

MARIPOSA COUNTY BOARD OF SUPERVISORS

MINUTE ORDER

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TO: JEFF GREEN, County Counsel  
FROM: MARGIE WILLIAMS, Clerk of the Board *MW*  
SUBJECT: ENCROACHMENT FOR THE EARTHTONES NURSERY

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THE BOARD OF SUPERVISORS OF MARIPOSA COUNTY, CALIFORNIA,  
ADOPTED THIS Order on February 6, 1996

ACTION AND VOTE:

Discussion and Direction Relative to the Encroachment for the Nursery (Earthtones) on the Fouch Property at the Corner of Eighth Street and Highway 140 (County Counsel) (No Folder)  
**BOARD ACTION:** Jeff Green, County Counsel, advised that a proposed lease agreement was prepared pursuant to direction from the Board; however, the Board subsequently determined not to offer the easements for sale; and he suggested the Board consider the option of an encroachment permit for use of this parcel for parking with conditions, including access to the Bondshu property at all times and that the permit could be revoked at any time the County needs the property. Bob Bondshu requested that it be clear that he needs to have access to his gate at all times. (M)Parker, (S)Stewart, Res. 96-50 adopted approving an encroachment permit, with conditions as recommended, for this easement/Ayes: Unanimous.

cc: Mike Edwards, Public Works Director  
File

# Mariposa County Board of Supervisors



District 1.....PATTI A. REILLY  
District 2.....DOUG BALMAIN  
District 3.....ROBERT C. STEWART  
District 4.....GARRY R. PARKER  
District 5.....GERTRUDE R. TABER

MIKE COFFIELD  
County Administrative Officer

MARGIE WILLIAMS  
Clerk of the Board

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1-800-736-1252

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February 12, 1996

TO: MIKE EDWARDS, Public Works Director  
FROM: RHONDA SCHERF, Deputy Clerk of the Board *RS*  
SUBJECT: ENCROACHMENT FOR THE EARTHTONES NURSERY

Please send this office one copy of the encroachment permit for the above referenced business upon issuance.

Thank you.



COUNTY OF MARIPOSA  
ENCROACHMENT PERM.  
February 12, 1996

JOHN W. FOUCH  
4993 MAC GUIRE STREET  
MARIPOSA CA 93558

PERMIT NO. 2701

IN COMPLIANCE WITH REQUEST FROM MARIPOSA COUNTY COUNSEL OF JANUARY 26, 1996, AND SUBJECT TO ALL THE TERMS, CONDITIONS AND RESTRICTIONS WRITTEN BELOW OR PRINTED AS GENERAL OR SPECIAL PROVISIONS ON ANY PART OF THIS FORM.

ON APN# 013-141-008 AT 4996 8TH & CHARLES STS.

1. FENCE TO BE CONSTRUCTED ON COUNTY PROPERTY WILL BE 6' OR LESS IN HEIGHT.
2. ANY FENCING WITHIN THE STATE RIGHT-OF-WAY SHALL REQUIRE AN ENCROACHMENT PERMIT FROM CALTRANS.
3. UNRESTRICTED RIGHT TO ENTER FROM STATE HIGHWAY SHALL BE MAINTAINED TO THE BONDSHU PROPERTY.
4. TENANT/APPLICANT SHALL REMOVE FENCING AT THEIR OWN EXPENSE:
  - (a) AT THE END OF TENANCY, OR;
  - (b) AT THE WRITTEN (SIXTY (60) DAY NOTIFICATION) REQUEST OF THE COUNTY SHOULD IT BE DECIDED THAT THE COUNTY PROPERTY IS NEEDED FOR OTHER PURPOSES.
5. APPLICANT SHALL PROVIDE LIABILITY INSURANCE NAMING THE COUNTY AS AN ADDITIONAL INSURED TO BE RENEWED ON AN ANNUAL BASIS. COVERAGE SHOULD INCLUDE DAMAGE TO PROPERTY AND BODILY INJURY TO PERSONS ON THE PREMISES IN A MINIMUM AMOUNT OF \$500,000 EACH OCCURRENCE.

ANY CHANGE OTHER THAN APPROVED ABOVE, REQUIRES ADDITIONAL PRIOR APPROVAL.

THIS PERMIT MUST BE IN POSSESSION OF APPLICANT/TENANT.

THIS PERMIT IS TO BE STRICTLY CONSTRUED AND NO WORK OTHER THAN THAT SPECIFICALLY MENTIONED ABOVE IS HEREBY AUTHORIZED.

THIS PERMIT SHALL BE CONTINUOUS UNTIL CANCELED SUBJECT TO THE ABOVE CONDITIONS.

BY SIGNATURE BELOW, APPLICANT AGREES TO ALL THE ABOVE TERMS.

SIGNATURE: John W. Fouch

DATE: 2-13-96

David L. Tucker

MARIPOSA COUNTY DEPT. OF  
PUBLIC WORKS

**PAID**

2-13-96 da