



City of Palo Alto

City Council Staff Report

(ID # 7293)

Report Type: Consent Calendar

Meeting Date: 10/17/2016

Summary Title: Annual Williamson Act Contract Renewal

Title: Annual Review of Williamson Act Contract Renewals, Approval of Nonrenewal for APN 351-05-050 and Approval of Exemption Under Section 15317 of the California Environmental Quality Act

From: City Manager

Lead Department: Planning and Community Environment

Recommendation

Staff recommends that the City Council review the *Williamson Act Properties Report for Calendar Year 2016* (Attachment A), approve the renewal of 23 contracts, accept and approve the nonrenewal request filed in March 2016 for APN 351-05-050, direct staff to file the current list of Williamson Act properties with the appropriate agencies, and find the actions exempt from review under the California Environmental Quality Act per Categorical Exclusion 15317.

Executive Summary

The California Land Conservation Act of 1965, commonly known as the Williamson Act, is a state program to discourage agricultural lands from being converted to urban uses. The City of Palo Alto currently has 23 properties that are subject to this program and requesting renewal. The proposed action would continue 23 existing contracts between the City and landowners, which are aimed at preserving agricultural and compatible open-space uses. The report also acknowledges the list of properties that have filed to not renew their Williamson Act contracts since 2008. The City has received one new request for nonrenewal during this reporting cycle.

Background

The California Land Conservation Act of 1965, commonly known as the Williamson Act, is a state program to discourage agricultural lands from being converted to urban uses, to preserve open space and to promote an efficient urban growth pattern. The program provides property tax relief to owners of agricultural land who agree to limit the use of their property to agricultural or other approved compatible uses.

On July 24, 1974, the City of Palo Alto adopted Ordinance No. 2663 to establish rules for both establishing and administering Williamson Act contracts for Palo Alto properties. Highlights of the rules regarding administration of established contracts include:

- Contracts limit the allowable uses of the property to what is described in the contract.
- Contracts remain in place when a property is sold and new owners are subject to the same use restrictions.
- Contracts are for 10-year terms and have a renewal date of January 1.
- Each year—at least 80 days prior to that renewal date—the Council reviews the contracts and, at that time, may initiate a notice of nonrenewal for any contract or approve a notice of nonrenewal submitted by a landowner. If the Council takes such action, then that contract does not renew on January 1 and terminates nine years later.
- Under certain conditions, the Council may also approve a landowner’s request to cancel a contract.
- Contracts, for which the Council has not approved a notice of nonrenewal or a cancellation, automatically renew for another 10-year term each January 1.

Discussion

Under the California Land Conservation Act Program (Williamson Act), private landowners voluntarily restrict their land to agricultural and compatible open-space uses under minimum 10-year rolling term contracts administered by City of Palo Alto. In return, restricted parcels are assessed for property tax purposes at a rate consistent with their actual use or generated income, rather than potential market value. The attached Williamson Act Report (Attachment A) describes the parcels that were under contract during this calendar year with their 2016 assessed land value. The report identifies the parcels that will have their contracts renewed and those for which a notice of nonrenewal had been filed. Attachment B is also provided to show the location of these parcels on a map. At this time, the Council may initiate a notice of nonrenewal for any contract and have that notice take effect this year. The updated list of properties under contract will be filed in the City Clerk’s office and the information will be forwarded to the appropriate agencies.

Properties under Contract Renewal:

Currently, there are 23 properties renewing their contract with the City of Palo Alto. Approximately 364 acres of land are under Williamson Act contracts in Palo Alto, as compared to 306,551 acres in Santa Clara County. The 23 contracts will renew for another 10-year term starting from January 1, 2017. Of the 23 contracts, the private Palo Alto Hills Golf and Country Club, is not eligible for tax benefits. Although a golf course is a permitted use, only golf courses that are open to the public and charge minimal green fees are eligible for tax benefits.

Properties under Contract Nonrenewal:

A new Williamson Act contract nonrenewal request was filed in March of 2016 by the property owner for Assessor's Parcel Number or APN 351-05-050 (see Attachment A page 9). No reason was given for the request, and there would be no change in development potential as a result of non-renewal. Staff has processed and recorded the owner's request with Santa Clara County Recorder's Office and requests that the City Council accept and approve this nonrenewal request. Upon City Council's approval, the ten year nonrenewal cycle will commence on January 1, 2017 and the effective termination date will be December 31, 2026 (see Attachment C).

Attachment A (pages 8 and 9) also includes a list of five properties owned by Midpeninsula Regional Open Space District that were approved for nonrenewal by City Council in 2008 (properties# 1-4) and 2014 (property#5). The ten year nonrenewal cycle for these properties has already begun and the expected end dates for these contracts are December 31, 2017 and January 1, 2024.

This year's report also acknowledges the inclusion of five parcels owned by Stanford University under Williamson Act contract which were missing from prior reporting. The parcels comprise of APN: 142-16-052, -057, -064, -065, and -069. These contracts will also be renewed for another 10-year term, starting from January 1, 2017.

The California Department of Conservation's Williamson Act Program requires participating cities and counties to complete and submit applications for an Open Space Subvention Act payment per Government Code section 16144, which states: "On or before October 31 each year, the governing body of each county, city, or city and county shall report to the Secretary of the Resources Agency the number of acres of land under its regulatory jurisdiction which qualify for state payments pursuant to the various categories enumerated in Section 16142, together with supporting documentation as the secretary by regulation may require." While the State no longer provides meaningful subvention payments to local agencies, this reporting requirement remains in the law.

Staff recommends that the City Council (1) renew the Williamson Act contracts for the 23 parcels identified in Attachment A, and (2) accept and approve the new nonrenewal request. Following the Council's decision, the list of affected properties/acreages will be filed in the City Clerk's Office and will be forwarded to the State Department of Conservation, Division of Land Resource Protection by October 31, 2016, in compliance with the Williamson Act.

Resource Impacts

Minimal resource impacts would result from the recommended action. Forgone property tax revenue is generally not significant for properties in Williamson Act contracts here in Palo Alto. Historically, the City of Palo Alto received approximately \$1,000 a year in subvention payments from the State. However, the State has suspended funding for these payments. Most recently, Assembly Bill 1265, passed on July 15, 2011, again allowed participating cities and counties to recapture 10% of the benefits; however, implementation of this provision is generally only cost effective for cities and counties that have significant acreage under contract.

Policy Implications

The recommended action implements Ordinance 2663 regarding the administration of the Williamson Act for Palo Alto properties. The Williamson Act in general complies with the land use policies of the Comprehensive Plan and specifically supports Goal L-1 regarding growth management as well as Policy L-1 regarding the extent of urban development.

Environmental Review

The recommended action of renewal of 23 contracts under the Williamson Act is exempt from review under the California Environmental Quality Act per Categorical Exclusion 15317 (Open space contracts or easements). This action of approving the attached report does not have the potential for causing a significant effect on the environment.

Attachments:

- Attachment A: WA 2016 Report (PDF)
- Attachment B: Williamson Act Parcels 2016 Map (PDF)
- Attachment C: Recorded Notice of NonRenewal _3849 Page Mill Road (PDF)

About the Williamson Act

The California Land Conservation Act of 1965, commonly known as the Williamson Act is a state program to discourage agricultural lands from being converted to urban uses. The program provides property tax relief to owners of agricultural land who agree to limit the use of their property to agricultural or other approved compatible uses.

On July 24, 1974, the City of Palo Alto adopted Ordinance No. 2663 to establish rules for both establishing and administering Williamson Act contracts for Palo Alto properties. Highlights of the rules regarding administration of established contracts include:

- Contracts limit the allowable uses of the property to what is described in the contract.
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- Contracts are for 10-year terms and have a renewal date of January 1.
- Each year—at least 80 days prior to that renewal date—the Council reviews the contracts and, at that time, may initiate a notice on nonrenewal for any contract or approve a notice of nonrenewal submitted by a landowner. If the Council takes such action then that contract does not renew on January 1 and terminates 9 years later.
- Under certain conditions, the Council may also approve a landowner's request to cancel a contract.
- Contracts, for which the Council has not approved a notice of nonrenewal or a cancellation, automatically renew for another 10-year term each January 1.

About this List/Report

On the following pages is a list of the 29 Palo Alto properties that were enrolled in the Williamson Act during the calendar year of 2016.

- 23 contracts will renew on January 1, 2017 if the Council approves this report.
Note: One of the 23 contracts does not include tax benefits. Although the Palo Alto Hills Golf Course is under contract the use is not eligible for tax benefits--see notes for this parcel.
- 6 contracts will not renew because Notices of Nonrenewal have been approved or filed. See individual records for termination dates.

Will Renew on January 1, 2017

1 Palo Alto Hills Golf and Country Club at 3000 Alexis Drive

APN: 182-35-035
Owner: PALO ALTO HILLS GOLF AND COUNTRY CLUB INC, 3000 ALEXIS DR, PALO ALTO CA
Assessed Value 2014: \$1,377,466.00 2015: \$1,404,987.0 2016 \$1,426,413.0
Value Notes:
Land Class: Prime
Acreage: 119.92
Contract Start: 5/1/1973 Resolution No: 4279
Contract Status: Unchanged; contract will continue for at least another 10 years.
General Notes: Although this property is under contract, there are no tax benefits. A golf course may only be eligible for tax benefits if it is open to the public and charges minimal green fees.

2 No address; adjacent to Country Club at 3000 Alexis Drive

APN: 182-35-008
Owner: PALO ALTO HILLS GOLF AND COUNTRY CLUB INC, 3000 ALEXIS DR, PALO ALTO CA
Assessed Value 2014: \$49,981.00 2015: \$50,979.00 2016 \$51,756.00
Value Notes:
Land Class: Prime
Acreage: 5.52
Contract Start: 5/1/1973 Resolution No: 4279
Contract Status: Unchanged; contract will continue for at least another 10 years.
General Notes:

3 Open Space land adjacent to the Arastradero Preserve

APN: 182-33-014
Owner: CITY OF PALO ALTO, 1305 MIDDLEFIELD RD, PALO ALTO CA
Assessed Value 2014: \$0.00 2015: \$0.00 2016 \$0.00
Value Notes: Value not assessed because owned by public/quasi public agency
Land Class: Prime
Acreage: 11.42
Contract Start: Unknown Resolution No: Unknown
Contract Status: Unchanged; contract will continue for at least another 10 years.
General Notes:

4 Coyote Hill Rd, Palo Alto, 94304

APN: 142-16-069
Owner: LELAND STANFORD JR UNIVERSITY BOARD OF TR, 3160 PORTER DR STE 200,
PALO ALTO CA
Assessed Value 2014: \$6,127.00 2015: \$6,419.00 2016 \$6,419.00
Value Notes:
Land Class: Non Prime
Acreage: 13.48 minus 1 acre for Homesite = 12.48
Contract Start: Unknown Resolution No: Unknown
Contract Status: Unchanged; contract will continue for at least another 10 years.
General Notes:

5 Coyote Hill Rd, Palo Alto, 94304

APN: 142-16-052
Owner: LELAND STANFORD JR UNIV THE BD OF TR OF THE, 3160 PORTER DR STE 200,
PALO ALTO CA
Assessed Value 2014: \$13,461.00 2015: \$14,102.00 2016 \$14,102.00
Value Notes:
Land Class: Non Prime
Acreage: 37.02 minus 1 acre for Homesite = 36.02
Contract Start: Unknown Resolution No: Unknown
Contract Status: Unchanged; contract will continue for at least another 10 years.
General Notes:

6 Coyote Hill Rd, Palo Alto, 94304

APN: 142-16-057
Owner: LELAND STANFORD JR UNIV THE BD OF TR OF THE, 3160 PORTER DR STE 200,
PALO ALTO CA
Assessed Value 2014: \$7,422.00 2015: \$7,776.00 2016 \$7,776.00
Value Notes:
Land Class: Non Prime
Acreage: 16.33 minus 1 acre for Homesite = 15.33
Contract Start: Unknown Resolution No: Unknown
Contract Status: Unchanged; contract will continue for at least another 10 years.
General Notes:

7 Deer Creek Rd, Palo Alto, 94304

APN: 142-16-064
Owner: LELAND STANFORD JR UNIV THE BD OF TR OF THE, 3160 PORTER DR STE 200,
PALO ALTO CA
Assessed Value 2014: \$2,290.00 2015: \$2,399.00 2016 \$2,399.00
Value Notes:
Land Class: Non Prime
Acreage: 5.04 minus 1 acre for Homesite = 4.04
Contract Start: Unknown Resolution No: Unknown
Contract Status: Unchanged; contract will continue for at least another 10 years.
General Notes:

8 Deer Creek Rd, Palo Alto, 94304

APN: 142-16-065
Owner: LELAND STANFORD JR UNIV THE BD OF TR OF THE, 3160 PORTER DR STE 200, PALO ALTO CA
Assessed Value 2014: \$8,045.00 2015: \$8,428.00 2016 \$8,428.00
Value Notes:
Land Class: Non Prime
Acreage: 17.70 minus 1 acre for Homesite = 16.70
Contract Start: Unknown Resolution No: Unknown
Contract Status: Unchanged; contract will continue for at least another 10 years.
General Notes:

9 El Camino Park (west of Palo Alto Ave to the creek)

APN: 12031001
Owner: LELAND STANFORD JR UNIV BD OF TR, PO BOX 10250, PALO ALTO CA
Assessed Value 2014: \$10,036.00 2015: \$10,514.00 2016 \$10,514.00
Value Notes: The City of Palo Alto leases this land for public use; however, it is privately owned.
Land Class: Prime
Acreage: 0.72
Contract Start: Unknown Resolution No: Unknown
Contract Status: Unchanged; contract will continue for at least another 10 years.
General Notes:

10 El Camino Park (east of Palo Alto Ave to University Ave)

APN: 120-31-009
Owner: LELAND STANFORD JR UNIVERSITY THE BD OF TR, PO BOX 10250, PALO ALTO CA
Assessed Value 2014: \$139,636.00 2015: \$146,285.00 2016 \$146,285.00
Value Notes: The City of Palo Alto leases this land for public use; however, it is privately owned.
Land Class: Prime
Acreage: 10.00
Contract Start: Unknown Resolution No: Unknown
Contract Status: Unchanged; contract will continue for at least another 10 years.
General Notes:

11 No address; on Page Mill Road; below Foothill Open Space Preserve

APN: 351-05-043
Owner: GUHSE RICHARD D TRUSTEE, 95 SPRING GROVE RD, HOLLISTER CA
Assessed Value 2014: \$1,090.00 2015: \$1,142.00 2016 \$1,142.00
Value Notes:
Land Class: Non Prime
Acreage: 20.01
Contract Start: Unknown Resolution No: Unknown
Contract Status: Unchanged; contract will continue for at least another 10 years.
General Notes:

12 3837 Page Mill Rd, Palo Alto, 94304

APN: 351-05-042
Owner: LAUTZENHEISER DAVID P AND CYNTHIA TRUSTEE, 3837 PAGE MILL RD, LOS ALTOS CA
Assessed Value 2014: \$383,196.00 2015: \$390,866.00 2016 \$396,818.00
Value Notes:
Land Class: Non Prime
Acreage: 10.00 minus 1 acre for Homesite = 9.00
Contract Start: Unknown Resolution No: Unknown
Contract Status: Unchanged; contract will continue for at least another 10 years.
General Notes:

13 3845 Page Mill Rd, Palo Alto, 94304

APN: 351-05-024
Owner: BLOCK JUDITH A TRUSTEE, 4201 BEACH DR SW, SEATTLE WA
Assessed Value 2014: \$50,401.00 2015: \$51,419.00 2016 \$52,196.00
Value Notes:
Land Class: Non Prime
Acreage: 8.72 minus 1 acre for Homesite = 7.72
Contract Start: 2/16/1976 Resolution No: Unknown
Contract Status: Unchanged; contract will continue for at least another 10 years.
General Notes:

14 3855 Page Mill Rd, Palo Alto, 94306

APN: 351-05-049
Owner: SUPPES PATRICK K, PO BOX 60970, PALO ALTO CA
Assessed Value 2014: \$500,130.00 2015: \$510,122.00 2016 \$517,901.00
Value Notes:
Land Class: Non Prime
Acreage: 10.00
Contract Start: Unknown Resolution No: Unknown
Contract Status: Unchanged; contract will continue for at least another 10 years.
General Notes:

15 3865 Page Mill Rd, Palo Alto, 94304

APN: 351-05-048
Owner: CARLAND GRACE TRUSTEE, 3865 PAGE MILL RD, LOS ALTOS HILLS CA
Assessed Value 2014: \$34,639.00 2015: \$35,345.00 2016 \$35,876.00
Value Notes:
Land Class: Non Prime
Acreage: 10.00 minus 1 acre for Homesite = 9.00
Contract Start: Unknown Resolution No: Unknown
Contract Status: Unchanged; contract will continue for at least another 10 years.
General Notes:

16 3875 Page Mill Rd, Palo Alto, 94304

APN: 351-05-047
Owner: KNISS RICHARD D TRUSTEE & ET AL, 1985 COWPER ST, PALO ALTO CA
Assessed Value 2014: \$545.00 2015: \$571.00 2016 \$571.00
Value Notes:
Land Class: Non Prime
Acreage: 10.00
Contract Start: Unknown Resolution No: Unknown
Contract Status: Unchanged; contract will continue for at least another 10 years.
General Notes:

17 3885 Page Mill Rd, Palo Alto, 94304

APN: 351-05-046
Owner: LUCIW WILLIAM W AND SHARON T TRUSTEE, 3885 PAGE MILL RD, LOS ALTOS CA
Assessed Value 2014: \$1,003,445.00 2015: \$1,023,504.0 2016 \$1,039,105.0
Value Notes:
Land Class: Non Prime
Acreage: 8.45 minus 1 acre for Homesite = 7.45
Contract Start: Unknown Resolution No: Unknown
Contract Status: Unchanged; contract will continue for at least another 10 years.
General Notes:

18 3895 Page Mill Rd, Palo Alto, 94304

APN: 351-05-045
Owner: WILKINSON MARC AND LESLEY, 3895 PAGE MILL RD, PALO ALTO CA
Assessed Value 2014: \$1,004,540.00 2015: \$1,024,590.0 2016 \$1,040,235.0
Value Notes:
Land Class: Non Prime
Acreage: 10.00 minus 1 acre for Homesite = 9.00
Contract Start: Unknown Resolution No: Unknown
Contract Status: Unchanged; contract will continue for at least another 10 years.
General Notes:

19 3905 Page Mill Rd, Palo Alto, 94304

APN: 351-05-044
Owner: LOWRY MICHAEL R, 3905 PAGE MILL RD, LOS ALTOS HILLS CA
Assessed Value 2014: \$175,589.00 2015: \$179,097.00 2016 \$181,828.00
Value Notes:
Land Class: Non Prime
Acreage: 6.43 minus 1 acre for Homesite = 5.43
Contract Start: Unknown Resolution No: Unknown
Contract Status: Unchanged; contract will continue for at least another 10 years.
General Notes:

20 4201 Page Mill Rd, Palo Alto, 94304

APN: 351-25-015
Owner: LEAK BRUCE A, 4201 PAGE MILL RD, LOS ALTOS HILLS CA
Assessed Value 2014: \$1,536,828.00 2015: \$1,567,594.0 2016 \$1,591,464.0
Value Notes:
Land Class: Non Prime
Acreage: 11.31 minus 1 acre for Homesite = 10.31
Contract Start: Unknown Resolution No: Unknown
Contract Status: Unchanged; contract will continue for at least another 10 years.
General Notes:

21 2287 Skyline Blvd, Palo Alto, 94304

APN: 351-12-066
Owner: SCHULTE ROBERT E TRUSTEE & ET AL, 1019 MIDDLE AVE, MENLO PARK CA
Assessed Value 2014: \$23.00 2015: \$24.00 2016 \$24.00
Value Notes:
Land Class: Non Prime
Acreage: 0.24 minus 1 acre for Homesite = -0.76
Contract Start: Unknown Resolution No: Unknown
Contract Status: Unchanged; contract will continue for at least another 10 years.
General Notes:

22 22601 Skyline Blvd, Palo Alto, 94306

APN: 351-12-062
Owner: ROGERS NOAH, 4125 WOODSIDE RD, WOODSIDE CA
Assessed Value 2014: \$602.00 2015: \$630.00 2016 \$630.00
Value Notes:
Land Class: Non Prime
Acreage: 10.39
Contract Start: Unknown Resolution No: Unknown
Contract Status: Unchanged; contract will continue for at least another 10 years.
General Notes:

23 No address; adjacent to 22601 Skyline Blvd

APN: 351-12-063
Owner: SCHULTE ROBERT E TRUSTEE & ET AL, 1019 MIDDLE AVE, MENLO PARK CA
Assessed Value 2014: \$462,088.00 2015: \$471,320.00 2016 \$478,507.00
Value Notes:
Land Class: Non Prime
Acreage: 12.35 minus 1 acre for Homesite = 11.35
Contract Start: Unknown Resolution No: Unknown
Contract Status: Unchanged; contract will continue for at least another 10 years.
General Notes:

1 Open Space within Foothill Open Space Preserve

APN: 351-04-031
Owner: MIDPENINSULA REGIONAL OPEN SPACE DIST, 330 DISTEL CIR, LOS ALTOS CA
Assessed Value 2014: 2015: 2016
Value Notes: Value not assessed because owned by public/quasi public agency
Land Class: Non Prime
Acreage: 27.34
Contract Start: 2/27/1979 Resolution No: 5657 and 5658
Contract Status: Notice of Nonrenewal approved on 10/6/2008; contract will terminate on 12/31/2017
General Notes:

2 Open Space within the Montebello Open Space Preserve

APN: 351-12-043
Owner: MIDPENINSULA REGIONAL OPEN SPACE DIST, SKYLINE BLVD, PALO ALTO CA
Assessed Value 2014: 2015: 2016
Value Notes: Value not assessed because owned by public/quasi public agency
Land Class: Non Prime
Acreage: 8.74
Contract Start: 2/28/1973 Resolution No: 4706
Contract Status: Notice of Nonrenewal approved on 10/6/2008; contract will terminate on 12/31/2017
General Notes:

3 Open Space within the Montebello Open Space Preserve

APN: 351-25-014
Owner: MIDPENINSULA REGIONAL OPEN SPACE DIST, 330 DISTEL CIR, LOS ALTOS CA
Assessed Value 2014: 2015: 2016
Value Notes: Value not assessed because owned by public/quasi public agency
Land Class: Non Prime
Acreage: 10.72
Contract Start: 2/26/1975 Resolution No: 5067
Contract Status: Notice of Nonrenewal approved on 10/6/2008; contract will terminate on 12/31/2017
General Notes:

4 Open Space within the Montebello Open Space Preserve

APN: 351-06-017
Owner: MIDPENINSULA REGIONAL OPEN SPACE DIST, 1185 SKYLINE BLVD, PALO ALTO CA
Assessed Value 2014: 2015: 2016
Value Notes: Value not assessed because owned by public/quasi public agency
Land Class: Non Prime
Acreage: 24.00 minus 1 acre for Homesite = 23.00
Contract Start: 2/28/1973 Resolution No: 4708
Contract Status: Notice of Nonrenewal approved on 10/6/2008; contract will terminate on 12/31/2017
General Notes:

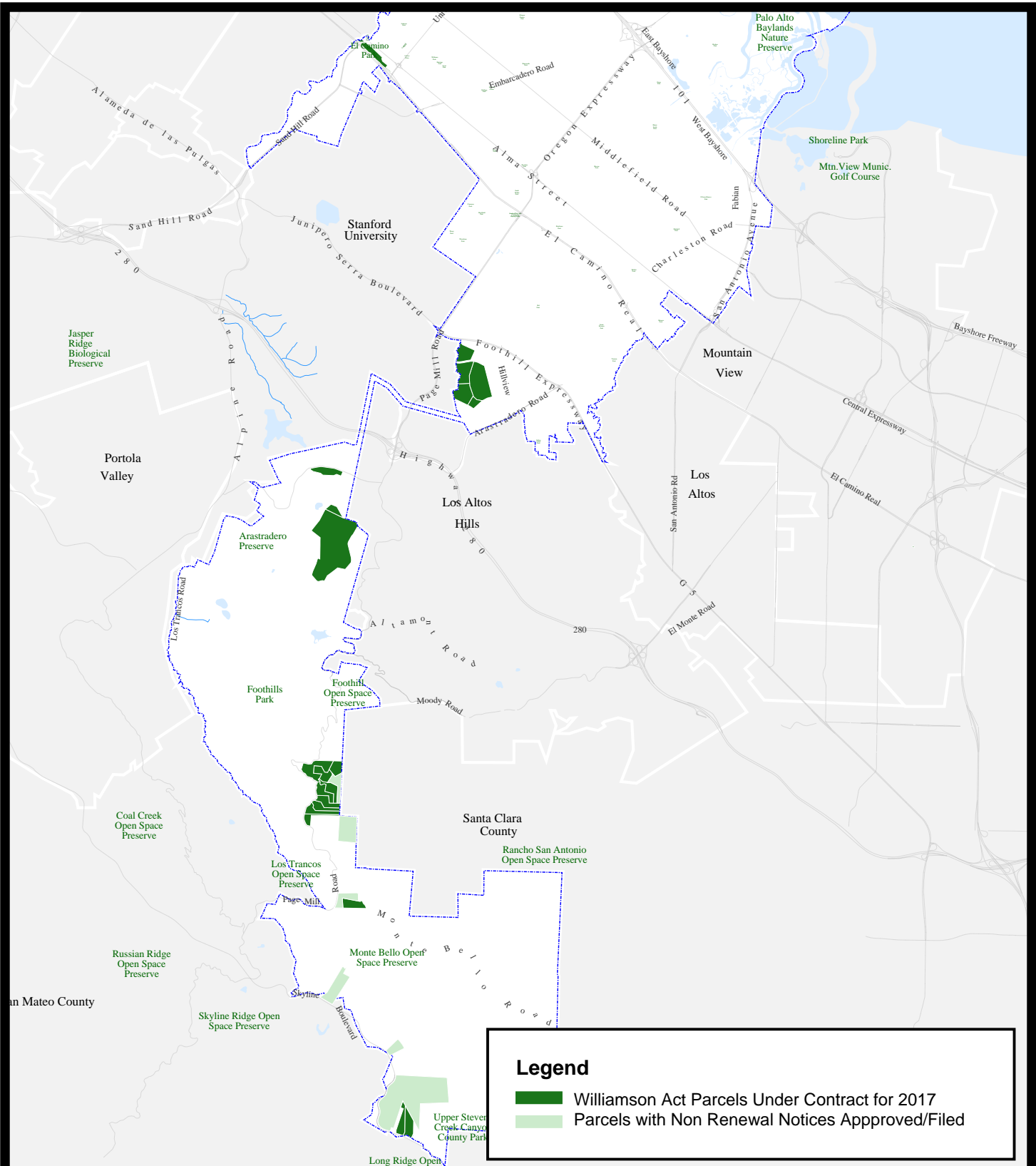
5 5061, 5065, 22601 Skyline Blvd

APN: 351-12-006
Owner: MIDPENINSULA REGIONAL OPEN SPACE DIST, 330 DISTEL CIR, LOS ALTOS CA
Assessed Value 2014: \$37,346.00 2015: 2016
Value Notes:
Land Class: Non Prime
Acreage: 139.59 minus 1 acre for Homesite = 138.59
Contract Start: 3/6/1973 Resolution No: 4707
Contract Status: Notice of Nonrenewal approved on 10/6/2014; contract will terminate on 1/1/2024
General Notes:

New Notice of Nonrenewal Filed for City Council Approval

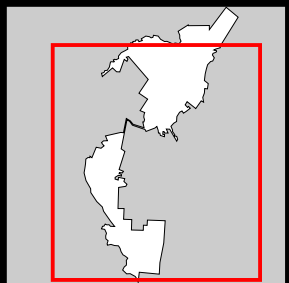
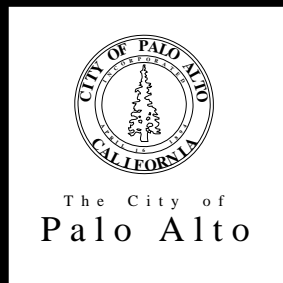
6 3849 Page Mill Rd, Palo Alto, 94306

APN: 351-05-050
Owner: THOMAS JEFFREY A AND MARY L, 3849 PAGE MILL RD, LOS ALTOS HILLS CA
Assessed Value 2014: \$1,446,137.00 2015: \$1,475,030.0 2016 \$1,497,524.0
Value Notes:
Land Class: Non Prime
Acreage: 10.00
Contract Start: Unknown Resolution No: Unknown
Contract Status: Notice of Nonrenewal filed on 3/17/2016;
General Notes:



Legend

- Williamson Act Parcels Under Contract for 2017
- Parcels with Non Renewal Notices Approved/Filed



Williamson Act Parcels 2016

This map is a product of the City of Palo Alto GIS

DOCUMENT: 23265822

Pages: 16

Recording Requested by and
When Recorded Mail to:



Fees	75.00
Taxes	
Copies	
AMT PAID	75.00

City of Palo Alto
Planning and Community
Environment Department
250 Hamilton Avenue, Fifth Floor
Palo Alto, CA-94301

REGINA ALCOMENDRAS
SANTA CLARA COUNTY RECORDER
Recorded at the request of
Recording Service

RDE # 025
4/05/2016
11:24 AM

**NOTICE OF THE GIVING OF A NOTICE OF NON RENEWAL OF
A UNIFORM LAND CONSERVATION CONTRACT**

Address: 3849 Page Mill Road, Palo Alto 94306

Assessor's Parcel No. 351-05-050

Reference is hereby made to that certain Uniform Land Conservation Contract pursuant to Chapter 7 (commencing with Section 51200) of Part 1, Division 1, Title 5 of the Government Code, which is known as the California Land Conservation Act of 1965 ("Contract") dated February 14, 1977 by and between Ina R. Dahl and Harry E. Aine ("Owner") and the City of Palo Alto, a municipal corporation ("City"). The Contract was accepted by the City Council of the City by its Resolution No. 5342 dated February 7, 1977. The real property encumbered by the contract is located in the State of California, County of Santa Clara, City of Palo Alto, and is more particular described in Exhibit A attached hereto and incorporated herein by this reference.

Notice is hereby given that Owner has given notice of non-renewal of the Contract ("Notice of Non-Renewal") via letter dated March 17, 2016. A true and correct copy of the Notice of Non-Renewal is attached hereto as Exhibit B and incorporated herein by this reference.

Pursuant to the Notice of Non-Renewal, the term of the contract shall expire at midnight, January 1, 2027.

Dated: 3/31/16

Clerk, City of Palo Alto

OWNER:

Jeffrey A. Thomas

Mary L. Thomas

Beth Minor
City Clerk

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

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

State of California
County of SANTA CLARA)

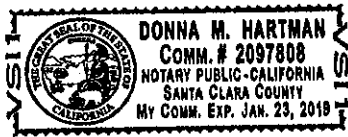
On MARCH 31, 2016 before me, DONNA M. HARTMAN, Notary Public, personally appeared JEFFREY A. THOMAS who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that ~~he/she/they~~ executed the same in his/~~her/their~~ 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 *Donna M. Hartman*

My Commission Expires: JAN. 23, 2019



CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

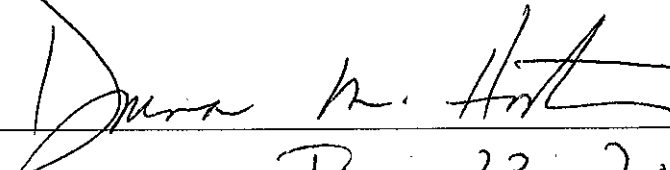
A Notary Public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California)
County of SANTA CLARA)

On MARCH 31, 2016 before me DONNA M. HARTMAN, Notary Public, personally appeared MARY L. THOMAS, 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 
My Commission Expires: JAN. 23, 2019

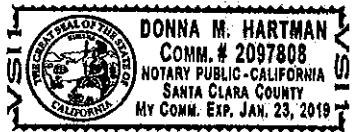


EXHIBIT A

LEGAL DESCRIPTION OF PROPERTY

C. 645 Mar 198

5571507
C. 645 Mar 198
FILED FOR RECORD
AT REQUEST OF

City of Palo Alto
Mar 4 12 07 PM '77

RESOLUTION NO. 5332

RESOLUTION OF THE COUNCIL OF THE CITY OF PALO ALTO
ESTABLISHING AN AGRICULTURAL PRESERVE WITHIN THE
CITY OF PALO ALTO AND AUTHORIZING THE EXECUTION OF
A LAND CONSERVATION CONTRACT (LINA R. DAHL-PAGE MILL ROAD)

OFFICIAL RECORDS
SANTA CLARA COUNTY
GEORGE A. MANN
REGISTRAR-RECORDER

DH

WHEREAS, Lina R. Dahl is owner of, and Harry E. Aine holds an interest in a certain parcel of land in the City of Palo Alto, Santa Clara County, California; have applied to have such land designated an agricultural preserve under the provisions of the Land Conservation Act of 1965; and have submitted a contract executed by them as owner and party in interest, acceptable to the City Council; and

WHEREAS, the City Council has received and reviewed the report of the Director of Planning and Community Development concerning the request to establish this preserve; hereby finds that the establishment of this preserve is consistent with the Comprehensive Plan of the City of Palo Alto; and further finds that the establishment of this preserve (which includes an area of approximately 95.48 acres) is necessary due to the characteristics of the agricultural enterprises in the area and that the establishment of a preserve of such size is consistent with the Comprehensive Plan of the City of Palo Alto for the following reasons:

1. Historically, agricultural and rural operations in the area have been conducted on comparatively small holdings, and an imposition of a 100-acre size on agricultural preserves would unreasonably prevent the maintenance of land in an agricultural or rural status; and
2. The terrain is such that the appearance and substance of an agricultural or rural environment would be maintained on parcels of less than 100 acres;

NOW, THEREFORE, the Council of the City of Palo Alto does RESOLVE as follows:

SECTION 1. A Land Conservation Contract, a copy of which is attached hereto, is incorporated by reference herein, as though fully set forth. Said contract hereby is approved, and the Mayor is authorized and directed to execute said contract on behalf of the City.

SECTION 2. The area described in the document designated as EXHIBIT "B" to said contract and as shown on the map attached to said contract hereby is designated and established as an agricultural preserve under the provisions of the California Land Conservation Act of 1965 ("Williamson Act"), adopted by the City Council.

SECTION 3. The City Clerk is directed to perform any act necessary for the attestation of said contract, the filing of a copy of this resolution and of said contract in the Office of the County Recorder of the County of Santa Clara, and such other filings and acts as are required by law.

SECTION 4. The Council finds that this project is categorically exempt from environmental assessment under Class 17, CEQA.

INTRODUCED AND PASSED: February 7, 1977

AYES: Beacher, Foxvold, Clay, Carstark, Spady, Norton, Star, Wilcoxson

NOES: None

ABSENT: Carey

ABSTRACTING: None

ATTEST:
/s/ Ann J. Truse
City Clerk

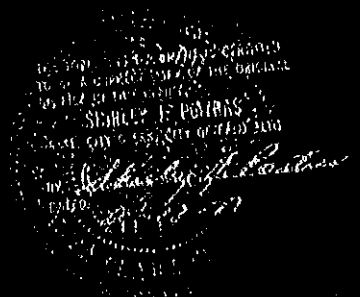
APPROVED:
/s/ Stanley S. Barton
Mayor

APPROVED AS TO FORM:
/s/ Louis B. Green
Assistant City Attorney

APPROVED:
/s/ Charles E. Walker
City Manager

/s/ Asphall H. Knox
Director of Planning and
Community Environment

PROPERTY DESCRIPTION
APPROVED:
/s/ James L. Adler
Department of Public Works/
Engineering



Called By: _____

File No. _____

ORIGINAL

City of _____

UNIFORM LAND CONSERVATION CONTRACT C 645 PAGE 200

This is a contract between the CITY OF PALO ALTO, a municipal corporation of the State of California, hereinafter called "City," and _____ hereinafter called "Owner."

WHEREAS, Owner possesses certain real property located within the City of Palo Alto, County of Santa Clara, State of California, which is presently devoted to agricultural use and is described in Exhibit A attached hereto and made a part hereof; and

WHEREAS, the property is located in an agricultural preserve heretofore established by City;

WHEREAS, both Owner and City desire to limit the use of the property to agricultural and compatible uses; and

WHEREAS, the parties have determined that the highest and best use for the property during the term of this contract, or any renewal thereof, shall be for agricultural and compatible uses.

NOW, THEREFORE, City and Owner agree as follows:

1. CONTRACT SUBJECT TO CALIFORNIA LAND CONSERVATION ACT OF 1965.

This contract is entered into pursuant to Chapter 7 (commencing with Section 51200) of Part 1, Division 1, Title 5 of the Government Code, which is known as the California Land Conservation Act of 1965, hereinafter called "Act." This contract is subject to all of the provisions of the Act and City Ordinance No. _____ including any amendments thereto which may hereafter be enacted. The provisions of the Act are incorporated herein by this reference. Owner declares that he has received from City a copy of the Act, as amended in 1971, relevant sections of the Revenue and Taxation Code, as amended in 1971, and Article XXVIII of the California Constitution; and that he has read and understands the provisions thereof.

2. RESTRICTION ON USE OF PROPERTY.

During the term of this contract, and any and all renewals thereof, the property described in Exhibit B shall not be used by Owner, or Owner's successors in interest, for any use other than those agricultural uses and compatible uses which are determined by the Council of the City of Palo Alto, at the agricultural and compatible uses permitted in the preserve in which the land is located. A list of all such compatible uses is set forth in Exhibit A, attached hereto and by this reference incorporated herein. City, by uniform rule adopted by the City Council from time to time during the term of this contract and all renewals thereof, shall list of compatible uses which shall be uniform throughout the agricultural preserve in which the property in Exhibit B is located; provided, however, City may not during the term of this contract or any renewal thereof, without the prior written consent of Owner, remove any of the compatible uses for the subject property which are set forth in Exhibit A. The provisions of this contract and any uniform rule supplementing the list of compatible uses are not intended to and shall not limit or supersede the planning and zoning powers of City.

3. TERM OF CONTRACT.

This contract shall become effective on the date of execution and shall remain in full force and effect for an initial term of ten years. The initial term of ten years shall be extended

10/10 5:30 PM '71
M. H. E. 12 308
10/10/71
10/10 10 11/7
10/10/71

County Assessed No. 77,501

... is of the first day of January next succeeding the date of execution if the date of execution is between March 1, and December 31. The initial term of ten years shall be extended commencing as of the first day of January of the year of execution if the date of execution is between January 1 and March 1. Each succeeding first day of January shall be deemed to be the annual renewal date of this contract. This contract shall be renewed on each succeeding January 1 and one additional year shall be added automatically to the total term unless notice of nonrenewal is given as provided in paragraph 4.

4. NOTICE OF NONRENEWAL.

(a) If either party desires in any year not to renew this contract, that party shall serve written notice of nonrenewal upon the other party in advance of the annual renewal date of this contract. Unless such written notice of nonrenewal is served by Owner at least 60 days prior to the renewal date, or by City at least 60 days prior to the renewal date, this contract shall be renewed as provided in paragraph 3 above.

(b) If either party serves written notice of nonrenewal in any year within the time limits of (a) above, this contract shall remain in effect for the balance of the period remaining since the original execution or the last renewal of this contract, as the case may be.

5. NO COMPENSATION.

Owner shall not receive any payment from City in consideration of the obligations incurred under this contract, it being recognized and agreed that the consideration for the execution of this contract is the substantial benefit to be derived therefrom.

6. NO CLAIMS OR INTEREST.

This contract and the obligations imposed hereunder shall be binding upon, and inure to the benefit of, the successors in interest of the Owner. Whenever any of the property described in Exhibit B is divided, the owner of any parcel may exercise, independent of any other owner of a portion of the divided property, any of the rights of the owner in this contract, including the right to give notice of nonrenewal and to petition for cancellation. The effect of any such action by the owner of a parcel owned by the division of land described in Exhibit B shall not be limited to the owners of the remaining parcels and shall have no effect on this contract as it applies to the original parcels of the divided property.

7. CANCELLATION.

This contract may be cancelled and a cancellation fee imposed pursuant to the applicable provisions of the Act.

8. NOTICES.

All notices required or permitted by this contract, including notice of a change of address, shall be in writing and given by personal delivery or sent by United States Mail addressed to the party intended to be notified. Notices shall be deemed given as of the date of delivery in person or as of the date when deposited in any post office or any post office box regularly maintained by the United States Government.

Witness by the City that he read said:

City Clerk
City of F.W. Ave
City Clerk
250 Washington Avenue
F.W. Ave, Oklahoma 74101

C. 645 rev 202

Notice to Owner shall be addressed:

Name: Tina A. Ishii
Address: 1176 Tala Alto Avenue
City and State: Palo Alto, California 94301

IN WITNESS WHEREOF the parties hereto have caused this contract to be executed by Owner
on December 24, 2026 at the City of Palo Alto, California 94301

CITY OF PALO ALTO, a
municipal corporation,

By: [Signature]
Mayor

Attest: [Signature]
City Manager

[Signature]
[Signature]

OWNER

ATTEST:

[Signature]
City Clerk

APPROVED AS TO FORM

[Signature]
City Attorney

C: 845 121206

Distance of 506.70 feet, along bearing 107° 54' 00" E and running
S. 107° 54' 00" E 506.70 feet, then S. 81° 11' 00" E 100.00 feet, thence
R. 25° 11' 00" E 100.00 feet to the point of intersection thereof with
the said dividing line of said Sections 9 and 10 also referred to; thence
S. 81° 11' 00" E, along said dividing line, and a distance of
440.90 feet to the point of beginning.

RECORDER'S MEMO
PLEASE VERIFY ON RECORD
OR CHECK COPIES KEPT
BEFORE PHOTOGRAPHIC RECORD

RECEIVED
CITY OF PASADENA
CALIFORNIA

PL 114-1
FILE #
C. 645 PAGE 205

REV 24 3 54 PM '76

CITY CLERK'S OFFICE

ALL of lots 1, 2 and 3, and the West 1/2 of the southeast 1/4 of Section 16, Township 7 North, Range 4 West, Basal Meridian Base and Meridian.

PREVIOUSLY TRANSMITTED all that parcel of land lying hereunto, southerly and easterly of the following described line:

beginning at the point of intersection of the center line of Page Hill Road and a line running North and South through the center of Section 10, T. 7 S., R. 4 W., as shown upon the certain Record of Survey filed February 17, 1964 in Book 113 of Maps, at pages 94, 95 and 96, said point of beginning also being the Northernmost corner of that certain parcel of land conveyed in the deed from Mildred Scott Lipson to Clark W. Carlson and Frances V. Carlson, dated July 29, 1960 and recorded September 13, 1961 in Book 95th of First Records, page 789; Recorder's Serial Number 167777; thence southerly parallel to the center line of said Page Hill Road, the following courses and distances: North 88° 49' 31" West, 13.97 feet; North 75° 44' 00" West, 169.96 feet; North 29° 23' 25" West, 131.75 feet; North 12° 40' 00" West, 212.83 feet; North 1° 00' 07" West, 92.16 feet; North 5° 45' 00" East, 181.91 feet; North 12° 17' 17" East, 694.37 feet; North 22° 20' 50" East, 66.76 feet; North 50° 43' 18" East, 92.53 feet; North 67° 07' 39" East, 110.19 feet; North 70° 00' 53" East, 117.08 feet; North 72° 17' 20" East, 60.34 feet; North 64° 40' 23" East, 232.34 feet; North 59° 15' 00" East, 79.76 feet; North 17° 11' 51" East, 62.48 feet; North 14° 20' 00" East, 245.55 feet; North 11° 50' 42" East, 155.49 feet; North 10° 00' 00" West, 140.92 feet; North 37° 20' 00" East, 70.11 feet; North 05° 02' 00" East, 94.29 feet; North 51° 28' 00" East, 125.42 feet; North 72° 40' 47" East, 75.71 feet; North 37° 11' 19" East, 124.67 feet; North 10° 00' 00" East, 90.00 feet; North 79° 21' 11" East, 32.67 feet; North 62° 22' 00" East, 125.13 feet; North 62° 16' 48" East, 136.92 feet; North 59° 47' 00" East, 103.50 feet, and south 20° 03' 12" West 6.70 feet to the intersection thereof with the westerly line of Rancho ID (Cove) Re-Entry; thence North 12° 00' 00" East, along said last mentioned line, 430.67 feet to the point of intersection thereof with the center line of Page Hill Road, thence along said last mentioned line, the following courses and distances: North 12° 00' 00" East, 277.33 feet; North 02° 41' 09" East, 194.92 feet; North 01° 52' 00" East, 153.15 feet, and North 71° 52' 15" East, 64.32 feet to the intersection thereof with the North line of Section 10, Township 7 North, Range 4 West.

Also said said parcel of land granted to Barry Black, et al, by deed recorded in Book 114, Page 100 of Official Records, page 319, page 100, is hereby amended as follows:

beginning at the center line of said certain 100.151 acre tract of land described in the deed to Jerry L. Pohl, et al, recorded October 27, 1968, Book 114 of Official Records, page 703, in the following line of location: a and 22' 00" North, 100.151 feet; North 22° 00' 00" East, 100.151 feet; North 22° 00' 00" East, 100.151 feet; along said 100.151 acre tract, for a

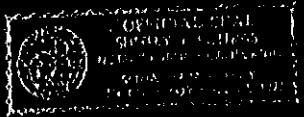
RECORDER'S MEMO
PASTE WRITING OR LETTERS
ON CARD OR COPIES MAKE'S
POSSIBLE PHOTO STATING RECORD

(Don't stamp this page)

C 645 20263

State of California }
County of Santa Clara }

On this the 26 day of November, 1977, before me,
SHERLEY J. POLUNAS
the undersigned Notary Public, personally appeared
BARBARA B. AMHE

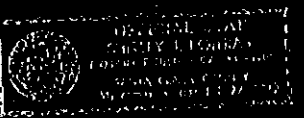


known to me to be the person(s) whose name(s) is subscribed
to the within instrument and acknowledged that he
executed the same for the purposes therein contained.
IN WITNESS WHEREOF, I hereunto set my hand and official seal.

Sherley J. Polunas

State of California }
County of Santa Clara }

On this the 2 day of February, 1977, before me,
SHERLEY J. POLUNAS
the undersigned Notary Public, personally appeared
BARBARA B. AMHE



known to me to be the person(s) whose name(s) is subscribed
to the within instrument and acknowledged that he
executed the same for the purposes therein contained.
IN WITNESS WHEREOF, I hereunto set my hand and official seal.

Sherley J. Polunas

COMPATIBLE USESA. PUBLIC AND PUBLIC UTILITY USES

- (1) The construction, reconstruction, installation, re-installation, removal, alteration, repair, maintenance and use of: (i) public streets and street improvements; (ii) public water, storm and sanitary sewer, communication, transportation, traffic control and fire alarm lines, structures, works, improvements, systems and facilities; (iii) public uses, buildings, structures, improvements, parking areas, and their appurtenances.
- (2) The erection, construction, alteration or maintenance of gas, electric, water or communication utility facilities, including radio, television or microwave antennas, transmitters and incidental facilities related thereto; unless the City Council finds after notice and hearing that such use is not compatible with the agricultural, recreational or open space use to which the land is restricted by contract.

B. IMPROVEMENTS DETERMINED COMPATIBLE BY THE ACT

The location or construction of the following types of improvements which have been determined by Government Code Section 51293 of the Act to be compatible with or to enhance land within an agricultural preserve:

- (1) Public Works required for fish and wildlife enhancement and preservation.
- (2) Improvements for the primary benefit of the land within the preserve.

- C. "Agricultural use" (but excluding "recreational use" and "open space use") as defined in the California Land Conservation Act, Government Code Section 51201(b), and excluding the meaning ascribed thereto in Government Code Section 51205; unless the City Council finds after notice and hearing that such agricultural use is not compatible with the agricultural, recreational or open space use to which the land is restricted by contract.
- D. "Recreational use" as defined in the California Land Conservation Act, Government Code Section 51201(n); unless the City Council finds after notice and hearing that such recreational use is not compatible with the agricultural, recreational or open space use to which the land is restricted by contract.
- E. "Open space use" as defined in the California Land Conservation Act, Government Code Section 51201(o), unless the City Council finds after notice and hearing that such open space use is not compatible with the agricultural, recreational or open space use to which the land is restricted by contract.
- F. Uses permitted by the regulations of the "OS Open Space District," "F Flood Plain District," or "P Public Facilities District," provisions of the zoning ordinance of the City.

March 17, 2016

VIA E-MAIL AND U.S. MAIL

Chitra Moitra
Planner
City of Palo Alto
250 Hamilton Avenue
Palo Alto, CA 94301
E-Mail: Chitra.Moitra@cityofpaloalto.org

Beth Minor
City Clerk
City of Palo Alto
250 Hamilton Avenue
Palo Alto, CA 94301

**Re: Notice of Nonrenewal of Williamson Act Contract (APN: 351-05-050)
Jeffrey A. and Mary L. Thomas, 3849 Page Mill Road, Palo Alto, 94306**

Dear Ms. Moitra and City Clerk:


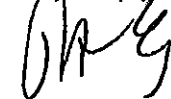
By this letter, Jeffrey A. and Mary L. Thomas, owners of the 10-acre property located at 3849 Page Mill Road, Palo Alto (APN 351-05-050), provide the City of Palo Alto Notice of Nonrenewal of the Williamson Act Contract (aka, Land Conservation Contract) pertaining to their property.

This Notice of Nonrenewal is given pursuant to Government Code section 51245; Section 9 of City of Palo Alto Ordinance No. 2663, and Section 4(a) of the Williamson Act Contract (attached to City Council Resolution No. 5342 adopted on February 7, 1977 [establishing an agricultural preserve and authorizing execution of the contract]).

Pursuant to Government Code section 51245, we request that, within 20 days of receipt of this Notice, the City Clerk record with the County of Santa Clara Recorder a copy of this Notice of Nonrenewal; and that, within 30 days of the receipt of this Notice, that the City deliver a copy of the Notice of Nonrenewal to the Director of Conservation. Pursuant to Section 9 of Ordinance No. 2663, the City Clerk is to report this Notice of Nonrenewal to the City Council.

If you need additional information, please contact me at (408) 892-0874, or my land use counsel Todd Williams at (510) 622-7630.

Very truly yours,



Jeffrey A. Thomas and Mary L. Thomas

cc: Todd A. Williams, Wendel Rosen Black & Dean LLP



Santa Clara County
Department of Planning and Development
Online Property Profile

COUNTY OF SANTA CLARA PLANNING OFFICE
70 W. HEDDING ST., SAN JOSE, CA 95110
(408) 299-5770

July 16, 2014 12:03:11 PM. The GIS data used in this analysis was compiled from various sources. While deemed reliable, the Planning Office assumes no liability.

Location and Jurisdiction

APN: 351-05-050

Site Address: 3849 PAGE MILL RD

City/State/ZIP: PALO ALTO, CA 94304

Jurisdiction: Incorporated (PALO ALTO)

Urban Service Area: None

Sphere of Influence: Palo Alto

Supervisor District: 5

Special Districts:

- Fire Protection District: N/A
- Sanitary District: N/A
- Water District: N/A

Area Information

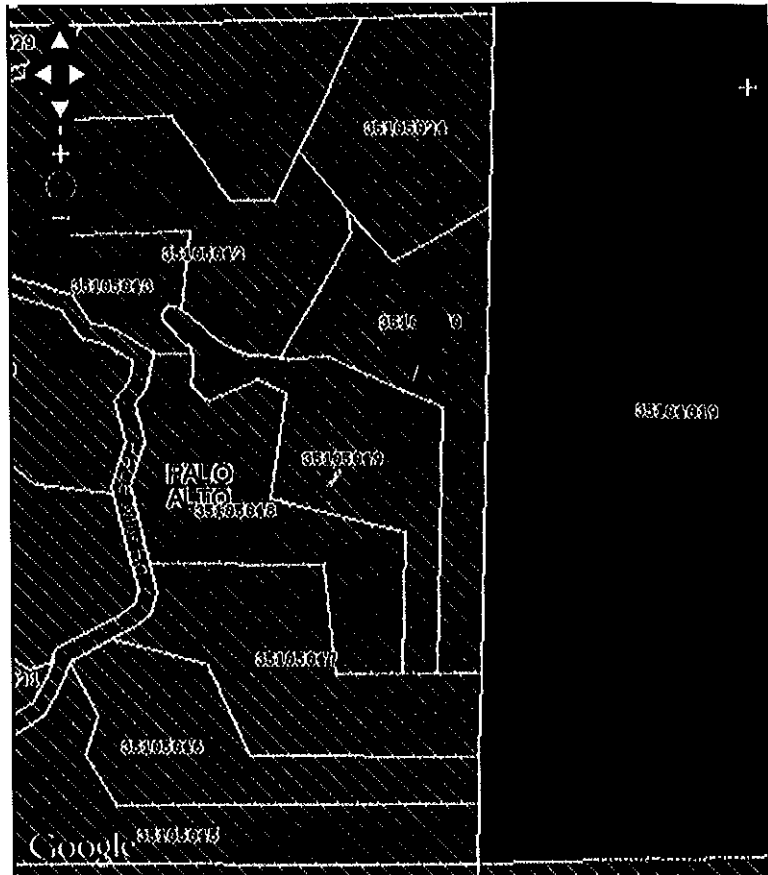
Recorded Size (source: Assessor's office): 10 acres

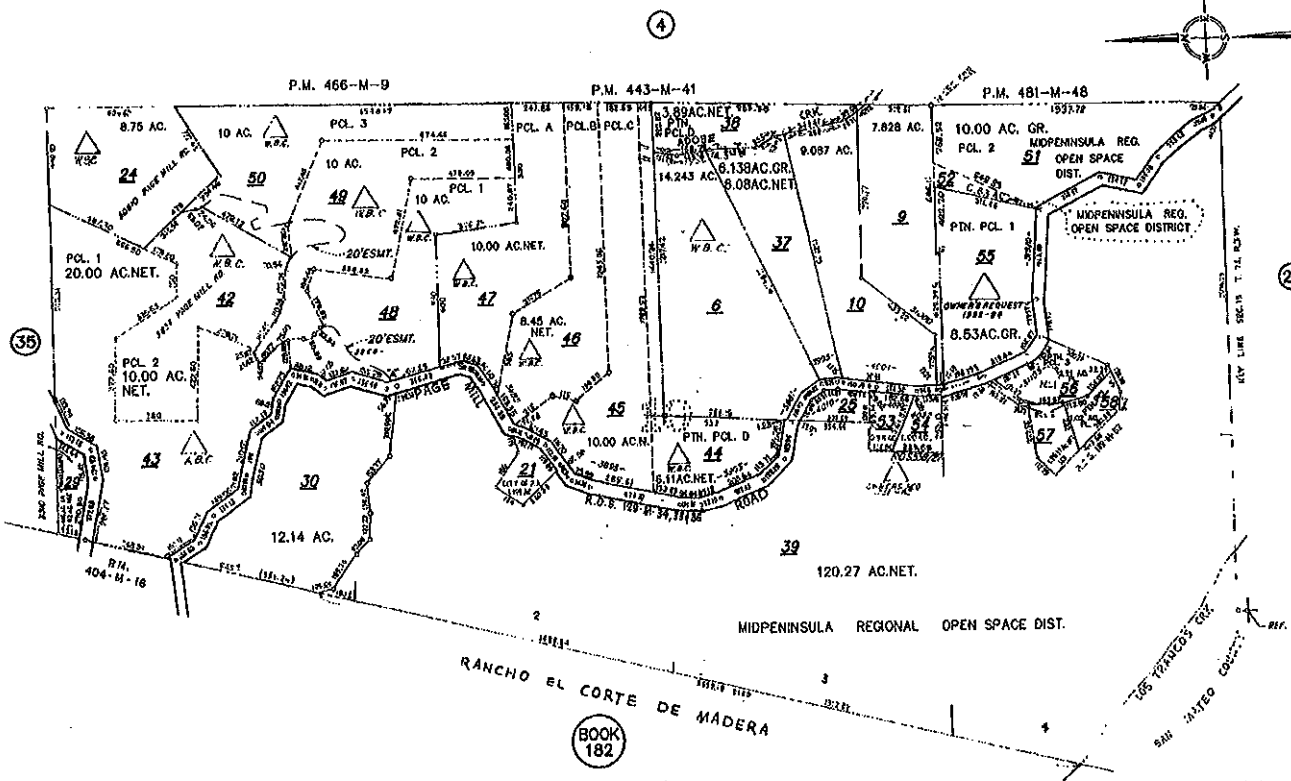
General Plan Land Use

Land Use Plan Designation: Hillside (100%)

Zoning District

Zoning: Consult city planning department





LAWRENCE E. STONE - ASSESSOR
Copied only for assessment purposes only.
Compiled under R. & T. Code, Sec. 371,
Effective Roll Year 2018-2019