

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

DEPT: Planning and Community Development

BOARD AGENDA #: *D-1

AGENDA DATE: January 10, 2017

SUBJECT:

Approval to Rescind a Portion of Williamson Act Contract No. 1977-2608 and all of No. 1975-1834, Located at 10227, 10137 Pioneer and 10266 Victory Avenues, Between Lon Dale Road and River Road, Southwest of the Valley Home Community; and Approval of a New Contract Pursuant to Lot Line Adjustment Application No. PLN2016-0057, O'Roark

BOARD ACTION AS FOLLOWS:

No. 2017-15

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

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

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:

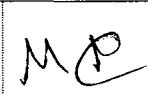

ELIZABETH A. KING, Clerk of the Board of Supervisors

File No.

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

DEPT: Planning and Community Development
Urgent Routine

BOARD AGENDA #: *D-1



AGENDA DATE: January 10, 2017

CEO CONCURRENCE: _____

4/5 Vote Required: Yes No

SUBJECT:

Approval to Rescind a Portion of Williamson Act Contract No. 1977-2608 and all of No. 1975-1834, Located at 10227, 10137 Pioneer and 10266 Victory Avenues, Between Lon Dale Road and River Road, Southwest of the Valley Home Community; and Approval of a New Contract Pursuant to Lot Line Adjustment Application No. PLN2016-0057, O'Roark

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, or contracts, would enforceably restrict the adjusted boundaries of the parcels for an initial term for at least as long as the unexpired term of the rescinded contract, or contracts, but for not less than ten years, except as authorized under the County's implementation of AB1265.
 - 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 In cases where two parcels involved in a lot line adjustment are both subject to contracts rescinded pursuant to this section, this finding will be satisfied if the aggregate acreage of the land restricted by the new contracts is at least as great as the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 Government Code 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.

Approval to Rescind a Portion of Williamson Act Contract No. 1977-2608 and all of No. 1975-1834, Located at 10227, 10137 Pioneer and 10266 Victory Avenues, Between Lon Dale Road and River Road, Southwest of the Valley Home Community; and Approval of a New Contract Pursuant to Lot Line Adjustment Application No. PLN2016-0057, O’Roark

2. Rescind a Portion of Williamson Act Contract No. 1977-2608 and all of No. 1975-1834, located at 10227, 10137 Pioneer and 10266 Victory Avenues, between Lon Dale Road and River Road, southwest of the Valley Home Community (APN’s: 006-002-063, 006-002-061, and 006-002-011).
3. Approve a new contract pursuant to Lot Line Adjustment Application No. PLN 2016-0057, O’Roark.
4. Authorize the Director of Planning and Community Development to execute new contracts pursuant to Lot Line Adjustment Application No. PLN 2016-0057, O’Roark.

DISCUSSION:

The O’Roark Lot Line Adjustment request includes the adjustment of four parcels (35.01 total acres) to reorganize farming operations to diversify the crop production. An overview of the lot line adjustment application, including property owners, parcel sizes (existing and proposed), Williamson Act Contract information, and current development/use is provided in Attachment 1. Attachments 2 and 3 provide before and after maps of the proposed lot line adjustment.

The Williamson Act requires Board of Supervisor action to rescind and simultaneously enter into a new contract, or contracts, reflecting adjusted parcel configurations. Staff has reviewed the lot line adjustment application for compliance with the County’s General Plan and all applicable zoning and Williamson Act criteria and determined that the application meets the requirements for approval.

Parcel 1 is currently enrolled as a portion of Williamson Act Contract No. 1977-2608, while Parcel 3 is enrolled in Contract No. 1975-1834. If this lot line is approved, the entire acreage covered under the two contracts and an additional 8.08 (31.01 acres total) will be enrolled in a new contract on proposed parcels 1 and 2.

Pursuant to California Government Code Section 51257, the parties to a contract may mutually agree to rescind the contract, or contracts, and simultaneous re-enter into a new contract, or contracts, provided that the Board of Supervisors 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 ten 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.

Approval to Rescind a Portion of Williamson Act Contract No. 1977-2608 and all of No. 1975-1834, Located at 10227, 10137 Pioneer and 10266 Victory Avenues, Between Lon Dale Road and River Road, Southwest of the Valley Home Community; and Approval of a New Contract Pursuant to Lot Line Adjustment Application No. PLN2016-0057, O’Roark

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 Government Code Section 51222.

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

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

Staff believes all the findings can be made as the proposed lot line adjustment will not increase the number of developable parcels, will not reduce the number of acres covered under contract, and will not compromise the continued agricultural use of the parcels. The Applicant’s Statement of Findings is provided in Attachment 4.

New Williamson Act Contracts would typically come before the Board of Supervisors once a year, in December, however; because this action is related to a lot line adjustment, it is prudent to act on this action independently of other Williamson Act Contracts. As is the case with all Williamson Act contracts in Stanislaus County, the new contracts will be subject to the provisions of AB1265.

POLICY ISSUE:

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 Stanislaus County. The Agricultural Element’s policies specifically state that the County shall continue to administer lot line adjustments involving agricultural land, provided the land is properly designed for agricultural purposes without materially decreasing the agricultural use of the site.

FISCAL IMPACT:

Costs associated with this item are covered by a Lot Line Adjustment application fee. It is anticipated that there will be no net change in property tax or other revenue, therefore providing no additional Fiscal effect.

Approval to Rescind a Portion of Williamson Act Contract No. 1977-2608 and all of No. 1975-1834, Located at 10227, 10137 Pioneer and 10266 Victory Avenues, Between Lon Dale Road and River Road, Southwest of the Valley Home Community; and Approval of a New Contract Pursuant to Lot Line Adjustment Application No. PLN2016-0057, O’Roark

BOARD OF SUPERVISORS’ PRIORITY:

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.

STAFFING IMPACT:

Planning and Community Development Department staff is responsible for reviewing all applications, preparing all reports, and attending meetings associated with the proposed Lot Line Adjustment.

CONTACT PERSON:

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

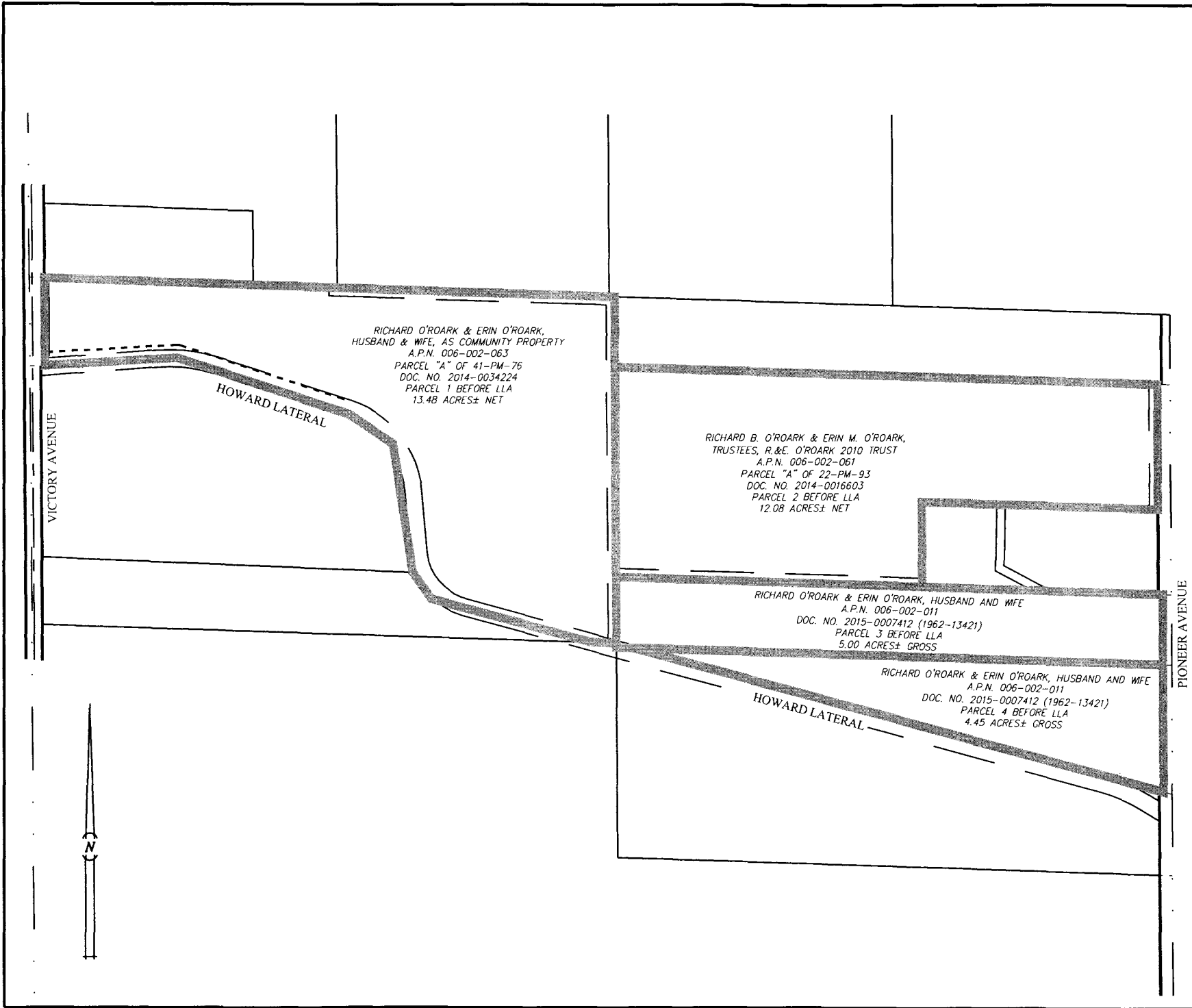
ATTACHMENT(S):

1. Williamson Act and Lot Line Adjustment Request Overview
2. Map of Parcels Before the Proposed Lot Line Adjustment
3. Map of Parcels After the Proposed Lot Line Adjustment
4. Applicant’s Statement of Findings

Williamson Act & Lot Line Adjustment (LLA) Overview

LLA Parcel No.	Assessors Parcel No. (APN)		Parcel Owners/Applicants	Williamson Contract				Parcel Size (Acres)		Existing Use/Development
	No.	Portion Y/N				Acreage		Existing	Proposed	
				Contract No.	Portion Y/N	Existing	Proposed			
LLA Application No. PLN 2016-0057 -O'Roark										
1	006-002-063	N	Richard & Erin O'Roark	1977-2608	Y	13.48	11.38	13.48	11.38	Single Family Dwelling and Accessory Structure*, Pasture.
2	006-002-061	N	Richard & Erin O'Roark TRS	N/A	N/A	-	19.63	12.08	19.63	Single Family Dwelling, Pasture.
3	006-002-011	Y	Richard & Erin O'Roark	1975-1834	Y	5.00	-	5.00	2.00	Pasture.
4	006-002-011	Y	Richard & Erin O'Roark	1975-1834	Y	4.45	-	4.45	2.00	Single Family Dwelling and Accessory Structures*.
Total Acreage:						22.93	31.01	35.01	35.01	

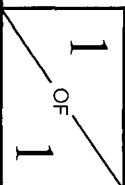
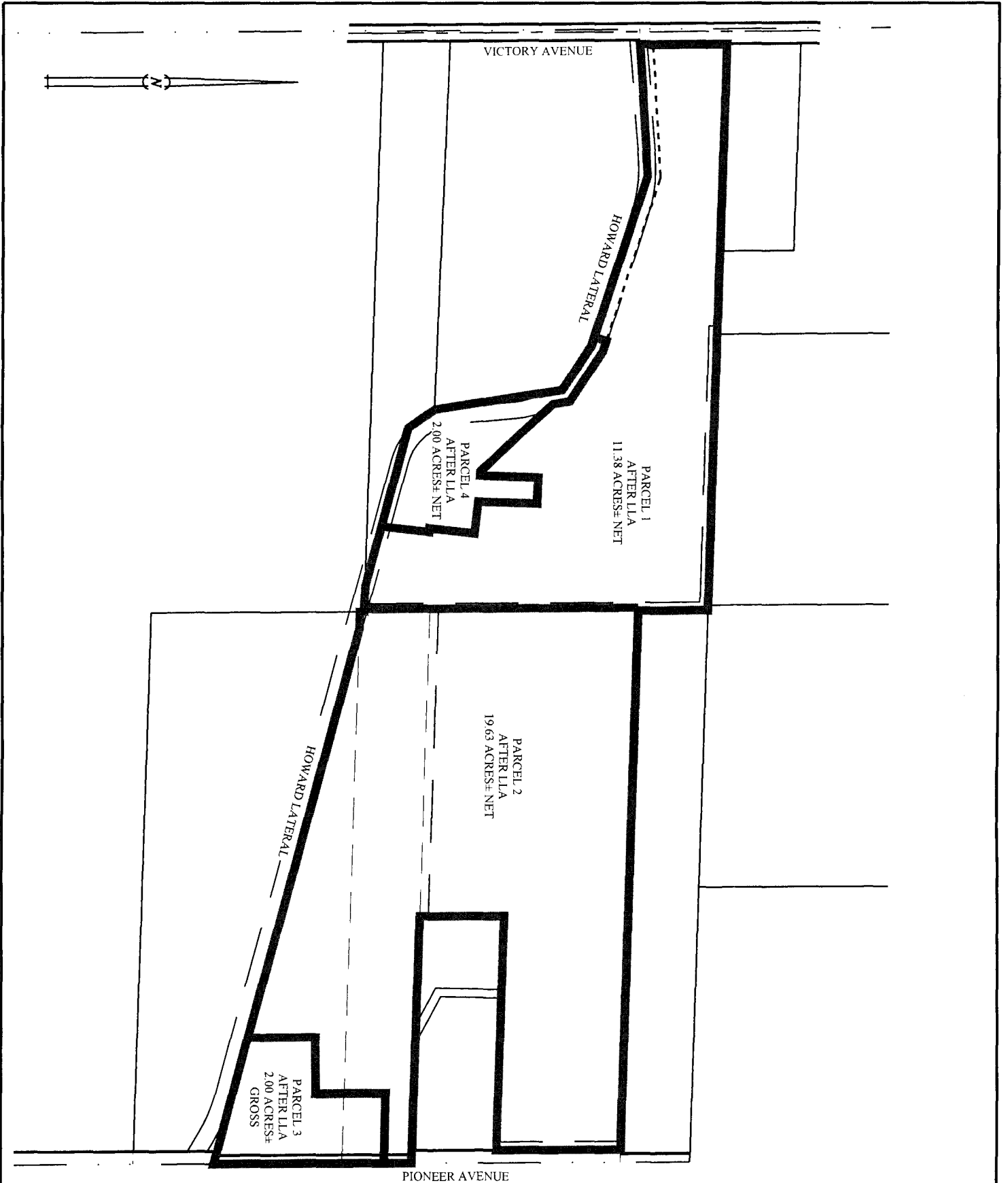
*Existing single family dwellings will reside on reconfigured parcels 3 & 4



	HAWKINS & ASSOCIATES ENGINEERING, INC. 436 MITCHELL ROAD MODESTO, CA. 95354 PH: (209) 575 - 4295 FX: (209) 578 - 4295	PARCELS EXB BEFORE LOT LINE ADJUSTMENT PLN2016-0057	BY: <u>RCS</u> CHK: <u>KJG</u> DATE: <u>11/20/16</u> SCALE: <u>1"=300'</u> JOB #: <u>3317</u> FILE: <u>SUR/LLA</u>
	O'ROARK STANISLAUS COUNTY, CALIFORNIA		
1 OF 1			

N:\3317.00_DRoark\PioneerAve_Vows\Survey\LLA\01_3317_Before LLA-Color_Etb.dwg (01_LLA Bx1 Etb Pg1) PLOTTED: 11-30-16 10:06:17 AM rrcw@nkc

ATTACHMENT 2



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

**PARCELS EXB AFTER LOT LINE
ADJUSTMENT PLN2016-0057**

O'ROARK
STANISLAUS COUNTY, CALIFORNIA

BY: RCS
CHK: KJG
DATE: 11/2016
SCALE: 1"=300'
JOB #: 3317
FILE: SUR/LLA

May 25, 2016

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

RE: Lot Line Adjustment Application – O’Roark - Findings

This project is a lot line adjustment of Assessor Parcel Nos. 006-002-011 (Parcel 3 – 4.45 acres+/- & Parcel 4 – 5.00 acres+/-) owned by Richard O’Roark & Erin O’Roark, husband & wife; 006-002-061 (Parcel 2 – 12.08 acres+/-) owned by Richard B. & Erin M. O’Roark, Trustees, R.&E., O’Roark 2010 Trust, and 006-002-063 (Parcel 1 – 13.48 acres+/-) owned by Richard & Erin O’Roark. Assessor Parcel No. 006-002-011 consists of two parcels as shown in Grant Deed 2015-0007412 (& Doc. No. 1962-13421) (5.00 & 4.45 acres). Assessors Parcel Nos. 006-002-011 & 063 are in the Williamson Act.

O’Roark would like to reconfigure the current lots to facilitate the planting of almond trees on the irrigated pasture portions of the existing parcels.

At the completion of this lot line adjustment, Parcel 1 will have an adjusted area of 11.38 acres+/-, Parcel 2 will have an adjusted area of 19.63 acres+/-, Parcel 3 will have an adjusted area of 2.00 acres+/-, and Parcel 4 will have an adjusted area of 2.00 acres+/-.

Findings:

- (1) Assessor Parcel Nos. 006-002-011 & 063 are not subject to non-renewal. The parcel will remain under contract for at least 10 years.
- (2) The O’Roark parcel acreage currently under contract is 22.93 acres+/- . After the lot line adjustment, 31.01 acres +/- will be under contract, resulting in an increase of 8.08 acres+/- enrolled in the Williamson Act.
- (3) As stated in the above finding (2) there will be no net decrease in the amount of acreage enrolled in the Williamson Act.
- (4) As consistent with Government Code Section 51222 the contracted Assessor Parcel No. 006-002-063 will be larger than 10 acres after the lot line adjustment. Contracted Assessor Parcel No. 006-002-011 was previously substandard and under 10 acres and the acreage will not change. 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) The new configuration of the O’Roark parcels will in no way affect the long term agricultural productivity of either of the parcels.

(6) The adjacent lands are pasture land. The reconfiguration of the O'Roark parcels will not affect the adjacent uses.

(7) This lot line adjustment will not result in more developable parcels. Neither parcel is currently inconsistent with the Stanislaus County General Plan, nor will the resulting parcels be inconsistent with the Stanislaus County General Plan.

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

Sincerely,


Kevin Genasci, PLS
Hawkins and Associates Engineering

RECORDING REQUESTED BY
STANISLAUS COUNTY BOARD OF
SUPERVISORS

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

**NOTICE OF RESCISSION AND
SIMULTANEOUS RE-ENTRY INTO
CALIFORNIA LAND CONSERVATION
CONTRACT NO. 2017-0011**

THIS SPACE FOR RECORDER ONLY



Stanislaus, County Recorder
Lee Lundrigan Co Recorder Office
DOC- 2017-0006654-00
Acct 121-Planning.
Monday, JAN 30, 2017 13:59:56
Ttl Pd \$0.00 Rcpt # 0003925067
OJC/R2/1-17

THIS NOTICE OF RESCISSION AND CALIFORNIA LAND CONSERVATION CONTRACT is made and entered into January 10, 2017, 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: RICHARD & ERIN O'ROARK
10227 PIONEER AVENUE
OAKDALE, CA 95361

(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)
006-002-061	19.63	10227 PIONEER AVE, OAKDALE, CA 95361
006-002-063	11.38	10266 VICTORY LANE, OAKDALE, CA 95361

Pursuant to Stanislaus County Board of Supervisors Resolution No. 2017-15, relating to Lot Line Adjustment No. PLN2016-0057 as authorized by Govt. Code § 51257, California Land Conservation Contract Nos. 1977-2608 & 1975-1834, which encumbered the parcel described in Exhibit A is rescinded and this contract which encumbers the newly configured parcel described in Exhibit B is entered into.

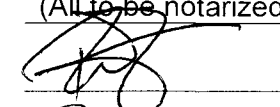
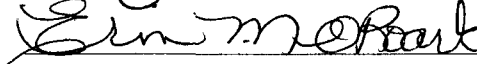
17JC

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)
RICHARD O'ROARK		10/21/16	OAKDALE, CA
ERIN O'ROARK	 *AKA ERIN O'ROARK	10/21/16	Oakdale, 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

1.27.2017

 Dated



 Chairman, Board of Supervisors
 Angela Freitas for Vito Chiesa

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.

CALIFORNIA ALL-PURPOSE CERTIFICATE OF ACKNOWLEDGMENT

State of California)

County of Stanislaus)

On October 21st 2014 before me, Natalie A. Couch, Notary Public
(here insert name and title of the officer)

personally appeared Erin O'Roark and Richard O'Roark

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 Natalie A Couch

(Seal)

OPTIONAL INFORMATION

Although the information in this section is not required by law, it could prevent fraudulent removal and reattachment of this acknowledgment to an unauthorized document and may prove useful to persons relying on the attached document.

Description of Attached Document

The preceding Certificate of Acknowledgment is attached to a document titled/for the purpose of _____

containing _____ pages, and dated _____

The signer(s) capacity or authority is/are as:

- Individual(s)
- Attorney-in-Fact
- Corporate Officer(s) _____ Titles(s)

- Guardian/Conservator
- Partner - Limited/General
- Trustee(s)
- Other: _____

representing: _____
Name(s) of Person(s) or Entity(ies) Signer is Representing

Additional Information

Method of Signer Identification

Proved to me on the basis of satisfactory evidence:
 form(s) of identification credible witness(es)

Notarial event is detailed in notary journal on:

Page # _____ Entry # _____

Notary contact: _____

Other

Additional Signer(s) Signer(s) Thumbprint(s)

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)

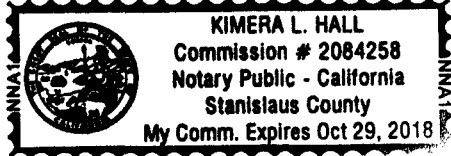
On January 27, 2017 before me, Kimera L. Hall, Notary Public
Date Here Insert Name and Title of the Officer

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: _____

EXHIBIT A
EXISTING LEGAL DESCRIPTION
Parcel No. 1
Lot Line Adjustment No. PLN2016-0057

The land referred to is situated in the unincorporated area of the County of Stanislaus, State of California, and is described as follows:

Parcel "A", as shown on that certain Parcel Map filed April 11, 1989 in Volume 41 of Parcel Maps, at Page 76, Stanislaus County Records.

CONTAINING 13.48 acres net, more or less.



Kevin J. Genasci, P.L.S. 8660
September 29, 2016




EXHIBIT A
EXISTING LEGAL DESCRIPTION
Parcel No. 2
Lot Line Adjustment No. PLN2016-0057

The land referred to is situated in the unincorporated area of the County of Stanislaus, State of California, and is described as follows:

Parcel "A", as shown on that certain Parcel Map filed April 28, 1976 in Volume 22 of Parcel Maps, at Page 93, Stanislaus County Records.

CONTAINING 12.08 acres net, more or less.



Kevin J. Genasci, P.L.S. 8660
September 29, 2016



EXHIBIT B
NEW LEGAL DESCRIPTION
Parcel No. 1
Lot Line Adjustment No. PLN2016-0057

The land referred to is situated in a portion of Section 6, Township 2 South, Range 10 East, Mount Diablo Meridian, and lying in the unincorporated area of the County of Stanislaus, State of California, and is described as follows:

Parcel "A", as shown on that certain Parcel Map filed April 11, 1989 in Volume 41 of Parcel Maps, at Page 76, Stanislaus County Records.

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

COMMENCING at the Southwest Corner of last said Parcel "A"; thence along the south line thereof North 86°42'24" East, a distance of 320.39 feet and South 72°02'36" East, a distance of 405.07 feet to the **POINT OF BEGINNING**; thence North 17°59'55" East, a distance of 30.00 feet; thence South 72°02'36" East, a distance of 26.34 feet; thence South 56°47'16" East, a distance of 142.83 feet; thence South 8°44'29" East, a distance of 41.34 feet; thence South 43°00'59" East, a distance of 235.55 feet; thence South 87°58'28" East, a distance of 9.94 feet; thence North 2°01'32" East, a distance of 138.70 feet; thence South 87°58'28" East, a distance of 62.50 feet; thence South 2°01'32" West, a distance of 140.07 feet; thence South 82°56'40" East, a distance of 77.15 feet; thence South 7°03'20" West, a distance of 107.20 feet; thence South 82°55'03" East, a distance of 9.98 feet; thence South 7°03'20" West, a distance of 113.15 feet to the point of intersection with the south line of Parcel "A" as shown on that certain Parcel Map filed April 11, 1989 in Volume 41 of Parcel Maps, at Page 76, Stanislaus County Records; thence along last said south line the following 5 courses: 1) North 75°02'02" West, a distance of 243.66 feet; thence 2) North 35°30'56" West, a distance of 76.48 feet; thence 3) North 8°47'00" West, a distance of 306.81 feet; thence 4) North 56°47'16" West, a distance of 125.45 feet; thence 5) North 72°02'36" West, a distance of 22.32 feet to the **POINT OF BEGINNING**.

ALSO EXCEPTING THEREFROM that portion of Parcel "A", as shown on that certain Parcel Map filed April 11, 1989 in Volume 41 of Parcel Maps, at Page 76, Stanislaus County Records, more particularly described as follows:

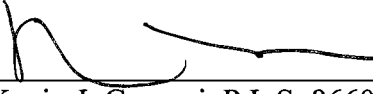
BEGINNING at the Northwest Corner of above said Parcel "A", as shown on that certain Parcel Map filed April 28, 1976 in Volume 22 of Parcel Maps, at Page 93, Stanislaus County Records; thence along the west line thereof South 0°18'44" East, a distance of 649.92 feet to the Southeast Corner of Parcel "A", as shown on that certain

Parcel Map filed April 11, 1989 in Volume 41 of Parcel Maps, at Page 76, Stanislaus County Records; thence along the south line thereof North 88°19'15" West, a distance of 6.92 feet; thence North 0°16'13" West, a distance of 649.93 feet; thence South 88°13'29" East, a distance of 6.92 feet to the **POINT OF BEGINNING**.

CONTAINING 11.38 acres, more or less.

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

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


Kevin J. Genasci, P.L.S. 8660
September 29, 2016




EXHIBIT B
NEW LEGAL DESCRIPTION
Parcel No. 2
Lot Line Adjustment No. PLN2016-0057

The land referred to is situated in a portion of Section 6, Township 2 South, Range 10 East, Mount Diablo Meridian, and lying in the unincorporated area of the County of Stanislaus, State of California, and is described as follows:

Parcel "A", as shown on that certain Parcel Map filed April 28, 1976 in Volume 22 of Parcel Maps, at Page 93, Stanislaus County Records.

TOGETHER WITH all that portion of Lot 102 of Leitch Colony Tract, Sub-Tract No. 2, according to the map thereof, filed in the Office of the Recorder of Stanislaus County, California, on June 8, 1914 in Volume 8 of Maps, at Page 15, more particularly described as follows:

BEGINNING at the Northeast Corner of said Lot 102, said point being in the center of Avenue C, now known as Pioneer Avenue; thence along the centerline of said Avenue C South $0^{\circ}16'$ East, a distance of 468 feet; thence North $75^{\circ}01'50''$ West, a distance of 1326.62 feet; thence North $88^{\circ}13'30''$ West, a distance of 39.84 feet; thence North $0^{\circ}16'$ West, a distance of 165.00 feet to the south line of Lot 97 of said Leitch Colony Tract, Sub-Tract No. 2; thence South $88^{\circ}14'$ East, along the boundary line between said Lots 102 and 97, 1320.8 feet to the **POINT OF BEGINNING**.

ALSO TOGETHER WITH that portion of Parcel "A", as shown on that certain Parcel Map filed April 11, 1989 in Volume 41 of Parcel Maps, at Page 76, Stanislaus County Records, more particularly described as follows:

BEGINNING at the Northwest Corner of above said Parcel "A", as shown on that certain Parcel Map filed April 28, 1976 in Volume 22 of Parcel Maps, at Page 93, Stanislaus County Records; thence along the west line thereof South $0^{\circ}18'44''$ East, a distance of 649.92 feet to the Southeast Corner of Parcel "A", as shown on that certain Parcel Map filed April 11, 1989 in Volume 41 of Parcel Maps, at Page 76, Stanislaus County Records; thence along the south line thereof North $88^{\circ}19'15''$ West, a distance of 6.92 feet; thence North $0^{\circ}16'13''$ West, a distance of 649.93 feet; thence South $88^{\circ}13'29''$ East, a distance of 6.92 feet to the **POINT OF BEGINNING**.

EXCEPTING THEREFROM that portion more particularly described as follows:

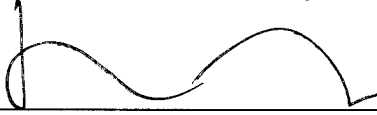
COMMENCING at a point 65.28 feet south of the Northeast Corner of said Lot 102 of Leitch Colony Tract, Sub-Tract No. 2, said point being in the center of Avenue C, now known as Pioneer Avenue, and the **POINT OF BEGINNING**; thence along the centerline of said Avenue C South $0^{\circ}16'$ East, a distance of 402.72 feet; thence North

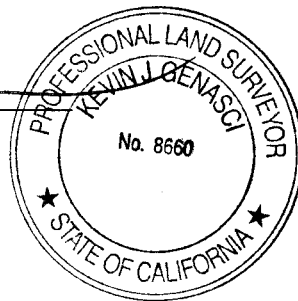
75°01'50" West, a distance of 309.95 feet; thence North 0°19'47" West, a distance of 159.78 feet; thence North 89°40'13" East, a distance of 133.88 feet; thence North 0°19'47" West, a distance of 166.39 feet; thence South 88°31'08" East, a distance of 165.61 feet to the **POINT OF BEGINNING**.

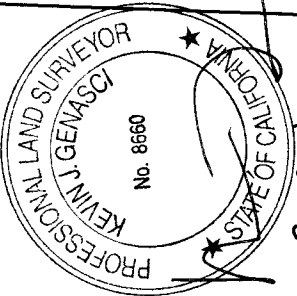
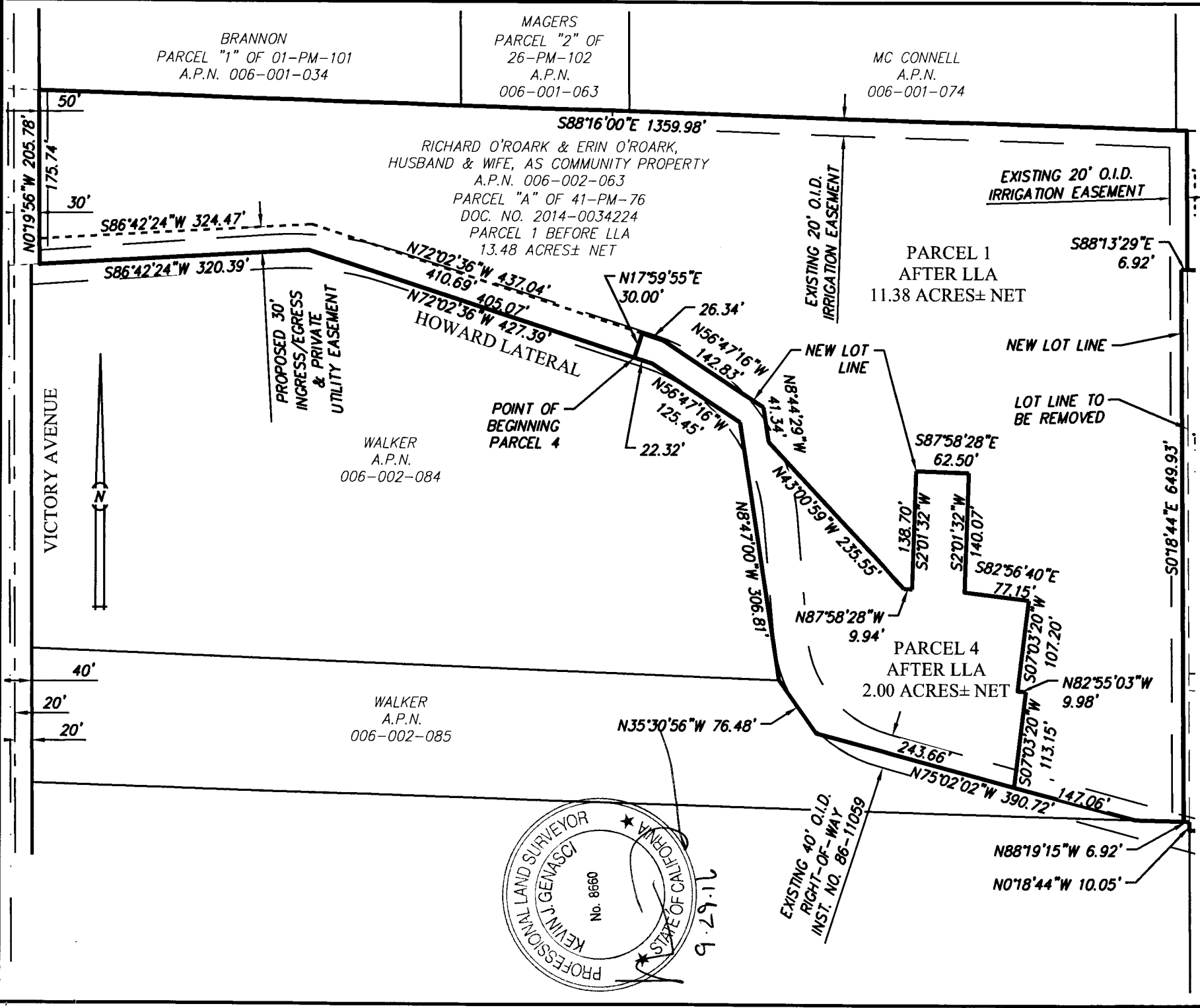
CONTAINING 19.63 acres, more or less.

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

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

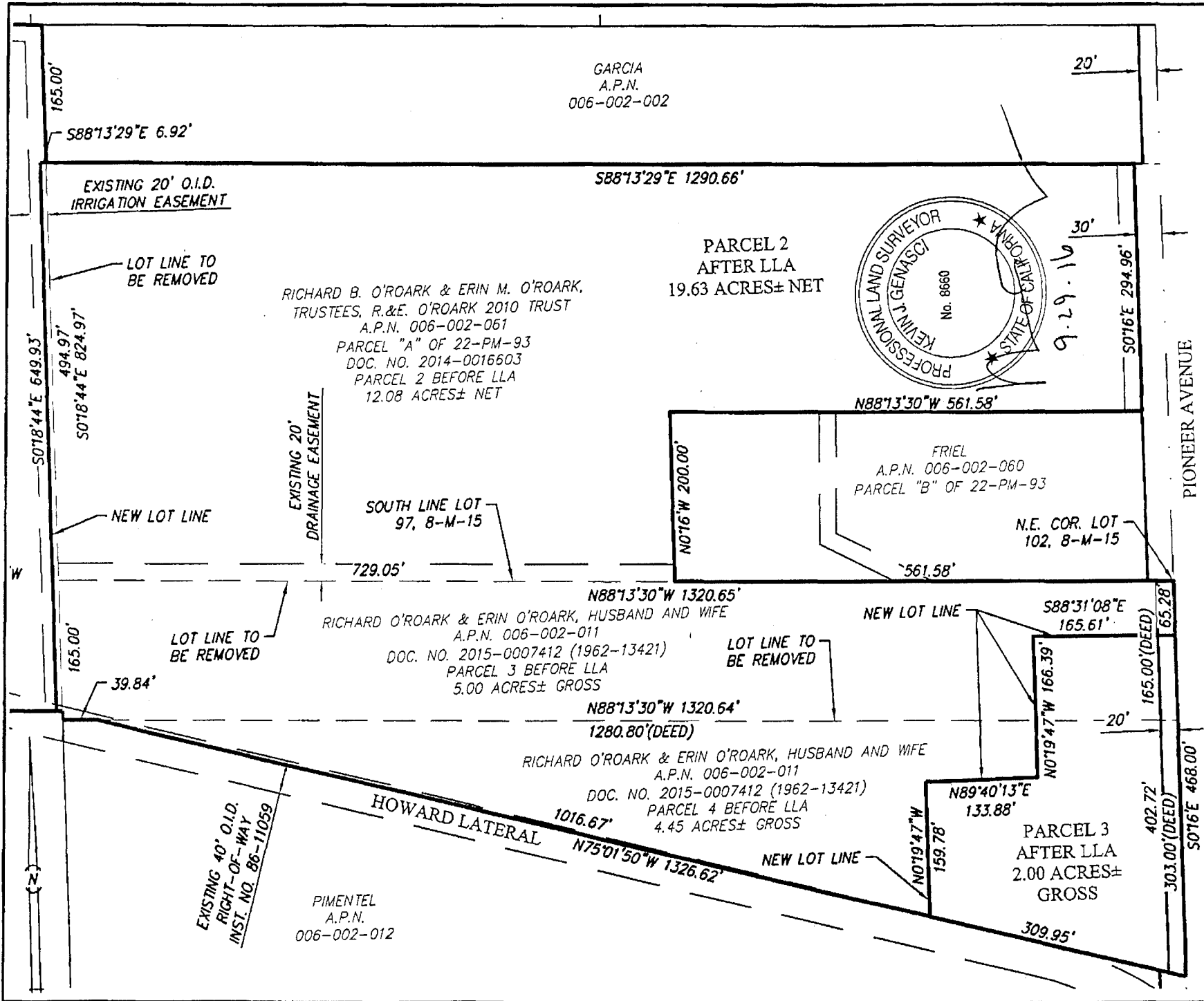

Kevin J. Genasci, P.L.S. 8660
September 29, 2016






HAWKINS & ASSOCIATES ENGINEERING, INC. 436 MITCHELL ROAD MODESTO, CA. 95354 PH: (209) 575-4295 FX: (209) 578-4295	BY: RCS CHK: KJG DATE: 7/20/16 SCALE: 1"=150' JOB #: 3317 FILE #: SURILLA
	EXHIBIT "C" LOT LINE ADJUSTMENT PLN2016-0057 A.P.N. 006-002-011, 061, & 063 STANISLAUS COUNTY, CALIFORNIA EXHIBIT B-4





BY: RGS CHK: KJG DATE: 7/2016 SCALE: 1"=150' ICR # 3317
EXHIBIT "C" LOT LINE ADJUSTMENT PLN2016-0057
A.P.N. 006-002-011, 061, & 063 STANISLAUS COUNTY, CALIFO
EXHIBIT B-5

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



2 OF 2

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

DEPT: Planning and Community Development BOARD AGENDA #: *D-1

AGENDA DATE: January 10, 2017

SUBJECT:

Approval to Rescind a Portion of Williamson Act Contract No. 1977-2608 and all of No. 1975-1834, Located at 10227, 10137 Pioneer and 10266 Victory Avenues, Between Lon Dale Road and River Road, Southwest of the Valley Home Community; and Approval of a New Contract Pursuant to Lot Line Adjustment Application No. PLN2016-0057, O'Roark

BOARD ACTION AS FOLLOWS:

No. 2017-15

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

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

Noes: Supervisors: None

Excused or Absent: Supervisors: None

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.

ELIZABETH A. KING

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

By Kelly Rodriguez



JAN 11 2017

ATTEST: Elizabeth A. King
ELIZABETH A. KING, Clerk of the Board of Supervisors

File No.

EXHIBIT C

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

DEPT: Planning and Community Development

BOARD AGENDA #: *D-1

Urgent Routine

MP

AGENDA DATE: January 10, 2017

CEO CONCURRENCE: _____

4/5 Vote Required: Yes No

SUBJECT:

Approval to Rescind a Portion of Williamson Act Contract No. 1977-2608 and all of No. 1975-1834, Located at 10227, 10137 Pioneer and 10266 Victory Avenues, Between Lon Dale Road and River Road, Southwest of the Valley Home Community; and Approval of a New Contract Pursuant to Lot Line Adjustment Application No. PLN2016-0057, O'Roark

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, or contracts, would enforceably restrict the adjusted boundaries of the parcels for an initial term for at least as long as the unexpired term of the rescinded contract, or contracts, but for not less than ten years, except as authorized under the County's implementation of AB1265.
 - 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 Government Code 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.

EXHIBIT C-1

Approval to Rescind a Portion of Williamson Act Contract No. 1977-2608 and all of No. 1975-1834, Located at 10227, 10137 Pioneer and 10266 Victory Avenues, Between Lon Dale Road and River Road, Southwest of the Valley Home Community; and Approval of a New Contract Pursuant to Lot Line Adjustment Application No. PLN2016-0057, O'Roark

2. Rescind a Portion of Williamson Act Contract No. 1977-2608 and all of No. 1975-1834, located at 10227, 10137 Pioneer and 10266 Victory Avenues, between Lon Dale Road and River Road, southwest of the Valley Home Community (APN's: 006-002-063, 006-002-061, and 006-002-011).
3. Approve a new contract pursuant to Lot Line Adjustment Application No. PLN 2016-0057, O'Roark.
4. Authorize the Director of Planning and Community Development to execute new contracts pursuant to Lot Line Adjustment Application No. PLN 2016-0057, O'Roark.

DISCUSSION:

The O'Roark Lot Line Adjustment request includes the adjustment of four parcels (35.01 total acres) to reorganize farming operations to diversify the crop production. An overview of the lot line adjustment application, including property owners, parcel sizes (existing and proposed), Williamson Act Contract information, and current development/use is provided in Attachment 1. Attachments 2 and 3 provide before and after maps of the proposed lot line adjustment.

The Williamson Act requires Board of Supervisor action to rescind and simultaneously enter into a new contract, or contracts, reflecting adjusted parcel configurations. Staff has reviewed the lot line adjustment application for compliance with the County's General Plan and all applicable zoning and Williamson Act criteria and determined that the application meets the requirements for approval.

Parcel 1 is currently enrolled as a portion of Williamson Act Contract No. 1977-2608, while Parcel 3 is enrolled in Contract No. 1975-1834. If this lot line is approved, the entire acreage covered under the two contracts and an additional 8.08 (31.01 acres total) will be enrolled in a new contract on proposed parcels 1 and 2.

Pursuant to California Government Code Section 51257, the parties to a contract may mutually agree to rescind the contract, or contracts, and simultaneous re-enter into a new contract, or contracts, provided that the Board of Supervisors 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 ten 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.

Approval to Rescind a Portion of Williamson Act Contract No. 1977-2608 and all of No. 1975-1834, Located at 10227, 10137 Pioneer and 10266 Victory Avenues, Between Lon Dale Road and River Road, Southwest of the Valley Home Community; and Approval of a New Contract Pursuant to Lot Line Adjustment Application No. PLN2016-0057, O'Roark

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 Government Code Section 51222.

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

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

Staff believes all the findings can be made as the proposed lot line adjustment will not increase the number of developable parcels, will not reduce the number of acres covered under contract, and will not compromise the continued agricultural use of the parcels. The Applicant's Statement of Findings is provided in Attachment 4.

New Williamson Act Contracts would typically come before the Board of Supervisors once a year, in December, however; because this action is related to a lot line adjustment, it is prudent to act on this action independently of other Williamson Act Contracts. As is the case with all Williamson Act contracts in Stanislaus County, the new contracts will be subject to the provisions of AB1265.

POLICY ISSUE:

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 Stanislaus County. The Agricultural Element's policies specifically state that the County shall continue to administer lot line adjustments involving agricultural land, provided the land is properly designed for agricultural purposes without materially decreasing the agricultural use of the site.

FISCAL IMPACT:

Costs associated with this item are covered by a Lot Line Adjustment application fee. It is anticipated that there will be no net change in property tax or other revenue, therefore providing no additional Fiscal effect.

Approval to Rescind a Portion of Williamson Act Contract No. 1977-2608 and all of No. 1975-1834, Located at 10227, 10137 Pioneer and 10266 Victory Avenues, Between Lon Dale Road and River Road, Southwest of the Valley Home Community; and Approval of a New Contract Pursuant to Lot Line Adjustment Application No. PLN2016-0057, O'Roark

BOARD OF SUPERVISORS' PRIORITY:

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.

STAFFING IMPACT:

Planning and Community Development Department staff is responsible for reviewing all applications, preparing all reports, and attending meetings associated with the proposed Lot Line Adjustment.

CONTACT PERSON:

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

ATTACHMENT(S):

1. Williamson Act and Lot Line Adjustment Request Overview
2. Map of Parcels Before the Proposed Lot Line Adjustment
3. Map of Parcels After the Proposed Lot Line Adjustment
4. Applicant's Statement of Findings



Stanislaus, County Recorder
Lee Lundrigan Co Recorder Office
DOC- 2017-0006653-00

Acct 121-Planning.

Monday, JAN 30, 2017 13:59:31

Ttl Pd \$62.00 Rcpt # 0003925066

OJC/R2/1-16

RECORDING REQUESTED BY AND
WHEN RECORDED RETURN TO:

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

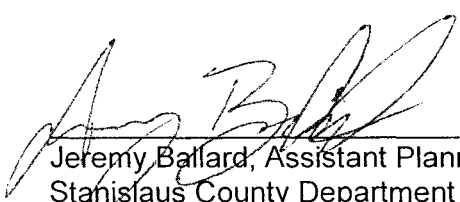
Space Above This Line for Recorder's Use

CERTIFICATE OF LOT LINE ADJUSTMENT

This is to certify that, pursuant to California Government Code Section 66412 (d) and Sections 20.14 and 21.20.060E of the Stanislaus County Code, the Stanislaus County Director of Planning and Community Development on October 7, 2016, approved the lot line adjustment herein described submitted under the name of O'Roark Lot Line Adjustment No. PLN2016-0057 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

1/27/17
Date

161

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)

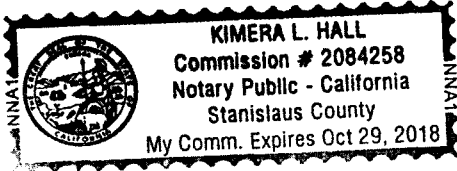
On January 27, 2017 before me, Kimera L. Hall, Notary Public
Date Here Insert Name and Title of the Officer

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 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: _____

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.

CALIFORNIA ALL-PURPOSE CERTIFICATE OF ACKNOWLEDGMENT

State of California)

County of Stanislaus)

On October 21st 2016 before me, Natalie A. Couch, Notary Public
(here insert name and title of the officer)

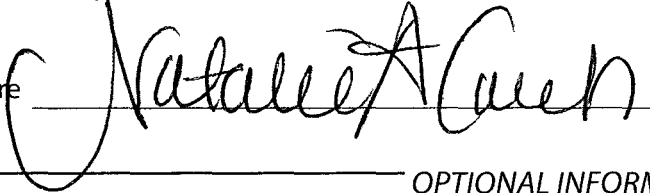
personally appeared Erin O'Roark and Richard O'Roark

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



(Seal)

OPTIONAL INFORMATION

Although the information in this section is not required by law, it could prevent fraudulent removal and reattachment of this acknowledgment to an unauthorized document and may prove useful to persons relying on the attached document.

Description of Attached Document

The preceding Certificate of Acknowledgment is attached to a document titled/for the purpose of _____

containing _____ pages, and dated _____

The signer(s) capacity or authority is/are as:

- Individual(s)
- Attorney-in-Fact
- Corporate Officer(s) _____
Title(s) _____

- Guardian/Conservator
- Partner - Limited/General
- Trustee(s)
- Other: _____

representing: _____
Name(s) of Person(s) or Entity(ies) Signer is Representing

Additional Information

Method of Signer Identification

Proved to me on the basis of satisfactory evidence:
 form(s) of identification credible witness(es)

Notarial event is detailed in notary journal on:

Page # _____ Entry # _____

Notary contact: _____

Other

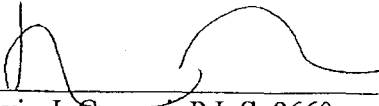
Additional Signer(s) Signer(s) Thumbprint(s)

EXHIBIT A
EXISTING LEGAL DESCRIPTION
Parcel No. 1
Lot Line Adjustment No. PLN2016-0057

The land referred to is situated in the unincorporated area of the County of Stanislaus, State of California, and is described as follows:

Parcel "A", as shown on that certain Parcel Map filed April 11, 1989 in Volume 41 of Parcel Maps, at Page 76, Stanislaus County Records.

CONTAINING 13.48 acres net, more or less.


Kevin J. Genasci, P.L.S. 8660
September 29, 2016

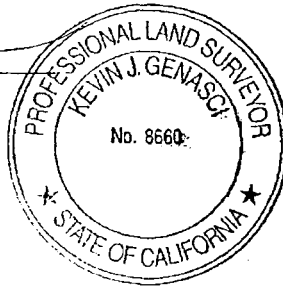


EXHIBIT A
EXISTING LEGAL DESCRIPTION
Parcel No. 2
Lot Line Adjustment No. PLN2016-0057

The land referred to is situated in the unincorporated area of the County of Stanislaus, State of California, and is described as follows:

Parcel "A", as shown on that certain Parcel Map filed April 28, 1976 in Volume 22 of Parcel Maps, at Page 93, Stanislaus County Records.

CONTAINING 12.08 acres net, more or less.

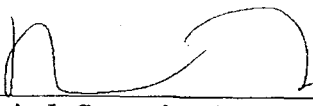

Kevin J. Genasci, P.L.S. 8660
September 29, 2016



EXHIBIT A
EXISTING LEGAL DESCRIPTION
Parcel No. 3
Lot Line Adjustment No. PLN2016-0057

All those portions of Lot 102 of Leitch Colony Tract, Sub-Tract No. 2, according to the map thereof, filed in the Office of the Recorder of Stanislaus County, California, on June 8, 1914 in Volume 8 of Maps, at Page 15, bounded and described as follows, to-wit:

BEGINNING at the Northeast Corner of said Lot 102; thence South $0^{\circ}16'$ East, 165 feet; thence North $88^{\circ}14'$ West, 1320.8 feet; thence North $0^{\circ}16'$ West, 165 feet to the south line of Lot 97 of said Leitch Colony Tract, Sub-Tract No. 2; thence South $88^{\circ}14'$ East, along the boundary line between said Lots 102 and 97, 1320.8 feet to the **POINT OF BEGINNING**.

CONTAINING 5.00 acres, more or less.



Kevin J. Genasci, P.L.S. 8660
September 29, 2016



EXHIBIT A
EXISTING LEGAL DESCRIPTION
Parcel No. 4
Lot Line Adjustment No. PLN2016-0057

All those portions of Lot 102 of Leitch Colony Tract, Sub-Tract No. 2, according to the map thereof, filed in the Office of the Recorder of Stanislaus County, California, on June 8, 1914 in Volume 8 of Maps, at Page 15, bounded and described as follows, to-wit:

BEGINNING at a point 165 feet south of the Northeast Corner of said Lot 102 of Leitch Colony Tract, Sub-Tract No. 2, said point being in the center of Avenue C; thence South $0^{\circ}16'$ West, 303 feet; thence North $75^{\circ}0'$ West, 1310 feet; thence North $88^{\circ}14'$ East, 1280.8 feet to the **POINT OF BEGINNING**.

CONTAINING 4.45 acres, more or less



Kevin J. Genasci, P.L.S. 8660
September 29, 2016



EXHIBIT B
NEW LEGAL DESCRIPTION
Parcel No. 1
Lot Line Adjustment No. PLN2016-0057

The land referred to is situated in a portion of Section 6, Township 2 South, Range 10 East, Mount Diablo Meridian, and lying in the unincorporated area of the County of Stanislaus, State of California, and is described as follows:

Parcel "A", as shown on that certain Parcel Map filed April 11, 1989 in Volume 41 of Parcel Maps, at Page 76, Stanislaus County Records.

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

COMMENCING at the Southwest Corner of last said Parcel "A"; thence along the south line thereof North 86°42'24" East, a distance of 320.39 feet and South 72°02'36" East, a distance of 405.07 feet to the **POINT OF BEGINNING**; thence North 17°59'55" East, a distance of 30.00 feet; thence South 72°02'36" East, a distance of 26.34 feet; thence South 56°47'16" East, a distance of 142.83 feet; thence South 8°44'29" East, a distance of 41.34 feet; thence South 43°00'59" East, a distance of 235.55 feet; thence South 87°58'28" East, a distance of 9.94 feet; thence North 2°01'32" East, a distance of 138.70 feet; thence South 87°58'28" East, a distance of 62.50 feet; thence South 2°01'32" West, a distance of 140.07 feet; thence South 82°56'40" East, a distance of 77.15 feet; thence South 7°03'20" West, a distance of 107.20 feet; thence South 82°55'03" East, a distance of 9.98 feet; thence South 7°03'20" West, a distance of 113.15 feet to the point of intersection with the south line of Parcel "A" as shown on that certain Parcel Map filed April 11, 1989 in Volume 41 of Parcel Maps, at Page 76, Stanislaus County Records; thence along last said south line the following 5 courses: 1) North 75°02'02" West, a distance of 243.66 feet; thence 2) North 35°30'56" West, a distance of 76.48 feet; thence 3) North 8°47'00" West, a distance of 306.81 feet; thence 4) North 56°47'16" West, a distance of 125.45 feet; thence 5) North 72°02'36" West, a distance of 22.32 feet to the **POINT OF BEGINNING**.

ALSO EXCEPTING THEREFROM that portion of Parcel "A", as shown on that certain Parcel Map filed April 11, 1989 in Volume 41 of Parcel Maps, at Page 76, Stanislaus County Records, more particularly described as follows:


BEGINNING at the Northwest Corner of above said Parcel "A", as shown on that certain Parcel Map filed April 28, 1976 in Volume 22 of Parcel Maps, at Page 93, Stanislaus County Records; thence along the west line thereof South 0°18'44" East, a distance of 649.92 feet to the Southeast Corner of Parcel "A", as shown on that certain

Parcel Map filed April 11, 1989 in Volume 41 of Parcel Maps, at Page 76, Stanislaus County Records; thence along the south line thereof North 88°19'15" West, a distance of 6.92 feet; thence North 0°16'13" West, a distance of 649.93 feet; thence South 88°13'29" East, a distance of 6.92 feet to the **POINT OF BEGINNING**.

CONTAINING 11.38 acres, more or less.

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

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


Kevin J. Genasci, P.L.S. 8660
September 29, 2016

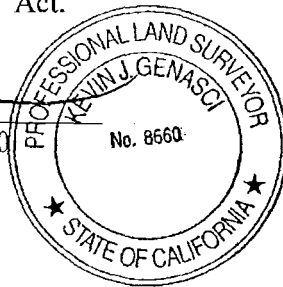


EXHIBIT B
NEW LEGAL DESCRIPTION
Parcel No. 2
Lot Line Adjustment No. PLN2016-0057

The land referred to is situated in a portion of Section 6, Township 2 South, Range 10 East, Mount Diablo Meridian, and lying in the unincorporated area of the County of Stanislaus, State of California, and is described as follows:

Parcel "A", as shown on that certain Parcel Map filed April 28, 1976 in Volume 22 of Parcel Maps, at Page 93, Stanislaus County Records.

TOGETHER WITH all that portion of Lot 102 of Leitch Colony Tract, Sub-Tract No. 2, according to the map thereof, filed in the Office of the Recorder of Stanislaus County, California, on June 8, 1914 in Volume 8 of Maps, at Page 15, more particularly described as follows:

BEGINNING at the Northeast Corner of said Lot 102, said point being in the center of Avenue C, now known as Pioneer Avenue; thence along the centerline of said Avenue C South $0^{\circ}16'$ East, a distance of 468 feet; thence North $75^{\circ}01'50''$ West, a distance of 1326.62 feet; thence North $88^{\circ}13'30''$ West, a distance of 39.84 feet; thence North $0^{\circ}16'$ West, a distance of 165.00 feet to the south line of Lot 97 of said Leitch Colony Tract, Sub-Tract No. 2; thence South $88^{\circ}14'$ East, along the boundary line between said Lots 102 and 97, 1320.8 feet to the **POINT OF BEGINNING**.

ALSO TOGETHER WITH that portion of Parcel "A", as shown on that certain Parcel Map filed April 11, 1989 in Volume 41 of Parcel Maps, at Page 76, Stanislaus County Records, more particularly described as follows:

BEGINNING at the Northwest Corner of above said Parcel "A", as shown on that certain Parcel Map filed April 28, 1976 in Volume 22 of Parcel Maps, at Page 93, Stanislaus County Records; thence along the west line thereof South $0^{\circ}18'44''$ East, a distance of 649.92 feet to the Southeast Corner of Parcel "A", as shown on that certain Parcel Map filed April 11, 1989 in Volume 41 of Parcel Maps, at Page 76, Stanislaus County Records; thence along the south line thereof North $88^{\circ}19'15''$ West, a distance of 6.92 feet; thence North $0^{\circ}16'13''$ West, a distance of 649.93 feet; thence South $88^{\circ}13'29''$ East, a distance of 6.92 feet to the **POINT OF BEGINNING**.

EXCEPTING THEREFROM that portion more particularly described as follows:

COMMENCING at a point 65.28 feet south of the Northeast Corner of said Lot 102 of Leitch Colony Tract, Sub-Tract No. 2, said point being in the center of Avenue C, now known as Pioneer Avenue, and the **POINT OF BEGINNING**; thence along the centerline of said Avenue C South $0^{\circ}16'$ East, a distance of 402.72 feet; thence North

75°01'50" West, a distance of 309.95 feet; thence North 0°19'47" West, a distance of 159.78 feet; thence North 89°40'13" East, a distance of 133.88 feet; thence North 0°19'47" West, a distance of 166.39 feet; thence South 88°31'08" East, a distance of 165.61 feet to the **POINT OF BEGINNING**.

CONTAINING 19.63 acres, more or less.

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

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

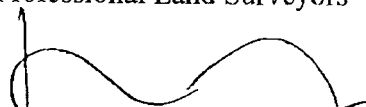

Kevin J. Genasci, P.L.S. 8660
September 29, 2016



EXHIBIT B
NEW LEGAL DESCRIPTION
Parcel No. 3
Lot Line Adjustment No. PLN2016-0057

The land referred to is situated in a portion of Section 6, Township 2 South, Range 10 East, Mount Diablo Meridian, and lying in the unincorporated area of the County of Stanislaus, State of California, and is described as follows:

COMMENCING at a point 65.28 feet south of the Northeast Corner of Lot 102 of Leitch Colony Tract, Sub-Tract No. 2, said point being in the center of Avenue C, now known as Pioneer Avenue, and the **POINT OF BEGINNING**; thence along the centerline of said Avenue C South $0^{\circ}16'$ East, a distance of 402.72 feet; thence North $75^{\circ}01'50''$ West, a distance of 309.95 feet; thence North $0^{\circ}19'47''$ West, a distance of 159.78 feet; thence North $89^{\circ}40'13''$ East, a distance of 133.88 feet; thence North $0^{\circ}19'47''$ West, a distance of 166.39 feet; thence South $88^{\circ}31'08''$ East, a distance of 165.61 feet to the **POINT OF BEGINNING**.

CONTAINING 2.00 acres, more or less.

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

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

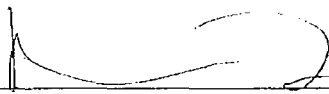

Kevin J. Genasci, P.L.S. 8660
September 29, 2016



EXHIBIT B
NEW LEGAL DESCRIPTION
Parcel No. 4
Lot Line Adjustment No. PLN2016-0057

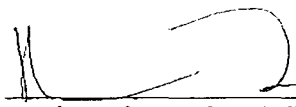
All that portion of Parcel "A" as shown on that certain Parcel Map filed April 11, 1989 in Volume 41 of Parcel Maps, at Page 76, Stanislaus County Records, more particularly described as follows:

COMMENCING at the Southwest Corner of last said Parcel "A"; thence along the south line thereof North $86^{\circ}42'24''$ East, a distance of 320.39 feet and South $72^{\circ}02'36''$ East, a distance of 405.07 feet to the **POINT OF BEGINNING**; thence North $17^{\circ}59'55''$ East, a distance of 30.00 feet; thence South $72^{\circ}02'36''$ East, a distance of 26.34 feet; thence South $56^{\circ}47'16''$ East, a distance of 142.83 feet; thence South $8^{\circ}44'29''$ East, a distance of 41.34 feet; thence South $43^{\circ}00'59''$ East, a distance of 235.55 feet; thence South $87^{\circ}58'28''$ East, a distance of 9.94 feet; thence North $2^{\circ}01'32''$ East, a distance of 138.70 feet; thence South $87^{\circ}58'28''$ East, a distance of 62.50 feet; thence South $2^{\circ}01'32''$ West, a distance of 140.07 feet; thence South $82^{\circ}56'40''$ East, a distance of 77.15 feet; thence South $7^{\circ}03'20''$ West, a distance of 107.20 feet; thence South $82^{\circ}55'03''$ East, a distance of 9.98 feet; thence South $7^{\circ}03'20''$ West, a distance of 113.15 feet to the point of intersection with the south line of Parcel "A" as shown on that certain Parcel Map filed April 11, 1989 in Volume 41 of Parcel Maps, at Page 76, Stanislaus County Records; thence along last said south line the following 5 courses: 1) North $75^{\circ}02'02''$ West, a distance of 243.66 feet; thence 2) North $35^{\circ}30'56''$ West, a distance of 76.48 feet; thence 3) North $8^{\circ}47'00''$ West, a distance of 306.81 feet; thence 4) North $56^{\circ}47'16''$ West, a distance of 125.45 feet; thence 5) North $72^{\circ}02'36''$ West, a distance of 22.32 feet to the **POINT OF BEGINNING**.

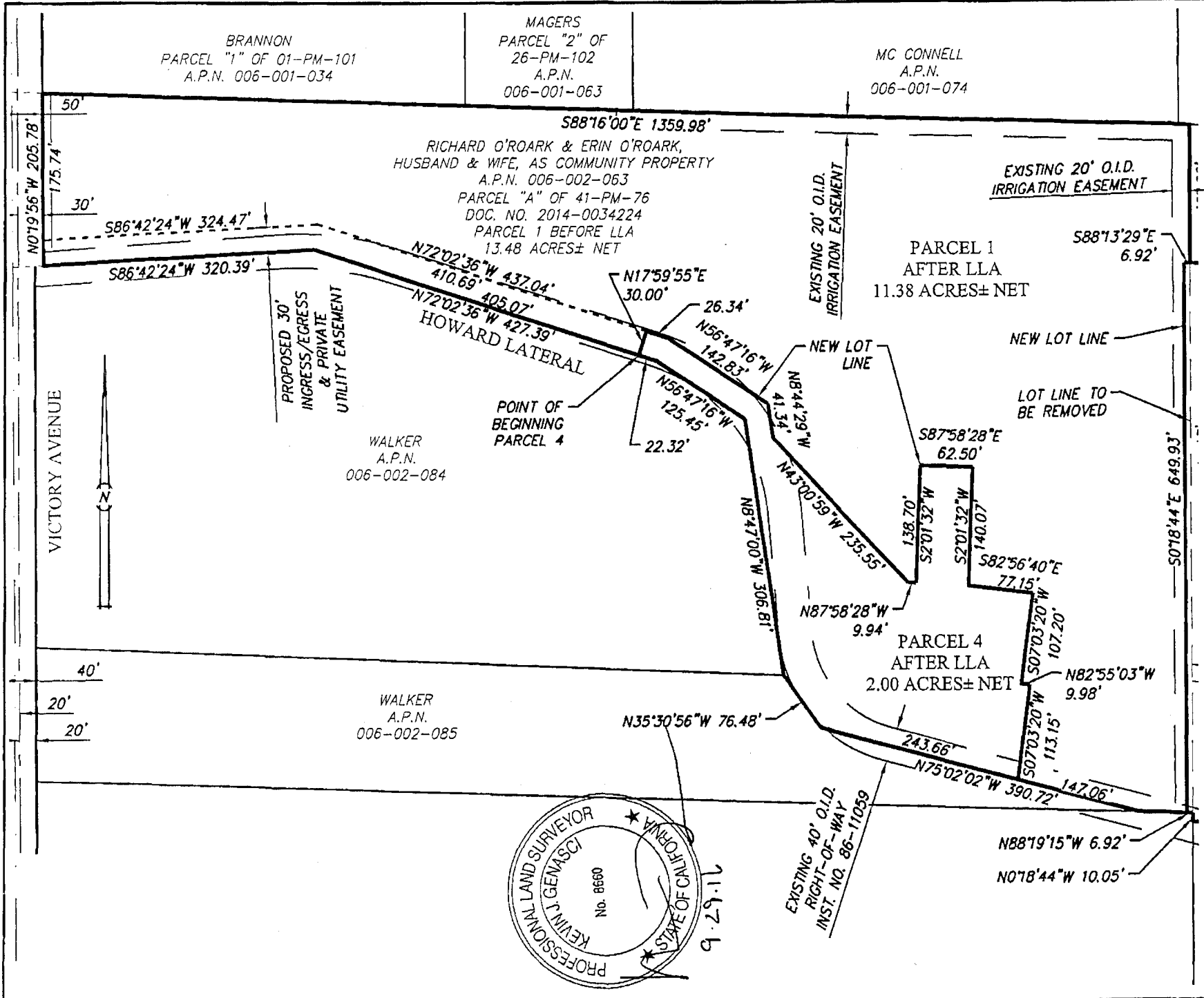
CONTAINING 2.00 acres net, more or less.


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

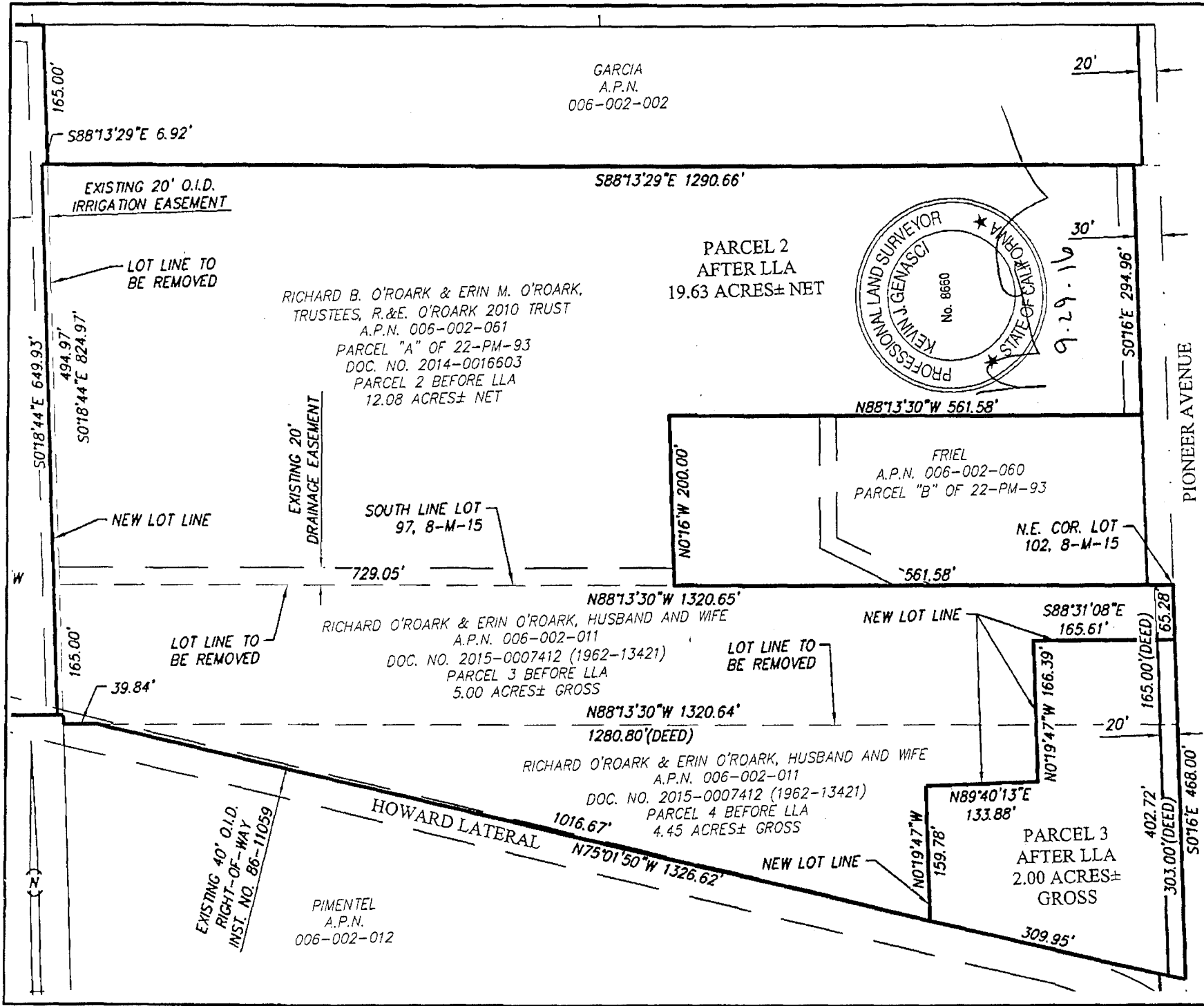
This description was created by me or under my direction in conformance with the Professional Land Surveyors' Act.


Kevin J. Genasci, P.L.S. 8660
September 29, 2016





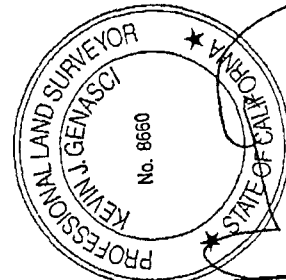
BY: RCS	CHK: KJG	DATE: 7/20/16	SCALE: 1"=150'	JOB #: 3317	FILE: SURILLA
EXHIBIT "C"					
LOT LINE ADJUSTMENT PLN2016-0057					
A.P.N. 006-002-011, 061, & 063					
STANISLAUS COUNTY, CALIFORNIA					
HAWKINS & ASSOCIATES ENGINEERING, INC. 436 MITCHELL ROAD MODESTO, CA. 95354 PH: (209) 575-4295 FX: (209) 578-4295					
					
1 OF 2					



GARCIA
A.P.N.
006-002-002

RICHARD B. O'ROARK & ERIN M. O'ROARK,
TRUSTEES, R.&E. O'ROARK 2010 TRUST
A.P.N. 006-002-061
PARCEL "A" OF 22-PM-93
DOC. NO. 2014-0016603
PARCEL 2 BEFORE LLA
12.08 ACRES± NET

PARCEL 2
AFTER LLA
19.63 ACRES± NET



N88°13'30"W 561.58'

FRIEL
A.P.N. 006-002-060
PARCEL "B" OF 22-PM-93

N.E. COR. LOT
102, 8-M-15

SOUTH LINE LOT
97, 8-M-15

RICHARD O'ROARK & ERIN O'ROARK, HUSBAND AND WIFE
A.P.N. 006-002-011
DOC. NO. 2015-0007412 (1962-13421)
PARCEL 3 BEFORE LLA
5.00 ACRES± GROSS

LOT LINE TO
BE REMOVED

N88°13'30"W 1320.64'
1280.80'(DEED)

RICHARD O'ROARK & ERIN O'ROARK, HUSBAND AND WIFE
A.P.N. 006-002-011
DOC. NO. 2015-0007412 (1962-13421)
PARCEL 4 BEFORE LLA
4.45 ACRES± GROSS

PARCEL 3
AFTER LLA
2.00 ACRES±
GROSS

PIMENTEL
A.P.N.
006-002-012

EXISTING 40' O.I.D.
RIGHT-OF-WAY
INST. NO. 86-11059

HOWARD LATERAL

BY: RCS
CHK: KJG
DATE: 7/2016
SCALE: 1"=150'
JOB #: 3317
FIL. F. SUR/LA

EXHIBIT "C"
LOT LINE ADJUSTMENT PLN2016-0057
A.P.N. 006-002-011, 061, & 063
STANISLAUS COUNTY, CALIFORNIA

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

2 OF 2