

SUN VALLEY #1

Sun Valley # 1 Property Transactions

Parcels 39, 40, and 45 (Van Home Boundary Line Adjustment)

Facts: On April 28, 2000 Mary Smith (aka Michelle Ollar-Burris) acting as trustee of the Mary Smith Living Trust (MST) recorded purchase of parcels 39 (3.4 acres), 40 (9.7 acres), and 45 (46.1 acres) of the property known as Sun Valley # 1 from Gary and Rosemary Tanko and Rudy Burlin. The purchase price of each parcel was \$45,000, \$45,000, and \$200,000 respectively. Shortly thereafter, on July 14, 2000 MST sold all three parcels to Thomas and Patricia Van Home (Van Home) for the prices of \$46,000, \$46,000, and \$201,000 respectively. On June 8, 2001, Van Home submitted an application for a boundary line adjustment to significantly alter the boundaries between Van Home's 3 parcels. The boundary line adjustment was approved by the Parcel Review Committee (PRC) on July 3, 2001. On October 3, 2001 Van Home recorded an approved boundary line adjustment (MBR-10972 A/B) which caused Parcel 39 to become Parcel 60 (13.1 acres (formerly 3.4 acres)), Parcel 40 to become Parcel 61 (27.4 acres (formerly 9.7 acres)), and Parcel 45 to become Parcel 59 (12.9 acres (formerly 46.1 acres)).

Authority: Section 66426 of the Subdivision Map Act requires that a parcel map be submitted for a division of land into four or fewer parcels, and that tentative and final subdivision maps be submitted for a division of land into five or more parcels.

Section 66424 of the Subdivision Map Act defines a subdivision of property as the division of any contiguous unit or units of improved or unimproved land for the purpose of sale, lease, or financing, whether immediate or future.

Section 66412 (d) of the Subdivision Map Act provides that boundary line adjustments of four or fewer adjacent parcels are exempt from section 66426.

Analysis: Boundary line adjustments are normally exempted from the requirements of Section 66426 by Section 66412(d), exempting from normal Map Act requirements lot line adjustments between 4 or fewer adjoining parcels "where the land taken from one parcel is added to an adjoining parcel, and where a greater number of parcels than originally existed is not thereby created." (Id.) Here, however, it is more likely than not that the purpose and result of these boundary line modifications was to facilitate later divisions of the affected (3) parcels. Prior to the subject boundary line modifications, parcels 39 (3.4 acres) and 40 (9.7 acres) were not large enough to accommodate the multiple parcel map splits which followed given the applicable minimum parcel size of 2.3 acres net (Zoning: RA-B100 (minimum lot size 2.3 acres, General Plan Designation: Rural Estate, 2.3 – 4.6 acre minimum lot size). Van Home and Ollar-Burris are involved in many of the transactions and divisions which follow.

The provisions of the Subdivision Map Act are to be read together "in the context of the statutory framework as a whole." (*Kalway v. City of Berkeley*, 151

Cal.App.4th 827, 833. (2007).) The exemption from Map Act requirements set forth in Section 66412(d) for boundary line adjustments applies only "where a greater number of parcels than originally existed is not thereby created." (Id.) Here, the purpose of the boundary line adjustment was to facilitate subsequent division of the subject property. The boundary line modification, and the resulting subsequent divisions of property should have been the subject of a tentative and final subdivision map.

Parcel 60 (Edwards Parcel Map)

(formerly Parcel 39)

Facts: On October 19, 2001 (just 16 days after the boundary line modification described above recorded and the same day as the sale to described below) Van Home recorded the sale of parcel 60 (13.1 acres) to Lori Edwards (Edwards) for the purchase price of \$160,000 (reserving from the transfer "for the Grantors remaining lands and together with easements for ingress, public and private utilities over and across Sun Valley Road"). (Edwards is married to Ross Edwards but he recorded an Interspousal Transfer Grant Deed, also on 10-19-2001, granting all of his interest in the property to Lori Edwards.) Later that same day, Van Home recorded a deed of trust secured by Parcel 60 whereby he loaned Edwards \$128,000. The deed of trust contains a "Partial Release Clause" which is attached thereto as Exhibit B. Exhibit B is actually entitled "Partial Release". It provides a formula for paying down the principal amount of the note and obtaining release of the deed of trust as to new individual parcels created through division of the parcel purchased by Edwards.

On December 10, 2001, Edwards submitted an application for a four (4) parcel division (less than 2 months after purchase and Van Home's boundary line adjustment described above). Other Parcel Map applications on adjoining or nearby land were considered simultaneously by Placer County and 5 different parcel map applications shared the cost of improvements to Sun Valley Road (Edwards (P-75880), Billat (P-75891), Van Home (P-75851), Newman (SV#2) (P75774) and Schlender (P-75690)). On November 22, 2002 Edwards recorded Parcel Map P-75880 which divided parcel 60 into 4 parcels: 64 (2.4 acres net), parcel 65 (2.9 acres net), 66 (2.3 acres net), and parcel 67 (5.0 acres gross). The surveyor for the final Edwards Parcel Map was Joyce K. Lorell (aka Joyce K. Loftus, aka JKL Surveying). Parcels 64, 65 and 66 appear designed to satisfy the 2.3 acre net minimum parcel size. (Zoning: RA-B100 (minimum lot size 2.3 acres), General Plan Designation: Rural Estate, 2.3 – 4.6 acre minimum lot size.) Parcel 67 (5.0 acres gross) appears eligible for further division but may be constrained by existing easements, topography, etc. Edwards then sold all four parcels to separate parties. By April 2003 all 4 parcels had been sold for a combined total of \$530,000 (\$370,000 more than the original purchase price).

Authority: Section 66426 of the Subdivision Map Act requires that a parcel map be submitted for a division of land into four or fewer parcels, and that tentative and final subdivision maps be submitted for a division of land into five or more parcels.

Section 66424 of the Subdivision Map Act defines a subdivision of property as the division of any contiguous unit or units of improved or unimproved land for the purpose of sale, lease, or financing, whether immediate or future.

Analysis: Edwards is a licensed cosmetologist who may have previously rented property from Mr. and/or Mrs. Burris. The "Release Clause" contained in the Van Home/Edwards deed of trust (which provides a formula for paying down the principal amount of the note and release of the deed of trust as to newly created individual future parcels) illustrates that future division of the parcel was planned and anticipated at the time of sale; it is evidence of a common plan to divide the property. In addition, prior to the subject boundary line modifications, parcel 39 (3.4 acres) was not large enough to accommodate a four parcel division given the applicable minimum parcel size of 2.3 acres net. (Zoning: RA-B100 (minimum lot size 2.3 acres), General Plan Designation: Rural Estate, 2.3 – 4.6 acre minimum lot size.) In other words, the Edwards Parcel divisions were made possible by the Van Home boundary line adjustment discussed above. It is more likely than not that the boundary line modification and the parcel divisions which followed were part of a common plan to divide the subject property through a series of successive parcel maps. Van Home, Edwards and the other subdividers discussed below should be considered a single subdivider for purposes of Section 66426 compliance. The boundary line modification, and the subsequent divisions of property should have been the subject of a tentative and final subdivision map.

Parcel 59 (Billat Parcel Map)

(Formerly Parcel 45)

Facts: On October 19, 2001 (also only 16 days after the boundary line modification described above recorded) Van Home recorded the sale of Parcel 59 (12.9 acres) to Gary and Allie Billat (Billat) for the purchase price of \$140,000 (recorded same day as the sale from Van Home to Edwards described above). The transfer Deed included a reservation from the transfer "for the Grantors remaining lands and together with easements for ingress, public and private utilities over and across Sun Valley Road." Later that same day Van Home recorded a deed of trust secured by Parcel 59 whereby he loaned Billat \$100,000. The deed of trust contains a "Partial Release Clause" which is attached thereto as Exhibit B. Exhibit B is actually entitled "Partial Release". It provides a formula for paying down the principal amount of the note and obtaining release of the deed of trust as to new individual parcels created through division of the parcel purchased by Billat.

Billat then obtained a non-purchase money loan with deed of trust from Michelle Ollar-Burris and Wesley Burris (Ollar-Burris) on March 4, 2002 (2 days prior

to applying for the parcel map described below). Billat then payed Van Horne the \$100,000 owed to him under the terms of the prior deed of trust, reflected in a reconveyance recorded on April 29, 2002. The amount loaned from Ollar-Burris to the Billats was increased by \$40,000 (\$140,000 total) in a modification to the deed of trust recorded on September 11, 2002. On December 5, 2002 (just prior to recordation of the 3 lot split, see below), an Assignment of Deed of Trust was recorded, assigning the Ollar-Burris interest in the Billat deed of trust to Rodney and Rene Smith. Rene Smith is believed to be the daughter of Michelle Ollar-Burris. Also during this period, Billat granted and recorded for Van Horne a forty foot wide easement over Parcel 59. It appears that easement was to provide access to Parcels 3 (5.0 acres gross) and 4 (17 acres gross) created by the Van Horne Parcel Map (discussed below).

On March 6, 2002 (5 months after the Van Horne boundary line adjustment discussed above), George Wasley Planning-Cliff McDivitt Surveying applied for a 3 lot parcel map, on behalf of property owners Gary and Alicia Billat. (P-75891) Other parcel map applications on adjoining or nearby land were considered simultaneously and 5 different parcel map applications shared the cost of improvements to Sun Valley Road (Edwards (P-75880), Billat (P-75891), Van Horne (P-75851), Newman (SV#2) (P75774) and Schlender (P-75690). On December 26, 2002 Billat recorded Parcel Map P-75891 which divided parcel 59 into 3 parcels: 1 (APN 69: 5.7 acres), 2 (APN 70: 4.2 acres net), and 3 (APN 71: 2.3 acres net). The surveyor for the Billat final parcel map was Joyce K. Lorell Surveying, Grass Valley. While it appears at first blush that Parcel 69 (5.7 acres gross) is large enough to accommodate further division (2.3 acre net minimum parcel size), the parcel may be constrained by existing easements, topography, etc. There is a road easement which bisects Parcel 69 in order to provide access for Parcel 70 (4.2 acres net). Road easements are excluded when calculating the net area for parcels less than 5 acres in size. (Placer County Code § 17.54.040(A).) Thus, the area of the road easement would not be included when calculating the net size of any parcels resulting from a further division of Parcel 69 (5.7 acres gross).

Authority: Section 66426 of the Subdivision Map Act requires that a parcel map be submitted for a division of land into four or fewer parcels, and that tentative and final subdivision maps be submitted for a division of land into five or more parcels.

Tentative and final map requirements may not be circumvented by subdividing one parcel four times using a parcel map and the, through agents repeating the process. "If there is evidence that the transfer is not an 'arm's length transaction,' for example, a sale for inadequate consideration, a transfer to a close relative or business associates, retention of control or financial interest, or generally a transfer which is part of a conspiracy to evade the Subdivision Map Act, the total number of lots should be treated as a subdivision." (55 Ops.Atty Gen.Cal. 414, 417-418.)

Analysis: The multiple transactions and loans between the parties, the timing of the boundary line modification by Van Home, the simultaneous processing of the relevant parcel map applications, the joint improvement efforts to Sun Valley Road, the use of a common planner and surveyor, etc., all combine to make it more likely than not that the parties participated together in a common plan to create the parcels. The "Release Clause" contained in the Van Home/Billat deed of trust (which provides a formula for paying down the principal amount of the note and release of the deed of trust as to newly created individual future parcels) illustrates that future division of the parcel was planned and anticipated at the time of sale; it is further evidence of a common plan to divide the property. Ollar-Burnis is also involved in many real estate transactions with Van Home. Thus, Billat, Van Home and Ollar-Burnis should be considered a single subdivider for purposes of determining compliance with Section 66426. It is more likely than not that the owners/subdividers were acting pursuant to a common plan, rather than "acting entirely independently" of each other. (55 Ops.Cal.Atty Gen. 414.)

Although the Billat Parcel Map created only 3 parcels, a violation of Section 66426 occurs when these parcels are combined with the creation of the other Sun Valley parcels described in this Report (ie. parcels created from the division of the property which was formerly known as Parcel 39 which became Parcel 60 (13.1 acres), Parcel 40 which became parcel 61 (27.4 acres), and Parcel 45 which became parcel 59 (12.9 acres)). After the recording of the Edwards and Billat parcel maps, what had formerly been 2 parcels (Parcels 59 and 60) had become 7 parcels. A tentative and final subdivision map should have been obtained for the resulting divisions.

Parcel 61 (Van Home Parcel Map)

(Formerly Parcel 40/61)

Facts: On July 17, 2001, Thomas and Patricia Van Home applied for a 4 parcel division of Parcel 61 (27.4 acres; Original Applicant's Engineer listed as Randy P. Wall, R&B Engineering, Inc., Auburn (P-75851)). The Van Homes' original boundary line modification was not yet final, and did not record until October 3, 2001. However, the boundary line modification was approved by the Parcel Review Committee on July 3, 2001, so the boundary line modification was approved but not final at the time of the Van Homes' application for the 4 lot split. PRC approved the tentative parcel map on August 15, 2001.

Other Parcel Map applications on adjoining or nearby land were considered simultaneously and 5 different parcel map applications shared the cost of improvements to Sun Valley Road (Edwards (P-75880), Billat (P-75891), Van Home (P-75851), Newman (SV#2) (P75774) and Schlender (P-75690)). On February 28, 2003, Van Home recorded Parcel Map P-75851 which divided parcel 61 (27.4 acres) into 4 parcels: 1 (APN 72: 2.3 acres net), 2 (APN 73: 2.4 acres net), 3 (APN

74: 5.0 acres), and 4 (APN 75: 17.0 acres). (Surveyor for final map was Joyce K. Lorell Surveying, Grass Valley (aka JKL Surveying).) As described below, further division of parcels 75 and 74 follow. The size of parcels 74 (5.0 acres) and 75 (17.0 acres) permit further division given the applicable 2.3 acre net minimum lot size. (Zoning: RA-B100 (minimum lot size 2.3 acres net), General Plan Designation: Rural Estate, 2.3 – 4.6 acre minimum lot size.)

Van Horne sold Parcel 73 (2.4 acres net) to a third party. Van Horne recorded the sale of Parcel 75 (17.0 acres) to Jerald and Benet Jones on March 4, 2003 (4 days after the Van Horne Parcel Map recorded) for \$240,000. Van Horne sold Parcel 72 (2.3 acres net) to the Jones-Halloran Partnership on April 15, 2003 (Jerald Jones is a general partner) for \$142,000. Van Horne transferred Parcel 74 (5.1 acres) to the Mary Smith Trust (MST) on December 2, 2004 for no apparent consideration (Grant Deed indicates sales price is "\$-0-"). As described below, further divisions of parcels 75 (Jones) and 74 (MST) follow.

Authority: Section 66426 of the Subdivision Map Act requires that a parcel map be submitted for a division of land into four or fewer parcels, and that tentative and final subdivision maps be submitted for a division of land into five or more parcels.

Section 66424 of the Subdivision Map Act defines a subdivision of property as the division of any contiguous unit or units of improved or unimproved land for the purpose of sale, lease, or financing, whether immediate or future. "[T]he Subdivision Map Act treats contiguous units held by the same owner as one unit with respect to the division of land and its consequences." (56 Op.AttyGen.Cal. 509 (1973).) Stated differently, "the scheme of the Subdivision Map Act treats contiguous units under a common ownership as one unit with respect to the regulation of its later redivision." (Id.)

Tentative and final map requirements may not be circumvented by subdividing one parcel four times using a parcel map and the, through agents repeating the process. "If there is evidence that the transfer is not an 'arm's length transaction,' for example, a sale for inadequate consideration, a transfer to a close relative or business associates, retention of control or financial interest, or generally a transfer which is part of a conspiracy to evade the Subdivision Map Act, the total number of lots should be treated as a subdivision." (55 Ops.Atty Gen.Cal. 414, 417-418.)

Analysis: Van Horne and Ollar-Burris are involved in many transactions together and it appears more likely than not that they were working in concert to create the multiple divisions described herein. The Mary Smith Trust sold the original property to Van Horne, and later received title to Parcel 74 (created through the split described above). Parcel 74 was then proposed for further division by Ollar-Burris. In addition, Ollar-Burris loaned money to Billat as described above. As described

below, it is also likely that Jones cooperated in the common plan to create the resulting divisions.

The circumstances described herein make it more likely than not that the parties participated together in a common plan to create the parcels. Thus, Billat, Van Home, Edwards, Ollar-Burris and Jones (see below) (including the entities and trusts under their control) should be considered a single subdivider for purposes of determining compliance with Section 66426. Although the Van Home Parcel Map created only 4 parcels, a violation of Section 66426 occurs when these parcels are combined with the creation of the other parcels described in this Report. Through a series of successive divisions of parcels 60, 59 and 61, by February 2003 a total of 11 parcels were created (64, 65, 66, 67, 69, 70, 71, 72, 73, 74, 75). Even more parcels were later created through further divisions of parcels 74 (2 parcel division by Ollar-Burris pending) and 75 (divided into 3 parcels by the Jones Parcel Map described below; with an additional 2 parcel division by Ollar-Burris pending). Although parcels 72 (2.3 acres net) and 73 (2.4 acres net) were drawn to the applicable minimum lot size, it appears that parcels 74 (5.08 acres) and 75 (17 acres) were drawn to accommodate the divisions which followed. It is more likely than not that the owners were not "acting entirely independently" of each other. (55 Ops.Cal.Atty Gen. 414.) This results in a violation of Section 66426. A tentative and final subdivision map should have been obtained for the resulting divisions.

Parcel 75 (Jones Parcel Map)

(Formerly Parcel 61)

Facts: On March 4, 2003 Van Home recorded the sale of Parcel 75 (17.0 acres) to Jerald and Benet Jones (Jones) for the purchase price of \$240,000. On April 15, 2003, the Jones-Halloran Partnership (Jerald Jones is a general partner) also purchased Parcel 72 (2.3 acres net) immediately adjacent to Parcel 75. Application for a 3 parcel map was submitted to the County on March 14, 2003 by George Wasley Planning & JKL Surveying on behalf of Jerald & Benet Jones. PRC approved the Jones tentative map on April 9, 2003. Approximately six months later, on September 30, 2003, Jones recorded Parcel Map P-75992 which divided parcel 75 into 3 parcels: 1 (APN 89: 2.39 acres net), 2 (APN 90: 11.5 acres), and 3 (APN 91: 2.3 acres net).

Jones then sold all 3 parcels within a month of recording the parcel map. Parcel 89 (2.39 acres net) sold to Stephen and Andrea Crowley for \$200,000 on October 14, 2003. On October 30, 2003 Parcel 91 (2.3 acres net) sold to Eric L. Harmon Construction, Inc. for \$100,000. On the same date, sale of Parcel 90 (11.5 acres) recorded transferring ownership to Wesley R. Burris and Michelle-Ollar Burris, as Trustees of the WAM Trust (WAM) for \$100,000. The latter two sales do not appear to be arm's length transactions. Each parcel sold for half of the selling price of Parcel 89. In addition, Parcel 90 (11.5 acres) is large enough to facilitate

further division given the applicable 2.3 acre net minimum parcel size; thus it appears that this property should have sold for more than Parcel 89, not less. In fact, as discussed below, WAM later submitted a parcel map application to divide Parcel 90 into 2 parcels. In addition, just one week after purchasing Parcel 91, Eric Harmon Construction sold its parcel to the Jones-Halloran Partnership on November 6, 2003, also for \$100,000. On July 30, 2004 (approximately 9 months later), Parcel 91 was sold by Jones-Halloran to Jeffrey and Sarah Conover for \$649,000. Even assuming a house was constructed on Parcel 91 prior to its sale to the Conover's, it appears that the \$100,000 sale of Parcel 91 (and Parcel 90) was significantly under market.

Authority: Section 66426 of the Subdivision Map Act requires that a parcel map be submitted for a division of land into four or fewer parcels, and that tentative and final subdivision maps be submitted for a division of land into five or more parcels.

Section 66424 of the Subdivision Map Act defines a subdivision of property as the division of any contiguous unit or units of improved or unimproved land for the purpose of sale, lease, or financing, whether immediate or future.

It has been generally held that a subdivider may not avoid the tentative and final mapping requirements of section 66426 by using a parcel map to divide one parcel into four or fewer lots and then, through the use of agents further divide the property into smaller and smaller lots.

The Attorney General has indicated that an agency relationship for purposes of the Subdivision Map Act will be found to exist in cases where the parties in question are not dealing at arms length. Examples that a party is not dealing at arms length include, a sale for inadequate consideration, a transfer to a close relative or business associate, retention of control or financial interest in the property being transferred, or generally a transfer which is part of a conspiracy to evade the mapping requirements of the Subdivision Map Act. If there is evidence that a transfer and later subdivision of property is not an arms length transaction the total number of lots will be treated as one subdivision.

Thus, if such a transaction results in property being divided into five or more lots without the submission of the necessary tentative and final subdivision maps, the division will be held to constitute a violation of section 66426.

Analysis: Benet Jones is a real estate broker who's address of record with DRE is the same as the business address for Michelle-Ollar Burris. Jones and/or the Jones-Halloran Partnership are involved in multiple transactions analyzed in this Report under the titles of Sun Valley #1, Sun Valley #2, and Moffet Ranch. This, combined with the circumstances described above (e.g., transfers for less than market value, timing of transactions, parcels designed to facilitate further division, use of a common planner and surveyor, etc.) make it more likely than not that Van Home, Jones and Ollar-Burris participated together in a common plan to create the

subject parcels as well as subsequent divisions. Accordingly, they should be considered a single subdivider for purposes of Section 66426.

Through a series of successive divisions of former Parcel 61, 6 parcels were created (72, 73, 74, 89, 90, and 91). As described below additional divisions of Parcels 90 and 74 are pending. Cumulatively, what was 3 parcels in July 2001 (when Van Home submitted his parcel map application), had become 13 parcels by September 2003 (when the Jones Parcel Map recorded), just over 2 years later, with additional divisions pending. It is more likely than not that these divisions occurred pursuant to a common plan to maximize the number of residential parcels given the applicable minimum lot size of 2.3 acres net and the physical constraints of the property. (Zoning: RA-B100 (minimum lot size 2.3 acres), General Plan Designation: Rural Estate, 2.3 – 4.6 acre minimum lot size.) For the Jones Parcel Map, parcels 89 (2.39 acres net) and 91 (2.3 acres net) just meet the minimum parcel size. Parcel 90 (11.5 acres) appears to have been designed to accommodate further division.

Billat, Van Home, Edwards, Ollar-Burnis and Jones (including the entities and trusts under their control) should be considered a single subdivider for purposes of determining compliance with Section 66426. A tentative and final subdivision map should have been obtained for resulting divisions.

Parcel 74 (WAM Trust Tentative Parcel Map)

(Formerly Parcel 61)

Facts: On December 2, 2004 Van Home recorded the transfer of Parcel 74 (5.1 acres; Parcel 3 from the Van Home Parcel Map (P-75851)) to the Mary Smith Trust (MST) for no apparent consideration (Grant Deed indicates sales price is "\$-0-"). Nearly one year later, on November 30, 2005, MST transferred Parcel 74 to Wesley Burnis and Michelle Ollar-Burnis as Trustees of the WAM Trust (WAM), for no apparent consideration (Grant Deed indicates sales price is "\$-0-"). George Wasley & JKL Surveying, on behalf of WAM, then submitted an application to Placer County on December 1, 2005, proposing to divide Parcel 74 into two separate parcels (each 2.5 acres). The application was approved by the Parcel Review Committee just (3) three weeks later, on December 21, 2005, subject to a list of conditions that must be met before the division may be recorded. (The preliminary conditions of approval indicate that much of the required information was "to be presented at the hearing.") WAM has until December 21, 2008 to meet these conditions and record a final parcel map regarding this division. Each of the resulting 2 parcels will be 2.5 acres net in size. (MLD #T20051115, diagram attached.) Accordingly, the new parcels are slightly larger than the applicable minimum lot size of 2.3 acres net. (Zoning: RA-B100 (minimum lot size 2.3 acres), General Plan Designation: Rural Estate, 2.3 – 4.6 acre minimum lot size.) As of October 22, 2007, the status of the tentative parcel map had not changed.

Authority: Section 66426 of the Subdivision Map Act requires that a parcel map be submitted for a division of land into four or fewer parcels, and that tentative and final subdivision maps be submitted for a division of land into five or more parcels.

Section 66424 of the Subdivision Map Act defines a subdivision of property as the division of any contiguous unit or units of improved or unimproved land for the purpose of sale, lease, or financing, whether immediate or future.

It has been generally held that a subdivider may not avoid the tentative and final mapping requirements of section 66426 by using a parcel map to divide one parcel into four or fewer lots and then, through the use of agents further divide the property into smaller and smaller lots.

The Attorney General has indicated that an agency relationship for purposes of the Subdivision Map Act will be found to exist in cases where the parties in question are not dealing at arms length. Examples that a party is not dealing at arms length include, a sale for inadequate consideration, a transfer to a close relative or business associate, retention of control or financial interest in the property being transferred, or generally a transfer which is part of a conspiracy to evade the mapping requirements of the Subdivision Map Act. If there is evidence that a transfer and later subdivision of property is not an arms length transaction the total number of lots will be treated as one subdivision.

Thus, if such a transaction results in property being divided into five or more lots without the submission of the necessary tentative and final subdivision maps, the division will be held to constitute a violation of section 66426.

Analysis: As noted above, Van Home and Ollar-Burris are involved in many transactions together and appear to be agents working in concert to create the resulting property divisions. It is more likely than not that the transfer and subsequent division of Parcel 74 is part of a common plan involving Van Home, Ollar-Burris and the other owners/subdividers to maximize the number of parcels and divisions through the use of successive parcel maps which avoid the mapping requirements of Section 66426. Ollar-Burris/MST was the original owner prior to transfer to Van Home. Thus, the property has come full circle.

Billat, Van Home, Edwards, Jones and Ollar-Burris should be considered a single subdivider for purposes of determining compliance with Section 66426. Although the WAM Parcel Map would create only 2 parcels, a violation of Section 66426 occurs when these parcels are combined with the creation of the other parcels described in this Report. Through a series of successive divisions of parcels 60, 59 and 61, a total of 13+ parcels were created (64, 65, 66, 67, 69, 70, 71, 72, 73, 74 (would be divided into 2 parcels by the subject parcel map), 89, 90 (2 parcel map pending) and 91). In addition, the size of the resulting 2 lots (2.5 acres gross each) reflect a common plan to maximize the number of parcels given the applicable minimum lot size: 2.3 acres. (Zoning: RA-B100 (minimum lot size 2.3

acres net), General Plan Designation: Rural Estate, 2.3 – 4.6 acre minimum lot size.) A tentative and final subdivision map should have been obtained for the resulting property divisions.

Because the division of Parcel 74 is not yet final, the County could withhold further permits if it finds "that development of such real property is contrary to the public health or the public safety." (Government Code §66499.34.) In the alternative, the County may grant subsequent approvals subject to conditions that would have been applicable if a tentative map had been properly sought. (Id.) Currently applicable conditions and requirements may be imposed if the current property owner was also the owner at the time of the original violation. Otherwise, those conditions applicable when the current owner obtained his/her ownership apply. (Id.)

Parcel 90 (WAM Trust Parcel Map)

(Formerly Parcel 75)

Facts: On October 30, 2003, Jerald and Benet Jones recorded the sale of Parcel 90 (11.5 acres) to Ollar-Burris acting as the trustees of the WAM Trust (WAM) for the purchase price of \$100,000. On December 1, 2005, WAM submitted a project application to Placer County proposing to divide parcel 90 into two separate parcels (one 2.3 acre net and one 8.8 acre parcel). (Actual applicant was George Wasley Planning & JKL Suveying on behalf of WAM.) The 2.3 acre net parcel appears designed to maximize development and meet the minimum lot size of 2.3 acres net. (Zoning: RA-B100 (minimum lot size 2.3 acres), General Plan Designation: Rural Estate, 2.3 – 4.6 acre minimum lot size.) The 8.80 acre lot has very steep slopes (40%-45%) which appear to limit the parcel's development and division potential.

The parcel map application was submitted to the County on December 1, 2005 and approved by the Parcel Review Committee (PRC) just 3 weeks later, on December 21, 2005. (MLD 20051114, diagram attached.) The application was submitted and heard by PRC simultaneously with the WAM application for division of adjacent Parcel 74 (discussed above). Ollar-Burris has until December 21, 2008 to meet the conditions of approval and record a final parcel map regarding this division. As of October 22, 2007, the status of the tentative parcel had not changed.

As discussed above regarding the Jones Parcel Map, the purchase price of \$100,000 appears to be below market, an indication that the transfer was not an arm's length transaction. In addition, Benet Jones is a real estate broker who's address of record with DRE is the same as the business address for Michelle-Ollar Burris.

Authority: Section 66426 of the Subdivision Map Act requires that a parcel map be submitted for a division of land into four or fewer parcels, and that tentative and final subdivision maps be submitted for a division of land into five or more parcels.

Section 66424 of the Subdivision Map Act defines a subdivision of property as the division of any contiguous unit or units of improved or unimproved land for the purpose of sale, lease, or financing, whether immediate or future.

It has been generally held that a subdivider may not avoid the tentative and final mapping requirements of section 66426 by using a parcel map to divide one parcel into four or fewer lots and then, through the use of agents further divide the property into smaller and smaller lots.

The Attorney General has indicated that an agency relationship for purposes of the Subdivision Map Act will be found to exist in cases where the parties in question are not dealing at arms length. Examples that a party is not dealing at arms length include, a sale for inadequate consideration, a transfer to a close relative or business associate, retention of control or financial interest in the property being transferred, or generally a transfer which is part of a conspiracy to evade the mapping requirements of the Subdivision Map Act. If there is evidence that a transfer and later subdivision of property is not an arms length transaction the total number of lots will be treated as one subdivision.

Thus, if such a transaction results in property being divided into five or more lots without the submission of the necessary tentative and final subdivision maps, the division will be held to constitute a violation of section 66426.

Analysis: It appears more likely than not that WAM's proposed division of Parcel 90 and Jones' previous division of Parcel 75 was part of a common plan to cooperate in avoiding the mapping requirements of Section 66426. Ollar-Burris/MST was the original owner prior to transfer to Van Home. Thus, the property has come full circle. Benet Jones' business relationship with Ollar-Burris combined with the circumstances described above (e.g., transfers for less than market price, timing of transactions, use of a common planner and surveyor, etc.) make it more likely than not that Van Home, Jones and Ollar-Burris participated together in a common plan to create the subject parcels. Accordingly, they should be considered a single subdivider for purposes of Section 66426.

Billat, Van Home, Edwards, Jones and Ollar-Burris should be considered a single subdivider for purposes of determining compliance with Section 66426. Although the WAM parcel map would create only 2 parcels, a violation of Section 66426 occurs when these parcels are combined with the creation of the other parcels described in this report. Through a series of successive divisions of former parcels 60, 59 and 61, a total of 13 parcels were created between July 2001 (the time of Van Home applied for his parcel map) and March 2003 (when the Jones Parcel Map was recorded): parcels 64, 65, 66, 67, 69, 70, 71, 72, 73, 74 (additional 2 parcel division pending), 89, 90 (would be divided into 2 parcels by the subject parcel map) and 91. These divisions included a coordinated road system which provides access to all of the parcels. It is more likely than not that the successive

divisions which created 13 new parcels in less than two years were part of a common plan to divide the subject property, rather than owners/subdividers "acting entirely independently." (55 Ops.Cal.Atty Gen. 414.) Finalization of the WAM tentative parcels maps for Parcels 74 and 90 would bring the total number of parcels to 15. A tentative and final subdivision map should have been obtained for the resulting property divisions.

Because the division of Parcel 90 is not yet final, the County could withhold further permits if it finds "that development of such real property is contrary to the public health or the public safety." (Government Code §66499.34.) In the alternative, the County may grant subsequent approvals subject to conditions that would have been applicable if a tentative map had been properly sought. (Id.) Currently applicable conditions and requirements may be imposed if the current property owner was also the owner at the time of the original violation. Otherwise, those conditions applicable when the current owner obtained his/her ownership apply. (Id.)

Parcel 89 (Crowley Easement)

(Formerly Parcel 75)

Facts: On October 14, 2003 Jones recorded the sale of Parcel 89 (2.8 acres) to Stephen and Andrea Crowley for the purchase price of \$200,000. On April 5, 2006, Crowley granted a thirty foot wide easement over parcel 89 to Ollar-Burris for no apparent consideration. However, this appears consistent with a reservation in the Jones to Crowley grant deed: "Reserving there from an easement for a 50 foot road and public utility easement and a 50 foot access, drainage and utility easement . . ."

Authority: Section 66426 of the Subdivision Map Act requires that a parcel map be submitted for a division of land into four or fewer parcels, and that tentative and final subdivision maps be submitted for a division of land into five or more parcels.

Section 66424 of the Subdivision Map Act defines a subdivision of property as the division of any contiguous unit or units of improved or unimproved land for the purpose of sale, lease, or financing, whether immediate or future.

There is authority supporting the proposition that the conveyance of an exclusive easement may constitute a subdivision under section 66424 because it gives the easement holder the right of exclusive occupancy similar to a fee interest.

Analysis: The conveyance of the easement to Ollar-Burris by Crowley does not appear, in isolation, to be in violation of Section 66426, since there is no evidence that it is an exclusive easement and Crowley has made no other divisions of parcel 89. However, this transaction is further evidence of a common plan between Van Home, Jones and Ollar-Burris to cooperate in creating the multiple divisions of prior

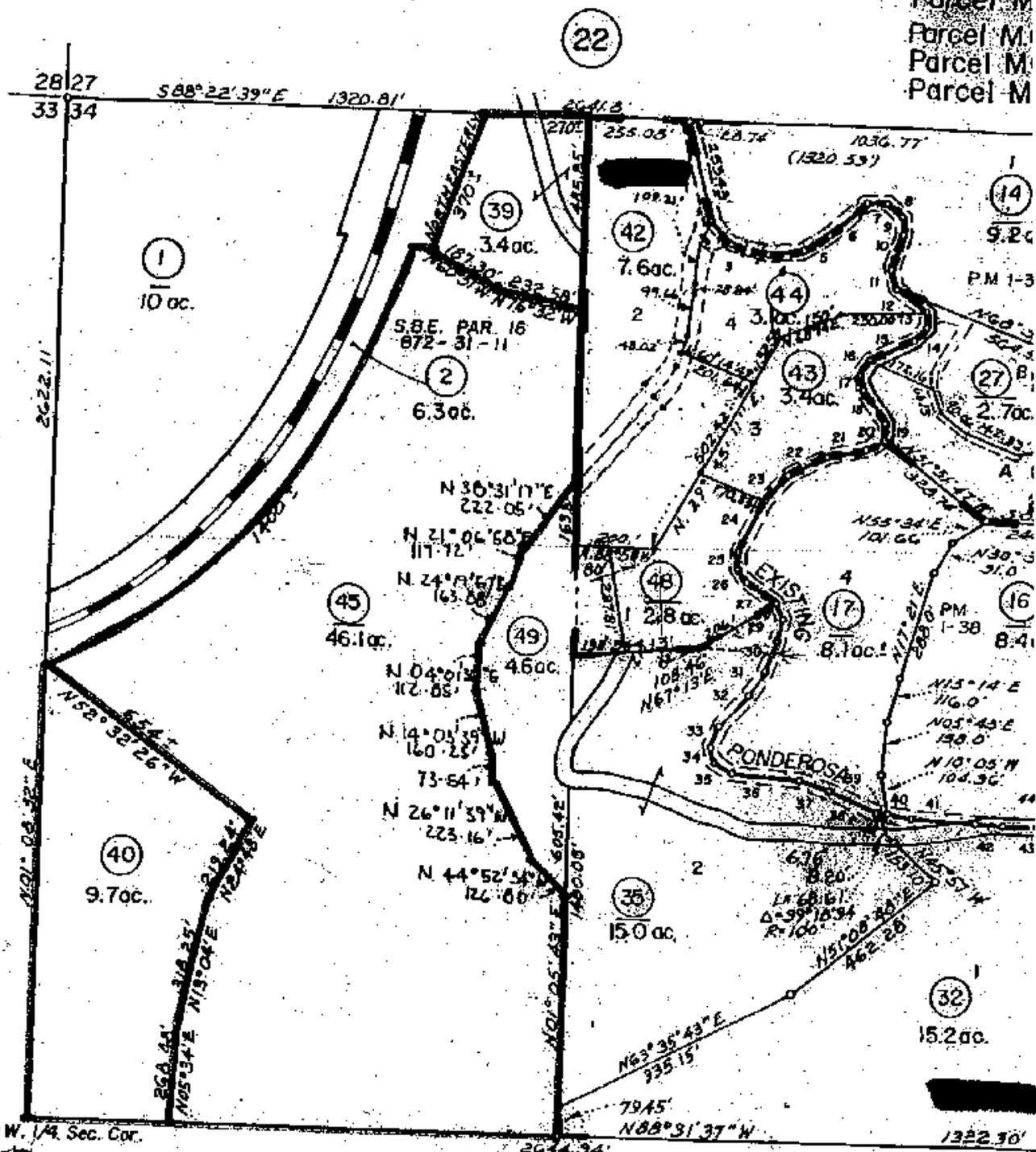
Parcel 61. The subject easement will apparently help to provide access to other lots with pending maps (Parcels 90 and 74).

TABLE OF SUN VALLEY PARCEL MAPS
(chronological based on date of parcel map application)

Owner/Subdivider	Date of Purchase	Date of Parcel Map Application	Date Parcel Map Recorded/Surveyor For Final Map	Number of Parcels After Division
Van Horne, Thomas and Patricia	7-14-2000	June 8, 2001 (PRC approved on July 3, 2001)	10-3-2001 (Boundary Line Modification) (CliffMcDivitt Surveying, Grass Valley (associated with George Wasley Planning)	N/A (boundary line adjustment)
Van Horne, Thomas & Patricia	7-14-2000	7-17-2001	2-28-2003 (Joyce Lorell Surveying)	4
Edwards, Lori	10-19-2001	12-10-2001	11-22-2002 (Joyce Lorell Surveying)	4
Billat, Gary & Allie	10-19-2001	3-6-2002	12-26-2002 (Joyce Lorell Surveying)	3
Jones, Jerald & Benet	March 4, 2003	March 14, 2003	September 30, 2003 (Joyce Lorell Surveying)	3
WAM Trust (Parcel 74, PMLD# T20051115)	12-2-2004	12-1-2005	PENDING, PRC approved the tentative map on 12-21-2005 (JKL Surveying prepared tentative map)	2
WAM Trust (Parcel 90, PMLD# 20051114)	10-30-2003	12-1-2005	PENDING, PRC approved the tentative map on 12-	2

			21-2005 (JKL Surveying prepared tentative map)	
--	--	--	---	--

Survey
Parcel M
Parcel M
Survey M
Parcel M
Parcel M
Parcel M

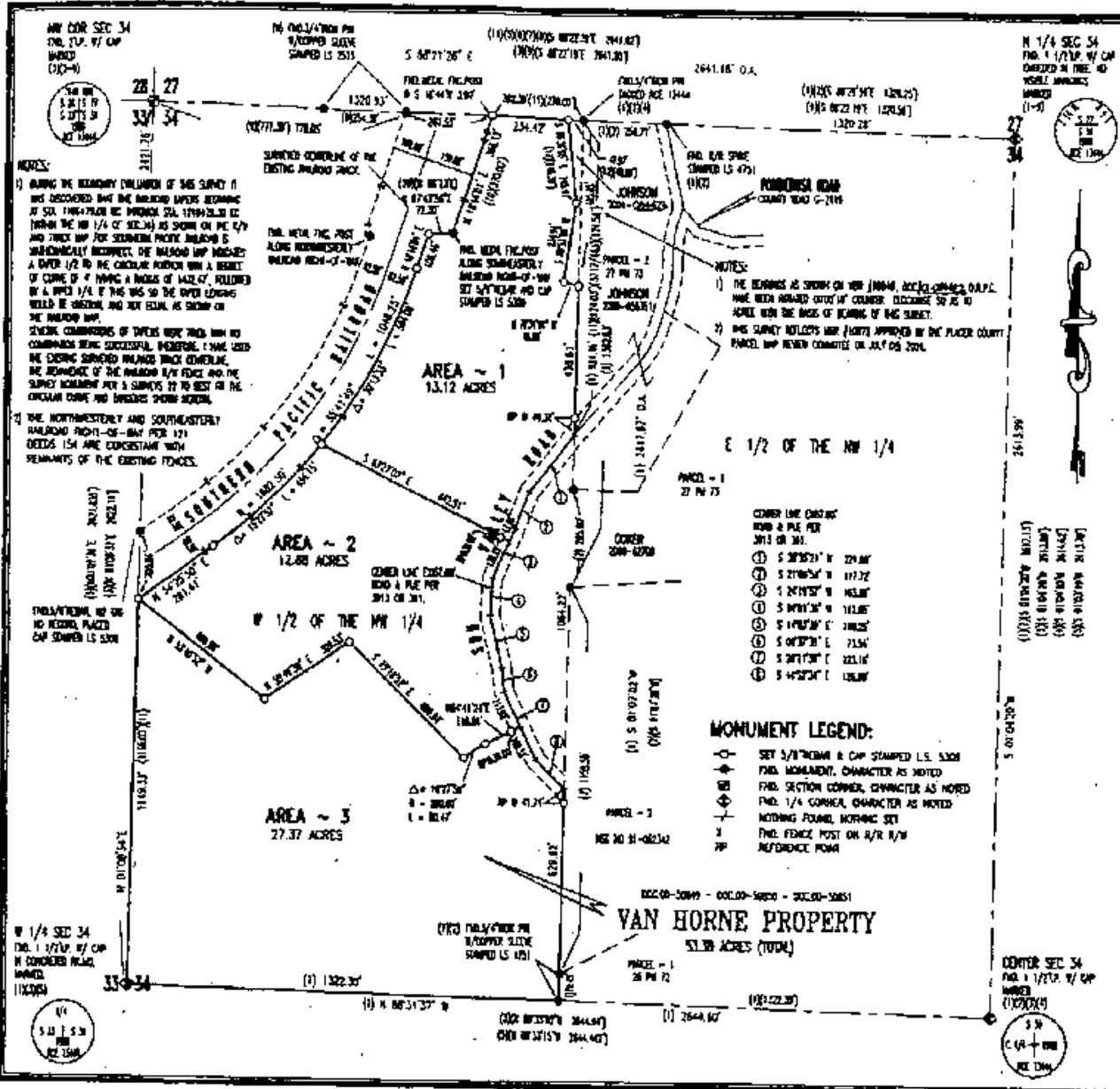


03-22-99 W. 1/4 Sec. Cor.

- 01-04-96
- 07-09-93
- 07-01-93
- 02-22-93
- 11-09-92
- 9-16-92
- 4-27-92
- 6-25-91
- 10-02-90
- 07-19-88
- 11-81
- 7-80
- 8-77
- 3-75

AUTY
CAD

1	N 12° 34' W	253.23'	20	N 60° 00' E	42.50'	39	N 60° 43' W	31.56'
2	N 42° 29' W	75.10'	21	N 79° 00' E	101.50'	40	N 80° 43' W	58.64'
3	N 74° 35' W	101.60'	22	N 63° 03' E	109.20'	41	N 86° 10' W	163.40'
4	N 85° 21' W	89.10'	23	N 42° 03' E	89.70'	42	N 86° 33' W	68.80'
5	N 87° 33' W	79.50'	24	N 86° 17' E	146.80'	43	N 89° 43' W	134.50'
6	N 89° 40' W	129.10'	25	N 63° 19' E	39.10'	44	N 82° 08' W	90.69'
7	N 89° 40' W	129.10'	26	N 89° 43' W	89.40'			
8	N 89° 40' W	129.10'	27	N 89° 43' W	89.40'			
9	N 89° 40' W	129.10'	28	N 89° 43' W	89.40'			
10	N 89° 40' W	129.10'	29	N 89° 43' W	89.40'			
11	N 89° 40' W	129.10'	30	N 89° 43' W	89.40'			
12	N 89° 40' W	129.10'	31	N 89° 43' W	89.40'			
13	N 89° 40' W	129.10'	32	N 89° 43' W	89.40'			
14	N 89° 40' W	129.10'	33	N 89° 43' W	89.40'			
15	N 89° 40' W	129.10'	34	N 89° 43' W	89.40'			
16	N 89° 40' W	129.10'	35	N 89° 43' W	89.40'			



SURVEYOR'S STATEMENT:
 THIS MAP CORRECTLY REPRESENTS A SURVEY MADE BY ME OR UNDER MY DIRECTION IN CONFORMANCE WITH THE REQUIREMENTS OF THE LAND SURVEYORS ACT AT THE REQUEST OF THOMAS S. VAN HORNE IN APRIL 2001.

Cliff McDwitt
 CLIFF MCDWITT, L.S. 5305
 REGISTRATION EXPRES. 12-31-02

COUNTY SURVEYOR'S STATEMENT:
 THIS MAP HAS BEEN EXAMINED IN ACCORDANCE WITH SECTION 8766 OF THE LAND SURVEYORS ACT THIS 24th DAY OF August, 2001.

John DeLaney
 JOHN DELANEY, L.S. 4327
 COUNTY SURVEYOR
 REGISTRATION EXPRES. 04-30-04

RECORD OF SURVEY CERTIFICATE
 THIS RECORD OF SURVEY COMPLES WITH THE PROVISIONS OF THE SUBMISSION MAP ACT, DIVISION 2 (COMMENCING WITH SECTION 64410) OF TITLE 7 OF THE GOVERNMENT CODE AND SUBCHAPTER 1 THROUGH 19 OF CHAPTER 19 OF THE PLACER COUNTY CODE AND RELATED COUNTY ORDINANCES.

DATE: August 24, 2001
John DeLaney
 COUNTY SURVEYOR
 BY: *John DeLaney*
 DEPUTY

RECORDERS STATEMENT:
 FILED THIS 24th DAY OF October 2001, AT 10:11 A.M. IN BOOK 16 OF MAPS, AT PAGE 150, AT THE REQUEST OF THOMAS S. VAN HORNE. DOC. NO. 2001-0628542.

FEES \$ 8.00
Jim McCallie
 JIM MCCALLIE - COUNTY RECORDER
 BY: *Jim McCallie*
 DEPUTY

BASIS OF BEARING:
 ALL BEARINGS IN THIS RECORD ARE BASED UPON THE MONUMENTS FOUND ALONG THE NORTH-SOUTH CENTERLINE OF THE NORTHWEST 1/4 OF SECTION 34 AS ESTABLISHED IN BOOK 26 OF PARCEL MAPS AT PAGE 72, PLACER COUNTY RECORDS.

RECORD DATA:

(1) 26 PM 72	(8) 5 SURVEYS 111	(11) 2000-050851
(2) 27 PM 73	(9) 5 SURVEYS 125	(12) 1991-10044
(3) 3 SURVEYS 73	(10) 18 PM 74	(13) 000-00000000
(4) 1 PM 74	(11) 5 SURVEYS 22	
(5) 5 SURVEYS 114	(12) 121 DEETS 124	

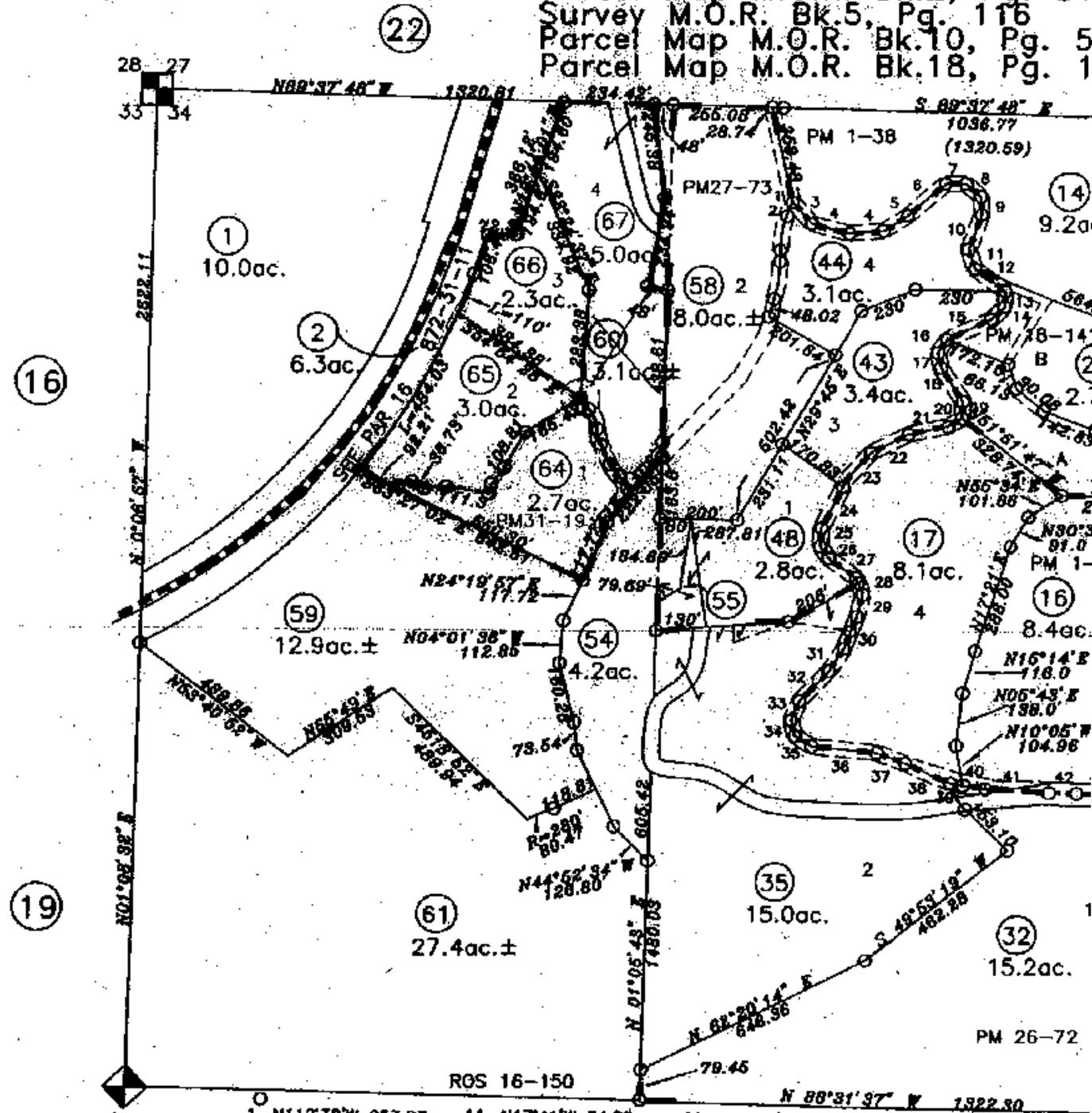
RECORD OF SURVEY #2335 FOR
THOMAS S. VAN HORNE
 BEING THE
 W 1/2 OF THE NW 1/4 OF
 SECTION 34, T.14 N., R.9 E., M.D.M.
 IN THE UNINCORPORATED TOWNSHIP OF
 PLACER COUNTY, CALIFORNIA
 SCALE: 1" = 200' AUG. 2001
CLIFF MCDWITT SURVEYING
 GRASS VALLEY, CALIFORNIA

SV1 Van Horne Record of Survey #2335
 10/3/01 Bk 16 Pg 150

Excerpt from 1860s
archived maps (72-21)

N. 1/2 SEC. 34, T. 1. PA
Survey M.O.R. Bk. 3, Pg. 73
Parcel Map M.O.R. Bk. 1, Pg. 3
Parcel Map M.O.R. Bk. 2, Pg. 31
Survey M.O.R. Bk. 5, Pg. 116
Parcel Map M.O.R. Bk. 10, Pg. 5
Parcel Map M.O.R. Bk. 18, Pg. 1

67



1. N112°38'W 253.23	11. N17°41'W 54.70	20. N80°00'E 42.90	30. N21°03'E 90.60
2. N41°29'W 75.10	12. N53°07'W 97.40	21. N79°00'E 101.50	31. N32°34'E 69.00
3. N74°55'W 101.60	13. N01°25'W 40.50	22. N63°03'E 109.20	32. N43°22'E 110.00
4. N85°21'W 89.10	14. N46°54'E 46.50	23. N42°03'E 89.70	33. N23°05'E 55.00
5. N57°39'W 74.50	15. N84°35'E 123.80	24. 26°17'E 146.80	34. N13°58'W 42.00
6. S49°40'W 128.10	16. N33°28'E 42.20	25. N03°19'W 48.10	35. N56°21'W 52.20
7. S89°49'W 51.00	17. N13°28'W 41.50	26. N35°43'W 39.00	36. N84°09'W 171.10
8. S48°38'W 50.70	18. N33°20'W 104.60	27. N54°34'W 88.40	37. N89°18'W 78.70
9. S03°32'W 47.60	19. N04°09'E 44.80	28. N22°42'W 47.80	38. N65°46'W 128.00
10. N19°27'W 97.70		29. N13°37'W 60.30	

Survey M.O.R. Bk.16, Pg.150 #

12-26-2002
03-20-2002
01-25-2002
10-03-2000
03-22-99 BMJ
PAGE REDRAWN FROM BASE MAP INFORMATION

SURVEYOR'S STATEMENT:

THIS MAP WAS PREPARED BY ME OR UNDER MY DIRECTION AND IS BASED UPON A FIELD SURVEY IN CONFORMANCE WITH THE REQUIREMENTS OF THE SUBDIVISION MAP ACT AND LOCAL ORDINANCE AS THE BENEFIT OF GARY BILLAT IN SEPTEMBER, 2002. I HEREBY STATE THAT THIS PARCEL MAP SUBSTANTIALLY CONFORMS TO THE APPROVED OR CONDITIONALLY APPROVED REFERENCE MAP, IF ANY. ALL MONUMENTS ARE OF THE CHARACTER AND OCCUPY THE POSITIONS INDICATED AND ARE SUFFICIENT TO ENABLE THE SURVEY TO BE REVERSED.

Joyce Lorell
 JOYCE LORELL
 REGISTRATION EXPIRES 12-31-05



COUNTY SURVEYOR'S STATEMENT:

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

WESLEY K. BOYD, AGC 3110
 COUNTY SURVEYOR
 REGISTRATION EXPIRES 6-30-04

DATE: DECEMBER 24, 2002

Charles B. Howard
 BY DEPUTY



COUNTY RECORDER'S CERTIFICATED:

FILED THIS 24th DAY OF DECEMBER, 2002 AT PLACER, IN BOOK 31 OF PARCEL MAPS AT PAGE 28

FEES: \$1,100
 FILE NO. 02-0000-14555

Jim McCauley
 JIM MCCAULEY, COUNTY RECORDER
 BY DEPUTY

MONUMENT LEGEND:

- SET 5/8" IRON & COP STAMPED L.S. 7370
- PINE 5/8" IRON & COP STAMPED L.S. 3306 (1)
- ⊕ PINE SECTION CORNER, CHARACTER AS NOTED
- ✚ MONING FOUND, NOTHING SET

RECORD DATA:
 (1) IN SHEETS 150

BASIS OF BEARING:

ALL BEARINGS IN THIS RECORD ARE BASED UPON MONUMENTS FOUND AS ESTABLISHED IN BOOK 18 OF SURVEYS AT PAGE 150, PLACER COUNTY RECORDS.

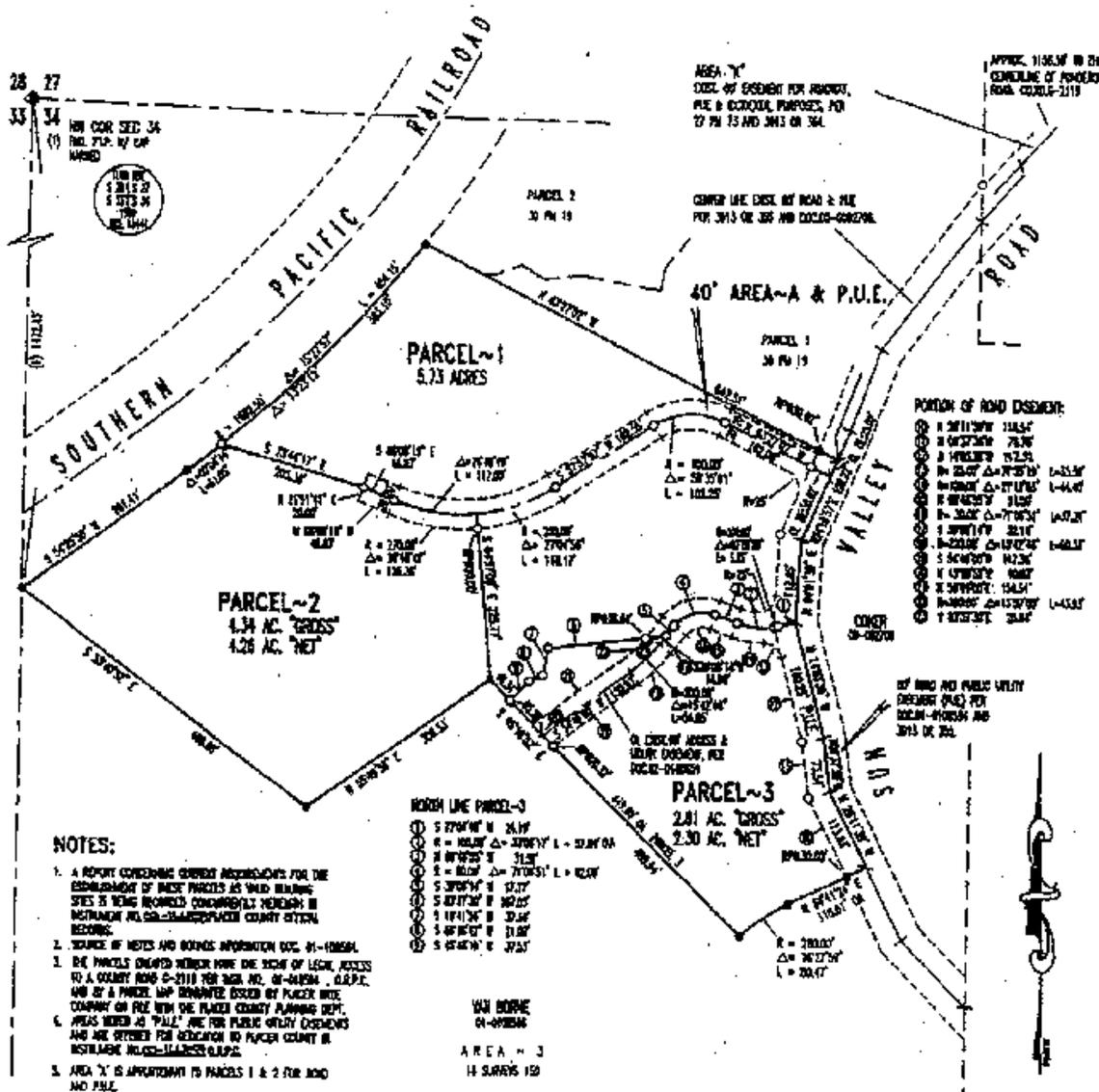
PARCEL MAP P-75891 FOR

GARY BILLAT

SHOW A PORTION OF
 W. 1/2 OF THE N.W. 1/4 OF
 SECTION 34, T.14 N., R.9 E., M.D.M.
 IN THE UNINCORPORATED TERRITORY OF
 PLACER COUNTY, CALIFORNIA
 SCALE 1" = 100' SEPTEMBER, 2002

JOYCE LORELL SURVEYING
 GRASS VALLEY, CALIFORNIA

SHEET 1 OF 2



AREA "X"
 DESIG. BY EVIDENCE FOR RIGHTS,
 PER EVIDENCE, PURPOSES, FOR
 27 PM 73 AND 3013 OF 764.

APPROX. 1166.5M IN THE
 EXTENSION OF POWERLINE
 ROAD COORDS-2119

CENTER LINE DESIG. BY ROAD & FILE
 FOR 3013 OF 764 AND COORDS-209046

40' AREA-A & P.U.E.

- PORTION OF ROAD EASEMENT:**
- 1 2011' 20" 114.57' L-144.57'
 - 2 0127' 20" 78.76' L-144.57'
 - 3 1162' 20" 112.25' L-144.57'
 - 4 1162' 20" 112.25' L-144.57'
 - 5 1162' 20" 112.25' L-144.57'
 - 6 1162' 20" 112.25' L-144.57'
 - 7 1162' 20" 112.25' L-144.57'
 - 8 1162' 20" 112.25' L-144.57'
 - 9 1162' 20" 112.25' L-144.57'
 - 10 1162' 20" 112.25' L-144.57'
 - 11 1162' 20" 112.25' L-144.57'
 - 12 1162' 20" 112.25' L-144.57'
 - 13 1162' 20" 112.25' L-144.57'
 - 14 1162' 20" 112.25' L-144.57'
 - 15 1162' 20" 112.25' L-144.57'
 - 16 1162' 20" 112.25' L-144.57'
 - 17 1162' 20" 112.25' L-144.57'
 - 18 1162' 20" 112.25' L-144.57'
 - 19 1162' 20" 112.25' L-144.57'
 - 20 1162' 20" 112.25' L-144.57'

- BOUNDARY PARCEL-3**
- 1 5770' 0" 21.19'
 - 2 1162' 20" 112.25'
 - 3 1162' 20" 112.25'
 - 4 1162' 20" 112.25'
 - 5 1162' 20" 112.25'
 - 6 1162' 20" 112.25'
 - 7 1162' 20" 112.25'
 - 8 1162' 20" 112.25'
 - 9 1162' 20" 112.25'
 - 10 1162' 20" 112.25'
 - 11 1162' 20" 112.25'
 - 12 1162' 20" 112.25'
 - 13 1162' 20" 112.25'
 - 14 1162' 20" 112.25'
 - 15 1162' 20" 112.25'
 - 16 1162' 20" 112.25'
 - 17 1162' 20" 112.25'
 - 18 1162' 20" 112.25'
 - 19 1162' 20" 112.25'
 - 20 1162' 20" 112.25'

VAL HORNE
 04-07-2004

AREA - 3
 14 SURVEY 150

NOTES:

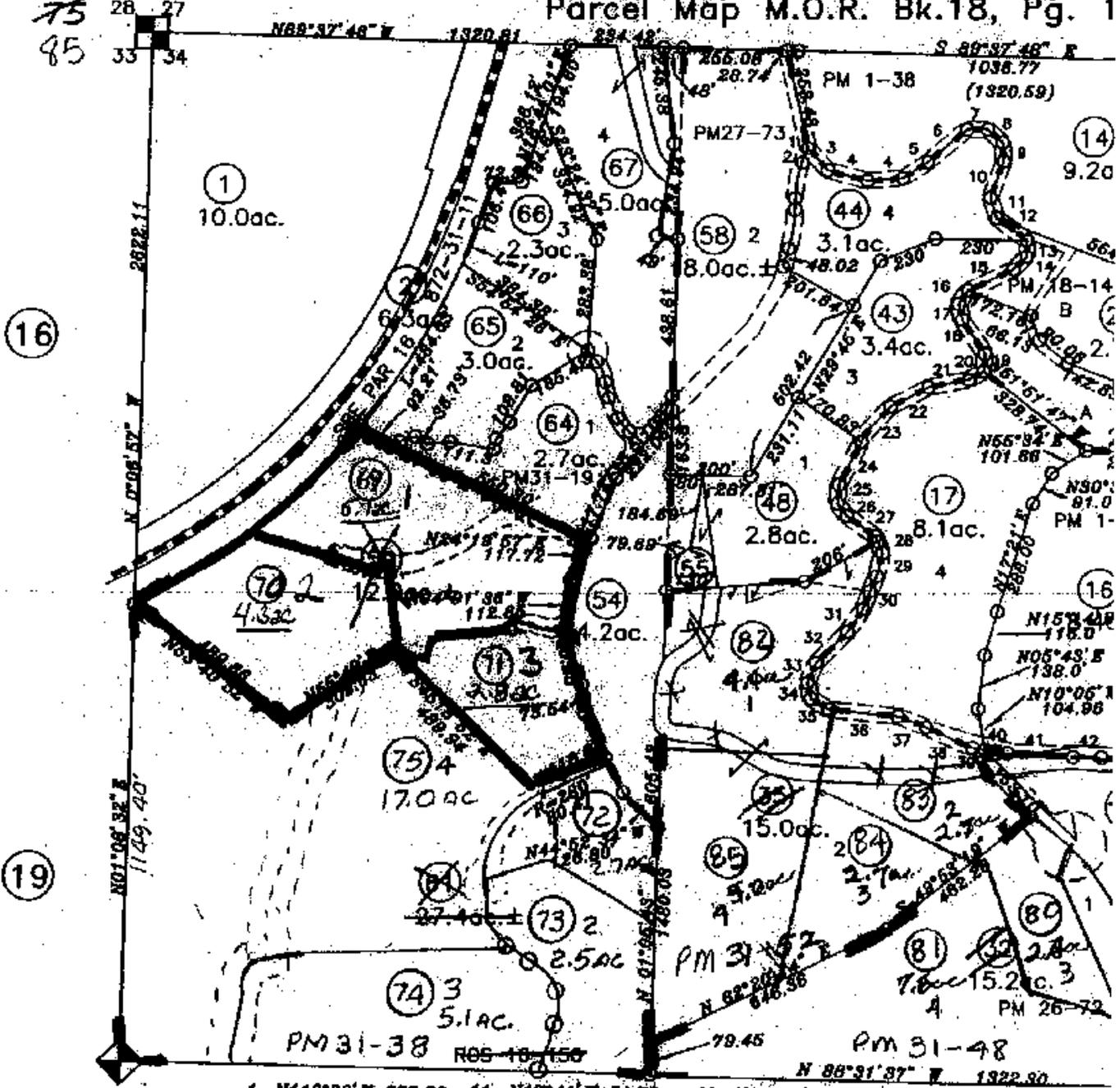
1. A REPORT CONCERNING CURRENT RECORDATIONS FOR THE ESTABLISHMENT OF THESE PARCELS AS W/ED BEARING STAKES IS BEING REQUESTED CONCURRENTLY HEREON IN INSTRUMENT NO. 02-0000-14555 PLACER COUNTY OFFICE RECORDS.
2. RECORD OF NOTES AND BOUNDARY INFORMATION SEE 01-10-2004.
3. THE PARCELS CREATED HEREON HAVE THE RIGHT OF LEGAL ACCESS TO A COUNTY ROAD 6-2119 FOR HIGH NO. 01-04-2004, O.C.P.D. USE OF A PARCEL MAP IS NECESSARY ISSUED BY PLACER CO. COUNTY OR PER THE PLACER COUNTY PLANNING DEPT.
4. AREAS MARKED AS "P.U.E." ARE FOR PUBLIC UTILITY EASEMENTS AND ARE SUBJECT FOR REVISION BY PLACER COUNTY IN INSTRUMENT NO. 02-0000-14555.
5. AREA "X" IS APPLICABLE TO PARCELS 1 & 2 PER 3013 AND NO FILE.

SV1
 12/26/02
 Billat
 Parcel Map P75891
 BK 31 Pg 28

Excerpt from Placer Co Assessor's
 Archived maps. (72-21)

N. 1/2 SEC. 34, T. 1. N.
 Survey M.O.R. Bk. 3, Pg. 73
 Parcel Map M.O.R. Bk. 1, Pg. 3
 Parcel Map M.O.R. Bk. 2, Pg. 31
 Survey M.O.R. Bk. 5, Pg. 116
 Parcel Map M.O.R. Bk. 10, Pg. 5
 Parcel Map M.O.R. Bk. 18, Pg. 1

67
 68
 71
 75
 85



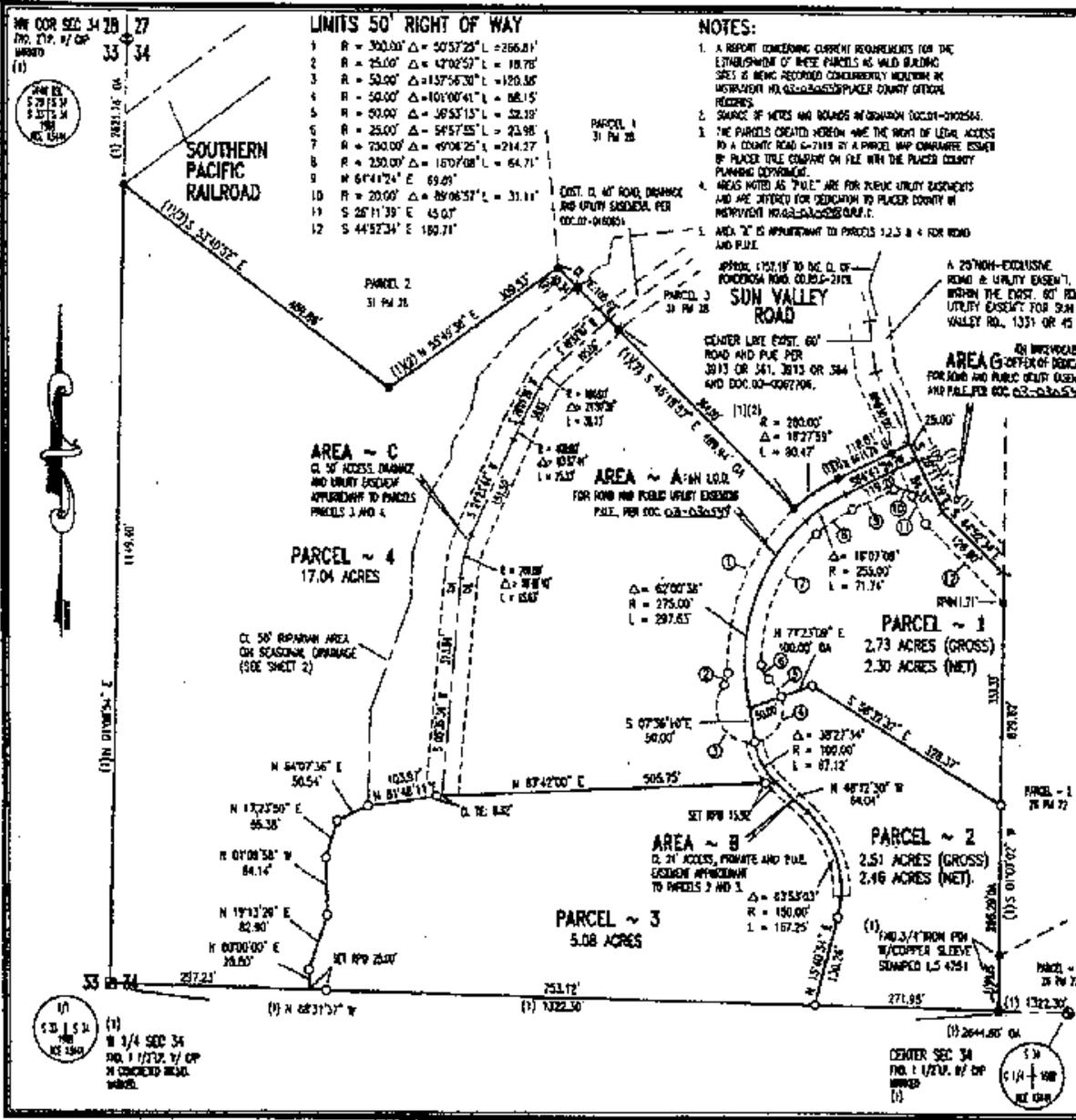
16

19

1. N112°38'W 259.23	11. N17°41'W 64.70	20. N60°00'E 42.90	30. N21°03'E 90.0
2. N41°29'W 75.10	12. N53°07'W 97.40	21. N79°00'E 101.60	31. N32°34'E 89.0
3. N74°55'W 101.60	13. N01°25'W 40.50	22. N63°09'E 109.20	32. N43°22'E 110.0
4. N85°21'W 89.10	14. N46°54'E 46.60	23. N42°03'E 88.70	33. N23°05'E 56.0
5. N67°39'W 74.60	15. N64°36'E 123.80	24. S6°17'E 148.80	34. N13°58'W 42.0
6. S49°40'W 128.10	16. N35°28'E 42.20	25. N08°19'W 48.10	35. N68°21'W 62.0
7. S89°49'W 61.00	17. N13°28'W 41.50	26. N36°43'W 39.00	36. N84°08'W 171.0
8. S48°38'W 60.70	18. N33°20'W 104.80	27. N54°34'W 88.40	37. N89°18'W 78.0
9. S03°32'W 47.80	19. N04°09'E 44.80	28. N22°42'W 47.80	38. N65°46'W 128.0
10. N19°27'W 97.70		29. N13°37'W 60.80	

07-26-2003
 07-02-2003
 04-07-2003
 02-05-2003
 12-26-2002
 03-20-2002
 01-25-2002
 10-03-2000
 03-22-99 BMJ
 PAGE REDRAWN FROM BASE MAP INFORMATION

Survey M.O.R. Bk. 16, Pg. 150 #
 Parcel M.O.R. Bk. 31, Pg. 28, P-75
 Parcel M.O.R. Bk. 31, Pg. 38, P-75
 Survey M.O.R. Bk. 17, Pg. 93 # 24
 Parcel M.O.R. Bk. 31, Pg. 28, P-75
 Parcel M.O.R. Bk. 31, Pg. 48, P-75



NOTES:

- A REPORT CONCERNING CURRENT REQUIREMENTS FOR THE ESTABLISHMENT OF THESE PARCELS AS VALID BLADING SITES IS BEING RECORDED CONCURRENTLY WITH THIS INSTRUMENT IN PLACER COUNTY RECORDS.
- SOURCE OF NOTES AND BOUNDS INFORMATION: (1) 00001-0100564.
- THE PARCELS CREATED HEREON HAVE THE RIGHT OF LEGAL ACCESS TO A COUNTY ROAD 6-7119 BY A PARCEL MAP COMPASS EASER BY PLACER TITLE COMPANY ON FILE WITH THE PLACER COUNTY PLANNING DEPARTMENT.
- AREAS NOTED AS "PUBLIC" ARE FOR PUBLIC UTILITY EASEMENTS AND ARE OFFERED FOR DEDICATION TO PLACER COUNTY IN INSTRUMENT NO. 2002-0020547.

SURVEYOR'S STATEMENT:

THIS MAP WAS PREPARED BY ME OR UNDER MY DIRECTION AND IS BASED UPON A FIELD SURVEY IN CONFORMANCE WITH THE REQUIREMENTS OF THE SUBDIVISION MAP ACT AND LOCAL ORDINANCE AS THE REQUEST OF TOM VAN HORNE, IN DECEMBER, 2001. I HEREBY STATE THAT THIS PARCEL MAP SUBSTANTIALLY CONFORMS TO THE APPROVED OR CONDITIONALLY APPROVED TENTATIVE MAP, IF ANY. ALL MONUMENTS ARE OF THE CHARACTER AND DEPTH THE POSITIONS INDICATED AND ARE SUFFICIENT TO ENABLE THE SURVEY TO BE RETRIEVED.

Joyce Lorell
 JOYCE LORELL
 REGISTRATION EXPIRES: 12-31-05

COUNTY SURVEYOR'S STATEMENT:

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

WESLEY K. ZICKER, R.C.L. 37190
 COUNTY SURVEYOR
 REGISTRATION EXPIRES: 6-30-04

Paul R. Hunt
 BY DEPUTY

COUNTY RECORDER'S CERTIFICATED:

FILED THIS 27 DAY OF February 2003 IN PLACER COUNTY, CALIFORNIA, IN BOOK 31 OF PARCEL MAPS AT PAGE 38, AT THE REQUEST OF JOYCE LORELL.

FILE # 2002-0020547

W. McCREARY, COUNTY RECORDER
 BY DEPUTY *Hayden*

RECORD DATA:

(1) 18 SURVEYS 130
 (2) 31 PM 28

BASIS OF BEARING:

ALL BEARINGS IN THIS RECORD ARE BASED UPON MONUMENTS FOUND AS ESTABLISHED IN BOOK 16 OF SURVEYS AT PAGE 150, PLACER COUNTY RECORDS.

PARCEL MAP P-75851 FOR THOMAS S. VAN HORNE

BEING A PORTION OF
 W. 1/2 OF THE N.W. 1/4 OF
 SECTION 34, T.14 N., R.9 E., M.D.M.
 IN THE UNINCORPORATED TERRITORY OF
 PLACER COUNTY, CALIFORNIA

SCALE: 1" = 100' SEPTEMBER, 2002

JOYCE LORELL SURVEYING
 GRASS VALLEY, CALIFORNIA

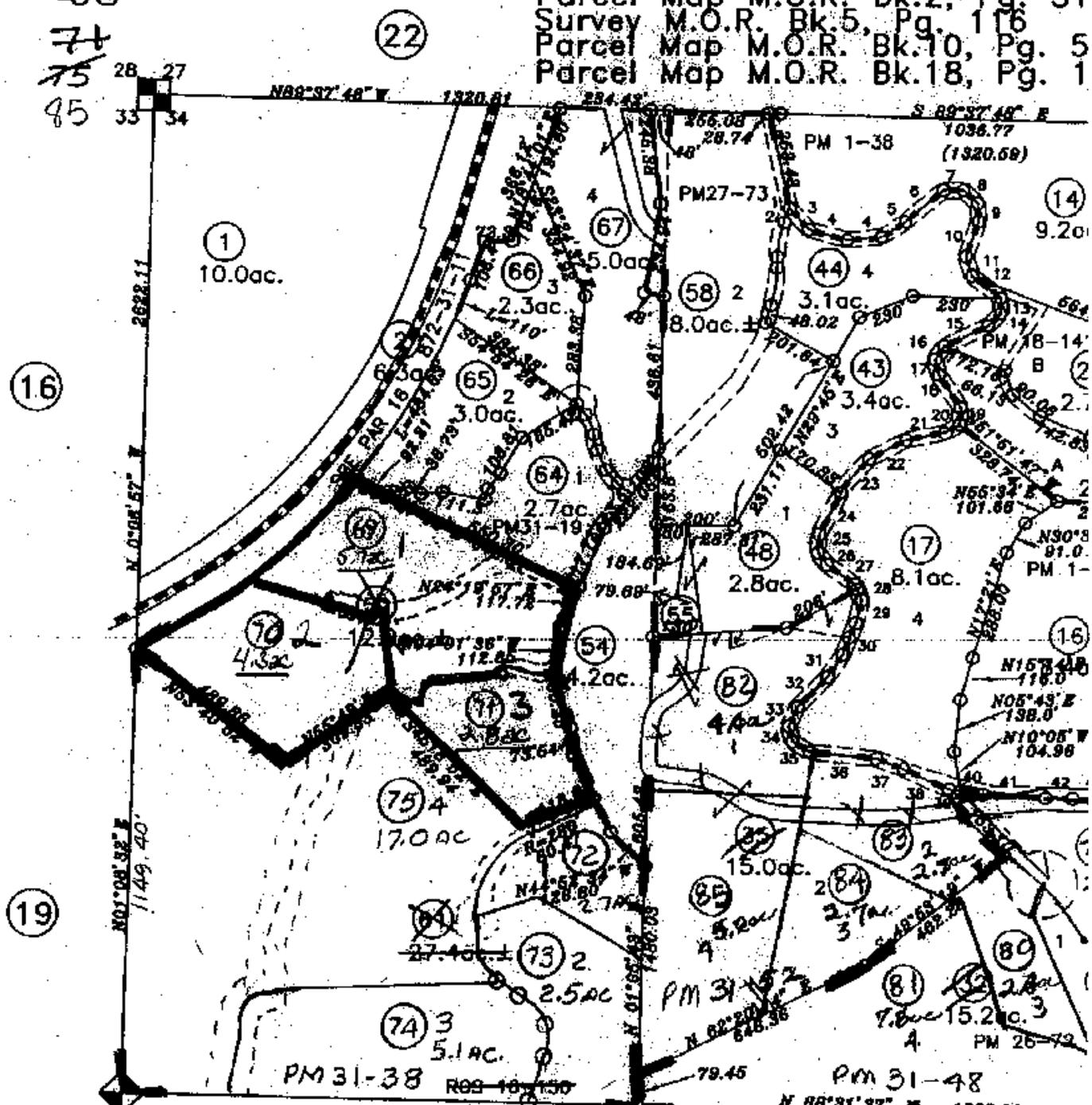
SHEET 1 OF 2

SV1
 Van Horne Parcel Map P-75851
 2/28/03
 Bk 31 Pg 38

Excerpt from Placer Co Assessor's
Archived maps. (12-21)

N. 1/2 SEC 34, T. 1, PA
Survey M.O.R. Bk. 3, Pg. 73
Parcel Map M.O.R. Bk. 1, Pg. 3
Parcel Map M.O.R. Bk. 2, Pg. 31
Survey M.O.R. Bk. 5, Pg. 116
Parcel Map M.O.R. Bk. 10, Pg. 5
Parcel Map M.O.R. Bk. 18, Pg. 1

67
68
74
75
85



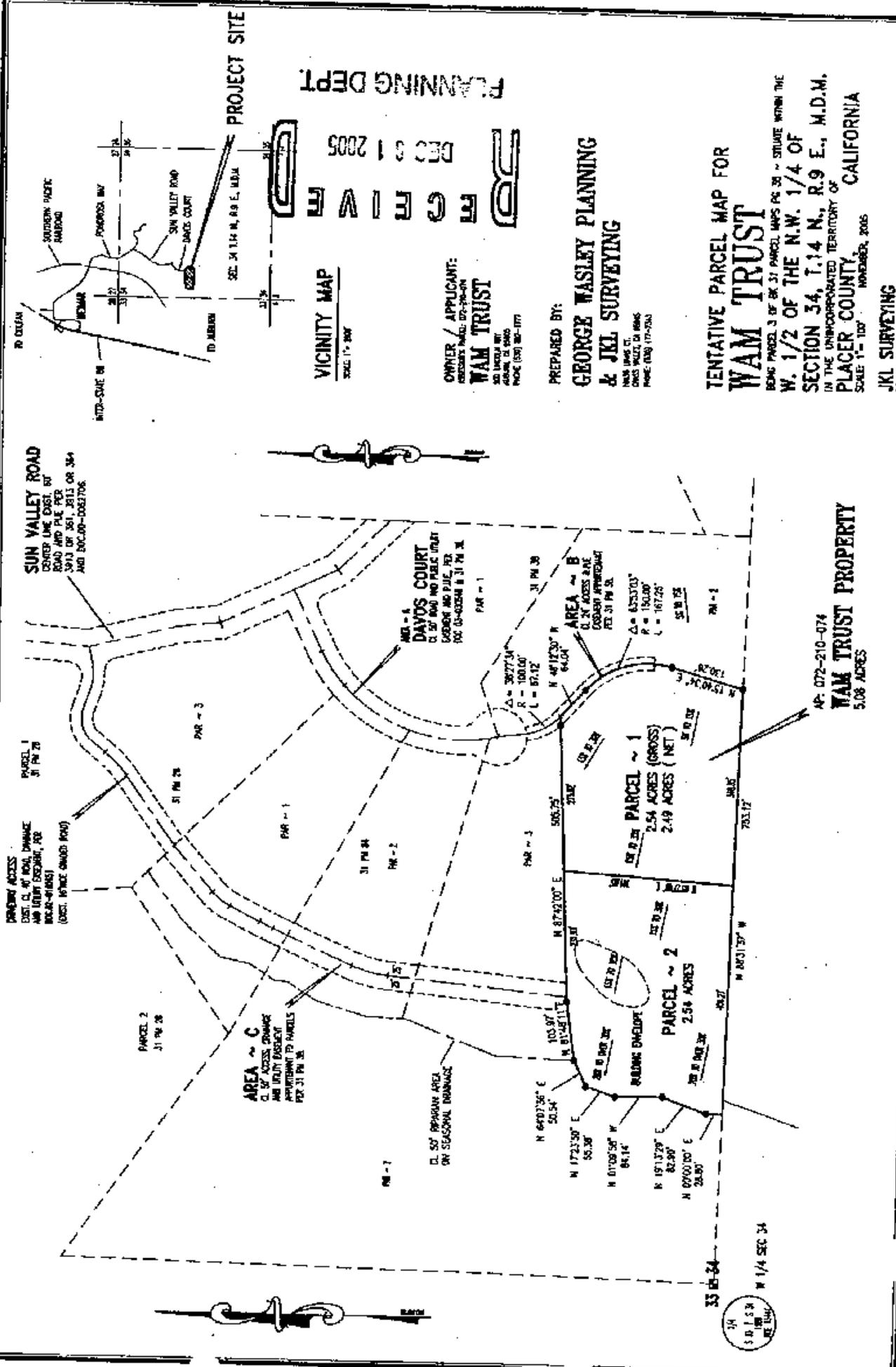
1. N112°38'W 869.29	11. N17°41'W 64.70	20. N80°00'E 42.90	30. N21°03'E 90.8
2. N41°29'W 76.10	12. N59°07'W 97.40	21. N70°00'E 101.60	31. N32°34'E 89.0
3. N74°55'W 101.80	13. N01°25'W 40.50	22. N65°05'E 109.20	32. N45°28'E 110.
4. N86°21'W 89.10	14. N46°44'E 48.50	23. N42°03'E 89.70	33. N23°05'E 56.0
5. N57°39'W 74.50	15. N64°36'E 123.80	24. 26°17'E 146.80	34. N13°58'W 42.0
6. S48°40'W 128.10	16. N33°28'E 42.20	25. N03°19'W 49.10	35. N58°21'W 62.2
7. S89°49'W 51.00	17. N13°28'W 41.50	26. N36°49'W 39.00	36. N84°09'W 171.
8. S48°36'W 50.70	18. N33°20'W 104.60	27. N64°34'W 88.40	37. N89°18'W 78.7
9. S05°32'W 47.80	19. N04°08'E 44.80	28. N28°42'W 47.80	38. N66°46'W 128.
10. N18°27'W 97.70		29. N13°37'W 60.30	

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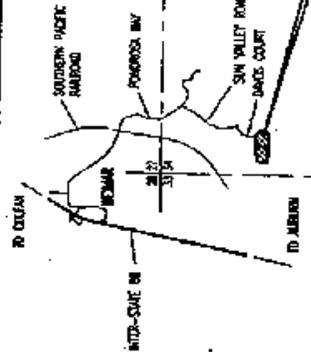
Survey M.O.R. Bk. 16, Pg. 150 #
Parcel M.O.R. Bk. 31, Pg. 28, P-758
Parcel M.O.R. Bk. 31, Pg. 38, P-758
Survey M.O.R. Bk. 17, Pg. 92 # 24
Parcel M.O.R. Bk. 31, Pg. 52, P-758
Parcel M.O.R. Bk. 31, Pg. 48, P-758

EXISTING LOT 74 - PARCEL MAP PENDING

(MLO #T 2005/1115)

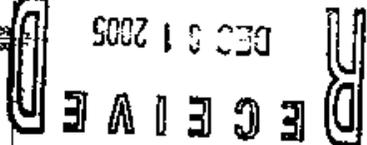


SUN VALLEY ROAD
 CENTER LINE DIST. BY ROAD AND FILE PER 3413 OF 201, 2813 OR 384 AND ENCLOSURE 0082708



PLANNING DEPT.

DEC 31 2005



WAM TRUST
 SCALE 1" = 200'

OWNER / APPLICANT:
WAM TRUST
 ADDRESS: 1000 S. 1000
 SUITE 100
 PLACER COUNTY, CA 95662
 PHONE: (916) 962-1177

PREPARED BY:
GEORGE WASLEY PLANNING & JKL SURVEYING
 1000 S. 1000
 SUITE 100
 PLACER COUNTY, CA 95662
 PHONE: (916) 962-1177

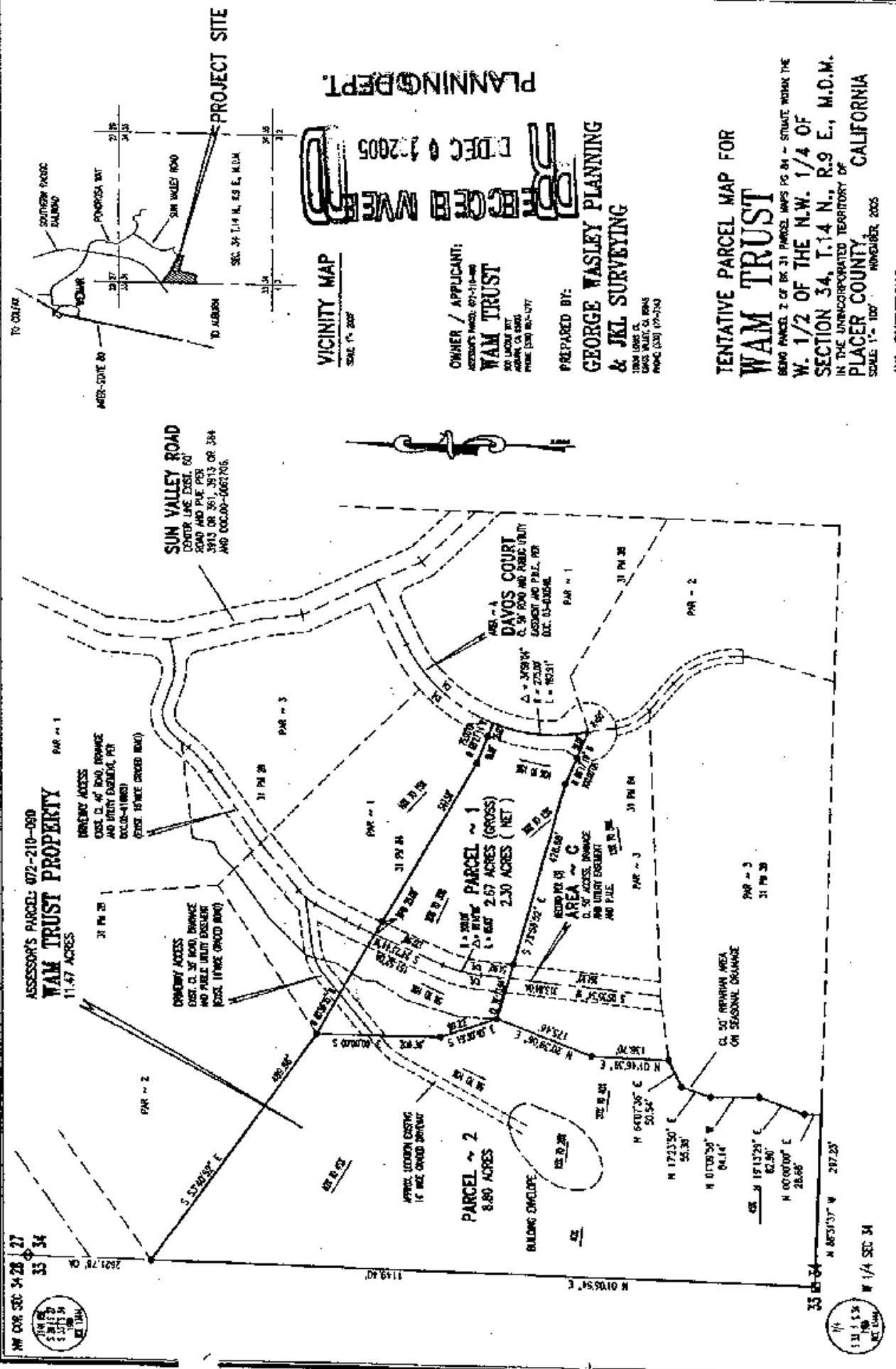
TENTATIVE PARCEL MAP FOR WAM TRUST

BEING PARCEL 3 OF BK 31 PARCEL MAPS PG 38 ~ SITUATE WITHIN THE W. 1/2 OF THE N.W. 1/4 OF SECTION 34, T.14 N., R.9 E., M.D.M. IN THE UNINCORPORATED TERRITORY OF PLACER COUNTY, CALIFORNIA
 SCALE 1" = 100' NOVEMBER, 2005

JKL SURVEYING
 CALIFORNIA
 GRASS VALLEY

AP: 072-210-074
WAM TRUST PROPERTY
 5.08 ACRES

EXISTING LOT 90 - PARCEL MA PENDING (M/D 2005/1/4)



VICINITY MAP
 SCALE 1" = 200'

PLANNING DEPT.
 DEC 9 12 2005

OWNER / APPLICANT:
 ACCOUNTS UNDER: 072-210-090
WAM TRUST
 300 LUCKY BKT
 ANAHEIM, CA 92805
 PHONE: (714) 862-4777

PREPARED BY:
GEORGE WASLEY PLANNING & JKL SURVEYING
 17000 LINDS BL.
 GROSS VALLEY, CA 95628
 PHONE: (530) 177-7343

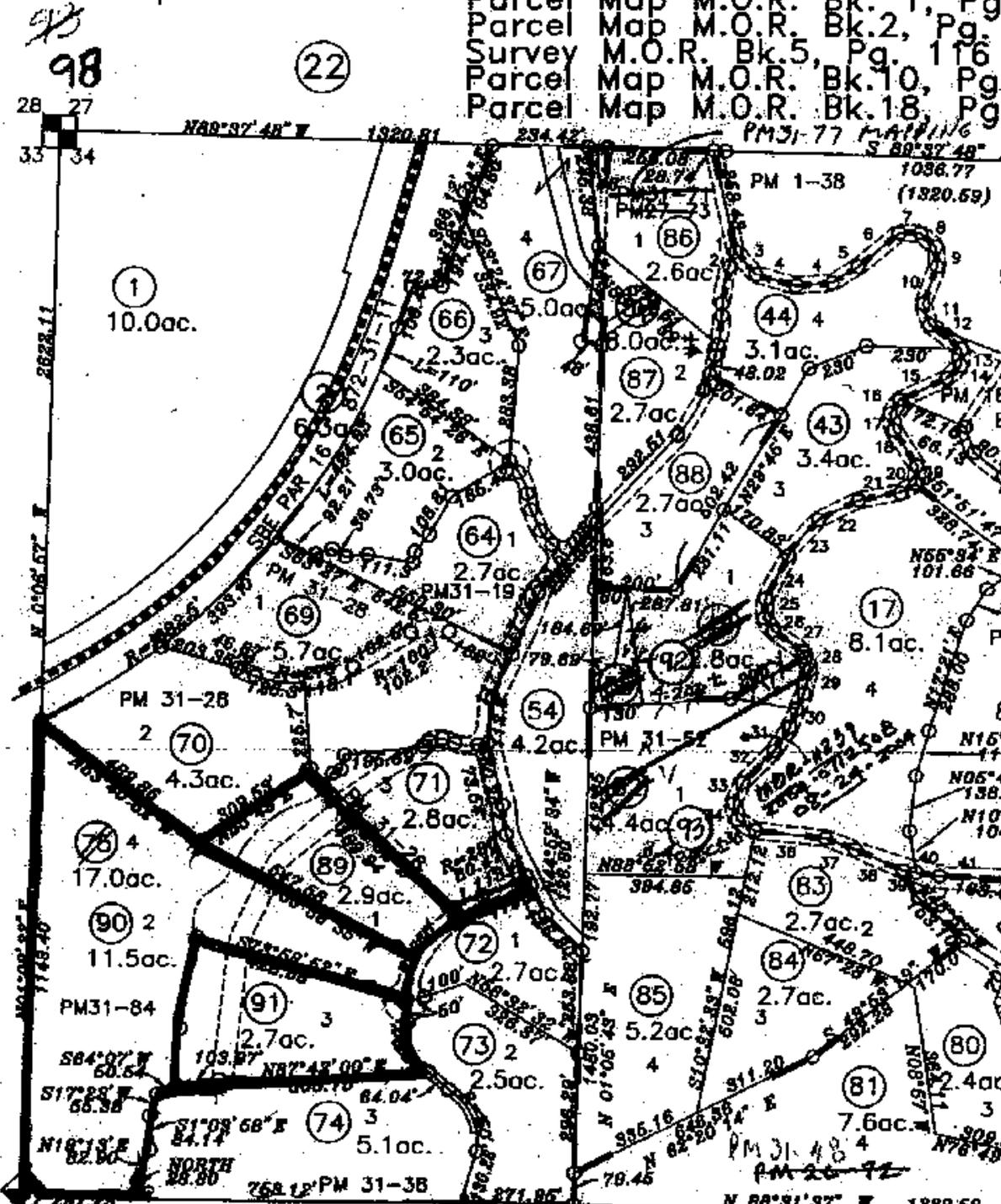
TENTATIVE PARCEL MAP FOR WAM TRUST
 BEING PARCEL 2 OF BK 31 PARCELS MAPS PG 84 - SITUATE WITHIN THE W. 1/2 OF THE N.W. 1/4 OF SECTION 34, T.14 N., R.9 E., M.D.M. IN THE UNINCORPORATED TERRITORY OF PLACER COUNTY, CALIFORNIA
 SCALE 1" = 100' NUMBER: 2005

JKL SURVEYING
 GROSS VALLEY, CALIFORNIA

Excerpt
Archived

from Placer Co Assessors
97 maps (72-21)

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Parcel Map M.O.R. Bk. 1, Pg.
Parcel Map M.O.R. Bk. 2, Pg.
Survey M.O.R. Bk. 5, Pg. 116
Parcel Map M.O.R. Bk. 10, Pg.
Parcel Map M.O.R. Bk. 18, Pg.



W.1/4 SEC. COR.

1. N112°38' W 253.23	11. N17°41' W 64.70	20. N00°00' E 42.80	30. N21°08' E
2. N41°29' W 75.10	12. N53°07' W 97.40	21. N75°00' E 101.50	31. N32°34' E
3. N74°55' W 101.80	13. N01°25' W 40.50	22. N63°03' E 109.20	32. N43°22' E
4. N85°21' W 88.10	14. N46°54' E 48.50	23. N42°09' E 89.70	33. N23°05' E
5. N57°39' W 74.50	15. N84°35' E 123.80	24. 26°17' E 146.60	34. N13°58' W
6. S49°40' W 128.10	16. N33°28' E 42.20	25. N03°18' W 48.10	35. N58°21' W
7. S88°49' W 61.00	17. N13°28' W 41.50	26. N35°43' W 39.00	36. N84°00' W
8. S48°38' W 50.70	18. N33°20' W 104.80	27. N54°34' W 88.40	37. N88°18' W
9. S03°32' W 47.60	19. N04°09' E 44.80	28. N22°42' W 47.80	38. N85°46' W
10. N18°27' W 97.70		29. N13°37' W 80.80	

03-02-2005

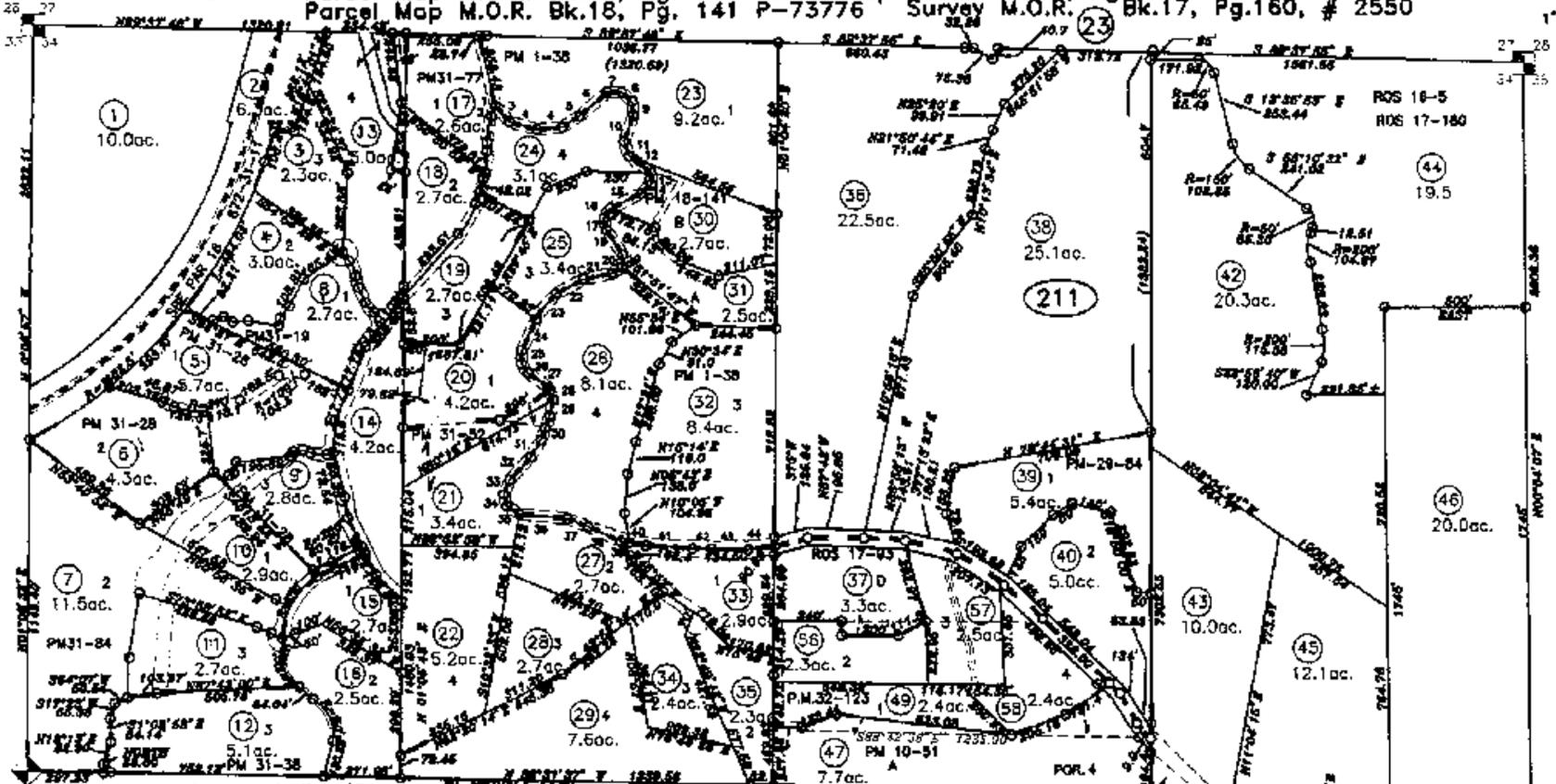
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- 03-20-2002
- 01-25-2002
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- 03-22-99

Survey M.O.R. Bk. 16, Pg. 150 # 1335
 Parcel M.O.R. Bk. 31, Pg. 28
 Parcel M.O.R. Bk. 31, Pg. 38, P-75851
 Parcel M.O.R. Bk. 31, Pg. 48, P-75882
 Parcel M.O.R. Bk. 31, Pg. 52, P-75783

PAGE REDRAWN FROM BASE MAP INFORMATION

Survey M.O.R. Bk. 17, Pg. 93 #2459

N.1/2 SEC.34, T.14 N., R.9 E., M.D.B.&M.
 Survey M.O.R. Bk. 3, Pg. 73 Parcel Map M.O.R. Bk.26, Pg. 72 P-75300
 Parcel Map M.O.R. Bk. 1, Pg. 38 Parcel Map M.O.R. Bk.27, Pg. 73 P-75370
 Parcel Map M.O.R. Bk.2, Pg. 31 Parcel Map M.O.R. Bk.29, Pg. 84 P-75621
 Survey M.O.R. Bk.5, Pg. 116 Parcel Map M.O.R. Bk.16, Pg.5, # 2195
 Parcel Map M.O.R. Bk.10, Pg. 51 Parcel Map M.O.R. Bk.31, Pg. 19, P-75880
 Parcel Map M.O.R. Bk.18, Pg. 141 P-73776 Survey M.O.R. Bk.17, Pg.160, # 2550



W. 1/4 SEC. 34 COR.

1. N112°29' E 58.25	11. N1°41' W 54.70	21. N89°00' E 191.58	30. N21°00' E 80.00
2. N41°25' W 78.10	12. N63°00' E 97.46	22. N85°00' E 108.25	31. S21°54' E 68.00
3. N70°55' W 181.80	13. N01°25' W 49.58	23. N43°22' E 110.00	32. N43°22' E 110.00
4. N80°21' W 68.10	14. N40°24' E 46.50	24. S21°10' E 148.00	33. N10°00' E 66.00
5. N57°38' W 74.80	15. N86°36' E 123.80	25. N83°15' E 48.70	34. N10°00' E 66.00
6. S44°40' W 128.19	16. N33°38' E 62.80	26. N80°43' E 28.00	35. N80°43' E 28.00
7. S89°48' E 67.90	17. N1°28' W 47.50	27. N51°54' E 98.40	36. N80°08' W 171.70
8. S44°28' E 69.10	18. N63°50' E 106.50	28. N83°42' E 71.80	37. N80°18' W 78.70
9. S30°38' E 39.65	19. N00°00' E 44.80	29. N73°23' E 49.90	38. N85°48' W 128.00
10. N11°27' E 39.70			39. N80°42' E 37.38
			40. N80°42' E 37.38
			41. N80°10' W 148.40
			42. N80°33' E 82.50
			43. N80°43' W 124.50
			44. S81°08' W 85.68

Parcel M.O.R. Bk. 32, Pg. 123
 Survey M.O.R. Bk.16, Pg.150 # 1335
 Parcel M.O.R. Bk. 31, Pg. 28
 Parcel M.O.R. Bk. 31, Pg. 38, P-75851
 Parcel M.O.R. Bk. 31, Pg. 48, P-75882
 Parcel M.O.R. Bk. 31, Pg. 52, P-75783

Parcel M.O.R. Bk. 31 Pg. 84
 Parcel M.O.R. Bk. 31 Pg. 77
 Survey M.O.R. Bk.17, Pg.93 #2459

NOTE
 This map was prepared for assessment purposes only, and is not intended to illustrate legal building sites or establish precedence over local ordinances. Official information concerning size or use of any parcel should be obtained from recorded documents and local governing agencies.

Assessor's Map Bk.72 Pg.21
 County of Placer, Calif.

NOTE
 Assessor's Block Numbers Shown in Ellipses.
 Assessor's Parcel Numbers Shown in Circles.

03-01-2007
 BSAJ
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