

Recording Requested by
and when recorded mail to:

Yolo County Planning, Resources & Public
Works Dept.

292 West Beamer Street

Woodland, CA 95695

Attention: Craig Baracco



Yolo Recorder's Office
Freddie Oakley, County Recorder
DOC- 2008-0034314-00

Check Number 2023

REQD BY CORRINNE J DWYER

Tuesday, NOV 18, 2008 15:53:00

Ttl Pd \$23.00

Nbr-0000793817

FRT/X7/1-6

Document Title:

**CONDITIONAL
CERTIFICATE OF COMPLIANCE FOR
Peter and Corrinne Dwyer
(ZONE FILE NO. 2007-012)**

As required by Ordinance No. 939 of the County of Yolo and pursuant to Section 66499.35 of the Government Code of the State of California (Subdivision Map Act) this Conditional Certificate of Compliance shall apply to the two parcels shown on the attached map as **Attachment A** and described by legal descriptions shown on the attached **Attachment B**, each of which is incorporated herein by this reference.

Parcel 1: That certain real property described by a Grant Deed from S.H. Cowell Foundation to Peter G. Dwyer and recorded as DOC 2004-0036691 on August 13, 2004; and subsequent deeds. The property is approximately 53.27± acres.

Parcel 2: That certain real property described by a Grant Deed from Richard C. Dwyer et al to James M. Marshall, et al recorded May 2, 1985 in Book 1701 of Deeds, Page 433. The property is approximately 2.86± acres.

[In the event of any inconsistency between the descriptions set forth in this certificate and the legal descriptions included in Exhibit B, Exhibit B shall govern.]

This Conditional Certificate of Compliance recognizes that these parcels, as described in Exhibit B, were not lawfully created because they were conveyed by grant deed after the adoption of the County Subdivision Ordinance (January 23, 1966), and after adoption of provisions of the Subdivision Map Act prohibiting the subdivision of land by conveyance alone. In order for these parcels to be legally recognized as separate legal parcels they would be required to comply with any conditions that applied to the division of land at the time of each conveyance. These conditions must be satisfied prior to the issuance of any permits or other approvals for the development of either parcel.

At the time each parcel covered by this Conditional Certificate of Compliance was illegally created, the Yolo County Code included minimum lot size requirements. As of 1985, the minimum lot size was 20 acres. The minimum lot size had increased to 80 acres prior to 2004. Consequently, neither parcel complied with minimum lot size requirements at the time of its illegal creation.


Compliance with applicable lot size requirements is required prior to the issuance of any permits or other approvals for development. The boundaries of Parcels 1 and 2 must therefore be adjusted through the lot line adjustment process so that each parcel is at least 80 (for Parcel 1) and 20 (for Parcel 2) acres in size. During the lot line adjustment process, additional conditions may be imposed. Such conditions will conform to legal requirements applicable to the division of land as of the time of the illegal divisions. In addition, compliance with the California Environmental Quality Act—an environmental review statute—will be required in connection with each lot line adjustment. This process may result in the imposition of various mitigation measures, imposed in accordance with current laws and standards, upon approval of the lot line adjustments.

These parcels are subject to a Williamson Act Contract and all applicable local ordinances enacted pursuant thereto. Under Yolo County Code section 8-2.404, parcels subject to a Williamson Act Contract are required to have separate contracts prior to being sold. This means that these parcels cannot be sold without approval by the County under section 8-2.404, which may be withheld unless the requirements set forth above and any additional requirements in section 8-2.404 are satisfied.

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THIS CERTIFICATE RELATES ONLY TO ISSUES OF COMPLIANCE OR NONCOMPLIANCE WITH THE SUBDIVISION MAP ACT AND LOCAL ORDINANCES ENACTED PURSUANT THERETO. THE PARCELS DESCRIBED HEREIN MAY BE SOLD, LEASED, OR FINANCED WITHOUT FURTHER COMPLIANCE WITH THE SUBDIVISION MAP ACT OR ANY LOCAL ORDINANCE ENACTED PURSUANT THERETO. DEVELOPMENT OF THE PARCELS MAY REQUIRE ISSUANCE OF A PERMIT OR PERMITS, OR OTHER GRANT OR GRANTS OF APPROVAL, IN ADDITION TO THE REQUIREMENTS SET FORTH ABOVE.

SPECIFICALLY, THE CONSTRUCTION OF ANY BUILDINGS, INCLUDING RESIDENTIAL BUILDINGS AND AGRICULTURAL BUILDINGS, OR OTHER DEVELOPMENT OF THE SUBJECT PARCELS WILL REQUIRE A CONDITIONAL USE PERMIT, BUILDING PERMITS, AND/OR OTHER GRANTS OF APPROVAL BY THE COUNTY OF YOLO. A COPY OF THE RECORDED CONDITIONAL CERTIFICATE OF COMPLIANCE WILL HAVE TO BE SUBMITTED TO THE YOLO COUNTY PLANNING, RESOURCES & PUBLIC WORKS DEPARTMENT WITH ANY APPLICATION FOR PERMITS OR OTHER GRANTS OF APPROVAL RELATING TO THE CONSTRUCTION OF BUILDINGS OR OTHER USE OR DEVELOPMENT OF THE SUBJECT PARCELS.


David Morrison, Assistant Director
Yolo County Planning, Resources and Public Works Department

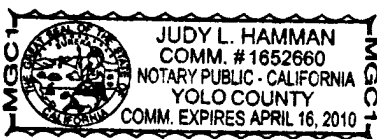
11-13-08
Date

- EXHIBIT
- Attachment A – Map
- Attachment B – Legal Description

On November 13th, 2008, before me, Judy L. Hamman, **Notary Public**, personally appeared David Morrison, who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person 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.

 Judy L. Hamman
(SEAL)

Legal Description

Parcel 1

All that portion of swamp land surveys 1041 and 1158 in projected sections 20 and 21, township 7 North, Range 4 East, M.D.B.&M. Described as follows:

Beginning at a 3" iron pipe monument as shown on the record of survey filed in book 4 of Maps & Surveys, at Page 38, from which the projected section corner common to sections 19, 20, 29 and 30, Township 7 North, Range 4 East, M.D.B.&M bears S.01°03'E, 4416. Feet; thence, from said point of beginning, N. 01°03'W, 114.48 feet; thence S.60°27'00"E, 2861.00 feet; thence S.59°27'00"E, 1455.94 feet; thence S.49°16'00"E, 1426.97 feet; thence S.58°45'00"E, 686.46 feet; thence, S56°35'29"E, 741.78 feet; thence S. 00°01'30"E, 261.60 feet; thence N.51°17'00"W, 137.40 feet; thence N82°44'00"W, 334.00 feet; thence N.72°00'00"W, 325.00 feet; thence N.64°37'00"W, 300.00 feet; thence N.57°31'00"W, 500.00 feet; thence N.53°30'00"W, 2129.90 feet; thence N57°48'00W, 925.00 feet; thence N.59°48'00"W, 1400.00 feet; thence N.60°58'00"W, 1000.00 feet; thence N.01°03'00"W, 418.70 feet to the point of beginning.

Being the same property designated as "Dwyer Property Per Book 76. Page 386 on the record of survey filed November 16, 1992, in Book 13 of Maps and Surveys, at page 7

APN: 044-120-11-1

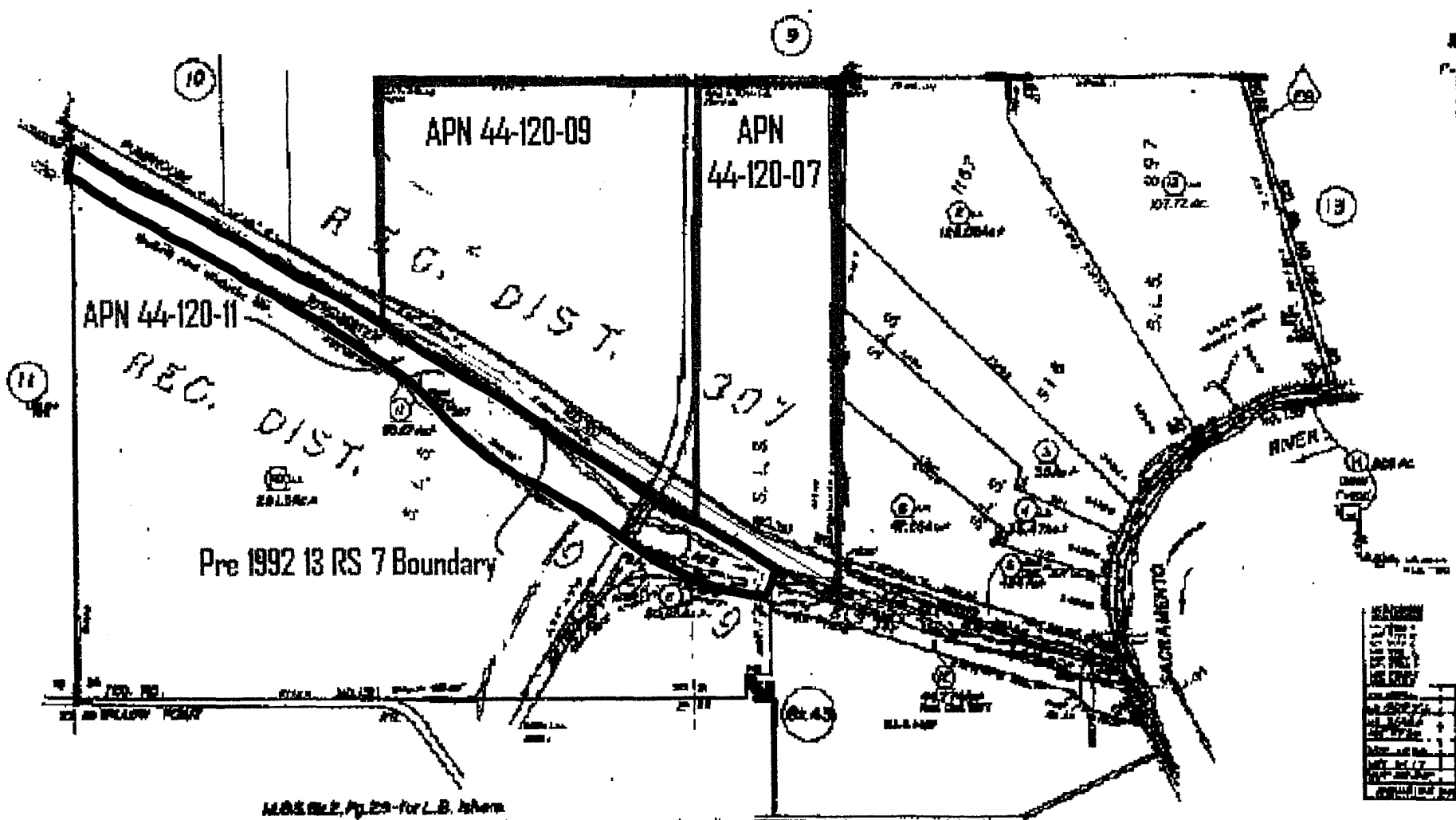
Parcel 2

All that real property situate in the County of Yolo, State of California, and being a portion of Swamp Land Survey No. 277, Yolo County Surveys, and being more fully described as follows.

Commencing at the aforementioned Point "A"; Thence S.55°45'00"E., 528.00 feet; Thence S. 84°45'00"E., 729.30 feet; Thence South, 924.00 feet, Thence East, 462.00 feet, to the point of intersection of two- (2) irrigation ditches, which run northeasterly, southwesterly and northerly; said point of intersection being the southeasterly corner of that certain 104 acre parcel of land as described in Book 395 at page 86, official records of Yolo County, and further being the Point of Beginning of this description; Thence from said Point of Beginning, along the property line of that certain parcel described in Book 1101 at page 435 Official records of Yolo County, N. 71°30'00" E., 417.78 feet; Thence S. 73°15'00"E., 129.38 feet to the intersection of said property line and the centerline of said irrigation ditch; Thence along said irrigation ditch the following (4) courses, (1) N. 83°36'21"W., 41.19 feet. (2) Along a curve to the left, said curve having a radius of 384.12 feet, a central angle of 28°12'35", a length of 189.2 feet, and a chord bearing S. 82°17'22"W., 170.03 feet to the Point of Beginning.
Containing 0.31 ± acres of land.

Attachment B

Commencing at the aforementioned Point "A"; Thence along the existing property line the following (6) courses; (1) S.55°45'00"E., 528.00 feet. (2) S. 84°45'00"E., 729.30 feet, (3) South, 924 feet. (4) East, 462.00 feet. (5) N. 71°30'00"E., 417.78 feet. (6) S. 73°15'00"E., 484.16 feet to the centerline of an irrigation ditch, said point being the Point of Beginning of this description; Thence continuing along said property line, S.73°15'00"E., 204.88 feet; Thence S. 59°00'00"E., 384.78 feet; Thence S. 32°30'00"E., 515.46 feet more or less to the Southeast corner of Swamp Land Survey No. 351;Thence along the northly line of said S.L. S. N. 89°58'18"W., 300.48 feet to the centerline of said irrigation ditch; Thence along said centerline, the following (7) courses; (1)Along a curve to the left, said curve having a radius of 100.00 feet, a central angle of 15°19'48", a length of 26.76 feet, and a chord bearing N. 10°04'33"E., 26.68 feet. (2) N. 02°24'39"E., 150.53 feet. (3) Along a curve to the left, said curve having a radius of 170.00 feet, a central angle of 25°08'42", a length of 74.61 feet, and a chord bearing N. 10°09'42"W., 74.01 feet. (4) N. 22°43'57"W., 87.92 feet. (5) Along a curve to the left, said curve having a radius of 334.01 feet, a central angle of 40°02'13", a length of 233.40 feet, and a chord bearing N. 42°45'03"W., 228.68 feet. (6) N. 62°46'10"W., 197.33 feet. (7) N. 52°48'25"W., 170.40 feet to the Point of Beginning of this description. Containing 2.55 ± acres of land.



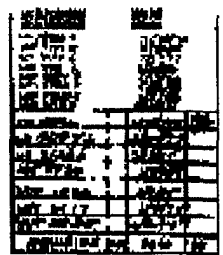
Attachment A
Parcel 1 Map

M&S Bk 2, Pg. 29 - for L.B. Asher
 M&S Bk 2, Pg. 47 - Sec. 21, T7N, R4E, M.D.M. for Henry Conall.
 M&S Bk 2, Pg. 53 - Sec. 21, T7N, R4E, M.D.M. for Antoni Joseph
 M&S Bk 4, Pg. 36 - Parts of B.L.S. 10419 & 27.
 M.S. Bk 13, Pg. 7 - Record of Survey (formerly of 15-12 & 16-13)

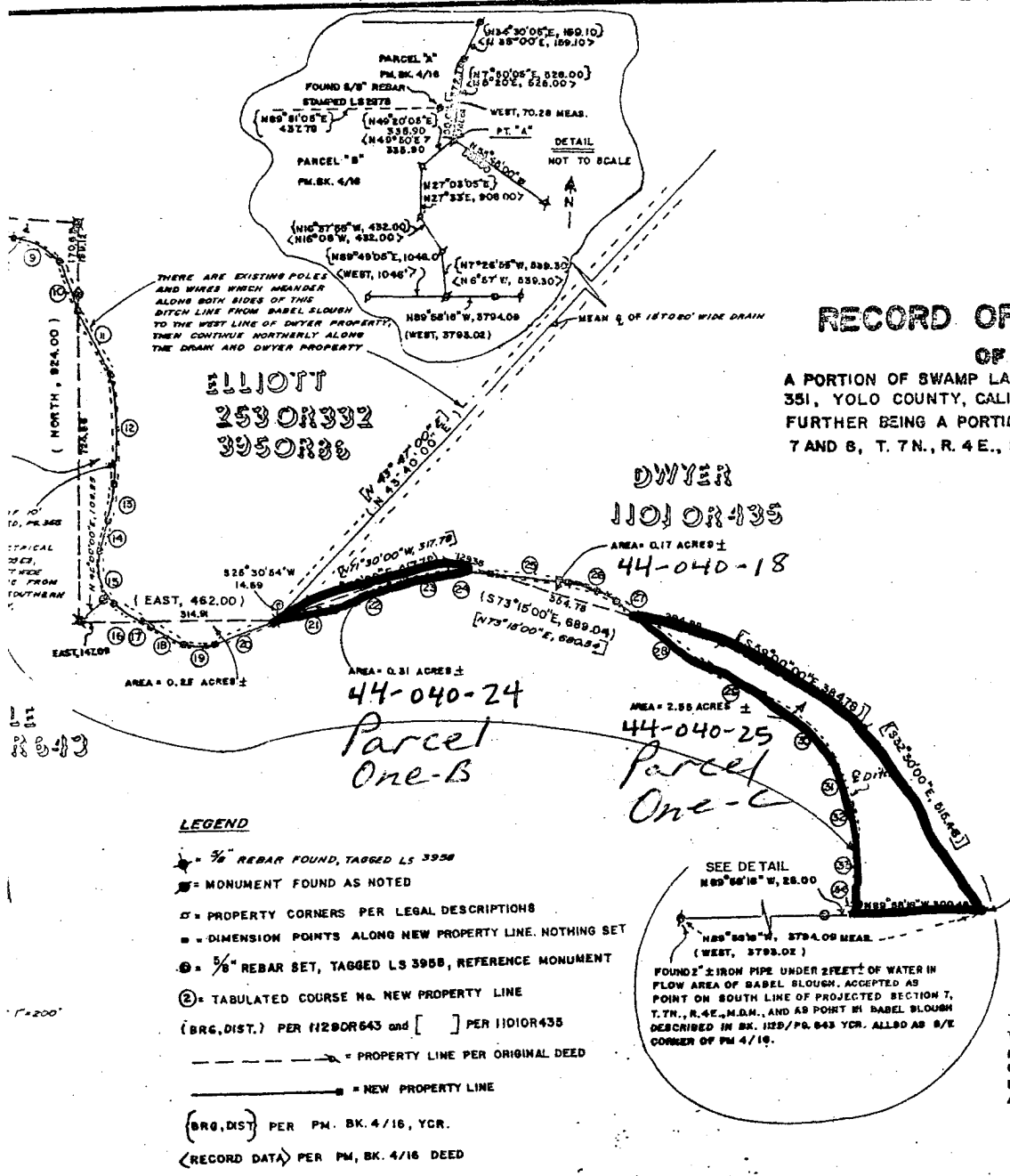
NOTE - Assessor's Sheet Numbers Shown in Circles.
 Assessor's Parcel Numbers Shown in Circles.

Assessor's Map Bk. 44 Pg. 12
 County of Yuba, Calif

44-12



12 RS 22



RECORD OF SURVEY

OF
 A PORTION OF SWAMP LAND SURVEY No. 277 and
 351, YOLO COUNTY, CALIFORNIA.
 FURTHER BEING A PORTION OF PROJECTED SECTIONS
 7 AND 8, T. 7N., R. 4E., M. D. B & M.

ELLIOTT
 253 OR 332
 395 OR 386

DWYER
 1101 OR 435
 AREA = 0.17 ACRES ±
 44-040-18

Parcel
 One-B
 AREA = 0.31 ACRES ±
 44-040-24

Parcel
 One-C
 AREA = 2.88 ACRES ±
 44-040-25

NOTE
 THE LOT LINE ADJUSTMENT SHOWN HEREON
 WAS APPROVED BY THE YOLO COUNTY
 PLANNING COMMISSION ON AUGUST 19, 1981
 PURSUANT TO GOVERNMENT CODE SECTION
 66412. FILE TENTATIVE MAP No. 5120

LEGEND

- ★ = 5/8" REBAR FOUND, TAGGED LS 3958
- = MONUMENT FOUND AS NOTED
- = PROPERTY CORNERS PER LEGAL DESCRIPTIONS
- = DIMENSION POINTS ALONG NEW PROPERTY LINE. NOTHING SET
- ⊙ = 5/8" REBAR SET, TAGGED LS 3958, REFERENCE MONUMENT
- ⊕ = TABULATED COURSE NO. NEW PROPERTY LINE (BRG. DIST.) PER H29OR643 and [] PER 1101OR435
- = PROPERTY LINE PER ORIGINAL DEED
- = NEW PROPERTY LINE (BRG. DIST.) PER PM. BK. 4/16, YCR. (RECORD DATA) PER PM. BK. 4/16 DEED

FOUND SCATTERED REMENENTS OF 3/4" OR 1" IRON PIPE AND RUST TO A DEPTH OF 3 FEET ± WITHIN A 6 FOOT ± RADIUS OF DEED CALL. THEREFORE THE RECORD CALL WAS ACCEPTED AS TRUE LOCATION FOR THIS CORNER AS 5/E CORNER SLE 351, MEASURED FROM THE NORTHWEST.

BASIS OF BEARINGS

THE BEARINGS SHOWN HEREON ARE BASED ON THE SOUTHWESTERLY LINE OF THAT CERTAIN PARCEL DESCRIBED IN BOOK 253, AT PAGE 332, OFFICIAL RECORDS, AND WAS ESTABLISHED AS N85°45'00"W, FROM MONUMENTS SHOWN HEREON AS FOUND.

LAND SURVEYORS STATEMENT:

MAP HAS BEEN EXAMINED IN ACCORDANCE WITH THE REQUIREMENTS OF THE LAND SURVEYORS ACT THIS 4th DAY OF SEPTEMBER 1981



SURVEYORS STATEMENT:

This map correctly represents a survey made by me or under my direction in conformance with the requirements of the Land Surveyors Act at the request of JAMES MARSHALL on SEPTEMBER 10, 1981

Gene L. Anderson L.S. 3958

GLA ENGINEERING & SURVEYING CO.
 CARMICHAEL, CALIFORNIA

Attachment A
 Parcel 2 Map
 END OF DOCUMENT