

RECEIVED

OCT 01 1994

Filing Deadline:
October 1, 5:00 p.m.
of Current Year

BOARD OF SUPERVISORS
COUNTY OF SISKIYOU

Planning Commission

APPLICATION FOR AGRICULTURAL PRESERVE CONTRACT

FILING FEE: Refer to the front page for current processing fees. Your application will not be accepted by the Planning Department unless accompanied by the appropriate fees.

Separate applications are required if different parcels have different lienholders.

OWNER(S) NAME AS RECORDED: MICHAEL AND JUDY DUDNEY
(Include trust deed or other encumbrance holders. Use separate sheet if necessary. If none, write "None".

NONE

APPLICANT'S NAME (if other than above): _____

APPLICANT'S MAILING ADDRESS: 18031 GAZELLE-CALLAHAN RD GAZELLE 96034

APPLICANT'S TELEPHONE NUMBER: 916-598-2550 / 209-532-2150
LOCAL CELLULAR

AGENT FOR NOTICE: The following person is hereby designated as the person to receive any and all notices and communications from Siskiyou County during the life of this contract. I will notify the County in writing of any change of designated person or change of address for him:

DESIGNATED AGENT: _____

MAILING ADDRESS: _____

- DESCRIPTION OF PROPERTY (Use separate sheet if necessary):

See Attached Copy

Present Agricultural Use	Assessor's Parcel No.	Acreage
<u>Timber and grazing</u>	<u>22-110-120</u>	<u>160.0</u>
	<u>130</u>	<u>5.5</u>
	<u>140</u>	<u>154.5</u>
	<u>150</u>	<u>160.0</u>
	<u>22-100-180</u>	<u>480.0</u>
	Total Acreage	<u>960.0</u>

I declare under penalty of perjury that the information contained in this application is true and correct. If any information is not true and correct, I agree to pay to the County of Siskiyou all the cost incurred to correct the records concerning the land conservation contract and any and all cost of collecting or correcting taxes, along with a reasonable attorney fee which may be incurred in this matter.

By signing this application, I (We) hereby authorize County, State and Federal agencies requested to review this application to enter my property for the purpose of reviewing and commenting on this application. The authorization is valid from the date of filing this application until the County finally acts to approve or disapprove this project.

OWNER(S) SIGNATURE(S):

Michael Dudney
Judy Dudney

FOR PLANNING DEPARTMENT USE ONLY:

TYPE OF PRESERVE: WILLIAMSON ACT > LOCAL. 3 LEGAL PARCELS

THE ABOVE PROPERTY IS WITHIN ONE MILE OF A CITY: Yes _____ No

PRESENT ZONING: AB2B40, AB-1

PRESENT GENERAL PLAN DESIGNATION: AGRIC.

BOARD OF SUPERVISORS
COUNTY OF SISKIYOU
AGRICULTURAL PRODUCTION QUESTIONNAIRE

OWNER'S NAME MICHAEL & JUDY DUDNEY ADDRESS 18031 GAZELLE-CALLAHAN RD
GAZELLE CA 96034
PARCEL NUMBERS 22-110-120 22-110-130 22-110-140 22-110-150 22-100-180

HOW LONG HAVE YOU OWNED THIS LAND? 10-25-93

TYPE OF AGRICULTURAL USE:

- Dry pasture acreage 430 Carrying capacity 43
- Irrigated pasture acreage 50 Carrying capacity 25
- Dry farming acreage _____ Crops Grown _____ Production per acre _____
- Field crop acreage _____ Crops Grown _____ Production per acre _____
- Type of Irrigation (pivot line, ditch, etc.) DITCH
- Row crop acreage _____ Crops Grown _____ Production per acre _____
- Grazing AUM _____ Term _____ Fees paid _____
- Other acreage _____ Type _____ Production per acre _____

OTHER INCOME:

Hunting rights \$ _____ per year _____ acres _____ Fishing Rights \$ _____ per year _____
Other recreational rights \$ _____ per year _____ type _____
Mining and exploration \$ _____ per year _____ type _____
Quarrying \$ _____ per year type _____

LAND LEASED TO OTHERS:

Name of Owner _____ Number of acres _____
Rental fee per acre _____ Use of land _____
Terms of lease _____ Lease termination date _____
Share cropped with others: Crop _____ Percent to owner _____ Acres _____
List expenses paid by land
owner _____

- REMARKS ON INCOME, ETC.:

The above statements are certified by the undersigned to be true and correct and this land is used for the intensive production of food or fiber, or the land is used to support the agricultural economy and has public value.

Signed Judy Dudney Date 9/30/94

Please return this form to the Siskiyou County Planning Department along with your Agricultural Preserve application. It is a prerequisite to your property being placed in the Open Space Agricultural Preserve Land Act as adopted by the Siskiyou County Board of Supervisors. **ADOPTED NOVEMBER 28, 1972**

July 25, 1989

EXHIBIT "A"

List Assessor's Parcel Numbers below:

22-110-120

~~22-110-130~~

22-110-140

22-110-150

22-100-180

December 2, 1994

To Planning Department
attention: Dan Breiden
Siskiyou County Board of Supervisors,

We filed an application for
an Agricultural Reserve Contract
on October 3, 1994.

It has come to our attention to
delete three of the parcels from
Exhibit "A" and the application.

Parcel # 22-110-130 5.5 acres

Parcel # 22-110-140 154.5 acres

Parcel # 22-110-150 160 acres

These are described on the legal description
as Parcel A: The Southwest Quarter of Section 26,
Township 42 North, Range 7 West, M.D.M. and
Parcel B: The Southeast Quarter of Section 26,
Township 42 North, Range 7 West, MDM.

We apologize for any inconvenience
and appreciate your help in the matter.
Thank you,

Michael and Judy Dudley
18031 Gazelle-Callahan Road
Gazelle, Ca 96034
916-598-2550

RECEIVED
NOV 28 1994
Planning Commission

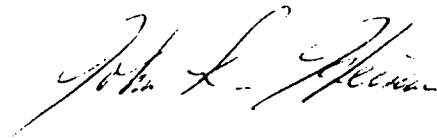
November 28, 1994

Planning Department
Attn: Dan Breedon

Subject: Project Application Review-Michael and Judy Dudney Agricultural Preserve Agreement (AGP-94-02)

Assessor's Parcel No.	Acres/Soil Class	Equivalent
22-100-180	480 acres Class VII	48 acres
22-110-120	27 acres Class IV	6.75 acres
	1 acre site	0
	132 acres Class VII	13.2 acres
22-110-130	5.5 acres Class VII	.79 acres
22-110-140	154.5 acres Class VII	15.45 acres
22-110-150	<u>160 acres</u> Class VII	<u>16 acres</u>
	960 acres TOTAL AREA	100.19 acres

With the equivalency of 100.19 acres, these parcels appear to qualify for a Williamson Act Contract.



John L. Heinan
Appraiser III

JLH:lh

SISKIYOU COUNTY PLANNING COMMISSION
REGULAR MEETING

COUNTY OF SISKIYOU

STATE OF CALIFORNIA

JANUARY 4, 1995

PRESENT: Commissioners Crebbin, Erickson, Hoy, Shelton and Bryan

ABSENT: None

ALSO PRESENT: Richard D. Barnum, Planning Director; Dan C. Breedon, Associate Planner; Dr. David Herfindahl, Public Health Officer and Terry Barber, Health Department.

AGRICULTURAL PRESERVE PROGRAM
MICHAEL AND JUDY DUDNEY (AGP-94-02)

RECOMMENDING APPROVAL

22-110-120
22-100-180

The applicant is requesting to enter an Agricultural Preserve Contract under the Williamson Act on one parcel totalling 640 acres zoned AG-2-B-40 (Non-Prime Agricultural, 40 acre minimum parcel size) and AG-1 (Prime Agricultural, 40 acre minimum parcel size). The property is located southwest of the Community of Gazelle, approximately six miles on the Gazelle-Callahan Road from Gazelle in T42N, R7W, Section 23, MDB&M.

STAFF REPORT:

The previously circulated staff report was reviewed and the Planning Department recommends the Planning Commission recommend approval of the Agricultural Preserve application to the Board of Supervisors.

PUBLIC INPUT: None

AGENCY INPUT: None

MOTION: It was moved by Commissioner Erickson, seconded by Commissioner Crebbin, to recommend to the Board of Supervisors that the Agricultural Preserve be established for Michael and Judy Dudney (AGP-94-02). Furthermore, the Commission recommends that the Chairman of the Board of Supervisors be authorized to sign the Land Preservation Contract with Michael and Judy Dudney, 18031 Gazelle-Callahan Road, Gazelle, California, 96034, on property consisting of 640 acres. VOTED upon and the Chairman declared the motion carried on the following roll call vote:

AYES: Commissioners Crebbin, Erickson, Hoy, Shelton and Bryan

NOES: None

ABSENT: None

STATE OF CALIFORNIA
COUNTY OF SISKIYOU

I, Lorraine Fleck, Board Clerk and Clerk of the Siskiyou County Planning Commission, do hereby certify the foregoing to be a full, true and correct copy of the Minute Order of said Siskiyou County Planning Commission passed on January 4, 1995.

/s Lorraine Fleck
SISKIYOU COUNTY PLANNING COMMISSION
STATE OF CALIFORNIA

STAFF REPORT

1994-95 Agricultural Preserve Program

AGP-94-02, MICHAEL AND JUDY DUDNEY

Description. This application was submitted by Michael and Judy Dudney for a total of 960 acres of timber and grazing land. The property is located southwest of the community of Gazelle, approximately 6 miles west of Gazelle on the Gazelle-Callahan Road from Gazelle in T42N, R7W, Sections 23 and 26. The property is currently zoned AG-2-B-40 (Non-Prime Agricultural 40 acre minimum parcel size) and AG-1 (Prime Agricultural, 40 acre minimum parcel size).

Analysis: The application request is for the inclusion of the entire acreage into the Agricultural Preserve Program. The ownership consists of three separate and legal parcels first described by Waiver in Official Record Volume 752, Page 252, March 19, 1976. The Dudney property is located primarily on soils dominantly found in the Klamath Mountain range, particularly the Marpa-Kinkel-Boomer soil map units, which consist of moderately deep to very deep soils on gently sloping to very steep terrain, and of gravelly to very gravelly loams on mountains. Willow Creek traverses the Dudney property. Approximately 430 acres of the property is used as dry pasture; 50 acres is irrigated by ditch. The property is developed with one residence.

After submission of the application, the Dudneys requested that the contract area be amended to include only one (1) parcel of 640 acres. Analysis of the parcel's soil is indicated in the Table below.

The following summary provides the estimated soils distribution by SCS Class (U. S. Soil Conservation Service) relative to the Agricultural Preserve Guidelines for evaluating applications.

Soils Class (Mapping Unit)	Acres	Equivalent Acreage
Building Site	1	N/A
IV	27	6.75
VII	612	61.2
Totals	640	67.95

Based upon the evaluation above, the application for one (1) parcel of 640 acres qualifies for the Agricultural Preserve Contract which requires a minimum of 40 acres of Class I or II equivalent soils.

Environmental Review. The proposed project is Categorical Exempt (CEQA Section 15317), Williamson Act Contract.

Recommendation. The Planning Department recommends approval of Agricultural Preserve Application AGP-94-02 for Michael and Judy Dudney, with the provision that prior to the Planning Commission meeting, the contract application be amended to reflect the inclusion of one (1) parcel (APN's: 22-100-180; 22-110-120). Furthermore, staff recommends that the Chairman of the Board of Supervisors be authorized to sign the Land Conservation Act Contract with Michael and Judy Dudney, for 640 acres as shown by Exhibit A of the Agricultural Preserve application.

EXHIBIT "A"

List Assessor's Parcel Numbers below:

22-110-120
22-110-130
22-110-140
22-110-150
22-100-180

AGRICULTURAL ADVISORY BOARD
MINUTES

DECEMBER 8, 1994

The Agricultural Preserve Advisory Board met on December 8, 1994, in the Department of Public Works Conference Room, with the following members present:

Dwight Roberts, Chairman
Fred Burton
Tony Hanna
Sam Jackson
Fletcher Hoyt

Absent:

Daniel Schroeder

Also Present:

Richard Barnum, Planning Director
Dan Breedon, Associate Planner

The meeting was called to order at 2:00 p.m. by Dwight Roberts, Chairman for the purpose of reviewing applications for Agricultural Preserve Contracts and making recommendations to the Board of Supervisors as follows:

DUDNEY, MICHAEL AND JUDY - RECOMMENDED APPROVAL OF AGRICULTURAL PRESERVE CONTRACT

It was moved by Jackson, seconded by Hanna, that the Agricultural Preserve Advisory Board does hereby recommend to the Board of Supervisors that an Agricultural Preserve be established, the Chairman authorized to sign the Land Conservation Act Contract and that an Agricultural Preserve Contract be entered into with Michael and Judy Dudney, 18031 Gazelle-Callahan Road, Gazelle, California 96034, on property consisting of 960 acres, with the provision that prior to the Planning Commission meeting, the contract application be amended to reflect the inclusion of one (1) parcel (APN's: 22-100-180; 22-110-120) as shown by Exhibit A on the Agricultural Preserve application. VOTED upon and the Chairman declared the motion passed unanimously.

BANK ONE, ARIZONA - RECOMMENDED APPROVAL OF AGRICULTURAL PRESERVE CONTRACT.

It was moved by Jackson, seconded by Burton, that the Agricultural Preserve Advisory Board does hereby recommend to the Board of Supervisors that an Agricultural Preserve be established, the Chairman authorized to sign the Land Conservation Act Contract and that an Agricultural Preserve Contract be entered into with Bank One, Arizona, P.O. Box 71, Phoenix, Arizona 85001 on property consisting of 281.1 acres shown by Exhibit A of the Agricultural Preserve application. VOTED upon and the Chairman declared the motion passed unanimously.

The meeting was adjourned at 2:20 p.m.

Filing Deadline:
October 1, 5:00 p.m.
of Current Year

BOARD OF SUPERVISORS
COUNTY OF SISKIYOU

APPLICATION FOR AGRICULTURAL PRESERVE CONTRACT

- REVISION -

FILING FEE: Refer to the front page for current processing fees. Your application will not be accepted by the Planning Department unless accompanied by the appropriate fees.

Separate applications are required if different parcels have different lienholders.

OWNER(S) NAME AS RECORDED: MICHAEL AND JUDY DUDNEY
(Include trust deed or other encumbrance holders. Use separate sheet if necessary. If none write "None".

NONE

APPLICANT'S NAME (if other than above): _____

APPLICANT'S MAILING ADDRESS: 18031 GAZELLE-CALLAHAN ROAD, GAZELLE 96034

APPLICANT'S TELEPHONE NUMBER: 916-598-2550 / 209-532-2150
LOCAL CELLULAR

AGENT FOR NOTICE: The following person is hereby designated as the person to receive any and all notices and communications from Siskiyou County during the life of this contract. I will notify the County in writing of any change of designated person or change of address for him:

DESIGNATED AGENT: _____

MAILING ADDRESS: _____

DESCRIPTION OF PROPERTY (Use separate sheet if necessary): PARCEL C
THE EAST HALF OF THE WEST HALF AND THE EAST HALF OF SECTION 23, AND THE NORTHEAST QUARTER OF SECTION 26
ALL IN TOWNSHIP 42 NORTH, RANGE 7 WEST M.D.M

Present Agricultural Use	Assessor's Parcel No.	Acreage
<u>TIMBER & GRAZING</u>	<u>22-100-180</u>	<u>480</u>
<u>TIMBER & GRAZING</u>	<u>22-110-120</u>	<u>160</u>

Total Acreage 640

I declare under penalty of perjury that the information contained in this application is true and correct. If any information is not true and correct, I agree to pay to the County of Siskiyou all the cost incurred to correct the records concerning the land conservation contract and any and all cost of collecting or correcting taxes, along with a reasonable attorney fee which may be incurred in this matter.

By signing this application, I (We) hereby authorize County, State and Federal agencies requested to review this application to enter my property for the purpose of reviewing and commenting on this application. The authorization is valid from the date of filing this application until the County finally acts to approve or disapprove this project.

OWNER(S) SIGNATURE(S):

Michael Dudney
Judy Dudney

FOR PLANNING DEPARTMENT USE ONLY:

TYPE OF PRESERVE: WILLIAMSON ALT >100 AC. 1 LEGAL PARCEL

THE ABOVE PROPERTY IS WITHIN ONE MILE OF A CITY: Yes _____ No X

PRESENT ZONING: AG2840; AG1

PRESENT GENERAL PLAN DESIGNATION: AGRIC.

RECORDING REQUESTED BY:

When Recorded Mail To:

PREAMBLE TO LAND CONSERVATION CONTRACT

WHEREAS, the hereinafter referred to OWNER possesses certain real property located within the hereinafter referred to County, which property is presently devoted to Agricultural and compatible uses.

WHEREAS, said property is located in Agricultural Preserve established by County by resolution; and

WHEREAS, both OWNER AND COUNTY desire to limit the use of said property to agricultural and compatible uses in order to discourage premature and unnecessary conversion of such lands from agricultural uses, recognizing that such land has definite public value as open space and that the preservation of such land in agricultural production constitutes an important physical, social, aesthetic and economic asset to COUNTY to maintain the agricultural economy of COUNTY and the State of California.

The following agreement is prepared and entered into by the parties to accomplish the above-stated purposes.

LAND CONSERVATION CONTRACT

IT IS AGREED by and between the OWNER and the COUNTY as follows:

Section 1. CONTRACT. This is a "Contract" made pursuant to the California Land Conservation Act of 1965, as amended as of the date first above written, including amendments enacted at the 1969 Regular Session of the California Legislature, (hereinafter referred to as the "Act") and is applicable to the Premises described in Exhibit "A" attached hereto.

Section 2. TERM. This Contract shall take effect on January 24, 1995, and shall remain in effect for a period of ten years therefrom and during any renewals of this Contract.

Section 3. RENEWAL. NOTICE OF NONRENEWAL. This Contract shall be automatically renewed for a period of one year on the first day of each year, and on the first day of each January thereafter unless written notice of nonrenewal is served by the Owner on the County at least 90 days prior to said date or written notice of nonrenewal is served by the County on the Owner at least 60 days prior to said date. Under no circumstances shall a notice of renewal to either party be required to effectuate the automatic renewal of this Contract.

Section 4. AUTHORIZED USES. During the term of this Contract and any and all renewals thereof, the Premises shall not be used for any purpose other than the production of agricultural commodities for commercial purposes and for compatible uses as specified in the Resolution establishing the Agricultural Preserve. The use of the Premises for agricultural uses and compatible uses shall be subject to the terms, conditions, and restrictions set forth in the Resolution establishing the Agricultural Preserve. No buildings or structures shall be erected upon the Premises except such buildings and structures as are directly related to authorized uses of the Premises listed in said Resolution establishing the Agricultural Preserve.

Section 5. ADDITION OR ELIMINATION OF AUTHORIZED USES. The Board of Supervisors of the County, by resolution, may from time

to time during the term of this contract or any renewals thereof amend the resolution establishing said Agricultural Preserve to add to those authorized uses or eliminate a use listed in the Resolution establishing the Agricultural Preserve which authorized uses shall be uniform throughout said Agricultural Preserve; provided, however, no amendment of such resolution during the term of this Contract or any renewal thereof so as to eliminate any use shall be applicable to this Contract unless the Owner consents to such elimination.

Section 6. POLICE POWER. Nothing in this Contract shall be construed to limit the exercise by the Board of Supervisors of the police power or the adoption or readoption or amendment of any zoning ordinance or land use ordinance, regulation or restriction pursuant to the Planning and Zoning Law (sections 65000 et seq., Government Code) or otherwise.

Section 7. EMINENT DOMAIN. (a) Except as provided in subdivision (d) of this Section 7, when any action in eminent domain for the condemnation of the fee title of an entire parcel of land subject to this contract is filed or when such and is acquired in lieu of eminent domain for a public improvement by a public agency or person or whenever there is any such action or acquisition by the federal government or any person, instrumentality or agency acting under authority or power of the federal government, this Contract shall be deemed null and void as to the land actually being condemned or so acquired as of the date the action is filed and for the purposes of establishing the value of such land, this Contract shall be deemed never to have existed.

(b) Except as provided in subdivision (d) of this Section 7, when such an action to condemn or acquire less than all of a parcel of land subject to this Contract is commenced this Contract shall be deemed null and void as to the land actually condemned or acquired and shall be disregarded in the valuation process only as to the land actually being taken, unless the remaining land subject to this Contract will be adversely affected by the condemnation, in which case the value of that damage shall be computed without regard to this document.

(c) The land actually taken shall be removed from this Contract. Under no circumstances shall land be removed that is not actually taken, except as otherwise provided in the Act.

(d) The provisions of subdivisions (a) and (b) of this Section 7 and the provisions of Section 51295 of the Act (Government Code) shall not apply to or have any force or effect with respect to (1) the filing of any action in eminent domain for the condemnation of any easement for the erection, construction, alteration, maintenance, or repair of any gas, electric, water, road, or communication facilities by any public agency (including the County) or public utility or to the acquisition of any such easement by any public agency (including the County) or public utility. The filing of any such action in eminent domain for the condemnation or the acquisition of any such easement or lesser estate shall not terminate, nullify or void this Contract and in the event of the filing of any such action in eminent domain or acquisition this Contract shall not be considered in the valuation process.

Section 8. NO PAYMENT BY COUNTY. The Owner shall not received any payment from the County in consideration of the obligations imposed hereunder, it being recognized and agreed that the consideration for the execution of the Contract is the substantial public benefit to be derived therefrom, and the advantage which will accrue to the Owner as a result of the effect on the assessed valuation of land described herein due to the imposition of the limitations on its use contained herein.

Section 9. CANCELLATION. (a) This Contract may be cancelled only by mutual agreement of the Owner and County pursuant to Section 51282 of the Act (Government Code) when, after public hearing has been held in accordance with the provisions of Section 51284 of the Act (Government Code), the Board of Supervisors finds (1) such cancellation is in the public interest and not inconsistent with the purposes of the Act, and (2) it is neither necessary nor desirable to continue the restrictions imposed by this Contract; provided, however, this Contract shall not be cancelled until the hereinafter specified cancellation fee

has been paid, unless such fee or portion thereof is waived or deferred pursuant to subdivision (c) of Section 51283 of the Act (Government Code).

(b) Prior to any action by the Board of Supervisors giving tentative approval to the cancellation of this Contract, the County Assessor shall determine the full cash value of the land as though it were free from the restrictions of this Contract. The Assessor shall multiply such value by the most recent County ratio announced pursuant to Section 401 of the Revenue and Taxation Code, and shall certify the product to the Board of Supervisors as the cancellation valuation of the land for the purpose of determining the cancellation fee hereinafter specified.

(c) Prior to giving tentative approval to the cancellation of this Contract the Board of Supervisors shall determine and certify to the County Auditor the amount of the cancellation fee which the Owner must pay the County Treasurer as deferred taxes upon cancellation, which shall be 50% of the cancellation valuation of the land as determined in subparagraph (b) of this section. If after the date this Contract is initially entered into the publicly announced County ratio of assessed to full cash value is changed, the percentage payment specified in this paragraph shall be changed so no greater percentage of full cash value will be paid than would have been paid had there been no change in such ratio.

(d) The Board of Supervisors may waive or defer payment of the cancellation fee or any portion thereof in accordance with subdivision (c) of Section 51283 of the Act (Government Code).

Section 10. DISTRIBUTION OF DEFERRED TAXES. On receipt of any deferred taxes (cancellation fee) payable pursuant to Section 10 of this Contract, said deferred taxes shall be distributed as provided in Section 51204 of the Act (Government Code).

Section 11., DIVISION OF LAND - NEW CONTRACTS. In the event the Premises is divided, a contract identical to the contract

then covering the Premises shall be executed by the Owner of each parcel created by the division at the time of the division.

Section 12. DIVISION OF LAND - MINIMUM SIZE PARCELS. The owner shall not divide the Premises contrary to the restrictions on the division of Premises as set forth in the Resolution establishing the Agricultural Preserve.

Section 13. CONTRACTS BINDS SUCCESSORS. The term "Owner" as used in this contract shall include the singular and plural and the heirs, executors, administrators, and successors and assigns and this Contract shall run with the land described herein and shall be binding upon the heirs, executors, administrators, successors and assigns of the parties hereto.

Section 14. REMOVAL OF LAND FROM PRESERVE. Removal of any land under this Contract from an agricultural preserve either by; change of boundaries of the preserve or disestablishment of the preserve shall be the equivalent of a notice of nonrenewal by the County.

Section 15. CONVEYANCE CONTRARY TO CONTRACT. Any conveyance, contract or authorization (whether oral or written) by the Owner or his successors in interest which would permit the use of the subject property or create a division of the land contrary to the terms of this Contract, or any renewal thereof may be declared void by the Board of Supervisors of the County; such declaration or the provisions of this Contract may be enforced by the County by an action filed in the Superior court of the county by the District Attorney for the purpose of compelling compliance or restraining a breach thereof.

Section 16. OWNER TO PROVIDE INFORMATION. The Owner, upon request of the County, shall provide information relating to the Owner's obligations under this Contract.

Section 17. NOTICE. Any notice given pursuant to this contract may, in addition to any other method authorized by law, be given by United States mail, postage prepaid. Notice to the County shall be addressed as follows:

Clerk of the Board of Supervisors
County of Siskiyou
Courthouse
Yreka, California 96097

Notice to the Owner shall be addressed as follows:

Michael & Judy Dudney
18031 Gazelle - Callahan Rd
Gazelle, Ca 96034

IN WITNESS WHEREOF, the Owner and the County have executed this Contract on the day first above written.

Michael Dudney
Judy Dudney
Owner

State of California

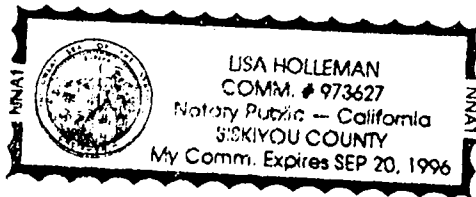
County of Siskiyou

On Feb 14, 95 before me, Lisa Holleman, personally appeared Michael & Judy Dudney, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signatures on the instrument, the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

(SIGNATURE AND SEAL OF NOTARY)

Lisa Holleman



ATTEST:

COUNTY OF SISKIYOU, Board of Supervisors

Clerk

Jerry Giardino

Chairman

STATE OF CALIFORNIA)
)ss
COUNTY OF SISKIYOU)

On January 24, 1995, before me, Cindy Dieter, Deputy Clerk of the Siskiyou County Board of Supervisors, personally appeared Jerry Giardino, personally known to me to be the person who executed this instrument as Chairman of the Board of Supervisors of the County of Siskiyou, State of California, and acknowledged to me that the political subdivision executed it.

LISA CHANDLER, County Clerk
and ex-Officio Clerk of
the Board

Dated: January 24, 1995

Deputy *Cindy Dieter*
Signature

(Seal)

CONSENT OF LIENHOLDER

no. lienholder

The undersigned, a lienholder against the property owned by _____ and herein described, consents to the aforementioned agreement (Land Conservation Act of 1965) and consents that its lien on the property described be subordinated to this agreement.

DATED: This _____ day of _____ 19_____.

Lienholder

STATE OF CALIFORNIA)
) ss.
COUNTY OF _____)

On this _____ day of _____ 19_____, before me, _____ a Notary Public in and for said _____ County, personally appeared _____ known to me to be the person _____ whose name _____ subscribed to the within instrument and acknowledged to me that _____ executed the same.

Notary Public

My Commission Expires: _____

EXHIBIT "A"

List Assessor's Parcel Numbers below:

~~22-110-120~~

~~22-110-130~~

~~22-110-140~~

~~22-110-150~~

22-100-180

LEGAL DESCRIPTION

ALL THAT REAL PROPERTY SITUATE IN THE COUNTY OF SISKIYOU, STATE OF CALIFORNIA,
DESCRIBED AS FOLLOWS:

PARCEL A: The Southwest Quarter of Section 26, Township 42 North, Range 7 West, M.D.M., PARCEL B: The Southeast Quarter of Section 26, Township 42 North, Range 7 West, M.D.M. PARCEL C: The East half of the West half, and the East half of Section 23, and the Northeast Quarter of Section 26, all in Township 42 North, Range 7 West, M.D.M. LOCATION: In the North half of the Northeast Quarter of Section 26, and in the Southeast Quarter of the Southwest Quarter, and the Southwest Quarter of the Southeast Quarter of Section 23.

14 T.C. 10/20/80

MEMOR REC 8/22/80 896-134

(26)

T.P.Z. T.P.Z. T.P.Z. T.P.Z.

(2)

USA

(15)

PARCEL 3

PORTION PARCEL 4

(D) MALLET + MERRILL

(9) AG PRES

(7)

(17)

23

(16) 480 ac.
22-100-182

(21) AG PRES
FOR PAR 1

24

ED WAIVER 8/17/75
R. 752-282 5/8/76
6-102-102 11/21/78

OLA REC 2/22/81
C.R. 84-2319

DUDNEY

AG PRES (25) Co
PCR PAR 1

AMENDED WAIVE 8/17/75 REC. O.R. 752-282 3/10/76
WAIVER APPROVED 8/17/75 REC. O.R. 748-102 11/21/78

AG PRES (24)
FOR PAR 2

DUDNEY

FOR PAR 2
COUNTY HAS FEE TITLE
TO 66' ROAD.
373-473 O.R.

(3) AG PRES

USA

(10)

PORTION PARCEL 5

(12) 160 ac
22-110-130

(4) AG PRES
FOR PAR 2

25

DUDNEY

DUDNEY

PARCEL 1
22-110-130
5.5 ac
(13)
(14) 154.5 ac
22-110-140

PARCEL 2
(15) 160 ac
22-110-150

(5)

(6)

AMENDED WAIVER 8/17/75 REC. O.R. 752-282 3/10/76
WAIVER APPROVED 8/17/75 REC. O.R. 748-102 11/21/78

RECORDING REQUESTED BY

SISKIYOU COUNTY TITLE CO.

AND WHEN RECORDED MAIL THIS DEED UNLESS OTHERWISE SHOWN BELOW MAIL TAX STATEMENTS TO:

Name: Michael & Judy Dudney
Street: 14405 Algerine-Wards Ferry Road
Address: Sonora, CA 95370
City & State:

MAIL TAX STATEMENTS TO

Name: SAME
Street:
Address:
City & State:

TITLE ORDER NO.

ESCROW NO. 98061-MG

SPACE ABOVE THIS LINE FOR RECORDER'S USE

RECORDED AT REQUEST OF
SISKIYOU COUNTY TITLE CO.

OFFICIAL RECORDS
SISKIYOU COUNTY, CALIF.

Oct 25 3 08 PM '93

#93014214

David W. Ellidge

Fee \$5.00 Pd.

93014214

GRANT DEED

THE UNDERSIGNED GRANTOR(S) DECLARE(S)

DOCUMENTARY TRANSFER TAX is \$ 401.50

computed on full value of property conveyed, or

computed on full value less value of liens or encumbrances remaining at time of sale.

unincorporated area

city of

, AND

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged,

Ray Diaz Rodriguez and Lorraine Rodriguez, husband and wife

hereby GRANT(S) to

Michael Dudney and Judy Dudney, husband and wife AS JOINT TENANTS

the following described real property in the
County of Siskiyou, State of California:

PARCEL A: the Southwest Quarter of Section 26, Township 42 North, Range 7 West, M.D.M., PARCEL B: The Southeast Quarter of Section 26, Township 42 North, Range 7 West, M.D.M. PARCEL C: The East half of the West half, and the East half of Section 23, and the Northeast Quarter of Section 26, all in Township 42 North, Range 7 West, M.D.M. LOCATION: In the North half of the Northeast Quarter of Section 26, and the Southeast Quarter of the Southwest Quarter, and the Southwest Quarter of the Southeast Quarter of Section 23.

Dated September 24, 1993

STATE OF CALIFORNIA)
COUNTY OF Siskiyou) SS.

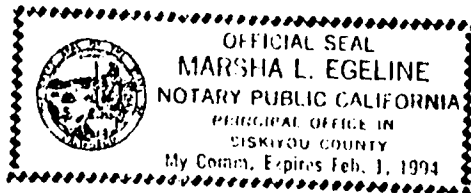
On October 21, 1993 before me, the undersigned, a Notary Public in and for said State, Personally appeared Ray Diaz Rodriguez and Lorraine Rodriguez

personally, known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument WITHOUT my hand and official seal.

Signature

Marsha L. Egeline
NOTARY PUBLIC IN AND FOR SAID STATE

Ray Diaz Rodriguez
Ray Diaz Rodriguez
Lorraine Rodriguez
Lorraine Rodriguez



(This area for official notarial seal)

MAIL TAX STATEMENTS AS DIRECTED ABOVE.

Filing Deadline:
October 1, 5:00 p.m.
of Current Year

BOARD OF SUPERVISORS
COUNTY OF SISKIYOU

APPLICATION FOR AGRICULTURAL PRESERVE CONTRACT

- Revision -

FILING FEE: Refer to the front page for current processing fees. Your application will not be accepted by the Planning Department unless accompanied by the appropriate fees.

Separate applications are required if different parcels have different lienholders.

OWNER(S) NAME AS RECORDED: MICHAEL AND JUDY DUDNEY
(Include trust deed or other encumbrance holders. Use separate sheet if necessary. If none write "None".

NONE

APPLICANT'S NAME (if other than above): _____

APPLICANT'S MAILING ADDRESS: 18031 GAZELLE-CALLAHAN ROAD, GAZELLE 96034

APPLICANT'S TELEPHONE NUMBER: 916-598-2550 / 209-532-2150
LOCAL CELLULAR

AGENT FOR NOTICE: The following person is hereby designated as the person to receive any and all notices and communications from Siskiyou County during the life of this contract. I will notify the County in writing of any change of designated person or change of address for him:

DESIGNATED AGENT: _____

MAILING ADDRESS: _____

DESCRIPTION OF PROPERTY (Use separate sheet if necessary): PARCEL C
THE EAST HALF OF THE WEST HALF AND THE EAST HALF OF SECTION 23, AND THE NORTHEAST QUARTER OF SECTION 26
ALL IN TOWNSHIP 42 NORTH, RANGE 7 WEST M.D.M.

Present Agricultural Use	Assessor's Parcel No.	Acreage
<u>TIMBER & GRAZING</u>	<u>22 00 00</u>	<u>480</u>
<u>TIMBER & GRAZING</u>	<u>23 10 00</u>	<u>160</u>

Total Acreage 640

I declare under penalty of perjury that the information contained in this application is true and correct. If any information is not true and correct, I agree to pay to the County of Siskiyou all the cost incurred to correct the records concerning the land conservation contract and any and all cost of collecting or correcting taxes, along with a reasonable attorney fee which may be incurred in this matter.

By signing this application, I (We) hereby authorize County, State and Federal agencies requested to review this application to enter my property for the purpose of reviewing and commenting on this application. The authorization is valid from the date of filing this application until the County finally acts to approve or disapprove this project.

OWNER(S) SIGNATURE(S):

Michael Dudney
Judy Dudney

FOR PLANNING DEPARTMENT USE ONLY:

TYPE OF PRESERVE: WILLIAMSON ALT > 100 AC. 1 LEGAL PARCEL

THE ABOVE PROPERTY IS WITHIN ONE MILE OF A CITY: Yes _____ No X

PRESENT ZONING: 1162840; A61

PRESENT GENERAL PLAN DESIGNATION: AGRIC.

RESOLUTION ESTABLISHING A NEW AGRICULTURAL PRESERVE
WITH UNIFORM RULES, INCLUDING COMPATIBLE USES

WHEREAS, the County of Siskiyou has been requested to establish the herein Agricultural Preserve; and

WHEREAS, the County of Siskiyou is authorized to establish Agricultural Preserves pursuant to the California Land Conservation Act of 1965 as amended; and

WHEREAS, the procedural requirements to establish an Agricultural Preserve as required by the Act have been followed; and

WHEREAS, the land to be included within the Agricultural Preserve is used for the purpose of producing agricultural commodities for commercial purposes and compatible uses; and

WHEREAS, Uniform rules shall apply to this Preserve as specified in Resolution 275, Book 11, of the Board of Supervisors.

NOW, THEREFORE, BE IT RESOLVED, that all of that certain real property situated in the County of Siskiyou, State of California, described in Exhibit "A" attached hereto and made a part hereof as is fully set forth, which description and reference is to the present Assessor's parcel number and is accompanied by a map thereof, is hereby designated and established as an Agricultural Preserve within the meaning and pursuant to the land increased or decreased in accordance with the law.

The foregoing resolution was adopted at a regular meeting of the Siskiyou County Board of Supervisors of the County of Siskiyou, State of California, held on the 24th day of January 1995, by the following vote:

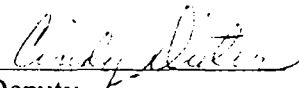
AYES: Supervisors Bryan, Dutra, Hoy and Young

NOES: None

ABSENT: None


Chairman
Siskiyou County Board of Supervisors

ATTEST:
Lisa Chandler, County Clerk

BY: 
Deputy

SISKIYOU COUNTY
RESOLUTION

95-28

EXHIBIT A

STEVE AND DUSTY NASH
11825 Big Springs Road
Montague, California 96064

24-242-140
24-242-150
24-200-040
24-250-120
24-250-130

MICHAEL AND JUDY DUDNEY
18031 Gazelle-Callahan Road
Gazelle, California 96034

22-100-180
22-110-120

RESOLUTION APPROVING NEW AGRICULTURAL PRESERVE
CONTRACTS IN AGRICULTURAL PRESERVES ESTABLISHED BY
RESOLUTION NO. ~~95-28~~ ADOPTED ON JANUARY 24, 1995

WHEREAS, the County of Siskiyou has established certain Agricultural Preserves within
the County of Siskiyou; and

WHEREAS, the procedural requirements for establishment of said preserves as required
by the Land Conservation Act of 1965, as amended, have been followed.

NOW, THEREFORE, BE IT RESOLVED, that the County of Siskiyou does hereby enter
into Agricultural Preserve Contracts (Williamson Act Contracts) with the following landowners
in the established Agricultural Preserves, said Agricultural Preserves having been established by
Resolution, adopted on January 25, 1994, and the Chairman of the Siskiyou County Board of
Supervisors is authorized to sign said contracts on behalf of the County of Siskiyou, and the
Clerk is directed to record said contracts prior to March 1, 1995.

BE IT FURTHER RESOLVED, that all Agricultural Preserve Contracts, as hereinabove
approved by the Board of Supervisors, are hereby described in Exhibit "A" attached hereto and
made a part hereof.

The foregoing resolution was passed and adopted this 24th day of January 1995, by the
following vote:

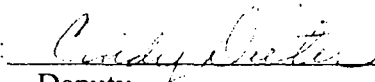
AYES: Supervisors Bryan, Dutra, Hoy and Young

NOES: None

ABSENT: None


Chairman
Siskiyou County Board of Supervisors

ATTEST:
Lisa Chandler, County Clerk

BY: 
Deputy

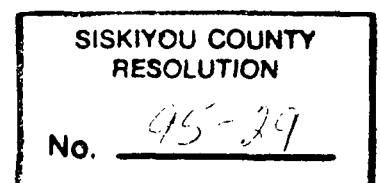


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MICHAEL AND JUDY DUDNEY
18031 Gazelle-Callahan Road
Gazelle, California 96034

22-100-180
22-110-120

PROOF OF PUBLICATION

(2015.5 C.C.P.)
Weed Press

STATE OF CALIFORNIA,
County of Siskiyou

I am a citizen of the United States and a resident of the County aforesaid; I am over the age of eighteen years, and not a party to or interested in the above entitled matter. I am the ADMIN. ASST. of the Weed Press, a newspaper of general circulation, published weekly in the City of Weed, County of Siskiyou, and which newspaper has been adjudged a newspaper of general circulation by the Superior Court of the County of Siskiyou, State of California, under the date of June 22, 1953, Case Number 15231; that the notice, of which the annexed is a printed copy (set in type not smaller than nonpareil), has been published in each regular and entire issue of said newspaper and not in any supplement thereof on the following dates, to-wit:

JANUARY 4

all in the year 19 95

I Certify (or declare) under penalty of perjury that the foregoing is true and correct.

Dated at Weed, California, this 6 day of JANUARY 1995.

Jeanne Minsky
Authorized Signature

This space is for the County Clerk's Filing Stamp

FILED
JAN 21 11 16 AM '95
BY: _____

NOTICE

Proof of Publication of

PUBLIC HEARING

The Siskiyou County Board of Supervisors will hold a public hearing on Tuesday, January 24, 1995 at 10:00 a.m. in the Board of Supervisors Chambers, Courthouse, Yreka, California, on the following item:

Consideration of inclusion in an Agricultural Preserve and Williamson Act Contract for:

- Michael and Judy Dudney 22-110-120
- 18031 Gazelle-Callahan 22-110-130
- Road 22-110-140
- Gazelle, California 96034 22-110-150
- 22-100-180

All interested persons are invited to be present and be heard thereon.

If you challenge the Agricultural Preserve Contract in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

LISA CHANDLER, County Clerk
By /s/ Cindy Dieter, Deputy
wp,ja4c

002

PROOF OF PUBLICATION

(2015.5 C.C.P.)
Weed Press

STATE OF CALIFORNIA,
County of Siskiyou

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By /s/ Cindy Dieter, Deputy
wp,ja4c

002

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