

THE BOARD OF SUPERVISORS OF THE COUNTY OF STANISLAUS  
ACTION AGENDA SUMMARY

DEPT: Planning and Community Development *KJ*

BOARD AGENDA # \*D-1

Urgent  Routine

AGENDA DATE June 24, 2008

CEO Concurs with Recommendation YES  NO   
(Information Attached)

4/5 Vote Required YES  NO

SUBJECT:

Authorization to Record a Certificate of Cancellation of Williamson Act Contract No. 2002-4481 - Richard Landucci (Friends of the Tuolumne)

STAFF RECOMMENDATIONS:

1. Find that the conditions and contingencies of the Tentative Certificate of Cancellation have been satisfied; and,
2. Direct the Clerk of the Board to execute and record the Certificate of Cancellation by July 24, 2008.

FISCAL IMPACT:

There are no fiscal impacts associated with this item.

BOARD ACTION AS FOLLOWS:

No. 2008-480

On motion of Supervisor Monteith, Seconded by Supervisor Grover

and approved by the following vote,

Ayes: Supervisors: O'Brien, Grover, Monteith, DeMartini and Chairman Mayfield

Noes: Supervisors: None

Excused or Absent: Supervisors: None

Abstaining: Supervisor: None

1) X Approved as recommended

2) \_\_\_\_\_ Denied

3) \_\_\_\_\_ Approved as amended

4) \_\_\_\_\_ Other:

MOTION:

*Christine Ferraro*

ATTEST: CHRISTINE FERRARO TALLMAN, Clerk

File No.

**DISCUSSION:**

On March 25, 2008, your Board granted tentative approval of a petition to cancel Williamson Act Contract No. 2002-4481 for property owned by Richard Landucci. On March 27, 2008, a Certificate of Tentative Cancellation was recorded as Document Number 2008-0031910-00 Stanislaus County records. The certificate specified that the condition and contingency to be satisfied was the payment of the cancellation fee of \$37,500.00. Said payment was made to the County Auditor on May 9, 2008.

State law requires the landowner to notify the County Board of Supervisors when he has complied with the conditions of tentative cancellation and the landowner has done so. A Certificate of Cancellation is to be executed by the Board of Supervisors within 30 days of such notice and recorded with the County Recorder. Within 30 days of the execution of the Certificate of Cancellation by the Board of Supervisors, the County Treasurer shall transfer the entire cancellation fee amount to the State Controller.

**POLICY ISSUES:**

Government Code Section 51283.4(b) provides that the notification, execution and recordation of a Certificate of Cancellation takes place as outlined above.

**STAFFING IMPACTS:**

None.

**ATTACHMENTS:**

1. Stanislaus County Deposit Permit
2. Draft Certificate of Cancellation

# STANISLAUS COUNTY DEPOSIT PERMIT



BATCH KEYED BY \_\_\_\_\_

BATCH DATE \_\_\_\_\_ BATCH NO \_\_\_\_\_

DEPOSIT NUMBER: DP - 192419

AUDITOR'S DATE: 5/9/08

DEPOSITING SECTION: East Stanislaus Resource Conservation DEPOSITING SECTION NUMBER: \_\_\_\_\_

LINE	AMOUNT		FUND	ORG	ACCNT	GL PROJ	LOCATN	MISC	OTHER	DESCRIPTION
	DOLLARS	CENTS								
1	37,500	00	6200	64100	02300		192419	64100		Cancellation of
2										Williamson Act
3										Contract # 2002-41111
4										Parcel # 008-020-018-000
5										
6										
7										
8										
9										
10										

37,500 00 TOTAL

I APPROVE DEPOSIT OF THE ABOVE MONIES IN THE COUNTY TREASURY.

REMARKS:

NO. OF BILLS	AMOUNT
@ 100	
@ 50	
@ 20	
@ 10	
@ 5	
@ 2	
@ 1	
COIN	
TOTAL CASH	
CHECKS	37,500.00
<b>TOTAL</b>	

COUNTY AUDITOR-CONTROLLER

BY: [Signature] DEPUTY

MONIES LISTED ABOVE HAVE BEEN RECEIVED IN THE COUNTY TREASURY.

COUNTY TREASURER

BY: [Signature] DEPUTY

DELIVERED BY: \_\_\_\_\_

I HEREBY CERTIFY THAT THE TOTAL AMOUNT LISTED ABOVE REPRESENTS COLLECTIONS RECEIVED BY ME FOR THE ABOVE NAMED FUND DURING THE

PERIOD OF \_\_\_\_\_ 20 \_\_\_\_\_ INCL.

DEPARTMENT HEAD

WHITE COPY - RETURN THIS RECEIPT TO THE COUNTY AUDITOR-CONTROLLER.  
 CANARY COPY - TREASURER TO RETAIN THIS COPY.  
 PINK COPY - DEPOSITOR WILL RECEIVE THIS COPY FROM THE TREASURER.

RECORDING REQUESTED BY  
Stanislaus County Board of Supervisors

AND WHEN RECORDED MAIL TO:

Stanislaus County Board of Supervisors  
1010 10<sup>th</sup> Street, Suite 6500  
Modesto, CA 95354

Stanislaus, County Recorder  
Lee Lundrigan Co Recorder Office  
DOC- 2008-0069514-00

Thursday, JUN 26, 2008 15:21:52  
Ttl Pd \$0.00 Nbr-0002562094  
OCE/R2/1-2

CERTIFICATE OF CANCELLATION OF  
WILLIAMSON ACT CONTRACT NUMBER 2002-4481

WHEREAS, Richard Landucci, owner of the property described herein, gave written notice of the cancellation of the Williamson Act Contract No. 2002-4481 entered into between the owner, Richard Landucci and the County of Stanislaus; and

WHEREAS, the amount of the cancellation fee as set forth by the Board of Supervisors has been paid in the sum of \$37,500.00;

NOTICE IS HEREBY GIVEN that on June 24, 2008, the Board of Supervisors of the County of Stanislaus, State of California, determines that the conditions and contingencies enumerated in the Certificate of Tentative Cancellation, recorded March 27, 2008, as Document No.2008-0031910-00 have been satisfied.

NOTICE IS HEREBY GIVEN, that Williamson Act Contract No. 2002-4481 originally recorded on April 29, 2002, as Document No. 2002-0055171-00, of the Official Records of Stanislaus County affecting the land and improvements located on Assessor's Parcel No. 008-020-018, owned by Richard Landucci has been cancelled. The property is more fully identified on the attached map (Attachment 1).

The undersigned duly authorized officer of Stanislaus County declares that the foregoing is true and correct under penalty of perjury under the laws of the State of California.

DATED: June 24, 2008

ATTEST: CHRISTINE FERRARO TALLMAN, Clerk  
of the Board of Supervisors  
of the County of Stanislaus,  
State of California

By:

  
Elizabeth A. King, Assistant Clerk of the Board



ATTACHMENT 1

3.95 Acre Portion of  
APN 008-020-018

Williamson Act Contract Cancellation

RUSHING RD

YOSEMITE BLV

TUOLUMNE RIVER

APN 008-020-018  
Williamson Act Contract 2002-4481



Williamson Act Contract 2002-4481

494 0 494 988 Feet

This map is for display purposes only.



Map printed: 3/19/2008



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Stanislaus County Board of Supervisors

AND WHEN RECORDED MAIL TO:

Stanislaus County Board of Supervisors  
1010 10<sup>th</sup> Street, Suite 6500  
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DATED: June 24, 2008

ATTEST: CHRISTINE FERRARO TALLMAN, Clerk  
of the Board of Supervisors  
of the County of Stanislaus,  
State of California

By:

  
Elizabeth A. King, Assistant Clerk of the Board





June 24, 2008

Bridgett Luther, Director  
Department of Conservation  
801 K Street, MS 18-01  
Sacramento, CA 95814

RE: CERTIFICATE OF CANCELLATION OF WILLIAMSON ACT CONTRACT NO.  
2002-4481

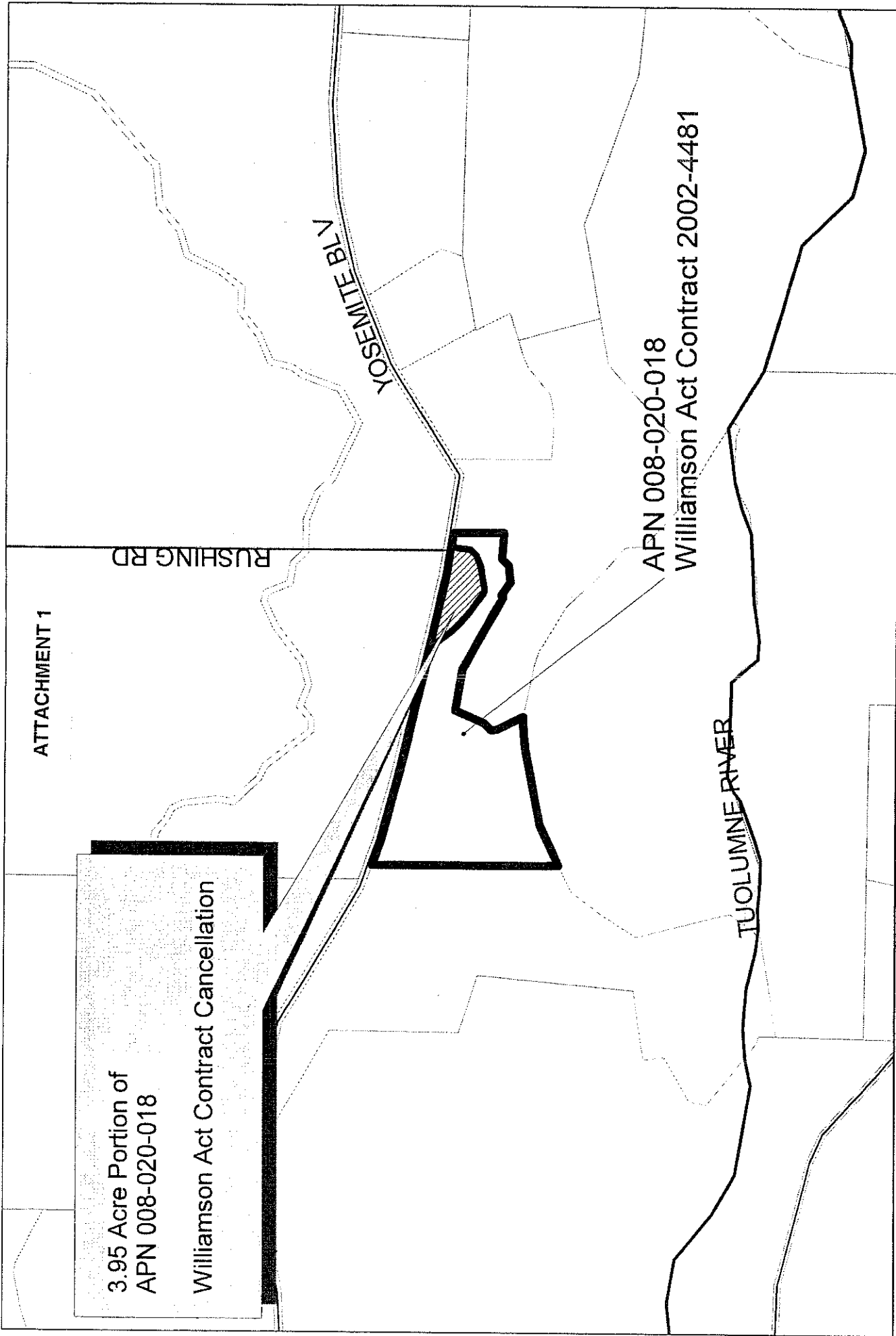
Dear Ms. Luther:

Enclosed is a copy of the Certificate of Cancellation of Williamson Act Contract No. 2002-4481. On June 24, 2008, the Board of Supervisors found that all conditions and contingencies of the Tentative Certificate of Cancellation have been satisfied.

For further information, please call the Planning and Community Development Department at 525-6330 or the Board of Supervisors at 525-6415.

Sincerely,

Elizabeth A. King  
Assistant Clerk of the  
Board of Supervisors



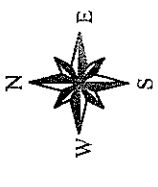
**3.95 Acre Portion of  
APN 008-020-018  
Williamson Act Contract Cancellation**

ATTACHMENT 1

APN 008-020-018  
Williamson Act Contract 2002-4481



**Williamson Act Contract 2002-4481**



494 0 494 988 Feet



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June 27, 2008

Mr. Richard Landucci  
23792 Yosemite Blvd  
Waterford, CA 95386

RE: CERTIFICATE OF CANCELLATION OF WILLIAMSON ACT CONTRACT  
NO. 2002-4481

Dear Mr. Landucci:

Please find enclosed a copy of the Certificate of Cancellation for Williamson Act Contract No. 2002-4481 approved by the Board of Supervisors on June 24, 2008. The original Certificate of Cancellation was recorded in the office of the Stanislaus County Clerk-Recorder on 6/26/08 as Document No. 08-0069514-00.

For further information, please call the Planning and Community Development Department at 525-6330 or the Board of Supervisors at 525-6415.

Sincerely,

Elizabeth A. King  
Assistant Clerk of the  
Board of Supervisors