

**LAND CONSERVATION ACT (WILLIAMSON ACT)
CONTRACT NOTICE OF NON-RENEWAL GENERAL INFORMATION AND
APPLICATION**

Mariposa County Planning Department
5100 Bullion Street, P.O. Box 2039
Mariposa, CA 95338

Telephone (209) 966-5151 FAX (209) 742-5024

www.mariposacounty.org planningdept@mariposacounty.org

General Information

Land Conservation Act Contracts executed under the Land Conservation Act of 1965 (Williamson Act) in Mariposa County are in effect for twenty (20) years and are automatically renewed for one additional year every year. Automatic renewal occurs on the "Lien Date", which is 12:01 a.m. every January 1st pursuant to California Revenue and Taxation Code 2192. Therefore, the contract will be in effect indefinitely unless either the property owner or the County files for non-renewal.

To terminate the automatic renewal of the contract, a Notice of Non-Renewal must be recorded with the County Recorder. A request or application for a Non-Renewal must be received by the Planning Department at least 90 days prior December 31st, in order to ensure that all information is complete and in order to ensure there is time for processing (including preparation of the document, obtaining the property's legal description, obtaining notarized signatures, and recording the document).

The information required in order to prepare the Notice of Non-Renewal is submitted by the landowner(s) to the Planning Department. Please refer to the attached pages for the required information.

This application will be reviewed for completeness by the Planning Department. Once the application packet for Notice of Non-Renewal is filed with the Mariposa County Planning Department, the Department will review it within thirty (30) days of receipt to determine if it is complete. If the application is determined to be complete, the formal Notice of Non-Renewal document is prepared by planning staff and sent back to the landowner for his/her/their notarized signature. The landowner must return the signed and notarized document back to staff for additional signatures before it can be recorded.

Processing of a Notice of Non-Renewal is pursuant to Section 51245 of the Government Code.

Should the application be determined to be incomplete for processing, the Planning Department will notify the applicant in writing of additional needed information to complete the application.

A separate Notice of Non-Renewal is required for each individual Land Conservation Contract for which non-renewal is requested.

Once the Notice of Non-Renewal is recorded, the Land Conservation Contract to which it pertains will not be renewed. The annual tax assessments will gradually increase. Usually the greatest percentage increase occurs during the first couple of years. At the end of the nineteen-year nonrenewal process, the contract will no longer be in effect. For more information regarding changes to the tax assessment during the non-renewal period, contact the Mariposa County Assessor's Office at (209) 966-2332.

During the nineteen year non-renewal time period, all terms and contract requirements are in full effect.

Generally, a landowner must request that the whole of their acreage be non-renewed if a non-renewal is requested. However, sometimes the acreage under one contract has been “split” or is otherwise no longer under ownership of one property owner. If this is the case, a landowner may request non-renewal on a portion of a contract. If this occurs, the Board of Supervisors must also determine that the balance of the lands within the same preserve and remaining under contract are of sufficient size to conform to the minimum requirements for that particular preserve. If not, it may be necessary for the Board of Supervisors to initiate non-renewal on the balance of the lands under contract pursuant to Section 51245.

Fees

Application fees must be paid before the request for non renewal application will be accepted for processing. See the fee schedule within this application for fee costs. If there are recording fees those will be the responsibility of the applicant.

Processing Steps

After a complete package has been submitted to the Planning Department, the Planning Department will prepare a “Notice of Non-Renewal” document for the landowner(s). This is the official document, which will ultimately be recorded together with the property’s legal description.

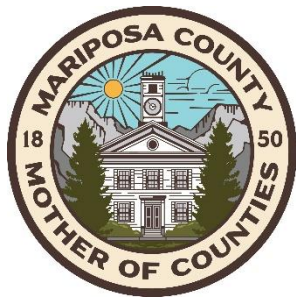
This document will be sent back to the landowner(s) who must sign the document and have their signatures notarized. The signatures must be of the property owners of record (based on the last grant deed recorded for the property). The signed and notarized “Notice of Non-Renewal” document is then returned to the Planning Department by the landowner(s).

The Planning Department will obtain the final signature on the document (the Clerk of the Board of Supervisors) and then have the document recorded at the Mariposa County Recorders prior to December 31st. The Planning Department notifies the Department of Conservation regarding the non-renewal. This completes the processing of the Notice of Non-Renewal.

The property owner must follow through with the above processing steps in order for the “Notice of Non-Renewal” document to be recorded by December 31st. For example, if the landowner does not provide a recordable copy of the legal description, or if the landowner does not obtain the notarized signatures timely, it could jeopardize the recording of the document by December 31st.

Questions

If you have any questions, please do not hesitate to call the Planning Department at (209) 966-5151 or stop by the office at 5100 Bullion Street to talk with a planner.



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FOR OFFICE USE ONLY

Date Submitted _____ Received By _____

Fees Paid \$ _____ Receipt No. _____ Received By _____

Application No. _____ Application Complete _____

Final Action _____ Date _____

Applicant:

Name _____

Mailing Address _____

Daytime Telephone (_____) _____

Agent: (if applicable)

(_____) _____

Contract Information:

Agricultural preserve involved: _____

Date of Adoption by County of Williamson Act Contract to which this notice applies:

Date: _____

Resolution: _____

Recording information for contract:

Book _____ Page No. _____ Date: _____

Does your notice of non-renewal concern the entire agricultural preserve involved as originally approved?

Yes _____ No _____

220401

List All Assessor's Parcel Numbers Affected by this Notice of Non-Renewal:

List all persons (owners) who have interest in the property and contact information:

REQUIRED SIGNATURE(S)

Affidavit

I/we, the undersigned (Property Owner and Applicant), agree to defend, indemnify, and hold harmless the County and its agents, officers and employees from any claim, action or proceeding against the County arising from the Property Owner and Applicant project.

I/we declare under the penalty of perjury that the statements and information submitted in this application are in all respects true and correct to the best of my/our knowledge.

I/we acknowledge that I/we have read and understand the information contained in the application package relating to the submittal and processing of this application.

I/we understand that the processing of the application will be delayed if any required information is incorrect, omitted, or illegible.

I/we declare that if an entity listed below is a Partnership, Limited Liability Corporation, Corporation or Trust the signer(s) below certifies that he/she is authorized by that entity to apply and sign the application attached herewithin.

Property Owner <i>(printed name):</i>	2nd Property Owner <i>(printed name):</i>	Applicant <i>(printed name):</i>
Property Owner <i>(signature):</i>	2nd Property Owner <i>(signature):</i>	Applicant <i>(signature):</i>
Date:	Date:	Date:

If there are more than two property owners, additional copies of this page shall be provided.

IMPORTANT: This page must be signed by all property owners and any authorized applicant.

IMPORTANT: Please note that if the property owner/s is/are authorizing someone other than themselves to act as the applicant or agent, the next page must also be signed.

IMPORTANT: Failure to have all necessary signatures will DELAY the commencement of processing the application. The application will be returned to the applicant to provide all necessary signatures.

This page to be signed **IF** the property owner(s) is (are) authorizing someone to act as an agent or applicant for this application.

Affidavit

Applicant/Agent Authorization:

I/we, _____, Property Owner(s) hereby authorize _____ to act as a representative/Applicant and/or _____ to act as a representative/Agent in all matters pertaining to the processing and approval of this application, including modifying the project, and agree to be bound by all representations and agreements made by the designated Applicant and/or Agent.

I/we declare that if the Property Owner and/or Applicant is a Partnership, Limited Liability Corporation, Corporation or Trust, the individual(s) listed below certifies that he/she/they is/are authorized by that entity to execute the application form attached herewithin.

<u>Property Owner (printed name):</u>	<u>Applicant (printed name):</u>	<u>Agent (printed name):</u>
<u>Property Owner (signature):</u>	<u>Applicant (signature):</u>	<u>Agent (capacity/title):</u>
<u>Property Owner (capacity/title):</u>	<u>Applicant (capacity/title):</u>	
Date:	Date:	
<u>2nd Property Owner (printed name):</u>	<u>Co-Applicant (printed name):</u>	
<u>2nd Property Owner (signature):</u>	<u>Co-Applicant (signature):</u>	
Date:	Date:	

**REQUIRED MATERIALS AND ITEMS FOR A
LAND CONSERVATION ACT (WILLIAMSON ACT) NOTICE OF NON-RENEWAL APPLICATION**

1. Completely filled out Williamson Act Notice of Non-Renewal application signed by the applicant(s).
2. If the applicant is not the property owner, the applicant must provide a letter of authorization or other document that authorizes the applicant to submit an application on the owner's behalf. If there is more than one property owner, the applicant shall list the names and addresses of all owners who have an interest in the property.
3. Copy of the most recent Grant Deed showing all property owners OR a preliminary title report or lot book guarantee less than 30 days old. The grant deed, preliminary title report, or lot book guarantee must cover all of the property for which the Notice of Non-Renewal is being filed.

This information is critical so that the Notice of Non-Renewal can be properly written (the recordable document must be in the same name as the name which appears on the last recorded grant deed for the parcel).

4. One clean, recordable copy of the legal description of the property.
5. Three (3) copies of the Assessor's plat map indicating the location and boundaries of the property for which the Notice of Non-Renewal is being filed. The boundaries of the property must be outlined in red.
6. Payment of application fees as determined by Mariposa Planning. Deposit fees are for applications that are to be charged time and materials and are estimated using the assigned hour charge of \$116 per hour. All additional staff time and expenses needed to complete the application processing that exceed the deposit amount will be charged at the disclosed rate at the time that services are rendered. On average, invoices will be calculated on a quarterly basis and forwarded to the applicant for payment. If the deposit falls below a balance of 20% of the initial deposit, the applicant will be asked to make a subsequent deposit in an amount estimated to be necessary to complete the processing. Applicants will be expected to pay the subsequent deposit within 30 days of the invoice date or prior to the public hearing, whichever comes first. In the event that the billing is not paid timely, processing will be suspended until payment is made. Any remaining balance will be used to reconcile the final bill. If there is a balance remaining after reconciling the final bill, a refund check will be mailed to the applicant. If the application requires a public hearing, the public hearing will not be scheduled until payment in full is received. It should be noted that the fees do not include consultant fees, specialized studies, CEQA charges, publication fees and any additional fees that maybe charged by other agencies or county offices.

Land Conservation Act (Williamson Act) Contract Notice of Non-Renewal Deposit	\$720.00
Document Conversion	\$19.00
Public Noticing, Posted \$58.00 (see planner if applicable)	
Public Noticing, Affected Property Owners \$58.00 (see planner if applicable)	
Total without noticing	\$739.00
Total with noticing:	\$855.00