

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

DEPT: Planning And Community Development

BOARD AGENDA #: 9:10 a.m.

AGENDA DATE: November 8, 2016

**SUBJECT:**

Public Hearing to Consider Approval of Lot Line Adjustment and Williamson Act Cancellation Application No. PLN2016-0019, Aker, a Partial Cancellation of Williamson Act Contract No. 1977-2725

BOARD ACTION AS FOLLOWS:

No.

2016-561

On motion of Supervisor O'Brien, Seconded by Supervisor Chiesa  
and approved by the following vote,

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

Noes: Supervisors: None

Excused or Absent: Supervisors: None

Abstaining: Supervisor: None

1)  Approved as recommended


2)  Denied

3)  Approved as amended

4)  Other:

MOTION:

ATTEST:

  
ELIZABETH A. KING, Clerk of the Board of Supervisors

File No.

**THE BOARD OF SUPERVISORS OF THE COUNTY OF STANISLAUS**  
**AGENDA ITEM**

DEPT: Planning And Community Development  
Urgent  Routine

BOARD AGENDA #: 9:10 a.m.

AGENDA DATE: November 8, 2016

AF

CEO CONCURRENCE: \_\_\_\_\_

4/5 Vote Required: Yes  No

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**SUBJECT:**

Public Hearing to Consider Approval of Lot Line Adjustment and Williamson Act Cancellation Application No. PLN2016-0019, Aker, a Partial Cancellation of Williamson Act Contract No. 1977-2725

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**STAFF RECOMMENDATIONS:**

1. Approve the filing of a Notice of Exemption finding that the project is exempt under the provisions of the California Environmental Quality Act pursuant to State Guidelines.
2. Find based on the discussion in this report and the whole of the record that:
  - a. The cancellation is consistent with the purposes of the Williamson Act.
  - b. The cancellation is for land on which a notice of nonrenewal has been served pursuant to California Government Code Section 51245.
  - c. The cancellation is not likely to result in the removal of adjacent lands from agricultural use.
  - d. The cancellation is for an alternative use which is consistent with the applicable provisions of the County General Plan.
  - e. The cancellation will not result in discontinuous patterns of urban development.
  - f. There is no proximate noncontracted land which is available and suitable for the use to which it is proposed the contracted land be put, or, that development of the contracted land would provide more contiguous patterns of urban development than development of proximate noncontracted land.
  - g. The cancellation is in the public interest.
  - h. Other public concerns substantially outweigh the objectives of the Williamson Act.
3. Accept the cancellation value of the subject property as \$250,000 as determined by the County Assessor.

4. Certify to the County Auditor-Controller that the cancellation fee, which must be paid as deferred taxes, is an amount equal to 12 ½% of the cancellation value, or a total of thirty-one thousand two-hundred and fifty dollars (\$31,250).
5. Approve the tentative cancellation of a portion of Williamson Act Contract No. 1977-2725 subject to payment of the cancellation fee. Unless the fee is paid within one year of the filing of the Certificate of Tentative Cancellation, the fee shall be re-computed as provided by State law.
6. Direct the Clerk of the Board to record a Certificate of Tentative Cancellation within 30 days of this action.
7. Direct the Clerk of the Board, within 30 days of the Board action, to publish the Notice of the Decision and to deliver a copy of the published Notice of the Decision to the Director of the Department of Conservation (DOC).
8. Approve the Lot Line Adjustment, subject to the completion of the Williamson Act Contract Cancellation.

**DISCUSSION:**

This is a request to cancel a 4.25 acre portion of Williamson Act Contract No. 1977-2725 in conjunction with a Lot Line Adjustment. The Lot Line Adjustment request involves two parcels (4.55 total acres) located at 4630 and 4530 Lone Tree Road, between Pioneer and Valley Home Roads, in the Valley Home area. An overview of the lot line adjustment application, including property ownership, parcel sizes (existing and proposed), Williamson Act Contract information, and current development/use of the parcels is provided in Attachment 1. Project maps, including maps of parcels before and after the lot line adjustment, are provided in Attachment 2. The purpose of the lot line adjustment is to address existing improvements encroaching upon a property line.

The entire existing 4.25 acre parcel is covered under a portion of Williamson Act Contract No. 1977-2725. The remaining portion of the contract covers a separate parcel which is not part of this request. The Lot Line Adjustment cannot be approved without a cancellation as the proposed parcels do not meet the 10-acre minimum requirement for enrollment in a Williamson Act Contract. Both parcels have a General Plan designation of "Agriculture" and are zoned A-2-10 (General Agriculture).

In order for a Williamson Act Contract to be canceled, the Board of Supervisors must hold a public hearing on the request and make several findings as required by State law. Listed below are the findings required by California Government Code Section 51282 for tentative approval for cancellation of a contract:

1. That the cancellation is consistent with the purposes of the Williamson Act; **or**
2. That cancellation is in the public interest.

Stanislaus County has modified this action through language in the contract itself which states that **both** findings must be made.

Government Code Section 51282 specifies that cancellation is consistent with the purposes of the Williamson Act only if the Board of Supervisors makes all of the following findings:

1. That the cancellation is for land on which a notice of nonrenewal has been served pursuant to Government Code Section 51245.
2. That cancellation is not likely to result in the removal of adjacent lands from agricultural uses.
3. That cancellation is for an alternative use which is consistent with the applicable provision of the City or County General Plan.
4. That cancellation will not result in discontinuous patterns of urban development.
5. That there is no proximate noncontracted land which is both available and suitable for the use to which it is proposed the contracted land be put, or, that development of the contracted land would provide more contiguous patterns of urban development than development of proximate noncontracted land.

In addition, cancellation of a contract shall be in the public interest only if the Board of Supervisors makes the following findings:

1. That other public concerns substantially outweigh the objectives of the Williamson Act.
2. That there is no proximate noncontracted land which is both available and suitable for the use to which it is proposed the contracted land be put, or, that development of the contracted land would provide more contiguous patterns of urban development than development of proximate noncontracted land.

The applicant has provided written evidence to support the cancellation findings (see Attachment 3). The existing 4.25 acre parcel is inconsistent with the current minimum parcel size requirements for enrollment in the Williamson Act. The adjusted parcels will remain under the same use, each developed with a single-family dwelling, which will not result in removal of adjacent lands from agriculture or discontinuous patterns of urban development. The proposed Lot Line Adjustment is in conformance with the County's A-2 zoning district criteria allowing for lot line adjustments of parcels less than 10-acres in size to address a building site area or correct for a physical improvement, which is found to encroach upon a property line.

Prior to any action by the Board of Supervisors giving tentative approval to the cancellation of any contract, the Stanislaus County Assessor shall determine the current fair market value of the land as though it were free of the contractual restriction and shall certify to the Board of Supervisors the cancellation valuation of the land for the purpose of determining the cancellation fee. That fee shall be an amount equal to 12 ½% of the cancellation valuation of the property. The Stanislaus County Assessor's Office determined the current fair market

value of the land, free of contractual restriction, to be \$250,000 (see Attachment 4). If approved, the applicant will pay a cancellation fee in the amount of \$31,250, based on the current fair market value of the land.

This project has been sent to the California State Department of Conservation (DOC) for review and comment. On June 8, 2016, staff received a letter from the DOC stating the department concurs that the purpose of the cancellation meets the consistency findings required for cancellation (see Attachment 5).

**POLICY ISSUE:**

In order for a Williamson Act Contract to be canceled, the Board of Supervisors must hold a public hearing on the request and make the necessary findings as required by California Government Code Section 51282, the County's Williamson Act Uniform Rules, and the contract itself. See extended discussion on the required findings provided in the Discussion section above.

**FISCAL IMPACT:**

Costs associated with the public hearing, publishing required notices, and conducting the hearing are covered by the application fee paid by the applicant. The County will receive a minimal amount in additional property tax revenue with the 2.57 acre not being enrolled in a Williamson Act Contract. Also, the applicant will pay a cancellation penalty of \$31,250 to the Department of Conservation.

**BOARD OF SUPERVISORS' PRIORITY:**

Approval of this action supports the Board of Supervisor's priority of Efficient Delivery of Public Services and A Well Planned Infrastructure System by considering a Williamson Act Cancellation request necessary to establishing adjusted parcels that are consistent with the County's General Plan and Zoning Ordinance.

**STAFFING IMPACT:**

Responsibility for preparing all reports and attending meetings associated with the proposed Williamson Act Cancellation Application will be assumed by existing Planning and Community Development staff.

**CONTACT PERSON:**

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

**ATTACHMENT(S):**

1. Williamson Act & Lot Line Adjustment Request Overview
2. Project Maps
3. Cancellation Findings

Public Hearing to Consider Approval of Lot Line Adjustment and Williamson Act Cancellation  
Application No. PLN2016-0019, Aker, a Partial Cancellation of Williamson Act Contract No.  
1977-2725

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4. Letter from Don H. Gaekle, Stanislaus County Assessor, dated May 2, 2016
5. Letter dated June 8, 2016 from the California State Department of Conservation
6. Certificate of Tentative Cancellation and Legal Description of Parcel (Per Grant Deed Document No. 94-0095164-00)
7. California Environmental Quality Act Notice of Exemption

# Attachment 1

**Williamson Act & Lot Line Adjustment (LLA) Overview**

LLA Parcel No.	Assessors Parcel No. (APN)		Parcel Owners/Applicants	Williamson Contract				Parcel Size (Acres)		After LLA Use/Development
	No.	Portion Y/N		Contract No.	Portion Y/N	Acreage		Existing	Proposed	
						Existing	Proposed			
<b>WAC &amp; LLA Application No. PLN 2016-0019 - Aker</b>										
1	002-010-010	N	Collen Aker TR	1977-2725	Y	4.25	N/A	4.25	2.57	One Single Family Dwelling, two storage buildings, pasture land
2	002-010-009	N	Collen Aker TR	None	N/A	N/A	N/A	0.3	1.98	One Single Family Dwelling, two storage buildings and a pool
<b>Total Acreage:</b>						<b>4.25</b>	<b>0.00</b>	<b>4.55</b>	<b>4.55</b>	



# Attachment 2

# LLA & WAC PLN2016-0019 AKER AREA MAP

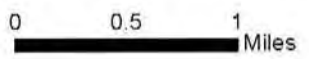


VALLEY HOME

AKER SITE

**Legend:**

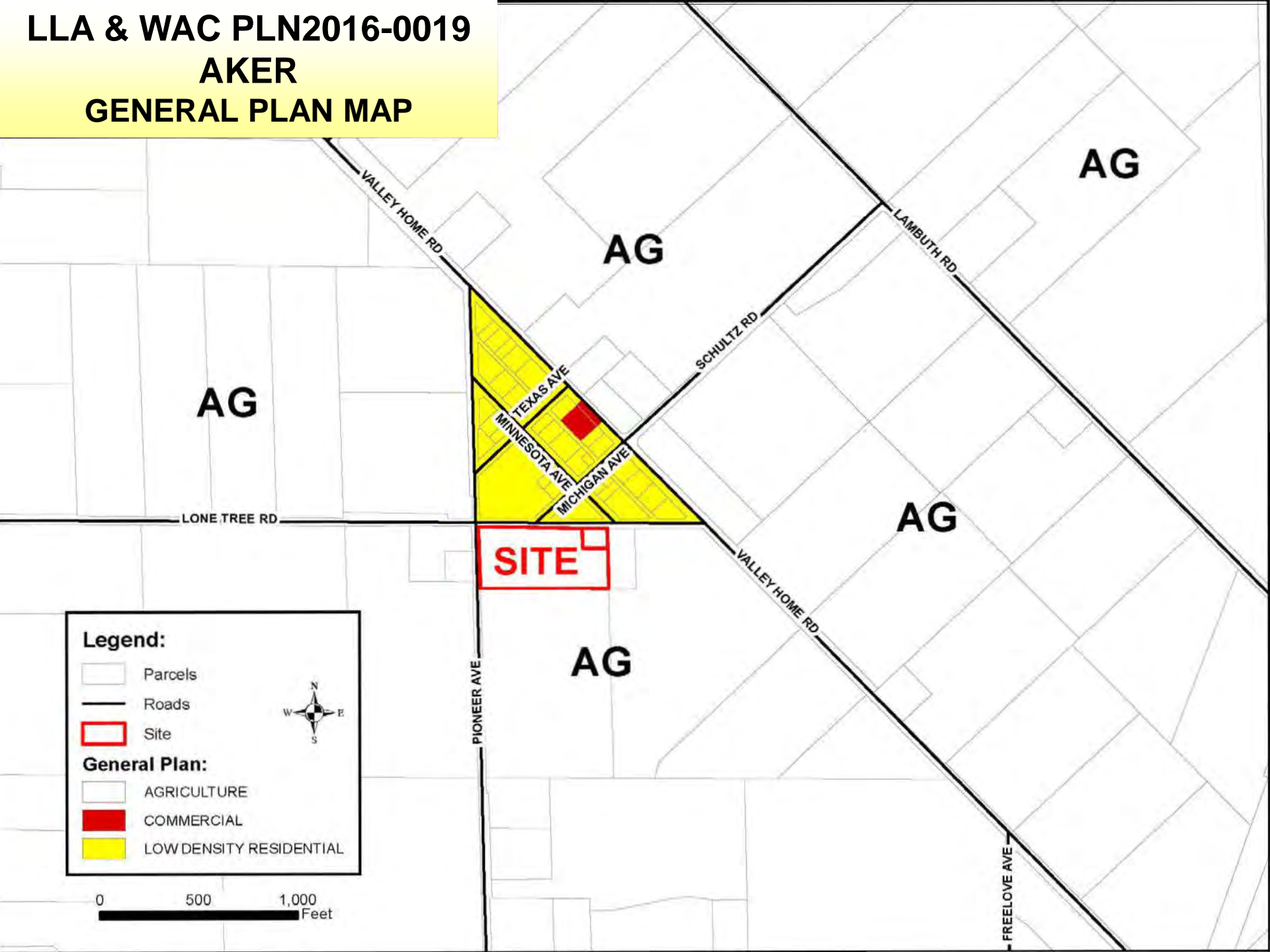
- Oakdale
- Sphere of Influence
- Site
- Rivers
- Roads



SAN JOAQUIN COUNTY BOUNDARY



**LLA & WAC PLN2016-0019**  
**AKER**  
**GENERAL PLAN MAP**

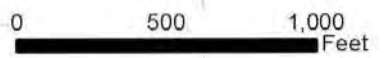


**Legend:**

- Parcels
- Roads
- Site

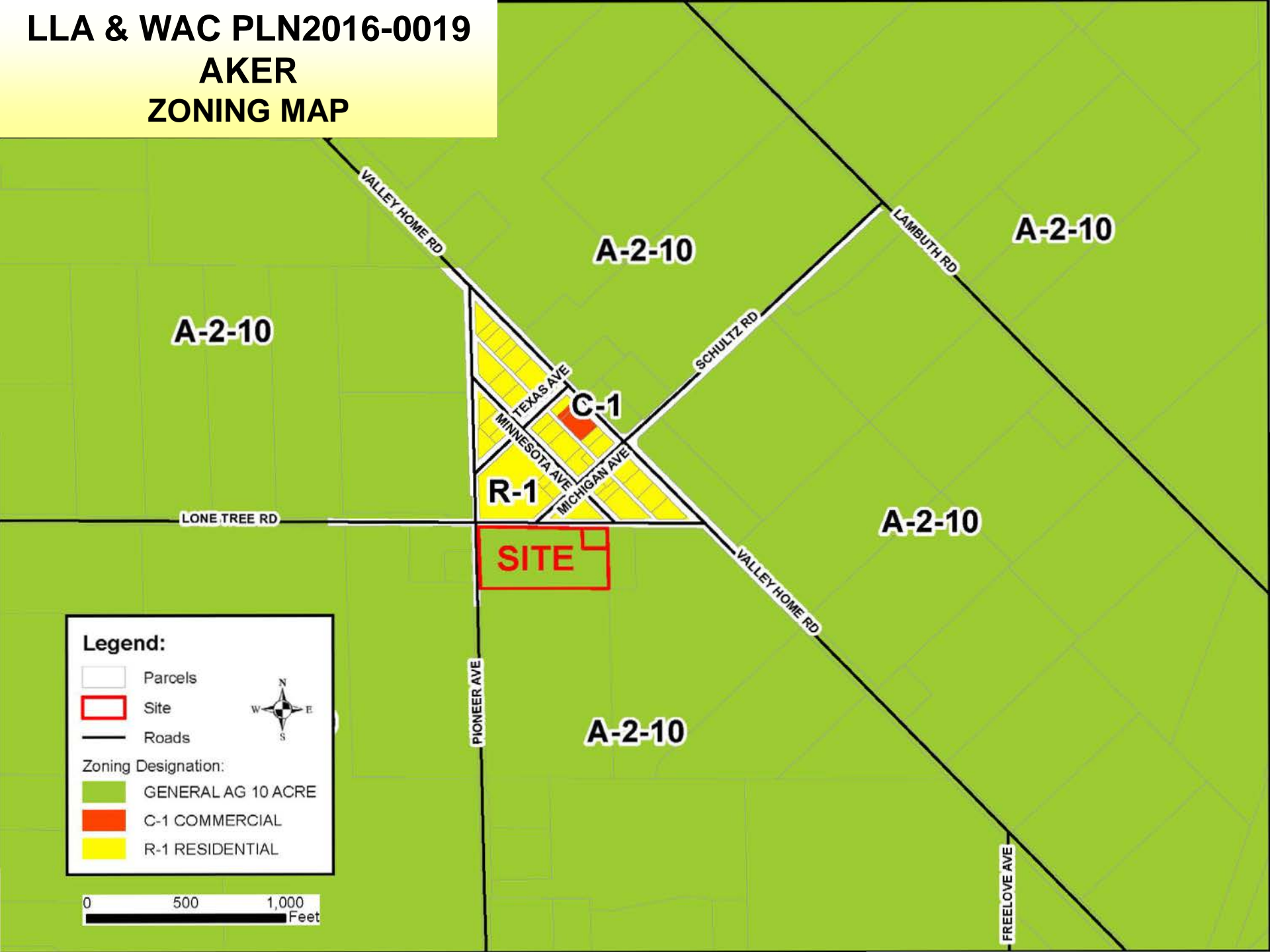
**General Plan:**

- AGRICULTURE
- COMMERCIAL
- LOW DENSITY RESIDENTIAL



# LLA & WAC PLN2016-0019

## AKER ZONING MAP



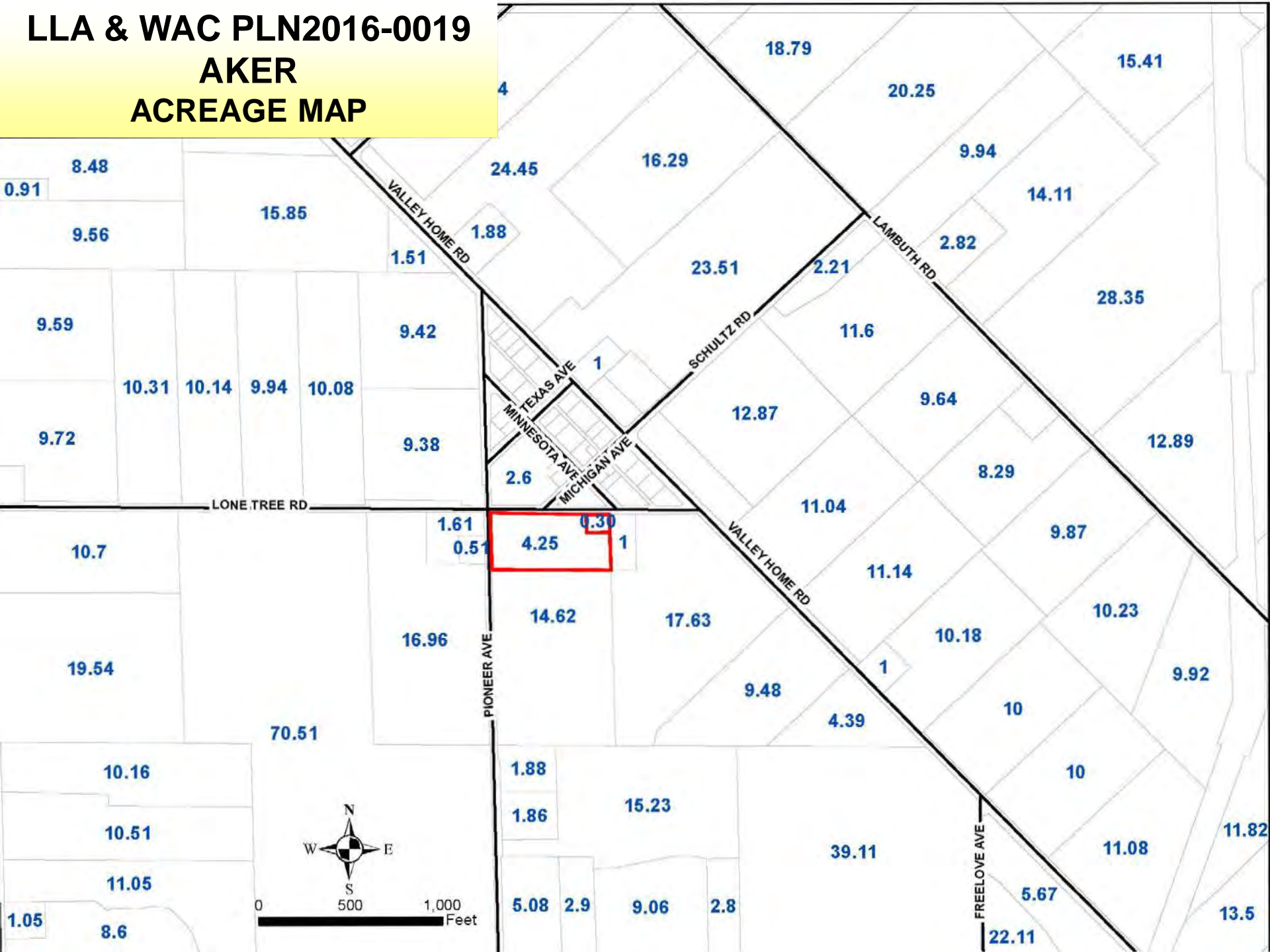
### Legend:

- Parcels
  - Site
  - Roads
- Zoning Designation:
- GENERAL AG 10 ACRE
  - C-1 COMMERCIAL
  - R-1 RESIDENTIAL

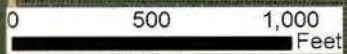
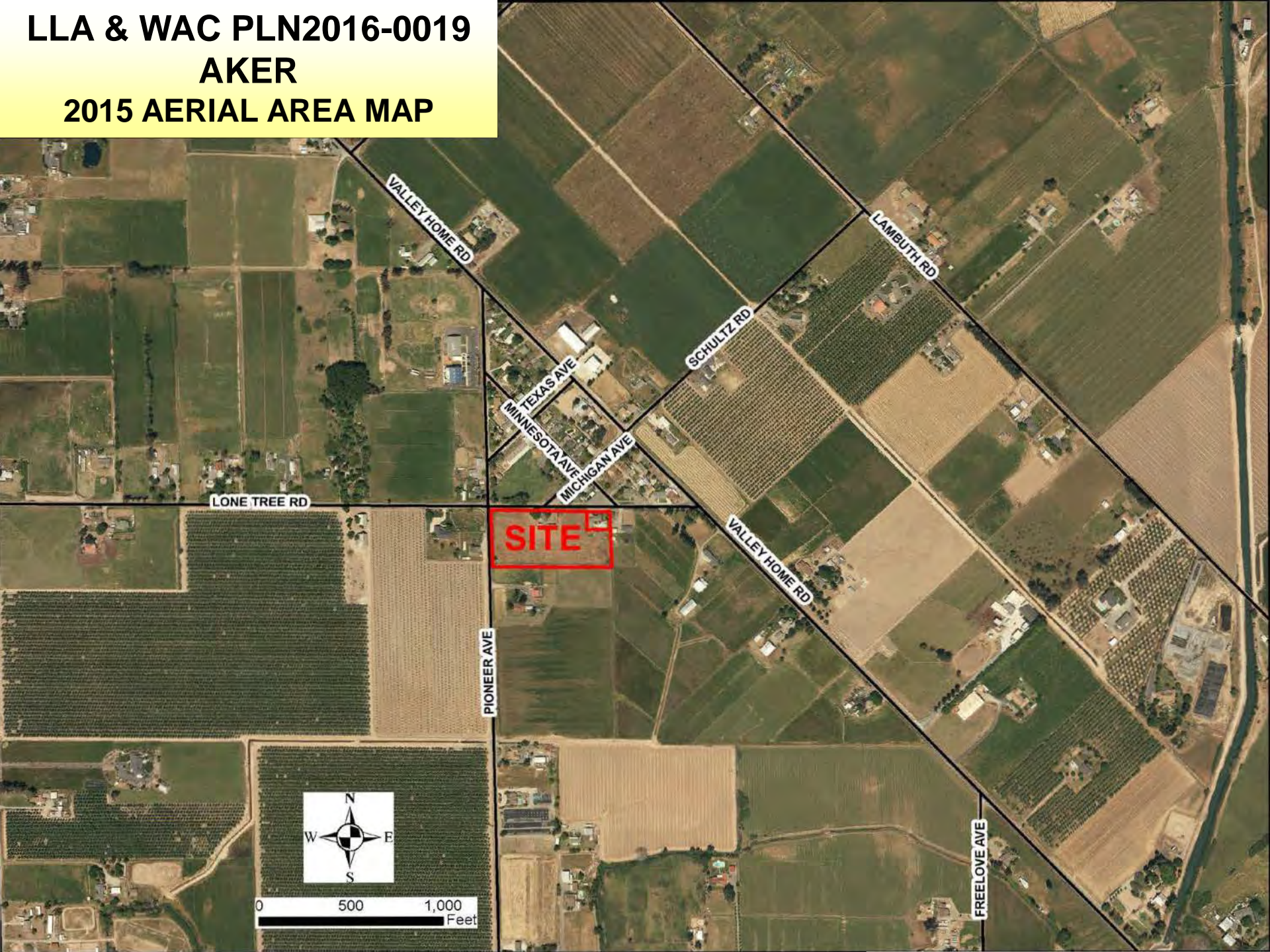


0 500 1,000  
Feet

# LLA & WAC PLN2016-0019 AKER ACREAGE MAP



**LLA & WAC PLN2016-0019  
AKER  
2015 AERIAL AREA MAP**



**LLA & WAC PLN2016-0019  
AKER  
2015 AERIAL MAP**



LONE TREE RD

MICHIGAN AVE

MINNESOTA AVE

PIONEER AVE

SITE

# LLA & WAC PLN2016-0019

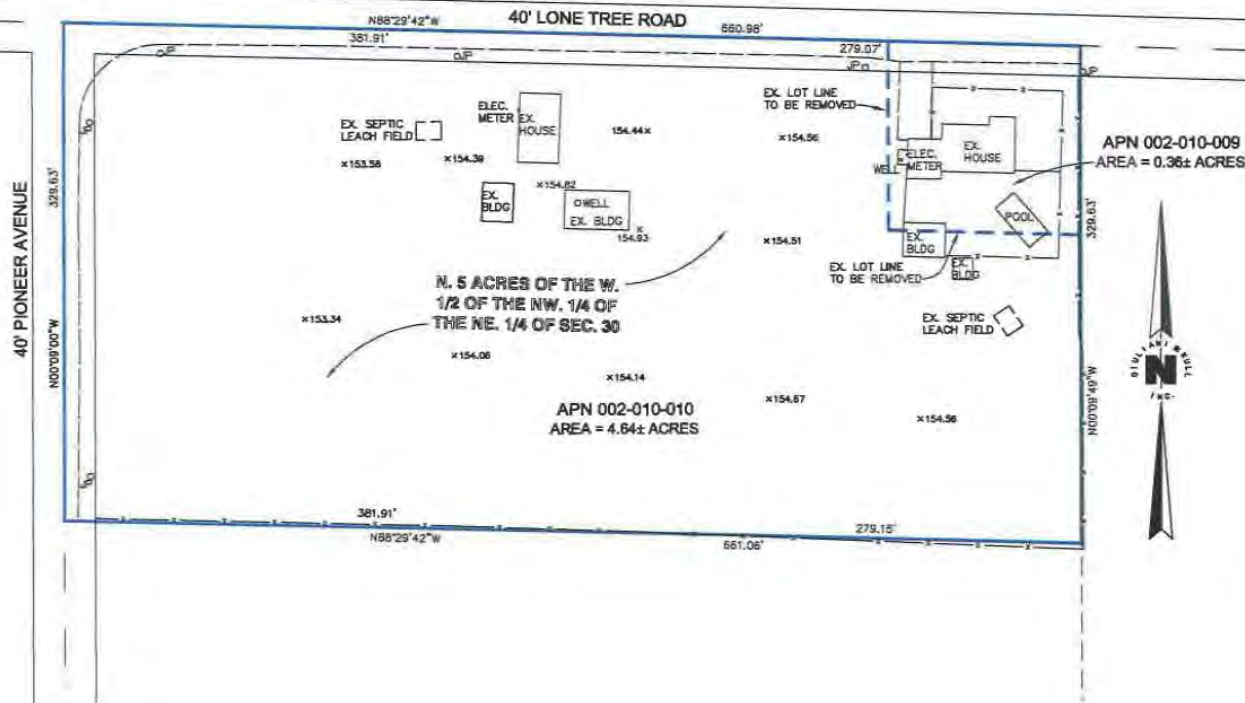
## AKER BEFORE LLA

### SOIL TYPE DATA

MADERA SANDY LOAM  
SOURCE - [HTTP://WEBSOILSURVEY.SC.EGOV.USDA.GOV/APR/WEBSOILSURVEY.ASPX](http://websoilsurvey.sc.egov.usda.gov/APR/WEBSOILSURVEY.ASPX)



### BEFORE LOT LINE ADJUSTMENT



### VICINITY MAP

OWNER/APPLICANT: COLLEEN AKER  
169B PARK VISTA DRIVE  
CHICO, CA 95928

PREPARED BY: GIULIANI & KULL, INC.  
440 S. YOSEMITE AVENUE SUITE A  
OAKDALE, CA 95361

TOTAL AREA: 5.00 AC.  
NO. OF PARCELS: 2  
A.P.N.: 002-010-009 & 002-010-010  
ZONING: A-2-10  
WATER: WELL  
SANITARY SEWER: SEPTIC  
STORM DRAIN: OVERLAND  
SLOPE OF LAND: FLAT-1%

### TENTATIVE LOT LINE ADJUSTMENT

BEING AN ADJUSTMENT OF APN 002-010-009  
& 002-010-010 BEING A PORTION OF THE  
NORTHEAST QUARTER OF SECTION 30,  
TOWNSHIP 1 SOUTH, RANGE 10 EAST, MOUNT  
DIABLO MERIDIAN,  
STANISLAUS COUNTY, CALIFORNIA

SCALE 1" = 50' MAY 2014

**GK** Giuliani & Kull, Inc.  
Engineers • Planners • Surveyors

440 S. Yosemite Avenue, Suite A, Oakdale, CA 95361  
(209) 847-8726 Fax (209) 847-7323  
Auburn • Oakdale • San Jose



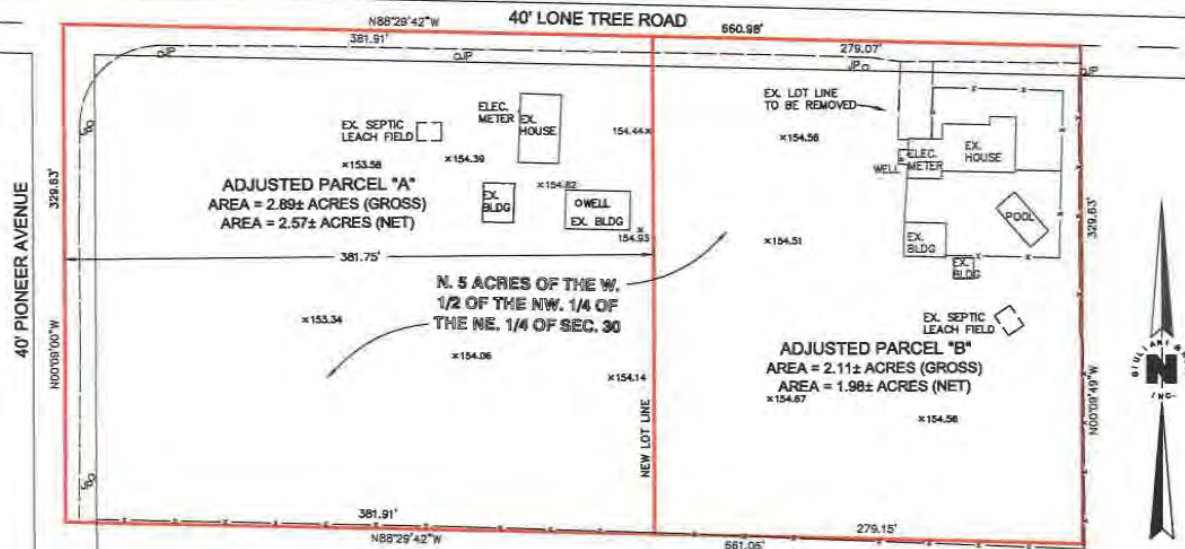
# LLA & WAC PLN2016-0019

## AKER AFTER LLA

### SOIL TYPE DATA

MADERA SANDY LOAM  
SOURCE - [HTTP://WEBSOILSSURVEY.SC.GOV.USDA.GOV/APP/WEBSOILSSURVEY.ASPX](http://websoilssurvey.sc.gov/usda.gov/app/websoilssurvey.aspx)

### AFTER LOT LINE ADJUSTMENT



### VICINITY MAP

OWNER/APPLICANT: COLLEEN AKER  
1698 PARK VISTA DRIVE  
CHICO, CA 95928

PREPARED BY: GIULIANI & KULL, INC.  
440 S. YOSEMITE AVENUE SUITE A  
OAKDALE, CA 95361

TOTAL AREA: 5.00 AC.

NO. OF PARCELS: 2

A.P.N.: 002-010-009 & 002-010-010

ZONING: A-2-10

WATER: WELL

SANITARY SEWER: SEPTIC

STORM DRAIN: OVERLAND

SLOPE OF LAND: FLAT-1%

### TENTATIVE LOT LINE ADJUSTMENT

BEING AN ADJUSTMENT OF APN 002-010-009  
& 002-010-010 BEING A PORTION OF THE  
NORTHEAST QUARTER OF SECTION 30,  
TOWNSHIP 1 SOUTH, RANGE 10 EAST, MOUNT  
DIABLO MERIDIAN,  
STANISLAUS COUNTY, CALIFORNIA

SCALE 1" = 50' MAY 2014

**GK** Giuliani & Kull, Inc.  
Engineers • Planners • Surveyors

440 S. Yosemite Avenue, Suite A, Oakdale, CA 95361  
(209) 847-8726 Fax (209) 847-7323

Auburn • Oakdale • San Jose

# Attachment 3

**CANCELLATION FINDINGS**

The cancellation of a 4.25 acre portion of Williamson Contract 1977-2725 would be consistent with the purposes of the Williamson Act.

1. That the cancellation is for land on which a notice of nonrenewal has been served pursuant to Section 51245.

*The Notice of Nonrenewal for the 4.25 acre portion of Williamson Act Contract No. 1977-2725 was recorded on March 24, 2016.*

2. The cancellation is not likely to result in the removal of adjacent lands from agricultural use.

*The cancellation is being done to facilitate a lot line adjustment, to correct improvements encroaching property lines with an adjacent parcel. The existing 4.25 acre parcel does not meet the criteria for minimum parcel size to be enrolled in a Williamson Act Contract. The existing use will remain the same and be consistent with surrounding uses. The removal of this portion for the Williamson Act Contract is not expected to result in removal of adjacent lands from agricultural use.*

3. The cancellation is for an alternative use which is consistent with the applicable provisions of the city or county general plan.

*The purpose of the cancellation will be to bring the contract into compliance with Williamson Act's Uniform Rules in regards to minimum parcel size as well as to facilitate a lot line adjustment. There is no alternate use being proposed as the parcel will continue to be a undersized agricultural parcel, which will still be required to conform to the County's General Plan as well as the A-2 (General Agriculture) zoning ordinance.*

4. That cancellation will not result in discontinuous patterns of urban development.

*The current use of the property is currently a homesite with fallowed agricultural land. The cancellation will bring the parcel into compliance with the Uniform Rules of the Williamson Act. There will not development associated with this request, nor is it expected result in discontinuous patterns of urban development.*

5. That there is no proximate noncontracted land which is both available and suitable for the use to which it is proposed the contracted land be put, or, that development of the contracted land would provide more contiguous patterns of urban development than development of proximate noncontracted land.

*There will be no development as a result of the requested cancellation as discussed earlier, the contracted land will continue as a homesite parcel with fallowed land. The surrounding area consist of similar parcel size and use.*

6. That other public concerns substantially outweigh the objectives of the Williamson Act; and

*The requested cancellation is in the public interest as the contracted land does meet the minimum parcel size of the Williamson Act Uniformed Rules.*

7. That there is no proximate noncontracted land which is both available and suitable for the use to which it is proposed the contracted land be put, or, that development of the contracted land would provide more contiguous patterns of urban development than development of proximate noncontracted land.

*There will not be any change of land use if approved. The contracted parcel will continue to be a homesite parcel with fallowed land as its use. The proximate contracted lands consistent of similar parcel size and use as the contracted parcel. However, no development will be taking place as part of this cancellation request.*

# Attachment 4



**Don H. Gaekle**  
**Stanislaus County Assessor**

Mercy Maya  
Assistant Assessor  
Administration

Matt N. Reavill  
Assistant Assessor  
Valuation

1010 Tenth St., Suite 2400  
Modesto, CA 95354-0863

Phone: (209) 525-6461  
Fax: (209) 525-6586

[www.stancounty.com/assessor](http://www.stancounty.com/assessor)

May 2, 2016

Stanislaus County Board of Supervisors  
c/o Planning and Community Development  
1010 Tenth Street, Suite 3400  
Modesto, CA 95354

Dear Board Members:

Reference: Property Owner: Aker Colleen Phyllis Tr  
Assessor's Parcel Number: 002-010-010-000  
Williamson Act Contract Number: 2725

In accordance with California Government Code Section 51283, the Assessor's Office has made the following determination:

The cancellation valuation of 4.25 acres of the above referenced property restricted under the California Land Conservation Act is two hundred fifty thousand dollars (\$250,000) representing current fair market value. The cancellation fee is an amount equal to 12½% of the cancellation valuation, or a total of thirty one thousand two hundred fifty dollars (\$31,250).

I hereby certify the cancellation valuation of the above parcel to be \$250,000.

Respectfully,

Don H. Gaekle Assessor

BY: Daryl Finney  
Supervising Appraiser  
Stanislaus County

**RECEIVED**

MAY 02 2016

cc: Aker Colleen Phyllis Tr  
California Department of Conservation

STANISLAUS CO. PLANNING &  
COMMUNITY DEVELOPMENT DEPT.

# Attachment 5



State of California • Natural Resources Agency  
Department of Conservation  
**Division of Land Resource Protection**  
801 K Street • MS 14-15  
Sacramento, CA 95814  
(916) 324-0850 • FAX (916) 327-3430

ATTACHMENT 5  
**Edmund G. Brown Jr., Governor**  
**John M. Lowrie, Assistant Director**

June 8, 2016

**VIA EMAIL: [BALLARDJ@STANCOUNTY.COM](mailto:BALLARDJ@STANCOUNTY.COM)**

Mr. Jeremy Ballard, Assistant Planner  
Stanislaus County Planning & Community Development  
1010 10<sup>th</sup> Street, Suite 3400  
Modesto, CA 95354

Dear Mr. Ballard:

**PARTIAL CANCELLATION OF NONCONTIGUOUS LAND CONSERVATION CONTRACT # 77-2725**

The Department of Conservation's (Department) Division of Land Resource Protection (Division) has reviewed the cancellation petition submitted by Stanislaus County. The Division monitors farmland conversion on a statewide basis and administers the California Land Conservation (Williamson) Act, California Farmland Conservancy Program, and other agricultural land conservation programs. The Department assumes that Stanislaus County has deemed the petition data and findings to be acceptable, and that the information provided reflects the views of the County as the lead agency.

**PROJECT DESCRIPTION**

Williamson Act contract #77-2725 is a noncontiguous contract. The portion of the contract proposed for partial cancellation (4.25-acres) is located at the southeast corner of the intersection of Pioneer Avenue and Lone Tree Road in the community of Oakdale in Stanislaus County. The remaining 19.32-acres of the contract is located 1.5-miles to the east, on the north side of Lambuth Road.

The applicant has decided to do a lot line adjustment between the 4.25-acre parcel and an adjacent 0.36-acre noncontracted parcel, to correct property lines that run through some of the residential buildings on the properties. The County has determined that the 4.25-acre parcel does not meet the criteria for minimum parcel size for land to be under contract and has required partial cancellation of the contract prior to approval of the lot line adjustment.

The 4.25-acre parcel is fallow with a homesite which is located in the northeast corner of the property. The parcel is classified as Rural Residential Land per the California Important Farmland Finder.<sup>1</sup>

**REQUIRED CANCELLATION FINDINGS**

The requirements necessary for cancellation of land conservation contracts are outlined in Government Code section 51282. The County must document the justification for the cancellation

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<sup>1</sup> California Important Farmland Finder. California Department of Conservation.  
<http://maps.conservation.ca.gov/ciff/ciff.html>.



through a set of findings. Based on the County's request, the project is being processed under the Consistency with the Williamson Act findings outlined below in the Department's comments:

*(1) That the cancellation is for land on which a notice of nonrenewal has been served pursuant to Section 51245.*

The Notice of Nonrenewal was recorded on March 24, 2016 as DOC-2016-0021230-00.

*(2) That cancellation is not likely to result in the removal of adjacent lands from agricultural use.*

The cancellation was triggered by the applicant's request to process a lot line adjustment. The County determined that the 4.25-acre parcel did not meet the criteria for minimum parcel size for land to be under contract and has required partial cancellation of the contract prior to approval of the lot line adjustment. The existing use would be consistent with surrounding agricultural properties. Removal of this portion of the property from the contract is not expected to result in the removal of adjacent lands from agricultural use.

*(3) That cancellation is for an alternative use which is consistent with the applicable provisions of the city or county general plan.*

The purpose of the cancellation is to bring the contract into compliance with the County's Uniform Rules and the state statute requirements on minimum parcel sizes. The cancellation is not for a specific use, but any use of the property after cancellation would be required to be consistent with the applicable provisions of the county general plan.

*(4) That cancellation will not result in discontinuous patterns of urban development.*

The current use of the property is as a homesite with fallowed agricultural land. The partial cancellation is required to bring the contract into compliance. Therefore, the cancellation is not expected to result in discontinuous patterns of urban development.

*(5) That there is no proximate noncontracted land which is both available and suitable for the use to which it is proposed the contracted land be put, or, that development of the contracted land would provide more contiguous patterns of urban development than development of proximate noncontracted land.*

The use of the parcel is as a homesite with fallowed land. There is no proposal for development of the property at this time. The partial cancellation is required to bring the contract into compliance. This finding does not apply to the purpose of the cancellation.

#### CANCELLATION FINDINGS CONCLUSIONS

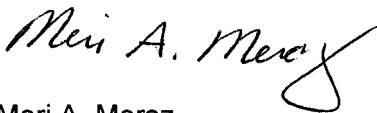
The Department concurs that the purpose of the partial cancellation meets the consistency findings of the statute.

Thank you for the opportunity to provide comments on the proposed cancellation. Please provide our office with a copy of the public notice for the tentative cancellation, ten working days before the hearing, and a copy of the *recorded* tentative cancellation resolution within 30 days after approval pursuant to Government Code Section 51284.

Mr. Jeremy Ballard, Assistant Planner  
June 8, 2016  
Page 3

Within 30 days of the landowner satisfying the conditions and contingencies required in the Tentative Cancellation Resolution, and payment of the required fee, the Board will record a Certificate of Cancellation for the contract. The County Treasurer is required to send the cancellation fee to State Controller within 30 days of recordation of the Certificate of Cancellation and a copy of the recorded Certificate of Cancellation to the Department of Conservation.<sup>2,3</sup> If you have any questions concerning our comments, please contact me at (916) 445-9411 or via email at [mmeraz@conservation.ca.gov](mailto:mmeraz@conservation.ca.gov).

Sincerely,



Meri A. Meraz  
Conservation Program Support Supervisor  
Division of Land Resource Protection

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<sup>2</sup> Please include some type of information identifying the cancellation on the check: APN(s), project name or number, landowner, applicant, etc.

<sup>3</sup> When sending information to the Department of Conservation, please also confirm the date the cancellation payment was made to the State Controller.

# Attachment 6

CERTIFICATE OF TENTATIVE APPROVAL OF CANCELLATION OF A PORTION OF  
WILLIAMSON ACT CONTRACT NO. 77-2725

NOTICE IS HEREBY GIVEN that on November 8, 2016, the Board of Supervisors of the County of Stanislaus, State of California granted tentative approval of a petition to cancel a portion of Williamson Act Contract No.77-2725, recorded on February 15, 1977, Instrument Number 46630, Volume 2885, Page 889, affecting the land and improvements located on 4.25 acres of land, previously identified as Assessor's Parcel No. 002-010-010, owned by Phyllis Colleen Aker Trust, more fully identified on the attached legal description provided by Grant Deed Doc No. 94-0095164-00.

NOTICE IS FURTHER GIVEN that a Certificate of Cancellation of a Portion of Williamson Act Contract No. 77-2725 will be issued and recorded if the following specified conditions and contingencies are satisfied within one year of the date this notice is recorded:

1. Payment of the Cancellation fee of \$31,250.00.
2. Unless the fee is paid, or a certificate of cancellation of a portion of the contract is issued within one year from the date of the recording of this certificate of tentative cancellation, such fee shall be recomputed as required by State statute.
3. Per California Government Code Section 51283.4(b), the landowner shall notify the Board of Supervisors when he has satisfied the conditions and contingencies enumerated in this Certificate of Tentative Cancellation.

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.

DATE: November 8, 2016

ATTEST: ELIZABETH A. KING, Clerk  
of the Board of Supervisors  
of the County of Stanislaus,  
State of California

BY: \_\_\_\_\_  
Pam Villarreal,  
Assistant Clerk of the Board

RECORDING REQUESTED BY

AND WHEN RECORDED HAS THIS DEED AND UNLESS OTHERWISE SHOWN BELOW MAIL TAX STATEMENT TO

Name Roger M. Schrimp
Street Damrell, Nelson, Schrimp,
Address Pallios & Ladine
City & State 1601 I Street, 5th Floor
Modesto, CA 95354

Title Order No \_\_\_\_\_ Excess No \_\_\_\_\_

Stanislaus, Co Recorder's Office
Karen Mathews, County Recorder

DOC - 94-0095164-00
Acct 400-Miscellaneous Mail Documents
Monday, OCT 03, 1994 15:28:05
REC \$3.00|MOD \$2.00|MIC \$1.00
STF \$0.00|
Ttl Pd \$6.00 Nbr-0000130217
RPJ

SPACE ABOVE THIS LINE FOR RECORDER'S USE

CTC 1-101 (8-93)

Grant Deed

UNADJUSTED PARCEL "A"

THE UNDERSIGNED GRANTOR(S) DECLARE(S)

DOCUMENTARY TRANSFER TAX IS \$ -0-
[ ] \_\_\_\_\_ unincorporated area [X] City of Valley Home

Parcel No. \_\_\_\_\_
[ ] computed on full value of interest or property conveyed, or
[ ] computed on full value less value of liens or encumbrances remaining at time of sale, and

FOR A VALUABLE CONSIDERATION receipt of which is hereby acknowledged.

Colleen P. Aker, a widow,

herby GRANT(S) to Colleen Phyllis Aker, Trustee of the Colleen Phyllis Aker Trust under instrument dated September 26, 1994

the following described real property in the City of Valley Home,
county of Stanislaus state of California

The North 5 acres of the West 1/2 on the Northwest 1/4 of the
Northeast 1/4 of Section 30, Township 1 South, Range 10 East,
Mount Diablo Base and Meridian.

EXCEPTING THEREFROM the North 125 feet of the East 125 feet.

A.P.N. 2-10-10

Dated September 26, 1994

Colleen P. Aker
Colleen P. Aker

STATE OF CALIFORNIA
COUNTY OF Stanislaus } ss
On September 26, 1994 before me

Gregory J. Oliver
a Notary Public in and for said County and State, personally appeared
COLLEEN P. AKER

personally known to me (or 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.

WITNESS my hand and official seal

Signature Gregory J. Oliver



MAIL TAX STATEMENTS TO PARTY SHOWN ON FOLLOWING LINE. IF NO PARTY SHOWN, MAIL AS DIRECTED ABOVE
Colleen Phyllis Aker, Trustee 4630 Lone Tree Rd. Valley Home, CA 95384

Street Address City & State

095154 031-396

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# Attachment 7

**STANISLAUS COUNTY**  
DEPARTMENT OF PLANNING AND  
COMMUNITY DEVELOPMENT  
1010 10<sup>th</sup> Street, Suite 3400  
Modesto, California 95354

---

**NOTICE OF EXEMPTION**

---

**Project Title:** Lot Line Adjustment & Williamson Act Cancellation Application No. PLN 2016-0019 – Aker

**Applicant Information:** Colleen Aker, 1698 Park Vista Drive Chico, CA 95928.

**Project Location:** 4630 & 4530 Lone Tree Road, between Pioneer Road and Valley Home Road, in the Valley Home area (APNs: 002-010-009 and 002-010-010).

**Description of Project:** Request to cancel a 4.25± acre portion of Williamson Act Contract No. 77-2725 and LLA involving two parcels of 0.30± and 4.25± acres, proposed to be adjusted to 1.98± and 2.57± acres.

**Name of Agency Approving Project:** Stanislaus County Board of Supervisors

**Lead Agency Contact Person:** Jeremy Ballard, Assistant Planner

**Telephone:** (209) 525-6330

**Exempt Status:** (check one)

- Ministerial (Section 21080(b)(1); 15268);
- Declared Emergency (Section 21080(b)(3); 15269(a));
- Emergency Project (Section 21080(b)(4); 15269(b)(c));
- Categorical Exemption. State type and section number: §15305(a) – Minor Alterations
- Statutory Exemptions. State code number: \_\_\_\_\_
- General Exemption.

**Reasons why project is exempt:** This project is considered to be a minor alteration in land use limitations, a lot line adjustment between two legal parcels. The lot line adjustment requires cancellation of 4.25 acres of Williamson Act Contract number 77-2725 (a portion of the contract), however, no new uses are proposed.

\_\_\_\_\_  
Dated

\_\_\_\_\_  
Jeremy Ballard  
Assistant Planner

**RECORDED AT REQUEST OF:**  
Stanislaus County Board of Supervisors  
**NO FEE**

**WHEN RECORDED MAIL TO:**  
Stanislaus County Board of Supervisors  
Elizabeth A. King, Assistant Clerk  
1010 10<sup>th</sup> Street, Suite 6700  
Modesto, CA 95354

---

---

**CERTIFICATE OF TENTATIVE APPROVAL OF CANCELLATION OF A PORTION OF WILLIAMSON  
ACT CONTRACT NO. 77-2725**

(Document Title/s)

---

---

REC'T # 0003896547  
November 22, 2016 ----- 12:55:41

Stanislaus, County Recorder  
Lee Lundrigan Co Recorder Office

Official # 16-0092416-00

REQD BY  
Free Issue

Total fee ..... \$0.00  
Amount Tendered... \$0.00

Change ..... \$0.00  
OJC,R2/1/5



CERTIFICATE OF TENTATIVE APPROVAL OF CANCELLATION OF A PORTION OF  
WILLIAMSON ACT CONTRACT NO. 77-2725

NOTICE IS HEREBY GIVEN that on November 8, 2016, the Board of Supervisors of the County of Stanislaus, State of California granted tentative approval of a petition to cancel a portion of Williamson Act Contract No. 77-2725, executed on February 15, 1977, and recorded on February 28, 1977. Instrument Number 46630, Volume 2885, Page 889, affecting the land and improvements located on 4.25 acres of land, previously identified as Assessor's Parcel No. 002-010-010, owned by Phyllis Colleen Aker Trust, more fully identified on the attached map and legal description provided by Grant Deed Doc No. 94-0095164-00.

NOTICE IS FURTHER GIVEN that a Certificate of Cancellation of a Portion of Williamson Act Contract No. 77-2725 will be issued and recorded if the following specified conditions and contingencies are satisfied within one year of the date this notice is recorded:

1. Payment of the Cancellation fee of \$31,250.00.
2. Unless the fee is paid, or a certificate of cancellation of a portion of the contract is issued within one year from the date of the recording of this certificate of tentative cancellation, such fee shall be recomputed as required by State statute.
3. Per California Government Code Section 51283.4(b), the landowner shall notify the Board of Supervisors when he has satisfied the conditions and contingencies enumerated in this Certificate of Tentative Cancellation.

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.

DATE: November 8, 2016

ATTEST: ELIZABETH A. KING, Clerk  
of the Board of Supervisors  
of the County of Stanislaus,  
State of California

BY:   
Pam Villarreal,  
Assistant Clerk of the Board

\*77-2725 –Original contract executed on February 15, 1977, and recorded on February 28, 1977, Instrument Number 46630, in Volume 2885, Page 889. Owner: Leroy B. Aker and Colleen P. Aker.

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.

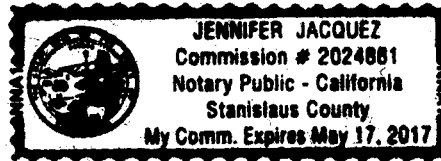
COUNTY OF STANISLAUS )

On 11/22/16 before me, Jennifer Jacquez, Notary Public, personally appeared Pamela Lynn Villarreal, 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

Jennifer Jacquez  
SIGNATURE OF NOTARY PUBLIC



RECORDING REQUESTED BY

AND WHEN RECORDED MAKE THIS DEED AND UNLESS OTHERWISE SHOWN BELOW MAIL TAX STATEMENT TO

Name Roger M. Schrimp  
Street Damrell, Nelson, Schrimp,  
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Title Order No \_\_\_\_\_ Lien No \_\_\_\_\_

Stanislaus, Co Recorder's Office  
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DOC - 94-0095164-00  
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SPACE ABOVE THIS LINE FOR RECORDER'S USE

CTC 1-101 (8-93)

Grant Deed

UNADJUSTED PARCEL "A"

THE UNDERSIGNED GRANTOR(S) DECLARE(S)

DOCUMENTARY TRANSFER TAX IS \$ -0-  
 unincorporated area  City of Valley Home

Parcel No. \_\_\_\_\_  
 computed on full value of interest or property conveyed, or  
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FOR A VALUABLE CONSIDERATION receipt of which is hereby acknowledged.

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EXCEPTING THEREFROM the North 125 feet of the East 125 feet.

A.P.N. 2-10-10

Dated September 26, 1994

*Colleen P. Aker*  
Colleen P. Aker

STATE OF CALIFORNIA )  
COUNTY OF Stanislaus ) ss  
On September 26, 1994 before me

Gregory J. Oliver  
a Notary Public in and for said County and State, personally appeared  
COLLEEN P. AKER

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WITNESS my hand and official seal

Signature *Gregory J. Oliver*



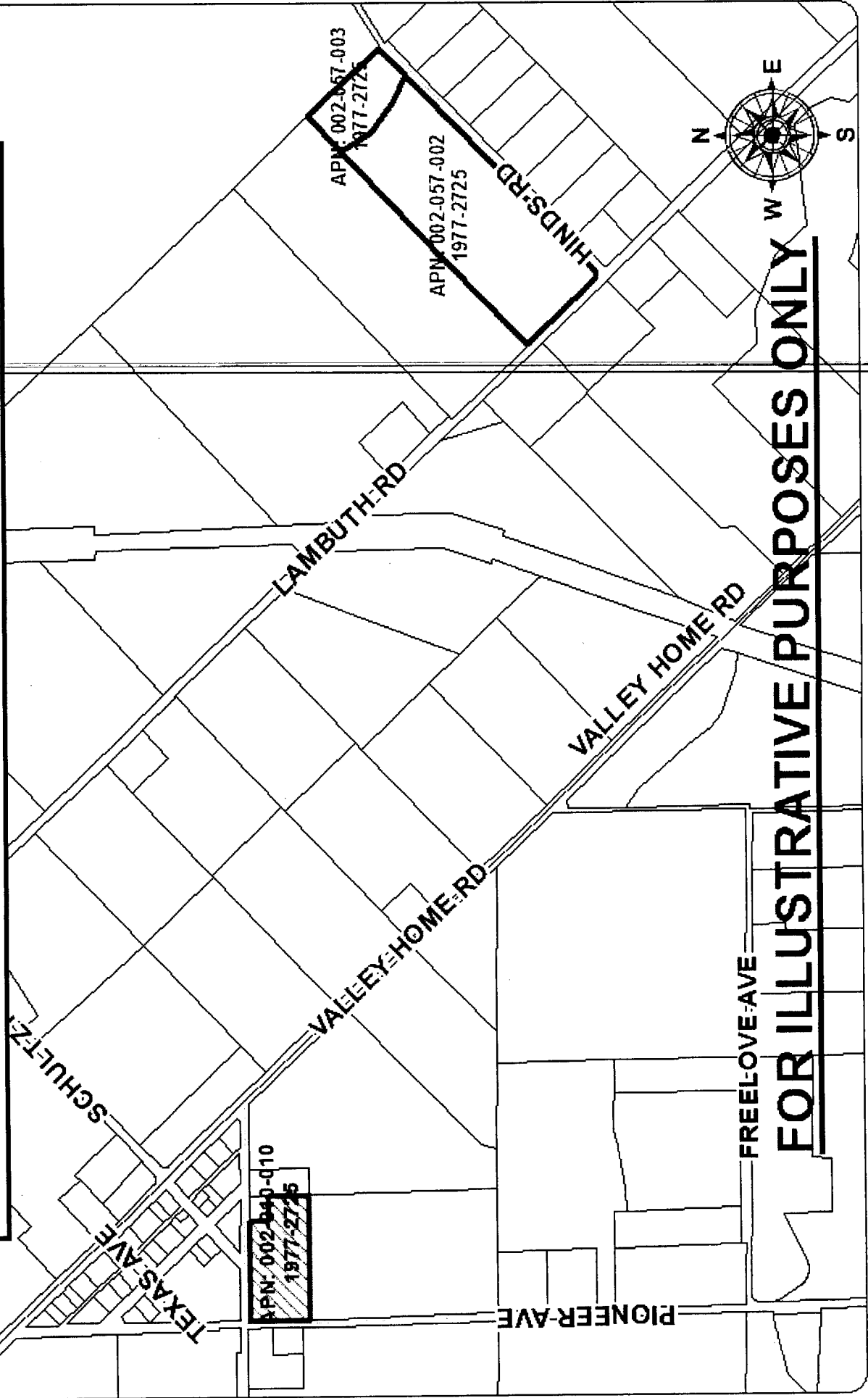
MAIL TAX STATEMENTS TO PARTY SHOWN ON FOLLOWING LINE, IF NO PARTY SHOWN, MAIL AS DIRECTED ABOVE  
Colleen Phyllis Aker, Trustee 4630 Lone Tree Rd. Valley Home, CA 95384

095134 031-394

**Williamson Act Contract No. 1977-2725**

 Portion of Contract to Remain

 Portion of Contract to be Cancelled Per Lot Line Adjustment & Cancellation App. No. PLN2016-0019 - Aker



**FOR ILLUSTRATIVE PURPOSES ONLY**



**BOARD OF SUPERVISORS**

**William O'Brien, 1<sup>st</sup> District**  
**Vito Chiesa, 2<sup>nd</sup> District**  
**Terry Withrow, 3<sup>rd</sup> District**  
**Dick Monteith, 4<sup>th</sup> District**  
**Jim DeMartini, 5<sup>th</sup> District**

1010 10th Street, Suite 6500  
Modesto, CA 95354

Phone: 209.525.4494 Fax: 209.525.4410

**STANISLAUS COUNTY**  
**NOTICE OF DECISION FOR TENTATIVE CANCELLATION OF A PORTION**  
**OF WILLIAMSON ACT CONTRACT NO. 77-2725 - AKER**

NOTICE IS HEREBY GIVEN pursuant to Government Code Section 51284, that upon motion of Supervisor O'Brien, seconded by Supervisor Chiesa, a petition to cancel a portion of Williamson Act Contract No. 77-2725, affecting the land and improvements located on Assessor's Parcel No. 002-010-010, owned by Phyllis Colleen Aker Trust, was granted tentative approval at the 9:10 a.m. public hearing held during a regular meeting of the Board of Supervisors, of the County of Stanislaus, State of California, located at 1010 10<sup>th</sup> Street, Modesto, California, this 8th day of November 2016, by the following called vote:

AYES: SUPERVISORS: O'Brien, Chiesa, Withrow, DeMartini and  
Chairman Monteith  
NOES: SUPERVISORS: None  
ABSENT: SUPERVISORS: None  
ABSTAINING: SUPERVISORS: None

NOTICE IS FURTHER GIVEN that pursuant to Government Code Section 51282, the Board finds that the cancellation is consistent with the purposes of the California Land Conservation Act and that cancellation is in the public interest.

BY ORDER OF THE BOARD OF SUPERVISORS

DATED: November 8, 2016

ATTEST: Elizabeth King, Clerk  
of the Board of Supervisors  
of the County of Stanislaus,  
State of California

BY: Pam Villarreal, Assistant Clerk



**BOARD OF SUPERVISORS**

**William O'Brien, 1<sup>st</sup> District**  
**Vito Chiesa, 2<sup>nd</sup> District**  
**Terry Withrow, 3<sup>rd</sup> District**  
**Dick Monteith, 4<sup>th</sup> District**  
**Jim DeMartini, 5<sup>th</sup> District**

1010 10th Street, Suite 6500  
Modesto, CA 95354  
Phone: 209.525.4494 Fax: 209.525.4410

November 22, 2016

David Bunn, Director  
Department of Conservation  
801 K Street, MS 18-01  
Sacramento, CA 95814

RE: NOTICE OF DECISION TENTATIVE CANCELLATION OF A PORTION OF  
WILLIAMSON ACT CONTRACT NO. 77-2725 - AKER

Dear Mr. Bunn:

Enclosed is a copy of the Notice of Decision for Tentative Cancellation of a Portion of Williamson Act Contract No. 77-2725 - AKER, which is to be published in The Modesto Bee. The Stanislaus County Board of Supervisors granted tentative approval to cancel a portion of this Williamson Act Contract on November 8, 2016.

For further information, please call the Planning and Community Development Department at 209-525-6330 or the Board of Supervisors at 209-525-6414.

Sincerely,

Pam Villarreal, Assistant Clerk  
Board of Supervisors



**CLERK OF THE BOARD OF SUPERVISORS**

**STANISLAUS COUNTY**

1010 10th Street, Suite 6700, Modesto, CA 95354  
Phone: 209.525.4494 Fax: 209.525.4420

November 22, 2016

GULIANI & KULL, INC  
KEVIN COLD  
440 S. YOSEMITE AVE  
OAKDALE CA 95361

COLLEEN AKER  
1698 PARK VISTA DRIVE  
CHICO, CA 95928

RE: CERTIFICATE OF TENTATIVE CANCELLATION OF A PORTION OF  
WILLIAMSON ACT CONTRACT NO.77-2725 AND NOTICE OF DECISION

Dear Applicant:

Please find enclosed a copy of the Certificate of Tentative Approval of Cancellation of a Portion of Williamson Act Contract No. 77-2725 and the Notice of Decision. The original Certificate of Tentative Approval of Cancellation was sent to the Office of the Clerk-Recorder to be recorded. The Board of Supervisors granted tentative approval to cancel this Williamson Act Contract on November 8, 2016.

For further information, please call the Planning and Community Development Department at 525-6330 or the Board of Supervisors at 525-6415.

Sincerely,

Pam Villarreal,  
Assistant Clerk of the  
Board of Supervisors

**DECLARATION OF MAILING**  
**IN RE: CERTIFICATE OF TENTATIVE APPROVAL OF CANCELLATION OF A**  
**PORTION OF WILLIAMSON ACT CONTRACT NO. 77-2725**  
**AND NOTICE OF DECISION**

I, Pam Villarreal, declare that I am a citizen of the United States, over 18 years of age, a resident of Stanislaus County, and not a part to the within action; that my business address is 1010 10th St., Ste. 6700, Modesto, California; that I served a copy of the attached notice by placing said copy in an envelope addressed to the following:

GIULIANI & KULL, INC. KEVIN COLD 440 S. YOSEMITE AVE. OAKDALE, CA 95361	COLLEEN AKER 1698 PARK VISTA DRIVE CHICO, CA 95928

which envelope was then sealed and postage fully prepaid thereon and thereafter, on November 22, 2016, deposited in the United States Mail at Modesto, California; that there is delivery service by United States Mail at the place so addressed or regular communication by United States Mail between the place of mailing and the place so addressed.

I declare under penalty of perjury that the foregoing is true and correct.

---





**The Modesto Bee**

modbee.com

**Vida**  
by the Bee

## AFFIDAVIT OF PUBLICATION

### Declaration of Publication C.C.P. S2015.5

STATE OF CALIFORNIA )  
 ) ss.  
County of Stanislaus )

**STANISLAUS COUNTY  
NOTICE OF DECISION FOR TENTATIVE CANCELLATION  
OF A PORTION  
OF WILLIAMSON ACT CONTRACT NO. 77-2725 - AKER**

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AYES: SUPERVISORS: O'Brien, Chiesa, Withrow, DeMartini and Chairman Monteith. NOES: None. ABSENT: None. ABSTAINING: None. NOTICE IS FURTHER GIVEN that pursuant to Government Code Section 51282, the Board finds that the cancellation is consistent with the purposes of the California Land Conservation Act and that cancellation is in the public interest. BY ORDER OF THE BOARD OF SUPERVISORS. DATED: November 8, 2016. ATTEST: Elizabeth King, Clerk of the Board of Supervisors of the County of Stanislaus, State of California. BY: Pam Villarreal, Assistant Clerk.

MOD-2800647 11/29

I am a citizen of the United States and a resident of the County aforesaid; I am over the age of eighteen years, and not a party to or interested in the above entitled matter. I am a printer and principal clerk of the publisher of the The Modesto Bee, which has been adjudged a newspaper of general circulation by the Superior Court of the County of Stanislaus, State of California, under the date of February 25, 1951 Action No. 46453. The notice of which the annexed is a printed copy has been published in each issue thereof on the following dates, to wit:

November 29, 2016


I certify (or declare) under penalty of perjury that the foregoing is true and correct and that this declaration was executed at Modesto, California on:

Date: 29th, day of November, 2016

*Cynthia A. MacLennan*

Signature

**RECORDED AT REQUEST OF:**  
Stanislaus County Board of Supervisors  
**NO FEE**

  
Stanislaus, County Recorder  
Lee Lundrigan Co Recorder Office  
**DOC- 2016-0092416-00**  
Tuesday, NOV 22, 2016 12:55:41  
Ttl Pd \$0.00 Rcpt # 0003896547  
OJC/R2/1-5

**WHEN RECORDED MAIL TO:**  
Stanislaus County Board of Supervisors  
Elizabeth A. King, Assistant Clerk  
1010 10<sup>th</sup> Street, Suite 6700  
Modesto, CA 95354

---

---

**CERTIFICATE OF TENTATIVE APPROVAL OF CANCELLATION OF A PORTION OF WILLIAMSON  
ACT CONTRACT NO. 77-2725**

(Document Title/s)

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CERTIFICATE OF TENTATIVE APPROVAL OF CANCELLATION OF A PORTION OF  
WILLIAMSON ACT CONTRACT NO. 77-2725

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NOTICE IS FURTHER GIVEN that a Certificate of Cancellation of a Portion of Williamson Act Contract No. 77-2725 will be issued and recorded if the following specified conditions and contingencies are satisfied within one year of the date this notice is recorded:

1. Payment of the Cancellation fee of \$31,250.00.
2. Unless the fee is paid, or a certificate of cancellation of a portion of the contract is issued within one year from the date of the recording of this certificate of tentative cancellation, such fee shall be recomputed as required by State statute.
3. Per California Government Code Section 51283.4(b), the landowner shall notify the Board of Supervisors when he has satisfied the conditions and contingencies enumerated in this Certificate of Tentative Cancellation.

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.

DATE: November 8, 2016

ATTEST: ELIZABETH A. KING, Clerk  
of the Board of Supervisors  
of the County of Stanislaus,  
State of California

BY:   
Pam Villarreal, *AKA: Pamela Lynn Villarreal*  
Assistant Clerk of the Board

\*77-2725 –Original contract executed on February 15, 1977, and recorded on February 28, 1977, Instrument Number 46630, in Volume 2885, Page 889. Owner: Leroy B. Aker and Colleen P. Aker.

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.  
)

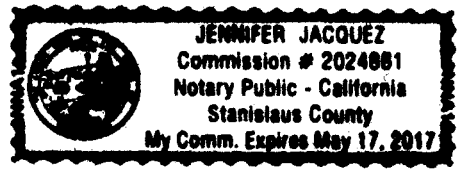
COUNTY OF STANISLAUS

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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

Jennifer Jacquez  
SIGNATURE OF NOTARY PUBLIC



RECORDING REQUESTED BY

Stanislaus, Co Recorder's Office  
Karen Mathews, County Recorder

AND WHEN RECORDED MAIL THIS DEED AND UNLESS OTHERWISE SHOWN BELOW MAIL TAX STATEMENT TO

Name Roger M. Schrimp  
Street Damrell, Nelson, Schrimp,  
Address Pallios & Ladine  
City & State 1601 I Street, 5th Floor  
Zip Modesto, CA 95354

DOC - 94-0095164-00  
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STP \$0.00;  
Ttl Pd \$6.00 Nbr-0000130217  
RPJ

Title Order No \_\_\_\_\_ Lien No \_\_\_\_\_

SPACE ABOVE THIS LINE FOR RECORDER'S USE

CTC 1-101 (8-93)

Grant Deed

UNADJUSTED PARCEL "A"

THE UNDERSIGNED GRANTOR(S) DECLARE(S)

DOCUMENTARY TRANSFER TAX IS \$ -0-  
 unincorporated area  City of Valley Home

Parcel No. \_\_\_\_\_

computed on full value of interest or property conveyed, or  
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FOR A VALUABLE CONSIDERATION receipt of which is hereby acknowledged.

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EXCEPTING THEREFROM the North 125 feet of the East 125 feet.

A.P.N. 2-10-10

Dated September 26, 1994

*Colleen P. Aker*  
Colleen P. Aker

STATE OF CALIFORNIA  
COUNTY OF Stanislaus } ss  
On September 26, 1994 before me

Gregory J. Oliver  
a Notary Public in and for said County and State, personally appeared  
COLLEEN P. AKER

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WITNESS my hand and official seal

Signature *Gregory J. Oliver*



MAIL TAX STATEMENTS TO PARTY SHOWN ON FOLLOWING LINE. IF NO PARTY SHOWN, MAIL AS DIRECTED ABOVE  
Colleen Phyllis Aker, Trustee 4630 Lone Tree Rd. Valley Home, CA 95384

Street Address

City & State

095154 CT-394

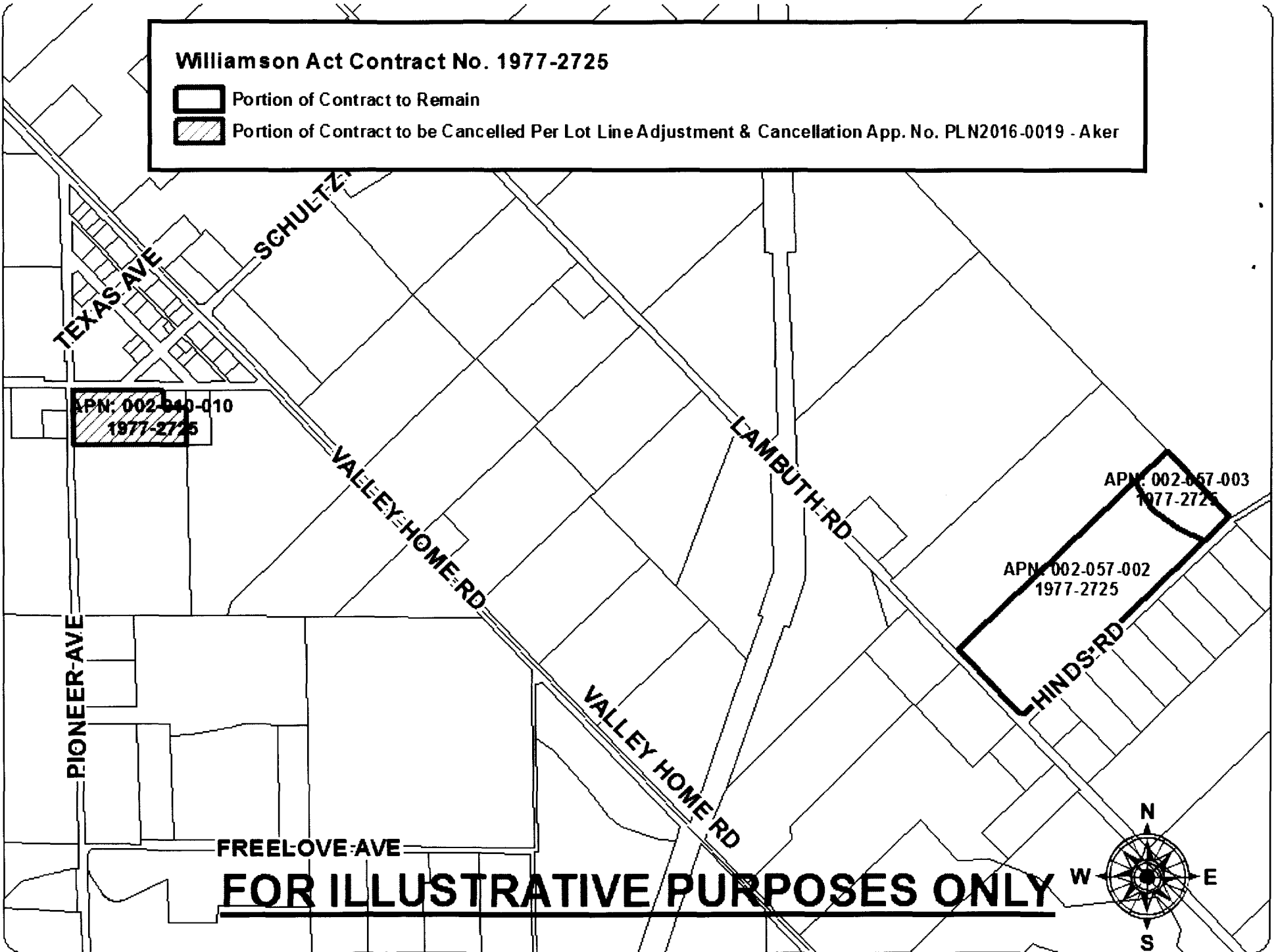
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**Williamson Act Contract No. 1977-2725**



Portion of Contract to Remain

Portion of Contract to be Cancelled Per Lot Line Adjustment & Cancellation App. No. PLN2016-0019 - Aker



**FOR ILLUSTRATIVE PURPOSES ONLY**

# LLA & WAC PLN2016-0019 AKER

**Board of Supervisors**  
**November 8, 2016**



# Overview

- Cancel a 4.25 acre portion of Contract No. 1977-2725
- Request to adjust the lines of two parcels





# LLA & WAC PLN2016-0019 AKER AREA MAP

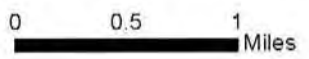


VALLEY HOME

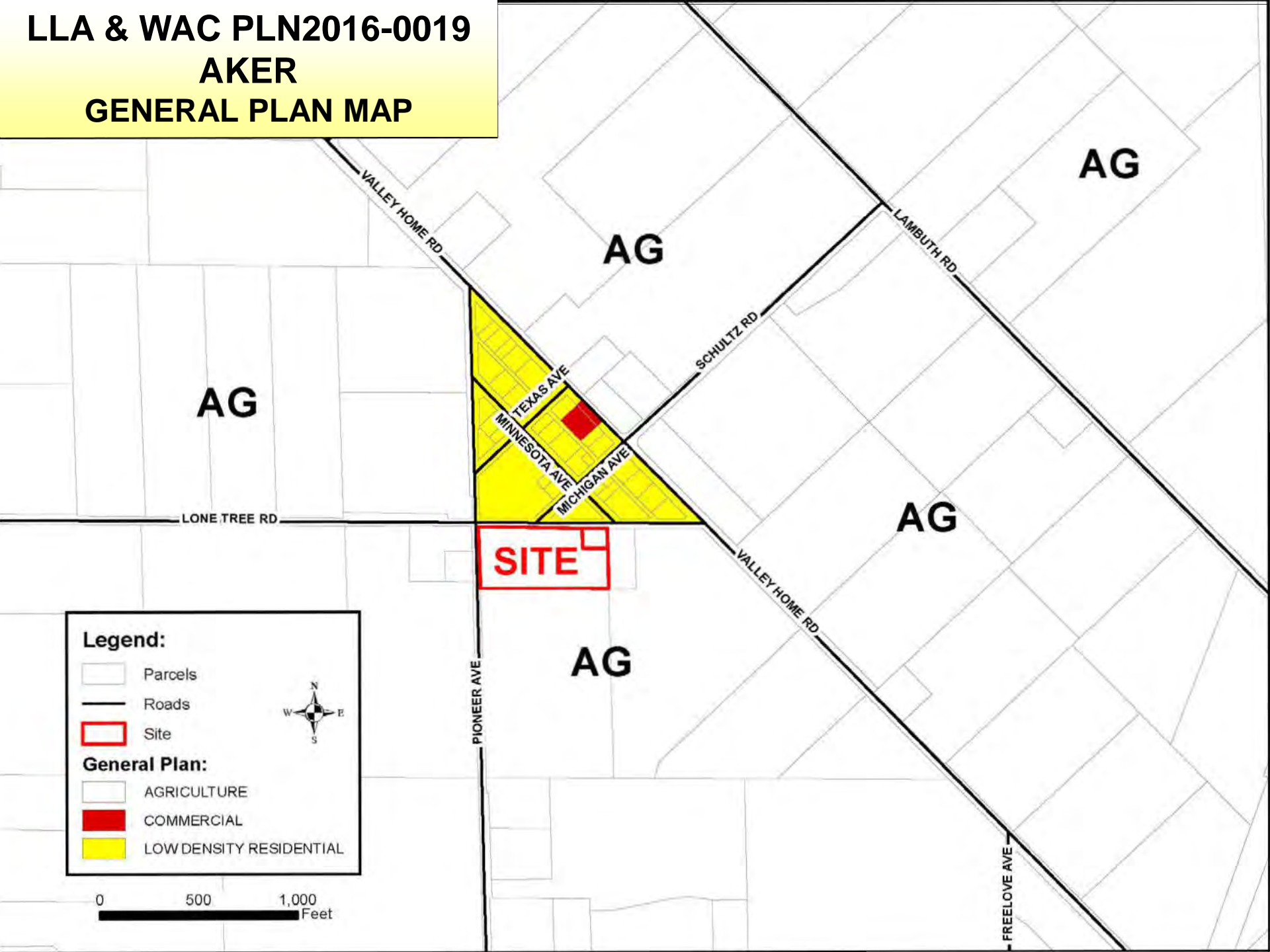
AKER SITE

**Legend:**

- Oakdale
- Sphere of Influence
- Site
- Rivers
- Roads



**LLA & WAC PLN2016-0019**  
**AKER**  
**GENERAL PLAN MAP**



**Legend:**

- Parcels
- Roads
- Site

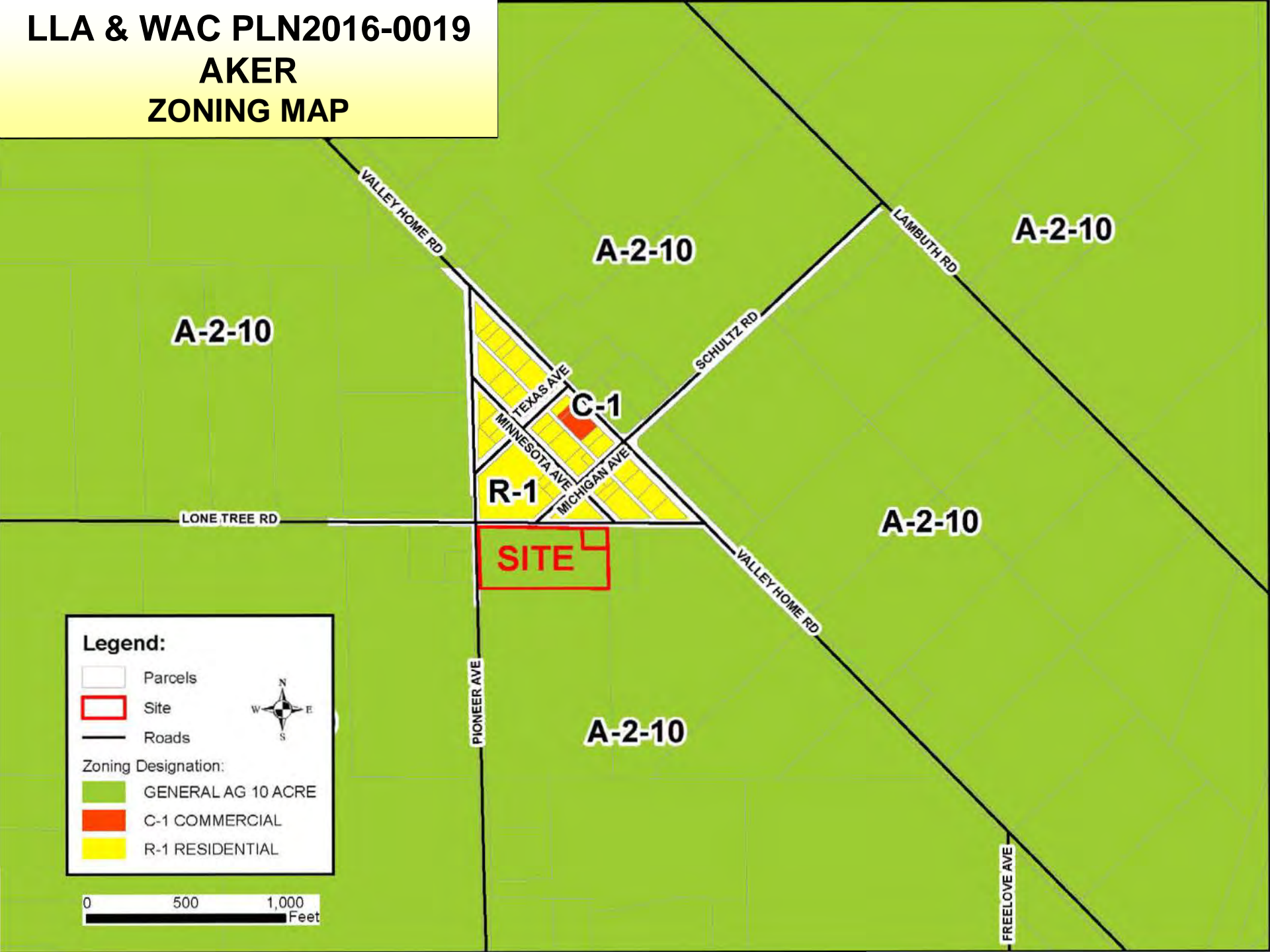


**General Plan:**

- AGRICULTURE
- COMMERCIAL
- LOW DENSITY RESIDENTIAL

0 500 1,000 Feet

# LLA & WAC PLN2016-0019 AKER ZONING MAP



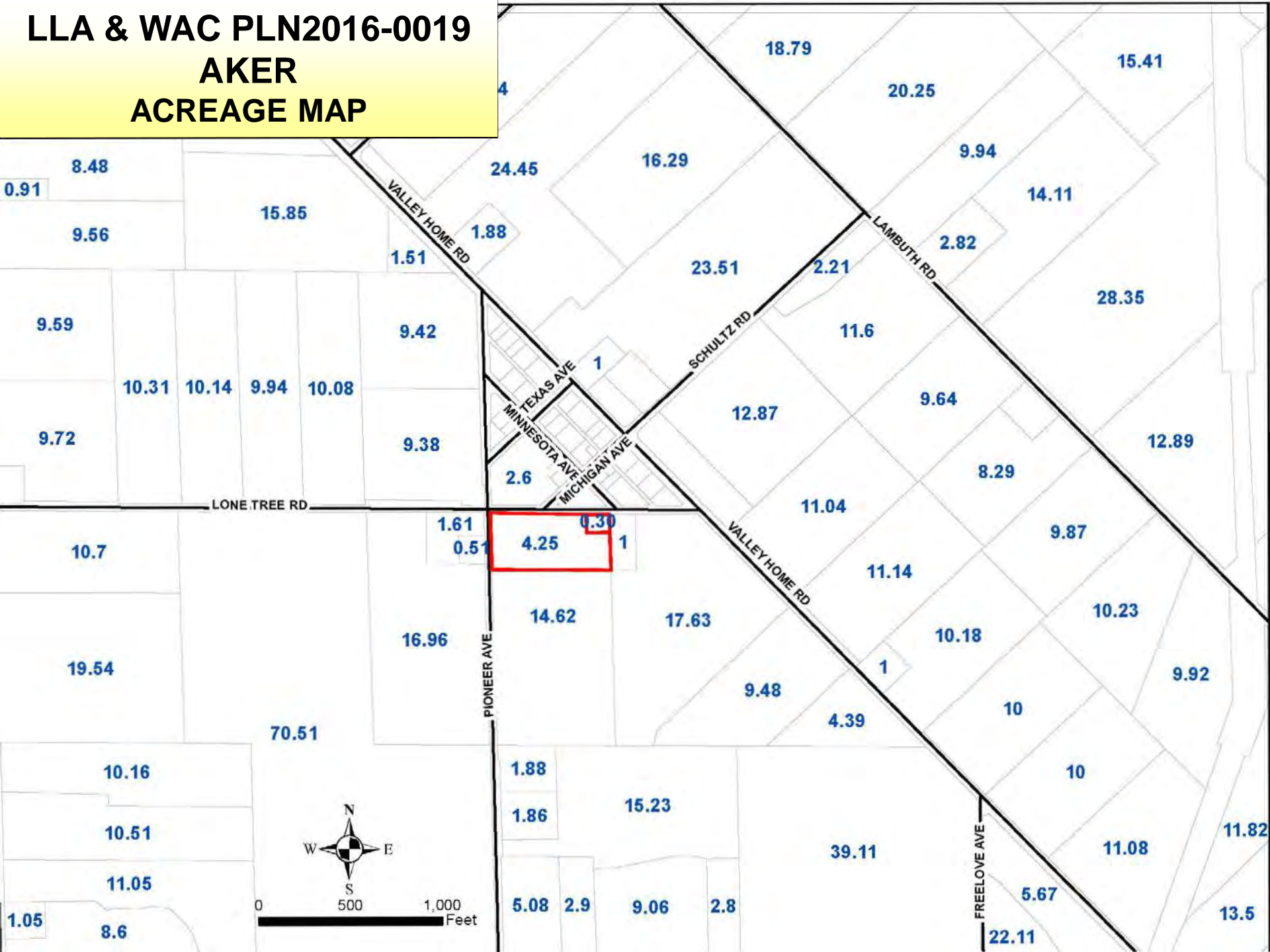
### Legend:

- Parcels
- Site
- Roads
- Zoning Designation:
  - GENERAL AG 10 ACRE
  - C-1 COMMERCIAL
  - R-1 RESIDENTIAL

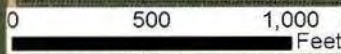
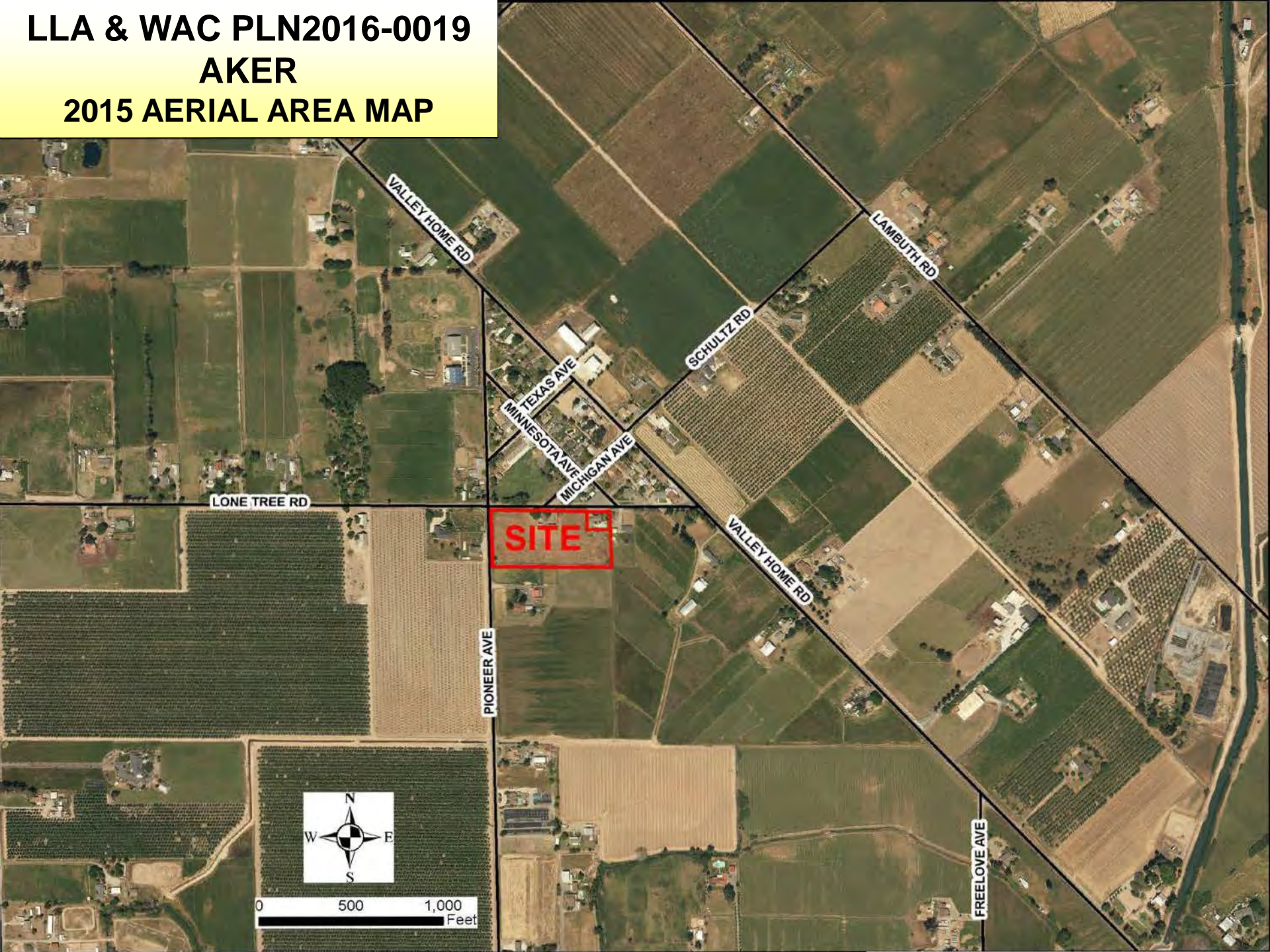


0 500 1,000 Feet

# LLA & WAC PLN2016-0019 AKER ACREAGE MAP



**LLA & WAC PLN2016-0019  
AKER  
2015 AERIAL AREA MAP**



**LLA & WAC PLN2016-0019  
AKER  
2015 AERIAL MAP**



LONE TREE RD

PIONEER AVE

MICHIGAN AVE

MINNESOTA AVE

SITE

# LLA & WAC PLN2016-0019

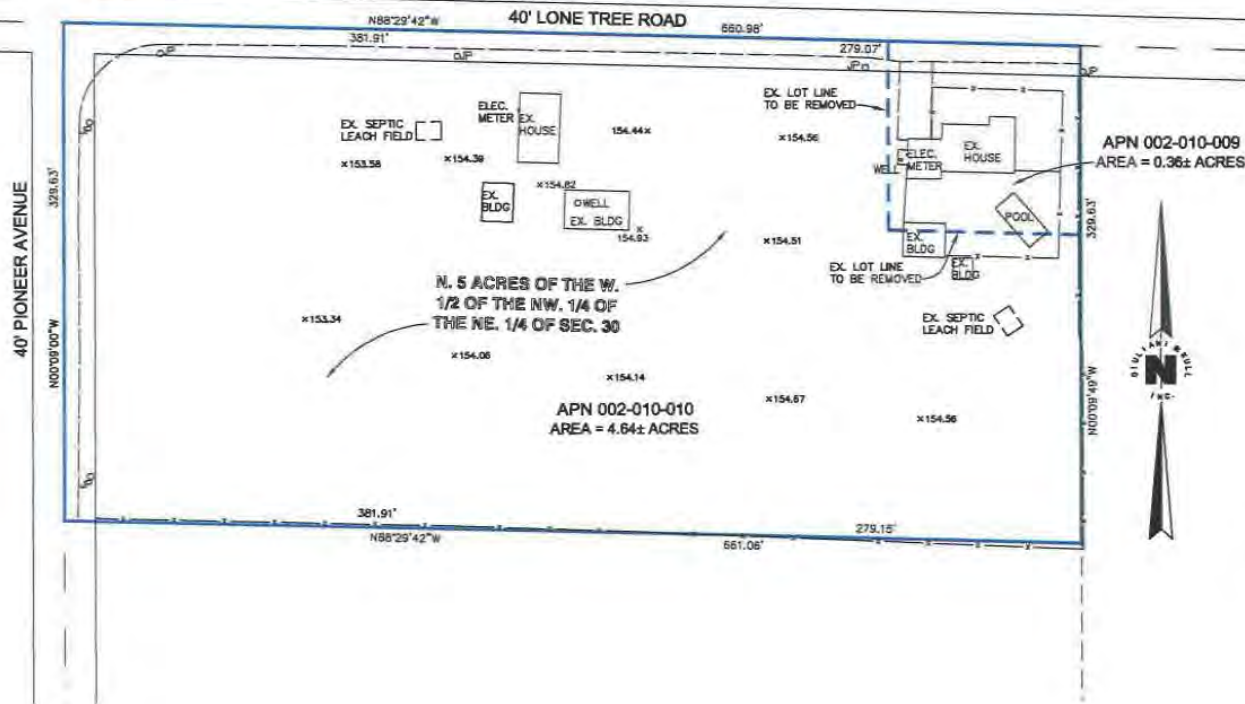
## AKER BEFORE LLA

### SOIL TYPE DATA

MADERA SANDY LOAM  
SOURCE - [HTTP://WEBSOILSURVEY.SC.EGOV.USDA.GOV/APR/WEBSOILSURVEY.ASPX](http://websoilsurvey.sc.egov.usda.gov/APR/WEBSOILSURVEY.ASPX)



### BEFORE LOT LINE ADJUSTMENT



### VICINITY MAP

OWNER/APPLICANT: COLLEEN AKER  
169B PARK VISTA DRIVE  
CHICO, CA 95928

PREPARED BY: GIULIANI & KULL, INC.  
440 S. YOSEMITE AVENUE SUITE A  
OAKDALE, CA 95361

TOTAL AREA: 5.00 AC.  
NO. OF PARCELS: 2  
A.P.N.: 002-010-009 & 002-010-010  
ZONING: A-2-10  
WATER: WELL  
SANITARY SEWER: SEPTIC  
STORM DRAIN: OVERLAND  
SLOPE OF LAND: FLAT-1%

### TENTATIVE LOT LINE ADJUSTMENT

BEING AN ADJUSTMENT OF APN 002-010-009 & 002-010-010 BEING A PORTION OF THE NORTHEAST QUARTER OF SECTION 30, TOWNSHIP 1 SOUTH, RANGE 10 EAST, MOUNT DIABLO MERIDIAN, STANISLAUS COUNTY, CALIFORNIA

SCALE 1" = 50' MAY 2014

**GK** Giuliani & Kull, Inc.  
Engineers • Planners • Surveyors

440 S. Yosemite Avenue, Suite A, Oakdale, CA 95361  
(209) 847-8726 Fax (209) 847-7323  
Auburn • Oakdale • San Jose

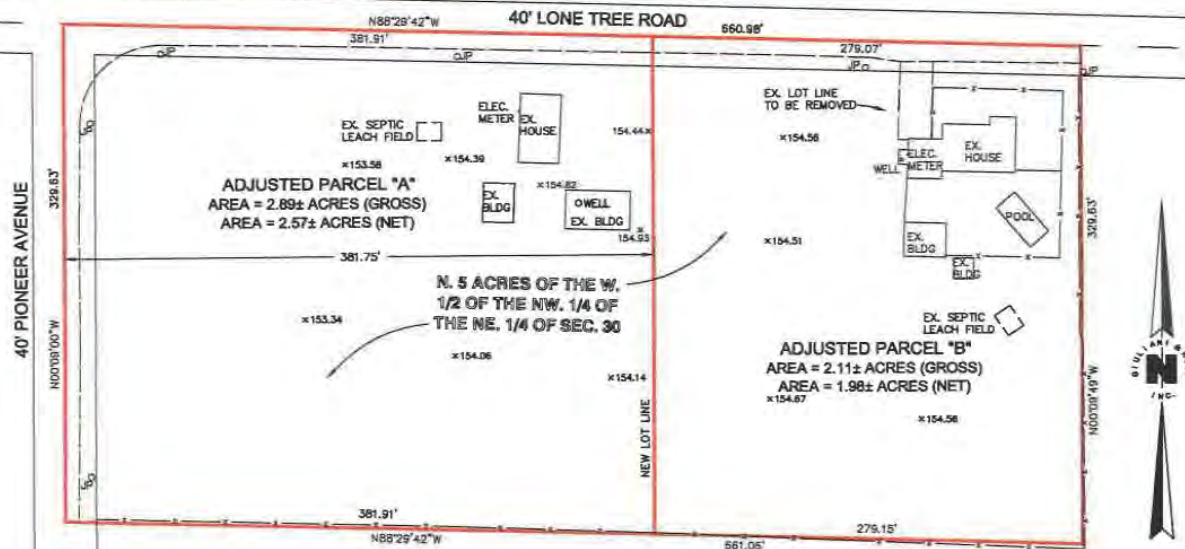
# LLA & WAC PLN2016-0019

## AKER AFTER LLA

### SOIL TYPE DATA

MADERA SANDY LOAM  
SOURCE - [HTTP://WEBSOILSSURVEY.SC.GOV.USDA.GOV/APP/WEBSOILSSURVEY.ASPX](http://websoilssurvey.sc.gov/usda.gov/app/websoilssurvey.aspx)

### AFTER LOT LINE ADJUSTMENT



### VICINITY MAP

OWNER/APPLICANT: COLLEEN AKER  
1698 PARK VISTA DRIVE  
CHICO, CA 95928

PREPARED BY: GIULIANI & KULL, INC.  
440 S. YOSEMITE AVENUE SUITE A  
OAKDALE, CA 95361

TOTAL AREA: 5.00 AC.

NO. OF PARCELS: 2

A.P.N.: 002-010-009 & 002-010-010

ZONING: A-2-10

WATER: WELL

SANITARY SEWER: SEPTIC

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SLOPE OF LAND: FLAT-1%

### TENTATIVE LOT LINE ADJUSTMENT

BEING AN ADJUSTMENT OF APN 002-010-009  
& 002-010-010 BEING A PORTION OF THE  
NORTHEAST QUARTER OF SECTION 30,  
TOWNSHIP 1 SOUTH, RANGE 10 EAST, MOUNT  
DIABLO MERIDIAN,  
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Auburn • Oakdale • San Jose



# Williamson Act Cancellation Findings

- Government Code Section 51282
  - Is the Cancellation consistent with Williamson Act AND in public's interest.
    - Parcel is in Non-Renewal Status
    - Will not result in removal of adjacent Ag Land
    - Alternate Use is consistent with County's General Plan
    - Will not result in discontinuous patterns of development
    - No proximate noncontracted land available and suitable instead



# Williamson Act Cancellation Procedure

- Referred to the Department of Conservation
- Valuation of property of \$250,000
  - Cancellation Fee of \$31,250
- Public Hearing Notification



# Recommendation

- Find the project to be CEQA Exempt
- Government Code Section 51282 Findings
- Accept the property valuation of \$250,000 and cancellation fee of 12 ½% (\$31,250) of the property value
- Direct the Clerk of the Board to record the Tentative Cancellation Certification & Publish the Notice of Decision
- Approve the Lot Line Adjustment, subject to the completion of the Cancellation

