

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

DEPT: Planning and Community Development

BOARD AGENDA #: *D-2

AGENDA DATE: March 7, 2017

SUBJECT:

Approval to Rescind a Portion of Williamson Act Contract No. 1971-0201 and all of No. 1971-0202, Located on the Northeast Side of Cox Road, between Frank Cox Road and Condit Avenue, East of the Community of Grayson; and Approval of New Contracts Pursuant to Lot Line Adjustment Application No. PLN2016-0094, Edward Maring

BOARD ACTION AS FOLLOWS:

No.

2017-106

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.

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-2

AGENDA DATE: March 7, 2017

AF

CEO CONCURRENCE: _____

4/5 Vote Required: Yes No

SUBJECT:

Approval to Rescind a Portion of Williamson Act Contract No. 1971-0201 and all of No. 1971-0202, Located on the Northeast Side of Cox Road, between Frank Cox Road and Condit Avenue, East of the Community of Grayson; and Approval of New Contracts Pursuant to Lot Line Adjustment Application No. PLN2016-0094, Edward Maring

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restrict the adjusted boundaries of the parcels for an initial term for at least as long as the unexpired term of the rescinded contract, or contracts, but for not less than ten years, except as authorized under the County's implementation of AB1265.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 In cases where two parcels involved in a lot line adjustment are both subject to contracts rescinded pursuant to this section, this finding will be satisfied if the aggregate acreage of the land restricted by the new contracts is at least as great as the aggregate acreage restricted by the rescinded contracts.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. 1971-0201 and all of No. 1971-0202, Located on the Northeast Side of Cox Road, between Frank Cox Road and Condit Avenue, East of the Community of Grayson; and Approval of New Contracts Pursuant to Lot Line Adjustment Application No. PLN2016-0094, Edward Maring

2. Rescind A Portion Of Williamson Act Contract No. 1971-0201 and all of 1971-0202, located on the northeast side of Cox Road, between Frank Cox Road and Condit Avenue, east of the community of Grayson (APN's: 016-026-013 and 016-026-032).
3. Approve new contracts pursuant to Lot Line Adjustment Application No. PLN2016-0094, Edward Maring.
4. Authorize the Director of Planning and Community Development to execute new contracts pursuant to Lot Line Adjustment Application No. PLN2016-0094, Edward Maring.

DISCUSSION:

The Edward Maring Lot Line Adjustment request includes the adjustment of two parcels (222.52 total acres) to match parcel lines with the existing site topography. 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 as a portion of Williamson Act Contract No. 1971-0201, while Parcel 2 is enrolled in Contract No. 1971-0202. If this lot line is approved, proposed parcels 1 and 2 (222.52± acres total) will each 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.
3. At least 90 percent of the land under the former contract, or contracts, remains under the new contract, or contracts.

Approval to Rescind a Portion of Williamson Act Contract No. 1971-0201 and all of No. 1971-0202, Located on the Northeast Side of Cox Road, between Frank Cox Road and Condit Avenue, East of the Community of Grayson; and Approval of New Contracts Pursuant to Lot Line Adjustment Application No. PLN2016-0094, Edward Maring

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.

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. 1971-0201 and all of No. 1971-0202, Located on the Northeast Side of Cox Road, between Frank Cox Road and Condit Avenue, East of the Community of Grayson; and Approval of New Contracts Pursuant to Lot Line Adjustment Application No. PLN2016-0094, Edward Maring

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):

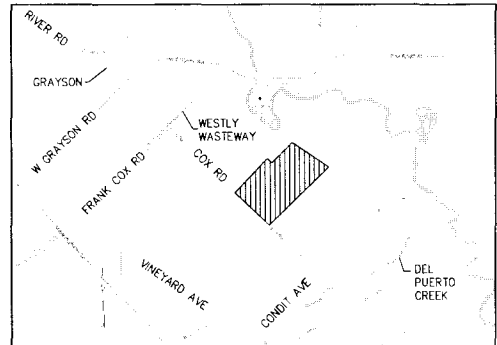
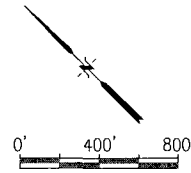
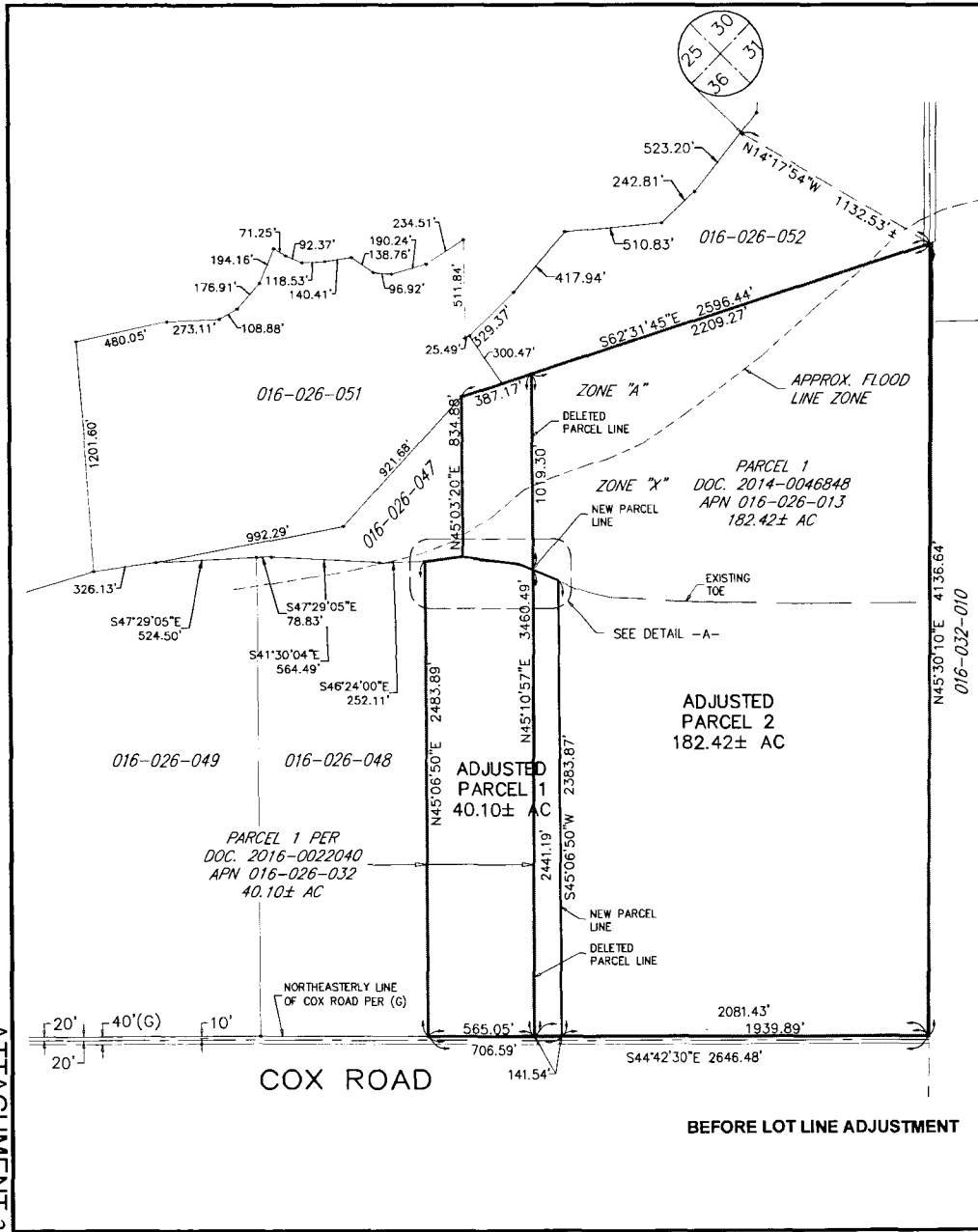
1. Williamson Act and Lot Line Adjustment Request Overview
2. Map of Parcels Before the Proposed Lot Line Adjustment
3. Map of Parcels After the Proposed Lot Line Adjustment
4. Applicant's Statement of Findings

Attachment 1

Williamson Act & Lot Line Adjustment (LLA) Overview

LLA Parcel No.	Assessors Parcel No. (APN)		Parcel Owners/Applicants	Williamson Contract				Parcel Size (Acres)		Existing Use/Development
	No.	Portion Y/N		Contract No.	Portion Y/N	Acreage		Existing	Proposed	
						Existing	Proposed			
LLA Application No. PLN 2016-0094 -Maring										
1	016-026-013	N	Edward Maring	1971-0201	Y	182.42	182.42	182.42	182.42	Row Crops and Vines
2	016-026-032	N	Thomas Maring	1971-0202	N	40.1	40.1	40.1	40.1	Vines
Total Acreage:						222.52	222.52	222.52	222.52	

Attachment 2



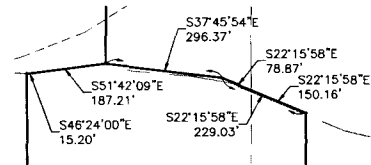
VICINITY MAP

OWNERS NAME & ADDRESS:
 PARCEL 1:
 MATTHEW DAVID MARING
 10000 COX ROAD
 PATTERSON, CA 95363
 APN: 016-026-032

PARCEL 2:
 EDWARD & MILDRED MARING
 1536 FRANK COX ROAD
 PATTERSON, CA 95363
 APN: 016-026-013

- REFERENCES & LEGEND**
- A. DOCUMENT NO. 2016-0022040, SCR
 - B. DOCUMENT NO. 2014-0046848, SCR
 - C. DOCUMENT NO. 2014-0046849, SCR
 - D. BK 8 OF PARCEL MAPS, P 64, SCR
 - E. BK 53 OF PARCEL MAPS, P 33, SCR
 - F. BK 10 OF SURVEYS, P 88, SCR
 - G. VOL. 1361 OR, P 508, DOCUMENT NO. 12195 DATED MAY 2, 1956

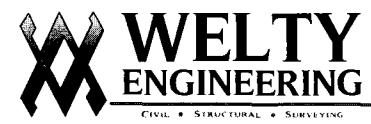
NOTES:
 1. ACCESS, UTILITY AND IRRIGATION EASEMENTS TO BE RECORDED BY SEPARATE DOCUMENTS



DETAIL -A-
 NOT TO SCALE

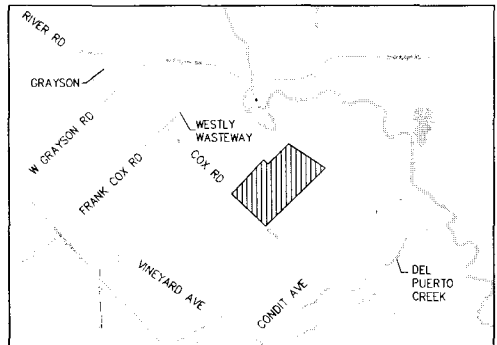
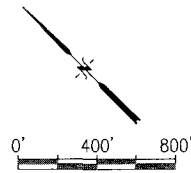
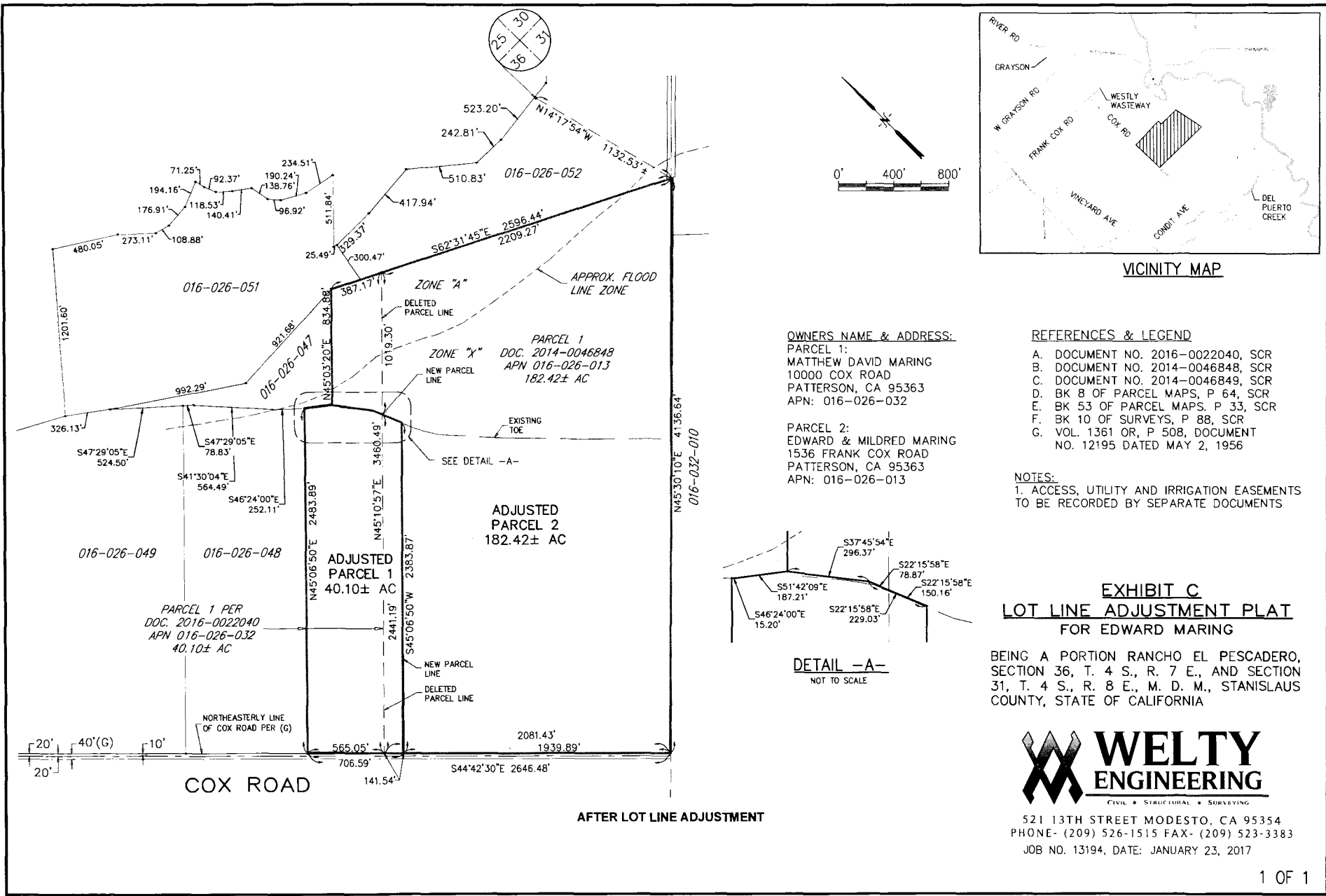
EXHIBIT C
LOT LINE ADJUSTMENT PLAT
 FOR EDWARD MARING

BEING A PORTION RANCHO EL PESCADERO, SECTION 36, T. 4 S., R. 7 E., AND SECTION 31, T. 4 S., R. 8 E., M. D. M., STANISLAUS COUNTY, STATE OF CALIFORNIA



521 13TH STREET MODESTO, CA 95354
 PHONE- (209) 526-1515 FAX- (209) 523-3383
 JOB NO. 13194, DATE: JANUARY 23, 2017

Attachment 3



VICINITY MAP

OWNERS NAME & ADDRESS:

PARCEL 1:
 MATTHEW DAVID MARING
 10000 COX ROAD
 PATTERSON, CA 95363
 APN: 016-026-032

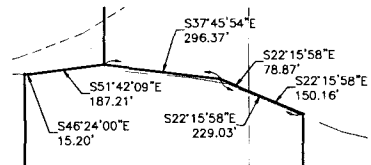
PARCEL 2:
 EDWARD & MILDRED MARING
 1536 FRANK COX ROAD
 PATTERSON, CA 95363
 APN: 016-026-013

REFERENCES & LEGEND

- A. DOCUMENT NO. 2016-0022040, SCR
- B. DOCUMENT NO. 2014-0046848, SCR
- C. DOCUMENT NO. 2014-0046849, SCR
- D. BK 8 OF PARCEL MAPS, P 64, SCR
- E. BK 53 OF PARCEL MAPS, P 33, SCR
- F. BK 10 OF SURVEYS, P 88, SCR
- G. VOL. 1361 OR, P 508, DOCUMENT NO. 12195 DATED MAY 2, 1956

NOTES:

1. ACCESS, UTILITY AND IRRIGATION EASEMENTS TO BE RECORDED BY SEPARATE DOCUMENTS



DETAIL -A-
 NOT TO SCALE

EXHIBIT C
LOT LINE ADJUSTMENT PLAT
 FOR EDWARD MARING

BEING A PORTION RANCHO EL PESCADERO, SECTION 36, T. 4 S., R. 7 E., AND SECTION 31, T. 4 S., R. 8 E., M. D. M., STANISLAUS COUNTY, STATE OF CALIFORNIA



521 13TH STREET MODESTO, CA 95354
 PHONE- (209) 526-1515 FAX- (209) 523-3383
 JOB NO. 13194, DATE: JANUARY 23, 2017

Attachment 4

APPLICANT STATEMENT

Project Description and Landowner Justification

This project is a lot line adjustment between Assessor's Parcel No. 016-026-032 (Parcel 1 = 40.10 +/- acres) and No. 016-026-013 (Parcel 2 = 182.42 +/- acres) both owned by *Maring's*.

Both parcels will keep the acreage the same as before and after adjustment.

At the completion of this lot line adjustment, Parcel 1 will have an adjusted area of 40.10 +/- acres and Parcel 2 = 182.42 +/- acres. Both Parcels are enrolled in the Williamson Act.

Government Code Section 51257 contains seven findings to be made related to lot line adjustments. These findings are each listed below with the justification following in italics.

(1) The new contract or contracts would enforceable restrict the adjusted boundaries of the parcel for an initial term for at least as long as the unexpired term of the rescinded contract or contracts, but for not less than 10 years.

Both Contracts 1971-0201 & 0202 will remain unchanged. At the conclusion of the lot line adjustment, will continue to be in force with the adjusted acreage and effect for a period of at least 10 years.

(2) There is no net decrease in the amount of the acreage restricted. In cases where two parcels involved in a lot line adjustment are both subject to contracts rescinded pursuant to this section, this finding will be satisfied if the aggregate acreage of the land restricted by the new contracts is at least as great as the aggregate acreage restricted by the rescinded contracts.

Parcel 1 currently is under contract 1971-0202, with no change in the acreage, Parcel 2 is under contract 1971-0201 with no change in the acreage either after.

(3) At least 90 percent of the land under the former contract or contracts remains under the new contract or contracts.

The entire amount of land included within this lot line adjustment will continue to remain under Williamson Act contracts.


(4) After the lot line adjustment, the parcels of land subject to contract will be large enough to sustain their agricultural use, as defined in Section 51222.

THIS SPACE FOR RECORDER ONLY

RECORDING REQUESTED BY
STANISLAUS COUNTY BOARD OF
SUPERVISORS

WHEN RECORDED RETURN TO
STANISLAUS COUNTY PLANNING
DEPARTMENT 1010 10TH Street, Suite 3400
Modesto, CA 95354

NOTICE OF RESCISSION AND
SIMULTANEOUS RE-ENTRY INTO
CALIFORNIA LAND CONSERVATION
CONTRACT NO. 2017-0014


 Stanislaus, County Recorder
 Lee Lundrigan Co Recorder Office
DOC- 2017-0021811-00
 Acct 402-Counter Customers
 Tuesday, MAR 28, 2017 15:25:42
 Ttl Pd \$0.00 Rcpt # 0003950262
 OLD/R2/2-14

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: THOMAS MARING
10000 COX ROAD
PATTERSON, CA 95363

- (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)
016-026-032	40.10	FRANK COX ROAD, WESTLEY, CA 95367

Pursuant to Stanislaus County Board of Supervisors Resolution No. 2017-106, relating to Lot Line Adjustment No. PLN2016-0094 as authorized by Govt. Code § 51257, California Land Conservation Contract No. 1971-0202 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.

14JC

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)
* Edward Maring * AKA Edward J. Maring	<i>Edward Maring</i>	1/17/17	Patterson, CA
* Mildred Maring * Mildred C. Maring	<i>Mildred Maring</i>	1/17/17	Patterson CA
Thomas Jude Maring	<i>Thomas Jude Maring</i>	1/17/17	Patterson CA
Matthew David Maring	<i>Matthew David Maring</i>	1/17/17	Patterson CA

SECURITY HOLDERS:

OWNERS:

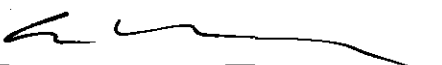
NAME (Print or type)	SIGNATURE (All to be notarized)	DATE	SIGNED AT (City)

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

3-28-2017
Dated


Chairman, Board of Supervisors
Angela Freitas for Vito Chiesa

ACKNOWLEDGMENT

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

State of California
County of Stanislaus)

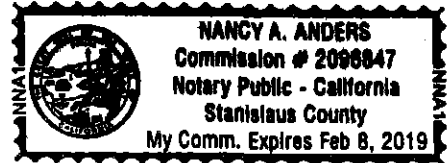
On January 17, 2017 before me, Nancy A Anders, Notary Public
(insert name and title of the officer)

personally appeared Edward J. Maring
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 *Nancy A Anders* (Seal)



ACKNOWLEDGMENT

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

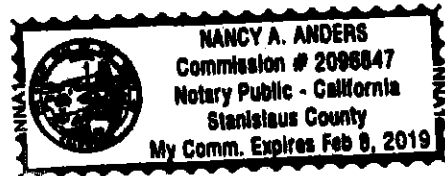
State of California
County of Stanislaus)

On January 17, 2017 before me, Nancy A Anders, Notary Public
(insert name and title of the officer)

personally appeared Mildred C. Maring,
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 Nancy A Anders (Seal)

ACKNOWLEDGMENT

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

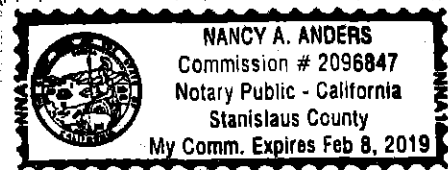
State of California
County of STANISLAUS)

On January 17, 2017 before me, NANCY A ANDERS, Notary Public
(insert name and title of the officer)

personally appeared Thomas Jude Mering,
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 Nancy A Anders (Seal)

ACKNOWLEDGMENT

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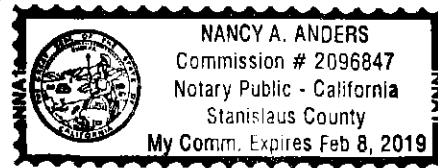
State of California
County of Stanislaus)

On January 17, 2017 before me, Nancy A Anders, Notary Public
(insert name and title of the officer)

personally appeared Matthew David Moring
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 Nancy A Anders (Seal)

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.

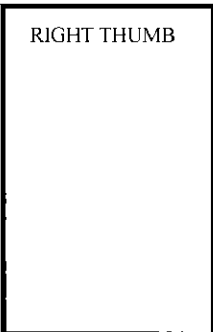
DESCRIPTION OF ATTACHED DOCUMENT

Title or Type of Document: CLCC Rescission & Reentry
Subject: 2017-0014
Located at: APN# 016-026-032
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: _____

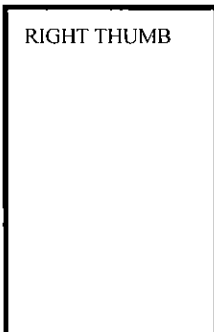


SIGNER IS REPRESENTING:

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"

BEFORE LOT LINE ADJUSTMENT

PARCEL 1:

All that certain parcel of land located being a portion of Rancho El Pescadero, Township 4 South, Range 8 East, Mount Diablo Meridian, Stanislaus County, State of California being more particularly described as follows:

Parcel 1 as shown on that certain parcel map filed for record on March 25, 1970 in Book 8 of Parcel Maps, at Page 64, Stanislaus County Records.

CONTAINING an area of 40.10 acres more or less.

SUBJECT to all easements and / or rights of way of record.

Apn: 016-026-032

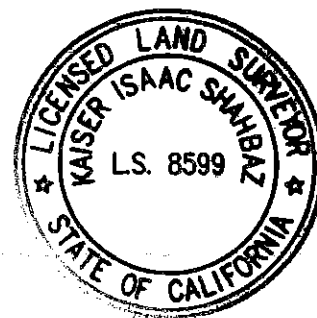
PARCEL 2:


All that certain parcel of land located being a portion of Rancho El Pescadero, Township 4 South, Range 8 East, Mount Diablo Meridian, Stanislaus County, State of California as described in document No. 2014-0046848, Stanislaus County Records.

CONTAINING an area of 182.42 acres more or less.

SUBJECT to all easements and / or rights of way of record.

Apn: 016-026-013




Kaiser I. Shahbaz
L. S. 8599

01/23/2017
Date

EXHIBIT "B"

AFTER LOT LINE ADJUSTMENT

PARCEL 1:

All that certain parcel of land being a portion of Rancho El Pescadero, Township 4 South, Range 8 East, Mount Diablo Meridian, Stanislaus County, State of California, more particularly described as follows:

Parcel 1 as shown on that certain parcel map filed for record on March 25, 1970 in Book 8 of Parcel Maps, at Page 64, Stanislaus County Records.

TOGETHER with that portion of certain parcel filed for Record in Document No. 2014-0046848 described as follows:

BEGINNING at the most Southerly corner said Parcel 1 as shown on that certain parcel map filed for record on March 25, 1970 in Book 8 of Parcel Maps, at Page 64, Stanislaus County Records, said point being on the Northeasterly line of Cox Road as per the Resolution filed for record in Volume 1361 Official Records, Page 508 Document No. 12195 on May 2, 1956, Stanislaus County Records; thence along the Southeasterly line of said Parcel 1 North $45^{\circ}10'57''$ East 2441.19 feet to a toe of an existing bank; thence along said toe South $22^{\circ}15'58''$ East 150.16 feet; thence leaving said toe South $45^{\circ}06'50''$ West 2383.87 feet to said Northeasterly line of Cox Road; thence along said Northeasterly line of Cox Road North $44^{\circ}42'30''$ West 141.54 feet to **THE POINT OF BEGINNING**, containing 7.76 acres more or less.

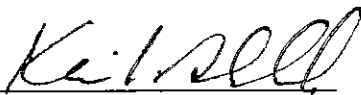
EXCEPTING therefrom that portion of said Parcel 1 as shown on that certain parcel map filed for record on March 25, 1970 in Book 8 of Parcel Maps, at Page 64, Stanislaus County Records, described as follows:

BEGINNING at the most Easterly corner of said Parcel 1; thence along the Southeasterly line of said Parcel 1 South $45^{\circ}10'57''$ West 1019.30 feet to an existing toe of a bank; thence along said toe the following Two (2) courses: (1) North $22^{\circ}15'58''$ West 78.87 feet; (2) North $37^{\circ}45'54''$ West 296.37 feet to a corner of said parcel 1; thence along the Northwesterly line of said Parcel 1 North $45^{\circ}03'20''$ East 834.88 feet to the most Northerly corner of said Parcel 1; thence along the Northeasterly line of said Parcel 1 South $62^{\circ}31'45''$ East 387.17 feet to **THE POINT OF BEGINNING**, containing 7.76 acres more or less.

CONTAINING an area of 40.10 acres more or less.

SUBJECT to all easements and / or rights of way of record.




Kaiser I. Shahbaz
L. S. 8599

01/23/2017
Date

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

DEPT: Planning and Community Development BOARD AGENDA #: *D-2

AGENDA DATE: March 7, 2017

SUBJECT:

Approval to Rescind a Portion of Williamson Act Contract No. 1971-0201 and all of No. 1971-0202, Located on the Northeast Side of Cox Road, between Frank Cox Road and Condit Avenue, East of the Community of Grayson; and Approval of New Contracts Pursuant to Lot Line Adjustment Application No. PLN2016-0094, Edward Maring

BOARD ACTION AS FOLLOWS:

No. 2017-106

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 Elizabeth A. King
File No. _____



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

EXHIBIT C

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

DEPT: Planning and Community Development

BOARD AGENDA #: *D-2

Urgent Routine

AF

AGENDA DATE: March 7, 2017

CEO CONCURRENCE: _____

4/5 Vote Required: Yes No

SUBJECT:

Approval to Rescind a Portion of Williamson Act Contract No. 1971-0201 and all of No. 1971-0202, Located on the Northeast Side of Cox Road, between Frank Cox Road and Condit Avenue, East of the Community of Grayson; and Approval of New Contracts Pursuant to Lot Line Adjustment Application No. PLN2016-0094, Edward Maring

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. 1971-0201 and all of No. 1971-0202, Located on the Northeast Side of Cox Road, between Frank Cox Road and Condit Avenue, East of the Community of Grayson; and Approval of New Contracts Pursuant to Lot Line Adjustment Application No. PLN2016-0094, Edward Maring

2. Rescind A Portion Of Williamson Act Contract No. 1971-0201 and all of 1971-0202, located on the northeast side of Cox Road, between Frank Cox Road and Condit Avenue, east of the community of Grayson (APN's: 016-026-013 and 016-026-032).
3. Approve new contracts pursuant to Lot Line Adjustment Application No. PLN2016-0094, Edward Maring.
4. Authorize the Director of Planning and Community Development to execute new contracts pursuant to Lot Line Adjustment Application No. PLN2016-0094, Edward Maring.

DISCUSSION:

The Edward Maring Lot Line Adjustment request includes the adjustment of two parcels (222.52 total acres) to match parcel lines with the existing site topography. 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 as a portion of Williamson Act Contract No. 1971-0201, while Parcel 2 is enrolled in Contract No. 1971-0202. If this lot line is approved, proposed parcels 1 and 2 (222.52± acres total) will each 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.
3. At least 90 percent of the land under the former contract, or contracts, remains under the new contract, or contracts.

Approval to Rescind a Portion of Williamson Act Contract No. 1971-0201 and all of No. 1971-0202, Located on the Northeast Side of Cox Road, between Frank Cox Road and Condit Avenue, East of the Community of Grayson; and Approval of New Contracts Pursuant to Lot Line Adjustment Application No. PLN2016-0094, Edward Maring

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.

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. 1971-0201 and all of No. 1971-0202, Located on the Northeast Side of Cox Road, between Frank Cox Road and Condit Avenue, East of the Community of Grayson; and Approval of New Contracts Pursuant to Lot Line Adjustment Application No. PLN2016-0094, Edward Maring

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- 2017-0021809-00

Acct 121-Planning.
Tuesday, MAR 28, 2017 15:25:21
Ttl Pd \$47.00 Rcpt # 0003950260
OLD/R2/1-11

RECORDING REQUESTED BY AND
WHEN RECORDED RETURN TO:

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

Space Above This Line for Recorder's Use

CERTIFICATE OF LOT LINE ADJUSTMENT

This is to certify that, pursuant to California Government Code Section 66412 (d) and Sections 20.14 and 21.20.060E of the Stanislaus County Code, the Stanislaus County Director of Planning and Community Development on December 21, 2016, approved the lot line adjustment herein described submitted under the name of EDWARD MARING Lot Line Adjustment No. PLN2016-0094 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

Date

3/13/17

11JC

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.

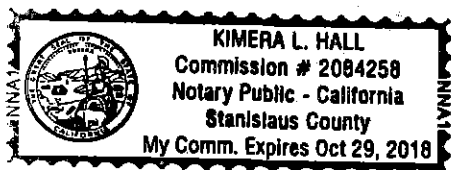
State of California)
County of Stanislaus)

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: _____

ACKNOWLEDGMENT

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

State of California
County of Stanislaus

On January 17, 2017 before me, Nancy A Anders, Notary Public
(insert name and title of the officer)

personally appeared Edward J. Maring
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

Nancy A Anders

(Seal)



ACKNOWLEDGMENT

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

State of California
County of Stanislaus)

On January 17, 2017 before me, Nancy A Anders, Notary Public
(insert name and title of the officer)

personally appeared Mildred C. Maring
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

Nancy A Anders

(Seal)



ACKNOWLEDGMENT

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

State of California
County of STANISLAUS)

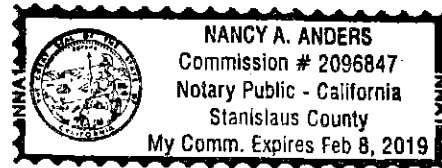
On January 17, 2017 before me, NANCY A ANDERS, Notary Public
(insert name and title of the officer)

personally appeared Thomas Jude Maring
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 Nancy A Anders (Seal)



ACKNOWLEDGMENT

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

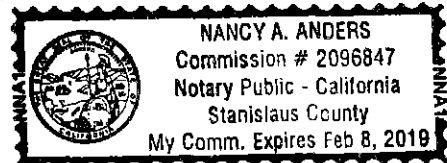
State of California
County of Stanislaus)

On January 17, 2017 before me, Nancy A Anders, Notary Public
(insert name and title of the officer)

personally appeared Matthew David Manning
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 Nancy A Anders (Seal)

EXHIBIT "A"

BEFORE LOT LINE ADJUSTMENT

PARCEL 1:

All that certain parcel of land located being a portion of Rancho El Pescadero, Township 4 South, Range 8 East, Mount Diablo Meridian, Stanislaus County, State of California being more particularly described as follows:

Parcel 1 as shown on that certain parcel map filed for record on March 25, 1970 in Book 8 of Parcel Maps, at Page 64, Stanislaus County Records.

CONTAINING an area of 40.10 acres more or less.

SUBJECT to all easements and / or rights of way of record.

Apn: 016-026-032

PARCEL 2:

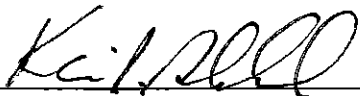
All that certain parcel of land located being a portion of Rancho El Pescadero, Township 4 South, Range 8 East, Mount Diablo Meridian, Stanislaus County, State of California as described in document No. 2014-0046848, Stanislaus County Records.

CONTAINING an area of 182.42 acres more or less.

SUBJECT to all easements and / or rights of way of record.

Apn: 016-026-013




Kaiser I. Shahbaz
L. S. 8599

01/23/2017
Date

EXHIBIT "B"

AFTER LOT LINE ADJUSTMENT

PARCEL 1:

All that certain parcel of land being a portion of Rancho El Pescadero, Township 4 South, Range 8 East, Mount Diablo Meridian, Stanislaus County, State of California, more particularly described as follows:

Parcel 1 as shown on that certain parcel map filed for record on March 25, 1970 in Book 8 of Parcel Maps, at Page 64, Stanislaus County Records.

TOGETHER with that portion of certain parcel filed for Record in Document No. 2014-0046848 described as follows:

BEGINNING at the most Southerly corner said Parcel 1 as shown on that certain parcel map filed for record on March 25, 1970 in Book 8 of Parcel Maps, at Page 64, Stanislaus County Records, said point being on the Northeasterly line of Cox Road as per the Resolution filed for record in Volume 1361 Official Records, Page 508 Document No. 12195 on May 2, 1956, Stanislaus County Records; thence along the Southeasterly line of said Parcel 1 North $45^{\circ}10'57''$ East 2441.19 feet to a toe of an existing bank; thence along said toe South $22^{\circ}15'58''$ East 150.16 feet; thence leaving said toe South $45^{\circ}06'50''$ West 2383.87 feet to said Northeasterly line of Cox Road; thence along said Northeasterly line of Cox Road North $44^{\circ}42'30''$ West 141.54 feet to **THE POINT OF BEGINNING**, containing 7.76 acres more or less.

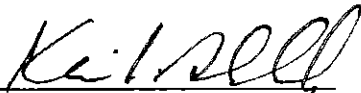
EXCEPTING therefrom that portion of said Parcel 1 as shown on that certain parcel map filed for record on March 25, 1970 in Book 8 of Parcel Maps, at Page 64, Stanislaus County Records, described as follows:

BEGINNING at the most Easterly corner of said Parcel 1; thence along the Southeasterly line of said Parcel 1 South $45^{\circ}10'57''$ West 1019.30 feet to an existing toe of a bank; thence along said toe the following Two (2) courses: (1) North $22^{\circ}15'58''$ West 78.87 feet; (2) North $37^{\circ}45'54''$ West 296.37 feet to a corner of said parcel 1; thence along the Northwesterly line of said Parcel 1 North $45^{\circ}03'20''$ East 834.88 feet to the most Northerly corner of said Parcel 1; thence along the Northeasterly line of said Parcel 1 South $62^{\circ}31'45''$ East 387.17 feet to **THE POINT OF BEGINNING**, containing 7.76 acres more or less.

CONTAINING an area of 40.10 acres more or less.

SUBJECT to all easements and / or rights of way of record.




Kaiser I. Shahbaz
L. S. 8599

01/23/2017
Date

EXHIBIT "B"

AFTER LOT LINE ADJUSTMENT

PARCEL 2:

All that certain parcel of land located being a portion of Rancho El Pescadero, Township 4 South, Range 8 East, Mount Diablo Meridian, Stanislaus County, State of California, being parcel described in document No. 2014-0046848, Stanislaus County Records.

EXCEPTING therefrom that portion of certain parcel as filed for Record in Document No. 2014-0046848 described as follows:

BEGINNING at the most Southerly corner said Parcel 1 as shown on that certain parcel map filed for record on March 25, 1970 in Book 8 of Parcel Maps, at Page 64, Stanislaus County Records, said point being on the Northeasterly line of Cox Road as per the Resolution filed for record in Volume 1361 Official Records, Page 508 Document No. 12195 on May 2, 1956, Stanislaus County Records; thence along the Southeasterly line of said Parcel 1 North 45°10'57" East 2441.19 feet to a toe of an existing bank; thence along said toe South 22°15'58" East 150.16 feet; thence leaving said toe South 45°06'50" West 2383.87 feet to said Northeasterly line of Cox Road; thence along said Northeasterly line of Cox Road North 44°42'30" West 141.54 feet to **THE POINT OF BEGINNING**, containing 7.76 acres more or less.

TOGETHER with that portion of said Parcel 1 as shown on that certain parcel map filed for record on March 25, 1970 in Book 8 of Parcel Maps, at Page 64, Stanislaus County Records, described as follows:


BEGINNING at the most Easterly corner of said Parcel 1; thence along the Southeasterly line of said Parcel 1 South 45°10'57" West 1019.30 feet to an existing toe of a bank; thence along said toe the following Two (2) courses: (1) North 22°15'58" West 78.87 feet; (2) North 37°45'54" West 296.37 feet to a corner of said parcel 1; thence along the Northwesterly line of said Parcel 1 North 45°03'20" East 834.88 feet to the most Northerly corner of said Parcel 1; thence along the Northeasterly line of said Parcel 1 South 62°31'45" East 387.17 feet to **THE POINT OF BEGINNING**, containing 7.76 acres more or less.

The above "PARCEL 2 After Lot Line Adjustment" is more particularly described as follows:

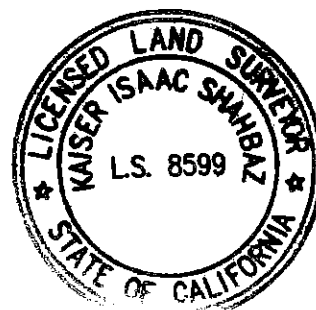
BEGINNING at the most Northerly corner of said Parcel 1; thence along the Northeasterly line of said parcel 1 and the Northeasterly line of that certain parcel as filed for record in said Document 2014-0046848 South 62°31'45" East 2596.44 feet to the most Easterly corner of last said parcel; thence along the Southeasterly line of said last parcel South 45°30'10" West 4136.64 feet to the most Southerly corner of last said parcel and the Northeasterly line of said Cox Road as per the Resolution filed for record in Volume 1361 of Official Records, Page 508 Document No. 12195 on May 2, 1956, Stanislaus County Records; thence along the Northeasterly line of said Cox Road North 44°42'30" West 1939.89 feet; thence leaving last said line North 45°06'50" East 2383.87 feet to a toe of an existing bank; thence along said toe the following Two (2) courses: (1) North 22°15'58" West 229.03 feet; (2) North 37°45'54" West 296.37 feet to a corner of said parcel 1; thence along the Northwesterly line of said Parcel 1 North 45°03'20" East 834.88 feet to **THE POINT OF BEGINNING**.

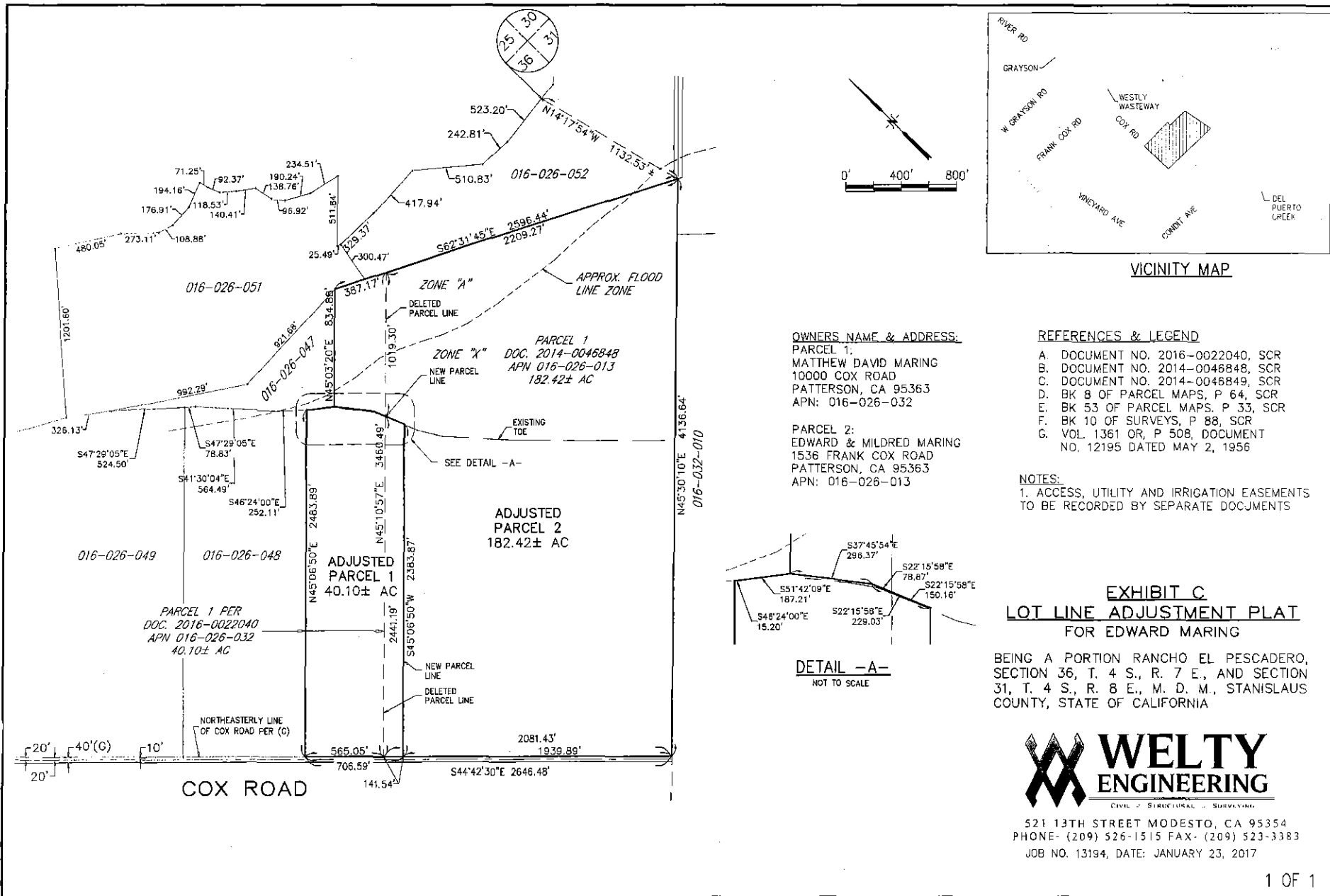
CONTAINING an area of 182.42 acres more or less.

SUBJECT to all easements and / or rights of way of record.


Kaiser I. Shahbaz
L. S. 8599

01/23/2017
Date





OWNERS NAME & ADDRESS:
 PARCEL 1:
 MATTHEW DAVID MARING
 10000 COX ROAD
 PATTERSON, CA 95363
 APN: 016-026-032

PARCEL 2:
 EDWARD & MILDRED MARING
 1536 FRANK COX ROAD
 PATTERSON, CA 95363
 APN: 016-026-013

- REFERENCES & LEGEND**
- A. DOCUMENT NO. 2016-0022040, SCR
 - B. DOCUMENT NO. 2014-0046848, SCR
 - C. DOCUMENT NO. 2014-0046849, SCR
 - D. BK 8 OF PARCEL MAPS, P 64, SCR
 - E. BK 53 OF PARCEL MAPS, P 33, SCR
 - F. BK 10 OF SURVEYS, P 88, SCR
 - G. VOL. 1361 OR, P 508, DOCUMENT NO. 12195 DATED MAY 2, 1956

NOTES:
 1. ACCESS, UTILITY AND IRRIGATION EASEMENTS TO BE RECORDED BY SEPARATE DOCUMENTS

**EXHIBIT C
 LOT LINE ADJUSTMENT PLAT
 FOR EDWARD MARING**

BEING A PORTION RANCHO EL PESCADERO, SECTION 36, T. 4 S., R. 7 E., AND SECTION 31, T. 4 S., R. 8 E., M. D. M., STANISLAUS COUNTY, STATE OF CALIFORNIA



521 13TH STREET MODESTO, CA 95354
 PHONE: (209) 526-1515 FAX: (209) 523-3383
 JOB NO. 13194, DATE: JANUARY 23, 2017

THIS SPACE FOR RECORDER ONLY

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. 2017-0015



Stanislaus, County Recorder
Lee Lundrigan Co Recorder Office
DOC- 2017-0021810-00

Acct 402-Counter Customers
Tuesday, MAR 28, 2017 15:25:33
Ttl Pd \$0.00 Rcpt # 0003950261
OLD/R2/2-11

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: EDWARD MARING
1536 FRANK COX ROAD
PATTERSON, CA 95363

- (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)
016-026-013	182.42	COX ROAD, PATTERSON, CA 95363

Pursuant to Stanislaus County Board of Supervisors Resolution No. 2017-106, relating to Lot Line Adjustment No. PLN2016-0094 as authorized by Govt. Code § 51257, California Land Conservation Contract No. 1971-0201 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.

1130

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)
Edward Maring	<i>Edward Maring</i>	1/12/17	Patterson, CA
Mildred Maring	<i>Mildred Maring</i>	1/17/17	Patterson CA

SECURITY HOLDERS:

OWNERS:

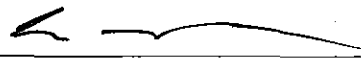
NAME (Print or type)	SIGNATURE (All to be notarized)	DATE	SIGNED AT (City)

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

3.28.2017
Dated


Chairman, Board of Supervisors
Angela Freitas for Vito Chiesa

ACKNOWLEDGMENT

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

State of California
County of Stanislaus)

On January 17, 2017 before me, Nancy A Anders, Notary Public
(insert name and title of the officer)

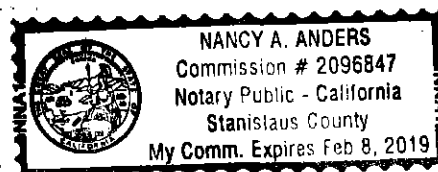
personally appeared Edward Maring and Mildred Maring,
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) ~~is~~ are
subscribed to the within instrument and acknowledged to me that ~~he~~ ~~she~~ they executed the same in
~~his~~ ~~her~~ their authorized capacity(ies), 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 Nancy A Anders

(Seal)



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: 2017-0015
Located at: APN# 016-026-013
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: _____

RIGHT THUMB

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: _____

RIGHT THUMB

SIGNER IS REPRESENTING:

EXHIBIT "A"

BEFORE LOT LINE ADJUSTMENT

PARCEL 1:

All that certain parcel of land located being a portion of Rancho El Pescadero, Township 4 South, Range 8 East, Mount Diablo Meridian, Stanislaus County, State of California being more particularly described as follows:

Parcel 1 as shown on that certain parcel map filed for record on March 25, 1970 in Book 8 of Parcel Maps, at Page 64, Stanislaus County Records.

CONTAINING an area of 40.10 acres more or less.

SUBJECT to all easements and / or rights of way of record.

Apn: 016-026-032

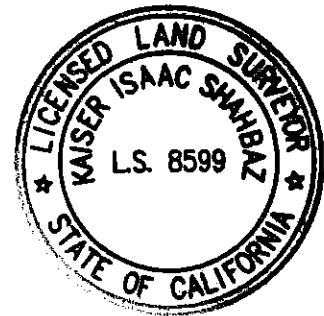
PARCEL 2:


All that certain parcel of land located being a portion of Rancho El Pescadero, Township 4 South, Range 8 East, Mount Diablo Meridian, Stanislaus County, State of California as described in document No. 2014-0046848, Stanislaus County Records.

CONTAINING an area of 182.42 acres more or less.

SUBJECT to all easements and / or rights of way of record.

Apn: 016-026-013




Kaiser I. Shahbaz
L. S. 8599

01/23/2017
Date

EXHIBIT "B"

AFTER LOT LINE ADJUSTMENT

PARCEL 2:

All that certain parcel of land located being a portion of Rancho El Pescadero, Township 4 South, Range 8 East, Mount Diablo Meridian, Stanislaus County, State of California, being parcel described in document No. 2014-0046848, Stanislaus County Records.

EXCEPTING therefrom that portion of certain parcel as filed for Record in Document No. 2014-0046848 described as follows:

BEGINNING at the most Southerly corner said Parcel 1 as shown on that certain parcel map filed for record on March 25, 1970 in Book 8 of Parcel Maps, at Page 64, Stanislaus County Records, said point being on the Northeasterly line of Cox Road as per the Resolution filed for record in Volume 1361 Official Records, Page 508 Document No. 12195 on May 2, 1956, Stanislaus County Records; thence along the Southeasterly line of said Parcel 1 North 45°10'57" East 2441.19 feet to a toe of an existing bank; thence along said toe South 22°15'58" East 150.16 feet; thence leaving said toe South 45°06'50" West 2383.87 feet to said Northeasterly line of Cox Road; thence along said Northeasterly line of Cox Road North 44°42'30" West 141.54 feet to **THE POINT OF BEGINNING**, containing 7.76 acres more or less.

TOGETHER with that portion of said Parcel 1 as shown on that certain parcel map filed for record on March 25, 1970 in Book 8 of Parcel Maps, at Page 64, Stanislaus County Records, described as follows:

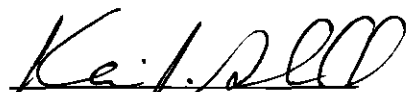
BEGINNING at the most Easterly corner of said Parcel 1; thence along the Southeasterly line of said Parcel 1 South 45°10'57" West 1019.30 feet to an existing toe of a bank; thence along said toe the following Two (2) courses: (1) North 22°15'58" West 78.87 feet; (2) North 37°45'54" West 296.37 feet to a corner of said parcel 1; thence along the Northwesterly line of said Parcel 1 North 45°03'20" East 834.88 feet to the most Northerly corner of said Parcel 1; thence along the Northeasterly line of said Parcel 1 South 62°31'45" East 387.17 feet to **THE POINT OF BEGINNING**, containing 7.76 acres more or less.

The above "PARCEL 2 After Lot Line Adjustment" is more particularly described as follows:

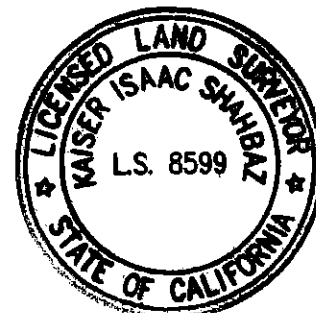
BEGINNING at the most Northerly corner of said Parcel 1; thence along the Northeasterly line of said parcel 1 and the Northeasterly line of that certain parcel as filed for record in said Document 2014-0046848 South 62°31'45" East 2596.44 feet to the most Easterly corner of last said parcel; thence along the Southeasterly line of said last parcel South 45°30'10" West 4136.64 feet to the most Southerly corner of last said parcel and the Northeasterly line of said Cox Road as per the Resolution filed for record in Volume 1361 of Official Records, Page 508 Document No. 12195 on May 2, 1956, Stanislaus County Records; thence along the Northeasterly line of said Cox Road North 44°42'30" West 1939.89 feet; thence leaving last said line North 45°06'50" East 2383.87 feet to a toe of an existing bank; thence along said toe the following Two (2) courses: (1) North 22°15'58" West 229.03 feet; (2) North 37°45'54" West 296.37 feet to a corner of said parcel 1; thence along the Northwesterly line of said Parcel 1 North 45°03'20" East 834.88 feet to **THE POINT OF BEGINNING**.

CONTAINING an area of 182.42 acres more or less.

SUBJECT to all easements and / or rights of way of record.


Kaiser I. Shahbaz
L. S. 8599

01/23/2013
Date



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

DEPT: Planning and Community Development

BOARD AGENDA #: *D-2

AGENDA DATE: March 7, 2017

SUBJECT:

Approval to Rescind a Portion of Williamson Act Contract No. 1971-0201 and all of No. 1971-0202, Located on the Northeast Side of Cox Road, between Frank Cox Road and Condit Avenue, East of the Community of Grayson; and Approval of New Contracts Pursuant to Lot Line Adjustment Application No. PLN2016-0094, Edward Maring

BOARD ACTION AS FOLLOWS:

No. 2017-106

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

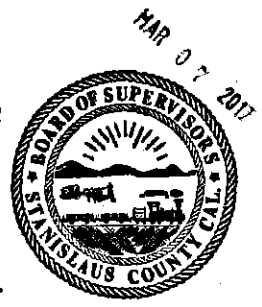
Excused or Absent: Supervisors: None

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



ATTEST: Elizabeth A. King By Patricia D. Yonally
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-2

AGENDA DATE: March 7, 2017



CEO CONCURRENCE: _____

4/5 Vote Required: Yes No

SUBJECT:

Approval to Rescind a Portion of Williamson Act Contract No. 1971-0201 and all of No. 1971-0202, Located on the Northeast Side of Cox Road, between Frank Cox Road and Condit Avenue, East of the Community of Grayson; and Approval of New Contracts Pursuant to Lot Line Adjustment Application No. PLN2016-0094, Edward Maring

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. 1971-0201 and all of No. 1971-0202, Located on the Northeast Side of Cox Road, between Frank Cox Road and Condit Avenue, East of the Community of Grayson; and Approval of New Contracts Pursuant to Lot Line Adjustment Application No. PLN2016-0094, Edward Maring

2. Rescind A Portion Of Williamson Act Contract No. 1971-0201 and all of 1971-0202, located on the northeast side of Cox Road, between Frank Cox Road and Condit Avenue, east of the community of Grayson (APN's: 016-026-013 and 016-026-032).
3. Approve new contracts pursuant to Lot Line Adjustment Application No. PLN2016-0094, Edward Maring.
4. Authorize the Director of Planning and Community Development to execute new contracts pursuant to Lot Line Adjustment Application No. PLN2016-0094, Edward Maring.

DISCUSSION:

The Edward Maring Lot Line Adjustment request includes the adjustment of two parcels (222.52 total acres) to match parcel lines with the existing site topography. 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 as a portion of Williamson Act Contract No. 1971-0201, while Parcel 2 is enrolled in Contract No. 1971-0202. If this lot line is approved, proposed parcels 1 and 2 (222.52± acres total) will each 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.
3. At least 90 percent of the land under the former contract, or contracts, remains under the new contract, or contracts.

Approval to Rescind a Portion of Williamson Act Contract No. 1971-0201 and all of No. 1971-0202, Located on the Northeast Side of Cox Road, between Frank Cox Road and Condit Avenue, East of the Community of Grayson; and Approval of New Contracts Pursuant to Lot Line Adjustment Application No. PLN2016-0094, Edward Maring

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.

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. 1971-0201 and all of No. 1971-0202, Located on the Northeast Side of Cox Road, between Frank Cox Road and Condit Avenue, East of the Community of Grayson; and Approval of New Contracts Pursuant to Lot Line Adjustment Application No. PLN2016-0094, Edward Maring

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



RECORDING REQUESTED OF:
Stanislaus County
Board of Supervisors

Stanislaus, County Recorder
Lee Lundrigan Co Recorder Office
DOC- 2017-0040991-00

Acct 402-Counter Customers
Wednesday, JUN 07, 2017 11:04:26
Ttl Pd \$0.00 Rcpt # 0003981024
OJC/R2/1-14

WHEN RECORDED, MAIL TO:
Stanislaus County Department
of Planning and Community Development
*1010 10th Street, Suite 3400
Modesto, CA 95354*

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

Document No. 2017-0021811-00, recorded on March 28, 2017, is being re-recorded to correct the legal descriptions (Exhibits A & B) the exhibits that were previously recorded were incorrect. The description noted the wrong Section Township Range.

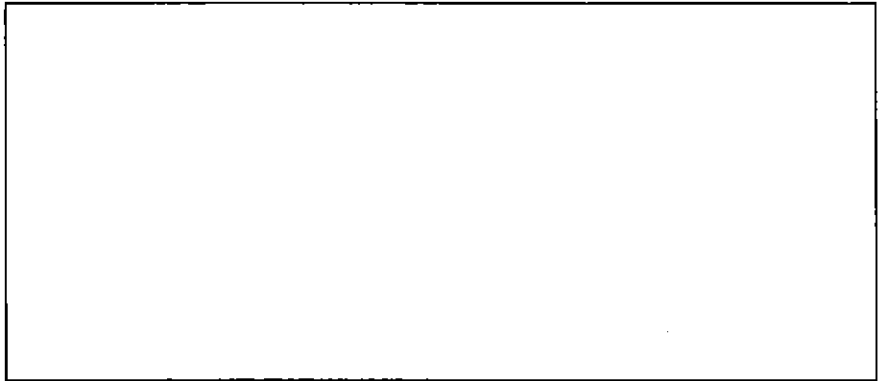
Jennifer Akin
Staff Services Technician
Stanislaus County Planning and Community Development

THIS SPACE FOR RECORDER ONLY

RECORDING REQUESTED BY
STANISLAUS COUNTY BOARD OF
SUPERVISORS

WHEN RECORDED RETURN TO
STANISLAUS COUNTY PLANNING
DEPARTMENT 1010 10TH Street, Suite 3400
Modesto, CA 95354

**NOTICE OF RESCISSION AND
SIMULTANEOUS RE-ENTRY INTO
CALIFORNIA LAND CONSERVATION
CONTRACT NO. 2017-0014**



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: THOMAS MARING
10000 COX ROAD
PATTERSON, CA 95363

- (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)
016-026-032	40.10	FRANK COX ROAD, WESTLEY, CA 95367

Pursuant to Stanislaus County Board of Supervisors Resolution No. 2017-106, relating to Lot Line Adjustment No. PLN2016-0094 as authorized by Govt. Code § 51257, California Land Conservation Contract No. 1971-0202 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.

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)
Edward Maring	<i>Edward Maring</i>	5/9/2017	Patterson, CA
Mildred Maring	<i>Mildred Maring</i>	5/10/2017	Patterson, CA
Thomas Jude Maring	<i>Thomas Jude Maring</i>	5/10/2017	Patterson, CA
Matthew David Maring	<i>Matthew D Maring</i>	5-9-17	Patterson CA

SECURITY HOLDERS:

OWNERS:

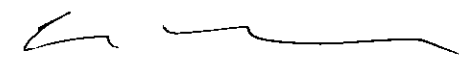
NAME (Print or type)	SIGNATURE (All to be notarized)	DATE	SIGNED AT (City)

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

6-5-2017
Dated


Chairman, Board of Supervisors
Angela Freitas for Vito Chiesa

ACKNOWLEDGMENT

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

State of California
County of Stanislaus

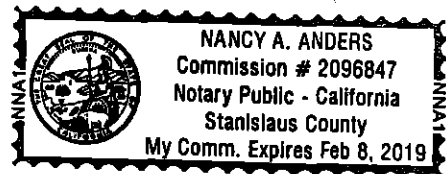
On May 9, 2017 before me, Nancy A Anders, Notary Public
(insert name and title of the officer)

personally appeared Edward Maring
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 Nancy A Anders (Seal)



ACKNOWLEDGMENT

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

State of California
County of Stanislaus)

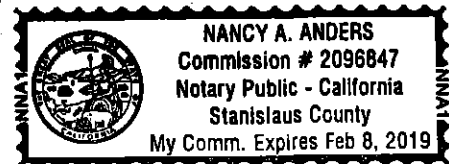
On May 9, 2017 before me, Nancy A Anders, Notary Public
(insert name and title of the officer)

personally appeared Matthew Davis Maring
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 Nancy A Anders (Seal)



ACKNOWLEDGMENT

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

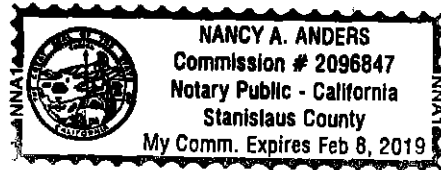
State of California
County of Stanislaus)

On May 10, 2017 before me, Nancy A Anders, Notary Public
(insert name and title of the officer)

personally appeared Thomas Jude Maring & Mildred Maring
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 Nancy A Anders (Seal)

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 June 5, 2017 before me, Christine Michele Smith, 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 Christine Michele Smith
Signature of Notary Public

Place Notary Seal Above

OPTIONAL

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

Description of Attached Document

Title or Type of Document: WAC - MARRIAGE Re-Record Procession Document Date: 6-5-17
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"

BEFORE LOT LINE ADJUSTMENT

PARCEL 1:

All that certain parcel of land being a portion of Lot 37 of the Plat of the Rancho El Pescadero, Township 4 South, Range 7 East, Mount Diablo Meridian, Stanislaus County, State of California being more particularly described as follows:

Parcel 1 as shown on that certain parcel map filed for record on March 25, 1970 in Book 8 of Parcel Maps, at Page 64, Stanislaus County Records.

CONTAINING an area of 40.10 acres more or less.

SUBJECT to all easements and / or rights of way of record.

Apn: 016-026-032



Kaiser I. Shahbaz

Kaiser I. Shahbaz
L. S. 8599

5/23/2017

Date

EXHIBIT "B"

AFTER LOT LINE ADJUSTMENT

PARCEL 1:

All that certain parcel of land being a portion of Lot 37 of the Plat of the Rancho El Pescadero, Township 4 South, Range 7 East, Mount Diablo Meridian, Stanislaus County, State of California being more particularly described as follows:

Parcel 1 as shown on that certain parcel map filed for record on March 25, 1970 in Book 8 of Parcel Maps, at Page 64, Stanislaus County Records.

TOGETHER with that portion of certain parcel filed for Record in Document No. 2014-0046848 described as follows:

BEGINNING at the most Southerly corner said Parcel 1 as shown on that certain parcel map filed for record on March 25, 1970 in Book 8 of Parcel Maps, at Page 64, Stanislaus County Records, said point being on the Northeasterly line of Cox Road as per the Resolution filed for record in Volume 1361 Official Records, Page 508 Document No. 12195 on May 2, 1956, Stanislaus County Records; thence along the Southeasterly line of said Parcel 1 North 45°10'57" East 2441.19 feet to a toe of an existing bank; thence along said toe South 22°15'58" East 150.16 feet; thence leaving said toe South 45°06'50" West 2383.87 feet to said Northeasterly line of Cox Road; thence along said Northeasterly line of Cox Road North 44°42'30" West 141.54 feet to **THE POINT OF BEGINNING**, containing 7.76 acres more or less.

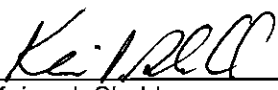
EXCEPTING therefrom that portion of said Parcel 1 as shown on that certain parcel map filed for record on March 25, 1970 in Book 8 of Parcel Maps, at Page 64, Stanislaus County Records, described as follows:

BEGINNING at the most Easterly corner of said Parcel 1; thence along the Southeasterly line of said Parcel 1 South 45°10'57" West 1019.30 feet to an existing toe of a bank; thence along said toe the following Two (2) courses: (1) North 22°15'58" West 78.87 feet; (2) North 37°45'54" West 296.37 feet to a corner of said parcel 1; thence along the Northwesterly line of said Parcel 1 North 45°03'20" East 834.88 feet to the most Northerly corner of said Parcel 1; thence along the Northeasterly line of said Parcel 1 South 62°31'45" East 387.17 feet to **THE POINT OF BEGINNING**, containing 7.76 acres more or less.

CONTAINING an area of 40.10 acres more or less.

SUBJECT to all easements and / or rights of way of record.




Kaiser I. Shahbaz
L. S. 8599

5/22/2017
Date

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

DEPT: Planning and Community Development

BOARD AGENDA #: *D-2

AGENDA DATE: March 7, 2017

SUBJECT:

Approval to Rescind a Portion of Williamson Act Contract No. 1971-0201 and all of No. 1971-0202, Located on the Northeast Side of Cox Road, between Frank Cox Road and Condit Avenue, East of the Community of Grayson; and Approval of New Contracts Pursuant to Lot Line Adjustment Application No. PLN2016-0094, Edward Maring

BOARD ACTION AS FOLLOWS:

No. 2017-106

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 Gonzalez

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

File No.

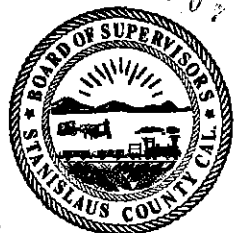


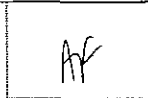
EXHIBIT C

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

DEPT: Planning and Community Development

BOARD AGENDA #: *D-2

Urgent Routine



AGENDA DATE: March 7, 2017

CEO CONCURRENCE: _____

4/5 Vote Required: Yes No

SUBJECT:

Approval to Rescind a Portion of Williamson Act Contract No. 1971-0201 and all of No. 1971-0202, Located on the Northeast Side of Cox Road, between Frank Cox Road and Condit Avenue, East of the Community of Grayson; and Approval of New Contracts Pursuant to Lot Line Adjustment Application No. PLN2016-0094, Edward Maring

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. 1971-0201 and all of No. 1971-0202, Located on the Northeast Side of Cox Road, between Frank Cox Road and Condit Avenue, East of the Community of Grayson; and Approval of New Contracts Pursuant to Lot Line Adjustment Application No. PLN2016-0094, Edward Maring

2. Rescind A Portion Of Williamson Act Contract No. 1971-0201 and all of 1971-0202, located on the northeast side of Cox Road, between Frank Cox Road and Condit Avenue, east of the community of Grayson (APN's: 016-026-013 and 016-026-032).
3. Approve new contracts pursuant to Lot Line Adjustment Application No. PLN2016-0094, Edward Maring.
4. Authorize the Director of Planning and Community Development to execute new contracts pursuant to Lot Line Adjustment Application No. PLN2016-0094, Edward Maring.

DISCUSSION:

The Edward Maring Lot Line Adjustment request includes the adjustment of two parcels (222.52 total acres) to match parcel lines with the existing site topography. 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 as a portion of Williamson Act Contract No. 1971-0201, while Parcel 2 is enrolled in Contract No. 1971-0202. If this lot line is approved, proposed parcels 1 and 2 (222.52± acres total) will each 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.
3. At least 90 percent of the land under the former contract, or contracts, remains under the new contract, or contracts.

Approval to Rescind a Portion of Williamson Act Contract No. 1971-0201 and all of No. 1971-0202, Located on the Northeast Side of Cox Road, between Frank Cox Road and Condit Avenue, East of the Community of Grayson; and Approval of New Contracts Pursuant to Lot Line Adjustment Application No. PLN2016-0094, Edward Maring

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.

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. 1971-0201 and all of No. 1971-0202, Located on the Northeast Side of Cox Road, between Frank Cox Road and Condit Avenue, East of the Community of Grayson; and Approval of New Contracts Pursuant to Lot Line Adjustment Application No. PLN2016-0094, Edward Maring

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

RECORDING REQUESTED OF:
Stanislaus County
Board of Supervisors

WHEN RECORDED, MAIL TO:
Stanislaus County Department
of Planning and Community Development
*1010 10th Street, Suite 3400
Modesto, CA 95354*



Stanislaus, County Recorder
Lee Lundrigan Co Recorder Office
DOC- 2017-0040992-00

Acct 402-Counter Customers

Wednesday, JUN 07, 2017 11:04:50

Ttl Pd \$0.00 Rcpt # 0003981025

OJC/R2/1-13

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

Document No. 2017-0021810-00, recorded on March 28, 2017, is being re-recorded to correct the legal descriptions (Exhibits A & B) the exhibits that were previously recorded were incorrect. The description noted the wrong Section Township Range.

Jennifer Akin
Staff Services Technician
Stanislaus County Planning and Community Development

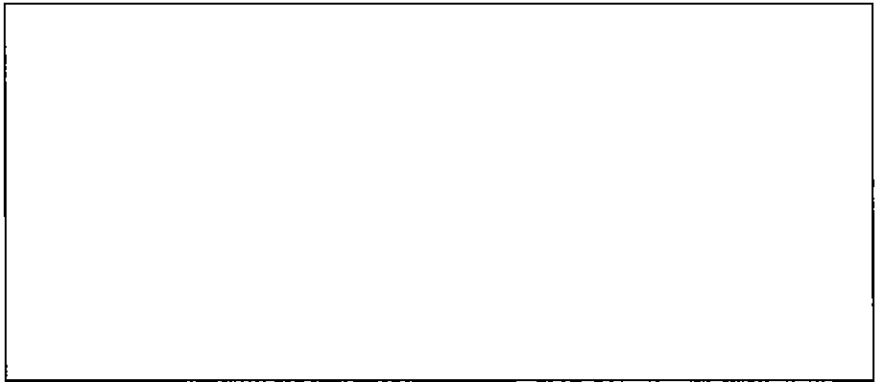
13J

THIS SPACE FOR RECORDER ONLY

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. 2017-0015



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: EDWARD MARING
1536 FRANK COX ROAD
PATTERSON, CA 95363

- (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)
016-026-013	182.42	COX ROAD, PATTERSON, CA 95363

Pursuant to Stanislaus County Board of Supervisors Resolution No. 2017-106, relating to Lot Line Adjustment No. PLN2016-0094 as authorized by Govt. Code § 51257, California Land Conservation Contract No. 1971-0201 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.

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)
Edward Maring	<i>Edward Maring</i>	5/9/2017	Patterson, CA
Mildred Maring	<i>Mildred Maring</i>	5/10/2017	Patterson CA

SECURITY HOLDERS:

OWNERS:

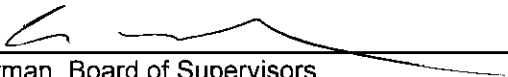
NAME (Print or type)	SIGNATURE (All to be notarized)	DATE	SIGNED AT (City)

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

6.5. 2017
Dated


Chairman, Board of Supervisors
Angela Freitas for Vito Chiesa

ACKNOWLEDGMENT

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

State of California
County of Stanislaus)

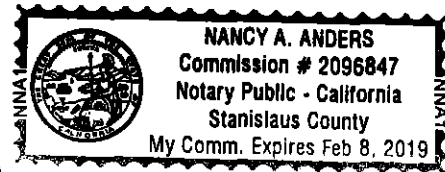
On May 9, 2017 before me, Nancy A Anders, Notary Public
(insert name and title of the officer)

personally appeared Edward Manning
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 Nancy A Anders (Seal)



ACKNOWLEDGMENT

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

State of California
County of Stanislaus

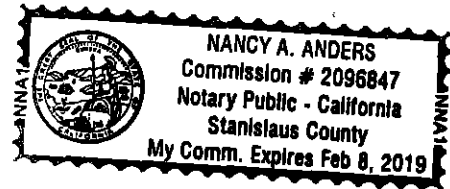
On May 10, 2017 before me, Nancy A Anders, Notary Public
(insert name and title of the officer)

personally appeared Mildred Maring
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 Nancy A Anders (Seal)



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 June 5, 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: Rescission
Subject: WAC – DOC2017-0015
Located at: 016-026-013
Date of Document: 6/5/2017
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: _____

RIGHT THUMB

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: _____

RIGHT THUMB

SIGNER IS REPRESENTING:

EXHIBIT "A"

BEFORE LOT LINE ADJUSTMENT

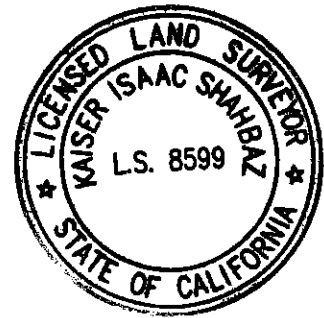
PARCEL 2:

All that certain parcel of land being a portion of Lot 37 of the Plat of the Rancho El Pescadero, Township 4 South, Range 7 East, and said Lot 37, Township 4 South, Range 8 East, Mount Diablo Meridian, Stanislaus County, State of California as described in document No. 2014-0046848, Stanislaus County Records.

CONTAINING an area of 182.42 acres more or less.

SUBJECT to all easements and / or rights of way of record.

Apn: 016-026-013



Kaiser I. Shahbaz
Kaiser I. Shahbaz
L. S. 8599

5/23/2017
Date

EXHIBIT "B"

AFTER LOT LINE ADJUSTMENT

PARCEL 2:

All that certain parcel of land being a portion of Lot 37 of the Plat of the Rancho El Pescadero, Township 4 South, Range 7 East, and said Lot 37, Township 4 South, Range 8 East, Mount Diablo Meridian, Stanislaus County, State of California as described in document No. 2014-0046848, Stanislaus County Records.

EXCEPTING therefrom that portion of certain parcel as filed for Record in Document No. 2014-0046848 described as follows:

BEGINNING at the most Southerly corner said Parcel 1 as shown on that certain parcel map filed for record on March 25, 1970 in Book 8 of Parcel Maps, at Page 64, Stanislaus County Records, said point being on the Northeasterly line of Cox Road as per the Resolution filed for record in Volume 1361 Official Records, Page 508 Document No. 12195 on May 2, 1956, Stanislaus County Records; thence along the Southeasterly line of said Parcel 1 North 45°10'57" East 2441.19 feet to a toe of an existing bank; thence along said toe South 22°15'58" East 150.16 feet; thence leaving said toe South 45°06'50" West 2383.87 feet to said Northeasterly line of Cox Road; thence along said Northeasterly line of Cox Road North 44°42'30" West 141.54 feet to **THE POINT OF BEGINNING**, containing 7.76 acres more or less.

TOGETHER with that portion of said Parcel 1 as shown on that certain parcel map filed for record on March 25, 1970 in Book 8 of Parcel Maps, at Page 64, Stanislaus County Records, described as follows:


BEGINNING at the most Easterly corner of said Parcel 1; thence along the Southeasterly line of said Parcel 1 South 45°10'57" West 1019.30 feet to an existing toe of a bank; thence along said toe the following Two (2) courses: (1) North 22°15'58" West 78.87 feet; (2) North 37°45'54" West 296.37 feet to a corner of said parcel 1; thence along the Northwesterly line of said Parcel 1 North 45°03'20" East 834.88 feet to the most Northerly corner of said Parcel 1; thence along the Northeasterly line of said Parcel 1 South 62°31'45" East 387.17 feet to **THE POINT OF BEGINNING**, containing 7.76 acres more or less.

The above "PARCEL 2 After Lot Line Adjustment" is more particularly described as follows:

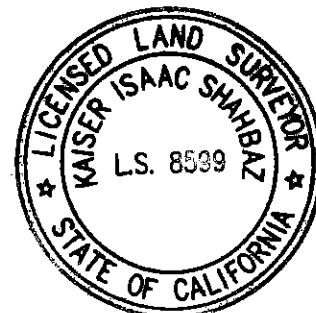
BEGINNING at the most Northerly corner of said Parcel 1; thence along the Northeasterly line of said parcel 1 and the Northeasterly line of that certain parcel as filed for record in said Document 2014-0046848 South 62°31'45" East 2596.44 feet to the most Easterly corner of last said parcel; thence along the Southeasterly line of said last parcel South 45°30'10" West 4136.64 feet to the most Southerly corner of last said parcel and the Northeasterly line of said Cox Road as per the Resolution filed for record in Volume 1361 of Official Records, Page 508 Document No. 12195 on May 2, 1956, Stanislaus County Records; thence along the Northeasterly line of said Cox Road North 44°42'30" West 1939.89 feet; thence leaving last said line North 45°06'50" East 2383.87 feet to a toe of an existing bank; thence along said toe the following Two (2) courses: (1) North 22°15'58" West 229.03 feet; (2) North 37°45'54" West 296.37 feet to a corner of said parcel 1; thence along the Northwesterly line of said Parcel 1 North 45°03'20" East 834.88 feet to **THE POINT OF BEGINNING**.

CONTAINING an area of 182.42 acres more or less.

SUBJECT to all easements and / or rights of way of record.


Kaiser I. Shahbaz
L. S. 8599

5/22/2017
Date



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

DEPT: Planning and Community Development

BOARD AGENDA #: *D-2

AGENDA DATE: March 7, 2017

SUBJECT:

Approval to Rescind a Portion of Williamson Act Contract No. 1971-0201 and all of No. 1971-0202, Located on the Northeast Side of Cox Road, between Frank Cox Road and Condit Avenue, East of the Community of Grayson; and Approval of New Contracts Pursuant to Lot Line Adjustment Application No. PLN2016-0094, Edward Maring

BOARD ACTION AS FOLLOWS:

No. 2017-106

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

ATTEST:

Elizabeth A. King By Patricia D. Gonzalez
ELIZABETH A. KING, Clerk of the Board of Supervisors

File No.



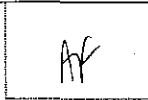
EXHIBIT C

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

DEPT: Planning and Community Development
Urgent Routine

BOARD AGENDA #: *D-2

AGENDA DATE: March 7, 2017



CEO CONCURRENCE: _____

4/5 Vote Required: Yes No

SUBJECT:

Approval to Rescind a Portion of Williamson Act Contract No. 1971-0201 and all of No. 1971-0202, Located on the Northeast Side of Cox Road, between Frank Cox Road and Condit Avenue, East of the Community of Grayson; and Approval of New Contracts Pursuant to Lot Line Adjustment Application No. PLN2016-0094, Edward Maring

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. 1971-0201 and all of No. 1971-0202, Located on the Northeast Side of Cox Road, between Frank Cox Road and Condit Avenue, East of the Community of Grayson; and Approval of New Contracts Pursuant to Lot Line Adjustment Application No. PLN2016-0094, Edward Maring

2. Rescind A Portion Of Williamson Act Contract No. 1971-0201 and all of 1971-0202, located on the northeast side of Cox Road, between Frank Cox Road and Condit Avenue, east of the community of Grayson (APN's: 016-026-013 and 016-026-032).
3. Approve new contracts pursuant to Lot Line Adjustment Application No. PLN2016-0094, Edward Maring.
4. Authorize the Director of Planning and Community Development to execute new contracts pursuant to Lot Line Adjustment Application No. PLN2016-0094, Edward Maring.

DISCUSSION:

The Edward Maring Lot Line Adjustment request includes the adjustment of two parcels (222.52 total acres) to match parcel lines with the existing site topography. 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 as a portion of Williamson Act Contract No. 1971-0201, while Parcel 2 is enrolled in Contract No. 1971-0202. If this lot line is approved, proposed parcels 1 and 2 (222.52± acres total) will each 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.
3. At least 90 percent of the land under the former contract, or contracts, remains under the new contract, or contracts.

Approval to Rescind a Portion of Williamson Act Contract No. 1971-0201 and all of No. 1971-0202, Located on the Northeast Side of Cox Road, between Frank Cox Road and Condit Avenue, East of the Community of Grayson; and Approval of New Contracts Pursuant to Lot Line Adjustment Application No. PLN2016-0094, Edward Maring

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.

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. 1971-0201 and all of No. 1971-0202, Located on the Northeast Side of Cox Road, between Frank Cox Road and Condit Avenue, East of the Community of Grayson; and Approval of New Contracts Pursuant to Lot Line Adjustment Application No. PLN2016-0094, Edward Maring

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