

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

DEPT: Parks and Recreation

BOARD AGENDA # *B-2

Urgent

Routine

ont

AGENDA DATE April 21, 2015

CEO Concurs with Recommendation YES NO

4/5 Vote Required YES NO

(Information Attached)

SUBJECT:

Approval to Amend the Agreement with Modesto Irrigation District to Lease Property Surrounding Modesto Reservoir for Recreational Purposes

STAFF RECOMMENDATIONS:

Authorize the Chairman of the Board of Supervisors to sign an amendment to the agreement with Modesto Irrigation District, which expires on August 11, 2034, to lease property surrounding Modesto Reservoir for recreational purposes.

FISCAL IMPACT:

There is no cost associated with amending the lease agreement with the Modesto Irrigation District.

BOARD ACTION AS FOLLOWS:

No. 2015-154

On motion of Supervisor Chiesa, Seconded by Supervisor Monteith
and approved by the following vote,

Ayes: Supervisors: O'Brien, Chiesa, Monteith, De Martini, and Chairman Withrow

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:

ATTEST:

Elizabeth A. King
ELIZABETH A. KING, Assistant Clerk

File No.

Approval to Amend the Agreement with Modesto Irrigation District to Lease Property Surrounding Modesto Reservoir for Recreational Purposes

DISCUSSION:

Modesto Reservoir is located on Reservoir Road, off of State Route 132, just a few miles east of Waterford. This regional park offers approximately 3,240 acres of land and approximately 2,800 acres of water for recreation and camping. The property surrounding the reservoir is owned by Modesto Irrigation District (MID), the County and private property owners. Facilities include approximately 150 full hook-up campsites, undeveloped camping areas, marina, restrooms, picnic shelter, barbeques, picnic tables, archery range, and slalom ski course and radio control glider airplane field.

On January 8, 1985, Stanislaus County entered into a 25-year lease agreement with MID for the purpose of providing recreational opportunities at Modesto Reservoir. On August 11, 2009, the Chairman of the Board of Supervisors was authorized to sign a new 25-year agreement with MID, through August 11, 2034.

Recently the County became aware that a portion of Assessor's Parcel Number 008-004-010, which is part of the lease agreement, is surplus property that is not needed by the Parks Department for buffer area surrounding the reservoir. Specifically, approximately 5.9 acres which is beyond an existing fence line, is surplus to what is needed by staff for access purposes. MID revised the legal description and maps of the leased area so that an amendment to the lease could be prepared. These documents are included as Exhibits A, B, and C.

POLICY ISSUE:

This action is consistent with the Board's priorities of a Safe Community, A Healthy Community, A Well Planned Infrastructure System, and the Efficient Delivery of Public Services by promoting a safe and healthy environmental and improving the quality of life in Stanislaus County.

STAFFING IMPACTS:

There are no staffing impacts associated with amending this lease agreement.

CONTACT PERSON:

Jami Aggers, Director of Parks & Recreation

Telephone: 209-525-6770

ATTACHMENTS:

1. Exhibit A: Revised Legal Description
2. Exhibit B: Revised Map of the Leased Area
3. Exhibit C: Map of the Modified Parcel in the Leased Area
4. Amendment to the Lease of Real Property

1 **EXHIBIT "A"**

2 **Legal Description for**
3 **Parks and Recreation Agreement**
4

5 Being a portion of that certain real property belonging to Modesto Irrigation District lying in
6 Sections 8, 15, 16, 17, 20, 21, 22, 23, 27 and 28, Township 3 South, Range 12 East, Mount
7 Diablo Base and Meridian, County of Stanislaus, State of California, more
8 particularly described as follows:
9

10 **Beginning** at a point on the West Section line of Section 20, Township 3 South, Range 12 East,
11 M.D.B.& M., North 00° 17'26" West 1218.3 feet from the South West Section corner of said
12 Section; thence South 73°52' East 165 feet; thence South 51°44' East 132 feet; thence
13 North 76°34' East 126 feet; thence North 13°26' West 544 feet; thence North 04°29' West
14 332 feet; thence North 00°13' West 239 feet; thence North 01°08' East 201 feet; thence
15 North 09°35' East 148 feet; thence North 04°21' West 124 feet; thence North 08°24' West
16 660 feet to a point distant 2000.00 feet south of the North line of Section 20; thence
17 South 89°29'05" East, distant 2000.00 feet South of and parallel with the North line of said
18 Section 20, a distance of 230 feet, more or less, to a point on the 211.4 feet contour on the East
19 Face of Dam No. 1 of the Modesto Reservoir (formerly known as Dallas Warner Reservoir);
20 thence Southerly, Southeasterly and Easterly along said contour to a point distant 2500 feet East
21 of the West line of said Section 20; thence South 00°17'26" East, distant 2500 feet East of, and
22 parallel with the West line of said Section 20, a distance of approximately 800 feet to a point;
23 thence along the property line of the Modesto Irrigation District: North 76° 01' East 653.52 feet;
24 thence North 64° 53' East 396 feet; thence North 44° 50' East 1056 feet; thence North 88° 34'
25 East to the point of intersection of this course with the West 1/4 1/4 Section line of Section 21,
26 Township 3 South, Range 12 East, M.D.B& M.; thence North along said 1/4 1/4 Section line to
27 its point of intersection with the 211.4 feet contour around the Modesto Reservoir, the elevation
28 of the 211.4 feet contour referred to here and subsequently are based on U. S. Coast and
29 Geodetic datum, Elevation of B.M. No. T679-1943 being 215.019 feet above sea level; thence in
30 a general Easterly direction along said contour to its point of intersection with a line 1600 feet
31 West of and parallel with the East Section Line of said Section 21, said point of intersection

1 being on or near the East West 1/4 Section line of said Section 21; thence to a point on said 1/4
2 Section line 1600 feet West of the East 1/4 Section corner of said Section; thence East to the
3 South West corner of the Southeast 1/4 of the Northeast 1/4 of said Section 21; thence North
4 along the East 1/4 1/4 Section line of said Section 21 to its point of intersection with the 211.4
5 feet contour; thence in a general Easterly and Southerly direction along said contour to a point;
6 thence North 56°00' West to a point which is approximately 1020 feet North of the South
7 Section line of said Section 21 and 1130 feet West of the East Section line of said Section 21;
8 thence South 37° 42' West 300 feet; thence South 1° 17' West 300 feet; thence
9 South 51°43' East 545 feet; thence South 45° 43' East 1259 feet to a point on the Section line
10 common to Sections 27 and 28, Township 3 South, Range 12 East, M.D.B.& M.,
11 North 0° 35' West 1852 feet from the 1/4 Section corner common to said Sections 27 and 28;
12 thence South 68° 05' East 1422.9 feet to the East boundary of the West 1/2 of the Northwest 1/4
13 of said Section 27; thence continue South 68° 05' East 347.8 feet; thence South 61°17' East to a
14 point on the West line of the East 1/2 of the East 1/2 of the Northwest 1/4 of said Section 27;
15 thence North along said West line of the East 1/2 of the East 1/2 of the Northwest 1/4 to its point
16 of intersection with the 211.4 feet contour; thence in a general Easterly direction along said
17 contour to its point of intersection with the North-South 1/4 Section line of said Section 27;
18 thence South along said 1/4 Section line to a point 660 feet North of the interior 1/4 Section
19 corner of said Section 27; thence, East parallel with and 660 feet North of the East West 1/4
20 Section line of said Section 27 a distance of 330 feet; thence North, parallel with and 330 feet
21 East of the North-South 1/4 Section line of said Section 27, to a point of intersection with the
22 211.4 feet contour; thence in a general Easterly direction along said contour to its point of
23 intersection with a line 100 feet Westerly from and parallel with the center line of the inlet canal
24 to Modesto Reservoir; thence in a general Southerly and Easterly direction along said line,
25 parallel with and 100 feet distant Westerly and Southerly from the center line of said inlet canal,
26 to its point of intersection with the South line of the Northeast 1/4 of the Southeast 1/4 of the
27 Northeast 1/4 of said Section 27; thence West to the South West corner of said Northeast 1/4 of
28 the Southeast 1/4 of the Northeast 1/4; thence South to the Southeast corner of the Southwest 1/4
29 of the Southeast 1/4 of the Northeast 1/4 of said Section 27; thence East along the East West 1/4
30 Section line of said Section 27 to the East 1/4 Section corner of said Section 27; thence North
31 along the East Section line of said Section 27 to its intersection with the 211.4 feet contour along

1 the northerly side of the Modesto Irrigation District Inlet canal to Modesto Reservoir; thence
2 Northerly, Easterly and Westerly along said contour line or a line 100 feet Easterly from and
3 parallel with the center line of said Inlet Canal, whichever line is farther from said centerline, to
4 its point of intersection with the North Section line of Section 27, Township 3 South, Range 12
5 East, M.D.B. & M., approximately 200 feet East of the North 1/4 Section corner of said Section;
6 thence West to said 1/4 Section corner; thence North approximately 30 feet along the North
7 South 1/4 Section line of Section 22, Township 3 South, Range 12 East, M.D.B. & M., to its
8 point of intersection with the 211.4 feet contour; thence Westerly and Northerly along said
9 contour line to its point of intersection with said North South 1/4 Section line of Section 22;
10 thence North to the North West corner of the Southwest 1/4 of the Southwest 1/4 of the
11 Southeast 1/4 of said Section 22; thence East along the North line of said Southwest 1/4 of the
12 Southwest 1/4 of the Southeast 1/4 of Section 22 to its point of intersection with the 211.4 feet
13 contour; thence in a general North Easterly direction along said contour to its point of
14 intersection with the West line of the Southeast 1/4 of the Northeast 1/4 of the Southeast 1/4 of
15 said Section 22; thence North to the Northwest corner of said Southeast 1/4 of the Northeast 1/4
16 of the Southeast 1/4 of Section 22; thence East along the North line of said Southeast 1/4 of the
17 Northeast 1/4 of the Southeast 1/4 to its point of intersection with the 211.4 feet contour; thence
18 in a general Easterly direction along said contour to its point of intersection with a line 500 feet
19 East of and parallel with the West Section line of Section 23, Township 3 South, Range 12 East,
20 M.D.B. & M.; thence South along this last described line to its point of intersection with the South
21 line of the Northwest 1/4 of the Northwest 1/4 of the Southwest 1/4 of said Section 23; thence
22 East to the Southeast corner of said Northwest 1/4 of the Northwest 1/4 of the Southwest 1/4;
23 thence North along the East line of said Northwest 1/4 of the Northwest 1/4 of the Southwest 1/4
24 to a point distant 482.79 feet south of the Northeast corner of the Southwest 1/4 of the Southwest
25 1/4 of the Northwest 1/4 of said Section 23; thence Northwesterly to a point on the West line of
26 said Section 23, said point being distant 290.47 feet south of the Northwest corner of said
27 Southwest 1/4 of the Southwest 1/4 of the Northwest 1/4; thence South along the West line of
28 said Section 23 to its point of intersection with the 211.4 feet contour; thence in a general
29 Westerly and Northerly direction along said contour to its point of intersection with a line 1100
30 feet West of and parallel with the East line of Section 21, Township 3 South, Range 12 East,
31 M.D.B. & M.; thence North along this last described line, 1100 feet West of and parallel with the

1 East line of said Section 21 to its Northerly point of intersection with the 211.4 feet contour;
2 thence in a general Northeasterly direction along said 211.4 feet contour to its point of
3 intersection with the East West 1/4 section line of Section 15, Township 3 South, Range 12 East,
4 M.D.B.& M., approximately 1150 feet East of the interior 1/4 Section corner of said Section 15;
5 thence East along the said East West 1/4 section line to its Easterly intersection with the 211.4
6 feet contour; thence in a general Easterly, North and Westerly direction along said 211.4 feet
7 contour to its point of intersection with the North Section line of Section 16, Township 3 South,
8 Range 12 East, M.D.B.& M.; thence West along the North line of said Section 16 to the
9 Northwest corner of said Section; thence North along the East section line of Section 8,
10 Township 3 South, Range 12 East M.D.B.& M., to its point of intersection with the 211.4 feet
11 contour; thence in a general Westerly and Northerly direction along said 211.4 feet contour to its
12 point of intersection with the East section line of said Section 8 approximately 2100 feet North of
13 the Southeast corner of said Section; thence North along said East section line of said Section 8
14 to its Northerly point of intersection with the 211.4 feet contour; thence in a general Northerly
15 and Westerly direction along said 211.4 feet contour to its point of intersection with a line that
16 extends Southerly, at right angles to the North 1/4 1/4 section line of said Section 8, at a point
17 that is 990 feet West of the Northeast corner of the Southeast 1/4 of the Northeast 1/4 of said
18 Section 8; thence North to the said point on the North 1/4 1/4 Section line of said Section 8, 990
19 feet West of the said Northeast corner of the Southeast 1/4 of the Northeast 1/4 of said Section 8;
20 thence West along the North 1/4 1/4 section line of said Section 8 to a point distant 1600 feet
21 west of said Northeast corner of the Southeast 1/4 of the Northeast 1/4 of said Section 8; thence
22 south, at right angles to the North 1/4 1/4 section line of said Section 8, approximately 256 feet
23 to a point of intersection with the Northeasterly projection of the Northwesterly line of the edge
24 of the road at Dam No. 6; thence South 40°10'47" West, along the projection of and the
25 Northwesterly line of said edge road, a distance of 647 feet to a point on a fence line of the
26 existing corral; thence
27 South 40°26'46" East, along the corral fence, a distance of 97 feet to an angle point in said corral
28 fence; thence South 47°47'52" West, along said corral fence, a distance of 61 feet to an angle
29 point in said corral fence; thence southerly along the existing fence line and along the westerly
30 edge of a road the following 19 courses:
31 1) South 24°55'16" East 402 feet;

- 1 2) South 22°23'23" West 145.4 feet;
- 2 3) South 34°02'52" West 407.4 feet;
- 3 4) South 12°29'29" West 518.7 feet;
- 4 5) South 00°37'00" West 247.4 feet;
- 5 6) South 06°19'07" West 66 feet;
- 6 7) South 19°26'37" West 61.3 feet;
- 7 8) South 23°22'42" West 419.3 feet;
- 8 9) South 32°51'41" West 83.6 feet;
- 9 10) South 46°13'04" West 87.6 feet;
- 10 11) South 52°30'10" West 116.1 feet;
- 11 12) South 52°03'19" West 350.5 feet;
- 12 13) South 58°49'49" West 112.8 feet;
- 13 14) South 65°27'54" West 336.1 feet;
- 14 15) South 51°19'02" West 69.4 feet;
- 15 16) South 23°01'20" West 69.4 feet;
- 16 17) South 02°25'40" East 116.4 feet;
- 17 18) South 25°01'57" East 116.4 feet;
- 18 19) South 23°23'00" East 61.7 feet to a point on a point on the South section line of said
- 19 Section 8; thence East, along the South section line of said Section 8, to its point of intersection
- 20 with the 211.4 feet contour; thence in a general Southerly direction along said 211.4 feet contour
- 21 to its point of intersection with the West line of the Southeast 1/4 of the Northwest 1/4 of Section
- 22 17, Township 3 South, Range 12 East, M.D.B.& M.; thence South along this last described line
- 23 to its Southerly point of intersection with the 211.4 feet contour; thence in a general
- 24 Southwesterly direction along said 211.4 feet contour to its point of intersection with the West
- 25 section line of Said Section 17; thence South along said West section line of said. Section 17 to
- 26 its Southerly point of intersection with the 211.4 feet contour; thence in a general Southeasterly
- 27 direction along said 211.4 feet contour to its point of intersection with the East West line through
- 28 the center of the North 1/2 of the Northwest 1/4 of Section 20, Township 3 South, Range 12
- 29 East, M.D.B.& M.; thence West along the said line East and West through the center of the
- 30 North half of the Northwest 1/4 of said Section 20 to its point of intersection with the West

1 section line of said. Section 20; thence South $00^{\circ}17'26''$ East, along the West section line of
2 Section 20 of said Township and Range, a distance of 3454.9 feet to the Point of Beginning.

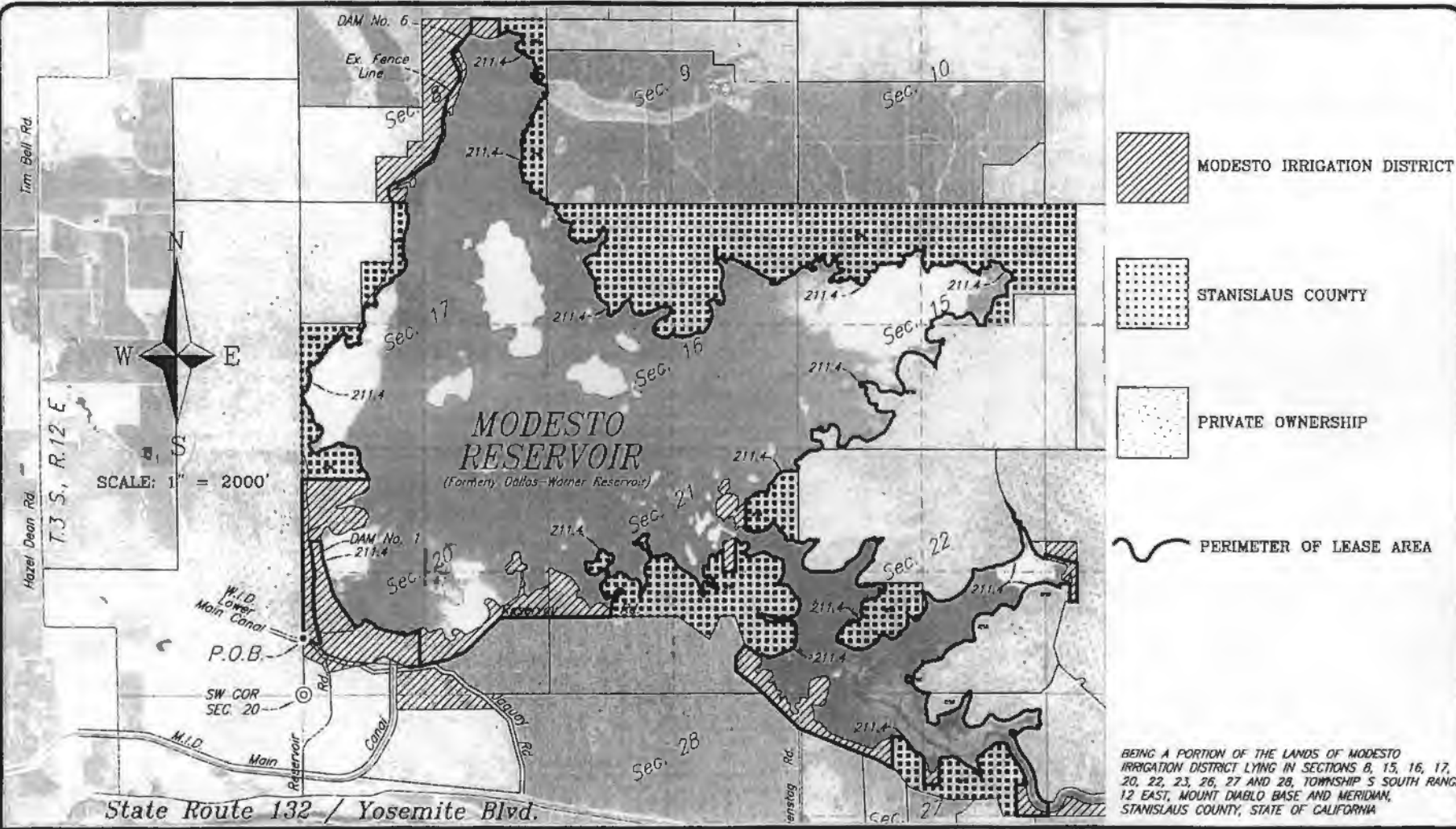
3

4 END DESCRIPTION

5

6 Revised January 26, 2015 to remove 5.84 acres situate in the SW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of
7 Section 23, Township 3 South, Range 12 East, Mount Diablo Meridian.

DWG NAME: C:\2009 L20 Supply Projects\Modesto Reservoir 2009 Lease\dwg\Modesto Reservoir 2009 Lease.dwg
 PLOTTED BY: MCKIND-0
 DATE: 01/26/13 13:05



BEING A PORTION OF THE LANDS OF MODESTO IRRIGATION DISTRICT LYING IN SECTIONS 8, 15, 16, 17, 20, 22, 23, 26, 27 AND 28, TOWNSHIP 5 SOUTH RANGE 12 EAST, MOUNT DIABLO BASE AND MERIDIAN, STANISLAUS COUNTY, STATE OF CALIFORNIA



EXHIBIT "B"

PARKS AND RECREATION AGREEMENT

Revised on January 25, 2015 to remove 5.84 acres in the SW 1/4 of the SW 1/4 of Section 23, T.3 S., R.12, E., M.D.&M.

DATE: January 26, 2013	DWG BY: M. Jones
SCALE: 1" = 2000'	APP. BY:
FILE NAME: Modesto Reservoir 2009 Lease.dwg	

**AMENDMENT
TO THE LEASE OF REAL PROPERTY
FOR PARK AND RECREATIONAL PURPOSES**

**BY AND BETWEEN
COUNTY OF STANISLAUS
AND
MODESTO IRRIGATION DISTRICT**

This Amendment to the Lease of Real Property for Park and Recreational Purposes (“Amendment”) between the County of Stanislaus, (hereinafter “County”), a political subdivision of the State of California, and Modesto Irrigation District, a California irrigation district (“District”), is dated as of March 14, _____, 2017 .

RECITALS

A. Modesto Irrigation District and Stanislaus County entered into that certain Lease of Real Property for Park and Recreation Purposes, executed August 11, 2009 (the “Lease”).

B. County desires to modify the Lease and to remove a portion of APN 008-004-010 from the “Premises” as specified in the Lease.

C. District is willing to permit the County to relinquish the use of that portion of APN 008-004-010 from the Lease under certain terms and conditions.

D. District and County desire to enter into this Amendment in order to amend the Lease as provided herein.

AGREEMENT

NOW, THEREFORE, in consideration of the mutual covenants contained herein and for other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties hereto agree as follows:

1. The Recitals stated above are true and correct and are incorporated herein as though fully set forth in this Amendment.
2. County relinquishes all use of a portion of APN 008-004-010 as shown in Exhibit “C” attached hereto for its Parks and Recreation Purposes.
3. Exhibits “A” and “B” attached to this Amendment shall replace in full the Exhibits “A” and “B” to the Lease, and are hereby incorporated into and made a part of the Lease. Said Exhibits “A” and “B” attached to this Amendment shall become the Premises for all purposes under the Lease, including for use by the County for its Parks and Recreation operation. Upon execution of this Amendment, the attached Exhibits “A” and “B” shall become effective and

binding as to the parties and shall supersede and control with respect to any inconsistencies or contradictions between the attached Exhibits "A and "B" and any prior Exhibits to the Lease.

4. Other than any defined terms established by way of this Amendment, all defined terms used herein shall have the same meaning as set forth in the Lease. Except as modified by the terms of this Amendment, the provisions of the Lease shall remain unchanged, in full force and effect and binding upon the parties thereto.

IN WITNESS WHEREOF, the parties have caused this Second Amendment to be executed as of the date first above written.

MODESTO IRRIGATION DISTRICT

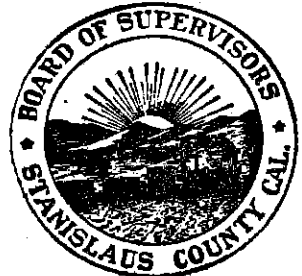
COUNTY OF STANISLAUS

By: Greg Salyer
Roger Van Hest, General Manager
Greg Salyer,

By: Terrance Withrow 4/21/15
Terrance Withrow, Chairman
Board of Supervisors

Approved to Content:
Jami Aggers
Jami Aggers, Director
Parks and Recreation

APPROVED AS TO FORM:
STANISLAUS COUNTY COUNSEL
BY [Signature]



RESOLUTION 2017-16
OWNERSHIP BOUNDARY REALIGNMENTS AT MODESTO RESERVOIR;
REAL ESTATE PURCHASE CONTRACTS BETWEEN THE MODESTO IRRIGATION DISTRICT
AND B&J CRABTREE, 1997 TRUST, WARNER GULCH L.P.

WHEREAS, the District desires that its landholdings have property boundaries that are well defined and that enhance the value and utility of the lands for District purposes; and

WHEREAS, the District has identified certain landholdings in the area of Modesto Reservoir that would benefit from having boundaries rationalized and defined using modern surveying techniques, which landholdings include an area leased to Stanislaus County for park and recreation purposes; and

WHEREAS, the proposed realignment of ownership boundaries will result in the District selling a net amount of approximately 11.503 acres of land to adjoining landowners at appraised market value; and

WHEREAS, Stanislaus County has executed the associated lease amendment and the adjoining landowners have agreed to the terms of sale; and

WHEREAS, the District has prepared a review of the proposed actions as lead agency under the California Environmental Quality Act; and

WHEREAS, on February 11, 2017, the District filed and posted the Initial Study/Mitigated Negative Declaration and Public Notice which included notice of availability at the District's office; and

WHEREAS, the Board of Directors of the Modesto Irrigation District has considered the Initial Study/Mitigated Negative Declaration, and comments on the Initial Study/Mitigated Negative Declaration, and finds on the basis of the record as a whole that there is no substantial evidence that the proposed ownership boundary realignments and associated actions, including the amendment to lease agreement by and between Stanislaus County and the Modesto Irrigation District, would have a significant effect on the environment.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the Modesto Irrigation District, as follows:

1) The Board of Directors of the Modesto Irrigation District ("Board") approves a Mitigated Negative Declaration for Proposed Ownership Boundary Realignments at Modesto Reservoir.

2) The Board authorizes the General Manager to execute an Amendment to the Lease of Real Property for Park and Recreational Purposes between the County of Stanislaus and Modesto Irrigation District.

3) The Board authorizes the President and Secretary to execute the Purchase and Sale Agreement and Joint Escrow Instructions (on file in the District Secretary's office) and all associated escrow documents between Modesto Irrigation District and B&J Crabtree, 1997

Trust for the sale of approximately 4.05 acres of vacant land known as Assessor's Parcel Number 008-008-001.

4) The Board authorizes the President and Secretary to execute the Purchase and Sale Agreement and Joint Escrow Instructions (on file in the District Secretary's office) and all associated escrow documents between Modesto Irrigation District and Warner Gulch L.P. for the sale of portions of four parcels totaling approximately 7.453 acres of vacant land commonly referred to as Assessor's Parcel Numbers 008-004-007, 008-007-008, 008-007-007 and 008-004-010.

Moved by Director Campbell, seconded by Director Wenger, that the foregoing resolution be adopted.

The following vote was had:

Ayes: Directors Blom, Byrd, Campbell, Mensinger and Wenger

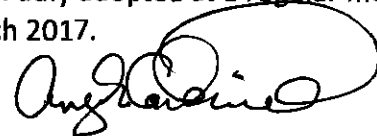
Noes: Director None

Absent: Director None

The President declared the resolution adopted.

o0o

I, Angela Cartisano, Board Secretary of the Modesto Irrigation District, do hereby CERTIFY that the foregoing is a full, true and correct copy of a resolution duly adopted at a regular meeting of said Board of Directors held the fourteenth day of March 2017.



Board Secretary of the
Modesto Irrigation District

1 being on or near the East West 1/4 Section line of said Section 21; thence to a point on said 1/4
2 Section line 1600 feet West of the East 1/4 Section corner of said Section; thence East to the
3 South West corner of the Southeast 1/4 of the Northeast 1/4 of said Section 21; thence North
4 along the East 1/4 1/4 Section line of said Section 21 to its point of intersection with the 211.4
5 feet contour; thence in a general Easterly and Southerly direction along said contour to a point;
6 thence North $56^{\circ}00'$ West to a point which is approximately 1020 feet North of the South
7 Section line of said Section 21 and 1130 feet West of the East Section line of said Section 21;
8 thence South $37^{\circ}42'$ West 300 feet; thence South $1^{\circ}17'$ West 300 feet; thence
9 South $51^{\circ}43'$ East 545 feet; thence South $45^{\circ}43'$ East 1259 feet to a point on the Section line
10 common to Sections 27 and 28, Township 3 South, Range 12 East, M.D.B. & M.,
11 North $0^{\circ}35'$ West 1852 feet from the 1/4 Section corner common to said Sections 27 and 28;
12 thence South $68^{\circ}05'$ East 1422.9 feet to the East boundary of the West 1/2 of the Northwest 1/4
13 of said Section 27; thence continue South $68^{\circ}05'$ East 347.8 feet; thence South $61^{\circ}17'$ East to a
14 point on the West line of the East 1/2 of the East 1/2 of the Northwest 1/4 of said Section 27;
15 thence North along said West line of the East 1/2 of the East 1/2 of the Northwest 1/4 to its point
16 of intersection with the 211.4 feet contour; thence in a general Easterly direction along said
17 contour to its point of intersection with the North-South 1/4 Section line of said Section 27;
18 thence South along said 1/4 Section line to a point 660 feet North of the interior 1/4 Section
19 corner of said Section 27; thence, East parallel with and 660 feet North of the East West 1/4
20 Section line of said Section 27 a distance of 330 feet; thence North, parallel with and 330 feet
21 East of the North-South 1/4 Section line of said Section 27, to a point of intersection with the
22 211.4 feet contour; thence in a general Easterly direction along said contour to its point of
23 intersection with a line 100 feet Westerly from and parallel with the center line of the inlet canal
24 to Modesto Reservoir; thence in a general Southerly and Easterly direction along said line,
25 parallel with and 100 feet distant Westerly and Southerly from the center line of said inlet canal,
26 to its point of intersection with the South line of the Northeast 1/4 of the Southeast 1/4 of the
27 Northeast 1/4 of said Section 27; thence West to the South West corner of said Northeast 1/4 of
28 the Southeast 1/4 of the Northeast 1/4; thence South to the Southeast corner of the Southwest 1/4
29 of the Southeast 1/4 of the Northeast 1/4 of said Section 27; thence East along the East West 1/4
30 Section line of said Section 27 to the East 1/4 Section corner of said Section 27; thence North
31 along the East Section line of said Section 27 to its intersection with the 211.4 feet contour along

1 the northerly side of the Modesto Irrigation District Inlet canal to Modesto Reservoir; thence
2 Northerly, Easterly and Westerly along said contour line or a line 100 feet Easterly from and
3 parallel with the center line of said Inlet Canal, whichever line is farther from said centerline, to
4 its point of intersection with the North Section line of Section 27, Township 3 South, Range 12
5 East, M.D.B.& M., approximately 200 feet East of the North 1/4 Section corner of said Section;
6 thence West to said 1/4 Section corner; thence North approximately 30 feet along the North
7 South 1/4 Section line of Section 22, Township 3 South, Range 12 East, M.D.B.& M., to its
8 point of intersection with the 211.4 feet contour; thence Westerly and Northerly along said
9 contour line to its point of intersection with said North South 1/4 Section line of Section 22;
10 thence North to the North West corner of the Southwest 1/4 of the Southwest 1/4 of the
11 Southeast 1/4 of said Section 22; thence East along the North line of said Southwest 1/4 of the
12 Southwest 1/4 of the Southeast 1/4 of Section 22 to its point of intersection with the 211.4 feet
13 contour; thence in a general North Easterly direction along said contour to its point of
14 intersection with the West line of the Southeast 1/4 of the Northeast 1/4 of the Southeast 1/4 of
15 said Section 22; thence North to the Northwest corner of said Southeast 1/4 of the Northeast 1/4
16 of the Southeast 1/4 of Section 22; thence East along the North line of said Southeast 1/4 of the
17 Northeast 1/4 of the Southeast 1/4 to its point of intersection with the 211.4 feet contour; thence
18 in a general Easterly direction along said contour to its point of intersection with a line 500 feet
19 East of and parallel with the West Section line of Section 23, Township 3 South, Range 12 East,
20 M.D.B.& M; thence South along this last described line to its point of intersection with the South
21 line of the Northwest 1/4 of the Northwest 1/4 of the Southwest 1/4 of said Section 23; thence
22 East to the Southeast corner of said Northwest 1/4 of the Northwest 1/4 of the Southwest 1/4;
23 thence North along the East line of said Northwest 1/4 of the Northwest 1/4 of the Southwest 1/4
24 to a point distant 482.79 feet south of the Northeast corner of the Southwest 1/4 of the Southwest
25 1/4 of the Northwest 1/4 of said Section 23; thence Northwesterly to a point on the West line of
26 said Section 23, said point being distant 290.47 feet south of the Northwest corner of said
27 Southwest 1/4 of the Southwest 1/4 of the Northwest 1/4; thence South along the West line of
28 said Section 23 to its point of intersection with the 211.4 feet contour; thence in a general
29 Westerly and Northerly direction along said contour to its point of intersection with a line 1100
30 feet West of and parallel with the East line of Section 21, Township 3 South, Range 12 East,
31 M.D.B.& M.; thence North along this last described line, 1100 feet West of and parallel with the

1 East line of said Section 21 to its Northerly point of intersection with the 211.4 feet contour;
2 thence in a general Northeasterly direction along said 211.4 feet contour to its point of
3 intersection with the East West 1/4 section line of Section 15, Township 3 South, Range 12 East,
4 M.D.B.& M., approximately 1150 feet East of the interior 1/4 Section corner of said Section 15;
5 thence East along the said East West 1/4 section line to its Easterly intersection with the 211.4
6 feet contour; thence in a general Easterly, North and Westerly direction along said 211.4 feet
7 contour to its point of intersection with the North Section line of Section 16, Township 3 South,
8 Range 12 East, M.D.B.& M.; thence West along the North line of said Section 16 to the
9 Northwest corner of said Section; thence North along the East section line of Section 8,
10 Township 3 South, Range 12 East M.D.B.& M., to its point of intersection with the 211.4 feet
11 contour; thence in a general Westerly and Northerly direction along said 211.4 feet contour to its
12 point of intersection with the East section line of said Section 8 approximately 2100 feet North of
13 the Southeast corner of said Section; thence North along said East section line of said Section 8
14 to its Northerly point of intersection with the 211.4 feet contour; thence in a general Northerly
15 and Westerly direction along said 211.4 feet contour to its point of intersection with a line that
16 extends Southerly, at right angles to the North 1/4 1/4 section line of said Section 8, at a point
17 that is 990 feet West of the Northeast corner of the Southeast 1/4 of the Northeast 1/4 of said
18 Section 8; thence North to the said point on the North 1/4 1/4 Section line of said Section 8, 990
19 feet West of the said Northeast corner of the Southeast 1/4 of the Northeast 1/4 of said Section 8;
20 thence West along the North 1/4 1/4 section line of said Section 8 to a point distant 1600 feet
21 west of said Northeast corner of the Southeast 1/4 of the Northeast 1/4 of said Section 8; thence
22 south, at right angles to the North 1/4 1/4 section line of said Section 8, approximately 256 feet
23 to a point of intersection with the Northeasterly projection of the Northwesterly line of the edge
24 of the road at Dam No. 6; thence South $40^{\circ}10'47''$ West, along the projection of and the
25 Northwesterly line of said edge road, a distance of 647 feet to a point on a fence line of the
26 existing corral; thence
27 South $40^{\circ}26'46''$ East, along the corral fence, a distance of 97 feet to an angle point in said corral
28 fence; thence South $47^{\circ}47'52''$ West, along said corral fence, a distance of 61 feet to an angle
29 point in said corral fence; thence southerly along the existing fence line and along the westerly
30 edge of a road the following 19 courses:
31 1) South $24^{\circ}55'16''$ East 402 feet;

- 1 2) South 22°23'23" West 145.4 feet;
- 2 3) South 34°02'52" West 407.4 feet;
- 3 4) South 12°29'29" West 518.7 feet;
- 4 5) South 00°37'00" West 247.4 feet;
- 5 6) South 06°19'07" West 66 feet;
- 6 7) South 19°26'37" West 61.3 feet;
- 7 8) South 23°22'42" West 419.3 feet;
- 8 9) South 32°51'41" West 83.6 feet;
- 9 10) South 46°13'04" West 87.6 feet;
- 10 11) South 52°30'10" West 116.1 feet;
- 11 12) South 52°03'19" West 350.5 feet;
- 12 13) South 58°49'49" West 112.8 feet;
- 13 14) South 65°27'54" West 336.1 feet;
- 14 15) South 51°19'02" West 69.4 feet;
- 15 16) South 23°01'20" West 69.4 feet;
- 16 17) South 02°25'40" East 116.4 feet;
- 17 18) South 25°01'57" East 116.4 feet;
- 18 19) South 23°23'00" East 61.7 feet to a point on a point on the South section line of said
- 19 Section 8; thence East, along the South section line of said Section 8, to its point of intersection
- 20 with the 211.4 feet contour; thence in a general Southerly direction along said 211.4 feet contour
- 21 to its point of intersection with the West line of the Southeast 1/4 of the Northwest 1/4 of Section
- 22 17, Township 3 South, Range 12 East, M.D.B.& M.; thence South along this last described line
- 23 to its Southerly point of intersection with the 211.4 feet contour; thence in a general
- 24 Southwesterly direction along said 211.4 feet contour to its point of intersection with the West
- 25 section line of Said Section 17; thence South along said West section line of said. Section 17 to
- 26 its Southerly point of intersection with the 211.4 feet contour; thence in a general Southeasterly
- 27 direction along said 211.4 feet contour to its point of intersection with the East West line through
- 28 the center of the North 1/2 of the Northwest 1/4 of Section 20, Township 3 South, Range 12
- 29 East, M.D.B.& M.; thence West along the said line East and West through the center of the
- 30 North half of the Northwest 1/4 of said Section 20 to its point of intersection with the West

1 section line of said. Section 20; thence South 00°17'26" East, along the West section line of
2 Section 20 of said Township and Range, a distance of 3454.9 feet to the Point of Beginning.

3

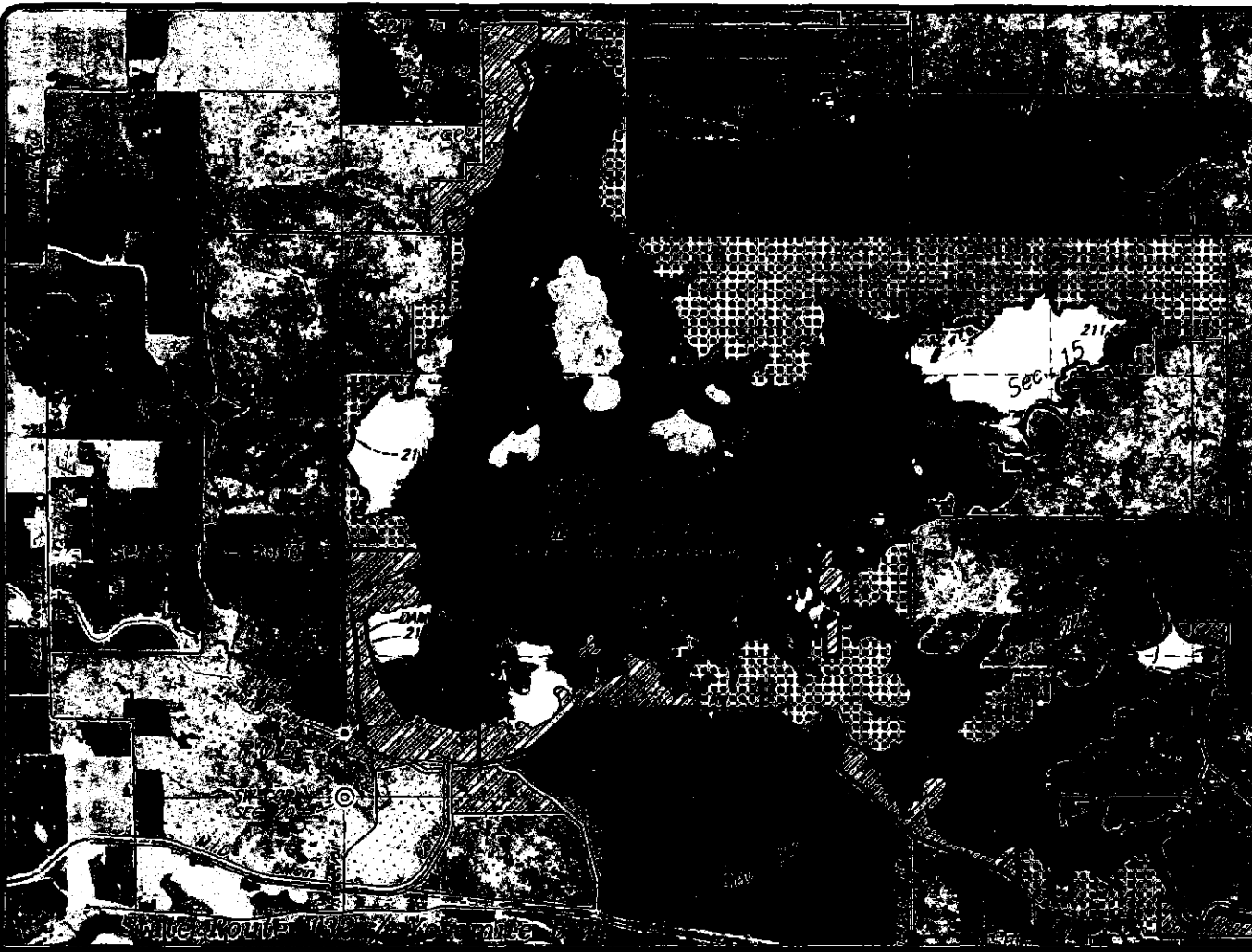
4 END DESCRIPTION





5

6 Revised January 26, 2015 to remove 5.84 acres situate in the SW ¼ of the SW ¼ of the NW ¼ of

7 Section 23, Township 3 South, Range 12 East, Mount Diablo Meridian.

DWG NAME: I:\2009 LID Survey Projects\Modesto Reservoir_2009 Lease\Drawings\Modesto Reservoir_2009 Lease.dwg | CALAD B-1
 PLOTTED BY: MICHAEL O
 PLOTTED: 01/26/13 15:08



- 
MODESTO IRRIGATION DISTRICT
- 
STANISLAUS COUNTY
- 
PRIVATE OWNERSHIP
- 
PERIMETER OF LEASE AREA

BEING A PORTION OF THE LANDS OF MODESTO
 IRRIGATION DISTRICT LYING IN SECTIONS 8, 15, 16, 17,
 20, 22, 23, 26, 27 AND 28, TOWNSHIP 5 SOUTH RANGE
 12 EAST, MOUNT DIABLO BASE AND MERIDIAN,
 STANISLAUS COUNTY, STATE OF CALIFORNIA

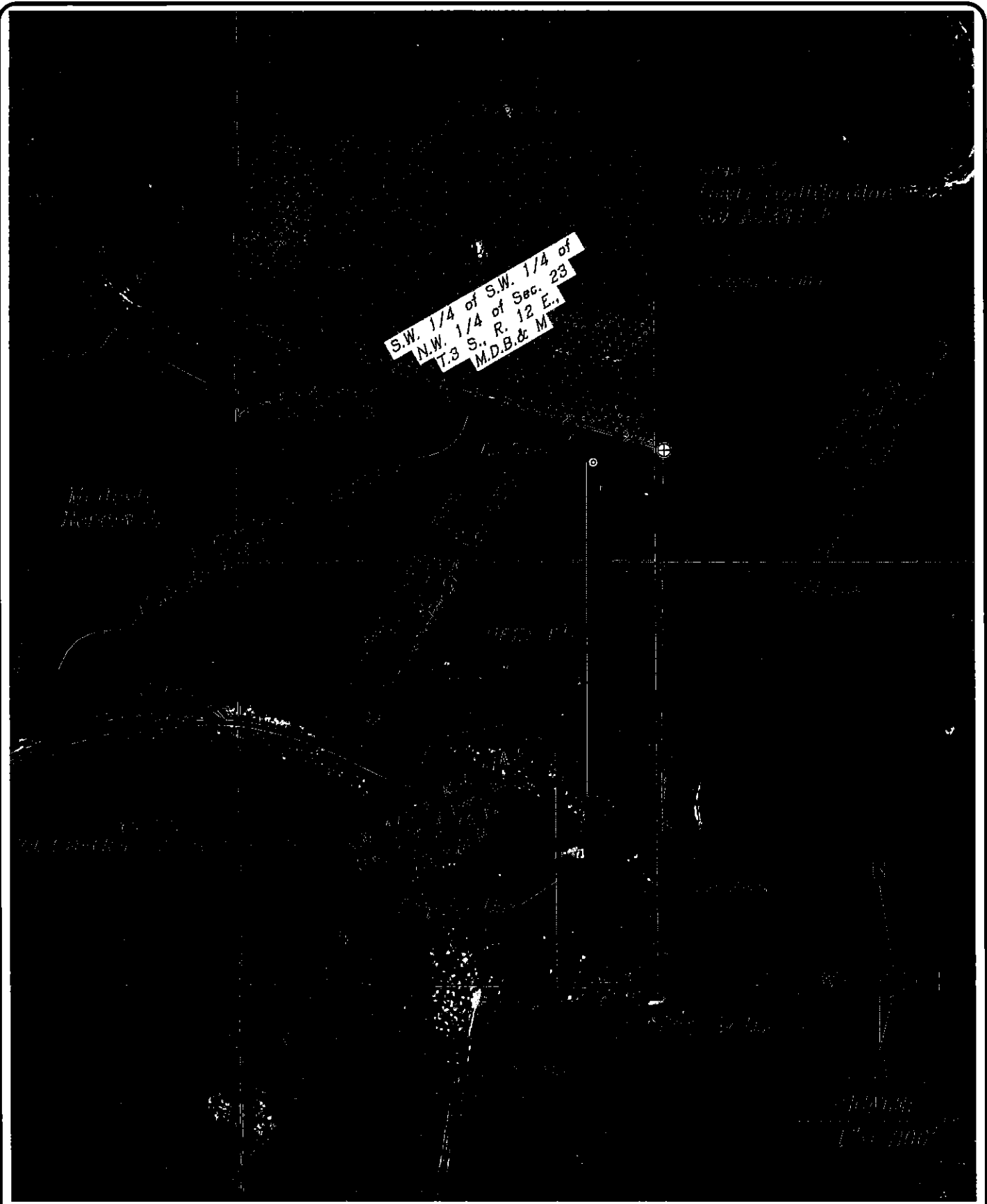


EXHIBIT "B"

PARKS AND RECREATION AGREEMENT

Revised on January 25, 2015 to remove 5.84 acres in the SW 1/4 of the SW 1/4 of Section 23, T.3 S., R.12., E. M.D.M.

DATE: January 26, 2013	DWG BY: M. Jones
SCALE: 1" = 2000'	APP. BY:
FILE NAME: Modesto Reservoir 2009 Lease.dwg	



Modesto
Irrigation
District

Exhibit - C

Date: June 19 2014

Dwg By: M. Jones

Scale: 1" = 200'

App. By:

File Name: APN 08-04-10 Encroachment Exhibit