

## **ATTACHMENT 3**

### **CONDITIONS OF APPROVAL**

File Number P78-0280C – Teague Map Correction  
Zoning Administrator Approved September 5, 2007

#### **Planning Services Site Specific and Standard Conditions**

1. The subject Certificate of Correction is based upon and limited to compliance with the project description, the Zoning Administrator hearing exhibits marked Exhibits A-K dated September 5, 2007, and conditions of approval set forth below. Any deviations from the project description, exhibits, or conditions must be reviewed and approved by the County for conformity with this approval. Deviations may require approved changes to the permit and/or further environmental review. Deviations without the above described approval will constitute a violation of permit approval.

The project description is as follows:

Certificate of Correction to amend recorded Parcel Map 25-143 to remove the recorded 100 foot non-building easement and replace it with a 15 foot drainage easement within Parcel B only, as shown in Exhibit F for the subject parcel, (Assessor's Parcel Number 042-280-34).

The grading, development, use, and maintenance of the property, the size, shape, arrangement, and location of structures, parking areas and landscape areas, and the protection and preservation of resources shall conform to the project description above and the hearing exhibits and conditions of approval below. The property and any portions thereof shall be sold, leased, or financed in compliance with this project description and the approved hearing exhibits and conditions of approval hereto. All plans (such as Landscape and Tree Protection Plans) must be submitted for review and approval and shall be implemented as approved by the County.

2. In the event of any legal action instituted by a third party challenging the validity of any provision of this approval, the developer and landowner agree to be responsible for the costs of defending such suit and shall hold County harmless from any legal fees or costs County may incur as a result of such action, as provided in Section 66474.9(b) of the California Government Code.

The applicant shall defend, indemnify, and hold harmless El Dorado County and its agents, officers, and employees from any claim, action, or processing against El Dorado County or its agents, officers, or employees to attack, set aside, void, or annul an approval of El Dorado County concerning a subdivision, which action is brought within the time period provided for in Section 66499.37.

County shall notify the applicant of any claim, action, or proceeding and County will cooperate fully in the defense.

3. All Planning Services fees shall be paid in full prior to recording of the Certificate of Correction.

**County of El Dorado Office of the County Surveyor**

4. The applicant shall file a Certificate of Correction, prepared by an appropriately licensed professional with the El Dorado County Surveyor's Office pursuant to the Subdivision Map Act and County Code for review. Then, upon approval by the County Surveyor, the Certificate of Correction shall be recorded in the County Records Office. The property owners are responsible for all associated processing and recording fees.

## ATTACHMENT 2

### FINDINGS

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Based on the review and analysis of this project by staff and affected agencies, and supported by discussion in the staff report and evidence in the record, the following findings can be made:

#### **FINDINGS FOR APPROVAL**

##### **1.0 CEQA Findings**

- 1.1 The map correction project is Statutorily Exempt from the requirements of CEQA Guidelines pursuant to Section 15268 (b) (3).
- 1.2 The documents and other materials which constitute the record of proceedings upon which this decision is base are in the custody of the Development Services-Planning Services at 2850 Fairlane Court, Placerville, CA.

##### **2.0 Map Correction Findings**

- 2.1 *That there are changes in circumstances which make any and all of the conditions of such a map no longer appropriate or necessary.* The location of the 100 foot Non-building Easement is not accurately portrayed on Parcel Map 25-143 and further, the existing swale/liner depression cannot be qualified as a wetland/stream requiring any special setbacks required by County Code. Therefore, the subject easement is not needed and replacing it with a 15 foot wide drainage easement accurately portrayed on a corrected map can be found to be appropriate and necessary.
- 2.2 *That the modifications proposed do not impose any additional burden on the present fee owner of the property.* The removal of the non-building easement being requested would benefit, and not burden, the current owner.
- 2.3 *That the modifications proposed do not alter any right, title or interest in the real property reflected in the recorded map.* The abandonment of the 100 foot Non-building Easement created by Parcel Map 25-143 for Parcel B only does not alter any interest but updates and confirms the current circumstances concerning the drainage area subject of this permit.
- 2.4 *That the map as modified conforms to the provisions of Section 66474 of the Government Code.* The applicable portion of Section 66474(g) requires that the County find the removal of the 100 foot Non-building Easement will not conflict with easements for access through or use of, property within the parcel map. No utility company, public agency, or parcel owner with interest in the easement, objected to the abandonment of the subject easement.