

Documents were  
signed by President  
Dennis Merrill. No  
copies were made.  
Vic Monuell; took  
all documents and  
filed them with the  
County.

Aue Russ  
Clerk.

RESOLUTION NO 05-005

SADDLE CREEK COMMUNITY SERVICES DISTRICT  
A RESOLUTION OF THE BOARD OF DIRECTORS OF  
SADDLE CREEK COMMUNITY SERVICES DISTRICT  
ABANDONING A PORTION OF AN EASEMENT FOR  
OPEN SPACE-WILDLIFE HABITAT WITHIN LOT 39,  
SADDLE CREEK UNIT 1

RECITALS

WHEREAS, Donna Stevenson is the owner of Lot 39 within Saddle Creek Unit 1 (hereinafter "Owner"); and

WHEREAS, the Saddle Creek Community Services District was formed to maintain certain facilities and provide certain services to residents of Saddle Creek (hereinafter "District"); and

WHEREAS, the Saddle Creek Project has previously transferred certain easements for open space-wildlife habitat purposes to the District by separate document, recorded on November 22, 1995, as Instrument Number 1995 14956 in the Official Book of Records of Calaveras County; and subsequently the District abandoned a portion of said easement lying within said Lot 39 by quit claim, recorded August 20, 1997, as Instrument No. 1997 10052 of the Official Records of Calaveras County; and

WHEREAS, the Owner has requested and the District concurs, that the remainder of said easement, located within Lot 39 of Saddle Creek Unit 1 and more particularly described and delineated in attached Exhibits "A" and "B", is no longer necessary and has never served the purpose for which it was created; and

WHEREAS, the District finds that it is in the public interest to terminate the remaining easement interest within Lot 39, which has had no past value and no foreseeable future value to the District, in favor of its use for the benefit of the owner of said lot; and

WHEREAS, the Board of Directors finds:

1. The foregoing recitals are true and correct,
2. The purpose for which this certain easement was created no longer serves the public interest, and that the easement area to be abandoned, as described in the accompanying Exhibit "A" as Re-established Active and Passive View Corridors, was never used for open space-wildlife habitat purposes or for any other public purpose, and
3. There is no foreseeable public interest served by retaining the easement interest.

NOW THEREFORE BE IT RESOLVED, that the easement area located within Lot 39 of Saddle Creek Unit 1 and more particularly described and delineated in attached Exhibits "A" and "B" is hereby abandoned and that the Board of Directors hereby authorizes the Board President to execute the Quitclaim Documents attached hereto.

THE FORGOING RESOLUTION was introduced at a regular meeting of the Saddle Creek Community Services District held on July 10, 2005, by Board Member Robinson who moved its adoption, which was duly seconded by Board Member Cherniss and the Resolution was adopted by the following vote:

AYES 5  
NOES 0  
ABSTAIN 0  
ABSENT 0

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Board President, Dennis Merrill

*Sue D. Russ*  

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CSD Clerk, Sue Russ

-SEAL-

## EXHIBIT A

### OPEN SPACE – WILDLIFE HABITAT EASEMENT ABANDONMENT AREAS LOT 39, SADDLE CREEK UNIT 1, TRACT 94-545

All those portions (Easement Abandonment Areas) of that certain “non-exclusive easement for open space – wildlife habitat, as described, for preservation, management and maintenance, including weed abatement and wild fire fuel control”, as the same was accepted on October 30, 1995, by the Saddle Creek Community Services District, pursuant to Resolution 95-02, filed for record on November 22, 1995, as Instrument No. 1995 14956, et seq., of Official Records of the Calaveras County Recorder, as modified by that certain portion which was abandoned by a quit claim deed to Cloudburst Partners, L/P., filed for record on August 20, 1997, in Instrument No. 1997 10052, et seq., Official Records of Calaveras County, the resultant of which is hereinafter referred to as Established Easement, lying over, under, upon, across and within Lot 39, as said Lot is shown and delineated on that certain Final Map entitled “Saddle Creek Unit 1, Tract No. 94-545”, filed for record on November 30, 1995, in Book 7 of Subdivisions, at Page 22, et seq., Document No. 1995 15335, in the Office of the Calaveras County Recorder, State of California, hereinafter referred to as Final Map, and being more particularly described as follows:

#### Active View Corridor Area

Commencing at the Northwest corner of said Lot 39, said corner monumented, as shown on said Final Map, by a 5/8-inch rebar, tagged LS 4626; thence, with bearings and distances based on said Final Map, along the Westerly boundary line of said Lot 39, South 00°50'00" East, 58.00 feet, to an angle point in said Westerly line and the True Point of Beginning and most Northerly corner of the herein described area, also being the most northerly corner of said Established Easement, said corner monumented by a similar tagged rebar; thence from said Point of Beginning, continuing along said Westerly line, South 37°21'34 West, 25.00 feet, to a point identified as Point A; thence, leaving said Westerly line, South 14°18'02" East, 80.79 feet to a point on the Southeasterly boundary line of said Lot 39, being the most Easterly corner of said Established Easement and identified as Point B, from which the most Southerly corner of said Lot 39 bears South 79°20'00" West, 94.75 feet; thence, leaving said Southeasterly line, along the Northeasterly line of said Established Easement, North 02°47'29" West, 98.28 feet, to the Point of Beginning, containing 0.018 acre.

The hereinabove described Active View Corridor area is shown on Exhibit ‘B’, attached hereto and made a part hereof.

Passive View Corridor Area

Beginning at said hereinbefore identified Point A and the most Northerly corner of the herein described area; thence, with bearings and distances based on said Final Map, along the Westerly boundary line of said Lot 39, South 37°21'34" West, 10.00 feet; thence, leaving said Westerly line along the Southwesterly line of said Established Easement, South 20°18'13" East, 75.00 feet, to the said hereinbefore identified Point B on the Southeasterly boundary line of said Lot 39; thence, along the Southwesterly line of said hereinbefore described Restricted View Corridor area, North 14°18'02" West, 80.79 feet, to the Point of Beginning, containing 0.007 acre.

The hereinabove described Passive View Corridor Area is shown on Exhibit 'B', attached hereto and made a part hereof

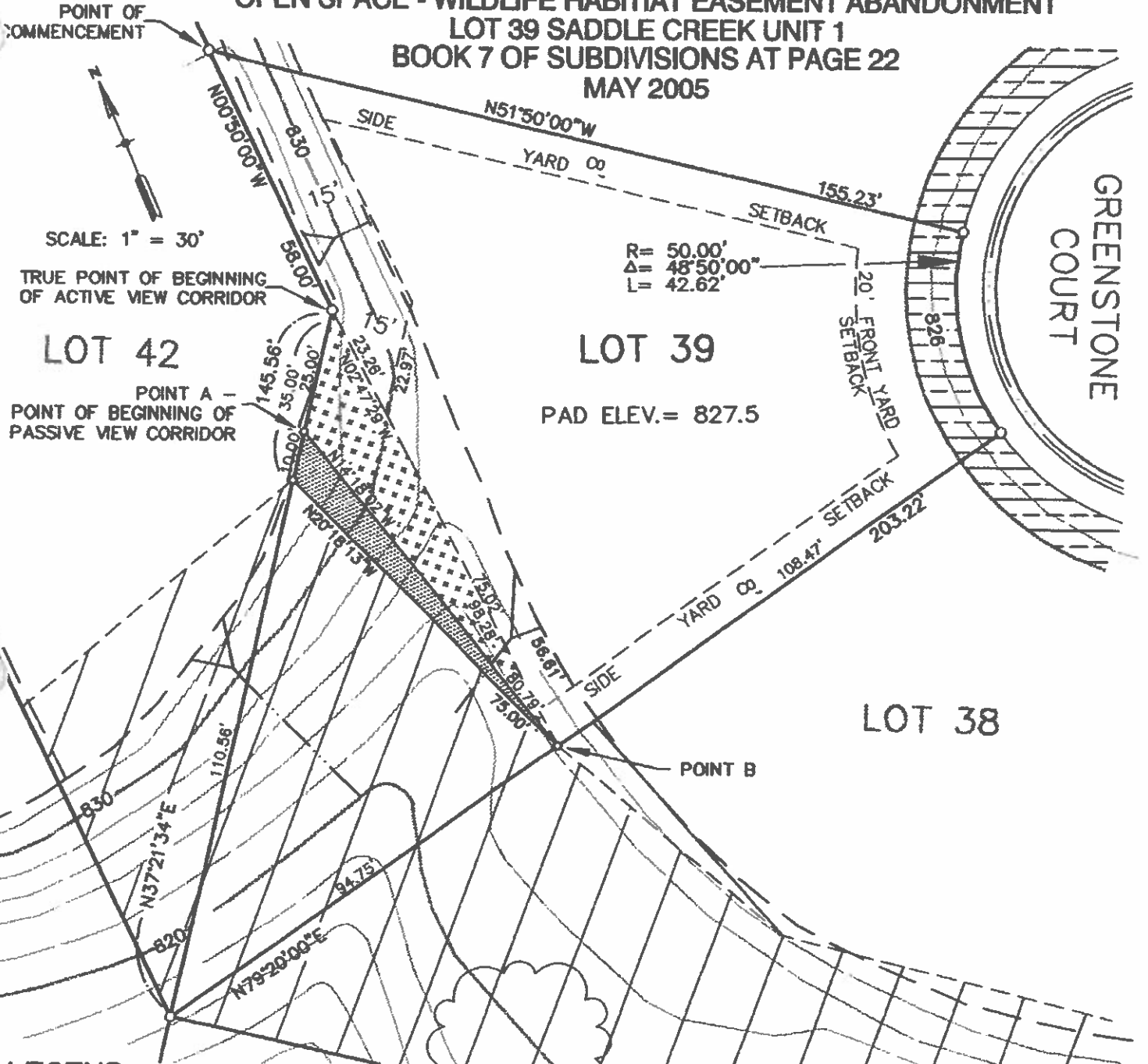
End Of Description

Rev 05-16-05  
Sierra Engineering Associates



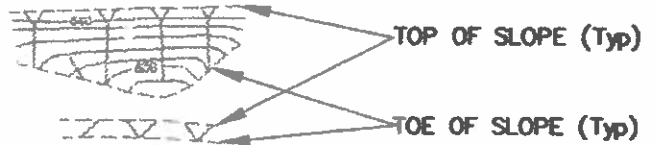
# EXHIBIT 'B' EXHIBIT MAP

**OPEN SPACE - WILDLIFE HABITAT EASEMENT ABANDONMENT  
LOT 39 SADDLE CREEK UNIT 1  
BOOK 7 OF SUBDIVISIONS AT PAGE 22  
MAY 2005**



## LEGEND

- 5/8" REBAR TAGGED LS 4626
- LOT LINE
- 10' WIDE UTILITY EASEMENT PER INSTRUMENT # 1996 9750
- OPEN SPACE-WILDLIFE HABITAT EASEMENT ABANDONMENT AREA: RE-ESTABLISHED AS AN "ACTIVE VIEW CORRIDOR" PER SEPARATE DOCUMENT, CONTAINING 0.018 ACRE
- OPEN SPACE-WILDLIFE HABITAT EASEMENT ABANDONMENT AREA: RE-ESTABLISHED AS AN "PASSIVE VIEW CORRIDOR" PER SEPARATE DOCUMENT, CONTAINING 0.007 ACRE
- AREA OF REMAINING OPEN SPACE - WILDLIFE HABITAT EASEMENT PER INS.# 1995-14956, AS MODIFIED BY ABANDONMENT QUIT CLAIM INS.# 1997-10052 AND THE ABOVE ABANDONMENT ACTION



**LOT 39**  
**SADDLE CREEK UNIT 1**  
**TRACT NO. 94-545**  
**CALAVERAS COUNTY, CA**  
**A.P.N. 55-060-09**  
**146 GREENSTONE COURT**

04-05-01(EAEXH39B1.DWG)  
(DISK 550)

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ATTACHMENT TO EXHIBIT "B" EXHIBIT MAP, LOT 39, SADDLE CREEK UNIT 1, BOOK 7 OF SUBDIVISIONS AT PAGE 22, MAY 2005

The following definitions are to be used to describe ACTIVE VIEW CORRIDOR" and "PASSIVE VIEW CORRIDOR" as applied to the usage of the open space quit claimed by the CSD to the owner of Lot 39, Copper Ridge, Saddle Creek, Copperopolis, CA as described in the Exhibit map as "Exhibit B".

That area deemed to be "ACTIVE VIEW CORRIDOR" shall have unrestricted usage by the owners of Lot 39. No structures, plants and /or trees shall exceed 24 inches in height. A fence may be installed along the line between "ACTIVE and PASSIVE" areas and shall not exceed 4 feet in height.

That area so marked as "PASSIVE VIEW CORRIDOR", shall have limited access by the owners of Lot 39 insofar as it is required to maintain any landscaping within that area. Said landscaping shall not be any taller then 24 inches in height in the area marked as "PASSIVE VIEW CORRIDOR".

APPROVED \_\_\_\_\_ DATE \_\_\_\_\_  
Owner Lot 39

APPROVED \_\_\_\_\_ DATE \_\_\_\_\_  
Owner Lot 42

APPROVED \_\_\_\_\_ DATE \_\_\_\_\_  
SCCSD

APPROVED David Selby Vice President DATE 5/7/05  
Castle & Cooke, Saddle Creek, Inc

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APPROVED Donna M. Stevenson DATE 5/23/05  
Owner Lot 39

APPROVED \_\_\_\_\_ DATE \_\_\_\_\_  
Owner Lot 42

APPROVED \_\_\_\_\_ DATE \_\_\_\_\_  
SCCSD

APPROVED \_\_\_\_\_ DATE \_\_\_\_\_  
Castle & Cooke, Saddle Creek, Inc



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APPROVED *Cassandra A Kinney* DATE 06/13/2005  
Owner Lot 39 42

APPROVED \_\_\_\_\_ DATE \_\_\_\_\_  
Owner Lot 42 39

APPROVED \_\_\_\_\_ DATE \_\_\_\_\_  
SCCSD

APPROVED \_\_\_\_\_ DATE \_\_\_\_\_  
Castle & Cooke, Saddle Creek, Inc

ATTACHMENT TO EXHIBIT "B" EXHIBIT MAP, LOT 39, SADDLE CREEK UNIT 1, BOOK 7 OF SUBDIVISIONS AT PAGE 22, MAY 2005

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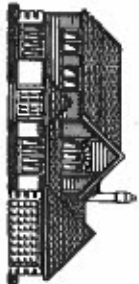
APPROVED \_\_\_\_\_ DATE \_\_\_\_\_  
Owner Lot 39

APPROVED \_\_\_\_\_ DATE \_\_\_\_\_  
Owner Lot 42

APPROVED \_\_\_\_\_ DATE \_\_\_\_\_  
SCCSD

APPROVED \_\_\_\_\_ DATE \_\_\_\_\_  
Castle & Cooke, Saddle Creek, Inc

APPROVED Beverly Foster \_\_\_\_\_ DATE 6/21/05  
Bev Foster  
owner lot 38



**MANUELLI CONSTRUCTION**  
P.O. BOX 1704 PH. 209-428-0166  
MURPHYS, CA 95247

1905

DATE 6-24-05 80-4149/1211  
04602533

Pay to the order of Reddy Deck Construction Services Distribs \$ 250.00

PacificStateBank

301 South Main Street  
Arcata, CA 95521

#39 Reddy Deck Construction

Steve Manelli

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