MARIPosa COUNTY RESOLUTION NO. 78-17

RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF MARIPosa
WAIVING SIGNATURES OF TRUSTEES AND BENEFICIARIES
AND RELEASING EACH PERSON SIGNING AS OWNER
FROM FURTHER LIABILITY FOR LAND CONSERVATION ACT CONTRACTS
FOR LAND TO BE SUBJECT TO AN ENFORCEABLE RESTRICTION
ON THE ASSESSMENT LIEN DATE OF FISCAL YEAR 1978/79

WHEREAS, the Land Conservation Act of 1965 authorizes
counties to establish agricultural preserves and enter into con-
tacts covering property within the agricultural preserves; and

WHEREAS, the County of Mariposa implemented the Act by
Resolution No. 77-157 on October 18, 1977; and

WHEREAS, the Board of Supervisors has adopted by resolu-
tion the procedures for initiating, filing, and processing applica-
tions for agricultural preserves; and

WHEREAS, these procedures should be modified in respect
to the requirement that trustees and beneficiaries of prior re-
corded trust deeds making property security for debts sign the Land
Conservation Contract.

NOW, THEREFORE, upon motion of Supervisor ___Dalton_____,
seconded by Supervisor __Owings_____, and duly carried, the Board
of Supervisors hereby resolves that:

1. FINDINGS. For land to be subject to an enforceable
restriction March 1, 1978, for property tax valuation, the Board of
Supervisors of the County of Mariposa finds that it can assist the
maintenance of the State's agricultural economy and avoid conver-
sion of land from agricultural uses in accordance with the proce-
dures previously established by resolution, by waiving the
requirement that trustees and beneficiaries of prior recorded trust
deeds making property security for debts sign the Land Conservation
Act contract as OWNER, and by limiting the liability under the con-
tracts of persons signing as OWNER.

2. CONSENT AND RELEASE. For Land Conservation Act con-
tracts to be hereafter executed for land to be subject to an en-
forceable restriction on March 1, 1978:

(a) The requirement that trustees and bene-
cficiaries of prior recorded trust deeds making the property 
security for debts sign the contract as OWNER is hereby 
waived; provided, however, each beneficiary of any such 
trust deed shall execute a consent by such beneficiary 
on the form supplied by the County of Mariposa to execu-
tion of the Land Conservation Act contract by the land-
owner/trustor.

(b) Each person who executes the Land Conservation 
Act contract as OWNER is hereby released from liability 
under the contract arising after such person has been di-
vested of all right, title, and interest in or affecting 
the surface use of the subject property.

PASSED AND ADOPTED by the Board of Supervisors, County of 
Mariposa, this 14th day of February, 1978, by the following vote:

AYES: Clark, Owings, Dalton, Weber

NOES: None

NOT VOTING: Long

ABSENT: None

CARROLL N. CLARK, CHAIRMAN 
BOARD OF SUPERVISORS

ELLEN BRONSON, COUNTY CLERK & 
EX OFFICIO CLERK OF THE BOARD