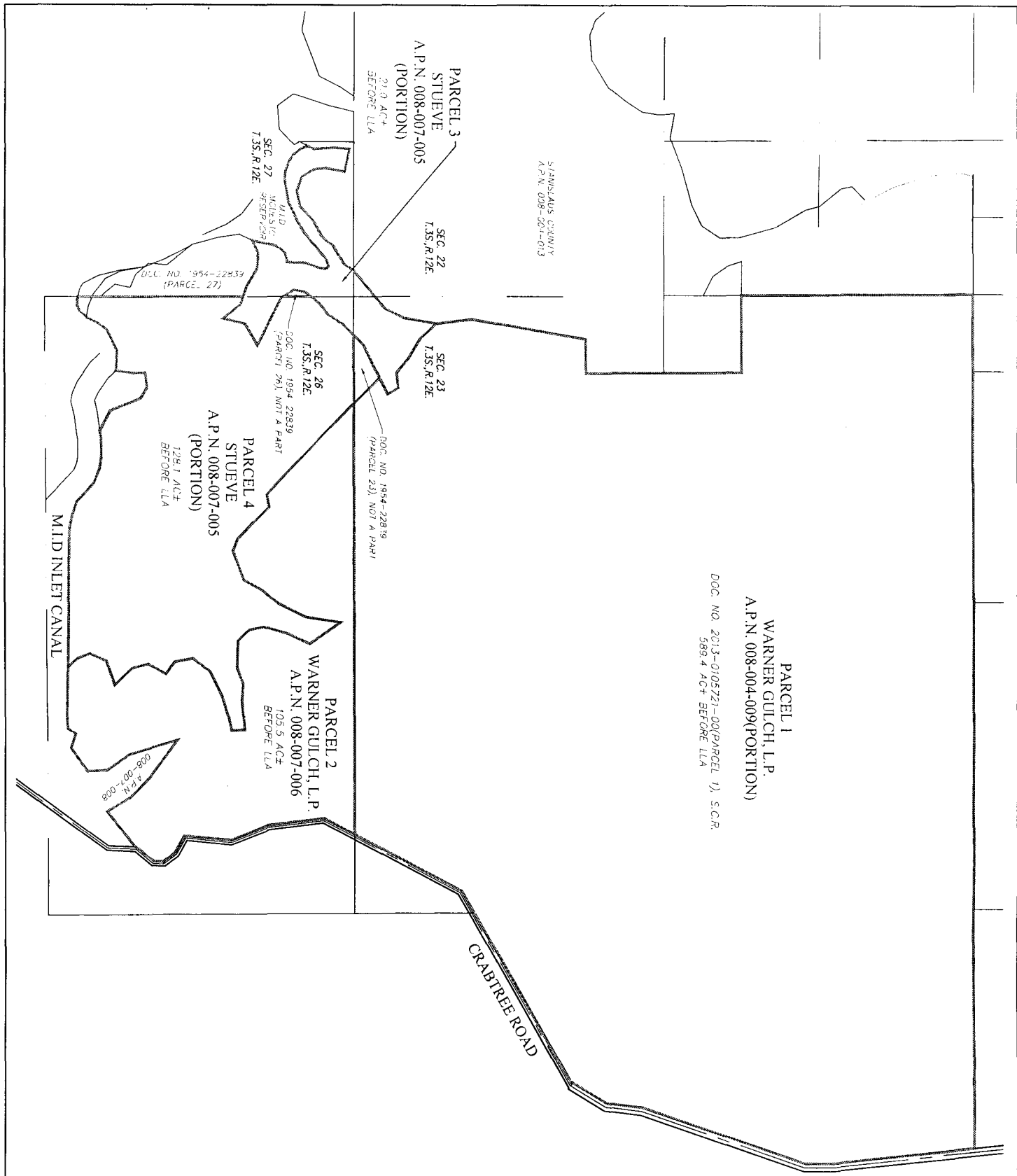
There are no staffing impacts associated with this item.

**CONTACT PERSON:**

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

**ATTACHMENTS:**

1. Lot Line Adjustment Application No. PLN2015-0028
2. Applicant's Statement of Findings
3. Map of Parcels Before the Proposed Lot Line Adjustment
4. Map of Parcels After the Proposed Lot Line Adjustment



PLN 2015-028

1  
OF  
1

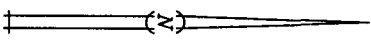
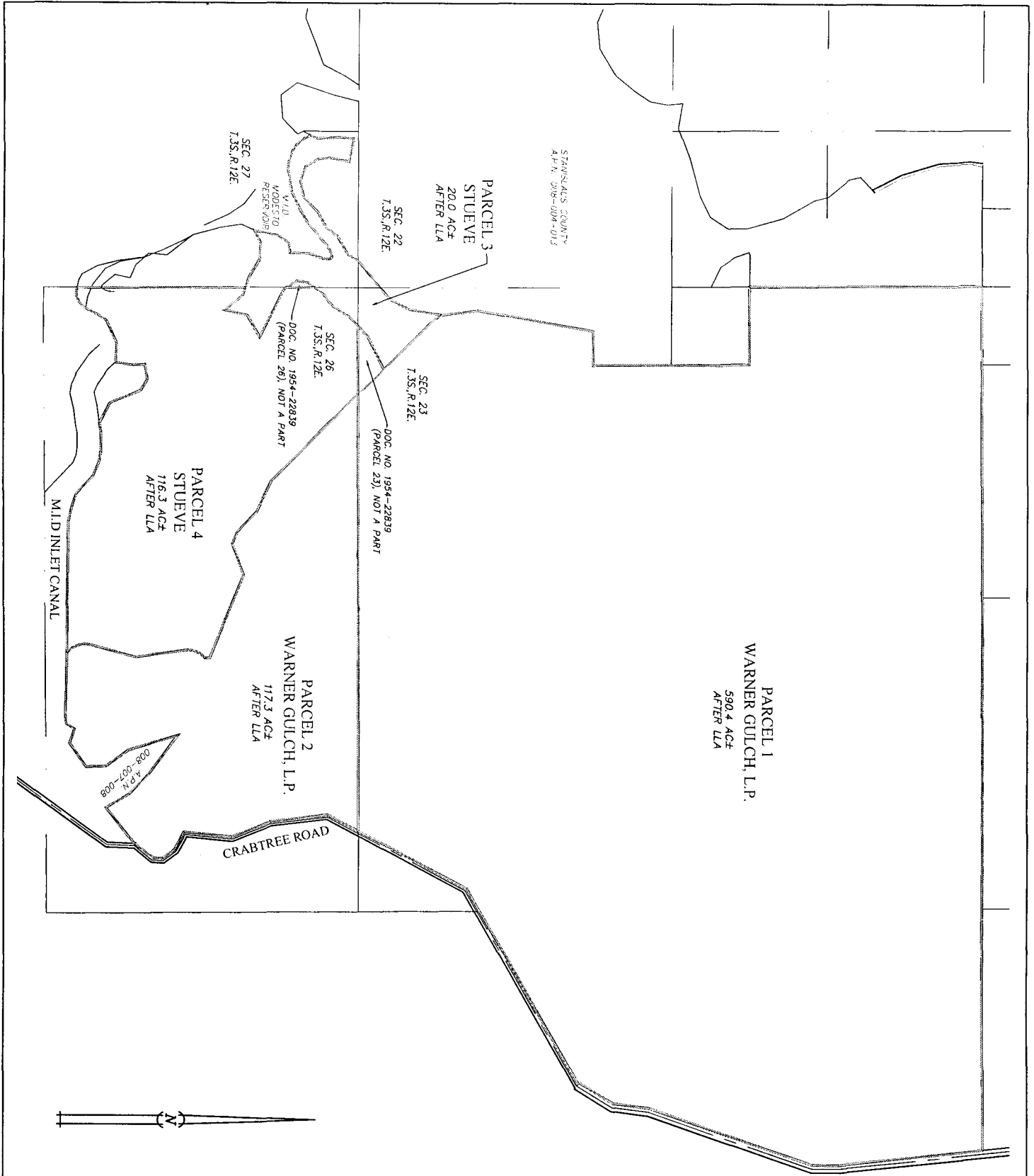


**HAWKINS & ASSOCIATES  
ENGINEERING, INC.**  
436 MITCHELL ROAD  
MODESTO, CA. 95354  
PH: (209) 575 - 4295  
FX: (209) 578 - 4295

**EXISTING PARCELS EXHIBIT  
BEFORE LOT LINE ADJUSTMENT**  
**STUEVE/WARNER GULCH LP**  
**STANISLAUS COUNTY, CALIFORNIA**

BY: RCS  
CHK: KJG  
DATE: 08/2015  
SCALE: 1"=1100'  
JOB #: 3200  
FILE: SUR/LLA





PLN 2015-028

1  
OF  
1



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

**WILLIAMSON ACT PARCELS  
AFTER LOT LINE ADJUSTMENT**

**STUEVE/WARNER GULCH LP**  
**STANISLAUS COUNTY, CALIFORNIA**

BY: RCS  
CHK: KJG  
DATE: 08/2015  
SCALE: 1"=1100'  
JOB #: 3200  
FILE: SUR/LLA



Stanislaus, County Recorder  
Lee Lundrigan Co Recorder Office  
**DOC- 2016-0012263-00**

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

Acct 121-Planning.  
Thursday, FEB 18, 2016 15:53:43  
Ttl Pd \$101.00 Rcpt # 0003775455  
OJC/R2/1-29

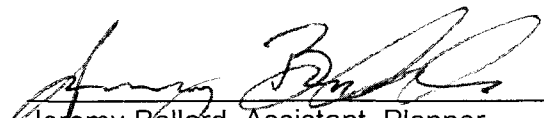
Space Above This Line for Recorder's Use

CERTIFICATE OF LOT LINE ADJUSTMENT

This is to certify that, pursuant to California Government Code Section 66412 (d) and Sections 20.14 and 21.20.060E of the Stanislaus County Code, the Stanislaus County Director of Planning and Community Development on May 14, 2015 approved the lot line adjustment herein described submitted under the name of Warner Gulch LP/Stueve Brothers Farms of Oakdale LLC Lot Line Adjustment No. PLN2015-0028 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" and Exhibit "C", 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:   
Jeremy Ballard, Assistant Planner  
Stanislaus County Department of Planning  
and Community Development

9/29/15  
Date

**CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT**

**CIVIL CODE § 1189**

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California )  
County of Stanislaus )

On September 29, 2015 before me, Christine Michele Smith, Notary Public  
Date Here Insert Name and Title of the Officer

personally appeared Jeremy Ballard  
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 Christine Michele Smith  
Signature of Notary Public

Place Notary Seal Above

**OPTIONAL**

Though this section is optional, completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

**Description of Attached Document**

Title or Type of Document: Lotline Adj 2015-0028 Document Date: 9-29-15

Number of Pages: \_\_\_\_\_ Signer(s) Other Than Named Above: \_\_\_\_\_

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

Signer's Name: \_\_\_\_\_  
 Corporate Officer — Title(s): \_\_\_\_\_  
 Partner —  Limited  General  
 Individual  Attorney in Fact  
 Trustee  Guardian or Conservator  
 Other: \_\_\_\_\_  
Signer Is Representing: \_\_\_\_\_

Signer's Name: \_\_\_\_\_  
 Corporate Officer — Title(s): \_\_\_\_\_  
 Partner —  Limited  General  
 Individual  Attorney in Fact  
 Trustee  Guardian or Conservator  
 Other: \_\_\_\_\_  
Signer Is Representing: \_\_\_\_\_



**CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT - CIVIL CODE §1189**

\*\*\*\*\*

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California                    } ss.  
County of Stanislaus                }

On June 5, 2015, before me, CATHERINE F. SCHOONOVER, Notary Public, personally appeared ROBERT W. CRABTREE, 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: Catherine F. Schoonover  
Signature of Notary Public



**CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT - CIVIL CODE §1189**

\*\*\*\*\*

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

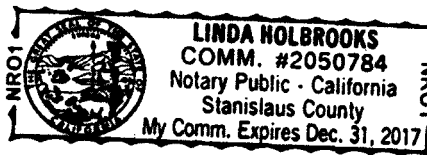
State of California                    } ss.  
County of Stanislaus                }

On June 9, 2015, before me, Linda Holbrooks, Notary Public, personally appeared WILLIAM A. CRABTREE, 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: Linda Holbrooks  
Signature of Notary Public





# CALIFORNIA ALL PURPOSE ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

STATE OF CALIFORNIA )

COUNTY OF YOLO )

On Jan. 28, 2016 before me, G. BERMUDEZ, Notary  
Public,

Date

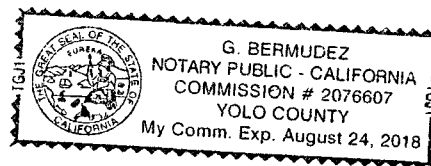
(here insert name and title of the officer)

personally appeared CATHERINE EDSON

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: [Handwritten Signature] (Seal)

OPTIONAL

Description of Attached Document

Title or Type of Document: \_\_\_\_\_ Number of Pages: \_\_\_\_\_

Document Date: \_\_\_\_\_ Other: \_\_\_\_\_




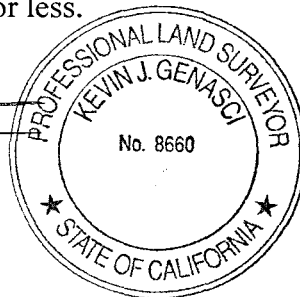
feet; thence South 45° 12' East, a distance of 311 feet to the line between Sections 23 and 26; thence South 89°34' West, a distance of 588 feet along said line between Sections 23 and 26 to the **POINT OF COMMENCEMENT**.

**ALSO EXCEPTING THEREFROM** that portion of said Section 23 lying south and east of the northwesterly right-of-way line of the new County Road more particularly described as follows:

**BEGINNING** at a point bearing South 73°40' West and 18.831 chains from the Quarter Section corner between Sections 25 and 26, Township 3 South, Range 12 East, Mount Diablo Base and Meridian, thence North 35°40' East, a distance of 16.00 chains; thence North 1°33' West, a distance of 3.36 chains; thence North 39°30' East, a distance of 2.96 chains; thence North 2°38' East, a distance of 1.406 chains; thence North 37° 12' West 2.058 chains; thence North 60°37' West, a distance of 2.437 chains; thence North 5°16' East, a distance of 5.991 chains; thence North 21°39' West, a distance of 5.273 chains; thence North 6°51' West, a distance of 7.264 chains; thence North 33°3' East, a distance of 19.842 chains; thence North 65°33' East, a distance of 29.132 chains; thence North 16°40' East, a distance of 31.66 chains; thence North 7°6' West, a distance of 44.54 chains; thence North 3°10' East, a distance of 16.823 chains to the intersection of the East and West line through the center of Section 13, Township 3 South, Range 12 East, Mount Diablo Base and Meridian; thence South 89°53' West, a distance of 29.55 chains along the said East and West line through the center of Section 13 to the Quarter Section corner between Sections 14 and 13, Township 3 South, Range 12 East, Mount Diablo Base and Meridian.

**CONTAINING** 589.4 acres, more or less.

  
Kevin J. Genasci, P.L.S. 8660  
June 18, 2015



**EXHIBIT A**  
LEGAL DESCRIPTION  
Parcel 2  
Before Lot Line Adjustment

All that portion of Section 26, Township 3 South, Range 12 East, Mount Diablo Base and Meridian, more particularly described as follows:

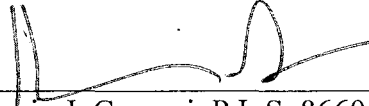
**COMMENCING** at the corner common to Sections 23, 24, 25 and 26, Township 3 South, Range 12 East, Mount Diablo Base and Meridian; thence South 1°55' West 1296.5 feet along the line between the Sections to a point on the 130 foot contour line of the Modesto Irrigation District; thence along the said 130 foot contour line as follows: North 31°43' West 136 feet; thence North 50°46' west 417 feet; North 38°47' West 331 feet; South 82°32' West 162 feet; South 22°18' East 408 feet; South 2°12' West 169 feet; South 17°4' West 200 feet; South 58°6' East 186 feet; South 38°27' East 167 feet; South 3°15' West 91.3 feet to a point on the right of way of Inlet No. 2 of Modesto Irrigation District and distant 75 feet at right angles from Station 2 of said Inlet No. 2; thence South 47°55' West 571.7 feet along the Northerly right of way of said Inlet No. 2 to the 130 foot contour line of the Modesto Irrigation District; thence along the line of the 130 foot contour as follows: North 30°38' West 229 feet; North 45°5' West 240 feet; North 53°20' West 400 feet; South 16°27' East 431 feet; South 34°57' East 238 feet; South 2°17' East 166.0 feet to a point on the Northerly right of way of said Inlet No. 2 at right angles to Station 11 x 395 of said Inlet No. 2; thence following the right 6° curve of the Northerly right of way of said Inlet No. 2, 355 feet to the intersection of the said right of way with the 130 foot contour of the Modesto Irrigation District; thence along the line of the said 130 foot contour as follows: North 71°34' West 128 feet; South 32°35' West 83.3 feet to a point on the Northerly right of way of said Inlet No. 2 at right angles to Station 16 x 69 of said Inlet No. 2 and on a right 6° curve; thence along the said right of way following said 6° curve 81 feet to the end of said 6° curve; thence on a tangent South 89°21' West 433.5 feet along the 130 foot contour of the said District; thence along the said 130 foot contour as follows: North 41°28' West 130 feet; North 20°8' West 107 feet; North 24°14' East 152 feet; North 70°25' East 217 feet; North 43°21' West 210 feet; North 14°46' West 143 feet; North 30°7' East 171 feet; North 53°55' West 130 feet; North 11°10' West 157 feet; North 36°34' East 188 feet; North 63°20' East 240 feet; North 72°44' East 183 feet; North 79°14' East 115 feet; North 2°43' West 112 feet; South 85°1' West 257 feet; 86°6' West 233 feet; North 41°53' West 135 feet; North 11°33' West 122 feet; North 15°54' East 222 feet; North 24°19' East 200 feet; North 35°29' West 322 feet; South 8°14' West 300 feet; South 25°48' West 270 feet; South 40°16' West 173 feet; South 28°19' West 182 feet; South 69°19' West 263 feet; North 69°23' West 110 feet; North 47°19' West 200 feet; North 42°34' West 692.5 feet; North 45°12' West 384 feet, more or less, to the line between Section 23 and 26 to a point 4363 feet to the **POINT OF COMMENCEMENT**.

**EXCEPTING THEREFROM** the above described land that portion of Section 26 lying East of the West line of the new County Road hereinbefore described.

**ALSO EXCEPTING** that portion thereof lying South and East of the Modesto Irrigation District's canal.

All of said land in Township 3 South, Range 12 East, Mount Diablo Base and Meridian.

**CONTAINING** 105.5 acres, more or less.

  
Kevin J. Genasci, P.L.S. 8660  
June 18, 2015



**EXHIBIT A**  
LEGAL DESCRIPTION  
Parcel 3  
Before Lot Line Adjustment

All that portion of Sections 22, 23, 26, and 27, Township 3 South, Range 12 East, Mount Diablo Base and Meridian, more particularly described as follows:

**BEGINNING** at the point of intersection of the East Quarter Quarter Section line of Section 27, Township 3 South, Range 12 East, Mount Diablo Base and Meridian, with the 221.4 foot contour (this being the 130 foot contour as used in the deed filed October 7, 1909 in Volume 87 of Deeds, Page 217, Stanislaus County Records), said point of intersection being 400 feet more or less South of the North Section line of said Section 27; thence Easterly along said contour line (as described in said deed) to a point where it intersects a line 100 feet north of and parallel to the center line of the Inlet Canal of the Dallas Warner Reservoir in the Southwest Quarter of the Southwest Quarter of the Northeast Quarter of Section 26, Township 3 South, Range 12 East, Mount Diablo Base and Meridian; thence Westerly along a line parallel to and 100 feet northerly and easterly from the center line of said canal or along the 211.4 foot contour line, whichever is farther from said center line at any given point, to a point of intersection with said 211.4 foot contour line in the Northeast Quarter of the Southeast Quarter of the Northeast Quarter of said Section 27; thence Northerly, Easterly, and Westerly along said contour line to its point of intersection with the East Quarter Quarter Section line of said Section 27; thence North to the **POINT OF BEGINNING**.

**EXCEPTING THEREFROM** that portion of above said Section 26 lying east of following described line:

**BEGINNING** at a point on the line between Sections 23 and 26, Township 3 South, Range 12 East, Mount Diablo Base and Meridian, at its intersection with the 130 foot contour line of the Modesto Irrigation District, and North 89°43' East 321 feet from the corner common to Sections 22, 23, 26, and 27, Township 3 South, Range 12 East, Mount Diablo Base and Meridian; thence along said 130 contour line South 46°41' West 103 feet; thence South 33°01' West 180 feet; thence South 51°27' West 113 feet; thence South 37°20' West 91 feet to a point on the line between said Sections 26 and 27; thence along said Section line South 0°40' East 242 feet to the point of intersection with above said 130 foot contour line; thence along said 130 contour line South 32°50' East 24 feet; thence South 63°40' East 445 feet; thence South 59°39' West 210 feet; thence South 12°46' West 196 feet; thence North 39°06' West 190 feet; thence North 71°48' West 70 feet to a point on the line between said Sections 26 and 27; thence along said Section line South 0°40' East 1212 feet to the point of intersection with the 211.4 foot contour of the Modesto Irrigation District or a line parallel to and 100 feet northerly of the centerline of the Inlet Canal of the Dallas Warner Reservoir, whichever is farthest from said centerline, and the **POINT OF TERMINATION**.

**ALSO EXCEPTING THEREFROM** that portion of above said Section 27 more particularly described as follows:

**COMMENCING** at a point on the line between Sections 26 and 27, Township 3 South, Range 12 East, Mount Diablo Base and Meridian, and South 0°40' East 605 feet from the corner common to Sections 22, 23, 26, and 27, Township 3 South, Range 12 East, Mount Diablo Base and Meridian, which point is on the 130 foot contour line of the Modesto Irrigation District; thence along the 130 foot contour line as follows: North 32°50' West 111 feet; thence North 11°09' East 100 feet; thence North 37°20' East 59 feet to the line between said Sections 26 and 27; thence South 0°40' East 242 feet along said Section line to the **POINT OF COMMENCEMENT**.

**ALSO EXCEPTING THEREFROM** that portion of above said Section 27 more particularly described as follows:

**COMMENCING** at a point on the line between Sections 26 and 27, Township 3 South, Range 12 East, Mount Diablo Base and Meridian; thence South 0°40' East 2159 feet from the corner common to Sections 22, 23, 26, and 27, in Township 3 South, Range 12 East, Mount Diablo Base and Meridian, which point is on the 130 foot contour line of the Modesto Irrigation District; thence along said 130 foot contour line as follows: North 72°30' West 19 feet; thence North 40°06' West 141 feet; thence North 11°20' East 133 feet; thence North 68°14' West 120 feet; thence North 41°44' West 147 feet; thence North 5°40' East 156 feet; thence North 38°58' West 282 feet; thence North 15°51' West 235 feet; thence North 9°19' West 180 feet; thence North 24°35' East 120 feet; thence North 63°28' East 118 feet; thence South 85°09' East 140 feet; thence South 58°57' East 164 feet; thence South 71°48' East 100 feet to the line between said Sections 26 and 27; thence South 0°40' East 1212 feet along said line between said Sections 26 and 27 to the **POINT OF COMMENCEMENT**.

**CONTAINING** 21.0 acres, more or less



Kevin J. Genasci, P.L.S. 8660  
June 18, 2015



**EXHIBIT A**  
LEGAL DESCRIPTION  
Parcel 4  
Before Lot Line Adjustment

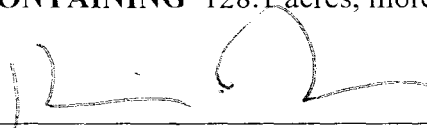
All that portion of Section 26, Township 3 South, Range 12 East, Mount Diablo Base and Meridian, more particularly described as follows:

**BEGINNING** at the point of intersection of the East Quarter Quarter Section line of Section 27, Township 3 South, Range 12 East, Mount Diablo Base and Meridian, with the 221.4 foot contour (this being the 130 foot contour as used in the deed filed October 7, 1909 in Volume 87 of Deeds, Page 217, Stanislaus County Records), said point of intersection being 400 feet more or less South of the North Section line of said Section 27; thence Easterly along said contour line (as described in said deed) to a point where it intersects a line 100 feet north of and parallel to the center line of the Inlet Canal of the Dallas Warner Reservoir in the Southwest Quarter of the Southwest Quarter of the Northeast Quarter of Section 26, Township 3 South, Range 12 East, Mount Diablo Base and Meridian; thence Westerly along a line parallel to and 100 feet northerly and easterly from the center line of said canal or along the 211.4 foot contour line, whichever is farther from said center line at any given point, to a point of intersection with said 211.4 foot contour line in the Northeast Quarter of the Southeast Quarter of the Northeast Quarter of said Section 27; thence Northerly, Easterly, and Westerly along said contour line to its point of intersection with the East Quarter Quarter Section line of said Section 27; thence North to the **POINT OF BEGINNING**.

**EXCEPTING THEREFROM** that portion of above said Section 26 lying west of following described line:

**BEGINNING** at a point on the line between Sections 23 and 26, Township 3 South, Range 12 East, Mount Diablo Base and Meridian, at its intersection with the 130 foot contour line of the Modesto Irrigation District, and North 89°43' East 321 feet from the corner common to Sections 22, 23, 26, and 27, Township 3 South, Range 12 East, Mount Diablo Base and Meridian; thence along said 130 contour line South 46°41' West 103 feet; thence South 33°01' West 180 feet; thence South 51°27' West 113 feet; thence South 37°20' West 91 feet to a point on the line between said Sections 26 and 27; thence along said Section line South 0°40' East 242 feet to the point of intersection with above said 130 foot contour line; thence along said 130 contour line South 32°50' East 24 feet; thence South 63°40' East 445 feet; thence South 59°39' West 210 feet; thence South 12°46' West 196 feet; thence North 39°06' West 190 feet; thence North 71°48' West 70 feet to a point on the line between said Sections 26 and 27; thence along said Section line South 0°40' East 1212 feet to the point of intersection with the 211.4 foot contour of the Modesto Irrigation District or a line parallel to and 100 feet northerly of the centerline of the Inlet Canal of the Dallas Warner Reservoir, whichever is farthest from said centerline, and the **POINT OF TERMINATION**.

CONTAINING 128.1 acres, more or less.

  
Kevin J. Genasci, P.L.S. 8660  
June 18, 2015



**EXHIBIT B**  
LEGAL DESCRIPTION  
Parcel 1  
After Lot Line Adjustment

All of Section 23, Township 3 South, Range 12 East, Mount Diablo Meridian:

**EXCEPTING THEREFROM** the following:

**COMMENCING** at corner common to Sections 22, 23, 26 and 27, thence North 89°34' East, a distance of 321 feet along the lines between Sections 23 and 26 to the 130 foot contour line of the Modesto Irrigation District; thence along the said 130 foot contour line as follows: North 46°41' East, a distance of 127 feet; thence North 64°8' East, a distance of 465 feet; thence North 30°40' West, a distance of 105 feet; thence South 83° 54' West 132 feet; thence North 50°4' West, a distance of 105 feet; thence South 83°54' West, a distance of 214 feet; thence North 41°49' West 180 feet; thence South 9°35' West, a distance of 285 feet; thence South 26°40' West, a distance of 180 feet; thence South 51°36' West, a distance of 127 feet to the line between Sections 22 and 23; thence South 0°40' East, a distance of 192.5 feet along said lines between Sections 22 and 23 to the **POINT OF COMMENCEMENT**.

**ALSO EXCEPTING THEREFROM** the Northwest quarter of the Northwest quarter of the Southwest quarter.

**ALSO EXCEPTING THEREFROM** the Southwest Quarter of the Southwest Quarter of the Northwest Quarter.

**ALSO EXCEPTING THEREFROM** the following:

**COMMENCING** at a point on the line between Section 22 and 23, at its intersection with a 130 foot contour line of the Modesto Irrigation District North 0°40' West 192.5 feet from the corner common to Sections 22, 23, 26 and 27; thence along the said 130 foot contour line as follows: North 51°36' East, a distance of 127 feet; thence North 26°40' East, a distance of 180 feet; thence North 9°36' East, a distance of 285 feet; thence North 7°15' West, a distance of 304 feet; thence North 9°46' East, a distance of 986.5 feet to the North line of the South Half of the Northwest Quarter of the Southwest Quarter of Section 23; thence along the said North line of the South Half of the Northwest Quarter of the Southwest Quarter of Section 23 South 89°13' West, a distance of 400.5 feet to the line between Sections 22 and 23; thence South 0°40' East, a distance of 1,792 feet along said line between Sections 22 and 23 to the **POINT OF COMMENCEMENT**.

**ALSO EXCEPTING THEREFROM** the following:

**COMMENCING** at a point on the line between Sections 23 and 26 at its intersection with the 130 foot contour lines of the Modesto Irrigation District North 89°34' East and 321 feet from the corner common to Sections 22, 23, 26 and 27; thence along the said 130 foot contour line as



follows: North  $46^{\circ}41'$  East, a distance of 127 feet; thence North  $64^{\circ}08'$  East, a distance of 305.5 feet; thence South  $45^{\circ}12'$  East, a distance of 311 feet to the line between Sections 23 and 26; thence South  $89^{\circ}34'$  West, a distance of 588 feet along said line between Sections 23 and 26 to the **POINT OF COMMENCEMENT**.

**ALSO EXCEPTING THEREFROM** that portion of said Section 23 lying south and east of the northwesterly right-of-way line of Crabtree Road more particularly described as follows:

**BEGINNING** at a point bearing South  $73^{\circ}40'$  West and 18.831 chains from the Quarter Section corner between Sections 25 and 26, Township 3 South, Range 12 East, Mount Diablo Base and Meridian, thence North  $35^{\circ}40'$  East, a distance of 16.00 chains; thence North  $1^{\circ}33'$  West, a distance of 3.36 chains; thence North  $39^{\circ}30'$  East, a distance of 2.96 chains; thence North  $2^{\circ}38'$  East, a distance of 1.406 chains; thence North  $37^{\circ}12'$  West 2.058 chains; thence North  $60^{\circ}37'$  West, a distance of 2.437 chains; thence North  $5^{\circ}16'$  East, a distance of 5.991 chains; thence North  $21^{\circ}39'$  West, a distance of 5.273 chains; thence North  $6^{\circ}51'$  West, a distance of 7.264 chains; thence North  $33^{\circ}3'$  East, a distance of 19.842 chains; thence North  $65^{\circ}33'$  East, a distance of 29.132 chains; thence North  $16^{\circ}40'$  East, a distance of 31.66 chains; thence North  $7^{\circ}6'$  West, a distance of 44.54 chains; thence North  $3^{\circ}10'$  East, a distance of 16.823 chains to the intersection of the East and West line through the center of Section 13, Township 3 South, Range 12 East, Mount Diablo Base and Meridian; thence South  $89^{\circ}53'$  West, a distance of 29.55 chains along the said East and West line through the center of Section 13 to the Quarter Section corner between Sections 14 and 13, Township 3 South, Range 12 East, Mount Diablo Base and Meridian.

**TOGETHER WITH** that portion of above said Section 23 lying easterly of the following described line:

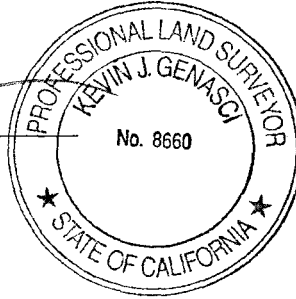
**COMMENCING** at the east Quarter Corner of above said Section 26; thence South  $89^{\circ}44'20''$  West along the Quarter Section line, a distance of 2203.48 feet; thence North  $00^{\circ}15'40''$  West, a distance of 183.19 feet to the point of intersection with the north right-of-way line of Modesto irrigation Inlet Canal; thence North  $40^{\circ}50'09''$  West, a distance of 62.76 feet; thence North  $26^{\circ}22'39''$  West, a distance of 63.57 feet; thence North  $03^{\circ}40'48''$  East, a distance of 63.57 feet; thence North  $11^{\circ}13'00''$  East, a distance of 60.17 feet; thence North  $15^{\circ}23'45''$  East, a distance of 368.00 feet; thence North  $07^{\circ}55'24''$  West, a distance of 415.73 feet; thence North  $05^{\circ}03'28''$  West, a distance of 29.87 feet; thence North  $06^{\circ}17'16''$  East, a distance of North  $18^{\circ}00'59''$  East, a distance of 60.17 feet; thence North  $33^{\circ}59'41''$  East, a distance of 49.20 feet; thence North  $44^{\circ}56'41''$  East, a distance of 31.98 feet; thence North  $00^{\circ}24'54''$  East, a distance of 38.96 feet; thence North  $67^{\circ}59'14''$  West, a distance of 758.98 feet; thence South  $70^{\circ}11'16''$  West, a distance of 282.95 feet; thence North  $67^{\circ}28'46''$  West, a distance of 106.84 feet; thence North  $46^{\circ}37'47''$  West, a distance of 236.05 feet; thence North  $63^{\circ}54'13''$  West, a distance of 289.91 feet; thence North  $45^{\circ}58'02''$  West, a distance of 638.00 feet; thence North  $44^{\circ}35'32''$  West, a distance of 394.15 feet; thence continuing North  $44^{\circ}35'32''$  West, a distance of 299.24 feet to the **POINT OF BEGINNING**; thence North  $44^{\circ}13'24''$  West, a distance of 611.49 feet; thence North  $28^{\circ}10'40''$  West, a distance of 62.06 feet to the **POINT OF TERMINATION**.

**CONTAINING** 590.4 acres, more or less.

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  
June 18, 2015



**EXHIBIT B**  
LEGAL DESCRIPTION  
Parcel 2  
After Lot Line Adjustment

All that portion of Section 26, Township 3 South, Range 12 East, Mount Diablo Meridian, described as follows:

**COMMENCING** at the corner common to Sections 23, 24, 25 and 26, Township 3 South, Range 12 East, Mount Diablo Meridian; thence South 1°55' West 1296.5 feet along the line between the Sections to a point on the 130 foot contour line of the Modesto Irrigation District; thence along the said 130 foot contour line as follows: North 31°43' West 136 feet; thence North 50°46' West 417 feet; North 38°47' West 331 feet; South 82°32' West 162 feet; South 22°18' East 408 feet; South 2°12' West 169 feet; South 17°4' West 200 feet; South 58°6' East 186 feet; South 38°27' East 167 feet; South 3°15' West 91.3 feet to a point on the right of way of Inlet No. 2 of Modesto Irrigation District and distant 75 feet at right angles from Station 2 of said Inlet No. 2; thence South 47°55' West 571.7 feet along the Northerly right of way of said Inlet No. 2 to the 130 foot contour line of the Modesto Irrigation District; thence along the line of the 130 foot contour as follows: North 30°38' West 229 feet; North 45°5' West 240 feet; North 53°20' West 400 feet; South 16°27' East 431 feet; South 34°57' East 238 feet; South 2°17' East 166.0 feet to a point on the Northerly right of way of said Inlet No. 2 at right angles to Station 11 x 395 of said Inlet No. 2; thence following the right 6° curve of the Northerly right of way of said Inlet No. 2, 355 feet to the intersection of the said right of way with the 130 foot contour of the Modesto Irrigation District; thence along the line of the said 130 foot contour as follows: North 71°34' West 128 feet; South 32°35' West 83.3 feet to a point on the Northerly right of way of said Inlet No. 2 at right angles to Station 16 x 69 of said Inlet No. 2 and on a right 6° curve; thence along the said right of way following said 6° curve 81 feet to the end of said 6° curve; thence on a tangent South 89°21' West 433.5 feet along the 130 foot contour of the said District; thence along the said 130 foot contour as follows: North 41°28' West 130 feet; North 20°8' West 107 feet; North 24°14' East 152 feet; North 70°25' East 217 feet; North 43°21' West 210 feet; North 14°46' West 143 feet; North 30°7' East 171 feet; North 53°55' West 130 feet; North 11°10' West 157 feet; North 36°34' East 188 feet; North 63°20' East 240 feet; North 72°44' East 183 feet; North 79°14' East 115 feet; North 2°43' West 112 feet; South 85°1' West 257 feet; 86°6' West 233 feet; North 41°53' West 135 feet; North 11°33' West 122 feet; North 15°54' East 222 feet; North 24°19' East 200 feet; North 35°29' West 322 feet; South 8°14' West 300 feet; South 25°48' West 270 feet; South 40°16' West 173 feet; South 28°19' West 182 feet; South 69°19' West 263 feet; North 69°23' West 110 feet; North 47°19' West 200 feet; North 42°34' West 692.5 feet; North 45°12' West 384 feet, more or less, to the line between Section 23 and 26 to a point 4363 feet to the **POINT OF COMMENCEMENT**.

**EXCEPTING THEREFROM** the above described land that portion of Section 26 lying East of the West line of Crabtree Road.


**ALSO EXCEPTING THEREFROM** that portion thereof lying South and East of the Modesto Irrigation District's canal.

**TOGETHER WITH** that portion of above said Section 26 lying easterly and northerly of the following described line:

**COMMENCING** at the east Quarter Corner of above said Section 26; thence South 89°44'20" West along the Quarter Section line, a distance of 2203.48 feet; thence North 00°15'40" West, a distance of 183.19 feet to the point of intersection with the north right-of-way line of Modesto irrigation Inlet Canal and the **POINT OF BEGINNING**; thence North 40°50'09" West, a distance of 62.76 feet; thence North 26°22'39" West, a distance of 63.57 feet; thence North 03°40'48" East, a distance of 63.57 feet; thence North 11°13'00" East, a distance of 60.17 feet; thence North 15°23'45" East, a distance of 368.00 feet; thence North 07°55'24" West, a distance of 415.73 feet; thence North 05°03'28" West, a distance of 29.87 feet; thence North 06°17'16" East, a distance of North 18°00'59" East, a distance of 60.17 feet; thence North 33°59'41" East, a distance of 49.20 feet; thence North 44°56'41" East, a distance of 31.98 feet; thence North 00°24'54" East, a distance of 38.96 feet; thence North 67°59'14" West, a distance of 758.98 feet; thence South 70°11'16" West, a distance of 282.95 feet; thence North 67°28'46" West, a distance of 106.84 feet; thence North 46°37'47" West, a distance of 236.05 feet; thence North 63°54'13" West, a distance of 289.91 feet; thence North 45°58'02" West, a distance of 638.00 feet; thence North 44°35'32" West, a distance of 394.15 feet to the **POINT OF TERMINATION**.

**CONTAINING** 117.3 acres, more or less.

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  
June 18, 2015



**EXHIBIT B**  
LEGAL DESCRIPTION  
Parcel 3  
After Lot Line Adjustment

All that portion of Sections 22, 23, 26, and 27, Township 3 South, Range 12 East, Mount Diablo Base and Meridian, more particularly described as follows:

**BEGINNING** at the point of intersection of the East Quarter Quarter Section line of Section 27, Township 3 South, Range 12 East, Mount Diablo Base and Meridian, with the 221.4 foot contour (this being the 130 foot contour as used in the deed filed October 7, 1909 in Volume 87 of Deeds, Page 217, Stanislaus County Records), said point of intersection being 400 feet more or less South of the North Section line of said Section 27; thence Easterly along said contour line (as described in said deed) to a point where it intersects a line 100 feet north of and parallel to the center line of the Inlet Canal of the Dallas Warner Reservoir in the Southwest Quarter of the Southwest Quarter of the Northeast Quarter of Section 26, Township 3 South, Range 12 East, Mount Diablo Base and Meridian; thence Westerly along a line parallel to and 100 feet northerly and easterly from the center line of said canal or along the 211.4 foot contour line, whichever is farther from said center line at any given point, to a point of intersection with said 211.4 foot contour line in the Northeast Quarter of the Southeast Quarter of the Northeast Quarter of said Section 27; thence Northerly, Easterly, and Westerly along said contour line to its point of intersection with the East Quarter Quarter Section line of said Section 27; thence North to the **POINT OF BEGINNING**.

**EXCEPTING THEREFROM** that portion of above said Section 26 lying east of following described line:

**BEGINNING** at a point on the line between Sections 23 and 26, Township 3 South, Range 12 East, Mount Diablo Base and Meridian, at its intersection with the 130 foot contour line of the Modesto Irrigation District, and North 89°43' East 321 feet from the corner common to Sections 22, 23, 26, and 27, Township 3 South, Range 12 East, Mount Diablo Base and Meridian; thence along said 130 contour line South 46°41' West 103 feet; thence South 33°01' West 180 feet; thence South 51°27' West 113 feet; thence South 37°20' West 91 feet to a point on the line between said Sections 26 and 27; thence along said Section line South 0°40' East 242 feet to the point of intersection with above said 130 foot contour line; thence along said 130 contour line South 32°50' East 24 feet; thence South 63°40' East 445 feet; thence South 59°39' West 210 feet; thence South 12°46' West 196 feet; thence North 39°06' West 190 feet; thence North 71°48' West 70 feet to a point on the line between said Sections 26 and 27; thence along said Section line South 0°40' East 1212 feet to the point of intersection with the 211.4 foot contour of the Modesto Irrigation District or a line parallel to and 100 feet northerly of the centerline of the Inlet Canal of the Dallas Warner Reservoir, whichever is farthest from said centerline, and the **POINT OF TERMINATION**.

**ALSO EXCEPTING THEREFROM** that portion of above said Section 27 more particularly described as follows:

**COMMENCING** at a point on the line between Sections 26 and 27, Township 3 South, Range 12 East, Mount Diablo Base and Meridian, and South 0°40' East 605 feet from the corner common to Sections 22, 23, 26, and 27, Township 3 South, Range 12 East, Mount Diablo Base and Meridian, which point is on the 130 foot contour line of the Modesto Irrigation District; thence along the 130 foot contour line as follows: North 32°50' West 111 feet; thence North 11°09' East 100 feet; thence North 37°20' East 59 feet to the line between said Sections 26 and 27; thence South 0°40' East 242 feet along said Section line to the **POINT OF COMMENCEMENT**.

**ALSO EXCEPTING THEREFROM** that portion of above said Section 27 more particularly described as follows:

**COMMENCING** at a point on the line between Sections 26 and 27, Township 3 South, Range 12 East, Mount Diablo Base and Meridian, said point being South 0°40' East 2159 feet from the corner common to Sections 22, 23, 26, and 27, in Township 3 South, Range 12 East, Mount Diablo Base and Meridian, which point is on the 130 foot contour line of the Modesto Irrigation District; thence along said 130 foot contour line as follows: North 72°30' West 19 feet; thence North 40°06' West 141 feet; thence North 11°20' East 133 feet; thence North 68°14' West 120 feet; thence North 41°44' West 147 feet; thence North 5°40' East 156 feet; thence North 38°58' West 282 feet; thence North 15°51' West 235 feet; thence North 9°19' West 180 feet; thence North 24°35' East 120 feet; thence North 63°28' East 118 feet; thence South 85°09' East 140 feet; thence South 58°57' East 164 feet; thence South 71°48' East 100 feet to the line between said Sections 26 and 27; thence South 0°40' East 1212 feet along said line between said Sections 26 and 27 to the **POINT OF COMMENCEMENT**.


**ALSO EXCEPTING THEREFROM** that portion of above said Section 23 lying easterly and northerly of the following described line:

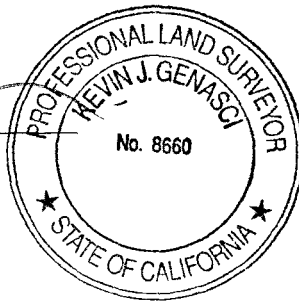
**COMMENCING** at the east Quarter Corner of above said Section 26; thence South 89°44'20" West along the Quarter Section line, a distance of 2203.48 feet; thence North 00°15'40" West, a distance of 183.19 feet to the point of intersection with the north right-of-way line of Modesto irrigation Inlet Canal; thence North 40°50'09" West, a distance of 62.76 feet; thence North 26°22'39" West, a distance of 63.57 feet; thence North 03°40'48" East, a distance of 63.57 feet; thence North 11°13'00" East, a distance of 60.17 feet; thence North 15°23'45" East, a distance of 368.00 feet; thence North 07°55'24" West, a distance of 415.73 feet; thence North 05°03'28" West, a distance of 29.87 feet; thence North 06°17'16" East, a distance of North 18°00'59" East, a distance of 60.17 feet; thence North 33°59'41" East, a distance of 49.20 feet; thence North 44°56'41" East, a distance of 31.98 feet; thence North 00°24'54" East, a distance of 38.96 feet; thence North 67°59'14" West, a distance of 758.98 feet; thence South 70°11'16" West, a distance of 282.95 feet; thence North 67°28'46" West, a distance of 106.84 feet; thence North 46°37'47" West, a distance of 236.05 feet; thence North 63°54'13" West, a distance of 289.91 feet; thence North 45°58'02" West, a distance of 638.00 feet; thence North 44°35'32" West, a distance of 394.15 feet; thence continuing North 44°35'32" West, a distance of 299.24 feet to the

**POINT OF BEGINNING**; thence North 44°13'24" West, a distance of 611.49 feet; thence North 28°10'40" West, a distance of 62.06 feet to the **POINT OF TERMINATION**.

**CONTAINING** 20.0 acres, more or less.

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  
June 18, 2015



**EXHIBIT B**  
LEGAL DESCRIPTION  
Parcel 4  
After Lot Line Adjustment

All that portion of Section 26, Township 3 South, Range 12 East, Mount Diablo Base and Meridian, more particularly described as follows:

**BEGINNING** at the point of intersection of the East Quarter Quarter Section line of Section 27, Township 3 South, Range 12 East, Mount Diablo Base and Meridian, with the 221.4 foot contour (this being the 130 foot contour as used in the deed filed October 7, 1909 in Volume 87 of Deeds, Page 217, Stanislaus County Records), said point of intersection being 400 feet more or less South of the North Section line of said Section 27; thence Easterly along said contour line (as described in said deed) to a point where it intersects a line 100 feet north of and parallel to the center line of the Inlet Canal of the Dallas Warner Reservoir in the Southwest Quarter of the Southwest Quarter of the Northeast Quarter of Section 26, Township 3 South, Range 12 East, Mount Diablo Base and Meridian; thence Westerly along a line parallel to and 100 feet northerly and easterly from the center line of said canal or along the 211.4 foot contour line, whichever is farther from said center line at any given point, to a point of intersection with said 211.4 foot contour line in the Northeast Quarter of the Southeast Quarter of the Northeast Quarter of said Section 27; thence Northerly, Easterly, and Westerly along said contour line to its point of intersection with the East Quarter Quarter Section line of said Section 27; thence North to the **POINT OF BEGINNING**.

**EXCEPTING THEREFROM** that portion of above said Section 26 lying west of following described line:

**BEGINNING** at a point on the line between Sections 23 and 26, Township 3 South, Range 12 East, Mount Diablo Base and Meridian, at its intersection with the 130 foot contour line of the Modesto Irrigation District, and North  $89^{\circ}43'$  East 321 feet from the corner common to Sections 22, 23, 26, and 27, Township 3 South, Range 12 East, Mount Diablo Base and Meridian; thence along said 130 contour line South  $46^{\circ}41'$  West 103 feet; thence South  $33^{\circ}01'$  West 180 feet; thence South  $51^{\circ}27'$  West 113 feet; thence South  $37^{\circ}20'$  West 91 feet to a point on the line between said Sections 26 and 27; thence along said Section line South  $0^{\circ}40'$  East 242 feet to the point of intersection with above said 130 foot contour line; thence along said 130 contour line South  $32^{\circ}50'$  East 24 feet; thence South  $63^{\circ}40'$  East 445 feet; thence South  $59^{\circ}39'$  West 210 feet; thence South  $12^{\circ}46'$  West 196 feet; thence North  $39^{\circ}06'$  West 190 feet; thence North  $71^{\circ}48'$  West 70 feet to a point on the line between said Sections 26 and 27; thence along said Section line South  $0^{\circ}40'$  East 1212 feet to the point of intersection with the 211.4 foot contour of the Modesto Irrigation District or a line parallel to and 100 feet northerly of the centerline of the Inlet Canal of the Dallas Warner Reservoir, whichever is farthest from said centerline, and the **POINT OF TERMINATION**.

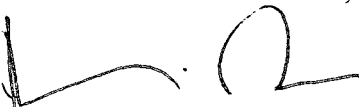


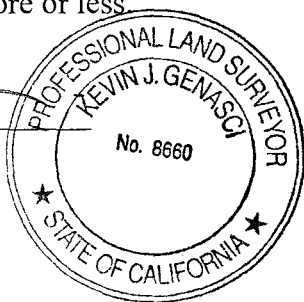
**EXCEPTING THEREFROM** that portion of above said Section 26 lying easterly and northerly of the following described line:

**COMMENCING** at the east Quarter Corner of above said Section 26; thence South 89°44'20" West along the Quarter Section line, a distance of 2203.48 feet; thence North 00°15'40" West, a distance of 183.19 feet to the point of intersection with the north right-of-way line of Modesto irrigation Inlet Canal and the **POINT OF BEGINNING**; thence North 40°50'09" West, a distance of 62.76 feet; thence North 26°22'39" West, a distance of 63.57 feet; thence North 03°40'48" East, a distance of 63.57 feet; thence North 11°13'00" East, a distance of 60.17 feet; thence North 15°23'45" East, a distance of 368.00 feet; thence North 07°55'24" West, a distance of 415.73 feet; thence North 05°03'28" West, a distance of 29.87 feet; thence North 06°17'16" East, a distance of North 18°00'59" East, a distance of 60.17 feet; thence North 33°59'41" East, a distance of 49.20 feet; thence North 44°56'41" East, a distance of 31.98 feet; thence North 00°24'54" East, a distance of 38.96 feet; thence North 67°59'14" West, a distance of 758.98 feet; thence South 70°11'16" West, a distance of 282.95 feet; thence North 67°28'46" West, a distance of 106.84 feet; thence North 46°37'47" West, a distance of 236.05 feet; thence North 63°54'13" West, a distance of 289.91 feet; thence North 45°58'02" West, a distance of 638.00 feet; thence North 44°35'32" West, a distance of 394.15 feet to the **POINT OF TERMINATION**.

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

**CONTAINING** 116.3 acres, more or less

  
\_\_\_\_\_  
Kevin J. Genasci, P.L.S. 8660  
June 18, 2015



FOR ILLUSTRATIVE PURPOSES ONLY

STANISLAUS COUNTY  
A.P.N. 008-004-013

**PARCEL 3  
STUEVE**  
A.P.N. 008-007-005  
(PORTION)

DOC. NO. 2012-0089333-00  
(PARCEL 9), S.C.R.  
DOC. NO. 1954-22839(PARCEL 14)  
21.0 AC± BEFORE LLA  
20.0 AC± AFTER LLA

POINT OF COMMENCEMENT FOR  
EXCEPTION TO PARCEL 1

130' CONTOUR LINE OF  
MODESTO IRRIGATION DISTRICT  
SEC. 22  
T.3S.,R.12E.

SEC. 27  
T.3S.,R.12E.

M.I.D.  
MODESTO  
RESERVOIR

POINT OF BEGINNING PARCEL  
3 & 4, INTERSECTION OF  
EAST QTR. QTR. SEC. LINE  
OF SEC. 27 WITH 221.4'  
CONTOUR LINE

POINT OF  
COMMENCEMENT  
FOR EXCEPTION  
TO PARCEL 3

**PARCEL 1  
WARNER GULCH, L.P.**  
A.P.N. 008-004-009(PORTION)

DOC. NO. 2013-0105721-00(PARCEL 1), S.C.R.  
VOL. 840, PG. 478, APR. 13, 1946(PARCEL 18)  
589.4 AC± BEFORE LLA  
590.4 AC± AFTER LLA

SEC. 23  
T.3S.,R.12E.

AREA OF ADJUSTMENT  
1.0 ACRE± FROM  
PARCEL 4 TO PARCEL 1

NEW LOT LINE ALONG  
EXISTING FENCE

SEC. 26  
T.3S.,R.12E.

130' CONTOUR LINE OF  
MODESTO IRRIGATION  
DISTRICT

POINT OF  
COMMENCEMENT  
FOR EXCEPTION  
TO PARCEL 3

NEW LOT LINE ALONG  
EXISTING FENCE

AREA OF ADJUSTMENT  
11.8 ACRES± FROM  
PARCEL 3 TO PARCEL 2

2013-0105721-00(PARCEL 2)  
VOL. 840, PG. 478, APR. 13,  
1946(PARCEL 20)  
105.5 AC± BEFORE LLA  
117.3 AC± AFTER LLA

**PARCEL 2  
WARNER GULCH, L.P.**  
A.P.N. 008-007-006

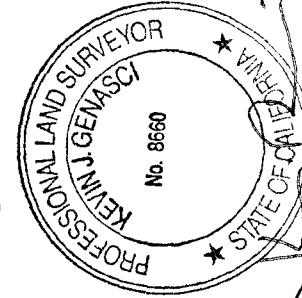
**PARCEL 4  
STUEVE**  
A.P.N. 008-007-005 (PORTION)  
DOC. NO. 2012-0089333-00 (PARCEL 11), S.C.R.  
DOC. NO. 1954-22839(PARCEL 24)  
128.1 AC± BEFORE LLA  
116.3 AC± AFTER LLA

M.I.D INLET CANAL

N00°15'40"W 183.19'

S89°44'20"W 2203.48'

EAST QUARTER CORNER SECTION  
26, T.3S., R.12E., M.D.M.



C-18-15

**LOT LINE ADJUSTMENT EXHIBIT**

**HAWKINS & ASSOCIATES  
ENGINEERING, INC.**  
436 MITCHELL ROAD  
MODESTO, CA. 95354  
PH: (209) 575-4295  
FAX: (209) 578-4205



1  
OF  
1

BY: RCS  
CHK: KJG  
DATE: 06/20/15  
SCALE: 1"=700'  
JOB #: 3200  
FILE: SURILLA