

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

DEPT: Planning and Community Development

BOARD AGENDA:5.D.2
AGENDA DATE: March 27, 2018

SUBJECT:

Approval to Rescind a Portion of Williamson Act Contract Nos. 1972-1069 and All of 2016-01, Located at 3309 Young Road, Between Vivian and Shiloh Roads, North of the Tuolumne River; and Approval of New Contracts, Pursuant to Lot Line Adjustment Application No. PLN2016-0056, Hoy-Passalaqua


BOARD ACTION AS FOLLOWS:

RESOLUTION NO. 2018-0144

On motion of Supervisor Olsen _____, Seconded by Supervisor Withrow _____
and approved by the following vote,
Ayes: Supervisors: Olsen, Chiesa, Withrow, Monteith, and Chairman DeMartini _____
Noes: Supervisors: _____ None _____
Excused or Absent: Supervisors: None _____
Abstaining: Supervisor: _____ None _____

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

MOTION:

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

File No.

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

DEPT: Planning and Community Development

BOARD AGENDA:5.D.2
AGENDA DATE: March 27, 2018

CONSENT:

CEO CONCURRENCE:

4/5 Vote Required: No

SUBJECT:

Approval to Rescind a Portion of Williamson Act Contract Nos. 1972-1069 and All of 2016-01, Located at 3309 Young Road, Between Vivian and Shiloh Roads, North of the Tuolumne River; and Approval of New Contracts, Pursuant to Lot Line Adjustment Application No. PLN2016-0056, Hoy-Passalaqua

STAFF RECOMMENDATION:

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restrict the adjusted boundaries of the parcels for an initial term for at least as long as the unexpired term of the rescinded contract, or contracts, but for not less than ten years, except as authorized under the County's implementation of Assembly Bill (AB) 1265.
 - 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 In cases where two parcels involved in a lot line adjustment are both subject to contracts rescinded pursuant to this section, this finding will be satisfied if the aggregate acreage of the land restricted by the new contracts is at least as great as the aggregate acreage restricted by the rescinded contracts.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.
2. Rescind a Portion of Williamson Act Contract Nos. 1972-1069 and all of 2016-01, located at 3309 Young Road, between Vivian and Shiloh Roads (APN: 017-045-018 and 017-045-028).
3. Approve new contracts, pursuant to Lot Line Adjustment Application No. PLN2016-0056, Hoy-Passalaqua.
4. Authorize the Director of Planning and Community Development to execute new contracts, pursuant to Lot Line Adjustment Application No. PLN2016-0056, Hoy-Passalaqua.

DISCUSSION:

The lot line adjustment request includes the adjustment of four parcels (176.57 total acres) to reconfigure a non-conforming parcel to encompass existing farming operations as well as match existing parcel occupancy lines. 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, all applicable zoning provision, Williamson Act criteria, and determined that the application meets the requirements for approval.

Parcels 1, 3, and 4 (165.62 acres) are currently enrolled in Williamson Act Contract Nos. 1972-1069 and 2016-01. Parcel 2 is not enrolled in a Williamson Act Contract. If this lot line is approved, all newly configured parcels (176.57 acres) will be enrolled in new contracts.

Pursuant to California Government Code Section 51257, the parties to a contract, or contracts, 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 AB 1265.
2. There is no net decrease in the amount of the acreage restricted. In cases where two parcels involved in a lot line adjustment are both subject to contracts rescinded

pursuant to this section, this finding will be satisfied if the aggregate acreage of the land restricted by the new contracts is at least as great as the aggregate acreage restricted by the rescinded contracts.

3. At least 90 percent of the land under the former contract, or contracts, remains under the new contract, or contracts.
4. After the lot line adjustment, the parcels of land subject to contract will be large enough to sustain their agricultural use, as defined in Government Code Section 51222.

Note: the definition in Government Code Section 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, or contracts, 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 contract, or contracts, will be subject to the provisions of AB 1265.

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 significant net change in property tax or other revenue, therefore providing no additional fiscal effect.

BOARD OF SUPERVISORS' PRIORITY:

Approval of this action supports the Board's priority of A Healthy Economy 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):

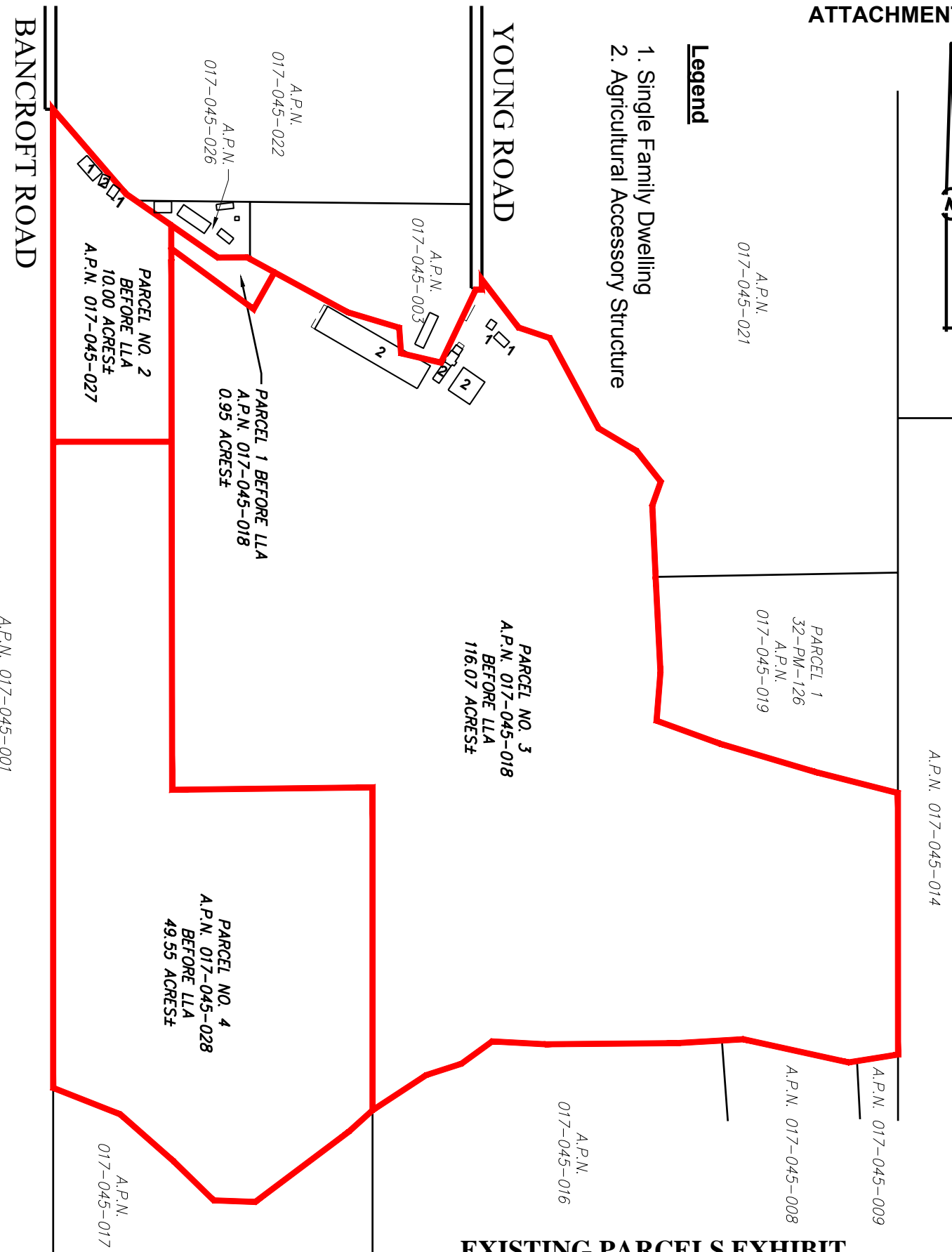
1. Williamson Act and Lot Line Adjustment Request Overview
2. Map of Parcels Before Lot Line Adjustment
3. Map of Parcels After the Proposed Lot Line Adjustment is Approved
4. Applicant's Statement of Findings

Williamson Act & Lot Line Adjustment (LLA) Overview

LLA Parcel No.	Assessors Parcel No. (APN)		Parcel Owners/Applicants		Williamson Contract			Parcel Size (Acres)		Existing Use/Development
	No.	Portion Y/N	Contract No.	Portion Y/N	Contract No.	Existing	Proposed	Existing	Proposed	
LLA Application No. PLN 2016-0056 - Hoy - Passalaqua										
1	017-045-018	Y	Peder K and Doris J. Hoy	N/A	N/A	0.95	10.78	0.95	10.78	Undeveloped
2	017-045-027	N	Mike Passalaqua	N/A	N/A	-	10	10	10	Two Single-Family Dwellings, Accessory Buildings, Row Crops
3	017-045-018	Y	Peder K and Doris J. Hoy	1972-1069	Y	116.07	106.24	116.07	106.24	Two Single-Family Dwellings, Dairy Outbuildings, Row Crops
4	017-045-028	N	Peder K and Doris J. Hoy	2016-01	N	49.55	49.55	49.55	49.55	Row Crops
Total Acreage:						166.57	176.57	176.57	176.57	



- Legend**
- 1. Single Family Dwelling
 - 2. Agricultural Accessory Structure



EXISTING PARCELS EXHIBIT

BEFORE LOT LINE ADJUSTMENT

A.P.N. 017-045-018, 027, 028

**PASSALAQUA, HOY
STANISLAUS COUNTY, CALIFORNIA**

BY: RCS
 CHK: KJG
 DATE: 8/2016
 SCALE: 1"=500'
 JOB #: 3190
 FILE: EXB



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

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OF
1

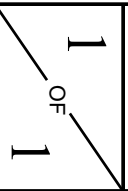
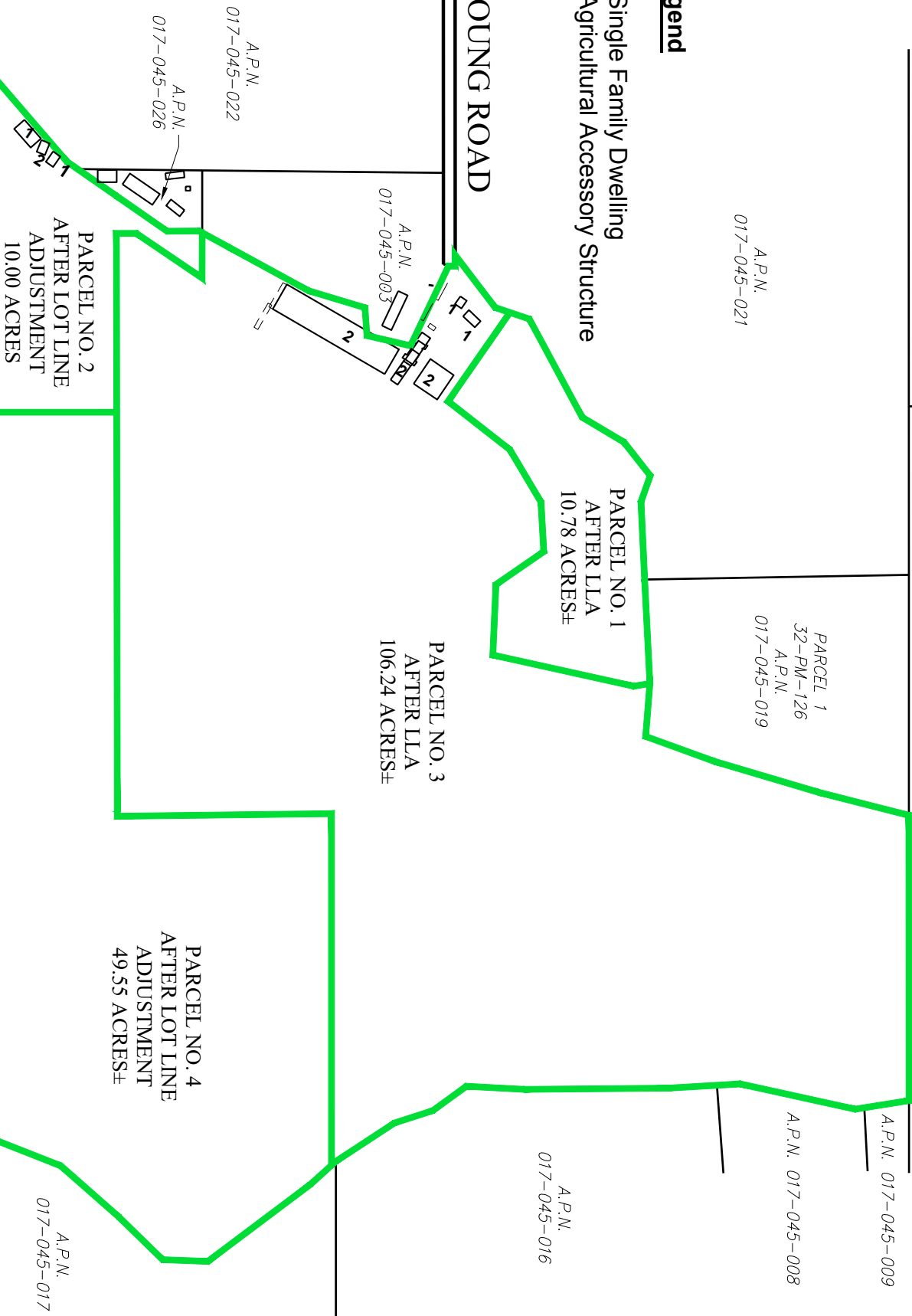


Legend

- 1. Single Family Dwelling
- 2. Agricultural Accessory Structure

BANCROFT ROAD

YOUNG ROAD



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

**PROPOSED PARCELS EXHIBIT
AFTER LOT LINE ADJUSTMENT
PASSALAQUA, HOY
STANISLAUS COUNTY, CALIFORNIA**

BY:	RCS
CHK:	KJG
DATE:	8/2016
SCALE:	1"=500'
JOB #:	3190
FILE:	EXB

May 25, 2016

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

RE: Lot Line Adjustment Application – Passalacqua-Hoy - Findings

This project is a lot line adjustment of Assessor Parcel Nos. 017-045-018 (Parcel 1 - 0.95 acres+/- & Parcel 3 - 116.07 acres+/-) owned by Peder K. and Doris J. Hoy, 017-045-027 (Parcel 2 - 10.00 acres+/-) owned by Mike Passalacqua, and 017-045-028 (Parcel 4 - 49.55 acres+/-) owned by Mike Passalacqua. Assessor Parcel No. 017-045-018 consists of two parcels as shown in Grant Deed 1951-6332 (0.95 acres) & Grant Deed Vol. 833, Pg 53, 1945 (116.07 acres per 25-RS-55). The Hoy Parcels are in the Williamson Act.

Hoy & Passalacqua would like to reconfigure the current lots to better facilitate the current agricultural uses.

At the completion of this lot line adjustment, Parcel 1 will have an adjusted area of 10.78 acres+/-, Parcel 2 will have an adjusted area of 10.00 acres+/-, and Parcel 3 will have an adjusted area of 106.24 acres+/-, and Parcel 4 will have an adjusted area of 49.55 acres+/-.

Findings:

- (1) The Hoy parcels are not subject to non-renewal. The parcel will remain under contract for at least 10 years.
- (2) The Hoy parcel acreage currently under contract is 117.02 acres+/- . After the lot line adjustment, all 117.02 acres +/- (net) will be under contract.
- (3) As stated in the above finding (2) there will be no net decrease in the amount of acreage enrolled in the Williamson Act.
- (4) As consistent with Government Code Section 51222 the contracted parcel will be larger than 40 acres after the lot line adjustment. The parcels qualify as prime farmland according to the Farmland Mapping and Monitoring Program Soil Candidate Listing for Prime Farmland and Farmland of Statewide Importance – Stanislaus County.
- (5) The new configuration of the Hoy-Passalacqua parcels will in no way affect the long term agricultural productivity of either of the parcels.
- (6) The adjacent lands are row crops. The reconfiguration of the Hoy-Passalacqua parcels will not affect the adjacent uses.

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

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

Sincerely,

Kevin Genasci, PLS
Hawkins and Associates Engineering



Stanislaus, County Recorder
Lee Lundrigan Co Recorder Office
DOC- 2018-0035540-00

Acct 121-Planning.
Wednesday, MAY 23, 2018 11:09:18
Ttl Pd \$65.00 Rcpt # 0004129232
AKN/R2/1-17

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 May 25, 2017, approved the lot line adjustment herein described submitted under the name of HOY - PASSALAQUA Lot Line Adjustment No. PLN2016-0056 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
Stanislaus County Department of Planning
and Community Development

5-22-2018

Date

171m

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 22, 2018 before me, Anabel Hurtado, Notary Public,
(insert name and title of the officer)

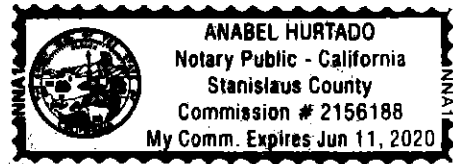
personally appeared Angela Freitas
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) 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.

Signature *A. Hurtado*

(Seal)



California All-Purpose Acknowledgment

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

State of California

County of

Stanislaus

} SS.

On July 28, 2017 before me, Louretta G Halstead

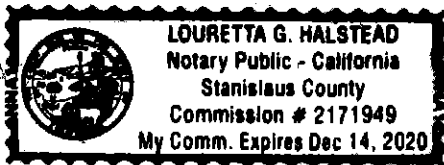
Notary Public, personally appeared Mike Passalacqua

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 signatures(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.

SEA



Louretta G. Halstead
Signature of Notary

DESCRIPTION OF THE ATTACHED DOCUMENT

Lot Line Adjustment

Number of Pages _____ Document Date _____

Additional Information: _____

California All-Purpose Acknowledgment

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

State of California

County of Stanislaus

} SS.

On September 25, 2017 before me Louretta G Halstead

Notary Public, personally appeared Peder K Hoy + Doris J Hoy

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.



Louretta G Halstead
Signature of Notary

DESCRIPTION OF THE ATTACHED DOCUMENT

Lot Line Adjustment

Number of Pages _____ Document Date _____


Additional Information: _____

EXHIBIT A
EXISTING LEGAL DESCRIPTION
Parcel No. 1
Lot Line Adjustment No. PLN2016-0056

That portion of Lot two (2) of the C.C. Baker Tract, according to the official map thereof, filed in the Office of the Recorder of Stanislaus County, California, on July 13, 1909 in Volume 4 of Maps, at Page 31, situate in section 17, township 4 south, range 8 east, Mount Diablo Base and Meridian, more particularly described as follows:

COMMENCING at the northwest corner of Lot 2 aforesaid, said corner being on the south line of a 50 foot county road and running thence South $0^{\circ}01'$ West, a distance of 5,525.14 feet along the west line of Lot 2; thence South $40^{\circ}44'$ East, a distance of 413.46 feet; thence South $55^{\circ}13'$ East, a distance of 204.65 feet to the true **POINT OF BEGINNING**; thence continuing South $55^{\circ}13'$ East, a distance of 210.35 feet; thence North $89^{\circ}39'$ East, a distance of 109.00 feet; thence South $61^{\circ}20'$ East, a distance of 11.59 feet to the Southwest Corner of land now or formerly owned by Navon, thence continuing south $61^{\circ}20'$ East, a distance of 103.41 feet; thence South $29^{\circ}24'$ West, a distance of 157.00 feet; thence North $53^{\circ}40'30''$ West, a distance of 379.15 feet; thence North $0^{\circ}04'30''$ West, a distance of 86.70 feet to the true **POINT OF BEGINNING**.

CONTAINING 0.95 acres, more or less.


Kevin J. Genasci, P.L.S. 8660
June 23, 2017

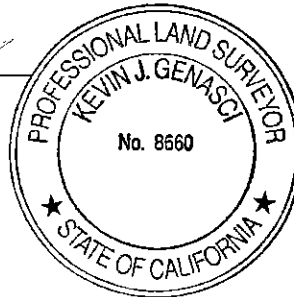


EXHIBIT A
EXISTING LEGAL DESCRIPTION
Parcel No. 2
Lot Line Adjustment No. PLN2016-0056

That portion of Lot 2 of C.C. Baker Tract, according to the official map thereof, filed in the Office of the County Recorder of Stanislaus County, California on July 13, 1909 in Volume 4 of Maps, at Page 31, and as described in that certain Lot Line Adjustment No. 14-61, recorded as Document No. 2014-0077466-00, Stanislaus County Records, more particularly described as follows:

COMMENCING at the Northwest corner of said Lot 2, said corner being on the South side of a 50 foot County Road (Paradise Road); and running thence South 0°01' West 5525.14 feet along the West line of Lot 2 to the most Northerly corner of property conveyed to Tony J. Lemos, et ux, by Deed recorded January 18, 1951 as Instrument No. 1471 and the true **POINT OF BEGINNING**; thence South 40°44' East 413.46 feet; thence South 55°13' East, a distance of 204.65 feet; thence South 0°04'30" East, a distance of 802.70 feet; thence perpendicular to the west line of above said Lot 2 North 89°59'00" West, a distance of 439.24 feet to the point of intersection with last said west line; thence North 0°01'00" East, a distance of 1232.56 feet to the true **POINT OF BEGINNING**.

CONTAINING 10.00 acres, more or less.



Kevin J. Genasci, P.L.S. 8660
June 23, 2017



EXHIBIT A
EXISTING LEGAL DESCRIPTION
Parcel No. 3
Lot Line Adjustment No. PLN2016-0056

All that portion of Lot two (2) of the C.C. Baker Tract, according to the official map thereof, filed in the Office of the Recorder of Stanislaus County, California, on July 13, 1909, in Volume 4 of Maps, at Page 31, described as follows:

COMMENCING at the Southeast Corner of Lot eleven (11) of the Shruder Young Colony, according to the official map thereof, filed in the Office of the Recorder of Stanislaus County, California, on October 13, 1920 in Volume 9 of Maps, at Page 42, said Shruder Young Colony being a portion of Lot 2 of the C.C. Baker Tract aforesaid, and turning thence South 1958.24 feet along the east line of Lot 2 of the C.C. Baker Tract to the true **POINT OF BEGINNING**; thence continuing along east line of said lot, South 1787.29 feet; thence following the southerly line of a levee the following courses and distances: South 81°04' west, a distance of 185.57 feet; thence North 77°37' West, a distance of 400.00 feet; thence south 86°42'30" West, a distance of 247.00 feet; thence South 89°30'30", a distance of 488.00 feet; thence North 86°55' West, a distance of 197.00 feet; thence South 54°07' West, a distance of 141.00 feet; thence south 72°04' West, a distance of 137.00 feet and South 56°59'30" West, a distance of 237.00 feet; thence leaving the south line of said levee and running along center line of a ditch the following courses and distances: North 0°01' East, a distance of 585.60 feet; thence South 89°51' West, a distance of 527.00 feet; thence North 0°01'30" West, a distance of 606.78 feet; thence South 89°19'30" West, a distance of 216.00 feet and North 0°04'30" West, a distance of 2006.06 feet; thence South 53°40'30" East, a distance of 379.15 feet; thence North 29°24' East, a distance of 157.00 feet; thence South 61°20' East, a distance of 309.00 feet; thence South 73°18'30" East, a distance of 200.00 feet; thence South 4°06' East, a distance of 95.00 feet; thence South 76°41'30" East, a distance of 152.04 feet; thence North 25°30'30" East, a distance of 300.00 feet; thence South 89°59' East, a distance of 22.50 feet; thence North 0°01' East, a distance of 38.00 feet; thence South 37°18' East, a distance of 224.43 feet; thence South 71°26'30" East, a distance of 123.21 feet; thence South 28°12'30" East, a distance of 379.08 feet; thence South 59°12'30" East, a distance of 165.60 feet; thence South 38°08' East, a distance of 144.58 feet; thence South 19°37' West, a distance of 93.87 feet; thence South 2°38' East, a distance of 264.95 feet; thence North 89°01' East, a distance of 898.72 feet to the true **POINT OF BEGINNING**.

EXCEPTING THEREFROM all that portion thereof described as follows, to wit:

COMMENCING at the Northwest Corner of Lot 2 aforesaid, said corner being on the south side of a 30 foot county road (Paradise Road) and running thence South 0°01' West, a distance of 5525.14 feet along the west line of Lot 2; thence, south 40°44' East, a distance of 413.46 feet; thence South 55°13' East, a distance of 204.65 feet; thence South

0°04'30" East, a distance of 86.70 feet; thence continuing South 0°04'30" East, a distance of 2006.94 feet; thence North 89°19'30" East, a distance of 216.00 feet to the true **POINT OF BEGINNING**; thence continuing North 89°19'30" East, a distance of 527.46 feet; thence south 0°01' West, a distance of 611.61 feet; thence South 89°51' West, a distance of 527.00 feet; thence North 0°01'30" West, a distance of 606.78 feet to the true **POINT OF BEGINNING**.

ALSO EXCEPTING THEREFROM Parcel 1 as shown and designated on that certain map filed on April 15, 1982 in Volume 32 of Parcel Maps, at Page 126.

CONTAINING 116.07 acres, more or less.



Kevin J. Genasci, P.L.S. 8660
June 23, 2017



EXHIBIT A
EXISTING LEGAL DESCRIPTION
Parcel No. 4
Lot Line Adjustment No. PLN2016-0056

That portion of Lot 2 of C.C. Baker Tract, according to the official map thereof, filed in the Office of the County Recorder of Stanislaus County, California on July 13, 1909 in Volume 4 of Maps, at Page 31, and as described in that certain Lot Line Adjustment No. 14-61, recorded as Document No. 2014-0077466-00, Stanislaus County Records, more particularly described as follows:

COMMENCING at the Northwest corner of said Lot 2, said corner being on the South side of a 50 foot County Road (Paradise Road); and running thence South 0°01' West 5525.14 feet along the West line of Lot 2 to the most Northerly corner of property conveyed to Tony J. Lemos, et ux, by Deed recorded January 18, 1951 as Instrument No. 1471; thence South 40°44' East, a distance of 413.36 feet; thence South 55°13' East, a distance of 204.65 feet; thence along the center line of an irrigation ditch South 0°04'30" East, a distance of 802.70 feet to the **POINT OF BEGINNING**; thence perpendicular to the west line of above said Lot 2 North 89°59'00" West, a distance of 439.24 feet to the point of intersection with last said west line; thence along said West line South 0°01'00" West, a distance of 2396.55 feet to a point on the Southerly line of a levee; thence following the Southerly line of said levee the following six courses and distances; 1) South 68°30' East, a distance of 267.80 feet; 2) South 48°38' East, a distance of 264.00 feet; 3) South 45°38' East, a distance of 207.00 feet; 4) South 87°52' East, a distance of 154.00 feet; 5) North 53°10' East, a distance of 435.00 feet; 6) North 47°52' East, a distance of 118.00 feet to the centerline of last said irrigation ditch; thence along last said centerline North 0°01' East, a distance of 1197.21 feet; South 89°19'30" West, a distance of 743.47 feet; North 0°04'30" West, a distance of 1290.94 feet to the **POINT OF BEGINNING**.

CONTAINING 49.55 acres, more or less.

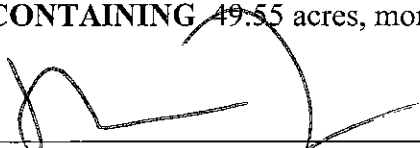

Kevin J. Genasci, P.L.S. 8660
June 23, 2017



EXHIBIT B
NEW LEGAL DESCRIPTION
Parcel No. 1
Lot Line Adjustment No. PLN2016-0056

That portion of Lot two (2) of the C.C. Baker Tract, according to the official map thereof, filed in the Office of the Recorder of Stanislaus County, California, on July 13, 1909 in Volume 4 of Maps, at Page 31, situate in section 17, township 4 south, range 8 east, Mount Diablo Base and Meridian, more particularly described as follows:

COMMENCING at the northwest corner of above said Lot 2, said corner being on the south line of a 50 foot county road (Paradise Road); thence along the west line of said Lot 2 South $0^{\circ}01'00''$ West, a distance of 5,525.14 feet; thence South $40^{\circ}44'00''$ East, a distance of 413.46 feet; thence South $55^{\circ}13'00''$ East, a distance of 204.65 feet; thence continuing South $55^{\circ}13'00''$ East, a distance of 210.35 feet; thence North $89^{\circ}39'00''$ East, a distance of 109.00 feet; thence South $61^{\circ}20'00''$ East, a distance of 11.59 feet to the Southwest Corner of land now or formerly owned by Navon, thence continuing south $61^{\circ}20'00''$ East, a distance of 103.41 feet; thence continuing South $61^{\circ}20'00''$ East, a distance of 309.00 feet; thence South $73^{\circ}18'30''$ East, a distance of 200.00 feet; thence South $4^{\circ}06'00''$ East, a distance of 95.00 feet; thence South $76^{\circ}41'30''$ East, a distance of 152.04 feet; thence North $25^{\circ}30'30''$ East, a distance of 300.00 feet; thence South $89^{\circ}59'00''$ East, a distance of 22.50 feet; thence North $0^{\circ}01'00''$ East, a distance of 38.00 feet; thence South $37^{\circ}18'00''$ East, a distance of 224.43 feet; thence South $71^{\circ}26'30''$ East, a distance of 52.50 feet to the **POINT OF BEGINNING**; thence continuing South $71^{\circ}26'30''$ East, a distance of 70.71 feet; thence South $28^{\circ}12'30''$ East, a distance of 379.08 feet; thence South $59^{\circ}12'30''$ East, a distance of 165.60 feet; thence South $38^{\circ}08'$ East, a distance of 144.58 feet; thence South $19^{\circ}37'$ West, a distance of 93.87 feet; thence South $2^{\circ}38'$ East, a distance of 264.95 feet; thence South $2^{\circ}55'08''$ East, a distance of 353.94 feet; thence South $80^{\circ}24'12''$ West, a distance of 55.67 feet; thence North $77^{\circ}31'09''$ West, a distance of 491.00 feet; thence North $2^{\circ}35'27''$ East, a distance of 240.00 feet; thence North $55^{\circ}27'18''$ East, a distance of 197.50 feet; thence North $3^{\circ}15'26''$ West, a distance of 168.50 feet; thence North $30^{\circ}38'44''$ West, a distance of 207.00 feet; thence North $51^{\circ}56'26''$ West, a distance of 267.00 feet; thence North $34^{\circ}51'07''$ East, a distance of 368.00 feet to the **POINT OF BEGINNING**.

CONTAINING 10.78 acres, more or less.

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

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



Kevin J. Genasci, P.L.S. 8660
June 23, 2017



EXHIBIT B
NEW LEGAL DESCRIPTION
Parcel No. 2
Lot Line Adjustment No. PLN2016-0056

That portion of Lot 2 of C.C. Baker Tract, according to the official map thereof, filed in the Office of the County Recorder of Stanislaus County, California on July 13, 1909 in Volume 4 of Maps, at Page 31, more particularly described as follows:

COMMENCING at the Northwest corner of said Lot 2, said corner being on the South side of a 50 foot County Road (Paradise Road); thence along the west line of said Lot 2 South 0°01'00" West, a distance of 5525.14 feet to the most Northerly corner of property conveyed to Tony J. Lemos, et ux, by Deed recorded January 18, 1951 as Instrument No. 1471 and the **POINT OF BEGINNING**; thence South 40°44'00" East, a distance of 413.46 feet; thence South 55°13'00" East, a distance of 204.65 feet; thence continuing South 55°13'00" East, a distance of 210.35 feet; thence North 89°39'00" East, a distance of 109.00'; thence South 61°20'00" East, a distance of 11.59 feet; thence South 00°05'00" West, a distance of 154.17 feet; thence North 55°53'40" West, a distance of 270.26 feet; thence South 89°55'30" West, a distance of 67.76 feet; thence South 0°04'30" East, a distance of 607.91 feet; thence perpendicular to the west line of above said Lot 2 North 89°59'00" West, a distance of 439.13 feet to the point of intersection with last said west line; thence North 0°01'00" East, a distance of 1165.37 feet to the **POINT OF BEGINNING**.

CONTAINING 10.00 acres, more or less.

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

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

Kevin J. Genasci, P.L.S. 8660
June 23, 2017

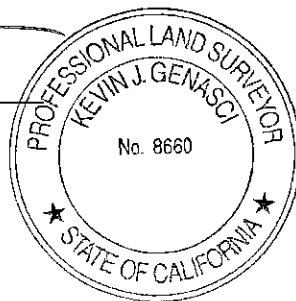


EXHIBIT B
NEW LEGAL DESCRIPTION
Parcel No. 3
Lot Line Adjustment No. PLN2016-0056

All that portion of Lot two (2) of the C.C. Baker Tract, according to the official map thereof, filed in the Office of the Recorder of Stanislaus County, California, on July 13, 1909, in Volume 4 of Maps, at Page 31, described as follows:

COMMENCING at the Southeast Corner of Lot eleven (11) of the Shruder Young Colony, according to the official map thereof, filed in the Office of the Recorder of Stanislaus County, California, on October 13, 1920 in Volume 9 of Maps, at Page 42, said Shruder Young Colony being a portion of above said Lot 2; thence South 1958.24 feet along the east line of said Lot 2 to the **POINT OF BEGINNING**; thence continuing along east line of said lot, South 1787.29 feet; thence following the southerly line of a levee the following courses and distances: South $81^{\circ}04'00''$ West, a distance of 185.57 feet; thence North $77^{\circ}37'00''$ West, a distance of 400.00 feet; thence South $86^{\circ}42'30''$ West, a distance of 247.00 feet; thence South $89^{\circ}30'30''$, a distance of 488.00 feet; thence North $86^{\circ}55'00''$ West, a distance of 197.00 feet; thence South $54^{\circ}07'00''$ West, a distance of 141.00 feet; thence South $72^{\circ}04'00''$ West, a distance of 137.00 feet and South $56^{\circ}59'30''$ West, a distance of 237.00 feet; thence South $47^{\circ}52'00''$ West, a distance of 20.60 feet; thence leaving the south line of said levee North $0^{\circ}01'00''$ East, a distance of 1195.58 feet; thence South $89^{\circ}19'30''$ West, a distance of 728.17 feet; thence North $0^{\circ}04'30''$ West, a distance of 1981.30 feet; thence North $89^{\circ}55'30''$ East, a distance of 67.76 feet; thence South $55^{\circ}53'40''$ East, a distance of 270.26 feet; thence North $00^{\circ}05'00''$ East, a distance of 154.17 feet; thence South $61^{\circ}20'00''$ East, a distance of 412.41 feet; thence South $73^{\circ}18'30''$ East, a distance of 200.00 feet; thence South $4^{\circ}06'00''$ East, a distance of 95.00 feet; thence South $76^{\circ}41'30''$ East, a distance of 152.04 feet; thence North $25^{\circ}30'30''$ East, a distance of 300.00 feet; thence South $89^{\circ}59'00''$ East, a distance of 22.50 feet; thence North $0^{\circ}01'00''$ East, a distance of 38.00 feet; thence South $37^{\circ}18'00''$ East, a distance of 224.43 feet; thence South $71^{\circ}26'30''$ East, a distance of 52.50 feet; thence South $35^{\circ}10'37''$ West, a distance of 367.10 feet; thence South $54^{\circ}49'23''$ East, a distance of 247.63 feet; thence North $35^{\circ}10'37''$ East, a distance of 297.19 feet; thence South $28^{\circ}12'30''$ East, a distance of 177.89 feet; thence South $59^{\circ}12'30''$ East, a distance of 165.60 feet; thence South $38^{\circ}08'00''$ East, a distance of 144.58 feet; thence South $19^{\circ}37'00''$ West, a distance of 93.87 feet; thence South $2^{\circ}38'00''$ East, a distance of 264.95 feet; thence North $89^{\circ}01'00''$ East, a distance of 898.72 feet to the **POINT OF BEGINNING**.

ALSO EXCEPTING THEREFROM Parcel 1 as shown and designated on that certain map filed on April 15, 1982 in Volume 32 of Parcel Maps, at Page 126.

ALSO EXCEPTING THEREFROM that portion of Lot two (2) of the C.C. Baker Tract, according to the official map thereof, filed in the Office of the Recorder of

Stanislaus County, California, on July 13, 1909 in Volume 4 of Maps, at Page 31, situate in section 17, township 4 south, range 8 east, Mount Diablo Base and Meridian, more particularly described as follows:

COMMENCING at the northwest corner of above said Lot 2, said corner being on the south line of a 50 foot county road (Paradise Road); thence along the west line of said Lot 2 South 0°01'00" West, a distance of 5,525.14 feet; thence South 40°44'00" East, a distance of 413.46 feet; thence South 55°13'00" East, a distance of 204.65 feet; thence continuing South 55°13'00" East, a distance of 210.35 feet; thence North 89°39'00" East, a distance of 109.00 feet; thence South 61°20'00" East, a distance of 11.59 feet to the Southwest Corner of land now or formerly owned by Navon, thence continuing south 61°20'00" East, a distance of 103.41 feet; thence continuing South 61°20'00" East, a distance of 309.00 feet; thence South 73°18'30" East, a distance of 200.00 feet; thence South 4°06'00" East, a distance of 95.00 feet; thence South 76°41'30" East, a distance of 152.04 feet; thence North 25°30'30" East, a distance of 300.00 feet; thence South 89°59'00" East, a distance of 22.50 feet; thence North 0°01'00" East, a distance of 38.00 feet; thence South 37°18'00" East, a distance of 224.43 feet; thence South 71°26'30" East, a distance of 52.50 feet to the **POINT OF BEGINNING**; thence continuing South 71°26'30" East, a distance of 70.71 feet; thence South 28°12'30" East, a distance of 379.08 feet; thence South 59°12'30" East, a distance of 165.60 feet; thence South 38°08' East, a distance of 144.58 feet; thence South 19°37' West, a distance of 93.87 feet; thence South 2°38' East, a distance of 264.95 feet; thence South 2°55'08" East, a distance of 353.94 feet; thence South 80°24'12" West, a distance of 55.67 feet; thence North 77°31'09" West, a distance of 491.00 feet; thence North 2°35'27" East, a distance of 240.00 feet; thence North 55°27'18" East, a distance of 197.50 feet; thence North 3°15'26" West, a distance of 168.50 feet; thence North 30°38'44" West, a distance of 207.00 feet; thence North 51°56'26" West, a distance of 267.00 feet; thence North 34°51'07" East, a distance of 368.00 feet to the **POINT OF BEGINNING**.

CONTAINING 106.24 acres, more or less.

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

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

Kevin J. Genasci, P.L.S. 8660
June 23, 2017



EXHIBIT B
NEW LEGAL DESCRIPTION
Parcel No. 4
Lot Line Adjustment No. PLN2016-0056


That portion of Parcel No. 1 of Lot Line Adjustment No. 14-61, recorded as Document No. 2014-0077466-00, Stanislaus County Records, more particularly described as follows:

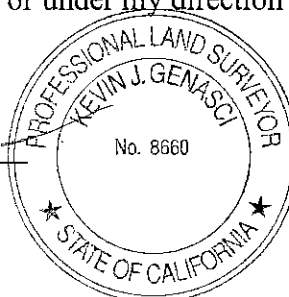
COMMENCING at the Northwest Corner of Lot 2 of the C.C. Baker Tract, according to the official map thereof, filed in the Office of the Recorder of Stanislaus County, California, on July 13, 1909, in Volume 4 of Maps, at Page 31, said corner being on the South side of a 50 foot County Road (Paradise Road); thence along the West line of said Lot 2 South 0°01'00" West, a distance of 5525.14 feet to the most Northerly Corner of property conveyed to Tony J. Lemos, et ux, by Deed recorded January 18, 1951 as Instrument No. 1471; thence South 40°44'00" East, a distance of 413.36 feet; thence South 55°13'00" East, a distance of 204.65 feet; thence along the center line of an irrigation ditch South 0°04'30" East, a distance of 735.52 feet to the **POINT OF BEGINNING**; thence perpendicular to the west line of above said Lot 2 North 89°59'00" West, a distance of 439.13 feet to the point of intersection with last said west line; thence along said west line South 0°01'00" West, a distance of 2463.73 feet to a point on the Southerly line of a levee; thence following the Southerly line of said levee the following six courses and distances; 1) South 68°30'00" East, a distance of 267.80 feet; 2) South 48°38'00" East, a distance of 264.00 feet; 3) South 45°38'00" East, a distance of 207.00 feet; 4) South 87°52'00" East, a distance of 154.00 feet; 5) North 53°10'00" East, a distance of 435.00 feet; and 6) North 47°52'00" East, a distance of 97.40 feet; thence North 0°01'00" East, a distance of 1195.58 feet; thence South 89°19'30" West, a distance of 728.17 feet; North 0°04'30" West, a distance of 1373.39 feet to the **POINT OF BEGINNING**.

CONTAINING 49.55 acres, more or less.

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

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


Kevin J. Genasci, P.L.S. 8660
June 23, 2017



SCALE: 1"=500'



6.23.17

FOR ILLUSTRATIVE PURPOSES ONLY

OWNERS

MIKE S. PASSALAQUA
3218 BANCROFT ROAD,
MODESTO, CA 95358

PEDER K. & DORIS J. HOY
TRUSTEES OF THE HOY REVOCABLE TRUST
1201 TEXAS ROAD,
MODESTO, CA 95358

A.P.N. 017-045-021

A.P.N. 017-045-014

SOUTH 1787.29'

A.P.N. 017-045-009

A.P.N. 017-045-008

A.P.N. 017-045-016

A.P.N. 017-045-022

A.P.N. 017-045-003

PASSALAQUA
A.P.N. 017-045-006

PARCEL 1 BEFORE LLA
HOY
0.95 ACRES±
DOC. NO. 2010-0080800
GRANT DEED 1951-6332

PARCEL NO. 3
AFTER LLA
106.24 ACRES±

PARCEL NO. 4
PASSALAQUA
BEFORE LOT LINE
ADJUSTMENT
49.55 ACRES±
2014-0077466

PARCEL NO. 4
AFTER LOT LINE
ADJUSTMENT
49.55 ACRES±

PARCEL NO. 2
PASSALAQUA
AFTER LOT LINE
ADJUSTMENT
10.00 ACRES

PARCEL NO. 2
PASSALAQUA
BEFORE LOT LINE
ADJUSTMENT
10.00 ACRES±

NEW LOT LINE

LOT LINE TO BE REMOVED

LOT LINE TO BE REMOVED

LOT LINE TO BE REMOVED

POINT OF BEGINNING
(PARCEL 1 AFTER)

NEW LOT LINE

NEW LOT LINE

NEW LOT LINE

LOT LINE TO BE REMOVED

POINT OF BEGINNING
(PARCEL 2 AFTER)

BANCROFT ROAD

2014-0077466-00

S00°01'00"W 3629.11'

A.P.N. 017-045-001

EXHIBIT "C"

HAWKINS & ASSOCIATES LOT LINE ADJUSTMENT NO. 16-XX

A.P.N. 017-045-024 & 018

PASSALAQUA-HOV
STANISLAUS COUNTY, CAL

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



1 OF 1


BY: RCS
CHK: KJG
DATE: 6/2017
SCALE: 1"=500'

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. 2018-021**

THIS SPACE FOR RECORDER ONLY



Stanislaus, County Recorder
Lee Lundrigan Co Recorder Office
DOC- 2018-0035541-00
Acct 121-Planning.
Wednesday, MAY 23, 2018 11:09:22
Ttl Pd \$0.00 Rcpt # 0004129233
AKN/R2/2-22

THIS NOTICE OF RESCISSION AND CALIFORNIA LAND CONSERVATION CONTRACT is made and entered into March 27, 2018, 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: PEDER K. & DORIS J HOY
3309 YOUNG ROAD
MODESTO, CA 95358

- (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)
017-045-018	10.78	3309 YOUNG RD, MODESTO, CA 95358
017-045-018	106.24	3309 YOUNG RD, MODESTO, CA 95358
017-045-028	49.55	0 BANCROFT RD, MODESTO, CA 95358

Pursuant to Stanislaus County Board of Supervisors Resolution No. 2018-0144, relating to Lot Line Adjustment No. PLN 2016-0056 as authorized by Govt. Code § 51257, California Land Conservation Contract No. 1972-1069 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.

22177

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)
Peter H. Hoy	<i>Peter H. Hoy</i>	9-25-2017	Modesto
Doris J Hoy	<i>Doris J Hoy</i>	9-25-2017	Modesto
Mike Passalacqua	<i>Mike Passalacqua</i>	9-27-2017	Modesto

SECURITY HOLDERS:

OWNERS:

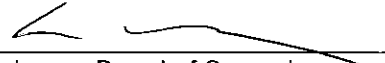
NAME (Print or type)	SIGNATURE (All to be notarized)	DATE	SIGNED AT (City)

EXHIBITS:

- (A) Legal description of Parcel covered under old contract
- (B) Legal description of newly configured Parcel covered under new contract
- (C) Board of Supervisors Action Item approving referenced rescission and new contract

COUNTY: Stanislaus County

9-22-2018
Dated


Chairman, Board of Supervisors
Angela Freitas for Jim DeMartini

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 22, 2018 before me, Anabel Hurtado, Notary Public,
(insert name and title of the officer)

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.

Signature *A. Hurtado*

(Seal)



California All-Purpose Acknowledgment

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

State of California

County of Stanislaus

} SS.

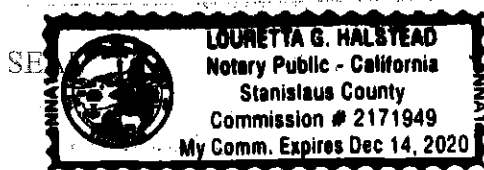
On September 25, 2017 before me, Louretta G. Halstead

Notary Public, personally appeared Peder K Hoy and Doris J Hoy

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.



Louretta G. Halstead
Signature of Notary

DESCRIPTION OF THE ATTACHED DOCUMENT

Notice of Rescission an Simultaneous Re-entry

Number of Pages _____ Document Date _____

Additional Information: _____

California All-Purpose Acknowledgment

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

State of California

County of Stanislaus

} SS.

On September 27, 2017 before me, Louretta G. Halstead,

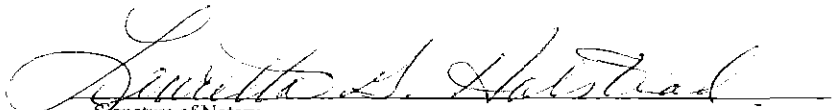
Notary Public, personally appeared Yvonne Passalacqua,

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.

SEAL


Signature of Notary

DESCRIPTION OF THE ATTACHED DOCUMENT

Williamson Act Reversion & Simultaneous Re-Entry

Number of Pages _____ Document Date _____


Additional Information: _____

EXHIBIT A
EXISTING LEGAL DESCRIPTION
Parcel No. 1
Lot Line Adjustment No. PLN2016-0056

That portion of Lot two (2) of the C.C. Baker Tract, according to the official map thereof, filed in the Office of the Recorder of Stanislaus County, California, on July 13, 1909 in Volume 4 of Maps, at Page 31, situate in section 17, township 4 south, range 8 east, Mount Diablo Base and Meridian, more particularly described as follows:

COMMENCING at the northwest corner of Lot 2 aforesaid, said corner being on the south line of a 50 foot county road and running thence South 0°01' West, a distance of 5,525.14 feet along the west line of Lot 2; thence South 40°44' East, a distance of 413.46 feet; thence South 55°13' East, a distance of 204.65 feet to the true **POINT OF BEGINNING**; thence continuing South 55°13' East, a distance of 210.35 feet; thence North 89°39' East, a distance of 109.00 feet; thence South 61°20' East, a distance of 11.59 feet to the Southwest Corner of land now or formerly owned by Navon, thence continuing south 61°20' East, a distance of 103.41 feet; thence South 29°24' West, a distance of 157.00 feet; thence North 53°40'30" West, a distance of 379.15 feet; thence North 0°04'30" West, a distance of 86.70 feet to the true **POINT OF BEGINNING**.

CONTAINING 0.95 acres, more or less.


Kevin J. Genasci, P.L.S. 8660
June 23, 2017

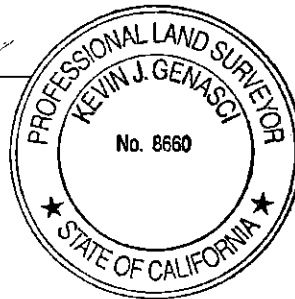



EXHIBIT A
EXISTING LEGAL DESCRIPTION
Parcel No. 2
Lot Line Adjustment No. PLN2016-0056

That portion of Lot 2 of C.C. Baker Tract, according to the official map thereof, filed in the Office of the County Recorder of Stanislaus County, California on July 13, 1909 in Volume 4 of Maps, at Page 31, and as described in that certain Lot Line Adjustment No. 14-61, recorded as Document No. 2014-0077466-00, Stanislaus County Records, more particularly described as follows:

COMMENCING at the Northwest corner of said Lot 2, said corner being on the South side of a 50 foot County Road (Paradise Road); and running thence South 0°01' West 5525.14 feet along the West line of Lot 2 to the most Northerly corner of property conveyed to Tony J. Lemos, et ux, by Deed recorded January 18, 1951 as Instrument No. 1471 and the true **POINT OF BEGINNING**; thence South 40°44' East 413.46 feet; thence South 55°13' East, a distance of 204.65 feet; thence South 0°04'30" East, a distance of 802.70 feet; thence perpendicular to the west line of above said Lot 2 North 89°59'00" West, a distance of 439.24 feet to the point of intersection with last said west line; thence North 0°01'00" East, a distance of 1232.56 feet to the true **POINT OF BEGINNING**.

CONTAINING 10.00 acres, more or less.


Kevin J. Genasci, P.L.S. 8660
June 23, 2017

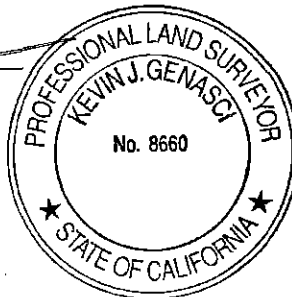


EXHIBIT A
EXISTING LEGAL DESCRIPTION
Parcel No. 3
Lot Line Adjustment No. PLN2016-0056

All that portion of Lot two (2) of the C.C. Baker Tract, according to the official map thereof, filed in the Office of the Recorder of Stanislaus County, California, on July 13, 1909, in Volume 4 of Maps, at Page 31, described as follows:

COMMENCING at the Southeast Corner of Lot eleven (11) of the Shruder Young Colony, according to the official map thereof, filed in the Office of the Recorder of Stanislaus County, California, on October 13, 1920 in Volume 9 of Maps, at Page 42, said Shruder Young Colony being a portion of Lot 2 of the C.C. Baker Tract aforesaid, and turning thence South 1958.24 feet along the east line of Lot 2 of the C.C. Baker Tract to the true **POINT OF BEGINNING**; thence continuing along east line of said lot, South 1787.29 feet; thence following the southerly line of a levee the following courses and distances: South 81°04' west, a distance of 185.57 feet; thence North 77°37' West, a distance of 400.00 feet; thence south 86°42'30" West, a distance of 247.00 feet; thence South 89°30'30", a distance of 488.00 feet; thence North 86°55' West, a distance of 197.00 feet; thence South 54°07' West, a distance of 141.00 feet; thence south 72°04' West, a distance of 137.00 feet and South 56°59'30" West, a distance of 237.00 feet; thence leaving the south line of said levee and running along center line of a ditch the following courses and distances: North 0°01' East, a distance of 585.60 feet; thence South 89°51' West, a distance of 527.00 feet; thence North 0°01'30" West, a distance of 606.78 feet; thence South 89°19'30" West, a distance of 216.00 feet and North 0°04'30" West, a distance of 2006.06 feet; thence South 53°40'30" East, a distance of 379.15 feet; thence North 29°24' East, a distance of 157.00 feet; thence South 61°20' East, a distance of 309.00 feet; thence South 73°18'30" East, a distance of 200.00 feet; thence South 4°06' East, a distance of 95.00 feet; thence South 76°41'30" East, a distance of 152.04 feet; thence North 25°30'30" East, a distance of 300.00 feet; thence South 89°59' East, a distance of 22.50 feet; thence North 0°01' East, a distance of 38.00 feet; thence South 37°18' East, a distance of 224.43 feet; thence South 71°26'30" East, a distance of 123.21 feet; thence South 28°12'30" East, a distance of 379.08 feet; thence South 59°12'30" East, a distance of 165.60 feet; thence South 38°08' East, a distance of 144.58 feet; thence South 19°37' West, a distance of 93.87 feet; thence South 2°38' East, a distance of 264.95 feet; thence North 89°01' East, a distance of 898.72 feet to the true **POINT OF BEGINNING**.

EXCEPTING THEREFROM all that portion thereof described as follows, to wit:

COMMENCING at the Northwest Corner of Lot 2 aforesaid, said corner being on the south side of a 30 foot county road (Paradise Road) and running thence South 0°01' West, a distance of 5525.14 feet along the west line of Lot 2; thence, south 40°44' East, a distance of 413.46 feet; thence South 55°13' East, a distance of 204.65 feet; thence South

0°04'30" East, a distance of 86.70 feet; thence continuing South 0°04'30" East, a distance of 2006.94 feet; thence North 89°19'30" East, a distance of 216.00 feet to the true **POINT OF BEGINNING**; thence continuing North 89°19'30" East, a distance of 527.46 feet; thence south 0°01' West, a distance of 611.61 feet; thence South 89°51' West, a distance of 527.00 feet; thence North 0°01'30" West, a distance of 606.78 feet to the true **POINT OF BEGINNING**.

ALSO EXCEPTING THEREFROM Parcel 1 as shown and designated on that certain map filed on April 15, 1982 in Volume 32 of Parcel Maps, at Page 126.

CONTAINING 116.07 acres, more or less.



Kevin J. Genasci, P.L.S. 8660
June 23, 2017

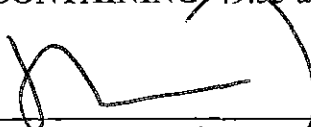


EXHIBIT A
EXISTING LEGAL DESCRIPTION
Parcel No. 4
Lot Line Adjustment No. PLN2016-0056

That portion of Lot 2 of C.C. Baker Tract, according to the official map thereof, filed in the Office of the County Recorder of Stanislaus County, California on July 13, 1909 in Volume 4 of Maps, at Page 31, and as described in that certain Lot Line Adjustment No. 14-61, recorded as Document No. 2014-0077466-00, Stanislaus County Records, more particularly described as follows:

COMMENCING at the Northwest corner of said Lot 2, said corner being on the South side of a 50 foot County Road (Paradise Road); and running thence South 0°01' West 5525.14 feet along the West line of Lot 2 to the most Northerly corner of property conveyed to Tony J. Lemos, et ux, by Deed recorded January 18, 1951 as Instrument No. 1471; thence South 40°44' East, a distance of 413.36 feet; thence South 55°13' East, a distance of 204.65 feet; thence along the center line of an irrigation ditch South 0°04'30" East, a distance of 802.70 feet to the **POINT OF BEGINNING**; thence perpendicular to the west line of above said Lot 2 North 89°59'00" West, a distance of 439.24 feet to the point of intersection with last said west line; thence along said West line South 0°01'00" West, a distance of 2396.55 feet to a point on the Southerly line of a levee; thence following the Southerly line of said levee the following six courses and distances; 1) South 68°30' East, a distance of 267.80 feet; 2) South 48°38' East, a distance of 264.00 feet; 3) South 45°38' East, a distance of 207.00 feet; 4) South 87°52' East, a distance of 154.00 feet; 5) North 53°10' East, a distance of 435.00 feet; 6) North 47°52' East, a distance of 118.00 feet to the centerline of last said irrigation ditch; thence along last said centerline North 0°01' East, a distance of 1197.21 feet; South 89°19'30" West, a distance of 743.47 feet; North 0°04'30" West, a distance of 1290.94 feet to the **POINT OF BEGINNING**.

CONTAINING 49.55 acres, more or less.


Kevin J. Genasci, P.L.S. 8660
June 23, 2017

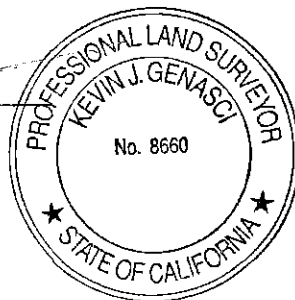


EXHIBIT B
NEW LEGAL DESCRIPTION
Parcel No. 1
Lot Line Adjustment No. PLN2016-0056

That portion of Lot two (2) of the C.C. Baker Tract, according to the official map thereof, filed in the Office of the Recorder of Stanislaus County, California, on July 13, 1909 in Volume 4 of Maps, at Page 31, situate in section 17, township 4 south, range 8 east, Mount Diablo Base and Meridian, more particularly described as follows:

COMMENCING at the northwest corner of above said Lot 2, said corner being on the south line of a 50 foot county road (Paradise Road); thence along the west line of said Lot 2 South 0°01'00" West, a distance of 5,525.14 feet; thence South 40°44'00" East, a distance of 413.46 feet; thence South 55°13'00" East, a distance of 204.65 feet; thence continuing South 55°13'00" East, a distance of 210.35 feet; thence North 89°39'00" East, a distance of 109.00 feet; thence South 61°20'00" East, a distance of 11.59 feet to the Southwest Corner of land now or formerly owned by Navon, thence continuing south 61°20'00" East, a distance of 103.41 feet; thence continuing South 61°20'00" East, a distance of 309.00 feet; thence South 73°18'30" East, a distance of 200.00 feet; thence South 4°06'00" East, a distance of 95.00 feet; thence South 76°41'30" East, a distance of 152.04 feet; thence North 25°30'30" East, a distance of 300.00 feet; thence South 89°59'00" East, a distance of 22.50 feet; thence North 0°01'00" East, a distance of 38.00 feet; thence South 37°18'00" East, a distance of 224.43 feet; thence South 71°26'30" East, a distance of 52.50 feet to the **POINT OF BEGINNING**; thence continuing South 71°26'30" East, a distance of 70.71 feet; thence South 28°12'30" East, a distance of 379.08 feet; thence South 59°12'30" East, a distance of 165.60 feet; thence South 38°08' East, a distance of 144.58 feet; thence South 19°37' West, a distance of 93.87 feet; thence South 2°38' East, a distance of 264.95 feet; thence South 2°55'08" East, a distance of 353.94 feet; thence South 80°24'12" West, a distance of 55.67 feet; thence North 77°31'09" West, a distance of 491.00 feet; thence North 2°35'27" East, a distance of 240.00 feet; thence North 55°27'18" East, a distance of 197.50 feet; thence North 3°15'26" West, a distance of 168.50 feet; thence North 30°38'44" West, a distance of 207.00 feet; thence North 51°56'26" West, a distance of 267.00 feet; thence North 34°51'07" East, a distance of 368.00 feet to the **POINT OF BEGINNING**.

CONTAINING 10.78 acres, more or less.

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

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



Kevin J. Genasci, P.L.S. 8660
June 23, 2017

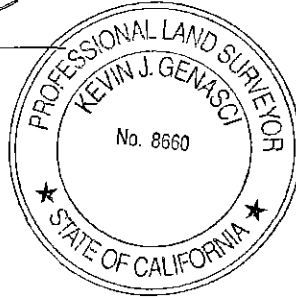


EXHIBIT B
NEW LEGAL DESCRIPTION
Parcel No. 2
Lot Line Adjustment No. PLN2016-0056

That portion of Lot 2 of C.C. Baker Tract, according to the official map thereof, filed in the Office of the County Recorder of Stanislaus County, California on July 13, 1909 in Volume 4 of Maps, at Page 31, more particularly described as follows:

COMMENCING at the Northwest corner of said Lot 2, said corner being on the South side of a 50 foot County Road (Paradise Road); thence along the west line of said Lot 2 South 0°01'00" West, a distance of 5525.14 feet to the most Northerly corner of property conveyed to Tony J. Lemos, et ux, by Deed recorded January 18, 1951 as Instrument No. 1471 and the **POINT OF BEGINNING**; thence South 40°44'00" East, a distance of 413.46 feet; thence South 55°13'00" East, a distance of 204.65 feet; thence continuing South 55°13'00" East, a distance of 210.35 feet; thence North 89°39'00" East, a distance of 109.00'; thence South 61°20'00" East, a distance of 11.59 feet; thence South 00°05'00" West, a distance of 154.17 feet; thence North 55°53'40" West, a distance of 270.26 feet; thence South 89°55'30" West, a distance of 67.76 feet; thence South 0°04'30" East, a distance of 607.91 feet; thence perpendicular to the west line of above said Lot 2 North 89°59'00" West, a distance of 439.13 feet to the point of intersection with last said west line; thence North 0°01'00" East, a distance of 1165.37 feet to the **POINT OF BEGINNING**.

CONTAINING 10.00 acres, more or less.

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

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

Kevin J. Genasci, P.L.S. 8660
June 23, 2017

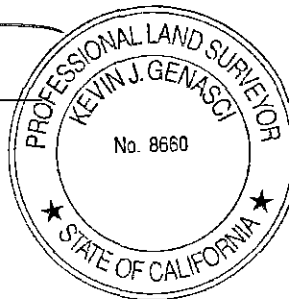


EXHIBIT B
NEW LEGAL DESCRIPTION
Parcel No. 3
Lot Line Adjustment No. PLN2016-0056

All that portion of Lot two (2) of the C.C. Baker Tract, according to the official map thereof, filed in the Office of the Recorder of Stanislaus County, California, on July 13, 1909, in Volume 4 of Maps, at Page 31, described as follows:

COMMENCING at the Southeast Corner of Lot eleven (11) of the Shruder Young Colony, according to the official map thereof, filed in the Office of the Recorder of Stanislaus County, California, on October 13, 1920 in Volume 9 of Maps, at Page 42, said Shruder Young Colony being a portion of above said Lot 2; thence South 1958.24 feet along the east line of said Lot 2 to the **POINT OF BEGINNING**; thence continuing along east line of said lot, South 1787.29 feet; thence following the southerly line of a levee the following courses and distances: South $81^{\circ}04'00''$ West, a distance of 185.57 feet; thence North $77^{\circ}37'00''$ West, a distance of 400.00 feet; thence South $86^{\circ}42'30''$ West, a distance of 247.00 feet; thence South $89^{\circ}30'30''$, a distance of 488.00 feet; thence North $86^{\circ}55'00''$ West, a distance of 197.00 feet; thence South $54^{\circ}07'00''$ West, a distance of 141.00 feet; thence South $72^{\circ}04'00''$ West, a distance of 137.00 feet and South $56^{\circ}59'30''$ West, a distance of 237.00 feet; thence South $47^{\circ}52'00''$ West, a distance of 20.60 feet; thence leaving the south line of said levee North $0^{\circ}01'00''$ East, a distance of 1195.58 feet; thence South $89^{\circ}19'30''$ West, a distance of 728.17 feet; thence North $0^{\circ}04'30''$ West, a distance of 1981.30 feet; thence North $89^{\circ}55'30''$ East, a distance of 67.76 feet; thence South $55^{\circ}53'40''$ East, a distance of 270.26 feet; thence North $00^{\circ}05'00''$ East, a distance of 154.17 feet; thence South $61^{\circ}20'00''$ East, a distance of 412.41 feet; thence South $73^{\circ}18'30''$ East, a distance of 200.00 feet; thence South $4^{\circ}06'00''$ East, a distance of 95.00 feet; thence South $76^{\circ}41'30''$ East, a distance of 152.04 feet; thence North $25^{\circ}30'30''$ East, a distance of 300.00 feet; thence South $89^{\circ}59'00''$ East, a distance of 22.50 feet; thence North $0^{\circ}01'00''$ East, a distance of 38.00 feet; thence South $37^{\circ}18'00''$ East, a distance of 224.43 feet; thence South $71^{\circ}26'30''$ East, a distance of 52.50 feet; thence South $35^{\circ}10'37''$ West, a distance of 367.10 feet; thence South $54^{\circ}49'23''$ East, a distance of 247.63 feet; thence North $35^{\circ}10'37''$ East, a distance of 297.19 feet; thence South $28^{\circ}12'30''$ East, a distance of 177.89 feet; thence South $59^{\circ}12'30''$ East, a distance of 165.60 feet; thence South $38^{\circ}08'00''$ East, a distance of 144.58 feet; thence South $19^{\circ}37'00''$ West, a distance of 93.87 feet; thence South $2^{\circ}38'00''$ East, a distance of 264.95 feet; thence North $89^{\circ}01'00''$ East, a distance of 898.72 feet to the **POINT OF BEGINNING**.

ALSO EXCEPTING THEREFROM Parcel 1 as shown and designated on that certain map filed on April 15, 1982 in Volume 32 of Parcel Maps, at Page 126.

ALSO EXCEPTING THEREFROM that portion of Lot two (2) of the C.C. Baker Tract, according to the official map thereof, filed in the Office of the Recorder of


Stanislaus County, California, on July 13, 1909 in Volume 4 of Maps, at Page 31, situate in section 17, township 4 south, range 8 east, Mount Diablo Base and Meridian, more particularly described as follows:

COMMENCING at the northwest corner of above said Lot 2, said corner being on the south line of a 50 foot county road (Paradise Road); thence along the west line of said Lot 2 South 0°01'00" West, a distance of 5,525.14 feet; thence South 40°44'00" East, a distance of 413.46 feet; thence South 55°13'00" East, a distance of 204.65 feet; thence continuing South 55°13'00" East, a distance of 210.35 feet; thence North 89°39'00" East, a distance of 109.00 feet; thence South 61°20'00" East, a distance of 11.59 feet to the Southwest Corner of land now or formerly owned by Navon, thence continuing south 61°20'00" East, a distance of 103.41 feet; thence continuing South 61°20'00" East, a distance of 309.00 feet; thence South 73°18'30" East, a distance of 200.00 feet; thence South 4°06'00" East, a distance of 95.00 feet; thence South 76°41'30" East, a distance of 152.04 feet; thence North 25°30'30" East, a distance of 300.00 feet; thence South 89°59'00" East, a distance of 22.50 feet; thence North 0°01'00" East, a distance of 38.00 feet; thence South 37°18'00" East, a distance of 224.43 feet; thence South 71°26'30" East, a distance of 52.50 feet to the **POINT OF BEGINNING**; thence continuing South 71°26'30" East, a distance of 70.71 feet; thence South 28°12'30" East, a distance of 379.08 feet; thence South 59°12'30" East, a distance of 165.60 feet; thence South 38°08' East, a distance of 144.58 feet; thence South 19°37' West, a distance of 93.87 feet; thence South 2°38' East, a distance of 264.95 feet; thence South 2°55'08" East, a distance of 353.94 feet; thence South 80°24'12" West, a distance of 55.67 feet; thence North 77°31'09" West, a distance of 491.00 feet; thence North 2°35'27" East, a distance of 240.00 feet; thence North 55°27'18" East, a distance of 197.50 feet; thence North 3°15'26" West, a distance of 168.50 feet; thence North 30°38'44" West, a distance of 207.00 feet; thence North 51°56'26" West, a distance of 267.00 feet; thence North 34°51'07" East, a distance of 368.00 feet to the **POINT OF BEGINNING**.

CONTAINING 106.24 acres, more or less.

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

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


Kevin J. Genasci, P.L.S. 8660
June 23, 2017

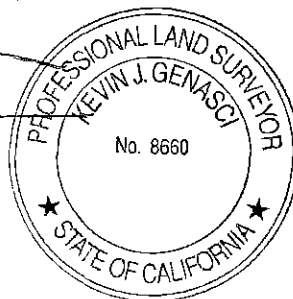


EXHIBIT B
NEW LEGAL DESCRIPTION
Parcel No. 4
Lot Line Adjustment No. PLN2016-0056

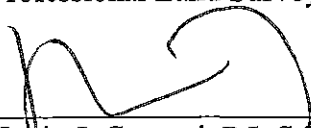
That portion of Parcel No. 1 of Lot Line Adjustment No. 14-61, recorded as Document No. 2014-0077466-00, Stanislaus County Records, more particularly described as follows:

COMMENCING at the Northwest Corner of Lot 2 of the C.C. Baker Tract, according to the official map thereof, filed in the Office of the Recorder of Stanislaus County, California, on July 13, 1909, in Volume 4 of Maps, at Page 31, said corner being on the South side of a 50 foot County Road (Paradise Road); thence along the West line of said Lot 2 South 0°01'00" West, a distance of 5525.14 feet to the most Northerly Corner of property conveyed to Tony J. Lemos, et ux, by Deed recorded January 18, 1951 as Instrument No. 1471; thence South 40°44'00" East, a distance of 413.36 feet; thence South 55°13'00" East, a distance of 204.65 feet; thence along the center line of an irrigation ditch South 0°04'30" East, a distance of 735.52 feet to the **POINT OF BEGINNING**; thence perpendicular to the west line of above said Lot 2 North 89°59'00" West, a distance of 439.13 feet to the point of intersection with last said west line; thence along said west line South 0°01'00" West, a distance of 2463.73 feet to a point on the Southerly line of a levee; thence following the Southerly line of said levee the following six courses and distances; 1) South 68°30'00" East, a distance of 267.80 feet; 2) South 48°38'00" East, a distance of 264.00 feet; 3) South 45°38'00" East, a distance of 207.00 feet; 4) South 87°52'00" East, a distance of 154.00 feet; 5) North 53°10'00" East, a distance of 435.00 feet; and 6) North 47°52'00" East, a distance of 97.40 feet; thence North 0°01'00" East, a distance of 1195.58 feet; thence South 89°19'30" West, a distance of 728.17 feet; North 0°04'30" West, a distance of 1373.39 feet to the **POINT OF BEGINNING**.

CONTAINING 49.55 acres, more or less.

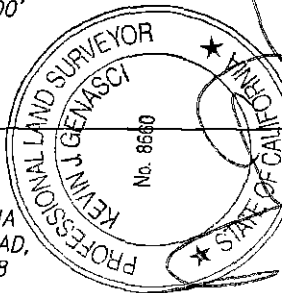
SUBJECT TO all rights-of-way and easements of record.

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


Kevin J. Genasci, P.L.S. 8660
June 23, 2017



SCALE: 1"=500'



6.23.17

OWNERS

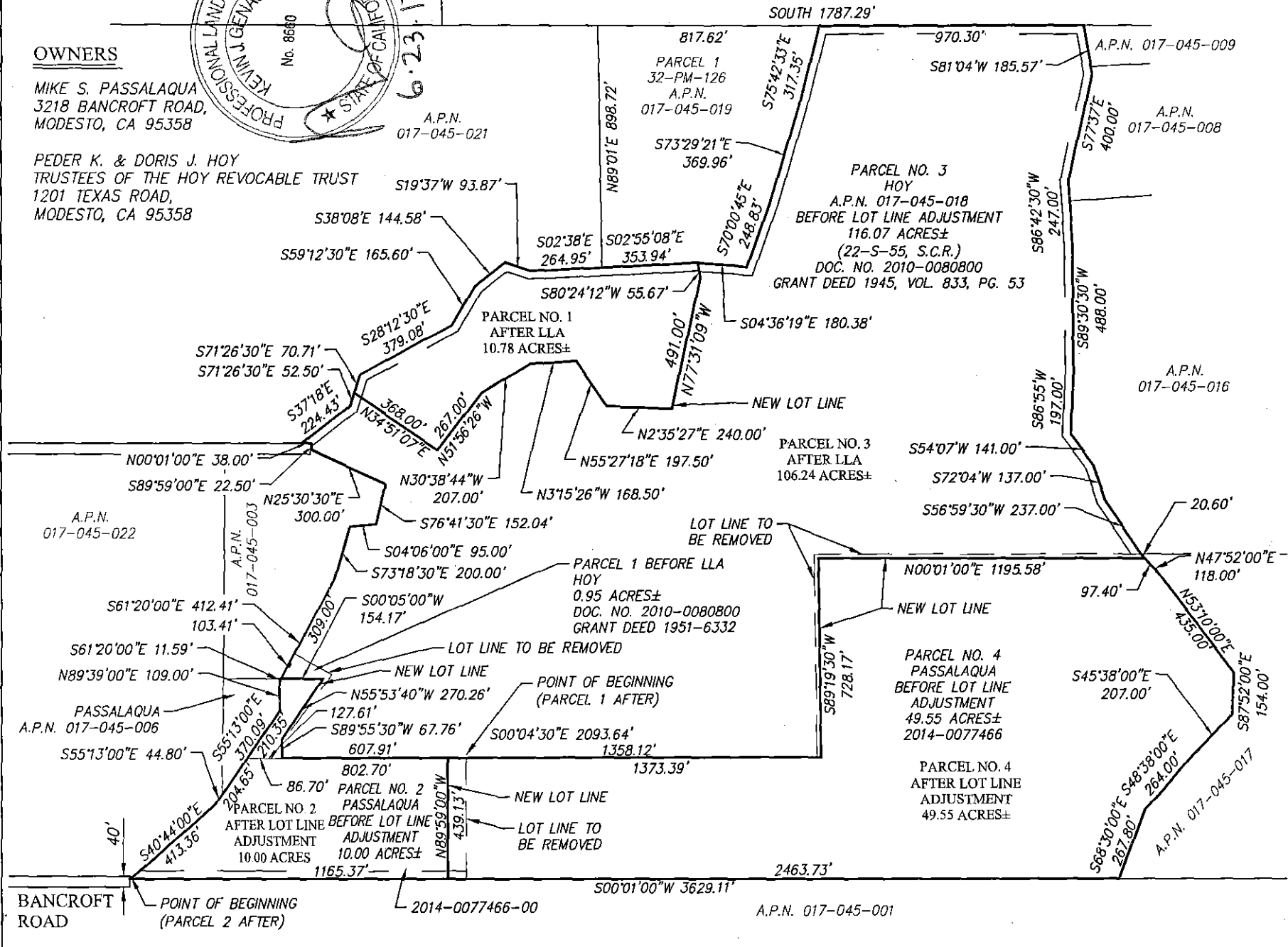
MIKE S. PASSALAQUA
3218 BANCROFT ROAD,
MODESTO, CA 95358

PEDER K. & DORIS J. HOY
TRUSTEES OF THE HOY REVOCABLE TRUST
1201 TEXAS ROAD,
MODESTO, CA 95358

FOR ILLUSTRATIVE PURPOSES ONLY

A.P.N.
017-045-014

BY: RCS
CHK: KJG
DATE: 6/2017
SCALE: 1"=500'
JOB #: 3190
FILE: SURILLA



LOT LINE ADJUSTMENT NO. 16-XX
A.P.N. 017-045-024 & 018
PASSALAQUA-HOY
STANISLAUS COUNTY, CALIFORNIA

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

N:\3190_Passalqua-Hoy\Draws\Survey\LLA\01_3190-LLA-8K11-ENG.dwg (OT LLA 826) PLOTTED: 8-23-17 08:57:44 AM ramonok

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

DEPT: Planning and Community Development

BOARD AGENDA: 5.D.2
AGENDA DATE: March 27, 2018

SUBJECT:

Approval to Rescind a Portion of Williamson Act Contract Nos. 1972-1069 and All of 2016-01, Located at 3309 Young Road, Between Vivian and Shiloh Roads, North of the Tuolumne River; and Approval of New Contracts, Pursuant to Lot Line Adjustment Application No. PLN2016-0056, Hoy-Passalacqua

BOARD ACTION AS FOLLOWS:

RESOLUTION NO. 2018-0144

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

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

Noes: Supervisors: None

Excused or Absent: Supervisors: None

Abstaining: Supervisor: None

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

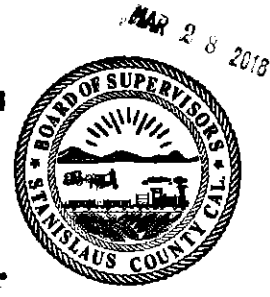
MOTION:

I hereby certify that the foregoing is a full, true and correct copy of the Original entered in the Minutes of the Board of Supervisors.

ELIZABETH A. KING

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

By Patricia D. Gonzales



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:5.D.2
AGENDA DATE: March 27, 2018

CONSENT:

CEO CONCURRENCE:

4/5 Vote Required: No

SUBJECT:

Approval to Rescind a Portion of Williamson Act Contract Nos. 1972-1069 and All of 2016-01, Located at 3309 Young Road, Between Vivian and Shiloh Roads, North of the Tuolumne River; and Approval of New Contracts, Pursuant to Lot Line Adjustment Application No. PLN2016-0056, Hoy-Passalaqua

STAFF RECOMMENDATION:

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 Assembly Bill (AB) 1265.
 - 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.
2. Rescind a Portion of Williamson Act Contract Nos. 1972-1069 and all of 2016-01, located at 3309 Young Road, between Vivian and Shiloh Roads (APN: 017-045-018 and 017-045-028).
3. Approve new contracts, pursuant to Lot Line Adjustment Application No. PLN2016-0056, Hoy-Passalaqua.
4. Authorize the Director of Planning and Community Development to execute new contracts, pursuant to Lot Line Adjustment Application No. PLN2016-0056, Hoy-Passalaqua.

DISCUSSION:

The lot line adjustment request includes the adjustment of four parcels (176.57 total acres) to reconfigure a non-conforming parcel to encompass existing farming operations as well as match existing parcel occupancy lines. 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, all applicable zoning provision, Williamson Act criteria, and determined that the application meets the requirements for approval.

Parcels 1, 3, and 4 (165.62 acres) are currently enrolled in Williamson Act Contract Nos. 1972-1069 and 2016-01. Parcel 2 is not enrolled in a Williamson Act Contract. If this lot line is approved, all newly configured parcels (176.57 acres) will be enrolled in new contracts.

Pursuant to California Government Code Section 51257, the parties to a contract, or contracts, 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 AB 1265.
2. There is no net decrease in the amount of the acreage restricted. In cases where two parcels involved in a lot line adjustment are both subject to contracts rescinded

pursuant to this section, this finding will be satisfied if the aggregate acreage of the land restricted by the new contracts is at least as great as the aggregate acreage restricted by the rescinded contracts.

3. At least 90 percent of the land under the former contract, or contracts, remains under the new contract, or contracts.
4. After the lot line adjustment, the parcels of land subject to contract will be large enough to sustain their agricultural use, as defined in Government Code Section 51222.

Note: the definition in Government Code Section 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, or contracts, 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 contract, or contracts, will be subject to the provisions of AB 1265.

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 significant net change in property tax or other revenue, therefore providing no additional fiscal effect.

BOARD OF SUPERVISORS' PRIORITY:

Approval of this action supports the Board's priority of A Healthy Economy 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 Lot Line Adjustment
3. Map of Parcels After the Proposed Lot Line Adjustment is Approved
4. Applicant's Statement of Findings

THIS SPACE FOR RECORDER ONLY



Stanislaus, County Recorder
Lee Lundrigan Co Recorder Office
DOC- 2018-0035542-00

Acct 121-Planning.
Wednesday, MAY 23, 2018 11:09:25
Ttl Pd \$0.00 Rcpt # 0004129234
AKN/R2/2-21

RECORDING REQUESTED BY
STANISLAUS COUNTY BOARD OF
SUPERVISORS

WHEN RECORDED RETURN TO
STANISLAUS COUNTY PLANNING
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. 2018-020**

THIS NOTICE OF RESCISSION AND CALIFORNIA LAND CONSERVATION CONTRACT is made and entered into March 27, 2018, 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: MIKE PASSALAUQA
3218 BANCROFT ROAD
MODESTO, CA 95358

- (16) Owner desires to place the following parcels of real property under Contract:

ASSESSORS PARCEL NUMBER	ACREAGE	SITUS ADDRESS (If none, please provide Legal Description)
<u>017-045-028</u>	<u>10</u>	<u>3222 BANCROFT RD, MODESTO, CA 95358</u>

Pursuant to Stanislaus County Board of Supervisors Resolution No.2018-0144 relating to Lot Line Adjustment No. PLN2016-0056 as authorized by Govt. Code § 51257, California Land Conservation Contract No. 1972-1069 which encumbered the parcel described in Exhibit A are rescinded and this contract which encumbers the newly configured parcel described in Exhibit B is entered into.

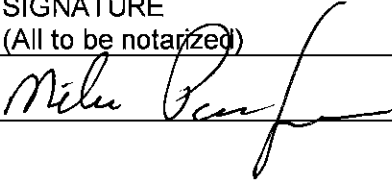
21m

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)
Mike Passalacqua		12/11/2018	Modesto

SECURITY HOLDERS:

OWNERS:

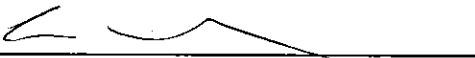
NAME (Print or type)	SIGNATURE (All to be notarized)	DATE	SIGNED AT (City)

EXHIBITS:

- (A) Legal description of Parcel covered under old contract
- (B) Legal description of newly configured Parcel covered under new contract
- (C) Board of Supervisors Action Item approving referenced rescission and new contract

COUNTY: Stanislaus County

Dated 5-22-2018


 Chairman, Board of Supervisors
 Angela Freitas for Jim DeMartini

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

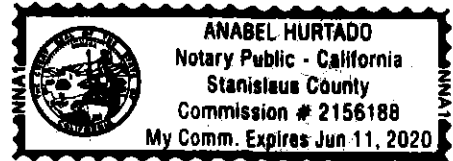
On May 22, 2018 before me, Anabel Hurtado, Notary Public,
(insert name and title of the officer)

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.

Signature *A. Hurtado* (Seal)



California All-Purpose Acknowledgment

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

State of California

County of Stanislaus

} SS.

On December 11, 2017 before me, Louretta G. Halstead

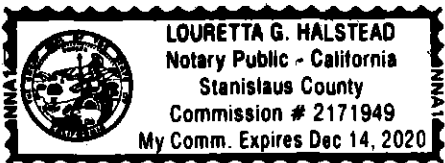
Notary Public, personally appeared Mike Passalacqua

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.

SEA



Louretta G. Halstead
Signature of Notary

DESCRIPTION OF THE ATTACHED DOCUMENT

Rescission & Re-entry

Number of Pages _____ Document Date _____

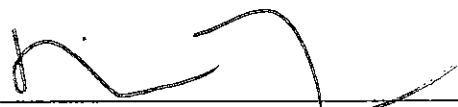
Additional Information: _____

EXHIBIT A
EXISTING LEGAL DESCRIPTION
Parcel No. 1
Lot Line Adjustment No. PLN2016-0056

That portion of Lot two (2) of the C.C. Baker Tract, according to the official map thereof, filed in the Office of the Recorder of Stanislaus County, California, on July 13, 1909 in Volume 4 of Maps, at Page 31, situate in section 17, township 4 south, range 8 east, Mount Diablo Base and Meridian, more particularly described as follows:

COMMENCING at the northwest corner of Lot 2 aforesaid, said corner being on the south line of a 50 foot county road and running thence South 0°01' West, a distance of 5,525.14 feet along the west line of Lot 2; thence South 40°44' East, a distance of 413.46 feet; thence South 55°13' East, a distance of 204.65 feet to the true **POINT OF BEGINNING**; thence continuing South 55°13' East, a distance of 210.35 feet; thence North 89°39' East, a distance of 109.00 feet; thence South 61°20' East, a distance of 11.59 feet to the Southwest Corner of land now or formerly owned by Navon, thence continuing south 61°20' East, a distance of 103.41 feet; thence South 29°24' West, a distance of 157.00 feet; thence North 53°40'30" West, a distance of 379.15 feet; thence North 0°04'30" West, a distance of 86.70 feet to the true **POINT OF BEGINNING**.

CONTAINING 0.95 acres, more or less.


Kevin J. Genasci, P.L.S. 8660
June 23, 2017

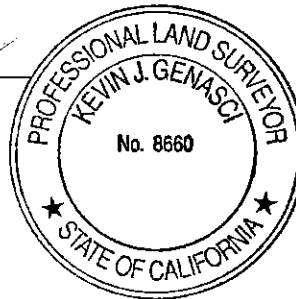


EXHIBIT A
EXISTING LEGAL DESCRIPTION
Parcel No. 2
Lot Line Adjustment No. PLN2016-0056

That portion of Lot 2 of C.C. Baker Tract, according to the official map thereof, filed in the Office of the County Recorder of Stanislaus County, California on July 13, 1909 in Volume 4 of Maps, at Page 31, and as described in that certain Lot Line Adjustment No. 14-61, recorded as Document No. 2014-0077466-00, Stanislaus County Records, more particularly described as follows:

COMMENCING at the Northwest corner of said Lot 2, said corner being on the South side of a 50 foot County Road (Paradise Road); and running thence South 0°01' West 5525.14 feet along the West line of Lot 2 to the most Northerly corner of property conveyed to Tony J. Lemos, et ux, by Deed recorded January 18, 1951 as Instrument No. 1471 and the true **POINT OF BEGINNING**; thence South 40°44' East 413.46 feet; thence South 55°13' East, a distance of 204.65 feet; thence South 0°04'30" East, a distance of 802.70 feet; thence perpendicular to the west line of above said Lot 2 North 89°59'00" West, a distance of 439.24 feet to the point of intersection with last said west line; thence North 0°01'00" East, a distance of 1232.56 feet to the true **POINT OF BEGINNING**.

CONTAINING 10.00 acres, more or less.



Kevin J. Genasci, P.L.S. 8660
June 23, 2017



EXHIBIT A
EXISTING LEGAL DESCRIPTION
Parcel No. 3
Lot Line Adjustment No. PLN2016-0056

All that portion of Lot two (2) of the C.C. Baker Tract, according to the official map thereof, filed in the Office of the Recorder of Stanislaus County, California, on July 13, 1909, in Volume 4 of Maps, at Page 31, described as follows:

COMMENCING at the Southeast Corner of Lot eleven (11) of the Shruder Young Colony, according to the official map thereof, filed in the Office of the Recorder of Stanislaus County, California, on October 13, 1920 in Volume 9 of Maps, at Page 42, said Shruder Young Colony being a portion of Lot 2 of the C.C. Baker Tract aforesaid, and turning thence South 1958.24 feet along the east line of Lot 2 of the C.C. Baker Tract to the true **POINT OF BEGINNING**; thence continuing along east line of said lot, South 1787.29 feet; thence following the southerly line of a levee the following courses and distances: South 81°04' west, a distance of 185.57 feet; thence North 77°37' West, a distance of 400.00 feet; thence south 86°42'30" West, a distance of 247.00 feet; thence South 89°30'30", a distance of 488.00 feet; thence North 86°55' West, a distance of 197.00 feet; thence South 54°07' West, a distance of 141.00 feet; thence south 72°04' West, a distance of 137.00 feet and South 56°59'30" West, a distance of 237.00 feet; thence leaving the south line of said levee and running along center line of a ditch the following courses and distances: North 0°01' East, a distance of 585.60 feet; thence South 89°51' West, a distance of 527.00 feet; thence North 0°01'30" West, a distance of 606.78 feet; thence South 89°19'30" West, a distance of 216.00 feet and North 0°04'30" West, a distance of 2006.06 feet; thence South 53°40'30" East, a distance of 379.15 feet; thence North 29°24' East, a distance of 157.00 feet; thence South 61°20' East, a distance of 309.00 feet; thence South 73°18'30" East, a distance of 200.00 feet; thence South 4°06' East, a distance of 95.00 feet; thence South 76°41'30" East, a distance of 152.04 feet; thence North 25°30'30" East, a distance of 300.00 feet; thence South 89°59' East, a distance of 22.50 feet; thence North 0°01' East, a distance of 38.00 feet; thence South 37°18' East, a distance of 224.43 feet; thence South 71°26'30" East, a distance of 123.21 feet; thence South 28°12'30" East, a distance of 379.08 feet; thence South 59°12'30" East, a distance of 165.60 feet; thence South 38°08' East, a distance of 144.58 feet; thence South 19°37' West, a distance of 93.87 feet; thence South 2°38' East, a distance of 264.95 feet; thence North 89°01' East, a distance of 898.72 feet to the true **POINT OF BEGINNING**.

EXCEPTING THEREFROM all that portion thereof described as follows, to wit:

COMMENCING at the Northwest Corner of Lot 2 aforesaid, said corner being on the south side of a 30 foot county road (Paradise Road) and running thence South 0°01' West, a distance of 5525.14 feet along the west line of Lot 2; thence, south 40°44' East, a distance of 413.46 feet; thence South 55°13' East, a distance of 204.65 feet; thence South

0°04'30" East, a distance of 86.70 feet; thence continuing South 0°04'30" East, a distance of 2006.94 feet; thence North 89°19'30" East, a distance of 216.00 feet to the true **POINT OF BEGINNING**; thence continuing North 89°19'30" East, a distance of 527.46 feet; thence south 0°01' West, a distance of 611.61 feet; thence South 89°51' West, a distance of 527.00 feet; thence North 0°01'30" West, a distance of 606.78 feet to the true **POINT OF BEGINNING**.

ALSO EXCEPTING THEREFROM Parcel 1 as shown and designated on that certain map filed on April 15, 1982 in Volume 32 of Parcel Maps, at Page 126.

CONTAINING 116.07 acres, more or less.



Kevin J. Genasci, P.L.S. 8660
June 23, 2017

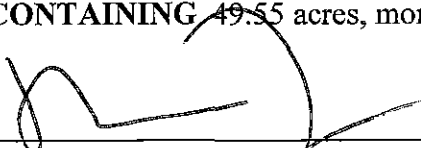


EXHIBIT A
EXISTING LEGAL DESCRIPTION
Parcel No. 4
Lot Line Adjustment No. PLN2016-0056

That portion of Lot 2 of C.C. Baker Tract, according to the official map thereof, filed in the Office of the County Recorder of Stanislaus County, California on July 13, 1909 in Volume 4 of Maps, at Page 31, and as described in that certain Lot Line Adjustment No. 14-61, recorded as Document No. 2014-0077466-00, Stanislaus County Records, more particularly described as follows:

COMMENCING at the Northwest corner of said Lot 2, said corner being on the South side of a 50 foot County Road (Paradise Road); and running thence South 0°01' West 5525.14 feet along the West line of Lot 2 to the most Northerly corner of property conveyed to Tony J. Lemos, et ux, by Deed recorded January 18, 1951 as Instrument No. 1471; thence South 40°44' East, a distance of 413.36 feet; thence South 55°13' East, a distance of 204.65 feet; thence along the center line of an irrigation ditch South 0°04'30" East, a distance of 802.70 feet to the **POINT OF BEGINNING**; thence perpendicular to the west line of above said Lot 2 North 89°59'00" West, a distance of 439.24 feet to the point of intersection with last said west line; thence along said West line South 0°01'00" West, a distance of 2396.55 feet to a point on the Southerly line of a levee; thence following the Southerly line of said levee the following six courses and distances; 1) South 68°30' East, a distance of 267.80 feet; 2) South 48°38' East, a distance of 264.00 feet; 3) South 45°38' East, a distance of 207.00 feet; 4) South 87°52' East, a distance of 154.00 feet; 5) North 53°10' East, a distance of 435.00 feet; 6) North 47°52' East, a distance of 118.00 feet to the centerline of last said irrigation ditch; thence along last said centerline North 0°01' East, a distance of 1197.21 feet; South 89°19'30" West, a distance of 743.47 feet; North 0°04'30" West, a distance of 1290.94 feet to the **POINT OF BEGINNING**.

CONTAINING 49.55 acres, more or less.


Kevin J. Genasci, P.L.S. 8660
June 23, 2017

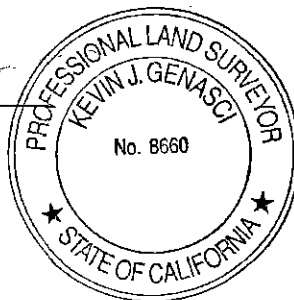


EXHIBIT B
NEW LEGAL DESCRIPTION
Parcel No. 1
Lot Line Adjustment No. PLN2016-0056

That portion of Lot two (2) of the C.C. Baker Tract, according to the official map thereof, filed in the Office of the Recorder of Stanislaus County, California, on July 13, 1909 in Volume 4 of Maps, at Page 31, situate in section 17, township 4 south, range 8 east, Mount Diablo Base and Meridian, more particularly described as follows:

COMMENCING at the northwest corner of above said Lot 2, said corner being on the south line of a 50 foot county road (Paradise Road); thence along the west line of said Lot 2 South 0°01'00" West, a distance of 5,525.14 feet; thence South 40°44'00" East, a distance of 413.46 feet; thence South 55°13'00" East, a distance of 204.65 feet; thence continuing South 55°13'00" East, a distance of 210.35 feet; thence North 89°39'00" East, a distance of 109.00 feet; thence South 61°20'00" East, a distance of 11.59 feet to the Southwest Corner of land now or formerly owned by Navon, thence continuing south 61°20'00" East, a distance of 103.41 feet; thence continuing South 61°20'00" East, a distance of 309.00 feet; thence South 73°18'30" East, a distance of 200.00 feet; thence South 4°06'00" East, a distance of 95.00 feet; thence South 76°41'30" East, a distance of 152.04 feet; thence North 25°30'30" East, a distance of 300.00 feet; thence South 89°59'00" East, a distance of 22.50 feet; thence North 0°01'00" East, a distance of 38.00 feet; thence South 37°18'00" East, a distance of 224.43 feet; thence South 71°26'30" East, a distance of 52.50 feet to the **POINT OF BEGINNING**; thence continuing South 71°26'30" East, a distance of 70.71 feet; thence South 28°12'30" East, a distance of 379.08 feet; thence South 59°12'30" East, a distance of 165.60 feet; thence South 38°08' East, a distance of 144.58 feet; thence South 19°37' West, a distance of 93.87 feet; thence South 2°38' East, a distance of 264.95 feet; thence South 2°55'08" East, a distance of 353.94 feet; thence South 80°24'12" West, a distance of 55.67 feet; thence North 77°31'09" West, a distance of 491.00 feet; thence North 2°35'27" East, a distance of 240.00 feet; thence North 55°27'18" East, a distance of 197.50 feet; thence North 3°15'26" West, a distance of 168.50 feet; thence North 30°38'44" West, a distance of 207.00 feet; thence North 51°56'26" West, a distance of 267.00 feet; thence North 34°51'07" East, a distance of 368.00 feet to the **POINT OF BEGINNING**.

CONTAINING 10.78 acres, more or less.

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

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



Kevin J. Genasci, P.L.S. 8660
June 23, 2017



EXHIBIT B
NEW LEGAL DESCRIPTION
Parcel No. 2
Lot Line Adjustment No. PLN2016-0056

That portion of Lot 2 of C.C. Baker Tract, according to the official map thereof, filed in the Office of the County Recorder of Stanislaus County, California on July 13, 1909 in Volume 4 of Maps, at Page 31, more particularly described as follows:

COMMENCING at the Northwest corner of said Lot 2, said corner being on the South side of a 50 foot County Road (Paradise Road); thence along the west line of said Lot 2 South 0°01'00" West, a distance of 5525.14 feet to the most Northerly corner of property conveyed to Tony J. Lemos, et ux, by Deed recorded January 18, 1951 as Instrument No. 1471 and the **POINT OF BEGINNING**; thence South 40°44'00" East, a distance of 413.46 feet; thence South 55°13'00" East, a distance of 204.65 feet; thence continuing South 55°13'00" East, a distance of 210.35 feet; thence North 89°39'00" East, a distance of 109.00'; thence South 61°20'00" East, a distance of 11.59 feet; thence South 00°05'00" West, a distance of 154.17 feet; thence North 55°53'40" West, a distance of 270.26 feet; thence South 89°55'30" West, a distance of 67.76 feet; thence South 0°04'30" East, a distance of 607.91 feet; thence perpendicular to the west line of above said Lot 2 North 89°59'00" West, a distance of 439.13 feet to the point of intersection with last said west line; thence North 0°01'00" East, a distance of 1165.37 feet to the **POINT OF BEGINNING**.

CONTAINING 10.00 acres, more or less.

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

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

Kevin J. Genasci, P.L.S. 8660
June 23, 2017

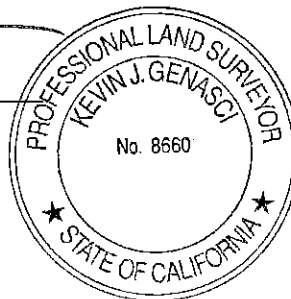


EXHIBIT B
NEW LEGAL DESCRIPTION
Parcel No. 3
Lot Line Adjustment No. PLN2016-0056

All that portion of Lot two (2) of the C.C. Baker Tract, according to the official map thereof, filed in the Office of the Recorder of Stanislaus County, California, on July 13, 1909, in Volume 4 of Maps, at Page 31, described as follows:

COMMENCING at the Southeast Corner of Lot eleven (11) of the Shruder Young Colony, according to the official map thereof, filed in the Office of the Recorder of Stanislaus County, California, on October 13, 1920 in Volume 9 of Maps, at Page 42, said Shruder Young Colony being a portion of above said Lot 2; thence South 1958.24 feet along the east line of said Lot 2 to the **POINT OF BEGINNING**; thence continuing along east line of said lot, South 1787.29 feet; thence following the southerly line of a levee the following courses and distances: South 81°04'00" West, a distance of 185.57 feet; thence North 77°37'00" West, a distance of 400.00 feet; thence South 86°42'30" West, a distance of 247.00 feet; thence South 89°30'30", a distance of 488.00 feet; thence North 86°55'00" West, a distance of 197.00 feet; thence South 54°07'00" West, a distance of 141.00 feet; thence South 72°04'00" West, a distance of 137.00 feet and South 56°59'30" West, a distance of 237.00 feet; thence South 47°52'00" West, a distance of 20.60 feet; thence leaving the south line of said levee North 0°01'00" East, a distance of 1195.58 feet; thence South 89°19'30" West, a distance of 728.17 feet; thence North 0°04'30" West, a distance of 1981.30 feet; thence North 89°55'30" East, a distance of 67.76 feet; thence South 55°53'40" East, a distance of 270.26 feet; thence North 00°05'00" East, a distance of 154.17 feet; thence South 61°20'00" East, a distance of 412.41 feet; thence South 73°18'30" East, a distance of 200.00 feet; thence South 4°06'00" East, a distance of 95.00 feet; thence South 76°41'30" East, a distance of 152.04 feet; thence North 25°30'30" East, a distance of 300.00 feet; thence South 89°59'00" East, a distance of 22.50 feet; thence North 0°01'00" East, a distance of 38.00 feet; thence South 37°18'00" East, a distance of 224.43 feet; thence South 71°26'30" East, a distance of 52.50 feet; thence South 35°10'37" West, a distance of 367.10 feet; thence South 54°49'23" East, a distance of 247.63 feet; thence North 35°10'37" East, a distance of 297.19 feet; thence South 28°12'30" East, a distance of 177.89 feet; thence South 59°12'30" East, a distance of 165.60 feet; thence South 38°08'00" East, a distance of 144.58 feet; thence South 19°37'00" West, a distance of 93.87 feet; thence South 2°38'00" East, a distance of 264.95 feet; thence North 89°01'00" East, a distance of 898.72 feet to the **POINT OF BEGINNING**.

ALSO EXCEPTING THEREFROM Parcel 1 as shown and designated on that certain map filed on April 15, 1982 in Volume 32 of Parcel Maps, at Page 126.

ALSO EXCEPTING THEREFROM that portion of Lot two (2) of the C.C. Baker Tract, according to the official map thereof, filed in the Office of the Recorder of

Stanislaus County, California, on July 13, 1909 in Volume 4 of Maps, at Page 31, situate in section 17, township 4 south, range 8 east, Mount Diablo Base and Meridian, more particularly described as follows:

COMMENCING at the northwest corner of above said Lot 2, said corner being on the south line of a 50 foot county road (Paradise Road); thence along the west line of said Lot 2 South 0°01'00" West, a distance of 5,525.14 feet; thence South 40°44'00" East, a distance of 413.46 feet; thence South 55°13'00" East, a distance of 204.65 feet; thence continuing South 55°13'00" East, a distance of 210.35 feet; thence North 89°39'00" East, a distance of 109.00 feet; thence South 61°20'00" East, a distance of 11.59 feet to the Southwest Corner of land now or formerly owned by Navon, thence continuing south 61°20'00" East, a distance of 103.41 feet; thence continuing South 61°20'00" East, a distance of 309.00 feet; thence South 73°18'30" East, a distance of 200.00 feet; thence South 4°06'00" East, a distance of 95.00 feet; thence South 76°41'30" East, a distance of 152.04 feet; thence North 25°30'30" East, a distance of 300.00 feet; thence South 89°59'00" East, a distance of 22.50 feet; thence North 0°01'00" East, a distance of 38.00 feet; thence South 37°18'00" East, a distance of 224.43 feet; thence South 71°26'30" East, a distance of 52.50 feet to the **POINT OF BEGINNING**; thence continuing South 71°26'30" East, a distance of 70.71 feet; thence South 28°12'30" East, a distance of 379.08 feet; thence South 59°12'30" East, a distance of 165.60 feet; thence South 38°08' East, a distance of 144.58 feet; thence South 19°37' West, a distance of 93.87 feet; thence South 2°38' East, a distance of 264.95 feet; thence South 2°55'08" East, a distance of 353.94 feet; thence South 80°24'12" West, a distance of 55.67 feet; thence North 77°31'09" West, a distance of 491.00 feet; thence North 2°35'27" East, a distance of 240.00 feet; thence North 55°27'18" East, a distance of 197.50 feet; thence North 3°15'26" West, a distance of 168.50 feet; thence North 30°38'44" West, a distance of 207.00 feet; thence North 51°56'26" West, a distance of 267.00 feet; thence North 34°51'07" East, a distance of 368.00 feet to the **POINT OF BEGINNING**.

CONTAINING 106.24 acres, more or less.

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

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

Kevin J. Genasci, P.L.S. 8660
June 23, 2017

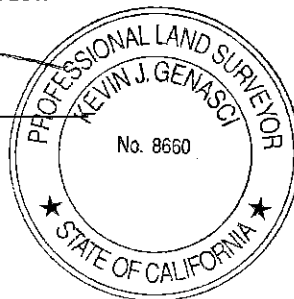


EXHIBIT B
NEW LEGAL DESCRIPTION
Parcel No. 4
Lot Line Adjustment No. PLN2016-0056

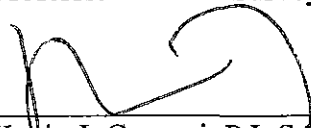
That portion of Parcel No. 1 of Lot Line Adjustment No. 14-61, recorded as Document No. 2014-0077466-00, Stanislaus County Records, more particularly described as follows:

COMMENCING at the Northwest Corner of Lot 2 of the C.C. Baker Tract, according to the official map thereof, filed in the Office of the Recorder of Stanislaus County, California, on July 13, 1909, in Volume 4 of Maps, at Page 31, said corner being on the South side of a 50 foot County Road (Paradise Road); thence along the West line of said Lot 2 South 0°01'00" West, a distance of 5525.14 feet to the most Northerly Corner of property conveyed to Tony J. Lemos, et ux, by Deed recorded January 18, 1951 as Instrument No. 1471; thence South 40°44'00" East, a distance of 413.36 feet; thence South 55°13'00" East, a distance of 204.65 feet; thence along the center line of an irrigation ditch South 0°04'30" East, a distance of 735.52 feet to the **POINT OF BEGINNING**; thence perpendicular to the west line of above said Lot 2 North 89°59'00" West, a distance of 439.13 feet to the point of intersection with last said west line; thence along said west line South 0°01'00" West, a distance of 2463.73 feet to a point on the Southerly line of a levee; thence following the Southerly line of said levee the following six courses and distances; 1) South 68°30'00" East, a distance of 267.80 feet; 2) South 48°38'00" East, a distance of 264.00 feet; 3) South 45°38'00" East, a distance of 207.00 feet; 4) South 87°52'00" East, a distance of 154.00 feet; 5) North 53°10'00" East, a distance of 435.00 feet; and 6) North 47°52'00" East, a distance of 97.40 feet; thence North 0°01'00" East, a distance of 1195.58 feet; thence South 89°19'30" West, a distance of 728.17 feet; North 0°04'30" West, a distance of 1373.39 feet to the **POINT OF BEGINNING**.

CONTAINING 49.55 acres, more or less.

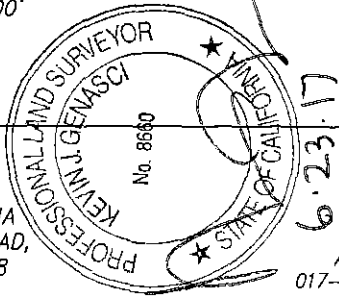
SUBJECT TO all rights-of-way and easements of record.

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


Kevin J. Genasci, P.L.S. 8660
June 23, 2017



SCALE: 1"=500'



OWNERS

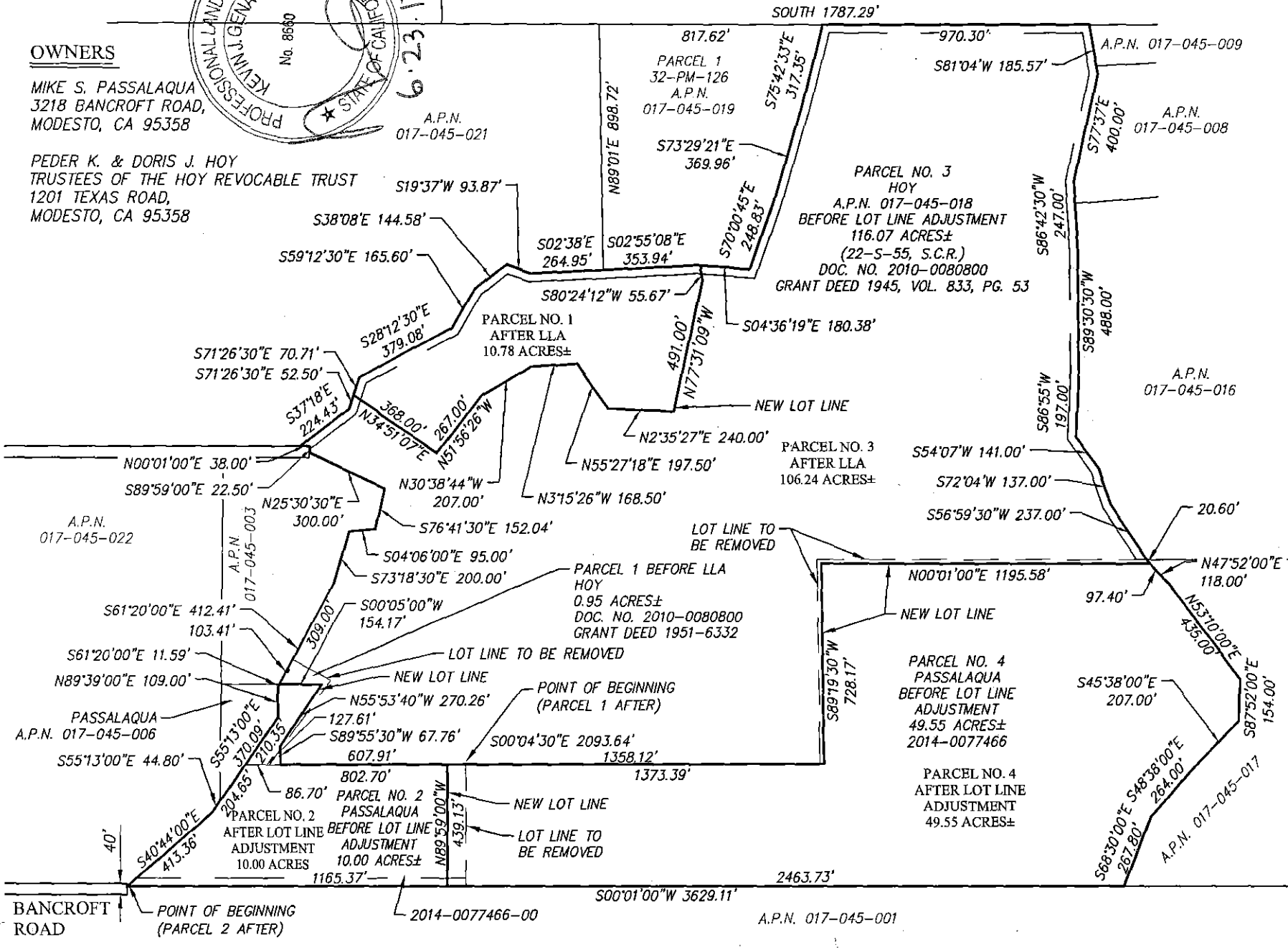
MIKE S. PASSALAUQA
3218 BANCROFT ROAD,
MODESTO, CA 95358

PEDER K. & DORIS J. HOY
TRUSTEES OF THE HOY REVOCABLE TRUST
1201 TEXAS ROAD,
MODESTO, CA 95358

FOR ILLUSTRATIVE PURPOSES ONLY

A.P.N.
017-045-014

SOUTH 1787.29'



BY: RGS
CHK: KJG
DATE: 9/20/17
SCALE: 1"=500'
JOB #: 3190
FILE: SURVILLA

HAWKINS & ASSOCIATES LOT LINE ADJUSTMENT NO. 16-XX
A.P.N. 017-045-024 & 018
PASSALAUQA-HOY
STANISLAUS COUNTY, CALIFORNIA

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



N:\3190_Passalaqua-Hoy\Eng_Survey\ALA_V01_3190-LLA-841-ERR.dwg (01-LLA-ERR) PLOTTED: 8-23-17 08:57:44 AM rsgmonek

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

DEPT: Planning and Community Development

BOARD AGENDA: 5.D.2
AGENDA DATE: March 27, 2018

SUBJECT:

Approval to Rescind a Portion of Williamson Act Contract Nos. 1972-1069 and All of 2016-01, Located at 3309 Young Road, Between Vivian and Shiloh Roads, North of the Tuolumne River; and Approval of New Contracts, Pursuant to Lot Line Adjustment Application No. PLN2016-0056, Hoy-Passalaqua

BOARD ACTION AS FOLLOWS:

RESOLUTION NO. 2018-0144

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

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

Noes: Supervisors: None

Excused or Absent: Supervisors: None

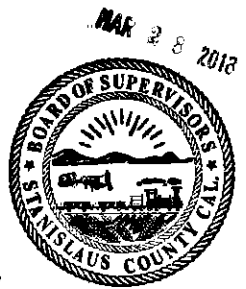
Abstaining: Supervisor: None

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

MOTION:

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

By Patricia Gonzalez



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

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

DEPT: Planning and Community Development

BOARD AGENDA:5.D.2
AGENDA DATE: March 27, 2018

CONSENT:

CEO CONCURRENCE:

4/5 Vote Required: No

SUBJECT:

Approval to Rescind a Portion of Williamson Act Contract Nos. 1972-1069 and All of 2016-01, Located at 3309 Young Road, Between Vivian and Shiloh Roads, North of the Tuolumne River; and Approval of New Contracts, Pursuant to Lot Line Adjustment Application No. PLN2016-0056, Hoy-Passalaqua

STAFF RECOMMENDATION:

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 Assembly Bill (AB) 1265.
 - 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.
2. Rescind a Portion of Williamson Act Contract Nos. 1972-1069 and all of 2016-01, located at 3309 Young Road, between Vivian and Shiloh Roads (APN: 017-045-018 and 017-045-028).
3. Approve new contracts, pursuant to Lot Line Adjustment Application No. PLN2016-0056, Hoy-Passalaqua.
4. Authorize the Director of Planning and Community Development to execute new contracts, pursuant to Lot Line Adjustment Application No. PLN2016-0056, Hoy-Passalaqua.

DISCUSSION:

The lot line adjustment request includes the adjustment of four parcels (176.57 total acres) to reconfigure a non-conforming parcel to encompass existing farming operations as well as match existing parcel occupancy lines. 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, all applicable zoning provision, Williamson Act criteria, and determined that the application meets the requirements for approval.

Parcels 1, 3, and 4 (165.62 acres) are currently enrolled in Williamson Act Contract Nos. 1972-1069 and 2016-01. Parcel 2 is not enrolled in a Williamson Act Contract. If this lot line is approved, all newly configured parcels (176.57 acres) will be enrolled in new contracts.

Pursuant to California Government Code Section 51257, the parties to a contract, or contracts, 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 AB 1265.
2. There is no net decrease in the amount of the acreage restricted. In cases where two parcels involved in a lot line adjustment are both subject to contracts rescinded

pursuant to this section, this finding will be satisfied if the aggregate acreage of the land restricted by the new contracts is at least as great as the aggregate acreage restricted by the rescinded contracts.

3. At least 90 percent of the land under the former contract, or contracts, remains under the new contract, or contracts.
4. After the lot line adjustment, the parcels of land subject to contract will be large enough to sustain their agricultural use, as defined in Government Code Section 51222.

Note: the definition in Government Code Section 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, or contracts, 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 contract, or contracts, will be subject to the provisions of AB 1265.

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 significant net change in property tax or other revenue, therefore providing no additional fiscal effect.

BOARD OF SUPERVISORS' PRIORITY:

Approval of this action supports the Board's priority of A Healthy Economy 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 Lot Line Adjustment
3. Map of Parcels After the Proposed Lot Line Adjustment is Approved
4. Applicant's Statement of Findings