WILLIAMSON ACT CONTRACT

THIS CONTRA	ACT entered into this	<u>13</u>	day of _	Octoberdo	(_, by and be	tween
				ne State of California,		rein as
"County", and _	Geraldina	Hyder		, referred to herein a	s "Owner".	

1. **DEFINITIONS**

- a. "Agricultural use" means use of land for the purpose of producing an agricultural commodity (including timber) for commercial purposes;
- b. "Board" means the County Board of Supervisors;
- c. "Compatible use" means any use determined by County to be compatible with agricultural use of the property;
- d. "Contract" means this document;
- e. "Williamson Act" means the California Land Conservation Act of 1965 as amended through the legislative session indicated before the reference;
- f. "Owner" means the person or persons entering into this Contract with County;
- g. "County" means El Dorado County.

2. FACTS

This Contract is made with reference to the following facts:

- a. Owner is the owner of the real property in El Dorado County, California, described in Exhibit "A" and incorporated by reference;
- b. The property is within an agricultural preserve designated and established by Resolution of County. The property has been devoted to agricultural and compatible uses. The boundaries of the preserve are shown on the map attached as Exhibit "B" and incorporated by this reference and are co-extensive with the boundaries of the property.

3. LAND USE

The use of the property is limited during the term of this Contract to agricultural and compatible uses. Structures may be erected on the property (and existing structures enlarged) if they are directly related to and compatible with permitted uses.

4. TERM

The initial term of this Contract is ten (10) years. Unless notice of non-renewal is given as provided in Section 5, on each anniversary date of this Contract, a year shall be automatically added to the initial term. If Owner or County in any year serves written notice of non-renewal, this Contract shall remain in effect for the balance of the unexpired term.

5. NON-RENEWAL

- Unless written notice of non-renewal is served by County upon Owner at least sixty
 (60) days before a renewal date or by Owner upon County at least ninety (90) days
 before a renewal date, this Contract shall be considered renewed under Section 4.
- b. The effect of a sale or transfer of any portion of the property, the subject of this Contract, except as provided in paragraph 6, b., or failure of a portion of the subject property to meet the agricultural contract criteria, or failure to engage in an agricultural pursuit, may be treated as a breach of this Contract and County may bring any action in court necessary to enforce this Contract, including, but not limited to, any action to enforce this Contract by specific performance or injunction.
- c. Upon receipt by Owner of written notice of non-renewal, Owner may protest the notice of non-renewal in writing. County may withdraw the notice before the next renewal date.
- d. Upon request by Owner, the County may authorize Owner to serve written notice of non-renewal on a portion of the property.

6. TRANSFER OF PROPERTY

- This Contract, and the covenants herein, shall run with the land and shall be binding upon and inure to the benefit of all successors in interest of Owner.
- b. In the event that Owner conveys a portion of the property under this Contract,
 Owner, in addition to the conveyee, shall remain subject to the terms of this Contract as to the conveyed portion unless and until the conveyee enters into a separate contract with the County. Owner understands that County will not enter into a separate contract with the conveyee unless the conveyed portion of property meets the County's criteria for an agricultural preserve, and that County shall enter into a contract with the conveyee if the conveyed portion meets said criteria and exclude said conveyed portion from Owner's contract.

7. CANCELLATION

- a. The purpose of this section is to provide relief from the provisions of this Contract only when the continued dedication of all or any portion of the property to agricultural use is neither necessary nor desirable for purposes of the 1969 Williamson Act.
- b. Owner may petition the Board for cancellation of this Contract as to all or any part of the property. The Board may approve the cancellation only if it finds that:
 - cancellation is not consistent with the purposes of the 1969 Williamson Act;and,
 - (ii) cancellation is in the public interest.
- c. The existence of an opportunity for another use of the property involved will not be sufficient reason for cancellation of this Contract. A potential alternative use of the property involved may be considered only if there is not proximate, non-contracted land suitable for the use to which it is proposed the property involved be put. The uneconomic character of the existing use may be considered only if there is no other

- reasonable or comparable agricultural use to which the property may be put. Prior to any action by the Board, the Board shall consider the recommendations of the Agricultural Commission and the Planning Commission.
- d. Prior to any action by the Board giving tentative approval to cancellation, the assessor shall determine the full cash value of the property involved as though it were free of the contractual restrictions. He shall multiply such value by the most recent County tax ratio announced pursuant to Section 401 of the Revenue and Taxation Code and shall certify the product to the Board as the cancellation valuation of the property involved for the purpose of determining the cancellation fee.
- e. Prior to giving tentative approval to the cancellation, the Board shall determine and certify to the Auditor the amount of the cancellation fee which Owner must pay the Treasurer as deferred taxes upon cancellation. That fee shall be an amount equal to fifty percent (50%) of the cancellation valuation of the property involved.
- f. If it finds that it is in the public interest to do so, the Board may waive any such payment (or any portion) or may make such payment (or any portion) contingent upon the future use made of the property involved and its economic return to Owner for a period of time not to exceed the unexpired term had it not been canceled, but only if:
 - (i) cancellation is caused by an involuntary transfer or change in the use which may be made of the property involved and such property is not immediately used for a purpose which produces a greater economic return to Owner; and,
 - the Board has determined it is in the best interest of the program to conserve agricultural land use that such payment (or any portion) be either deferred or not required.

- g. This Contract may not be canceled until after County has given notice of and has held a public hearing on the matter as required by law.
- h. Upon tentative approval of the cancellation petition the Clerk of the Board of Council shall record in the office of the County Recorder of the County in which the land as to which the contract is canceled is located a certificate which shall set forth the name of the owner of such land at the time the contract was canceled with the amount of the cancellation fee certified by the Board or Council as being due pursuant to this article, the contingency of any waiver or deferment of payments, and legal description of the property. From the date of recording of such certificate the contract shall be finally canceled and, to the extent the cancellation fee has not yet been paid, a lien shall be created and attached against the real property described therein and any other real property owned by the person named therein as the owner and located within the County. Such lien shall have the force, effect and priority of a judgment lien. Nothing in this section or Section 51283 shall preclude the Board or Council from requiring payment in full of the cancellation fee prior to the cancellation becoming effective.

In no case shall the cancellation of a contract be final until the notice of cancellation is actually recorded as provided in this section. Notwithstanding any other provisions of the Revenue and Taxation Code, any payments required by Section 51283 shall not create nor impose a lien or charge on the land as to which a contract is canceled except as herein provided.

Upon the payment of the cancellation fee or any portion thereof, the Clerk of the Board or Council shall record with the County Recorder a written certificate of the release in whole or in part of the lien.

EMINENT DOMAIN

- a. In this section:
 - "public agency" means any public entity included within the definition of"public agency" in the 1969 Williamson Act and in any subsequentamendments to that Act; and
 - (ii) "individual" means any person authorized under Section 1001 of the Civil Code or under any other existing or future California law to acquire property by eminent domain.
- b. When any action in eminent domain for the condemnation of the fee title of an entire parcel of the property is filed or when such parcel is acquired in lieu of eminent domain for a public use or improvement by a public agency or individual or whenever there is any such action or acquisition by the federal government or any person, instrumentality or agency action under authority or power of the federal government, this Contract shall be deemed null and void as to the property actually being condemned or acquired as of the date the action is filed or the acquisition occurs, and for the purpose of establishing the value of the property, this Contract shall be deemed never to have existed. Upon the termination of such a proceeding or occurrence of such an acquisition, this Contract shall be null and void for all property actually taken or acquired.
- c. When such an action to condemn less than an entire parcel of the property is filed, or when such an acquisition to acquire less than an entire parcel of the property occurs, this Contract shall be deemed null and void as to the property actually condemned or acquired and shall be disregarded in the valuation process only as to the property actually being taken or acquired unless the remaining property will be adversely affected by the condemnation in which case the amount of just compensation shall be computed without regard to this Contract.

d. The property actually taken or acquired shall be removed by this Contract. Under no circumstances shall property be removed that is not actually taken or acquired except as otherwise provided in the contract.

9. AMENDMENT

This Contract may be amended to the extent permitted by law applicable at the time of amendment.

10. SEVERABILITY

The invalidity of any provision of this Contract or its application to any particular factual situation will not affect the validity of any other provision or its application to any factual situation.

EL DORADO COUNTY

By: Luchdy Thomas

Chairman, Board of Supervisors

Wendy Thomas

Owners

SEE ATTACHED FOR NOTARY PUBLIC

CALIFORNIA ACKNOWLEDGMENT	CIVIL CODE § 1189
<u></u>	rifies only the identity of the individual who signed the document
State of California County of El Dovado On 10 13 2021 before me, In personally appeared feeding	Mevedith Escapar Whory Public Here Insert Name and Title of the Officer Hydev Name(s) of Signer(s)
to the within instrument and acknowledged to me the	nature(s) on the instrument the person(s), or the entity
MEREDITH ESCABAR Notary Public - California El Dorado County Commission # 2370341 My Comm. Expires Aug 10, 2025	I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct. WITNESS my hand and official seal.
Place Notary Seal and/or Stamp Above OPTI	Signature of Notary Public ONAL
	deter alteration of the document or form to an unintended document.
Description of Attached Document Title or Type of Document:	Son act Contract Number of Pages: 7
Signer(s) Other Than Named Above:	
Capacity(ies) Claimed by Signer(s) Signer's Name: Corporate Officer – Title(s): Partner – Limited General Individual Attorney in Fact Trustee Guardian or Conservator Other: Signer is Representing:	Signer's Name: Corporate Officer — Title(s): Partner — Limited General Individual Attorney in Fact Trustee Guardian or Conservator Other: Signer is Representing:

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EL DORADO COUNTY PLANNING SERVICES

FEQUIRED SUBMITTAL INFORMATION for Zone Change & General Plan Amendment

The following information must be provided with all applications. If all the information is not provided, the application will be deemed incomplete and will not be accepted. For your convenience, please use the check ($\sqrt{}$) column on the left to be sure you have <u>all</u> the required information. All plans and maps MUST be folded to $8\frac{1}{2}$ " x 11".

RECEIVED

	FORMS	AND MA	APS I	REQUIRED	JAN 1 3 2023
	Chec Applicant	., .			EL DORADO COUNTY PLANNING AND BUILDING DEPARTMENT
			1)	Application Form and Agreement for Payment of Processi	
			2)	Letter of authorization from all property owners a as applicant, when applicable.	
NA			3)	Proof of ownership (Grant Deed), if the property has tax roll.	nas changed title since
	V		4)	A copy of official Assessor's map, showing the prop	perty outlined in red.
	4		5)	An 8 ½ x 11" vicinity map showing the location of the distance to major roads, intersections, and town	
	V		6)	Environmental Questionnaire form, completed and	signed.
	V		7)	Provide name, mailing address and phone number and their agents.	of all property owners
MA			8)	If public sewer or water service is proposed, Facilities Improvement Letter if the project is loservice area, or a similar letter if located in another	ocated within the EID
NA			9)	If off-site sewer or water facilities are proposed provide four (4) copies of a map showing location facilities. If groundwater to be used for domestic noting well production data for adjacent parcels, or report prepared by a geologist noting the potential nature of project site geology.	and size of proposed water, submit a report r submit a hydrological
ΝА			10)	If a septic system is proposed, provide a prelimina sufficient data to determine if the site is capal proposed density or intensity of use	

FORMS AND MAPS REQUIRED

Check (√)

Applicant County 11) If located within one of the five Ecological Preserve - EP overlay zones (Mitigation Area 0), rare plants may exist on-site. The State Department of Fish & Game will require an on-site biological plant survey to determine the extent and location of rare plants on the project site. Such a survey can only occur from March 15 through August 15 when plants are readily visible. Therefore, if the State Department of Fish & Game requires the plant survey, a substantial delay in the processing of your application could result. To avoid potential delays, you may choose to provide this survey with application submittal. (A list of possible Botanical Consultants is available at Planning Services.) 12) A record search for archaeological resources shall be conducted through the North Central Information Center located at CSU-Sacramento, 6000 J Street, Adams Building, Suite #103, Sacramento, CA 95819-6100, phone number (916) 278-6217. If the record search identifies a need for a field survey, a survey shall be required. (A list of Archaeological Consultants and survey requirements is available at Planning Services.) Archaeological surveys shall meet the "Guidelines for Cultural Resource Studies" approved by the Board of Supervisors, available at Planning Services. 13) A site-specific wetland investigation shall be required on projects with identified wetlands on the Important Biological Resources Map (located in Planning Services), when proposed improvements will directly impact the wetland (reduce the size of the wetland area) or lie near the wetlands. (Available from Planning Services are the U.S. Corps of Engineers requirements for a wetlands delineation study. Additionally, a list of qualified consultants is also available.) NA 14) An acoustical analysis shall be provided whenever a noise-sensitive land use (residences, hospitals, churches, libraries) are proposed adjacent to a major transportation source, or adjacent or near existing stationary noise sources. Such study shall define the existing and projected (2015) noise levels and define how the project will comply with standards set forth in the General Plan. 15) Where special status plants and animals are identified on the Important Biological Resources Map located in Planning Services, an on-site biological study shall be required to determine if the site contains special status plant or animal species or natural communities and habitats. 16) An air quality impact analysis shall be provided utilizing the El Dorado County Air Pollution Control District's "Guide to Air Quality Assessment." 17) A traffic study shall be provided utilizing El Dorado County Department of Transportation's "Generic Traffic Study Scope of Work."

From:

Geraldine F. Hyder 3800 North Canyon Rd. Camino, CA 95709

To:

County of El Dorado Placerville, CA 95667

RECEIVED

JAN 13 2023

EL DORADO COUNTY
PLANNING AND BUILDING DEPARTMENT

Date: 9/24/21

Subject: Authorization To Serve On My Behalf for any El Dorado County Applications, Forms or Permits

Dear El Dorado County Staff,

I, Geraldine Hyder, hereby authorize my daughters, Kathy (Sam) Rumbaugh and/or Karen Hyder, to conduct all activities regarding my property (APN: 085-540-003) and represent my interests with El Dorado County. This to include, but not be limited to, the submission and signing of all Applications, Forms or Permits. I grant either/both permission to submit and receive all documents, related to this parcel of land, from your office on my behalf.

This letter of authorization will be in effect from July 24, 2021 to July 24, 2031. You are requested to allow them complete access to any land/permit/assessment records.

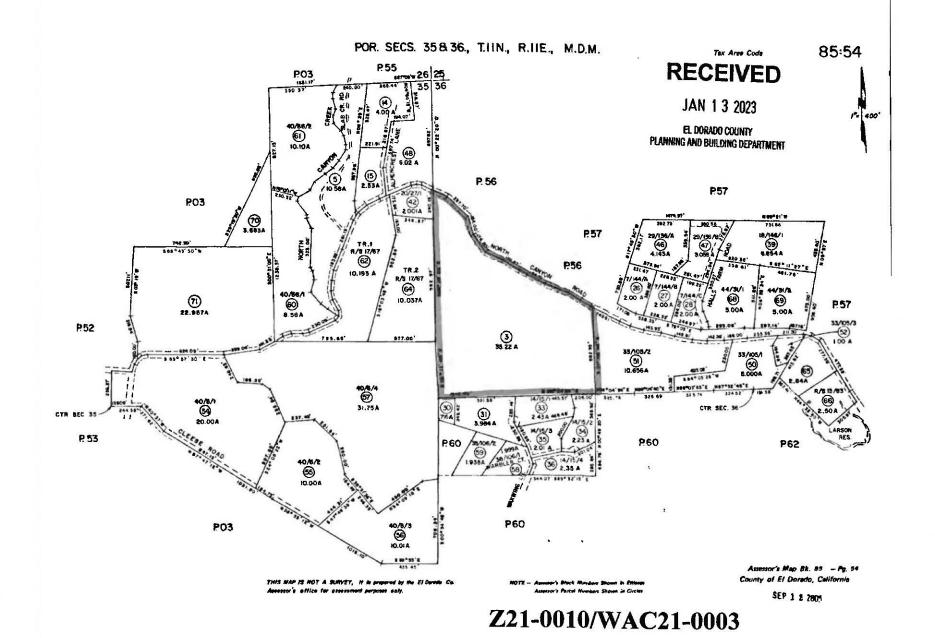
If you have any questions, feel free to contact me 530-622-4087.

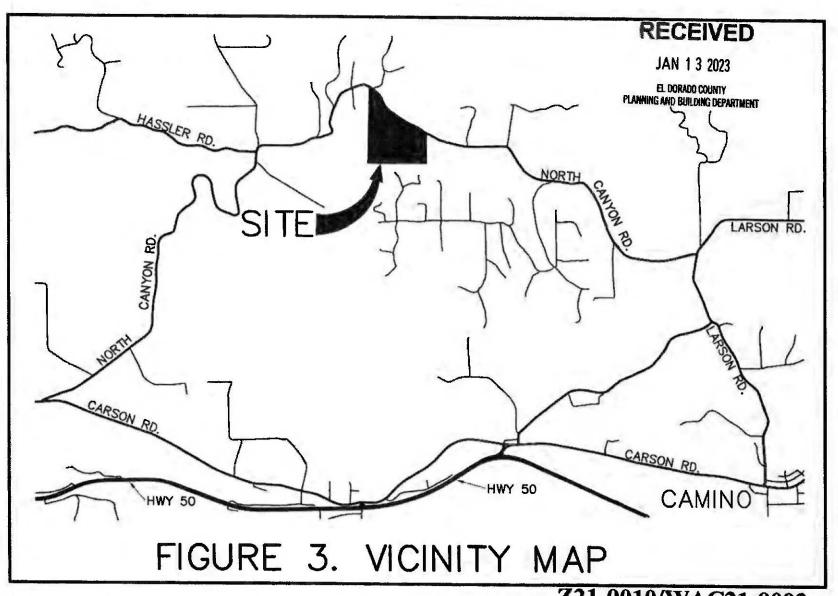
Sincerely,

Geraldine F. Hyder

Signature

Date





INDIAN ROCK TREE FARM LLC APN: 085-540-003-000

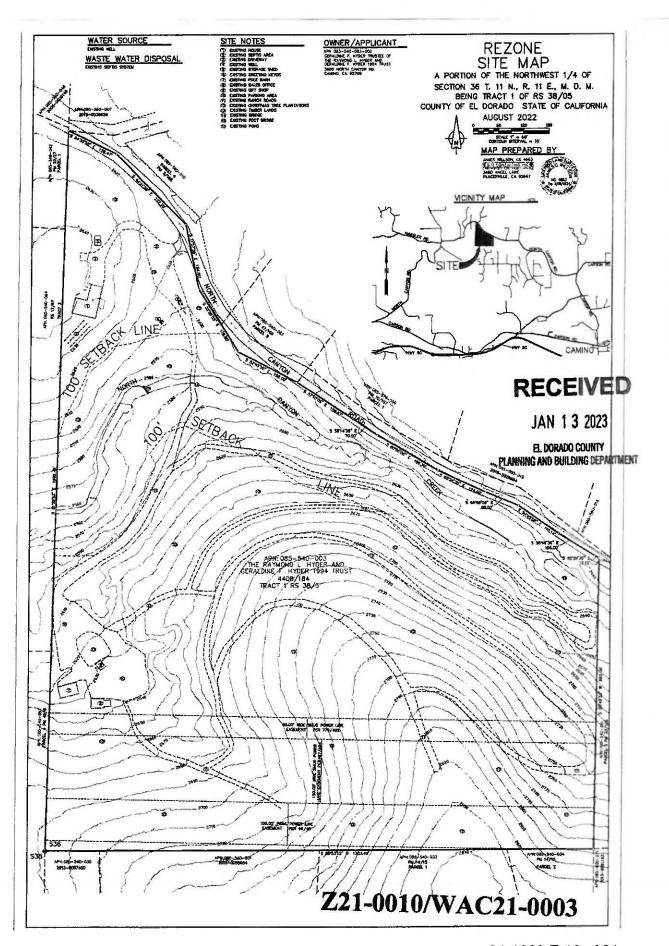


SITE PLAN REQUIREMENTS

Twenty-five (25) copies of the site plan detailing what exists on the site at time of application shall be submitted on 24" x 36" sheets or smaller, drawn to scale, and of sufficient size to clearly show all details and required data. All plans MUST be folded to 8½" x 11", plus one 8½" x 11" reduction. NO ROLLED DRAWINGS WILL BE ACCEPTED. For your convenience, please check the Applicant column on the left to be sure you have all the required submittal information.

Che	ck (√)			RECEIVE	
<u>Applicant</u>	County			VECEIAE	U
		1)	Project name (if applicable).	JAN 13 2023	
		2)	Name, address of applicant and designer (if applicable) PLA	EL DORADO COUNTY NNING AND BHILDING DEPART	Licin
U		3)	Date, North arrow, and scale.		MEN!
V		4)	Entire parcel of land showing perimeter with dimensions.		
		5)	All roads, alleys, streets, and their names.		
		6)	Location of easements, their purpose and width.		
4		7)	All existing and proposed uses (i.e. buildings, mobile hor utility transmission lines, etc.).	nes, dwellings,	
The follochange.	owing is	optio	onal and only necessary when it may help support a pro	oposed zone	
W.		8)	Driveways, parking and loading stalls with dimensions (r Ordinance Chapter 17.18).	efer to Zoning	
JA 🗌		9)	Proposed/existing fences or walls.		
NA 🗌		10)	Existing/proposed fire hydrants.		
Section	15060 of	f the	serves the right to require additional project information as California Environment Quality Act, or as required by the 0 when such is necessary to complete the environmental asse	General Plan	

NOTE: APPLICATION WILL BE ACCEPTED BY APPOINTMENT ONLY. MAKE YOUR APPOINTMENT IN ADVANCE BY CALLING (530) 621-5355.





FILE#	
DATE FILED	
THE SECTION NUMBER OF	RECEIVED

EL DORADO COUNTY PLANNING SERVICES ENVIRONMENTAL QUESTIONNAIRE

JAN 1 3 2023

EL DORADO COUNTY
PLANNING AND BUILDING DEPARTMENT

Projec	Title Indian Rock TREE Farm Lead Agency Planning
-	of Owner Geri Nyder, Karen Lyder Telephone 916-205-1794 (Sam)
Addres	$\mathcal{O}(\mathcal{O}(\mathcal{O}))$
Name	of Applicant Geri Huder, Karen Helephone @0530-391-9056 (Kan
Addres	2002 1 0 0 0 0 0 00000
	Location Same
1.00	or's Parcel Number(s) 085-540-003-000Acreage 33.22 Zoning TPZ
	answer all of the following questions as completely as possible. Subdivisions and other projects will require a Technical Supplement to be filed together with this form.
1.	Type of project and description:
ſ	Correction per advice of aG Opt., To move as from
	incorrect TPZ to Williamson Act Need to add Af housing
•	Exploring polential allowed uses per Chtzone, it related
2.	What is the sumber of units/parcels proposed? No change
<u>GEOL(</u>	DGY AND SOILS
3.	Identify the percentage of land in the following slope categories:
	□ 0 to 10% □ 11 to 15% □ 16 to 20% □ 21 to 29% □ over 30%
4.	Have you observed any building or soil settlement, landslides, rock falls or avalanches on this property or in the nearby surrounding area?
5. –	Could the project affect any existing agriculture uses or result in the loss of agricultural land?
<u>DRAIN</u>	AGE AND HYDROLOGY
6.	Is the project located within the flood plain of any stream or river? If so, which one? \(\int(\) - \(\)
7. -	What is the distance to the nearest body of water, river, stream or year-round drainage channel? On Site Stream Name of the water body? North Compon Creek
	Will the project result in the direct or indirect discharge of silt or any other particles in noticeable amount into any lakes, rivers or streams?
	Will the project result in the physical alteration of a natural body of water or drainage way? If so, in what way?

Zone Change & GPA Environmental Questionnaire Page 2

	Page 2
10.	Does the project area contain any wet meadows, marshes or other perennially wet areas?
VEG	ETATION AND WILDLIFE
Ä.	What is the predominant vegetative cover on the site (trees, brush, grass, etc.)? Estimate percentage of each:
12.	How many trees of 6-inch diameter will be removed when this project is implemented?
FIRE	PROTECTION
13.	In what structural fire protection district (if any) is the project located? EL Dovado County
14.	What is the nearest emergency source of water for fire protection purposes (hydrant, pond, etc.)? On Site Pond & Stream
15.	What is the distance to the nearest fire station?
16.	Will the project create any dead-end roads greater than 500 feet in length?
17.	Will the project involve the burning of any material including brush, trees and construction materials?
NOIS	E QUALITY
18.	Is the project near an industrial area, freeway, major highway or airport?
19.	What types of noise would be created by the establishment of this land use, both during and after construction? ### To Rezone - Minimal if yel-
AIR C	Hold any Events in the
20.	Would any noticeable amounts of air pollution, such as smoke, dust or odors, be produced by this project?
WATI	ER QUALITY
21.	Is the proposed water source public or private, treated or untreated? Name the system:
22.	What is the water use (residential, agricultural, industrial or commercial)? Residential
AEST	THETICS
23.	Will the project obstruct scenic views from existing residential areas, public lands, public bodies of water or roads?

ARCHAEOLOGY/HISTORY

24.	Do you know of any archaeological or historical areas within the boundaries or adjacent to the project? (e.g., Indian burial grounds, gold mines, etc.)
OFWA	a Grinding Holes in Rocks near stream.
SEWA	
25.	What is the proposed method of sewage disposal? Septic system sanitation district
	Name of district possible new septic) for home
26.	Would the project require a change in sewage disposal methods from those currently used in the vicinity?
TRAN	SPORTATION
27.	Will the project create any traffic problems or change any existing roads, highways or existing traffic patterns?
28.	Will the project reduce or restrict access to public lands, parks or any public facilities?
GROV	VTH-INDUCING IMPACTS
29.	Will the project result in the introduction of activities not currently found within the community?
30.	Would the project serve to encourage development of presently undeveloped areas, or increases in development intensity of already developed areas (include the introduction of new or expanded public utilities, new industry, commercial facilities or recreation activities)?
	Not to aux Knowledge - Need Clarification
31.	Will the project require the extension of existing public utility lines? If so, identify and give distances:
GENE	<u>RAL</u>
32.	Does the project involve lands currently protected under the Williamson Act or an Open Space Agreement?
33.	Will the project involve the application, use or disposal of potentially hazardous materials, including pesticides, herbicides, other toxic substances or radioactive material?
34.	Will the proposed project result in the removal of a natural resource for commercial purposes (including rock, sand, gravel, trees, minerals or top soil)?
35.	Could the project create new, or aggravate existing health problems (including, but not limited to, flies, mosquitos, rodents and other disease vectors)?
36.	Will the project displace any community residents?

Zone Change & GPA Environmental Questionnaire Page 4

dditional sheets if necessary)		
ON MEASURES (attach ac	dditional sheet	ts if necessary)	
mitigation measures for any	y of the above	questions where there	will be an adverse
_			
	No	Adverse	impact

