#### COUNTY OF SACRAMENTO



### AGRICULTURAL ADVISORY COMMITTEE

4137 Branch Center Rd. Sacramento, CA 95827 (916) 875-6603 (916) 875-6150 FAX www.saccounty.gov Steve Campbell – HOA Representative
Vacant – Agricultural Economics
Brian Fishback – Commercial Bee Keeping
Morgan Doran – UC Extension Farm Advisor
Charlotte Mitchell – Natural Resources; Poultry
Ken Oneto – Orchards, Vineyards, Row Crops
Brad van Loben Sels – Farm Management
Jim Vietheer – Livestock
Michael Wackman – Natural Resources; Wineries

## AGENDA November 8, 2023; 6:30pm Valley Oak Room 4137 Branch Center Rd., Sacramento, California

Public testimony will be received on each agenda item as it is called. The applicant is allocated 10 minutes to speak; individual comments are limited to 3 minutes; and individuals representing a group are allocated 5 minutes.

Items not on the agenda may be addressed by the general public during Public Forum. Comments are limited to 3 minutes per person. The Committee reserves the right to waive said rules by a majority vote. Public Forum is for general comments only. No action will be taken on these items unless they are scheduled on a future agenda.

To ensure timely delivery to the Agricultural Advisory Committee, written information from the public must be received by the Agricultural Commissioner by the last Wednesday prior to the meeting. The Agricultural Commissioner cannot guarantee that any FAX or mail received the day of the meeting will be delivered to the Committee prior to action on the subject matter.

All Agricultural Advisory Committee meetings are recorded. Anyone wishing to receive a copy of a recording of an Agricultural Advisory Committee meeting may do so under the California Public Records Act by requesting a copy through <a href="https://saccounty.nextrequest.com/">https://saccounty.nextrequest.com/</a>.

Written minutes of the Agricultural Advisory Committee can be accessed at <a href="http://www.agcomm.saccounty.gov">http://www.agcomm.saccounty.gov</a> or by contacting the Agricultural Commissioner's Office utilizing the California Public Records Act request process.

Pursuant to Government Code §54954.2, any person with a disability who requires a modification or accommodation in order to participate in this public meeting is to contact the Agricultural Commissioner's Office by 4:00pm the day of the meeting.

- 1. Call to Order
- 2. Approval of Agenda
- 3. Approval of Minutes (Meeting of June 21, 2023)
- 4. Approval of 2024 Meeting Calendar
- Nomination of Chair and Vice-Chair for 2024
- 6. Public Forum
- 7. New Business:
  - a. PLNP2023-00054 Vang Property Rezone and Parcel Map: A Rezone, Tentative Parcel Map, and Design Review Request for two lots located northeast of the intersection of Dillard Road and Sherman Lane in the Southeast Community – Nate Doberneck, Planning and Environmental Review
- 8. Industry/Association/Partner Agency Updates
- 9. Agricultural Commissioner Update Chris Flores
- 10. Committee Member Updates
- 11. Adjournment Next Meeting: December 13, 2023; 6:30 p.m.

## PLANNING AND ENVIRONMENTAL REVIEW COUNTY OF SACRAMENTO CALIFORNIA

To: Agricultural Advisory Committee

Subject: PLNP2023-00054. <u>Vang Property Rezone and Parcel Map. (RZB-PMR-DRS)</u>.

A Rezone, Tentative Parcel Map, And Design Review For Two Lots Located Northeast Of The Intersection Of Dillard Road And Sherman Lane, In The

Southeast Community.

Decision

Body: Board of Supervisors

APN: 134-0333-011 & -025

Supervisorial

District: Hume

Contact: Nate Doberneck, Associate Planner

doberneckn@saccounty.gov, (916) 874-2562

#### Details of Request:

- 1. A Rezone of two lots totaling 20 gross acres to Agricultural Residential 5 (AR-5) from Agricultural 80 (AG-80).
- 2. A Tentative Parcel Map to divide two lots totaling 20 gross acres into four new lots, each approximately 5 gross acres.
- 3. A Design Review to determine substantial compliance with the *Sacramento County Countywide Design Guidelines* (Design Guidelines).

| Property Owner &       | <u>Agent</u>             | <u>Engineer</u>                |
|------------------------|--------------------------|--------------------------------|
| <u>Applicant</u>       | Brian Holloway           | Jack Scroggs                   |
| Sa Vang                | Holloway Land Co.        | KASL Consulting Engineers      |
| P.O. Box 231878        | 2100 21st Street         | 7777 Greenback Lane, Suite 104 |
| Sacramento, CA 95823   | Sacramento, CA 95818     | Citrus Heights, CA 95610       |
| vangsamerica@gmail.com | <u>brian@holloway.co</u> | jscroggs@kasl.com              |
| (916) 801-9411         | (916) 996-2019           | (916) 722-1800                 |

#### Summary of Key Points:

- <u>Project Location and Setting.</u> The project site consists of two lots located near Dillard Road and Sherman Lane, in the Southeast community within the Wilton sub-area. Both properties are relatively flat, nearly treeless, and consist of open farm fields, historically used for seasonal grazing.
- Community Context. Both lots are rural, the context primarily consisting of residential uses on large lots and agrarian uses. Both lots are designated as Agricultural-Residential (AG RES) land uses in the 2030 General Plan, having a Southeast Community Plan land use of Agricultural-Residential 5 (AR-5), and within the County's Agricultural 80-acre minimum (AG-80) zoning district. Surrounding properties in all directions have a Southeast Community Plan land use of Agricultural-Residential 5 (AR-5), and a mixture of County's zoning districts, including Agricultural 80-acre minimum (AG-80) and Interim Agricultural 5-acre minimum (A-5).
- <u>Site History.</u> According to historical aerial imagery, the project site was/is used for agricultural purposes.
- <u>Project Description</u>. The applicant proposes to Rezone the two lots from AG-80 to AR-5and, subdivide the properties into four new approximately five-acre lots. Two of the proposed lots would take access from Sherman Lane, and two of the lots would take access from Dillard Road.
- <u>Water & Sewage</u>. **As proposed, each resultant lot would have it's own private** groundwater well and private on-site septic system, within the Cosumnes Groundwater Basin.

#### Agricultural-Related Aspects

- Non-Renewal of Agricultural Preserve. The former Williamson Act contract 72-AP-005 ran for just over 28-years; it was established in 1972, was Non-Renewed in 1991, and expired in 2000.
- <u>Farmland</u>. The two properties are 19.04-ac net total, of which 18.47-ac (97%) is classified as "Farmland of Local Importance" according to the California Department of Conservation, <u>Farmland Mapping and Monitoring Program</u>. Sacramento County <u>defines</u> "Farmland of Local Importance" as:

Lands which do not qualify as Prime, Statewide, or Unique designation but are currently irrigated crops or pasture or nonirrigated crops; lands that would be Prime or Statewide designation and have been improved for irrigation but are now idle; and lands which currently support confined livestock, poultry operations, and aquaculture.

- <u>Swainson's Hawk Ordinance</u>. Due to the project site's location, the request for a rezone from AG-80 to RD-5 is subject to the County of Sacramento's <u>Swainson's Hawk Ordinance</u> for impacts to 20.24 acres of foraging habitat. Based on the current (May 2023) <u>Swainson's Hawk Impact Mitigation Fee rates</u>, *if* the in-lieu fee is selected, the mitigation fee would be based on 100% of the proposed project site, at \$12,925 per acre plus an administrative processing fee of \$500. So, for proposed project PLNP2023-00054, the potential in-lieu fee would be \$262,102.
- <u>Southeast Community Plan Land Use Map</u>. The proposed project is in the Southeast Community, which is without any governing Community Plan document and has only the <u>1974 Southeast Community Land Use Map</u>. The pair of properties have a Southeast Community land use of Agricultural-Residential 5-ac, and are located within a contiguous swath of Agricultural-Residential land uses within the boundaries of the Southeast Community Wilton sub-area.
- <u>Lot Split consistency with Planning</u>. As proposed, the subject property's Rezone to Agricultural Residential 5 (AR-5) from Agricultural 80 (AG-80), and, the land division of this ~20 gross acres into four new lots, each ~5 gross acres, is consistent with the <u>General Plan</u>, <u>Community Plan</u>, and <u>Zoning Code</u>.

#### Attachments:

- ATT 1 Project Maps (Aerial, General Plan, Zoning, & Farmland Maps)
- ATT 2 Exhibits A through E (A Rezone, B Tentative Parcel Map, C Conceptual Building Pad, Setbacks, and Driveways, D Private Well & Septic System Separations, E TPM and Aerial map overlay)
- ATT 3 Southeast Community Plan, Land Use Map [1974] annotated
- ATT 4 Aerial Images & Diagrams bundle [2023.08.28]
- ATT 5 Williamson Act Contract 72-AP-005 [1972.02.09] + Non-Renewal [1990.07.31]

For more information about the project, visit the <u>Planning Project Viewer</u> enter the project application number, PLNP2023-00054.

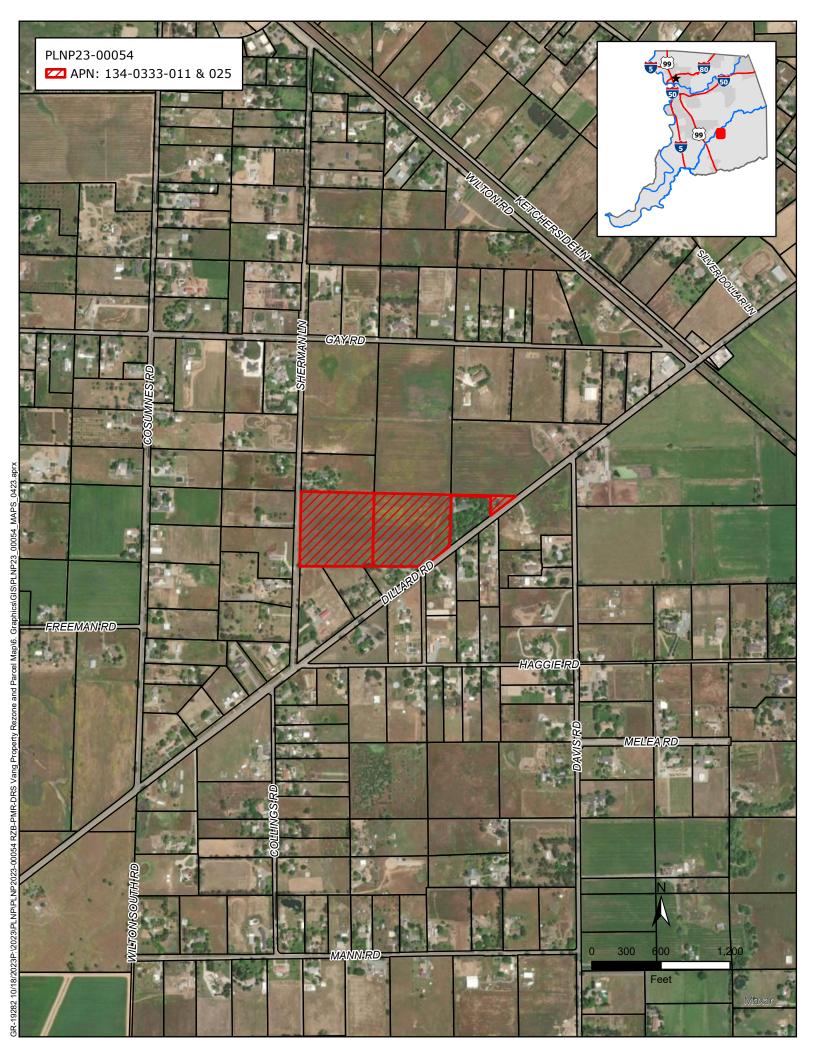
For more information about the subject parcels, visit <u>parcel viewer</u> and enter the project address or assessor parcel number.

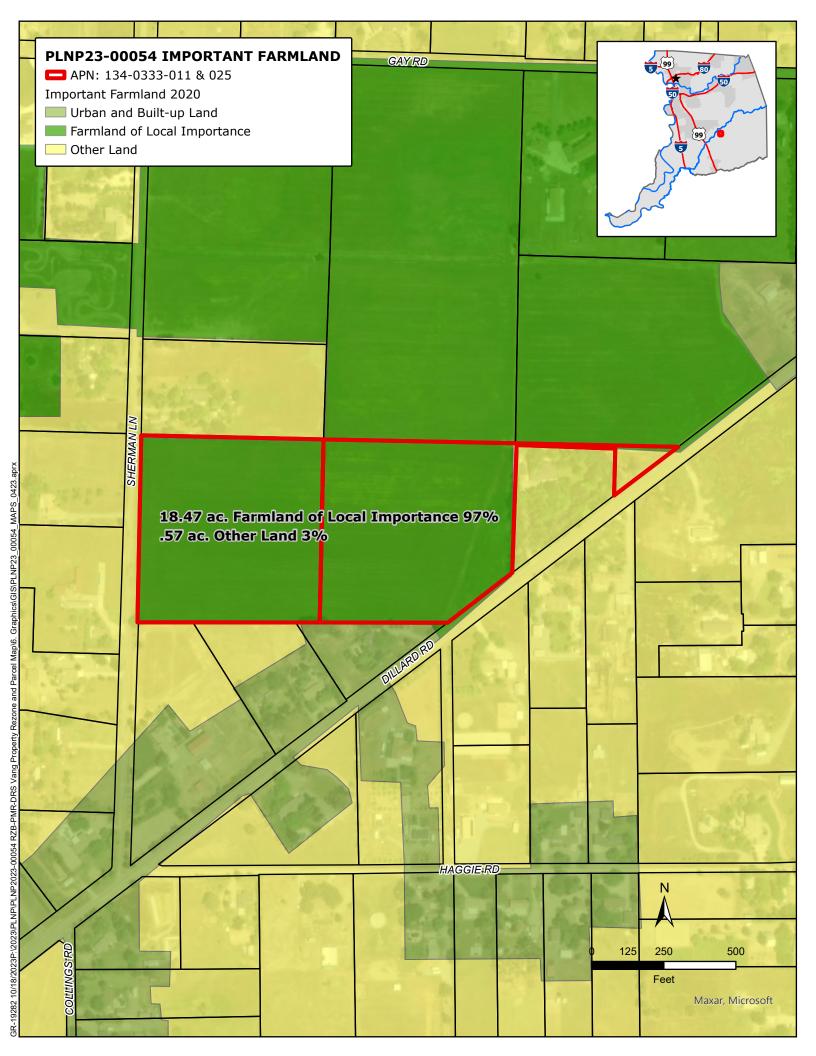


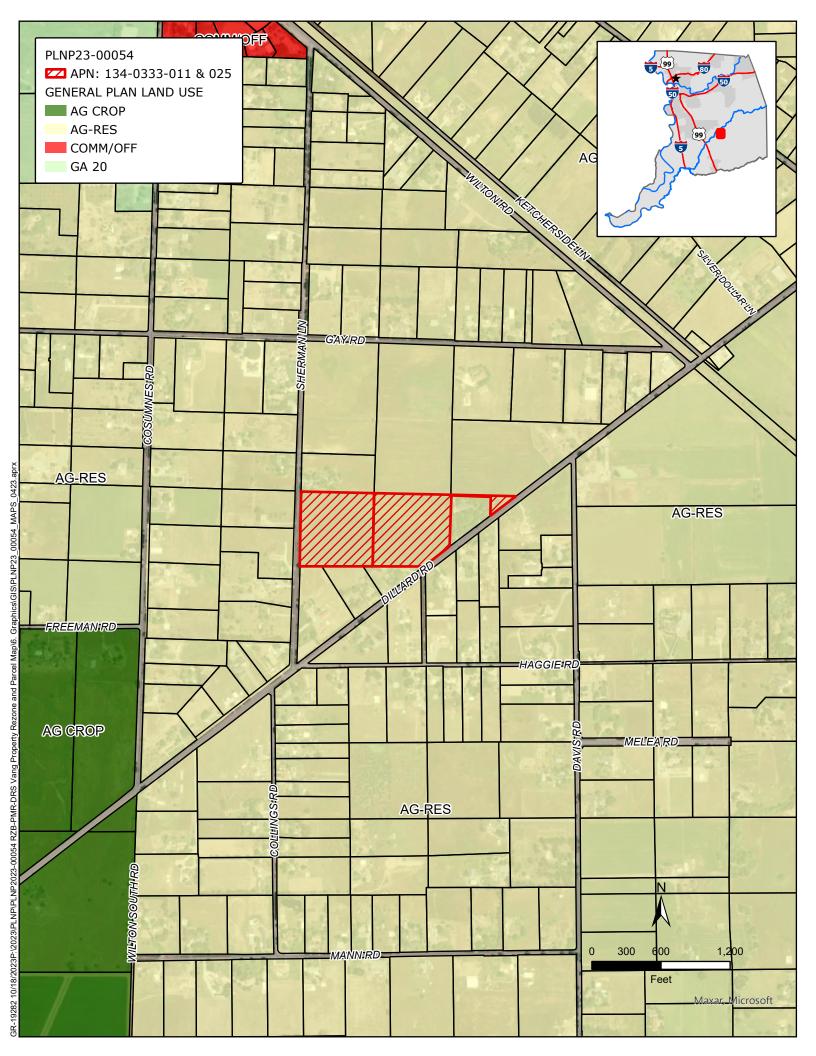
PLNP2023-00054
Vang Property Rezone and Parcel Map

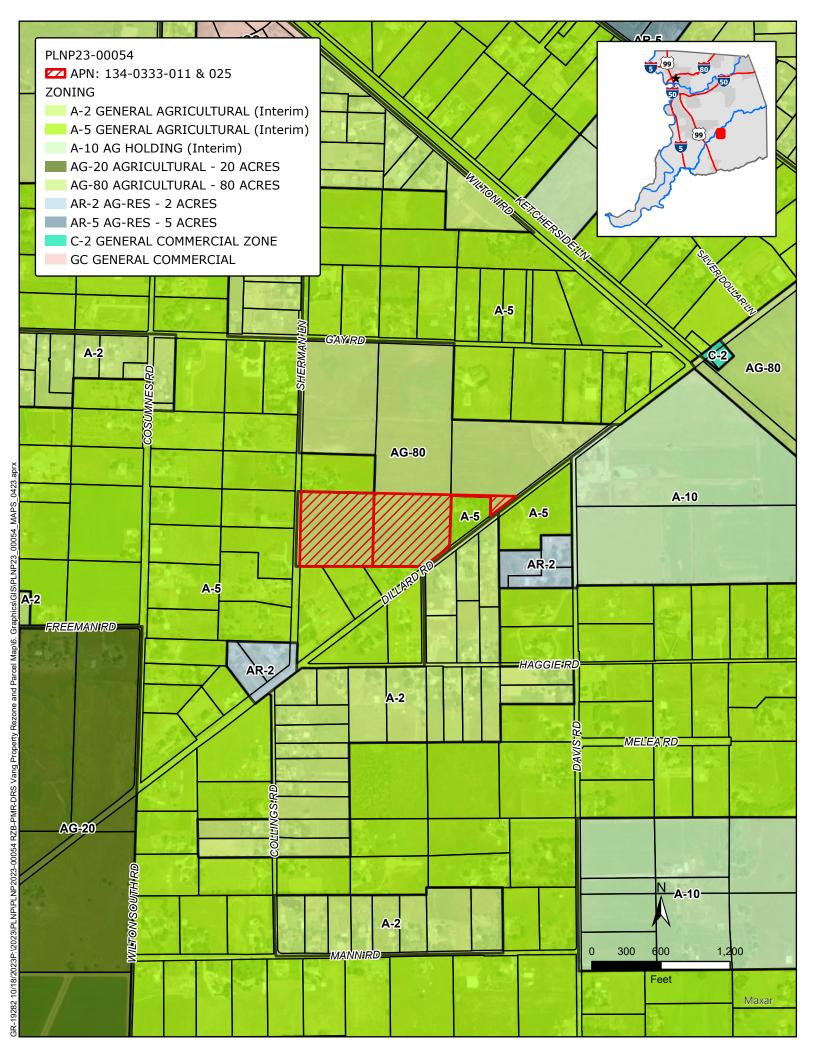
Attachment #1

Project Maps









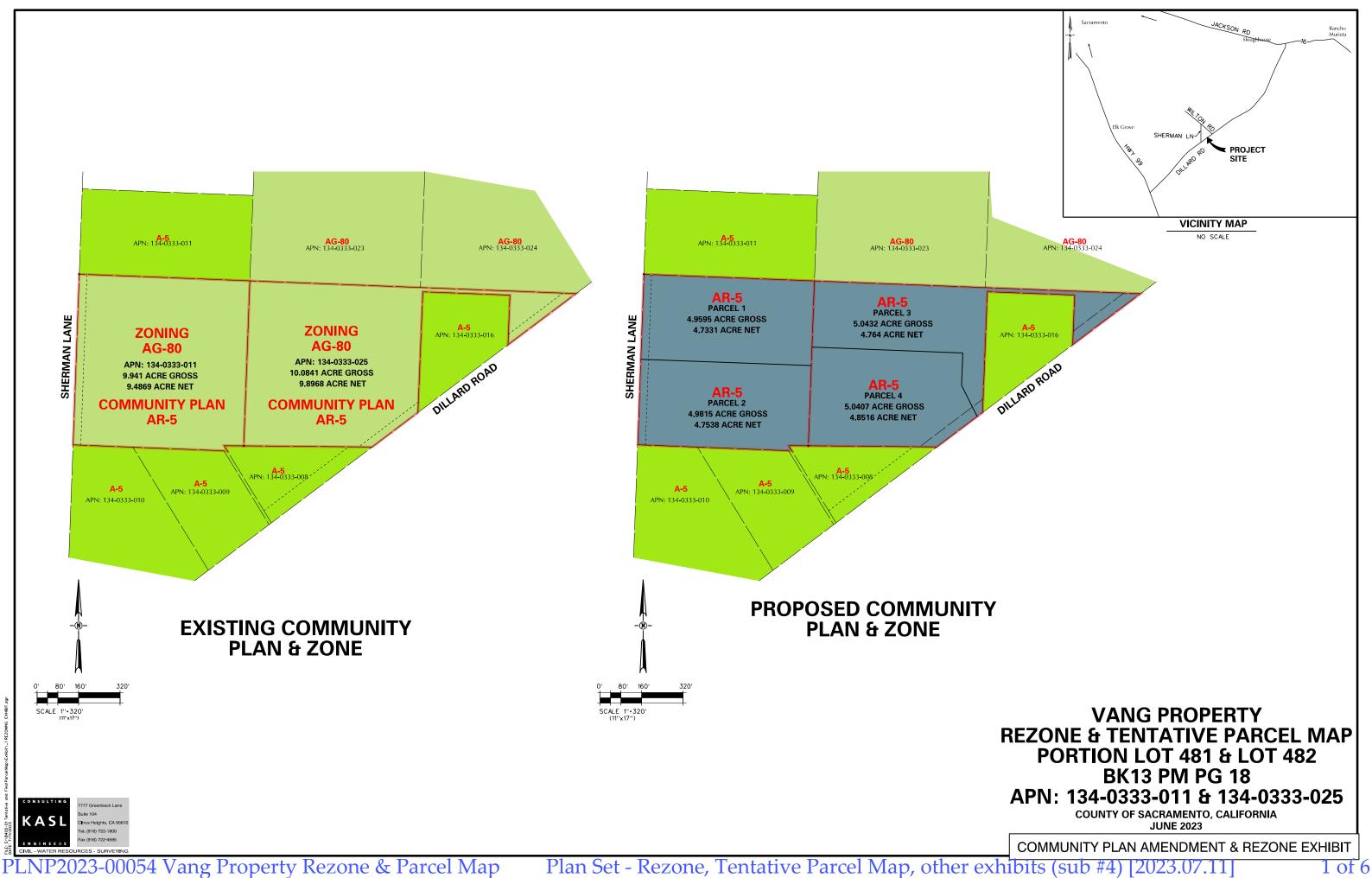


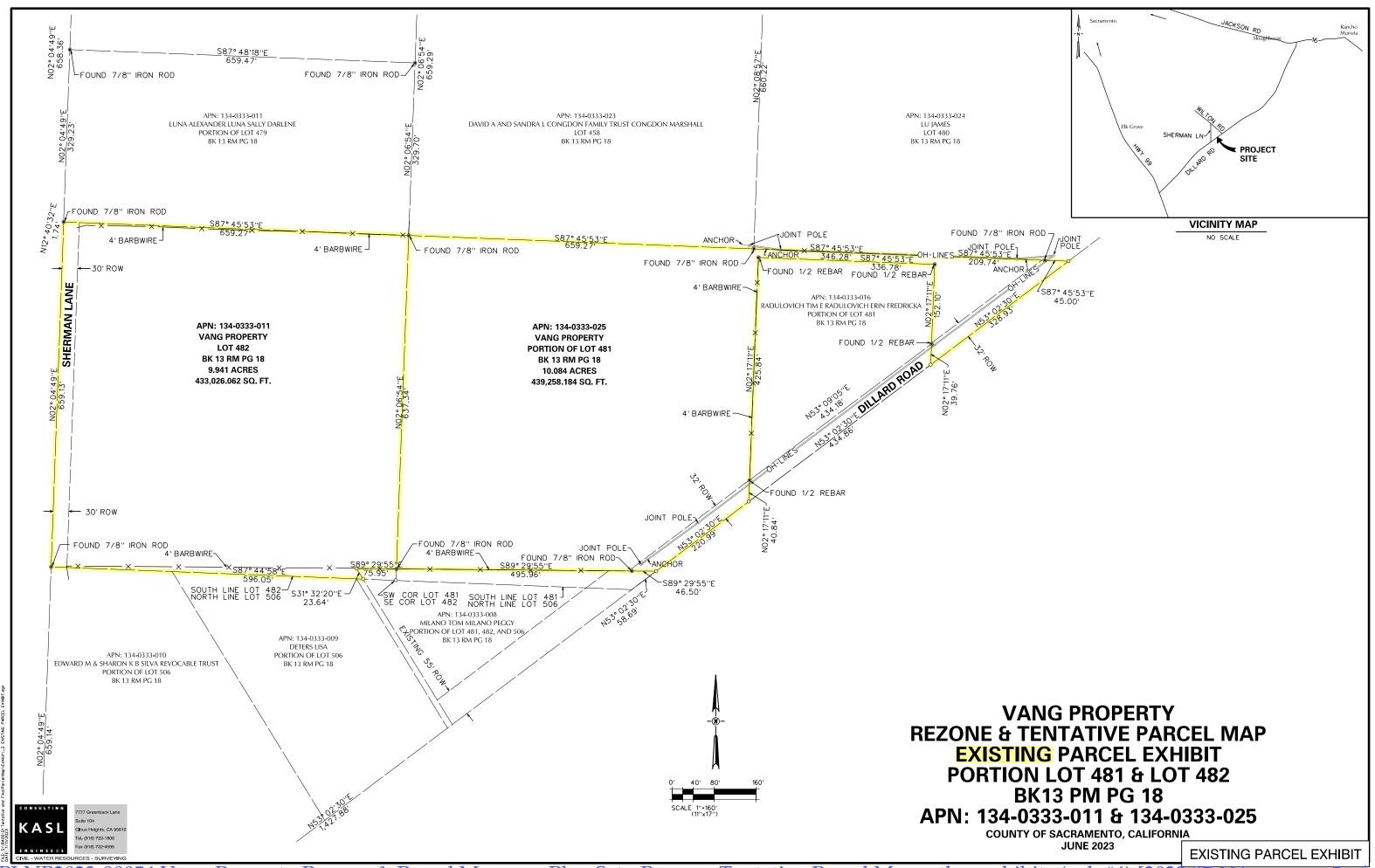
# PLNP2023-00054 Vang Property Rezone and Parcel Map sub. #4

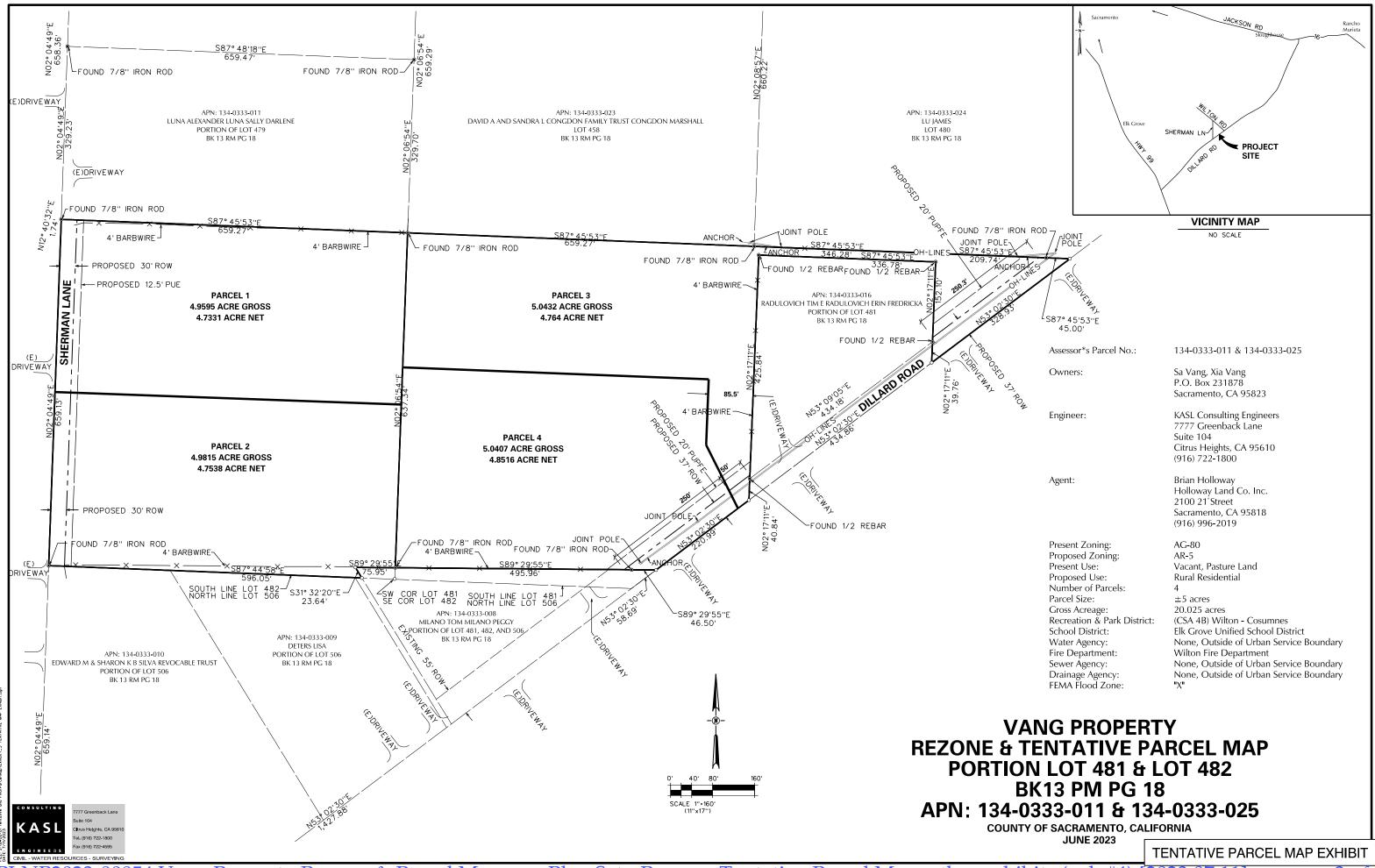
## Attachment #2

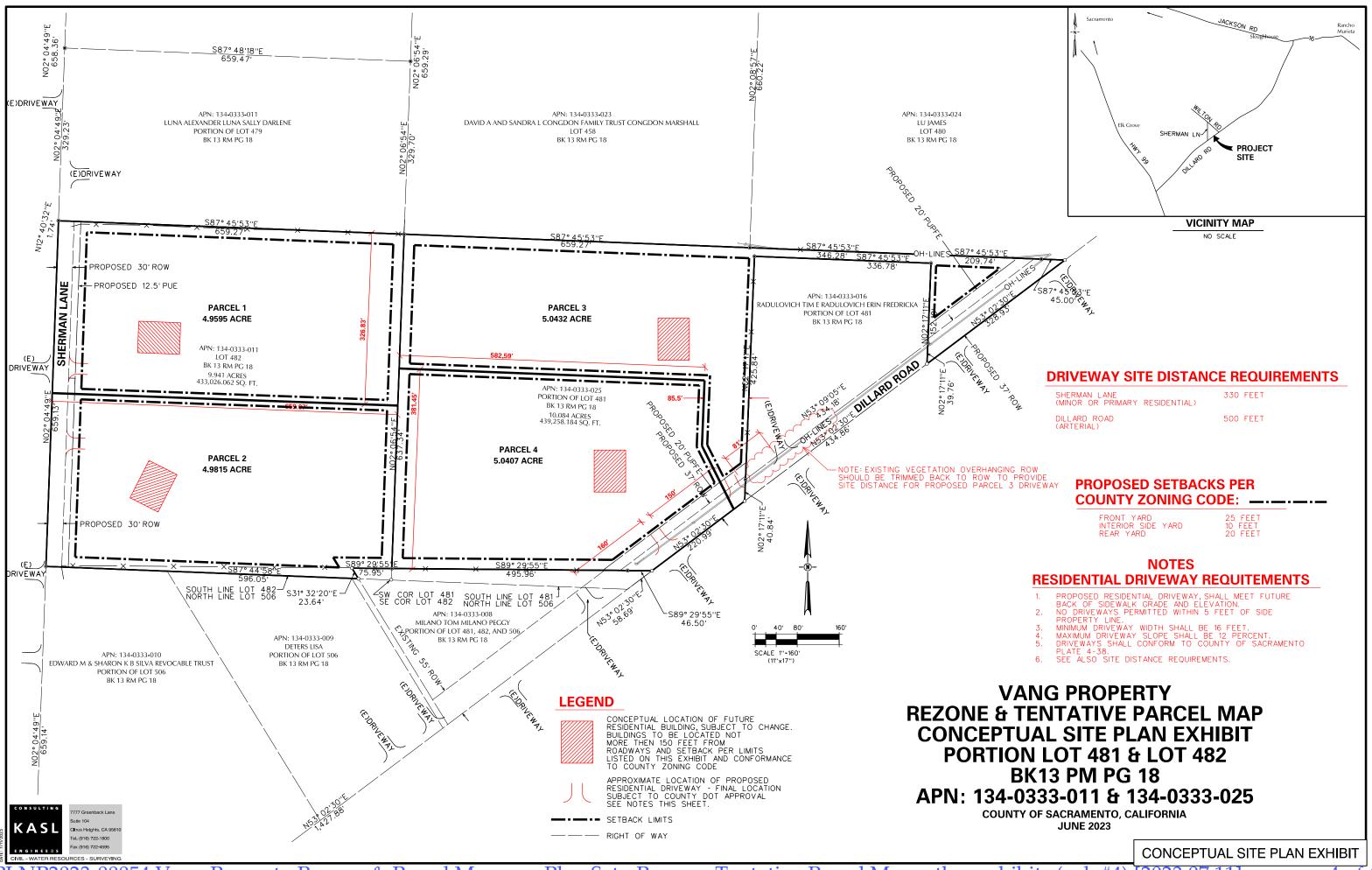
## **Plans**

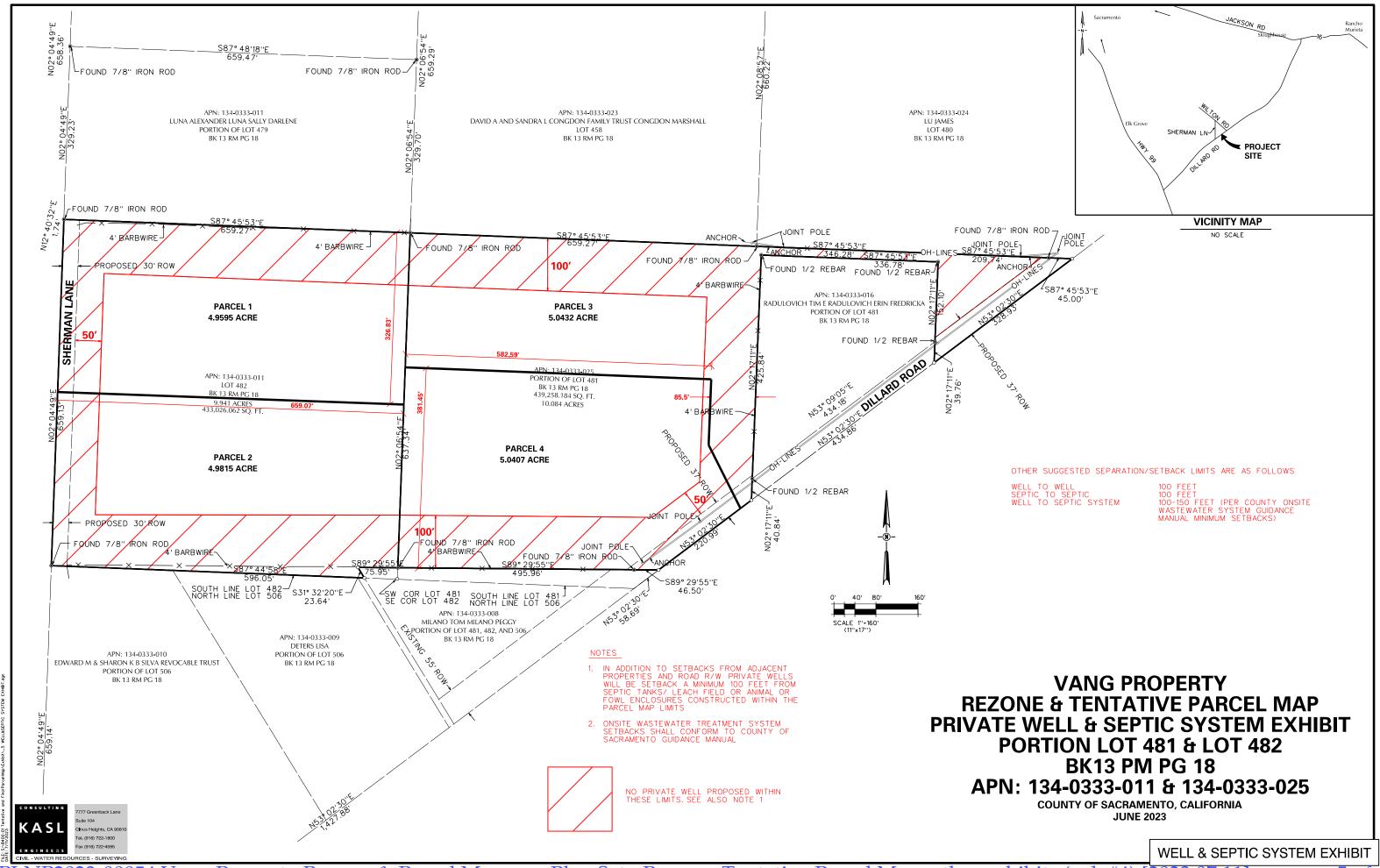
- o Tentative Parcel Map
- o Rezone Exhibit
- Setback Exhibits

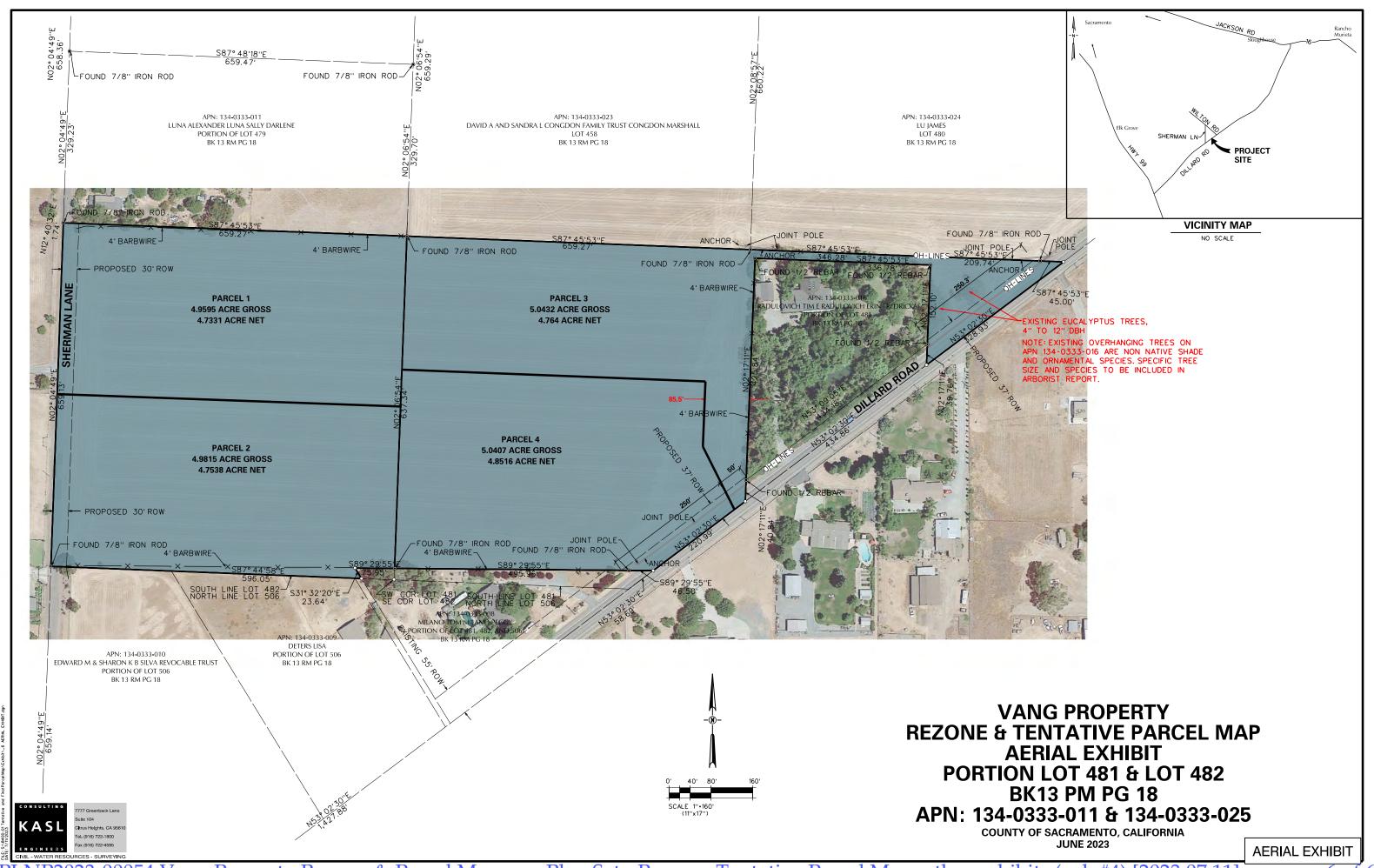










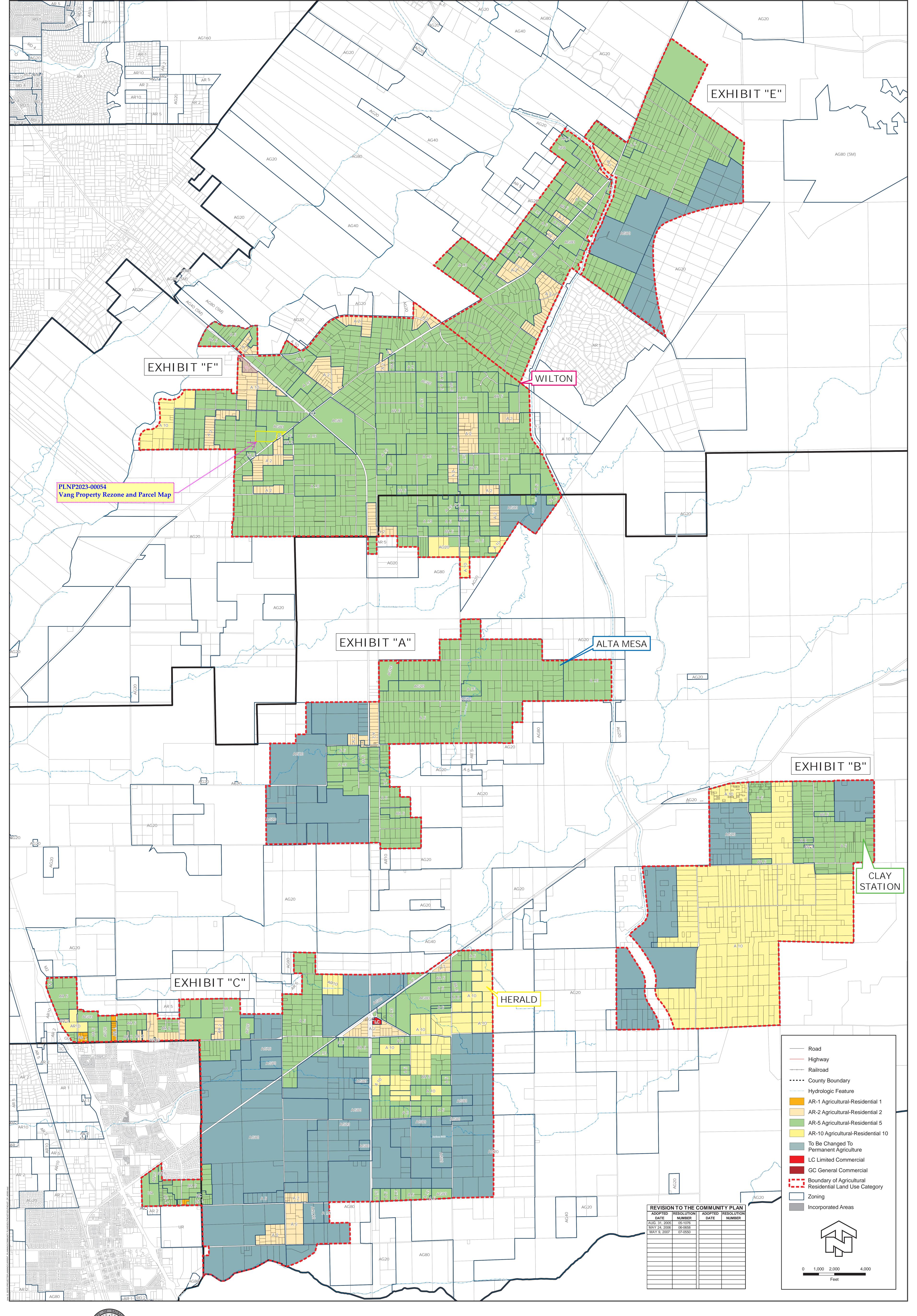




PLNP2023-00054
Vang Property Rezone and Parcel Map

## Attachment #3

# Southeast Community Plan Map annotated





PLNP2023-00054
Vang Property Rezone and Parcel Map

## Attachment #4

## Williamson Act Contract & Non-Renewal Notice

None

None

of Supervisors

Supervisors,

Supervisors.

NOES:

(SEAL) ATTEST:

ABSENT:

#### RESOLUTION NO. $_{72-AP} = 005$ RESOLUTION TO ESTABLISH AN AGRICULTURAL PRESERVE WITHIN SACRAMENTO COUNTY

| NO           | FEE     |
|--------------|---------|
| Samuel agree | 4. Z.Z. |

WHEREAS, the COUNTY OF SACRAMENTO is authorized to establish agricultural preserves by the CALIFORNIA LAND CONSERVA-TION ACT; and WHEREAS, all procedural requirements of the California Land Conservation Act and Resolution No. \_\_\_\_71-849\_ Board of Supervisors of Sacramento County have been followed; and WHEREAS, the Board of Supervisors does hereby establish the boundaries of the property to be included within this preserve as set forth in Exhibit "C"; and NOT LOCATED IN A SUGGESTED WHEREAS, the property described in Exhibit "C" is within the PRESERVE Agricultural Area; and WHEREAS, none of the property in Exhibit "C" is within one (1) mile of any city except as otherwise designated on Exhibit "C"; and WHEREAS, the Board of Supervisors after having received and reviewed the report of the Planning Department as to the application to establish this Preserve does hereby find that the establishment of this Preserve is consistent with the General Plan of Sacramento County; WHÉREAS, the Board of Supervisors does hereby establish the policy and rules which will govern the administration of this Preserve, to wit: (1) Establishment, Disestablishment, Alteration. The procedures set forth in Resolution No. 71-849 Supervisors of Sacramento County shall govern the establishment, disestablishment and alteration of the boundaries of this Preserve. The procedures in said Resolution are incorporated herein and made a part hereof as if fully set forth. (2) Policy. (a) This Board recognizes that the discouragement of premature and unnecessary conversion of agricultural land to urban uses is a matter of public interest and will be of benefit to urban dwellers themselves, in that it will discourage disconti<mark>guous urban dev</mark>elopment patterns which unnecessarily increase the cost of community service to community residences. In a rapidly urbanizing society, agricultural lands have a definite public value as open space, and the preservation and agricultural production of such lands, t<mark>he use of</mark> which may be limited pursuant to the provisions of said California Land Conservation Act, constitutes an important physical, social, esthetic and economic asset to existing or pending urban or metropolitan development. (b) Within this Preserve the lands shall be used only for the commercial production of agricultural commodities and the compatible uses herein designated. (c) Property owners executing a contract for property within this preserve should understand that the Board of Supervisors intends that the contract will run for the full term provided therein, (3) Agricultural Zoning. It is the intent of the Board that all land within this Preserve be zoned to the AG-80 Exclusive Agricultural Zone. The Board may require the property owners whose property is located within this preserve file an application for a zoning change to the AG-80 Exclusive Agricultural Zone. Alternatively the Board may direct the Planning Commission to initiate a zone change to the AG-80 Exclusive Agricultural Zone. (4) Permitted Agricultural Uses. Permitted agricultural uses are defined in Exhibit "A" hereto which is incorporated herein and made a part of this Resolution. (5) Compatible Uses. Compatible uses are defined in Exhibit "B" hereto which is incorporated herein and made part of this Resolution. (6) Limitation on Uses. If a contract is entered into, incorporating the agricultural and compatible uses specified in Exhibits "A" and "B" hereto, the property owner shall be limited to said uses even though the zoning ordinance or other codes, ordinances or regulations authorize different uses. In the event other codes, ordinances, or regulations are or should become more restrictive than the uses authorized by the Contract, the codes, ordinances or regulations shall prevail. (7) Continuation of Preserve. Pursuant to the California Land Conservation Act this Preserve shall continue in full effect following annexation, incorporation or disincorporation of the land described in Exhibit "C". NOW, THEREFORE, BE IT RESOLVED that the area of Sacramento County described in Exhibit "C" of this Resolution is hereby designated and established as an agricultural preserve within the meaning of and pursuant to the California Land Conservation Act of 1965, subject to the policy and rules specified herein. NOW, THEREFORE, BE IT FURTHER RESOLVED that a copy of this Resolution and a map of the property described in Exhibit "C" hereof be filed with the County Recorder of Sacramento County, and the Director of Agriculture, State of California, and that said Resolution and map be kept current by the County of Sacramento for said County Recorder and Director of Agriculture. PASSED AND ADOPTED by the Board of Supervisors of the County of Sacramento, State of California, this February 1972, by the following vote, to wit:

S: Supervisors, Gualco, Kloss, Phelan, Sheedy, Melarkey AYES:

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- (e) Sale of food products produced off the premises provided that the sale of such products is incidental and secondary to the sale of agricultural products upon the premises.
  - (f) Raising, processing, storing, packaging, packing and selling of seeds.
  - (g) Cutting, storing, packaging and selling of firewood.

### EXHIBIT "B" TO RESOLUTION ESTABLISHING AGRICULTURAL PRESERVE

Compatible uses are defined as follows:

- (a) One-family dwellings and accessory buildings and farm buildings of all kinds, when located upon farms and occupied or used by the owner, farm tenant or other persons employed thereon or the nonpaying guests thereof.
  - (b) Uses clearly incidental and secondary to the primary commercial agricultural use of the premises.
- (c) The following uses are permitted when carried on as a clearly secondary occupation in conjunction with a bonafide agricultural operation, where no more than two per cent (2%) of the subject land is used and where no more than three (3) persons other than the owner are employed in such activities, and which are owned and operated by the owner or occupant of the premises: the manufacturing, maintenance, repair, servicing, storage, sale or rental of agricultural machinery, implements and equipment of all kinds; the manufacture, storage or sale of farm supplies of all kinds, including but not limited to fertilizers, agricultural minerals and insecticides; the trans. portation of agricultural products, supplies or equipment together with the maintenance, storage, repair and servicing of the necessary trucks and equipment therefor.
  - (d) Fallow commercial agricultural land for one year.
  - (e) Private aircraft landing facilities which are incidental to the agricultural uses of the premises.
  - (f) A stand for display and sale of agricultural commodities produced on the premises or on other premises within the preserve.
  - (q) Veterinary services.
  - (h) Farm labor camps, including temporary housing in trailers or mobilehomes.
- (i) Incidental recreational uses which do not take land out of commercial agricultural production such as hunting clubs, archery ranges and similar activities.
- (j) Oil and gas well drilling and production including the installation and use of only such equipment, structures and facilities as are necessary and convenient for drilling and extracting operations.
  - (k) Roads, streets, highways, railroads and other surface vehicle transportation facilities.
  - (1) Gas, electric, water and communication utility facilities.
  - (m) Radio, television or microwave antennas and transmitters.
  - (n) Fire protection works and facilities.
  - (o) Flood control works, including channel rectification and alteration.
  - (p) Public works required for fish and wildlife enhancement and preservation.
  - (q) Removal of gravel, clay and sand and other minerals.
- (r) Recreational Use, as defined on the date of execution of this Resolution and as hereinafter may be defined in Section 51201 (n) of the Government Code.
- (s) Open Space Use, as defined on the date of execution of this Resolution and as hereinafter may be defined in Section 51201 (o) of the Government Code.

## EXHIBIT "D" TO RESOLUTION ESTABLISHING AGRICULTURAL PRESERVE

Compatable uses excluded from Exhibit "B" hereto:

- (r) Recreational Use, as defined in Section 51201(n) of the Government Code.
- (s) Open Space Use, as defined in Section 51201(o) of the Government Code.

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and/or: Assessors parcel(s) number(s):

The following property is within one mile of the City of



The real property referred in this guarantee is situated in the County of Sacramento, State of California, and is described as follows:

#### PARCEL NO. 1:

Lot 459 and the North one-half of Lot 479 of Central California

Traction Unit No. 6, according to the official plat thereof, filed
in the office of the Recorder of Sacramento County, California, on
May 11, 1912, in Book 13 of Maps, Map No. 18.

#### PARCEL NO. 2:

Lots 458, 480, 481 and 482 of Central California Traction Unit No. 6, according to the official plat thereof, filed in the office of the Recorder of Sacramento County, California, on May 11, 1912, in Book 13 of Maps, Map No. 18.

#### EXCEPTING THEREFROM:

(a) All that portion of Lot 480 of Central California Traction Unit No. 6, according to the official plat thereof, filed in the office of the Recorder of Sacramento County, California, on May 11, 1912, in Book 13 of Maps, Map No. 18, described as follows:

Beginning at a point in Dillard Road and in the Southeasterly line of said Lot 480, from which the Southwest corner of said Lot 480 bears South 53° 02' 30" West 398.97 feet, and thence North 87° 50' West 601.6 feet distant; thence from said point of beginning, North 26° 57' 30" West 35.00 feet to a one-half inch iron bar tagged

L. S. 2457 and set in a fence line marking the Northwesterly line

continued on next page

#### EXHIBIT C

The real property referred in this guarantee is situated in the County of Sacramento, State of California, and is described as follows:

#### PARCEL NO. 1:

Lot 459 and the North one-half of Lot 479 of Central California Traction Unit No. 6, according to the official plat thereof, filed in the office of the Recorder of Sacramento County, California, on May 11, 1912, in Book 13 of Maps, Map No. 18.

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Beginning at a point in Dillard Road and in the Southeasterly line of said Lot 480, from which the Southwest corner of said Lot 480

26° 57' 30" West 35.00 feet to a one-half inch iron bar tagged

bears South 53° 02' 30" West 398.97 feet, and thence North 87° 50'

West 601.6 feet distant; thence from said point of beginning, North

L. S. 2457 and set in a fence line marking the Northwesterly line

Parcel No. 2 continued.

of said Dillard Road; thence continuing North 26° 57' 30" West 146.75 feet to a similar iron rod; thence, North 53° 02' 30" East 296.83 feet to a similar iron rod; thence South 26° 57' 30" East 146.75 feet to a similar iron rod set in a fence line marking the Northwesterly line of said Dillard Road; thence continuing South 26° 57' 30" East 35.00 feet to a point in Dillard Road and the Southeasterly line of said Lot 480; thence along said Southeasterly line South 53° 02' 30" West 296.83 feet to the point of beginning, and containing after subtracting 9.24 acre in Dillard Road, a net area of 1.00 acre.

- (b) All that portion of Lots 481, 482 and 506 of Central California Traction Unit No. 6, according to the official plat thereof, filed in the office of the Recorder of Sacramento County, California, on May 11, 1912, in Book 13 of Maps, Map No. 18, described as follows: Beginning at a point on a fence line of said Lot 482, located South 89° 31' 35" East 583.24 feet from the Northwest corner of said Lot 506, in the center line of a road; thence from said point of beginning along said fence and its extension Easterly South 89° 31' 35" East 569.68 feet to a point on the Southeasterly line of said Lot 481 and the center line of a road as shown on the official plat of said subdivision; thence along the Southeasterly line of said Lots 481 and 506 and the center line of said road South 53° 02' 30" West 486.25 feet; thence North 31° 22' 10" West 347.91 feet to the point of beginning.
- (c) All that portion of Lot 481 of Central California Traction Unit No. 6, according to the official plat thereof, filed in the office of the Recorder of Sacramento County, California, on May 11, 1912,

Parcel No. 2 C continued.

in Book 13 of Maps, Map No. 18, described as follows:

Beginning at a point on the Southeasterly line of said Lot 481 and the center line of Dillard Road from which the most Easterly corner of said Lot 481 bears North 53° 02' 30" East 326.45 feet distant; thence from said point of beginning, leaving said Southeasterly lot line, North 02° 10' East 205.99 feet; thence North 87° 50' West 336.78 feet along a line parallel with and distant Southerly 16.00 feet (measured at right angles) from the Northerly line of said Lot 481; thence South 02° 10' West 463.93 feet to a point on the said Southeasterly line of Lot 481; thence along said Southeasterly line North 53° 02' 30" East 434.12 feet to the point of beginning, containing 2.528 acres, of land, more or less.

#### PARCEL NO. 3:

All that portion of Lot 480 as said lot is shown and so designated on the official plat of Central California Traction Unit No. 6, filed for record in the office of the Recorder of Sacramento County California, on May 11, 1912, in Book 13 of Maps, Map No. 18, described as follows:

Beginning at a point in Dillard Road and in the Southeasterly line of said Lot 480, from which the Southwest corner of said Lot 480 bears South 53° 02' 30" West 398.97 feet and thence North 87° 50' West 601.6 feet distant; thence from said point of beginning, North 26° 57' 30" West 35.00 feet to a one-half inch iron bar tagged L.S. 2457 and set in a fence line marking the Northwesterly line of said Dillard Road; thence continuing North 26° 57' 30" West 146.75 feet to a similar iron rod; thence North 53° 02' 30" East 296.83 feet to a similar iron rod; thence South 26° 57' 30" East 146.75 feet to a

Parcel No. 3 continued.

similar iron rod set in a fence line marking the Northwesterly line of said Dillard Road; thence continuing South 26° 57' 30" East 35.00 feet to a point in Dillard Road and the Southeasterly line of said Lot 480; thence along said Southeasterly line, South 53° 02' 30" West 296.83 feet to the point of beginning, and containing after subtracting 0.24 acre in Dillard Road, a net area of 1.00 acre.

of said Dillard Road; thence continuing North 26° 57' 30" West 146.75 feet to a similar iron rod; thence, North 53° 02' 30" East 296.83 feet to a similar iron rod; thence South 26° 57' 30" East 146.75 feet to a similar iron rod set in a fence line marking the Northwesterly line of said Dillard Road; thence continuing South 26° 57' 30" East 35.00 feet to a point in Dillard Road and the Southeasterly line of said Lot 480; thence along said Southeasterly line South 53° 02' 30" West 296.83 feet to the point of beginning, and containing after subtracting 9.24 acre in Dillard Road, a net area of 1.00 acre.

- (b) All that portion of Lots 481, 482 and 506 of Central California Traction Unit No. 6, according to the official plat thereof, filed in the office of the Recorder of Sacramento County, California, on May 11, 1912, in Book 13 of Maps, Map No. 18, described as follows: Beginning at a point on a fence line of said Lot 482, located South 89° 31' 35" East 583.24 feet from the Northwest corner of said Lot 506, in the center line of a road; thence from said point of beginning along said fence and its extension Easterly South 89° 31' 35" East 569.68 feet to a point on the Southeasterly line of said Lot 481 and the center line of a road as shown on the official plat of said subdivision; thence along the Southeasterly line of said Lots 481 and 506 and the center line of said road South 53° 02' 30" West 486.25 feet; thence North 31° 22' 10" West 347.91 feet to the point of beginning.
- (c) All that portion of Lot 481 of Central California Traction Unit No. 6, according to the official plat thereof, filed in the office of the Recorder of Sacramento County, California, on May 11, 1912,

in Book 13 of Maps, Map No. 18, described as follows:

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#### PARCEL NO. 3:

All that portion of Lot 480 as said lot is shown and so designated on the official plat of Central California Traction Unit No. 6, filed for record in the office of the Recorder of Sacramento County California, on May 11, 1912, in Book 13 of Maps, Map No. 18, described as follows:

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similar iron rod set in a fence line marking the Northwesterly line of said Dillard Road; thence continuing South 26° 57' 30" East 35.00 feet to a point in Dillard Road and the Southeasterly line of said Lot 480; thence along said Southeasterly line, South 53° 02' 30" West 296.83 feet to the point of beginning, and containing after subtracting 0.24 acre in Dillard Road, a net area of 1.00 acre.

Recording Request by

Clerk of the Board of Supervisors Sacramento County
County Administration Building Sacramento, California

## BOOK 72 02 29 PAGE 2040

OF FICIAL RECORDS SARRAMENTO COUNTY CALIF.

FEB 29 3 11 PM 1972

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Space Above For Recorder's Use

CALIFORNIA LAND CONSERVATION CONTRACT NO.

72-AP-005

This CALIFORNIA LAND CONSERVATION CONTRACT, made and entered into this last day of February, 1972, by and between the County of Sacramento, a political subdivision of the State of California, hereinafter referred to as "County" and

#### EDWARD J. HORTON and CLAUDINE H. HORTON

or successors thereof here

after referred to as Owner:

#### WITNESSETH:

WHEREAS, Owner is the legal owner of certain real property, herein referred to as the subject property, situate in the County of Sacramento, State of California; and

WHEREAS, the subject property is described in Exhibit "B" which is made part of this Contract; and

WHERE AS the subject property is located in an agricultural preserve heretofore established by County by Resolution Number

AP- UUD ; and WHEREAS, said Agricultural Preserve is within the

NOT LOCATED IN A SUGGESTED

Agricultural Area, a map of which area is on file with the Recorder of Sacramento County, Book 1 of Agricultural Preserve Maps, Map Number 19; and
WHEREAS, Owner and County desire to limit the use of subject property to agricultural uses and compatible uses to preserve

the limited supply of agricultural land and to discourage the premature and unnecessary conversion of agricultural land to urban uses; and WHEREAS, Owner and County recognize that agricultural land has definite public value as open space and that the preservation in agricultural production of land will assure an adequate food supply and constitute an important physical, social, esthetic and economic

asset to the people of County to maintain the agricultural economy of County and the State of California; and
WHEREAS, both Owner and County intend that this Contract is and shall continue to be through its initial term and any extension
thereof an enforceable restriction within the meaning and for the purposes of Article XXVIII of the State Constitution and thereby qualify
as an enforcement of the provisions of California Revenue and Taxation Code Section 422.

NOW, THEREFORE, the parties, in consideration of the mutual benefits and conditions set forth herein and the substantial public benefits to be derived therefrom, do hereby agree as follows:

(1) Agreement Made Pursuant to California Land Conservation Act. The within contract is made and entered into pursuant to the California Land Conservation Act of 1965 (Chapter 7 of Part 1 of Division 1 of Title 5 of the California Government Code commencing with Section 51200), hereinafter the Act, and is subject to all the provisions thereof specifically applicable to Article 3, Contracts (commencing with Section 51240) and other provisions of said Act as are specifically made applicable to this Contract.

(2) Use of Subject Property. During the term of this Contract or any extension thereof, the subject property shall not be used for

(2) Use of Subject Property. During the term of this Contract or any extension thereof, the subject property shall not be used for any other purpose other than the "permitted agricultural uses" or "compatible uses" as set forth in the resolution establishing the boundaries and adopting the rules governing the administration of the agricultural preserve in which the subject property is located which said "permitted agricultural uses" and "compatible uses" are incorporated herein by reference. Owner shall be limited to the uses specified in the aforementioned resolution even though ordinances, codes or regulations of County authorize different uses. If the ordinances, codes or regulations of County are more restrictive than the uses authorized by the aforementioned resolution the ordinances, codes or regulations shall prevail

(3) Additional Uses. The Board of Supervisors of County may from time to time during the term of this Contract or any extension thereof, by resolution revise the lists of "permitted agricultural uses" or "compatible uses" for the agricultural preserve in which the subject property is located; provided however, said Board shall not eliminate, without the written consent of Owner any permitted agricultural or compatible use during the term of this Contract or any extension thereof.

(4) Term. This Contract shall be effective on the date first above written, hereinafter the anniversary date, and shall remain in effect for a period of twenty (20) years therefrom. On the anniversary date when the unexpired term of this Contract shall reach nine

years, and on each succeeding anniversary date, one year shall automotically be added to the unexpired term, unless notice of nonrenewal is given as provided in Paragraph 10. If either party gives notice not to renew, it is understood and agreed this Contract

shall remain in effect for the unexpired term.

(5) Consideration. It is agreed that the consideration for the execution of this Contract is the substantial public benefit to be derived by County from the preservation of land in agricultural or compatible uses and the advantage which will accrue to Owner as a result of the effect on the method of determining the assessed value of the subject property and any reduction thereto due to the imposition of limitations on its use set forth in this Contract. County and Owner shall not receive any payment in consideration of the

obligations imposed herein.

- (6) Cancellation. This Contract may be cancelled, as herein provided, as to all or a part of the subject property only upon the petition of Owner to County, and after a public hearing has been held and notice thereof given as required by Section 51284 of the Government Code. The Board of Supervisors of County may approve cancellation only if they find that cancellation is not inconsistent with the purpose of Article 5 of the Act and that cancellation is in the public interest. It is understood by the parties that there is no right to cancellation and that the existence of an opportunity for another use of the subject property shall not be a sufficient reason for cancellation of this Contract. A potential alternative use of the subject property may be considered only if there is not proximate noncontractual land suitable for the use to which it is proposed the subject land be put. The uneconomic character of the existing agricultural or compatible use will be considered only if the subject property cannot reasonably be put to a permitted agricultural or compatible use specified in the resolution establishing the agricultural preserve in which the subject property is located. Parties hereto agree that the (1) computation of the cancellation valuation, (2) determination, assessment and payment of the cancellation fee (3) waiver of all or a portion of the cancellation fee (4) distribution of the cancellation fee as deferred taxes (5) recordation of the Certificate of Cancellation, and (6) the creation, attachment and release of any lien created by the imposition of a cancellation fee shall be as provided in Article 5 of the Act particularly Sections 51283 and 51283.3 thereof as amended by Chapter 1372, 1969 Statutes. The Board of Supervisors of County shall not approve any cancellation of this Contract as to any of subject property per this provision unless four (4) or more members of said Board affirmatively vote for such cancellation.
- (7) Cancellation If No Operative Legislation. This Contract may be cancelled by mutual agreement of County and Owner without payment of cancellation fee or public hearings whenever there is no operative legislation implementing Article XXVIII of the California Constitution at the time the cancellation is requested by Owner.

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## BOOK 72 02 29 PAGE 2041

(8) Division of Subject Property. In the event the subject property is divided, Owner or successors thereof, as the case may be, agree as a condition of such division to execute a contract or contracts so that of all times the subject property is restricted by a contract or contracts identical to the contract covering the subject property at the time of such division. County, any other political entity, or any Court having jurisdiction and making an order of division of the subject property shall as a condition of the division the execution of the contracts provided for in this paragraph.

The owner of any parcel created by division of the subject property may exercise, independent of any other owner of a portion of the divided property, any of the rights of owner executing this Contract to give notice of nonrenewal as provided in Paragraph 10, or to petition for cancellation as provided in Paragraph 6 herein. The effect of any such action by an owner of a parcel created by a division shall not be imputed to the owners of the remaining parcels and shall have no effect on the contracts which apply to the

remaining parcels of the divided land.

(9) Information to County. Owner, not later than the last day of December of each year this Contract is in force, shall provide information to County relating to Owner's obligation herein in order for County to determine the value for assessment purposes and for continued eligibility under the provisions of the Act.

(10) Notice of Nonrenewal. If after the expiration of the tenth year of the term of this Contract, and in each succeeding year of this Contract, Owner desires not to renew the Contract, Owner shall serve written notice of nonrenewal of this Contract upon the Clerk of the Board of Supervisors of Country at least ninety (90) days prior to the anniversary date. If after the expiration of the tenth year of this Contract, and in each succeeding year of this Contract, County desires not to renew the Contract, County shall serve written notice of nonrenewal to Owner at least sixty (60) days prior to the anniversary date. Notices of nonrenewal by County shall be sent to the address set forth in Exhibit "A" provided by Owner for this purpose. Owner shall have the right to protest the non-renewal by County provided such protest is made in writing and filed with the Clerk of the Board of Supervisors of County not later than sixty (60) days after receipt of the notice of nonrenewal from County or the last day of February of the calendar year in which the notice was mailed, whichever date is first to occur. County may prior to the annual renewal date without notice to Owner withdraw a notice of renewal. Upon request of Owner, County may authorize the Owner to serve a notice of nonrenewal on a portion of the subject property, said notice to be in accordance with foregoing provisions of this Paragraph 10.

(11) Removal of Land From Agricultural Preserve. Removal of any of subject property from the agricultural preserve in which the subject property is located shall be equivalent to notice of nonrenewal by County as to the land actually removed from the agricultural preserve. County shall, at least sixty (60) days prior to the annual renewal date serve a notice of nonrenewal as provided in Paragraph 10. County shall record the notice of nonrenewal in the office of the Recorder of County as required by Section 51206 of the Government Code, however Owner agrees that a failure of County to record said notice of nonrenewal shall not invalidate or in any manner affect

said notice.

(12) Action In Eminent Domain To Take All Of Subject Property. Upon the filing of an action in eminent domain by an agency or person specified in Government Code Section 51295 for the condemnation of the fee title of all of the subject property or upon the acquisition in lieu of condemnation of the fee, this Contract shall be null and void on the date of filing of suit or upon the date of acquisition as to the land condemned or acquired, and the condemning or acquiring agency or person shall proceed as if the Contract never existed.

(13) Action In Eminent Domain To Take A Portion of Subject Property. Upon the filing of an action in eminent domain by an agency or person specified in Government Code Section 51295 for the condemnation of the fee title of a portion of the subject property, or upon the acquisition in lieu of condemnation of the fee, this Contract shall be null and void on the date of filing of suit or upon the date acquisition as to the portion of the subject property condemned or acquired and shall be disregarded in the valuation process only as to the land actually taken, unless the remaining portion of the land subject to this Contract will be adversely affected by the take or acquisition in which case the value of that damage shall be computed without regard to this Contract. Under no circumstances shall ony of the subject property be removed from the provisions of this Contract that is not actually taken or acquired, except as otherwise provided in the Contract.

(14) Abandonment Of Action In Eminent Domain. In the event a Condemnation Sult is abandoned in whole or in part or if funds are not provided to acquire the property in lieu of condemnation, Owner agrees to execute a new agreement for all of the property to have been taken or acquired identical to the Contract in effect at the time suit was filed or on the date the land was to have been acquired, provided however, a notice of nonrenewal had not been given by either party prior to the filing of suit or date the property was to have been acquired and the property at the time of abandonment of the condemnation or purchase is within the boundaries of

the agricultural preserve in which the subject property was first located.

(15) Enforcement Of Contract. Any conveyance, contract or authorization (whether written or oral) by Owner or his successors in interest which would permit use of the subject property contrary to the terms of this Contract or the rules of the agricultural preserve in which the subject property is located, or failure to use the property consistent with the provisions herein will be deemed a breach of this Contract. Such breach may be enforced by County by an action filed in the Superior Court of the County for the purpose of compelling compliance or restraining breach thereof. It is understood and agreed that the enforcement proceedings provided in this Contract are not exclusive and both Owner and County may pursue their legal and equitable remedies.

(16) Recording Of Documents. In the event of termination of this Contract for any reason County shall record the appropriate

documents with the County Recorder and file a copy with the Director of Agriculture.

(17) Successors In Interest. The within Contract shall run with the land described herein and upon division, to all parcels created therefrom, and shall be binding upon the heirs, successors and assigns of Owner. This Contract shall also be transferred from County to a succeeding city or county acquiring jurisdiction over all or any partion of the subject property. annexation proceedings by a city, that city shall succeed to all rights, duties and powers of County under this Contract, unless the subject property or portion thereof was within one mile of said city at the time this Contract was initially executed, and said city protested the execution of this Contract pursuant to Section 51243.5 of the Government Code and said city states its intent not to succeed to the rights, duties and powers in the resolution of intention to annex. If the city does not exercise its option to succeed to the rights, duties and powers this Contract becomes null and void as to the subject property actually annexed on the date of annex-

| ation. IN WITNESS WHEREOF the parties hereto have executed  | the within Contract the day and year first above written. |
|---|---|
| "COUNTY"  | Church Sowner" (2) The                                    |
| COUNTY OF SACRAMENTO, a political subdivision of the State of California  By Chairman of the Board of Supervisors | Claudine H. Horton  |
| ATTEST: Clerk It the Board of Supervisors   |   |
|   |   |

(Attach acknowledgement for each signature above)

## BOOK 72 02 29 PAGE 2043 ACKNOWLEDGMENT

| STATE OF CALIFORNIA COUNTY OF Sacramento | <b>}</b> ss.   |   |
|--|--|---|
| On this 25th day o                       | f February   | , in the year 19 <sup>72</sup> , before me,                           |
|  |  | and for the County of Sacramento                                      |
| State of California, personally app      | Fdroad T H   |   |
| known to me to be the person (%) w       | hose name(X) is/XXXxubsa   | ribed to the within instrument, and acknowledged to me that           |
| he                                       | executed the same.   | toca to the within monomoni, and decinowindaged to the mar            |
|  | ·  |   |
| OFFICIA                                  | L SEAL   | Notary Public in and for the County of <u>Sacramento</u>              |
| (SEAL) LAURA L. NOTARY PUBLIC            |  | State of California   |
| SACRAMENT<br>My Commission Exp           |  |   |
| <del></del>                              |  |   |
|  | ,  |   |
| COUNTY OF Sacramento                     | <b>\$ 15.</b>  | , in the year 19 72 , before me,                                      |
| 25th                                     | February   | 72  |
|  |  |   |
| Laura L. Wasson                          | , a Notary Public in a   | and for the County of Sacramento                                      |
| State of California, personally app      | eared Claudine   | H. Horton   |
|  |  |   |
| known to me to be the person(答) w        | nose name(xs) is/2002 subscr   | ibed to the within instrument, and acknowledged to me that            |
| she                                      | executed the same.   |   |
|  |  |   |
|  | TAL CEAL   | Laura & Wesson  |
| (SEAL) OFFICE LAURA                      | CIAL SEAL<br>L. W <b>AS</b> SON  | Notary Public in and for the County of Sacramento State of California |
| NOTARY PU                                | BLIC-CALIFORNIA (ENTO COUNTY   |   |
| My Commissio                             | n Expires Mar. 25, 1973  |   |
|  |  |   |
|  |  | Ç   |
| STATE OF CALIFORNIA                      | <b>\$ 55.</b>  | ang                               |
| COUNTY OF                                | ,  |   |
| On thisday o                             | .f   | , in the year 19, before me,  |
|  | , a Notary Public in (   | and for the County of   |
| State of California, personally app      | eared  |   |
| , 11                                     | depart of the first of the of the first and appropriate and appropriate account of the appropriate and appropriate appropriate and appropriate appropriate and |   |
| known to me to be the person(s) w        | hose name(s) is/are subscr   | ibed to the within instrument, and acknowledged to me that            |
|  | executed the same.   |   |
|  |  |   |
|  |  |   |
| (SEAL)                                   |  | Notary Public in and for the County of                                |

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## EXHIBIT A TO CALIFORNIA LAND CONSERVATION CONTRACT

## INFORMATION RE NOTICES OF NONRENEWAL (See Paragraph 10 of Contract)

#### Notice to County:

#### Notice must identify:

- 1. Owner
- 2. Resolution number establishing agricultural preserve
- 3. Contract Number

#### Address notice to:

Clerk of the Board of Supervisors County of Sacramento County Administration Building 827 — 7th Street Sacramento, California 95814

#### Address Notice to Owner:

Edward J. Horton Route 1, Box 677 Wilton, California 95693

## EXHIBIT B TO CALIFORNIA LAND CONSERVATION CONTRACT

#### Subject Property is described as:

See Exhibit "C" attached hereto and by said reference made a part of this contract.

| State of Cour  | INDIVIDUAL ACI<br>California<br>aty of Sacramento                           | NOWLEDGMENT BOOK 72                    | 02 29 PAGE                        | 2049                      |
|--|---|--|-----------------------------------|---------------------------|
|  | On this   | 25th day of                            | February 1                        | 9. <u>72.,</u> before me, |
| Laura L. W   | asson   | , a Notary Public in a                 | nd for said Sacrame               | nto County.               |
| (SEAL) pers  | onally appeared Edward  |  |                                   |                           |
| kno  | wn to me to be the person   | whose name i                           | subscri                           | bed to the within         |
| instr  | ument, and acknowledged tha   | itheexecuted the                       | same.                             | <b></b>                   |
| OFFICIAL SEAL LAURA L. WASSOI NOTARY PUBLIC-CALIFOR                                | MIN K   | (and and )                             | Teles son                         | L768                      |
| SACRAMENTO COUNT<br>My Commission Expires Mar. 25                                  | 1 1   |  |                                   | ω                         |
| My Commission Expires more   | Notary Public in and for  | said Sacramento                        |                                   | County and State          |
| P-169 6-69   | My commission expires   | March 25, 197                          | 3                                 |                           |
| State of C   | INDIVIDUAL ACI<br>California<br>ary of Sacramento                           | (NOWLEDGMENT                           |                                   |                           |
| ,  |   |  |                                   |                           |
|  |   | 25th<br>day of                         |                                   |                           |
| Laura L. Wass  | on  | , a Notary Public in a                 | nd for said Sacrame               | nto County,               |
| (SEAL) pers  | onally appeared Claudine  |  |                                   |                           |
|  |   | •••••••••••••••••••••••••••••••••••••• | ································· |                           |
|  | wn to me to be the person   |  |                                   | ped to the within         |
| instr  | rument, and acknowledged tha  |  | same.                             |                           |
| OFFICIAL SE LAURA L. WAS NOTARY PUBLIC- CAL SACRAMENTO CO My Commission Expires Ma | SSON<br>IFORNIA<br>UNTY<br>I <sup>1, 25, 197</sup> Notary Public in and for | - Xairi                                |                                   | County and State          |
| D 160 6 60   | My commission expires   | 1101011 -/9 10 1                       |                                   |                           |

Recording requested by and 90 08 15 0734 Sunder 08-2450

Return to:

Clerk of the Board of Supervisors County of Sacramento 700 'H' Street, Suite 2450 Sacramento, CA 95814 '90 AUG -1 P2:07

NOTICE OF NON-RENEWAL

OF

LAND CONSERVATION AGREEMENT

SO AUG 15 AM 8:51

SO AUG 15 AM 8:51

SO AUG 15 AM 8:51

| Pursuant to Sections 51245 and 51246 of the Government Code, on              |
|--|
| 3 / July , 1990, the undersigned   |
| Edevard & Norton   |
| hereby gives notice of non-renewal of Williamson Land Conservation Agreement |
| No. 72-aP-005.   |
| Particulars relating to said Land Conservation Agreement are as follows:     |
| Assessor Parcel(s) See attached  |
|  |
| Williamson Land Conservation Agreement No. 72 - 005                          |
| Name (s): Colward & Horton and Claudine                                      |
| It. Starton  |

By this notice of non-renewal filed with the Board of Supervisors of the County of Sacramento, Agreement noted above will then expire automatically nine (9) years from and after February 28, 1991, but that in the intervening nine (9) years, the agreement will, by law, remain in full force and effect.

Recorded Book and Page Number (s):

Address to which correspondence should be sent:

| BY: Edward Standing St  | Norten<br>orton   |
|---|---|
| (Attach Acknowledgement f   | for each Signature)   |
| This Notice of Non-Renewa   | al was received on <u>Outgoot</u> , 1990, in the me Board of Supervisors of the County of Sacramento.   |
| DATED: Queguoto 8   | B,1990<br>COUNTY OF SACRAMENTO  |
|   | BEVERLY A. WILLIAMS, Clerk of the Board of Supervisors County of Sacramento   |
| (Attach map showing prope   | erty for which the notice of Non-Renewal is filed)  |
| ENERAL ACKNOWLEDGMENT   | CAL-  |
| State of California   | On this the 3L day of July 19 9 Obefore me, Judy A Kieh-Chance, the undersigned Notary Public, personally appeared  |
| County of SACRAMENTO  OFFICIAL SEAL JUDY A. KIEHI-CHÂNCE NOTARY PUBLIC - CALIFORNIA SACRAMENTO COUNTY My Comm. Expires Nov. 1, 1993 | Educated J. Horton Character Horton  personally known to me  Exproved to me on the basis of satisfactory evidence  to be the person(s) whose name(s)  within instrument, and acknowledged that  within instrument, and acknowledged that  within instrument, and official seal. |
|   | Notary's Signature  |

#### EXHIBIT C

The real property referred in this guarantee is situated in the County of Sacramento, State of California, and is described as follows:

#### PARCEL NO. 1:

Lot 459 and the North one-half of Lot 479 of Central California
Traction Unit No. 6, according to the official plat thereof, filed
in the office of the Recorder of Sacramento County, California, on
May 11, 1912, in Book 13 of Maps, Map No. 18.

#### PARCEL NO. 2:

Lots 458, 480, 481 and 482 of Central California Traction Unit No. 6, according to the official plat thereof, filed in the office of the Recorder of Sacramento County, California, on May 11, 1912, in Book 13 of Maps, Map No. 18.

#### EXCEPTING THEREFROM:

(a) All that portion of Lot 480 of Central California Traction Unit No. 6, according to the official plat thereof, filed in the office of the Recorder of Sacramento County, California, on May 11, 1912, in Book 13 of Maps, Map No. 18, described as follows:

Beginning at a point in Dillard Road and in the Southeasterly line of said Lot 480, from which the Southwest corner of said Lot 480 bears South 53° 02' 30" West 398.97 feet, and thence North 87° 50' West 601.6 feet distant; thence from said point of beginning, North 26° 57' 30" West 35.00 feet to a one-half inch iron bar tagged

L. S. 2457 and set in a fence line marking the Northwesterly line

Parcel No. 2 continued.

of said Dillard Road; thence continuing North 26° 57' 30" West

146.75 feet to a similar iron rod; thence, North 53° 02' 30" East

296.83 feet to a similar iron rod; thence South 26° 57' 30" East

146.75 feet to a similar iron rod set in a fence line marking the

Northwesterly line of said Dillard Road; thence continuing South

26° 57' 30" East 35.00 feet to a point in Dillard Road and the

Southeasterly line of said Lot 480; thence along said Southeasterly

line South 53° 02' 30" West 296.83 feet to the point of beginning,

and containing after subtracting 9.24 acre in Dillard Road, a net

area of 1.00 acre.

- (b) All that portion of Lots 481, 482 and 506 of Central California Traction Unit No. 6, according to the official plat thereof, filed in the office of the Recorder of Sacramento County, California, on May 11, 1912, in Book 13 of Maps, Map No. 18, described as follows: Beginning at a point on a fence line of said Lot 482, located South 89° 31' 35" East 583.24 feet from the Northwest corner of said Lot 506, in the center line of a road; thence from said point of beginning along said fence and its extension Easterly South 89° 31' 35" East 569.68 feet to a point on the Southeasterly line of said Lot 481 and the center line of a road as shown on the official plat of said subdivision; thence along the Southeasterly line of said Lots 481 and 506 and the center line of said road South 53° 02' 30" West 486.25 feet; thence North 31° 22' 10" West 347.91 feet to the point of beginning.
- (c) All that portion of Lot 481 of Central California Traction Unit No. 6, according to the official plat thereof, filed in the office of the Recorder of Sacramento County, California, on May 11, 1912,

Parcel No. 2 C continued.

in Book 13 of Maps, Map No. 18, described as follows:

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Beginning at a point on the Southeasterly line of said Lot 481 and the center line of Dillard Road from which the most Easterly corner of said Lot 481 bears North 53° 02' 30" East 326.45 feet distant; thence from said point of beginning, leaving said Southeasterly lot line, North 02° 10' East 205.99 feet; thence North 87° 50' West 336.78 feet along a line parallel with and distant Southerly 16.00 feet (measured at right angles) from the Northerly line of said Lot 481; thence South 02° 10' West 463.93 feet to a point on the said Southeasterly line of Lot 481; thence along said Southeasterly line North 53° 02' 30" East 434.12 feet to the point of beginning, containing 2.528 acres, of land, more or less.

#### PARCEL NO. 3:

All that portion of Lot 480 as said lot is shown and so designated on the official plat of Central California Traction Unit No. 6, filed for record in the office of the Recorder of Sacramento County California, on May 11, 1912, in Book 13 of Maps, Map No. 18, described as follows:

Beginning at a point in Dillard Road and in the Southeasterly line of said Lot 480, from which the Southwest corner of said Lot 480 bears South 53° 02' 30" West 398.97 feet and thence North 87° 50' West 601.6 feet distant; thence from said point of beginning, North 26° 57' 30" West 35.00 feet to a one-half inch iron bar tagged L.S. 2457 and set in a fence line marking the Northwesterly line of said Dillard Road; thence continuing North 26° 57' 30" West 146.75 feet to a similar iron rod; thence North 53° 02' 30" East 296.83 feet to a similar iron rod; thence South 26° 57' 30" East 146.75 feet to a

Parcel No. 3 continued.

similar iron rod set in a fence line marking the Northwesterly line of said Dillard Road; thence continuing South 26° 57' 30" East 35.00 feet to a point in Dillard Road and the Southeasterly line of said Lot 480; thence along said Southeasterly line, South 53° 02' 30" West 296.83 feet to the point of beginning, and containing after subtracting 0.24 acre in Dillard Road, a net area of 1.00 acre.

### ADDENDUM TO CALIFORNIA LAND CONSERVATION CONTRACT NO. 72-AP-005

| California Land Conservation  | Contract No. 72-AP-005     | , made and        |
|---|----------------------------|-------------------|
| entered into this last day of Febr                                      |                            |                   |
| of Sacramento, a political subdivi<br>after referred to as "County" and | sion of the State of Calif | fornia, herein-   |
| after referred to as "County" and                                       | EDWARD 3. HORION and C.    | MODINE II. HORION |

or successors thereof hereafter referred to as "Owner", is hereby amended by this Addendum, dated this last day of February, 1972, and attached thereto.

#### WITNESSETH:

WHEREAS, Section 51283 of the Government Code of the State of California, which section pertains to the California Land Conservation Act, was amended, providing therein that in the event of cancellation of a contract of an agricultural preserve and in the event that the governing board approving such cancellation intends to waive the cancellation fee or any part thereof, prior to such waiver approval must be obtained from Secretary of the Resources Agency of the State of California; and

WHEREAS, both Owner and County are desirous that the Land Conservation Contract, which they are parties to, meet all statutory requirements to qualify said contract as an enforceable restriction on the land subject to the contract.

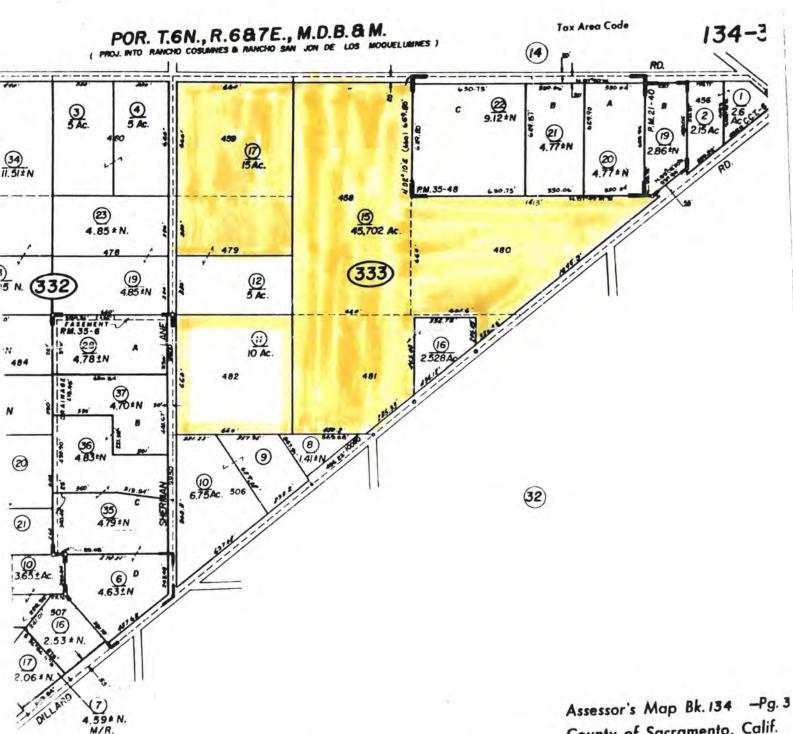
NOW, THEREFORE, the parties hereto agree as follows:

- 1. Wherein the California Land Conservation Contract entered into by the parties hereto refers to specific sections of the Government Code relating to said contracts, that said Government Code shall include amendments in effect at the time of execution of said contract.
- 2. All references to effective dates of statutes, amendments to statutes and chapter numbers that may be made in the California Land Conservation Contract of the parties hereto are hereby deleted therefrom.

IN WITNESS WHEREFROM, the parties hereto have executed this Addendum on the day and year first above written.

| p<br>t<br>B | "COUNTY"  OUNTY OF SACRAMENTO, a olitical subdivision of he State of California  y Chairman of the Board of Supervisors  TTEST: Clerk of the Board of Supervisors | Elward Horton |
|-------------|---|---------------|
|             |   |               |

(Attach Acknowledgment for each Signature)



NOTE-Assessor's Block Numbers Shown in Ellipses. alifornia Traction Unit No.6, R.M. Bk. 13, Pg. 18 Assessor's Parcel Numbers Shown in Circles. County of Sacramento, Calif.

rien a 72

12- MP 5

1 February, 1972

The Board of Supervisors County of Sacramento Sacramento, California

Gentlemen:

Subject: California Land Conservation Contract No. 72-AP-005

This Contract, as you know, was recommended for disapproval by the Planning Commission. I should like to lay additional information before you:

- 1. The land is contiguous to land zoned agricultural. That land is bounded on the North by Dillard Road, on the East by the California Traction right-of-way, and on the West by Davis Road. It is known as the Dillard Ranch and is used as a Grade A dairy. For some eight years my land has been used by the occupants of the Dillard Ranch as a pasture to raise replacement heifers for the dairy string. The reason is apparent: my land is convenient for the feeding of the animals. In Winter, the feeding of concentrates is quickly done and in the Summer, the pasture is close at hand for irrigation.
- 2. My field well has needed replacement for years, but, due to the tax burden, I have not been able to drill a new one. We do not believe we can get another year out of the well. Last year, about 20% of the land could not be irrigated because of the low water yield. One alternative is to dry up the land. This means that the pasture will be insufficient for the replacement heifers. In turn, the dairyman on the Dillard Ranch will find himself inconvenienced since there is no substitute land close by. On the other hand, there is no point in drilling a new well if I sell the land to a sub-divider. The well has no use.
- 3. I cannot rent the land for enough to pay the existing taxes and keep up the property. I have tried. Renters cannot afford to pay more than the tax and water costs.
- 4. The land has other uses. For example, I have reserved some five acres to heavy cover. It is a breeding ground for pheasants. My land is a hunting ground for my neighbors and others. I do not hunt; I just like to watch the birds.
- 5. Ironically, the current situation eliminates green space and encourages speculation. Because I cannot afford to carry the land at its currently assessed value without leasing it, I shall sell it. The buyer will be one who has sufficient funds to hold out for his price; in short, a speculator. And the way to keep the land profitably for speculation is to dry it up.

I have no desire to dispose of the property. Apart from my own pleasure in having it, I believe that this wide space has a community value. But I have to be able to afford keeping and improving it as I believe it should be improved. Hence, this Contract. I ask its approval.

Respectfully,

Edward J. Horton, Owner

Route 1 Box 677 Wilton, California 95693 STATE OF CALIFORNIA )
) ss
COUNTY OF SACRAMENTO )

on this 7th day of August, 1990, before me, Sandra Burnett, a Notary Public in and for the County and State, residing therein, duly commissioned and sworn, personally appeared Burney a Guilland, known to me to be the Clerk of the Board of Supervisors of the County of Sacramento, the political subdivision that executed the within and foregoing instrument on behalf of said political subdivision therein named, and acknowledged to me that such political subdivision executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal in said County and State as aforesiad the day and year in this certificate first above written.

Notary Public in and for the County of Sacramento, State of California

(SEAL)



#### PROOF OF PUBLICATION

(2015.5 CCP)

STATE OF CALIFORNIA SS. County of Sacramento,

I am a citizen of the United States and a resident of the County aforesaid, I am over the age of eighteen years, and not a party to or interested in the above entitled matter. I am the principal clerk of the printer of THE SACRAMENTO LEGAL PRESS, a newspaper of general circulation printed and published in the City of Sacramento, County of Sacramento, and which newspaper has been adjudged a newspaper of general circulation by the Superior Court of the County of Sacramento, State of California, under date of November 17, 1952, Case Number 91,690, that the notice, of which the annexed is a printed copy (set in type not smaller than non pareil) has been published in each regular and entire issue of said newspaper and not in any supplement thereof on the following dates, to-wit:

January 13,

all in the year 1972

I certify (or declare) under penalty of perjury that the foregoing is true and correct.

Signature

January 13, 1972 Date \_

#### SACRAMENTO LEGAL PRESS

P.O. Box 1863

Sacramento, California 95809

#### Proof of Publication of

#### LEGAL NOTICE/NOTICE OF PUBLIC HEARING

#### APPLICATION NO. 72-AP-005/HORTON

LEGAL NOTICE

Notice of Public Hearing
APPLICATION No. 72-AP-005

Notice is hereby given that a Public Hearing will be held before the Board of Supervisors of the County of Sacramento, State of California, for the purpose of considering the establishment of Agricultural Preserves which may be devoted to agricultural use, recreational use or open space use, as defined in the California Land Conservation Act in the County of Sacramento as follows:

LOCATION:

The property is located on the south

17
APPLICANT:
Edward J. Horton
Route 1, Box 677
Wilton, California 95693
DATE OF HEARING:
Wednesday, January 26, 1972 at 9:00

Wednesday, January 26, 1972 at 9:00 A. M.
PLACE OF HEARING:
Board of Supervisors Chambers, Room 427, County Administration Building, 827 Seventh Street, Sacramento, California 95814
BY ORDER OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SACRAMENTO, STATE OF CALIFORNIA, THIS 4th DAY OF January, 1972.
JACK H. MEHL,
Clerk

Clerk Board of Supervisors 10541—January 13

00

#### LEGAL NOTICE Notice of Public Hearing

Notice is hereby given that a Public Hearing will be held before the Board of Supervisors of the County of Sacramento, State of California, for the purpose of considering the establishment of Agricultural Preserves which may be devoted to agricultural use, recreational use or open space use, as defined in the California Land Conservation Act in the County of Sacramento as follows:

LOCATION:

The property is located on the south side of Gay Road, the east side of Collings Road, and the northwesterly side of Dillard Road and consists of 70 acres m/l. Parcel 134-333-15, 11 & 17

APPLICANT:

Edward J. Horton Route 1, Box 677

Wilton, California 95693

DATE OF HEARING:

Wednesday, January 26, 1972 at 9:00 A. M.

PLACE OF HEARING:

Board of Supervisors Chambers, Room 427, County

Administration Building, 827 Seventh Street,

Sacramento, California 95814

BY ORDER OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SACRAMENTO, STATE OF

CALIFORNIA, THIS 4th DAY OF January . 1972.

Jack H. Mehl, Clerk Board of Supervisors

Publish in Sacramento Legal Press 1/13/72 Send one affidavit and two publication bills with notice attached to each.



### Planning and Environmental Review

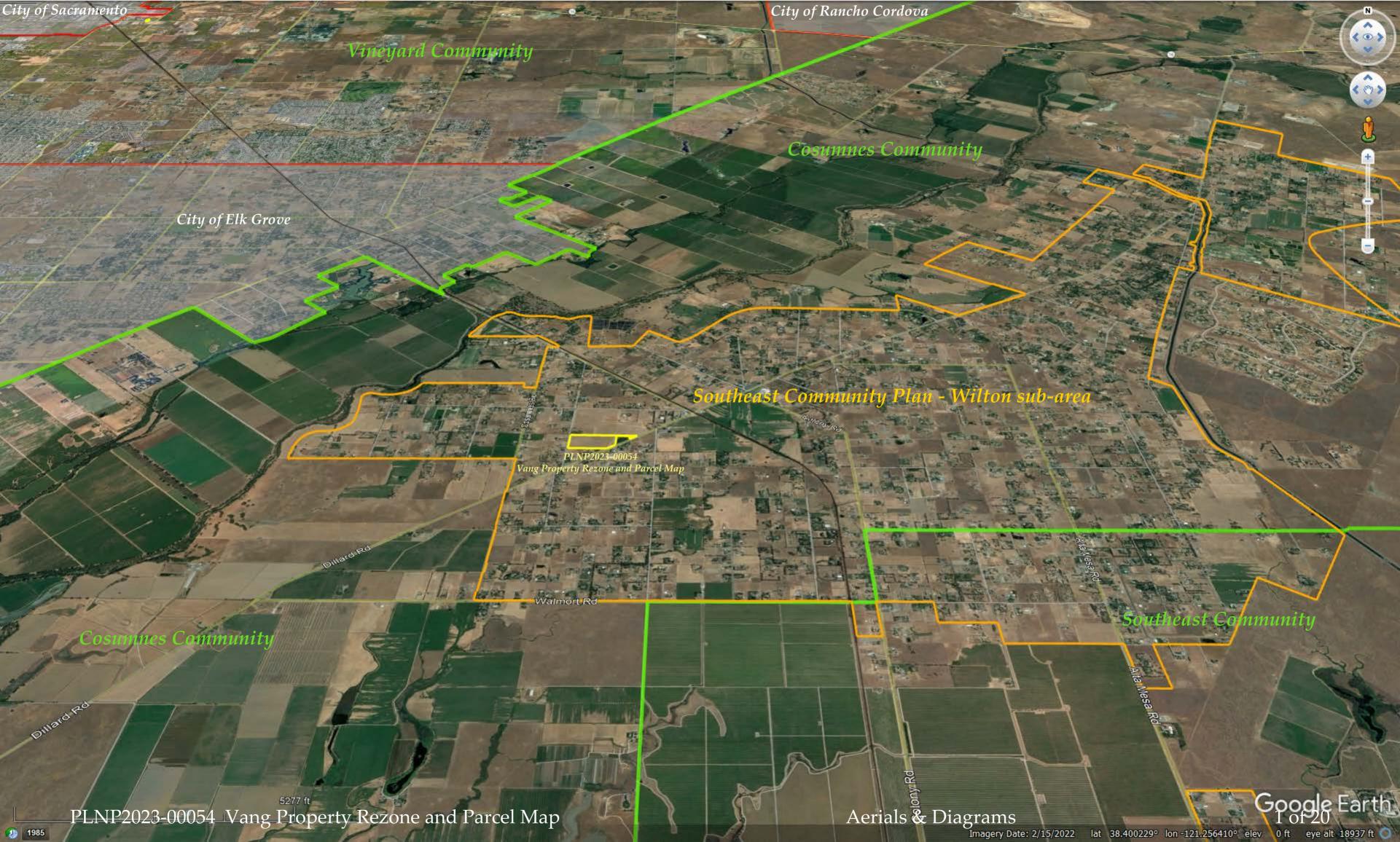
PLNP2023-00054

Vang Property Rezone and Parcel Map

sub. #4

### Attachment #5

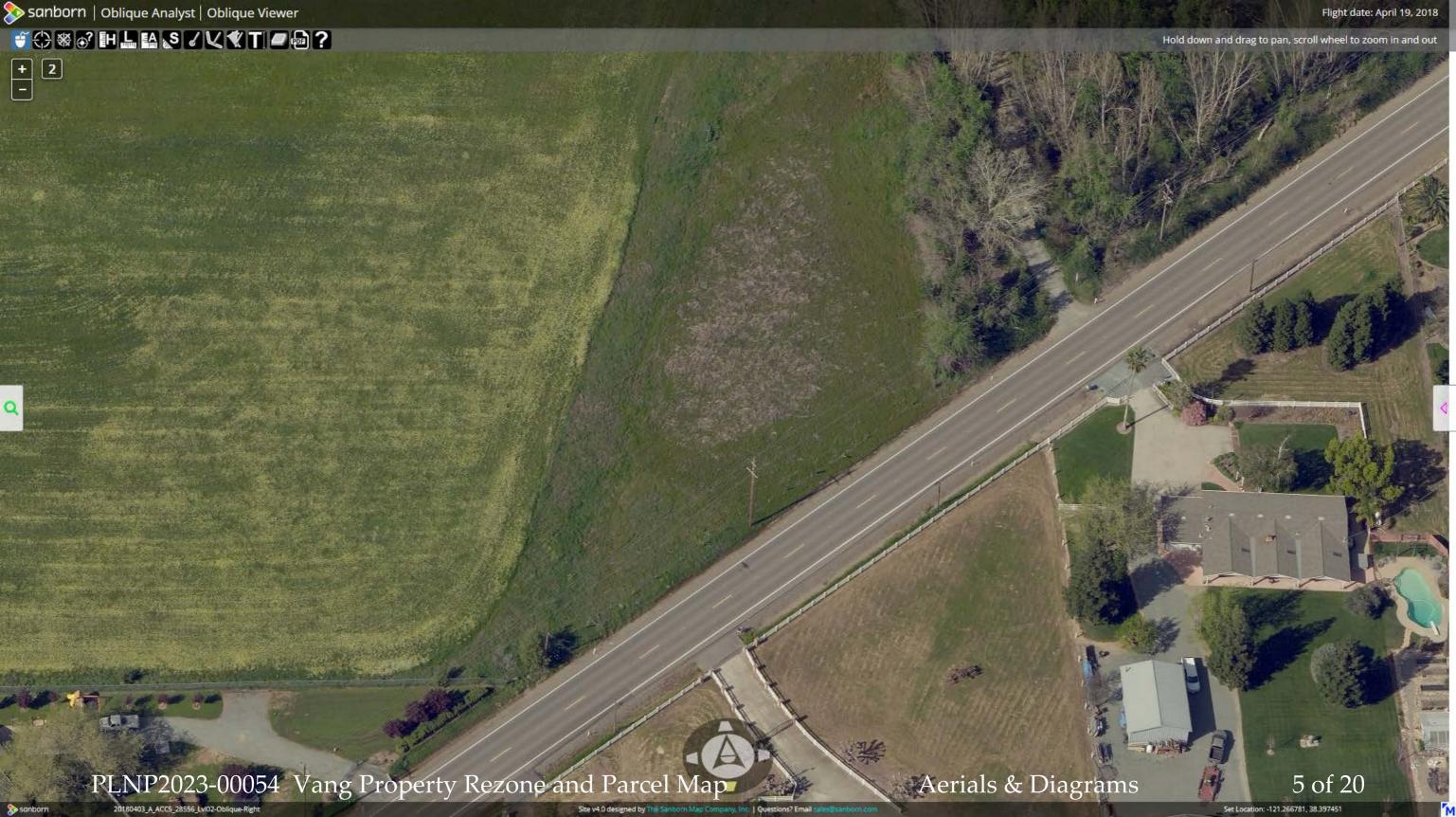
Aerial Images & Diagrams

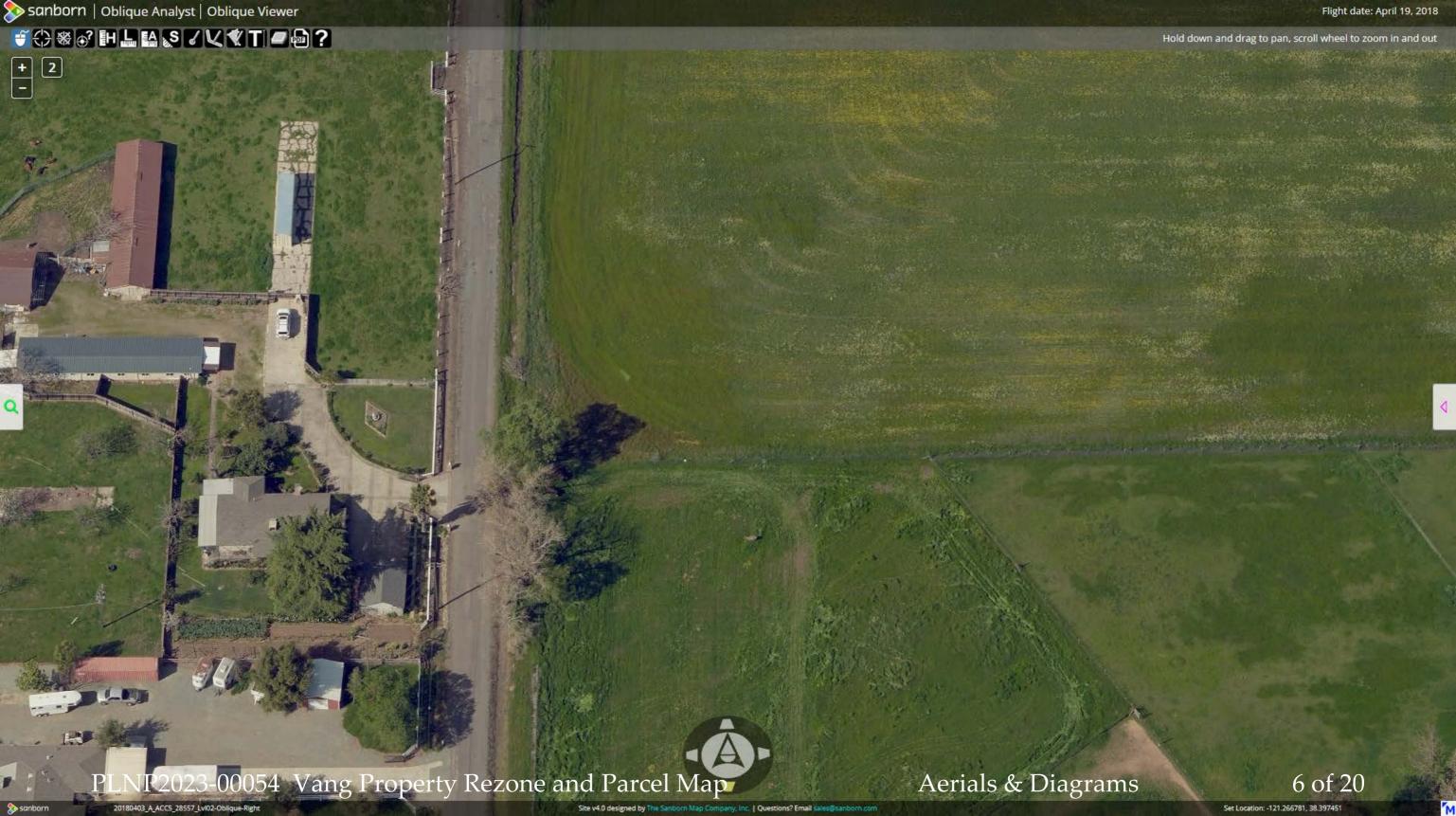












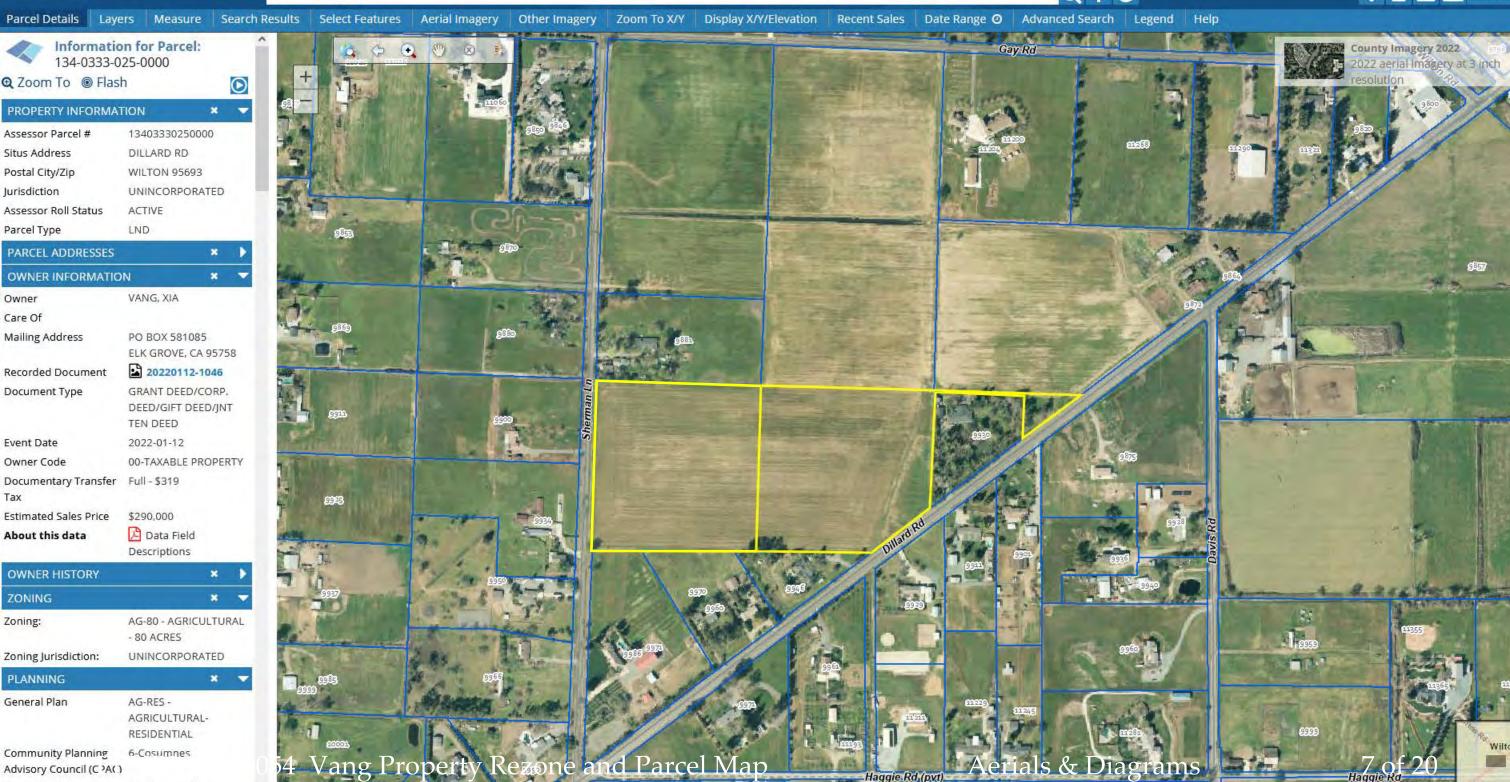
Community Plan Land Southeast-Wilton

Aerial Image

PLNP2023-00054

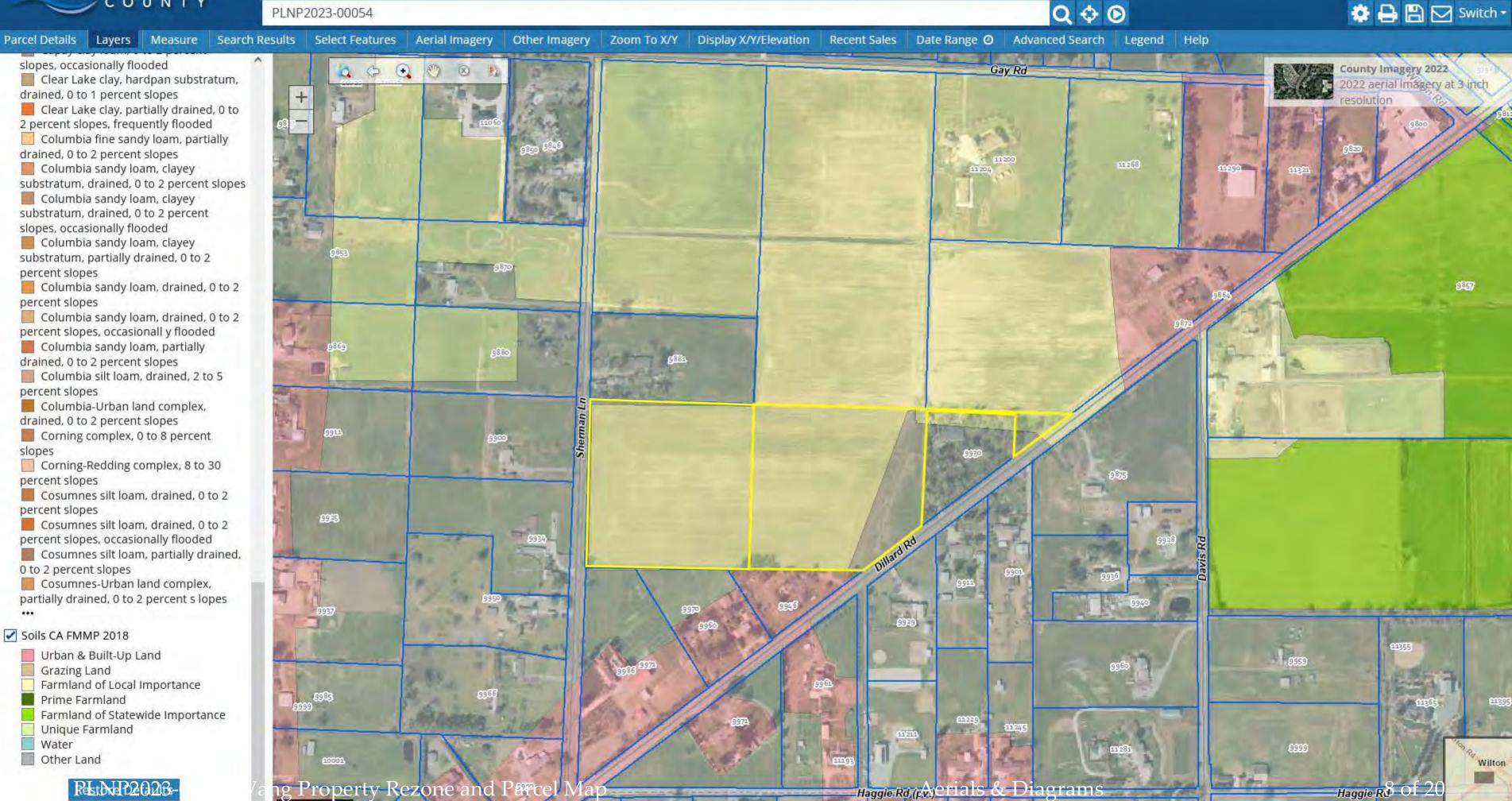




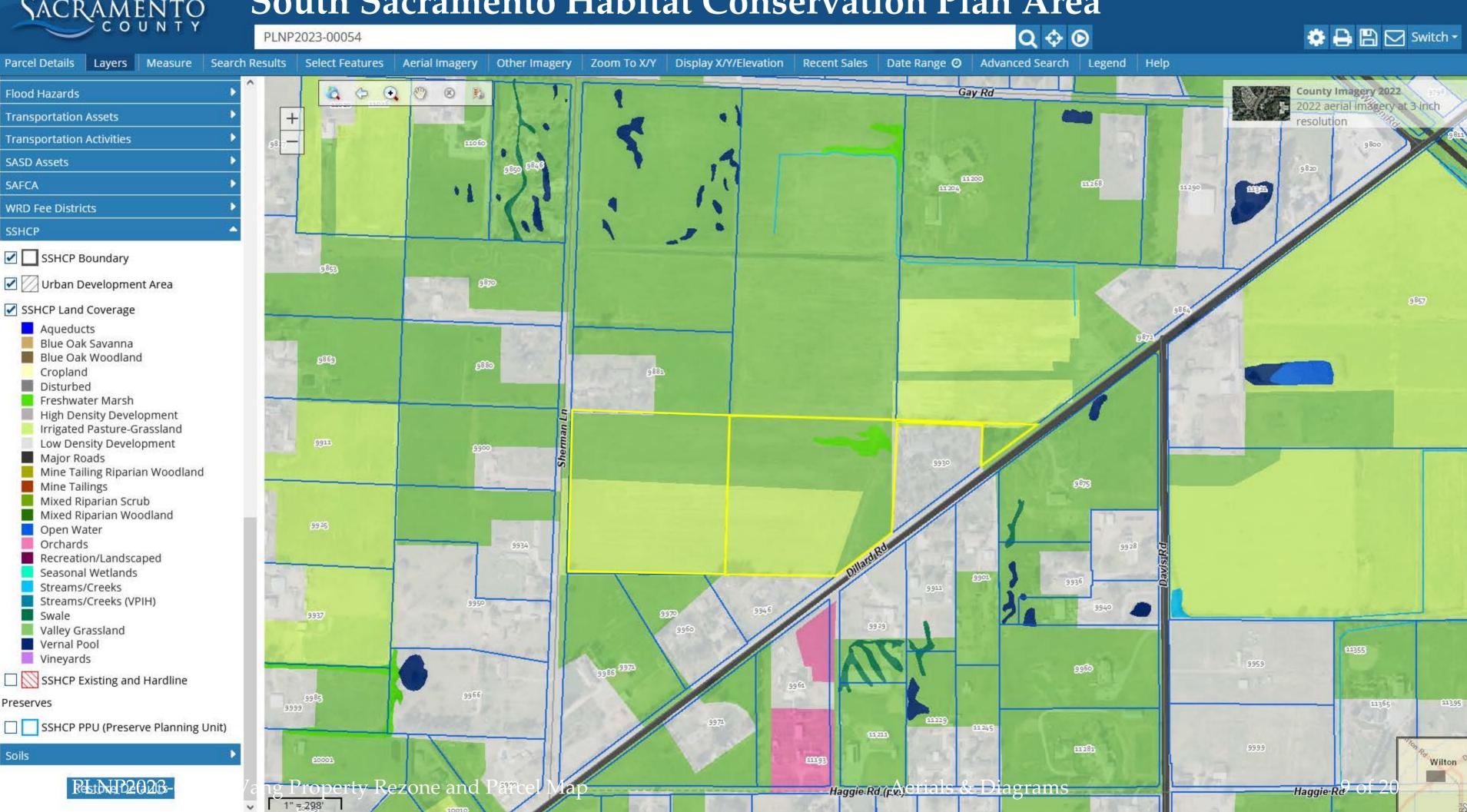


CA DoC - Farmland mapping

QOO PLNP2023-00054

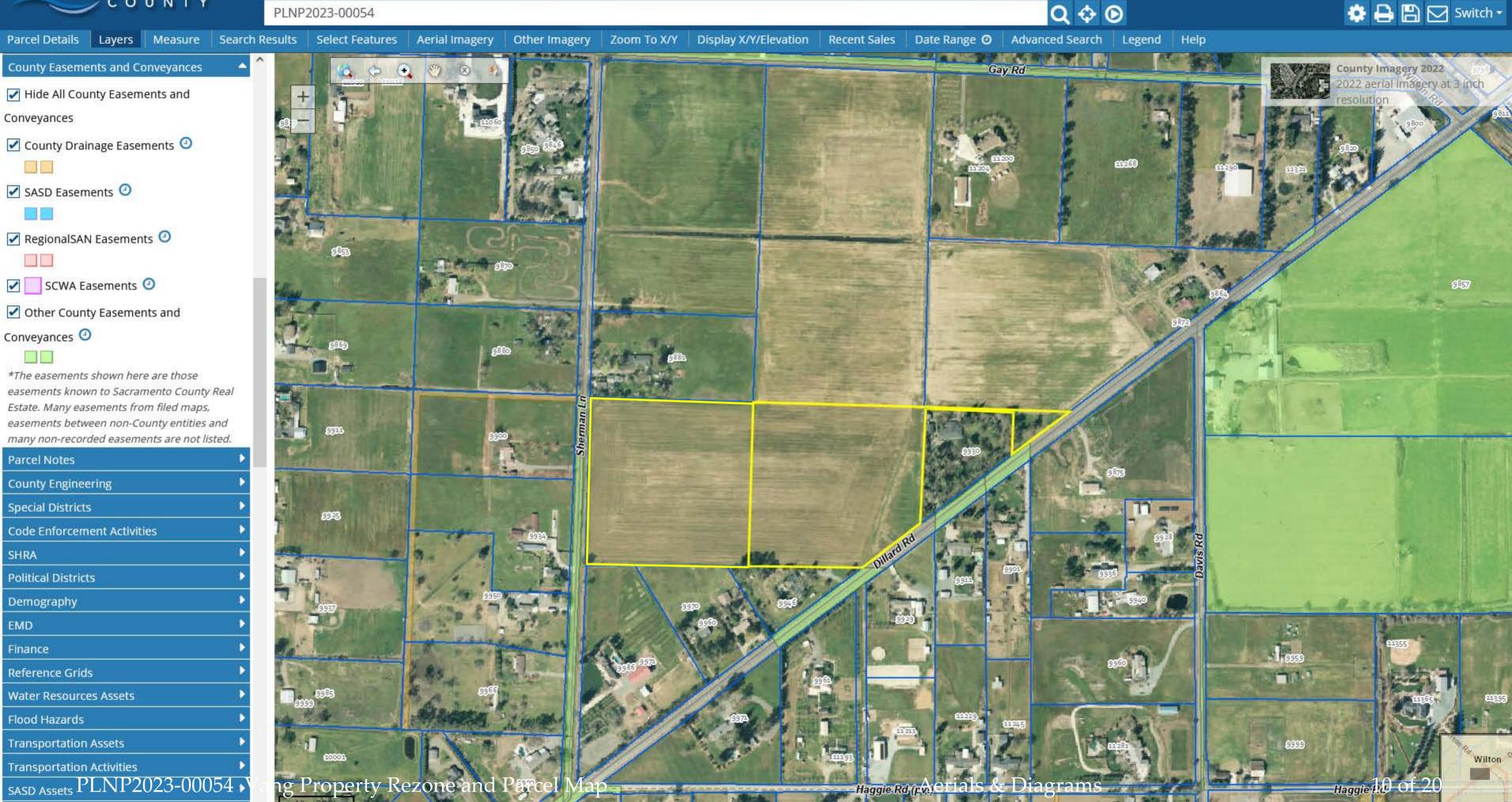


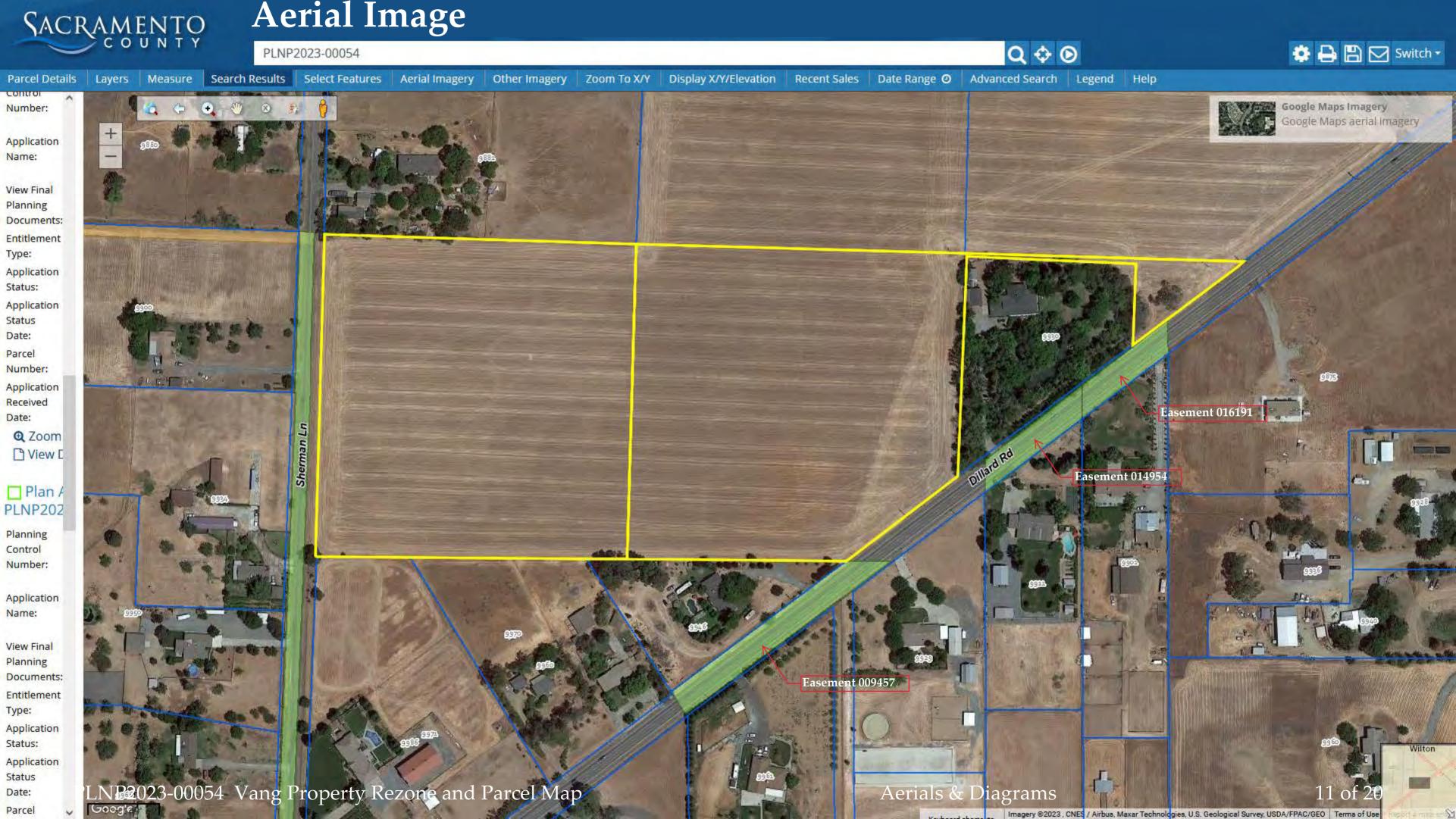
### South Sacramento Habitat Conservation Plan Area



### SacCo - Easements

QOO PLNP2023-00054

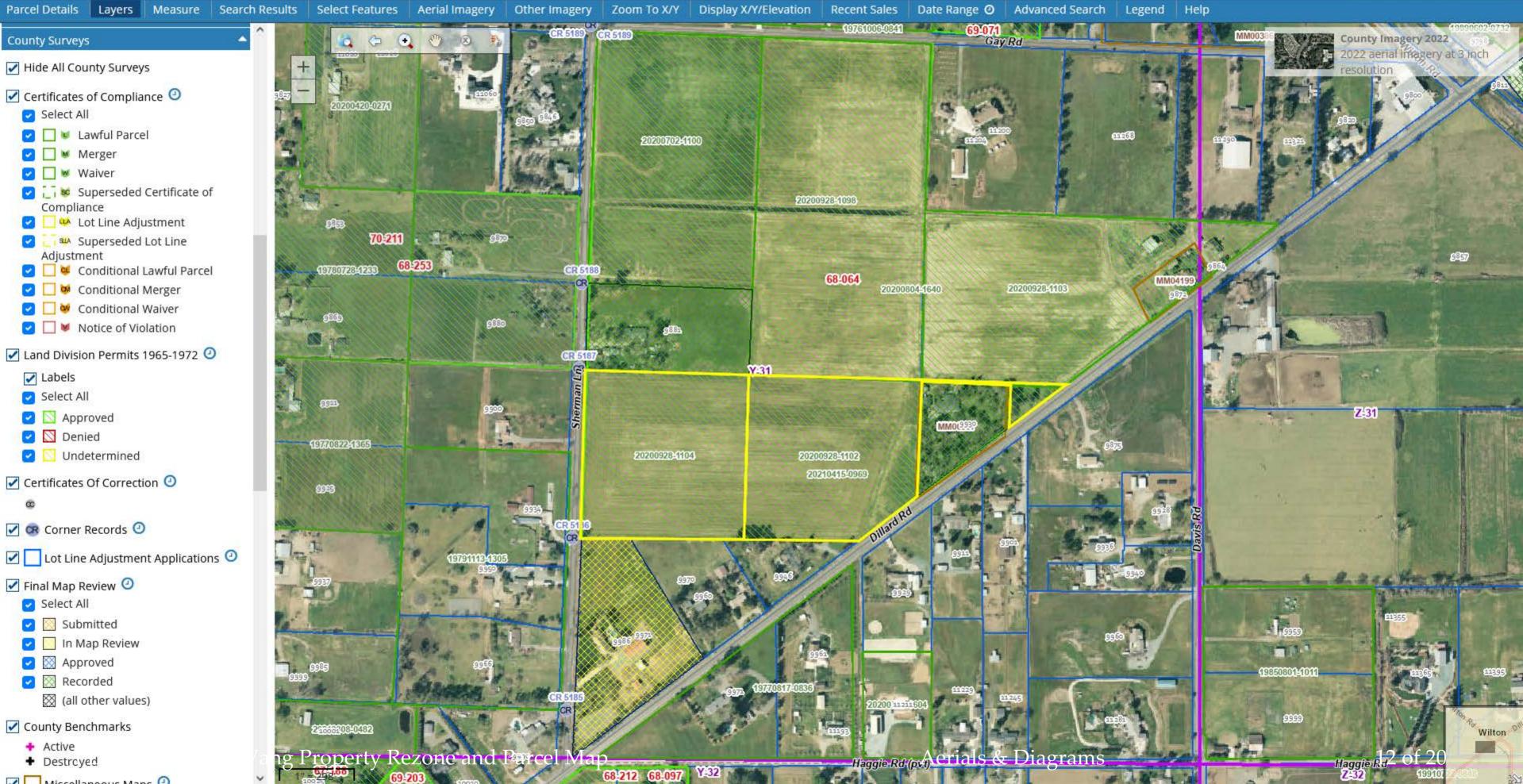




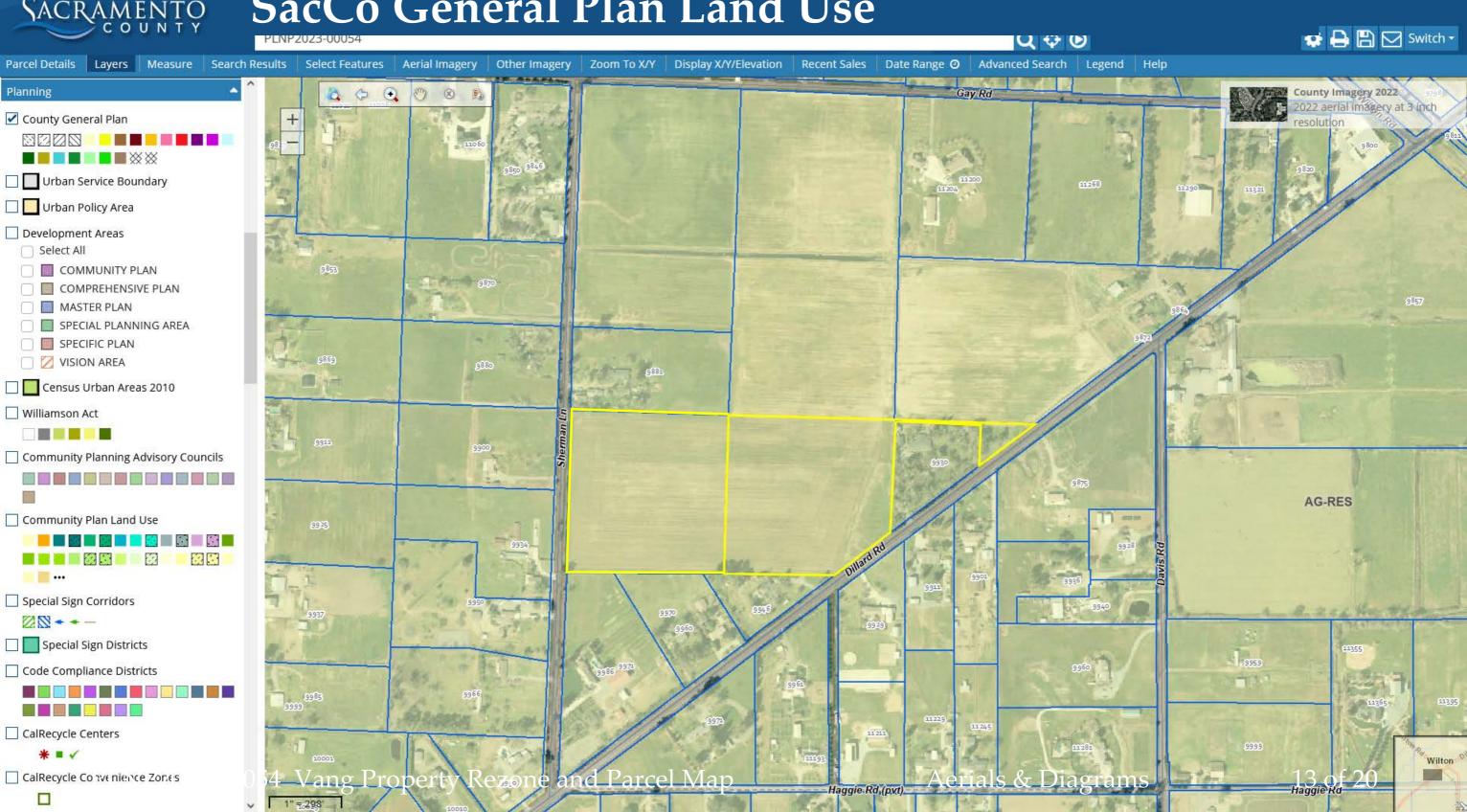
SACRAMENTO
Parcel Details Layers Measure Search Results Select For County Surveys

SacCo Surveys

PLNP2023-00054 Q ❖ • Switch →



### SacCo General Plan Land Use



SacCo - Southeast Community Plan land use

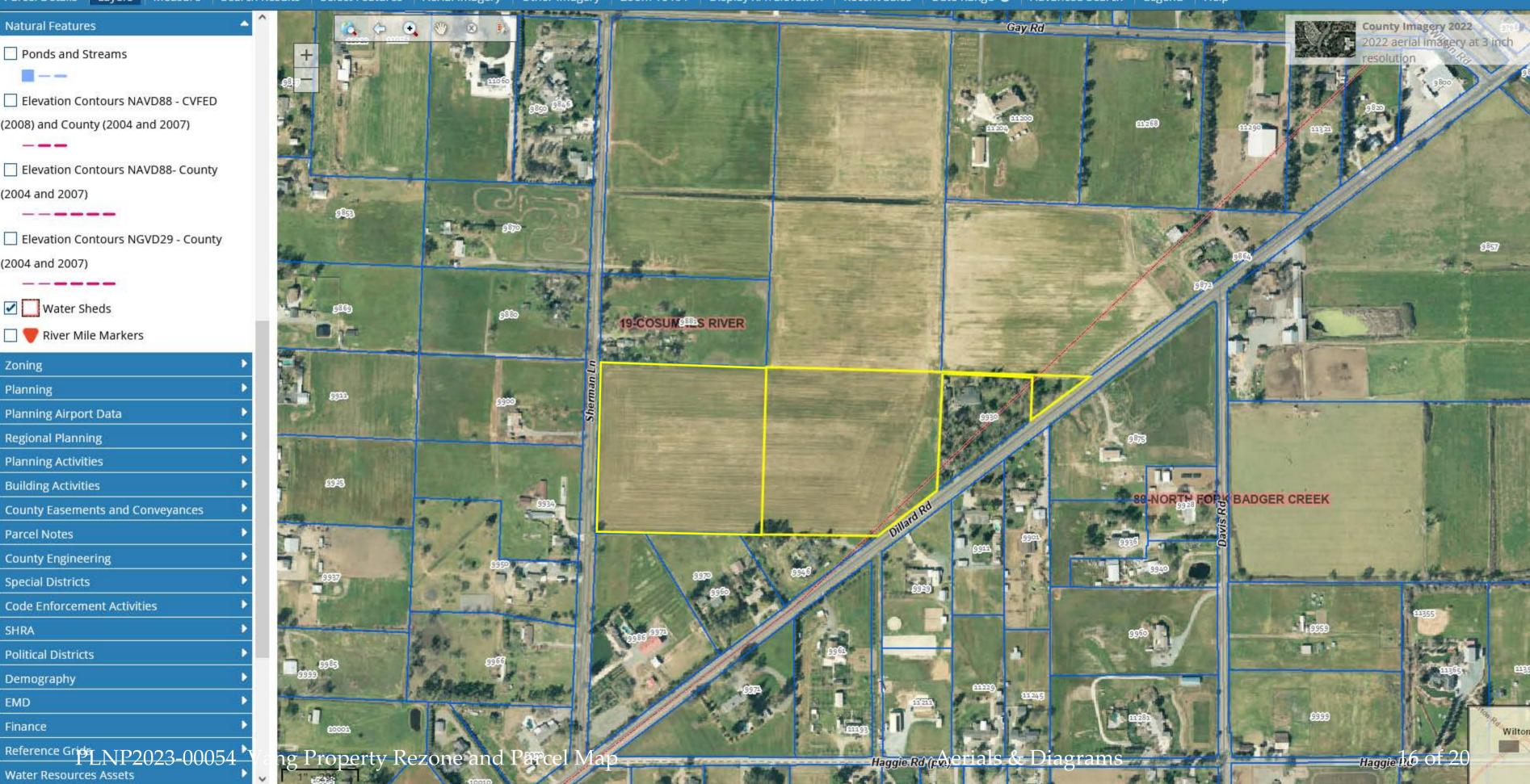


SacCo Zoning Districts

Switch • PLNP2023-00054 Q O Parcel Details Layers Measure Search Results Select Features Aerial Imagery Other Imagery Zoom To X/Y Display X/Y/Elevation Recent Sales Date Range ② Advanced Search Legend Help County Imagery 2022 Gay Rd Zoning Show All Zoning County Zoning ✓ Labels Select All A-1-A LIMITED AGRICULTURAL 21268 A-2 GENERAL AGRICULTURAL A-5 GENERAL AGRICULTURAL A-10 AGRICULTURAL HOLDING ZONE AC AUTO COMMERCIAL 9853 AG-20 AGRICULTURAL - 20 ACRES AG-40 AGRICULTURAL - 40 ACRES AG-80 AGRICULTURAL - 80 ACRES AG-80 AG-120 AGRICULTURAL - 120 9880 AG-160 AGRICULTURAL - 160 AR-1 AGRICULTURAL-RESIDENTIAL A-10 AR-2 AGRICULTURAL-RESIDENTIAL 2 ACRES AR-5 AGRICULTURAL-RESIDENTIAL - 5 ACRES AR-7 AGRICULTURAL-RESIDENTIAL - 7 ACRES AR-10 AGRICULTURAL-9925 RESIDENTIAL - 10 ACRES BP BUSINESS AND PROFESSIONAL C-2 GENERAL COMMERICAL ZONE C-O COMMERCIAL RECREATION DW DELTA WATERWAYS DW-N DELTA WATERWAYS DW-R DELTA WATERWAYS 9959 DW-S DELTA WATERWAYS GC GENERAL COMMERCIAL IR INTERIM-AGRICULTURAL LC LIGHT COMMERCIAL M-1 LIGHT INDUSTRIAL 9999 Wilton M-2 HEAVY INDUSTRIAL Haggie Rd (pd) erials & Diagrams MP INDUSTRIAL - DEFICIT PARK Haggie N.D. Of 2 ng Property-Rezone and Parce O RECREATION

Topography & Watersheds

QOO Switch • PLNP2023-00054 Parcel Details Layers Measure Search Results Select Features Aerial Imagery Zoom To X/Y Display X/Y/Elevation Recent Sales Date Range ② Advanced Search Legend Other Imagery

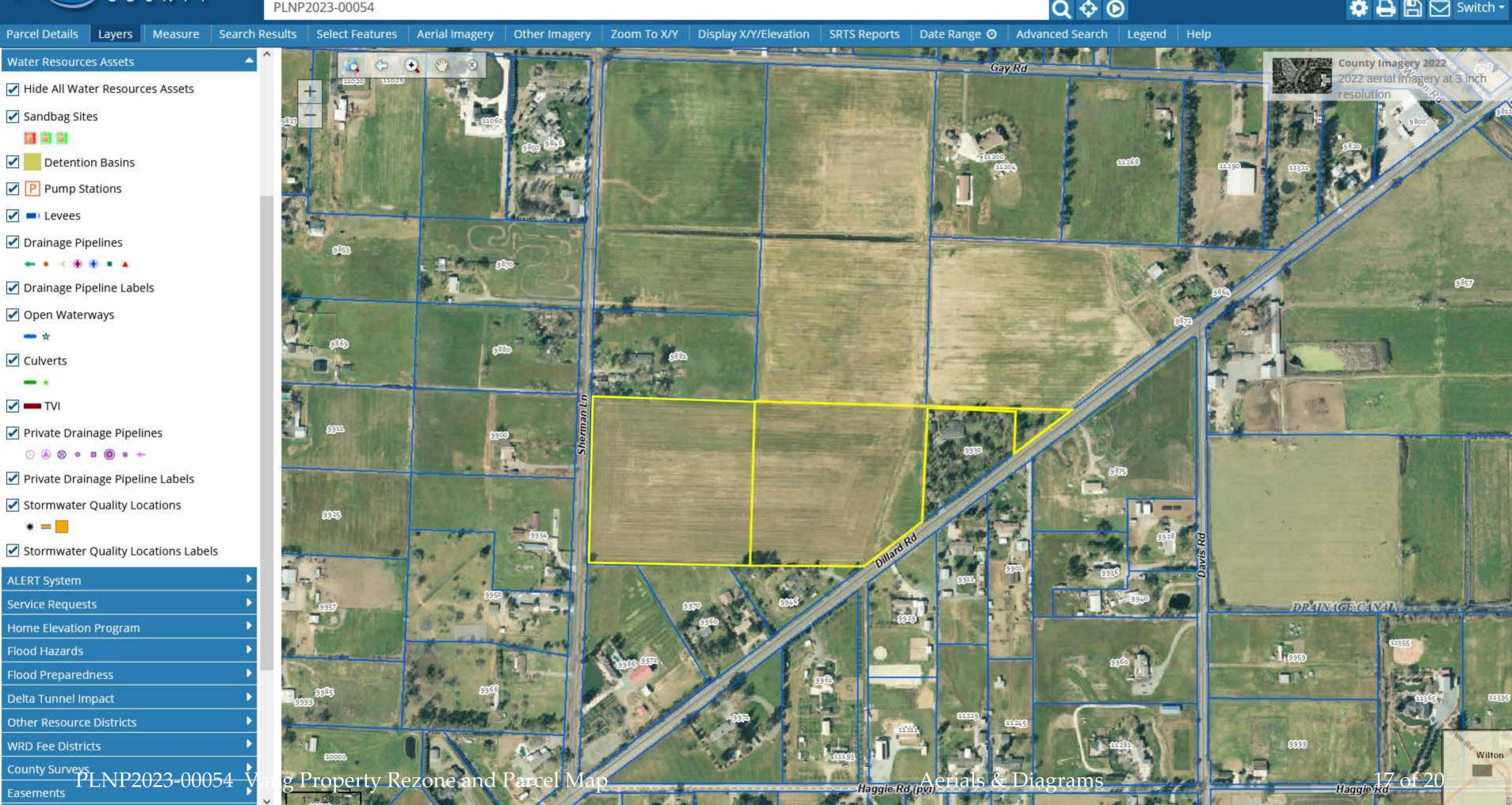


SacCo - Drainage

PLNP2023-00054







Parcel Details Layers Measure Search Results

SacCo - Public Water supply

Other Imagery

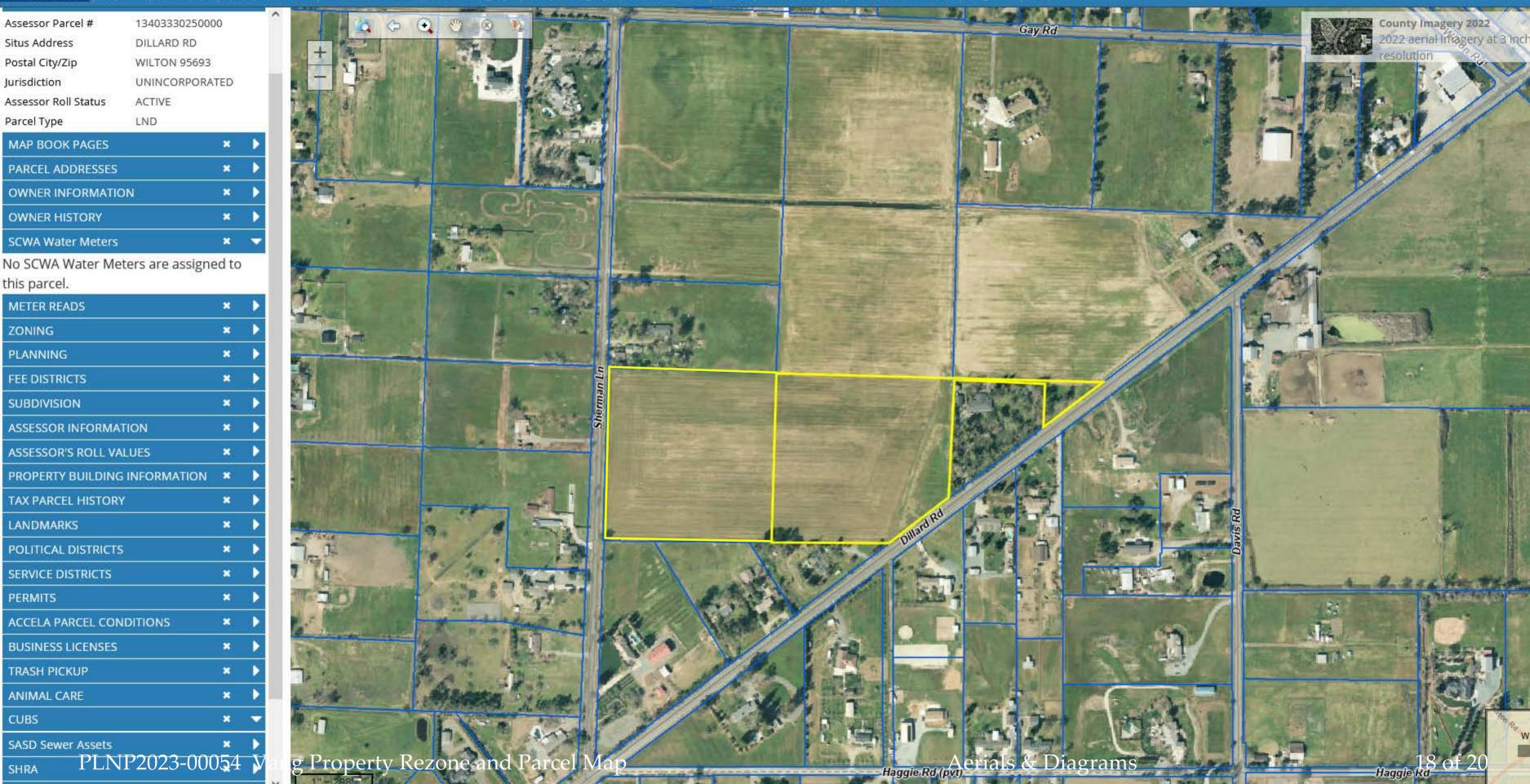
Aerial Imagery

PLNP2023-00054 Q ❖ ⊙

Zoom To X/Y Display X/Y/Elevation

Advanced Search Legend Help





REGIONALSAN

Sac Area Sewer - public sewer

QOO Switch • PLNP2023-00054 Parcel Details Asset Details Layers Measure Search Results Select Features Aerial Imagery Other Imagery Zoom To X/Y Display X/Y/Elevation Date Range ② Advanced Search Legend Help Layers SASD Assets ✓ Hide All SASD Assets ✓ District Grid ✓ Labels SASD Nodes Labels 0 I 0 8 6 F R 6 8 + 6 ✓ Node Øld Manhole Numbers Manhole Invert and Depth Numbers Facilities ✓ ★ Memos ✓ ★ Map Notes ✓ Lower Laterals ✓ Labels ✓ Lower Lateral Distances ✓ Low Pressure Lower Lateral ✓ Labels ✓ Gravity Mains ✓ Labels Force Mains Labels ✓ Air Jumpers ✓ Labels ✓ — Siphons
✓ Labels Abandoned Sewers Encasements ✓ SASD Sewer Details SASD Districts/Zones Regional San Assets P2023-00054 ng Property Rezone and Par Haggie Rd (pvt)

Sac Area Sewer - Transportation assets

QOO Switch • PLNP2023-00054 Parcel Details Layers Measure Date Range 

Advanced Search Legend Aerial Imagery Other Imagery Zoom To X/Y Display X/Y/Elevation Information for Parcel: 134-0333-025-0000 PROPERTY INFORMATION 13403330250000 DILLARD RD Situs Address Postal City/Zip **WILTON 95693** UNINCORPORATED Jurisdiction **ACTIVE** Assessor Roll Status LND Parcel Type MAP BOOK PAGES 380 A 1 Thomas Brothers Map KAPPA Map 94 B 5 PARCEL ADDRESSES DILLARD RD OWNER INFORMATION **OWNER HISTORY** DILL'ARD RD ZONING PLANNING × **FEE DISTRICTS** SUBDIVISION SURVEY MAP HISTORY ASSESSOR INFORMATION ASSESSOR'S ROLL VALUES PROPERTY BUILDING INFORMATION \* TAX PARCEL HISTORY LANDMARKS POLITICAL DISTRICTS SERVICE DISTRICTS \* PERMITS 350'N/O HAGGIE RD **ACCELA PARCEL CONDITIONS** × **BUSINESS LICENSES** TRASH PICKUP **ANIMAL CARE** ng Property Rezone and Planter V PLNP2023-00054 24 E/O DAVIS RD SASD General Info