

Doc # 2020172195
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Date: 12/1/2020 01:44P
Filed by: COUNTY OF SIERRA
Filed & Recorded in Official Records
of SIERRA COUNTY
HEATHER FOSTER
COUNTY CLERK-RECORDER
Fee: \$20.00

**RECORDING REQUESTED BY
AND WHEN RECORDED MAIL TO:**

Tim Beals, Planning Director
Sierra County Planning Dept.
P.O. Box 530
Downieville, CA 95936

THIS SPACE FOR RECORDER'S USE ONLY

**CONDITIONAL
CERTIFICATE OF COMPLIANCE**

The COUNTY OF SIERRA hereby issues a Conditional Certificate of Compliance pursuant to Government Code Section 66499.35 and provisions of the Sierra County Subdivision Ordinance for the following described real property situated within the unincorporated area of Sierra County, California:

Property Owner(s) of Record: RICHARD J. ROGALSKI, as Trustee of the RICHARD J. ROGALSKI TRUST, dated November 15, 2000

Assessor's Parcel Number(s): 023-130-027-000

Number of Parcels for which this Certificate is issued: One (1)

Recording Number of Document Creating this Parcel: Book 53, Page 536 of Official Records, a Quitclaim Deed recorded 9/11/1971 describing a portion of Lot 19 of Maps & Surveys, Book 3, Page 22; the western remainder of such portion of Lot 19 constitutes the subject parcel of this certificate

Description of Real Property:

A PORTION OF LOT 19, VERDI-SIERRA PINES SUBDIVISION UNIT NO. 1, AS FILED IN THE OFFICE OF THE COUNTY RECORDER, SIERRA COUNTY, CALIFORNIA, ON DECEMBER 9, 1968, IN BOOK 3 OF MAPS AND SURVEYS, AT PAGE 22, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID SUBDIVISION, SAID POINT ALSO BEING THE CORNER COMMON TO LOTS 19 AND 20 OF SAID SUBDIVISION;

THENCE ALONG THE LOT LINE COMMON TO SAID LOTS 19 AND 20,
SOUTH 68° 52' 09" EAST 246.73 FEET;

THENCE SOUTH 0° 37' 38" EAST 223.28 FEET; THENCE NORTH 65° 10' 00"
WEST 253.80 FEET TO THE WEST LINE OF SAID LOT 19; THENCE ALONG
SOUTH LINE NORTH 0° 37' 38" WEST 205.63 FEET TO THE POINT OF
BEGINNING.

This conditional certificate relates only to issues of compliance or noncompliance with the Subdivision Map Act and local ordinances enacted pursuant thereto. The parcel described herein may be sold, leased, or financed without further compliance with the Subdivision Map Act or any local ordinance enacted pursuant thereto; however deficiencies in the creation of this parcel have been determined by the Planning Director, who finds that development of such real property may be contrary to the public health or the public safety. Legal access and a suitable building site (including identification of suitable soils for septic disposal, and access to sufficient water) were not addressed in the "indirect" creation of this parcel. This certificate shall serve as notice to the property owner, or any subsequent transferee or assignee of the property, that the fulfillment and implementation of at least the following conditions shall be required prior to subsequent issuance of a permit or other grant or approval for development of the property:

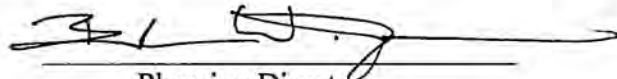
Conditions:

1. The parcel was created essentially as a "remainder" of a Quitclaim Deed (53-OR-536) recorded 9/11/1971, which is prior to 3/4/1972 the effective date of the Subdivision Map Act, and therefore "shall be conclusively presumed to have been lawfully created" (ref., Cal. Gov't. Code Section 66412.6). However, a Grant Deed recorded 3/10/1970 at 50-OR-282 for the neighboring Lot 18 (as shown on Maps & Surveys, Book 3, Page 22) included the creation of two (2) indeterminate access easements—one through Lots 19 and 20 for the benefit of Lot 18, and one through Lot 18 benefitting the subject portion of Lot 19. The indeterminate routes of these ingress and egress easements was intended to be surveyed during escrow for the sale of Lot 18 ("...or as soon thereafter as weather and conditions permit...") and located "over the most feasible route"; but based on the records available to and before the county, these specified surveys and easements were not recorded. It therefore is made a condition of the certificate of compliance that said easements on Lots 19 and 18 (including subsequent divisions of those original Lots as necessary to establish legal access to a public right-of-way) and as specified in the aforementioned Grant Deed (50-OR-282) shall be established, to the satisfaction of the servient tenements and Sierra County (including sufficient width to satisfy current Fire-Safe access standards and accommodate feasible design for driveway construction, drainage facilities, and maintenance given the topography and soils); a Record of Survey clearly locating the easement alignments shall be filed with the Sierra County Recorder; and the Grants of

Easements together with the survey map shall be filed prior to, or concurrent with, the recording of the Certificate of Compliance.

- 2. Prior to issuance of any development permit, or other grant or grants of approval, the owner of record of said real property first shall meet the above condition and, having performed this condition to the satisfaction of the Sierra County Planning Director, shall petition the Sierra County Planning Director to cause to be recorded a Certificate of Compliance on the above-described legal parcel.

Dated: 12/1/2020



Planning Director
County of Sierra, California
By: Brandon Pangman
Assist. Planning Director
County of Sierra

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 Sierra)

On 12/01/2020 before me, Tera Miller, Deputy, personally appeared Brandon Pangman, 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 acknowledgement 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 the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature 

(Seal)

