

**MADERA IRRIGATION DISTRICT**  
**BOARD OF DIRECTORS SPECIAL MEETING**  
**MARCH 2, 2023**  
**MINUTES**

**Directors Present:** James Erickson, President  
Tim DaSilva  
Brian Davis  
Carl Janzen, Vice President  
David Loquaci

**Directors Absent:** None

**Staff Present:** T. Greci, General Manager (GM Greci)  
D. Cadenazzi Nolan, Assistant General Manager (AGM Nolan)  
A. Kwock Sandoval, Secretary to the Board

**Others Present:** General Counsel John Kinsey, Wanger Jones Helsley; Mickey Basra; Joel Hastings; Lak Brar; others on the Zoom or in-person that did not identify themselves.

**CALL TO ORDER / ROLL CALL**

President Erickson called the meeting to order at 1:00 p.m. at the business office of the District at 12152 Road 28 ¼, Madera, California 93637.

**APPROVAL OF AGENDA**

**MOTION:** Director Janzen / Director Davis to approve the agenda as presented.

**VOTE:**

AYES: Directors Loquaci, Janzen, Davis, DaSilva, and Erickson

NOES:

ABSTAIN:

ABSENT:

**POTENTIAL CONFLICTS OF INTEREST: Closed Session**

There were no potential conflicts noted for Closed Session.

**PUBLIC COMMENT: Closed Session**

President Erickson opened and closed public comment due to no public in attendance.

**1. CLOSED SESSION Closed Session items not concluded prior to Regular Session may be continued at the end of the Regular Session.**

- 1a. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION – Potential initiation of litigation pursuant to paragraph (4) of subdivision (d) of Government Code Section 54956.9 (2 potential cases)
- 1b. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION – Pursuant to Paragraph (1) of subdivision (d) of Section 54956.9; Petition for the Adjudication of Rights to the Fresno River, before the State Water Resources Control Board

**CALL TO ORDER REGULAR SESSION/ PLEDGE OF ALLEGIANCE**

President Erickson called regular session to order at 1:30 p.m. with staff in attendance and the public in attendance.

**REPORT ON CLOSED SESSION**

There was no reportable action taking during Closed Session.

**POTENTIAL CONFLICTS OF INTEREST**

There were no potential conflicts of interest noted.

**PUBLIC COMMENT: MID Groundwater Sustainability Agency & Regular Session**

Mr. Basra requested annexation into MID. He submitted a letter requesting annexation to the Board of Directors.

**2. GENERAL MANAGER'S REPORT**

- 2a. Update of Activities
  - Water Supply

GM Greci stated the District was spotlighted in the ACWA news on the District's recharge efforts. The District was also featured in the ACWA JPIA Perspective newsletter regarding the HR Bounty Award.

GM Greci stated on the water supply side, it has rained and snowed a lot. The new water year started on March 1, 2023. The initial allocation from the U.S. Bureau of Reclamation ("USBR") is 100% Class 1 and 20% Class 2. USBR often requests planning schedules and has requested a planning schedule with 70% Class 2 and a 100% Class 2. GM Greci stated he has never prepared a 100% Class 1 and Class 2 schedules. There are also additional water supplies available to the District. GM Greci stated there may be an atmospheric river in mid-March. GM Greci stated the District is mainly in flood control at this time.

Director Davis questioned if staff are working a lot of overtime. GM Greci stated staff was

working overtime when emergency repairs were being made. AGM Nolan noted the Operations Department is still not fully staffed. GM Greci stated there have been several new hires since the beginning of the year. GM Greci stated he does not believe there will be changes to the District's Crop Water Distribution Policy unless weather patterns shift.

**3. NEW BUSINESS**

3a. Discussion / possible action on Amendments to Crop Water Rules and Regulations for the Distribution of Water and Maintenance of Canals and Pipelines, Resolution No. 2023-10

MOTION: Director Janzen / Director Davis to approve the amendments to the Crop Water Rules and Regulations as presented, Resolution No. 2023-10.

DISCUSSION: AGM Nolan noted changes to the Crop Water Rules and Regulations were last made in 2019. AGM Nolan stated as things come up, we track any changes needed and then bring all the edits at one time rather than piece meal. AGM Nolan noted updates were made as reflected in the redlined version included in the Board Packet. New booklets will be printed and distributed.

PUBLIC COMMENT: President Erickson opened public comment and closed public comment due to no comments from the public in attendance.

VOTE: ROLL CALL

AYES: Directors Loquaci, Janzen, Davis, DaSilva, and Erickson

NOES:

ABSTAIN:

ABSENT:

3b. Discussion / possible action on approving the Madera Irrigation District and the Smith-Adobe Ranch Family Limited Partnership Agreements regarding purchase of certain real property and easements, Resolution No. 2023-11

- Master Purchase and Sale Agreement
- Purchase and Sale Agreement and Escrow Instructions
- Easement Purchase Agreement
- Access Easement Agreement
- Canal Easement Agreement
- Memorandum of Agreement

MOTION: Director Loquaci / Director Davis to approve the agreements as listed regarding the purchase of certain real property and easements, Resolution No. 2023-11.

DISCUSSION: General Counsel Kinsey stated all of these agreements are related to one transaction with Adobe Ranch that relates to the MID facilities at the Madera Lake inlet. They memorialize in writing unrecorded easements the District has to access the facilities and provide title to MID for the area where the existing facility is located.

Director Loquaci stated this has been a long time coming. He thanked General Counsel Kinsey and Adobe for getting this completed.

PUBLIC COMMENT: President Erickson opened public comment and closed public comment due to no comments from the public in attendance.

VOTE: ROLL CALL

AYES: Directors Loquaci, Janzen, Davis, DaSilva, and Erickson

NOES:

ABSTAIN:

ABSENT:

- 3c. Discussion / possible action on declaring real property exempt surplus land; and approving a notice of exemption from the California Environmental Quality Act, Resolution No. 2023-12

MOTION: Director Loquaci / Director Janzen to approve Resolution No. 2023-12 declaring real property exempt surplus land and approve a notice of exemption from the California Environmental Quality Act, Resolution No. 2023-12.

DISCUSSION: AGM Nolan stated this is an updated resolution to the resolution the Board approved at the December 15, 2022 meeting. It rescinds the previous resolution. This is a new updated resolution for the exemption for the property listed in the resolution.

PUBLIC COMMENT: President Erickson opened public comment and closed public comment due to no comments from the public in attendance.

VOTE: ROLL CALL

AYES: Directors Loquaci, Janzen, Davis, DaSilva, and Erickson

NOES:

ABSTAIN:

ABSENT:

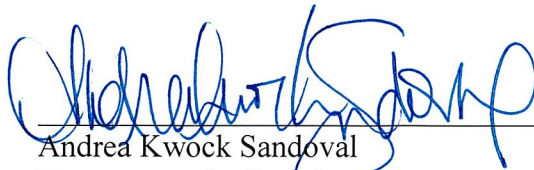
#### 4. ADJOURNMENT

President Erickson adjourned the meeting at 1:50 p.m.

**APPROVED FOR THE BOARD:**



James Erickson  
President



Andrea Kwock Sandoval  
Secretary to the Board

Date: 4/19/2023

**MARCH 2, 2023**  
**RESOLUTION NO. 2023-11**

**RESOLUTION OF THE BOARD OF DIRECTORS,  
MADERA IRRIGATION DISTRICT  
APPROVING THE MID AND SMITH-ADOBE RANCH FAMILY  
LIMITED PARTNERSHIP AGREEMENTS**

**RESOLVED** by the Board of Directors of the Madera Irrigation District (“District”), at a special meeting duly called and held on March 2, 2023, at the business office of the District, 12152 Road 28 1/4, Madera, California 93637 as follows:

**WHEREAS**, pursuant to section 22425 of the Water Code, the District is authorized to acquire by any means any property or interest in property to carry out its purposes as an irrigation district formed under Division 11 of the Water Code;

**WHEREAS**, certain real property and property interests owned by the Smith-Adobe Ranch Family Limited Partnership (“Adobe Ranch”) are necessary to carry out the District’s purposes;

**WHEREAS**, staff has engaged Adobe Ranch in negotiations to effectuate a transfer of such property and interests from Adobe Ranch to the District on terms mutually agreeable to the parties; and

**WHEREAS**, staff is seeking the Board’s approval of the following documents to affect the contemplated transfer:

1. A Master Purchase and Sale Agreement, attached hereto as Exhibit “A” and incorporated herein by this reference, establishing general terms and conditions for the transaction and the exercise of rights granted in connection therewith;
2. A Purchase and Sale Agreement and Escrow Instructions, attached hereto as Exhibit “B” and incorporated herein by this reference, establishing terms and conditions for the purchase of certain real property, as described therein, from Adobe Ranch by the District;
3. An Easement Purchase Agreement, attached hereto as Exhibit “C” and incorporated herein by this reference, establishing terms and conditions for the purchase of certain real property interests, including an access easement and an operation and maintenance easement, from Adobe Ranch by the District;
4. An Access Easement Agreement, attached hereto as Exhibit “D” and incorporated herein by this reference, establishing terms and conditions for the District’s use of the access easement;
5. A Canal Easement Agreement, attached hereto as Exhibit “E” and incorporated herein by this reference, establishing terms and conditions for the District’s use of the operation and maintenance easement; and
6. A Memorandum of Agreement, attached hereto Exhibit “F” and incorporated herein by this reference, to be recorded with the Madera County Recorder’s Office to provide constructive notice of the parties’ rights and obligations under the above-referenced agreements (collectively, the “MID-Adobe Ranch Agreements”).

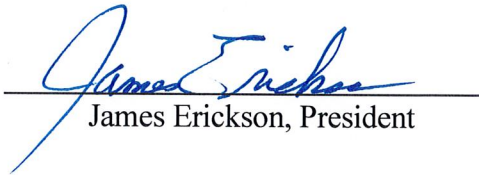
**WHEREAS**, the Board is authorized to approve, and the District is authorized to execute, the MID-Adobe Ranch Agreements;

**NOW, THEREFORE, BE IT RESOLVED**, by the Board of Directors of the Madera Irrigation District, that the facts contained in the recitals above are true and correct, and that the Board approves the MID-Adobe Ranch Agreements, attached hereto as Exhibits "A," "B," "C," "D," "E," and "F" and directs the Board President or General Manager:

1. To execute the MID-Adobe Ranch Agreements;
2. To record the MID-Adobe Ranch Agreements as necessary with the Madera County Recorder's Office; and
3. To make any minor, clarifying, or corrective revisions to the MID-Adobe Ranch Agreements as the General Manager may deem necessary prior to execution.

**THE FOREGOING RESOLUTION WAS DULY AND REGULARLY ADOPTED** by the Madera Irrigation District Board of Directors, at a special meeting of the Board held on the 2<sup>nd</sup> day of March 2023, by the following vote:

AYES: Directors Loquaci, Janzen, Davis, DaSilva, and Erickson  
NOES: None  
ABSENT: None  
ABSTAIN: None

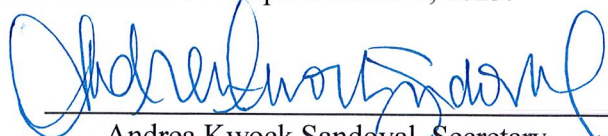
  
James Erickson, President

ATTEST:   
Carl Janzen, Vice President



**CERTIFICATE OF SECRETARY**

The undersigned Secretary of the Board of the Madera Irrigation District hereby certifies that the foregoing is a full, true and correct copy of Resolution No. 2023-11 adopted March 2, 2023.

  
Andrea Kwock Sandoval, Secretary

**MARCH 2, 2023  
RESOLUTION NO. 2023-12**

**RESOLUTION OF THE BOARD OF DIRECTORS,  
MADERA IRRIGATION DISTRICT,  
DECLARING REAL PROPERTY EXEMPT SURPLUS LAND;  
AND APPROVING A NOTICE OF EXEMPTION FROM THE  
CALIFORNIA ENVIRONMENTAL QUALITY ACT**

**RESOLVED** by the Board of Directors of the Madera Irrigation District (“District”), at a special meeting duly called and held on March 2, 2023, at the business office of the District, 12152 Road 28 ¼, Madera, California 93637, as follows:

**WHEREAS**, the District is an irrigation district established under California’s Irrigation District Law, Water Code section 20500, et seq.; and

**WHEREAS**, Water Code sections 22425 and 22437 provide the District is authorized to hold, use, acquire, manage, sell, or lease property to carry out its business; and

**WHEREAS**, Water Code sections 22500 through 22506 of California’s Irrigation District Law provide the statutory method of disposal for all District-owned land and establish the necessary conditions for the same; and

**WHEREAS**, Water Code section 22500 provides, “When a board determines by resolution entered upon the minutes that any property of the district is no longer necessary for district purposes, the district may for a valuable consideration sell or lease the property upon terms that appear to the board to be for the best interests of the district.”; and

**WHEREAS**, as a result of past District actions acquiring real property from private parties, the District is currently the fee owner of approximately 10,900 acres of real property located in Madera, County of Madera, identified by the Assessor’s Parcel Numbers (“APN”) listed in Exhibit “A,” the legal description of which is attached hereto as Exhibit “B” (the “Property”) and incorporated herein by reference; and

**WHEREAS**, because the Property is in a remote location and is sitting vacant and only occupied for third-party cattle grazing purposes, the District’s fee title ownership is no longer necessary for any present or prospective District purposes; and

**WHEREAS**, District staff have reviewed current and potential uses of the Property and have determined that the Property is only suitable for use as open-space land in the future such that the Property is no longer necessary for any present or prospective District purposes; and

**WHEREAS**, the Surplus Land Act, Government Code section 54220, et seq., provides, “Land shall be declared either ‘surplus land’ or ‘exempt surplus land,’ as supported by written findings, before a local agency may take any actions to dispose of it consistent with an agency’s policies or procedures.” (Government Code, § 54221, subdivision (b)(1).); and

**WHEREAS**, Government Code section 54222.3 provides the Surplus Land Act “shall not apply to the disposal of exempt surplus land . . . .”; and

**WHEREAS**, Government Code section 54221, subdivision (f)(1)(K), defines “exempt surplus land” as “[r]eal property that is used by a district for agency’s use expressly authorized in [Government Code section 54221,] subdivision (c).”; and

**WHEREAS**, Government Code section 54221, subdivision (c)(2)(B), provides that, in the case of a local agency that is a district, “‘agency’s use’ may include commercial or industrial uses or activities, including nongovernmental retail, entertainment, or office development or be for the sole purpose of investment or generation of revenue if the agency’s governing body takes action in a public meeting declaring that use of the site will do one of the following: (i) Directly further the express purpose of agency work or operations. (ii) Be expressly authorized by a statute governing the local agency, provided the district complies with [Government Code s]ection 54233.5 where applicable.”; and

**WHEREAS**, as an irrigation district, “agency’s use” permits the District’s use of the Property for investment or revenue generation; and

**WHEREAS**, the District wishes the option to pursue and proceed with a sale of the Property because such a sale would directly further the District’s work and operations by generating the additional revenues required to enhance the services the District is able to offer its customers; and

**WHEREAS**, therefore, as a matter of law, the Property falls within the definition of “exempt surplus land” provided in Government Code section 54221, subdivision (f)(1)(K), because, subject to the applicable statutory requirements in Water Code section 22500, et seq., the District is authorized to dispose of the Property for the purpose of generating revenue to enhance its operations and services; and

**WHEREAS**, although the Surplus Land Act’s notice and offer requirements do not apply to “exempt surplus land,” Government Code section 54221, subdivision (f)(2), requires local agencies that are selling land that can be used for open-space purposes to issue notices if that land is any of the following: (A) within a coastal zone; (B) adjacent to a historical unit of the State Parks System; (C) listed on, or determined by the State Office of Historic Preservation to be eligible for, the National Register of Historic Places; or (D) within the Lake Tahoe region as defined in Government Code section 66905.5; and

**WHEREAS**, the Property does not fall within any of the categories listed in Government Code section 54221, subdivision (f)(2), such that it would be subject to the Surplus Land Act’s notice and offer requirements despite being classified as “exempt surplus land”; and

**WHEREAS**, the conditions discussed above warrant and support the District’s declaration of the Property as “exempt surplus land” pursuant to Government Code section 54221, subdivision (f)(1)(K); and

**WHEREAS**, the District wishes to declare the Property “exempt surplus land” to ensure full compliance with the Surplus Land Act prior to disposing of the Property pursuant to the applicable provisions of Water Code section 22500, et seq; and

**WHEREAS**, the Board of Directors hereby rescinds Resolution No. 2022-29 approved on December 15, 2022.

**NOW, THEREFORE, BE IT RESOLVED**, by the Board of Directors of the Madera Irrigation District, that the Board hereby:

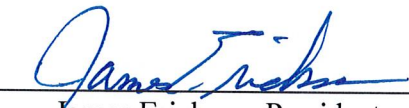
1. Declares the recitals above are true and correct.
2. Based on the recitals above and pursuant to Water Code section 22500, et seq., finds and declares the Property is no longer necessary for any present or prospective District purposes.
3. Based on the recitals above, declares the Property to be “exempt surplus land” as defined in Government Code section 54221, subdivision (f)(1)(K), because the District is authorized to dispose of the Property for the purpose of generating revenue to enhance its operations and services.
4. Finds that, pursuant to Government Code section 54223.3, the Surplus Land Act does not apply to the Property.
5. Authorizes the District’s General Manager, or his designee, to execute all documents required to submit this exempt surplus land designation to the California Department of Housing and Community Development for final confirmation within thirty days of the District’s submission pursuant to Section 400, subdivision (e), of the Surplus Land Act Guidelines.
6. Authorizes the District’s General Manager and District staff to proceed with the steps necessary to effect a sale of the Property in accordance with the law and the terms of this Resolution, including, but not limited to, negotiating a purchase and sale agreement for the Property. The Board shall be responsible for the approval or disapproval of such purchase and sale agreement.
7. Determines the adoption of this Resolution declaring the Property “exempt surplus land” is not subject to environmental review under the California Environmental Quality Act (Public Resources Code, §§ 21000, et seq.; “CEQA”) and CEQA regulations (California Code of Regulations, title 14, §§ 15000, et seq.) because it is an administrative activity necessary to comply with State law and has no potential for resulting in a physical change, whether direct or indirect, to the environment. Accordingly, this Resolution does not constitute a “project” that requires environmental review. (Public Resources Code, § 21065; California Code of Regulations, title 14, §§ 15378, subdivisions (a), (b)(4), (b)(5), 15064, subdivision (d)(3).) District staff are hereby directed to file a Notice of Exemption.
8. Declares that, if any part of this Resolution is held to be invalid for any reason, such decision shall not affect the validity of the remaining portions of this Resolution, and

the Board would have passed the remainder of the Resolution as if such invalid portion thereof had been deleted.

9. This Resolution is effective immediately upon its adoption.

**THE FOREGOING RESOLUTION WAS DULY AND REGULARLY ADOPTED** by the Board of Directors of the Madera Irrigation District, at a special meeting of the Board held on the 2<sup>nd</sup> day of March 2023 by the following vote:

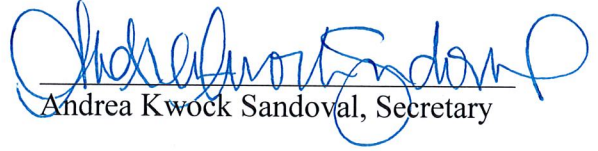
AYES: Directors Loquaci, Janzen, Davis, DaSilva, and Erickson  
NOES: None  
ABSENT: None  
ABSTAIN: None

  
\_\_\_\_\_  
James Erickson, President

ATTEST:   
\_\_\_\_\_  
Carl Janzen, Vice President

**CERTIFICATE OF SECRETARY**

The undersigned Secretary of the Board of the Madera Irrigation District hereby certifies that the foregoing is a full, true and correct copy of Resolution No. 2023-12 adopted March 2, 2023.

  
Andrea Kwock Sandoval, Secretary



**EXHIBIT A**  
**MADERA COUNTY ASSESSOR'S PARCEL NUMBERS (THE "PROPERTY")**

**Exhibit "A"**

**Assessor Parcel Numbers**

044-011-003

044-012-001

044-021-003

044-022-001

044-031-001

044-061-001

044-062-001

044-071-001

044-072-001

044-081-001

044-111-001

044-112-001

044-121-002

044-122-001

044-131-007

044-182-001

044-192-009

044-252-001

044-261-001

**EXHIBIT B**  
**LEGAL DESCRIPTION OF THE PROPERTY**

Being all of Sections 8, 9, 10, 11, 15, 17, 18, 20, and portions of Sections 2, 3, 4, 5, 6, 7, 14, 16, 28, and 29 Township 12 South, Range 16 East, Mount Diablo Base and Meridian, according to the Official United States Government Township Plat thereof, in the County of Madera, State of California, being more particularly described as follows:

**BEGINNING** at a point on the easterly line of said Section 2, said point being 30 feet, measured along the Section line, south of the Northeast corner of said Section 2; thence

Course 1: South  $0^{\circ}14'14''$  West, a distance of 5147.32 feet, along the easterly line of said Section 2, to the northeast corner of said Section 11, thence

Course 2: South  $0^{\circ}29'30''$  East, a distance of 5331.56 feet, along the easterly line of said Section 11, to the southeast corner of said Section 11, thence

Course 3: South  $89^{\circ}40'00''$  West, a distance of 2645.79 feet, along the southerly line of said Section 11, to the north quarter corner of said Section 14, thence

Course 4: South  $0^{\circ}29'40''$  East, a distance of 5334.75 feet, along the center line said Section 14, to the south quarter corner of said Section 14, thence

Course 5: South  $89^{\circ}34'05''$  West, a distance of 2643.47 feet, along the southerly line of said Section 14, to the southwest corner of said Section 14, thence

Course 6: North  $89^{\circ}41'02''$  West, a distance of 5302.98 feet, along the southerly line of said Section 15, to the southeast corner of said Section 16, thence

Course 7: North  $89^{\circ}47'46''$  West, a distance of 699.96 feet, along the southerly line of said Section 16, thence leaving said southerly line,

Course 8: North  $0^{\circ}13'22''$  East, a distance of 833.16 feet, to the beginning of a tangent curve concaved to the east, thence

Course 9: northeasterly along said curve, having a radius of 220.00 feet, through a central angle of  $29^{\circ}21'27''$ , an arc distance of 112.72 feet, a chord bearing and distance of North  $14^{\circ}54'05''$  East, a distance of 111.50 feet, thence

Course 10: North  $29^{\circ}34'48''$  East, a distance of 981.02 feet, to the beginning of a tangent curve concaved to the west, thence

Course 11: northeasterly along said curve, having a radius of 430.00 feet, through a central angle of  $3^{\circ}43'40''$ , an arc distance of 230.61 feet, a chord bearing and distance of North  $14^{\circ}54'05''$  East, a distance of 111.50 feet, thence

Course 12: North  $1^{\circ}08'52''$  West, a distance of 517.28 feet, thence

- Course 13: South 89°57'19" West, a distance of 2051.61 feet, thence
- Course 14: South 0°02'41" East, a distance of 1773.66 feet, thence
- Course 15: South 89°57'19" West, a distance of 537.08 feet, thence
- Course 16: South 0°02'41" East, a distance of 749.17 feet, to the south quarter corner of said Section 16, thence
- Course 17: North 89°47'41" West, a distance of 2568.07 feet, along the southerly line of said Section 16, to the northeast corner of said Section 20, thence
- Course 18: South 0°37'55" East, a distance of 5293.97 feet, along the easterly line of said Section 20, to the Northwest corner of said Section 28, thence
- Course 19: South 89°33'26" East, a distance of 5273.62 feet, along the northerly line of said Section 28, to the northeast corner of Section 28, thence
- Course 20: South 0°22'08" East, a distance of 5243.85 feet, along the easterly line of Section 28, to a point on a line that is parallel with and 40.00 feet north of the southerly line of said Section 28, thence
- Course 21: South 89°33'55" West, a distance of 5274.53 feet, along said parallel line, to a point on the easterly line of said Section 29, said point being on a line that is parallel with and 40 feet north of the southerly line of said Section 29, thence
- Course 22: North 89°35'35" West, a distance of 4555.08 feet, along said parallel line, to the beginning of a tangent curve concaved southerly, thence
- Course 23: westerly along said curve, having a radius of 2540.00 feet, through a central angle of 5°00'00", an arc distance of 221.66 feet, a chord bearing and distance of South 87°54'25" West, a distance of 221.59 feet, thence
- Course 24: South 85°24'25" West, a distance of 240.65 feet, to the beginning of a tangent curve concaved northerly, thence
- Course 25: westerly along said curve, having a radius of 2460.00 feet, through a central angle of 5°00'00", an arc distance of 214.68 feet, a chord bearing and distance of South 87°54'25" West, a distance of 214.61 feet, to a point on the southerly line of said Section 29, thence
- Course 26: North 89°35'35" West, a distance of 90.85 feet, along the south line of said Section 29, to the southwest corner of said Section 29, thence

Course 27: North 0°00'51" East, a distance of 5314.44 feet, along the westerly line of said Section 29, to the southwest corner of said Section 20, thence

Course 28: North 0°33'20" West, a distance of 2656.93 feet, along the westerly line of southwest quarter of said Section 20, to the west quarter corner of said Section 20, thence

Course 29: North 0°32'53" West, a distance of 2656.89 feet, along the westerly line of the northwest quarter of said Section 20, to the southeast corner of said Section 18, thence

Course 30: North 89°52'21" West, a distance of 2643.84 feet, along the southerly line of the southeast quarter of said Section 18, to the south quarter corner of said Section 18, thence

Course 31: North 89°51'59" West, a distance of 2565.27 feet, along the southerly line of the southwest quarter of said Section 18, to the southwest corner of said Section 18, thence

Course 32: North 0°07'44" East, a distance of 5301.90 feet, along the westerly line on said Section 18, to the southwest corner of said Section 7, thence

Course 33: North 0°08'10" East, a distance of 5161.25 feet, along the westerly line of Section 7, thence

Course 34: North 44°06'52" East, a distance of 195.81 feet, to a point on the southerly line of Section 6, thence

Course 35: North 44°06'52" East, a distance of 6830.40 feet, to the beginning of a tangent curve concaved to the southeast, thence

Course 36: northeasterly along said curve, having a radius of 970.00 feet, through a central angle of 45°56'38", an arc distance of 777.82 feet, a chord bearing and distance of North 67°05'11" East, a distance of 757.14 feet to a point on a line that is parallel with and 30.00 feet south of the northerly line of the northwest quarter of said Section 5, thence.

Course 37: South 89°56'30" East, a distance of 2195.35 feet, along said parallel line, to a point on a line that is parallel with and 30.00 feet south of the northerly line of the northeast quarter of said Section 5, thence

Course 38: South 89°56'35" East, a distance of 2619.54 feet, along said parallel line, to a point on the westerly line of said Section 4, said point being on a line that is parallel with and 30.00 feet south of the northerly line of the northwest quarter of said Section 4, thence

Course 39: South 89°55'27" East, a distance of 1688.44 feet, along said parallel line thence

Course 40: South 17°50'56" East, a distance of 2863.48 feet, thence

Course 41: North 89°32'49" East, a distance of 2692.71 feet, to a point on the westerly line of said Section 3,

Course 42: North 0°27'11" West, a distance of 2699.24 feet, along said westerly line, to a point on a line that is parallel with and 30.00 feet south of the northerly line of the northwest quarter of said Section 3, thence

Course 43: South 89°56'52" East, a distance of 2620.06 feet, along said parallel line, to a point on a line that is parallel with and 30.00 feet south of the northerly line of the northeast quarter of said Section 3, thence

Course 44: South 89°56'36" East, a distance of 2720.55 feet, along said parallel line, to a point on the westerly line of said Section 2, said point also being on a line that is parallel with and 30.00 feet south of the northerly line of said Section 2, thence

Course 45: South 89°57'15" East, a distance of 5298.46 feet, along said parallel line to the **POINT OF BEGINNING.**

Area contains: ± 10,536 acres





## Legal Description

APN-044-192-009

Portion of Section 22, Township 12S, R16 E, M.D.B. & M. & Portion of Section 21, Township 12S, R16 E, M.D.B. & M. , described as follows:

From the Point of Beginning (POB) at the N  $\frac{1}{4}$  of said Section 22; thence

Course C. South  $0^{\circ} 21' 15''$  East a distance of 2651.24' to the center quarter corner of said Section 22, thence,

Course D. South  $89^{\circ} 49' 31''$  East a distance of 2648.87' to the E  $\frac{1}{4}$  corner of said Section 22, thence,

Course E. South  $0^{\circ} 17' 52''$  East a distance of 2644.86' to the SE corner of said Section 22, thence,

Course F. North  $89^{\circ} 58' 01''$  West a distance of 2645.74' to the S  $\frac{1}{4}$  corner of said Section 22, thence,

Course G. North  $89^{\circ} 57' 44''$  West a distance of 1373.33', thence,

Course H. North  $39^{\circ} 01' 34''$  West a distance of 295.77' to a point at the beginning of a tangent curve, thence,

Course I. Concave to the Northeast with a central angle of  $38^{\circ} 39' 59''$ : arc length of 222.70', chord length of 218.50' and a radius of 330.00', thence,

Course I. North  $0^{\circ} 21' 35''$  West a distance of 216.35', thence

Course J. North  $8^{\circ} 14' 29''$  West a distance of 268.43', thence,

Course K. North  $0^{\circ} 47' 13''$  West a distance of 2360.93' to a point at the beginning of a tangent curve, thence,

Course 2. Concave to the Southwest, with a central angle of  $58^{\circ} 00' 29''$ , arc length of 344.23', chord length of 329.71' and a radius of 340.00', thence,

Course L. North 58° 47' 42" West a distance of 943.07' to a point of intersection thereof with the West line of said Section 22, thence,

Course M. Continuing North 58° 47' 42" West a distance of 708.42' to a point at the beginning of a tangent curve; thence,

Course 3. Concave to the Northeast with a central angle of 59° 01' 03", arc length of 226.61', chord distance of 216.73' and a radius of 220.00', thence,

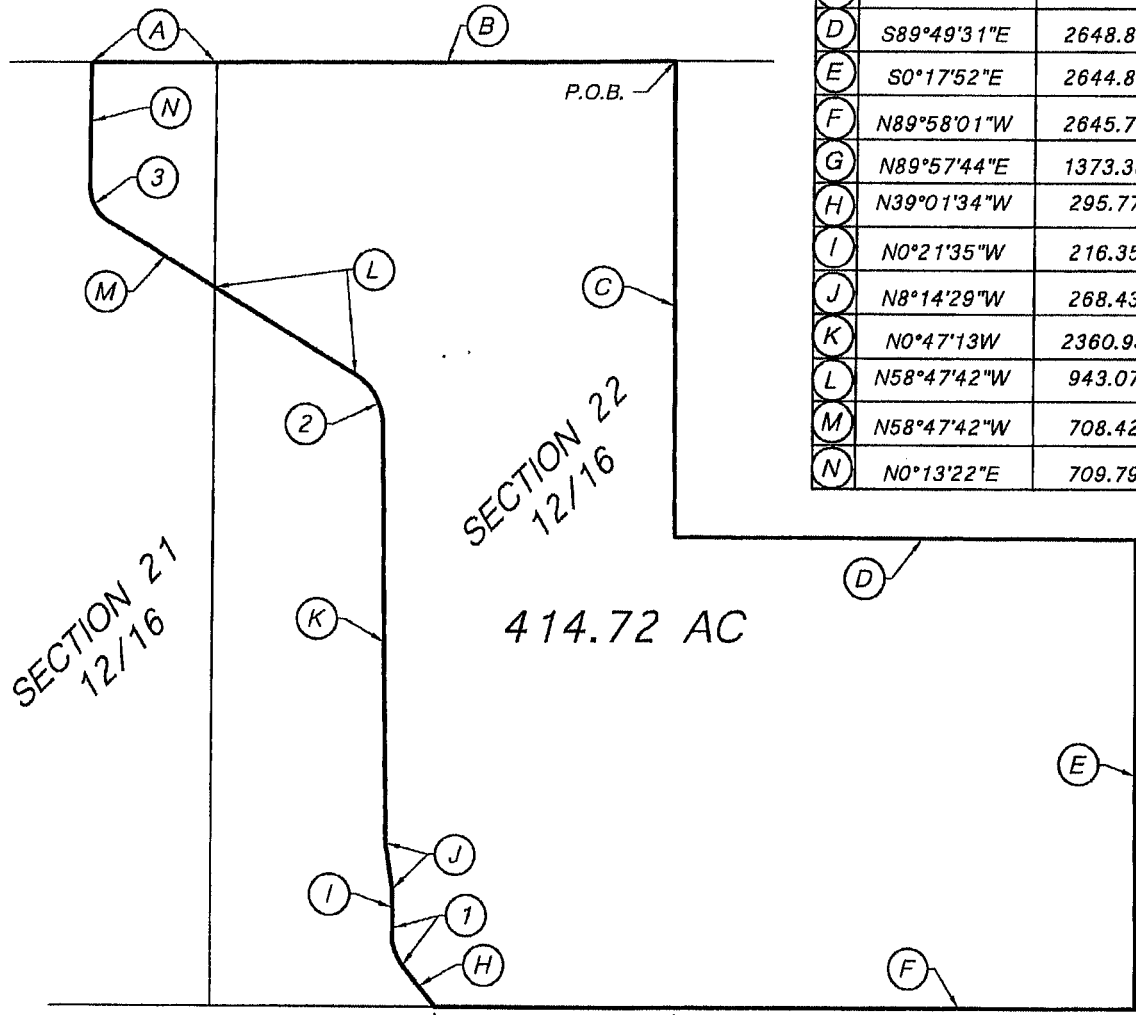
Course N. North 0° 13' 22" East a distance of 709.79' to a point on the North line of said Section 21, thence,

Course A. South 89° 47' 41" East a distance of 699.94' to the Northwest corner of said Section 22, thence,

Course B. South 89° 41' 03" East a distance of 2651.49' back to the point of beginning.

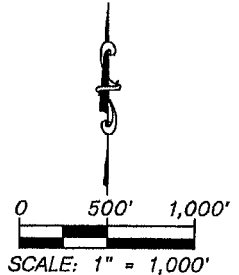
Area: 414.72 AC





	DELTA	LENGTH
A	S89°47'41"E	699.94'
B	S89°41'03"E	2651.49'
C	S0°21'51"E	2651.24'
D	S89°49'31"E	2648.87'
E	S0°17'52"E	2644.86'
F	N89°58'01"W	2645.74'
G	N89°57'44"E	1373.33'
H	N39°01'34"W	295.77'
I	N0°21'35"W	216.35'
J	N8°14'29"W	268.43'
K	N0°47'13"W	2360.93'
L	N58°47'42"W	943.07'
M	N58°47'42"W	708.42'
N	N0°13'22"E	709.79'

	DELTA	RADIUS	ARC LENGTH
1	38°39'59"	330.00'	222.70'
2	58°00'29"	340.00'	344.23'
3	59°01'03"	220.00'	226.61'



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**EXHIBIT 'A'**  
**SECTION 21 & 22, 12/16**

PROJECT #: 219-0121		SHEET NO: 1 OF 1
DATE: 10/20/20		REVISIONS:
DRAWN BY: AKM	CHECKED: HG	
SCALE: AS NOTED		