

1 BOARD OF SUPERVISORS - COUNTY OF MARIPOSA

2 RESOLUTION NO. 74-96

3
4 BE IT HEREBY RESOLVED that the Board of Supervisors of the
5 County of Mariposa authorizes its Chairman, Herbert R. Davis, Jr.,
6 to sign Agreement between the County of Mariposa, Boise Cascade
7 Recreation Communities Corporation of Delaware, and California
8 Bankers Trust Company, and

9 BE IT FURTHER RESOLVED that the Improvement Bonds of Unit
10 7M are hereby released upon the recommendation of County Engineer,
11 and,

12 BE IT FURTHER RESOLVED that a copy of said Agreement is
13 hereby attached to this resolution.

14 PASSED AND ADOPTED by the Board of Supervisors of the County
15 of Mariposa this 17th day of September, 1974, by the following
16 vote:

17 AYES: Davis, Hurlbert, Long, Moffitt, Richardson

18 NOES: None


19 ABSENT: None

20 NOT VOTING: None

21 

22 Herbert R. Davis, Jr., Chairman
of the Board

23 ATTEST:

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25 
26 Ellen P. Ritter, County Clerk and
ex-officio Clerk of the Board

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28

A G R E E M E N T

THIS AGREEMENT entered into this /7 day of September, 1974 by and between the Board of Supervisors of the County of Mariposa, State of California, hereinafter referred to as "County", Boise Cascade Recreation Communities Corporation of Delaware a Delaware corporation successor to Boise Cascade Properties, Inc., hereinafter referred to as "Principal", and California Bankers Trust Company, a California corporation, as Trustee under the terms of that certain Subdivision Trust Agreement executed October 4, 1973 by and among California Bankers Trust Company, a California corporation, Boise Cascade Recreation Communities Corporation of Delaware, a Delaware corporation and Tobin Clark Estates, Inc., a California corporation, said Trust designated as Lake Don Pedro Trust hereinafter referred to as "Trustee".

WITNESSETH

WHEREAS, Principal and County entered into Subdivision Improvement Agreements for Units 7-M and 3-M of the Lake Don Pedro Subdivision ("Subdivision") dated May 19, 1970 (amended November 11, 1972) and November 4, 1969 (amended February 23, 1971) respectively; and

WHEREAS, the parties agree that the continued development of the land within Unit 7-M Lake Don Pedro Subdivision ("Subdivision") pursuant to the Agreements is not the best interests of County, the public, or Principal; and,

WHEREAS, it is appropriate that ingress and egress not be impaired in the remainder of the Subdivision because of any actions taken with respect to Unit 7-M.

WHEREAS, Principal was required to operate and maintain a sewer system within Unit 3-M for a two year term which expired on June 7, 1974, and did so; and

WHEREAS the parties hereto desire to enter into an agreement covering the foregoing,

NOW THEREFORE, THE PARTIES MUTUALLY AGREE AS FOLLOWS:

1. The Subdivision Agreement for Unit 7-M of the Subdivision dated May 19, 1970 as amended is hereby cancelled and County hereby releases Principal

7. Trustee warrants that it is a corporation duly authorized to do business in the State of California, and as Trustee under the above referenced Subdivision Trust Agreement it is the legal owner of all of the property within 7-M of the Lake Don Pedro Subdivision, except Lots 3070-3072 owned by Mariposa County School District and dedicated roads, rights of way and other easements, all which are more fully described in and shown on the recorded maps for the subdivision, and also is the legal owner of all of the property within Unit 3-M of the Lake Don Pedro Subdivisions for which reversion to acreage or street abandonment is requested.

IN WITNESS WHEREOF, the parties have executed this agreement the day and year above written.

COUNTY OF MARIPOSA, a political subdivision of the State of California

By Herbert R. Lewis, Jr.
Chairman of the Board of Supervisors

BOISE CASCADE RECREATION COMMUNITIES CORPORATION OF DELAWARE, a Delaware corporation

By Walt Bunker

CALIFORNIA BANKERS TRUST COMPANY, a California corporation as Trustee of Lake Don Pedro Trust

By R. Murray
Executive Vice Pres & Trust Officer
9/16/74