



COUNTY OF HUMBOLDT

AGENDA ITEM NO.

C-18

For the meeting of: September 5, 2017

Date: August 17, 2017

To: Board of Supervisors

From: *(Signature)* Thomas K. Mattson, Public Works Director

Subject: Approval of Central Estates Subdivision, Phase 2D, Planning and Building File No. APN 508-252-031, McKinleyville

RECOMMENDATION(S): That the Board of Supervisors:

1. Accept and approve the subdivision map for filing with the County Recorder.
2. Accept the dedications to the County of Humboldt of Parcel B along Edeline Avenue, Linda Way and Conifer Court and Parcel H for public utilities; accept Parcel E for non-vehicular access; accept Parcel G for drainage facilities and public trails; and reject Edeline Avenue, Linda Way and Conifer Court for public road purposes and Parcel A for pedestrian purposes.
3. Direct the Clerk of the Board to sign the subdivision map on behalf of the Board of Supervisors and further certify to the abandonment of Parcel B, Parcel D and Parcel F as shown on Book 19 of Maps, pages 34 through 35, and a portion of 2004-9646-6 recorded on March 24, 2004.
4. Authorize the Chair of the Board to execute the Conveyance and Agreement
5. Direct the Clerk of the Board to transmit the subdivision map and the Conveyance and Agreement to the County Recorder.

(Signature) Prepared by Ronald Garton, County Surveyor *(Signature)*

CAO Approval *(Signature)*

REVIEW: Auditor _____ County Counsel *(Signature)* Human Resources _____ Other _____

TYPE OF ITEM:

Consent

Departmental

Public Hearing

Other _____

BOARD OF SUPERVISORS, COUNTY OF HUMBOLDT

Upon motion of Supervisor *(Signature)* Sundberg Seconded by Supervisor *(Signature)* Fennell

Ayes *(Signatures)* Sundberg, Fennell, Bass, Bohn, Wilson

Nays _____

Abstain _____

Absent _____

PREVIOUS ACTION/REFERRAL:

Board Order No. C-17

Meeting of: 07/14/2015

and carried by those members present, the Board hereby approves the recommended action contained in this Board report.

Dated: Sep. 5, 2017
By: *(Signature)* Kathy Hayes, Clerk of the Board

SOURCE OF FUNDING: General Fund Land Use 1100-168

DISCUSSION: On December 3, 2009, the Planning Commission approved a tentative map for Central Estates, Phase 2, being the subdivision of a thirty-three (33) acre parcel into eighty-six (86) residential lots, seventy-three (73) lots for townhouses or similar dwellings and eighty-eight (88) multi-family units, and six (6) miscellaneous lots for drainage, trails, and recreation, to be completed in several sub-phases, Planning and Building Case No. FMS-07-08, Planning and Building File No. APN 508-252-001. This map represents Phase 2D, Planning and Building File No. APN 508-252-031 (the southeast area and the fourth and final sub-phase under Phase 2), which is comprised of thirty-two (32) lots. Previously completed phases of Central Estates include:

Phase A (Lot 1) filed December 12, 2002 in Book 23 of Maps, pages 28 through 30

Phase 1A filed April 15, 2004 in Book 23 of Maps, pages 96 through 100

Phase 2A filed March 1, 2012 in Book 25 of Maps, pages 30 through 31

Phase 2B filed April 11, 2013 in Book 25 of Maps, pages 32 through 33

Phase 2C filed July 21, 2015 in Book 25 of Maps, pages 48 through 51

The subdivision is located east of McKinleyville Avenue between Heartwood Drive and Washington Avenue in McKinleyville.

The subdivider, Jim Furtado, Manager of Central Estates Remainder LLC, requests that the Board of Supervisors approve this phase of the subdivision as complete and accept the subdivision map for filing with the County Recorder.

The Planning Division of the Planning and Building Department has required the subdivider to convey development rights for secondary dwellings to the county on all lots except lots 21 and 31 until such time that parkland dedication fees of \$767.00 per lot are paid. The subdivider currently plans to construct secondary dwellings on lots 21 & 31, therefor parkland dedication fees are being paid now for those lots. The subdivider has executed a Conveyance and Agreement for this purpose, which has been approved by the Planning Division.

The Planning Division has provided notice that all conditions of tentative map approval, other than those required by the Department of Public Works, have been satisfied.

The Department of Public Works has inspected and approved all subdivision improvements.

On September 16, 2003, the Board of Supervisors adopted Agenda Item F-3 that set forth a policy to not accept new local roads into the County Maintained Road System unless a permanent funding source is provided. At this time, a permanent funding source has not been provided for the county to maintain all roads created as part of this subdivision. Therefore, the Department of Public Works is recommending that the easements for Edeline Avenue, Linda Way and Conifer Court and Parcel A (for pedestrian purposes) be rejected. At this time, the maintenance of the roads, associated drainage and pedestrian facilities within these easements, and all such facilities within the subdivision, will be provided through a private maintenance association, to be recorded concurrently with the map. If at a later date a permanent funding source for road maintenance is established, such as the formation of a Permanent Road Division (PRD), the easements rejected on the subdivision map can then be accepted by the county. The subdivider is in the process of creating a Permanent Road Division for Phase 2D.

The Department of Public Works and the Planning Division have determined that the subdivider has met all conditions of subdivision approval and within the required time limits.

The Tax Collector or his designee has signed the map indicating that all taxes have been paid or secured to his satisfaction.

An easement deed for a twenty (20) foot wide strip of land for public trail purposes was granted to the County of Humboldt via Instrument No. 2004-9646-6 recorded on March 24, 2004. Based on the design of the subdivision, this entire width is no longer necessary for public trail purposes. In order to remove the county's easement from encumbering the affected lots, the entire portion is being hereby vacated by the filing of the map pursuant to Section 66434(g) of the Government Code (Subdivision Map Act). In addition, a sanitary sewer easement fifteen (15) feet wide and approximately five hundred and fifteen (515) feet long was dedicated to the County of Humboldt as Parcel B on Book 19 of Maps, pages 34 through 35, an Emergency Vehicle Road varying in width from fifty (50) to one hundred (100) feet and one hundred and thirty-five (135) feet long as Parcel D was dedicated to the County of Humboldt on Book 19 of Maps, pages 34 through 35 and a waterline easement fifteen (15) feet wide and one hundred and twenty (120) feet long was dedicated to the County of Humboldt as Parcel F on Book 19 of Maps, pages 34 through 35. Based on the design of the subdivision, these easements are no longer necessary. In order to reduce the size of the county's easements from encumbering the affected lots, these easements are being hereby vacated by the filing of the map pursuant to Section 66434(g) of the Government Code (Subdivision Map Act).

It is requested that the Board take the recommended actions.

FINANCIAL IMPACT:

There will be no impact on the General Fund.

Edeline Avenue, Linda Way and Conifer Court are local roads that are proposed to be accepted into the County maintained road system at a later date. A Permanent Road Division (PRD) is planned to fund road maintenance.

This item conforms with the Board of Supervisors' Core Role of enforcing laws and regulations to protect residents.

OTHER AGENCY INVOLVEMENT:

Building and Planning Department

ALTERNATIVES TO STAFF RECOMMENDATIONS:

Board discretion.

ATTACHMENTS:

- Subdivision Map (on file with the Clerk of the Board)
- Conveyance and Agreement

OWNER'S STATEMENT

KNOW ALL MEN BY THESE PRESENTS: THAT THE UNDERSIGNED, BEING PARTIES HAVING A RECORD TITLE INTEREST IN THE REAL PROPERTY BEING SUBDIVIDED BY THIS MAP, DO HEREBY CONSENT TO THE PREPARATION AND RECORDATION OF THIS MAP AND TO THE DEDICATION OF THE EASEMENTS FOR THE PURPOSES SHOWN HEREON. THE EXPRESSED RIGHTS TO THE PUBLIC IN GENERAL AND TO THE SEVERAL UTILITY COMPANIES SHALL BE AND SHALL REMAIN INFERIOR TO THE SUPERIOR RIGHTS OF THE COUNTY OF HUMBOLDT.

James L Furtado 01/14/17
DATE
CENTRAL ESTATES REMINDER, LLC,
A CALIFORNIA LIMITED LIABILITY COMPANY,
BY JAMES L. FURTADO, MANAGER

RH Grace 01/14/17
DATE
FIDELITY NATIONAL TITLE INSURANCE COMPANY,
A CALIFORNIA CORPORATION,
By Fidelity National Title Company, California, a California corporation
TRUSTEE FOR DEED OF TRUST INSTRUMENT NUMBER 2010-11168-7 OF OFFICIAL RECORDS.

NOTARY ACKNOWLEDGMENT

A notary public or other officer completing this certificate certifies only the identity of the individual who signed the document to which the certificate is attached, and not the truthfulness, accuracy, or validity of that document.

STATE OF CALIFORNIA
COUNTY OF HUMBOLDT

ON 08-14-17 BEFORE ME,
P. Nicholas, notary public, PERSONALLY
APPEARED, James L. Furtado and Patricia Grace
WHO 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 THEY EXECUTED THE SAME IN THEIR AUTHORIZED CAPACITIES, AND THAT BY THEIR SIGNATURE(S) ON THE INSTRUMENT THE PERSON(S), OR THE ENTITY UPON BEHALF OF WHICH THE PERSON(S) ACTED, EXECUTED THE INSTRUMENT.

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:
SIGNATURE P. Nicholas

MY PRINCIPLE PLACE OF BUSINESS IS IN
Humboldt COUNTY

MY COMMISSION EXPIRES: 03-27-2019

BASIS OF BEARINGS

THE BEARING BASIS OF THIS SURVEY IS FROM BOOK 23 OF MAPS, PAGES 98-100, HUMBOLDT COUNTY RECORDS. SEE CONTROL MAP SHEET 2.

NOTICE OF DEVELOPMENT PLAN & NOTICE OF GEOLOGIC REPORT

A DEVELOPMENT PLAN ILLUSTRATING THE SPECIAL CONDITIONS AND RESTRICTIONS AND GEOLOGIC REPORT FOR THIS SUBDIVISION IS ON FILE WITH THE HUMBOLDT COUNTY BUILDING AND PLANNING DEPARTMENT UNDER FILE NUMBERS: APN 508-252-031, CASE NO'S. FMS-07-08 & PUO 07-04

COUNTY DEDICATIONS

THOSE PORTIONS OF LINDA WAY, EDELINE AVENUE, AND CONIFER COURT, AS SHOWN HEREON LYING WITHIN THE BOUNDARIES OF THIS SUBDIVISION, ARE HEREBY IRREVOCABLY OFFERED FOR DEDICATION AS EASEMENTS TO THE COUNTY OF HUMBOLDT FOR PUBLIC ROAD PURPOSES.

THOSE PORTIONS OF LINDA WAY, EDELINE AVENUE, AND CONIFER COURT, AS SHOWN HEREON LYING WITHIN THE BOUNDARIES OF THIS SUBDIVISION, ARE PUBLIC UTILITY EASEMENTS HEREBY DEDICATED TO THE COUNTY OF HUMBOLDT FOR PUBLIC USE.

PARCEL A, AS SHOWN HEREON, IS A PEDESTRIAN EASEMENT (PED.) OF VARIABLE WIDTH (DIMENSIONS SHOWN ON SHEET 2), ALONG THE STREET FRONTS OF LINDA WAY, EDELINE AVENUE, AND CONIFER COURT, HEREBY IRREVOCABLY OFFERED FOR DEDICATION TO THE COUNTY OF HUMBOLDT FOR PUBLIC USE.

PARCEL B, AS SHOWN HEREON, IS A PUBLIC UTILITIES EASEMENT (P.U.E.) OF VARIABLE WIDTH (DIMENSIONS SHOWN ON SHEET 2), ALONG THE STREET FRONTS OF LINDA WAY, EDELINE AVENUE, AND CONIFER COURT, HEREBY DEDICATED TO THE COUNTY OF HUMBOLDT FOR PUBLIC USE.

PARCEL G AS SHOWN HEREON, IS HEREBY IRREVOCABLY OFFERED FOR DEDICATION IN FEE TO THE COUNTY OF HUMBOLDT FOR DRAINAGE FACILITIES, PUBLIC TRAILS, AND ACCESS THERETO, AND FOR PUBLIC PURPOSES, TOGETHER WITH THE RIGHT TO CONVEY SAID PARCEL G TO MCKINLEYVILLE COMMUNITY SERVICES DISTRICT, OR ITS SUCCESSOR. PURSUANT TO SECTION 86477.5 OF THE GOVERNMENT CODE OF THE STATE OF CALIFORNIA, THE FOLLOWING INFORMATION IS INCLUDED HEREIN:

- (1) SUBDIVIDER: JAMES L. FURTADO, 3329 HALFWAY AVENUE, MCKINLEYVILLE, CA 95519
- (2) DESCRIPTION OF DEDICATED PARCEL: PARCEL G AS SHOWN HEREON.
- (3) THE COUNTY OF HUMBOLDT SHALL RECONVEY THE PROPERTY TO THE SUBDIVIDER IF THE COUNTY MAKES A DETERMINATION PURSUANT TO THIS SECTION THE SAME PUBLIC PURPOSE FOR WHICH THE PROPERTY WAS DEDICATED DOES NOT EXIST, OR THE PROPERTY OF ANY PORTION THEREOF IS NOT NEEDED FOR PUBLIC UTILITIES, AS SPECIFIED IN SUBSECTION (4) OF SAID SECTION 86477.5 OF THE GOVERNMENT CODE.

PARCEL E, AS SHOWN HEREON ADJOINING THE RIGHT OF WAY OF THE SOUTH SIDE OF HEARTWOOD DRIVE (OVER NORTH LINES OF LOTS 1, 2, 3, 4, 6, 7, 8, 23, 24, AND 32), THE WEST SIDE OF EDELINE AVENUE (OVER EAST LINES OF LOTS 1, AND 1A), IS A 1 FOOT WIDE NON-VEHICULAR ACCESS EASEMENT (1' N.V.A.) AND IS HEREBY DEDICATED TO THE COUNTY OF HUMBOLDT.

PARCEL H, AS SHOWN HEREON OVER A PORTION OF LOT 12, LOT 13, LOT 1E, AND LOT 2A, IS A PUBLIC UTILITIES EASEMENT (P.U.E.) AT PG 8 B UTILITY TRANSFORMER LOCATIONS (DIMENSIONS SHOWN ON SHEET 2), HEREBY DEDICATED TO THE COUNTY OF HUMBOLDT FOR PUBLIC USE.

EASEMENTS

THOSE PORTIONS OF LINDA WAY, EDELINE AVENUE, AND CONIFER COURT AS SHOWN HEREON LYING WITHIN THE BOUNDARIES OF THIS SUBDIVISION ARE EASEMENTS FOR INGRESS, EGRESS, AND PUBLIC UTILITIES HEREBY CREATED FOR THE BENEFIT OF ALL PARCELS/LOTS OF THIS SUBDIVISION.

DUE TO ITS REJECTION AT THIS TIME AS A PUBLIC EASEMENT, PARCEL A IS HEREBY CREATED AS A PEDESTRIAN EASEMENT FOR THE BENEFIT OF ALL LOTS IN THE SUBDIVISION

PARCEL C IS HEREBY CREATED AS A 20' SANITARY SEWER EASEMENT DEDICATED TO THE MCKINLEYVILLE COMMUNITY SERVICES DISTRICT.

PARCEL N, AS SHOWN HEREON OVER A PORTION OF LOT 15, LOT 25, AND PARCEL Q, IS AN EASEMENT OF VARIABLE SIZES (DIMENSIONS SHOWN ON SHEET 2), FOR U.S. POSTAL BOX UNITS (NEIGHBORHOOD BOX UNITS, N.B.U.) FOR THE BENEFIT OF ALL LOTS IN THE SUBDIVISION.

ABANDONMENT STATEMENT

PURSUANT TO SECTION 86434(g) OF THE GOVERNMENT CODE OF THE STATE OF CALIFORNIA, THE FOLLOWING PORTIONS OF EASEMENTS ARE HEREBY ABANDONED BY THE FILING OF THIS MAP:

- (1) PARCEL B AS DESCRIBED IN BOOK 19 OF MAPS, PAGES 34-35, A 10' SANITARY SEWER EASEMENT TO MCKINLEYVILLE COMMUNITY SERVICES DISTRICT (NOT SHOWN HEREON).
- (2) PARCEL D AS DESCRIBED IN BOOK 19 OF MAPS, PAGES 34-35, EMERGENCY VEHICLE ROAD PURPOSES (NOT SHOWN HEREON).
- (3) PARCEL F AS DESCRIBED IN BOOK 19 OF MAPS, PAGES 34-35, A 15' WATER LINE EASEMENT TO MCKINLEYVILLE COMMUNITY SERVICES DISTRICT (NOT SHOWN HEREON).
- (4) PUBLIC TRAIL EASEMENT PER 2004-0645-8.

TAX COLLECTOR'S CERTIFICATE

I, JOHN BARTHOLOMEW, TAX COLLECTOR OF HUMBOLDT COUNTY, CALIFORNIA, HEREBY CERTIFY THAT ACCORDING TO THE RECORDS OF THIS OFFICE, AS OF THIS DATE, THAT THERE ARE NO TAX LENS CURRENTLY DUE AGAINST THE LAND WITHIN THIS SUBDIVISION OR PARCEL DESCRIPTION DESCRIBED AS ASSESSORS' PARCEL NUMBERB 608-401-087, FOR ANY UNPAID COUNTY TAXES OR SPECIAL ASSESSMENTS.

I FURTHER CERTIFY THAT TAXES OR ASSESSMENTS WHICH WILL BECOME A LIEN ON THE PROPERTY, BUT WHICH ARE NOT YET CURRENTLY DUE, ARE ESTIMATED AT \$10,440.00, AND THAT A BOND IN THIS AMOUNT HAS BEEN COLLECTED AND DEPOSITED WITH THIS OFFICE ON BEHALF OF THE BOARD OF SUPERVISORS.

JOHN BARTHOLOMEW
HUMBOLDT COUNTY TAX COLLECTOR
Shannon Wilson DEPUTY DATE: 8/14/17
PRINT NAME

CLERK OF THE BOARD STATEMENT

I, KATHY HAYES, CLERK OF THE BOARD OF SUPERVISORS OF THE COUNTY OF HUMBOLDT, STATE OF CALIFORNIA, HEREBY CERTIFY THAT SAID BOARD OF SUPERVISORS AT A MEETING HELD ON _____, 20____, AT WHICH A QUORUM WAS PRESENT, APPROVED THE SUBDIVISION MAP, SAID BOARD ACCEPTED THOSE PARCELS OF LAND AND EASEMENTS AS OFFERED FOR DEDICATION FOR THE USES SET FORTH ON THE ACCOMPANYING SUBDIVISION MAP IN CONFORMITY WITH THE TERMS AND DEDICATIONS SUMMARIZED AS FOLLOWS:

EDELINE AVENUE, LINDA WAY AND CONIFER COURT FOR PUBLIC UTILITIES PURPOSES

- PARCEL B
- PARCEL H
- PARCEL G
- PARCEL E

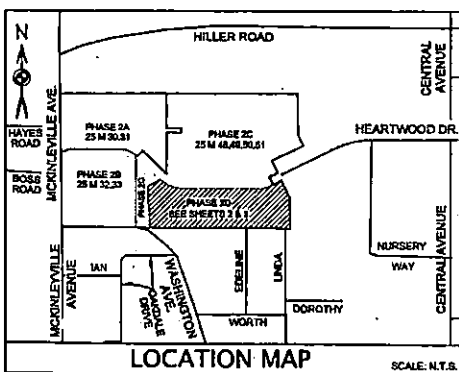
SAID BOARD REJECTED THOSE PARCELS OF LAND AND EASEMENTS AS OFFERED FOR THE USES SET FORTH ON THE ACCOMPANYING SUBDIVISION MAP SUMMARIZED AS FOLLOWS:

EDELINE AVENUE, LINDA WAY AND CONIFER COURT FOR PUBLIC ROAD PURPOSES

PARCEL A

I FURTHER CERTIFY TO THE ABANDONMENT STATEMENT HEREON BY THE FILING OF THIS MAP, PURSUANT TO SECTION 86434(g) OF THE GOVERNMENT CODE.

BY: _____ DATE: _____



COUNTY SURVEYOR'S STATEMENT

I HEREBY STATE THAT I HAVE EXAMINED THIS MAP; THAT THE SUBDIVISION AS SHOWN IS SUBSTANTIALLY THE SAME AS IT APPEARED ON THE TENTATIVE MAP AND ANY APPROVED ALTERATIONS THEREOF; THAT ALL PROVISIONS OF THE SUBDIVISION MAP ACT AND OF ANY LOCAL SUBDIVISION ORDINANCES OF THE COUNTY OF HUMBOLDT APPLICABLE AT THE TIME OF APPROVAL OF THE TENTATIVE MAP HAVE BEEN COMPLIED WITH; AND THAT I AM SATISFIED THAT THIS MAP IS TECHNICALLY CORRECT.

RONALD C. GARTON, P.L.S. 7717
HUMBOLDT COUNTY SURVEYOR



SURVEYOR'S STATEMENT

THIS MAP WAS PREPARED BY ME OR UNDER MY DIRECTION AND IS BASED UPON A FIELD SURVEY IN CONFORMANCE WITH THE REQUIREMENTS OF THE SUBDIVISION MAP ACT AND LOCAL ORDINANCE AT THE REQUEST OF JAMES L. FURTADO IN MARCH 2017. I HEREBY STATE THAT ALL THE MONUMENTS ARE OF THE CHARACTER AND OCCUPY THE POSITIONS INDICATED OR THAT THEY WILL BE SET IN THOSE POSITIONS BEFORE RECORDATION OF THIS MAP, AND THAT THE MONUMENTS ARE, OR WILL BE, SUFFICIENT TO ENABLE THE SURVEY TO BE RESTRICED, AND THAT THIS FINAL MAP SUBSTANTIALLY CONFORMS TO THE CONDITIONALLY APPROVED TENTATIVE MAP. I HEREBY STATE THAT SAID SURVEY IS TRUE AND COMPLETE AS SHOWN.

Max A. Schillinger 08/14/17
MAX A. SCHILLINGER, P.L.S. 7969
DATE



COUNTY RECORDER'S STATEMENT

FILED THIS _____ DAY OF _____, 20____ AT _____ M.
IN BOOK _____ OF MAPS, AT PAGE(S) _____ HUMBOLDT
COUNTY RECORDS AT THE REQUEST OF MAX A. SCHILLINGER

KELLY E. SANDERS
HUMBOLDT COUNTY RECORDER

BY: _____ DEPUTY

FEE: _____

INSTRUMENT NO. _____

TRACT No. _____

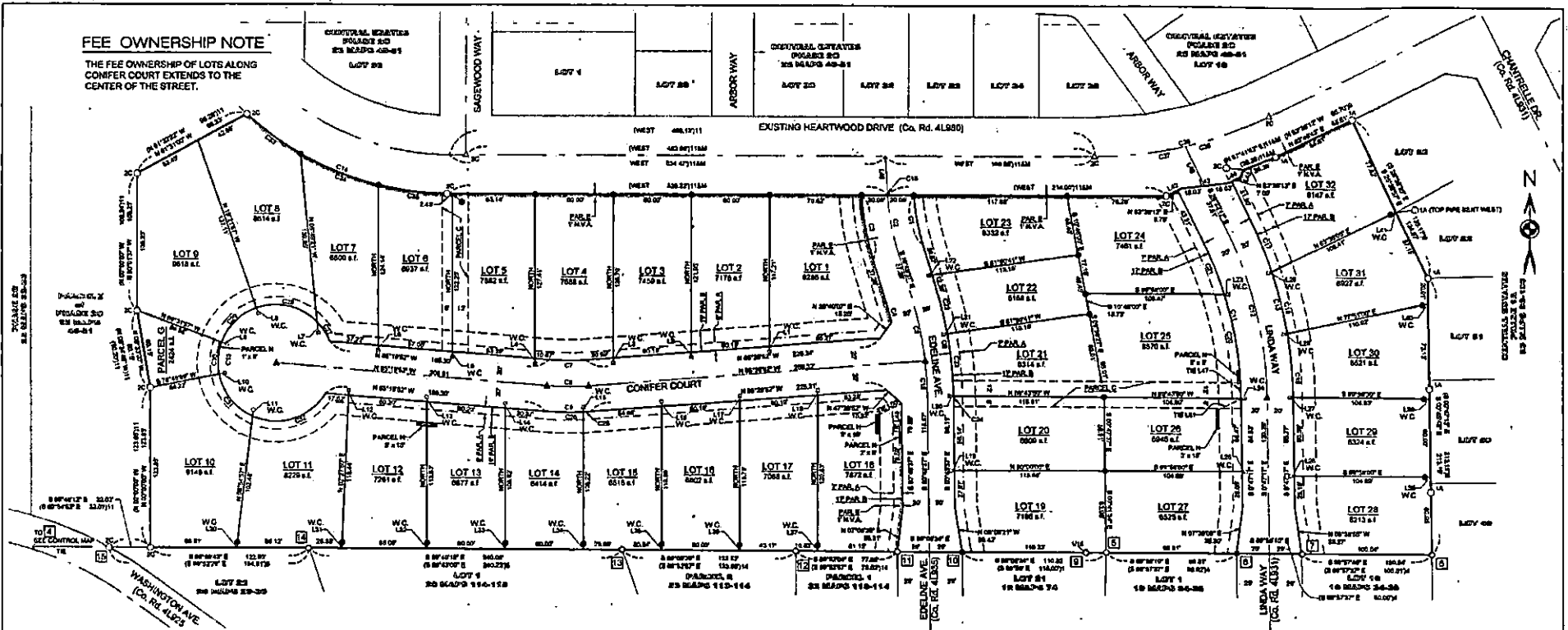
A SUBDIVISION OF
REAL PROPERTY DESCRIBED IN DOC. #2010-11168-3
CENTRAL ESTATES PHASE 2D

In the Unincorporated Area of the County of Humboldt
Within the NE1/4 Sec. 6, T8N, R1E, H.M.



FEE OWNERSHIP NOTE

THE FEE OWNERSHIP OF LOTS ALONG CONIFER COURT EXTENDS TO THE CENTER OF THE STREET.

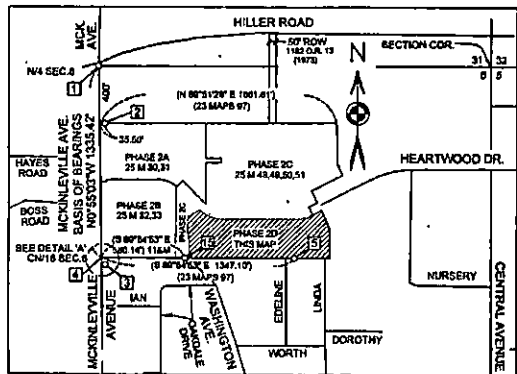


LEGEND

- FOUND 1/2" IRON PIPE WITH PLASTIC CAP MARKED "LS3707" PER PREVIOUS PHASE OF CENTRAL ESTATES, SOURCE MAP IS AS FOLLOWS:
 - 14 PHASE 1A BOOK 23 OF MAPS, PAGES 98-100
 - 16 PHASE 2C BOOK 25 OF MAPS PAGES 48-51
- ▲ FOUND CENTERLINE STREET MONUMENT IN STANDARD MONUMENT WELL PER BOOK 23 OF MAPS PAGES 98-100.
- ▲ FOUND CENTERLINE STREET MONUMENT IN STANDARD MONUMENT WELL PER BOOK 25 OF MAPS PAGES 48-51.
- FOUND MONUMENT AS DESCRIBED IN CORNER NOTES ON SHEET 3 AND CONTROL MAP CORNER NOTES THIS SHEET.
- SET 3/4" x 24" GALV. IRON PIPE WITH PLASTIC CAP MARKED "LS 7900"
- ▲ SET 2" BRASS DISC MARKED "LS 7969" IN STANDARD MONUMENT WELL.
- WC. WITNESS CORNER WITH NOTED DISTANCE ALONG LISTED COURSE FROM LOT CORNER TO SET MONUMENT POSITION.
- SET PK NAIL WITH 1.5" DIA BRASS DISC MARKED "LS 7969" IN CONCRETE CURB.
- LOT NUMBER AND SQUARE FOOT NET AREA. NET AREAS EXCLUDE STREET OF LINDA WAY, EDELINE AVENUE, CONIFER COURT, AND HEARTWOOD DRIVE.
- ▲ MEASURED DATA AS SHOWN HEREON.

LEGEND (CONTINUED)

- 1' NON-VEHICULAR ACCESS EASEMENT ALONG HEARTWOOD DRIVE AND EDELINE AVENUE AT LOCATIONS SHOWN.



CONTROL MAP CORNER NOTES

- 1) NW CORNER SECTION 6. FOUND 3/4" I.P. WITH CAP MARKED "DPW" INSIDE MONUMENT WELL (SEE 29 S 1, 52 S 2-3, 28 PM 39, AND 23 M 97).
- 2) FOUND 1/2" GALV. I.P. WITH CAP MARKED "LS3707" (SEE 25 M 30, 31).
- 3) FOUND 2-1/2" BRASS CAP MARKED "LS 2820 1050" INSIDE MONUMENT WELL (SEE 18 M 80, 20 M 30, 82 S 2-3).
- 4) CN1/8 SECTION 6, CALCULATED POSITION BASED ON 18 M 80 AND 82 S 2-3 AS BEARING N 13°20'12" W 23'22" FROM CORNER NOTE #3 ABOVE.
- 5) FOUND 1-1/2" GALV. IRON PIPE WITH NAIL & UNREADABLE TAG (SEE 12 M 74), HELD AS 1/16 SECTION LINE.

TRACT No. _____

A SUBDIVISION OF
REAL PROPERTY DESCRIBED IN DOC. #2010-11188-3
CENTRAL ESTATES PHASE 2D

In the Unincorporated Area of the County of Humboldt
Within the NE1/4 Sec. 6, T8N, R1E, H.M.



REV. 08/03/2017

SCALE: 1" = 50'

SHEET 2 OF 3

BOOK _____ OF MAPS, PAGE _____

Line Table		
Line #	Length	Direction
L1	3.68	N0°00'00"E
L2	3.68	N0°00'00"E
L3	3.68	N0°00'00"E
L4	3.71	N0°00'00"E
L5	3.69	N0°00'00"E
L6	3.74	N0°00'00"E
L7	8.33	N5°49'21"W
L8	4.59	N19°21'57"W
L9	4.74	N63°31'57"W
L10	4.81	S78°46'59"W
L11	5.09	N8°54'57"E
L12	3.75	N2°27'50"E
L13	3.81	N0°00'00"E
L14	3.78	N0°00'00"E
L15	4.03	N0°00'00"E
L16	3.65	N0°00'00"E
L17	3.87	N0°00'00"E
L18	3.87	N0°00'00"E
L19	2.67	N90°00'00"E
L20	2.70	S89°43'50"E
L21	2.85	S81°50'41"W
L22	2.80	S81°50'41"W
L23	2.87	S89°58'00"E
L24	2.80	N89°43'50"W
L25	2.84	S89°58'00"E
L26	2.83	S89°58'00"E
L27	2.88	S89°38'39"E
L28	2.78	N77°51'00"E
L29	2.03	N63°38'05"E
L30	1.00	N6°54'57"E
L31	1.00	N2°27'50"E
L32	1.00	N0°00'00"E
L33	1.00	N0°00'00"E
L34	1.00	N0°00'00"E
L35	1.00	N0°00'00"E
L36	1.00	N0°00'00"E
L37	1.00	N0°00'00"E
L38	1.00	S89°58'00"E
L39	1.00	S89°38'39"E
L40	1.00	N77°51'00"E
L41	1.00	N63°38'05"E

Line Table		
Line #	Length	Direction
L41	1.00	N63°38'05"E
L42	12.75	N63°38'13"E (R&M)11
L43	36.08	N63°03'18"E (R&M)11
L44	10.00	N63°38'13"E (R&M)11
L45	6.73	N27°21'63"E (R&M)11
L46	33.81	N28°23'47"W (R&M)11
L47	14.00	N11°52'54"W
L48	22.12	S5°09'31"W
L49	27.52	N3°20'31"W
L50	18.94	S63°01'37"W
L51	18.98	S62°48'40"W

Curve Table					
Curve #	Length	Radius	Delta	Chord Bearing	Chord Length
C1	38.81	180.00	12°17'28"	S10°39'53"E	38.54
C2	44.48	200.00	12°44'38"	S10°28'18"E	44.39
C3	50.35	220.00	13°06'51"	S10°15'12"E	50.24
C4	13.47	260.00	2°58'09"	N15°19'33"W	13.47
C5	49.50	280.00	10°08'59"	N11°44'08"W	49.53
C6	83.78	300.00	18°00'00"	N8°48'37"W	83.50
C7	28.88	180.00	8°11'18"	S89°55'30"E	28.83
C8	32.07	200.00	8°11'18"	S89°55'30"E	32.04
C9	35.28	220.00	8°11'18"	S89°55'30"E	35.24
C10	241.29	45.00	307°13'28"	S4°40'08"W	40.00
C11	125.68	280.00	25°42'52"	N13°32'21"W	124.61
C12	134.08	300.00	25°36'30"	N13°35'32"W	132.97
C13	142.99	320.00	25°36'10"	N13°38'42"W	141.81
C14	171.49	230.00	42°43'09"	S69°38'26"E	167.54
C15	2.63	200.00	0°43'28"	S3°42'15"E	2.63
C16	28.59	280.00	5°51'02"	N3°44'08"W	28.58
C17	44.54	320.00	7°58'30"	N22°24'32"W	44.50
C18	49.07	320.00	8°47'09"	N14°01'42"W	49.02
C19	49.38	320.00	8°50'31"	N5°12'52"W	49.33
C20	81.19	280.00	16°38'47"	N8°59'18"W	80.90
C21	44.48	250.00	9°08'03"	N21°50'44"W	44.43
C22	34.33	300.00	6°33'23"	N13°31'55"W	34.31
C23	48.14	300.00	8°11'37"	N8°39'26"W	48.09
C24	1.31	300.00	0°15'00"	N0°59'07"W	1.31
C25	8.53	220.00	1°28'20"	N86°12'02"E	8.53
C26	29.75	220.00	7°44'55"	S89°12'20"E	29.73
C27	17.76	45.00	22°36'38"	N33°01'28"W	17.64
C28	51.08	45.00	85°02'08"	N78°50'52"W	48.38
C29	39.37	45.00	80°07'54"	S48°34'06"W	38.13
C30	24.88	45.00	31°40'20"	S4°39'59"W	24.56
C31	43.18	45.00	54°58'84"	S38°38'38"E	41.64
C32	65.02	45.00	82°47'31"	N72°27'10"E	59.51
C33	51.72	230.00	12°53'03"	S63°43'22"E	51.61
C34	64.82	230.00	10°08'49"	S65°14'18"E	64.60
C35	54.95	230.00	13°41'17"	S83°09'22"E	54.82
C36	138.21	300.00	28°23'49"	N78°48'06"E	136.99
C37	70.02	300.00	13°22'22"	N83°18'49"E	69.86
C38	68.19	300.00	13°01'27"	N70°08'55"E	68.05

MEASUREMENT NOTE:
DISTANCES SHOWN HEREON ARE U.S. SURVEY
FEET AND DECIMALS THEREOF.

CORNER NOTES

- 8 FOUND 3/4" GALV. IRON PIPE WITH PLASTIC CAP MARKED "RCE 13184" (SEE 19 M 35).
- 7 FOUND 2/4" GALV. IRON PIPE WITH PLASTIC CAP MARKED "RCE 13184" (SEE 19 M 35).
- 8 SET 3/4" GALV. IRON PIPE WITH PLASTIC CAP MARKED "LS 7669", ORIG. MONUMENT NOT FOUND, DESTROYED BY CONSTRUCTION (SEE 10 M 35).
- 9 FOUND 2-1/2" BRASS CAP ON 1-1/4" GALV. IRON PIPE STAMPED "ADD 3962" LOOSE & IN FENCE LINE AREA AS 1/8 SECTION CORNER (SEE 12 M 74, 52 S 2.3) NOT HELD.
- 10 SET 3/4" GALV. IRON PIPE WITH PLASTIC CAP MARKED "LS 7669", ORIG. MONUMENT NOT FOUND, DESTROYED BY CONSTRUCTION (SEE 12 M 74).
- 11 FOUND 1" GALV. IRON PIPE WITH RED PLASTIC CAP MARKED "LS 7763" (SEE 32 PM 113).
- 12 FOUND 1" GALV. IRON PIPE WITH RED PLASTIC CAP, CAP ILLEGIBLE (SEE 32 PM 113).
- 13 FOUND 1" GALV. IRON PIPE WITH RED PLASTIC CAP MARKED "LS 7763" (SEE 32 PM 113).
- 14 FOUND 1/2" GALV. IRON PIPE WITH MISSING CAP (SEE 26 S 71).
- 15 FOUND 1/2" GALV. IRON PIPE WITH PLASTIC CAP MARKED "LS3378" (SEE 25 M 48-51)

REFERENCE MAPS

1. BOOK 12 OF MAPS PAGE 74 (1948).
2. BOOK 13 OF PARCEL MAPS PAGES 101-102 (1979).
3. BOOK 17 OF MAPS PAGES 132-133 (1982).
4. BOOK 18 OF MAPS PAGES 34-35 (1968).
5. BOOK 20 OF MAPS PAGES 76-36 (1990).
6. BOOK 20 OF MAPS PAGES 114-116 (1992).
7. BOOK 23 OF MAPS PAGES 28-30 (2002).
8. BOOK 23 OF MAPS PAGES 31-33 (2002).
9. BOOK 23 OF MAPS PAGES 98-100 (2004).
10. BOOK 24 OF PARCEL MAPS PAGES 138-139 (1990).
11. BOOK 25 OF MAPS PAGES 48-51 (2015).
12. BOOK 26 OF SURVEYS PAGE 71 (1970).
13. BOOK 28 OF PARCEL MAPS PAGES 88-89 (1995).
14. BOOK 32 OF PARCEL MAPS PAGES 112-113 (2006).
15. BOOK 52 OF SURVEYS PAGES 2-3 (1991).
16. BOOK 68 OF SURVEYS PAGE 148 (1998).

LEGEND

(R&M)# RECORD AND MEASURED DIMENSIONS AS SHOWN WITH NOTED REFERENCE MAP NUMBER

TRACT No. _____

A SUBDIVISION OF
REAL PROPERTY DESCRIBED IN DOC. #2010-11168-3
CENTRAL ESTATES PHASE 2D

In the Unincorporated Area of the County of Humboldt
Within the NE/4 Sec. 8, T8N, R1E, H.M.



2017-016307

Recorded - Official Records
Humboldt County, California
Kelly E. Sanders, Recorder
Recorded by: FNTCO OF CA

Pages: 7

Recording Fee: \$ 0.00
Tax Fee: \$0
Clerk: se Total: \$0.00
Sep 07, 2017 at 11:28:30



Recording Requested by:
County of Humboldt
Planning and Building Department
EXEMPT PURSUANT TO G.C. 27383

Return to:
County of Humboldt
Planning and Building Department
3015 H Street
Eureka, CA 95501-4484

**CONVEYANCE AND AGREEMENT
(for Development Restrictions)**

Entered Into On: September 5, 2017)
(to be filed in by the Clerk of the Board)

Assessor Parcel Number:
508-252-031

BY AND BETWEEN)
Central Estates Remainder, LLC)
James L Furtado, Manager)

(hereinafter referred to as OWNER

Case No: **FMS 07-08, PUD 07-04**

AND THE COUNTY OF HUMBOLDT
(hereinafter referred to as COUNTY)

Application No.: **Central Estates Phase 2D**

WITNESSETH

WHEREAS, OWNER has applied to COUNTY for permits and other grants of approval necessary to carry out a project which is described within a project application filed with Humboldt County Planning and Building Department as the Case Number and Assessor Parcel Number referenced above (hereinafter referred to as proposed project); and

WHEREAS, the real property upon which OWNER's proposed project is situated, is or includes the real property which is described in EXHIBIT A which is attached to this agreement and incorporated by reference herein (hereinafter referred to as the subject property); and

WHEREAS, the subject property is situated in the County of Humboldt, State of California; and

WHEREAS, COUNTY, as a condition and in consideration of approval of OWNER's proposed project, requires that OWNER grant to COUNTY all of the OWNER's right, power, and privilege to develop the subject property in the manner or for the purposes described in PART 1 of EXHIBIT B which is attached to this Agreement and incorporated by reference herein; and

WHEREAS, OWNER is willing and desires to grant to COUNTY the OWNER's right, power, and privilege to develop the subject property in the manner or for the purposes described in PART 1 of EXHIBIT B attached hereto;

NOW, THEREFORE, IT IS MUTUALLY AGREED AS FOLLOWS:

1. OWNER hereby relinquishes and grants to COUNTY all of the OWNER's right, power, and privilege to develop the subject property in the manner or for the purposes described in PART 1 of EXHIBIT B attached hereto. Concurrently with this grant, OWNER agrees not to develop the subject property in the manner or for the purposes described in PART 1 of EXHIBIT B unless and until COUNTY quitclaims to OWNER or OWNER's successors in interest in said property, all rights, power, and privilege granted to COUNTY by this conveyance.

2. Both parties acknowledge that this agreement and the grant of the right to develop by OWNER to COUNTY contained herein are made in consideration of approval by COUNTY of OWNER's proposed project.

3. COUNTY agrees to quitclaim to OWNER, or OWNER's successor(s) in interest, the right, power and privilege to development subject property in the manner or for the purposes described in PART 1 of EXHIBIT B attached hereto, if and when both of the following events occur:

A. OWNER or OWNER's successor(s) in interest applies to COUNTY for reconveyance to the OWNER or OWNER's successor(s) of the right, power, and privilege herein granted to COUNTY.

B. OWNER or OWNER's successor(s) in interest shows to COUNTY's satisfaction either that the conditions specified in PART 2 of EXHIBIT B attached hereto have been satisfied by the OWNER of the subject property, or that because of changed circumstances the conditions specified in PART 2 of EXHIBIT B are no longer applicable.

OWNER understands and agrees that the quitclaim by COUNTY to OWNER or OWNER's successor(s) in interest of the right, power, and privilege herein granted to COUNTY, as provided above, will not give OWNER or OWNER's successor(s) in interest the unlimited right to develop the subject property, but will only revert in OWNER or OWNER's successor(s) in interest the right, power, and privilege to apply to COUNTY for the permits and other grants of approval necessary to develop the subject property and to have such application processed in accordance with, and subject to, all laws and regulations applicable to such application at the time it is submitted.

4. OWNER agrees to insert in any document which transfers title to the subject property, or any part thereof, a provision excepting from such transfer the right, power, and privilege to develop the subject property in the manner or for the purposes described in PART 1 of EXHIBIT B attached hereto unless and until COUNTY has executed and delivered to OWNER and OWNER's successor(s) in interest the quitclaim deed provided for above. OWNER further agrees to include in any such transfer document a provision by the terms of which the transferee, and each subsequent transferee, agrees to each and every condition contained in this Conveyance and Agreement, including the requirement contained in this paragraph.

Page 3 Conveyance & Agreement Development Restrictions

Case No.:

FMS 07-08, PUD 07-04

APN:

508-252-031

IN WITNESS WHEREOF, the parties hereto have caused this Conveyance and Agreement to be executed by their duly authorized officers on the date set forth above.

COUNTY OF HUMBOLDT

BY *Ryan Sundberg*
Vice Chair, Board of Supervisors Ryan Sundberg
County of Humboldt, State of California

CERTIFICATE OF ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document, to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

STATE OF CALIFORNIA }
COUNTY OF HUMBOLDT }

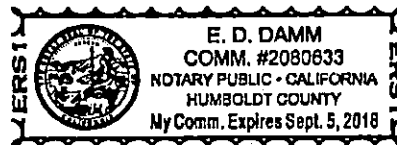
On this 5th day of Sept. 2017, before me, E. D. DAMM Public

Notary, personally appeared Ryan M. Sundberg who 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.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing is true and correct.

Witness my hand and official seal.

E. D. (seal)
Signature



Page 4 Conveyance & Agreement Development Restrictions

Case No.:
APN:

FMS 07-08, PUD 07-04
508-252-031

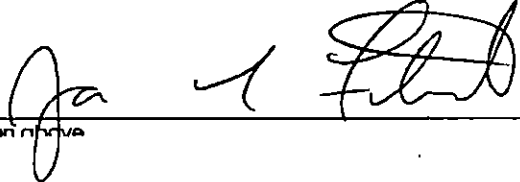
OWNER(S)*

James L. Furtado, Manager of Central

Print name here

Estates Remainder, LLC

Sign above



Print name here

Sign above

Print name here

Sign above

Print name here

Sign above

* Owners attach separately full page Notary Acknowledgment

CERTIFICATE OF ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document, to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

STATE OF CALIFORNIA }
COUNTY OF HUMBOLDT }

On this _____ day of _____, 20____, before me, _____ Public

Notary, personally appeared _____ who 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.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing is true and correct.

Witness my hand and official seal.

Signature (seal)

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California

County of Humboldt

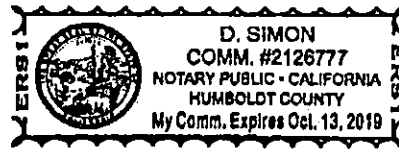
On 6-26-17 before me, D. Simon, Notary Public,
(here insert name and title of the officer)

personally appeared James L Furtado
who 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.

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.

D. Simon
Signature



Page 5 Conveyance & Agreement Development Restrictions

Case No.:
APN:

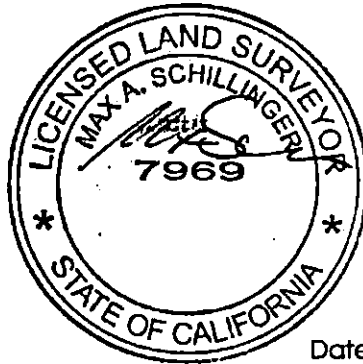
FMS 07-08, PUD 07-04
508-252-031

EXHIBIT A

PROPERTY DESCRIPTION

All that real property situated in the portion of the Northeast Quarter of Section 6, Township 6 North, Range 1 East, Humboldt Meridian, described as follows:

Tract No. 0651 (Central Estates Subdivision, Phase 2D) consisting of Lots 1 through 32 as shown on the map thereof on file in the Recorder's Office in the County of Humboldt, recorded Sept. 7th, 2017, in Book 25 of Maps, Pages 69-71.



Dated: 6/8/2017

Page 6 Conveyance & Agreement Development Restrictions

Case No.:

FMS 07-08, PUD 07-04

APN:

508-252-031

EXHIBIT B

DEVELOPMENT RESTRICTIONS

PART 1

The OWNER relinquishes and grants to the County of Humboldt the right, power, and privilege to develop the real property described in Exhibit A for:

Conveyance:

1. Development of second residential units on parcels 1 through 20, 22 through 30, and 32.

PART 2

The condition referred to in Paragraph B of Section 3 of the agreement to which this exhibit is attached is as follows:

Terms of Reconveyance:

The County agrees to reconvey the right to use the property described above when it is demonstrated that the following conditions exists:

1. Development of second residential units on parcels 1 through 20, 22 through 30, and 32 may be reconveyed upon payment of parkland dedication fees of \$767 per parcel at the time individual lot owners apply for a permit to construct a secondary dwelling unit.