

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

DEPT: Planning and Community Development

BOARD AGENDA #: *D-1

AGENDA DATE: March 7, 2017

SUBJECT:

Approval to Rescind all of Williamson Act Contract Nos. 2014-0018 & 2002-4494, Located on the North and South Sides of Shoemake Avenue, East of Dakota Avenue, in the Modesto Area; and Approval of New Contracts Pursuant to Lot Line Adjustment Application No. PLN2015-0051, Timothy and Suzanne Byrd Revocable Trust

BOARD ACTION AS FOLLOWS:

No. 2017-105

On motion of Supervisor Olsen, Seconded by Supervisor DeMartini
and approved by the following vote,

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

Noes: Supervisors: None

Excused or Absent: Supervisors: None

Abstaining: Supervisor: Withdraw

1) Approved as recommended

2) Denied

3) Approved as amended

4) Other:

MOTION: This Item was removed from the consent calendar for discussion and consideration.

ATTEST: Elizabeth A. King
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: March 7, 2017

AF

CEO CONCURRENCE: _____

4/5 Vote Required: Yes No

SUBJECT:

Approval to Rescind all of Williamson Act Contract Nos. 2014-0018 & 2002-4494, Located on the North and South Sides of Shoemake Avenue, East of Dakota Avenue, in the Modesto Area; and Approval of New Contracts Pursuant to Lot Line Adjustment Application No. PLN2015-0051, Timothy and Suzanne Byrd Revocable Trust

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restrict the adjusted boundaries of the parcels for an initial term for at least as long as the unexpired term of the rescinded contract, or contracts, but for not less than ten years, except as authorized under the County's implementation of AB1265.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 In cases where two parcels involved in a lot line adjustment are both subject to contracts rescinded pursuant to this section, this finding will be satisfied if the aggregate acreage of the land restricted by the new contracts is at least as great as the aggregate acreage restricted by the rescinded contracts.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 all of Williamson Act Contract Nos. 2014-0018 & 2002-4494, Located on the North and South Sides of Shoemake Avenue, East of Dakota Avenue, in the Modesto Area; and Approval of New Contracts Pursuant to Lot Line Adjustment Application No. PLN2015-0051, Timothy and Suzanne Byrd Revocable Trust

2. Rescind all of Williamson Act Contract Nos. 2014-0018 & 2002-4494, located at the north and south sides of Shoemake Avenue, east of Dakota Avenue, west of the city of Modesto (APN's: 081-003-026, 005-036-052 and 081-003-020).
3. Approve new contracts pursuant to Lot Line Adjustment Application No. PLN2015-0051, Timothy and Suzanne Byrd Revocable Trust.
4. Authorize the Director of Planning and Community Development to execute new contracts pursuant to Lot Line Adjustment Application No. PLN2015-0051, Timothy and Suzanne Byrd Revocable Trust.

DISCUSSION:

On August 4, 2016, the Stanislaus County Planning Commission approved Variance No. PLN2016-0037, Timothy A. Byrd to allow a 40.38 gross acre parcel to be adjusted to below 40 acres in size in the A-2-40 (General Agriculture) zoning district. The lot line adjustment is requesting two parcels (consisting of three Assessment Parcels) go from 40.38 and 10 gross acres to 20.31 and 30.07 gross acres. 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. Before and after maps of the proposed lot line adjustment are provided in Attachments 2 and 3.

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 in Williamson Act Contract No. 2014-0018 (40.38± acres) and Parcel 2 is enrolled in Contract No. 2002-4494 (10 acres). If this lot line is approved, proposed Parcels 1 and 2 (50.38± acres total) will be enrolled in separate new contracts.

Pursuant to California Government Code Section 51257, the parties to a contract may mutually agree to rescind the contract, or contracts, and simultaneously 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 all of Williamson Act Contract Nos. 2014-0018 & 2002-4494, Located on the North and South Sides of Shoemake Avenue, East of Dakota Avenue, in the Modesto Area; and Approval of New Contracts Pursuant to Lot Line Adjustment Application No. PLN2015-0051, Timothy and Suzanne Byrd Revocable Trust

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 Government 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.

Approval to Rescind all of Williamson Act Contract Nos. 2014-0018 & 2002-4494, Located on the North and South Sides of Shoemake Avenue, East of Dakota Avenue, in the Modesto Area; and Approval of New Contracts Pursuant to Lot Line Adjustment Application No. PLN2015-0051, Timothy and Suzanne Byrd Revocable Trust

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.

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 Application.

CONTACT PERSON:

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

ATTACHMENT(S):

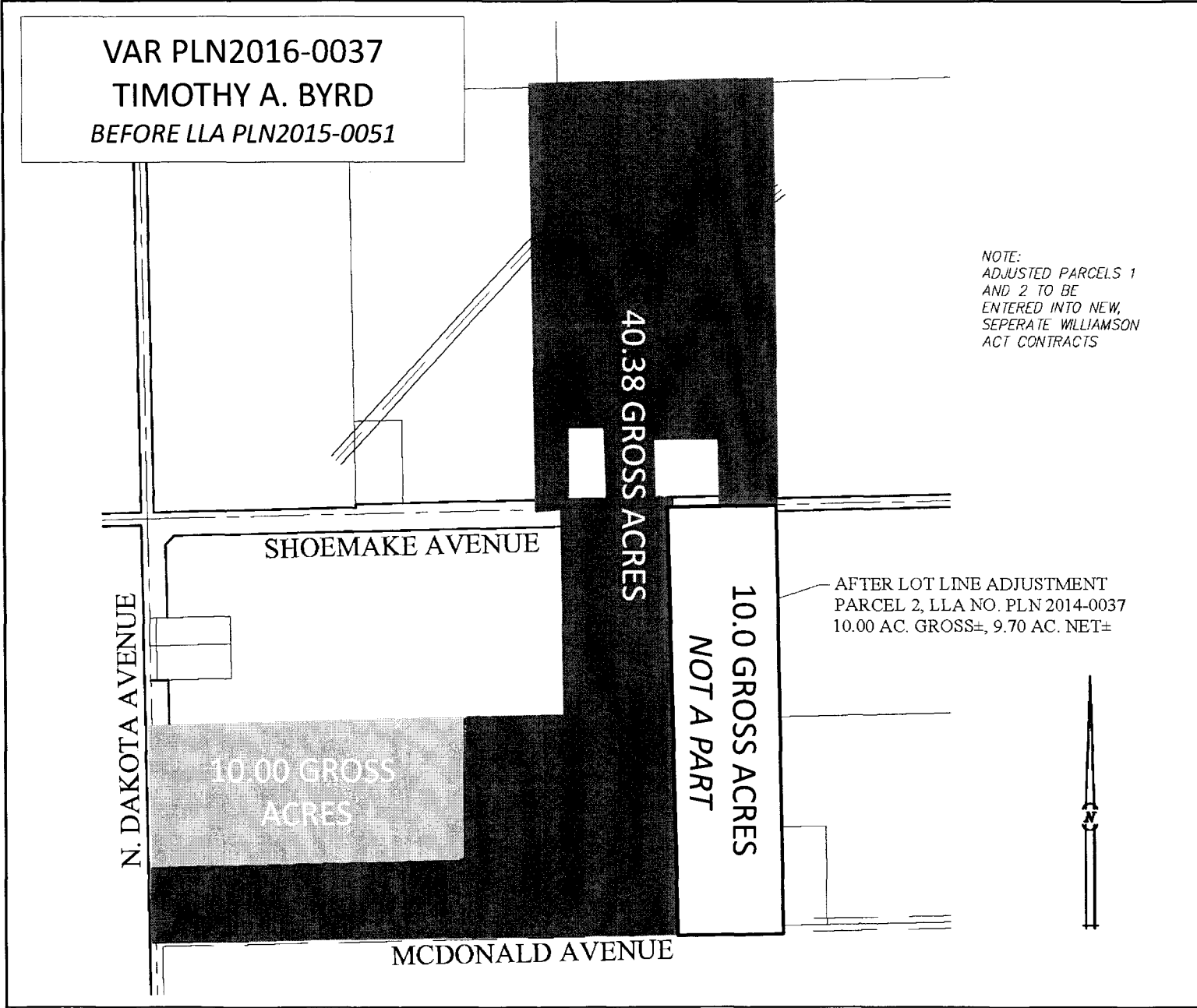
1. Williamson Act and Lot Line Adjustment Request Overview
2. Map of Parcels Before the Proposed Lot Line Adjustment
3. Map of Parcels After the Proposed Lot Line Adjustment
4. Applicant's Statement of Findings

Attachment 1

Williamson Act & Lot Line Adjustment (LLA) Overview


LLA Parcel No	Assessors Parcel No (APN)		Parcel Owner/Applicant	Williamson Act Contract				Parcel Size (Acres)		Existing Use/Development
						Acreage				
	No.'s	Portion Y/N		Contract No.	Portion Y/N	Existing	Proposed	Existing	Proposed	
LLA Application No. PLN2015-0051										
1	081-003-026 & 005-036-052	N & N	Timothy A. and Suzanna P. Bryd	2014-0018	N	40.38	20.31	40.38	20.31	Unimproved Almond Orchards
2	081-003-020	N	Timothy A. and Suzanna P. Bryd	2002-4494	N	10	30.07	10	30.07	Almond orchard, single-family dwelling, garage, and two agricultural barns.
Total Acreage:						50.38	50.38	50.38	50.38	

Attachment 2



BY:	RGS
CHK:	K/G
DATE:	04/2014
SCALE:	1"=400'
JOB #:	3182
FILE:	EXB

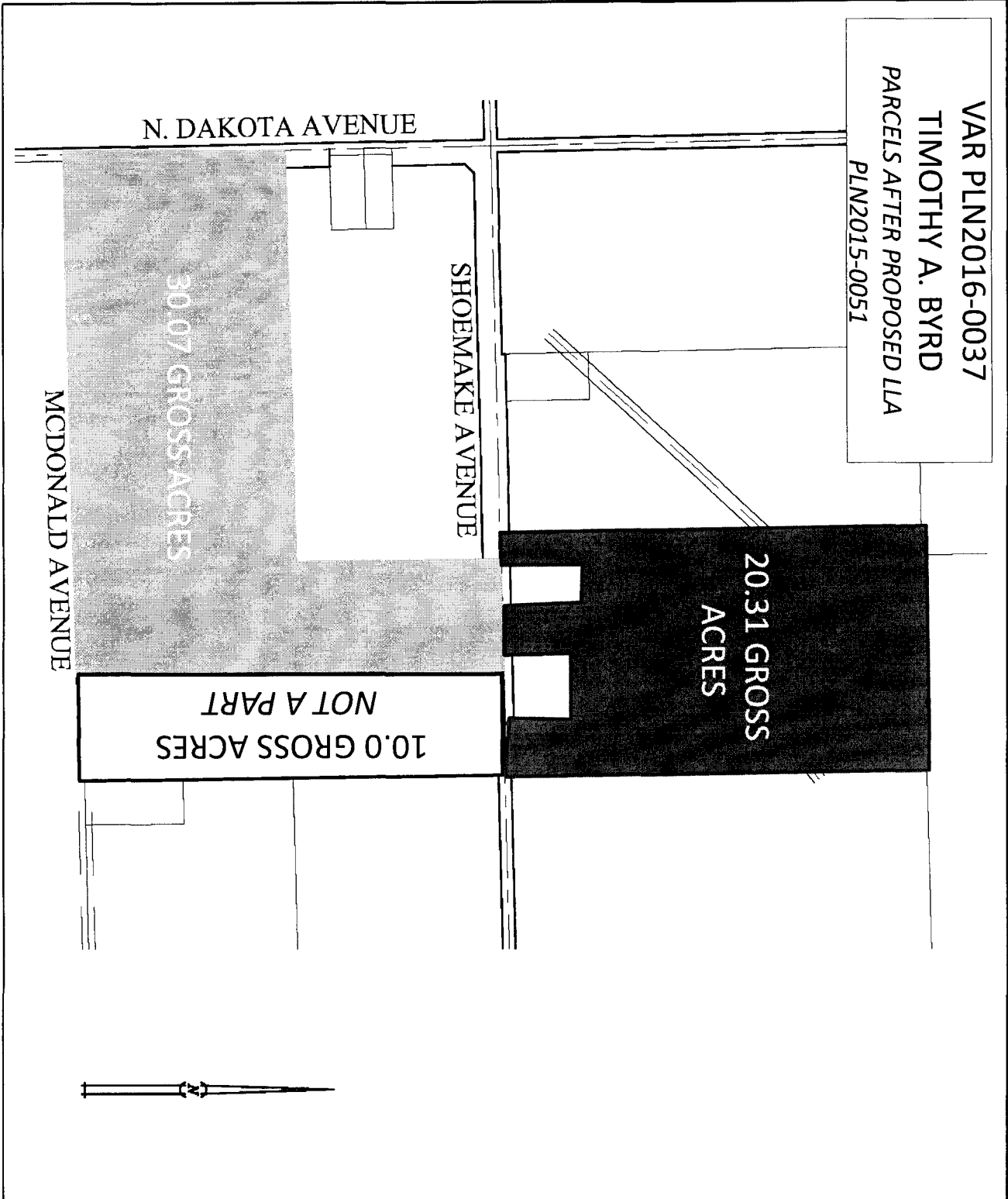

HAWKINS & ASSOCIATES
ENGINEERING, INC.
 436 MITCHELL ROAD
 MODESTO, CA. 95354
 PH: (209) 575 - 4295
 FX: (209) 578 - 4295



C:\Users\jgordon\appdata\local\temp\MapPublish_45318\01_LLA-AFTER_Color-EXB.dwg (0...LLA-AFTER_Color-EXB) PLOTTED: 4-28-14 09:35:47 AM kjgencel

Attachment 3

VAR PLN2016-0037
TIMOTHY A. BYRD
PARCELS AFTER PROPOSED LIA
PLN2015-0051

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

BY:	RCS
CHK:	KJG
DATE:	04/2014
SCALE:	1"=400'
JOB #:	3182
FILE:	EXB

Attachment 4

May 8, 2015

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

RE: Lot Line Adjustment Application – Byrd - Findings

This project is a lot line adjustment between Assessors Parcel #005-036-052 & 081-003-026 (Parcel 1) (39.1 acres) owned by Timothy A. Byrd & Suzanne P. Byrd, trustees of the Timothy & Suzanne Byrd Revocable Trust dated 1-18-2002 and Parcel #081-003-020 (Parcel 2) (9.8 acres gross) also owned by Timothy A. Byrd & Suzanne P. Byrd. The Byrd parcels are in the Williamson Act.

Timothy & Suzanne Byrd would like to use Shoemake Avenue to separate APN 005-036-052 & APN 081-003-026 (Parcel 1). The lot line adjustment will reconfigure APN 005-036-052 & 081-003- 026 and merge APN 081-003-026 with APN 081-003-020.

At the completion of this lot line adjustment, Parcel 1 (Byrd) will have an adjusted area of 20.1 acres +/-, Parcel 2 (Meirinho) will have an adjusted area of 28.9 acres +/-.

Findings:

(1) The Byrd parcels are not subject to non-renewal. The parcels will remain under contract for at least 10 years.

(2) The Byrd Parcel (Parcel 1) acreage currently under contract (2002-4468) is 20.06 acres net. After the lot line adjustment, all 20.06 acres +/- net will be under contract.

The Byrd Parcel (Parcel 2) acreage currently under contract (2002-4494) is 28.87 acres +/- net. After the lot line adjustment, all 28.87 acres +/- net will be under contract.

(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 parcels will be larger than 10 acres after the lot line adjustment. The parcel qualifies 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 Byrd parcels will in no way affect the long term agricultural productivity of either of the parcels.

(6) The adjacent lands are permanent trees, dairy forage crops, Hart-Ransom Elementary School, or Storer Coachways. The reconfiguration of the Byrd 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,

A handwritten signature in black ink, appearing to read 'Kevin Genasci', with a large loop and a horizontal stroke extending to the right.

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. 2017-0016**

THIS SPACE FOR RECORDER ONLY



Stanislaus, County Recorder
Lee Lundrigan Co Recorder Office
DOC- 2017-0021807-00

Acct 402-Counter Customers
Tuesday, MAR 28, 2017 15:24:41
Ttl Pd \$0.00 Rcpt # 0003950258
OLD/R2/2-17

THIS NOTICE OF RESCISSION AND CALIFORNIA LAND CONSERVATION CONTRACT is made and entered into March 7, 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: TIMOTHY A. & SUZANNE P. BYRD
PO BOX 1130
MODESTO, CA 95353

- (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)
005-036-052	20.31	0 SHOEMAKE AVE, MODESTO, CA 95358
081-003-020	30.7	1954 DAKOTA AVE, MODESTO, CA 95358

Pursuant to Stanislaus County Board of Supervisors Resolution No. 2017-105, relating to Lot Line Adjustment No. PLN2015-0051 as authorized by Govt. Code § 51257, California Land Conservation Contract Nos. 2014-0018 & 2002-4494 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.

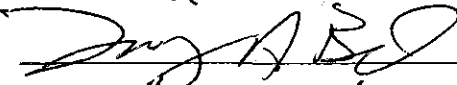
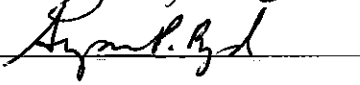
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NOTICE OF RESCISSION AND SIMULTANEOUS RE-ENTRY INTO CALIFORNIA LAND CONSERVATION CONTRACT- Page 2

- (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.

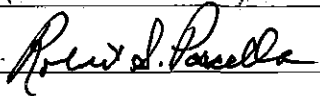
IN WITNESS WHEREOF, the parties hereto have executed the within Contract the day and year first above written.

OWNERS:

NAME (Print or type)	SIGNATURE (All to be notarized)	DATE	SIGNED AT (City)
TIMOTHY A. BYRD		2/7/17	Modesto
* SUZANNE P. BYRD		2/7/17	Modesto
* AKA Suzanne Porcella Byrd			

SECURITY HOLDERS:

OWNERS:

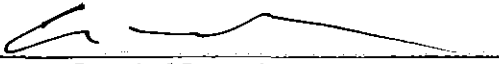
NAME (Print or type)	SIGNATURE (All to be notarized)	DATE	SIGNED AT (City)
* Robert S. Porcella, trustee of Porcella Reverable Trust		2-7-2017	Modesto
* AKA Robert Stephen Porcella			

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

3-28-2017
Dated


Chairman, Board of Supervisors
Angela Freitas for Vito Chiesa

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 February 7, 2017 before me, Felix P. Perez - Notary Public
Date Here Insert Name and Title of the Officer

personally appeared Timothy A. Byrd
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 Felix P. Perez
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: _____

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

CIVIL CODE § 1189

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State of California)
County of Stanislaus)

On February 7, 2017 before me, Felix P. Perez - Notary Public
Date Here Insert Name and Title of the Officer

personally appeared Suzanne Porcella Byrd
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 [Handwritten Signature]
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: _____

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 February 7, 2017 before me, Felix P. Perez - Notary Public
Date Here Insert Name and Title of the Officer
personally appeared Robert Stephen Porcella
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 [Handwritten Signature]
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: _____

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 March 28, 2017 before me, Christine Michele Smith, Notary Public, personally appeared Angela Freitas, 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.



Christine Michele Smith
Signature of Notary

OPTIONAL

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

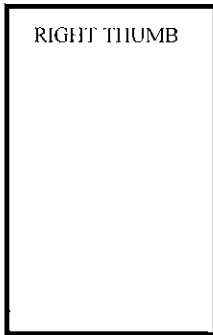
DESCRIPTION OF ATTACHED DOCUMENT

Title or Type of Document: CLCC Rescission & Reentry
Subject: 2017-0016
Located at: APN# 005-036-052 & 081-003-020
Date of Document: 3/7/2017
Number of Pages in words:
Signer(s) Other Than Named Above: _____

CAPACITY(IES) CLAIMED BY SIGNER(S)

Signer's Name: _____

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



SIGNER IS REPRESENTING:

9/13/2016

Signer's Name: _____

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



SIGNER IS REPRESENTING:

EXHIBIT A
EXISTING LEGAL DESCRIPTION
Parcel No. 1
Lot Line Adjustment No. PLN2016-0051

Real property in the County of Stanislaus, State of California, more particularly described as follows:

All that portion of the Southwest Quarter of Section 14, Township 3 South, Range 8 East, Mount Diablo Meridian, being more particularly described as follows:

The West Half of Lot 16 of the Wood Tract, as per Map thereof recorded on October 11, 1904, in Book 2, of Maps, at Page 5, Stanislaus County Records.

TOGETHER WITH all that portion of Lot 15 of the above said Wood Tract, described as follows:

BEGINNING at the Southeast corner of said Lot 15 of said Wood Tract; thence North $88^{\circ}48'14''$ West along the Southerly line of said Lot 15, a distance of 80.00 feet; thence North $00^{\circ}51'55''$ West, parallel to the Easterly line of said Lot 15, a distance of 1320.40 feet to the Northerly line of said Lot 15; thence North $88^{\circ}42'58''$ East along said Northerly line, a distance of 80.00 feet to the Northeast corner of said Lot 15; thence South $00^{\circ}51'55''$ East and along the Easterly line of said Lot 15, a distance of 1320.52 feet to the **POINT OF BEGINNING**.

EXCEPTING THEREFROM the West 150 feet of the South 269 feet of said Lot 16 of said Wood Tract.

ALSO EXCEPTING THEREFROM that portion of Parcel 1 of that certain Parcel Map filed for record in Book 46 of Parcel Maps, at Page 77, Stanislaus County Records, described as follows:

COMMENCING at the Southwest corner of said Lot 16; thence North $88^{\circ}48'14''$ East and along the South line of said Lot 16 and the centerline of Shoemake Avenue, a distance of 270.78 feet to the true **POINT OF BEGINNING**; thence North $00^{\circ}51'55''$ West, parallel to the Westerly line of said Parcel 1, a distance of 226.00 feet; thence North $88^{\circ}48'14''$ East, parallel to the Northerly line of said Parcel 1, a distance of 235.00 feet to the Westerly line of said Parcel 1; thence South $00^{\circ}51'55''$ East and along said Easterly line, a distance of 226.00 feet to the South line of said Lot 16 and the centerline of said road; thence South $88^{\circ}48'14''$ West and along the Southerly line of said Lot 16, and said centerline, a distance of 235.00 feet to the true **POINT OF BEGINNING**.

TOGETHER WITH a portion of Lot 18 of above said Wood Tract, lying within the Northwest Quarter of Section 23, Township 3 South Range 8 East, Mount Diablo Meridian and lying South

of that parcel of land granted to the Hart-Ransom School District per Deed recorded on September 21, 2001, as Document No. 2001-0112149, Stanislaus County Records. The South line of said parcel of land granted to the Hart-Ransom School District being described as follows:

BEGINNING at a point on the West line of said Lot 18 and the centerline of Dakota Avenue, from which the Northwest corner of said Lot 18 bears North $00^{\circ}58'46''$ West, a distance of 658.12 feet; thence North $88^{\circ}42'02''$ East, a distance of 1315.65 feet to a point on the East line of said Lot 18, the **POINT OF TERMINUS**, from which the Northeast corner of said lot 18 bears North $00^{\circ}38'08''$ West, a distance of 657.59 feet.

EXCEPTING THEREFROM that portion of said Lot 18 described as follows:

BEGINNING at a point on the West line of said Lot 18 and the centerline of Dakota Avenue, from which the Northwest corner of said Lot 18 bears North $00^{\circ}58'46''$ West, a distance of 658.12 feet, said point being the most Southwesterly corner of that certain parcel granted to the Hart-Ransom School District per Deed recorded on September 24, 2001 as Document No. 2001-0112149, Stanislaus County Records; thence North $88^{\circ}42'02''$ East and along the South line of said parcel of land granted to the Hart-Ransom School District, a distance of 984.92 feet; thence South $00^{\circ}40'59''$ East, a distance of 442.81 feet; thence South $88^{\circ}42'02''$ West, parallel with said South line, a distance of 982.63 feet to a point on the West line of said Lot 18; thence North $00^{\circ}58'46''$ West and along said West line, a distance of 442.79 feet to the **POINT OF BEGINNING**.

TOGETHER WITH the west 330.44 feet of the West Half of Lot 17 of the Wood Tract, according to the Map thereof recorded on October 11, 1904, in Volume 2 of Maps, at Page 5, Stanislaus County Records, located in the North Half of the Northwest One-Quarter of Section 23, Township 3 South, Range 8 East, Mount Diablo Meridian.

The above Parcel is shown on Exhibit B as Parcel 1 in that certain "Certificate of Lot Line Adjustment", as recorded on May 16, 2014 as Document No. 2014-0031169-00, Stanislaus County Records.

Kevin Genasci, PLS 8660
January 31, 2017



EXHIBIT A
EXISTING LEGAL DESCRIPTION
Parcel No. 2
Lot Line Adjustment No. PLN2016-0051

That portion of Lot 18 of the Wood Tract, according to the map thereof filed October 11, 1904 in Volume 2 of Maps, at Page 5, Stanislaus County Records, lying within the Northwest Quarter of Section 23, Township 3 South, Range 8 East, Mount Diablo Meridian, and situate in the County of Stanislaus, State of California, described as follows:

BEGINNING at a point on the west line of said Lot 18 and the centerline of Dakota Avenue, from which the northwest corner of said Lot 18 bears North $00^{\circ}58'46''$ West a distance of 658.12 feet, said point being the most southwesterly corner of that parcel of land granted to the Hart-Ransom School District per deed recorded September 24, 2001 as Instrument No. 2001-0112149, Records of said County; thence North $88^{\circ}42'02''$ East, along the south line of said parcel of land granted to the Hart-Ransom School District, a distance of 984.92 feet; thence South $00^{\circ}40'59''$ East, a distance of 442.81 feet; thence South $88^{\circ}42'02''$ West, parallel with said south line, a distance of 982.63 feet to a point on the west line of said Lot 18; thence North $00^{\circ}58'46''$ West, along said west line, a distance of 442.49 feet to the **POINT OF BEGINNING**.

This legal description is made pursuant to that certain certificate approving a Lot Line Adjustment, Certificate No. 2002-12, Recorded October 15, 2002, as Instrument No. 2002-0133647-00 of Official Records.

Kevin Genasci, PLS 8660
January 31, 2017

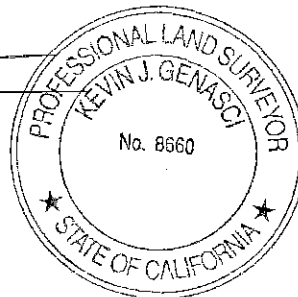


EXHIBIT B
NEW LEGAL DESCRIPTION
Parcel No. 1
Lot Line Adjustment No. PLN2016-0051

Real property in the County of Stanislaus, State of California, more particularly described as follows:

All that portion of the Southwest Quarter of Section 14, Township 3 South, Range 8 East, Mount Diablo Meridian, being more particularly described as follows:

The West Half of Lot 16 of the Wood Tract, as per Map thereof recorded on October 11, 1904, in Book 2, of Maps, at Page 5, Stanislaus County Records.

TOGETHER WITH all that portion of Lot 15 of the above said Wood Tract, described as follows:

BEGINNING at the Southeast corner of said Lot 15 of said Wood Tract; thence South $88^{\circ}48'14''$ West along the Southerly line of said Lot 15, a distance of 80.00 feet; thence North $00^{\circ}51'55''$ West, parallel to the Easterly line of said Lot 15, a distance of 1320.40 feet to the Northerly line of said Lot 15; thence North $88^{\circ}42'58''$ East along said Northerly line, a distance of 80.00 feet to the Northeast corner of said Lot 15; thence South $00^{\circ}51'55''$ East and along the Easterly line of said Lot 15, a distance of 1320.52 feet to the **POINT OF BEGINNING**.

EXCEPTING THEREFROM the West 150 feet of the South 269 feet of said Lot 16 of said Wood Tract.


ALSO EXCEPTING THEREFROM that portion of Parcel 1 of that certain Parcel Map filed for record in Book 46 of Parcel Maps, at Page 77, Stanislaus County Records, described as follows:

COMMENCING at the Southwest corner of said Lot 16; thence North $88^{\circ}48'14''$ East and along the South line of said Lot 16 and the centerline of Shoemake Avenue, a distance of 270.78 feet to the true **POINT OF BEGINNING**; thence North $00^{\circ}51'55''$ West, parallel to the Westerly line of said Parcel 1, a distance of 226.00 feet; thence North $88^{\circ}48'14''$ East, parallel to the Northerly line of said Parcel 1, a distance of 235.00 feet to the Westerly line of said Parcel 1; thence South $00^{\circ}51'55''$ East and along said Easterly line, a distance of 226.00 feet to the South line of said Lot 16 and the centerline of said road; thence South $88^{\circ}48'14''$ West and along the Southerly line of said Lot 16, and said centerline, a distance of 235.00 feet to the true **POINT OF BEGINNING**.

Containing 20.31 acres gross, more or less.

Subject to all easements and rights of way of record.

This description was prepared by me or under my direction in accordance with the Subdivision Map Act.


Kevin Genasci, PLS 8660
January 31, 2017

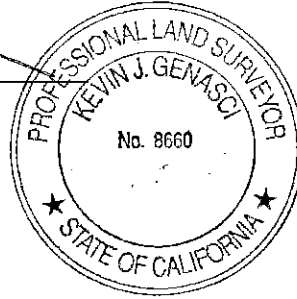


EXHIBIT B
NEW LEGAL DESCRIPTION
Parcel No. 2
Lot Line Adjustment No. PLN2016-0051

Real property in the County of Stanislaus, State of California, more particularly described as follows:

All that portion of Lot 18 of above said Wood Tract, lying within the Northwest Quarter of Section 23, Township 3 South Range 8 East, Mount Diablo Meridian and lying South of that parcel of land granted to the Hart-Ransom School District per Deed recorded on September 21, 2001, as Document No. 2001-0112149, Stanislaus County Records. The South line of said parcel of land granted to the Hart-Ransom School District being described as follows:


BEGINNING at a point on the West line of said Lot 18 and the centerline of Dakota Avenue, from which the Northwest corner of said Lot 18 bears North 00°58'46" West, a distance of 658.12 feet; thence North 88°42'02" East, a distance of 1315.65 feet to a point on the East line of said Lot 18, the **POINT OF TERMINUS**, from which the Northeast corner of said lot 18 bears North 00°38'08" West, a distance of 657.59 feet.

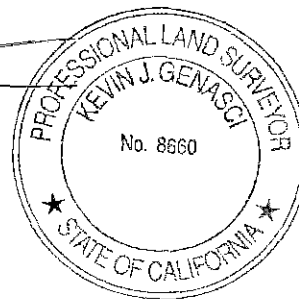
TOGETHER WITH the west 330.44 feet of the West Half of Lot 17 of the Wood Tract, according to the Map thereof recorded on October 11, 1904, in Volume 2 of Maps, at Page 5, Stanislaus County Records, located in the North Half of the Northwest One-Quarter of Section 23, Township 3 South, Range 8 East, Mount Diablo Meridian.

Containing 30.07 acres gross, more or less.

Subject to all easements and rights of way of record.

This description was prepared by me or under my direction in accordance with the Subdivision Map Act.


Kevin Genasci, PLS 8660
January 31, 2017



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

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

AGENDA DATE: March 7, 2017

SUBJECT:

Approval to Rescind all of Williamson Act Contract Nos. 2014-0018 & 2002-4494, Located on the North and South Sides of Shoemake Avenue, East of Dakota Avenue, in the Modesto Area; and Approval of New Contracts Pursuant to Lot Line Adjustment Application No. PLN2015-0051, Timothy and Suzanne Byrd Revocable Trust

BOARD ACTION AS FOLLOWS:

No. 2017-105

On motion of Supervisor Olsen, Seconded by Supervisor DeMartini
and approved by the following vote,

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

Noes: Supervisors: None

Excused or Absent: Supervisors: None

Abstaining: Supervisor: Withrow

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

MOTION: This Item was removed from the consent calendar for discussion and consideration.

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.

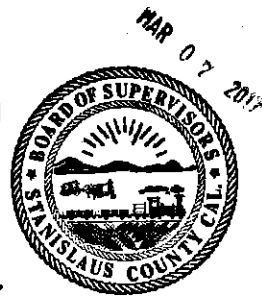
ELIZABETH A. KING

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

By Patricia Mongel

ATTEST: Elizabeth A. King
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: March 7, 2017

AF

CEO CONCURRENCE: _____

4/5 Vote Required: Yes No

SUBJECT:

Approval to Rescind all of Williamson Act Contract Nos. 2014-0018 & 2002-4494, Located on the North and South Sides of Shoemake Avenue, East of Dakota Avenue, in the Modesto Area; and Approval of New Contracts Pursuant to Lot Line Adjustment Application No. PLN2015-0051, Timothy and Suzanne Byrd Revocable Trust

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 all of Williamson Act Contract Nos. 2014-0018 & 2002-4494, Located on the North and South Sides of Shoemake Avenue, East of Dakota Avenue, in the Modesto Area; and Approval of New Contracts Pursuant to Lot Line Adjustment Application No. PLN2015-0051, Timothy and Suzanne Byrd Revocable Trust

2. Rescind all of Williamson Act Contract Nos. 2014-0018 & 2002-4494, located at the north and south sides of Shoemake Avenue, east of Dakota Avenue, west of the city of Modesto (APN's: 081-003-026, 005-036-052 and 081-003-020).
3. Approve new contracts pursuant to Lot Line Adjustment Application No. PLN2015-0051, Timothy and Suzanne Byrd Revocable Trust.
4. Authorize the Director of Planning and Community Development to execute new contracts pursuant to Lot Line Adjustment Application No. PLN2015-0051, Timothy and Suzanne Byrd Revocable Trust.

DISCUSSION:

On August 4, 2016, the Stanislaus County Planning Commission approved Variance No. PLN2016-0037, Timothy A. Byrd to allow a 40.38 gross acre parcel to be adjusted to below 40 acres in size in the A-2-40 (General Agriculture) zoning district. The lot line adjustment is requesting two parcels (consisting of three Assessment Parcels) go from 40.38 and 10 gross acres to 20.31 and 30.07 gross acres. 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. Before and after maps of the proposed lot line adjustment are provided in Attachments 2 and 3.

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 in Williamson Act Contract No. 2014-0018 (40.38± acres) and Parcel 2 is enrolled in Contract No. 2002-4494 (10 acres). If this lot line is approved, proposed Parcels 1 and 2 (50.38± acres total) will be enrolled in separate new contracts.

Pursuant to California Government Code Section 51257, the parties to a contract may mutually agree to rescind the contract, or contracts, and simultaneously 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 all of Williamson Act Contract Nos. 2014-0018 & 2002-4494, Located on the North and South Sides of Shoemake Avenue, East of Dakota Avenue, in the Modesto Area; and Approval of New Contracts Pursuant to Lot Line Adjustment Application No. PLN2015-0051, Timothy and Suzanne Byrd Revocable Trust

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 Government 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.

Approval to Rescind all of Williamson Act Contract Nos. 2014-0018 & 2002-4494, Located on the North and South Sides of Shoemake Avenue, East of Dakota Avenue, in the Modesto Area; and Approval of New Contracts Pursuant to Lot Line Adjustment Application No. PLN2015-0051, Timothy and Suzanne Byrd Revocable Trust

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.

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 Application.

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- 2017-0021806-00

Acct 121-Planning.
Tuesday, MAR 28, 2017 15:24:32
Ttl Pd \$53.00 Rcpt # 0003950257
OLD/R2/1-13

RECORDING REQUESTED BY AND
WHEN RECORDED RETURN TO:

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

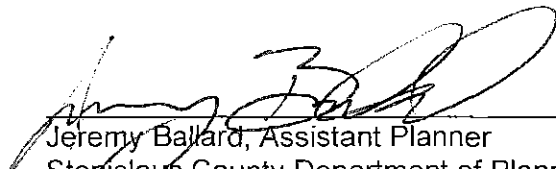
Space Above This Line for Recorder's Use

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 12, 2016, approved the lot line adjustment herein described submitted under the name of TIMOTHY & SUZANNE BYRD REVOCABLE TRUST Lot Line Adjustment No. PLN2015-0051 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

3/13/17
Date

13JC

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)

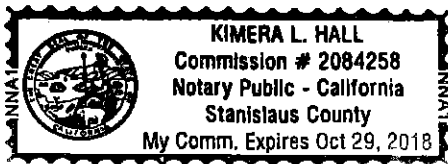
On March 13, 2017 before me, Kimera L. Hall, Notary Public
Date Here Insert Name and Title of the Officer

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: _____

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 February 7, 2017 before me, Felix P. Perez - Notary Public
Date Here Insert Name and Title of the Officer

personally appeared Timothy A. Byrd
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 [Handwritten Signature]
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: _____
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Capacity(ies) Claimed by Signer(s)

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

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

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

CIVIL CODE § 1189

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

State of California)
County of Stanislaus)

On February 17, 2017 before me, Felix P. Perez - Notary Public
Date Here Insert Name and Title of the Officer

personally appeared Suzanne Porcella Byrd
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 [Handwritten Signature]
Signature of Notary Public

Place Notary Seal Above

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

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

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

CIVIL CODE § 1189

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State of California)
County of Stanislaus)

On February 7, 2017 before me, Felix P. Perez - Notary Public,
Date Here Insert Name and Title of the Officer
personally appeared Robert Stephen Porcella
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 [Handwritten Signature]
Signature of Notary Public

Place Notary Seal Above

OPTIONAL

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 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. PLN2016-0051

Real property in the County of Stanislaus, State of California, more particularly described as follows:

All that portion of the Southwest Quarter of Section 14, Township 3 South, Range 8 East, Mount Diablo Meridian, being more particularly described as follows:

The West Half of Lot 16 of the Wood Tract, as per Map thereof recorded on October 11, 1904, in Book 2, of Maps, at Page 5, Stanislaus County Records.

TOGETHER WITH all that portion of Lot 15 of the above said Wood Tract, described as follows:

BEGINNING at the Southeast corner of said Lot 15 of said Wood Tract; thence North $88^{\circ}48'14''$ West along the Southerly line of said Lot 15, a distance of 80.00 feet; thence North $00^{\circ}51'55''$ West, parallel to the Easterly line of said Lot 15, a distance of 1320.40 feet to the Northerly line of said Lot 15; thence North $88^{\circ}42'58''$ East along said Northerly line, a distance of 80.00 feet to the Northeast corner of said Lot 15; thence South $00^{\circ}51'55''$ East and along the Easterly line of said Lot 15, a distance of 1320.52 feet to the **POINT OF BEGINNING**.

EXCEPTING THEREFROM the West 150 feet of the South 269 feet of said Lot 16 of said Wood Tract.

ALSO EXCEPTING THEREFROM that portion of Parcel 1 of that certain Parcel Map filed for record in Book 46 of Parcel Maps, at Page 77, Stanislaus County Records, described as follows:

COMMENCING at the Southwest corner of said Lot 16; thence North $88^{\circ}48'14''$ East and along the South line of said Lot 16 and the centerline of Shoemake Avenue, a distance of 270.78 feet to the true **POINT OF BEGINNING**; thence North $00^{\circ}51'55''$ West, parallel to the Westerly line of said Parcel 1, a distance of 226.00 feet; thence North $88^{\circ}48'14''$ East, parallel to the Northerly line of said Parcel 1, a distance of 235.00 feet to the Westerly line of said Parcel 1; thence South $00^{\circ}51'55''$ East and along said Easterly line, a distance of 226.00 feet to the South line of said Lot 16 and the centerline of said road; thence South $88^{\circ}48'14''$ West and along the Southerly line of said Lot 16, and said centerline, a distance of 235.00 feet to the true **POINT OF BEGINNING**.

TOGETHER WITH a portion of Lot 18 of above said Wood Tract, lying within the Northwest Quarter of Section 23, Township 3 South Range 8 East, Mount Diablo Meridian and lying South

of that parcel of land granted to the Hart-Ransom School District per Deed recorded on September 21, 2001, as Document No. 2001-0112149, Stanislaus County Records. The South line of said parcel of land granted to the Hart-Ransom School District being described as follows:

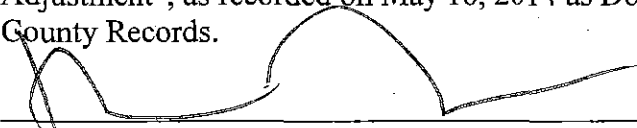
BEGINNING at a point on the West line of said Lot 18 and the centerline of Dakota Avenue, from which the Northwest corner of said Lot 18 bears North 00°58'46" West, a distance of 658.12 feet; thence North 88°42'02" East, a distance of 1315.65 feet to a point on the East line of said Lot 18, the **POINT OF TERMINUS**, from which the Northeast corner of said lot 18 bears North 00°38'08" West, a distance of 657.59 feet.

EXCEPTING THEREFROM that portion of said Lot 18 described as follows:

BEGINNING at a point on the West line of said Lot 18 and the centerline of Dakota Avenue, from which the Northwest corner of said Lot 18 bears North 00°58'46" West, a distance of 658.12 feet, said point being the most Southwesterly corner of that certain parcel granted to the Hart-Ransom School District per Deed recorded on September 24, 2001 as Document No. 2001-0112149, Stanislaus County Records; thence North 88°42'02" East and along the South line of said parcel of land granted to the Hart-Ransom School District, a distance of 984.92 feet; thence South 00°40'59" East, a distance of 442.81 feet; thence South 88°42'02" West, parallel with said South line, a distance of 982.63 feet to a point on the West line of said Lot 18; thence North 00°58'46" West and along said West line, a distance of 442.79 feet to the **POINT OF BEGINNING**.

TOGETHER WITH the west 330.44 feet of the West Half of Lot 17 of the Wood Tract, according to the Map thereof recorded on October 11, 1904, in Volume 2 of Maps, at Page 5, Stanislaus County Records, located in the North Half of the Northwest One-Quarter of Section 23, Township 3 South, Range 8 East, Mount Diablo Meridian.

The above Parcel is shown on Exhibit B as Parcel 1 in that certain "Certificate of Lot Line Adjustment", as recorded on May 16, 2014 as Document No. 2014-0031169-00, Stanislaus County Records.


Kevin Genasci, PLS 8660
January 31, 2017

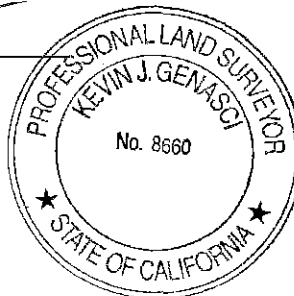
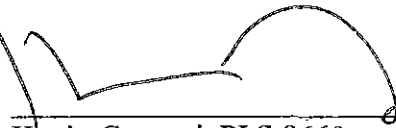


EXHIBIT A
EXISTING LEGAL DESCRIPTION
Parcel No. 2
Lot Line Adjustment No. PLN2016-0051

That portion of Lot 18 of the Wood Tract, according to the map thereof filed October 11, 1904 in Volume 2 of Maps, at Page 5, Stanislaus County Records, lying within the Northwest Quarter of Section 23, Township 3 South, Range 8 East, Mount Diablo Meridian, and situate in the County of Stanislaus, State of California, described as follows:

BEGINNING at a point on the west line of said Lot 18 and the centerline of Dakota Avenue, from which the northwest corner of said Lot 18 bears North $00^{\circ}58'46''$ West a distance of 658.12 feet, said point being the most southwesterly corner of that parcel of land granted to the Hart-Ransom School District per deed recorded September 24, 2001 as Instrument No. 2001-0112149, Records of said County; thence North $88^{\circ}42'02''$ East, along the south line of said parcel of land granted to the Hart-Ransom School District, a distance of 984.92 feet; thence South $00^{\circ}40'59''$ East, a distance of 442.81 feet; thence South $88^{\circ}42'02''$ West, parallel with said south line, a distance of 982.63 feet to a point on the west line of said Lot 18; thence North $00^{\circ}58'46''$ West, along said west line, a distance of 442.49 feet to the **POINT OF BEGINNING**.

This legal description is made pursuant to that certain certificate approving a Lot Line Adjustment, Certificate No. 2002-12, Recorded October 15, 2002, as Instrument No. 2002-0133647-00 of Official Records.


Kevin Genasci, PLS 8660
January 31, 2017

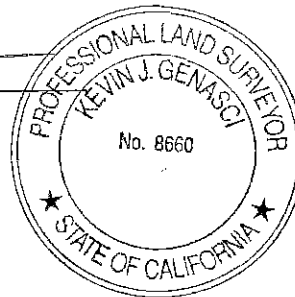


EXHIBIT B
NEW LEGAL DESCRIPTION
Parcel No. 1
Lot Line Adjustment No. PLN2016-0051

Real property in the County of Stanislaus, State of California, more particularly described as follows:

All that portion of the Southwest Quarter of Section 14, Township 3 South, Range 8 East, Mount Diablo Meridian, being more particularly described as follows:

The West Half of Lot 16 of the Wood Tract, as per Map thereof recorded on October 11, 1904, in Book 2, of Maps, at Page 5, Stanislaus County Records.

TOGETHER WITH all that portion of Lot 15 of the above said Wood Tract, described as follows:

BEGINNING at the Southeast corner of said Lot 15 of said Wood Tract; thence South 88°48'14" West along the Southerly line of said Lot 15, a distance of 80.00 feet; thence North 00°51'55" West, parallel to the Easterly line of said Lot 15, a distance of 1320.40 feet to the Northerly line of said Lot 15; thence North 88°42'58" East along said Northerly line, a distance of 80.00 feet to the Northeast corner of said Lot 15; thence South 00°51'55" East and along the Easterly line of said Lot 15, a distance of 1320.52 feet to the **POINT OF BEGINNING**.

EXCEPTING THEREFROM the West 150 feet of the South 269 feet of said Lot 16 of said Wood Tract.

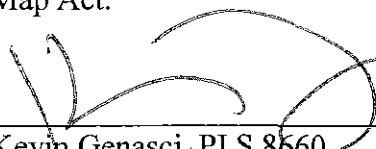
ALSO EXCEPTING THEREFROM that portion of Parcel 1 of that certain Parcel Map filed for record in Book 46 of Parcel Maps, at Page 77, Stanislaus County Records, described as follows:

COMMENCING at the Southwest corner of said Lot 16; thence North 88°48'14" East and along the South line of said Lot 16 and the centerline of Shoemake Avenue, a distance of 270.78 feet to the true **POINT OF BEGINNING**; thence North 00°51'55" West, parallel to the Westerly line of said Parcel 1, a distance of 226.00 feet; thence North 88°48'14" East, parallel to the Northerly line of said Parcel 1, a distance of 235.00 feet to the Westerly line of said Parcel 1; thence South 00°51'55" East and along said Easterly line, a distance of 226.00 feet to the South line of said Lot 16 and the centerline of said road; thence South 88°48'14" West and along the Southerly line of said Lot 16, and said centerline, a distance of 235.00 feet to the true **POINT OF BEGINNING**.

Containing 20.31 acres gross, more or less.

Subject to all easements and rights of way of record.

This description was prepared by me or under my direction in accordance with the Subdivision Map Act.


Kevin Genasci, PLS 8660
January 31, 2017

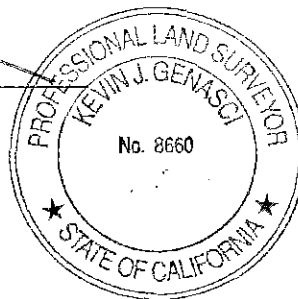


EXHIBIT B
NEW LEGAL DESCRIPTION
Parcel No. 2
Lot Line Adjustment No. PLN2016-0051

Real property in the County of Stanislaus, State of California, more particularly described as follows:

All that portion of Lot 18 of above said Wood Tract, lying within the Northwest Quarter of Section 23, Township 3 South Range 8 East, Mount Diablo Meridian and lying South of that parcel of land granted to the Hart-Ransom School District per Deed recorded on September 21, 2001, as Document No. 2001-0112149, Stanislaus County Records. The South line of said parcel of land granted to the Hart-Ransom School District being described as follows:


BEGINNING at a point on the West line of said Lot 18 and the centerline of Dakota Avenue, from which the Northwest corner of said Lot 18 bears North 00°58'46" West, a distance of 658.12 feet; thence North 88°42'02" East, a distance of 1315.65 feet to a point on the East line of said Lot 18, the **POINT OF TERMINUS**, from which the Northeast corner of said lot 18 bears North 00°38'08" West, a distance of 657.59 feet.

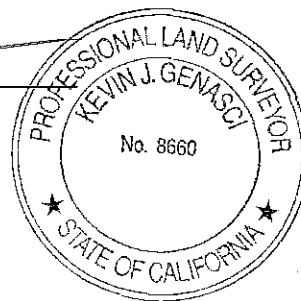
TOGETHER WITH the west 330.44 feet of the West Half of Lot 17 of the Wood Tract, according to the Map thereof recorded on October 11, 1904, in Volume 2 of Maps, at Page 5, Stanislaus County Records, located in the North Half of the Northwest One-Quarter of Section 23, Township 3 South, Range 8 East, Mount Diablo Meridian.

Containing 30.07 acres gross, more or less.

Subject to all easements and rights of way of record.

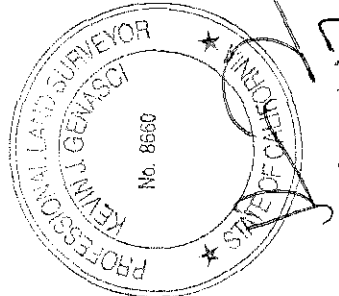
This description was prepared by me or under my direction in accordance with the Subdivision Map Act.


Kevin Genasci, PLS 8660
January 31, 2017



A.P.N. 005-036-050

A.P.N. 005-036-033

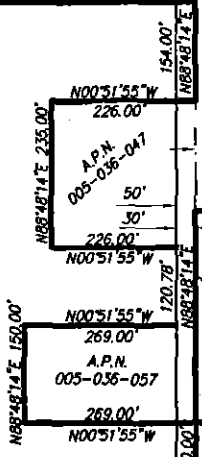


A.P.N. 005-036-020

A.P.N. 005-036-050

PARCEL 1
BEFORE LOT LINE ADJUSTMENT
A.P.N. 005-036-052
DOC. NO. 2014-0037317-00
20.31 ACRES± GROSS
20.06 AC± NET

PARCEL 1
AFTER LOT LINE ADJUSTMENT
20.31 AC± GROSS
20.06 AC± NET



SHOEMAKE AVENUE

HART RANSOM
UNION SCHOOL
A.P.N. 081-003-022

N. DAKOTA AVENUE

PARCEL 2
BEFORE LOT LINE
ADJUSTMENT
A.P.N. 081-003-020
DOC. NO. 2014-0050812
10.00 AC± GROSS
9.80 AC± NET

PARCEL 2
AFTER LOT LINE ADJUSTMENT
30.07 AC± GROSS
28.87 AC± NET

PARCEL 1
BEFORE LOT LINE ADJUSTMENT
A.P.N. 081-003-026
DOC. NO. 2014-0037317-00
20.07 ACRES± GROSS
19.07 AC± NET

A.P.N. 081-003-025

A.P.N. 081-003-008

A.P.N. 081-003-014

A.P.N. 081-003-015

MCDONALD AVENUE

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



1 OF 1

EXHIBIT "C"
LOT LINE ADJUSTMENT PLN2016-0051

BYRD
STANISLAUS COUNTY, CALIFORNIA

BY: RCS
CHK: K/JG
DATE: 1/20/17
SCALE: 1"=300'
JOB #: 3182
FILE: SURILLA