

**STAFF REPORT TO: AMADOR COUNTY AGRICULTURAL ADVISORY
COMMITTEE**
FOR MEETING OF: June 10, 2020

ITEM #3 Review and recommendation to the Board of Supervisors regarding a request to divide an Agricultural Preserve consisting of a single legal parcel of 484 acres into three parcels of 219, acres, 190 acres, and 75 acres in conjunction with an application for Parcel Map #2893. The current zoning district is “AG,” Exclusive Agriculture. (APNs: 005-240-007 and 005-250-004)

Applicant: Jess Family Trust; Representative: Connie Jess

Supervisor District: 2

Location: 4459 and 4600 Jackson Valley Rd., Buena Vista, CA 95640

This application is a request to establish three separate agricultural preserves per the requirements of the California Land Conservation Act. The proposed uses are dry land pasture, irrigated pasture, and irrigated cropland. The subject parcel is zoned “AG,” Exclusive Agriculture District and has a General Plan Designation of AG- Agriculture-General. The referenced land is currently enrolled under Contract #412, which includes all ±484 acres included in the application. The establishment of the three new preserves will involve simultaneous removal of the subject land from Contract #412.

Establishment of the abovementioned agricultural preserves are contingent upon the approval of Tentative Parcel Map 2893, which involves the division of the 484-acre legal into three separate parcels, consisting of Parcel 1 (±190 acres), Parcel 2 (±219 acres), and Parcel 3 (±75 acres). Agricultural income and improvements for each proposed parcel, as provided by the applicant, are included in the attached information.

The Committee must review the application to determine the following:

Parcel 3 meets both the annual agricultural income potential of \$6,443.00, and the agricultural improvement criteria of \$32,216.00, as required by County Code Section 19.24.036(D)(4) for parcels less than one-hundred acres but at least forty acres, and demonstrating unique characteristics of an agricultural industry; and

Parcels 1 and 2 meet either the annual agricultural income potential of \$6,443.00, or the agricultural improvement criteria of \$32,216.00 as required by County Code Section 19.24.036(D)(2) for parcels containing one-hundred and sixty acres or more.

The Committee should also review the proposals to determine if they are compatible with the California Land Conservation Act and Government Code 51238.1, attached. The Committee’s recommendations will be forward to the Planning Commission for further consideration.

MAY 6 2020

REQUEST TO FORM AGRICULTURAL PRESERVE

AMADOR COUNTY
PLANNING DEPARTMENT

I hereby request the Board of Supervisors of Amador County to establish my property, described below, in an agricultural preserve in accordance with the provisions of the California Land Conservation Act of 1965. In the event that the Board elects to establish such a preserve, I also request that the Board direct the Planning commission to initiate hearings to rezone said land to an "AG," Exclusive Agriculture zone. I also request that the Assessor consolidate the tax parcels on said land wherever possible. I understand the inclusion of said land in an agricultural preserve is conditioned on the execution of a land conservation contract between myself and Amador County.

Item A Signature(s) of all owner(s), owner(s) of interest, and lien holder(s) as shown on the attached title report.

Connie L. Jess
John P. Jess Sr

Item B Attach current title report.

Item C Attach legal description of all property included in this request.

Item D Attach Assessor's parcel map(s) of property. Outline exactly that property included in this request. Show on map(s) how property is used and summarize on the table below. List uses and acreages within request only. Attach additional sheets if necessary.

Assessor's Parcel No.	Acres	Agricultural Uses		Compatible Uses	
		Description	Acres	Description	Acres
005-250-004	190	DRYLAND PASTURE	68	GRAZING	153
		IRRIGATED PASTURE	85		
		CROP LAND/PASTURE	37	HAY	37
005-250-004	219 +/-	RANCH HEADQUARTERS	15	PASTURE	58
		IRRIGATED PASTURE		PASTURE/HAY/CROPS	151
NEW PARCEL	75 +/-	DRYLAND PASTURE	40	GRAZING	ALL
		IRRIGATEABLE	35	GRAZING/CROPS	35
Total Acres in request.	484				

Are there uses on the property which are not listed on either the agricultural or compatible use lists? No
If so, explain below.

005-250-004

Item E

AGRICULTURAL PRODUCTION FROM THE LAND

Use	Crop	Production	Comments
Dry Pasture		Animal Units	
Irrigated Pasture	MIXED GRASS & CLOVER	1050	Animal Units 175 pair / 6 mos
Field Crops	Pasture HAY	1	Tons Per Acre
			Tons Per Acre
Row Crops			Tons Per Acre
			Tons Per Acre
Orchard	N/A		Tons Per Acre
Other			

Item F

OTHER INCOME FROM THE LAND

Hunting		Fishing		Mineral		Other	
\$	N/A	Per Year	\$	N/A	Per Year	\$	N/A
							Per Year

Item G

LEASES

			Acres
1. Portion of subject property which is owner operated.			68
2. Portion(s) leased or rented to others. Provide Name & Address of lessee(s).	Use	Cash Rent Per Acre	
TIM LEWIS LIVESTOCK	GRAZING	\$265	151
3. Portion(s) share cropped to others. Provide Name & Address of lessee(s)	Crop	% to Owner	
If operating expenses are shared by owner, explain:			
Owner PROVIDES IRRIGATION + WATER			

005-250-004

Item H

IMPROVEMENT AND INCOME STATEMENT

1.

PERMANENT AGRICULTURAL IMPROVEMENTS

Type of Improvement	Estimated Value
Barn(s)	318,242
Corral(s)	20,000
Fences	75,000
Wells	0
Water Systems Flood Irrig.	250,000
Other (specify)	
TOTAL	

2.

ESTIMATED INCOME

Use	Estimated Annual Income
Pasture Rent	40,000
Horse Pasture	9,000
RANCH HOUSING	14,000
TOTAL	

I certify that the information presented in this application is true and correct to the best of my knowledge.

NAME: CONNIE L. JESS

ADDRESS: 5001 OAK MEADOW CT.

CITY: LONE, CA. 95640

PHONE: 209-274-4791

Connie L. Jess
Signature of person who prepared application.

5/22/20
Date

Additional persons to be notified concerning action on this request:

NAME: _____

NAME: _____

ADDRESS: _____

ADDRESS: _____

CITY: _____

CITY: _____

PHONE: _____

PHONE: _____

005-250-007

Item E

AGRICULTURAL PRODUCTION FROM THE LAND

Use	Crop	Production	Comments
Dry Pasture	Native Grass	180 Animal Units	30 Cows x 6 mos
Irrigated Pasture	grass/clover	480 Animal Units	40 cows x 12 mos
Field Crops	FORAGE MIX 33	1 1/2 ton Tons Per Acre	38 acres Forage Hay
		Tons Per Acre	
Row Crops	N/A	Tons Per Acre	
		Tons Per Acre	
Orchard	N/A	Tons Per Acre	
Other			

Item F

OTHER INCOME FROM THE LAND

Hunting	Fishing	Mineral	Other
\$ NA Per Year	\$ N/A Per Year	\$ N/A Per Year	\$ NA Per Year

Item G

LEASES

			Acres
1. Portion of subject property which is owner operated.			190
2. Portion(s) leased or rented to others. Provide Name & Address of lessee(s).	Use	Cash Rent Per Acre	
3. Portion(s) share cropped to others. Provide Name & Address of lessee(s)	Crop	% to Owner	
If operating expenses are shared by owner, explain:			

Item H

IMPROVEMENT AND INCOME STATEMENT

1.

PERMANENT AGRICULTURAL IMPROVEMENTS

Type of Improvement	Estimated Value
Barn(s) N/A	
Corral(s)	15,000
Fences	30,000
Wells N/A	
Water Systems	250,000
Other (specify)	
TOTAL	295,000

2.

ESTIMATED INCOME

Use	Estimated Annual Income
Pasture RENT	12,000
CALF SALES	24,000
HAY VALUE	8,925
TOTAL	44,925

I certify that the information presented in this application is true and correct to the best of my knowledge.

NAME: CONNIE L. JESS

ADDRESS: 5001 OAK MEADOW CT.

CITY: LONE, CA. 95640

PHONE: 209-274-4791

Connie L. Jess

Signature of person who prepared application.

5/22/20

Date

Additional persons to be notified concerning action on this request:

NAME: _____

NAME: _____

ADDRESS: _____

ADDRESS: _____

CITY: _____

CITY: _____

PHONE: _____

PHONE: _____

New Parcel

Item E

AGRICULTURAL PRODUCTION FROM THE LAND

Use	Crop	Production		Comments
Dry Pasture	Native grass	150	Animal Units	25 cows X 6 mos.
Irrigated Pasture	Pasture Grass	210	Animal Units	35 cows X 6 mos
Field Crops			Tons Per Acre	
			Tons Per Acre	
Row Crops			Tons Per Acre	
			Tons Per Acre	
Orchard			Tons Per Acre	
Other				

Item F

OTHER INCOME FROM THE LAND

Hunting		Fishing		Mineral		Other	
\$	N/A	Per Year	\$	N/A	Per Year	\$	N/A
							Per Year

Item G

LEASES

			Acres
1. Portion of subject property which is owner operated.			75
2. Portion(s) leased or rented to others. Provide Name & Address of lessee(s).	Use	Cash Rent Per Acre	
3. Portion(s) share cropped to others. Provide Name & Address of lessee(s)	Crop	% to Owner	
If operating expenses are shared by owner, explain:			

New PARCEL

Item H

IMPROVEMENT AND INCOME STATEMENT

1.

PERMANENT AGRICULTURAL IMPROVEMENTS

Type of Improvement	Estimated Value
Barn(s) N/A	
Corral(s) N/A	
Fences	5,000
Wells N/A	
Water Systems JVID Turnout	\$3,000
Other (specify) WATER TROUGH	\$1,500
IRRIGATION LINE TOTAL	40,000
	\$51,500

2.

ESTIMATED INCOME

Use	Estimated Annual Income
PASTURE	
Cattle Sales	18,000
TOTAL	18,000

I certify that the information presented in this application is true and correct to the best of my knowledge.

NAME: CONNIE L. JESS
 ADDRESS: 5001 OAK MEADOW CT.
 CITY: LONE, CA, 95640
 PHONE: 209-274-4791

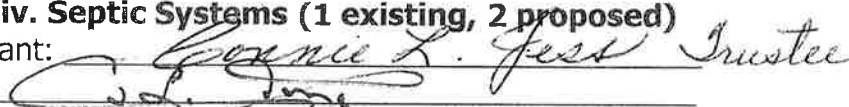

Connie L. Jess
 Signature of person who prepared application.
5/22/20
 Date

Additional persons to be notified concerning action on this request:

NAME: _____ NAME: _____
 ADDRESS: _____ ADDRESS: _____
 CITY: _____ CITY: _____
 PHONE: _____ PHONE: _____

**APPLICATION FORM AND CHECKLIST FOR
TENTATIVE PARCEL MAP AND SUBDIVISION MAP**

The following information shall be included with this application:

1. Parcel Map Number: **2893**
Subdivision Name/Number:
2. Subdivider and/or Land Owner: **Jess Family Trust**
Name: **Connie Jess**
Address: **5001 Oak Meadow Court, Ione, CA 95640**
Phone: **(209) 274-4791**
3. Surveyor: **Toma and Associates, 41 Summit St., Jackson, CA 95642**
4. Assessor Plat Number: **005-240-007 and 005-250-004**
5. Existing Zoning District: **"A-G"**
6. General Plan Classification: **A-G Exclusive Agricultural District**
7. Date Application Submitted:
8. Proposed Use of Parcels: **Residential / Agricultural**
9. Special Use Districts (if applicable): **Jackson Valley Fire Department**
10. Source of Water Supply: **JVID (1 ex. service) and Individual Wells (2 proposed)**
11. Sewage Disposal System: **Indiv. Septic Systems (1 existing, 2 proposed)**
12. Signature of Landowner/Applicant:  **Trustee**
13. Signature of Surveyor: 

The following shall be included with this application:

- ✓ Thirty-five (35) copies of tentative map
Option for 35 copies:
15 copies 18" x 26" in size (folded to 6" x 9-1/2" in size)
20 copies 11" x 17" in size
- ✓ One (1) copy of Assessor's Plat Map
- ✓ Two (2) copies of deed(s)
- ✓ Two (2) copies of completed environmental information form (Sections 19, 30 and 31 require description and photos)
- ✓ Two (2) copies of preliminary map report
- ✓ One (1) reduced 8-1/2" x 11" copy of tentative map
- ✓ Application fee (see Fee Schedule)
- ✓ Copy of receipt of Environmental Health Dept. and Public Works Dept.
- ✓ Completed and signed Indemnification Agreement
- ✓ If your project access off a State highway, provide encroachment permit or other pertinent information (e.g., a road maintenance agreement if your project access from a road directly connected to a State highway)
- ✓ Oak Woodlands Study prepared by a Registered Professional Forester
- ✓ Cultural Analysis (NCIC)

ENVIRONMENTAL INFORMATION FORM

(To be completed by applicant; use additional sheets as necessary)
Attach plans, diagrams, etc. as appropriate

GENERAL INFORMATION

Project: **Tentative Parcel Map No. 2893**
Date Filed:

Applicant: **Jess Family Trust, Attn: Connie Jess** Record Owner: **Same**
5001 Oak Meadow Court
Ione, CA 95640
(209) 274-4791

APN: **005-240-007 and 005-250-004**
Zoning: **"A-G"**
Gen. Plan: **A-G Exclusive Agricultural District**

List and describe any other related permits and other public approvals required for this project, including those required by city, regional, state and federal agencies:

WRITTEN PROJECT DESCRIPTION

Include the following information where applicable, as well as any other pertinent information to describe the proposed project:

1. Site Size
2. Square Footage of Existing/Proposed Structures
3. Number of Floors of Construction
4. Amount of Off-Street Parking Provided (provide accurate detailed parking plan)
5. Source of Water
6. Method of Sewage Disposal
7. Attach Plans
8. Proposed Scheduling of Project Construction
9. If project is to be developed in phases, describe anticipated incremental development.
10. Associated Projects
11. Subdivision/Land Division Projects: Tentative map will be sufficient unless you feel additional information is needed or the County requests further details.
12. Residential Projects: Include the number of units, schedule of unit sizes, range of sale prices/rents and type of household size expected.
13. Commercial Projects: Indicate the type of business, number of employees, whether neighborhood, city or regionally oriented, square footage of sales area, loading facilities.
14. Industrial Projects: Indicate the major function, estimated employment per shift, estimated occupancy, loading facilities and community benefits to be derived/project.
15. Institutional Projects: Indicate the major function, estimated employment per shift, estimated occupancy, loading facilities and community benefits to be derived/project.
16. If the project involves a variance, conditional use permit or rezoning application, state this and indicate clearly why the application is required.

Are the following items applicable to the project or its effects? Discuss below all items checked "yes". Attach additional sheets as necessary.

YES NO

- | | | | |
|--------------------------|-------------------------------------|-----|--|
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | 17. | Change in existing features, lakes, hills, or substantial alteration of ground contours |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | 18. | Change in scenic views or vistas from existing residential areas, public lands or roads |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | 19. | Change in pattern, scale or character of general area of project |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | 20. | Significant amounts of solid waste or litter |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | 21. | Change in dust, ash, smoke, fumes or odors in the vicinity |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | 22. | Change in lake, stream, ground water quality/quantity, or alteration of existing drainage patterns |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | 23. | Substantial change in existing noise or vibration levels in the vicinity |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | 24. | Site on filled land or on slope of 10 percent or more |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | 25. | Use or disposal of potentially hazardous materials, such as toxic substances, flammables or explosives |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | 26. | Substantial change in demand for municipal services (police, fire, water, sewage, etc.) |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | 27. | Substantial increase in fossil fuel consumption (electricity, oil, natural gas, etc.) |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | 28. | Relationship to a larger project or series of projects |

ENVIRONMENTAL SETTING

29. Describe the project site as it exists before the project, including information on topography, soil stability, plants and animals, and any cultural, historical or scenic aspects. Describe any existing structures on the site and the use of the structures. Attach photographs of the site.
30. Describe the surrounding properties, including information on plants and animals, and any cultural, historical or scenic aspects. Indicate the type of land use (residential, commercial, etc.), intensity of land use (single family, apartments, shops, department stores, etc.) and scale of development (height, frontage setbacks, etc.) Attach photographs of the vicinity.
31. Describe any known mine shafts, tunnels, air shafts, open hazardous excavations, etc. Attach photos of these known features.

I hereby certify that the statements furnished above and in the attached exhibits present the data and information required for this initial evaluation to the best of my ability, and that the facts, statements and information presented are true and correct to the best of my knowledge and belief.

Date: 4/9/2020

Signature: Connie L. Jess Trustee

For: Jess Family Trust

**ATTACHMENT TO
ENVIRONMENTAL INFORMATION FORM**

ENVIRONMENTAL SETTINGS

29.

Project site is flat with small areas of rolling hills. A portion of it lies within the FEMA 100-year flood plain as shown on tentative parcel map. Current use of the property is irrigated pasture and open grazing land. There is one residential structure and 3 agricultural buildings on the property. Present and proposed use is residential/agricultural/cattle. No known cultural, historical or scenic aspects on the project site.

30.

Surrounding properties range from residential to agricultural to irrigated pasture to open grazing land. No known cultural, historical or scenic aspects on the project site.

31.

There are no known mine shafts, tunnels, air shafts, open hazardous excavations on the project site.

INDEMNIFICATION

Project: Tentative Parcel Map No. 2893

In consideration of the County's processing and consideration of the application for the discretionary land use approval identified above (the "Project") the Owner and Applicant, jointly and severally, agree to defend, indemnify and hold harmless the County of Amador from any claim, action or proceeding against the County to attack, set aside, void or annul the Project approval, or any action relating to the Project approvals as follows:

1. Owner and Applicant shall defend, indemnify and hold harmless the County and its agents, officers or employees from any claim, action or proceeding against the County or its agents, officers or employees (the "County") to attack, set aside, void or annul the Project approval, or any prior or subsequent determination regarding the Project, including but not limited to determinations related to the California Environmental Quality Act, or Project condition imposed by the County. The Indemnification includes, but is not limited to damages, fees and or costs, including attorneys' fees, awarded against County. The obligations under this Indemnification shall apply regardless of whether any permits or entitlements are issued.
2. The County may, within its unlimited discretion, participate in the defense of any such claim, action or proceeding if the County defends the claim, action or proceeding in good faith.
3. The Owner and Applicant shall not be required to pay or perform any settlement by the County of such claim, action or proceeding unless the settlement is approved in writing by Owner and Applicant, which approval shall not be unreasonably withheld.

IN WITNESS WHEREOF, by their signature below, Owner and Applicant hereby acknowledge that they have read, understand and agree to perform the obligations under this Indemnification.

Applicant:

Owner (if different than Applicant):


Signature

Signature

RECORDING REQUESTED BY,
Calaveras Title Company
WHEN RECORDED MAIL TO

Joseph John Jess Sr.
Connie Lee Jess
15850 Jess Ranch Road
Tracy, CA 95377-8975

Mail tax statement to address shown above
TITLE ORDER NO 39316-T0
ESCROW NO 93884-KE
APN 005-190-018-000,005-240-007-000,005-
250-004-000



Amador County Recorder
Sheldon D. Johnson
DOC- 2010-0009485-00

Acct 3-Western Land Title Co
Monday, NOV 29, 2010 15:25:00
Ttl Pd \$3,018.00 Nbr-0000202414
CT1/R1/1-4

SPACE ABOVE THIS LINE FOR RECORDER'S USE

GRANT DEED

THE UNDERSIGNED GRANTOR(S) DECLARE(S)

- DOCUMENTARY TRANSFER TAX is: \$2,992 00 CITY TAX is
Monument Preservation Fee is: \$10 00
- computed on full value of property conveyed, or
 computed on full value less value of liens and encumbrances remaining at time of sale
 Unincorporated area City of _____, and

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged,
Fuller Family Partnership, a California limited partnership and Scully Ranch LLC, a California limited liability company

hereby GRANT(S) to

Joseph John Jess Sr and Connie Lee Jess, Trustees of the Joseph John Jess Sr and Connie Lee Jess Family Trust dated May 1, 2003

the following described real property in the Unincorporated Area, County of Amador, State of California
FOR LEGAL DESCRIPTION, SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF.

Dated November 15, 2010

FOR ADDITIONAL SIGNATURES, SEE SIGNATURE PAGE
ATTACHED HERETO AND MADE A PART HEREOF

GRANT DEED

SIGNATURE PAGE

Fuller Family Partnership, a California limited partnership

By: [Signature] General Partner
Ronald F. Beaton, General Partner

By: [Signature] General Partner
Robert L. Beaton, General Partner

By: [Signature] Gen. Partner
Monica H. Beaton, General Partner

Scully Ranch, LLC, a California limited liability company

By: [Signature] Managing Member
Robert L. Beaton, Managing Member

STATE OF CALIFORNIA

COUNTY OF Marin

On 11/20/2010 before me, Evan Timmel

(insert name), a Notary Public

personally appeared Ronald F. Beaton and Robert L. Beaton

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) were 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 [Signature]



(Seal)

CALIFORNIA CERTIFICATE OF ACKNOWLEDGMENT

STATE OF CALIFORNIA

COUNTY OF SACRAMENTO ss.

ON 11-21-2010 BEFORE ME, ROBERT J GUTHERTZ NOTARY PUBLIC

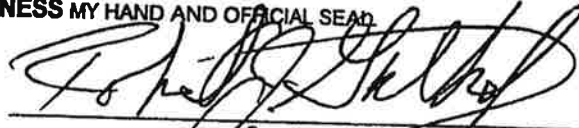
PERSONALLY APPEARED MOONICA H BEATON Name



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 of Notary

OPTIONAL INFORMATION

The information below is not required by law, but it may prove to be important to persons relying on the document and could prevent fraudulent removal and reattachment of this form to some other document

DESCRIPTION OF ATTACHED DOCUMENT

TITLE OR TYPE OF

DOCUMENT:

GRANT DEED

DOCUMENT DATE: 11-21-2010

NUMBER OF PAGES 3

SIGNER (S) OTHER THAN NAMED ABOVE:

CAPACITY (IES) CLAIMED BY SIGNER (S)

SIGNER'S NAME: _____

SIGNER'S NAME: _____

- INDIVIDUAL
- CORPORATE OFFICER
- TITLE (S): _____
- PARTNER
- LIMITED GENERAL
- ATTORNEY-IN-FACT
- TRUSTEE
- GUARDIAN OR CONSERVATOR
- OTHER: _____

- INDIVIDUAL
- CORPORATE OFFICER
- TITLE (S): _____
- PARTNER
- LIMITED GENERAL
- ATTORNEY-IN-FACT
- TRUSTEE
- GUARDIAN OR CONSERVATOR
- OTHER: _____

SIGNER IS REPRESENTING. _____

SIGNER IS REPRESENTING: _____

RIGHT THUMBPRINT
OF SIGNER

RIGHT THUMBPRINT
OF SIGNER

Order No. 39316 TO

EXHIBIT "A"

All that real property situated in the State of California, County of Amador, described as follows:

PARCEL ONE

Parcel C as delineated and designated upon the certain Record of Survey entitled "Amends-Amended Record of Survey for Fuller & Strohm 151-O.R.-153 Being a Portion of The Rancho Arroyo Seco", filed for record on December 6, 1977 in Book 29 of Maps and Plats, Page 23, Records of Amador County

EXCEPTING THEREFROM all the minerals beneath the surface of that portion of the above described land included within the exterior boundaries of the property described as Parcel 20 in the Deed dated May 2, 1877, recorded June 2, 1877, in Volume "P" of Deeds, Page 422, executed by David D Colton to David Goodman, upon the terms and conditions as reserved in said deed.

APN: 005-190-018-000

PARCEL TWO

A parcel of land situated in the County of Amador, State of California, being a portion of the Rancho Arroyo Seco, more particularly described as follows:

Beginning at a 4 inch by 4 inch wooden post found marking the Southwest corner of Lot 270 of said Rancho Arroyo Seco; thence, from said point of beginning, South 06° 09' 30" West 6110.60 feet to a ½ inch steel reinforcing rod tagged L.S. 2902; thence North° 27' 30" West 179.49 feet to a fence corner post; thence South 14° 38' 30" West 2980.29 feet to a similar steel rod; thence South 89° 58' 20" West 489.27 feet to a similar steel rod; thence North 08° 26' 40" West 575.50 feet to an oak tree 11 feet in circumference, thence South 64° 48' 20" West 977.73 feet to a fence corner post; thence North 15° 56' 30" West 1134.26 feet to a fence corner post, thence North 85° 23' 00" West 538.99 feet to a fence corner post; thence North 14° 05' 30" East 1673.91 feet to a fence intersection post; thence North 14° 08' 20" East 6133.00 feet to a fence corner post; thence North 86° 44' 20" East 1323.41 feet to a ½ inch steel reinforcing rod tagged L.S. 2902; thence North 09° 49' 50" East 97.38 feet to a similar steel rod; thence South 80° 43' 20" East 657.05 feet to the point of beginning

The parcel of land described above is delineated and designated "Fuller and Strohm 153-OR-524 474.211 Acres", upon that certain official map entitled "RECORD OF SURVEY PROPERTY OF FRANK J. FULLER, ET UX & JACOB J. STROM, ET UX", recorded in the office of the Recorder of Amador County on July 29, 1966, in Book 12 of Maps and Plats, at Page 97.

EXCEPTING THEREFROM all the minerals beneath the surface of that portion of the above described land included within the exterior boundaries of the property described as Parcel 20 in the Deed dated May 2, 1877, recorded June 2, 1877, in Volume "P" of Deeds, Page 422, executed by David D. Colton to David Goodman, upon the terms and conditions as reserved in said deed.

APN: 005-240-007-000 and 005-250-004-000



First American Title

First American Title Company

1283 South Main Street, PO Box 687
Angels Camp, CA 95222

Order Number: 0505-6120679 ()

Escrow Officer: Kelly Ervin
Phone: (209)736-2578
Fax No.: (866)370-3036
E-Mail: kervin@firstam.com

E-Mail Loan Documents to: AngelsCampEDocs@firstam.com

Buyer: TBD
Owner: Joseph John Sr. & Connie Lee Jess Trust
Property: 4600 Jackson Valley Road
Ione, CA 95640

PRELIMINARY REPORT

In response to the above referenced application for a policy of title insurance, this company hereby reports that it is prepared to issue, or cause to be issued, as of the date hereof, a Policy or Policies of Title Insurance describing the land and the estate or interest therein hereinafter set forth, insuring against loss which may be sustained by reason of any defect, lien or encumbrance not shown or referred to as an Exception below or not excluded from coverage pursuant to the printed Schedules, Conditions and Stipulations of said Policy forms.

The printed Exceptions and Exclusions from the coverage and Limitations on Covered Risks of said policy or policies are set forth in Exhibit A attached. *The policy to be issued may contain an arbitration clause. When the Amount of Insurance is less than that set forth in the arbitration clause, all arbitrable matters shall be arbitrated at the option of either the Company or the Insured as the exclusive remedy of the parties.* Limitations on Covered Risks applicable to the CLTA and ALTA Homeowner's Policies of Title Insurance which establish a Deductible Amount and a Maximum Dollar Limit of Liability for certain coverages are also set forth in Exhibit A. Copies of the policy forms should be read. They are available from the office which issued this report.

Please read the exceptions shown or referred to below and the exceptions and exclusions set forth in Exhibit A of this report carefully. The exceptions and exclusions are meant to provide you with notice of matters which are not covered under the terms of the title insurance policy and should be carefully considered.

It is important to note that this preliminary report is not a written representation as to the condition of title and may not list all liens, defects, and encumbrances affecting title to the land.

This report (and any supplements or amendments hereto) is issued solely for the purpose of facilitating the issuance of a policy of title insurance and no liability is assumed hereby. If it is desired that liability be assumed prior to the issuance of a policy of title insurance, a Binder or Commitment should be requested.

Dated as of January 02, 2020 at 7:30 A.M.

The form of Policy of title insurance contemplated by this report is:

To Be Determined

A specific request should be made if another form or additional coverage is desired.

Title to said estate or interest at the date hereof is vested in:

JOSEPH JOHN JESS SR AND CONNIE LEE JESS, TRUSTEES OF THE JOSEPH JOHN JESS SR AND
CONNIE LEE JESS FAMILY TRUST DATED MAY 1, 2003

The estate or interest in the land hereinafter described or referred to covered by this Report is:

FEE

The Land referred to herein is described as follows:

(See attached Legal Description)

At the date hereof exceptions to coverage in addition to the printed Exceptions and Exclusions in said policy form would be as follows:

1. General and special taxes and assessments for the fiscal year 2020-2021, a lien not yet due or payable.
2. General and special taxes and assessments for the fiscal year 2019-2020.

First Installment:	\$4,213.65, PAID
Penalty:	\$0.00
Second Installment:	\$4,213.65, OPEN
Penalty:	\$0.00
Tax Rate Area:	052046
A. P. No.:	005-250-004-000
3. General and special taxes and assessments for the fiscal year 2019-2020.

First Installment:	\$463.00, PAID
Penalty:	\$0.00
Second Installment:	\$463.00, OPEN
Penalty:	\$0.00
Tax Rate Area:	052046
A. P. No.:	005-240-007-000
4. Taxes and assessments, if any, of the JACKSON VALLEY IRRIGATION District.

5. The lien of supplemental taxes, if any, assessed pursuant to Chapter 3.5 commencing with Section 75 of the California Revenue and Taxation Code.
6. The effect of a map purporting to show the land and other property, filed JULY 29, 1966 IN BOOK 12, PAGE 97 of Record of Surveys.
7. An easement for PURPOSE OF CONSTRUCTING, OPERATING AND MAINTAINING A WATER LINE and incidental purposes, recorded MARCH 29, 1974 as BOOK 256, PAGE 75 of Official Records.
In Favor of: MARILYNN SCULLY, ET AL
Affects: AS DESCRIBED THEREIN
8. An easement for TO CONSTRUCT, OPERATE AND MAINTAIN A WATER PIPELINE and incidental purposes, recorded JUNE 08, 1976 as BOOK 290, PAGE 307 of Official Records.
In Favor of: DUDLEY J. SILVEIRA AND CHARLOTTE J. SILVEIRA, HUSBAND AND WIFE AS THEIR COMMUNITY PROPERTY AS TO AN UNDIVIDED 1/2 INTEREST, AND DARRELL L. SILVEIRA AND CAROLE R. SILVEIRA, HUSBAND AND WIFE AS THEIR COMMUNITY PROPERTY AS TO AN UNDIVIDED 1/2 INTEREST
Affects: AS DESCRIBED THEREIN
9. A deed of trust to secure an original indebtedness of \$540,000.00 recorded NOVEMBER 29, 2010 as INSTRUMENT NO. 2010-0009486 OF OFFICIAL RECORDS.
Dated: NOVEMBER 22, 2010
Trustor: JOSEPH JOHN JESS, SR. AND CONNIE LEE JESS, TRUSTEES OF THE JOSEPH JOHN JESS, SR. AND CONNIE LEE JESS FAMILY TRUST UNDER THE PROVISIONS OF A TRUST AGREEMENT DATED MAY 1, 2003
Trustee: CALAVERAS TITLE COMPANY
Beneficiary: TRI COUNTIES BANK
Affects: The land and other property.
10. Terms, provisions, covenants, restrictions and conditions contained in a document executed pursuant to the California Land Conservation Act of 1965 (Williamson Act) and recorded DECEMBER 21, 2010 as INSTRUMENT NO. 2010-0010225-00 of Official Records.
11. The terms and provisions contained in the document entitled "AGREEMENT TO LIMIT USES OF AGRICULTURAL STRUCTURE" recorded DECEMBER 07, 2011 as INSTRUMENT NO. 2011-0009643-00 of Official Records.

Document(s) declaring modifications thereof recorded MAY 03, 2012 as INSTRUMENT NO. 2012-0003744-00 of Official Records.
12. The terms and provisions contained in the document entitled "AGREEMENT TO LIMIT USES OF AGRICULTURAL STRUCTURE" recorded DECEMBER 07, 2011 as INSTRUMENT NO. 2011-0009644-00 of Official Records.

Document(s) declaring modifications thereof recorded MAY 03, 2012 as INSTRUMENT NO. 2012-0003745-00 of Official Records.

13. The terms and provisions contained in the document entitled NOTICE OF AN INDEPENDENT SOLAR ENERGY PRODUCER CONTRACT, executed by and between SUNRUN INC. and JOSEPH JOHN JESS SR AND CONNIE LEE JESS, TRUSTEES OF THE JOSEPH JOHN JESS SR AND CONNIE LEE JESS FAMILY TRUST DATED MAY 1, 2003, recorded JUNE 09, 2014, as Instrument No. 2014-0003726-00 of Official Records.

(Affects APN: 005-250-004-000)

14. A deed of trust to secure an original indebtedness of \$275,000.00 recorded OCTOBER 14, 2016 as INSTRUMENT NO. 2016-0008154 OF OFFICIAL RECORDS.

Dated: SEPTEMBER 27, 2016

Trustor: JOSEPH JOHN JESS SR. AND CONNIE LEE JESS, TRUSTEES OF THE JOSEPH JOHN JESS SR. AND CONNIE LESS JESS FAMILY TRUST UNDER THE PROVISIONS OF A TRUST AGREEMENT DATED MAY 1, 2003

Trustee: FIRST AMERICAN TITLE COMPANY

Beneficiary: TRI COUNTIES BANK

Affects: The land and other property.

15. THE SOLAR ENERGY SYSTEM, IF ANY, LOCATED ON THE LAND BEING OWNED BY AN INDEPENDENT SOLAR ENERGY PRODUCER

(Affects APN: 005-250-004-000)

16. Any claim that the Title is subject to a trust or lien created under The Perishable Agricultural Commodities Act, 1930 (7 U.S.C. §§499a, et seq.) or the Packers and Stockyards Act (7 U.S.C. §§181 et seq.) or under similar state laws.
17. Rights of the public in and to that portion of the Land lying within any Road, Street, Alley or Highway.
18. Water rights, claims or title to water, whether or not shown by the public records.
19. Any claim that any portion of the land is below the ordinary high water mark where it was located prior to any artificial or avulsive changes in the location of the shoreline or riverbank.
20. Any rights, interests, or easements in favor of the public, which exist or are claimed to exist over any portion of said land covered by water, including a public right of access to the water.
21. Any claim that any portion of the land is or was formerly tidelands or submerged lands.
22. The new lender, **if any**, for this transaction may be a Non-Institutional Lender. If so, the Company will require the Deed of Trust to be signed before a First American approved notary.
23. Rights of parties in possession.

Prior to the issuance of any policy of title insurance, the Company will require:

24. With respect to the trust referred to in the vesting:

- a. A certification pursuant to Section 18100.5 of the California Probate Code in a form satisfactory to the Company.
- b. Copies of those excerpts from the original trust documents and amendments thereto which designate the trustee and confer upon the trustee the power to act in the pending transaction.
- c. Other requirements which the Company may impose following its review of the material required herein and other information which the Company may require.

INFORMATIONAL NOTES

Note: The policy to be issued may contain an arbitration clause. When the Amount of Insurance is less than the certain dollar amount set forth in any applicable arbitration clause, all arbitrable matters shall be arbitrated at the option of either the Company or the Insured as the exclusive remedy of the parties. If you desire to review the terms of the policy, including any arbitration clause that may be included, contact the office that issued this Commitment or Report to obtain a sample of the policy jacket for the policy that is to be issued in connection with your transaction.

1. According to the latest available equalized assessment roll in the office of the county tax assessor, there is located on the land a(n) COMMERCIAL STRUCTURE known as 4600 Jackson Valley Road, Ione, California.

(Affects APN: 005-250-004-000)

2. According to the latest available equalized assessment roll in the office of the county tax assessor, there is located on the land a(n) COMMERCIAL STRUCTURE known as 4459 Jackson Valley Road, Ione, California.

(Affects APN: 005-240-007-000)

3. According to the public records, there has been no conveyance of the land within a period of twenty-four months prior to the date of this report, except as follows:

None

The map attached, if any, may or may not be a survey of the land depicted hereon. First American expressly disclaims any liability for loss or damage which may result from reliance on this map except to the extent coverage for such loss or damage is expressly provided by the terms and provisions of the title insurance policy, if any, to which this map is attached.

LEGAL DESCRIPTION

Real property in the unincorporated area of the County of Amador, State of California, described as follows:

A PARCEL OF LAND SITUATED IN THE COUNTY OF AMADOR, STATE OF CALIFORNIA, BEING A PORTION OF THE RANCHO ARROYO SECO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A 4 INCH BY 4 INCH WOODEN POST FOUND MARKING THE SOUTHWEST CORNER OF LOT 270 OF SAID RANCHO ARROYO SECO; THENCE, FROM SAID POINT OF BEGINNING, SOUTH 06° 09' 30" WEST 6110.60 FEET TO A ½ INCH STEEL REINFORCING ROD TAGGED L.S. 2902; THENCE NORTH 78° 27' 30" WEST 179.49 FEET TO A FENCE CORNER POST; THENCE SOUTH 14° 38' 30" WEST 2980.29 FEET TO A SIMILAR STEEL ROD; THENCE SOUTH 89° 58' 20" WEST 489.27 FEET TO A SIMILAR STEEL ROD; THENCE NORTH 08° 26' 40" WEST 575.50 FEET TO AN OAK TREE 11 FEET IN CIRCUMFERENCE, THENCE SOUTH 64° 48' 20" WEST 977.73 FEET TO A FENCE CORNER POST; THENCE NORTH 15° 56' 30" WEST 1134.26 FEET TO A FENCE CORNER POST, THENCE NORTH 85° 23' 00" WEST 538.99 FEET TO A FENCE CORNER POST; THENCE NORTH 14° 05' 30" EAST 1673.91 FEET TO A FENCE INTERSECTION POST; THENCE NORTH 14° 08' 20" EAST 6133.00 FEET TO A FENCE CORNER POST; THENCE NORTH 86° 44' 20" EAST 1323.41 FEET TO A ½ INCH STEEL REINFORCING ROD TAGGED L.S. 2902; THENCE NORTH 09° 49' 50" EAST 97.38 FEET TO A SIMILAR STEEL ROD; THENCE SOUTH 80° 43' 20" EAST 657.05 FEET TO THE POINT OF BEGINNING.

THE PARCEL OF LAND DESCRIBED ABOVE IS DELINEATED AND DESIGNATED "FULLER AND STROHM 153-OR-524 474.211 ACRES", UPON THAT CERTAIN OFFICIAL MAP ENTITLED "RECORD OF SURVEY PROPERTY OF FRANK J. FULLER, ET UX & JACOB J. STROM, ET UX", RECORDED IN THE OFFICE OF THE RECORDER OF AMADOR COUNTY ON JULY 29, 1966, IN BOOK 12 OF MAPS AND PLATS, AT PAGE 97.

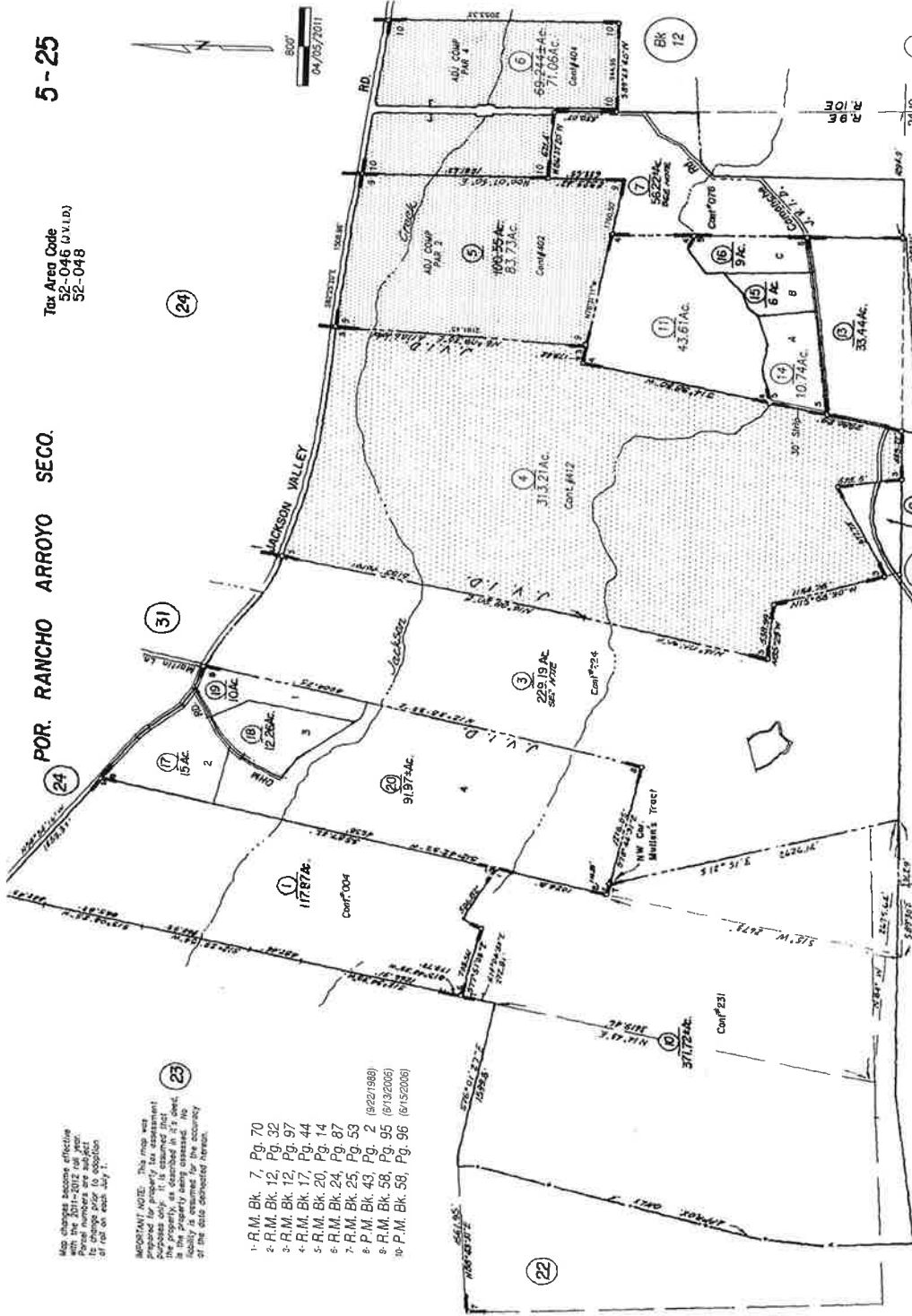
EXCEPTING THEREFROM ALL THE MINERALS BENEATH THE SURFACE OF THAT PORTION OF THE ABOVE DESCRIBED LAND INCLUDED WITHIN THE EXTERIOR BOUNDARIES OF THE PROPERTY DESCRIBED AS PARCEL 20 IN THE DEED DATED MAY 2, 1877, RECORDED JUNE 2, 1877, IN VOLUME "P" OF DEEDS, PAGE 422, EXECUTED BY DAVID D. COLTON TO DAVID GOODMAN, UPON THE TERMS AND CONDITIONS AS RESERVED IN SAID DEED.

APN: 005-240-007-000 and 005-250-004-000

5-25

Tax Area Code
52-046 (U.V.I.D.)
52-048

POR. RANCHO ARROYO SECO.



23

Map changes become effective from the 2011-2012 roll year. Its change prior to adoption of roll on each July 1.

IMPORTANT NOTE: This map was prepared for property tax assessment purposes only. It is assumed that the user of this map is responsible for verifying the accuracy of the information shown. No liability is assumed for the accuracy of the data depicted herein.

- 1- R.M. Bk. 7, Pg. 70
- 2- R.M. Bk. 12, Pg. 32
- 3- R.M. Bk. 12, Pg. 97
- 4- R.M. Bk. 17, Pg. 44
- 5- R.M. Bk. 20, Pg. 14
- 6- R.M. Bk. 24, Pg. 87
- 7- R.M. Bk. 25, Pg. 53
- 8- P.M. Bk. 43, Pg. 2 (8/22/1988)
- 9- P.M. Bk. 58, Pg. 95 (8/13/2005)
- 10- P.M. Bk. 58, Pg. 96 (8/13/2005)

16

Assessor's Map, Bk. 5, Pg. 25
County of Amador, Calif.

NOTE: Sec. 606 Land in multiple revenue districts

NOTICE

Section 12413.1 of the California Insurance Code, effective January 1, 1990, requires that any title insurance company, underwritten title company, or controlled escrow company handling funds in an escrow or sub-escrow capacity, wait a specified number of days after depositing funds, before recording any documents in connection with the transaction or disbursing funds. This statute allows for funds deposited by wire transfer to be disbursed the same day as deposit. In the case of cashier's checks or certified checks, funds may be disbursed the next day after deposit. In order to avoid unnecessary delays of three to seven days, or more, please use wire transfer, cashier's checks, or certified checks whenever possible.

- d. improvements on the Land;
 - e. land division; and
 - f. environmental protection.
- This Exclusion does not limit the coverage described in Covered Risk 8.a., 14, 15, 16, 18, 19, 20, 23 or 27.
2. The failure of Your existing structures, or any part of them, to be constructed in accordance with applicable building codes. This Exclusion does not limit the coverage described in Covered Risk 14 or 15.
 3. The right to take the Land by condemning it. This Exclusion does not limit the coverage described in Covered Risk 17.
 4. Risks:
 - a. that are created, allowed, or agreed to by You, whether or not they are recorded in the Public Records;
 - b. that are Known to You at the Policy Date, but not to Us, unless they are recorded in the Public Records at the Policy Date;
 - c. that result in no loss to You; or
 - d. that first occur after the Policy Date - this does not limit the coverage described in Covered Risk 7, 8.e., 25, 26, 27 or 28.
 5. Failure to pay value for Your Title.
 6. Lack of a right:
 - a. to any land outside the area specifically described and referred to in paragraph 3 of Schedule A; and
 - b. in streets, alleys, or waterways that touch the Land.

This Exclusion does not limit the coverage described in Covered Risk 11 or 21.
 7. The transfer of the Title to You is invalid as a preferential transfer or as a fraudulent transfer or conveyance under federal bankruptcy, state insolvency, or similar creditors' rights laws.
 8. Contamination, explosion, fire, flooding, vibration, fracturing, earthquake, or subsidence.
 9. Negligence by a person or an Entity exercising a right to extract or develop minerals, water, or any other substances.

LIMITATIONS ON COVERED RISKS

Your insurance for the following Covered Risks is limited on the Owner's Coverage Statement as follows:
 For Covered Risk 16, 18, 19, and 21 Your Deductible Amount and Our Maximum Dollar Limit of Liability shown in Schedule A.
 The deductible amounts and maximum dollar limits shown on Schedule A are as follows:

	<u>Your Deductible Amount</u>	<u>Our Maximum Dollar Limit of Liability</u>
Covered Risk 16:	1% of Policy Amount Shown in Schedule A or \$2,500 (whichever is less)	\$10,000
Covered Risk 18:	1% of Policy Amount Shown in Schedule A or \$5,000 (whichever is less)	\$25,000
Covered Risk 19:	1% of Policy Amount Shown in Schedule A or \$5,000 (whichever is less)	\$25,000
Covered Risk 21:	1% of Policy Amount Shown in Schedule A or \$2,500 (whichever is less)	\$5,000

2006 ALTA LOAN POLICY (06-17-06)
EXCLUSIONS FROM COVERAGE

The following matters are expressly excluded from the coverage of this policy, and the Company will not pay loss or damage, costs, attorneys' fees, or expenses that arise by reason of:

1. (a) Any law, ordinance, permit, or governmental regulation (including those relating to building and zoning) restricting, regulating, prohibiting, or relating to
 - (i) the occupancy, use, or enjoyment of the Land;
 - (ii) the character, dimensions, or location of any improvement erected on the Land;
 - (iii) the subdivision of land; or
 - (iv) environmental protection;

or the effect of any violation of these laws, ordinances, or governmental regulations. This Exclusion 1(a) does not modify or limit the coverage provided under Covered Risk 5.

- (b) Any governmental police power. This Exclusion 1(b) does not modify or limit the coverage provided under Covered Risk 6.
2. Rights of eminent domain. This Exclusion does not modify or limit the coverage provided under Covered Risk 7 or 8.
3. Defects, liens, encumbrances, adverse claims, or other matters

(a) created, suffered, assumed, or agreed to by the Insured Claimant;

(b) not Known to the Company, not recorded in the Public Records at Date of Policy, but Known to the Insured Claimant and not disclosed in

Environmental Health Department
(209) 223-6439

FEES FOR LAND DEVELOPMENT

Fee Computation Date 3.23.20 By J. Dunklee
Property Owner Jess Family Trust
Project Name TPM 2893 APN 05-240-007 ; 05-250-004

PARCEL MAPS -- \$360.00 360.00

Sewage Disposal

2 parcels proposing onsite sewage systems--\$285.00/parcel. Includes
Application and site review for each undeveloped parcel 570.00

SUBDIVISIONS--\$1000.00 deposit applied against review fees @ \$120/hr. _____

ZONE CHANGE AND/OR GENERAL PLAN AMENDMENT -- \$208.00 _____

CONDITIONAL USE PERMIT-- \$224.00 _____

CEQA REVIEW AND COMMENT

Negative Declaration --\$192.00 192.00

Environmental Impact Report -- \$1000.00 deposit applied to review
and comment at \$120.00/hour. _____

BOUNDARY LINE ADJUSTMENT--\$280.00/parcel to be investigated. Includes
sewage disposal application and site investigation.

TOTAL 1,122.00

Fees collected by _____ Receipt No: _____ Date: _____

AMADOR COUNTY PUBLIC WORKS REVIEW FEES

Per Ordinance No. 1646, County Code Chapter 3.58, Section 3.58.010

FILL IN COMPLETELY AND SUBMIT WITH PLANS

Incomplete submittals will not be accepted for review.

PROJECT NAME (Exactly as on plans): TOPTIME PARCEL MAP No. 2893

DATE: 3.23.2020 ENGINEER OF RECORD GINA TOMA

SUBMITTAL: (CHECK ONE) FIRST RESUBMITTAL #1 2 3

PROJECT OWNER Name JESS FAMILY TRUST, ATTN: COUNCIL JESS

ADDRESS 5001 OAK MEADOW CT. JONE STATE CA ZIP 95640 PHONE (209) 274-4791
(Project owners receive a copy of all plan review comments from Public Works)

SUBMITTED BY: GINA WALKER COMPANY: TOMA & ASSOCIATES
(Your name/Engineering/Architectural Company)

PHONE: office (209) 773-0156 cell _____ email gina@tomasurvey.com fax _____

EACH APPLICANT TO THE COUNTY SHALL PAY A FEE FOR REVIEW SERVICES PERFORMED BY THE COUNTY PUBLIC WORKS AGENCY FOR THE FOLLOWING:

	<u>DEPOSIT REQUIRED</u>
<input type="checkbox"/> A. Request for Chapter 15.30 Deviations	\$750.00
<input type="checkbox"/> B. CEQA Evaluations (Traffic, EIR, etc.)	\$ 1,500.00
<input type="checkbox"/> C. Subdivision Maps	\$2,000.00
<input checked="" type="checkbox"/> D. Parcel Maps	\$1,500.00
<input type="checkbox"/> E. Conditional Use Permits	\$500.00
<input type="checkbox"/> F. Pre-application conferences	\$77.00 per hour/1 hr. min.

Amount Received \$ _____
Receipt Issued # _____

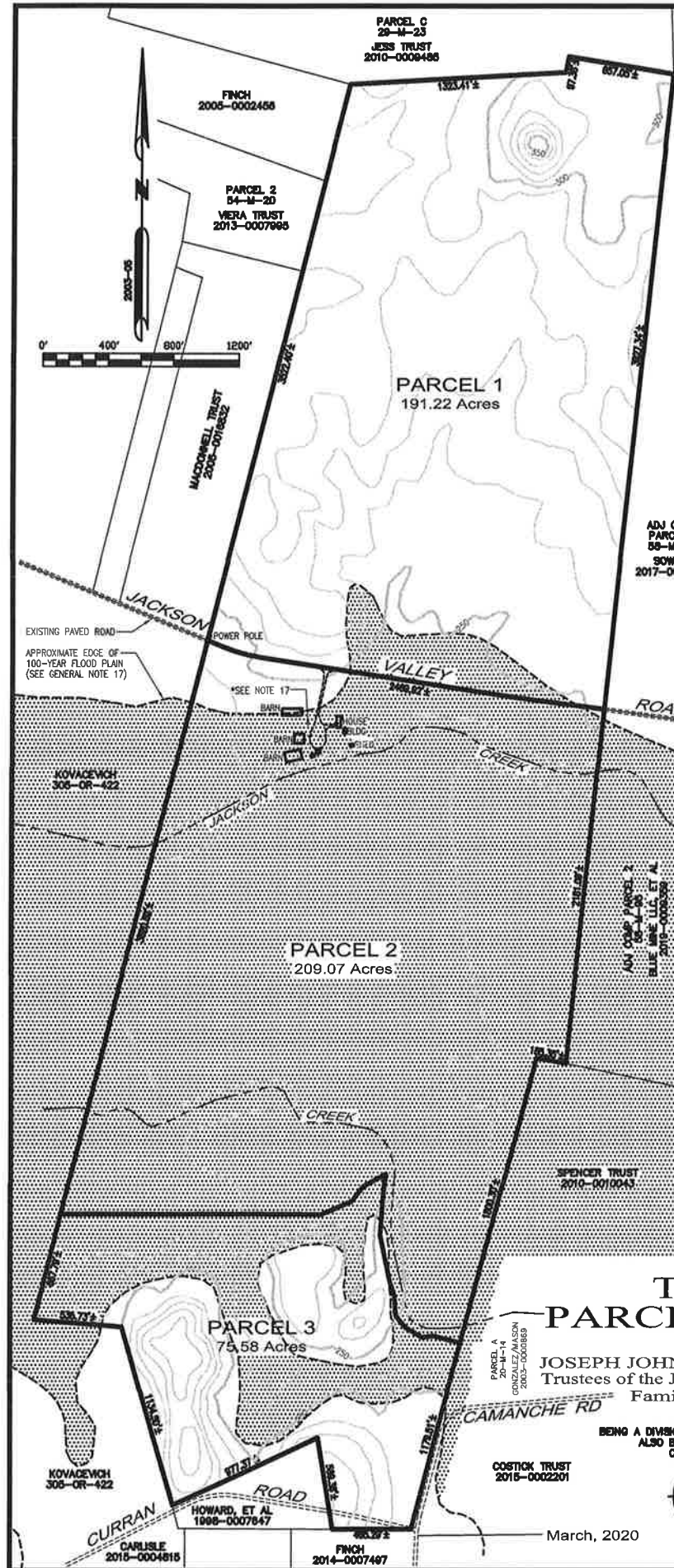
If the accrued charges exceed the above deposit, the County submits periodic billings to the applicants for costs incurred. Interest of one and one-half (1-1/2) percent per accounting period (28) day cycle compounded each accounting period shall be added to the unpaid balance due to any account which has not been paid within (28) days of the date it was billed. All fees to date must be paid current prior to consideration of the application at each stage of the review process (TAC meetings, Planning Commission, BOS, if applicable, department head, if applicable, and final approval of the documents by County Surveyor in case of subdivision maps and parcel maps). If the actual total charges are less than the minimum deposit amounts, the County shall reimburse the payer the difference between the minimum deposit and the actual total charges.

ACCEPTED FOR REVIEW BY PUBLIC WORKS AGENCY

NAME: _____

PROJECT NO. ASSIGNED _____

DATE: _____

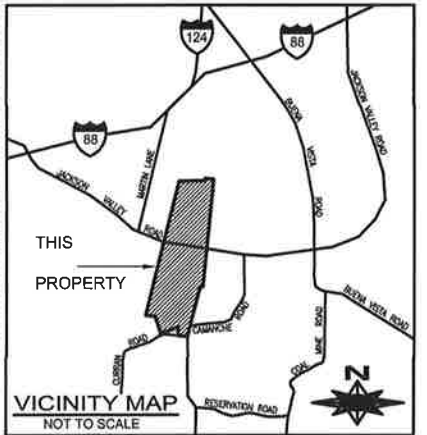


GENERAL NOTES AND STATEMENTS

1. RECORD OWNER: JOSEPH JOHN JESS, SR and CONNIE LEE JESS Trustees of the Joseph John Jess, Sr. and Connie Lee Jess Family Trust dated May 1, 2003 5001 OAK MEADOW COURT GLEN, CA 95640 (209) 274-4791
2. SURVEYOR: TOMA and ASSOCIATES LICENSED LAND SURVEYORS 41 SUMMIT STREET JACKSON, CA 95642 (209) 223-0156 005-240-007 AND 005-250-004
3. A.P.N.: "A-G"
4. ZONING: A-G EXCLUSIVE AGRICULTURAL DISTRICT
5. GENERAL PLAN: 2010-0009485
6. DEED REFERENCE: RESIDENTIAL / AGRICULTURAL
7. PROPOSED USE: JACKSON VALLEY IRRIGATION DISTRICT (1 EXISTING SERVICE) AND INDIVIDUAL WELLS (2 PROPOSED)
8. WATER: INDIVIDUAL SEPTIC SYSTEMS (1 EXISTING SYSTEM, 2 PROPOSED)
9. SEWAGE DISPOSAL: JACKSON VALLEY FIRE DEPARTMENT
10. FIRE PROTECTION: AMADOR COUNTY UNIFIED SCHOOL DISTRICT (ACUSD)
11. SCHOOL: POWER WILL BE SERVED BY PACIFIC GAS AND ELECTRIC (PG&E)
12. UTILITIES: TELEPHONE WILL BE SERVED BY CURRENT AREA PROVIDER
13. EASEMENTS: PUBLIC UTILITY EASEMENTS WILL BE FIVE FEET ON EACH SIDE OF ALL INTERIOR LOT LINES AND TEN FEET ALONG THE EXTERIOR BOUNDARY OF THIS PROJECT AND JACKSON VALLEY ROAD.
14. SETBACKS: THERE WILL BE A TWENTY-FIVE FOOT BUILDING SETBACK FROM ALL ROAD RIGHT-OF-WAYS, A THIRTY FOOT BUILDING SETBACK FROM ALL SIDE LOT LINES AND A THIRTY FOOT BUILDING SETBACK FROM ALL REAR LOT LINES. DRAINAGE SETBACKS (IF NECESSARY) WILL BE TWENTY FEET ALONG ALL DRAINAGE COURSES.
15. SPECIAL DISTRICTS: JACKSON VALLEY FIRE DEPARTMENT JACKSON VALLEY IRRIGATION DISTRICT AMADOR COUNTY UNIFIED SCHOOL DISTRICT
16. PHASING: FINAL MAPS MAY BE SUBMITTED IN MULTIPLE PLINGS.
17. FLOOD ZONE: A PORTION OF THIS PROJECT LIES WITHIN AN AREA SUBJECT TO FLOOD WATER INUNDATION BY THE 100-YEAR FLOOD AND IS WITHIN ZONE "A" AS SHOWN ON THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) FLOOD RATE INSURANCE MAP FOR AMADOR COUNTY, CALIFORNIA DATED MAY 20, 2010. PANEL 650 OF 700 MAP No 0805050550F *A 100-YEAR FLOOD STUDY WAS DONE IN 2011 FOR EXISTING/PROPOSED STRUCTURES BETWEEN JACKSON VALLEY ROAD AND JACKSON CREEK. IT WAS DETERMINED THAT ALL STRUCTURES WERE ABOVE THE 100-YEAR FLOOD LEVEL, WHICH WAS DETERMINED TO BE 244.2 IN THIS AREA.
18. MINIMUM LOT SIZE: MINIMUM LOT SIZE WILL BE 75+ ACRES.
19. THE DEVELOPER PLANS TO CONSTRUCT ALL IMPROVEMENTS REQUIRED FOR THE CREATION OF LOTS AND FILING OF A FINAL MAP AS REQUIRED BY ALL APPLICABLE COUNTY CODES AND THE CONDITIONS OF APPROVAL OF THE TENTATIVE MAP.
20. THERE ARE NO PUBLIC AREAS OR SCENIC EASEMENTS PROPOSED ON THIS PROJECT.
21. THIS PROJECT DOES NOT LIE WITHIN 1000 FEET OF A MILITARY INSTALLATION, BENEATH A FLIGHT PATH OR WITHIN SPECIAL USE AIRSPACE.
22. TOPOGRAPHIC MAPPING AND FEATURES ARE PER USGS QUAD SHEET. NO FIELD SURVEY WAS MADE TO ESTABLISH TOPOGRAPHIC LINES AND FEATURES.
23. THE FOLLOWING EASEMENTS ARE NOTED IN PRELIMINARY REPORT ORDER NO. 005-010978 PREPARED BY FIRST AMERICAN TITLE COMPANY DATED JANUARY 7, 2020 AS AFFECTING THIS PROPERTY (SEE SAID PRELIMINARY REPORT FOR COMPLETE LIST OF EXCEPTIONS):

12-M-79 258-OR-75 290-OR-307 NO DOC REFERENCE NO DOC REFERENCE NO DOC REFERENCE NO DOC REFERENCE NO DOC REFERENCE	LAND SURVEY WATER LINE EASEMENT WATER LINE EASEMENT ROADWAY RIGHTS OF THE PUBLIC WATER RIGHTS NOT OF RECORD CHANGES IN RIVERBANK PUBLIC RIGHT TO ACCESS WATER CLAIM OF FORMER TIDE/SUBMERGED LANDS
--	---

ADJ COMP
PARCEL 1
58-M-98
SOWELL
2017-0003288



VESTING TENTATIVE PARCEL MAP No. 2893

for
JOSEPH JOHN JESS, SR. and CONNIE LEE JESS
Trustees of the Joseph John Jess, Sr. and Connie Lee Jess
Family Trust dated May 1, 2003
2010-0009485

BEING A DIVISION OF THE FULLER AND STROMM PARCEL PER 12-M-97
ALSO BEING A PORTION OF THE RANCHO ARROYO SECO
COUNTY OF AMADOR, STATE OF CALIFORNIA

TOMA & ASSOCIATES INC.
ENGINEERING - SURVEYING - PLANNING
41 Summit Street, Jackson, Ca. 95642
(209) 223-0156

COSTROK TRUST
2015-0022201

PARCEL A
20-M-14
FINCH
2003-0004889

KOVACEWICH
308-OR-422

CARLISLE
2016-0004815

HOWARD, ET AL
1998-0007847

FINCH
2014-0007487

March, 2020

Contour Interval: 10'

Scale: 1" = 400'

Mr. Chuck Beatty, Director
Planning Department, County of Amador
810 Court Street
Jackson, CA 95642

26 April 2019

Re: Jess property, APN 005-024-007 and 005-025-004

Dear Mr. Beatty,

At the request of Toma & Associates, I conducted an inspection of the parcels referenced above. I was told that the Planning Department has required that an Oak Woodlands Assessment shall be done for the parcels. This letter is in response to that requirement.

Section 21083.4 of the California Public Resources Code requires that counties determine if there will be a significant effect on oak woodlands as a result of a project proposed to the county. The first question that must be answered is whether a project area does indeed qualify as an "Oak Woodland". The Fish and Game Code of the State of California defines "Oak Woodland" under Section 1361(h) as "...an oak stand with a greater than 10 percent canopy cover or that may have historically supported greater than 10% canopy cover". Additional important information comes from PRC 21083(a), where it is stated that oaks included in the determination of oak woodland status cannot come from the Group A or Group B commercial species as defined by 14 CCR 895.1 (Forest Practice Rules). California Black Oak (*Quercus kelloggii*), a species common at the elevation of APN 033-480-051, is a Group B species under the Forest Practice Rules.

On the 24th of April, 2020, I visited the Jess property and conducted an evaluation of the property. It seemed to be obvious from the air photos and a casual drive-by that this property would qualify as an "Oak Woodland", as defined by the Fish & Game Code. In spite of that observation, I walked the parcel on the north side of Jackson Valley Road south to north and conducted reconnaissance from west to east of the property boundary with the McDonnell Trust and Vierra Trust to the eastern boundary with the Sowell property. I also inspected the parcel north of Curran Road, which extends to the north across a tributary to Jackson Creek and across Jackson Creek, north to Jackson Valley Road. I observed the conditions of the property to the eastern boundaries with the Costick, Gonzalez/Mason, Spencer and Blue Mine LLC properties. I measured twenty (20) inventory plots that were located randomly within the area vegetated with oak trees. Those inventory plots collected data on: Species, diameter, spacing of trees, basal area and crown width. The data is then averaged to determine averages for those criteria. I used a planimeter to estimate the number of square inches of oak canopy coverage and converted the total square inches to acres using a conversion factor of 3.67 acres per square inch.

The results of my calculations and estimations are as follows:

Species encountered – Canyon live oak (*Quercus chrysolepsis*), Blue oak (*Quercus douglasii*). Though not a hardwood specie, Gray pine (*Pinus sabiniana*) is also associated with the oak forest on the Jess property.

Average oak diameter @ 4.5 ft. above ground – 10.5 inches (range of 4" to 24")

Average spacing between oak trees – 18 feet (range of 3 ft. to 35 ft.)

Average number of oak trees per acre – 134 trees/ac.

Average oak basal area per acre – 76.7 sq. ft./ac.

Average crown diameter – 18 feet (range of 15-30 ft.)

Estimated acreage of oak forest – 101 acres

The total acreage of the Jess property associated with this application is 475.87 acres. The area forested with oak is 101 acres, therefore the property is 21.2% oak woodland, therefore qualifying as an "Oak Woodland" under the Fish & Game Code.

The next question that is necessarily needing to be answered is: "Will the proposed subdivision of this property result in a significant impact to the Oak Woodland?"

The proposed subdivision would split the property into three parcels, the smallest of which would be 75.58 acres. In my reconnaissance of the property I also took note of numerous locations where logical building sites exist. Many of those sites would not require the removal of oak trees for construction of residences and outbuildings. Given the acreage of oak woodland and the small total acreage of possible oak woodland conversion (4 sites x 2 acres converted = 8 acres) and the probability that future family homesites would not convert oak woodland to residential use, there would not be a significant reduction of oak woodland under the most extreme of land conversion scenarios.

In summary and to reiterate, the Jess property definitely qualifies as an Oak Woodland under the California Fish & Game Code. The answer to the second question required under PRC 21083.4 is that in my professional opinion, the proposed Jess property division will not result in a significant reduction of oak woodland area.

If you have any questions, please feel free to call.

Sincerely,

A handwritten signature in black ink, appearing to read "Steve Cannon", with a long horizontal flourish extending to the right.

Steve Q. Cannon
Registered Professional Forester #2316

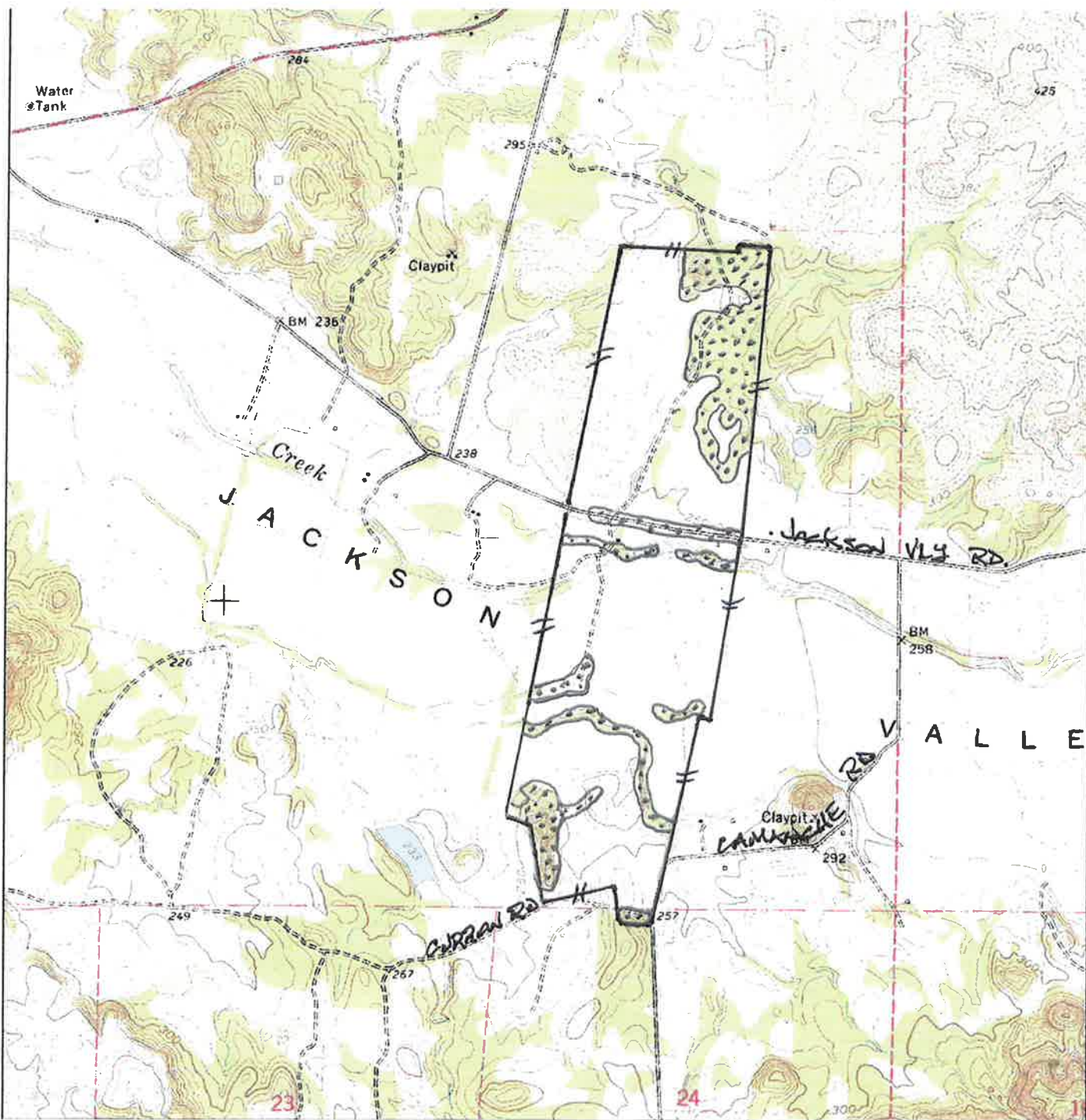
attachments

Jess Oak Woodlands Report

A Portion of the Arroyo Seco Land Grant

Amador County

One 7.5' Quadrangle



Jess Ranch Property Boundary

Areas of Oak Woodland



Scale



0 2000 ft.

OFFICIAL RECEIPT

COUNTY OF AMADOR
Jackson, California

Date May 26, 2020

RECEIVED FROM Jess Ranch

ADDRESS 5001 OAK MEADOW CT. IONE, CA 95640

Seven-hundred, and twenty-two + $\frac{00}{100}$ DOLLARS (\$ 722.00)

For Amended Williamson Contract Application (existing contract # 412) for APNs 005-250-004 and 005-240-007 in conjunction with TPM 2893 (receipt NO. 89171)

ACCOUNT		How Paid ✓	
Amount Due	\$ 722. 00	Cash	
Amount Paid	\$ 722. 00	Check	16508
		Money Order	

By Planning Department
Krista Ruesel Deputy

NO 89170

OFFICIAL RECEIPT

COUNTY OF AMADOR
Jackson, California

Date May 26, 2020

RECEIVED FROM Jess Ranch

ADDRESS 5001 Oak Meadow Ct. Ione, CA 95640

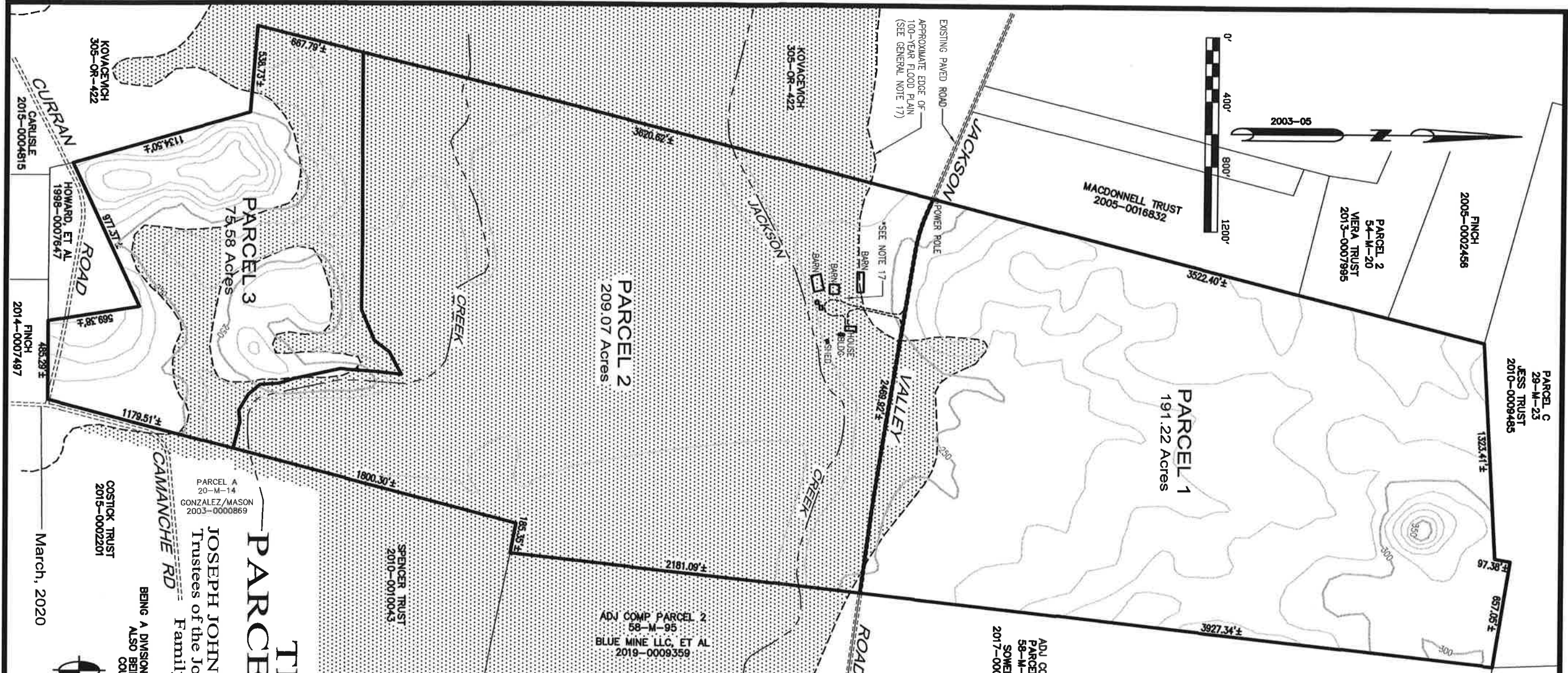
Five-thousand and sixty-eight and $\frac{00}{100}$ DOLLARS (\$ 5,068.00)

For Tentative Parcel Map Application (TPM 2893) (\$4,336.00), CEQA Initial study (\$682.00), and Recorder's Admin. Fee (\$50.00); APNs (005-250-004 and 005-240-007) in conjunction w/VA Amended Contract #412, receipt No 89170

ACCOUNT		How Paid ✓	
Amount Due	\$ 5,068 00	Cash	
Amount Paid	\$ 5,068 00	Check	16516
		Money Order	

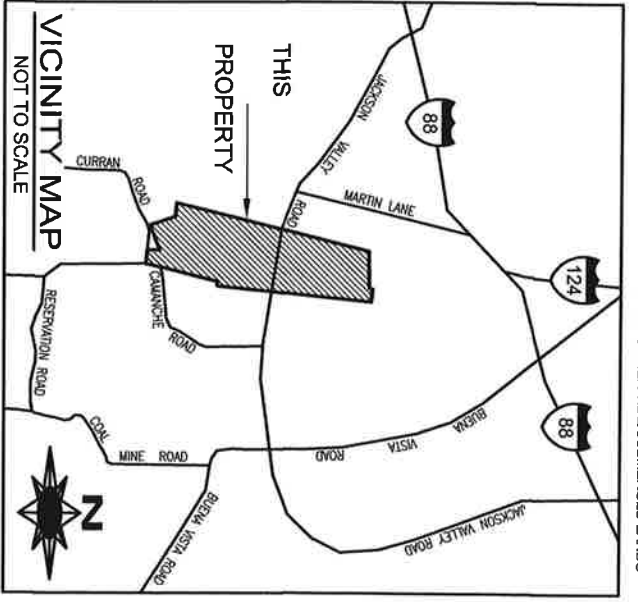
By Planning Department
Krista Ruesel Deputy

NO 89171



GENERAL NOTES AND STATEMENTS

1. RECORD OWNER:
 JOSEPH JOHN JESS, SR and CONNIE LEE JESS
 Trusts of the Joseph John Jess, Sr. and Connie Lee Jess Family Trust dated May 1, 2003
 5001 OAK MEADOW COURT
 IONE, CA 95640
 (209) 274-4791
2. SURVEYOR:
 TOMA and ASSOCIATES
 LICENSED LAND SURVEYORS
 41 SUMMIT STREET
 JACKSON, CA 95642
 (209) 223-0156
 005-240-007 AND 005-250-004
3. A.P.N.:
 2010-0009485
4. ZONING:
 A-G EXCLUSIVE AGRICULTURAL DISTRICT
5. GENERAL PLAN:
 RESIDENTIAL / AGRICULTURAL
6. DEED REFERENCE:
 JACKSON VALLEY IRRIGATION DISTRICT (1 EXISTING SERVICE) AND INDIVIDUAL WELLS (2 PROPOSED)
7. PROPOSED USE:
 INDIVIDUAL SEPTIC SYSTEMS (1 EXISTING SYSTEM, 2 PROPOSED)
8. WATER:
 JACKSON VALLEY FIRE DEPARTMENT (AMADOR COUNTY UNIFIED SCHOOL DISTRICT (ACUSD))
9. SEWAGE DISPOSAL:
 POWER WILL BE SERVED BY PACIFIC GAS AND ELECTRIC (PG&E)
10. FIRE PROTECTION:
 TELEPHONE WILL BE SERVED BY CURRENT AREA PROVIDER
11. SCHOOL:
 PUBLIC UTILITY EASEMENTS WILL BE FIVE FEET ON EACH SIDE OF ALL INTERIOR LOT LINES AND TEN FEET ALONG THE EXTERIOR BOUNDARY OF THIS PROJECT AND JACKSON VALLEY ROAD.
12. UTILITIES:
 THERE WILL BE A TWENTY-FIVE FOOT BUILDING SETBACK FROM ALL ROAD RIGHT-OF-WAYS, A THIRTY FOOT BUILDING SETBACK FROM ALL SIDE LOT LINES AND A THIRTY FOOT BUILDING SETBACK FROM ALL REAR LOT LINES. DRAINAGE SETBACKS (IF NECESSARY) WILL BE TWENTY FEET ALONG ALL DRAINAGE COURSES.
13. EASEMENTS:
 JACKSON VALLEY FIRE DEPARTMENT
 JACKSON VALLEY IRRIGATION DISTRICT
 AMADOR COUNTY UNIFIED SCHOOL DISTRICT
 FINAL MAPS MAY BE SUBMITTED IN MULTIPLE FILINGS.
14. SETBACKS:
 A PORTION OF THIS PROJECT LIES WITHIN AN AREA SUBJECT TO FLOOD WISE REGULATION BY THE 100-YEAR FLOOD AND IS WITHIN ZONE "A" AS SHOWN ON THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) FLOOD RATE INSURANCE MAP FOR AMADOR COUNTY, CALIFORNIA DATED MAY 20, 2010.
 PANEL 560 OF 700
 MAP No.0600506050F
 A 100-YEAR FLOOD STUDY WAS DONE IN 2011 FOR EXISTING PROPOSED STRUCTURES BETWEEN JACKSON VALLEY ROAD AND JACKSON CREEK. IT WAS DETERMINED THAT ALL STRUCTURES WERE ABOVE THE 100-YEAR FLOOD LEVEL, WHICH WAS DETERMINED TO BE 244± IN THIS AREA.
15. SPECIAL DISTRICTS:
 MINIMUM LOT SIZE WILL BE 75± ACRES.
16. PHASING:
 17. FLOOD ZONE:
18. THE DEVELOPER PLANS TO CONSTRUCT ALL IMPROVEMENTS REQUIRED FOR THE CREATION OF LOTS AND FILING OF A FINAL MAP AS REQUIRED BY ALL APPLICABLE COUNTY CODES AND THE CONDITIONS OF APPROVAL OF THE TENTATIVE MAP.
19. THERE ARE NO PUBLIC AREAS OR SCENIC EASEMENTS PROPOSED ON THIS PROJECT.
20. THIS PROJECT DOES NOT LIE WITHIN 1000 FEET OF A MILITARY INSTALLATION, BENEATH A FLIGHT PATH OR WITHIN SPECIAL USE AIRSPACE.
21. TOPOGRAPHIC MAPPING AND FEATURES ARE PER USGS QUAD SHEET. NO FIELD SURVEY WAS MADE TO ESTABLISH TOPOGRAPHIC LINES AND FEATURES.
22. THE FOLLOWING EASEMENTS ARE NOTED IN PRELIMINARY REPORT ORDER DATED JANUARY 2, 2020 AS AFFECTING THIS PROPERTY (SEE SAID PRELIMINARY REPORT FOR COMPLETE LIST OF EXCEPTIONS):
 124479 LAND SURVEY
 236-OR-75 WATER LINE EASEMENT
 290-OR-307 ROADWAY RIGHTS OF THE PUBLIC
 NO DOC REFERENCE WATER RIGHTS NOT OF RECORD
 NO DOC REFERENCE CHANGES IN RIVERBANK
 NO DOC REFERENCE PUBLIC RIGHT TO ACCESS WATER
 CLAIM OF FORMER TIDE/SUBMERGED LANDS
23. ADJ COMP PARCEL 2, 58-M-95, BLUE MINE LLC, ET AL, 2019-0009359



**TENTATIVE
 PARCEL MAP No. 2893**

for

JOSEPH JOHN JESS, SR. and CONNIE LEE JESS
 Trustees of the Joseph John Jess, Sr. and Connie Lee Jess
 Family Trust dated May 1, 2003
 2010-0009485

PARCEL A
 20-M-14
 GONZALEZ/MASON
 2003-0000869

CAMANACHE RD

COSTOCK TRUST
 2013-0002201

March, 2020

TOMA & ASSOCIATES INC.
 ENGINEERING - SURVEYING - PLANNING
 41 Summit Street, Jackson, CA 95642
 (209) 223-0156

Contour Interval: 10'
 Scale: 1" = 400'

IMPORTANT NOTE: This map was prepared for property tax assessment purposes only. It is assumed that the property, as described in it's deed, is the property being assessed. No liability is assumed for the accuracy of the data delineated hereon.

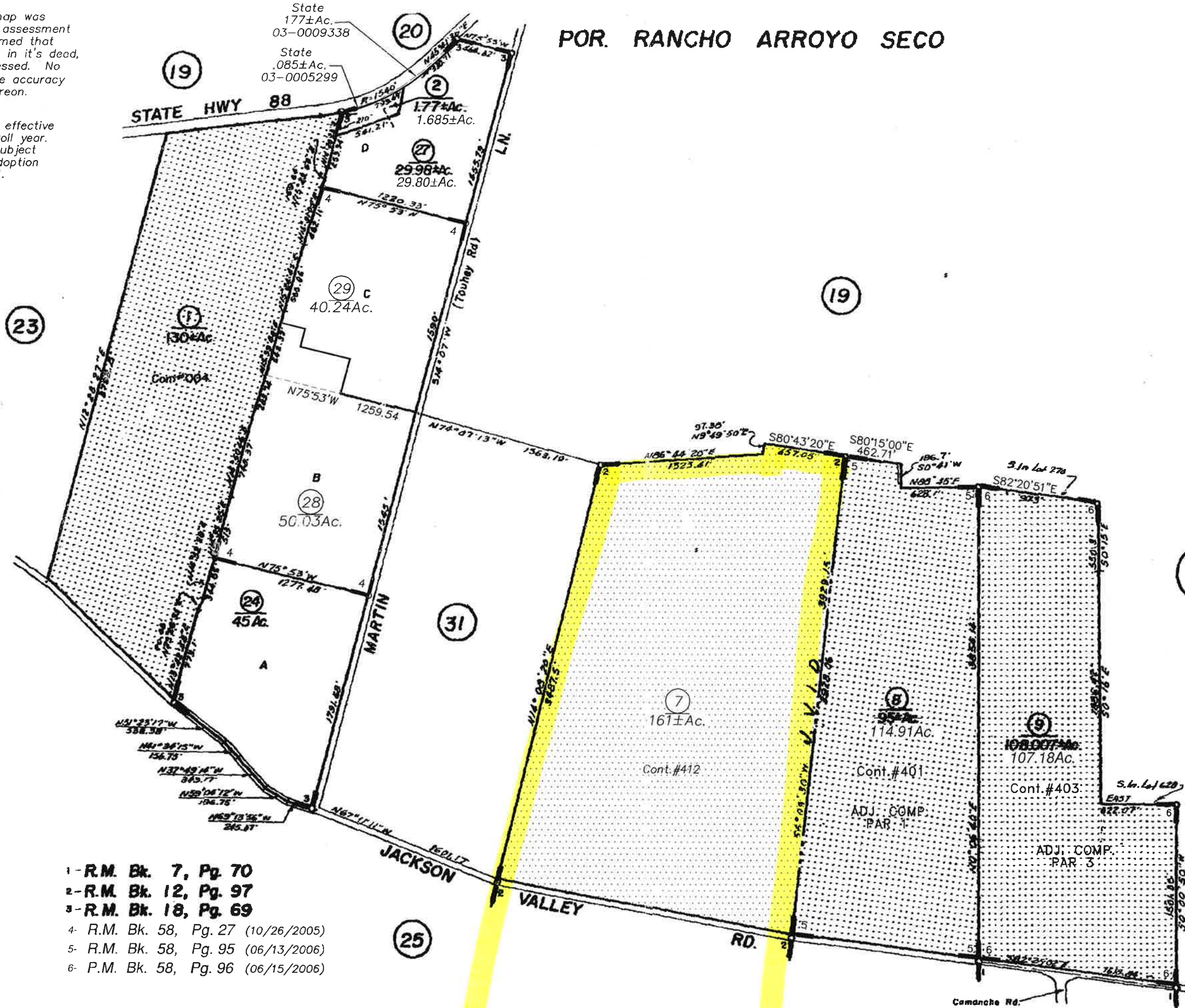
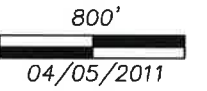
Map changes become effective with the 2011-2012 roll year. Parcel numbers are subject to change prior to adoption of roll on each July 1.

State
177±Ac.
03-0009338

State
.085±Ac.
03-0005299

POR. RANCHO ARROYO SECO

5-24



- 1- R.M. Bk. 7, Pg. 70
- 2- R.M. Bk. 12, Pg. 97
- 3- R.M. Bk. 18, Pg. 69
- 4- R.M. Bk. 58, Pg. 27 (10/26/2005)
- 5- R.M. Bk. 58, Pg. 95 (06/13/2006)
- 6- P.M. Bk. 58, Pg. 96 (06/15/2006)

P.B. 12

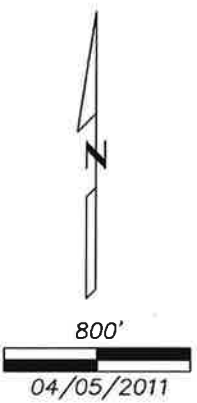
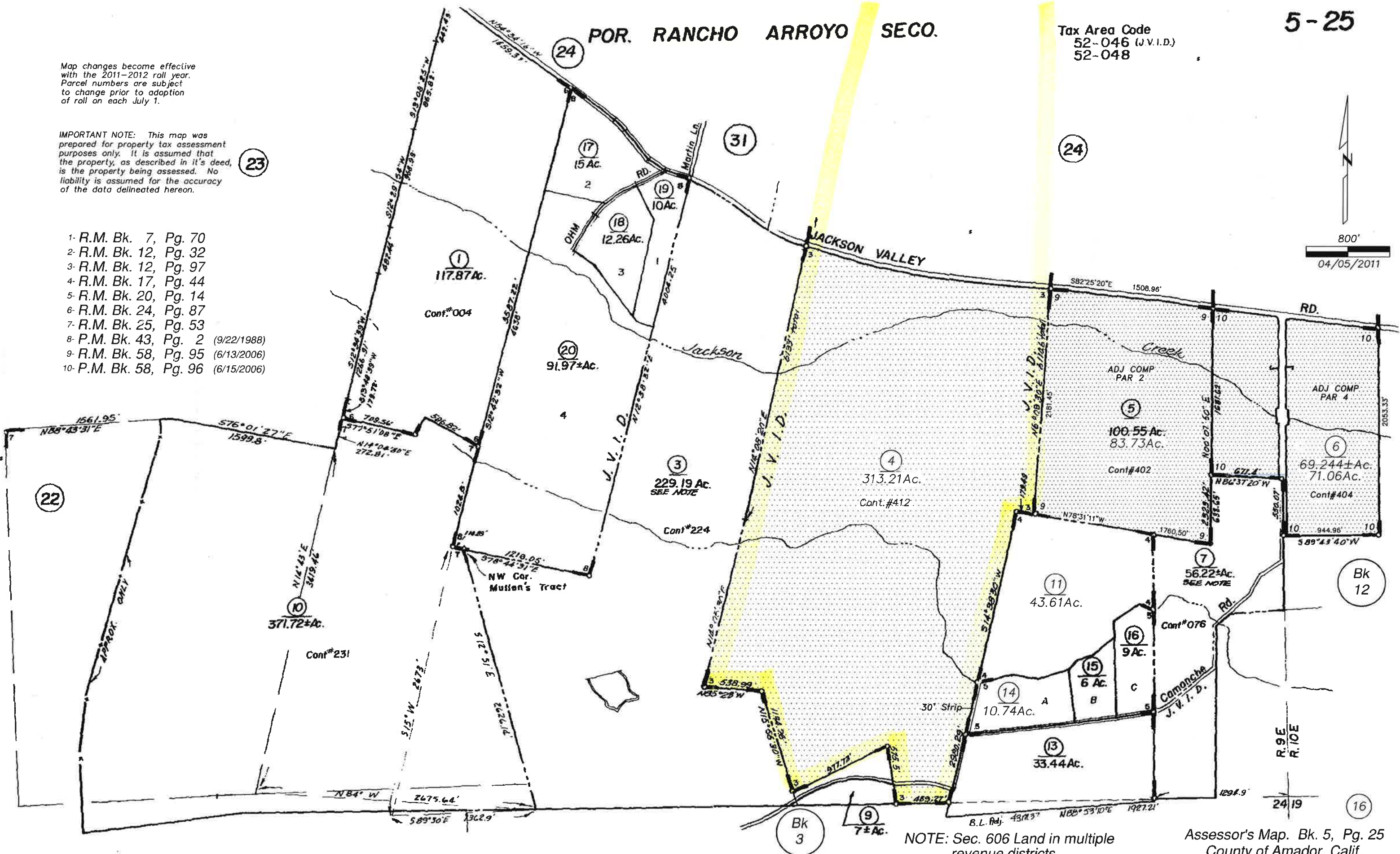
POR. RANCHO ARROYO SECO.

Tax Area Code
52-046 (J.V.I.D.)
52-048

Map changes become effective with the 2011-2012 roll year. Parcel numbers are subject to change prior to adoption of roll on each July 1.

IMPORTANT NOTE: This map was prepared for property tax assessment purposes only. It is assumed that the property, as described in it's deed, is the property being assessed. No liability is assumed for the accuracy of the data delineated hereon.

- 1- R.M. Bk. 7, Pg. 70
- 2- R.M. Bk. 12, Pg. 32
- 3- R.M. Bk. 12, Pg. 97
- 4- R.M. Bk. 17, Pg. 44
- 5- R.M. Bk. 20, Pg. 14
- 6- R.M. Bk. 24, Pg. 87
- 7- R.M. Bk. 25, Pg. 53
- 8- P.M. Bk. 43, Pg. 2 (9/22/1988)
- 9- R.M. Bk. 58, Pg. 95 (6/13/2006)
- 10- P.M. Bk. 58, Pg. 96 (6/15/2006)



NOTE: Sec. 606 Land in multiple revenue districts

Assessor's Map. Bk. 5, Pg. 25
County of Amador, Calif.

AMADOR COUNTY AGRICULTURAL PRESERVE PROGRAM



Provided by the Amador County Assessor's Office
for informational use only

INTRODUCTION

This is some basic information about the Agriculture Preserve Program (Williamson Act). It is designed to help answer your questions about the process:

- ▶ Program Objectives
- ▶ Property Eligibility: Do I qualify?
- ▶ What information must I provide to be sure that my application is complete?
- ▶ How long will the process take and when do I need to submit?
- ▶ What kind of tax benefits can be received? How is the tax valuation process different?
- ▶ How do contracts get recorded and how long do they last?

OBJECTIVES OF THE PROGRAM

The objectives of the Agricultural Preserve Program, as provided by the California Land Conservation Act of 1965 or the "Williamson Act", is to protect agricultural lands and limited types of open space and outdoor recreation lands of statewide importance. Once a landowner enters into a contract with the County, the land is reassessed on the basis of the agricultural income producing capability of the land. This assures the landowners that property valuations and taxes will remain at generally lower levels.

Amador County's rules of procedure provide the standards for property eligibility and land use restrictions under the program. They also provide procedures for terminating contracts and monitoring the program.

A Williamson Act contract is established by landowner request. The primary incentive for the landowner is to reduce current and/or future property taxes. The program is designed for the property owner who is dedicated to the long-term use of the

land for agricultural, recreational and open space purposes. We encourage your voluntary participation in the program to strengthen the agricultural economy of Amador County.

PROPERTY ELIGIBILITY: DO I QUALIFY?

Requirements for Property Sizes

40-100 acres (all 3 requirements must be met)

- (1) the ability to produce an annual gross income from agriculture of \$6,443* or more,
- (2) have in place a minimum of \$32,216* worth of agricultural improvements (ie, ag wells, fences, barns, etc)
- (3) demonstrate "unique" characteristics of an agricultural industry

100-160 acres (both requirements must be met)

- (1) the ability to produce an annual gross income from agriculture of \$6,443* or more
- (2) have in place a minimum of \$33,216* worth of agricultural improvements (ie, ag wells, fences, barns, etc)

160 acres and more (only one of the two required)

- (1) the ability to produce an annual gross income from agriculture of \$6,443* or more
- (2) have in place a minimum of \$32,216* worth of agricultural improvements (ie, ag wells, fences, barns, etc)

*Note: The income and improvement requirements are adjusted annually according to the increase in the CPI. The above amounts are the requirements for the year 2020.

WHAT INFORMATION MUST I PROVIDE TO BE SURE MY APPLICATION IS COMPLETE?

Amador County's Planning Department handles all applications. You will be working with them to complete the process. An application for a Williamson Act contract must include a current title report, legal

description of all property included in the application, Assessor's parcel map(s) showing all property in the application. The application form also asks you to list all of the agricultural and compatible uses with the income generating from each use. It asks you to list all of the agricultural improvements and their value. And it asks if you rent any property to others, and additional information about those leases.

 **HOW LONG DOES THE PROCESS TAKE?**

You may submit an application any time. The application process will take 4-6 months. You will obtain an application from the Planning Department, and work with them through the process. The Planning Department will notify the Assessor's Office and the Agricultural Commissioner. They will each have someone review the application and visit the property. The application will then be reviewed for approval by the Agricultural Advisory Committee, the Amador County Planning Commission and the Board of Supervisors.

 **WHAT TAX BENEFITS CAN BE RECEIVED? HOW IS THE VALUATION PROCESS DIFFERENT?**

Following the recording of the contract, the property is reassessed on the basis of the agricultural income producing capability of the land instead of fair market value or Proposition 13 value. Landowners generally experience a property tax reduction.

Improvements are valued and taxed under the normal procedures, and are not eligible for the restricted valuations of the program. This includes residences and the immediate residential site, as well as agricultural improvements. A market value (Proposition 13 value) and base year is established for each homesite, for which usually 1 or 2 acres is allocated from the total acreage.

The land value is based on the rent it could command if leased to a competent and prudent manager for a use best suited to the property. Periodically, questionnaires are sent to landowners requesting current information on property use and income. Land values are reviewed every year.

Living improvements (vineyards and orchards) are also valued differently under the Williamson Act. The value is calculated each year based on a capitalization rate based on the income produced by similar improvements in Amador County.

FOR EXAMPLE: A property consisting of 200 acres purchased in 1990 for \$500,000. It has a residence, barns and corrals and 10 acres of grapes.

Non Williamson Act Value for the year 2004:

	Base Year	BY Value	Factored Value
Land	1990	300,000	388,200
Improvements	1990	150,000	194,100
Vineyard	1990	50,000	64,700
Taxable Value			647,000
Approximate property tax			\$6470

The same property under Williamson Act in 2004:

Land (Capitalization rate is .0675/acre):			
188 acres of good grazing (Rent \$20/acre)			53,476
10 acres of grape land (Rent \$120/acre)			17,067
Improvements			194,100
Homesite (1990 BY, \$30,000 BY Value)			38,871
Vineyard (Amador County cap rate \$5776/ac)			57,763
Taxable value			361,277
Approximate property tax			\$3,613

 **HOW DO CONTRACTS GET RECORDED AND HOW LONG DO THEY LAST?**

After approval by the Board of Supervisors, the contract is recorded. Contracts must be recorded by the end of December in order for the property to be reassessed for the January 1 lien date.

Williamson Act contracts are ongoing 10 year contracts. Beginning the first year following the execution of a 10 year contract, one year is added for each year elapsed. The contract is bound to the property. If the property changes hands, the new owners are automatically under contract.

Nonrenewal is the most common method for a landowner to terminate a contract. The landowner presents a notice of nonrenewal and the property is in the process of nonrenewal for 10 years. During the nonrenewal process, the property value increases incrementally back to its Proposition 13 value. The landowner must continue to comply with the terms of the contract for this period.

 **PLEASE NOTE:**

This information sheet is intended as a broad overview of Amador County's Agricultural Preserve Program. It does not presume to cover all of the details of the program. Please contact the Planning Department at 223-6380 for additional information regarding the application process or the Assessor's Office at 223-6351 with your valuation questions.

State of California

GOVERNMENT CODE

Section 51238.1

51238.1. (a) Uses approved on contracted lands shall be consistent with all of the following principles of compatibility:

(1) The use will not significantly compromise the long-term productive agricultural capability of the subject contracted parcel or parcels or on other contracted lands in agricultural preserves.

(2) The use will not significantly displace or impair current or reasonably foreseeable agricultural operations on the subject contracted parcel or parcels or on other contracted lands in agricultural preserves. Uses that significantly displace agricultural operations on the subject contracted parcel or parcels may be deemed compatible if they relate directly to the production of commercial agricultural products on the subject contracted parcel or parcels or neighboring lands, including activities such as harvesting, processing, or shipping.

(3) The use will not result in the significant removal of adjacent contracted land from agricultural or open-space use.

In evaluating compatibility a board or council shall consider the impacts on noncontracted lands in the agricultural preserve or preserves.

(b) A board or council may include in its compatible use rules or ordinance conditional uses which, without conditions or mitigations, would not be in compliance with this section. These conditional uses shall conform to the principles of compatibility set forth in subdivision (a) or, for nonprime lands only, satisfy the requirements of subdivision (c).

(c) In applying the criteria pursuant to subdivision (a), the board or council may approve a use on nonprime land which, because of onsite or offsite impacts, would not be in compliance with paragraphs (1) and (2) of subdivision (a), provided the use is approved pursuant to a conditional use permit that shall set forth findings, based on substantial evidence in the record, demonstrating the following:

(1) Conditions have been required for, or incorporated into, the use that mitigate or avoid those onsite and offsite impacts so as to make the use consistent with the principles set forth in paragraphs (1) and (2) of subdivision (a) to the greatest extent possible while maintaining the purpose of the use.

(2) The productive capability of the subject land has been considered as well as the extent to which the use may displace or impair agricultural operations.

(3) The use is consistent with the purposes of this chapter to preserve agricultural and open-space land or supports the continuation of agricultural uses, as defined in Section 51205, or the use or conservation of natural resources, on the subject parcel

or on other parcels in the agricultural preserve. The use of mineral resources shall comply with Section 51238.2.

(4) The use does not include a residential subdivision.

For the purposes of this section, a board or council may define nonprime land as land not defined as “prime agricultural land” pursuant to subdivision (c) of Section 51201 or as land not classified as “agricultural land” pursuant to subdivision (a) of Section 21060.1 of the Public Resources Code.

Nothing in this section shall be construed to overrule, rescind, or modify the requirements contained in Sections 51230 and 51238 related to noncontracted lands within agricultural preserves.

(Added by Stats. 1994, Ch. 1251, Sec. 5. Effective January 1, 1995.)