

Cover page for:

**REVISED* Preliminary Title Report
(with copies of recorded exceptions)**

*** Prior exceptions #11 & #12 deleted
(re. Doc. #2005-0224527 & #2005-0224528).**

Preliminary title insurance report prepared by:

**Old Republic Title Company
(File Number: 1421002132-CF)**

**Auction Tract 2
(Fresno County, California)**

For August 10, 2022 auction to be conducted on behalf of:
West Fresno Holdings, LLC and The Waterford Foundation



OLD REPUBLIC TITLE COMPANY

A MEMBER OF THE OLD REPUBLIC TITLE INSURANCE GROUP

7471 N. Remington Ave., Suite 101
Fresno, CA 93711
(559) 440-9249 Fax: (559) 447-1643

PRELIMINARY REPORT

THE WATERFORD FOUNDATION, INC., A
CALIFORNIA NON-PROFIT CORPORATION

First Amended Report

Our Order Number 1421002132-CF

Customer Reference THE WATERFORD FOUNDATION,
INC.

Buyer:

TBD

When Replying Please Contact:

Cathy Faraone
cfaraone@ortc.com
(559) 440-9249

Property Address:

APN 505-281-20 And 505-281-22, Fresno, CA 93723

In response to the above referenced application for a policy of title insurance, OLD REPUBLIC TITLE COMPANY, as issuing Agent of Old Republic National Title Insurance Company, hereby reports that it is prepared to issue, or cause to be issued, as of the date hereof, a Policy or Policies of Title Insurance describing the land and the estate or interest therein hereinafter set forth, insuring against loss which may be sustained by reason of any defect, lien or encumbrance not shown or referred to as an Exception below or not excluded from coverage pursuant to the printed Schedules, Conditions and Stipulations of said policy forms.

The printed Exceptions and Exclusions from the coverage and Limitations on Covered Risks of said Policy or Policies are set forth in Exhibit I attached. The policy to be issued may contain an arbitration clause. When the Amount of Insurance is less than that set forth in the arbitration clause, all arbitrable matters shall be arbitrated at the option of either the Company or the Insured as the exclusive remedy of the parties. Limitations on Covered Risks applicable to the Homeowner's Policy of Title Insurance which establish a Deductible Amount and a Maximum Dollar Limit of Liability for certain coverages are also set forth in Exhibit I. Copies of the Policy forms should be read. They are available from the office which issued this report.

Please read the exceptions shown or referred to below and the exceptions and exclusions set forth in Exhibit I of this report carefully. The exceptions and exclusions are meant to provide you with notice of matters which are not covered under the terms of the title insurance policy and should be carefully considered.

It is important to note that this preliminary report is not a written representation as to the condition of title and may not list all liens, defects, and encumbrances affecting title to the land.

This report (and any supplements or amendments hereto) is issued solely for the purpose of facilitating the issuance of a policy of title insurance and no liability is assumed hereby. If it is desired that liability be assumed prior to the issuance of a policy of title insurance, a Binder or Commitment should be requested.

Dated as of July 25, 2022, at 8:00 AM

OLD REPUBLIC TITLE COMPANY
For Exceptions Shown or Referred to, See Attached

OLD REPUBLIC TITLE COMPANY
ORDER NO. 1421002132-CF
First Amended Report

The form of policy of title insurance contemplated by this report is:

CLTA Standard Coverage Policy -1990; AND ALTA Loan Policy - 2006. A specific request should be made if another form or additional coverage is desired.

The estate or interest in the land hereinafter described or referred or covered by this Report is:

Fee

Title to said estate or interest at the date hereof is vested in:

The Waterford Foundation, Inc., a California non-profit corporation

The land referred to in this Report is situated in the County of Fresno, City of Fresno, State of California, and is described as follows:

Parcel B of Lot Line Adjustment No. 2020-07, as [Document No. 2020-0170345](#) of Official Records of Fresno County, and more particularly described as follows:

Parcel B of Lot Line Adjustment No. 2018-22, perfected by Grant Deed recorded on September 12, 2018 as Document [No. 2018-0111700](#) of Official Records of Fresno County, and more particularly described as follows:

Parcel 2 of Parcel Map No. 2159, recorded in [Book 17, Page 26 of Parcel Maps](#), Fresno County Records

EXCEPTING THEREFROM the North 56.20 feet of said Parcel 2 of said Parcel Map No. 2159.

Also Excepting Therefrom that portion lying within Tract No. 5457, recorded in [Book 75, Pages 60 through 61](#) of Plats, Fresno County Records.

Together With that portion of Parcel 1 of Parcel Map No. 2159, in the County of Fresno, State of California, according to the Map thereof recorded July 31, 1975 in [Book 17, Page 26 of Parcel Maps](#), more particularly described as follows:

Beginning at the Northwest corner of Parcel 1 of Parcel Map 2159, in the City of Fresno, County of Fresno, State of California, according to the Map thereof recorded in [Book 17, Page 26](#), Fresno County Records, thence North 89° 37' 02" East, a distance of 236.00 feet; thence South 00° 00' 00" East, a distance of 88.74 feet; thence South 89° 37' 33" West, a distance of 236.00 feet, thence North 00° 00' 00" East, a distance of 88.70 feet to the Point of Beginning.

Together With underlying fee interest, if any, adjacent to the above described property in and to the adjoining public right of way.

APN: 505-281-20 and 505-281-22

OLD REPUBLIC TITLE COMPANY
ORDER NO. 1421002132-CF
First Amended Report

At the date hereof exceptions to coverage in addition to the Exceptions and Exclusions in said policy form would be as follows:

1. Taxes and assessments, general and special, for the fiscal year 2022 - 2023, a lien, but not yet due or payable.

2. Taxes and assessments, general and special, for the fiscal year 2021 - 2022, as follows:

Assessor's Parcel No	:	505-281-20	
Code No.	:	005-220	
1st Installment	:	\$436.41	Marked Paid
2nd Installment	:	\$436.41	Marked Paid
Land Value	:	\$66,193.00	

3. Taxes and assessments, general and special, for the fiscal year 2021 - 2022, as follows:

Assessor's Parcel No	:	505-281-22	
Code No.	:	005-228	
1st Installment	:	\$138.29	Marked Paid
2nd Installment	:	\$138.29	Marked Paid
Land Value	:	\$21,967.00	

4. The lien of supplemental taxes, if any, assessed pursuant to the provisions of Section 75, et seq., of the Revenue and Taxation Code of the State of California.

5. Assessment No. 6805 for Fresno Metropolitan Flood Control District payable with the real property taxes.

6. Said land lies within the Fresno Metropolitan Flood Control District and is subject to Drainage Fees and/or Requirements to Construct Planned Local Drainage Facilities, as disclosed by instrument:

Entitled	:	Resolution No. 1816 – The Board of Directors of the Fresno Metropolitan Flood Control District
By	:	The Board of Directors of the Fresno Metropolitan Flood Control District
Recorded	:	July 31, 1995 as Series Number 95092128
Returned to Address	:	5469 E. Olive Avenue, Fresno, CA 92727

OLD REPUBLIC TITLE COMPANY
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7. Recitals shown or noted upon a map as follows:

Map Entitled : Parcel Map No. 2159
Filed On : [July 31, 1975 in Book 17 of Maps, at Page 26](#)
Which Says : An easement across a strip of land approximately 2 feet wide and 12 feet long across the Easterly portion of said land, by judgment entered September 8, 1979 in an action in the Superior Court of the State of California, in and for the County of Fresno, No. 78077

8. An easement affecting that portion of said land and for the purposes stated herein and incidental purposes as shown on the filed map.

For : Future right of way
Affects : A Westerly portion

9. Offer of Dedication on the map,

For : Street purposes
Affects : A Westerly portion

10. Matters as contained or referred to in an instrument,

Entitled : Statement of Covenants Affecting Land Development for Right to Farm for the Barstow-Grantland No. 1 Reorganization
Executed By : Grantland Avenue, LLC, a California limited liability company
Dated : December 13, 2004
Recorded : [February 16, 2005 in Official Records under Recorder's Serial Number 2005-0037393](#)

11. Satisfactory evidence furnished to this Company:

- a) as to the due formation and continued existence of The Waterford Foundation, Inc. as a legal entity under the laws of California; and
- b) documents from its board of directors authorizing this transaction and specifying the officers who shall to execute on behalf of the corporation.

The requirement that a certified copy of a resolution of the board of directors be furnished to this Company authorizing or ratifying the proposed conveyance, and that there be annexed to the conveyance a certificate of compliance and approval meeting the requisites of Section 5912 Corporations Code.

OLD REPUBLIC TITLE COMPANY
ORDER NO. 1421002132-CF
First Amended Report

12. Any statutory lien for services, labor or material arising from an improvement or work related to the land, unless notice thereof appears on record prior to Date of Policy.
13. The requirement that this Company be provided with a suitable Owner's Declaration (form ORT 174). The Company reserves the right to make additional exceptions and/or requirements upon review of the Owner's Declaration.

----- **Informational Notes** -----

- A. The applicable rate(s) for the policy(s) being offered by this report or commitment appears to be section(s) 1.1 & 2.1.
- B. The above numbered report (including any supplements or amendments thereto) is hereby modified and/or supplemented to reflect the following additional items relating to the issuance of an American Land Title Association loan form policy:

NONE

NOTE: Our investigation has been completed and there is located on said land vacant land known as Aprn 505-281-20 And 505-281-22, Fresno, CA 93723.

The ALTA loan policy, when issued, will contain the CLTA 100 Endorsement and 116 series Endorsement.

Unless shown elsewhere in the body of this report, there appear of record no transfers or agreements to transfer the land described herein within the last three years prior to the date hereof, except as follows:

Corporation Grant Deed executed by The Waterford Foundation, Inc., a California non-profit corporation to The Waterford Foundation, Inc., a California non-profit corporation recorded [November 25, 2020 in Official Records under Recorder's Serial Number 2020-0170345](#).

O.N.

NOTE:

The following statement is deemed attached as a coversheet to any declaration, governing document, or deed identified in the above exceptions:

If this document contains any restriction based on age, race, color, religion, sex, gender, gender identity, gender expression, sexual orientation, familial status, marital status, disability, veteran or military status, genetic information, national origin, source of income as defined in subdivision (p) of Section 12955, or ancestry, that restriction violates state and federal fair housing laws and is void, and may be removed pursuant to Section 12956.2 of the Government Code by submitting a “Restrictive Covenant Modification” form, together with a copy of the attached document with the unlawful provision redacted to the county recorder’s office. The “Restrictive Covenant Modification” form can be obtained from the county recorder’s office and may be available on its internet website. The form may also be available from the party that provided you with this document. Lawful restrictions under state and federal law on the age of occupants in senior housing or housing for older persons shall not be construed as restrictions based on familial status.

Information for processing a “Restrictive Covenant Modification” form:

1. Print a complete copy of the document in question. Strike out what you believe to be unlawful restrictive language in the document.
2. Print and complete the “Restrictive Covenant Modification” (“RCM”) form. Note that the signature on the form must be acknowledged by a notary public or other qualified officer.
3. Submit the completed RCM form and the document with your strike-outs to the County Clerk-Recorder’s Office for the county where the property is located. No fee is required for this service.
4. The County Clerk-Recorder’s Office will forward the RCM form and the document with your strike-outs to the Office of the County Counsel, who will determine whether the document contains any unlawful restrictions.
5. The Office of the County Counsel will return the RCM form and the document with your strike-outs to the County Clerk-Recorder’s Office along with its determination. If approved, a Deputy County Counsel will sign the RCM, and the County Clerk-Recorder’s Office will record, image and index it. If the Office of the County Counsel determines that the document does not contain an unlawful restriction, the County Clerk-Recorder’s Office will not record the RCM.
6. The approved RCM will be returned to the submitter by mail.

The “Restrictive Covenant Modification” form is linked below:

[Restrictive Covenant Modification form](#)

EXHIBIT A

The land referred to is situated in the County of Fresno, City of Fresno, State of California, and is described as follows:

Parcel B of Lot Line Adjustment No. 2020-07, as [Document No. 2020-0170345](#) of Official Records of Fresno County, and more particularly described as follows:

Parcel B of Lot Line Adjustment No. 2018-22, perfected by Grant Deed recorded on September 12, 2018 as Document [No. 2018-0111700](#) of Official Records of Fresno County, and more particularly described as follows:

Parcel 2 of Parcel Map No. 2159, recorded in [Book 17, Page 26 of Parcel Maps](#), Fresno County Records

EXCEPTING THEREFROM the North 56.20 feet of said Parcel 2 of said Parcel Map No. 2159.

Also Excepting Therefrom that portion lying within Tract No. 5457, recorded in [Book 75, Pages 60 through 61](#) of Plats, Fresno County Records.

Together With that portion of Parcel 1 of Parcel Map No. 2159, in the County of Fresno, State of California, according to the Map thereof recorded July 31, 1975 in [Book 17, Page 26 of Parcel Maps](#), more particularly described as follows:

Beginning at the Northwest corner of Parcel 1 of Parcel Map 2159, in the City of Fresno, County of Fresno, State of California, according to the Map thereof recorded in [Book 17, Page 26](#), Fresno County Records, thence North 89° 37' 02" East, a distance of 236.00 feet; thence South 00° 00' 00" East, a distance of 88.74 feet; thence South 89° 37' 33" West, a distance of 236.00 feet, thence North 00° 00' 00" East, a distance of 88.70 feet to the Point of Beginning.

Together With underlying fee interest, if any, adjacent to the above described property in and to the adjoining public right of way.

APN: 505-281-20 and 505-281-22

RECORDING REQUESTED BY:

Old Republic Title Company

Escrow No.: 1421000142

APN: 505-281-20 & A Portion of 505-281-18

When Recorded Mail Document and Tax Statements to:

The Waterford Foundation, Inc., A California Non-Profit Corporation & Beal Developments, LLC
1396 W HERNDON AVE STE 101
FRESNO, CA 93711



2020-0170345

FRESNO County Recorder
Paul Dictos, CPA

Wednesday, Nov 25, 2020 09:07:45 AM

Titles: 1 Pages: 4

Fees:	\$20.00
CA SB2 Fee:	\$75.00
Taxes:	\$0.00
Total:	\$95.00

OLD REPUBLIC TITLE CO

SPACE ABOVE THIS LINE IS FOR RECORDER'S USE

Corporation Grant Deed

The undersigned grantor(s) declare(s):

Documentary Transfer Tax is **\$0.00 Lot Line Adjustment**

computed on full value of property conveyed, or

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

Unincorporated area: City of

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

The Waterford Foundation, Inc., A California Non-Profit Corporation

hereby GRANT(S) to

The Waterford Foundation, Inc., A California Non-Profit Corporation

that property in Unincorporated area of Fresno County, State of California, described as follows:

See "Exhibit A" attached hereto and made a part hereof.

This deed is being recorded to perfect that certain lot line adjustment 2020-07.

See "Exhibit B"

Date: October 29, 2020

The Waterford Foundation, Inc., A California Non-Profit Corporation,

By: [Signature]
Darius Assemi, President

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 Fresno

On November 17, 2020 before me, Rebecca K. Wharton a Notary Public, personally appeared Darius Assemi, 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.

Signature: [Signature]
Name: Rebecca K. Wharton
(Typed or Printed)

(Seal)

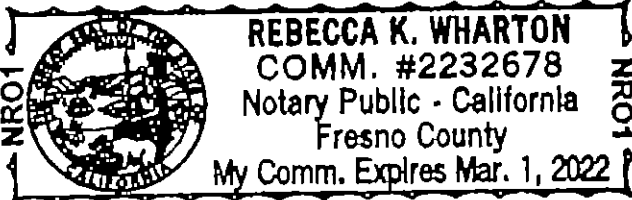


Exhibit A

Lot Line Adjustment No. 2020-07

Adjusted Parcel Legal Descriptions

Parcel B of Lot Line Adjustment No. 2020-07, As Document No. ^{2020 -}210345, of Official Records Fresno County, and more particularly described as follows:

Parcel B of Lot Line Adjustment No 2018-22, perfected by grant deed recorded on September 12, 2018, as Document No 2018-0111700, of Official Records of Fresno County, and more particularly described as follows:

Parcel 2 of parcel Map No 2159, recorded in Book 17, Page 26 of Parcel Maps, Fresno County Records.

EXCEPTING THEREFROM the north 56.20 feet of said Parcel 2 of said Parcel Map 2159.

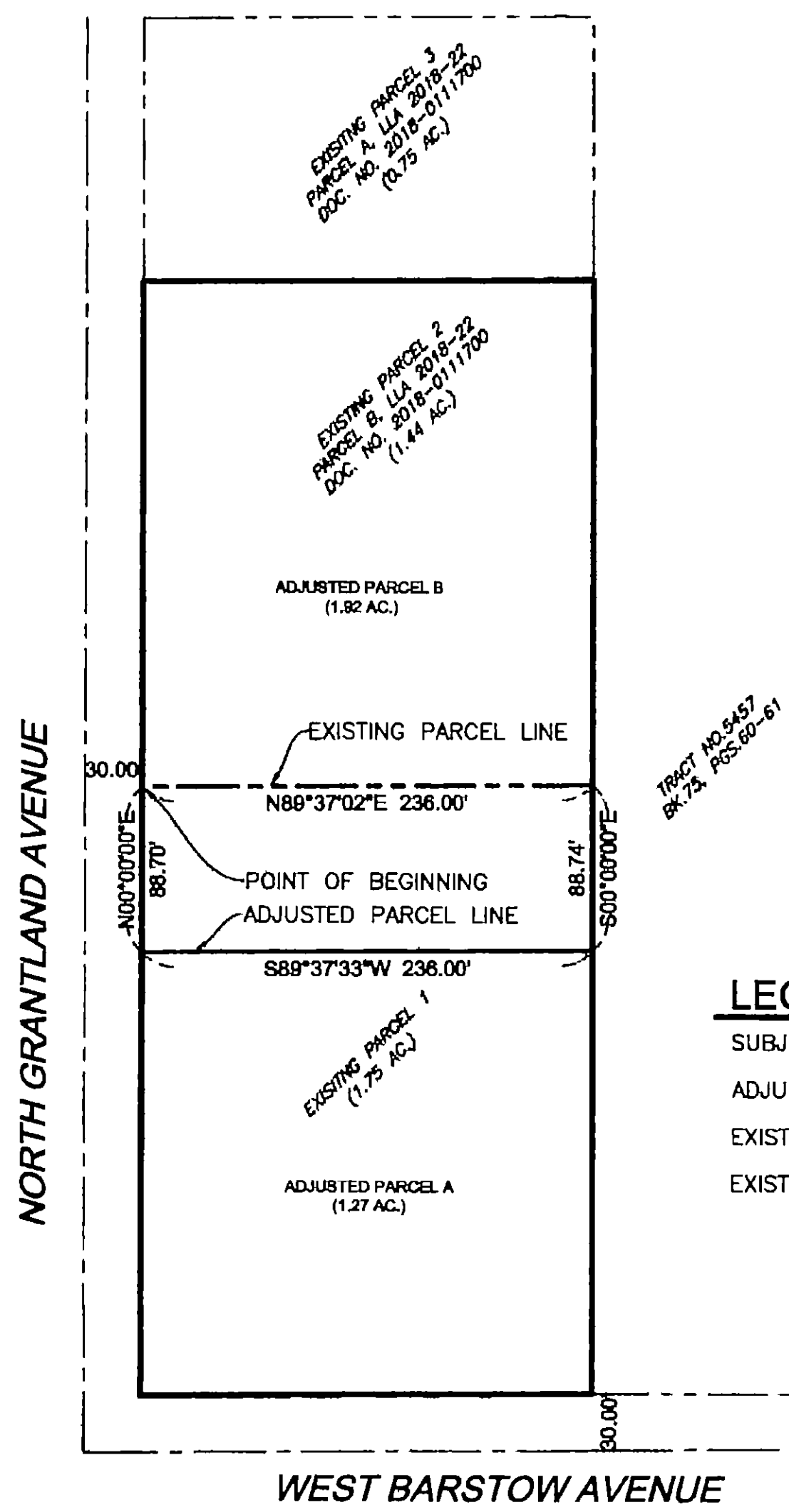
ALSO EXCEPTING THEREFROM that portion lying within Tract 5457, recorded in Book 75, Pages 60 through 61 Plats, Fresno County Records.

TOGETHER WITH that portion of Parcel 1 of Parcel Map No. 2159, in the County of Fresno, State of California, according to the map thereof recorded July 31, 1975 in Book 17, Page 26 of Parcel Maps, more particularly described as follows:

Beginning at the northwest corner of Parcel 1 of Parcel Map 2159, in the City of Fresno, County of Fresno, State of California, according to the map thereof recorded in Book 17, Page 26, Fresno County Records. Thence North 89° 37' 02" East, a distance of 236.00 feet; thence, South 00° 00' 00" East, a distance of 88.74 feet; thence, South 89° 37' 33" West, a distance of 236.00 feet, thence North 00° 00' 00" East, a distance of 88.70 feet to the **Point of Beginning**.

TOGETHER WITH underlying fee title, if any, adjacent to the above described property, in and to the adjoining public right of way.

EXHIBIT B LOT LINE ADJUSTMENT NO. 2020-07



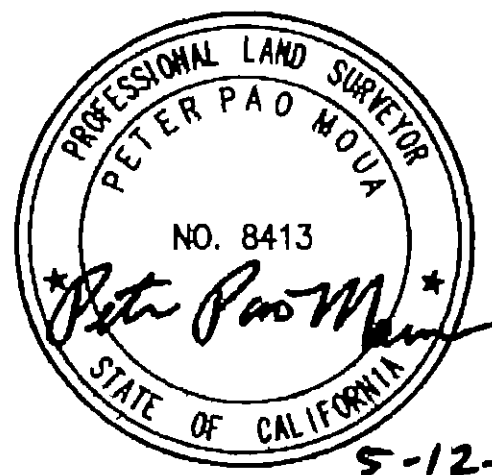
APPROVED
LOT LINE ADJUSTMENT

LLA 2020-07

BY [Signature]

DATE 5/19/2020

PUBLIC WORKS DEPARTMENT
CITY OF FRESNO



LEGEND

- SUBJECT PROPERTY BOUNDARY
- ADJUSTED PARCEL LINE
- EXISTING PARCEL LINE
- EXISTING SECTION LINE



SCALE 1" = 100'

VICE <small>VICE INC. CONSULTING ENGINEERS</small>	EXHIBIT B LOT LINE ADJUSTMENT NO. 2020-07	DATE: 5/12/20	FIGURE 1
		PROJECT: 19-022	

6/12/2020 4:47 PM

5

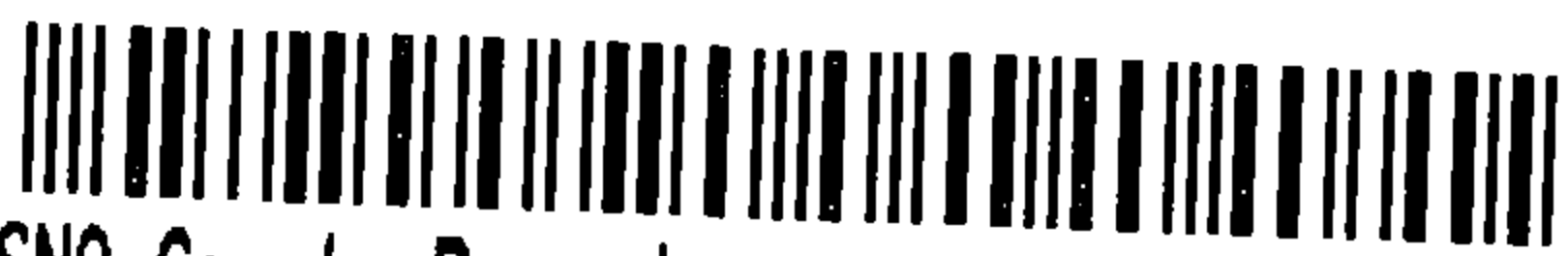
RECORDING REQUESTED BY:

Old Republic Title Company

Escrow No.: 1411012347
APN: 505-281-16, 505-281-17

When Recorded Mail Document and Tax Statements to:

The Waterford Foundation, Inc.,
c/o 1396 W. Herndon Ave. Suite 101
Fresno, Ca. 93711



FRESNO County Recorder
Paul Dictos, C.P.A.

DOC- 2018-0111700

Check Number 7468

Wednesday, SEP 12, 2018 10:19:05

Ttl Pd \$106.00

Rcpt # 0005072596
APR/R2/1-5

SPACE ABOVE THIS LINE IS FOR RECORDER'S USE

Corporation Grant Deed

The undersigned grantor(s) declare(s):

Documentary Transfer Tax is \$0.00 not sold

computed on full value of property conveyed, or

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

Unincorporated area: City of Fresno

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

The Waterford Foundation, Inc., a California non-profit corporation

hereby GRANT(S) to

The Waterford Foundation, Inc., a California non-profit corporation

that property in City of Fresno, Fresno County, State of California, described as:

* * * See "Exhibit A & B" attached hereto and made a part hereof. * * *

This deed is being recorded to perfect that certain Lot Line adjustment No. 2018-22

Date: August 07, 2018

The Waterford Foundation, a California non-profit

Grant Deed

MAIL TAX STATEMENTS AS DIRECTED ABOVE

Date: August 07, 2018

Inc.,
The Waterford Foundation, a California non-profit corporation

By: [Signature]
Darius Assemi, President

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 Fresno

On September 11, 2018 before me, Katrina Ingrad a Notary Public, personally appeared Darius Assemi, 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.

Signature: [Signature]
Name: Katrina Ingrad
(Typed or Printed)

(Seal)

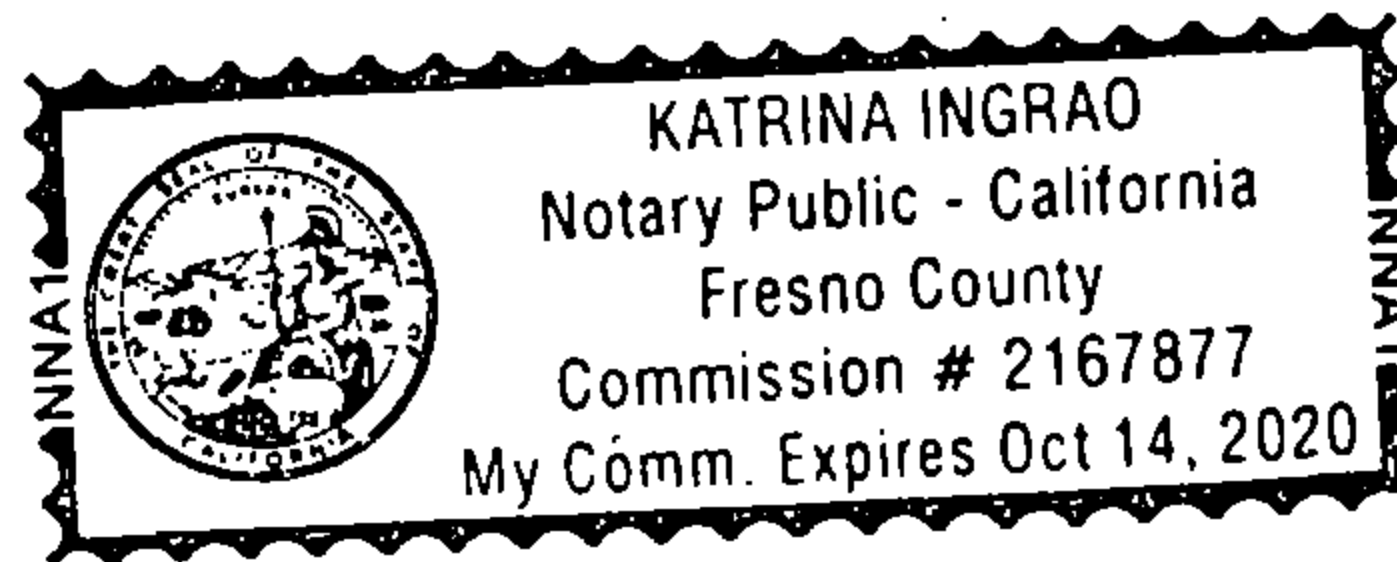


EXHIBIT A
Sht. 1 of 2

Lot Line Adjustment No. 2018-22

Adjusted Parcel Legal Descriptions

Adjusted Parcel A

Parcel A of Lot Line Adjustment No. 2018-22, perfected by grant deed recorded on 9-12-2018, as Document No. 2018-0111700, of Official Records of Fresno County, and more particularly described as follows:

Parcel 3 of Parcel Map No. 2159, recorded in Book 17, Page 26 of Parcel Maps, Fresno County Records.

TOGETHER WITH the North 56.20 feet of Parcel 2 of said Parcel Map No. 2159.

EXCEPTING THEREFROM that portion lying within Tract No. 5457, recorded in Book 75, Pages 60 through 61 of Plats, Fresno County Records.

TOGETHER WITH underlying fee interest, if any, adjacent to the above described property in and to the adjoining public right of way.

Contains 0.75 acres more or less.

Date: 7/26/18



Prepared by: *Mauro R. Weyant*
Mauro R. Weyant
Professional Land Surveyor 7773 Expires: 12/31/2019

APPROVED	
LOT LINE ADJUSTMENT	
LLA	<u>2018-22</u>
BY	<u>JB</u>
DATE	<u>8/6/18</u>
PUBLIC WORKS DEPARTMENT	
CITY OF FRESNO	

EXHIBIT A
Sht. 2 of 2

Lot Line Adjustment No. 2018-22

Adjusted Parcel Legal Descriptions

Adjusted Parcel B

Parcel B of Lot Line Adjustment No. 2018-22, perfected by grant deed recorded on 9-12-2018, as Document No. 2018-0111700, of Official Records of Fresno County, and more particularly described as follows:

Parcel 2 of Parcel Map No. 2159, recorded in Book 17, Page 26 of Parcel Maps, Fresno County Records.

EXCEPTING THEREFROM the North 56.20 feet of said Parcel 2 of said Parcel Map No. 2159.

ALSO EXCEPTING THEREFROM that portion lying within Tract No. 5457, recorded in Book 75, Pages 60 through 61 of Plats, Fresno County Records.

TOGETHER WITH underlying fee interest, if any, adjacent to the above described property in and to the adjoining public right of way.

Contains 1.44 acres more or less.

Date: 7/27/18



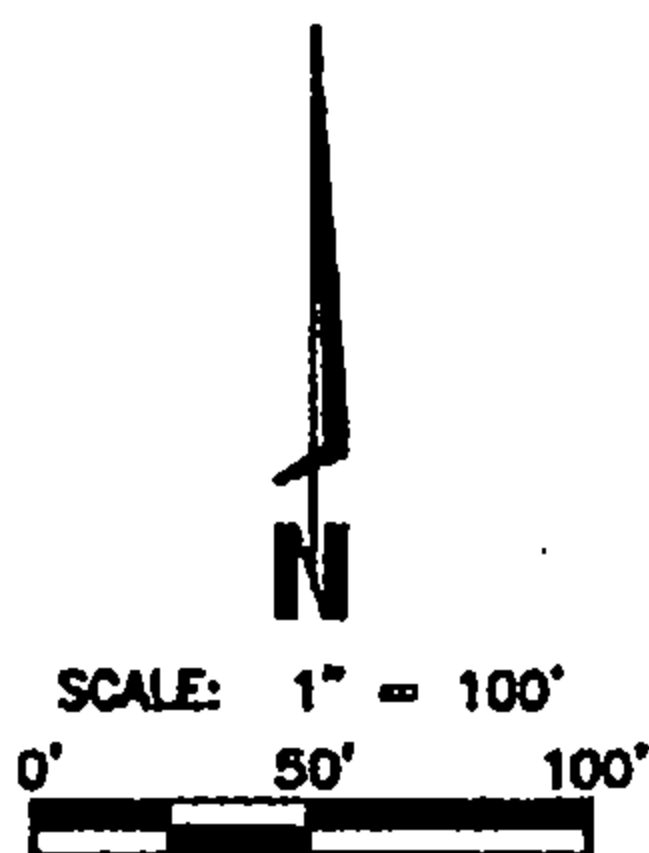
Prepared by: *Mauro R. Weyant*
Mauro R. Weyant
Professional Land Surveyor 7773 Expires: 12/31/2019

APPROVED	
LOT LINE ADJUSTMENT	
LLA	<u>2018-22</u>
BY	<u>JB</u>
DATE	<u>8/6/18</u>
PUBLIC WORKS DEPARTMENT	
CITY OF FRESNO	

4

EXHIBIT B

LOT LINE ADJUSTMENT NO. 2018-22



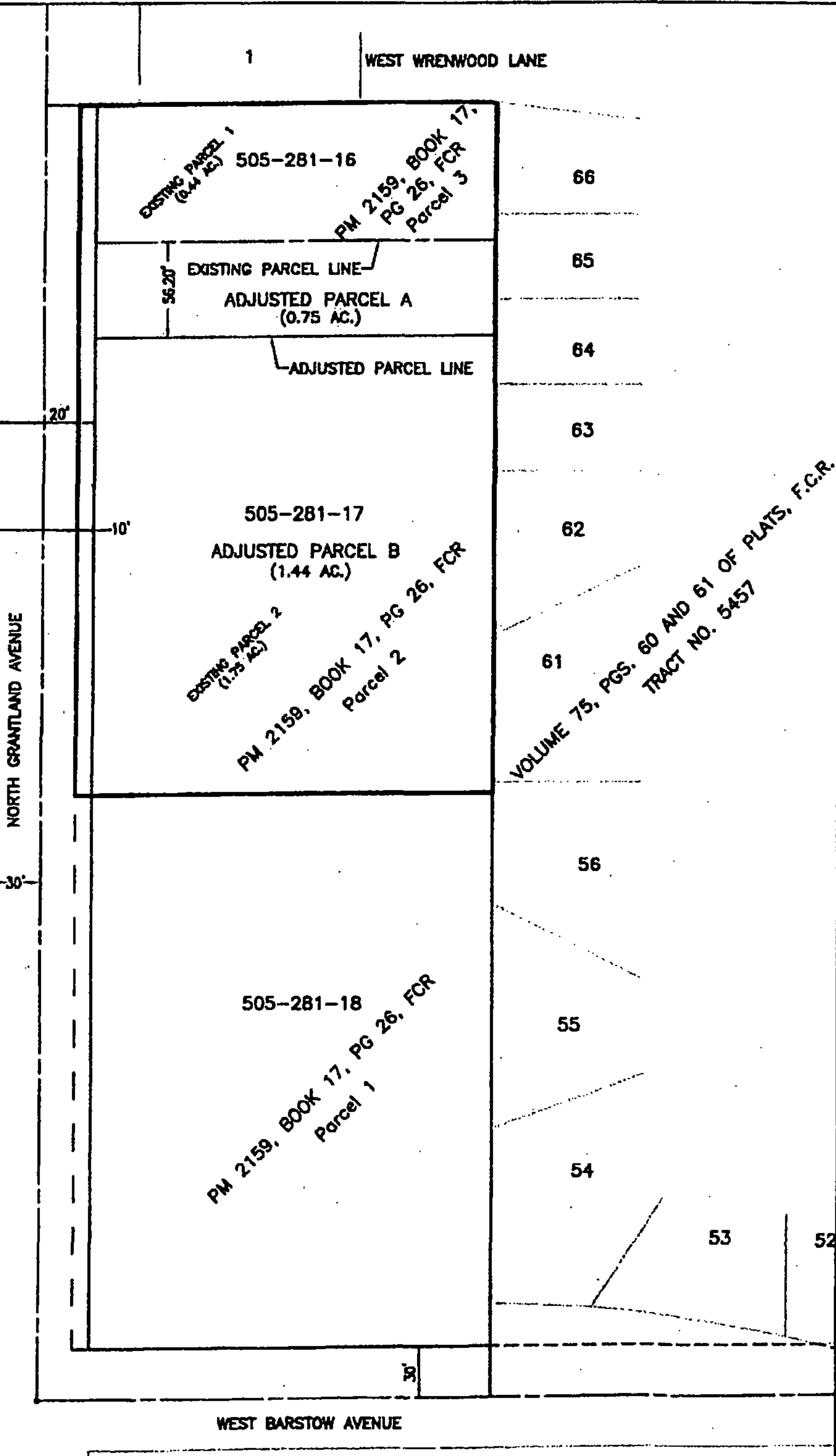
PREVIOUSLY DEDICATED FOR PUBLIC STREET PURPOSES AS SHOWN ON PARCEL MAP NO. 2159, RECORDED IN BOOK 17, PAGE 26 OF PARCEL MAPS, FRESNO COUNTY RECORDS

PREVIOUSLY DEDICATED FOR PUBLIC STREET PURPOSES AS PER PARCEL MAP NO. 2159, RECORDED IN BOOK 17, PAGE 26 OF PARCEL MAPS, FRESNO COUNTY RECORDS



M. Weyant
7/27/18

APPROVED
 LOT LINE ADJUSTMENT
 LLA 2018-22
 BY JR
 DATE 8/6/18
 PUBLIC WORKS DEPARTMENT
 CITY OF FRESNO

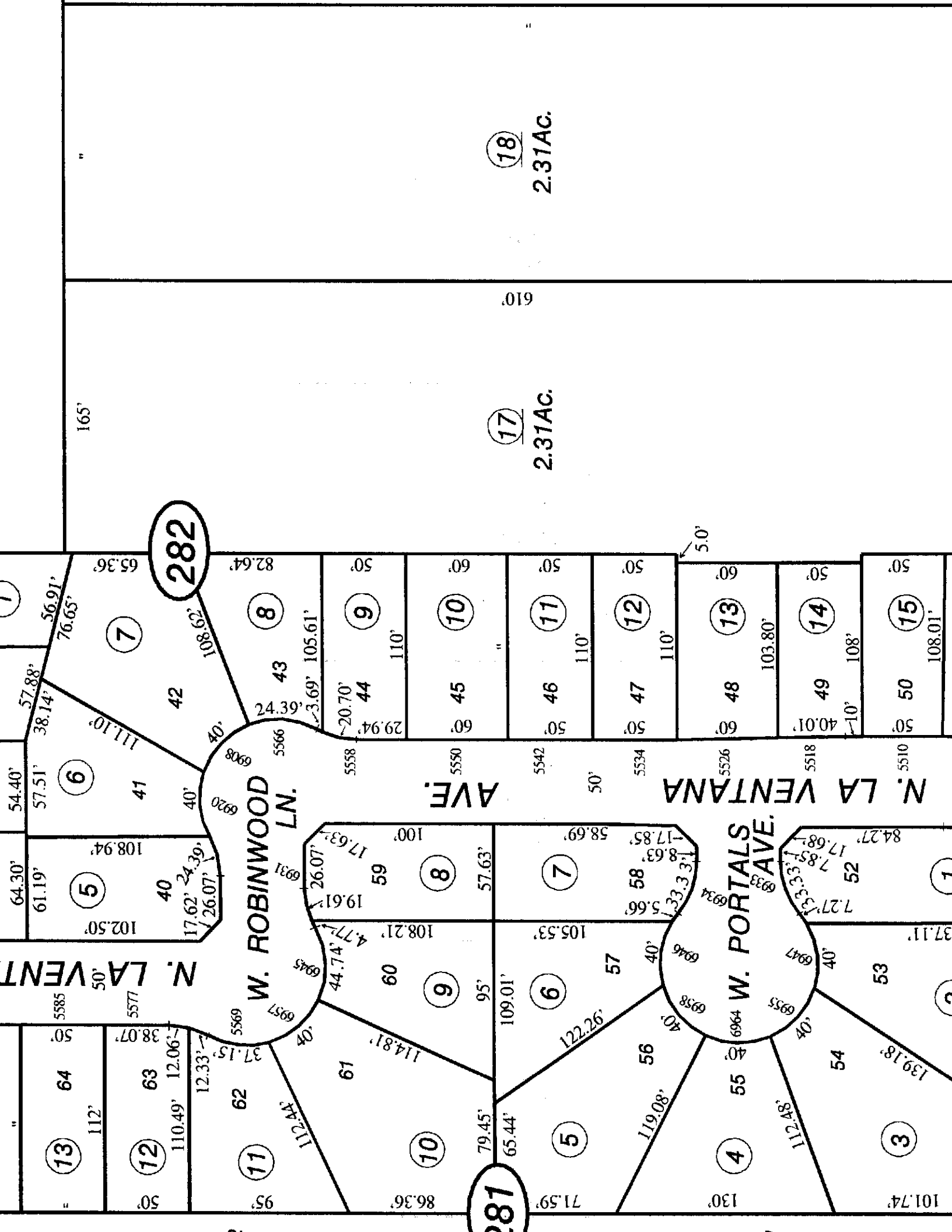


NOTES:

RECORD BEARING AND DISTANCES PER MAP RECORDED ON JULY 31, 1975, PARCEL MAP NO. 2159, BOOK 17 PAGE 26 OF PARCEL MAPS, FRESNO COUNTY RECORDS, EXCEPTING THEREFROM ANY PORTION LYING WITHIN TRACT NO. 5457.

LEGEND:

- SUBJECT PROPERTY BOUNDARY
- EXISTING PARCEL LINE
- ADJUSTED PARCEL LINE
- - - EXISTING EASEMENTS



17

2.31AC.

18

2.31AC.

282

287

W. ROBINWOOD LN.

N. LA VENTANA AVE.

W. PORTALS AVE.

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TRACT NO. 5457

PHASE IV OF TENTATIVE TRACT NO. 5247
IN THE CITY OF FRESNO, COUNTY OF FRESNO, STATE OF CALIFORNIA
SURVEYED AND PLATTED IN FEBRUARY 2005, BY GARY G. GIANNETTA
BEING A MERGER AND RESUBDIVISION PORTION OF PARCEL MAP NO. 2159
SHEET ONE OF TWO SHEETS

NOTARY'S ACKNOWLEDGMENT:

STATE OF CALIFORNIA }
COUNTY OF FRESNO }
ON March 14, 2006 BEFORE ME, Christine S. Lingenfelter, Notary Public
PERSONALLY APPEARED Darius Assemi
PERSONALLY KNOWN TO ME (OR BELIEVED TO BE ON THE BASIS OF SUFFICIENT EVIDENCE)
TO BE THE PERSON(S) WHOSE NAME(S) IS/ARE SUBSCRIBED TO THE WITHIN INSTRUMENT
AND ACKNOWLEDGED TO ME THAT HE/SHE/IT/they EXECUTED THE SAME IN HIS/HER/ITS/their 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.

WITNESS MY HAND
Christine S. Lingenfelter
NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE
October 20, 2006
MY COMMISSION EXPIRES
Christine S. Lingenfelter
PRINT NAME
COUNTY OF FRESNO
1380834
MY COMMISSION NUMBER

NOTARY'S ACKNOWLEDGMENT:

STATE OF CALIFORNIA }
COUNTY OF FRESNO }
ON March 14, 2006 BEFORE ME, Christine S. Lingenfelter, Notary Public
PERSONALLY APPEARED Darius Assemi
PERSONALLY KNOWN TO ME (OR BELIEVED TO BE ON THE BASIS OF SUFFICIENT EVIDENCE)
TO BE THE PERSON(S) WHOSE NAME(S) IS/ARE SUBSCRIBED TO THE WITHIN INSTRUMENT
AND ACKNOWLEDGED TO ME THAT HE/SHE/IT/they EXECUTED THE SAME IN HIS/HER/ITS/their 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.

WITNESS MY HAND
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LEGAL DESCRIPTION:

PARCEL MAP NO. 2159, RECORDED IN BOOK 17, PAGE 26 OF PARCEL MAPS, FRESNO COUNTY RECORDS.
EXCEPTING THEREFROM THAT PORTION THEREOF DESCRIBED AS FOLLOWS:
BEGINNING AT THE WEST QUARTER CORNER OF SECTION 9, TOWNSHIP 13 SOUTH, RANGE 19 EAST, MOUNT DIABLO BASE AND MERIDIAN; THENCE NORTH 0°00'00" EAST, ALONG THE WEST LINE OF SAID SECTION 9, A DISTANCE OF 757.02 FEET; THENCE NORTH 89°34'51" EAST, A DISTANCE OF 245.39 FEET TO THE BEGINNING OF A TANGENT CURVE, CONCAVE TO THE SOUTHEAST; THENCE EASTERLY ALONG SAID TANGENT CURVE, HAVING A RADIUS OF 275.00 FEET, THROUGH A CENTRAL ANGLE OF 4°17'54", A DISTANCE OF 20.63 FEET; THENCE SOUTH 0°00'00" WEST, A DISTANCE OF 756.25 FEET TO THE INTERSECTION WITH THE SOUTH LINE OF THE NORTHWEST QUARTER OF SAID SECTION 9; THENCE SOUTH 89°34'51" WEST, ALONG THE SOUTH LINE OF SAID NORTHWEST QUARTER, A DISTANCE OF 266.01 FEET TO THE POINT OF BEGINNING.

RECORD TITLE INTEREST STATEMENT

THE UNDERSIGNED, BEING ALL PARTIES HAVING ANY RECORD TITLE INTEREST IN THE LAND WITHIN THIS SUBDIVISION, HEREBY CONSENT TO THE PREPARATION AND RECORDATION OF THIS MAP AND OFFER FOR DEDICATION FOR PUBLIC USE THE PARCELS AND EASEMENTS SPECIFIED ON SAID MAP AS INTENDED FOR PUBLIC USE FOR THE PURPOSES SPECIFIED THEREIN.

GRANTLAND AVENUE, LLC, A CALIFORNIA LIMITED LIABILITY COMPANY, AS DEVELOPER
BY: GRANVILLE MANAGEMENT, INC., A CALIFORNIA CORPORATION, ITS MANAGER

BY: Darius Assemi
DARIUS ASSEMI, VICE PRESIDENT

FINANCIAL TITLE COMPANY A CALIFORNIA CORPORATION, AS TRUSTEE

BY: Dan Edwards
DAN EDWARDS, ASSISTANT VICE PRESIDENT
FINANCIAL TITLE CO.

THIS PROPERTY IS SUBJECT TO THE FOLLOWING:

1. SAID LAND LIES WITHIN FRESNO METROPOLITAN FLOOD CONTROL DISTRICT AND MAY BE SUBJECT TO FEES AND REQUIREMENTS; SET FORTH BY RESOLUTION NO. 1816, RECORDED JULY 31, 1995 AS DOCUMENT NO. 95092128 OF OFFICIAL RECORDS
2. STATEMENT OF COVENANTS AFFECTING LAND DEVELOPMENT DEFERRING CERTAIN SEWER CONNECTION CHARGES, WATER CONNECTION CHARGES, URBAN GROWTH MANAGEMENT FEES AND DEVELOPMENT FEES TO THE TIME OF ISSUANCE OF CERTIFICATE OF OCCUPANCY AND CREATION OF LIEN FOR TRACT NO. 5457, PHASE IV OF TENTATIVE MAP NO. 5247, RECORDED May 9, 2006, AS DOCUMENT NO. 2006-0297629, FRESNO COUNTY RECORDS.
3. STATEMENT OF COVENANTS AFFECTING LAND DEVELOPMENT FOR LANDSCAPE MAINTENANCE FOR TRACT NO. 5457, PHASE IV OF VESTING TENTATIVE MAP NO. 5247, RECORDED May 9, 2006, DOCUMENT NO. 2006-0297629, FRESNO COUNTY RECORDS.
4. STATEMENT OF COVENANTS AFFECTING LAND DEVELOPMENT ACKNOWLEDGING RIGHT-TO-FARM LAW FOR BARSTOW-GRANTLAND NO. 1 REORGANIZATION, RECORDED FEBRUARY 16, 2005, AS DOCUMENT NO. 2005-0037393, FRESNO COUNTY RECORDS.
5. STATEMENT OF COVENANTS AFFECTING LAND DEVELOPMENT REQUIRING FIRE PROTECTION MEASURES TO BE PROVIDED AND MAINTAINED FOR TRACT NO. 5457, PHASE IV OF VESTING TENTATIVE MAP TRACT NO. 5247, RECORDED May 9, 2006, AS DOCUMENT NO. 2006-0297629, FRESNO COUNTY RECORDS.
6. EARLY CONSTRUCTION AGREEMENT WITH SUBORDINATIONS FOR SEWER, WATER AND STORM DRAIN IMPROVEMENTS FOR TRACT NO. 5457, RECORDED AUGUST 31, 2005, AS DOCUMENT NO. 2005-0203553, OF OFFICIAL RECORDS.
7. STATEMENT OF COVENANTS AFFECTING LAND DEVELOPMENT PROVIDING SPECIAL SOLID WASTE DISPOSAL SERVICES FOR CERTAIN LOTS WITHIN TRACT NO. 5338, PHASE 1 OF TENTATIVE MAP TRACT NO. 5338, RECORDED May 9, 2006, AS DOCUMENT NO. 2006-0297629, FRESNO COUNTY RECORDS.

ENGINEER'S STATEMENT:

THE SURVEY FOR THIS MAP WAS MADE BY ME OR UNDER MY DIRECTION AND IS TRUE AND COMPLETE AS SHOWN.

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 FARID ASSEMI ON FEBRUARY, 2005. 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 ON OR BEFORE ONE YEAR OF THE DATE THIS MAP IS RECORDED, OR ANY TIME EXTENSION APPROVED BY THE CITY ENGINEER. THE MONUMENTS ARE, OR WILL BE, SUFFICIENT TO ENABLE THE SURVEY TO BE RETRACED, AND THAT THIS FINAL MAP SUBSTANTIALLY CONFORMS TO THE CONDITIONALLY APPROVED TENTATIVE MAP.

Gary Giannetta
GARY/GIANNETTA, R.C.E. 26996 LIC. EXP. 3-31-07
DATE 4/11/06

CITY ENGINEER'S STATEMENT:

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

CITY ENGINEER
MICHAEL T. KIRN, PLS 7609
LIC. EXP. 6-30-07

BY: M.T. Kirn
DEPUTY
DATE 4/18/06

CONSULTING LAND SURVEYOR'S STATEMENT:

I HEREBY STATE THAT I HAVE EXAMINED THIS MAP AND THAT I AM SATISFIED THAT THE MAP IS TECHNICALLY CORRECT.

URS CORPORATION AMERICAS
3440 VINCENT ROAD, SUITE C
PLEASANT HILL, CA 94523

BY: Robert W. Abbott
ROBERT W. ABBOTT, PLS 6071 (EXP. 12/31/07)
ACTING FOR THE CITY OF FRESNO
DATE 4/11/2006

PLANNING COMMISSION CERTIFICATE:

I HEREBY CERTIFY THAT I HAVE EXAMINED THIS MAP, THAT THE SUBDIVISION SHOWN CONFORMS TO AND IS IN COMPLIANCE WITH THE APPROVED TENTATIVE MAP AND REQUIREMENTS IMPOSED BY THE FRESNO CITY PLANNING COMMISSION AS A CONDITION TO THE ACCEPTANCE OF THE FINAL MAP.

Nick P. Yovino
NICK P. YOVINO
SECRETARY OF THE FRESNO CITY PLANNING COMMISSION
DATE 4-19-06

CITY CLERK'S CERTIFICATE:

I HEREBY CERTIFY THAT THE COUNCIL OF THE CITY OF FRESNO, BY RESOLUTION NO. 2006-152 ADOPTED ON April 11, 2006 HAS RECEIVED THE FINAL MAP AND ACCEPTED ON BEHALF OF THE PUBLIC ALL PARCELS OF LAND AND EASEMENTS THEREON WHICH MAY BE OPEN TO PUBLIC USE, CONFORMITY WITH THE TERMS OF THE OFFER OF DEDICATION AND APPROVED THE ABANDONMENT OF EASES, PUBLIC STREETS AND/OR PUBLIC EASEMENTS NOT SHOWN ON THE MAP AND NOTED AS ABANDONED BY THE FILING OF THE MAP.

REBECCA E. KLUSCH, CMC
CITY CLERK

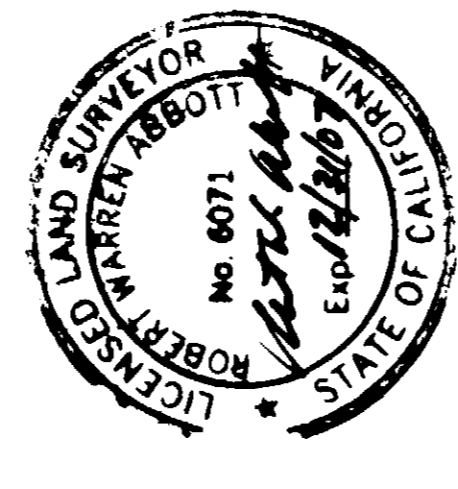
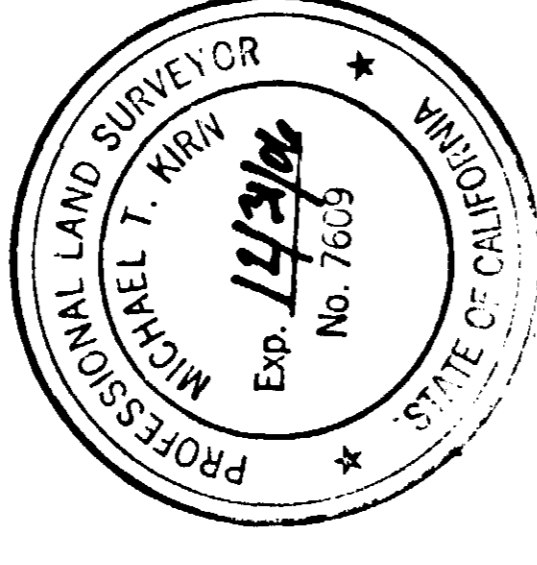
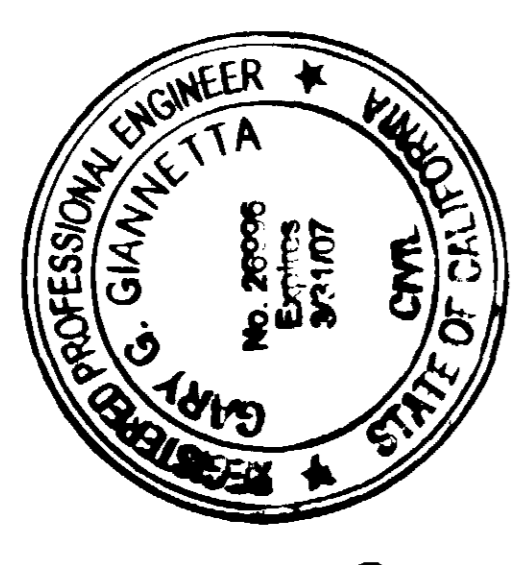
BY: Carla Somerville
DEPUTY
DATE 4/19/06

RECORDER'S CERTIFICATE:

DOCUMENT NO. 2006-0297629 FILED AND RECORDED THIS 27 DAY OF May, 2006 AT 11:00 MINUTES PAST 12:00 O'CLOCK A.M. IN VOLUME 75 OF PLATS, AT PAGES 60 AND 61, AT THE REQUEST OF GARY G. GIANNETTA

FRESNO COUNTY RECORDS
ROBERT C. WERNER, COUNTY RECORDER

BY: Rene Rodriguez
DEPUTY



95092128

RECORDING REQUESTED BY,
AND WHEN RECORDED MAIL TO:

FRESNO METROPOLITAN
FLOOD CONTROL DISTRICT
5469 E. Olive Avenue
Fresno CA 92727

RECORDED IN OFFICIAL RECORDS OF
FRESNO COUNTY, CALIFORNIA
AT 1 MIN PAST 9A M

JUL 31 1995

FRESNO COUNTY, CALIFORNIA
WILLIAM C. GREENWOOD County Recorder

REYNA RODRIGUEZ
BY DEPUTY RECORDER

FEE
\$

RESOLUTION NO. 1816

BEFORE THE BOARD OF DIRECTORS OF THE
FRESNO METROPOLITAN FLOOD CONTROL DISTRICT

RESOLUTION PROVIDING FOR THE RECORDATION OF A MAP
IDENTIFYING AREAS SUBJECT TO PAYMENT OF DRAINAGE FEES AND/OR
REQUIREMENTS TO CONSTRUCT PLANNED LOCAL DRAINAGE FACILITIES

WHEREAS, the City of Fresno, the County of Fresno, and the
City of Clovis have each adopted ordinances pertaining to the
construction of planned local drainage facilities and the payment
of drainage fees to defray the actual or estimated cost of such
construction; and

WHEREAS, the FRESNO METROPOLITAN FLOOD CONTROL DISTRICT
"District" has adopted and bears responsibility for implementation
of the Storm Drainage and Flood Control Master Plan for the Fresno
County Stream Group area; and

WHEREAS, it is the desire of the Board of Directors of the
District to create a public record such that parties acquiring or
having an interest in property within the areas affected by such
ordinances be made aware of the potential for the requirement of
construction of facilities and/or payment of drainage fees mandated
as a condition of development, reconstruction, additions, or
alterations associated with such property; and

WHEREAS, this Board adopted Resolution No. 1565 on October 30, 1990, which Resolution identified those areas which could be subject to payment of drainage fees and/or requirements to construct local drainage facilities at the time of such adoption; and

WHEREAS, the additional area identified as Area No. 2 on the attached Exhibit "B" has been added to the area which may be subject to such payment or requirements; and

WHEREAS, Exhibit "A" attached hereto identifies those areas which may be subject to payment of drainage fees and/or requirements to construct planned local drainage facilities (including Area No. 2).

WHEREAS, this Resolution supersedes said Resolution No. 1565 recorded November 19, 1990, as document number 90142632.

NOW, THEREFORE BE IT RESOLVED AS FOLLOWS:


1. The above recitals are true and correct and this Board so finds and determines.

2. The County Recorder of the County of Fresno is hereby authorized to cause a certified copy of this Resolution to be placed on record in the Official Records of the County of Fresno.

PASSED AND ADOPTED this 20th day of June 1995, by the following vote to wit:

- AYES: Boone, Souza, Orman, Pratt, and Franco
NOES: None
ABSENT: Marcus and Spina
ABSTAIN: None

Respectfully Submitted,

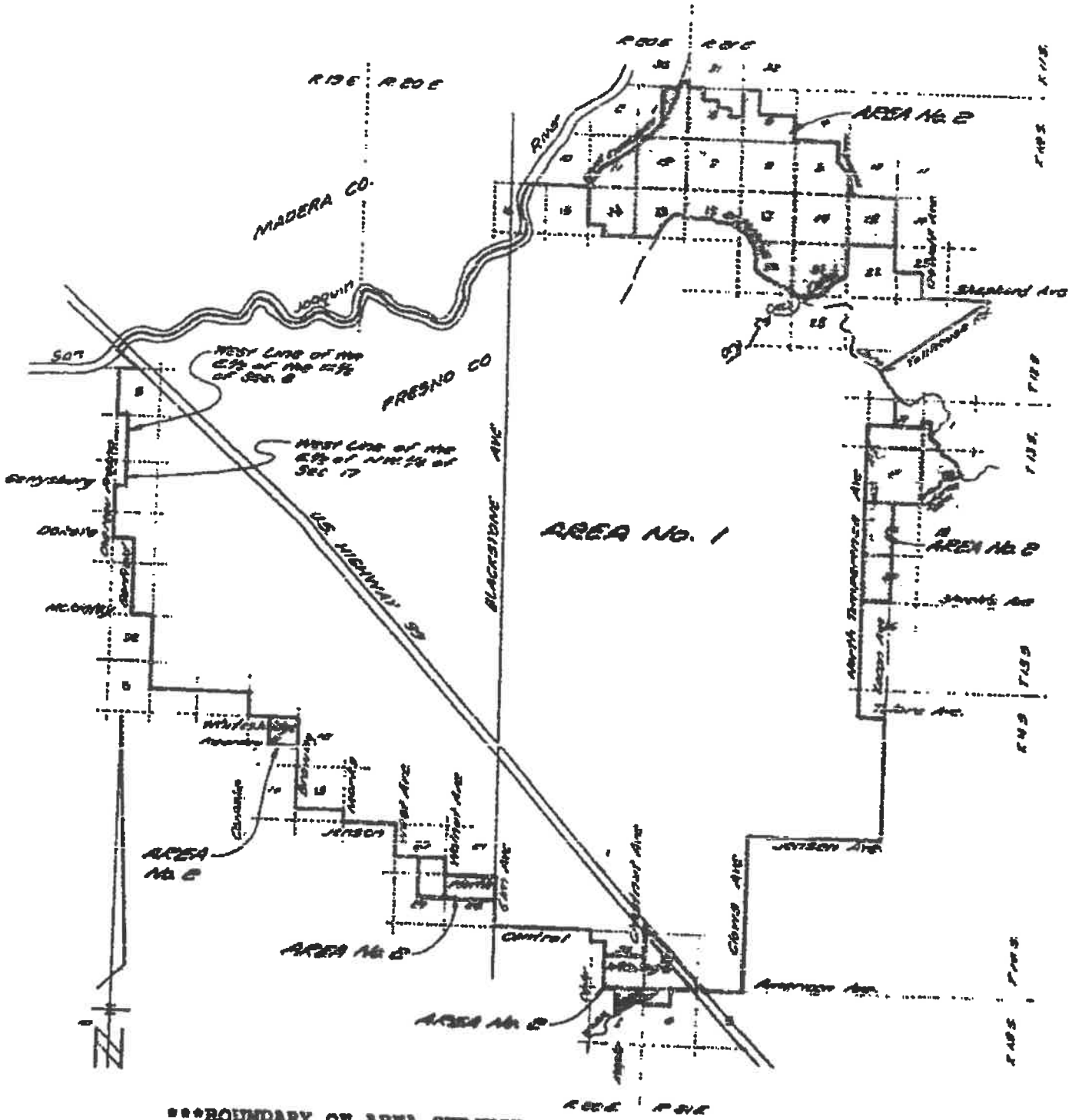

Esther Schwandt
Clerk to the Board

✓

JUL 31 1995

RECORDED

INDEXED



***BOUNDARY OF AREA SUBJECT TO PAYMENT OF DRAINAGE FEES AND/OR REQUIREMENTS TO CONSTRUCT PLANNED LOCAL DRAINAGE FACILITIES.

Exhibit "B"

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X

EXHIBIT "A"

All that real property situated in the County of Fresno, State of California, more particularly described as follows:

Beginning at the point of intersection of the South-westerly right-of-way line of U S. Highway 99 and the Northerly Fresno County line, said point lying within Section 31, T.12 S., R.19 E., M.D.B. & M.; thence meandering Easterly and Northeasterly along said Fresno County line to the North Line of Section 16, T.12 S., R.20 E., M.D.B.& M.; thence Easterly along the North line of Sections 16 and 15, T.12 S., R.20 E., M.D.B.& M. to the Southwesterly prolongation of the Northwestery right-of-way line of the Friant Expressway; thence Northeasterly along said right-of-way line through Sections 10, 11, 12 & 1, T. 12 S., R. 20 E., M.D.B. & M., to the most Southeasterly corner of Parcel B of Parcel Map No. 917 as recorded in Book 8, Page 33 of Parcel Maps, Fresno County Records; thence Northerly along the East line of said Parcel B and Parcel C of said Parcel Map and its Northerly prolongation to the North line of Section 1, T. 12 S., R. 20 E., M.D.B. & M.; thence Easterly along said North line to the Northwestery right-of-way line of the Friant Expressway; thence Northerly along said right-of-way line to the North line of the South 545 feet of Section 36, T. 11 S., R. 20 E., M.D.B. & M.; thence Easterly along said North line to the East line of said Section 36; thence Southerly along said East line to the Southeast corner of said section 36 said point also being the Northwest corner of Section 6, T. 12 S., R. 21 E., M.D.B. & M.; thence Easterly along the North line of said Section 6 to the Northwest

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*

corner of Parcel Map No. 3615 as recorded in Book 27, Page 7 of Parcel Maps, Fresno County Records; thence Southerly along the West line of said Parcel Map and it's Southerly prolongation to the Northwest corner of Parcel Map No. 3601 as recorded in Book 27, Page 1 of Parcel Maps, Fresno County Records; thence continuing southerly along the west line of said Parcel Map to the South line of said Parcel Map; thence Easterly along said South line and its Easterly prolongation to the Northwest corner of Parcel Map No. 3351 as recorded in Book 22, Page 70 of Parcel Maps, Fresno County Records; thence Southerly along the West line of said Parcel Map to the Southwest corner of said Parcel Map; thence Easterly along the South line of said Parcel Map to the Southeast corner of said Parcel Map said point also being on the Northwesterly right-of-way line of Auberry Road; thence continuing Easterly along the Easterly prolongation of the South line of said Parcel Map to the most Northwesterly corner of Parcel 2 of Parcel Map No. 2705, as recorded in Book 17, Page 95 of Parcel Maps, Fresno County Records, said point also being on the Southeasterly right-of-way of Auberry Road; thence Southwesterly along said right-of-way to the West line of said Parcel Map No. 2705; thence Southerly along said West line to the Southwest corner of said Parcel Map; thence Easterly along the South line of said Parcel Map to the Southeast corner of said Parcel Map; thence Northerly along the East line of said Parcel Map to the Northeast corner of said Parcel Map, said point also being on the West line of Parcel Map No. 6552, as recorded in Book 45, Page 2 of Parcel Maps, Fresno County Records; thence continuing Northerly along the West line of said Parcel Map No.

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X

6552, to the Northwest corner of said Parcel Map, said point also
being the Southwest corner of Parcel Map No. 2503 as recorded in
Book 18, Page 65 of Parcel Maps, Fresno County Records; thence
Northerly along the West line of said Parcel Map to the Northwest
corner of said Parcel Map, said point also being the Northwest
corner of Section 5, T. 12 S., R. 21 E., M.D.B. & M.; thence
Easterly along the North line of said Section 5 to the East line of
the West half of said Section 5; thence Southerly along said East
line to the South line of the North half of said Section 5; thence
Easterly along said south line to the East line of said Section 5;
thence Southerly along said East line to the Southeast corner of
said Section 5 also being the Northwest Corner of Section 9, T. 12
S., R. 21 E., M.D.B. & M.; thence Easterly along the North line of
said Section 9 to the centerline of Armstrong Avenue; thence
Southerly along the centerline of Armstrong Avenue to a point on
the South line of Section 10, T. 12 S., R. 21 E., M.D.B. & M. also
being the intersection of Armstrong and Copper Avenues; thence
Easterly along said south line to the Southeast corner of said
Section 10 also being the Northeast Corner of Section 15, T. 12 S.,
R. 21 E., M.D.B. & M.; thence Southerly along the East line of
said Section 15 to the Southeast corner of said Section 15 also
being the Northeast corner of Section 22, T. 12 S., R. 21 E.,
M.D.B. & M.; thence Southerly along the East line of said Section
22 to the North line of the South 1/2 of Section 23, T. 12 S., R.
21 E., M.D.B. & M.; thence Easterly along said North line to the
centerline of North DeWolf Avenue; thence Southerly along the
centerline of North DeWolf Avenue to the centerline of East

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Shepherd Avenue; thence Easterly along the centerline of East Shepherd Avenue to the centerline of Tollhouse Road; thence Southwesterly along the centerline of Tollhouse Road to the centerline of the Enterprise Canal; thence Southeasterly along the centerline of the Enterprise Canal to the North line of Section 2, T. 13 S., R. 21 E., M.D.B. & M.; thence Westerly along said North line to the East line of the West 1/2 of said Section 2; thence Southerly along said East line to the South right-of-way line of East Escalon Avenue Dun-Rovin No. 1, Tract No. 2861 as recorded in Plat Book 36, Page 33, Fresno County Records; thence Easterly along said South line to the North line of Parcel Map No. 4781, as recorded in Book 32, Page 44 of Parcel Maps, Fresno County Records, continuing Easterly along said North line and the North line of Parcel Map No. 4024, as recorded in Book 27, Page 30 of Parcel Maps, Fresno County Records, to the centerline of North DeWolf Avenues; thence Northerly along said centerline to the Westerly prolongation of the North line of DeWolf Estates, Tract No. 3971, as recorded in Plat Book 52, Pages 59 60, Fresno County Records; thence Easterly along said North line to the Northeast corner of said Tract No. 3971; thence Southerly along said East line and its Southerly prolongation to the centerline of the Enterprise Canal; thence meandering Southeasterly along the centerline of the Enterprise Canal through Sections 1 & 12, T. 13 S., R. 21 E., M.D.B. & M. to the centerline of the Jefferson Canal; thence meandering Southwesterly along the centerline of the Jefferson Canal, through said Section 12, to the West line of said Section 12; thence Southerly along said west line to the Northeast corner

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X

of Section 14, T. 13 S., R. 21 E., M.D.B. & M.; thence Westerly
along the North line of said Section 14, to the West line of Parcel
Map No. 2524 as recorded in Book 16, Page 72 of Parcel Maps, Fresno
County Records; thence Southerly along said West line to the South
line of said Parcel Map; thence Easterly along said South line to
the Northwest corner of Parcel Map No. 4980, as recorded in Book
31, Page 16 of Parcel Maps, Fresno County Records; thence
Southerly along the West line of said Parcel Map to the Southwest
corner of said Parcel Map, also being the point of intersection of
E. Gettsburg Avenue and N. Locan Avenue; thence Southerly along
the centerline of N. Locan Avenue to the centerline of East Shields
Avenue; thence Westerly along said centerline to the centerline of
North Temperance Avenue; thence Southerly along said centerline to
the centerline of East Tulare Avenue; thence Easterly along the
centerline of East Tulare Avenue to the centerline of North Locan
Avenue; thence Southerly along the centerline of North and South
Locan Avenue and the Southerly prolongation thereof to the
centerline of East Jensen Avenue; thence Westerly along the
centerline of East Jensen Avenue to the centerline of South Clovis
Avenue; thence Southerly along the centerline of South Clovis
Avenue to the centerline of East American Avenue; thence Westerly
along the centerline of East American Avenue to the East line of
the West 1/2 of Section 6, T. 15 S., R. 21 E., M.D.B. & M.; thence
Southerly along said East line to the South line of the North 1/2
of the North 1/2 of said Section 6; thence Westerly along said
South line to the centerline of South Chestnut Avenue; thence
Northerly along said centerline to the centerline of the Washington

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Colony Canal; thence Southwesterly along said centerline to the
centerline of South Maple Avenue; thence Northerly along said
centerline to the centerline of East American Avenue; thence
Westerly along said centerline to the centerline of the Atchison,
Topeka and Santa Fe Railroad; thence Northerly along the
centerline of the Atchison, Topeka and Santa Fe Railroad to the
South line of Lot 70 of the Malaga Tract, Tract No. 1795 as
recorded in Plat Book 2, Page 17 of Fresno County Records; thence
Westerly along said South line and the Westerly prolongation
thereof to the centerline of South Cedar Avenue; thence Northerly
along the centerline of South Cedar Avenue to the centerline of
East Central Avenue; thence Westerly along the centerline of East
Central Avenue to the centerline of South Elm Avenue; Thence
Northerly along the centerline of South Elm Avenue to the South
line of the North 1/2 of Section 28, T. 14 S., R. 20 E., M.D.B. &
M.; thence Westerly along said South line and the South line of
Section 29, T. 14 S., R. 20 E., M.D.B. & M. to the centerline of
South Fruit Avenue; thence northerly along said centerline to the
South line of the North 1/2 of the North 1/2 of the South 1/2 of
Section 20 T.14 S., R. 20 E., M. D. B. & M.; thence Westerly along
said South line to the centerline of South West Avenue; thence
Northerly along the centerline of South West Avenue to the
- centerline of West Jensen Avenue; thence Westerly along the
centerline of West Jensen Avenue to the centerline of South Marks
Avenue; thence Northerly along the centerline of South Marks
Avenue to the North line of the South 1/2 of the South 1/2 of
Section 13, T. 14 S., R. 19 E., M.D.B. & M.; thence Westerly along

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said North line to the centerline of South Brawley Avenue; thence Northerly along the centerline of South Brawley Avenue to the centerline of West Kearney Boulevard; thence Westerly along said centerline to the West line of the East 1/2 of Section 11, T. 14 S., R. 19 E., M.D.B. & M.; thence Northerly along said West line to the centerline of West Whitesbridge Avenue; thence Westerly along the centerline of West Whitesbridge Avenue to the centerline of North Cornelia Avenue; thence Northerly along the centerline of North Cornelia Avenue to the South line of the North 1/2 of Section 3, T. 14 S., R. 19 E., M.D.B. & M.; thence Westerly along said South line of the North 1/2 of said Section 3, and the South line of the North 1/2 of Section 4, T. 14 S., R. 19 E., M.D.B. & M., to the centerline of North Grantland Avenue; thence North along the centerline of North Grantland Avenue to the centerline of West McKinley Avenue; thence Westerly along the centerline of West McKinley Avenue to the centerline of North Garfield Avenue; thence Northerly along the centerline of North Garfield Avenue to the centerline of West Dakota Avenue; thence Westerly along the centerline of West Dakota Avenue to the centerline of North Chateau Fresno Avenue; thence Northerly along the centerline of North Chateau Fresno Avenue to the centerline of West Gettysburg Avenue; thence Easterly along the centerline of West Gettysburg Avenue to

- the West line of the East 1/2 of the Northwest 1/4 of Section 17, T. 13 S., R. 19 E., M.D.B. & M.; thence Northerly along said West line and the West line of the East 1/2 of the West 1/2 of Section 8, T. 13 S., R. 19 E., M.D.B. & M., to the South line of Section 5, T. 13 S., R. 19 E., M.D.B. & M.; thence Westerly along said South

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line to the Southwest corner of said Section 5; thence Northerly along the West line of said Section 5 to the Northwest corner of said Section 5; thence Easterly along the North line of said Section 5 to the Southwesterly right-of-way line of U.S. Highway 99; thence Northwesterly along the Southwesterly right-of-way line of U.S. Highway 99 to the point of intersection with the Northerly Fresno County line, said point being the point of beginning.

NOTE: Underlining indicates portion changed from Resolution 1565.

Recording Requested by:
City Clerk, Fresno, California
No Fee-Gov't. Code 6103

When Recorded, Return to City Clerk
City of Fresno
2600 Fresno Street, Room 2133
Fresno, CA 93721-3623



FRESNO County Recorder

Robert C. Werner

DOC- 2005-0037393

Wednesday, FEB 16, 2005 12:13:30

Ttl Pd \$0.00

Nbr-0001741976

GSF/R4/1-8

Space above this line reserved for Fresno County Recorder's Office

**STATEMENT OF COVENANTS AFFECTING LAND DEVELOPMENT FOR RIGHT TO
FARM FOR THE BARSTOW-GRANTLAND NO. 1 REORGANIZATION**

ABOVE SPACE FOR RECORDER'S USE

P.W. File No.
A.P.N. 505-070-28, 29, 30, 31, 32

Planning and Development Department
City of Fresno

**STATEMENT OF COVENANTS AFFECTING LAND DEVELOPMENT
FOR RIGHT TO FARM FOR THE BARSTOW-GRANTLAND NO. 1 REORGANIZATION**

RECITALS

A. **WHEREAS,** Grantland Avenue, LLC, A California Limited Liability Company hereinafter referred to as "the Covenantor," is the owner of that certain real property in the City of Fresno, County of Fresno, State of California, hereinafter referred to as "the Subject Property" and more particularly described as Exhibit "A", and by this reference made part of this Statement of Covenants.

B. The Covenantor hereby warrants that any and all parties having record title interest in the Subject Property which may ripen into a fee have subordinated to this instrument.

C. All such instruments of Subordination, if any, are attached hereto and made a part of this instrument.

D. The Covenantor has applied to the Fresno Local Agency Formation Commission for annexation of the subject property into the City of Fresno.

E. The City of Fresno desires to obtain covenants from the Covenantor to insure that the Subject Property is not developed, used, or maintained in such a way as to adversely affect adjoining properties.

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COVENANTS, CONDITIONS, AND RESTRICTIONS

For favorable action on, and approval of, the Covenantor's application for annexation into the City of Fresno for the Subject Property as referred to hereinabove, the Covenantor hereby covenants that the Subject Property shall be held, conveyed, encumbered, used, occupied, developed, maintained, and improved subject to the following covenants, conditions, and restrictions, which are for the purpose of enhancing attractiveness, usefulness, value, and desirability of the Subject Property, the surrounding property, and the public at large and to minimize possible adverse effects on the public health, safety, peace, and general welfare. Each of the covenants, conditions, and restrictions contained in this Statement will run with the Subject Property and shall be binding on each successive owner of the Subject Property and his heirs, administrators, successors, and assigns.

1. Covenantor hereby covenants as follows:

- A. That the declared policy of Fresno County is to preserve, protect, and encourage development of its agricultural land and industries for the production of food and other agricultural products and that the subject property is near agricultural districts which are located in the County of Fresno and that the residents of said property should be prepared to accept the inconveniences and discomfort associated with normal farm activities. Consistent with this policy, California Civil Code 3482.5 (right-to-farm law) provides that an agricultural pursuit, as defined, maintained for commercial uses shall not be or become a nuisance due to a changed condition in a locality after such agricultural pursuit has been in operation for three years.
- B. The subject project shall be developed in substantial conformance with the R-1/UGM zone district.

2. The conditions of this Statement are intended to benefit the public and public properties. Accordingly, the City of Fresno shall have the right to enforce this Statement by any legal or equitable means against the Covenantor and such person or persons in actual possession of Subject Property who directly or who through any agent violate the terms hereof. All obligations of the Covenantor under this Statement shall inure solely to the benefit of the City of Fresno. There are no third party beneficiaries of such obligations nor shall the right of the City of Fresno be transferable

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Statement of Covenants Affecting Land Development
Right-to-Farm
Barstow-Grantland No. 1 Reorganization
Page 3

in any manner to any person other than to a successor municipal corporation whose geographic boundaries include the Subject Property.

3. The foregoing conditions shall remain in full force and effect until such time as the City of Fresno, pursuant to the district amendment procedure of the Fresno Municipal Code, finds the enforcement of such condition is no longer equitable.


4. The provisions of this Statement shall be deemed independent and severable and the invalidity or partial invalidity or unenforceability of any one provision or portion thereof shall not affect the validity or enforceability of any other provision hereof. Whenever the context so requires, any gender includes the other genders, the singular includes the plural, and the plural includes the singular.

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Statement of Covenants Affecting Land Development
Right-to-Farm
Barstow-Grantland No. 1 Reorganization
Page 4

DATED: 12-13-04


CITY OF FRESNO,
A Municipal Corporation

By: 

Nick P. Yovino, Director
Planning and Development
Department

APPROVED AS TO FORM:

HILDA CANTÚ MONTÓY
City Attorney

By: 

Deputy

DEB:lcl:KICOMRight to Farm-COV

COVENANTOR

GRANTLAND AVENUE LLC
A California Limited Liability Company

By: GRANVILLE HOMES, INC.,
A California Corporation as Manager

By: _____
Jeffrey T. Roberts,
Vice President for Planning
and Development

(Attach Notary Acknowledgment)

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CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California

County of Fresno } ss.

On January 13, 2005 before me, Christine S. Lingenfelter
Name and Title of Officer (e.g., "Jane Doe, Notary Public")

personally appeared Jeffrey T. Roberts
Name(s) of Signer(s)

personally known to me

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.



Place Notary Seal Above

WITNESS my hand and official seal.

Christine S. Lingenfelter
Signature of Notary Public

OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Description of Attached Document

Title or Type of Document: _____

Document Date: _____ Number of Pages: _____

Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: _____

- Individual
- Corporate Officer — Title(s): _____
- Partner -- Limited General
- Attorney in Fact
- Trustee
- Guardian or Conservator
- Other: _____



Signer Is Representing: _____

Signer's Name: _____

- Individual
- Corporate Officer — Title(s): _____
- Partner — Limited General
- Attorney in Fact
- Trustee
- Guardian or Conservator
- Other: _____



Signer Is Representing: _____

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EXHIBIT A

LEGAL DESCRIPTION

That portion of the Southwest Quarter of Section 4 and the Southeast Quarter of Section 5, all in Township 13 South, Range 19 East, Mount Diablo Base and Meridian, described as follows:

BEGINNING at the Southwest corner of said Section 4, said point being on the existing limit line of the City of Fresno; thence leaving the limit line of the City of Fresno, South 89°28'31" West, along the South line of said Section 5, a distance of 30.00 feet; thence North 0°13'31" East, parallel with and 30.00 feet West of the West line of said Section 4, a distance of 1,635.00 feet to the intersection with the Westerly prolongation of the North line of Lot 720 of J.C. Forkner Fig Gardens Subdivision No. 7, recorded in Volume 8, page 79 of Plats, Fresno County Records; thence North 89°28'31" East, along the North line of said Lot 720, and its Westerly prolongation, a distance of 810.00 feet, to the Northeast corner of the West Half of the East Half of said Lot 720; thence South 0°13'31" West, along the East line of the West Half of the East Half of said Lot 720, a distance of 390.00 feet to the intersection with the South line of said Lot 720; thence North 89°28'31" East, along the South line of said Lot 720 and its Easterly prolongation, a distance of 674.00 feet to the intersection with the East line of Lot 724 of said J.C. Forkner Fig Gardens Subdivision No. 7; thence South 0°13'31" West, along the East line of said Lot 724, a distance of 210.00 feet to the Southeast corner of said Lot 724; thence North 89°28'31" East, along the North line of Lot 728 of said J.C. Forkner Fig Gardens Subdivision No. 7, a distance of 390.00 feet to the Northeast corner of said Lot 728; thence South 0°13'31" West, along the East line of said Lot 728 and its Southerly prolongation, a distance of 1,035.00 feet to the intersection with the South line of said Section 4; thence South 89°28'31" West, along the South line of said Section 4, being the existing limit line of the City of Fresno, a distance of 1,844.00 feet to the Point of Beginning.

That portion of the Northeast Quarter of Section 8 and the Northwest Quarter of Section 9, all in Township 13 South, Range 19 East, Mount Diablo Base and Meridian, described as follows:

BEGINNING at West Quarter corner of said Section 9, said point being on the existing limit line of the City of Fresno; thence, leaving the limit line of the City of Fresno, South 89°21'56" West, along the South line of the Northeast Quarter of said Section 8, a distance of 30.00 feet; thence North 0°12'55" West, parallel with an 30.00 feet West of the East line of the Northeast Quarter of said Section 8, a distance of 1,319.68 feet to the intersection with the Westerly prolongation of the North line of the Southwest Quarter of the Northwest Quarter of said Section 9; thence North 89°25'14" East, along said North line and its Westerly prolongation, said North line being the existing limit line of the City of Fresno, a distance of 1,345.03 feet to the Northeast corner of the Southwest Quarter of the Northwest Quarter of said Section 9; thence South 0°16'52" East, along the East line of the Southwest Quarter of the Northwest Quarter of said Section 9, being also the existing limit line of the City of Fresno, a distance of 659.19 feet to the Southeast corner of the North Half of the Southwest Quarter of the Northwest Quarter of said Section 9; thence, leaving the limit line of the City of Fresno, South 0°16'52" East, along the East line of the Southwest Quarter of the Northwest Quarter of said Section 9, a distance of 49.18 feet to the Northeast corner of the South 610.00 feet of the Southwest Quarter of the Northwest Quarter of said Section 9; thence South 89°21'56" West, parallel with and 610.00 feet North of the South line of the Northwest Quarter of said Section 9, a distance of 657.93 feet to the Northwest corner of the South 610.00 feet of the East Half of the Southwest Quarter of the Northwest Quarter of said Section 9; thence South 0°14'54" East, along the West line of the East Half of the Southwest Quarter of the Northwest Quarter of said Section 9, to the intersection with the South line of the Northwest Quarter of said Section 9; thence South 89°21'56" West, along the South line of the Northwest Quarter of said Section 9, being also the existing limit line of the City of Fresno, a distance of 658.28 feet to the Point of Beginning.

CLERK'S CERTIFICATION

STATE OF CALIFORNIA)
COUNTY OF FRESNO)
CITY OF FRESNO)

On **December 15, 2004**, before me, **Elvia Sommerville**, Deputy City Clerk, personally appeared, **Nick P. Yovino, Planning and Development Director**, 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 signature(s) on the instrument(s) the person(s), or the entity upon behalf of the City of Fresno of which the person(s) acted, executed the instrument.

WITNESS my hand and official City Seal.

REBECCA E. KLISCH, CMC
CITY CLERK

By *Elvia Sommerville*
Deputy

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WHEN RECORDED MAIL TO:

City Clerk
City of Fresno
2600 Fresno Street
Fresno, Ca 93721-3603



FRESNO County Recorder
Robert C. Werner
DOC- 2005-0224527

Acct 1-Financial Title Company

(C)

Friday, SEP 23, 2005 08:00:00

Ttl Pd \$0.00

Nbr-0001963712

RGR/R7/2-12

NO FEE - Government Code 6103

CITY OF FRESNO
Public Works Department

P.W. File No. 10763

**STATEMENT OF COVENANTS AFFECTING LAND DEVELOPMENT
FOR TEMPORARY STORM DRAINAGE FACILITIES FOR TRACT
NO. 5395, PHASE 2 OF VESTING TENTATIVE MAP NO. 5247**

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