

ORDINANCE NO. 1737

AN ORDINANCE AMENDING SECTIONAL ZONING DISTRICT MAP NO. K-92 PURSUANT TO SECTION 19.20.020 OF THE AMADOR COUNTY CODE BY REZONING CERTAIN REAL PROPERTY FROM THE "R1," SINGLE FAMILY RESIDENTIAL DISTRICT TO "C2" HEAVY COMMERCIAL DISTRICT.

The Board of Supervisors of the County of Amador, State of California, do ordain:

SECTION I. Recitals of Fact.

WHEREAS, Chapter 19.68 (Amendments) of the Amador County Code provides for a procedure to amend Title 19 (Zoning) or to rezone property in Amador County; and

WHEREAS, rezoning requires an ordinance amending Sectional Zoning District Maps established in accordance with Section 19.20.020 of Title 19 (Zoning); and

WHEREAS, all notices and public hearings mandated by the State Planning Law and Title 19 (Zoning) of the Amador County Code have been adhered to by the Amador County Planning Commission and Board of Supervisors; and

WHEREAS, the Board of Supervisors adopts this ordinance with the findings contained in the pertinent Board minutes and because the public necessity, convenience, and general welfare require such an amendment.

SECTION II. Section 19.20.020 of the Amador County Code is amended by amending Sectional Zoning District Map No. K-92 (Z.C. No. 13;10-1) to change the zoning from the "R1," Single Family Residential District to the "C2," Heavy Commercial District, on that certain real property being approximately 0.25 acres located at 12391 Martell Road, approximately 150 feet west of CA Highway 49, and specifically described as "Parcel Two" and "Exhibit A" in Attachment A, which is attached hereto.

SECTION III. This ordinance or a summary thereof shall be published in the manner prescribed in Government Code Section 25124 and shall become effective upon recordation of the California Land Conservation Act contract on the subject parcel or thirty days after the date hereof, whichever period is greater.

The foregoing ordinance was duly passed and adopted at a regular session of the Board of Supervisors of the County of Amador, held on the 11th day of March, 2014, by the following vote:

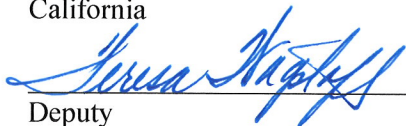
AYES: Theodore F. Novelli, Brian Oneto, John Plasse, Louis D. Boitano and
Richard M. Forster
NOES: None
ABSENT: None



Theodore F. Novelli, Chairman

ATTEST:

JENNIFER BURNS, Clerk of the
Board of Supervisors, Amador County,
California



Deputy

EXHIBIT A

That portion of the West half of the Southwest quarter (½ of SW¼) of Section Seventeen (17), Township Six (6) North, Range Eleven (11) East, M.D.M. & M., particularly described as follows:

Beginning at a point on the northerly side of the County Road leading from the Town of Ione to the Oneida Mine in Oneida Valley, said point being the Southeastly corner of that certain lot conveyed by the parties of the first part herein to Julius F. Podesta and W.W. Steele by deed dated November 17, 1947, and recorded in Vol. 36 of Official Records, at page 201 Amador County Records and thence run as follows:

- 1) Easterly, along the northerly side of said road, a distance of 100 feet; thence
- 2) Northerly, on a line parallel to the easterly line of said lot so conveyed to Julius F. Podesta and W.W. Steele; a distance of 130 feet; thence
- 3) Westerly, 100 feet, to the northeasterly corner of said lot so conveyed to Julius F. Podesta and W.W. Steele; thence
- 4) Southerly, along the easterly boundary line of said latter lot, a distance of 130 feet, to the point of beginning.

Being a portion of those certain premises conveyed to the parties of the first part herein by T.M. Ryan et ux by deed dated February 5, 1947, and recorded in Vol. "29" of Official Records, page 204 et seq. Amador County Records

EXHIBIT B

A parcel of land situated in the County of Amador, State of California, being a portion of Sections 17 and 20 of Township 6 North Range 11 East, Mount Diablo Meridian, more particularly described as follows:

Beginning at a point in the Northwesterly boundary of that certain parcel of land shown upon that certain recorded map entitled "Plat of Gaiseppo Asura's Lots in Secs. 17 & 20 T. 6N., R. 11 E., M.D. M., recorded in the office of the Recorder of Amador County in Book 3 of Maps and Plats at page 43 said point being in the Southeastly line of a County Road and located South 56° 13' West 177.1 feet from the most Northerly corner of the parcel of land delineated upon the recorded map referred to herein; thence, from said point of beginning, South 36° 24' East 103.3 feet; thence South 35° 28' East 55.7 feet; thence South 75° 34' West 102.0 feet; thence South 38° 39' West 22.11 feet; thence North 37° 50' West 123.59 feet; thence North 52° 10' East 120.00 feet to the point of beginning; containing 0.363 acres of land.

EXHIBIT C

Parcel 1: Parcels J, K, L and M as delineated and set forth on Record of Survey, Portion of the North ½ of Section 31, T. 7 N., R. 13 E., M.D. M., filed for record on September 21, 1970, in Book "16" of Maps and Plats, Page 77, Records of Amador County.

Parcel 2: Parcels 2, 3 and 4 as delineated and set forth on Record of Survey, A Portion of Section 29, T. 7N., R. 13 E., M.D.M., filed for record on May 5, 1970, in Book "16" of Maps and Plats, Page 15, Records of Amador County.

"END OF DOCUMENT"

NOTICE OF EXEMPTION

Appendix E

To: Office of Planning and Research
P.O. Box 3044, Room 113
Sacramento, CA 95812-3044

From: Amador County Planning Commission
810 Court Street
Jackson, CA 95642

County Clerk - County of Amador
810 Court Street
Jackson, CA 95642

Project Title: Marques Zone Change (ZC-13;10-1)

Project Applicant/Address/Phone Number: John Hardy, PO Box 1765, Sutter Creek, CA 95685 209-223-1861

Project Location - Specific: 12391 Martell Road, Martell, CA, approximately 150 feet west of CA Highway 49

Project Location - County: Amador

Project Location - City: N/A

Description of Nature, Purpose and Beneficiaries of Project: Zone Change from "R1," Single Family Residential District to "C2," Heavy Commercial District

Name of Public Agency Approving Project: Amador County Board of Supervisors

Name of Person or Agency Carrying Out Project: Jolyn Marques, property owner

Exempt Status: (check one)

- Ministerial (Sec. 21080(b)(1); 15268);
- Declared Emergency (Sec. 21080(b)(3); 15269(a));
- Emergency Project (Sec. 21080(b)(4); 15269(b)(c));
- Categorical Exemption. State type and section number: Appendix B subsection (c)(9) of the Amador County CEQA Guidelines and Section 15183 of State CEQA Guidelines
- Statutory Exemptions. State code number:

Reasons why project is exempt: FINDINGS:

1. The zone change is consistent with the Amador County General Plan Land Use designation for the property; and
2. The zone change is categorically exempt according to Section 15183 of the State CEQA Guidelines.

Lead Agency Contact Person: Chuck Beatty, Planner III

Telephone: 209-223-6380

If filed by applicant:

1. Attach certified document of exemption finding.
2. Has a notice of exemption been filed by the public agency approving the project? Yes No

Signature: 
Title: Theodore F. Novelli, Chairman, Board of Supervisors

Date: _____

- Signed by Lead Agency
- Signed by Applicant

Authority cited: Sections 21083 and 21110, Public Resources Code
Reference: Sections 21108, 21152, and 21152.1, Public Resources Code

Date received for filing at OPR: _____

File No. _____

Posted On _____

Posting Removed _____

RECORDING REQUESTED BY AND
WHEN RECORDED MAIL TO AND
MAIL TAX STATEMENTS TO:

RECORDED AT REQUEST OF
Mildred Broyles
at 20 Min. Past 11A M

MILDRED BROYLES TRUST
P. O. Box 112
Martell, CA 95654

JAN 31 1997

Official Records
Amador County, California

\$ 12.00 Recorder

DOCUMENTARY TRANSFER TAX \$ -0-
_COMPUTED ON FULL VALUE OF PROPERTY
_CONVEYED OR COMPUTED ON FULL VALUE
_LESS LIENS AND ENCUMBRANCES
_REMAINING AT TIME OF SALE.

EXEMPTION (R & T CODE) 11911

EXPLANATION: This conveyance is to
trustees of a revocable trust, and
not pursuant to a sale.

[Signature]
Signature of Declarant or Agent
determining tax. Firm name.

GRANT DEED

FOR NO CONSIDERATION, MILDRED BROYLES, a widow, hereby grants, conveys, assigns,
sells and transfers to MILDRED E. BROYLES, JOLYN MARQUES and HARRY C. BROYLES (or their
successors in trust) as Trustees of the MILDRED BROYLES TRUST dated Jan 17, 1997, all her right, title
and interest in real properties located in the County of Amador, State of California, more particularly described as
follows:

Parcel One: That certain Deed recorded in Vol. 30 of Deeds, at page 130 et seq., reference to which
Record thereof is hereby made for a particular description of said parcel of land. Deed recorded in the Office of
the County Recorder of Amador County, California. APN 44.030.004. Location: 10923 North Highway 49,
Martell, CA 95654.

Parcel Two: See Exhibit A, attached hereto and incorporated by reference herein. APN 44.030.005.
Location: 12391 Martell Road, Jackson, CA.

Parcel Three: See Exhibit B, attached hereto and incorporated by reference herein. APN 44.030.018.
Location: 12396 Martell Road, Jackson, CA.

Parcel Four: A fraction of the Northwest quarter of the Southeast quarter of Section 20, Township 6
North, Range 11 East, M.D.B. & M., consisting of .242 acres, as described in Deed recorded in Book 50 of

AMADOR COUNTY

Official Records, page 52, Amador County, California APN 44.083.001.00. Undeveloped residential lot on Amador Street, Jackson, CA.

Parcel Five: See Exhibit C, attached hereto and incorporated by reference herein. APN 31.280.005. One-half interest in 7 acres, + or -, located on Old Immigrant Road, Pioneer, CA.

Dated: January 17, 1997

Mildred Broyles
Mildred E. Broyles
Mildred Broyles
MILDRED BROYLES

State of California)
County of Sacramento)

On Jan. 17, 1997, before me, Marvelene Breech, the undersigned Notary Public, personally appeared MILDRED BROYLES, personally known to me to be the person whose name is subscribed to the within instrument and acknowledged to me that she executed the same in her authorized capacity, and that by her signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument. WITNESS my hand and official seal.



Signature Marvelene Breech

AMADOR COUNTY