



## County of Lassen

### Department of Planning and Building Services

• Planning

• Building Permits

• Code Enforcement

• Surveyor

• Surface Mining

November 18, 2021

**Maurice L. Anderson, Director**

707 Nevada Street, Suite 5

Susanville, CA 96130-3912

Phone: 530 251-8269

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email: landuse@co.lassen.ca.us

website: www.co.lassen.ca.us

TO: Technical Advisory Committee  
Agenda Date: December 2, 2021

Zoning & Building

Inspection Requests

Phone: 530 257-5263

FROM: Maurice Anderson, Director

*MAN FOR*

RE: Merger #2021-003, Mendiboure

# DRAFT

#### Project Description

**MERGER #2021-003, Mendiboure.** The applicant is proposing a merger between two parcels that together total approximately 640 acres. The subject parcels are zoned U-C-2 (Upland Conservation/Resource Management District) and are designated “Extensive Agriculture” by the *Lassen County General Plan, 2000*. The proposed project is exempt from the California Environmental Quality Act (CEQA) under Section 15305 of the CEQA Guidelines. The subject parcels are located approximately seven miles south of Madeline, CA and one-half mile east of Highway 395. Parcel A: APN 031-090-11. Parcel B: APN 031-300-53. Staff Contact: Nancy McAllister, Senior Planner

#### **The Planning Division of the Lassen County Department of Planning and Building Services finds as follows:**

1. The applicant has submitted Merger Application #2021-003, proposing a merger of two parcels that together total approximately 640 acres.
2. Currently, “Parcel A” is approximately 40 acres in size, and “Parcel B” is approximately 600 acres in size.
3. The 1975 conveyance of lands known as APN 031-090-011 (“Parcel A”) resulted in a violation of the Subdivision Map Act, since a division of land was completed without filing a parcel map. To remedy the violation, the current property owner has requested that a voluntary merger be completed, which combines these lands with those known as APN 031-300-053 (“Parcel B”), a legal parcel.
4. The subject parcels are zoned U-C-2 (Upland Conservation/Resource Management District) have an “Extensive Agriculture” land use designation, pursuant to the *Lassen County General Plan, 2000*.
5. The subject parcels are located approximately seven miles south of Madeline, CA and one-half mile east of Highway 395.

6. The subject parcels appear to be vacant and the Assessor's office shows no improvements on either parcel.
7. The proposed merger is consistent with the *Lassen County General Plan, 2000* and the zoning standards set forth in Title 18 of the Lassen County Code.
8. The land use element of the *Lassen County General Plan, 2000* describes the "Extensive Agriculture" land use designation as follows:

***Extensive Agriculture***

*"The Extensive Agriculture designation primarily represents typical rangeland areas with grazing and general rangeland values, natural wildlife habitat, open space and scenic values, and/or low intensity outdoor-oriented recreational values. It also includes general forest areas, timber production areas and related uses. Large parcel sizes are required to support and protect resource values. Except in special "open space" areas, it may accommodate limited dispersed residential uses; however, such uses will typically be related and secondary to agricultural and other resource based land uses, including dispersed recreation and mining. Subject to County permit requirements and the provisions of related elements of the General Plan, areas designated Extensive Agriculture may also accommodate natural resource-related production facilities, including but not limited to: mineral extraction and processing, including asphalt and similar plants; saw mills and logging operations; and facilities for the processing of agricultural products..."*

*...To the extent that residential uses are allowed, building intensity will generally not exceed .025 DUA. Population density will generally average .067 PPA. Exceptions to these averages would include limited farm labor housing facilities.*

*Corresponding Zoning: "U-C", Upland Conservation District; "U-C-2", Upland Conservation/Resource Management District; "TPZ", Timber Production Zone."*

9. Lassen County Code Section 18.69.050(a) states:

*"Minimum lot size. The proposed size of newly created parcels shall be consistent with the intent of the applicable general plan land use designation, but shall not, except as otherwise provided in this title, be less than eighty acres, or as specified in a project for which a use permit has been secured."*

10. The requirements for mergers in Lassen County are established by Lassen County Code, Title 16, Chapter 16.40. Voluntary mergers that are initiated by property owners are operatively completed under Title 16, Chapter 16.12, Section 16.12.040, of the Lassen County Code (Lot Line Adjustments).

11. The Technical Advisory Committee shall approve, conditionally approve, or disapprove this merger application pursuant to Lassen County Code Section 16.12.040.
12. The proposed project is exempt from the California Environmental Quality Act (CEQA) under Section 15305 of the CEQA Guidelines.

**The Planning Division of the Lassen County Department of Planning and Building Services recommends the following conditions be placed on the project if approved:**

1. None.

MLA:njm



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November 16, 2021

 **DRAFT**

**Maurice L. Anderson, Director**

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Phone: 530 251-8269

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email: landuse@co.lassen.ca.us

website: www.co.lassen.ca.us

TO: Technical Advisory Committee  
Agenda Date: December 2, 2021

FROM: Don Willis, Lassen County Surveyor

RE: Merger No. 2021-003 – The Mary V. Mendiboure  
Revocable Living Trust.  
Assessor's Parcel Numbers: 031-090-011 and 031-300-053.

Zoning & Building

Inspection Requests

Phone: 530 257-5263

Environmental Health

Messages: 530 251-8528

email: EHE@co.lassen.ca.us

#### LASSEN COUNTY SURVEYOR FINDS AS FOLLOWS:

1. The application and tentative map submitted for Merger No. 2021-003 show a proposed merger that involves two parcels known as Assessor's Parcel Numbers 031-090-011 and 031-300-053 which are located in portions of Sections 15 and 16, Township 36 North, Range 13 East, Mount Diablo Base and Meridian, in Lassen County, California.
2. Title to the lands represented by said Assessor's Parcel Numbers 031-090-011 and 031-300-053 is currently vested in Mary Virginia Mendiboure, Trustee of the Mary V. Mendiboure Revocable Living Trust dated December 11, 2009, as shown at a Grant Deed (Correction Deed) recorded on April 15, 2011 as Document No. 2011-01907 of the Official Records of Lassen County.
3. There are numerous parcels described within the vesting deed noted in Findings Item Number Two above and Parcel 53 within the document describes the subject lands of the proposed merger. These lands are known as the Southwest one-quarter of the Southwest one-quarter (SW1/4 SW1/4) of said Section 15 (A.P.N. 031-090-011) and as all of said Section 16, except the Northwest one-quarter of the Southeast one-quarter (NW1/4 SE1/4). The subject lands within said Section 16 are represented by Assessor's Parcel Number 031-300-053.
4. The Southwest one-quarter of the Southwest one-quarter (SW1/4 SW1/4) of said Section 15 (A.P.N. 031-090-011) was first separately conveyed per a Corporation Grant Deed recorded on June 10, 1975 in Book 290, Page 622, of the Official Records of Lassen County. The lands in said Section 16 (A.P.N. 031-300-053) were patented from the United States Government to the State of California per a Patent issued on September 21, 1878 as Document No. 9211878.
5. The Southwest one-quarter of the Southwest one-quarter (SW1/4 SW1/4) of said Section 15 had previously been described as the South one-half (S1/2) of said Section 15 in various deeds that were recorded prior to said Book 290, Page 622. The conveyance in 1975 resulted in a violation of the Subdivision Map Act since a division of land was completed without filing a parcel map and the current property owner has requested that a



voluntary merger be completed which combines these lands with those of said Section 16. As previously mentioned, the lands in Section 16 were patented to the United States Government to the State of California in 1878 and this action resulted in a parcel that is in compliance with the Subdivision Map Act and local ordinances. At some point, the Northwest one-quarter of the Southeast one-quarter (NW1/4 SE1/4) of said Section 16 was conveyed to a separate ownership and in 2005 the County of Lassen issued this parcel Certificate of Compliance No. 74-2005, as the same was recorded on June 22, 2005 as Document No. 2005-05664 of the Official Records of Lassen County. Therefore, this parcel would also be in compliance with the provisions of the Subdivision Map Act and local ordinances.

6. The tentative map submitted for Merger No. 2021-003 indicates that the common boundary line between Assessor's Parcel Numbers 031-090-011 and 031-300-053 is to be removed if the proposed merger is approved. This will create a resultant parcel that is approximately 640 acres in size.
7. The subject properties currently have access from Threemile Canyon Road, a privately maintained road, as shown on Assessor's Parcel Map No.'s 31-09 and 31-30. The proposed merger will not change any existing access to the subject parcels.
8. As previously noted, the property owner has requested that a voluntary merger of the two subject parcels be completed to combine them into one legal parcel. The requirements for mergers in Lassen County are established by Lassen County Code, Title 16, Chapter 16.40. Voluntary mergers that are initiated by property owners are operatively completed under Title 16, Chapter 16.12, Section 16.12.040 (Lot Line Adjustments) of the Lassen County Code.

**PURSUANT TO THE PROVISIONS OF SECTION 66499.20.3 OF THE GOVERNMENT CODE OF CALIFORNIA AND CHAPTERS 16.12 AND 16.40 OF THE LASSEN COUNTY CODE, THE LASSEN COUNTY SURVEYOR RECOMMENDS THE FOLLOWING CONDITIONS FOR MERGER NO. 2021-003 (THE MARY V. MENDIBOURE REVOCABLE LIVING TRUST):**

1. The applicant shall provide a current Condition of Title report for the two parcels shown on the application and tentative map submitted for Merger No. 2021-003 (Assessor's Parcel Numbers 031-090-011 and 031-300-053).
2. The parcels shall be merged as shown on the tentative map submitted for Merger No. 2021-003 (The Mary V. Mendiboure Revocable Living Trust).
3. A Certificate of Merger shall be prepared by a California Licensed Land Surveyor or California Registered Civil Engineer, who is authorized to practice land surveying pursuant to Section 8731 of the Business and Professions Code of the State of California,

and be submitted to the Lassen County Surveyor for review, approval and recording. This Certificate of Merger shall acceptably describe the boundary of the resultant parcel and shall be executed by Mary Virginia Mendiboure, Trustee of the Mary V. Mendiboure Revocable Living Trust dated December 11, 2009, as record owner of interest in the properties involved. The submittal of the Certificate of Merger shall also include a statement from the Licensed Land Surveyor or Civil Engineer preparing it stating the Certificate of Merger was prepared by him/her or under his/her direction and control and shall be signed and sealed in accordance with the California Code of Regulations, Title 16, Division 5, Article 1. This submittal of the Certificate of Merger shall also include appropriate fees for review and recording of all required documents.

4. If there are any Deeds of Trust encumbering either of the parcels as shown on the tentative map submitted for Merger No. 2021-003, the legal descriptions for the Deeds of Trust shall be modified to reflect the merger of said parcels and shall be recorded concurrently with the Certificate of Merger.
5. If a field survey is performed to establish the locations or dimensions of the boundary lines of merged parcels or to monument the boundaries of the merged parcels, a Record of Survey shall be submitted to the Lassen County Surveyor for review, approval and filing in accordance with Section 8762 of the California Business and Professions Code. This Record of Survey shall reference Merger No. 2021-003, the date of approval of the merger by the Technical Advisory Committee and the recording information of the recorded Certificate of Merger. This Record of Survey shall be recorded concurrently with the Certificate of Merger and its submittal shall include appropriate fees for reviewing and filing of the Record of Survey.
6. Prior to recordation of the Certificate of Merger, documentation shall be provided to the Lassen County Surveyor's Office which demonstrates that the Lassen County Tax Collector is satisfied that all current and delinquent property taxes have been paid, including funds deposited that are equivalent to all estimated taxes which have become a lien not yet due or payable, for all properties involved in the proposed merger.

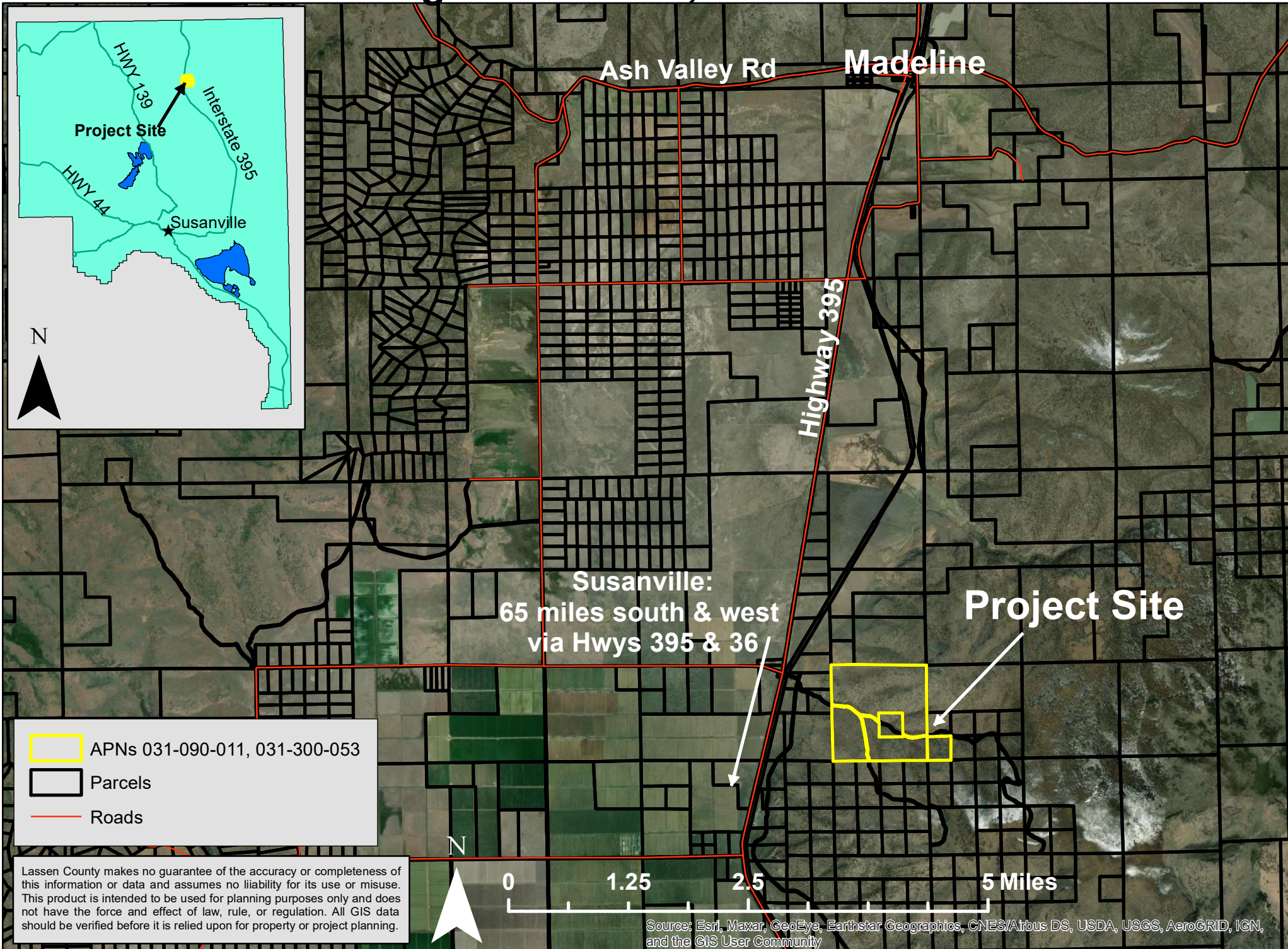
Respectfully submitted,



Don Willis, L.S. 7742  
Lassen County Surveyor

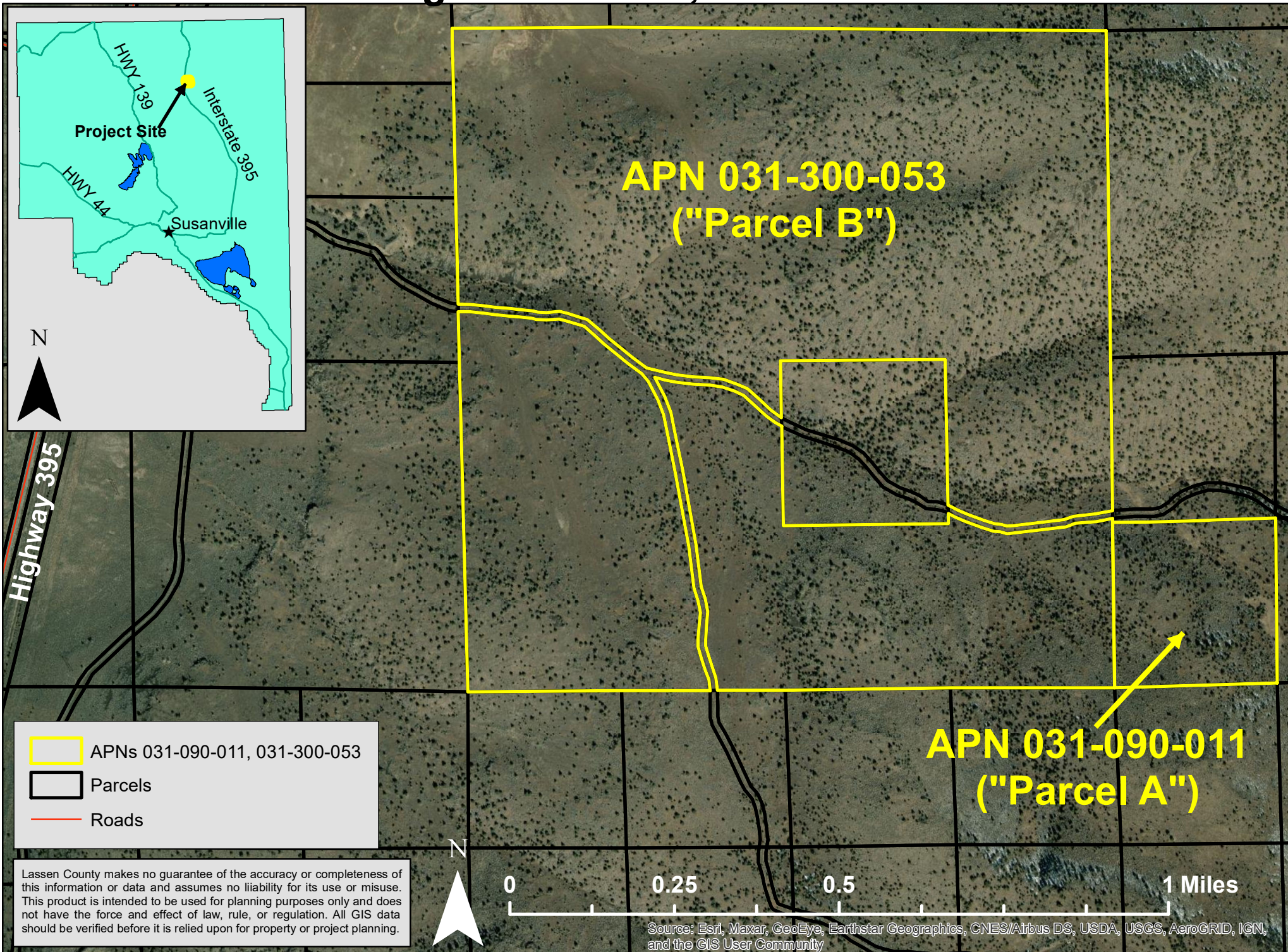


# Merger #2021-003, Mendiboure





# Merger #2021-003, Mendiboure







# LOT LINE/MERGER APPLICATION

FILING FEE: \$500 and ENV HEALTH FEE: \$85.00 per parcel  
DEPARTMENT OF PLANNING AND BUILDING SERVICES  
707 Nevada Street, Suite 5 · Susanville, CA 96130-3912  
(530) 251-8269 · (530) 251-8373 (fax)  
www.co.lassen.ca.us

RECEIVED

NOV 03 2021

LASSEN COUNTY DEPARTMENT OF  
PLANNING AND BUILDING SERVICES

Form must be typed or printed clearly in black or blue ink. All sections must be completed in full.

This application consists of one page; only attach additional sheets if necessary.

FILE NO. MG2021-003

<b>Property Owner/s</b>	<b>Property Owner/s</b>
Name: <u>Mary V. Mendiboure Rev. Living Trust</u>	Name:
Mailing Address: <u>P.O. Box 127</u>	Mailing Address:
City, ST, Zip: <u>Madeline, CA 96119</u>	City, ST, Zip:
Telephone: <u>530-260-4032</u> Fax:	Telephone: Fax:
Email: <u>mendibou ranch@gmail.com</u>	Email:

<b>Applicant/Authorized Representative*</b>	<b>Agent (Land Surveyor/Engineer/Consultant)</b>
Same as above: <input type="checkbox"/>	Correspondence also sent to: <input type="checkbox"/>
Name: <u>Mary V. Mendiboure</u>	Name:
Mailing Address: <u>P.O. Box 127</u>	Mailing Address:
City, ST, Zip: <u>Madeline, CA 96119</u>	City, ST, Zip:
Telephone: <u>530-260-4032</u> Fax:	Telephone: Fax:
Email: <u>mendibou ranch@gmail</u>	Email: License #:

<b>Project Address or Specific Location:</b>			
<b>Deed Reference:</b> Book:	<b>Page:</b>	<b>Year:</b> <u>2011</u>	<b>Doc#:</b> <u>01907</u>
<b>Zoning:</b> <u>U-C-2</u>	<b>General Plan Designation:</b>		
<b>Parcel Size (acreage):</b> <u>600 + 40</u>	<b>Section:</b> <u>18</u>	<b>Township:</b> <u>36N</u>	<b>Range:</b> <u>13E</u>

<b>Assessor's Parcel Number(s):</b>	<u>031-090-11</u>	<u>031-300-53</u>	-	-
-	-	-	-	-

<b>Parcel</b>	<b>Size before adjustment (sq. ft. or acres)</b>	<b>Size after adjustment (sq. ft. or acres)</b>
A	<u>031-090-11 (40 AC)</u>	<u>Merge = 640 Acres</u>
B	<u>031-300-53 (600 AC)</u>	
C		
D		

<b>SIGNATURE OF PROPERTY OWNER(S): I HEREBY ACKNOWLEDGE THAT:</b> I have read this application and state that the information given is both true and correct to the best of my knowledge. I agree to comply with all County ordinances and State laws concerning this application.	<b>*SIGNATURE OF APPLICANT/AUTHORIZED REPRESENTATIVE</b> (Representative may sign application on behalf of the property owner only if Letter of Authorization from the owner/s is provided).
<u>Mary V. Mendiboure</u> Date: <u>10/20/2021</u>	Date:
Date:	Date:

See associated process form for required attachments and instructions.

T.36N., R.13E., M.D.B.&M.

NOTE - Assessor's Bl  
Assessor's Po

## Tentative Map