DEPARTMENT: Planning  BY: Greta Hudak  PHONE: (209) 966-5151

RECOMMENDED ACTION AND JUSTIFICATION: (Policy Item: Yes  No XX)

Adopt a resolution authorizing the Chairman to sign Land Conservation (Williamson) Act Contract No. 94-10 based on the recommended findings.

Background and justification for the recommended action is provided in the attached memorandum.

BACKGROUND AND HISTORY OF BOARD ACTIONS:

The Board of Supervisors adopted Resolution 84-18 thereby creating an agricultural preserve on the subject property, and executed Land Conservation (Williamson) Act Contract 83-1 thereby executing a LCA contract on the subject property.

LIST ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:

ALTERNATIVES: 1) Continue matter; 2) Request additional information

NEGATIVE ACTION would result in contract not being executed and property owner not being able to finalize lot line adjustment.

<table>
<thead>
<tr>
<th>COSTS:</th>
<th>SPECIAL INSTRUCTIONS:</th>
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<tbody>
<tr>
<td>(X) Not Applicable</td>
<td>List the attachments and number</td>
</tr>
<tr>
<td>A. Budgeted current FY</td>
<td>the pages consecutively:</td>
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<tr>
<td>B. Total anticipated costs</td>
<td>(1) Memo to Board</td>
</tr>
<tr>
<td>C. Required additional funding</td>
<td>(2) Vicinity map</td>
</tr>
<tr>
<td>D. Internal transfers</td>
<td>(3) Draft Land Conservation Act Contract 94-10</td>
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SOURCE: ( ) 4/5ths Vote Required
A. Unanticipated revenues
B. Reserve for contingencies
C. Source description:
Balance in Reserve for Contingencies, if approved: $ 

CLERK’S USE ONLY:
Res. No. 26-94  Ord. No. 4
Vote - Ayes:  Noes: 
Absent:  Approved:  Denied:  
( ) Minute Order Attached  ( ) No Action Necessary

The foregoing instrument is a correct copy of the original on file in this office.

Date: ____________________________
ATTEST: MARGIE WILLIAMS, Clerk of the Board
County of Mariposa, State of California

By: ____________________________
Deputy

ADMINISTRATIVE OFFICER’S RECOMMENDATION:
This item on agenda as:

✓ Recommended
Not Recommended
For Policy Determination
Submitted with Comment
Returned for Further Action

Comment:

A.O. Initials: ____________________________

Action Form Revised 5/92
MEMORANDUM

December 12, 1994

TO: Mariposa County Board of Supervisors

FROM: Edward Johnson, Planning Director
       Greta Hudak, Assistant Planner

SUBJECT: Williamson Act Contract Modification Application No. 94-2;
         Joseph Simon, applicant.

Staff Recommendation

Staff recommends the Board adopt a resolution authorizing the Chairman to sign Land Conservation (Williamson) Act Contract No. 94-10 with the recommended findings.

Discussion and Justification

The applicant is in the process of finalizing Lot Line Adjustment No. 381 and 391. Lot line adjustment 381 proposes to modify the property lines between two (2) parcels which will add 2.04 acres to the LCA contract parcel. Lot line adjustment 391 proposes to modify the property lines between three (3) parcels which will add 3.57 acres and remove 2.98 acres on the LCA contract parcel. Since the subject parcel is under the Williamson Act, the Planning commission required the applicant to execute a new contract to reflect the new property lines. This new contract will result in the addition of 5.61 acres to the Williamson Act which is presently not under contract and the removal of 2.98 acres from the Williamson Act. This adjustment affects less than 2% of the subject property, presently containing 1,929.46 acres.

Section 51254 of the Williamson Act (CGC) permits the County and the property owner under mutual agreement to rescind a contract in order to simultaneously enter into a new contract which enforceably restricts the same property.

The provision of the Act has been previously used by the County to modify contracts on Williamson Act properties involved in minor lot line adjustments. It is staff’s opinion the contract modification and the new contract will enforceably restrict the same property and recommends approval of the contract modification based on the following recommended findings:

1) The new contract enforceably restricts the same property.

2) The contract modification will not result in a reduction in the amount of acreage under the Land Conservation Act.