

KERN COUNTY PLANNING COMMISSION

Board of Supervisors

STAFF REPORT

Date: September 29, 2026

FILE: SPA #97, Map 101; ZCC #208, Map 101;
VTM 7446; Waiver of Signatures
S.D.: #1 - Peters

TITLE: (a) Specific Plan Amendment Case No. 97, Map 101; (b) Amendment of Zoning Map 101, Zone Change Case No. 208; (c) Vesting Tentative Tract Map 7446; and Waiver of Signatures

PROPOSAL: (a) Amend the Land Use Element of the Western Rosedale Specific Plan from map code designation ER (Estate Residential) to LMR (Low Medium Residential) on 29.54-acres; (b) Change in Zone Classification from A* (Exclusive Agriculture) [E (1) RS (Estate – 1 acre – Residential Suburban Combining) in suspense] to R-1 (Low density Residential) on 9.96-acres, Change in Zone Classification from A* (Exclusive Agriculture) [E (1) RS (Estate – 1 acre – Residential Suburban Combining) in suspense] to E (1/4) (Estate - 1/4 acre) on 9.58-acres, and Change in Zone Classification from A* (Exclusive Agriculture) [E (1) RS (Estate – 1 acre – Residential Suburban Combining) in suspense] to E (1/2) RS (Estate - 1/2 acre - Residential Suburban Combining) on 10-acres; on two (2) parcels of record, totaling 29.54- acres; (c) Vesting Tentative Tract Map No. 7446 proposing to divide a 34.24 acre (gross) site into 77 residential lots ranging in size from 8,852 square feet (net) to 29,843 square feet (net), and a 4.24 acre (net) sump lot; with Development Variations to the Land Division Ordinance to allow a cumulative dead-end road length exceeding 800 feet for lots zoned less than one (1) acre (Section 18.55.050.B.1.j) and to eliminate required internal equestrian trails within the proposed subdivision (Section 18.55.050.I.1); and with Limited Design Variations to the Land Division Ordinance to authorize double frontage lots (Section 18.55.050.F.4) and key (reverse corner) lots (Section 18.55.050.F.6); and request for Waiver of Signatures of Mineral Rights Owners in accordance with 18.15.030.K. of Kern County Land Division Ordinance

APPLICANT: Batey Family Farms and O'Connell Investments, LLC by Batey Homes (PP25175)

PROJECT SIZE: 34.24 acres (gross)

LOCATION: South side of Hageman Road, approximately 1/4 mile east of Nord Avenue, Bakersfield area (APNs: 463-160-11, -13 & -53)

SPECIFIC PLAN DESIGNATION/ZONE CLASSIFICATION: ER (Estate Residential – Minimum 1 Net Acre/Unit) by the Western Rosedale Specific Plan / A* (Exclusive Agriculture) [E (1) RS (Estate – 1 acre – Residential Suburban Combining) in suspense]

SURROUNDING LAND USE/ZONING: North – Active agriculture / A (Exclusive Agriculture); East – Vacant undeveloped; single-family dwelling / A* (Exclusive Agriculture), [E (1/2) RS (Estate – 1/2 acre – Residential Suburban Combining) in suspense]; South – Active agriculture; single-family dwelling, accessory structures / A-1 (Limited Agriculture); West – Active agriculture; vacant undeveloped; single-family dwelling, accessory structures / A (Exclusive Agriculture), A-1 (Limited Agriculture) and R-1 (Low Density Residential)

PROJECT ANALYSIS: The project is a request to amend the Land Use Element of the Western Rosedale Specific Plan and zone classification on two (2) parcels for the purpose of Vesting Tentative Tract Map No. 7446 to result in 77 residential lots and 1 sump lot.

The project site consists of three (3) parcels ranging in size from 4.25 acres (gross) to 19.55 acres (gross) with a map code designation of ER (Estate Residential – Minimum 1 Net Acre/Unit) by the Western Rosedale Specific Plan and a zone classification of A* [(Exclusive Agriculture), E (1) RS (Estate – 1 acre – Residential Suburban Combining)] in suspense. The project is located on the south side of Hageman Road, an arterial and 1/4 mile east of Wegis Avenue, a collector in unincorporated Western Rosedale. Access is provided via Hageman Road.

The surrounding area is a mixture of both active agricultural and residential with single-family dwellings on A (Exclusive Agriculture), A-1 (Limited Agriculture), E (1/2) RS (Estate – 1/2 acre – Residential Suburban Combining) zoned parcels giving the area a suburban, agricultural, and rural atmosphere. The nearby neighborhood is exclusively single-family homes with accessory structures on large lots that range in size from one-half (1/2) acres to 2.5 acres. The parcel is currently vacant agriculture land. **Table 1** is a summary of the surrounding land uses adjacent to the parcel.

Table 1: Surrounding Land Uses

Location	Western Rosedale Specific Plan	Zone Classification	Property Land Use
Project Site	ER	A* [E (1) RS] in suspense	Vacant agriculture land
North	R-IA; LMR	R-1; A	Active agriculture land
East	UER; ER	A; A* [E (1/2) RS] in suspense	Single-family dwellings with accessory structures; undeveloped land
South	ER; UER	A-1	Active agriculture land
West	ER, LMR and SI	A, A-1, and R-1	Undeveloped land and single-family dwellings with accessory structures
<u>Land Use Designation</u> LMR = Low Medium Density Residential R-IA = Intensive Agriculture ER = Estate Residential UER = Urban Estate Residential SI = Service Industrial		<u>Zoning Classification</u> A = Exclusive Agriculture A-1 = Limited Agriculture E (1/2) = Estate (1/2 Acre) E (1) = Estate (1 Acre) RS = Residential Suburban R-1 = Low Density Residential	

Project History

March 22, 2006

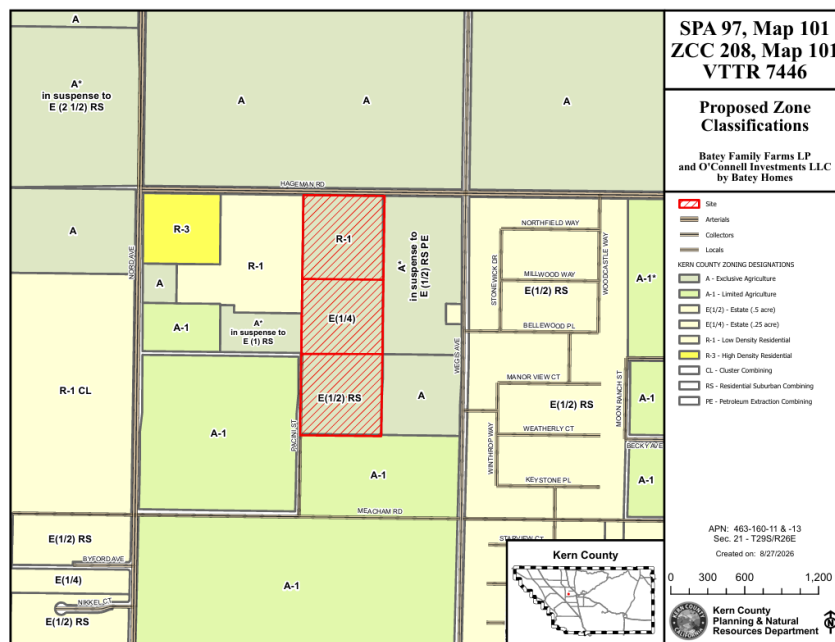
The Board of Supervisors approved Zone Change Case No. 155, Map 101 (Resolution No. 2006-022 and Ordinance No. G-7338). This request included an approximate 64.71-acre site and authorized a change in zone classification from A (Exclusive Agriculture) to E (1) RS (Estate – 1 Acre – Residential Suburban Combining), with the zoning held in suspense until recordation of a final Tract Map, and the exclusion of the 64.71 acres from within the boundaries of Agricultural Preserve No. 11 adopted on January 24, 2006.

Proposed Project

The application proposes the following:

1. **Specific Plan Amendment**
Amend the Land Use Element of the Western Rosedale Specific Plan from map code designation ER (Estate Residential) to LMR (Low Medium Density Residential – Less Than or Equal to 10 Dwelling Units/Net Acre) on 29.54 acres (gross) to create consistency with the proposed zoning for the project area.
2. **Zone Change**
Change in Zone Classification from A* (Exclusive Agriculture) [E (1) RS (Estate – 1 acre – Residential Suburban Combining) in suspense] to R-1 (Low density Residential) on 9.96 acres, Change in Zone Classification from A* (Exclusive Agriculture) [E (1) RS (Estate – 1 acre – Residential Suburban Combining) in suspense] to E (1/4) (Estate - 1/4 acre) on 9.58 acre, and Change in Zone Classification from A* (Exclusive Agriculture) [E (1) RS (Estate – 1 acre – Residential Suburban Combining) in suspense] to E (1/2) RS (Estate - 1/2 acre - Residential Suburban Combining) on 10 acres; on two (2) parcels of record, totaling 29.54 acres. If approved, the zone change would be held in suspense until such time as a final subdivision map is recorded.
3. **Vesting Tentative Tract No. 7446**
Proposes the creation of 77 residential lots, ranging in size from 8,601 square feet (net) to 29,843 square feet (net) and a 4.24-acre (net) sump lot. Water supply is proposed to be provided by Vaughn Water Company and sewage disposal provided by North of the River Sanitary District. Proposal includes the following:
 - (a) Development Variation to the Land Division Ordinance to authorize a cumulative dead-end road length of approximately 2,255 feet, exceeding the 800-foot limit for parcels zoned for less than one (1) acre (Section 18.55.050.B.1.j; Petition 2819);
 - (b) Development Variation to the Land Division Ordinance to authorize elimination of internal equestrian trails for lots that allow the keeping of equine animals (Section 18.55.050.I.1; Petition 2820);
 - (c) Limited Design Variation to the Land Division Ordinance to authorize double frontage lots (Section 18.55.050.F.4; Petition 2821);
 - (d) Limited Design Variation to the Land Division Ordinance to authorize key (reverse corner) lots (Section 18.55.050.F.6; Petition 2822); and,
 - (e) Waiver of Signature of Mineral Rights Owner pursuant to Sections 18.15.030.K and 18.45.020.D.1. of the Kern County Land Division Ordinance.

Figure 1: Proposed Zone Classification



Notifications and Requests for Comments

During the processing of this request, Staff notified surrounding property owners within 1,000 feet of the project site, affected agencies, and County Departments. As of this writing, “no comment” and “no impact” responses have been received from the **California Department of Conservation/Geologic Energy Management (CalGEM)**, and **California Department of Transportation**. Copies of all comment letters have been forwarded to the applicant and are attached for reference. Additional agency comments were received from:

- (1) **Kern County Public Works Department/County Service Area (CSA) Division** identified the affected Zones of Benefit requiring extension to address various services. The Division stated the establishment process should begin as soon as possible to minimize delay of final map approval and that CSA establishment fees are to be paid at the time of processing. Finally, the Division includes the rate schedule for streetlights and recommends consultation with PG&E to clarify the proper LED lighting.
- (2) **Kern County Public Works Department/Development Review Section** recommended road dedications and improvements for Hageman Road, the westerly property frontage, and the proposed interior streets in accordance with the Kern County Development Standards and the Land Division Ordinance. Dedication of vehicular access rights is required along Hageman Road, Pacini Street, and the easterly and southerly property frontages. Street improvement plans are required to include striping and streetlight plans, and the final map shall include a note addressing obstructions within road easements.

With regards to the requested Development Variations and Limited Design Variations, the Development Review Section identified support for the requests to allow a cumulative dead-end road length exceeding 800 feet for lots zoned less than one-(1-)acre, support for the Development Variation to eliminate required equestrian trails where precluded by the

location and design of the proposed subdivision, and the Limited Design Variations to authorize double frontage lots and key (reverse corner) lots.

- (3) **Kern County Public Works Department/Floodplain Management Division** recommended conditions of approval to address tract drainage disposal facilities, methods, or easements and the requirement the formation of a taxing entity for the purpose of maintaining on-site and off-site drainage facilities. Criteria to address the placement of the sump and the design of the perimeter fence have been included as conditions of approval.
- (4) **Kern County Public Works Department/Sewer and Water Section** recommended conditions regarding connection to a regional wastewater treatment plant, submittal of a will-serve letter, and payment of fees.
- (5) **Kern County Fire Department** stated all new construction is required to provide adequate fire flow, compliant fire access roads, and all new residential construction require automatic fire sprinklers. In addition, all other requirements of the California Fire Code shall be met.
- (6) **Kern County Public Health Department - Environmental Health Division** stated the project is required to obtain will-serve letters from Vaughn Water Company for potable water and North of the River Sanitation for sewer service. If a sewer exemption is approved, a septic feasibility study shall be submitted to Environmental Health.
- (7) **North of the River Recreation and Parks District** recommended conditions requiring parkland dedication, payment of applicable park development fees, and inclusion within the North of the River Park Maintenance District. The District indicated that compliance with these requirements will be required prior to final map recordation and subsequent development of the project.
- (8) **Pacific Gas and Electric Company (PG&E)** stated the proposed project does not appear to directly interfere with any existing PG&E facilities or land rights. PG&E noted that additional review may be required should project modifications occur.
- (9) **Kern County Superintendent of Schools** reviewed the project and determined that although the project may have effects on the Rosedale Union Elementary and Kern High School District's facilities, it will be mitigated though the collection of statutory fees at the time that building permits are issued.
- (10) **San Joaquin Valley Air Pollution Control District** determined the project will be subject to District Rule 9510 and the applicant is required to submit an Indirect Source Review Application to the District.
- (11) **Southern California Gas Company** stated high-pressure natural gas transmission pipelines are located in the vicinity of the project site. SoCalGas noted that a conflict review has not yet been conducted and requested that the applicant coordinate with its Transmission Department as project plans are developed. The agency provided standard requirements intended to protect existing transmission facilities and ensure continued access to its pipeline easements during project design and construction.

Specific Plan Amendments and Change in Zone Classifications do not include conditions of approval. The comments and recommendations received have been incorporated, where

applicable, into the recommended conditions of approval for Vesting Tentative Map No. 7446. Compliance with the conditions of approval will be required prior to recordation of the Final Map and, as appropriate, prior to the issuance of grading or building permits. The applicant is responsible for satisfying all applicable development requirements and payment of required impact fees and other fees associated with the development.

Public Comments and Staff Responses

Staff received seven written public comments from members of the surrounding community. While each letter raised unique issues, the comments generally addressed two categories: (1) land use and policy issues associated with the proposed Specific Plan Amendment and Zone Change; and (2) subdivision design and engineering issues associated with the Vesting Tentative Tract Map. The comments have been summarized by topic below, followed by Staff's responses.

Specific Plan Amendment and Zone Change

Proposed Residential Density and Compatibility

Summary of Comments

Commenters expressed concern that redesignating the property from Estate Residential to Low Medium Density Residential and rezoning the property to permit one-quarter (1/4) and one-half (1/2)-acre residential lots is incompatible with the surrounding rural and agricultural neighborhood. Several commenters requested the project retain one (1)-acre lots or, at minimum, eliminate the proposed one-quarter (1/4)-acre lots. Others suggested increasing lot sizes adjacent to existing rural residences to provide a more gradual transition.

Staff Response

The proposed Specific Plan Amendment and Zone Change have been evaluated for consistency with the goals and policies of the Western Rosedale Specific Plan, which provide for a range of residential development and the orderly expansion of urban uses. While the amendment would redesignate the property from ER (Estate Residential) to LMR (Low Medium Residential), the project would remain residential in character.

The existing parcelization and development pattern surrounding the project site includes residential uses with a range of lot sizes and densities. As such, the proposed one-quarter (1/4) and one-half (1/2)-acre residential lots would be compatible with the broader development pattern of the surrounding area. The project has also been designed to provide larger lots along portions of the project perimeter where adjacent to existing larger residential properties, providing a transition between the proposed development and lower-density residential uses. Staff, therefore, finds that the proposed land use designation and zoning are compatible with the surrounding development pattern and consistent with the long-range residential development contemplated by the Western Rosedale Specific Plan

Rural Character and Agricultural Compatibility

Summary of Comments

Commenters stated the surrounding neighborhood contains livestock, agricultural activities, equestrian uses, irrigation operations, odors, dust, and other characteristics associated with rural living. Concerns were expressed regarding potential land use conflicts between existing agricultural activities and future subdivision residents. One commenter requested an Agricultural Compatibility Disclosure for future homeowners.

Staff Response

The project represents the planned transition of agricultural land to urban residential development as anticipated by the Western Rosedale Specific Plan. Existing agricultural and rural residential uses surrounding the project may continue with applicable County regulations. To ensure future property owners are aware of nearby nonresidential activities, Staff recommends a condition of approval requiring a note to be placed on the final map notifying prospective purchasers of potential inconveniences or discomforts associated with properly conducted agricultural, oil, mining, manufacturing, and other nonresidential operations in the vicinity, to the extent allowed by law. In addition, a condition of approval will require the developer to record an Agricultural Disclosure Agreement against the property, which will run with the land and provide notice of agricultural operations and activities occurring in the surrounding area. These requirements are intended to inform future residents of the surrounding land use environment while recognizing the continued operation of lawful neighboring uses.

Groundwater Supply

Summary of Comments

Commenters questioned whether additional residential development, combined with nearby approved projects, could adversely affect groundwater supplies and private domestic wells serving nearby rural residences.

Staff Response

Domestic water service is proposed to be provided by Vaughn Water Company rather than private domestic wells. Will-serve letters have been provided by Vaughn Water Company confirming its ability and intent to provide domestic water service to the proposed development. The issuance of a will-serve letter demonstrates that the proposed project is within the water provider's service capabilities and that water service is available for the development, subject to the provider's applicable requirements and regulatory approvals.

The project site is currently used for agricultural operations that rely on an existing groundwater well. Upon development, the agricultural use and associated groundwater pumping would cease, and the project would connect to Vaughn Water Company. Accordingly, the project would not introduce new individual residential wells that could compete with neighboring private wells and would eliminate the existing agricultural groundwater use on the project site. Based on the proposed water service and cessation of agricultural groundwater pumping, Staff does not anticipate the project would adversely affect neighboring private domestic wells.

Western Rosedale Specific Plan Consistency

Summary of Comments

Commenters questioned whether the project complies with the Western Rosedale Specific Plan, including policies related to traffic, fiscal impacts, infrastructure planning, public services, and orderly expansion of urban development.

Staff Response

Staff evaluated the proposed Specific Plan Amendment for consistency with the applicable goals and policies of the Western Rosedale Specific Plan, including those addressing infrastructure, circulation, public services, and orderly urban development. As discussed above, will-serve letters have been provided by Vaughn Water Company confirming its intent and ability to serve the proposed development.

The project was also reviewed by applicable County departments and agencies, including the Public Works Department, Kern County Fire Department, and Environmental Health Department. Staff considered the project's environmental documentation and supporting technical studies, including the Traffic Impact Study and Agricultural Conversion Study, which did not identify significant impacts that would preclude development as proposed and conditioned. Based on the project record, agency review, and recommended conditions of approval, Staff finds the project consistent with the Western Rosedale Specific Plan and its long-range planning objectives.

Vesting Tentative Tract Map

Stormwater Basin, Water Quality, and Adjacent Water Well

Summary of Comments

Several comments questioned the location of the proposed stormwater detention basin adjacent to the Vaughn Water Company well site and nearby residences. Concerns included groundwater protection, historical agricultural chemicals, basin maintenance, mosquito control, drainage, long-term maintenance responsibilities, and compliance with applicable setback requirements.

Staff Response

The proposed stormwater basin has been reviewed by the Kern County Public Works Department/Floodplain Management Section, which recommended conditions governing basin design, drainage, fencing, maintenance responsibilities, and long-term operation.

The proposed stormwater basin has been reviewed by the Kern County Public Works Department/Floodplain Management Section, which recommended conditions governing basin design, drainage, fencing, maintenance responsibilities, and long-term operation. The basin will be designed and constructed in accordance with applicable County and State requirements and is located a minimum of 100 feet from the existing community water well, consistent with applicable setback requirements.

Prior to issuance of a grading permit, the applicant will be required to submit a geotechnical/soils report evaluating site conditions and the infiltration characteristics of the basin. The basin will be designed to drain within seven (7) days, minimizing prolonged standing water and the potential for mosquito breeding.

The subdivider will also be required to coordinate with the applicable mosquito and vector control district regarding mosquito prevention and abatement measures, as applicable. Following construction, the detention basin will be maintained by the County through the applicable County Service Area (CSA), with ongoing maintenance funded through CSA assessments. Compliance with applicable design standards, agency requirements, and permit conditions will be required prior to final map approval and construction.

Street Layout, Connectivity, and Emergency Access

Summary of Comments

Commenters questioned why Winfield Avenue and Pacini Street were not extended as continuous public streets, expressed concern regarding the proposed dead-end roadway, and questioned whether additional street connections would improve emergency response, neighborhood connectivity, utility extensions, and school transportation.

Staff Response

The proposed street system was reviewed by the Kern County Public Works Department and Kern County Fire Department. Due to surrounding existing development and limited opportunities for additional roadway connections, the proposed configuration includes a Development Variation for cumulative dead-end street length. Neither Winfield Avenue nor Pacini Street is identified as a planned through street under the County's Circulation Element, and Pacini Street was not intended to provide a connection to Hageman Road.

Extending Pacini Street to Hageman Road could encourage its use as a cut-through route, resulting in additional traffic and vehicle speeds inconsistent with its function as a local roadway and the character of the existing neighborhood. Public Works, therefore, did not recommend extending Pacini Street through to Hageman Road. Additionally, traffic generated by the proposed subdivision would access Hageman Road directly and would not be routed through Pacini Street.

The Kern County Fire Department reviewed the proposed subdivision for adequate emergency access. Conditions of approval require a turnaround at the terminus of Pacini Street, as deemed appropriate by the Kern County Fire Department and Public Works Department, and require Pacini Street to maintain a minimum width of 30 feet. Required roadway improvements, dedications, and emergency access improvements will be completed in accordance with the conditions of approval. Based on agency review and the required improvements, Staff finds that adequate emergency access can be provided without extending Pacini Street as a through street to Hageman Road.

Traffic and Infrastructure

Summary of Comments

Commenters requested additional information regarding traffic impacts, emergency vehicle circulation, school bus access, utility extensions, and long-term infrastructure costs associated with the proposed subdivision.

Staff Response

As discussed in the preceding responses, traffic, emergency access, water service, drainage, utilities, and other infrastructure needs have been evaluated by the applicable County departments and agencies, including the Public Works Department, Kern County Fire Department, and Environmental Health Department. Conditions of approval have been incorporated to address applicable infrastructure and public service requirements.

The project would obtain primary access from Hageman Road, with additional conditions addressing emergency access along Pacini Street. Domestic water would be provided by Vaughn Water Company, which has provided will-serve letters for the project, and utilities would be extended throughout the project site. Improvements to the corner of Hageman Road and Nord Avenue will be addressed in conjunction with future development proposed for the area. Required improvements, dedications, and applicable impact fees will be addressed through the subdivision process. Based on agency review and the recommended conditions of approval, Staff finds that adequate infrastructure and public services can be provided to serve the proposed development.

Drainage Impacts to Adjacent Properties

Summary of Comments

Commenters expressed concern that the detention basin and subdivision grading could increase drainage impacts to neighboring rural properties.

Staff Response

Drainage improvements have been reviewed by the Kern County Public Works Department/Floodplain Management Section. Conditions of approval require the preparation of engineered drainage plans, construction of drainage improvements, and establishment of long-term maintenance responsibilities for the proposed detention basin. Prior to construction, the subdivider will be required to obtain a grading permit and submit grading and drainage plans prepared by a licensed civil engineer demonstrating compliance with County drainage standards. As part of the grading permit review, the proposed drainage facilities and grading will be evaluated to ensure that stormwater runoff is properly collected, conveyed, and detained, and that the project does not create adverse drainage impacts to adjacent properties. The project must comply with all applicable County standards and permit requirements before grading or construction activities may commence.

Transition Adjacent to Existing Rural Residences

Summary of Comments

Commenters requested larger lots adjacent to existing homes, increased setbacks, enhanced landscaping, masonry walls, privacy screening, and additional buffering between the subdivision, existing rural residences, and preservation of neighborhood character.

Staff Response

The subdivision has been designed to incorporate varying lot sizes that provide a transition between the proposed development and surrounding land uses. As shown on the vesting tentative tract map, a perimeter block wall is proposed around the boundary of the subdivision, which will provide separation between the new residential development and adjacent properties.

To further address compatibility and buffering concerns, conditions of approval have been added requiring a minimum 10-foot-wide landscape buffer along the western project boundary adjacent to Pacini Street and a 20-foot no-build area along this boundary. Additional conditions require an eight (8)-foot solid masonry wall with bullnose capstone along the eastern project boundary adjacent to the E (1/2) RS zoned properties and a six (6)-foot wall along the remainder of the project perimeter. Staff finds the varying lot sizes, increased separation, landscaping, and perimeter walls provide an appropriate transition between the proposed subdivision and surrounding residences.

Equestrian Trails

Summary of Comments

Commenters opposed eliminating the required equestrian trail, stating horseback riding remains common in the area and that the trail would preserve the rural character of the neighborhood while maintaining consistency with the Western Rosedale Specific Plan trail network.

Staff Response

Staff evaluated this request based on the specific design and characteristics of the proposed subdivision. The requested Development Variation would not eliminate or modify an adopted or planned equestrian trail identified in the Western Rosedale Specific Plan Trails Plan. Rather, the variation would waive the requirement to provide a new equestrian trail within the proposed subdivision. Planned or existing equestrian trail segments are not located adjacent to or in the vicinity of the project site that would connect to a trail provided by the project.

Although horseback riding and other equestrian uses continue to exist in the surrounding area, the proposed subdivision consists primarily of approximately one-quarter (1/4)-acre residential lots, which are generally not conducive to the keeping of equine animals. While 14 of the 77 proposed lots are one-half (1/2)-acre or larger and could reasonably accommodate equestrian use, the majority of the subdivision consists of smaller residential lots. As a result, requiring an equestrian trail within the subdivision would create an isolated segment without connectivity to the adopted trail network and would not further the intended purpose of providing continuous equestrian circulation.

Property Values and Fairness

Summary of Comments

Commenters expressed concern that the project could reduce surrounding property values and questioned why neighboring property owners have not previously been allowed to subdivide their larger parcels if higher residential densities are now being proposed.

Staff Response

Property values are influenced by numerous factors, including market conditions, property characteristics, location, and surrounding development, and potential changes in property values attributable to a specific development are inherently subjective and cannot be reliably determined through the land use review process. Additionally, property values are not a required finding under the County's land use or subdivision regulations. Staff evaluation is therefore based on the project's consistency with applicable plans, zoning regulations, development standards, and required findings.

Regarding the ability of surrounding properties to subdivide, each property and development application is evaluated independently based on its applicable land use designation, zoning, site characteristics, proposed development, and regulations in effect at the time an application is submitted. Approval of the proposed project does not determine the development potential or subdivision eligibility of surrounding properties.

Subdivision Review Committee – July 8, 2026

On July 8, 2026, a Subdivision Review Committee (SRC) meeting was held. The SRC is chaired by the Kern County Planning and Natural Resources Department and is comprised of designated representatives from the following County departments: Kern County Public Works, Kern County Public Health/Environmental Health Division, and Fire. The project's representative Brian Batey from Batey Homes attended the meeting.

The Chairman provided a summary of the request. During the meeting, it was noted that the representative previously met with the Kern County Public Works Department/Development Review Section to discuss the proposed conditions of approval. The results of the meeting are accurately reflected in the recommended conditions included in the attached draft Resolution.

Environmental Review

Specific Plan Amendment/Zone Change

In reviewing the proposed Specific Plan Amendment and Zone Classification Change, Staff has considered the applicable provisions of the California Environmental Quality Act (CEQA), the Public Resources Code, and the State CEQA Guidelines. Subsequently to the distribution of

today's hearing notice, Staff determined Public Resources Code Section 21559.24 does not apply to the proposed project. Staff has determined the proposed project qualifies for multiple statutory and categorical exemptions from CEQA, as discussed below.

Public Resources Code Section 21083.3 provides a statutory exemption for projects that are consistent with applicable planning documents for which environmental review has previously been completed. The proposed project is consistent with the Western Rosedale Specific Plan and the applicable land use designations, development standards, and policies governing the project site. Accordingly, the project qualifies for the streamlined environmental review authorized by this section.

Public Resources Code Section 21559.25 provides a statutory exemption for qualifying residential and mixed-use residential projects that are consistent with an adopted Specific Plan. The proposed residential development is located within the Western Rosedale Specific Plan, is consistent with the land use designations and development standards established by the Plan and qualifies for this statutory exemption.

CEQA Guidelines Section 15303 (Class 3) provides a categorical exemption for the construction of a limited number of new residential units and appurtenant structures. The proposed residential development qualifies for this exemption because of the future construction of residential units similar with the criteria established under Section 15303.

CEQA Guidelines Section 15182 provides that where an Environmental Impact Report (EIR) has been certified for a community plan, general plan, or zoning action, no additional EIR or Negative Declaration is required for a project that is undertaken pursuant to and is consistent with that plan. On September 23, 1994, the Kern County Board of Supervisors adopted the Western Rosedale Specific Plan and certified the Environmental Impact Report prepared for the Plan (Resolution No. 94-456). The proposed project is undertaken pursuant to and is consistent with the Western Rosedale Specific Plan. The proposed land use and zoning changes maintain the residential character of the site and do not represent a substantial change in the type or intensity of development contemplated and analyzed under the certified EIR. Staff further finds the proposal will not result in new significant environmental effects or a substantial increase in the severity of previously identified impacts. Therefore, Staff concludes the proposed Specific Plan Amendment and Zone Classification Change qualify for the above-referenced statutory and categorical exemptions, and no additional environmental documentation is required.

Vesting Tentative Tract Map

The proposed Vesting Tentative Tract Map has been reviewed pursuant to the California Environmental Quality Act (CEQA) and the State CEQA Guidelines. CEQA Guidelines Section 15182 provides that no additional environmental review is required for a project undertaken pursuant to and consistent with a community plan, general plan, or zoning for which an Environmental Impact Report has been certified. The proposed Vesting Tentative Tract Map implements the residential development contemplated by the Western Rosedale Specific Plan and is consistent with the land use designations, development standards, and policies established by the Plan. The subdivision will not result in new significant environmental effects or a substantial increase in the severity of previously identified impacts analyzed in the certified Environmental Impact Report (Resolution No. 94-456). Accordingly, Staff concludes the Vesting Tentative Tract Map qualifies for the exemption provided under CEQA Guidelines Section 15182, and additional environmental documentation is not required.

Senate Bill 18 – Tribal Consultation

In accordance with State planning law and California Tribal Consultation Guidelines in accordance with Senate Bill 18, cities and counties are required to consult with California Native American tribes during the local planning process to protect traditional tribal cultural places and resources.

Staff consulted with the State of California's Native American Heritage Commission (NAHC), which resulted in a Sacred Lands file search within the area of potential effects. The NAHC study did not identify any Native American cultural resources or sacred places in the project area. However, the NAHC provided a list of contact information for the tribes who may have interest in the project area and requested further information on the project to be provided to these tribes. A total of eight (8) tribal contacts were provided by the NAHC. Copies of the two (2) correspondences received thus far are attached to this report for the Commission's reference.

Specific Plan, Affirmative Furthering Fair Housing (AFFH), and Zone Change Consistency Analysis

Proposed Specific Plan Map Code Designation

The proposed project is located within the boundaries of the Western Rosedale Specific Plan. The LMR (Low Medium Residential – less than or equal to 10 dwelling units/net acre) is an urban residential designation intended to provide for a variety of residential housing types, with an emphasis on single-family detached homes typical of tract developments. The designation accommodates attached single-family townhomes, duplexes, zero lot line developments, small multi-family residential structures, and mobilehome parks. Residential development within the LMR designation is anticipated to occur in areas served by a full range of urban facilities and services. The following are goals and policies of the LMR (Low Medium Residential) designation:

- *General Goal No. 3 – Provide a range of housing alternatives in the Western Rosedale Specific Plan area (page I-7).*
- *Land Use Goal No. 2 – Develop future residential, commercial, and industrial areas that are compatible with existing uses (page I-8).*
- *Land Use Goal No. 6 – Maintain and enhance Western Rosedale's community character (page I-8).*
- *Land Use Goal No. 4 - Provide for orderly outward expansion of new urban development so that it maintains continuity with existing development and allows for incremental expansion of infrastructure and public services, minimizes impacts on natural environmental resources, and provides a high-quality environment for living and business (page I-9).*

The proposed LMR map code designation and proposed R-1 (Low-density Residential), E (1/4) (Estate 1/4 acre), and E (1/2) RS (Estate - 1/2 acre - Residential Suburban Combining) zone classifications are consistent within the Western Rosedale Specific Plan. These densities will ensure Vesting Tentative Tract Map No. 7446 will meet the density requirements of both the Zoning Ordinance and the Western Rosedale Specific Plan. The proposed map code designation would maintain uniformity with the surrounding area which is a mix of ER (Estate Residential) and UER (Urban Estate Residential) to the south, east and the west.

Additionally, this request will create a net increase in the availability of housing while maintaining compatibility with the surrounding residential land uses. The request is consistent with the goals and provisions of the Kern County Housing Element which encourages the zoning and development of sites designated for residential uses to increase the potential for housing availability, including the subdivision of residentially zoned land. The Housing Element supports lot separations that meet the County standards on existing residential lots to provide additional housing opportunities within the footprint of existing development. The applicant is proposing Vesting Tentative Tract No. 7446 for the creation of 77 residential lots, ranging in size from 8,601 square feet (net) to 29,843 square feet (net) and a 4.24-acre (net) sump lot. Therefore, the proposed Specific Plan Amendment would maintain consistency between the surrounding land uses and densities to create a net increase in housing availability.

Proposed Zoning Consistency

As noted above the proposed zone classifications are R-1 (Low-density Residential), E (1/4) (Estate - 1/4 acre), and E (1/2) RS (Estate 1/2 acre - Residential Suburban Combining). The purpose of the zone designations are as follows:

- *R-1 (Low-density Residential)* – The purpose of the Low-density Residential (R-1) District is to designate areas which will be suitable for traditional smaller lot, single-family homes and compatible uses. Maximum density is limited to ten (10) dwelling units per acre. Typically, the R-1 District will be characterized by the typical single-family subdivision.
- *E (1/4) (Estate -1/4 acre) and E (1/2) (Estate -1/2 acre)* – The purpose of the Estate (E) District is to designate areas suitable for larger lot residential living environments. Uses are limited to those typical of and compatible with quiet residential neighborhoods.
- *RS (Residential Suburban)* – The purpose of the Residential Suburban (RS) Combining District is to expand the number and type of permitted domestic agricultural uses within rural residential areas.

The proposed zone designations are consistent within the Western Rosedale Specific Plan. In addition, the proposed zoning designations would maximize residential development opportunities with a net increase in housing availability supporting the Kern County Housing Element goals.

Affirmative Furthering Fair Housing (AFFH) Analysis

Based on Staff's review of California Assembly Bill 686 and the Kern County Housing Element regulations, and in alignment with County goals to Affirmatively Further Fair Housing, Staff finds the proposed Specific Plan Amendment from ER (Estate Residential) to LMR (Low Medium Residential – less than or equal to 10 dwelling units/net acre) and Zone Change from R-1 (Low-density Residential), E (1/4) (Estate 1/4 acre), and E (1/2) RS (Estate - 1/2 acre Residential Suburban Combining) affirmatively furthers Fair Housing by expanding opportunities for homeownership and stable housing. The proposed land use change helps reduce barriers to housing access by increasing the availability of safe, high-quality housing in areas with access to schools, services, and employment while promoting more inclusive, balanced neighborhoods and supporting the County's broader efforts to increase housing choice and foster equitable community development.

Basis of Approval: Specific Plan Amendment and Zone Change

The Western Rosedale Specific Plan including changes in designation and zone classification must remain consistent with the purpose of the area. The requested changes are consistent with California Government Code Sections 65860 and 65862 which require that consistency exists between General and Specific Plans, which represents long-range public policy, and the Zoning Ordinances, a set of specific development regulations which implements the Specific Plan. The requested LMR (Low Medium Residential) map code designation will be consistent with the residential designation to the west. The requested Zone Change to R-1 (Low-density Residential), E (1/4) (Estate - 1/4 acre), and E (1/2) RS (Estate 1/2 acre - Residential Suburban Combining) will be compatible with the residential zoning in the surrounding area. Once amended, the land use designation and the zone districts will remain consistent within the Western Rosedale Specific Plan, and approval of this request will satisfy State planning law.

Basis for Findings: Vesting Tentative Tract Map, Development Variations, Limited Design Variations, and Mineral Rights Waiver

Vesting Tentative Tract Map

In accordance with Section 18.15.060 (Matters to be Considered and Findings) of the Kern County Land Division Ordinance, the decision-making authority may approve or conditionally approve the requested Vesting Tentative Tract Map, provided all of the following findings can be made.

- (1) *The proposed map is consistent with the General Plan, any Specific Plan, or any applicable provisions of the Kern County Ordinance Code.*

The proposed project is compatible with the applicable goals and policies of the Western Rosedale Specific Plan. Goals and policies within the Western Rosedale Specific Plan include:

- *General Goal No. 3: Provide a range of housing alternatives in the Western Rosedale Specific Plan area (page I-7).*
- *Land Use Goal No. 2: Develop future residential, commercial, and industrial areas that are compatible with existing uses (page I-8).*
- *Land Use Goal No. 6: Maintain and enhance Western Rosedale's community character (page I-8).*
- *Policy No. 4: Provide for orderly outward expansion of new urban development so that it maintains continuity with existing development and allows for incremental expansion of infrastructure and public services, minimizes impacts on natural environmental resources, and provides a high-quality environment for living and business (page I-9).*

The proposed project is consistent with these goals and policies as approval and recordation of the map would result in the creation of residential lots that are compatible with surrounding residential development. The project maintains consistency with existing development patterns and supports orderly residential expansion consistent with applicable policies. The inclusion of a sump parcel is part of the overall site design and does not affect residential compatibility of the subdivision.

- (2) *The site is physically suitable for the proposed type and density of development.*

The site is physically suitable for the proposed type and density of development based on the fact that the proposed residential lots will meet or exceed the minimum lot area requirements of the proposed R-1 (Low-density Residential), E (1/4) (Estate – 1/4 acre), and E (1/2) RS (Estate - 1/2 acre - Residential Suburban Combining). The development of the site is an extension of existing residential development in the vicinity and will be comparable.

- (3) *The design of the subdivision or the proposed improvements are not likely to cause substantial environmental damage or substantial and unavoidable injury to fish, wildlife, or their habitat.*

The vesting tentative tract map is not likely to cause substantial environmental damage or substantially and unavoidably injure fish or wildlife or their habitat based on the fact that the project location is in a developed area adjacent to existing residential uses and, has therefore, been determined to be exempt under Special Situation, Section 15182 of the State CEQA Guidelines.

- (4) *The design of the subdivision or the proposed improvements are not likely to cause serious public health problems.*

The vesting tentative tract map is not likely to cause serious public health problems based on the scope of the proposed project and on information in the record to date.

- (5) *The design of the subdivision or the proposed improvements will not conflict with easements acquired by the public at large for access through or use of property within the proposed subdivision.*

The vesting tentative tract map will not conflict with any existing public access easements for access through the site, as there are no easements being vacated as a result of the project.

Development Variations

Pursuant to Section 18.15.070 (Development Variations) the decision-making authority may approve or conditionally approve the requested Development Variation if the required findings can be made. Staff notes, there are two (2) requested Development Variations.

- (1) *Staff provides the following analysis and determination for the requested Development Variation to Section 18.55.050.B.1.j. of the Land Division Ordinance, which seeks to authorize a cumulative dead-end road length exceeding 800 feet for lots zoned less than one (1) acre (Petition 2819).*

- (a) *Special circumstances exist with respect to the property or the proposed subdivision design that warrants the requested development variation.*

Staff believes special circumstances exist with respect to the proposed subdivision design that warrant the requested development variation based on the fact that existing development to the east and west of the project site limits opportunities to extend local streets beyond the project boundaries. As a result, the proposed street

layout relies on a single north-south roadway connection through the subdivision, resulting in a cumulative dead-end road length exceeding 800 feet. The proposed street design provides access to all lots while accommodating the surrounding development pattern.

- (b) *Approval of the variation will not be materially detrimental to the public health, safety, or welfare, or to property or residents in the vicinity.*

Approval of the requested development variation will not be materially detrimental to the public health, safety, or welfare, or to property or residents in the vicinity based on the fact that the proposed street system has been designed to provide adequate access and circulation throughout the subdivision. The project will be subject to review by the Kern County Fire Department and Kern County Public Works Department to ensure compliance with applicable emergency access, roadway design and locations, and public safety requirements.

- (2) *Staff provides the following analysis and determination for the requested Development Variation to Section 18.55.050.I.1 of the Land Division Ordinance, which seeks to authorize the elimination of the required equestrian trails where precluded by the location and design of the proposed subdivision (Petition 2820).*

- (a) *Special circumstances exist with respect to the property or the proposed subdivision design that warrants the requested development variation.*

Special circumstances exist with respect to the proposed subdivision design that warrant the requested development variation based on the fact that the vesting tentative tract map consists predominantly of residential lots that are approximately one-quarter (1/4)-acre in size, which are generally not conducive to the keeping of equine animals. While the Western Rosedale Specific Plan Trails Plan identifies a multi-use trail in the vicinity of the project site, the nearest dedicated equestrian trail is approximately two (2) miles to the south. Therefore, an equestrian trail constructed as part of the proposed subdivision would not provide a direct connection to the dedicated equestrian trail network. As a result, requiring the construction of an equestrian trail would not serve its intended purpose of providing connectivity within a broader trail network and would not be compatible with the character and design of the proposed subdivision.

- (b) *Approval of the variation will not be materially detrimental to the public health, safety, or welfare, or to property or residents in the vicinity.*

Approval of the requested development variation will not be materially detrimental to the public health, safety, or welfare, or to property or residents in the vicinity because elimination of the equestrian trail requirement will not disrupt any existing trail network or reduce public access to existing recreational facilities. The surrounding area has developed without equestrian trail connections, and the proposed subdivision will remain compatible with adjacent residential development and circulation patterns.

Limited Design Variations

Pursuant to Section 18.15.080.D of the Kern County Land Division Ordinance, the decision-making authority may approve or conditionally approve the requested Limited Design Variations provided all of the following findings can be made. Staff notes there are two (2) Limited Design Variation requests.

(1) *Staff provides the following analysis and determination for the requested Limited Design Variation to authorize double frontage lots (Petition 2821).*

(a) *Approval of the Limited Design Variation is justified based on the design, location, topography, street, or circulation patterns affecting the proposed subdivision.*

Approval of the Limited Design Variation to authorize double-frontage lots (Petition 2821) is justified based on the proposed subdivision design, which includes a six (6)-foot masonry wall and dedication of vehicular access along the northern project boundary prevents direct access from the lots to Hageman Road and Pacini Street. As a result, access to Lots 1 through 9 and 64 through 70 is provided from Caterpillar Court and New Holland Court, promoting safe and efficient circulation while maintaining the integrity of the subdivision design.

(b) *Approval will not be materially detrimental to the public health, safety, or welfare or to property or residents in the vicinity.*

Approval of the Limited Design Variation to authorize double frontage lots will not be materially detrimental to the public health, safety, or welfare or to property or residents in the vicinity because vehicular access to Hageman Road will be relinquished, through a dedication of vehicular access and solid masonry wall, and access will instead be provided from the internal street network. As a result, the proposed design promotes safe circulation and is compatible with the overall subdivision layout.

(2) *Staff provides the following analysis and determination for the requested Limited Design Variation to authorize key (reverse corner) lots (Petition 2822):*

(a) *Approval of the Limited Design Variation is justified based on the design, location, topography, street, or circulation patterns affecting the proposed subdivision.*

Approval of the Limited Design Variation to authorize key (reverse corner) lots (Petition 2822) is justified based on the configuration of the project site and the proposed subdivision design. The project boundary is constrained by existing parcels and development along its perimeter, while the location of the existing Vaughn Water Company well site and proposed drainage basin further influences the configuration of the developable area. Within these constraints, the subdivision is designed as a self-contained residential development with access from Hageman Road and an internal street system consisting of intersecting local streets and cul-de-sacs. The resulting street configuration creates certain corner lots where the standard lot orientation cannot be provided without substantial modification to the proposed street and lot pattern. The requested Limited Design Variation allows these lots to be incorporated into an orderly subdivision design while maintaining adequate access and circulation.

- (b) *Approval will not be materially detrimental to the public health, safety, or welfare or to property or residents in the vicinity.*

Approval of the Limited Design Variation to authorize key (reverse corner) lots will not be materially detrimental to the public health, safety, or welfare or to property or residents in the vicinity as evidenced by the resulting lot configuration is consistent with the proposed subdivision design and does not adversely affect access, circulation, or compatibility with surrounding development.

Waiver of Signature

In accordance with Section 18.15.030.K of the Land Division Ordinance, a Waiver of Signature of the mineral rights owners can be approved provided all of the following findings can be made:

- (1) *Waiver of the required signatures of the owners of interest can be determined to be in the public interest that development not be prevented;*
- (2) *It can be determined that the surface owner has exhausted all reasonable means for locating owners of interest and obtaining their signatures; and*
- (3) *In the case of requests for waiver of signatures of oil and/or gas mineral rights owners, in addition to the above findings, it can be determined that the proposed tract provides for future development of mineral rights through the establishment of a zoning district, pursuant to the Kern County Zoning Ordinance, that permits the exploration and exaction of the underlying oil and/or gas minerals as a matter of right.*

In order to approve a request for a Waiver of Signatures, it must be found that the Waiver of Signatures on the map is in the public interest. Approval and subsequent recordation of the vesting tentative tract map is required to implement both the Western Rosedale Specific Plan designation and the site zoning. Development of the subdivision will provide additional housing opportunities in keeping with the goals of the Land Use Element of the Western Rosedale Specific Plan. Goal No. 2 of the Land Use Element encourages the development of future residential uses that are compatible with existing uses. The public interest could be served as the development implements Policy No. 4 of the Land Use Element which requires the proposal provide an orderly outward expansion of new urban development so that the proposal maintains continuity of existing development, allows for the incremental expansion of infrastructure and public services, minimizes impacts on natural resources, and provides a high-quality environment for residents.

Based on the information to date provided by the applicant, through its agent West Coast Land Service, it has been determined that the surface owner has exhausted all reasonable means for locating possible owners of interest based on the fact that, it appears that sufficient effort was put forth by the surface owner into locating all mineral rights "Owners of Interest" through contact by certified letter notifying the mineral owners.

As of this writing, contact was established with one mineral owner and a waiver was provided; however, no response has been received. The mineral interest owners identified in **Table 3** were contacted by mail and/or telephone over approximately two (2) months between November 2023 and December 2023. As of the date of this report, the owners representing approximately 6.5% of the total mineral interests had either not been successfully contacted or had not reached an agreement regarding their mineral interest.

Table 3

APN 463-160-13	
Recorded Waiver of Surface Access Obtained	100.00%
Totals	100.00%
APN 463-160-11	
Owned by Applicant/Project Partner	99.00%
Trust Interest; Trustees Deceased and Beneficiaries Unable to be Identified or Located	1.00%
Totals	100.00%
APN 463-160-53	
Owned by Applicant/Project Partner	93.50%
Contact Established and Waiver was Provided; No Response Received	4.00%
Mineral Rights Owners or Heirs Unable to be Located; No Viable Mailing Address Identified	2.50%
Totals	100.00%

Typically, if the waiver of signatures of oil and/or gas mineral rights owners cannot be met, the proposed development establishes a zoning district for mineral rights. However, the existing surrounding developments do not include a zone district to allow for oil and/or gas uses. Therefore, Staff supports a waiver of this requirement, as establishing such a zoning district would be incompatible with the surrounding area.

Planning Commission Hearing – July 23, 2026

This request was considered by the Planning Commission on the July 23, 2026, agenda. Commissioners Brooks, Skidmore, Oliver and Dunbar were in attendance with Commissioner Ashley absent. During Staff's presentation, Staff noted six (6) comment letters were received following notification of the hearing, and one (1) additional comment letter was submitted during the meeting. Additionally, Staff discussed coordination that occurred with the applicant and neighboring property owners following notification of the hearing. In response to concerns raised, Staff discussed the addition of a condition to require an eight (8)-foot solid masonry wall with bullnose capstone along the eastern project boundary adjacent to the area zoned E (1/2) RS (Estate – 1/2 acre – Residential Suburban Combining), with a six (6)-foot wall along the remainder of the project perimeter as shown on the tentative map.

The applicant representative and project owner, Justin Batey of Batey Homes, spoke in support of the project and indicated the applicant had met with neighboring property owners and was willing to continue working together to address concerns. Mr. Batey discussed the use of transitional lot sizes along the project boundaries, the project's connection to public sewer and Vaughn Water Company, and potential modifications to address concerns associated with Pacini Street.

Several neighboring property owners spoke in opposition or expressed concerns regarding the proposed project. Tanya Love, speaking on behalf of nearby residents, discussed compatibility with the existing rural residential neighborhood and raised concerns regarding the proposed wall and access along Pacini Street. Ms. Love requested additional landscaping and setbacks along the western project boundary and raised concerns regarding drainage, the location of the proposed sump, water supply, utilities, agricultural disclosures, and landscape maintenance. Anne Ward and Mark Gregory, neighboring property owners along Pacini Street, expressed concerns regarding the existing roadway alignment and width, continued access to their properties, and emergency service access.

Director Murphy provided additional background regarding Pacini Street and clarified the roadway is not planned to extend through to Hageman Road. Director Murphy explained that extending Pacini Street could encourage cut-through traffic and increased vehicle speeds and that the Public Works Department did not recommend such an extension. Director Murphy further clarified that project traffic would access Hageman Road and would not be routed through Pacini Street. Regarding water supply, Director Murphy stated the project would be served by Vaughn Water Company and the existing agricultural operations and associated groundwater use on the project site would cease. Director Murphy continued that while it would not be appropriate to require the applicant to extend utilities beyond the project boundaries to serve neighboring properties, the proposed extension of utilities throughout the project site would bring those facilities into closer proximity to the neighboring properties and could facilitate future connections.

Commissioners discussed the concerns regarding Pacini Street, including emergency access, roadway width, landscaping, and additional separation between the proposed subdivision and existing residences. Commissioner Skidmore recommended that a turnaround be provided at the terminus of Pacini Street if determined necessary by the Kern County Fire Department and Public Works Department. The applicant indicated a willingness to provide any additional dedication necessary for emergency access and to establish additional setbacks or a no-build area along the western project boundary.

A motion was made by Commissioner Skidmore, seconded by Commissioner Dunbar, recommending approval of the project with additional conditions requiring a turnaround at the terminus of Pacini Street as deemed appropriate by the Kern County Fire Department and Public Works Department; ensuring Pacini Street maintains a minimum width of 30 feet; record an irrevocable offer of dedication for a minimum 10-foot-wide landscape area along the western boundary of the tract map adjacent to Pacini Street; and establishing a 20-foot no-build area along the western project boundary adjacent to Pacini Street. The motion was approved by a vote of four (4) to zero (Resolution Nos. 144-26 through 146-26), recommending approval of the project subject to the recommended and additional conditions of approval.

Kern County Planning and Natural Resources Overall Recommendations

As noted above, Staff has evaluated the proposed project, including the written comments received during the review process and the issues raised during the Planning Commission hearing. Many of the concerns raised relate to engineering design, infrastructure, access, and other matters that are addressed through the recommended conditions of approval, including the additional conditions recommended by the Planning Commission, or are subject to the requirements of other public agencies.

Based on the foregoing evaluation, Staff has determined the project, as conditioned, is consistent with the applicable plans and regulations and meets the necessary findings for the requested entitlements. Accordingly, Staff recommends that the Board of Supervisors approve the Specific Plan Amendment, Change in Zone Classification, and Vesting Tentative Tract Map No. 7446, with the associated Development Variations and Limited Design Variations subject to the recommended conditions of approval; and approve the request for Waiver of Signatures of Mineral Rights Owners.

PUBLIC INQUIRY OR CORRESPONDENCE: Kern County Public Works Department (County Surveyor; County Service Area (CSA) Section; Development Review Section; Floodplain Management Section; Sewer and Water Section); Kern County Fire Department; Kern County Public Health Department; California Department of Transportation; California Department of

Conservation/Geologic Energy Management Division (CalGEM); North of the River Recreation and Park District; Pacific Gas and Electric (PG&E); Southern California Gas Company; Kern County Superintendent of Schools; San Joaquin Valley Air Pollution Control District; Jana Daniel Power; Tanya Bidabe Love; Mark and Linda Gregory, Steven and Kristin Davies, Robert and Patricia Bulkeley; Mary Blanton

CEQA ACTION: Environmental Review: Public Records Resources Code 21559.25; Public Resources Code 21083.3; Special Situations, Section 15182 of the State CEQA Guidelines; Categorical Exemption, and Section 15303 of the State CEQA Guidelines

PLANNING COMMISSION RECOMMENDATION: Adopt resolution and recommended findings approving amendment to the Land Use Element of the Western Rosedale Specific Plan as requested; adopt resolution, recommended findings and enact ordinance approving the Zone Change as requested; adopt resolution and recommended findings approving Vesting Tentative Tract Map No. 7446, with the associated Development Variations and Limited Design Variations, subject to the recommended conditions of approval; and approve the request for Waiver of Signatures of Mineral Rights Owners

BASIS FOR APPROVAL AND RECOMMENDED FINDINGS FOR SPECIFIC PLAN AMENDMENT:

- (1) This Board has determined that pursuant to Public Resources Code Section 21166 and 21083.3, and Section 15182 of the State CEQA Guidelines, said project qualifies as a special situation and does not require preparation of further environmental documents under the requirements of the Environmental Quality Act of 1970.

County Staff has reviewed the Environmental Information Form submitted by the applicant, and it has been determined there are no project-specific significant effects for the Specific Plan Amendment No. 97, Map 101. Pursuant to the California Environmental Quality Act (CEQA) and the Guidelines for the Implementation of CEQA, Section 15182, after a review of the proposed project and in light of the evidence in the record, Staff has made the determination that the requested actions for the Specific Plan Amendment No. 97, Map 101 do not require the preparation of subsequent environmental documentation based on the following:

- As a result of the requested actions, no substantial changes are proposed in the project that will require major revisions to the Western Rosedale Specific Plan Final Environmental Impact Report because of the involvement of new significant environmental effects or a substantial increase in the severity of previously identified effects.
- As a result of the requested actions, no substantial changes will occur with respect to the circumstances under which the project will be undertaken that will require major revisions to the Western Rosedale Specific Plan Final Environmental Impact Report because of the involvement of new significant environmental effects or a substantial increase in the severity of previously identified effects.
- There is no new information of substantial importance that was not known or could not have been known at the time the Western Rosedale Specific Plan Final Environmental Impact Report was certified, and no new significant effects as a result of the requested

actions will occur that were not addressed in the Western Rosedale Specific Plan Final Environmental Impact Report.

- The requested actions initiate the implementation of a project addressed in the Western Rosedale Specific Plan and previously analyzed in the Western Rosedale Specific Plan Final Environmental Impact Report, and the requested actions are in substantial conformance with that plan.
 - The requested actions do not require the preparation of subsequent environmental documentation as the conditions identified in Section 15162 do not occur.
- (2) The Specific Plan Amendment qualifies under Section 15303 as the amendment will support and promote the construction of residential units similar with criteria established under Section 15303.
 - (3) The Specific Plan Amendment is consistent with the applicable provisions of the Western Rosedale Specific Plan and is consistent with the suburban, agricultural, and rural atmosphere. The LMR (Low Medium Residential) map code designation will remain consistent with the standards while maintaining compatibility with the surrounding residential development and planned land use pattern.
 - (4) Approval of the requested Specific Plan Amendment will facilitate the development of residential housing that is compatible with the surrounding area and consistent with the goals of the Western Rosedale Specific Plan by increasing housing opportunities while maintaining continuity with existing residential neighborhoods and infrastructure.
 - (5) The Specific Plan Amendment is consistent with the goals and provisions of the Western Rosedale Specific Plan which encourages a variety of housing opportunities, orderly expansion of urban development, and residential neighborhoods that are compatible with surrounding land uses.
 - (6) As a result of the Specific Plan Amendment, future development of the property will remain subject to review through the Vesting Tentative Tract Map process, applicable improvement plans, and building permit review, and shall comply with all applicable Kern County Development Standards, conditions of approval, and requirements of the Land Division Ordinance prior to development.
 - (7) This project is exempt from the provisions of CEQA pursuant to Public Resources Code 21083.3 for projects that are consistent with applicable planning documents for which environmental review has previously been completed.
 - (8) This project is exempt from the provisions of CEQA pursuant to Public Resources Code 21159.25 for residential and mixed-use residential projects that are consistent with an adopted Specific Plan.

BASIS FOR APPROVAL AND RECOMMENDED FINDINGS FOR ZONE CHANGE CASE:

- (1) This Board has determined that pursuant to Public Resources Code Section 21166 and 21083.3, and Section 15182 of the State CEQA Guidelines, said project qualifies as a special situation and does not require preparation of further environmental documents under the requirements of the Environmental Quality Act of 1970.

County Staff has reviewed the Environmental Information Form submitted by the applicant, and it has been determined there are no project-specific significant effects for the Zone Change Case No. 208, Map 101. Pursuant to the California Environmental Quality Act (CEQA) and the Guidelines for the Implementation of CEQA, Section 15182, after a review of the proposed project and in light of the evidence in the record, Staff has made the determination that the requested actions for the Zone Change Case No. 208, Map 101 do not require the preparation of subsequent environmental documentation based on the following:

- As a result of the requested actions, no substantial changes are proposed in the project that will require major revisions to the Western Rosedale Specific Plan Final Environmental Impact Report because of the involvement of new significant environmental effects or a substantial increase in the severity of previously identified effects.
 - As a result of the requested actions, no substantial changes will occur with respect to the circumstances under which the project will be undertaken that will require major revisions to the Western Rosedale Specific Plan Final Environmental Impact Report because of the involvement of new significant environmental effects or a substantial increase in the severity of previously identified effects.
 - There is no new information of substantial importance that was not known or could not have been known at the time the Western Rosedale Specific Plan Final Environmental Impact Report was certified, and no new significant effects as a result of the requested actions will occur that were not addressed in the Western Rosedale Specific Plan Final Environmental Impact Report.
 - The requested actions initiate the implementation of a project addressed in the Western Rosedale Specific Plan and previously analyzed in the Western Rosedale Specific Plan Final Environmental Impact Report, and the requested actions are in substantial conformance with that plan.
 - The requested actions do not require the preparation of subsequent environmental documentation as the conditions identified in Section 15162 do not occur.
- (2) The Zone Change qualifies under Section 15303 as the change in zoning will support and promote the construction of residential units similar with criteria established under Section 15303.
- (3) This project is exempt from the provisions of CEQA pursuant to Public Resources Code 21083.3 for projects that are consistent with applicable planning documents for which environmental review has previously been completed.
- (4) This project is exempt from the provisions of CEQA pursuant to Public Resources Code 21159.25 for residential and mixed-use residential projects that are consistent with an adopted Specific Plan.
- (5) The proposed change in zone classification from A* (Exclusive Agriculture) [E (1) RS (Estate – 1 Acre Residential Suburban Combining) in suspense] to R-1 (Low-density Residential), E (1/4) (Estate – 1/4 Acre), and E (1/2) RS (Estate – 1/2 Acre Residential

Suburban Combining) is consistent with the Western Rosedale Specific Plan and will implement the proposed LMR (Low Medium Residential) land use designation while remaining compatible with surrounding residential development.

- (6) Approval of the requested Zone Change will allow development of residential lots that are compatible with surrounding residential uses, provide additional housing opportunities, and implement the residential development anticipated by the Western Rosedale Specific Plan.
- (7) The proposed R-1, E (1/4), and E (1/2) RS zone classifications are appropriate for the site because they implement the proposed Specific Plan land use designation, are consistent with the character of the surrounding area, and support orderly residential development consistent with County planning policies.
- (8) As a result of the Zone Change, development of the site shall remain subject to the Vesting Tentative Tract Map, conditions of approval, improvement plans, and all applicable provisions of the Kern County Zoning Ordinance and Land Division Ordinance prior to recordation of the Final Map and issuance of grading or building permits.
- (9) This Zone Change shall not become effective until such time that a final subdivision map is recorded.

BASIS FOR APPROVAL AND RECOMMENDED FINDINGS FOR VESTING TENTATIVE TRACT MAP AND WAIVER OF SIGNATURES:

- (1) That the site is physically suitable for the proposed density of development.
- (2) That the design of the subdivision or the proposed improvements are not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.
- (3) That the design of the subdivision or the proposed improvements are not likely to cause serious public health problems.
- (4) That the design of the subdivision or the type of improvements will not conflict with easements, acquired by the public at large, for access through or use of, property within the proposed subdivision.
- (5) Section 66473.1, Government Code states, “The design of the subdivision shall provide, to the extent feasible, for future passive or natural heating or cooling opportunities.”

Recommendation: The Board of Supervisors make a finding that the design of the subdivision provides for future passive or natural heating or cooling opportunities based on design and lot size allows most structures to be placed in an east-west alignment for exposure.

- (6) Section 66473.5, Government Code: states, “No local agency shall approve a map unless the legislative body shall find that the proposed subdivision, together with the provisions for its design and improvement, is consistent with any adopted specific plan.”

Recommendation. The Board of Supervisors make a finding that the subdivision, together with the provisions for its design and improvement, is consistent with the various adopted elements of the Western Rosedale Specific Plan.

- (7) Section 66474, Government Code identifies seven (7) findings pertaining to denial of a tentative map.

Recommendation: The Board of Supervisors make a finding that no substantial evidence has been presented that any of the findings mentioned in this Government Code section warrants denial of Vesting Tentative Tract Map 7446.

- (8) Section 65567, Government Code. Requires a subdivision map to be consistent with the local open-space plan.

Recommendation. That the Board of Supervisors make a finding that the subject tract is consistent with the Open Space and Conservation Element of the Western Rosedale Specific Plan.

- (9) The applicable provisions of the California Environmental Quality Act, the State CEQA Guidelines, and the Kern County Guidelines have been duly observed in conjunction with said hearing in the consideration of this matter and all of the previous proceedings relating thereto.
- (10) This Board has determined that pursuant to Public Resources Code Section 21166 and 21083.3, and Section 15182 of the State CEQA Guidelines, said project qualifies as a special situation and does not require preparation of further environmental documents under the requirements of the Environmental Quality Act of 1970.

County Staff has reviewed the Environmental Information Form submitted by the applicant, and it has been determined there are no project-specific significant effects for the Vesting Tentative Tract Map 7446 (Type A – Bakerfield) (Map 101). Pursuant to the California Environmental Quality Act (CEQA) and the Guidelines for the Implementation of CEQA, Section 15182, after a review of the proposed project and in light of the evidence in the record, Staff has made the determination that the requested actions for the Vesting Tentative Tract Map 7446 (Type A – Bakerfield) (Map 101) do not require the preparation of subsequent environmental documentation based on the following:

- As a result of the requested actions, no substantial changes are proposed in the project that will require major revisions to the Western Rosedale Specific Plan Final Environmental Impact Report because of the involvement of new significant environmental effects or a substantial increase in the severity of previously identified effects.
- As a result of the requested actions, no substantial changes will occur with respect to the circumstances under which the project will be undertaken that will require major revisions to the Western Rosedale Specific Plan Final Environmental Impact Report because of the involvement of new significant environmental effects or a substantial increase in the severity of previously identified effects.

- There is no new information of substantial importance that was not known or could not have been known at the time the Western Rosedale Specific Plan Final Environmental Impact Report was certified, and no new significant effects as a result of the requested actions will occur that were not addressed in the Western Rosedale Specific Plan Final Environmental Impact Report.
 - The requested actions initiate the implementation of a project addressed in the Western Rosedale Specific Plan and previously analyzed in the Western Rosedale Specific Plan Final Environmental Impact Report, and the requested actions are in substantial conformance with that plan.
 - The requested actions do not require the preparation of subsequent environmental documentation as the conditions identified in Section 15162 do not occur.
- (11) The requested actions initiate the implementation of a residential project consistent with the established development density pursuant to Section 15182 of State CEQA Guidelines.
- (12) The requirement for road improvements is necessary for the protection of the public safety and welfare and is in compliance with Section 65909 of the California Government Code, inasmuch as the proposed development will generate more traffic in the immediate vicinity; and
- (13) The applicant has requested the following variations to the Subdivision Ordinance and/or Development Standards, and upon review the Planning Commission is recommending:

Petition 2819: A Development Variation to Section 18.55.050.B.1.j of the Land Division Ordinance to allow a cumulative dead-end road length exceeding 800 feet for lots zoned less than one acre.

Recommendation: Approve

Findings:

- (a) Approval of the Development Variation is justified based on the fact that existing development to the east and west of the project site limits opportunities to extend local streets beyond the project boundaries. As a result, the proposed street layout relies on a single north-south roadway connection through the subdivision, resulting in a cumulative dead-end road length exceeding 800 feet. The proposed street design provides access to all lots while accommodating the surrounding development pattern.
- (b) Approval of the Development Variation will not be materially detrimental to the public health, safety, or welfare or to property or residents in the vicinity, as evidenced by the proposed street system has been designed to provide adequate access and circulation throughout the subdivision. The project will be subject to review by the Kern County Fire Department and Kern County Public Works Department to ensure compliance with applicable emergency access, roadway design and locations, and public safety requirements.

Petition 2820: A Development Variation to Section 18.55.050.I.1 of the Land Division Ordinance to eliminate required equestrian trails where precluded by the location and design of the proposed subdivision.

Recommendation: Approve

Findings:

- (a) Approval of the Development Variation is justified based on the fact that the approved equestrian trail identified in the Western Rosedale Specific Plan Trails Plan is two (2) miles from the project site. As a result, requiring the construction of an equestrian trail would not serve its intended purpose of providing connectivity within a broader trail network and would not be compatible with the overall character and design of the proposed subdivision.
- (b) Approval of the Development Variation will not be materially detrimental to the public health, safety, or welfare or to property or residents in the vicinity as elimination of the equestrian trail requirement will not disrupt any existing broader trail network or reduce public access to existing recreational facilities. The surrounding area has been developed without equestrian trail connections, and the proposed subdivision will remain compatible with adjacent residential development and circulation patterns.

Petition 2821. Petition 2821. A Limited Design Variation to Section 18.55.050.F.4 of the Land Division Ordinance to authorize double-frontage lots.

Recommendation: Approve

Findings:

- (a) Approval of the Limited Design Variation is justified based on the proposed subdivision design, which includes a six (6)-foot masonry wall and dedication of vehicular access along the northern project boundary prevents direct access from the lots to Hageman Road and Pacini Street. As a result, access to Lots 1 through 9 is provided from Caterpillar Court and Lots 64 through 70 is provided from New Holland Court, promoting safe and efficient circulation while maintaining the integrity of the subdivision design.
- (b) Approval of the Limited Design Variation will not be materially detrimental to the public health, safety, or welfare or to property or residents in the vicinity, as evidenced by the resulting lot configuration is consistent with the proposed subdivision design and does not adversely affect access, circulation, or compatibility with surrounding development.

Petition 2822. A Limited Design Variation to Section 18.55.050.F.6 of the Land Division Ordinance to authorize key (reverse corner) lots.

Recommendation: Approve

Findings:

- (a) Approval of the Limited Design Variation is justified based on the fact that the configuration and orientation of the proposed lots are influenced by the shape of the existing parcels, internal street layout and existing development surrounding the project site. The proposed lot arrangement allows for an efficient subdivision design while maintaining orderly circulation and providing access to the proposed residential lots.
 - (b) Approval of the Limited Design Variation will not be materially detrimental to the public health, safety, or welfare or to property or residents in the vicinity, as evidenced by the resulting lot configuration is consistent with the proposed subdivision design and does not adversely affect access, circulation, or compatibility with surrounding development.
- (14) With respect to imposing park/recreation fees as recommended by the Planning Commission:
- (1) Tract No. 7446 is located within the jurisdiction of the North of the River Parks and Recreation Department.
 - (2) The North of the River Parks and Recreation Department has developed a recreation element as part of its master plan, and the Board of Supervisors has approved said recreation element.
 - (3) Said recreation element contains appropriate standards, principles, schedules, and procedures to implement Kern County Ordinance Code 18.50.080 et seq. as authorized by Government Code Sections 66477 et seq.
 - (4) Kern County Land Division Ordinance requires findings pertaining to dedication of land or payment of fees in lieu for park sites.

Recommendation. That the Board of Supervisors make such findings noted therein for collection of park fees or land acquisition for the North of the River Parks and Recreation Department.

- (a) That the land, fees, or combination thereof are to be used only for the purpose of providing park or recreational facilities to serve the sub-division.
- (b) That the County has adopted a Recreation Element as part of its Specific Plan, and the proposed park or recreational facilities for which such land or fees or combination thereof are required are in accordance with definite principles and standards contained in such Recreation Element.
- (c) That the amount and location of land to be dedicated or the fees to be paid bear a reasonable relationship to the use of the park and recreational facilities for the future inhabitants of such subdivision.

- (d) The time within which development of the park or recreational facilities must begin is contained within the Facilities Improvement Schedule as adopted by the North of the River Parks and Recreation Department.

FINDINGS FOR WAIVER OF SIGNATURES OF MINERAL RIGHTS OWNERS:

- (1) Section 18.15.030.K.1. of the Kern County Land Division Ordinance states “Waiver of the requested signatures of the owners of interest can be determined to be in the public interest that development not be prevented.”

Recommendation. Make a finding that development of the subdivision will provide additional housing opportunities in keeping with the goals of the Land Use Element of the Western Rosedale Specific Plan. Land Use Goal No. 2 encourages the development of future residential uses that are compatible with existing uses. The public interest will be served as the proposed development will implement residential development and serve the community.

- (2) Section 18.15.030.K.2. of the Kern County Land Division Ordinance states “It can be determined that the surface owner has exhausted all reasonable means for locating owners of interest and obtaining their signatures.”

Recommendation. Make a finding that evidence in the recording, including this staff report, contains information documenting the applicant’s attempt to obtain the consent from the mineral rights owner with rights of surface entry and make a finding that all reasonable means have been exhausted to obtain the consent of the mineral rights owners to sign the final map that will result from the approval of Vesting Tentative Tract No. 7446.

- (3) Section 18.15.030.K.3. of the Kern County Land Division Ordinance states “In the case of requests to waive the signatures of mineral rights owners, in addition to the above findings, it can be determined that the proposed tract provides for future development of mineral right through the establishment of a zoning district, pursuant to the Kern County Zoning Ordinance, that permits the exploration and extraction of the underlying minerals as a matter of right.”

Recommendation. Make a finding that Development of the subdivision will provide a zoning district for mineral rights. However, Staff notes, the existing surrounding developments do not include a zone district to allow for oil and/or gas uses. Therefore, Staff believes not including a zone district for such use is necessary.

RECOMMENDED CONDITIONS OF APPROVAL FOR VESTING TENTATIVE TRACT MAP (Exhibit A):

- (1) Final subdivision map proposed to be recorded shall be in substantial conformance with the approved Tentative Map.
 - (i) The developer shall update the Tentative Map to show construction of an eight (8)-foot-high solid masonry wall with bullnose capstone along the eastern property boundary adjacent to the area zoned E (1/2) RS (Estate - 1/2 acre - Residential Suburban Combining). A six (6)-foot-high solid

masonry wall shall be constructed along the remainder of the project perimeter, as shown on the Tentative Map.

- (ii) The developer shall update the Tentative Map to show a temporary turnaround at the northern terminus of Pacini Street in accordance with Section 18.55.030.A.2.a of the Land Division Ordinance, or as otherwise approved by the Kern County Fire Department and the Kern County Public Works Director.
 - (iii) The developer shall update the Tentative Map to show a ten (10)-foot-wide landscape area along the outside wall of Lots 64 through 70 adjacent to Pacini Street and maintain a minimum 30-foot width for Pacini Street. The landscape area shall be shown on the Final Map and its maintenance shall be through annexation to an existing County Service Area (CSA) or by formation of a new CSA or as otherwise approved by the Kern County Public Works Director.
 - (iv) The developer shall update the Tentative Map to show a 20-foot no-build setback measured from the proposed block wall along the rear property lines of Lots 64 through 70. The no-build setback shall be shown on the Final Map and established by a recorded instrument acceptable to the Kern County Planning and Natural Resources Director.
- (2) Approval or conditional approval shall expire three (3) years from the date of approval of the Tract Map. Extensions may be granted in accordance with Section 18.15.100.B (Expirations and Extensions – Extensions) of the Kern County Land Division Ordinance.
 - (3) Vesting shall expire one (1) year beyond the recording of the final Map. A one (1)-year extension may be granted by the Director of the Kern County Planning and Natural Resources Department in accordance with Section 18.40.040.C.3 of the Kern County Land Division Ordinance.
 - (4) All related subdivision improvements for Tract 7446 shall be in accordance with the requirements of a Type “A” subdivision as noted in the Kern County Land Division Ordinance, Development Standards, and Western Rosedale Specific Plan.
 - (5) If a conflict exists between the conditions of the Tentative Map and the Kern County Land Division Ordinance, then the Kern County Land Division Ordinance shall control unless specific variations have been granted by the County.
 - (6) Developer shall quitclaim or abandon any easements or rights-of-way traversing lots prior to recordation of final Map.
 - (7) **Prior to submittal of final Map**, final approval of full street names (including prefix and suffix) from the Kern County Planning and Natural Resources Department/Graphics Unit shall be submitted to the Kern County Public Works Department.
 - (8) All parcels shall contain no less than the minimum area required by the adopted site zoning and shall comply with lot size and density requirements of the Western Rosedale Specific Plan. Existing zoning, applicable to this tract is R-1 (Low-density Residential), which requires a minimum lot size of 6,000 square feet (net); E (1/4) (Estate – 1/4 acre), which requires a minimum lot size of 10,890 square feet (net); and E (1/2) RS (Estate - 1/2-acre -Residential Suburban Combining), which requires a minimum lot size of 21,780 square feet (net).

- (9) Record, through Kern County Public Works Department, an irrevocable offer of dedication to the County of Kern of all subject property for Hageman Road, 55 feet in width, per the Kern County Development Standards and the Land Division Ordinance.
- (10) Record, through Kern County Public Works Department, an irrevocable offer of dedication to the County of Kern of all subject property for the westerly property frontage along Hesston Street, 30 feet in width, per the Kern County Development Standards and the Land Division Ordinance.
- (11) Record a public access easement of all subject property for all interior streets, 60 feet in width, including additional right-of-way for cul-de-sacs and knuckles, per the Kern County Development Standards and the Land Division Ordinance.
- (12) Dedicate vehicular access rights of all lots along Hageman Road, Pacini Street, the easterly property frontage, and the southerly property frontage.
- (13) Provide a 20-foot by 20-foot right-of-way corner cutoff at all intersections.
- (14) Under street improvement plans approved by the Kern County Public Works Department, construct Hageman Road project frontage to Type "A" Subdivision Standard, half-width arterial street, per the Kern County Development Standards and the Land Division Ordinance. These improvements shall be, but not limited to, curb, gutter, sidewalk, wheelchair ramps, asphalt concrete, and the necessary tie-ins.
- (15) Under street improvement plans approved by the Kern County Public Works Department, construct the westerly project frontage along Hesston Street to Type "A" Subdivision Standard, half-width local street plus 10 feet, per the Kern County Development Standards and the Land Division Ordinance. These improvements shall be, but not limited to, asphalt concrete and the necessary tie-ins.
- (16) Under street improvement plans approved by the Kern County Public Works Department, construct all interior streets to Type "A" Subdivision Standard, full-width local street, per the Kern County Development Standards and the Land Division Ordinance. These improvements shall be, but not limited to, curb, gutter, sidewalk, wheelchair ramps, asphalt concrete, and the necessary tie-ins.
- (17) A striping plan and streetlight plan shall be included with the street improvement plans.
- (18) All new utility services shall be placed underground. Underground utility construction shall be in accordance with the provisions of Public Utility Commission General Order 95. Any above-ground cabinets or facilities shall be screened in a manner approved by the Director of the Kern County Public Works Department. Any above-ground cabinets or facilities located within the road right-of-way shall be permitted only upon approval by the Director of the Kern County Public Works Department. Compliance with this requirement may result in the need to create public utility easements outside of the right-of-way.
- (19) Obstructions shall be relocated and/or removed pursuant to Section 18.55.030.A.6 of the Land Division Ordinance. This shall include, but is not limited to, Quitclaim or Subordination of Rights to the County by all interest and easement holders having the right to place facilities or otherwise obstruct the free use of the road right-of-way. Where major

facilities exist, a Common Use Agreement may be allowed when determined necessary by the Director of the Kern County Public Works Department.

These entities should be contacted as soon as possible with regard to their facilities in the road rights-of-way to minimize delay of final Map approval.

- (20) Sewer must be connected to a regional wastewater treatment plant. The applicant shall obtain a will-serve letter from North of River Sanitary District, or the appropriate sewer service provider, for sewage disposal.
- (21) Prior to recordation, the applicant shall submit an unconditional will-serve letter from Vaughn Water Company, acceptable to the Kern County Public Health Department/Environmental Health Division, indicating Vaughn Water Company's intent and capability to provide water service to the project site.
- (22) In accordance with Section 18.55.050.I.10 and Section 18.55.050.I.11 of the Land Division Ordinance, street lighting and street sweeping
- (23) Tract 7446 is within the boundary of County Service Area (CSA) 71 for sewer planning. The following Zones of Benefit shall be extended:
 - (a) Zone of Benefit 71.3 - for streetlight maintenance;
 - (b) Zone of Benefit 71.5 - for street sweeping;
 - (c) Zone of Benefit 71.7 - for drainage facilities maintenance;
 - (d) Zone of Benefit 71.8 – for landscaping/wall maintenance.

Streetlights shall be rate schedule LS-1. Contact Pacific Gas and Electric (PG&E) to use the proper LED lighting.

To minimize delay of final Map approval, the County Service Area establishment process should begin as soon as possible.

All applicable County Service Area establishment fees shall be paid at the time of processing. Applicant can reach the CSA Division at PW-CSA@kerncounty.com to begin process.

- (24) Subdivider shall dedicate land and/or pay in lieu fees, for park or recreational purposes, as determined by the North of the River Recreation and Park District, as required by Chapter 18.96 of the Kern County Land Division Ordinance.
- (25) The applicant shall annex into the administrative boundaries of the North of the River Park Maintenance District.
- (26) Prior to recordation of a final Map, the subdivider shall dedicate 0.62 acres of land with free and clear title to North of the River Recreation and Park District based on a park land dedication requirement of 2.5 acres per 1,000 population in accordance with Chapters 18.50.080 & 18.96 of the County of Kern Land Division Ordinance. If the number of dwelling units increases or decreases upon recordation of a final Map(s), the park land requirement will change accordingly. Prior to recordation of a final Map, the subdivider shall enter into an agreement with North of the River Recreation and Park District to implement and satisfy this condition. This subdivision is located within the boundaries of

North of the River Recreation and Park District. In accordance with Government Code Section 66020(d), the 90-day period in which the applicant may protest the imposition of the fee has begun.

- (27) Prior to recordation of any final Map, the subdivider shall record a covenant on the property disclosing the requirement to dedicate public park land pursuant to a park agreement with the North of the River Recreation and Park District. Covenant shall be reviewed for approval by the North of the River Recreation and Park District prior to recordation.
- (28) The applicant shall pay park development fees for any residential development within the North of the River Recreation and Park District jurisdiction to help provide park facilities within the NOR area. All fees must be paid at the time of building permit issuance. Fees required shall be the applicable amount in effect at the time a building permit is obtained.
- (29) If the subdivision is to be phased, additional improvements for circulation shall be provided as required by the Director of the Kern County Public Works Department.
- (30) The subdivider shall comply with the Standards and Rules and Regulations of the Kern County Environmental Health Department regarding sewage disposal and water supply and with the requirements of the Regional Water Quality Control Board.
- (31) Developer shall comply with requirements of the Kern County Fire Department regarding fire hydrants, fire flows, and hydrant maintenance.
 - (a) Hydrant spacing within residential tracts shall be a maximum of 660 feet.
 - (b) The minimum required flow is 1,500 gpm at 20 psi residual for 2 hours.
 - (c) Fire hydrants shall be AWWA approved.
 - (d) The water system shall be looped.
 - (e) Per Uniform Fire Code 2000, Section 901.4.3, reflective markers shall be installed to identify hydrant locations.
 - (f) The Kern County Fire Department must review and approve all water improvement plans prior to installation. The Fire Department will perform fire flow tests prior to issuance of any certificates of occupancy.
 - (g) Should the tract be phased, each phase shall be provided with the required fire protection.
 - (h) Hydrants are to be maintained by an approved entity.
- (32) All fire access roads to each parcel must meet specifications set forth in Section 503.2 of the California Fire Code and the applicable Appendix and Ordinance Sections.
- (33) If drainage sumps are required, the sump shall be located no closer than 100 feet from any existing or proposed water well. Sump perimeter fence shall be a six-foot-high solid masonry wall. Wall shall be sealed with an approved anti-graffiti sealer. If the right of public maintenance is to be guaranteed, those facilities with this requirement shall be fenced.

- (34) If the sump is constructed and tract is not recorded, the sump site shall be returned to its original condition.
- (35) Final acceptance of the tract shall be contingent upon the subdivider providing within and/or outside the tract, drainage disposal facilities, methods, or easements that may be required to receive drainage and discharge or dispose of drainage and stormwaters from this tract. Said facilities, methods, or easements shall be subject to approval of the Director of the Kern County Public Works Department.
- (36) An entity with taxing powers, such as a County Service Area (CSA), subject to approval by the Director of the Kern County Public Works Department, shall be formed prior to final Map recordation for the purpose of maintaining on-site and off-site drainage facilities.
- (37) The following note shall appear on the final Map:
- (a) All easements shall be kept open, clear, and free from buildings and structures of any kind pursuant to Chapters 18.50 and 18.55 of the Kern County Land Division Ordinance. All obstructions, including utility poles and lines, trees, pole signs, fences, or similar obstructions, shall be removed from the ultimate rights-of-way. Compliance with this requirement is the responsibility of the applicant and may result in significant financial expenditures.
 - (b) If any abandoned water wells are located within the development or discovered during excavation or grading, the Kern County Public Health Department/Environmental Health Division must be contacted to obtain information for the proper permitting and destruction procedures.
 - (c) This project shall comply with San Joaquin Valley Air Pollution Control District Rule 4901, which prohibits the use of wood burning fireplaces and wood burning heaters in new residential developments.
 - (d) All appropriate sewer connection fees are to be paid prior to issuance of any building permit.
 - (e) No building permit shall be issued until adequate access and adequate water supply for fire protection purposes is provided, as approved by the Kern County Fire Department.
 - (f) Neighboring Business Activity Statement: The County of Kern encourages operation of properly conducted businesses in agriculture, oil, mining, manufacturing, and other nonresidential operations within the County. If the property you are purchasing is located near these businesses, you may be subject to inconveniences or discomforts arising from such operation to the extent allowed by law. This notice does not waive your legal rights
- (38) The following note(s) shall appear on the final Map and all grading plans:
- (a) If, during development activities, any plugged, abandoned, or unrecorded well(s) are uncovered or damaged that were not part of the initial review, the property owner is expected to immediately notify the Department of Conservation/Geologic

Energy Management (CalGEM) Division's construction site well review engineer in the Inland district office, and comply with all requirements of CalGEM.

- (b) Should any cultural materials be discovered during any grading or development, all work shall be halted and a qualified archaeologist/ historian shall be contacted to assess the finds and impose mitigation measures, if necessary, prior to the resumption of construction.
- (c) If human remains are discovered at any time on this property, work must halt in the area of the find, and the Kern County Coroner must be notified immediately (Health and Safety Code Section 7050.5). The Kern County Planning and Natural Resources Department shall be notified immediately following Coroner notification.
- (d) During grading operations, the applicant for a development permit shall be responsible for the application of water to development sites to mitigate the impact of dust and PM-10 (particulates) emissions. Spraying should be sufficient to ensure that soils remain damp, with the frequency of spraying dependent on weather conditions. Verification of compliance will be the responsibility of the Kern County Public Works Department/Building Inspection Division.
- (e) During grading operations, all activity shall be restricted to periods of low wind to reduce dust emissions. Verification of compliance will be the responsibility of the Kern County Public Works Department/Building Inspection Division.
- (f) Construction speed limits will be posted at 15 mph. Verification of compliance will be the responsibility of the Kern County Public Works Department/Building Inspection Division.
- (g) Before any digging or excavation occurs, please contact Underground Service Alert (USA) by dialing 811 a minimum of two (2) working days prior to commencing any work. This free and independent service will ensure that all existing underground utilities are identified and marked on-site.
- (h) Prior to grading and development, the applicant shall comply with the requirements of the applicable utility service provider(s) to ensure safety and prevent conflict with existing utility facilities.
- (i) All construction equipment shall be properly and routinely maintained, as recommended by manufacturer manuals, to control exhaust emissions.
- (j) Construction equipment shall be shut down when not in use for extended periods of time to reduce emissions associated with idling engines.
- (k) Electric construction equipment should be used whenever possible in lieu of fossil fuel-fired equipment.
- (l) Fugitive dust emissions from all disturbed areas, including storage piles, which are not being actively utilized for construction purposes, shall be stabilized using water, chemical stabilizers/suppressants, covered with a tarp or other suitable cover, or planted with vegetative ground cover.

- (m) Fugitive dust emissions from all on-site unpaved roads and off-site access roads shall be stabilized through the use of water or chemical stabilizers/suppressants.
 - (n) Fugitive dust emissions from all land clearing, grubbing, scraping, excavation, land leveling, grading, cut and fill, and demolition activities shall be controlled by applying water or by presoaking.
 - (o) When materials are transported off site, all material shall be covered or effectively wetted to limit visible dust emissions, and at least six inches of freeboard space from the top of the container shall be maintained.
 - (p) All operations shall limit or expeditiously remove the accumulation of mud or dirt from adjacent public streets at the end of each workday. (The use of dry rotary brushes is expressly prohibited except where preceded or accompanied by sufficient wetting to limit the visible dust emissions. Use of blower devices is expressly forbidden).
 - (q) Fugitive dust emissions shall be controlled with the application of sufficient water or chemical stabilizers/suppressants whenever materials are added to, or removed from, outdoor storage piles.
 - (r) Vegetation cover on the site shall be retained until construction begins.
- (39) The following notes shall appear on the final Map and all grading and construction plans:
- (a) It is unlawful for any person to do, or cause to be done, any of the following acts within the unincorporated areas of the County:

To create noise from construction, between the hours of 9:00 p.m. and 6:00 a.m. on weekdays and 9:00 p.m. and 8:00 a.m. on weekends, which is audible to a person with average hearing faculties or capacity at a distance of 150 feet from the construction site, if the construction site is within 1,000 feet of an occupied residential dwelling except where the Director of the Planning and Natural Resources Department or his designated representative may for good cause exempt some construction work for a limited time; and

DM:AS:nt:dg:an

Attachments

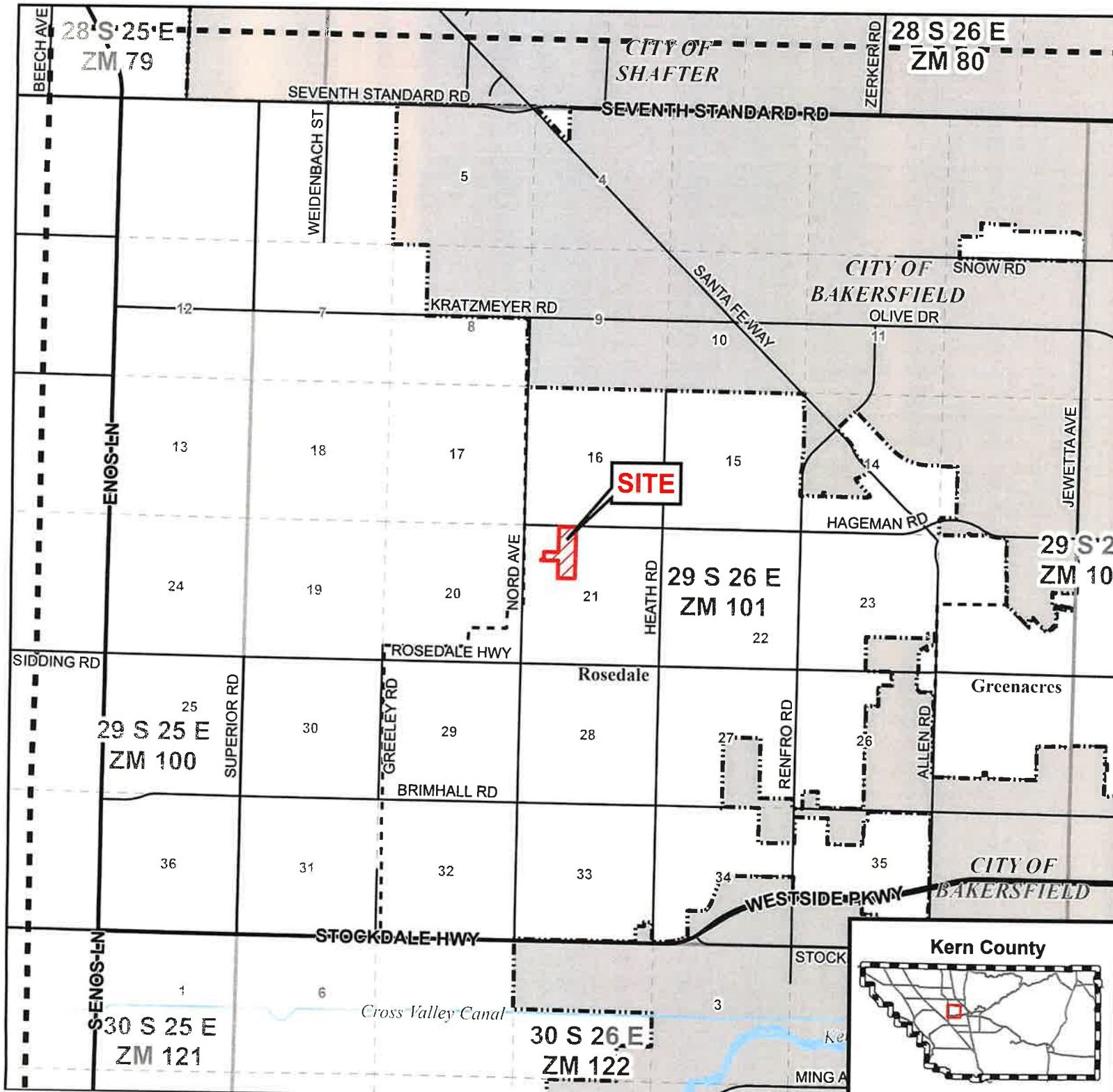
Maps

SPA 97, Map 101 ZCC 208, Map 101 VTTR 7446

Vicinity Map

Batey Family Farms, LP and
O'Connell Investments, LLC
by Batey Homes

-  Site
-  Freeway
-  Named Road
-  Arterials
-  Metro Bakersfield GP Boundary
-  Township/Range
-  Sections
-  City Limits
-  Unincorporated Cities

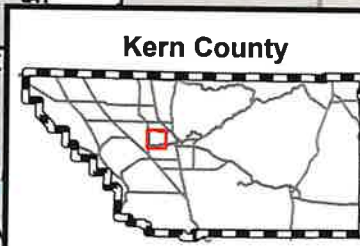


APN: 463-160-11, 13, & 53
Sec. 21 - T29S/R26E
Created on: 6/11/2026

0 4,900 9,800 ft



Kern County
Planning & Natural
Resources Department



SPA 97, Map 101 ZCC 208, Map 101 VTTR 7446

Existing General Plan Map

Batey Family Farms, LP and
O'Connell Investments, LLC
by Batey Homes

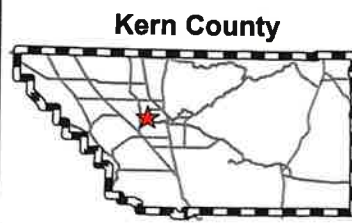
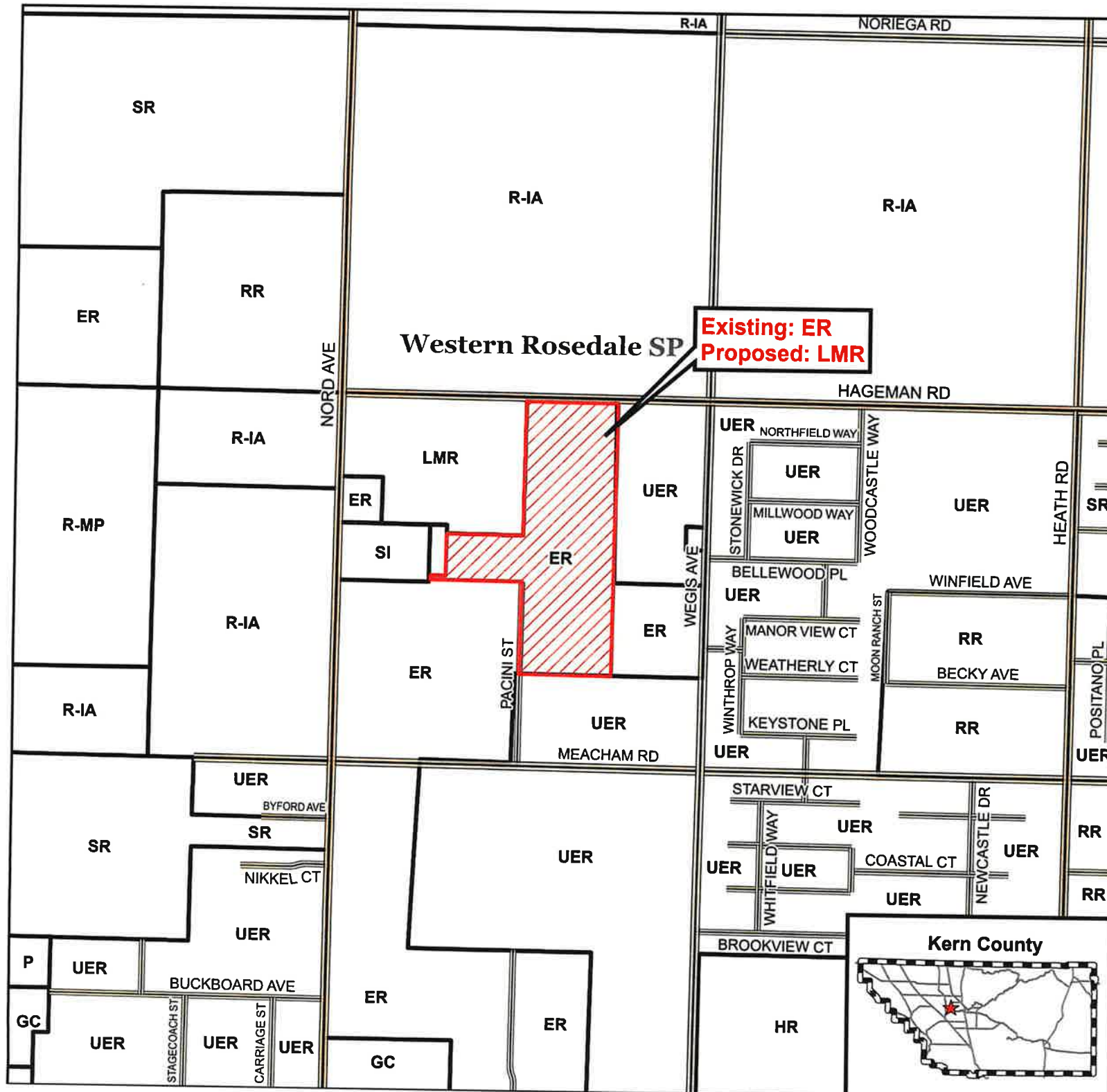
-  Site
-  Arterials
-  Collectors
-  Metro Bakersfield GP Boundary
- Specific Plans**
-  Western Rosedale
- General Plan Boundaries**
-  4.1 - Accepted County Plan Areas
-  ER - ESTATE RESIDENTIAL, MINIMUM 1 NET ACRE/UNIT
-  GC - General Commercial
-  HR - High Density Residential, >17.42 AND
-  LMR - Low Medium Density Residential
-  P - INCLUDES GOVT. BUILDINGS, HOSPITALS, PUBLIC
-  R-IA - INTENSIVE AGRICULTURE, MIN. 20 ACRE PARCEL SIZE
-  R-MP - MINERAL AND PETROLEUM, MIN. 6 ACRE PARCEL SIZE
-  RR - RURAL RESIDENTIAL, MINIMUM 2.5 GROSS ACRES/UNIT
-  SI - Service Industrial
-  SR - SUBURBAN RESIDENTIAL, ≤ 4 D.U./ NET ACRE
-  UER - URBAN ESTATE RESIDENTIAL

APN: 463-160-11, 13, & 53
Sec. 21 - T29S/R26E
Created on: 6/11/2026

0 910 1,820 ft



Kern County
Planning & Natural
Resources Department



SPA 97, Map 101 ZCC 208, Map 101 VTTR 7446

Existing Zone Classifications

Batey Family Farms LP
and O'Connell Investments LLC
by Batey Homes

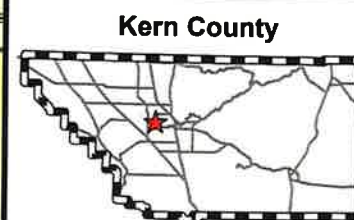
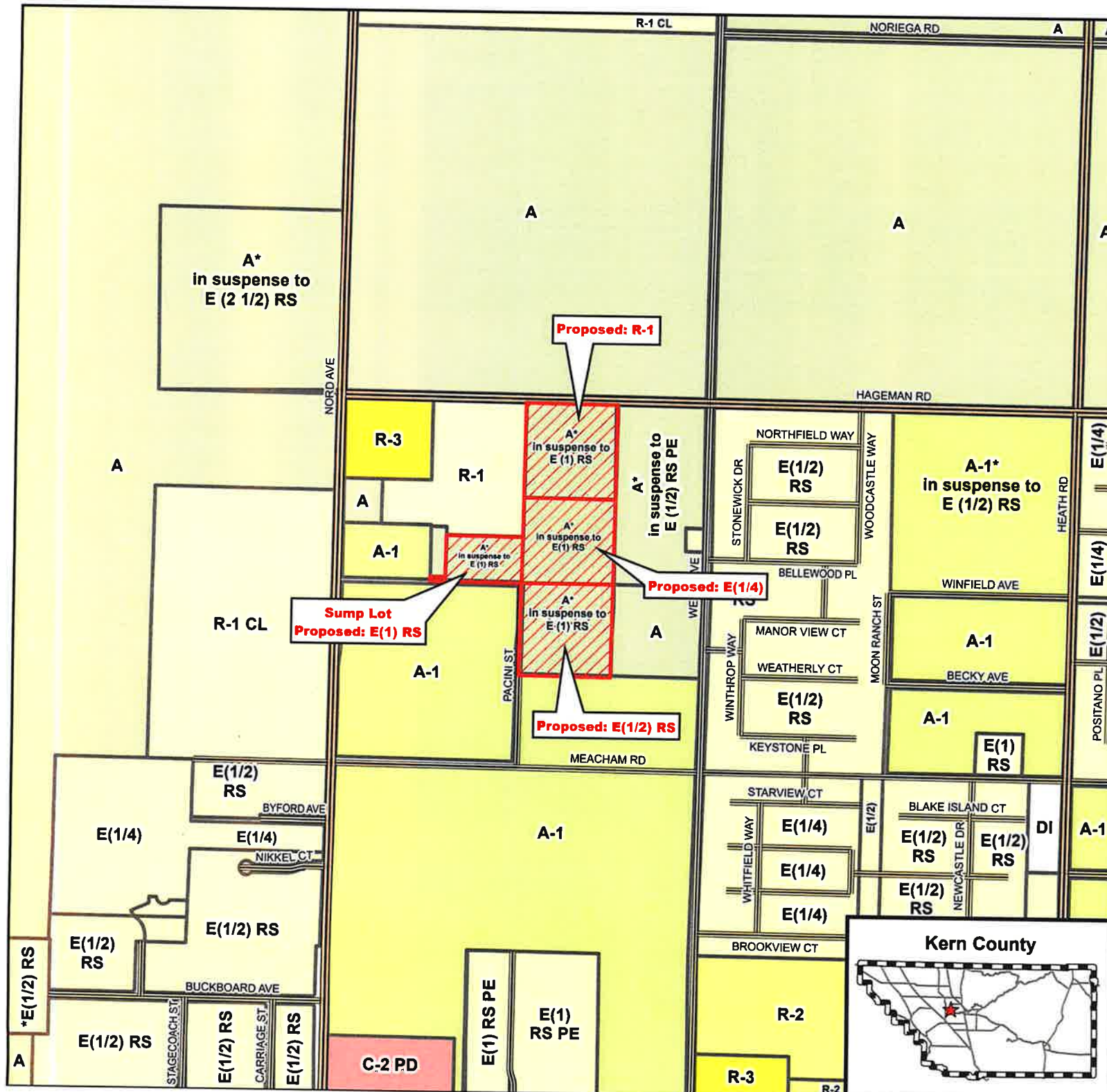
- Site
 - Arterials
 - Collectors
 - Locals
 - Metro Bakersfield GP Boundary
- KERN COUNTY ZONING DESIGNATIONS**
- A - Exclusive Agriculture
 - A-1 - Limited Agriculture
 - C-2 - General Commercial
 - DI - Drilling Island
 - E(1) - Estate (1 acre)
 - E(1/2) - Estate (.5 acre)
 - E(1/4) - Estate (.25 acre)
 - R-1 - Low Density Residential
 - R-2 - Medium Density Residential
 - R-3 - High Density Residential
 - CL - Cluster Combining
 - E(2 1/2) - Estate (2.5 acres)
 - PD - Precise Development Combining
 - RS - Residential Suburban Combining
 - PE - Petroleum Extraction Combining
 - RS - Residential Suburban Combining

APN: 463-160-11, 13, & 53
Sec. 21 - T29S/R26E
Created on: 7/15/2026

0 910 1,820 ft



Kern County
Planning & Natural
Resources Department



SPA 97, ZCC 208; Map 101 VTTR 7446

 Site

 Arterials

 Collectors

 Locals

Aerial Map

Batey Family Farms LP
and O'Connell Investments LLC
by Batey Homes

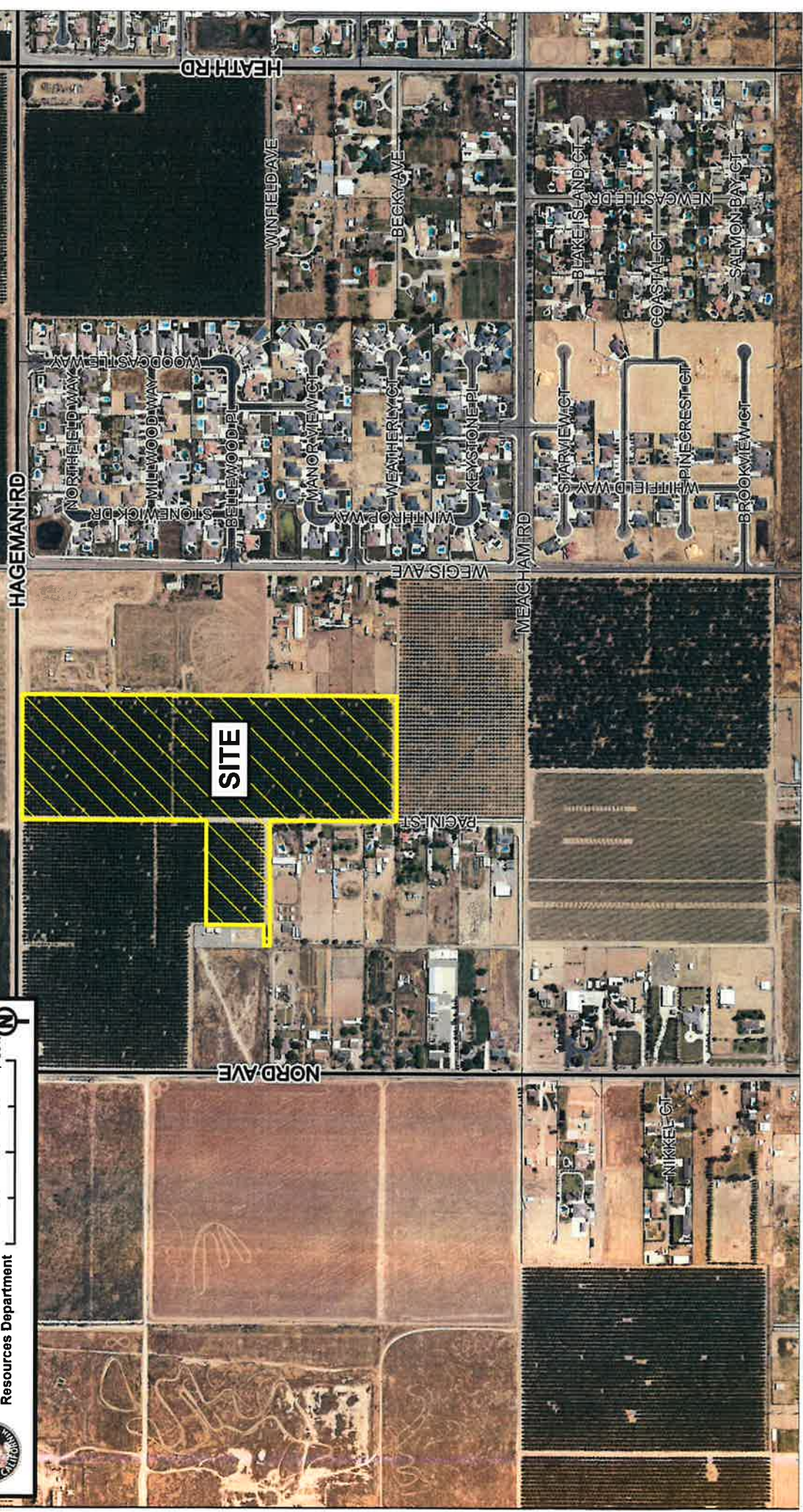
APN: 463-160-11, 13, & 53
Sec. 21 - T29S/R26E



Kern County
Planning & Natural
Resources Department



0 295 590 885 1,180 ft



SPECIFIC PLAN AMENDMENT AND ZONE CHANGE TRACT NO. 7446

BEING A DIVISION OF SALES MAP LOT 6 AND THE NORTH HALF OF SALES MAP LOT 11,
AND A PORTION OF SALES MAP LOT 7, ALL IN SECTION 21, TOWNSHIP 29 SOUTH,
RANGE 26 EAST, M.D.M., IN THE UNINCORPORATED AREA OF THE COUNTY OF KERN, STATE
OF CALIFORNIA, ACCORDING TO THE "SALES MAP OF J.B. HAGGIN" AS FILED AUGUST 20, 1890
IN THE OFFICE OF THE KERN COUNTY RECORDER; ALSO BEING PORTIONS OF THE NORTH HALF
OF THE NORTHWEST QUARTER OF SECTION 21, TOWNSHIP 29 SOUTH, RANGE 26 EAST, M.D.M.,
COUNTY OF KERN, STATE OF CALIFORNIA

CONTAINING 34.24 ACRES 3 PHASES 77 RESIDENTIAL LOTS AND 1 DRAINAGE BASIN LOT

OWNER/SUBDIVIDER

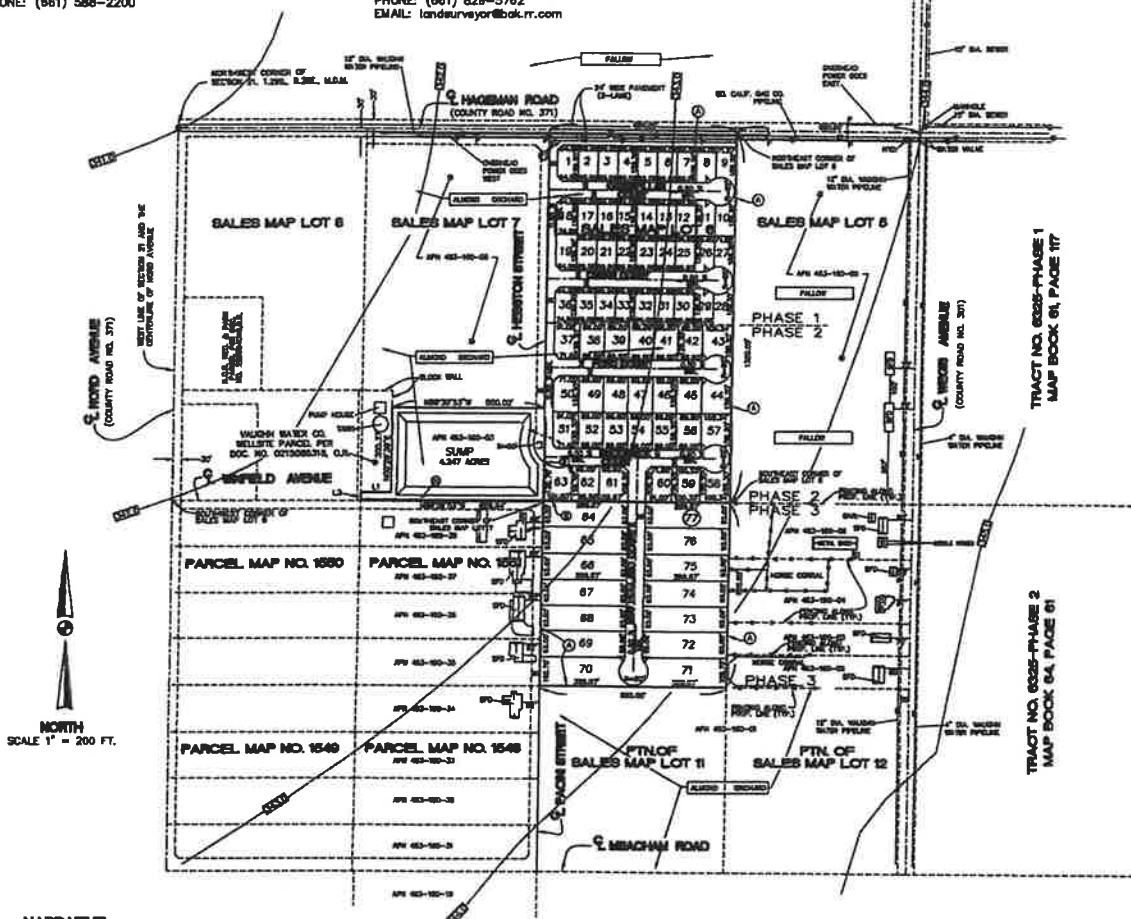
O'CONNELL INVESTMENTS, LLC AND BATEY FAMILY FARMS, LP
P.O. BOX 20247
BAKERSFIELD, CA 93390
PHONE: (861) 588-2200

LAND SURVEYOR

JON F. KOEHN, P.L.S. 5791
P.O. BOX 81318
BAKERSFIELD, CA 93380-1318
PHONE: (861) 828-5782
EMAIL: landsurveyor@bkr.r.com



VICINITY MAP
SCALE 1" = 1/2 MILE



NARRATIVE

A.P.N.: 463-180-11 and 463-180-13
and 463-180-33
TOTAL PROJECT AREA: 34.247 ACRES GR.
23.582 ACRES NET
EXISTING USE: ALMOND ORCHARDS
PROPOSED USE: SINGLE FAMILY RESIDENTIAL
EXIST ZONING: E(1) RS
PROPOSED ZONING: R-1, E(1/4) and E(1/2) RS
WESTERN ROSDALE SPECIFIC PLAN DESIGNATION: ER (EXISTING)
WESTERN ROSDALE SPECIFIC PLAN DESIGNATION: LMR (PROPOSED)
DOMESTIC WATER: VAUGHN WATER COMPANY
FIRE PROTECTION WATER SOURCE: VAUGHN WATER COMPANY
SEWER: NORTH OF RIVER SANITATION
ELECTRIC: P.G. AND E.
GAS: SOUTHERN CALIF. GAS COMPANY
CABLE: SPECTRUM
PHONE: ATT
NUMBER OF LOTS CREATED: 77 RESIDENTIAL LOTS & 1 SUMP LOT
ALL LOT AREAS SHOWN ARE NET SQUARE FEET
MINIMUM LOT AREA CREATED: 8,156 SQUARE FEET
REQUIRED STREET IMPROVEMENTS: TYPE A, INCLUDING CURB, GUTTER,
AND SIDEWALKS, A.C. PAVING OVER COMPACTED BASE.
THIS LAND WILL BE DEVELOPED IN 3 PHASES

ALTERNATE STREET NAMES

CHALMERS COURT
FARMALL COURT
INTERNATIONAL COURT
LANDINI COURT
MOLINE COURT
STEIGER COURT

CONTOUR INTERVAL: 1 FOOT

SEE SHEET 2 FOR PROPOSED ZONING AND LAND USE



DATE: JULY 7, 2024

SHEET 1 OF 2 SHEETS

BEING A DIVISION OF SALES MAP LOT 6 AND THE NORTH HALF OF SALES MAP LOT 11,
AND A PORTION OF SALES MAP LOT 7, ALL IN SECTION 21, TOWNSHIP 29 SOUTH,
RANGE 28 EAST, M.D.M. IN THE UNINCORPORATED AREA OF THE COUNTY OF KERN, STATE
OF CALIFORNIA, ACCORDING TO THE "SALES MAP OF J.B. MAGGON" AS FILED AUGUST 20, 1890
IN THE OFFICE OF THE KERN COUNTY RECORDER; ALSO BEING PORTIONS OF THE NORTH HALF
OF THE NORTHWEST QUARTER OF SECTION 21, TOWNSHIP 29 SOUTH, RANGE 28 EAST, M.D.M.,
COUNTY OF KERN, STATE OF CALIFORNIA.

[illegible]

APN: 483-180-11 and 483-180-13
and 483-180-53

TOTAL PROJECT AREA: 34.247 ACRES GR.
23.562 ACRES NET

DISTING USE: ALMOND ORCHARDS
PROPOSED USE: SINGLE FAMILY RESIDENTIAL

EXIST ZONING: E(1) RS
PROPOSED ZONING: R-1, E(1/4) and E(1/2) RS

WESTERN ROSEDALE SPECIFIC PLAN DESIGNATION: ER (EXISTING)
WESTERN ROSEDALE SPECIFIC PLAN DESIGNATION: LMR (PROPOSED)

DOMESTIC WATER: VAUGHN WATER COMPANY
FIRE PROTECTION WATER SOURCE: VAUGHN WATER COMPANY
SEWER: NORTH OF RIVER SANITATION
ELECTRIC: P.G. AND E.
GAS: SOUTHERN CALIF. GAS COMPANY
CABLE: SPECTRUM
PHONE: ATT

NUMBER OF LOTS CREATED: 77 RESIDENTIAL LOTS & 1 SLUMP LOT
ALL LOT AREAS SHOWN ARE NET SQUARE FEET.
MINIMUM LOT AREA CREATED: 9,156 SQUARE FEET
REQUIRED STREET WIDTH: 30 FEET, INCLUDING CURB, GUTTER,
AND SIDEWALKS; A.C. PAVING OVER COMPACTED BASE.

THIS LAND WILL BE DEVELOPED IN 3 PHASES

Department and Agency Comments

Office Memorandum

To: Craig Murphy, Director
Planning and Natural Resources Department
Attn: Noeli Glienke, Supervising Planner

From: Cesar Ayon, Engineering Manager 
Public Works Department/Development

Subject: Vesting Tentative Tract Map No. 7446 with variations
Section 21; Township 29 South, Range 26 East, MDB&M

July 8, 2026

Development Review Division

This Division has reviewed the subject project and recommends the following:

Support the development variation to the Land Division Ordinance to allow a cumulative dead-end road length exceeding 800 feet for lots zoned less than one acre.

Support the development variation to the Land Division Ordinance to eliminate required equestrian trails where precluded by the location and design of the proposed subdivision.

Support the design variation to the Land Division Ordinance to authorize double frontage lots and key (reverse corner) lots.

Record, through the Kern County Public Works Department, an irrevocable offer of dedication to the County of Kern of all subject property for Hageman Road, 55 feet in width, per the Kern County Development Standards and the Land Division Ordinance.

Record, through the Kern County Public Works Department, an irrevocable offer of dedication to the County of Kern of all subject property for westerly property frontage, 30 feet in width, per the Kern County Development Standards and the Land Division Ordinance.

Record a public access easement of all subject property for all interior streets, 60 feet in width, including the additional right of way for cul-de-sacs and knuckles, per the Kern County Development Standards and the Land Division Ordinance.

Dedicate vehicular access rights of all Lots along Hageman Road, Pacini Street, easterly property frontage, and southerly property frontage.

Provide a 20-foot by 20-foot right of way corner cutoff at all intersections.

Under street improvement plans approved by the Kern County Public Works Department, construct Hageman Road project frontage to Type "A" Subdivision Standard, half-width Arterial Street, per the Kern County Development Standards and the Land Division Ordinance. These improvements shall be, but not limited to, curb, gutter, sidewalk, wheelchair ramps, asphalt concrete, and the necessary tie-ins.

Under street improvement plans approved by the Kern County Public Works Department, construct the westerly property frontage to Type "A" Subdivision Standard, half-width Local Street plus 10 feet, per the Kern County Development Standards and the Land Division Ordinance. These improvements shall be, but not limited to, asphalt concrete, and the necessary tie-ins.

Under street improvement plans, approved by the Kern County Public Works Department, construct all interior streets to Type "A" Subdivision Standards, full width local street, in accordance with the Kern County Development Standards and Land Division Ordinance. These improvements shall be, but not limited to curb, gutter, sidewalk, wheelchair ramps, asphalt concrete, and the necessary tie-ins.

Please include a striping plan and streetlight plan with the street improvement plans.

All easements shall be kept open, clear, and free from buildings and structures of any kind pursuant to Chapters 18.50 and 18.55 of the Kern County Land Division Ordinance. All obstructions, including utility poles and lines, trees, pole signs, fences, or similar obstructions, shall be removed from the ultimate road rights-of-way. Compliance with this requirement is the responsibility of the applicant and may result in significant financial expenditures.

Thank you for the opportunity to comment on this project. If you have any questions or comments, please contact Rodd Parke of this Division at (661) 862-8848.

Sewer and Water Division

This Division has reviewed the subject project and has the following comments:

- (a) A Will-Serve Letter from the sewer district shall be provided to County Staff.
- (b) Sewer must be connected to a regional wastewater treatment plant.
- (c) A note shall be provided on the final map which states: All appropriate sewer connection fees are to be paid prior to issuance of any building permit.

Thank you for the opportunity to comment on this project. If you have any questions or comments, please contact Kyle Perez of this Division at (661) 862-8852.

Floodplain Management Division

We have reviewed the referenced vesting tentative tract map with respect to drainage and flood hazard and we have the following comments:

Final acceptance of the Tract to be contingent upon the subdivider providing within tract and/or outside of tract drainage disposal facilities, methods, or easements that may be required to receive drainage and discharge or dispose of drainage and storm waters from this tract. Said facilities, methods, or easements shall be subject to the approval of the Director of the Public Works Department.

An entity with taxing powers, such as a CSA, subject to approval by the Director of the Public Works Department, shall be formed prior to final map recordation for the purpose of maintaining on-site and off-site drainage facilities.

If drainage sumps are required, the sump shall be located no closer than 100 feet from the existing or proposed water well. Sump perimeter fence shall be a six-foot-high solid masonry wall. Wall shall be sealed with an approved anti-graffiti sealer.

If the right of Public Maintenance is to be guaranteed, those facilities with this requirement shall be fenced.

Thank you for the opportunity to comment on this project. If you have any questions or comments, please contact Brian Blaise of this Division at (661) 862-5098.

CSA Division

This Division has reviewed the subject project and has the following comments:

The project **VTTM 7446** lies within the boundary of County Service Area No. 71 (CSA 71) for sewer planning. The following Zones of Benefits shall be extended:

- a. 71.3 – streetlight maintenance;
- b. 71.5 – street sweeping;
- c. 71.7 – drainage facilities maintenance;
- d. 71.8 – landscaping/wall maintenance;

Streetlights shall be rate schedule LS-1. Contact PG&E to use the proper LED lighting.

To minimize delay of final map approval, the County Service Area establishment process should begin as soon as possible.

All applicable CSA establishment fees shall be paid at the time of processing. Applicant can reach the CSA division at PW-CSA@kerncounty.com to begin process.

Thank you for the opportunity to comment on this project. If you have any questions or comments, please contact Miguel Munoz of this Division at (661) 862-8908.

Office of the Fire Marshal
Kern County Fire Department
Fire Prevention Unit



2820 M St. • Bakersfield, CA 93301 • www.kerncountyfire.org
Telephone 661-391-3310 • FAX 661-636-0466/67 • TTY Relay 800-735-2929

June 4, 2026

Kern County Planning and Natural Resources Department
2800 M St., Bakersfield, CA 93301
Attn: Noeli Glienke, Supervising Planner

Re: Kern County Fire Department Comments Regarding Planning Department Project

To Whom It May Concern:

The Kern County Fire Department (KCFD), as the local fire authority, has received a request for comments regarding **Vesting Tentative Tract Map No. 7446 with Variations Section 21; Township 29 South, Range 26 East, MDB&M**. Upon initial review, it has been determined that all new construction will require fire water flowing a minimum 1,500 GPM for 2 hours with 20 PSI residual. All fire access roads to each parcel must meet specifications set forth in Section 503.2 of the California Fire Code and the applicable Appendix and Ordinance sections. All new residential construction will require automatic fire sprinklers and shall meet all other fire requirements of the California Fire Code.

A more detailed review and project comments will be conducted when the building permit is obtained, and plans are submitted to KCFD.

Please feel free to call our Fire Prevention Office at (661) 391-3310 with any questions.

Respectfully,
Kaylee Schoenheide
Fire Plans Examiner
Kern County Fire Department

INTEROFFICE MEMORANDUM

To: Daisy Gaeta, Planner II
From: Emily Manriquez, EHT
Subject: SPA 97, Map 101 ZCC 208, Map 101 VTTR 7446
APN(s): 463-160-11, -13 & -53

Date: September 9, 2026

The Kern County Environmental Health Division has reviewed the above referenced project. This Division has the local regulatory authority to enforce state regulations and local codes as they relate to waste discharge, water supply requirements, and other items that may affect the health and safety of the public or that may be detrimental to the environment.

The Environmental Health Division requests that the following condition(s) be placed on the subject project.

1. Prior to approval the applicant shall submit a conditional "will serve" letter from Vaughn Water Company stating its intent and ability to provide potable water for the proposed project. Prior to approval the applicant shall submit a conditional "will serve" from North of the River sanitation stating its intent and ability to provide sewer service to the proposed project.
2. Prior to recordation the applicant shall submit an unconditional "will serve" letter from Vaughn Water Company stating its intent and ability to provide potable water for the proposed project. Prior to recordation applicant shall submit an unconditional "will serve" letter from North of the River Sanitation stating its intent and ability to provide sewer service to the proposed project.
 - a. If a sewer exemption is reviewed and approved by the Public Works Sewer Department, the applicant shall submit a septic feasibility study to Environmental Health.

Grounded in Health



June 12, 2026

Noeli Glienke, Supervisor Planner
Kern County Planning and Community Development Department
2700 "M" Street, Suite 100
Bakersfield, California 93301

SUBJECT: Vesting Tentative Tract 7446, South of Hageman Road between Nord Avenue & Wegis Avenue.

Dear Ms. Glienke,

The above-mentioned project to allow a tract containing 77 residential lots is located within North of the River Recreation and Park District's service area. Since all residential development impacts park and recreation services with the need to serve more residents, the following conditions shall be incorporated as conditions of the Tract Map, suggested as follows:

Prior to recordation of a final map, the subdivider shall dedicate land with free and clear title to North of the River Recreation and Park District based on a park land dedication requirement of 2.5 acres per 1,000 population in accordance with Chapters 18.50.080 & 18.96 of the County of Kern Land Division Ordinance. If the number of dwelling units increases or decreases upon recordation of a final map(s), the park land requirement will change accordingly. This tract is part of Agreement No. NH011920, recorded by the Kern County Recorder as Document #000220001823; this document outlines the compliance measures needed to satisfy this condition.

All residential development within North of the River Recreation and Park District jurisdiction shall pay a park development fee to help provide park facilities within the District area. This is in accordance with Chapter 17.70 of the County of Kern Ordinance Code. Fees are paid directly to Kern County and set up as a separate account for NOR park development. All fees must be paid at the time of building permit issuance. Fees required shall be the applicable amount in effect at the time a building permit is obtained.

It is required that this development joins the North of the River Park Maintenance District. Monitoring of this condition will be assisted by North of the River Recreation and Park District (NOR). The developer is required to provide NOR with a listing of all parcels/lots and the number of residential units being created. A printed copy of the site plan shall also be submitted that shows all parcels/lots. A written request to join the maintenance district and waive Proposition 218 voting rights regarding the fee should also be submitted (NOR will provide a form to be completed and signed). These will be reviewed by NOR and, when determined acceptable for billing purposes, a certificate will be provided



to the developer. The certificate will verify that the provisions of this condition have been met. This condition should be met before the site plan is allowed to permit and, preferably, concurrently with payment of the Quimby fee. Prior to permit of the site plan, the developer shall provide the Planning Department written proof/verification from North of the River Recreation and Park District that said project is within the NOR Park Maintenance District.

An itemization of the individual conditions by Kern County Land Division Ordinance and for orderly development is included as well. If these conditions are included, North of the River Recreation and Park District would have no objection to the project.

Sincerely,

Steph Thisius, PLA, ASLA
Director of Planning & Construction

SMS: cvw

Enclosure

**NORTH OF THE RIVER RECREATION AND PARK DISTRICT
CONDITIONS OF APPROVAL**

Condition for Quimby fees only.

- ☐ Prior to recordation of a final map, the subdivider shall pay a Quimby fee based on a park land dedication requirement of 2.5 acres per 1000 population in accordance with Chapter 18.96 of the County of Kern Land Division Ordinance. If the number of dwelling units increases or decreases upon recordation of a final map(s), the park land requirement will change accordingly. Refer to County of Kern Land Division Ordinance 18.50.080, 18.96 and the Planning Information Sheet regarding calculation and payment of Quimby fee. This subdivision is located within the boundaries of the North of the River Recreation and Park District. In accordance with Government Code Section 66020(d), you are hereby notified that the 90-day period in which you may protest the imposition of this fee has begun.

County of Kern Land Division Ordinance 18.50.080 & 18.96 requires the Planning Commission to determine if a subdivider is to dedicate park land, pay a Quimby fee, reserve park land or a combination of these in order to satisfy the City's park land ordinance for North of the River Recreation and Park District. Staff is recommending this condition in accordance with County of Kern Land Division Ordinance 18.50.080 & 18.96.

Condition for dedication, payment of Quimby fees, reservation and/ or combination.

- ☒ Prior to recordation of a final map, the subdivider shall dedicate land with free and clear title to North of the River Recreation and Park District based on a park land dedication requirement of 2.5 acres per 1,000 population in accordance with Chapters 18.50.080 & 18.96 of the County of Kern Land Division Ordinance. If the number of dwelling units increases or decreases upon recordation of a final map(s), the park land requirement will change accordingly. Prior to recordation of a final map, the subdivider shall enter into an agreement with North of the River Recreation and Park District to implement and satisfy this condition. This subdivision is located within the boundaries of North of the River Recreation and Park District. In accordance with Government Code Section 66020(d), you are hereby notified that the 90-day period in which you may protest the imposition of the fee has begun.

- Subdivider shall dedicate .62 acres;

County of Kern Land Division Ordinance 18.50.080 & 18.96 requires the Planning Commission to determine if a subdivider is to dedicate park land, pay a Quimby fee, reserve park land or a combination of these in order to satisfy the City's park land ordinance for North of the River Recreation and Park District. Staff is recommending this condition in accordance with County of Kern Land Division Ordinance Chapter 18.50.080 & 18.96.

**NORTH OF THE RIVER RECREATION AND PARK DISTRICT
CONDITIONS OF APPROVAL (Continued)**

- ☒ Prior to recordation of any final map, the subdivider shall record a covenant on the property disclosing the requirement to dedicate public park land pursuant to a park agreement with the North of the River Recreation and Park District. Covenant shall be reviewed for approval by the North of the River Recreation and Park District prior to recordation.

North of the River Recreation and Park District requested condition for orderly development.

- ☐ Prior to recordation of any final map, the subdivider shall record a covenant on all lots of the subdivision disclosing the potential for light, glare, traffic and noise disturbances associated with the operations of existing park site. Covenant shall be reviewed for approval by North of the River Recreation and Park District and submitted to Planning Department prior to recordation.

North of the River Recreation and Park District requested condition for orderly development.

Condition of requirement to join the North of the River Park Maintenance District.

- ☒ It is required that this development joins the North of the River Park Maintenance District. Monitoring of this condition will be assisted by North of the River Recreation and Park District (NOR). The developer is required to provide NOR with a listing of all parcels/lots and the number of residential units being created. A printed copy of the map shall also be submitted that shows all parcels/lots. A written request to join the maintenance district and waive Proposition 218 voting rights regarding the fee should also be submitted (NOR will provide a form to be completed and signed). These will be reviewed by NOR and, when determined acceptable for billing purposes, a certificate will be provided to the developer. The certificate will verify that the provisions of this condition have been met. This condition should be met before the tract is allowed to record and, preferably, concurrently with the application process. Prior to recordation of a final map, the subdivider shall provide the Planning Department written proof/verification from North of the River Recreation and Park District that said project is within the NOR Park Maintenance District.

North of the River Recreation and Park District requested condition for orderly development.

Condition of fee for park development and improvement.

- ☒ All residential development within the North of the River Recreation and Park District jurisdiction shall pay a park development fee to help provide park facilities within the District area. This is in accordance with Chapter 17.70 of the County of Kern Ordinance Code. Fees are paid directly to Kern County and set up as a separate account for NOR park development. All fees must be paid at the time of building permit issuance. Fees required shall be the applicable amount in effect at the time a building permit is obtained.

North of the River Recreation and Park District requested condition for orderly development.

- ☐ Subdivider shall be responsible for improving streets adjacent to the park site to County & Greater Bakersfield Metropolitan Plan standards.

Orderly development.



June 9, 2026

Noeli Glienke
Kern County - Planning & Natural Resources
2700 M Street, Suite 100
Bakersfield, CA 93301

Re: Vesting Tentative Tract Map No. 7446
Section 21; Township 29 South, Range 26 East, MDB&M

Dear Noeli:

Thank you for providing PG&E with the opportunity to review VTTM No. 7446 in County memo dated 6/2/2026. Our review indicates the design and/or improvements identified on the map(s) does not appear to directly interfere with any of PG&E's existing facilities or land rights.

Please note, this is our preliminary review and PG&E may provide additional comments in the future as the project progresses or if additional information is provided. If there are subsequent modifications made to your design, we ask that the map be resubmitted for review to the email address listed below.

For any requests to modify or relocate PG&E existing facilities, or to request gas and/or electric service, please submit an application to PG&E's Service Planning department through PG&E's Your Project Portal: [Sign In \(yourprojects-pge.com\)](https://yourprojects-pge.com).

As a reminder, before any digging or excavation occurs, please contact Underground Service Alert (USA) by dialing 811 a minimum of two (2) working days prior to commencing any work. This free and independent service will ensure that all existing underground utilities are identified and marked on-site.

If you have any questions regarding this response, please contact me at (925) 459-4787 or morgan.bunone@pge.com.

Sincerely,

Morgan Bunone

Morgan Bunone
Land Management



RECEIVED
JUN 16 2026
Kern County Planning &
Natural Resources Dept.

June 11, 2026

Kern County Planning Department
Attn: Noeli Glienke
2700 M Street, Suite 100
Bakersfield, CA 93301

Our File No.: CO26-0098
VTTM 7446

RE: DEVELOPER FEES FOR: VTTM No. 7446; Map No. 101-21
(North of Meacham Rd, between Nord Ave and Wegis Ave.)

Dear Ms. Glienke,

This office represents the Rosedale Union Elementary and Kern High School Districts with regard to the imposition of school impact fees and appreciates the opportunity to respond on behalf of the districts regarding the proposed project. This letter is limited to addressing the possible effects which the project might have on school facilities created by students attributable to the project. It is not intended to address other possible environmental concerns which might be identified by the district(s) after reviewing it.

It is our determination that the above mentioned project proposing Vesting Tentative Tract Map No. 7446, proposing the division of a 34.24-acre site into 77 residential lots ranging in size from 8,852-square feet to 29,843-square feet and a 4.24-acre sump lot; Development Variations to the Land Division Ordinance to allow a cumulative dead-end road length exceeding 800 feet for lots zoned for less than one acre and to eliminate required equestrian trails where precluded by the location and design of the proposed subdivision; Limited Design Variations to the Land Division Ordinance to authorize double frontage lots and key (reverse corner) lots may have effects on either of these district's facilities. Pursuant to Government Code Sections 65995, 65996, and 65997, mitigation of this project's impacts on public school facilities will be limited to the collection of statutory fees authorized under Education Code Section 17620 and Government Code Sections 65995, 65995.5, 65995.6, and 65995.7 at the time that building permits are issued. Currently, these fees are set at \$5.38 per square foot, an amount subject to adjustment every two years. However, the Rosedale Union School District has adopted the alternative fees authorized by Government Code Sections 65995.5 and/or 65995.7. The current fee of \$7.34 per square foot will be levied on all new residential building permits. (This alternative fee under Government Code Section 65995.5 is nominally 50 percent of construction cost, while that under Government Code Section 65995.7—which can be levied when the State's school facilities program runs out of money—is nominally 100 percent of construction cost.)

Thank you for the opportunity to comment on the project. Should you have any questions, or if we can be of any further assistance in this matter, please contact me at 636-4599, or through e-mail at anwatson@kern.org.

Sincerely,

Andrea Watson, Specialist
School District Facility Services

Cc: Districts



Outlook

SPA #97, Map 101; ZCC #208, Map 101; VTTM 7446;

From Eric McLaughlin <Eric.McLaughlin@valleyair.org>

Date Mon 7/6/2026 10:58 AM

To Daisy Gaeta <dgaeta@kerncounty.com>

CAUTION: This email originated from outside of the organization. Do not click links, open attachments, or provide information unless you recognize the sender and know the content is safe.

Hello Daisy,

The District does not have any comments on the above mentioned project. Please note that the project will be subject to District Rule 9510 and the applicant will need to submit a Indirect Source Review application to the District.

Best Regards,

Eric McLaughlin, MBA

Air Quality Specialist

Policy & Government Affairs Department

San Joaquin Valley Air Pollution Control District

1990 E. Gettysburg Avenue | Fresno, CA 93726

P. 559.230.5808 | F. 559.230.6061



San Joaquin Valley
AIR POLLUTION CONTROL DISTRICT.



SCG Transmission General Requirements



Transmission Technical
Services Department

9400 Oakdale Ave
Chatsworth, CA 91311
SC9314

July 9, 2026

Noeli Topete Glienke
Kern County
glienken@kerncounty.com

Subject: VTTM 7446 Agency Review Package

DCF: 1390-26-SL38-7030

The following are general requirements provided when performing work or planning projects near SoCalGas high pressure lines. Please review requirements along with project plans and notify SoCalGas Transmission Department about any questions or conflicts.

It is highly recommended that communication is maintained with SoCalGas to address all conflicts. Depending on the specific scope of your project there may be less or more requirements that need to be discussed regarding your project.

- 1- Consideration must be given to the safety of our pipeline(s) during all project stages.
- 2- SoCalGas must have continuous and uninterrupted access to the pipeline(s) and easement(s). In addition, SoCalGas conducts routine patrols and surveys of the pipeline(s); SoCalGas needs drivable access along the pipeline(s)/easement(s).
- 3- Buried pipelines must have a minimum cover of 3 feet and a maximum cover of 7 feet below finished grade. No change of grade whatsoever, even within these parameters, shall be made without prior approval of SoCalGas.
- 4- Prior to SoCalGas approving encroachment onto its easement(s), SoCalGas must be furnished with final grading plans showing the depth of the pipeline(s) below the existing surface and the depth of the pipeline(s) below the proposed finished grade. These elevations must meet SoCalGas' requirements for buried pipelines.
- 5- No permanent structures, such as buildings, block walls, foundations, gates, etc., shall be constructed within the easement or over the pipeline(s).

SCG Transmission General Requirements

- 6- There shall be no planting of trees or other deep-rooted plants within the easement(s) or over the pipeline(s).
- 7- Substructures shall cross perpendicular to the easement(s). Substructure crossings must provide a minimum of 18-inches vertical clearance from the pipeline(s). Additional separation is required for leach lines, fuel lines, etc.
- 8- Parallel encroachments within the easement(s) are prohibited. In areas where a parallel substructure is being constructed outside of the easement(s), SoCalGas requires five feet of separation, with three feet of undisturbed fill, in order to protect the integrity of our facilities and allow the facilities to be safely accessed during inspection, maintenance, and repair. Additional separation may be needed for leach lines, fuel lines, high voltage electric, etc.
- 9- All encroachments onto SoCalGas' easement(s) must have written approval of SoCalGas prior to construction or encroaching onto the easement(s).
- 10- All work within the SoCalGas easement(s) and/or within 10 feet of the pipeline(s) must be witnessed by a SoCalGas representative, and no work will be allowed without the SoCalGas representative on site.
- 11- No heavy equipment shall cross the pipeline(s) without SoCalGas' approval. Additional protective measures may be required where heavy equipment is expected to cross the pipeline(s).
- 12- No mechanical equipment shall operate within three horizontal feet of the pipeline(s), and any closer work must be performed by hand.
- 13- No mechanical equipment shall operate within two vertical feet of the pipeline(s), and any closer work must be performed by hand.
- 14- Buried pipeline(s) shall not be left exposed, and exposed pipeline(s) shall not be buried, without prior inspection and approval by SoCalGas. If the pipeline(s) are exposed during construction (e.g. substructure crossings, etc.), the pipeline must be backfilled with sand or zero-sack slurry only.
- 15- No vibratory compaction is permitted over the pipeline(s). In rare cases, vibratory compaction may be approved by SoCalGas' Engineering Department following review of detailed site conditions, pipeline data, and equipment specifications.
- 16- All contractors and subcontractors must be notified of the presence of the pipeline(s).
- 17- Contractors and subcontractors must call DigAlert (811) at least 2 working days prior to construction, grading, or excavation.
- 18- Once approved, encroachments within SoCalGas' easement(s) shall be documented in an easement amendment or other document, as deemed appropriate by SoCalGas' Land Services Department.

SCG Transmission General Requirements

In addition to the previous requirements, SoCalGas recommends the following:

- 19- Potholes should be made, as necessary, to establish the horizontal and vertical alignment of the pipeline(s) within the project area. This information should be indicated on the plans, as needed. CAUTION: SoCalGas personnel must be present during potholing operations. Arrangements for SoCalGas personnel to stand by during potholing activities can be made by calling DigAlert at 811.
- 20- Consideration should be given to building setbacks from the easement lines. A minimum 15-foot setback is recommended whenever possible.
- 21- All potential buyers or tenants of the property should be made aware of the presence of the pipeline(s) and easement restrictions.

Best Regards,

SoCalGas Transmission Technical Services



Transmission Technical
Services Department

9400 Oakdale Ave
Chatsworth, CA 91311
SC9314

July 9, 2026

Noeli Topete Glienke
Kern County
glienken@kerncounty.com

Subject: VTTM 7446 Agency Review Package

DCF: 1390-26-SL38-7030

Southern California Gas Company (SoCalGas) Transmission Department operates and maintains high-pressure natural gas transmission pipeline(s) in the vicinity of your project. The pipeline is shown on the attached map(s). Please note, only the high-pressure transmission pipeline information is current on these atlas prints.

Our Gas Distribution Department may have other gas facilities within your project area. To assure no conflict with the SoCalGas' distribution pipeline system, please contact

NorthwestDistributionUtilityRequest@semprautilities.com.

This is only a response to a gas facility map request; a review of potential conflicts associated with your request has not been conducted. Consequently, **this letter does not constitute clearance for any construction work near or around SoCalGas' pipeline(s)**. As your project plans are developed, you must notify SoCalGas - Gas Transmission Department regarding the improvements that are proposed near our pipeline(s) and within our easement(s) before you begin any construction, including potholing. In doing so, please allow sufficient time as there may be certain requirements that need to be incorporated into your project's design and could significantly affect your project construction schedule.

Best Regards,
Nerses Papazyan
Pipeline Planning Assistant
SoCalGas Transmission Technical Services
SoCalGasTransmissionUtilityRequest@semprautilities.com



June 05, 2026

VIA ELECTRONIC MAIL

Kern County Planning and Natural Resources Department
Noeli Glienke
2700 M Street, Suite 100, Bakersfield, CA 93301

glienken@kerncounty.com

Assessor Parcel Number(s): 46316011, 46316013, 46316053
Project Location Address: Located between Hageman Rd, Nord Ave, Mecham Rd, and Wegis Ave

PROJECT TITLE: Vesting Tentative Tract Map No. 7446

Public Resources Code (PRC) section 3208.1 establishes re-abandonment responsibility when previously plugged and abandoned oil, gas or geothermal wells will be impacted by planned property development or construction activities. Local permitting agencies, property owners, and/or developers should be aware of, and fully understand, that significant and potentially dangerous issues may be associated with development near previously abandoned oil, gas, and geothermal wells.

The California Geologic Energy Management Division (CalGEM) has received the above-referenced project dated 06/02/2026. To assist local permitting agencies, property owners, and developers in making safe and practical land use decisions regarding potential development near oil, gas, or geothermal wells, CalGEM provides a table in the attached enclosure of the wells within the parcel boundary or in its vicinity, based on CalGEM's Well Finder database (<https://maps.conservation.ca.gov/doggr/wellfinder/>).

CalGEM categorically advises against building over, or in any way impeding access to, oil, gas, or geothermal wells. Impeding access to a well could result in the need to remove any structure or obstacle that prevents or impedes access including, but not limited to, buildings, housing, fencing, landscaping, trees, pools, patios, sidewalks, roadways, and decking at the landowner's expense if there is a need to access a well. Maintaining sufficient access is considered the ability for a well servicing unit and associated necessary equipment (consisting of well servicing rig, pumping equipment, pipe trailer) to reach a well from a public street or access way, solely over the parcel on which the well is located. A well servicing unit, and any necessary equipment, should be able to pass unimpeded along and over the route, and should be able to access the well without disturbing the integrity of surrounding infrastructure. Impermeable barriers such as asphalt, concrete, and plastic may trap hazardous gases and liquids

underneath and could create a safety hazard if built over a well that later develops a leak.

CalGEM recommends that any well for which access is impeded or built over, against CalGEM's advice, should be evaluated by a qualified petroleum professional for compliance with the statutory objectives of isolating all hydrocarbon-bearing strata; protecting underground and surface waters; prevention of subsequent damage to life, health, property, and other resources; and prevention of loss of oil, gas, or reservoir energy. CalGEM recommends that wells that do not meet these standards are abandoned or re-abandoned prior to construction. The well information can be accessed through CalGEM's Well Finder database mentioned above. PRC section 3208, subdivision (a), provides the primary statutory authority for CalGEM to oversee adequate abandonment of wells. Additionally, CalGEM has developed the regulatory guidance for operators to be followed during well abandonment, which are listed within California Code of Regulation, title 14 (CCR) section 1723 and associated sub-sections (for onshore wells), and section 1745 and associated sub-sections (for offshore wells).

There is no guarantee that a well abandoned in compliance with current Division requirements as prescribed by law will not start leaking in the future. Due to the inability to predict all subsurface conditions or changes, it always remains a possibility that any well may start to leak oil, gas, and/or water after abandonment, no matter how thoroughly the well was plugged and abandoned. CalGEM acknowledges wells plugged and abandoned to the most current Division requirements as prescribed by law have a lower probability of leaking in the future, however there is no guarantee that such abandoned wells will not leak.

CalGEM advises that all wells identified on the development parcel prior to, or during, development activities be tested for liquid and gas leakage. Surveyed locations in Latitude and Longitude, NAD 83 decimal format, and leak testing results should be provided to CalGEM. CalGEM expects any wells found leaking to be reported to CalGEM immediately.

PRC section 3208.1 gives CalGEM the authority to order or permit the re-abandonment of any well where it has reason to question the integrity of the previous abandonment. Responsibility for re-abandonment costs may be affected by the choices made by the local permitting agency, property owner, and/or developer in considering the general advice set forth in this letter. The PRC continues to define the person or entity responsible for re-abandonment as:

1. The property owner - If the well was plugged and abandoned in conformance with Division requirements at the time of abandonment, and in its current condition does not pose an immediate danger to life, health, and property, but requires additional work solely because the owner of the property on which the well is located proposes construction on the property that would prevent or impede access to the well for purposes of remedying a currently perceived future

problem, then the owner of the property on which the well is located shall obtain all rights necessary to re-abandon the well and be responsible for the re-abandonment.

2. The person or entity causing construction over or near the well - If the well was plugged and abandoned in conformance with Division requirements at the time of plugging and abandonment, and the property owner, developer, or local agency permitting the construction failed either to obtain an opinion from the supervisor or district deputy as to whether the previously abandoned well is required to be re-abandoned, or to follow the advice of the supervisor or district deputy not to undertake construction that impedes access, then the person or entity causing the construction over or near the well shall obtain all rights necessary to re-abandon the well and be responsible for the re-abandonment.
3. The party or parties responsible for disturbing the integrity of the abandonment - If the well was plugged and abandoned in conformance with Division requirements at the time of plugging and abandonment, and after that time someone other than the operator or an affiliate of the operator disturbed the integrity of the abandonment in the course of developing the property, then the party or parties responsible for disturbing the integrity of the abandonment shall be responsible for the re-abandonment.

Should any wells require abandonment or re-abandonment, the responsible party must submit a Notice of Intention (NOI) to CalGEM through WellSTAR. The NOI form can be accessed in the 'Plugging and Abandonment' section of the following link:

https://www.conservation.ca.gov/calgem/for_operators.

No well work may be performed on any oil, gas, or geothermal well without written approval from CalGEM. Well work requiring approval includes, but is not limited to, mitigating leaking gas or other fluids from abandoned wells, modifications to well casings, and/or any other re-abandonment work. CalGEM also regulates the top of a plugged and abandoned well's minimum and maximum depth below final grade. CCR section 1723.5 states well casings shall be cut off at least 5 feet but no more than 10 feet below the surface of the ground. If any well needs to be lowered or raised (i.e. casing cut down or casing riser added) to meet this regulation, a permit from CalGEM is required before work can start.

CalGEM makes the following additional recommendations to the local permitting agency, property owner, and developer:

1. To ensure that present and future property owners are aware of (a) the existence of all wells located on the property, and (b) potentially significant issues associated with any improvements near oil or gas wells, CalGEM recommends that information regarding the below identified well(s), and any other pertinent information obtained after the issuance of this letter, be communicated to the appropriate county recorder for inclusion in the title information of the subject

real property.

2. CalGEM recommends that any soil containing hydrocarbons be disposed of in accordance with local, state, and federal laws. Please notify the appropriate authorities if soil containing significant amounts of hydrocarbons is discovered during development.

As indicated in PRC section 3106, CalGEM has statutory authority over the drilling, operation, maintenance, and abandonment of oil, gas, and geothermal wells, and attendant facilities, to prevent, as far as possible, damage to life, health, property, and natural resources; damage to underground oil, gas, and geothermal deposits; and damage to underground and surface waters suitable for irrigation or domestic purposes. In addition to CalGEM's authority to order work on wells pursuant to PRC sections 3208.1 and 3224, it has authority to issue civil and criminal penalties under PRC sections 3236, 3236.5, and 3359 for violations within CalGEM's jurisdictional authority. CalGEM does not regulate grading, excavations, or other land use issues.

Should you have any questions, or if any wells are encountered that were not part of this letter, contact CalGEM at (661) 322-4031 or via email at CalGEMCentralCSWR@conservation.ca.gov.

Sincerely,

Emilio Flores

Emilio Flores
Office Technician

Enclosure

Enclosure: The wells listed below are reported to be located within and nearby the parcel boundary and may have future access impeded.

APN No.	API No.	Well Name
46316011	No wells found	
46316013	No wells found	
46316053	No wells found	



Outlook

SPA #97 Map #101 ZCC #208 VTTM #7446

From Isla, Nicholas@DOT <Nicholas.Isla@dot.ca.gov>

Date Tue 6/30/2026 2:26 PM

To Daisy Gaeta <dgaeta@kerncounty.com>

Cc Padilla, Dave@DOT <dave.padilla@dot.ca.gov>

CAUTION: This email originated from outside of the organization. Do not click links, open attachments, or provide information unless you recognize the sender and know the content is safe.

Hello Daisy,

We've reviewed the proposed map and because this development will have minimal impact to the State Highway System, we have no comment.

Thank you,

Nicholas Isla
Associate Transportation Planner
Local Development Review Branch
California Department of Transportation
1352 West Olive Avenue
(559) 981-7373

BE WORK ZONE ALERT

PUBLIC COMMENTS

July 7, 2026

Kern County Planning and Natural Resources Department
2700 "M" Street, Suite 100
Bakersfield, CA 93301

File Number: SPA #97, Map 101: 2CC#208, Map 101, VTTH 7446: Waiver of Signature

Attention: Honorable Chair and Members of the Planning Commission, and Daisy Gueta, Planner II

We are writing regarding the proposed zone change and development of 77 single-family homes at the corner of Pacini Street and Hageman Road.

The existing homes directly across from the proposed development are situated on 2.5-acre parcels in a rural neighborhood. The surrounding roads are unpaved, privately maintained, and are not maintained by the County. Our neighborhood consists of sixteen homes; each located on 2.5-acre parcels that are zoned for agricultural and animal use. Each homeowner also owns a deeded 1/16 interest in our shared domestic water well.

The proposed zone change and high-density development would significantly and negatively impact our neighborhood, particularly our shared water supply. The addition of 77 new homes, combined with other approved developments nearby, raises serious concerns about the long-term availability of groundwater and the reliability of our domestic well.

The proposed development also creates compatibility concerns between existing and future residents. Our neighborhood has been agricultural in nature for decades. Many homeowners raise livestock, resulting in normal agricultural conditions such as animal noises, odors, dust, and daily ranching activities. Several of the existing homes have been established for more than 50 years. It is important that any new development be compatible with the existing rural character of the neighborhood and preserve the quiet, peaceful environment that has made this community an attractive place to live.

If the proposed development is approved, our neighborhood will also be negatively affected by increased traffic on roads that are not County maintained, the construction of block walls directly facing existing homes along Pacini Street, and potential drainage issues that could worsen stormwater runoff onto neighboring properties. In addition, the combination of this project and the already approved high-density development near Nord Avenue and Meacham Road will further increase demand on local infrastructure and groundwater resources.

We are also concerned that Pacini Street may be closed where the proposed sump basin is planned. Restricting access could delay emergency response times for fire, ambulance, law enforcement, and other emergency services.

To improve compatibility with the existing neighborhood, we encourage consideration of redesigning the project so that the proposed one-half-acre lots face the existing homes along Pacini Street, eliminating the need for a continuous block wall. We are also concerned that the developer is requesting a waiver to eliminate the required equestrian trails. Pacini Street is used daily by residents on horseback, and removing these trails would reduce safe equestrian access while diminishing the agricultural character and property values of our neighborhood.

The current zoning, which allows one-acre estate homes, would be much more compatible with the surrounding community and would better preserve existing property values. At a minimum, the proposed project should eliminate the one-quarter-acre lots and consist entirely of one-half-acre parcels. Seventy-seven additional homes represent an excessive increase in density, particularly when combined with the already approved adjoining high-density and medium-density developments. As currently proposed, the project would have a substantial negative impact on the environment, infrastructure, groundwater resources, and the character of the existing neighborhood.

If the County determines that one-quarter-acre and one-half-acre lots are appropriate for this area, then fairness would suggest that the existing sixteen homeowners also be allowed to subdivide our 2.5-acre properties into one-half-acre parcels. The Planning Department previously denied such requests.

In closing, it is difficult to understand how additional development can continue to be approved in our area when existing residents—many of whom have lived here for more than 35 years—have received little or no County assistance with maintaining our roads, addressing flooding and drainage issues, providing natural gas service, or upgrading electrical, telephone, and cable infrastructure.

We respectfully ask that the Planning Department carefully consider these concerns before approving the proposed zone change and development. Thank you for your time, consideration, and commitment to protecting the character, safety, and long-term sustainability of our community.

Sincerely,

Mark & Linda Gregory
2419 Pacini Street
Bakersfield, CA 93314

July 3, 2026

Kern County Planning Commission
Attn: Daisy Gaeta, Planner II
2700 M Street, Suite 100
Bakersfield, CA 93301

Re: Comments SPA # 97; Map 10; ZCC #208, Map 101; VTTM 7446; Waiver of Signatures

Dear Ms. Gaeta and Members of the Planning Commission:

Thank you for the opportunity to provide comments regarding this application.

My name is Tanya Bidabe Love, and I am writing on behalf of my husband and our family regarding the proposed Vesting Tentative Tract Map No. 7446.

We purchased our home in an area zoned A-1 Limited Agriculture because we wanted to live in a rural community where larger parcels, livestock, agricultural activities, and open space were not only permitted, but expected. Like many of our neighbors, we understood that growth would eventually come to this area. We also trusted that future development would be thoughtfully planned in a manner that respected the existing rural community and created appropriate transitions between differing land uses.

After carefully reviewing the project plans and supporting documents, I believe the central issue is not whether this subdivision should be built, but how it interfaces with the established neighborhood that already exists.

The proposed General Plan Amendment from Estate Residential (ER) to Low/Medium Residential (LMR), together with the requested zoning changes and related modifications, represents a significant planning decision. As the County considers these changes, I ask that equal consideration be given to how this development is designed to integrate and coexist with the surrounding rural community while respecting the agricultural and rural residential uses that already exist.

Our home is uniquely situated along the western edge of the proposed subdivision. It is the only existing residence directly adjoining both the proposed residential subdivision and the regional stormwater detention basin. Because of this unique location, our home is more directly affected by the current project design than any other existing residence bordering the development.

The project already incorporates a transition in lot sizes, and I appreciate that this transition has been considered. However, I ask that the lot configuration adjacent to our home be modified to create a more gradual transition in density along the western edge of the project. I ask the Commission to consider larger residential lots along the western property line adjacent to our

home to provide a more compatible transition between the proposed subdivision and the existing rural neighborhood.

The project would also benefit from greater separation between our home and the proposed regional stormwater detention basin. While I understand the need for stormwater facilities, placing the basin immediately adjacent to an existing residence raises legitimate concerns regarding long-term maintenance, drainage, mosquito and vector management, water quality, groundwater protection, and overall compatibility. Additional separation, enhanced setbacks, and substantial landscape buffering would help reduce these impacts while creating a more appropriate transition between the proposed development and the existing neighborhood.

Because the proposed regional stormwater detention basin will be located immediately adjacent to our home, I also ask that careful consideration be given to long-term groundwater protection and water quality. As neighboring rural property owners, we have a strong interest in ensuring that stormwater infrastructure is designed, maintained, and monitored in a manner that protects adjoining properties, existing agricultural uses, and local water resources.

Because our residence borders the project on two sides, privacy is also an important consideration. Enhanced setbacks, substantial landscape screening, and appropriate masonry walls or fencing where feasible would not only help preserve privacy but also improve compatibility between the proposed subdivision and the surrounding rural community.

The application also references a request related to the required equestrian trails. Because the trail alignment is not clearly shown in the materials provided to neighboring property owners, I ask that the Commission carefully consider whether the trail requirement can be retained in whole or in part, or whether an alternative transition feature should be incorporated if that requirement is modified.

Our family chose to live in this community because of its rural character. Existing properties include livestock, agricultural equipment, irrigation, seasonal dust, insects, odors, and other characteristics commonly associated with rural living. These are long-established, lawful activities that define this neighborhood and existed long before this project was proposed.

To help protect both existing residents and future homeowners, I ask the Commission to require an Agricultural Compatibility Disclosure for future homebuyers within this subdivision. Informing purchasers that adjoining properties are located within an established rural and agricultural area—where lawful activities may include livestock, agricultural equipment, irrigation, dust, insects, odors, and other characteristics of rural living—will help establish appropriate expectations and reduce avoidable land-use conflicts as this area continues to grow.

Should the Commission approve this project, I respectfully request consideration of the following conditions:

- Modify the lot configuration adjacent to our home to create a more gradual transition in density along the western edge of the project.

- Consider larger residential lots along the western property line adjacent to our homes to provide a more compatible transition between the proposed subdivision and the existing rural neighborhood.
- Provide greater separation between the proposed regional stormwater detention basin and our home through additional setbacks, buffering, or other site design measures where feasible.
- Require enhanced landscape buffering, privacy screening, and appropriate masonry walls or fencing where residential lots adjoin existing rural properties.
- Require a comprehensive long-term management and monitoring plan for the regional stormwater detention basin addressing maintenance, drainage, mosquito and vector control, water quality, groundwater protection, and clearly defined long-term maintenance responsibilities.
- Require appropriate design, operational, and maintenance safeguards to protect adjoining rural residential properties, livestock, and local water resources from potential impacts associated with the regional stormwater detention basin.
- Require an Agricultural Compatibility Disclosure for future homeowners adjoining existing rural and agricultural properties.
- If the equestrian trail requirement is modified, require an equivalent transition feature that maintains compatibility between the proposed subdivision and the surrounding rural community.

We understand that communities naturally grow and evolve. We are simply asking that, as this community grows, thoughtful planning and reasonable compromises guide the transition between the proposed subdivision and the existing rural neighborhood. This project presents an opportunity to create a development that benefits future residents while respecting the character and expectations of those who have long called this community home.

Thank you for your time, your thoughtful consideration, and your service to the residents of Kern County.

Respectfully,

Tanya Bidabe Love
 3751 Pacini St
 Bakersfield, CA 93314
 P: 559-816-5111

**To: Kern County Planning
Daisy Gaeta
From: Jana Daniel Power
Re: Notice of Public Hearing
Batey Family Farms, LP & O'Connell Investments, LLC**

Dear Ms. Gaeta,

I am writing in response to the Notice of Public Hearing regarding the proposed Batey Family Farms, LP and O'Connell Investments, LLC project, including Tract Map No. 7446.

I am the owner of Assessor's Parcel Number (APN) 463-160-02, located at 3613 Wegis Avenue, which is immediately adjacent to the eastern boundary of the proposed project. My daughter and her family reside on this property, where she maintains horses and other farm animals. Our home, constructed in 1963, has always been part of a rural and equestrian community. We have long intended for this property to remain an equestrian legacy for future generations.

After reviewing the Notice of Public Hearing and the limited documentation made available, I have several questions and concerns regarding the proposed subdivision. I respectfully request that the County provide responses and any supporting documentation relevant to the following issues.

Tract Map No. 7446 – Vaughn Water Company Wellsite and Sump

The Tract Map identifies a Vaughn Water Company Wellsite Parcel immediately west of the proposed Tract and directly adjacent to the proposed sump. Because this community well appears to be located in close proximity to the sump, I request clarification regarding the design, environmental review, and regulatory compliance associated with this portion of the project. This is a conversion of agricultural land to urban development.

Specifically, please provide the following information:

- 1. What are the minimum required setbacks between a community water well and the proposed sump?**
- 2. Are there any County, State, or other regulatory setback requirements that apply to the location of the sump relative to the community well?**
- 3. Has the County evaluated the potential for hazardous contaminants, including probable agricultural chemicals, to migrate, from the sump area toward the community well?**
- 4. Has any study been conducted to evaluate whether historical agricultural chemicals or contaminated soils may be exposed during grading, excavation, or construction activities?**
- 5. Is the proposed sump considered a drainage ditch or another regulated drainage facility for purposes of County or State regulations?**
- 6. Does the Vaughn Water Company Wellsite Parcel contain any water treatment facilities or related infrastructure?**
- 7. The Tract Map references a dimension identified as "L3" between the Vaughn Water Company Wellsite Parcel and Warfield Avenue; however, no corresponding table or explanation is included. Please provide the value of this dimension and confirm whether it represents an approximate thirty-foot offset.**

Street Design, Circulation, and Emergency Access

Warfield Avenue

The Tract Map depicts Warfield Avenue along the southern boundary of the proposed sump area. Based on the existing subdivision pattern, Warfield Avenue was originally planned as a full-width sixty-foot public street. In 1973, the southern half of the roadway was dedicated with the understanding that adjoining properties would eventually complete the remaining dedication as development occurred. Several subsequent subdivision maps have continued to recognize this planned street alignment.

Given this long-established planning objective, I respectfully request responses to the following questions:

1. Why does the proposed Tract Map not complete the previously planned full-width dedication of Warfield Avenue?
2. The Vaughn Water Company Wellsite Parcel appears to include an offset that could accommodate the future extension of Warfield Avenue. If this is correct, why was the remaining dedication not required as part of this project?
3. Why was Warfield Avenue not extended at least to Pacini Street to improve neighborhood connectivity and provide additional access for emergency responders, school transportation, utility installation, and future public infrastructure?
4. It appears that the North of the River Recreation & Park District (NOR) owns two parcels lying northerly of Warfield Avenue (APN's 463-160-20 & 22). Has NOR been contacted in regard to the completion of Warfield to serve their future park?

Completing the originally planned roadway would appear to improve public safety, circulation, and long-term infrastructure planning for both existing and future residents.

Pacini Street

The Tract Map also appears to depict Pacini Street along portions of the northern and southern boundaries of the project; however, the roadway does not provide a continuous connection through the development.

Please provide responses to the following:

1. Why was Pacini Street not designed as a continuous public street?
2. Why was the originally planned sixty-foot street width not completed?
3. What planning or engineering considerations prevented the continuation of Pacini Street to improve neighborhood circulation and provide future access for water, sewer, and other public utilities?

A continuous connection would appear to improve emergency response, reduce travel distances, facilitate future infrastructure expansion, and better serve surrounding neighborhoods.

Dead-End Street Length and Emergency Access

The project proposes a single point of access resulting in an extended dead-end roadway that appears to be approximately 2,000 feet in length.

The Notice references a Development Variation allowing a dead-end street that exceeds the normal allowable length. Accordingly, I respectfully request the following information:

- 1. What is the exact length of the proposed dead-end street?**
- 2. Does this roadway comply with all applicable Kern County Fire Department requirements?**
- 3. Has the Fire Department approved this design, and if so, please provide documentation of that approval.**
- 4. Would extending Warfield Avenue and Pacini Street eliminate or substantially reduce the length of the dead-end roadway?**
- 5. Has the County evaluated whether additional roadway connections would improve emergency response times for fire protection, medical emergencies, law enforcement, and disaster evacuation?**

School Transportation

Because the subdivision appears to have only one point of access, I also request clarification regarding school transportation.

Please provide the following information:

- 1. Where are the proposed school bus loading and collection locations?**
- 2. Will students be required to gather along Hageman Road?**
- 3. If so, is a dedicated bus turnout proposed?**
- 4. Given that Hageman Road is currently a half-width roadway, how will student safety and traffic operations be addressed?**

Compliance with the Western Rosedale Specific Plan

The Notice of Public Hearing indicates that the project is subject to the Western Rosedale Specific Plan. Based on my review of the Notice and the limited documentation provided, I respectfully request additional information demonstrating the project's compliance with the requirements of the Specific Plan.

Traffic Analysis

The Western Rosedale Specific Plan requires applicants to study, identify, and mitigate both project-specific and cumulative traffic impacts.

Please provide the following:

- 1. A copy of the Traffic Impact Analysis prepared for this project.**
- 2. Documentation demonstrating that both project-specific and cumulative traffic impacts were evaluated.**
- 3. Analysis of the traffic impacts resulting from the decision not to complete Warfield Avenue and Pacini Street.**
- 4. Analysis of emergency vehicle access, school bus circulation, and overall neighborhood connectivity resulting from the proposed street configuration.**
- 5. Any analysis evaluating increased travel distances, fuel consumption, response times, and traffic congestion associated with the proposed dead-end street.**

Fiscal Impact Analysis

The Western Rosedale Specific Plan also requires applicants to evaluate and mitigate fiscal impacts associated with proposed development.

Please provide:

- 1. A copy of the Fiscal Impact Analysis submitted by the applicant.**
- 2. Documentation demonstrating that the project will not result in additional costs to Kern County for public services or infrastructure.**
- 3. Analysis of the long-term public costs associated with maintaining an extended dead-end street instead of completing the originally planned roadway network.**
- 4. Information regarding anticipated costs related to emergency services, road maintenance, utility extensions, and future infrastructure improvements resulting from the current design.**

Orderly Expansion of Public Infrastructure

The Western Rosedale Specific Plan encourages the orderly and incremental expansion of urban development and public infrastructure.

Please explain how the proposed subdivision complies with these policies when:

- Warfield Avenue is not completed as previously planned
- Pacini Street does not provide a continuous public roadway.
- Future utility extensions may be limited because of the proposed dead end street configuration.
- Existing neighborhoods remain disconnected despite opportunities to provide coordinated public infrastructure.

Sewer Service Requirements

The Tract Map indicates that sewer service will be provided by North of the River Sanitation District.

Please provide documentation demonstrating that the project complies with all applicable requirements of the Western Rosedale Specific Plan, including:

1. Annexation into an existing County Services Area (CSA), or establishment of a new CSA if required.
2. Formation of any required Zone of Benefit for construction and maintenance of sewer trunk facilities.
3. Confirmation that all proposed residences will be connected to a regional sewer collection and treatment system.
4. Confirmation that individual septic systems and leach fields will not be permitted within the subdivision.

Plan Amendments

The Western Rosedale Specific Plan requires amendments to mitigate fiscal impacts so there is no net cost to the County for services and facilities.

Please provide documentation demonstrating:

1. Whether this project requires amendments to the Specific Plan.
2. If amendments are required, how the applicant has demonstrated compliance with all fiscal mitigation requirements.
3. Whether the County anticipates any additional long-term public costs resulting from the proposed roadway layout, infrastructure design, or utility configuration.

Environmental Review, Public Services, and Rural Community Impacts

Environmental Review and Agricultural Chemical Investigation

The Western Rosedale Specific Plan requires applicants proposing the conversion of agricultural land to urban uses to investigate past and current agricultural activities, including the presence of potentially hazardous agricultural chemicals.

Given the close proximity of the proposed sump to the Vaughn Water Company community well, I respectfully request the following information:

1. A copy of the agricultural chemical investigation prepared for this project.
2. Documentation identifying any historical use of pesticides, herbicides, fertilizers, or other agricultural chemicals on the project site.
3. Any environmental studies evaluating whether construction activities, including grading, trenching, and excavation, could expose contaminated soils or create health risks for construction workers, nearby residents, or groundwater resources.
4. Documentation confirming that the State's Hazardous Waste and Substances Sites List was reviewed as required for discretionary development approvals.
5. Any studies evaluating whether stormwater runoff from the subdivision to the proposed sump could affect groundwater quality or the nearby community water well.

School District Coordination

The Western Rosedale Specific Plan requires that school impacts be mitigated to a level acceptable to the affected school district(s) before approval of discretionary development.

Please provide:

1. Copies of all correspondence between the applicant, Kern County, and the affected school district(s).
2. Documentation demonstrating that school impacts have been evaluated and appropriately mitigated.
3. Confirmation that the affected school district(s) support the proposed project or have identified any conditions necessary for mitigation, including the locations for student school bus loading and unloading locations.

Agricultural Conversion Study

The Specific Plan also requires an Agricultural Conversion Study when agricultural land is proposed for urban development.

Please provide a complete copy of the Agricultural Conversion Study submitted for this project, including any County review or findings regarding compliance with applicable guidelines.

Multi-Use and Equestrian Trails

The Notice indicates that the applicant is requesting approval to eliminate the required equestrian trails.

Because the Western Rosedale Specific Plan places significant emphasis on preserving multi-use trails for equestrian, pedestrian, and bicycle circulation, I respectfully request the following:

1. Documentation explaining the basis for eliminating the required equestrian trails.
2. Identification of any pedestrian or bicycle facilities that are also proposed to be eliminated or modified.
3. Copies of correspondence between the County and the applicant regarding the trail requirements.
4. An explanation of how eliminating these facilities remains consistent with the goals and policies of the Western Rosedale Specific Plan.

As the owner of an adjoining rural equestrian property, I believe the elimination of these planned trail connections will adversely affect the character of the surrounding community and diminish opportunities for safe, interconnected recreational access.

Landscaping Requirements

The Western Rosedale Specific Plan requires roadway landscaping, including tree installation and long-term maintenance along designated streets.

Please provide:

1. The project's proposed landscaping plan.
2. The applicable Conditions of Approval governing installation and maintenance of landscaping.
3. Documentation demonstrating compliance with the Specific Plan's requirement for street trees and landscaped corridors.
4. Information regarding who will be responsible for long-term maintenance of these improvements.

Protection of Existing Rural Properties

For more than sixty years, the surrounding area has functioned as a rural and equestrian community. While I recognize that future development may occur, I believe it should be designed to complement existing neighborhoods rather than isolate them.

The current proposal appears to create a subdivision with a single point of access while discontinuing planned roadway connections and eliminating opportunities for future east-west circulation. As a result, neighboring rural properties may become permanently separated from future transportation corridors, utility extensions, and public infrastructure.

I respectfully request that the County explain how this design is consistent with the Western Rosedale Specific Plan's objectives of orderly growth, coordinated infrastructure expansion, and compatibility with surrounding development.

Water Supply, Utility Planning

Impacts on Existing Water Wells

One of my primary concerns is the potential impact this development may have on existing groundwater resources and neighboring private wells.

The Vaughn Water Company Wellsite Parcel appears capable of serving the proposed subdivision, and other future subdivisions. However, it is unclear whether sufficient analysis has been conducted regarding the cumulative effects of increased groundwater pumping on existing rural properties.

Accordingly, I respectfully request the following information:

- 1. Has a groundwater or hydrogeologic study been prepared to evaluate the impact of the proposed development on existing private and community water wells in the surrounding area?**
- 2. Has the applicant evaluated whether increased groundwater extraction could lower groundwater levels or reduce the production capacity of neighboring wells?**
- 3. If existing wells are adversely affected by the project's water demands, what mitigation measures are proposed?**
- 4. If neighboring property owners are required to deepen, repair, or replace their wells because of project-related impacts, who will be responsible for those costs?**
- 5. Has the County evaluated the cumulative groundwater impacts of this project together with other existing or anticipated developments within the Western Rosedale Specific Plan area?**

Future Utility Connections

The proposed subdivision appears to interrupt the logical extension of streets, water lines, sewer lines, and other public infrastructure that could otherwise serve surrounding properties in the future.

Please explain:

- 1. How future east-west utility extensions will be accommodated if Warfield Avenue and Pacini Street are not completed.**
- 2. Whether the current design limits future opportunities for neighboring property owners to connect to public water or sewer infrastructure.**
- 3. How the proposed layout is consistent with the Specific Plan's objective of providing coordinated and efficient expansion of public infrastructure.**

Community Character

The surrounding neighborhood has historically consisted of rural residential and equestrian properties connected by an established pattern of planned streets and infrastructure. While future development may be appropriate, it should respect the

character of the existing community and preserve opportunities for logical roadway connections, utility expansion, emergency access, and neighborhood circulation.

The current proposal appears to isolate the subdivision by relying on a single point of access while discontinuing previously planned street connections and eliminating required equestrian trails. In my opinion, this design is inconsistent with the long-term planning objectives of the Western Rosedale Specific Plan and may negatively affect existing neighboring property owners.

Conclusion

I respectfully request that the County provide written responses to the foregoing and all supporting studies, reports, correspondence, analyses, and documentation requested in this letter before any final action is taken on the proposed project.

Specifically, but not exclusive of other requests, I request copies of, or access to, the following documents, if they have been prepared:

- **Traffic Impact Analysis.**
- **Fiscal Impact Analysis.**
- **Agricultural Conversion Study.**
- **Agricultural Chemical Investigation.**
- **Groundwater or Hydrogeologic Study.**
- **Environmental studies addressing the proposed sump and community well.**
- **Fire Department review and approval of the proposed street layout.**
- **School district correspondence and mitigation documentation.**
- **County Services Area and sewer compliance documentation.**
- **Landscaping and Conditions of Approval.**
- **Correspondence regarding the elimination of equestrian and other multi-use trails.**
- **Any additional technical reports or supporting documents demonstrating compliance with the Western Rosedale Specific Plan.**

I appreciate the opportunity to submit these comments for the public record. I respectfully request that the County fully consider these concerns and provide complete responses to each item before making a final decision on the proposed project.

Thank you for your time and consideration.

Respectfully submitted,

Jana Daniel Power

Kern County Planning and Natural Resources Department
2700 M Street Suite 100
Bakersfield, CA 93301

RECEIVED

JUL 13 2026

Kern County Planning &
Natural Resources Dept.

Attention Honorable Chair and Members of the Planning Commission,
Daisy Gueta, Planner II
SPA #97, Map 101: 2CC#208, Map 101, VTTH 7446: Waiver of Signature

We are writing regarding the above proposed zone change and proposed development of the acreage that is located directly across the street from us. Our home, acreage and neighborhood are rural. The homes are on a dirt road. Our home and property are on 2.5 acres of land. Ronald built the home and agriculture building fifty-three years ago. Our neighborhood consists of sixteen homes mostly on 2.5 acres. All parcels are zoned for animals and ag use. Each of the sixteen homeowners own a deeded 1/16th share of our domestic water well. The proposed zone change and development would negatively affect our well and our access to water. A few years ago, our well went dry. It cost \$50,000 to get it operational again. The proposed development could cause friction between existing homeowners and new homeowners because of the close proximity. Existing homeowners raise and keep livestock and odors are emitted, animal noise, dust and animal activity are created. Many homes in the existing neighborhood have been here for over 50 years. It is very important that new development is a good fit for the existing neighborhood so as to not ruin the quiet and peaceful location of our homes that brought us to live here in the first place.

The 25 acres on Hageman and Nord is also indicated on your proposed zone change map. This was previously changed from A-1 to high density, A-1 to low to medium density. When the 25 acres is developed that will bring a large number of apartments and homes in close proximity to our existing neighborhood. If the proposed addition of 77 homes is approved, we will be surrounded and negatively impacted by the changes to our peaceful and private way of life. Additionally, the new proposed development combined with the other already approved development it would impact the existing homeowners negatively as to water, increased traffic and noise. Also, Pacini Street would be closed to us where the sump

would be placed. This would limit current quick access for fire, ambulance, police and other emergency vehicles.

A block wall in front of existing properties would have a negative impact. Perhaps consideration could be given to turning the ½ acre parcels so they would face our existing homes eliminating the need for a block wall. The developers are requesting a waiver eliminating the required equestrian trails. Pacini Street is used daily by residents with horses. This proposal would block access. It would lower our property values.

The original existing zoning for 1 acre estate homes would blend in a positive way and maintain our property values. Also, a development of 1 acre estate homes would complement the existing sixteen homeowners zoned for animals. An alternative change from the proposed mixture of ¼ acre and ½ acre parcels would be to eliminate the ¼ acre parcels and make them all ½ acres. Seventy-seven homes is a huge amount when combined with the already approved a-joining acreage of high density and low to medium density when developed. As proposed, the development would have an overall negative environmental impact on the existing neighborhood.

Thank you for your consideration of our above concerns and comments.

Sincerely,
Ronald & Patricia Bulkeley
3717 Pacini Street
Bakersfield, CA 93314



July 7, 2026

Kern County Planning and Natural Resources Department
2700 M Street, Suite 102
Bakersfield, CA 93301

Attention: Honorable Chair and Members of the Planning Commission
Daisy Guetta, Planner II

Reference: SPA #97, Map 101; ZCC #208, Map 101; VTTH 7446; Waiver of Signature

Dear Honorable Chair and Members of the Planning Commission,

I am writing to express my concerns regarding the proposed zone change and residential development located near Pacini Street and Hageman Road.

My family and I own a three-acre property in this rural neighborhood, where we have lived alongside many longtime residents who have chosen this area for its peaceful, agricultural character. Our road is unpaved, we own livestock, and our community has long embraced a rural lifestyle that is becoming increasingly rare. We invested in our home with the expectation that the surrounding area would continue to reflect the existing rural zoning and character.

One of the defining features of our neighborhood is the ability for residents to safely ride horses from their properties along Pacini Street and through the surrounding orchards. This has been a longstanding part of our community's way of life. The proposal to eliminate the required equestrian trails would significantly impact existing residents by reducing safe access for horseback riding and diminishing an important aspect of our rural community. These trails are not merely recreational amenities—they are part of the area's established infrastructure and lifestyle.

In addition, the proposed high-density development would substantially alter the character of the neighborhood. Increased traffic on our unpaved roads, additional noise, and the transition from agricultural land to a dense residential subdivision would negatively affect the quality of life that current residents have enjoyed for many years. Thoughtful planning should consider whether a proposed development is compatible with the surrounding community. In this case, we believe the proposed density is inconsistent with the existing rural environment and would have adverse impacts on neighboring property owners.

If development is ultimately approved, I respectfully ask that the County consider maintaining the original one-acre estate zoning for this property. Larger estate lots would be far more compatible with the existing neighborhood and would better preserve the rural character of the area. A development of 77 homes represents a significant increase in density that is out of scale with the surrounding properties.

Many homeowners in this community have lived here for more than 20 years. Each day we enjoy the open farmland, quiet surroundings, and scenic views that define this neighborhood. Replacing those views with a dense subdivision of small homes, block walls, and increased traffic and noise would permanently change the character of the area and diminish the qualities that led many of us to make this community our home.

Thank you for your time and thoughtful consideration of these comments. I respectfully request that the Planning Commission carefully consider the long-term impacts this proposal would have on the existing residents and the rural character of our neighborhood.

Sincerely,

Steven and Kristin Davies
17605 Meacham Road
Bakersfield, Ca 93314

THE PROPOSED DEVELOPMENT IS NOT CONSISTENT WITH THE
EXISTING 8 HOUSE 2 ½ ACRE PARCELS ALREADY IN A WELL
ESTABLISHED CRIME FREE NEIGHBORHOOD

THE PRESENT PACINI PROPERTIES ARE AGRICULTURAL IN NATURE,
LIVE STOCK, 4H, RECREATIONAL ANIMALS, FRUIT TREES, AND
FAMILY GARDENS

THE PACINI 8 HOUSES ARE DIRECTLY ADJACENT TO THE PROPOSED
HIGH DENSITY SINGLE FAMILY DEVELOPMENT.

THIS PROPOSED DEVELOPMENT WILL:

1. IMPEDE ACCESS TO PRESENT HOUSES
2. IMPEDE ACCESS TO FIRE, AMBULANCE, SERVICE VEHICLES
3. INCASE OF A NATURAL DISASTER OR FIRE WILL IMPEDE HELP TO
ARRIVE QUICKLY
4. IMPEDE NEEDED GARBAGE AND PROPANE DELIVERY TRUCKS
5. IMPEDE MAIL, UPS AND OTHER DELIVERY VEHICLES
6. IMPEDE HORSE RIDING TRAILS
7. IMPEDE 4 H TRAINING OF SMALL LIVESTOCK
8. IMPEDE READILY AVAILABLE ACCESS AND EGRESS TO PRESENT OWNERS

THIS PROPOSED DEVELOPMENT WILL MAKE AN ESTABLISHED RURAL
COMMUNITY OF 8 PROPERTIES TO A HIGH DENSITY, TRAFFIC RIDDEN, WITH
NOISE POLLUTION, INCREASE THE NEIGHBORHOOD TO FUTURE CRIME,
VANDALISM AND MISCHIEF

THE PROPOSED DEVELOPMENT WILL REQUIRE SERVICES NOT AVAILABLE
IN THIS AREA SUCH AS SEWER, WATER COMPANY, PAVED STREETS,
LIGHTS, STREET SIGNS, CURBS, AND GUTTERS

THIS PROPOSED DEVELOPMENT WILL REQUIRE EXTRA COUNTY EXPENSES
TO BE SPENT AND EXTRA EXPENSES TO SHERIFF FOR CRIME CONTROL AND
MONITORING.

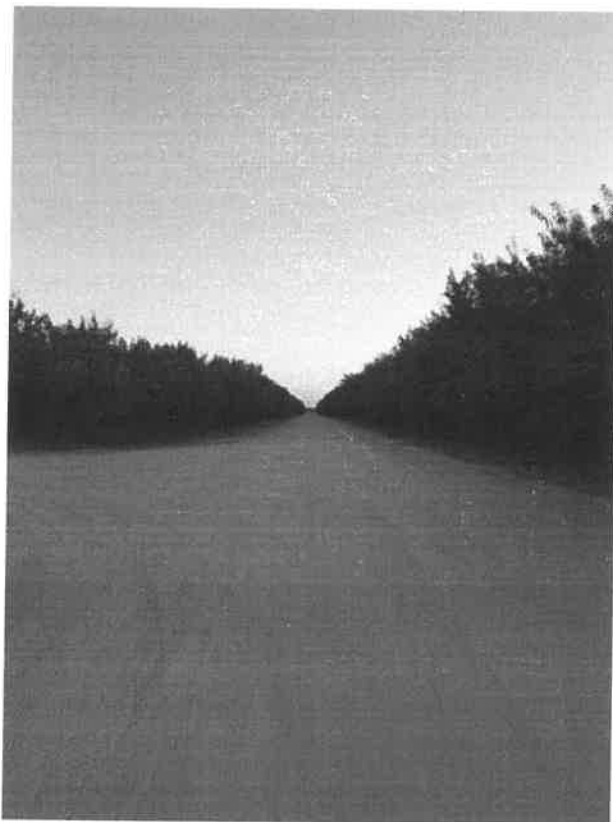
WITH ALL OF THE ABOVE NEGATIVE ISSUES I RESPECTFULLY REQUEST
THAT THIS HIGH DENSITY HOUSING DEVELOPMENT BE DENIED

A handwritten signature in cursive script, reading "Mary Blanton". The signature is written in dark ink and is positioned at the bottom right of the page.

A COMMUNITY PLANNING BRIEF

Building a Better Transition

Prepared on behalf of the residents of the existing Pacini Street neighborhood



Pacini Street looking north toward Hageman Road.

Regarding

Specific Plan Amendment No. 97, Map 101

Zone Change Case No. 208, Map 101

Vesting Tentative Tract Map No. 7446

Prepared for

Kern County Planning Commission

July 2026

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Chapter 1 | Executive Summary

The existing neighborhood is a rural residential community consisting of 16 homes on approximately 2.5-acre parcels: eight homes located along Pacini Street and eight located along Nord Avenue. The neighborhood is bordered by active agricultural land and has functioned for decades without curbs, gutters, sidewalks, streetlights, sewer service, natural-gas service, a public water system, or paved residential streets. Instead, all 16 property owners share, own, and finance a private domestic well system.

The proposed project would develop approximately 34.24 acres with 77 residential lots and an approximately 4.24-acre stormwater sump lot. It would also change the existing Estate Residential land-use designation and permit a combination of residential lot sizes. The tract map identifies a smallest proposed lot of approximately 8,156 square feet—less than one-quarter acre—while other portions of the project include larger lots.

The residents have always understood that this land would one day be developed. They are not opposing housing; they are requesting practical modifications where the subdivision meets the established rural neighborhood.

- Keep Pacini Street open and retain its name through any continuation to Hageman Road.
- Pave only this development's full Pacini-facing frontage, preserve entrances, and direct project drainage to the sump.
- Provide the required 30-foot dedication on the subdivision side of the property line, then provide a separate 10-foot landscaped buffer before the western wall.
- Use the same finished-wall and landscape treatment beside the Love home's side-entry garage.
- Place the largest residential lots along the western project boundary within Phases 1 and 2.
- Retain the sump, protect the Love property entrance, contain all sump facilities within project property, and document permanent maintenance and mosquito-abatement responsibility.
- Demonstrate that project drainage will not adversely affect Pacini Street or neighboring properties.
- Document adequate water for 77 homes without charging project-related costs to the 16 existing well owners.
- Provide utility stub-outs for the eight Pacini Street properties wherever new mains pass immediately adjacent to them.
- Require comprehensive Right-to-Farm disclosures that specifically include livestock and normal agricultural operations.

CENTRAL REQUEST

Require project modifications and conditions of approval that create a functional, landscaped, and compatible transition between the proposed subdivision and the existing neighborhood.

Source note: Kern County Staff Report, pp. 1 and 3-11; Draft Conditions of Approval; resident maps and observations.

Chapter 2 | Purpose of This Brief

This brief has been prepared on behalf of the existing neighborhood for consideration by the Kern County Planning Commission. It supplements the individual public-comment letters already submitted and consolidates the principal neighborhood concerns and recommendations into one organized document.

The brief does not repeat every concern raised by every resident. It focuses on the issues that most directly affect land-use compatibility, roadway function, drainage, public safety, agriculture, water supply, infrastructure, and the long-term relationship between the existing and proposed communities.

The residents are not requesting that the property remain undeveloped. They request that the project design acknowledge the conditions already present along its western boundary and provide an appropriate transition from approximately 2.5-acre rural parcels to a substantially denser residential subdivision.

Neighborhood-wide issues are separated from impacts affecting the Love property. This distinction preserves credibility: roadway function, drainage, agriculture, and water supply affect the community generally, while the side-entry garage, property entrance, adjoining sump, and northern end of Pacini Street create additional property-specific concerns.

REQUESTED USE

Consider this brief together with the individual public-comment letters, project exhibits, agency comments, and staff report when determining whether additional conditions or design modifications are necessary.

Chapter 3 | Existing Neighborhood

The existing neighborhood consists of 16 rural residential properties: eight located along Pacini Street and eight located along Nord Avenue. The homes are generally situated on approximately 2.5-acre parcels and are surrounded by active agricultural land.

The established development pattern includes large, deep parcels; substantial setbacks; accessory structures; open land; livestock and horse-keeping areas; and space for trailers, recreational vehicles, agricultural equipment, and other rural residential uses.

The neighborhood has existed in this agricultural setting for approximately five decades. Residents understand and accept farming, livestock, irrigation, dust, odors, lawful spraying, seasonal harvest activity, and early-morning operations as normal features of the area.

The neighborhood also operates with limited public infrastructure. Residents privately fund many essential services, including the shared domestic well in which each of the 16 owners holds a deeded one-sixteenth interest.

The proposed subdivision would introduce a substantially different residential form. The residents do not ask the new development to duplicate their parcel sizes. They request a deliberate transition that recognizes the existing scale, access needs, agricultural setting, and privately funded infrastructure.

KEY RECOMMENDATION

Recognize the 16-home neighborhood as an established rural residential community and require the project edge, drainage system, roadway improvements, and disclosures to respond to its existing conditions.

Chapter 4 | Existing Roadway and Neighborhood Function

Pacini Street is not simply the narrow dirt track visible in an aerial photograph. It lies within an approximately 60-foot dedicated road right-of-way and serves as the primary access route for the eight homes along its western side. It is unpaved and is not maintained by the County. Residents nevertheless rely on the full right-of-way—not merely the visible tire tracks—for access, trailers, drainage, equipment, and emergency vehicles.

Unlike a conventional paved street, Pacini Street has no curbs, gutters, sidewalks, shoulders, marked lanes, or clearly defined pavement edges. Residents rely on the broader corridor for turning, passing, drainage, utility access, and movement around mud, standing water, and temporary obstructions.

- Horse and livestock trailers.
- Recreational vehicles.
- Tractors and agricultural equipment.
- Delivery, moving, utility, well-service, and garbage trucks.
- Fire engines, ambulances, and other emergency vehicles.

Several gates, driveways, trailers, and accessory uses were designed around this rural configuration. A design based only on passenger-vehicle movements or the currently visible tire tracks would not reflect how the roadway actually functions.

Because the proposed western wall and the Public Works frontage dedication directly affect this roadway function, the final design must preserve the full usable corridor. Chapter 5 provides the detailed wall-location and landscape-buffer request.

Roadway Improvement

Kern County Public Works requires the western project frontage to be constructed to a Type "A" Subdivision Standard, half-width local street plus 10 feet, including asphalt concrete and necessary tie-ins. The residents request that the subdivider pave and improve the full Pacini-facing length of this development—from the development's southern limit through its northern limit—rather than the entire existing length of Pacini Street.

The final plans should show the full road right-of-way, pavement, wall, landscaping, drainage, utilities, existing entrances, and large-vehicle clearances on one coordinated exhibit. Paving and grading must preserve roadway function, must not redirect runoff toward existing properties, and should connect project-frontage drainage to the project's approved sump system.

KEY RECOMMENDATION

Pave and improve the full project frontage along Pacini Street, preserve its functional width and existing entrances, and coordinate the improvement with drainage to the project sump.

Source note: Kern County Public Works memorandum dated July 8, 2026; Draft Conditions Nos. 19-22.

Chapter 5 | Western Project Edge

Residents support a masonry wall for privacy and security; their concern is its location and the treatment visible from existing homes.

Wall Location and Appearance

The existing 30-foot road easement extends from the current western project property line toward the center of Pacini Street. A wall placed on that property line would therefore fall within the functional road corridor. Residents request that the subdivider provide the required 30-foot dedication entirely on the subdivision side of the property line. They also request a separate 10-foot landscaped setback between that new dedication area and the wall. Together, these requests would place the wall approximately 40 feet east of the currently depicted western property line. Its exterior face should receive a split-face or comparably finished surface so existing residents do not face a long, unfinished masonry barrier.

Landscape Transition

The requested 10-foot landscape transition is in addition to—not part of—the 30-foot dedication provided on the subdivision side of the property line. It should be provided on the existing-neighborhood-facing side of the wall so it screens and softens the wall as viewed from the Love residence and Pacini Street.

The landscape area should remain outside the portion of Pacini Street needed for travel, trailers, emergency access, drainage, and road maintenance. Before final-map approval, the County should identify the permanent maintenance entity, funding source, assessment boundary, and specific improvements covered.

Draft Condition No. 23 identifies County Service Area No. 71, Zone of Benefit No. 71.8 for landscaping and wall maintenance. Before final approval, residents request a clear explanation of what the zone will maintain, which properties will be included, and how costs will be assigned. The residents request that existing properties not be assessed for improvements created specifically for the new subdivision.

Street Name

County maps and project documents identify the existing road as Pacini Street. Residents request written confirmation on the final map that the existing Pacini Street name will remain unchanged and will not be renamed or absorbed into a street identified as Heston.

Lot-Size Transition

Within Phases 1 and 2, the largest proposed residential lots should be concentrated along the western project boundary. Smaller lots can remain within the project interior, reducing the contrast between approximately 2.5-acre rural parcels and the new subdivision.

Chapter 6 | Drainage, Sump Maintenance, and Water Supply

The project includes an approximately 4.24-acre stormwater sump near the western boundary. The Loves are comfortable with retaining the sump and prefer it to a residential home placed immediately beside their rural property. Their requests concern setback, access, maintenance, mosquito abatement, easements, and funding.

Drainage Protection

Because the surrounding neighborhood lacks a conventional storm-drain system, the project must demonstrate that new grading, streets, roofs, and driveways will not increase or redirect runoff toward Pacini Street or neighboring properties.

- Document existing drainage patterns and low points.
- Identify the volume and direction of project runoff and emergency overflow routing.
- Demonstrate that grading will not concentrate water toward homes, entrances, livestock areas, or accessory structures.
- Control erosion, sediment, and off-site discharge during phased construction.

Sump Location, Access, and Easements

The sump is located near the Vaughn Water Company facility and immediately adjacent to the Love property. It should be set back and configured so its wall, fencing, landscaping, and maintenance access do not interfere with the Love entrance or Pacini Street.

All land required for sump construction, operation, drainage, landscaping, fencing, access, and maintenance should be contained within the 4.24-acre sump lot or other project-owned property. No sump-related easement or improvement should encumber an existing property or reduce the functional Pacini Street corridor. Routine maintenance access should come from within the project.

Permanent Maintenance

The recorded project documents must clearly identify who maintains the sump, who pays, and how the responsibility is enforced. Maintenance must include drainage function, vegetation and weed control, debris removal, fencing and wall repairs, and mosquito and vector abatement.

Vaughn Water and Groundwater Demand

The proposed sump's well-setback requirement relates to the nearby Vaughn Water facility, not to the shared neighborhood well located farther south. A separate concern is the groundwater demand created by supplying 77 additional homes.

The staff report identifies Vaughn Water Company as the proposed provider and requires an unconditional will-serve letter before final-map recordation. The current packet does not provide the proposed source, projected demand, available capacity, or potential effects on nearby domestic wells.

Before final-map approval, the applicant should provide water-supply documentation addressing those matters. All project-related studies, monitoring, and mitigation must be funded by the applicant, water

provider, or subdivision. No related cost may be imposed upon the 16 existing owners who privately and solely finance their shared well.

KEY RECOMMENDATION

Retain the sump, protect the Love entrance, contain all facilities and easements within project property, record permanent maintenance and mosquito-abatement responsibility, prevent adverse drainage, and document adequate water supply without shifting costs to existing well owners.

Source note: Staff Report, pp. 5-6 and 9-10; Draft Conditions Nos. 23, 30, and drainage conditions on pp. 8-9 of the draft resolution.

Chapter 7 | Traffic, Access, and Public Safety

Pacini Street should remain open and continue north to Hageman Road. It should not end at the Love property, be blocked by a wall, or be redesigned as a cul-de-sac or turnaround. The Love property, driveway, and entrance must not be used as a turnaround for traffic.

Before the wall design is finalized, the residents request that Kern County Public Works and the Fire Department evaluate whether a full roadway connection or permanent emergency-access connection can be provided to Hageman Road.

Emergency Access and Redundancy

A Hageman connection would provide an additional route for residents, fire engines, ambulances, evacuation, utility crews, and circumstances in which the existing route is affected by flooding, construction, an accident, or another obstruction.

If a full public connection is not approved, the project should preserve the corridor and provide a permanent emergency-access option acceptable to the Fire Department rather than constructing improvements that eliminate the possibility.

Construction Traffic

Routine subdivision construction traffic, worker parking, equipment staging, and material storage should use the project's Hageman Road entrance. The subdivider should promptly correct construction-related mud, debris, dust, or roadway damage affecting Pacini Street or existing entrances.

KEY RECOMMENDATION

Keep Pacini Street open, evaluate its continuation or emergency connection to Hageman Road before approving a permanent wall, and route construction activity through the project's Hageman entrance.

Source note: Staff Report, pp. 9-10 and 17-18; Public Works memorandum dated July 8, 2026.

Chapter 8 | Agricultural Stewardship and Right-to-Farm

The existing neighborhood has coexisted with active agriculture for approximately five decades. Agricultural and rural residential activities existed long before the proposed subdivision and remain lawful characteristics of the surrounding land-use pattern.

- Farm equipment and slow-moving vehicles.
- Dust, agricultural odors, irrigation, and lawful crop spraying.
- Early-morning, nighttime, seasonal, and harvest operations.
- Horses, cattle, sheep, goats, poultry, and other livestock.
- Noise, insects, trailers, feed deliveries, veterinary services, and animal care.

Introducing 77 additional households increases the possibility of future complaints from buyers who may not fully understand rural conditions. Disclosure protects existing farms, livestock owners, future homeowners, the County, and the developer.

County staff recommends a final-map notice regarding properly conducted agricultural and other nonresidential operations. The residents request that the disclosure also appear in purchase documents and include a signed acknowledgment from every initial purchaser. It must specifically mention livestock and animal-related activity.

KEY RECOMMENDATION

Require every initial purchaser to sign a comprehensive Right-to-Farm and agricultural-compatibility disclosure specifically addressing livestock and normal agricultural operations.

Source note: Staff Report, p. 8; proposed agricultural disclosure in Condition No. 37(f).

Chapter 9 | Infrastructure Coordination and Existing Residents

The subdivision will introduce roads, water, sewer, natural gas, drainage facilities, streetlights, and other improvements into an area where existing residents have historically received limited urban infrastructure.

The residents do not request modernization of the entire neighborhood. They request reasonable coordination where new infrastructure will be constructed immediately beside the eight Pacini Street properties.

Utility Stub-Outs

The residents request that the Commission require the subdivider to install appropriately designed water, sewer, and natural-gas stub-outs for the eight Pacini Street properties wherever new mains are constructed along or immediately adjacent to Pacini Street, subject to the applicable utility providers' requirements.

A stub-out should provide a voluntary future connection option. It must not require immediate connection, abandonment of the shared well, membership in the subdivision, or service charges before a resident voluntarily requests service.

Fair Allocation of Costs

Infrastructure required to serve VTTM 7446 should be funded by the developer and the new subdivision properties. Existing residents must not be assessed for subdivision landscaping, wall maintenance, sump maintenance, drainage, streetlights, street sweeping, water-supply studies, or groundwater monitoring.

If a resident later elects to connect to a utility, ordinary connection, meter, and service charges may apply at that time. That differs from requiring the existing neighborhood to help finance infrastructure needed for the 77 new homes.

KEY RECOMMENDATION

Provide utility stub-outs where new mains pass the eight Pacini Street properties, preserve voluntary future connection, and exclude the existing neighborhood from subdivision-related infrastructure and maintenance assessments.

Chapter 10 | Property-Specific Impacts: Love Property

The Love property is located at the northern end of the existing Pacini Street neighborhood and borders the proposed project on two sides. Its location creates additional impacts not shared equally by every home.

Entrance and Side-Entry Garage

The entrance and side-entry garage require sufficient space for vehicles and livestock trailers to enter and leave safely. The roadway, wall, sump, landscaping, fencing, and maintenance access must not obstruct the entrance, restrict trailer access, interfere with the garage, or reduce Pacini Street's functional width.

The Love property, driveway, and entrance must not be used as a public turnaround.

Northern End of Pacini Street

Pacini Street should remain open and continue north to Hageman Road. It should not end at the Love property, be blocked by a wall, or be redesigned as a cul-de-sac or turnaround.

Preferred Adjoining Use

The applicant discussed placing a residential home beside the Love property as an alternative to the proposed sump. The Loves do not support that alternative. They prefer retaining the sump, provided it is set back to protect their entrance and is properly maintained.

No material revision should replace the sump with a residential lot adjoining the Love property without renewed notice and an opportunity for affected residents to review and comment.

Wall, Landscaping, and Maintenance

Where a wall faces the Love property, its exterior surface should be split-face or comparably finished, with a separate landscaped buffer on the Love-facing side. This same treatment is requested for the wall beside the side-entry garage. The landscaping must not occupy Pacini Street or interfere with the entrance, garage access, or trailer movements.

Draft Condition No. 23 identifies Zone of Benefit No. 71.8 for landscaping and wall maintenance. Before final-map approval, the County should identify the area and improvements it will maintain, who will be assessed, and how the assessment will be calculated. The Love property and other existing neighborhood properties must not be assessed.

KEY RECOMMENDATION

Preserve the Love entrance, side-entry garage, and trailer access; keep Pacini Street open; retain and properly set back the sump; place all sump improvements on project property; and provide maintained landscaping on the Love-facing side of the wall.

Chapter 11 | Community Recommendations

1. Pacini Street Connection

Keep Pacini Street open and evaluate a full roadway or permanent emergency connection to Hageman Road before approving a wall across its northern end.

2. Paving, Western Wall, and Roadway

Pave and improve the full Pacini-facing length of this development; preserve entrances and roadway function; prevent adverse drainage; provide the required 30-foot dedication on the subdivision side of the property line; and provide a separate 10-foot landscaped setback before the western wall.

3. Landscape Transition

Provide at least 10 feet of maintained landscaping on the exterior, Love-facing and Pacini-facing side of the wall, outside the functional road corridor.

4. Larger Perimeter Lots

Place the project's largest residential lots along the western boundary within Phases 1 and 2.

5. Love Property Access

Preserve the Love entrance, side-entry garage, driveway movements, and trailer access. Do not use private property as a public turnaround.

6. Retain the Sump

Retain the sump instead of replacing it with a residential lot beside the Love property, and set it back so related improvements do not impair the entrance or Pacini Street.

7. Sump Maintenance

Record permanent responsibility and funding for drainage function, vegetation, weeds, debris, fencing, wall repair, mosquito abatement, and vector control.

8. Sump Acreage and Easements

Contain all sump facilities, access routes, and easements within the sump lot or other project-owned property.

9. Drainage Protection

Require engineered plans demonstrating no adverse drainage impacts to Pacini Street or neighboring properties.

10. Water Supply and Existing Well

Document Vaughn Water's proposed source, projected demand, capacity, and potential effects on nearby domestic wells. Charge no project-related study, monitoring, or mitigation cost to the 16 existing well owners.

11. Maintenance Assessments

Disclose the boundaries, services, affected properties, and assessment methodology for applicable CSA zones, including proposed Zone 71.8. Exclude the existing neighborhood from subdivision-related assessments.

12. Pacini Street Name

Confirm on the final map that the existing Pacini Street name will remain unchanged and will not be renamed or absorbed into a street identified as Heston.

13. Utility Stub-Outs

Install water, sewer, and natural-gas stub-outs for the eight Pacini Street properties wherever new mains pass immediately adjacent, subject to utility-provider requirements.

14. Construction Access

Route construction traffic, parking, staging, and material storage through the project's Hageman Road entrance.

15. Agricultural Compatibility

Require signed Right-to-Farm disclosures specifically addressing livestock and normal agricultural operations.

16. Notice of Material Changes

Provide renewed notice and an opportunity to comment before material changes involving the sump, western wall, Pacini Street access, drainage, or easements affecting existing properties.

Chapter 12 | Summary of Requested Commission Actions

The residents respectfully request that the Planning Commission include the following requirements in any approval of SPA No. 97, Zone Change Case No. 208, and VTTM No. 7446:

- ☐ Keep Pacini Street open and evaluate a full roadway or emergency connection to Hageman before approving a permanent wall.
- ☐ Pave and improve the full Pacini-facing length of this development at the subdivider's expense.
- ☐ Provide the required 30-foot dedication on the subdivision side of the property line and place the western wall east of that area.
- ☐ Provide a separate 10-foot landscaped setback on the Love-facing and Pacini-facing side of the wall.
- ☐ Place the largest residential lots along the western project boundary within Phases 1 and 2.
- ☐ Protect the Love entrance, side-entry garage, and trailer access; do not use private property as a turnaround.
- ☐ Retain the sump, protect the Love entrance, and keep all sump facilities and easements within project property.
- ☐ Record permanent sump maintenance, mosquito-abatement, and vector-control responsibility and funding.
- ☐ Require engineered plans demonstrating no adverse drainage impacts to neighboring properties.
- ☐ Document Vaughn Water's source, demand, capacity, and potential effects on nearby domestic wells.
- ☐ Impose no project-related water-study, monitoring, or mitigation cost on the 16 existing well owners.
- ☐ Disclose all applicable CSA boundaries, services, affected properties, and assessment methodology; exclude the existing neighborhood from subdivision assessments.
- ☐ Confirm that the existing Pacini Street name will remain unchanged and will not be renamed or absorbed into Heston.
- ☐ Provide utility stub-outs for the eight Pacini Street properties wherever new mains pass immediately adjacent.
- ☐ Route construction traffic and staging through the project's Hageman Road entrance.
- ☐ Require signed Right-to-Farm disclosures that specifically include livestock.
- ☐ Provide renewed notice before material design changes affecting the sump, wall, access, drainage, or existing properties.

Appendices

The appendices provide visual and documentary support without repeating the main brief.

Appendix	Contents
Appendix A	Existing Neighborhood and Well Locations
Appendix B	Vesting Tentative Tract Map No. 7446
Appendix C	Kern County Public Works Memorandum - Roadway Requirements
Appendix D	Supporting Record Index

Appendix A | Existing Neighborhood and Well Locations

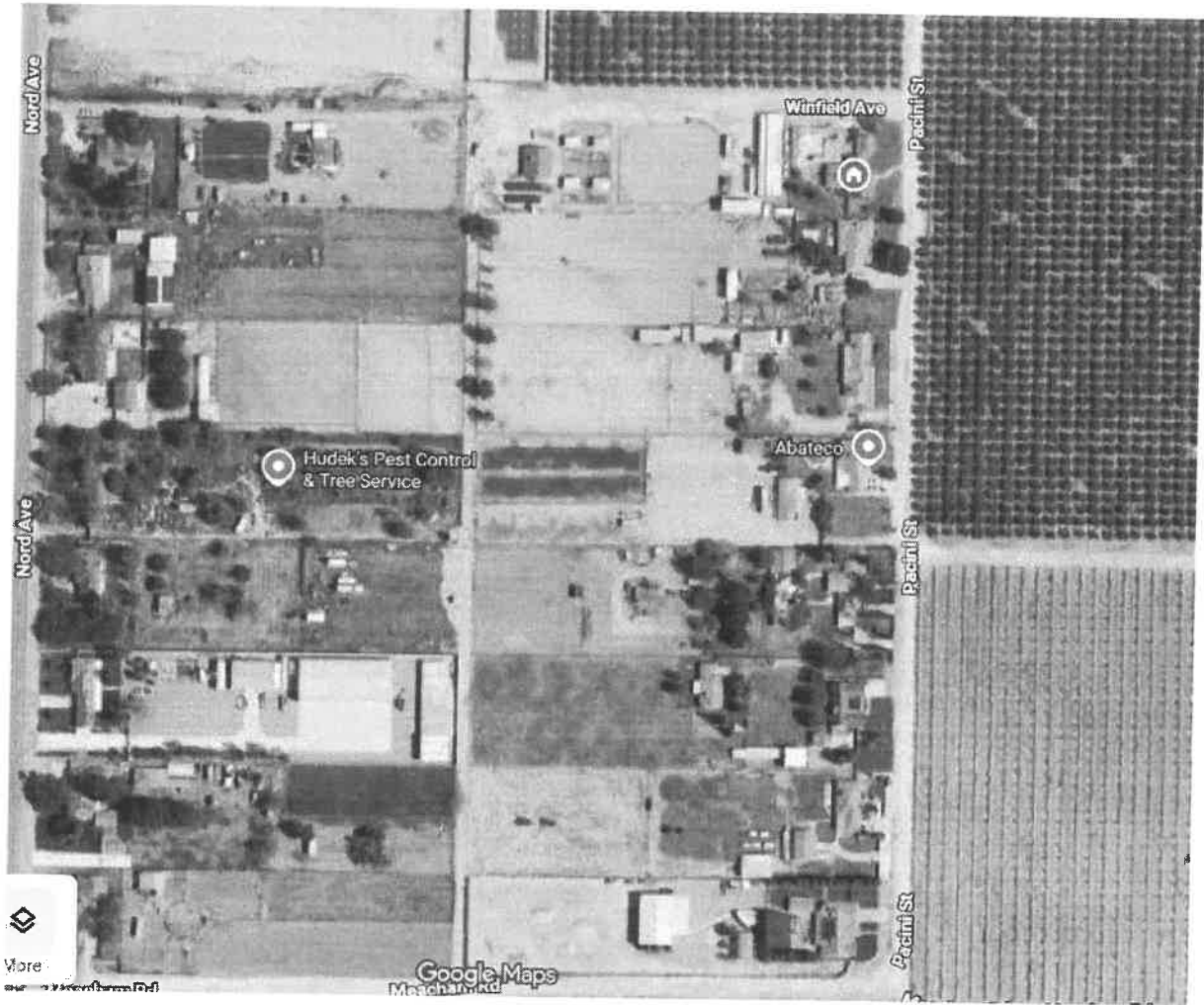


Exhibit A-1. Existing 16-home rural neighborhood: eight homes along Pacini Street and eight along Nord Avenue.

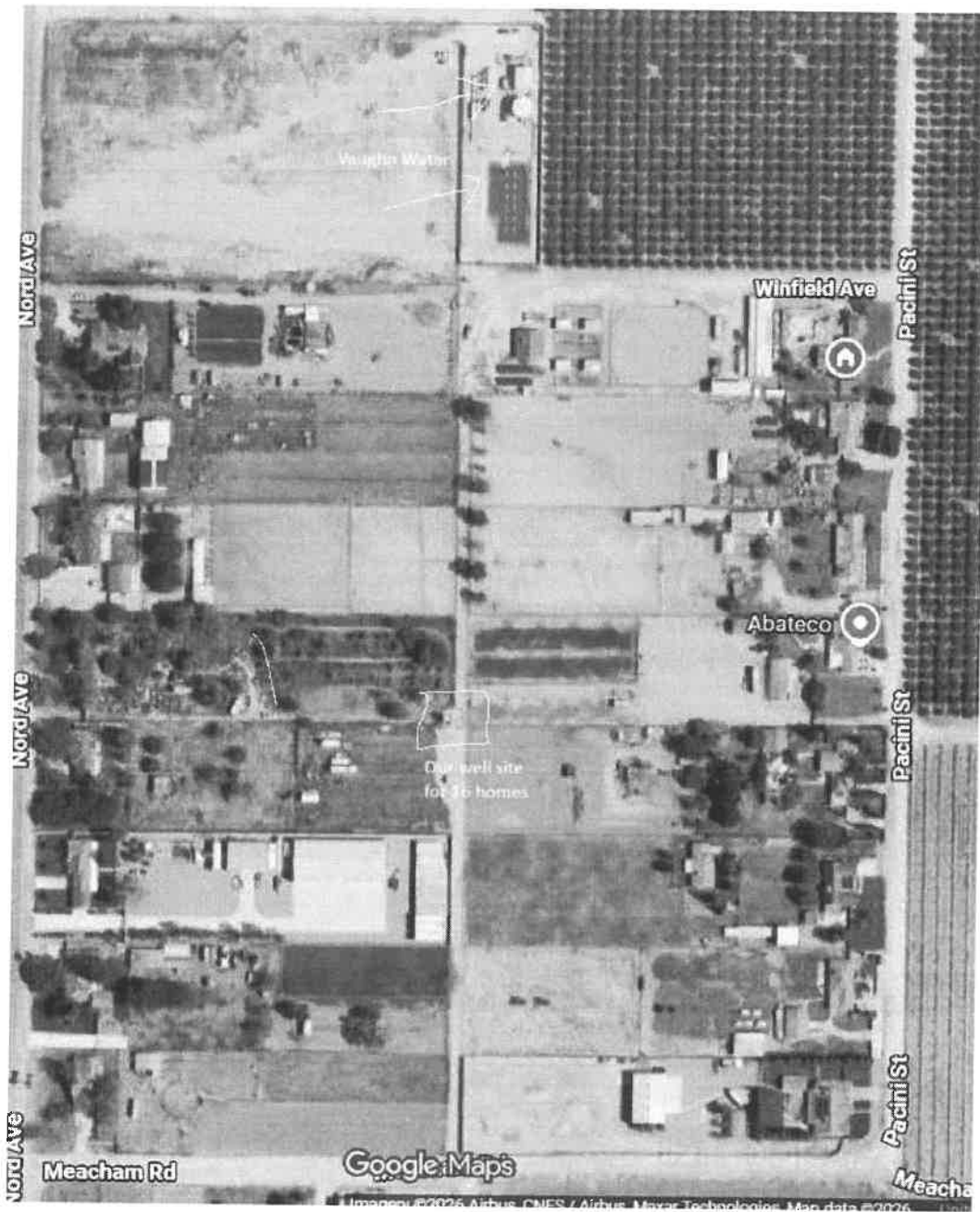


Exhibit A-2. Resident-prepared aerial identifying the Vaughn Water facility and the shared neighborhood well.

Appendix B | Vesting Tentative Tract Map No. 7446

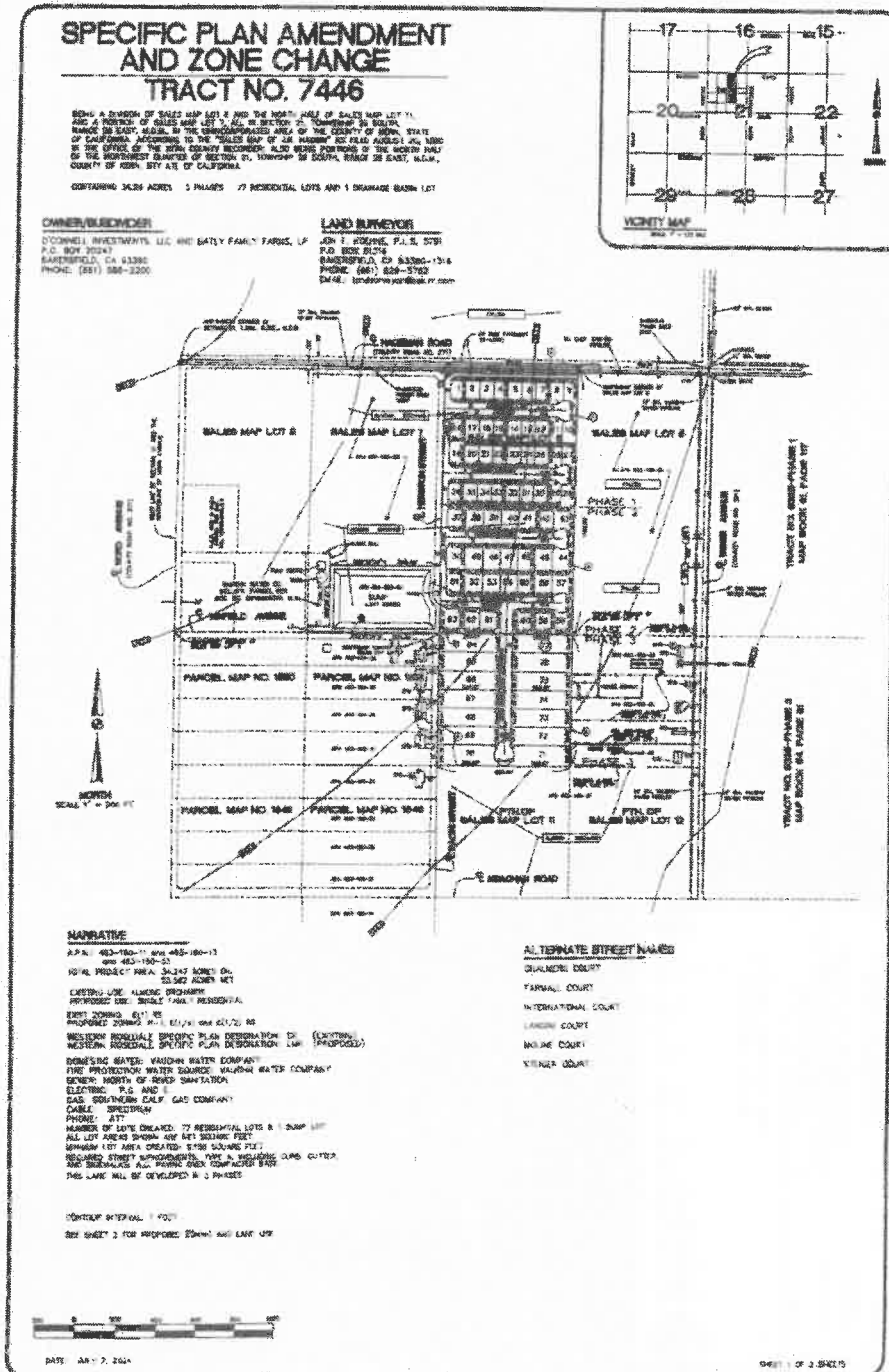
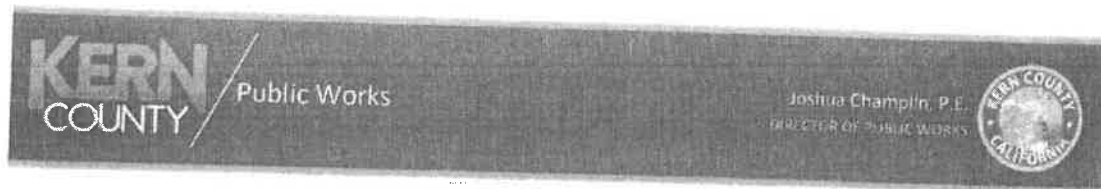


Exhibit B-1. Project tract map showing 77 residential lots and the approximately 4.24-acre sump lot. Source: Maps Part 2, p. 8.

Appendix C | Kern County Public Works Roadway Requirements



Office Memorandum

To: Craig Murphy, Director
Planning and Natural Resources Department
Attn: Noeli Glienke, Supervising Planner

From: Cesar Ayon, Engineering Manager *CA*
Public Works Department/Development

Subject: Vesting Tentative Tract Map No. 7446 with variations
Section 21; Township 29 South, Range 26 East, MDB&M

July 8, 2026

Development Review Division

This Division has reviewed the subject project and recommends the following:

Support the development variation to the Land Division Ordinance to allow a cumulative dead-end road length exceeding 800 feet for lots zoned less than one acre.

Support the development variation to the Land Division Ordinance to eliminate required equestrian trails where precluded by the location and design of the proposed subdivision.

Support the design variation to the Land Division Ordinance to authorize double frontage lots and key (reverse corner) lots.

Record, through the Kern County Public Works Department, an irrevocable offer of dedication to the County of Kern of all subject property for Hageman Road, 55 feet in width, per the Kern County Development Standards and the Land Division Ordinance.

Record, through the Kern County Public Works Department, an irrevocable offer of dedication to the County of Kern of all subject property for westerly property frontage, 30 feet in width, per the Kern County Development Standards and the Land Division Ordinance.

Record a public access easement of all subject property for all interior streets, 60 feet in width, including the additional right of way for cul-de-sacs and knuckles, per the Kern County Development Standards and the Land Division Ordinance.

Dedicate vehicular access rights of all Lots along Hageman Road, Pacini Street, easterly property frontage, and southerly property frontage.

Provide a 20-foot by 20-foot right of way corner cutoff at all intersections.

GROUNDING BOUNDLESS

2700 M Street, #400, Bakersfield, CA 93301 | 661.862.5100 | www.KernPublicWorks.com

Exhibit C-1. Public Works memorandum identifying roadway dedications, access rights, and intersection corner cutoffs.

Under street improvement plans approved by the Kern County Public Works Department, construct Hageman Road project frontage to Type "A" Subdivision Standard, half-width Arterial Street, per the Kern County Development Standards and the Land Division Ordinance. These improvements shall be, but not limited to, curb, gutter, sidewalk, wheelchair ramps, asphalt concrete, and the necessary tie-ins.

Under street improvement plans approved by the Kern County Public Works Department, construct the westerly property frontage to Type "A" Subdivision Standard, half-width Local Street plus 10 feet, per the Kern County Development Standards and the Land Division Ordinance. These improvements shall be, but not limited to, asphalt concrete, and the necessary tie-ins.

Under street improvement plans, approved by the Kern County Public Works Department, construct all interior streets to Type "A" Subdivision Standards, full width local street, in accordance with the Kern County Development Standards and Land Division Ordinance. These improvements shall be, but not limited to curb, gutter, sidewalk, wheelchair ramps, asphalt concrete, and the necessary tie-ins.

Please include a striping plan and streetlight plan with the street improvement plans.

All easements shall be kept open, clear, and free from buildings and structures of any kind pursuant to Chapters 18.50 and 18.55 of the Kern County Land Division Ordinance. All obstructions, including utility poles and lines, trees, pole signs, fences, or similar obstructions, shall be removed from the ultimate road rights-of-way. Compliance with this requirement is the responsibility of the applicant and may result in significant financial expenditures.

Thank you for the opportunity to comment on this project. If you have any questions or comments, please contact Rodd Parke of this Division at (661) 862-8648.

Sewer and Water Division

This Division has reviewed the subject project and has the following comments:

- (a) A Will-Serve Letter from the sewer district shall be provided to County Staff.
- (b) Sewer must be connected to a regional wastewater treatment plant.
- (c) A note shall be provided on the final map which states: All appropriate sewer connection fees are to be paid prior to issuance of any building permit.

Thank you for the opportunity to comment on this project. If you have any questions or comments, please contact Kyle Perez of this Division at (661) 862-8852.

Floodplain Management Division

We have reviewed the referenced vesting tentative tract map with respect to drainage and flood hazard and we have the following comments:

Final acceptance of the Tract to be contingent upon the subdivider providing within tract and/or outside of tract drainage disposal facilities, methods, or easements that may be required to receive drainage and discharge or dispose of drainage and storm waters from this tract. Said facilities, methods, or easements shall be subject to the approval of the Director of the Public Works Department.

Exhibit C-2. Public Works memorandum requiring Hageman and western-frontage improvements and unobstructed road rights-of-way.

Appendix D | Supporting Record Index

The following documents support the facts and recommendations presented in this brief:

- Kern County Planning and Natural Resources Department Staff Report dated July 23, 2026.
- Maps, including the vicinity, zoning, assessor, aerial, and tract-map exhibits.
- Department and Agency Comments, including the Kern County Public Works memorandum dated July 8, 2026.
- Public Comment Letter of Opposition.
- Tribal Consultation Documents.
- Waiver of Signature Information.
- Draft Resolutions, including proposed conditions of approval.
- Individual neighborhood correspondence, aerial maps, parcel maps, and photographs.

The residents respectfully request that the Commission consider the complete administrative record together with this community planning brief.

Tribal Consultation Documents



NATIVE AMERICAN HERITAGE COMMISSION

June 20, 2025

Daisy Gaeta
Kern County Planning and Natural Resources Department

Via Email to: dgaeta@kerncounty.com

CHAIRPERSON
Reginald Pagallang
Chumash

VICE-CHAIRPERSON
Buffy McQuillen
Yokayo Pomo, Yuki,
Nomlaki

SECRETARY
Sara Dutschke
Miwok

PARLIAMENTARIAN
Wayne Nelson
Luiseño

COMMISSIONER
Isaac Bojorquez
Ohlone-Costanoan

COMMISSIONER
Stanley Rodriguez
Kumeyaay

COMMISSIONER
Reld Milanovich
Cahuilla

COMMISSIONER
Bennae Calac
Pauma-Yuima Band of
Luiseño Indians

COMMISSIONER
Vacant

ACTING EXECUTIVE
SECRETARY
Steven Quinn

NAHC HEADQUARTERS
1550 Harbor Boulevard
Suite 100
West Sacramento,
California 95691
(916) 373-3710
nahc@nahc.ca.gov

Re: Specific Plan Amendment 97, Zoen Change Case No. 208, Tirbal Consultation Map No. 101, Section 21 Project, Kern County

To Whom It May Concern:

A record search of the Native American Heritage Commission (NAHC) Sacred Lands File (SLF) was completed for the information you have submitted for the above referenced project. The results were negative. However, the absence of specific site information in the SLF does not indicate the absence of cultural resources in any project area. Other sources of cultural resources should also be contacted for information regarding known and recorded sites.

Attached is a list of Native American tribes who may also have knowledge of cultural resources in the project area. This list should provide a starting place in locating areas of potential adverse impact within the proposed project area. I suggest you contact all of those indicated; if they cannot supply information, they might recommend others with specific knowledge. By contacting all those listed, your organization will be better able to respond to claims of failure to consult with the appropriate tribe. If a response has not been received within two weeks of notification, the Commission requests that you follow-up with a telephone call or email to ensure that the project information has been received.

If you receive notification of change of addresses and phone numbers from tribes, please notify me. With your assistance, we can assure that our lists contain current information.

If you have any questions or need additional information, please contact me at Mathew.lin@nahc.ca.gov.

Sincerely,

Mathew Lin

Mathew Lin, MPP
Cultural Resources Analyst

Attachment

Outlook

Re: SB 18 Review - General Plan Amendment Notification (SPA #97, ZCC # 208, Map 101-21)

From Curtis Alcantar <calcantar@TEJONINDIANTRIBE-NSN.GOV>

Date Wed 7/2/2025 8:41 AM

To Daisy Gaeta <dgaeta@kerncounty.com>

CAUTION: This email originated from outside of the organization. Do not click links, open attachments, or provide information unless you recognize the sender and know the content is safe.

Hello Ms. Gaeta,

Thank you for your correspondence yesterday. The Tribe currently has no official documentation on any tribal cultural resources with the Area of Potential Effects (APE) and therefore recommends that the project proceeds as planned. We do, however, ask that if there are any inadvertent archaeological finds in the APE, that the Tribe be notified immediately. The project location sits near the BNSF railroad, and historically speaking, there is documentation noting that the railroad uncovered hundreds of indigenous artifacts and hauled them off. The potential for tribal cultural resources on the project's subsurface still exists, so we ask to be notified for any precontact archaeological finds.

Thank you,

Curtis Alcantar, B.A. (Kitanemuk)

Natural Resources Manager

M: 661.699.5138 | P: 661.834.8566 | www.tejonindiantribe.com



6/1

Waiver of Signature
Information

APN 463-160-13 INFORMATION

**RECORDING REQUESTED BY,
WHEN RECORDED RETURN TO AND
MAIL TAX STATEMENTS TO:**

Batey Family Farms, L.P.
P.O. Box 20247
Bakersfield, CA 93390

DOCUMENTARY TRANSFER TAX \$ 3.30
[X] Computed on full value of property conveyed, or
[] Computed on full value less liens & encumbrances
remaining at date of sale
Me Miller - WCL
Signature of declarant / agent determining tax, firm name

Unincorporated area of
County of Kern, California
(23-37) #4

Laura Avila, Assessor - Recorder
Kern County Official Records
Recorded at the request of
Public

PRATT1
1/31/2024
10:30 AM

DOC#: 224011357



Stat Types: 1	Pages: 2
Fees	19.00
Taxes	3.30
Others	3.00
PAID	<u>\$25.30</u>

APN 463-160-13

WAIVER OF SURFACE ACCESS

FOR VALUABLE CONSIDERATION, the receipt and sufficiency of which is hereby acknowledged, and in consideration of the mutual covenants and conditions herein contained, **CAMERON MILLER, SUCCESSOR TRUSTEE OF THE CHARLES COHN LIQUIDATING TRUST, DATED SEPTEMBER 25, 1958**, hereinafter called "Mineral Owner", does hereby waive forever, for the benefit of **BATEY FAMILY FARMS, L.P., a California limited partnership**, their successors and assigns, Mineral Owner's right of surface access for oil, gas and other hydrocarbons and all other minerals, for the purpose of drilling, exploration and development, from the surface of the earth to a subsurface depth of five hundred feet (500'), with regard to the following lands, hereinafter called "Said Lands", expressly subject to the terms and conditions set forth hereinbelow, to which the parties hereto mutually agree:

Portion of Section 21, Township 29 South, Range 26 East, M.D.B. & M.

North Half of Lot 11, Section 21, Township 29 South, Range 26 East, M.D.B. & M., in the County of Kern, State of California, according to the Sales Map of lands of J.B. Haggin of Section 21, Township 29 South, Range 26 East, M.D.B. & M., filed in the Office of the County Recorder on August 20, 1890.

Nevertheless, despite the terms and conditions of this Waiver of Surface Access, the Mineral owner, and its successors and assigns, does hereby expressly reserve and retain forever all previously reserved rights appurtenant to oil, gas and other hydrocarbons and all other minerals from below the upper five hundred feet (500') of the land on which the right of surface drilling access is waived.

IN WITNESS WHEREOF, the parties hereto have executed this Waiver of Surface Access as of this 11th day of October, 2023, which shall be known as the effective date of this Waiver.

Cameron Miller, Successor Trustee
of the Charles Cohn Liquidating
Trust, dated September 25, 1958

23-37CM, TRUST-4, WAIVER

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 San Mateo) ss.

On this 17th day of November, 2023, before me, Lynn Sherwood, a Notary Public, personally appeared CAMERON MILLER 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.

Notary Public for said State



APN 463-160-53 INFORMATION

McKinney Emails

From: wcoastland@aol.com (wcoastland@aol.com)

To: 5mckinney@cox.net; christensenland@gmail.com

Date: Wednesday, December 13, 2023 at 01:51 PM PST

Mr. McKinney,

I wanted to follow up in regards to the Waiver that we presented to you back in early November. From what I understand, Colton has reached out to you a few times, but hasn't heard from you. I understand this might not be high on your priority list, but we'd like to be able to schedule some time to discuss the Waiver and answer any questions you might have. Please advise a convenient time and we'll make it work.

Look forward to hearing back from you.

Thank you,
Heath Rappleye

PLEASE NOTICE OUR NEW ADDRESS BELOW.

West Coast Land Service
1232 Chester Avenue
Bakersfield, CA 93301
(661) 322-2517 office
(661) 322-2519 fax
wcoastland@aol.com

On Friday, November 10, 2023 at 01:44:25 PM PST, wcoastland@aol.com <wcoastland@aol.com> wrote:

Mr. McKinney,

In accordance with your conversations with Colton Christensen of our office, attached please find the Waiver of Surface Access that we prepared for the mineral interest of Robert Ivan McKinney, deceased.

From what I understand Colton has already submitted some of the title documents that you requested.

Please review and advise if you have any questions.

I'll let Colton follow up with you.

Thank you,
Heath Rappleye

PLEASE NOTICE OUR NEW ADDRESS BELOW.

West Coast Land Service
1232 Chester Avenue
Bakersfield, CA 93301
(661) 322-2517 office
(661) 322-2519 fax
wcoastland@aol.com



23-37 MM Waiver.pdf
251.4kB

APN 463-160-11 (Report 3) & 463-160-57(Ptn) (Report 1)

- Attached is a copy of the updated ownership report
- 99% of the mineral rights to said property are owned by the applicant or their partner in the project
- The remaining 1% is owned by John B. Wegis, J.L. Milburn and E.A. Anderson, Trustees
- Attached is a copy of the vesting document, which was recorded 2-21-1939, in Book 846, Page 169 for said 1%. Said document does not provide an address for the Trustees.
- Said document conveys 1% in the mineral rights to John B. Wegis, J.L. Milburn and E.A. Anderson, Trustees
- Said document does not provide any information on the name of the Trust or who's Trust this is, just merely names the Trustee's at the time
- The 1% mineral interest has not been leased by an oil company in over 50+ years
- The 99% mineral interest owned by the applicant or their partner in the project was last leased by an oil company back in 1980, but the lease was since quitclaimed by the attached Quitclaim Doc. #217131330
- In initially trying to track down the current Trustee's of said unnamed Trust, we general indexed the names with the Kern County Recorder and did not come across any other records giving evidence to the Trust and these specific mineral rights
- All three Trustee's are deceased as evidenced by the attached documentation (5791-1766, 3752-430 & 5151-257). Said attached documentation only confirms they are deceased. Said documents do not cover the subject property.
- John B. Wegis passed 12-16-1971 (5791-1766). John's wife, Mary L. Wegis passed 11-8-1996 (0197006634). We located an obituary for John & Mary's daughter, Shirley Mullen, who is now deceased (see attached obituary). Shirley had seven children. We located one, Justin Alexandria, and a widow of another, Carol Sun (Lewis). Neither of them had any idea about the unnamed Trust and no idea who might be the beneficiaries. They also didn't have any information on the others Heir's of Shirley's Estate. The siblings apparently do not keep in touch.
- J.L. Milburn's Estate was settled in 1964 (3752-430). His wife, Irene Milburn's (Irene Augusta Milburn) Estate was settled in 1991 (6745-228). Their son, Jack Milburn's Estate was settled in 1972 (4670-267). We found names for three possible Heirs, Patricia McCloskey (deceased 2016, see attached obituary), Brian Paul Milburn and Thomas William Milburn, but have not been able to make contact with them to discuss or confirm they are even Heir's.
- E.A. Anderson passed 4-29-1976 (5151-257). His Estate lists his widow as Ida Mae Anderson. Since E.A. passed in 1976, it is assumed that Ida might have passed as well, but we didn't find anything to confirm. We were not able to confirm any possible Heir's of Ida.

Given the nature of this 1% interest in the mineral rights, the fact that the interest is vested from 1939 and the fact that we have no name to the Trust, we in turn have no viable mailing address to be able to send the proposed map to any potential beneficiaries of the Trust.

- Oscar Regis as to 0.5%. Oscar Regis acquired in 1938 and we didn't find any document conveying the interest forward. According to a lease signed in 1954, Oscar resided in LA County. The lease was signed in LA County. No other documents were found in Kern County. We found no further information leading us to potential Heirs.

In regards to this 0.5% interest in the mineral rights, the interest is vested from 1938, and no viable mailing address was found to be able to send the proposed map to potential Heirs.

- Boys Republic as to 0.5%. Boys Republic acquired in 1964 and we didn't find any document conveying the interest forward. We found no information leading to who the current owner is.

In regards to this 0.5% interest in the mineral rights, the interest is vested from 1964, and no viable mailing address was found to be able to send the proposed map to potential Heirs.

Upon your review, if at any time you have questions, please don't hesitate to call or email.

Very truly yours,

Heath Rappleye

E.A. Anderson, but have not come across any conclusive evidence in identifying or locating any of them.

Given the nature of this 1% interest in the mineral rights, the fact that the interest is vested from 1939 and the fact that we have no name to the Trust, we in turn have no viable mailing address to be able to send the proposed map to any potential Heirs or beneficiaries of the Trust.

3. **APN 463-160-53**

93.5% of the mineral rights to said property are owned by the applicant or their partner in the project. The remaining 6.5% is owned by the various individuals noted below:

- Ivan McKinney, Evelyn Norean McKinney and Robert Ivan McKinney as to a combined 4%. We were initially able to make contact with an Heir of Robert Ivan McKinney, his son, Mike McKinney. In communicating with Mike, we provided him the documentation of the ownership, as well as emailing him a Waiver of Surface Access for his review. At such time, Mike was to review and gather contact information for the other owners or their Heirs. We followed up with several calls and emails (see attached emails), but Mike never responded back and did not provide any contact information for the others or their Heirs. We attempted to search and locate the others, but were unable to make any contact with the correct people or their Heirs.

In regards to this 4% interest in the mineral rights, the interest is vested from 1950 and 1937, and other than the contact with Mike mentioned above, we have no viable mailing address to be able to send the proposed map to the owners or their potential Heirs.

- John A. Fleming as to 1%. John A. Fleming acquired in 1937 and we didn't find any document conveying the interest forward. According to a lease signed in 1954, he resided in LA County. It seems that he's passed and according to documents we found, his wife was Dorothy K. Fleming. We found no further information leading us to potential Heirs.

In regards to this 1% interest in the mineral rights, the interest is vested from 1937, and no viable mailing address was found to be able to send the proposed map to potential Heirs.

- E.B. Reader as to 0.5%. E.B. Reader acquired in 1937 and we didn't find any document conveying the interest forward. According to a lease signed in 1954, E.B. was also known as Bettye (Bettie) Reeder Dunnigan and resided in LA County. The lease was signed in LA County. No other documents were found in Kern County. We found no further information leading us to potential Heirs.

In regards to this 0.5% interest in the mineral rights, the interest is vested from 1937, and no viable mailing address was found to be able to send the proposed map to potential Heirs.

**WEST COAST LAND SERVICE
OWNERSHIP REPORT**

**SQUAREUP PROSPECT (23-37)
KERN COUNTY, CALIFORNIA
APN 463-160-57(Ptn)**

DESCRIPTION:

Portion of Section 21, Township 29 South, Range 26 East, M.D.B. & M.

Lots 7 and 8 in Section 21, Township 29 South, Range 26 East, M.D.B. & M., in the unincorporated area of the County of Kern, State of California, according to the Map of said Section filed in the Office of the Recorder of said County on August 20, 1890.

EXCEPT the South Half of the South Half of said Lots.

ALSO EXCEPTING THEREFROM that portion described as follows:

COMMENCING on the East line of said Lot 7 at its intersection with North line of the South Half of the South Half of said Lot 7; thence West along said North line of said South Half of the South Half of said Lots 7 and 8, a distance of 1,332.395 feet to the centerline of the road shown on said Map as bounding said Lot 8 on West; thence North along centerline of said road 261.4 feet; thence East and parallel with said North line of the South Half of the South Half of said Lots 7 and 8 to the East line of said Lot 7; and thence South along said East line 261.4 feet to Point of Beginning.

ALSO EXCEPTING THEREFROM that portion conveyed to North of The River Recreation & Park District in Grant Deed, recorded April 29, 2020, as Document No. 220054046.

ALSO EXCEPTING THEREFROM that portion conveyed to North of The River Recreation & Park District in Grant Deed, November 6, 2023, as Document No. 223136663.

MINERAL OWNERS	INTEREST	GROSS ACRES	NET ACRES
1. Batey Family Farms, LP, a California limited partnership	48.51%	21.60	10.478
2. O'Connell Investments LLC, a California limited liability company	50.49%		10.906
3. John B. Wegis, J.L. Milburn and E. A. Anderson, Trustees *See Note #1 Below	1.00%		0.216
TOTAL:	100.00%	21.60	21.60

SURFACE OWNERS**INTEREST**

- A. Batey Family Farms, LP,
a California limited partnership
- B. O'Connell Investments LLC, a
California limited liability company

49.00%

51.00%

TITLE ACQUIRED BY:

1, 2, A

- & B. Grant Deed recorded 8-25-2007, as Document No. 217114699 of Official Records.
3. Assignment, recorded February 21, 1939, in Book 846, Page 169 of Official Records.

LEASES:

LES James C. Krause and Frances
SOR: M. Krause, husband and wife as
joint tenants

LEASE 2-18-
DATE: 1980

TER
M: No Term

LESSEE: Central California Oil Co.

REC. DATE: 2-28-
1980 BK/PG:5268/157

There are other Lessors listed on lease, but they did not execute the Lease. No Quitclaim found. Lease should be out by its own terms-no production

QC of OGL's recorded 9-29-17 @ 0217131330

HOMESTEAD:

N/A

NOTES:

- 1) Unable to locate Trust or determine Trust beneficiaries. After general indexing Kern County Recorder and much research, we located an obituary for John B. Wegis' daughter, Shirley Mullen, deceased. Have only been successful in getting in touch with one of Shirley's seven children, Justin Alexandria of Florida, as well as a widow of one of Shirley's now deceased sons, Jonathan Lewis. The widow's name is Carol Lewis and she resides in New York. Carol and Justin do not have any idea of what this trust is or who the other trustees are, and do not know how to get in touch with any of the other heirs of Shirley. In regards to the second Trustee, J.L. Milburn, we have pinpointed at least 2 surviving heirs: Brian Paul Milburn and Thomas William Milburn. We have been unable to make contact with them. Lastly, we have been unable to locate any heirs of E.A. Anderson after general indexing Kern County and much research.

Title Information Acquired By:

Chicago Title & Title Point

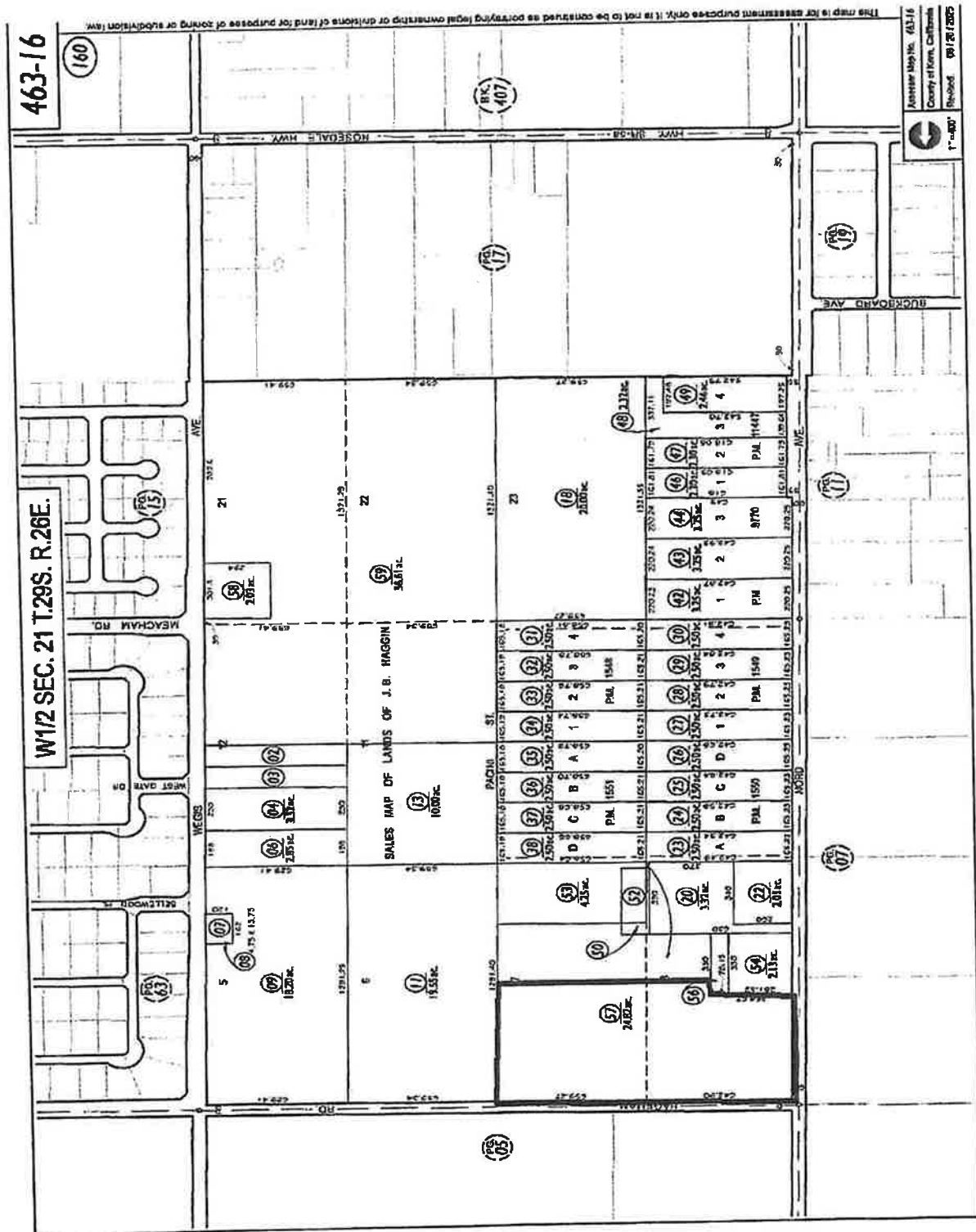
As of ~~7-25-17~~ Updated ~~1-25-2024~~ **UPDATED 1-14-2026**

By: Jay Ivie

West Coast Land Service

(661) 322-2517

THE ABOVE TITLE INFORMATION WAS ACQUIRED FROM THE CHICAGO TITLE LOT BOOK AND TITLE POINT COMPUTER CHAIN AND INCLUDES THE CONVEYING DOCUMENTS AFFECTING THE MINERAL AND SURFACE ESTATES RECORDED BETWEEN FEBRUARY 13, 1877 AND JANUARY 14, 2026. WE ALSO ASSUME FOR PURPOSES OF THIS REPORT THAT EACH OF THE DOCUMENTS REVIEWED WERE DULY EXECUTED BY AUTHORIZED SIGNATORIES ON BEHALF OF THE PARTIES, AND OUR REPORT IS SUBJECT TO THE ACCURACY OF THOSE ASSUMPTIONS. TO THE BEST OF OUR KNOWLEDGE, THIS REPORT REPRESENTS ALL THE CONVEYING DOCUMENTS PERTAINING TO THE MINERAL AND SURFACE ESTATES OF RECORD AFFECTING THE ABOVE DESCRIBED PROPERTY, AS WELL AS THE PROPER VESTING THERETO, BUT DOES NOT CONSTITUTE A LEGAL TITLE OPINION OR GUARANTEE OF TITL. ANY DOCUMENTS RECORDED AFTER THIS TIME AFFECTING THE ABOVE DESCRIBED PROPERTY ARE NOT INCLUDED IN THIS REPORT.



ASSIGNMENT

169

Book 846
Page 169

In consideration of the sum of \$10.00 and other valuable presents, Peter Krause and Hulda Krause, his wife, herein known as Assignors, grant, bargain, sell and assign to John B. Wegis, J. L. Milburn and E. A. Anderson, Trustees, herein known as Assignees, a permanent undivided 1% of all oil, gas and other hydrocarbons in or under, and that may be produced from that real property situated in the County of Kern, State of California, described as follows:

✓ Lot 6 of Section 21, Township 23 South, Range 26 East, N.D.E. & M., Lots 7 and 8 in said Section 21 above referred to, excepting therefrom the south half (S 1/2) of South half (S 1/2) of said Lot 6 and also that portion described as follows: Commencing on east line of said Lot 7 at its intersection with north line of south half (S 1/2) of south half (S 1/2) of said Lot 7, thence west along said north line of said south half (S 1/2) of south half (S 1/2) of said Lot 7, a distance of 1332.395 feet to center line of the road shown on said Map as bounding said Lot 8 on West; thence north along center line of said road 261.4 feet; thence east parallel with said north line of south half (S 1/2) of south half (S 1/2) of said Lot 7 and 8 to east line of said Lot 7; and thence south along said east line 261.4 feet to the point of beginning and containing 42 acres, more or less.

Said real property is now subject to an oil and gas lease dated June 22, 1936, between the Assignors, as lessors, and Standard Oil Company, a corporation, as lessee, recorded in Book 653, Page 133, Official Records of said County. That the Assignors, as lessors, reserved to themselves as royalty an undivided 12 1/2% of all oil, gas and other hydrocarbons produced and saved from said real property, and the Assignees herein are entitled to and shall receive an undivided 1% out of said 12 1/2% reserved royalty.

In the event said oil and gas lease should be cancelled, surrendered or otherwise terminated, the Assignees herein shall be entitled to and shall receive an undivided 1% out of the royalty reserved by the lessors under any subsequently executed oil and gas lease covering said real property, or any portion thereof, whether the lessors under such future lease should reserve to themselves as royalty 12 1/2% of all oil, gas and other hydrocarbons produced and saved therefrom or any other percentage thereof.

It is understood that any and all rent, bonuses or other payments made or products distributed by the lessee under said existing oil and gas lease, or under any future oil and gas lease, is classified for the purposes hereof as royalty.

This conveyance is executed pursuant to permit issued by the Department of Investment, Division of Corporations of the State of California, on the 19th day of December, 1938, under file No. 64642LA, and is executed for the sole and specific purpose of confirming the royalty interest purported to have been conveyed by the Assignors herein to R. H. Anderson, John B. Wegis and J. L. Milburn, as Trustees, under and by virtue of that certain royalty spread agreement dated August 19, 1937, and recorded October 16, 1937 in Book 742, Page 425, Official Records of said County, and re-recorded November 4, 1937, in Book 755, Page 166, Official Records of said County, said agreement having been executed without first securing a permit from the Commissioner of Corporations, the Grantees herein being the successors of said R. H. Anderson, John B. Wegis and J. L. Milburn, and it is understood that no interest other than or in addition to that purported to have been conveyed by said agreement of August 19, 1937, is intended to be conveyed herein.

Dated this 22 day of December, 1938.

Peter Krause
Hulda Krause

NO
TRM

STATE OF CALIFORNIA } ss.
COUNTY OF KERN }

On this 22 day of December, 1938, before me, W. E. James, a Notary Public in and for said County and State, personally appeared Peter Krauss and Hilda Krause, known to me to be the persons whose names are subscribed to the foregoing instrument, and acknowledged to me that they executed the same.

(SEAL) W. E. James

Notary Public, Kern County, California.

Recorded at request of W. E. James, Feb-21-1939, at 30 min. past 4 P.M., in Book 846 of Official Records, Page 169 Kern County Records.

Chas. H. Shomate, Recorder

By Frances Ahmann, Deputy Recorder

4185

Compared by: *P. Brite*

Checked by: *L. Cave*

B.

-----000-----

IN THE JUSTICE'S COURT OF THE SIXTH TOWNSHIP
COUNTY OF KERN, STATE OF CALIFORNIA

HERBERT P. SEARS, INC., a corporation
Plaintiff

vs.

ABSTRACT OF JUDGMENT

B. E. PINGREE individually and doing
business as Oilfield Welding & Boiler
Works
Defendant

Before Stewart Magee, Justice of the Peace of Sixth Township, County of Kern,
on the day of February, 1939.

Judgment entered for plaintiff, for One Hundred Fourteen and 31/100 Dollars,
on the 9 day of February, 1939.

I CERTIFY that the foregoing is a correct abstract of a judgment rendered in
said action in Justice Court, Sixth Township as appears by Case No. 14414 Docket 53,
Page 314.

(SEAL)

Stewart Magee
Justice of the Peace of said Township
By Emma M. Jones, Clerk.

Recorded at request of Herbert P. Sears, Feb-21-1939, at 40 min. past 4 P.M., in
Book 846 of Official Records, Page 170 Kern County Records.

Chas. H. Shomate, Recorder

By Frances Ahmann, Deputy Recorder

4196

Compared by: *P. Brite*

Checked by: *L. Cave*

B.

-----000-----

I.R.S. \$23.50
Cancelled

THIS INDENTURE, made this 23rd day of January in the year One Thousand Nine hundred and thirty-nine, between KERN COUNTY LAND COMPANY, a corporation, incorporated and existing under the laws of the State of California, having its principal place of business in the City and County of San Francisco, State of California, the party of the first part, as Grantor, and the UNITED STATES OF AMERICA, the party of the second part, as Grantee,

WITNESSETH: That the said party of the first part, for and in consideration of the receipt in exchange therefor of an equal value of Government timber as agreed upon with the Secretary of Agriculture, pursuant to the Act of Congress of March 20, 1922 (42 Stat. 465) as amended by the Act of Congress of February 28, 1925 (43 Stat. 1090) does hereby grant and convey unto the said party of the second part forever, all those certain lots, pieces or parcels of land situate, lying and being in the County of Kern, State of California, and particularly described as follows; to-wit:

Original

Will Call

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

West Coast Land Service
1230 Chester Avenue
Bakersfield, CA 93301-5432

Jon Lifquist, Assessor - Recorder
Kern County Official Records

Recorded at the request of
Public

RODRIGUEZ
9/29/2017
12:51 PM

DOC#: 217131330



Stat Types: 1 **Pages:** 3

Fees	28.00
Taxes	0.00
Others	0.00
PAID	\$28.00

DOCUMENTARY TRANSFER TAX \$ none due

☒ Computed on full value of property conveyed, or

☐ Computed on full value less liens & encumbrances
remaining thereon at time of sale.

S. Brown - WCLS

Signature of declarant or agent determining tax, firm name

Unincorporated area of
County of Kern, California
(17-36)

QUITCLAIM OF OIL, GAS AND MINERAL LEASES

CENTRAL CALIFORNIA OIL CO., a California corporation, for a valuable consideration, the receipt of which is hereby acknowledged, does hereby remise, release and forever quitclaim to the record owner or owners, their heirs, personal representatives, successors and assigns, as their respective interests appear of record, all of the right, title and interest which the undersigned presently holds in and under those certain Oil, Gas and Mineral Leases, covering certain lands situated in the County of Kern, State of California, as the same are set out and fully described in Exhibit "A", attached hereto and made a part hereof.

IN WITNESS WHEREOF, the undersigned have caused this instrument to be executed this 12th day of September 2017.

CENTRAL CALIFORNIA OIL CO.

By: [Signature]
Joseph W. Covello

By: _____

17-36CCOC(Hageman Rd).Quitclaim.DEED/sc

EXHIBIT "A"

Attached to and made a part of that certain Quitclaim Of Oil, Gas And Mineral Leases dated September 12, 2017, executed by CENTRAL CALIFORNIA OIL CO.

KERN COUNTY, CALIFORNIA

<u>LEASE DATE</u>	<u>LESSOR</u>	<u>LESSEE</u>	<u>RECORDING DATE</u>	<u>RECORDED DOC. NO.</u>
2-18-80	James C. Krause and Frances M. Krause	Central California Oil Co.	2-28-80	Book: 5268 ✓ Page: 157
2-18-80	James C. Krause and Frances M. Krause; and Clara Elresa Miles	Central California Oil Co.	2-28-80	Book: 5268 Page: 159
2-18-80	James C. Krause and Frances M. Krause	Central California Oil Co.	3-6-80	Book: 5269 ✓ Page: 2094

17-36CCOC.(Hageman Rd).Quitclaim.EXB/sc

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.

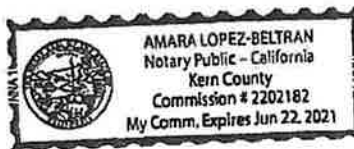
STATE OF CALIFORNIA)
COUNTY OF Kern) ss.

On this 21 day of September, 2017, before me, Amara Lopez Beltran Notary Public, personally appeared Joseph W. Covello 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.

Amara Lopez Beltran
Notary Public for said State



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) ss.

On this ____ day of _____, 2017, before me, _____, a Notary Public, personally appeared _____ 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.

Notary Public for said State

RECORDING REQUESTED BY
TRANSAMERICA TITLE INSURANCE COMPANY

022970

BOOK 5751 PAGE 1766

1985 AUG 28 P 1:30

RECORDED BY GALE S. ENSTAD
KERN COUNTY CLERK-RECORDER

AND WHEN RECORDED MAIL TO

Name Mary Louise Wegis
Street Address Rt 4, Box 370
City Bakersfield, CA 93309
State
Zip

ORS 4.00
HDEP 1.00
REC.FE 2.00
TA CHRG 7.00
B611360 C001 R01 T13:55

SPACE ABOVE THIS LINE FOR RECORDER'S USE

AFFIDAVIT DEATH OF JOINT TENANT

(Estate No. 413669-P)

CR
MD
UN
2 FF
NA

STATE OF CALIFORNIA } ss.
COUNTY OF KERN
MARY LOUISE WEGIS
THAT JOHN BAPTIST WEGIS
Certificate of Death, is the same person as JOHN B. WEGIS
DEED dated December 30, 1933, executed by Preston A. Powers
and Borghild Powers to John B. Wegis and Mary I. Wegis, his wife,
as joint tenants, recorded as Instrument No. 2256 on February 15, 1934, in Book/Reel 499
Page/Image 221 of Official Records in the Office of the County Recorder of Kern County, State of California,
describing the following real property in the unincorporated area, County of Kern
State of California:

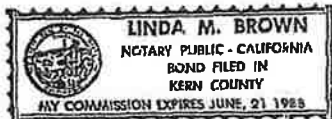
Lot 25 and the west one-half of Lot 26 in Section 21 of Township 29 South, Range 26
Ease, M.D.B.M., according to the map of said section recorded August 20, 1891, in
the office of the county recorder of said county.

THAT the total assets of the deceased at the time of death did not then exceed in value the sum of \$

Dated this 23rd day of AUGUST, 1985

Mary Louise Wegis

SUBSCRIBED AND SWORN TO BEFORE ME



this 23rd day of AUGUST, 1985
Notary's Signature Linda M. Brown

Evidence
of Death only
- not PIQ

DEATH BOOK 113										BOOK 5791 PAGE 1767	
CERTIFICATE OF DEATH										1500	
STATE OF CALIFORNIA—DEPARTMENT OF PUBLIC HEALTH										2529	
DECEDENT PERSONAL DATA 454		1. NAME OF DECEASED—FIRST LAST		2. MIDDLE NAME		3. LAST NAME		4. DATE OF DEATH—MONTH DAY YEAR		5. HOUR	
		John		Baptist		Wernis		12/16/71		8:50 P.M.	
		6. SEX		7. COLOR OR RACE		8. BIRTHPLACE—CITY AND STATE		9. DATE OF BIRTH		10. AGE—YEARS MONTHS DAYS	
		Male		White		California		December 11, 1900		71 YEARS	
PLACE OF DEATH		11. NAME AND BIRTHPLACE OF FATHER				12. NAME AND BIRTHPLACE OF MOTHER				13. NAME OF SURVIVING SPOUSE, IF WIFE, FATHER (WIDOW, DAUGHTER)	
		Anton Wernis - Germany				Anna Neuser - Germany				Mary Louise Detrick	
		14. CHILD OF WHAT COUNTRY		15. SOCIAL SECURITY NUMBER		16. MARRIED, NEVER MARRIED, WIDOWED, DIVORCED (SPECIFY)		17. KIND OF INDUSTRY OR BUSINESS			
		U.S.A.		553-52-4235		Married		Agriculture			
USUAL RESIDENCE IF DEATH OCCURRED IN OTHERWISE, OTHER RESIDENCE		18. LAST OCCUPATION		19. TYPE OF EMPLOYMENT		20. STREET ADDRESS—CITY AND ZIP CODE		21. CITY AND STATE		22. COUNTY	
		Farmer		Self		420 34th Street		Kern		71 YEARS	
		23. PLACE OF DEATH—NAME OF HOSPITAL OR OTHER INPATIENT FACILITY		24. STREET ADDRESS—CITY AND ZIP CODE		25. CITY AND STATE		26. COUNTY		27. ZIP CODE	
		Memorial Hospital		420 34th Street		Kern		71 YEARS		71 YEARS	
PHYSICIAN'S OR CORONER'S CERTIFICATION		28. USUAL RESIDENCE—STREET ADDRESS, CITY AND ZIP CODE		29. CITY AND STATE		30. COUNTY		31. STATE		32. NAME AND MAILING ADDRESS OF INFORMANT	
		Route 4, Box 370		Kern		California		Bt. 4 Box 370, Bkfst, 93307		Mary Louise Wernis	
		33. PHYSICIAN OR CORONER—NAME AND ADDRESS		34. DATE SIGNED		35. SIGNATURE OF PHYSICIAN OR CORONER		36. SIGNATURE OF INFORMANT		37. SIGNATURE OF REGISTRAR	
		12/16/71		12/16/71		12/16/71		12/16/71		12/16/71	
FUNERAL DIRECTOR AND LOCAL REGISTRAR		38. SPECIFIC BURIAL		39. DATE		40. NAME OF CEMETERY OR CREMATORIUM		41. LOCAL REGISTRAR—SIGNATURE		42. LOCAL REGISTRAR—NAME	
		Burial		12/20/71		Union Cemetery		Doris A. Kottner, M.D.		DEC 20 1971	
		43. NAME OF FUNERAL DIRECTOR (IF PERSON ACTING AS SUCH)		44. NAME OF FUNERAL HOME		45. LOCAL REGISTRAR—SIGNATURE		46. LOCAL REGISTRAR—NAME		47. LOCAL REGISTRAR—NAME	
		Payne & Sons Funeral Home		No		Doris A. Kottner, M.D.		Doris A. Kottner, M.D.		Doris A. Kottner, M.D.	
MEDICAL AND HEALTH DATA		48. PART I—DEATH WAS CAUSED BY:		49. PART II—DEATH WAS CAUSED BY:		50. PART III—DEATH WAS CAUSED BY:		51. PART IV—DEATH WAS CAUSED BY:		52. PART V—DEATH WAS CAUSED BY:	
		IMMEDIATE CAUSE		INTERMEDIATE CAUSE		CONTRIBUTORY CAUSE		OTHER CAUSE		OTHER CAUSE	
		Cerebral aneurysm		Cerebral aneurysm		Cerebral aneurysm		Cerebral aneurysm		Cerebral aneurysm	
		Cerebral aneurysm		Cerebral aneurysm		Cerebral aneurysm		Cerebral aneurysm		Cerebral aneurysm	
INJURY INFORMATION		53. SPECIFY ACCIDENT, INJURY OR DISEASE		54. PLACE OF INJURY		55. DATE OF INJURY		56. DATE OF INJURY		57. DATE OF INJURY	
		Cerebral aneurysm		Cerebral aneurysm		Cerebral aneurysm		Cerebral aneurysm		Cerebral aneurysm	
		58. PLACE OF BURIAL, CEMETERY AND NUMBER OR LOCATION AND CITY OR TOWN		59. DATE OF BURIAL		60. DATE OF BURIAL		61. DATE OF BURIAL		62. DATE OF BURIAL	
		Union Cemetery		12/20/71		12/20/71		12/20/71		12/20/71	
STATE REGISTRAR		63. DESCRIBE HOW BURIAL OCCURRED		64. DESCRIBE HOW BURIAL OCCURRED		65. DESCRIBE HOW BURIAL OCCURRED		66. DESCRIBE HOW BURIAL OCCURRED		67. DESCRIBE HOW BURIAL OCCURRED	
		Burial		Burial		Burial		Burial		Burial	

BOOK 5791 PAGE 1768

This is a true certified copy of the
record as it bears the seal, imprinted
in the margin, of the Recorder.

AUG 23 1985

DALE S. ENSTAD, Clerk-Recorder
Kern County California



By Ruth M. Seabey Deputy

RECORDING REQUESTED BY
First American Title Company

RECORDING REQUESTED BY
First American Title Insurance Co.
Order No. 8930242 -2
Escrow No. 72203/MULLEN

WHEN RECORDED MAIL TO:

SHIRLEY ANN MULLEN
2915 LOMA LINDA DRIVE
BAKERSFIELD, CA 93306

James Maples, Assessor-Recorder
Kern County Official Records

DOCUMENT #: 0197006634



0197006634

JASON
Pages: 2
1/17/1997
8:00:00

Fees 10 00
Taxes
Other
TOTAL 10 00
PAID

Stat Types: 1

SPACE ABOVE THIS LINE

APN 122-051-14-9

AFFIDAVIT - DEATH OF JOINT TENANT

STATE OF CALIFORNIA

COUNTY OF KERN

SHIRLEY ANN MULLEN, of legal age, being first duly sworn, deposes and says:

That MARY LOUISE WEGIS, the decedent mentioned in the attached certified copy of Certificate of Death is the same person as MARY LOUISE WEGIS named as one of the parties in that certain JOINT TENANCY GRANT DEED dated SEPTEMBER 3, 1985 executed by BERNARD OTHART, A MARRIED MAN, DEALING WITH HIS SOLE AND SEPARATE PROPERTY to MARY LOUISE WEGIS, A WIDOW, AND SHIRLEY ANN MULLEN, AN UNMARRIED WOMAN, as Joint Tenants, recorded as Instrument No. 038133 on OCTOBER 4, 1985, of Official Records of KERN County, California, covering the following described property situated in the County of KERN, State of California:

FOR LEGAL DESCRIPTION, SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF

Dated: 1/13/97

Shirley Ann Mullen
SHIRLEY ANN MULLEN

SUBSCRIBED AND SWORN TO before me, the undersigned a Notary Public in and for said State, this 13 day of JANUARY 1997

WITNESS my hand and official seal.

Elfriede Tabor
Notary Public



*evidence of
death of
wife of
John B. Wegis
- not PIQ*

CERTIFICATION OF VITAL RECORDS											
STATE OF CALIFORNIA											
COUNTY OF KERN											
1. NAME OF DECEASED - FIRST MIDDLE LAST Mary Louise Vagin				2. DATE OF BIRTH - MONTH DAY YEAR 11/08/1906				3. SEX F			
4. DATE OF DEATH - MONTH DAY YEAR 06/04/1996				5. TIME OF DEATH - HOUR MINUTE 11:00				6. PLACE OF DEATH - CITY AND COUNTY Bakersfield, CA			
7. PLACE OF BIRTH - CITY AND COUNTY CA				8. MARITAL STATUS Widowed				9. SOCIAL SECURITY NUMBER 593-52-6235			
10. OCCUPATION Homemaker				11. CAUSE OF DEATH Cardiac Arrest				12. MANNER OF DEATH Natural			
13. SIGNATURE OF DECEASED Mary Louise Vagin				14. SIGNATURE OF WITNESS Shirley Allen				15. SIGNATURE OF DECEASED Mary Louise Vagin			
16. SIGNATURE OF WITNESS Shirley Allen				17. SIGNATURE OF DECEASED Mary Louise Vagin				18. SIGNATURE OF WITNESS Shirley Allen			
19. SIGNATURE OF DECEASED Mary Louise Vagin				20. SIGNATURE OF WITNESS Shirley Allen				21. SIGNATURE OF DECEASED Mary Louise Vagin			
22. SIGNATURE OF WITNESS Shirley Allen				23. SIGNATURE OF DECEASED Mary Louise Vagin				24. SIGNATURE OF WITNESS Shirley Allen			
25. SIGNATURE OF DECEASED Mary Louise Vagin				26. SIGNATURE OF WITNESS Shirley Allen				27. SIGNATURE OF DECEASED Mary Louise Vagin			
28. SIGNATURE OF WITNESS Shirley Allen				29. SIGNATURE OF DECEASED Mary Louise Vagin				30. SIGNATURE OF WITNESS Shirley Allen			
31. SIGNATURE OF DECEASED Mary Louise Vagin				32. SIGNATURE OF WITNESS Shirley Allen				33. SIGNATURE OF DECEASED Mary Louise Vagin			
34. SIGNATURE OF WITNESS Shirley Allen				35. SIGNATURE OF DECEASED Mary Louise Vagin				36. SIGNATURE OF WITNESS Shirley Allen			
37. SIGNATURE OF DECEASED Mary Louise Vagin				38. SIGNATURE OF WITNESS Shirley Allen				39. SIGNATURE OF DECEASED Mary Louise Vagin			
40. SIGNATURE OF WITNESS Shirley Allen				41. SIGNATURE OF DECEASED Mary Louise Vagin				42. SIGNATURE OF WITNESS Shirley Allen			
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67. SIGNATURE OF DECEASED Mary Louise Vagin				68. SIGNATURE OF WITNESS Shirley Allen				69. SIGNATURE OF DECEASED Mary Louise Vagin			
70. SIGNATURE OF WITNESS Shirley Allen				71. SIGNATURE OF DECEASED Mary Louise Vagin				72. SIGNATURE OF WITNESS Shirley Allen			
73. SIGNATURE OF DECEASED Mary Louise Vagin				74. SIGNATURE OF WITNESS Shirley Allen				75. SIGNATURE OF DECEASED Mary Louise Vagin			
76. SIGNATURE OF WITNESS Shirley Allen				77. SIGNATURE OF DECEASED Mary Louise Vagin				78. SIGNATURE OF WITNESS Shirley Allen			
79. SIGNATURE OF DECEASED Mary Louise Vagin				80. SIGNATURE OF WITNESS Shirley Allen				81. SIGNATURE OF DECEASED Mary Louise Vagin			
82. SIGNATURE OF WITNESS Shirley Allen				83. SIGNATURE OF DECEASED Mary Louise Vagin				84. SIGNATURE OF WITNESS Shirley Allen			
85. SIGNATURE OF DECEASED Mary Louise Vagin				86. SIGNATURE OF WITNESS Shirley Allen				87. SIGNATURE OF DECEASED Mary Louise Vagin			
88. SIGNATURE OF WITNESS Shirley Allen				89. SIGNATURE OF DECEASED Mary Louise Vagin				90. SIGNATURE OF WITNESS Shirley Allen			
91. SIGNATURE OF DECEASED Mary Louise Vagin				92. SIGNATURE OF WITNESS Shirley Allen				93. SIGNATURE OF DECEASED Mary Louise Vagin			
94. SIGNATURE OF WITNESS Shirley Allen				95. SIGNATURE OF DECEASED Mary Louise Vagin				96. SIGNATURE OF WITNESS Shirley Allen			
97. SIGNATURE OF DECEASED Mary Louise Vagin				98. SIGNATURE OF WITNESS Shirley Allen				99. SIGNATURE OF DECEASED Mary Louise Vagin			
100. SIGNATURE OF WITNESS Shirley Allen				101. SIGNATURE OF DECEASED Mary Louise Vagin				102. SIGNATURE OF WITNESS Shirley Allen			
103. SIGNATURE OF DECEASED Mary Louise Vagin				104. SIGNATURE OF WITNESS Shirley Allen				105. SIGNATURE OF DECEASED Mary Louise Vagin			
106. SIGNATURE OF WITNESS Shirley Allen				107. SIGNATURE OF DECEASED Mary Louise Vagin				108. SIGNATURE OF WITNESS Shirley Allen			
109. SIGNATURE OF DECEASED Mary Louise Vagin				110. SIGNATURE OF WITNESS Shirley Allen				111. SIGNATURE OF DECEASED Mary Louise Vagin			
112. SIGNATURE OF WITNESS Shirley Allen				113. SIGNATURE OF DECEASED Mary Louise Vagin				114. SIGNATURE OF WITNESS Shirley Allen			
115. SIGNATURE OF DECEASED Mary Louise Vagin				116. SIGNATURE OF WITNESS Shirley Allen				117. SIGNATURE OF DECEASED Mary Louise Vagin			
118. SIGNATURE OF WITNESS Shirley Allen				119. SIGNATURE OF DECEASED Mary Louise Vagin				120. SIGNATURE OF WITNESS Shirley Allen			
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124. SIGNATURE OF WITNESS Shirley Allen				125. SIGNATURE OF DECEASED Mary Louise Vagin				126. SIGNATURE OF WITNESS Shirley Allen			
127. SIGNATURE OF DECEASED Mary Louise Vagin				128. SIGNATURE OF WITNESS Shirley Allen				129. SIGNATURE OF DECEASED Mary Louise			

Shirley Mullen Obituary

Shirley Wegis Mullen

Services: Tues. May 14, 3:00 p.m.

Memorial Services will be held Tuesday, May 14, 3:00 p.m. in Greenlawn Memorial Chapel, 3700 River Blvd., for Shirley Wegis Mullen.

Shirley was born in Bakersfield on April 14, 1929 at Mercy Hospital and passed away on May 9, 2002 at home. She was preceded in death by her parents, John and Louise Wegis.

She taught special education in Delano, Frazier Park and New York City. Shirley retired from Kern County Department of Human Services in 1996 after 17 years of service as an eligibility worker and supervisor. Shirley graduated from Kern County Union High School in 1947, which later became Bakersfield High School. While attending school she served as a Candy Striper at Mercy Hospital. She continued her education at Bakersfield Junior College, which at the time was located at Kern County Union High School. She then finished her

education at the Fresno State University Extension Campus at Bakersfield College.

Shirley is survived by her children: Delila Owens and her husband John of Bakersfield; Jonathan Lewis and his wife Carol Sun of Brooklyn, NY; Sara Hagen and her husband John of New Haven, CT; Polly Lewis of Pinole, CA; Zachary Lewis of Los Angeles, CA; Jack Oglesby and partner Daryl Hitchcock of Fresno, CA and Justin Alexanderia of Florida. Shirley is also survived by her three grandsons, Todd Cook of Bakersfield, CA, Timothy S. Cook and his wife Leah of Bakersfield, CA and A.J. Hagen of New Haven, CT and a great-grandson, Timothy Donald Cook of Bakersfield, CA. No visitation is scheduled.

Greenlawn Mortuary Funeral Directors

To plant trees in memory, please visit the Sympathy Store.

Published by Bakersfield Californian from May 12 to May 13, 2002.

ECCH 3752 JAN 430

(SPACE BELOW FOR FILING STAMP ONLY)

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SANTA BARBARA, CALIFORNIA
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P.O. Box 12, Calif.
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Attorney for Executrix

RECORDED IN OFFICIAL RECORDS
OF KERN COUNTY, CALIFORNIA

AUG 5 1964

Min.
Fest

RAY A. YERCAMMEN, County Recorder

7-9-64

RECORDING REQUESTED BY AND MAIL TO

Jack L. Milburn, also known as J. L. Milburn, deceased.

IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA

FOR THE COUNTY OF SANTA BARBARA

No. 64736

IN THE ESTATE OF

JACK L. MILBURN, also known
as JACK MILBURN, also known
as J. L. MILBURN,

Deceased.

ORDER SETTLING FIRST AND FINAL
ACCOUNT, FIXING AND ALLOWING
STATUTORY AND EXTRAORDINARY
COMMISSIONS AND ATTORNEY'S FEES,
VACATING ORDER OF FAMILY ALLOW-
ANCE, APPROVING REPORT OF
EXECUTRIX, AND DECREE OF DIS-
TRIBUTION

The verified petition of IRENE AUGUSTA MILBURN, execu-
trix of the will of Jack L. Milburn, also known as Jack Milburn,
also known as J. L. Milburn, deceased, for Order Settling First and
Final Account, Fixing and Allowing Statutory and Extraordinary
Commissions and Attorney's Fees, Vacating Order for Family Allowance,
approving the Report of the Administration of the Executrix, and
for Decree of Distribution under the will of the decedent, coming
on regularly to be heard on the 29th day of June, 1964, and
Stanley Jewell appearing as attorney for the executrix, the court,
after examining the petition and hearing the evidence, finds that
due notice of the hearing of such petition has been given as
required by law, that notice to creditors has been duly given as
required by law, and that the period within which to present and
file creditors' claims has expired; that all inheritance taxes and
all personal property and income taxes due and payable by said
estate have been paid, and that said estate should be settled,

Evidence of
Death only
- not PSQ

1 orders be made, and distribution ordered as prayed;

2 IT IS, THEREFORE, ORDERED, ADJUDGED, AND DECREED by the
3 court that:

4 1. Notice to creditors has been given as required by law,
5 and the term within which to present and file creditors' claims
6 has expired.

7 2. The executrix has in her possession belonging to said
8 estate after deducting credits to which she is entitled a balance
9 of \$39,052.72, of which \$13,543.10 is in cash, and the remainder
10 consists of the property hereinafter described at the appraised
11 value.

12 3. The First and Final Account be approved, allowed, and
13 settled accordingly.

14 4. The statutory commissions and attorney's fees are fixed
15 and allowed at \$2,789.92, respectively, and the executrix is
16 ordered and directed to pay the balance of \$1,289.92 as statutory
17 commissions of the executrix to SECURITY FIRST NATIONAL BANK, a
18 national banking association, as probate agent pursuant to the
19 agreement heretofore made and approved. The executrix is further
20 ordered and directed to pay the balance of \$1,289.92 to Stanley
21 Jewell as and for statutory attorney's fees.

22 5. Commissions and attorney's fees for extraordinary
23 services to the estate are fixed and allowed in the sum of
24 \$2,500.00 each. The executrix is ordered and directed to pay said
25 sum of \$2,500.00 as extraordinary commissions to SECURITY FIRST
26 NATIONAL BANK, as probate agent, pursuant to the agreement hereto-
27 fore made and approved. The executrix is further ordered and
28 directed to pay to Stanley Jewell the sum of \$2,500.00 as extraordi-
29 nary attorney's fees herein. The executrix is authorized to pay
30 the balance of statutory fees and commissions and extraordinary
31 commissions and fees out of the residue of cash on hand.

32

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1. 6. All of the acts and proceedings of the executrix are
2 confirmed and approved.

3 7. The Order for Family Allowance to IRENE AUGUSTA MILBURN
4 heretofore made herein is hereby vacated, and it is found that
5 there are no sums or amounts due thereunder.

6 8. The allocation and payment of the respective tax burdens
7 as set forth in the First and Final Account are approved.

8 9. It is found that the sum of \$3,512.20, being the pro-
9 ceeds of the sale of certain Union Pacific Railroad Company stock
10 during the lifetime of the decedent were, in fact, the joint
11 tenancy property of the decedent and IRENE AUGUSTA MILBURN and
12 that said sum was inventoried as part of the assets of this estate
13 due to doubt as to its ownership. It is ordered and directed that
14 said sum be excluded from the assets of this estate and the execu-
15 trix is authorized to pay the said \$3,512.20 to IRENE AUGUSTA
16 MILBURN as the surviving joint tenant.

17 10. The executrix is ordered and directed to make the
18 following disbursements from cash and assets of the estate now in
19 her possession:

20	11. Payment of the foregoing fees and	
21	commissions as ordered in the total amount of	\$7,579.84
22	12. Reserve for closing costs and	
23	expenses	<u>\$500.00</u>
24		\$8,079.84
25	13. Proceeds from sale of joint tenancy	
26	stock to be paid to IRENE AUGUSTA MILBURN	\$3,512.20
27	14. One-half community income received	
28	during probate to be paid to IRENE AUGUSTA MILBURN	\$3,302.61
29	15. One-half community income received	
30	during probate to be paid to SECURITY FIRST NATIONAL	
31	BANK, as trustee	\$3,184.30
32		

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1 As to the foregoing items, C, D, and E, the plan
2 presented by the executrix for payment thereof is approved, and the
3 executrix is ordered and directed to pay said sums in the following
4 manner:

5 Re: Proceeds from sale of joint tenancy stock:
6 One-half in cash \$1,721.10
7 One-half in Intex Oil Company stock and
8 equalizing cash \$1,721.10

9 Re: One-half community income cash to
10 IRENE AUGUSTA MILBURN:
11 One-half in cash \$1,651.30
12 One-half in Intex stock and equalizing
13 cash \$1,651.30

14 Re: One-half community income cash to SECURITY
15 FIRST NATIONAL BANK, as trustee:
16 One-half in cash \$1,592.15
17 One-half in Intex Oil Company stock
18 and equalizing cash \$1,592.15
19 F. Principal cash to IRENE AUGUSTA
20 MILBURN \$129.40

21 G. Principal cash to SECURITY FIRST
22 NATIONAL BANK, as trustee, subject to adjustment
23 on valuation of stock as above \$371.31

24 Where payment of any of the foregoing amounts is to be
25 made by the distribution of Intex Oil Company stock, the value of
26 the same shall be determined for these purposes as the value of
27 said stock as of the date of the entry of this Decree of Distribu-
28 tion. If traded on said date, at the average of the high and low
29 prices; if not so traded on said date, then at the average of the
30 closing bid and asked price on said date. Any necessary adjust-
31 ments to the indicated amounts due shall be in equalizing cash.

32

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1 11. All of the rest, residue, and remainder of the property
2 in the possession of the executrix, and any and all other property
3 of the estate and of the decedent, whether described herein or not,
4 be and the same is distributed as follows:

5 A. To IRENE AUGUSTA MILBURN:

6 1. 25 shares American Telephone & Telegraph
7 Company

8 2. 50 shares Atchison, Topeka & Santa Fe
9 Railway Company

10 3. 3300 shares Intex Oil Company

11 4. 25 shares May Department Stores Company

12 5. An undivided one-half community interest, which
13 is confirmed to her, or her community interest in and to that
14 certain note secured by trust deed, and in and to the oil royalty
15 interests more particularly described in Paragraph C, below.

16 B. To SECURITY FIRST NATIONAL BANK, a national
17 banking association in Trust:

18 1. 25 shares American Telephone & Telegraph
19 Company

20 2. 50 shares Atchison, Topeka & Santa Fe
21 Railway Company

22 3. 3300 shares Intex Oil Company, from which
23 stock and principal cash there is to be deducted the total sum of
24 \$4,864.86, in order to make the payments set forth in Paragraph 10,
25 above.

26 4. 25 shares May Department Stores Company

27 5. An undivided one-half interest, being the
28 decedent's community interest in that certain note secured by
29 trust deed, and in and to the oil royalty interests more particular-
30 ly described in Paragraph C, below.

31 C. The community property as to which each of the
32 above-named distributees has an undivided one-half interest is

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1 described as follows:

2 1. \$5,700.00 more secured by trust deed executed by
3 Elissa L. and Patricia C. Ryan, dated June 1, 1960, payable \$67.50
4 monthly, including interest at 7%. The entire balance of the note
5 matured in full on July 1, 1965.

6 2. Oil royalty interests:

7 a. Kalm lease

8 All right, title and interest of said decedent
9 and IRENE AUGUSTA MILBURN in all minerals, oil, gas and other hydro-
10 carbon substances in and under the following described lands situate
11 in Kern County, California, to wit: Lots 17 and 18 of the Omaha
12 Tract No. 1 as per map recorded July 7, 1929 in Book 1, Page 118 of
13 Maps, in the Office of the County Recorder of said County, as
14 acquired by J. L. Milburn by deed recorded June 26, 1936, as
15 Document 1392 in Book 544, Page 364, of official records of said
16 County.

17 b. Jeppi lease

18 All right, title and interest of said decedent
19 and IRENE AUGUSTA MILBURN in all rents, royalties, issues, profits
20 and other things of value which may hereafter become payable by
21 the lessee to the lessor under the terms, conditions and provisions
22 of that certain oil and gas lease executed by and between Frank
23 Jeppi, as lessor, and the First National Finance Corporation, a
24 California corporation, as lessee, under date of February 1st, 1945,
25 and filed for record February 25, 1945, in Book 1216, Page 293 of
26 Official Records in the Office of the County Recorder of Kern
27 County, which oil and gas lease covers and embraces the following
28 described real property in the County of Kern, State of California,
29 more particularly described as follows, to wit:

30 Lots 2 and 7 of Section 17, Township 30 South, Range 29 East, M.D.
31 S. & M. as per Map filed July 22, 1910 in Book 2, Page 5 of Maps,
32 Records of said County, as acquired by J. L. Milburn under royalty
33 assignment executed by Frank Jeppi and dated August 11, 1943,
34 recorded August 11, 1943 as Document 30527 in Book 1538, Page 422
35 of Official Records of said County.

36 c. Portals lease:

37 All right, title and interest of said decedent
38 and IRENE AUGUSTA MILBURN in and to all minerals, oil, gas and
39 other hydrocarbon substances in and under the following described
40 lands situate in Kern County, California, to wit:

41 That portion of Section 3, Township 30 South, Range 29 East, M.D.
42 S. & M., lying Northerly of the Northerly line of the 200 foot
43 right of way of the Southern Pacific Railroad Company granted by
44 Act of Congress of July 27, 1866.

45 Also that portion of NE 1/4 of said Section 3, lying Southerly
46 of the Southerly line of the 200 foot right of way of the Southern
47 Pacific Railroad Company granted by Act of Congress of July 27,
48 1866, EXCEPT that portion within the 60 foot strip of land granted
49 to the County of Kern by Edison Land and Water Company by deed
50 recorded March 3, 1915, in Book 299, Page 45 of Deeds.

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1 of the Northeast quarter of Section 4, Township 30 South, Range
2 East, M.D.B. & M., lying Northerly of the Northerly line of the
3 200 foot right of way of the Southern Pacific Railroad Company
4 granted by Act of Congress of July 27, 1866, EXCEPTING that portion
5 thereof lying within a strip of land 50 feet wide adjoining and
6 parallel to said 200 foot right of way of the Southern Pacific
7 Railroad Company as granted to the said Company by Deed recorded
8 in Book 268, Page 36 of Deeds, Records of said County; also EXCEPT-
9 ING that portion of said Northeast quarter within the Second Edition
10 subdivision according to the amended map thereof recorded in the
11 Office of the County Recorder of said County in Book 2, Page 38
12 of Maps.

13 acquired under assignment dated October 1, 1947 from V. P. Baker,
14 assignor, and J. L. Milburn, Assignee, recorded January 20, 1948 in
15 Book 1278, Page 367, Official Records of Kern County, California.

16 d. Rio Bravo lease:

17 All right, title and interest of said decedent
18 and IRENE AUGUSTA MILBURN in any and all oil, gas and other hydro-
19 carbons produced and saved from the land described in Parcel No. 2
20 in that certain assignment by Clyde Street and Fay A. Street,
21 dated October 6, 1938, recorded October 13, 1938 in Book 327,
22 Page 64, Official Records, Kern County, California, upon the terms,
23 covenants and conditions therein stated.

24 e. Veon royalty:

25 All right, title and interest of said decedent
26 and IRENE AUGUSTA MILBURN in and to that certain United States Oil
27 and Gas Lease, Serial No. Sacramento 036138, issued under date of
28 January 1, 1945, recorded in Book 1289 at Page 43, Official Records
29 of Kern County, California, from the United States of America, as
30 lessor, to Eva B. Veon, as lessee, demising the following described
31 lands situated in Kern County, California:

32 The N/2 of the SE/4 of Section 24; Lot 111 located in
33 Sections 24 and 25; NE/4, and Lots 1, 4 and 5, Section 25;
34 all in Township 30 South, Range 21 East, M.D.B. & M.

35 subject, however, to that certain Drilling and Operating Agreement
36 dated December 4, 1945, between said Eva B. Veon, as lessee, and
37 Pacific Western Associated Oil Company, covering that portion of the
38 above described lands demised by said lease more particularly
39 described as follows:

40 NE/4, and Lots 1, 4 and 5, and that portion of Lot 111,
41 all being located in Section 25, Township 30 South,
42 Range 21 East, M.D.B. & M.,

43 wherein there was reserved unto the said Eva B. Veon a two per cent
44 (2%) royalty interest; subject also to that certain Drilling and
45 Operating Agreement dated December 12, 1945, between said Eva B.
46 Veon, as lessee, and Pacific Western Oil Corporation and George F.
47 Getty, Inc., covering that portion of the lands demised by said
48 lease described as follows:

49 1/2 of the SE/4 of Section 24, and that portion of Lot
50 111 located in Section 24, all in Township 30 South,
51 Range 21 East, M.D.B. & M.

52

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1 herein there was reserved unto the said Eva B. Veon an overriding
2 royalty of two per cent (2%), together with an undivided one-fourth
3 (1/4) interest in and to all royalties, rentals and other benefits
4 accruing to the lessee under each of said Drilling and Operating
5 Agreements; as acquired by assignment and agreement dated March 31,
6 1948, recorded in Book 1503 at Page 363, Official Records of Kern
7 County, California, from Tod Mosier and Edythe Mosier, as assignor,
8 to J. L. Milburn, as assignee,

9 EXCEPTING therefrom those certain interests transferred by IRENE
10 AUGUSTA MILBURN, Executrix of the Estate of J. L. Milburn, deceased,
11 as assignor, under assignment dated June 24, 1963, recorded in
12 Book 3636, at Page 402, Official Records of Kern County, California.

13 f. Ancors:

14 All right, title and interest of said decedent
15 and IRENE AUGUSTA MILBURN in all oil, gas, and other hydrocarbon
16 substances lying in and under the Northwest 1/4 of the Southeast
17 1/4 of Section 34, Township 29 South, Range 26 East, Mount
18 Diablo Meridian, County of Kern, State of California, according to
19 the official plat of the survey of said land on file in the Bureau
20 of Land Management, as acquired by deed recorded October 6, 1937,
21 as Document 24161 in Book 748, Page 310 of Official Records of
22 said County.

23 12. The property hereinabove distributed to SECURITY FIRST
24 NATIONAL BANK, a national banking association, is distributed to
25 said bank in TRUST for the following uses and purposes, upon the
26 terms and subject to the conditions set forth in the Will of the
27 decedent, to wit:

28 A. All income from the Trust Estate is to be accumu-
29 lated by the trustee and distributed quarterly or, at the trustee's
30 discretion or on request of the beneficiary, monthly, to or for the
31 use or benefit of decedent's wife, IRENE AUGUSTA MILBURN, herein-
32 after called the wife, during her lifetime.

33 B. If at any time or times during her lifetime in the
34 absolute discretion of the trustee, the wife for any reason
35 whatsoever may be in need of funds for her reasonable maintenance,
36 comfort, and support in the manner and style similar to that with
37 which she was provided during her lifetime or for expenses of
38 illness, accident, or other misfortune, the trustee, without
39 regard to any other sources of income available to the wife, shall
40 pay to her or use or apply or expend for her such amounts from the
41 principal of the Trust Estate, up to and including the whole thereof,

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1 by the trustee may from time to time deem necessary or advisable
2 for her use and benefit to meet such need.

3 7. If the wife survives distribution of the Trust
4 assets to the trustee, then on her death the trustee shall pay from
5 the principal of the Trust Estate the expenses of her last illness,
6 funeral, and burial, unless the trustee shall determine in its
7 absolute discretion that other provisions have been made for the
8 payment of such expenses. All such expenses that may be paid by
9 the trustee shall be charged proportionately against and paid
10 from the principal of the respective shares of the Trust Estate
11 herein provided for in the next paragraph.

12 8. Upon the death of the wife, the trustee shall
13 divide the entire Trust Estate into two shares of equal market
14 value. All of the principal of one of such shares and accumulated
15 income attributed to the principal of such share shall be paid and
16 distributed by the trustee to JACK MILBURN, son, absolutely free
17 and clear of all Trusts, and as to such share and as to such
18 accumulated income the Trust shall then terminate.

19 The trustee shall divide the other remaining equal
20 share into as many further equal shares as there shall be children
21 then living of said JACK MILBURN, the said children being herein-
22 after referred to as grandchildren. In the event that, on the
23 death of the wife, the son JACK MILBURN shall have no children
24 then living, then the other remaining equal share and all accumu-
25 lated income attributable thereto shall also be distributed and
26 paid to the son JACK MILBURN, and this Trust shall terminate in its
27 entirety.

28 The trustee shall set aside one of such further
29 equal shares in a separate Trust for each such grandchild then
30 living and shall distribute quarterly, or more frequently at the
31 trustee's discretion, so much of the net income derived therefrom
32 as in the sole discretion of the trustee may be required for the

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1. support, support, maintenance, comfort, and education of such grand-
2 child or for the use or benefit of such grandchild until he or
3 she attains the age of twenty-five (25) years, and any accumulated
4 income not so required shall be added to the principal of such
5 share. At such time as any such grandchild shall have attained
6 the age of twenty-five (25) years, the entire principal of the
7 share set aside for such grandchild and any accumulated income
8 attributable thereto shall be distributed to such grandchild and
9 as to such share and as to such grandchild the Trust shall
10 terminate.

11. At any time after the trustee has set aside such
12 further equal shares in separate Trusts for each such grandchild,
13 JACK MILBURN, son, shall have the right at his discretion and at
14 his sole election, by written notice to the trustee, to succeed
15 and replace SECURITY FIRST NATIONAL BANK as trustee as to all or
16 any one or more of such separate Trusts, and in the event the
17 said JACK MILBURN, son, shall so elect to become trustee he shall
18 be the sole trustee as to the apposite Trust with all of the
19 rights, power, and duties herein granted to said trustee.

20 In the event of the death of said JACK MILBURN,
21 son, before becoming entitled to receive his share of the afore-
22 said Trust Estate, the portion of the Trust Estate which would
23 have been set aside and distributed to him shall be added to and
24 divided equally among the shares of said Trust Estate to be set
25 aside for each of said grandchildren. In the event of the death
26 of any grandchild before becoming entitled to receive the whole of
27 his or her share of the Trust Estate, the trustee, after paying
28 out of his or her share of the Trust Estate the expenses of last
29 illness and funeral of such deceased grandchild, unless such
30 expenses shall have been paid or provided for apart from this
31 trust, shall distribute the entire principal of such share or so
32 much thereof as then remains, together with any undistributed

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1 income therefrom, to the then surviving issue of such deceased
2 grandchild by right of representation. If such deceased grand-
3 child shall leave no issue then surviving, such deceased grand-
4 child's share shall be added in equal portions to the shares then
5 held for the benefit of the remaining surviving grandchildren and
6 to those shares previously distributed herefrom to the grand-
7 children, excluding the share of the aforesaid grandchild or
8 grandchildren theretofore deceased as to whom there then survives
9 no issue. If any portion of a share has theretofore been dis-
10 tributed, then a similar portion of the added share shall likewise
11 be distributed.

12 Notwithstanding any other provision hereof relating
13 to the division of the Trust Estate into shares for the grand-
14 children, the trustee may, in its sole discretion, defer such
15 division and may retain and administer the Trust Estate otherwise
16 so divisible as a unit until such time as it is required to make
17 distribution therefrom, but, in such event, separate accounts shall
18 be kept for each such grandchild, to which shall be assigned appro-
19 priate equal undivided interests from the Trust Estate.

20 7. Any other provisions to the contrary notwithstanding,
21 this Trust, unless terminated in accordance with the provisions herein,
22 shall terminate (including all separate divisions thereof) shall fully
23 cease and terminate twenty-one years after the death of the wife.
24 Upon such termination, the entire then remaining principal of the
25 Trust Estate, together with any undistributed income therefrom,
26 shall be distributed to the persons entitled to take under the
27 provisions of this Trust (regardless of the then age of said
28 persons), and if there be no such persons then surviving, then to
29 STEPHENIE MILBURN, daughter of Phillip B. Milburn, and to WILLIAM
30 PATRICK MILBURN, son of Thomas M. Milburn, and to BODIL WATTS, or
31 the survivors of them, per capita and not per stirpes; and in the
32 event none of the last-named persons at the time of the termination

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1 with respect to the last remaining share of the Trust
2 then living, to the then living persons who would be
3 of the Decedent if he had died at that time in the proportions
4 prescribed by the laws of succession of the State of California
5 (such as Sections 223 and 229 or similar sections or successors
6 of the California Probate Code) then in force and effect.
7 7. 15, after the division of the Trust Estate into
8 shares for the grandchildren, at any time or times during the life
9 of this Trust any then income-participating beneficiary shall be in
10 entitled to additional money for reasonable maintenance, comfort, and
11 support, or for expenses of accident, illness, or other misfortune,
12 or for his or her reasonable education, including study at an
13 institution of higher learning, in such case of want it shall be
14 the discretionary duty of the trustee, upon receipt by it of satis-
15 factory evidence of such want, but without regard to any other
16 source of income available to such beneficiary, to pay or to use
17 to supply or extend for the beneficiary then so entitled thereto,
18 such additional part up to and including the whole of the principal
19 of the respective share being held for such beneficiary as may be
20 necessary to meet such want.
21 8. 16. The beneficiary under this Trust shall assign,
22 convey, transfer, anticipate, pledge, hypothecate, or otherwise
23 encumber any or her interest hereunder, and neither the principal
24 of this Trust, or any income arising therefrom shall be liable for
25 any debt of any such beneficiary or be subject to any bankruptcy
26 proceeding or claim of creditors or be subject to any judgment
27 or writ against any such beneficiary, or to the process of any
28 court in aid of execution of any judgment so rendered; and all of
29 the income and principal under this Trust shall be transferable,
30 assignable, and deliverable only to the beneficiaries designated
31 thereon or at the time entitled to take the same under the terms
32 hereof, and all personal receipts of said beneficiaries

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1 ... the opinion of the trustee, be conditions precedent to
2 ... delivery of the same by the trustee to such bene-
3 ... this provision shall not restrict the power or
4 ... of the trustee to use and disburse funds under the
5 ... of Paragraph 3, above, or to disburse funds under the
6 ... of Paragraph 4, below.

7 H. In the event the trustee is required to distribute
8 ... or use or expend such monies for the benefit, com-
9 ... support, education, or maintenance of a minor or an in-
10 ... person, such distribution may, at the sole discretion
11 ... be made to such beneficiary or to any person having
12 ... custody of such beneficiary without the intervention of a
13 ... or the trustee may itself expend the money for the
14 ... of such beneficiary, or the trustee may distribute to a
15 ... but the trustee may, in its discretion, require such
16 ... and take such steps as it may deem requisite to assure
17 ... the application of such money to the said purposes.

18 I. Upon any division or partial or final distribution
19 ... of the property of the Trust Estate, as provided, the trustee may
20 ... or distribute such property in kind, including undivided
21 ... therein, or in its absolute discretion the trustee may
22 ... all or any part of such property and make such division or
23 ... in cash or partly in cash and partly in kind, and the
24 ... of the trustee as to what constitutes a proper division
25 ... of the Trust Estate either prior to or upon any distribution
26 ... shall be binding upon all of the beneficiaries.

27 J. The term "issue" as used above shall mean lawful
28 ... and shall include legally adopted children.

29 K. In fulfillment of the aforesaid Trusts, the trustee
30 ... the following powers, duties, and discretion:

31 This trustee may maintain, continue or operate, at
32 ... of the Trust Estate and not at the risk of said trustee,

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1 any business or enterprise which it may receive hereunder, or it
2 may sell or grant options therefor, exchange, pledge, or encumber
3 by mortgage, deed of trust or other form of hypothecation, or other-
4 wise dispose of the whole or any part thereof, on such terms, and
5 for such property or cash or part cash and part credit, as it may
6 deem best; or it may in its sole discretion, retain, hold, maintain
7 or continue any securities, properties, or investments which it may
8 receive from the estate for such length of time that it may deem
9 advisable, and generally in all respects it may handle, manage,
10 control and operate the Trust Estate in such manner and upon such
11 terms and conditions as to said trustee, in its absolute and
12 uncontrolled discretion may seem best, and may do all of such
13 other things and exercise each and every right, power and privilege
14 in connection with and in relation to the said Trust Estate as
15 could be done, exercised or executed by an individual holding and
16 owning said property in absolute and unconditional ownership,
17 including, without limiting the foregoing, the following express
18 powers which shall apply equally to any and all property (real,
19 personal or mixed) received in the Trust from the estate and to
20 any and all property (real, personal or mixed) acquired by the
21 trustee through investment of Trust funds, through foreclosure,
22 trustee's sale, or from any other source whatsoever:
23 1. To sell and convey, or grant options therefor,
24 exchange, partition, divide, allot, subdivide, create restric-
25 tions, easements or other servitudes thereon, transfer, pledge,
26 mortgage, by mortgage or by deed of trust or otherwise, and lease
27 for any period or periods within or extending beyond the life of
28 the Trust, to amend, modify, extend and renew any oil and gas
29 leases held in said Trust Estate, and for any business, agricultural
30 or other purpose, inclusive of exploration for, drilling for,
31 development and removal of oil, gas, minerals and other substances
32 and in latter case, community leases may be made and a common

BOOK 3752 PAGE 444

1 agent appointed to receive rentals, bonuses and royalties), and at
2 such price and for such property, or cash or part cash and part
3 credit, or other consideration and upon such terms and conditions,
4 and in such manner as the trustee shall deem advisable.

5 2. Exercising the judgment and care, under the
6 circumstances then prevailing, which men of prudence, discretion
7 and intelligence exercise in the management of their own affairs,
8 not in regard to speculation, but in regard to the permanent dis-
9 position of their funds, considering the probable income as well
10 as the probable safety of their capital, the trustee is authorized
11 to invest and reinvest all principal in any kind of property, real,
12 personal or mixed, and in any kind of investment, specifically
13 including, but not by the way of limitation, corporate obligations
14 of every kind, and stocks, preferred or common, and further includ-
15 ing, but not by way of limitation, interests in any common trust
16 fund or funds now or hereafter established and being administered
17 by said SECURITY FIRST NATIONAL BANK. The trustee may continue to
18 add property received into this Trust at its inception or sub-
19 sequently acquired if and as long as the trustee, in the exercise
20 of good faith and of reasonable prudence, discretion and intelli-
21 gence, may consider that retention is in the best interests of the
22 Trust.

23 3. To determine, in its sole discretion, what is
24 principal or income of the Trust Estate and to apportion and allo-
25 cate, in its sole discretion, receipts and expenses as between
26 principal and income. To charge to the principal of the Trust
27 Estate the full purchase price of any securities purchased at a
28 premium without the necessity of thereafter making any amortization
29 as to such premium.

30 4. It is expressly provided that the trustee shall,
31 in its discretion, be authorized and empowered to hold without sale
32 or conversion all shares of the common stock of Intex Oil Company

BOOK 3752 PAGE 445

1 received into this Trust at its inception, and the trustee shall
2 not be empowered to sell the same or any thereof without the prior
3 written consent of the wife or such person as she may in writing
4 designate so long as she shall live. Upon her death, this limita-
5 tion upon the authority of the trustee to sell such shares shall
6 terminate.

7 In other respects, all matters relating to the
8 principal and income save as otherwise in this Will provided shall
9 be governed by the provisions of the California Principal and Income
10 Act as it exists from time to time, and in the event no such act is
11 in force, then all such other matters shall likewise be determined
12 at the sole discretion of the trustee.

13 5. To carry deeds of trust, mortgage, deed of trust
14 notes, mortgage notes, stocks and other securities in its individual
15 name either with or without disclosing its fiduciary capacity, that
16 is, endorsed in blank, or in its individual name, or as trustee
17 under this Trust (by referring to the Trust number, or otherwise),
18 or to carry securities in the name of such person as the trustee
19 shall select.

20 6. To vote all stocks, by proxy or otherwise, in
21 such manner as the trustee may elect; to pay all stock assessments
22 and stockholder's liabilities or to refuse payment and abandon
23 such stock; to exercise, or not exercise, stock rights, in its
24 sole discretion.

25 7. To make, at the risk of the Trust Estate, such
26 disposition of securities as the trustee may deem advisable in the
27 event of merger, consolidation, dissolution, reorganization, fore-
28 closure or other adjustment of capital funds or indebtedness with
29 power to deposit securities with, or assign them to, any bond-
30 holders' or creditors' committee or association, and to authorize
31 such committee or association to charge against the Trust Estate,
32 and to pledge such securities for, the payment of the proper

BOOK 3752 PAGE 446

1 expenses of copies required thereunder, and to any and all other
2 things which, in his discretion, are advisable under the circum-
3 stances then present.

4 8. To place, replace, renew, or extend any en-
5 cumbrance upon any real property, when due, or at any time when the
6 trustee shall deem it advisable or necessary, in such amount, upon
7 such conditions and by such means as the trustee shall deem proper.

8 9. To receive into this Trust, as corpus, by pur-
9 chase or otherwise, real property covered by any mortgage or deed
10 of trust under which there then exists a default, and so to receive
11 the same in lieu of foreclosure or trustee's sale thereunder and in
12 satisfaction of the encumbrance.

13 10. To bid for or become the purchaser of any
14 property, real or personal, sold at any foreclosure sale or at any
15 trustee's or sheriff's sale under a deed of trust or under any
16 judicial sale, in which property the trustee may have an interest
17 as lender or otherwise, and to hold or resell the same without
18 liability for resulting loss.

19 11. To raise or move existing buildings, and to
20 erect new buildings, upon any Trust real property; and to
21 make ordinary or extraordinary repairs, alterations, or additions
22 to any buildings over which the trustee has management.

23 12. To pay, from corpus, the principal of liens
24 and encumbrances affecting any of the Trust properties, and to pay,
25 from corpus or from corpus, in the trustee's discretion, interest
26 on such liens and encumbrances and so to pay a bonus, if necessary,
27 for the prepayment of any such encumbrance.

28 13. To maintain fire and other insurance covering
29 improvements on real property and indemnity insurance with respect
30 to any liability in connection with the operation of said Trust
31 estate or the properties thereof, all of such insurance to be in
32 such amounts and with such companies as the trustee may elect.

BOOK 3752 PAGE 447

1 14. To advance and lend its own money to this Trust
2 and to treat the amount of such advancement and interest thereon as
3 a first lien against the Trust Estate; to borrow money for this
4 Trust and to pledge or encumber any property owned in the Trust
5 for such purpose, by mortgage, deed of trust, or otherwise.

6 15. To pay all taxes which are properly chargeable
7 against the Trust Estate or against the trustee by reason of its
8 acting as such hereunder.

9 16. To reimburse itself from income or principal
10 for any loss, liability, or expense incurred by reason of its
11 trustee ownership or holding of any property received or held in
12 this Trust.

13 17. To abandon, compromise, contest and arbitrate
14 claims and demands; to institute, compromise and defend actions at
15 law or equity; and to take any and all steps which in its discretion
16 are necessary or advisable in the protection of the Trust Estate
17 and in the protection of this Trust both during and after probate
18 administration upon the estate and to employ such counsel as the
19 trustee shall deem advisable and pay to such counsel reasonable
20 compensation for any services rendered in such connection.

21 18. Upon termination of this Trust, in whole or
22 in part, to convey, assign, and deliver to the persons entitled
23 thereto the Trust property in kind, or partly in kind and partly
24 in cash, namely, in real property or securities at values to be
25 determined by the trustee, or at its option to convert such
26 securities or property into cash for the payment of the net pro-
27 ceeds thereof to such persons.

28 19. Subject to any charge thereupon in favor of
29 the trustee, income accrued but not collected, or collected but
30 undistributed at the termination of any interest hereunder shall
31 go to the beneficiary or beneficiaries entitled to the next eventual
32 interest in the proportions in which they take such interest.

BOOK 3752 PAGE 448

20. The powers hereinbefore set forth are not
and shall not be construed in any respect as in limitation
any powers conferred upon the trustee by law, but are intended
and shall be construed as being in addition thereto.

21. After paying any and all charges, obligations, closing
costs, expenses, and taxes, if any, the executrix is ordered to
disburse the remaining balance of cash, if any, in accordance
with this Decree of Distribution.

22. Any and all property of the decedent or of this estate
herein described and not now known or discovered is ordered
distributed as follows:

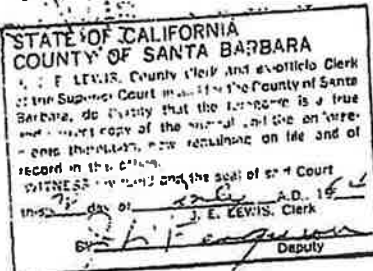
23. One-half of any and all community property to
EUGENE AUGUSTA HILGREN, being her one-half community interest in
any such community property.

24. One-half of any and all community property, being
the decedent's one-half community interest therein, and any and
all separate property of the decedent, to SECURITY FIRST NATIONAL
BANK, as trustee.

WITED: This 29th day of June, 1964.

PERCY C. HECKENDORF
Judge of the Superior Court

FILED: Jun 29, 1964
J. E. LEWIS, County Clerk
By Stuart Brandt, Deputy Clerk



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END OF DOCUMENT

BOOK 4670 PAGE 267

APR-28-72 35604 • 1003 • A TB FBK 2 12.00

RECORDING
REQUEST BY
& MAIL TO

Recorded By RAY A. VERCAMMEN, KRM, Inc. Record.

STANLEY JEWELL
ATTORNEY AT LAW
208 EAST CARRILLO STREET
SANTA BARBARA, CALIFORNIA

963-6646

Attorney for Administrator

FILED
SUPERIOR COURT

APR 24 1972

J. E. LEWIS, County Clerk

By DON COMBS

Verity Clerk

SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF SANTA BARBARA

NO. 90910

In the Matter of the Estate of
JACK MILBURN,
Deceased

ORDER SETTLING FIRST AND FINAL ACCOUNT OF ADMINISTRATRIX; FOR ALLOWANCE OF STATUTORY COMMISSIONS TO ADMINISTRATRIX AND FOR STATUTORY AND EXTRAORDINARY ATTORNEY'S FEES; AND DECREE OF FINAL DISTRIBUTION UNDER WILL, AND ESTABLISHMENT OF TRUSTS AND FOR APPOINTMENT OF TESTAMENTARY TRUSTEE.

The verified petition of PATRICIA M. MILBURN, as Administratrix with Will Annexed of the Estate of Jack Milburn, deceased, for order settling her First and Final Account; for Allowance of Statutory Commissions to Administratrix; for Allowance of Statutory and Extraordinary Attorney's Fees, for establishment of Trusts; for appointment of Testamentary Trustee and for Final Distribution Under Will, STANLEY JEWELL appearing as attorney for said Petitioner, came on regularly for hearing the 24th day of April, 1972, The Court, after examining the petition and hearing the evidence, finds that due notice of the hearing of such petition has been given as required by law; that notice to creditors has been given as required by law; that all of the allegations of said petition are true; that all inheritance taxes and all personal property taxes due and payable by said estate have been paid; that petitioner has in her hands for distribution, before the

1 payment of fees, commissions and closing costs a balance of
2 \$34,250.52, of which amount the sum of \$31,718.84 is cash and is
3 included in such balance; and that said account should be
4 settled, fees and commissions be approved, a Testamentary
5 Trustee be appointed, and distribution ordered as prayed for:

6 NOW, THEREFORE, IT IS HEREBY ORDERED, ADJUDGED AND
7 DECREED by the Court as follows:

8 1. Notice to Creditors has been duly given as required
9 by law.

10 2. The Administratrix has in her possession belonging
11 to said estate, after deducting credits to which she is entitled,
12 and before deducting fees, commissions and closing costs of the
13 estate, a balance of \$34,250.52, of which \$31,718.84 is in cash,
14 and the remainder consists of the property thereafter described
15 at the appraised value.

16 3. The First and Final Account of the Petitioner be
17 approved, allowed and settled.

18 4. From the residue of cash in her hands the
19 Administratrix pay the sum of \$1,631.66 as statutory attorney's
20 fees and the further sum of \$500. as extraordinary fees to
21 STANLEY JEWELL, which fees are hereby allowed and approved.

22 5. The Administratrix retain from such residue of
23 cash the sum of \$1,631.66 as commission allowed by law for her
24 services as Administratrix which are hereby allowed and approved.

25 6. The community one-half interest in said estate is
26 hereby confirmed and set aside to PATRICIA M. MILBURN, the
27 surviving spouse.

28 7. The following described property be and the same
29 is hereby distributed to PATRICIA M. MILBURN under the provisions
30 of the Will of the decedent and as her one-half community
31 interest in the residue of said estate:

1 a. The sum of \$1,100. in cash as the proceeds
2 of the sale of the 1964 Cadillac Sedan sold during the
3 administration of this estate, which was appraised at
4 \$1,100.

5 b. A coin collection appraised at \$114.80.

6 c. A 1967 Ford, Model 82 Sedan, engine
7 #7482 Q 125986, appraised at \$1,717.50.

8 d. One share common stock of McDonnell-Douglas
9 Company appraised at \$19.69.

10 e. An undivided one-half interest (1/2) in
11 an oil royalty in Kern County, recorded November 20, 1961,
12 in Book 3435, at page 411, Official Records, Kern County,
13 appraised at \$300.

14 f. An undivided one-fourth interest (1/4) in
15 royalties in United States Design Patent D-200-664 of
16 McDonnell-Douglas Corporation, appraised at \$30.00.

17 g. All of the decedent's personal effects, china,
18 silver, silverware, books, pictures, paintings, works of
19 art, household furniture and furnishings and clothing.

20 h. One-half of the residue of cash after the
21 above distribution, and after the payment of fees,
22 commissions and closing costs of this estate.

23 i. One-half interest in all other property of
24 said estate, whether described herein or not.

25 §. The Testamentary Trusts for the benefit of the
26 decedent's children, as provided in the decedent's Will, are
27 established in accordance with the terms hereinafter set forth.

28 §. PATRICIA M. MILBURN is hereby appointed Trustee
29 of such trusts and she shall serve without bond.

30 10. The balance of the residue of said estate is
31 distributed to such Trustee for the benefit of the decedent's
32 children, BRIAN PAUL MILBURN and THOMAS WILLIAM MILBURN, both

BOOK 4670 PAGE 270

1 of whom are now living, which residue consists of the following:

2 a. One share common stock of McDonnell-Douglas
3 Company appraised at \$19.69.

4 b. An undivided one-half (1/2) interest in an
5 oil royalty in Kern County, recorded November 20, 1961,
6 in Book 3435, at page 411, Official Records, Kern County,
7 appraised at \$300.

8 c. An undivided one-fourth (1/4) interest in
9 royalties in United States Design Patent D-200-664 of
10 McDonnell-Douglas Company appraised at \$30.00.

11 d. One-half of the residue of cash after the
12 above-ordered distributions, and after the payment of fees,
13 commissions and closing costs of this estate.

14 e. One-half interest in all other property of
15 said estate, whether described herein or not.

16 11. The Trustee shall administer the Testamentary
17 Trusts in accordance with the following terms and conditions:

18 a. Trusts.

19 1. The Trustee shall divide the Trust estate
20 into as many equal shares as there shall be children
21 under the age of thirty-five years or living descen-
22 dants of children under the age of thirty-five years,
23 by right of representation, of any predeceased child.

24 2. The net income from each such Trust share
25 shall be distributed in monthly or other convenient
26 installments to or for the use and benefit of the
27 beneficiary of each Trust share until the beneficiary
28 shall reach the full age of thirty-five years, at which
29 time the Trust as to such Trust share shall cease and
30 the net distributable balance of the Trust share shall
31 be distributed outright to said beneficiary.

32 3. In the event that any of said beneficiaries

1 should die before becoming entitled to receive the
2 whole of his or her Trust share, the Trustee after
3 paying the expenses of last illness and disposition
4 of the remains of any such child, unless such expenses
5 shall have been paid or provided for apart from this
6 Trust, shall set aside his or her share in equal
7 shares in a separate Trust for each child of said
8 deceased child then living, and shall distribute in
9 averaged monthly installments the net income derived
10 therefrom to or for the proper support, maintenance,
11 comfort, and education of such child until he or she
12 attains the age of twenty-one years, at which date the
13 Trust, as to any separate Trust share, shall cease,
14 and the net distributable Trust share shall be
15 distributed to the beneficiary thereof absolutely.

16 4. If the payments from any Trust share
17 shall be insufficient in the sole and absolute dis-
18 cretion of the Trustee to provide for the reasonable
19 support, care, comfort, and education of the bene-
20 ficiary thereof, taking into account other income of
21 such beneficiary, the Trustee may pay to such
22 beneficiary or apply to or for her or his benefit so
23 much of the principal as the Trustee in its sole
24 discretion may deem proper and necessary for that
25 purpose. Such payments shall not exceed the principal
26 set aside for the benefit of such beneficiary and shall
27 be deducted from it.

28 5. In the event that any deceased child
29 shall not have child or children surviving him or her,
30 then after paying the expenses as provided in Paragraph
31 3, above, the Trust share of said deceased child shall
32 be divided equally and be added to the Trust shares of

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b. Powers of the Trustee. The Trustee is vested with the following powers affecting the respective Trusts and Trust Estates:

(1) To continue to hold any income producing property, including stock of the Trustee corporation, and to operate at the risk of the Trust estate and not at the risk of the Trustee, any property or business received in the Trust so long as it may deem advisable, the profits or losses therefrom to inure or be chargeable to the Trust estate as a whole and not to the Trustee.

(2) To manage, control, sell, convey, exchange, partition, divide, subdivide, improve, repair; to grant options and to sell upon deferred payments; to lease for terms within or extending beyond the duration of the Trust for any purpose, including exploration for and removal of gas, oil, and other minerals; to enter into community oil leases; to create restrictions, easements, and other servitudes; to compromise, arbitrate, or otherwise adjust claims in favor of or against the Trust; to institute, compromise, and defend actions and proceedings; to carry such insurance as the Trustee may deem advisable.

(3) To invest and reinvest the principal and income if the Trustee is required to accumulate it and to purchase or acquire therewith every kind of property, real, personal, or mixed, and every

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1 kind of investment specifically including but
2 not by way of limitation corporate obligations
3 of every kind, and stocks, preferred or common,
4 which men of prudence, discretion, and intelli-
5 gence acquire for their own account; to invest
6 in any common Trust fund now or hereafter
7 established by the Trustee.

8 (4) To advance funds to the Trust for any
9 Trust purpose, such advances with interest at
10 current rates to be a first lien on the Trust
11 estate.

12 (5) To borrow money for any Trust purpose
13 upon such terms and conditions as the Trustee
14 may deem proper and to obligate the Trust estate
15 for repayment; to encumber the Trust estate or
16 any of its property by mortgage, deed of trust,
17 pledge, or otherwise, using such procedure to
18 consummate the transaction as the Trustee may
19 deem advisable.

20 (6) To have respecting securities all the
21 rights, powers, and privileges of an owner, in-
22 cluding the power to pay assessments and other sums
23 deemed by the Trustee necessary for the protection
24 of the Trust estate; to participate in voting
25 Trusts, pooling agreements, foreclosures, re-
26 organizations, consolidations, mergers and liqui-
27 dations, and in connection therewith to deposit
28 securities with and transfer title to any protective
29 or other committee under such terms as the Trustee
30 may deem advisable; to exercise or sell stock
31 subscription or conversion rights; to accept as
32 an investment any securities or other property

BOOK 4670 PAGE 275

1 received through the exercise of any of the
2 foregoing powers regardless of any limitations
3 elsewhere in this instrument relative to
4 investments by the Trustee.

5 (7) Upon any division or partial or
6 final distribution of the Trust estate, to parti-
7 tion, allot, and distribute the Trust estate in
8 undivided interests or in kind or partly in money
9 and partly in kind, at valuations determined by
10 the Trustee, and to sell such property as the
11 Trustee may deem necessary to make division or
12 distribution.

13 (8) To budget the estimated annual income
14 and expenses of the Trust in such manner as to
15 equalize, as far as practicable, periodical
16 income payments to beneficiaries.

17 (9) To determine what is principal or income
18 of the Trust estate and apportion and allocate
19 in its discretion receipts and expenses as be-
20 tween these accounts. Except insofar as the
21 Trustee shall exercise the above discretion,
22 matters relating to the rights of beneficiaries
23 among themselves as to principal and income shall
24 be governed by the provisions of the Principal
25 and Income Act from time to time existing.

26 (10) The enumeration of certain powers of
27 the Trustee shall not limit its general powers,
28 the Trustee subject always to the discharge of
29 its fiduciary obligations being hereby given all
30 the rights, powers, and privileges which an
31 absolute owner of the same property would
32 have.

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c. General Provisions.

(1) The Trustee shall receive a reasonable compensation for its services hereunder.

(2) Until the Trustee shall receive in its Trust Department where the Trust is being administered, written notice of any birth, marriage, or death, the Trustee shall incur no liability to persons whose interests may have been affected by that event for disbursements made in good faith.

(3) The Trustee may make payments to any beneficiary under disability by making them to the guardian of the person of the beneficiary or to the parent of the beneficiary, if a minor, or may apply them for the beneficiary's benefit. Sums necessary for support and education may be paid directly to minor beneficiaries who, in the judgment of the Trustee, have attained sufficient age and discretion to render it probable that the monies will be properly expended.

(4) The Trustee shall have the right to resign at any time. Upon its resignation, a successor shall be appointed by a Court of competent jurisdiction upon petition by the resigning Trustee or of any person interested in the Trust.

Dated: April 24, 1972.

ARDEN T. JENSEN
JUDGE OF THE SUPERIOR COURT

STATE OF CALIFORNIA COUNTY OF SANTA BARBARA I, J. E. LEWIS, County Clerk, do hereby certify that the foregoing is a true and correct copy of the original and the endorsements thereon, now remaining on file and of record in this office. WITNESS my hand and the seal of said Court this <u>24th</u> day of <u>April</u> , A.D. 19 <u>72</u> BY <u>C. E. LEWIS, Clerk</u>

END OF DOCUMENT

RECORDED BY
CALE S. ENSTAD
KERN COUNTY RECORDER

154260

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GRS 8.00
HDEP 1.00
REC.FE 6.00
STATE 5.00
CHER 20.00

RECORDING
REQUESTED BY
& MAIL TO

8687440 C001 R01 T11:11

Stanley Jewell and
Patricia M. McCloskey
200 E. Carrillo Street
Suite 206
Santa Barbara, California 93101
805-963-6646

FILED
SUPERIOR COURT

DEC 12 1991

RECEIVED BY CLERK

By: Mary Sandoval

MARY SANDOVAL, Deputy Clerk-Recorder

Executors in propria persona

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SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF SANTA BARBARA

In the matter of the Estate of) CASE NO. 186392

IRENE A. MILBURN,
deceased.

ORDER SETTLING SECOND AND
FINAL ACCOUNT OF EXECUTORS
AND FOR ITS SETTLEMENT;
PETITION FOR DECREE OF FINAL
DISTRIBUTION; AND FOR
ALLOWANCE OF STATUTORY AND
EXTRAORDINARY EXECUTORS'
COMMISSIONS

Hearing Date: 12/2/1991
Time: 8:30 a.m.

The verified Second and Final Account of PATRICIA M.
McCLOSKEY and STANLEY JEWELL, Executors of the above estate,
of their Administration of said estate and Petition for
Settlement of said Account; Petition for Decree of Final
Distribution; and for allowance of Statutory and Extraordinary
Executors' Commissions, came on regularly for hearing on
December 2, 1991, before the Honorable THOMAS R. ADAMS,
STANLEY JEWELL and PATRICIA M. McCLOSKEY appearing in propria
persona for the estate, the Court finds, after reviewing the

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wife of
O.L. Milburn

1 said Second and Final Account, Report and Petitions, and
2 considering the evidence, that due notice of the time and
3 place of the hearing of such Account, Report and Petitions,
4 was given as required by law; there are no requests for
5 Special Notice; Notice to Creditors has been published for the
6 period and in the manner prescribed by law; within thirty (30)
7 days after completion of the publication of Notice to
8 Creditors there was filed with the Clerk of this Court a
9 declaration showing due publication of Notice to Creditors in
10 the manner and form required by law; more than four months
11 have elapsed since the first publication of Notice to
12 Creditors; all claims filed against the estate have been paid
13 and there are no rejected claims; all costs of administration,
14 including costs of publication have been paid; all acts and
15 transactions of the Executors during the administration of the
16 estate are timely shown and should be approved; the Executors
17 have performed all required duties as Executors of the estate;
18 all allegations of the petition for its settlement and for
19 final distribution are true; the estate is in a condition to
20 be closed and distributed; and that final distribution should
21 be ordered as prayed.

22
23 NOW, THEREFORE, IT IS HEREBY ORDERED, ADJUDGED AND
24 DECREED that,

25 1. The Second and Final Account Current of the Executors
26 showing a balance on hand of \$ 280,946.63, of which
27 \$ 28,495.06 is in cash, is settled, confirmed, approved and
28

1 allowed.

2 2. The sum of Ten Thousand Dollars (\$10,000.00) be
3 distributed to The Mother Church, The First Church of Christ,
4 Scientist, in Boston, Massachusetts, to further the cause of
5 Christian Science as taught by Mary Baker Eddy.

6 3. As agreed between the executors under Probate Code
7 Section 10805, the executor's commissions are ordered paid as
8 follows:

9 a. Statutory. The sum of \$7,617.00 as calculated
10 in Schedule D of the Final Account, to be paid equally to the
11 co-Executors, amounting to \$3,808.50 to co-Executrix Patricia
12 M. McCloskey and \$3,808.50 to co-Executor Stanley Jewell; and
13 in addition thereto;

14 b. Extraordinary. The sum of \$4,800.00 to the
15 co-Executors for extraordinary commissions, to be paid to them
16 equally, amounting to \$2,400.00 to co-Executrix Patricia M.
17 McCloskey and \$2,400.00 to co-Executor Stanley Jewell; and the
18 further sum of \$612.50 as and for extra services rendered by
19 co-Executor Stanley Jewell for 3.5 hours at the rate of
20 \$175.00 per hour for obtaining preliminary distribution to
21 certain devisees. The sum of \$612.50 added to the \$2,400.00
22 totals \$3,012.50 in extra commissions to Stanley Jewell.

23 4. All the rest, residue and remainder of the assets of
24 the estate, whether described herein or not, and whether or
25 not discovered or hereafter discovered, or in which the
26 decedent or her estate may have any interest, be and the same
27 are hereby distributed to Patricia M. McCloskey, Brian Paul
28

1 Milburn and Thomas William Milburn, equally.

2 5. The specific real property and oil, gas and mineral
3 leases to be distributed include the following:

4 Arvin Area

5 .0012500 interest in HATTIE P. BRITE
6 Lease V-Arvin-6 and V-Arvin-7,
#8-57102-2 Kern County, California

7 1 $\frac{1}{2}$ Oil and Gas T7N R93W, S15 S/2NE,
8 N/2SE, 25WSE, 200 A., Moffatt County,
c/o Craig, Colorado

9 .9615 interest in Oil and Gas Lease
10 dated August 15, 1943, recorded in

11 Book 1146, page 294 official records
12 Kern County, from Portals Corporation,
to Independent Exploration Company
(Stockdale)

13 .00465% of 94.6666% royalties under
14 CAMENISCH Community Lease, to
Chevron, U.S.A., Kern County, California

15 .0005000 O.R.R.I. interest in Texaco
16 Processing Co. VEON USL 036138 Lease
situated in Kern County, California

17 Standard Oil Company lease dated
18 April 5, 1974, recorded June 13,
1974, in Book 4845, page 1323,
20 official records, Kern County
(no income).

21 Chevron account number 252213,
22 including various lease listed and
commonly known as the Greely Unit,
Fleishaur Community lease, Kern County,

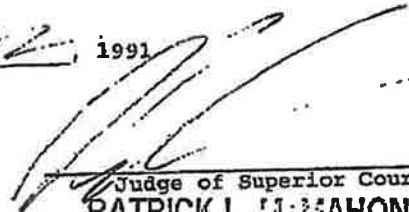
23 1 $\frac{1}{2}$ oil and gas T7 N R93W, Moffatt
24 County Texas. (Texaco)

25 .001250% of Portals (Kilburn) #25A,
26 Lease dated June 1, 1971, recorded
Book 1146, page 294 official records,
27 Kern County, California, Independent
Exploration Company, Lessee.

.09616% of Portals (Haddad & Butler)
lease, Kern County, California

.096154% of Portals (Kilburn) lease,
Kern County, California.

Dated: December 12, 1991


Judge of Superior Court
PATRICK L. MCMAHON

This is a true certified copy of the original document on file or of record in my office. It bears the seal and signature, imprinted in purple ink, of the County Clerk-Recorder.

KENNETH A. PETTI

COUNTY CLERK-RECORDER, SANTA BARBARA COUNTY, CALIFORNIA

DATE: SEP 23 1992 BY DEPUTY James J. G. de la



Patricia McCloskey Obituary

1929-2016

Patricia was born in Bakersfield, California to Horace and Irma Showalter. She had one older sister, Elaine who passed away in 2002. She attended Bakersfield High School where she was active in theater and dance. After graduating she went on to San Jose State where she majored in physical education with an emphasis in dance.

She married Jack Milburn in 1950 with whom she had two sons. After living in Santa Monica for several years, the family moved to Santa Barbara in 1963. Jack passed away in 1970. As a widow she became involved in several occupations finally settling into dental assistant.

Eventually she worked in her second husband's insurance office. Then in 1980 she began working as Administrative Assistant to the Director of College Advancement at Westmont College.

In 1978 she married her second husband, James B. McCloskey who was the love of her life. They were happily married for 23 years and took many trips and cruises abroad, visiting 29 countries. They shared a special love of

Yosemite and spent many holidays and vacations there. Patricia was proud of their many travel adventures. Jim passed away in 2001 leaving her widowed once again. She filled some of the void in her life by getting involved in jewelry and chain making through adult education. She met many wonderful friends and was affectionately known as "the chain lady". She remained active until her passing.

She is survived by sons Brian P. Milburn and Alexander D. Thomas, and daughter-in-law Laura Milburn, as well as grandchildren Brian P. Milburn Junior and Jenna DiPasquale, and five great-grandchildren. She is also survived by step-children Clayton McCloskey, Carolyn Snow, and Thomas McCloskey and their families.

A memorial service is being planned for January 2017.
Announcement to follow.

To plant trees in memory, please visit the [Sympathy Store](#).
Published by Santa Barbara News-Press from Dec. 11 to Dec. 15, 2016.

12017

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WHEN RECORDED MAIL TO
Ila Mae Anderson
11000 W. 1st St.
4807 N. 1st St.
Bakersfield, CA
93306

ENTERED

FILE FILE

RECORDED IN OFFICIAL RECORDS OF
KINGS COUNTY, CALIFORNIA
AT 27 MIN. PAID 12 H
Georgia Winlock
AUG 29 1978
JOAN L. BULLOCK *JB* FEE
County Clerk and Recorder

W. E. JAMES

LAWYER

1717 28TH STREET

P.O. BOX 871

BAKERSFIELD, CALIFORNIA 93302

78 JUN 2 2:31

78 JUN 5 10:25

BOARD

PROBATE

CLERK

BY

DEPUTY

VERA K. GIBSON CLERK

KERN COUNTY CALIF.

SUPERIOR COURT OF THE STATE OF CALIFORNIA

FOR THE COUNTY OF KERN

Entered *24*

IN THE MATTER OF THE ESTATE OF

No.

27916

EMMETT A. ANDERSON, also
known as E. A. ANDERSON,

ORDER OF FINAL DISTRIBUTION.
UNDER WILL ON WAIVER OF
ACCOUNTING AND FOR ATTORNEY'S
FEES

Deceased.

A 11.00 ORS
R2480 A 10/30/78 11.00 CASH

Ila Mae Anderson, as Executrix under the Will of

Emmett A. Anderson, also known as E. A. Anderson, Deceased, having
filed herein her Report and Petition for Final Distribution, and
as the sole devisee and legatee under the Decedent's said Will,
having therein waived an accounting, and said Report and Petition
having come on regularly for hearing on May 31, 1978, at 9:30 A.M.,
in the Courtroom of Department 1, Probate and Extra Sessions
Court, the Court, being advised in the premises, finds that:

Due notice of the hearing of said Report and Petition
has been regularly given as prescribed by law;

All allegations of said Report and Petition are true;

Emmett A. Anderson, also known as E. A. Anderson, died

- 1 -

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111

044014

1978 OCT 30 AM 11:35

RECORDED BY
RAY A. VORCAUMEN
KERN COUNTY CLERK

12017

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1 testate on April 29, 1976, in the City of Bakersfield, County of
2 Kern, State of California, and was at the time of his death a
3 resident of said county and state;

4 On June 11, 1976 the Petitioner qualified as Executrix
5 of the Decedent's Will, and Letters Testamentary were issued to
6 her, and at all times since June 11, 1976 the Petitioner has been,
7 and now is, the Executrix of the Decedent's said Will;

8 Notice to Creditors has been given as required by law,
9 and all claims presented or filed against the Decedent's said
10 estate have been paid;

11 An Inventory and Appraisement of the estate of said
12 Decedent was returned and filed herein on January 13, 1977;

13 The report of the Inheritance Tax Referee appointed in
14 this proceeding is on file, an Order Fixing the Inheritance Tax
15 Due to the State of California has been made by this Court, and is
16 on file, and such inheritance tax, together with interest, has been
17 paid in full as is evidenced by the receipts of the County
18 Treasurer of the County of Kern on file in this proceeding;

19 All personal property taxes due and payable by said
20 estate have been paid, and all Federal and California State Income
21 Taxes payable by said estate have likewise been paid;

22 A Federal Estate Tax Return, Form 706, has been timely
23 filed, audited, and all Federal Estate Taxes have been paid;

24 W. E. James, attorney at law, as attorney for Petitioner
25 as such Executrix in this proceeding, has rendered both ordinary
26 and extraordinary legal services to Petitioner, the statutory fee
27 provided for by law for the ordinary services so rendered by such
28 attorney being the sum of \$5,682.30, and a reasonable compensation

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1 closing this estate.

2 5. Petitioner is authorized and directed to pay to her
3 said attorney, W. E. James, the further sum of \$1,500.00 as fees
4 for extraordinary services rendered by him in connection with the
5 administration of said estate, as particularly described in said
6 Report and Petition.

7 6. All property and assets of said estate be and the
8 same are hereby distributed to Ila Mae Anderson, widow of the
9 Decedent, the remaining assets and property of said estate so
10 distributed being described as:

- 11 (a) 1250 shares of 40¢ par common stock of
12 Great Basin Petroleum Co., a Colorado
13 corporation;
- 14 (b) 200 shares \$10 par value common stock
15 of Security Pacific Corporation, a
16 Delaware corporation;
- 17 (c) 90 shares of \$2.50 par value common
18 stock of Ford Motor Company.
- 19 (d) 10 shares of \$5.00 par value common
20 stock of Ford Motor Company.
- 21 (e) 200 shares of \$6.25 par value common
22 stock of Standard Oil Company of California,
23 a Delaware corporation.
- 24 (f) 200 shares of common stock of Texaco,
25 Inc., a Delaware corporation.
- 26 (g) 900 shares of 4.36% redeemable first
27 preferred \$25 par value stock of Pacific
28 Gas and Electric Company, a California
corporation.
- (h) 300 shares of 4.50% redeemable first
preferred \$25 par value stock of Pacific
Gas and Electric Company, a California
corporation.
- (i) 100 shares of \$10 par value common stock
of Crocker National Corporation, a
Delaware corporation.

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- 1 (j) 100 shares of Buttes Gas and Oil Co.,
2 a California corporation.
- 3 (k) 100 shares of \$1.00 par value common
4 stock of State Exploration Company, a
5 California corporation.
- 6 (l) 150 shares of \$1.00 par value common
7 stock of Canadian Superior Oil Ltd.,
8 a Canadian corporation.
- 9 (m) 300 shares of Canada Geothermal Oil
10 Ltd., an Ontario (Canada) corporation.
- 11 (n) 125 shares of Geothermal Resources
12 International, Inc., a Delaware
13 corporation.
- 14 (o) 582 shares of 50¢ par value common
15 stock of McCulloch Oil Corporation, a
16 Delaware corporation.
- 17 (p) 100 shares of Norris Oil Co., a Nevada
18 corporation.
- 19 (q) 25,000 shares of Phillipine Oil
20 Development Co., Inc., a Phillipine
21 corporation.
- 22 (r) 5000 shares of Great Chief Uranium
23 Company, 1¢ par value common stock, a
24 Nevada corporation.
- 25 (s) 12,500 shares of 1¢ par value common
26 stock of Alamo Mining Corporation, a
27 Nevada corporation.
- 28 (t) 1,500 shares of Cuprite Copper Mining
Company, a Nevada corporation.
- (u) 5 U.S. Pennys
- (v) 3 U.S. Nickels, one with 13 stars
and a lute
- (w) 10 U.S. Dimes, one 1891
- (x) 1 U.S. Half-Dollar, 1935
- (y) 3 U.S. Silver Dollars, 1889, 1921 and
1922
- (z) 1 - 2½ peso Mexican coin, 1918

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- (aa) 1 \$2.50 United States gold coin, 1925
- (bb) 2 \$5.00 United States gold coins, one 1902 and one 1912
- (cc) 1 \$20.00 United States gold coin, 1903
- (dd) Furniture and furnishings, including office furniture and equipment, formerly at 1819 and 1819 1/2 Alta Vista Drive, Bakersfield, California.
- (ee) Promissory Note dated March 17, 1965 in the principal sum of \$12,600 made by Paul R. Scholing and Muriel A. Scholing and payable to the order of E. A. Anderson and Ila Mae Anderson, husband and wife, payable in installments of \$90.00 per month including interest at 6% per annum of the 12th day of each month, secured by a Deed of Trust of even date executed by the makers of the Note, as Trustor, to Security Title Insurance Company, a California corporation, as Trustee, in favor of E. A. Anderson and Ila Mae Anderson, husband and wife, as Beneficiaries, covering that real property in San Bernardino County, California, described as Lot 3 of Block 2 of Wrights Subdivision, as per Plat recorded in Book 18 of Maps, Page 36, Records of said County, as recorded April 12, 1965 in Book 6368, Page 849 of Official Records of said County, such Promissory Note having been assumed by Walter F. Barsotti and Margery J. Barsotti, husband and wife, as joint tenants, on or about May 4, 1971.
- (ff) SW 1/4 SW 1/4 SE 1/4 Section 36, T29S, R29E, M.D.B.&M., Kern County, California, unimproved.
- (gg) Space 1 and 2, Lot D, Block 104, Lawn Hillside, Greenlawn Memorial Park.
- (hh) An overriding royalty of one percent (1%) of the proceeds from the sale of oil, gas, casinghead gasoline and other hydrocarbon substances produced, saved and sold from the SW 1/4 SW 1/4 and W 1/4 SE 1/4 SW 1/4, Section 23, T31S, R29E, M.D.B.&M., in Kern County, Cal. under Oil and Gas Lease dated 8/28/51 between Hugh S. Jewett et al, Lessors, and E. A. Anderson, Lessee, now being operated and produced by Morton & Dolley.

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(ii) An overriding royalty of one percent (1%) of the net proceeds of the oil, gas and other hydrocarbon substances produced, saved and sold from the following described lands in Kern County, California, to wit:

All of Lot 108 in Section 23, Township 30 South, Range 21 East, M.D.B.&M., according to the U.S. Government official plat of H.B. Carpenter Survey approved November 18, 1983, containing 160 acres, more or less,

under Oil and Gas Lease dated 4/8/76, executed by R. H. Anderson, Inc., as Lessor, and operated and produced by Getty Oil Company.

(jj) An overriding royalty of one percent (1%) of the net proceeds of the oil, gas and other hydrocarbon substances produced, saved and sold from the lands subject to U.S. Lease Sac. No. 032685, covering the following described lands in the County of Kern, State of California, to wit:

Lot 1 of Section 23, Township 30 South, Range 21 East, M.D.B.&M., containing 11.06 acres, more or less,

now being operated and produced by Getty Oil Company.

(kk) An overriding royalty of four and one-sixth (4-1/6%) of the proceeds from the sale of oil, gas and other hydrocarbon substances produced from or allocated to lands situate in Kern County, California, described as follows:

Lot 1 in Section 22, Lots 2 and 3 in Section 23, Lot 4 in Section 26, and the NE/4 of the NE/4 of Section 27, all in Township 30 South, Range 21 East, M.D.B.&M.,

under an oil and gas lease dated 2/25/49, executed by Rudnick and Klipstein, a partnership, et al, Lessor, and E. A. Anderson, as Lessee, now operated and produced by Getty Oil Company.

(ll) An overriding royalty interest of 2% of the proceeds from the sale of oil, gas and

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other hydrocarbons produced, saved and sold from the E $\frac{1}{4}$ SE $\frac{1}{4}$, Section 36, T29S, R21E, M.D.B.&M., in Kern County, CA, under Oil and Gas Lease executed by R. H. Anderson, Inc., as Lessor, and operated and produced by Union Oil Company of California, as disbursed by Bank of America, Bakersfield, CA, Main Office under Escrow No. 2972.

(mm) An undivided 2/100 of all oil, gas and other hydrocarbons in or under or that may be produced from the SE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 32, T29S, R26E, M.D.B.&M., in Kern County, CA.

(nn) An undivided 1% interest in and to all oil, gas and other hydrocarbon substances in or under or that may be produced from the E $\frac{1}{4}$ NE $\frac{1}{4}$, Section 35, T28S, R26E, M.D.B.&M.

(oo) An undivided 12 $\frac{1}{2}$ % interest in and to all oil, gas and other hydrocarbon substances which may be developed, mined or produced and saved from the NE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 14, T28S, R20E, M.D.B.&M., in Kern County, CA, as conveyed by deed from R. H. Anderson to E. A. Anderson dated 5/29/50 and recorded 9/24/53 in Book 2131, Page 504 of Official Records, being the entire interest of R. H. Anderson et ux in indenture dated 5/28/42 and recorded 6/2/42 in Book 1906, Page 208 of Official Records from H. H. Anderson et ux, as Grantors, and Standard Oil Company of California, as Grantee.

(pp) An undivided .005 (0.5%) oil and gas royalty interest under Oil and Gas Lease covering the easterly 2/3 of the SE $\frac{1}{4}$ Section 26, T31S, R29E, M.D.B.&M., in Kern County, California, operated and produced by Gulf Oil Company, P. O. Box 2100, Houston, Texas 77701.

(qq) An undivided 2/100 interest in and to all oil, gas and other hydrocarbons in and under and that may be produced from the NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 34, T29S, R26E, M.D.B.&M., in Kern County, California.

(rr) An undivided 2/16 interest in and to all oil, gas and other hydrocarbons in and under or that may be produced from the NE $\frac{1}{4}$, Sec. 36, T28S, R20E, M.D.B.&M., held in the name of R. H. Anderson, Inc., for decedent and other beneficial owners under the name "The Anderson Syndicate".

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(ss) An undivided 1% interest in all oil, gas and other hydrocarbon substances in or under, or that may be produced from the E $\frac{1}{2}$ NE $\frac{1}{4}$, Sec. 35, T28S, R25E, M.D.B.&M., in Kern County, California.

(tt) An undivided 1.05715% overriding oil and gas royalty interest under oil and gas leases produced and operated by Mobil Oil Corporation and covering the following described lands in Kings County, California:

T24S, R18E, M.D.B.&M.

Sec. 28: SW $\frac{1}{4}$ and W $\frac{1}{2}$ NW $\frac{1}{4}$

Sec. 29: SE $\frac{1}{4}$ and NE $\frac{1}{4}$

EXCEPTING therefrom the E $\frac{1}{2}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$

Sec. 33: NW $\frac{1}{4}$,

containing 700 acres, more or less, the royalty payment being disbursed through an escrow with Bank of America, Bakersfield Main Office.

(uu) One percent overriding royalty interest in U.S. Oil and Gas Lease Sacramento Serial No. 004944, upon which is located one producing gas well operated by William Kumler known as "A & B Well No. 1".

(vv) A production payment payable out of 2.4696% of the production from A & B Well No. 1, located on U. S. Lease Sacramento Serial No. 004944, operated by William Kumler, until the decedent receives an aggregate amount of \$10,000, as evidenced by the letter agreement with Standard Oil Company of California dated November 5, 1971, which referred to U. S. Oil and Gas Lease Serial No. 043912, since changed to Sacramento Serial No. 075773, and now being designated as Sacramento Serial No. 004944 with respect the portion thereof upon which said well is located.

TOGETHER WITH all other property belonging to said estate, whether described herein or not.

Dated this 5 day of June, 1978.

Gerald W. Goodwill
PROBATE AND COURT COMMISSIONER OF
THE SUPERIOR COURT

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(9)

THE DOCUMENT TO WHICH THIS CERTIFICATE IS ATTACHED IS A FULL, TRUE AND CORRECT COPY OF THE ORIGINAL ON FILE AND OF RECORD IN MY OFFICE.

ATTEST
JUN 19 1978
VERA K. GIBSON County Clerk and Clerk of the Superior Court of the State of California, in and for the County of Kern.

BY M. C. Casey DEPUTY

END OF DOCUMENT

APN 463-160-53 & 57(Ptn) (Report 2)

- Attached is a copy of the updated ownership report

- 93.5% of the mineral rights to said property are owned by the applicant or their partner in the project

- The remaining 6.5% is owned by the various individuals noted below:

- 4% owned by Ivan McKinney, Evelyn Norean McKinney and Robert Ivan McKinney. Attached is a copy of the vesting documents into these 3 owners (1667-121(1950), 751-283 (1937) & 734-447 (1937)). Said documents do not have addresses. We were initially able to make contact with an Heir of Robert Ivan McKinney, his son, Mike McKinney. In communicating with Mike, we provided him the documentation of the ownership, as well as emailing him a Waiver of Surface Access for his review. At such time, Mike was to review and gather contact information for the other owners or their Heirs. We followed up with several calls and emails (see attached emails), but Mike never responded back and did not provide any contact information for the others or their Heirs. We attempted to search and locate the others, but were unable to make any contact with the correct people or their Heirs. The last recorded document for Ivan McKinney was in 1955. The last recorded document for Evelyn Norean McKinney was in 1954.

In regards to this 4% interest in the mineral rights, the interest is vested from 1950 and 1937, and other than the contact with Mike mentioned above, who stopped responding, we have no viable mailing address to be able to send the proposed map to the owners or their potential Heirs.

- John A. Fleming as to 1%. John A. Fleming acquired in 1937 and we didn't find any document conveying the interest forward. According to a lease signed in 1954, he resided in LA County. Based on a lease signed in 1978 (5149-1162), John has passed and according to said document, his wife was Dorothy K. Fleming. It is assumed that Dorothy is likely deceased as well. We found no further information leading us to potential Heirs.

In regards to this 1% interest in the mineral rights, the interest is vested from 1937, and no viable mailing address was found to be able to send the proposed map to potential Heirs.

- E.B. Reeder as to 0.5%. E.B. Reeder acquired in 1937 and we didn't find any document conveying the interest forward. According to a lease signed in 1954, E.B. was also known as Bettye (Bettie) Reeder Dunnigan and resided in LA County. The lease was signed in LA County. No other documents were found in Kern or Los Angeles County. We found no further information leading us to potential Heirs.

In regards to this 0.5% interest in the mineral rights, the interest is vested from 1937, and no viable mailing address was found to be able to send the proposed map to potential Heirs.

- Oscar Regis as to 0.5%. Oscar Regis acquired in 1938 and we didn't find any document conveying the interest forward. According to a lease signed in 1954, Oscar resided in LA County.

The lease was signed in LA County. No other documents were found in Kern County. We found no further information leading us to potential Heirs.

In regards to this 0.5% interest in the mineral rights, the interest is vested from 1938, and no viable mailing address was found to be able to send the proposed map to potential Heirs.

- Boys Republic as to 0.5%. Boys Republic acquired in 1964 and we didn't find any document conveying the interest forward. We found no information leading to who the current owner is. Based on past experience, even if we did track down the current association that is the successor to an interest like this, they are generally not interested in taking the time to review or taking on the liability associated with signing anything.

In regards to this 0.5% interest in the mineral rights, the interest is vested from 1964, a successor to this interest was not found and no viable mailing address was found to be able to send the proposed map to potential Heirs.

**WEST COAST LAND SERVICE
OWNERSHIP REPORT**

**SQUAREUP PROSPECT (23-37)
KERN COUNTY, CALIFORNIA
APN 463-160-53 & 57(Ptn)**

DESCRIPTION:**Portion of Section 21, Township 29 South, Range 26 East, M.D.B. & M.**

The South Half of the South Half of Lots 7 and 8 in Section 21, Township 29 South, Range 26 East, M.D.B. & M., in the unincorporated area of the County of Kern, State of California, as per Map of said Section filed in the Office of the Recorder of said County on August 20, 1890 and also that portion of Lots 7 and 8 in Section 21, Township 29 South, Range 26 East, M.D.B. & M., in the unincorporated area of the County of Kern, State of California, as per Map of said Section filed in the Office of the Recorder of said County on August 20, 1890, described as follows:

COMMENCING at a point on the East line of said Lot 7 at its intersection with North line of the South Half of the South Half of said Lot 7; thence West along said North line of said South Half of the South Half of said Lots 7 and 8, a distance of 1,332.395 feet to the centerline of the road shown on said Map as bounding said Lot 8 on West; thence North along centerline of said road 261.4 feet; thence East and parallel with said North line of the South Half of the South Half of said Lots 7 and 8, to East line of said Lot 7 and thence South along said East line 261.4 feet to Point of Beginning.

EXCEPT the South 390 feet of the West 630 feet of said Lot 8.

ALSO EXCEPTING THEREFROM all that portion conveyed to Vaughn Water Company, a California Mutual Water Company in Grant Deed, recorded July 7, 2015, as Document No. 0215088318.

ALSO EXCEPTING THEREFROM that portion conveyed to North of The River Recreation & Park District in Grant Deed, recorded April 29, 2020, as Document No. 220054046.

ALSO EXCEPTING THEREFROM that portion conveyed to North of The River Recreation & Park District in Grant Deed, November 6, 2023, as Document No. 223136663.

MINERAL OWNERS	INTEREST	GROSS ACRES	NET ACRES
1. Batey Family Farms, LP, a California limited partnership *See Note #1	45.815%	9.32	4.2700
2. O'Connell Investments, LLC, a California limited liability company *See Note #1	47.685%		4.4442

3.	Ivan McKinney	2.00%	0.1864
4.	Evelyn Norean McKinney	1.00%	0.0932
5.	Robert Ivan McKinney	1.00%	0.0932
6.	John A. Fleming *See Note #1 & 3	1.00%	0.0932
7.	E. B. Reeder *See Note #1 & 4	0.50%	0.0466
8.	Oscar Regis *See Note #1 & 5	0.50%	0.0466
9.	Boys Republic, a California non-profit corporation *See Note #1 & 6	0.50%	0.0466

TOTAL:	<u>100.00%</u>	<u>9.32</u>	<u>9.32</u>
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SURFACE OWNERS

INTEREST

A.	Batey Family Farms, LP, a California limited partnership *See Note #1	49.00%
B.	O'Connell Investments LLC, a California limited liability company *See Note #1	51.00%

TITLE ACQUIRED BY:

- 1, 2, A
& B. Grant Deed recorded 8-25-2007, as Document No. 217114699 of Official Records.
3. Grant Deed, recorded January 30, 1950, in Book 1667, Page 121 of Official Records.
4. Mineral Deed, recorded November 6, 1937, in Book 751, Page 283 of Official Records.
5. Mineral Deed, recorded November 6, 1937, in Book 734, Page 447 of Official Records.
6. Mineral Deed, recorded September 25, 1937, in Book 748, Page 229 of Official Records.
7. Mineral Deed, recorded November 4, 1937, in Book 748, Page 471 of Official Records.
8. Mineral Deed, recorded July 1, 1938, in Book 808, Page 107 of Official Records.
9. Grant Deed, recorded July 14, 1964, in Book 3745, Page 141 of Official Records

LEASES:

LESSOR: James C. Krause and Frances M. Krause, husband his wife

LEASE DATE: 2-18-1980 **TERM:** No Term

LESSEE: Central California Oil Co.

REC. DATE: 3-6-1980 **BK/PG:** 5269/2094

~~There are other Lessors listed on lease, but they did not execute the lease
No Quitclaim found. Lease should be out by its own terms no production~~

QC of OGL's recorded 9-29-17 @ 0217131330

HOMESTEAD:

N/A

NOTES:

- 1) Owner #1 & 2 above have succeeded to the exclusive Right to Execute Oil, Gas and Mineral Leases, as provided in the vesting documents for Owners #6-9.
- 2) After much research, we were able to make contact with Robert McKinney's son, Mike McKinney. He's been unresponsive after sending him title documents, as well as a proposed Surface Waiver for his review. Several calls and emails have been made, with no response. Mike is supposed to provide heirship information for Owner #'s 3, 4 & 5, but as of yet, has not.
- 3) John A. Fleming acquired in 1937 and we didn't find any document conveying the interest forward. According to a lease signed in 1954, he resided in LA County. Seems that he's passed and according to documents we found, his wife was Dorothy K. Fleming. No further information was found.
- 4) E.B. Reeder acquired in 1937 and we didn't find any document conveying the interest forward. According to a lease signed in 1954, E.B. was also known as Bettye (Bettie) Reeder Dunnigan and resided in LA County. No other documents were found in Kern County. The lease she signed was in LA County. No further information was found.
- 5) Oscar Regis acquired in 1938 and we didn't find any document conveying the interest forward. According to a lease signed in 1954, he resided in LA County. No further information was found.
- 6) Boys Republic acquired in 1964 and we didn't find any document conveying the interest forward. No further information was found.

Title Information Acquired By:

Chicago Title & Title Point

As of 7-25-17 Updated 1-25-2024 **UPDATED 1-14-2026**

By: Jay Ivie

West Coast Land Service

(661) 322-2517

THE ABOVE TITLE INFORMATION WAS ACQUIRED FROM THE CHICAGO TITLE LOT BOOK AND TITLE POINT COMPUTER CHAIN AND INCLUDES THE CONVEYING DOCUMENTS AFFECTING THE MINERAL AND SURFACE ESTATES RECORDED BETWEEN FEBRUARY 13, 1877 AND JANUARY 14, 2026. WE ALSO ASSUME FOR PURPOSES OF THIS REPORT THAT EACH OF THE DOCUMENTS REVIEWED WERE DULY EXECUTED BY AUTHORIZED SIGNATORIES ON BEHALF OF THE PARTIES, AND OUR REPORT IS SUBJECT TO THE ACCURACY OF THOSE ASSUMPTIONS. TO THE BEST OF OUR KNOWLEDGE, THIS REPORT REPRESENTS ALL THE CONVEYING DOCUMENTS PERTAINING TO THE MINERAL AND SURFACE ESTATES OF RECORD AFFECTING THE ABOVE DESCRIBED PROPERTY, AS WELL AS THE PROPER VESTING THERETO, BUT DOES NOT CONSTITUTE A LEGAL TITLE OPINION OR GUARANTEE OF TITL. ANY DOCUMENTS RECORDED AFTER THIS TIME AFFECTING THE ABOVE DESCRIBED PROPERTY ARE NOT INCLUDED IN THIS REPORT.

463-16

W1/2 SEC. 21 T.29S. R.26E.



PLACE INTERNAL REVENUE STAMPS IN THIS SPACE
Affix I.R.S. \$7.15
I.R.S. \$7.20 Cancelled

121

1667/121

JOINT TENANCY GRANT DEED
THIS FORM FURNISHED BY TITLE INSURANCE AND TRUST COMPANY

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged, IVAN McKINNEY, does hereby GRANT to PETER KRAUSE and HULDA M. KRAUSE, husband and wife, AS JOINT TENANTS, the real property in the county of Kern, state of California described as:

All of the S 1/2 of S 1/2 of Lots 7 and 8 in Section 21, Township 29 So Range 26 East, M.D.B. & M., according to the Sales Map of Lands of J.B. Haggis Section 21, filed in the Office of the County Recorder of said County on Aug 1890;

Also, that portion of Lots 7 and 8 of Section 21, Township 29 South, Range 26 East, M.D.B. & M., according to Sales Map of Lands of J.B. Haggis, filed in the Office of the Recorder of Kern County on August 20, 1890, described as follows:

Commencing at a point on East line of said Lot 7 at its intersection with line of S 1/2 of S 1/2 of said Lot 7; thence West along said North line of S 1/2 of S 1/2 of said Lots 7 and 8, a distance of 1332.395 feet to the center line shown on said Map as bounding said Lot 8 on West; thence North along center said road 261.4 feet; thence East and parallel with said North line of S 1/2 of said Lots 7 and 8, to East line of said Lot 7 and thence South along said line 261.4 feet to point of beginning;

EXCEPTING THEREFROM 5 1/2% of all oil, gas, petroleum, and other hydrocarbon substances heretofore conveyed by various instruments of record, and also granting unto the grantee herein, any reversionary interest to all oil, gas, minerals and other hydrocarbon substances within or underlying said land, all as contained in the above referred to instruments of record;

ALSO EXCEPTING AND RESERVING UNTO THE GRANTOR 2% of all oil, gas and other minerals in and under said land.

Dated: January 23, 1950.

Ivan McKinney

STATE OF CALIFORNIA)
COUNTY OF VENTURA) SS.

On this 25th day of January, 1950, before me, the undersigned, a Notary Public in and for said County and State, personally appeared IVAN McKINNEY, known to me to be the person whose name is subscribed to the within instrument and acknowledged that he executed the same.

WITNESS my hand and official seal.

Hal V. Hammons, Jr.

Notary Public in and for said County and State.

RECORDED AT REQUEST OF TITLE INSURANCE & TRUST CO. JAN-30- 1950 At 6 A.M. in Book 1667 of Official Records Page 121 Kern County Records.

Chas. H. Shonata, Recorder
By Frances Ahmann, Deputy Recorder

1952 Compared by: *V. McKinney*

Checked by: *E. F. Finner*

NOTICE OF COMPLETION

NOTICE is hereby given that:

1. The undersigned is owner of the interest stated below in the property hereinafter described:

2. The NAME (including that of the undersigned), ADDRESS and NATURE OF TITLE of every person owning any interest in such property is as follows:

FULL NAME	FULL ADDRESS	NATURE OF TITLE
JAMES L. OWEN	781 11th Ave., Delano, Calif.	owner-joint tenancy
(NAME OF UNDERSIGNED)		
JUANITA OWEN	same	owner-joint tenancy

3. A work of improvement on the property hereinafter described was COMPLETED on January 27, 1950;

4. The name of the CONTRACTOR, if any, for such work of improvement was J.T. LESPON;
(If no Contractor, insert "NONE")

5. The property on which said work of improvement was completed is in the City of, County of Kern, State of California, and is described as follows:

Lots 1, 2, 3 and 4, Tract 1177, according to the Map recorded February 26, 1941, in Book 5, Page 25 of Maps in the Office of the County Recorder of Kern County.

Dated January 27, 1950.

Signature of } James L. Owen
Owner or Owners }

1667/121

PLACE INTERNAL REVENUE STAMPS IN THIS SPACE
Affix I.R.S. \$7.15
I.R.S. \$7.20 Cancelled

121

1667/121

JOINT TENANCY GRANT DEED
THIS FORM FURNISHED BY TITLE INSURANCE AND TRUST COMPANY

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged, IVAN McKINNEY, does hereby GRANT to PETER KRAUSE and HULDA M. KRAUSE, husband and wife, AS JOINT TENANTS, the real property in the county of Kern, state of California, described as:

All of the S 1/2 of S 1/2 of Lots 7 and 8 in Section 21, Township 29 South, Range 26 East, M.D.B. & M., according to the Sales Map of Lands of J.B. Haggin in said Section 21, filed in the Office of the County Recorder of said County on August 20, 1890;

Also, that portion of Lots 7 and 8 of Section 21, Township 29 South, Range 26 East, M.D.B. & M., according to Sales Map of Lands of J.B. Haggin, filed in the Office of the Recorder of Kern County on August 20, 1890, described as follows:

Commencing at a point on East line of said Lot 7 at its intersection with North line of S 1/2 of S 1/2 of said Lot 7; thence West along said North line of said S 1/2 of S 1/2 of said Lots 7 and 8, a distance of 1332.395 feet to the center line of road shown on said Map as bounding said Lot 8 on West; thence North along center line of said road 261.4 feet; thence East and parallel with said North line of S 1/2 of S 1/2 of said Lots 7 and 8, to East line of said Lot 7 and thence South along said East line 261.4 feet to point of beginning;

EXCEPTING THEREFROM 5 1/2% of all oil, gas, petroleum, and other hydrocarbon substances heretofore conveyed by various instruments of records, and also granting unto the grantee herein, any reversionary interest to all oil, gas, minerals and other hydrocarbon substances within or underlying said land, all as contained in the above referred to instruments of record;

ALSO EXCEPTING AND RESERVING UNTO THE GRANTOR 2% of all oil, gas and other minerals in and under said land.

Dated: January 23, 1950.

Ivan McKinney

STATE OF CALIFORNIA)
COUNTY OF VENTURA) ss.

On this 25th day of January, 1950, before me, the undersigned, a Notary Public in and for said County and State, personally appeared IVAN McKINNEY, known to me to be the person whose name is subscribed to the within instrument and acknowledged that he executed the same.

WITNESS my hand and official seal.

Kal V. Hammons, Jr.

Notary Public in and for said County and State.

RECORDED AT REQUEST OF TITLE INSURANCE & TRUST CO. JAN-30- 1950 At 8 A.M. in Book 1667 of Official Records Page 121 Kern County Records.

Chas. H. Shonsta, Recorder
By Frances Ahmann, Deputy Recorder

13952 Compared by: *[Signature]*

Checked by: *[Signature]*

NOTICE OF COMPLETION

NOTICE is hereby given that:

1. The undersigned is owner of the interest stated below in the property hereinafter described:

2. The NAME (including that of the undersigned), ADDRESS and NATURE OF TITLE of every person owning any interest in such property is as follows:

FULL NAME	FULL ADDRESS	NATURE OF TITLE
JAMES L. OWEN	781 11th Ave., Delano, Calif.	owner-joint tenancy
(NAME OF UNDERSIGNED)		
JUANITA OWEN	same	owner-joint tenancy

3. A work of improvement on the property hereinafter described was COMPLETED on January 27, 1950:

4. The name of the CONTRACTOR, if any, for such work of improvement was J.T. DEMPSON;
(If no Contractor, insert "NONE")

5. The property on which said work of improvement was completed is in the City of, County of Kern, State of California, and is described as follows:

Lots 1, 2, 3 and 4, Tract 1177, according to the Map recorded February 26, 1941, in Book 5, Page 25 of Maps in the Office of the County Recorder of Kern County.

Dated January 27, 1950.

Signature of } James L. Owen
Owner or Owners }

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whose name is subscribed to the within instrument, and acknowledged that he executed the same.

WITNESS my hand and official seal;

Louise Courtney

Notary Public in and for said County and State.

Recorded at Request of BAKERSFIELD ABSTRACT CO., Nov. 6, 1937, at 9 A.M., in Book 751 of Official Records, Page 282 Kern County Records.

Chas. H. Shonate, Recorder

By Frances Ahmann, Deputy Recorder

26207 Compared by: *[Signature]*

Checked by: *M. Funk*

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MINERAL DEED

THIS INSTRUMENT, made this 20th day of October, 1937, by and between IVAN McKINNEY and VIOLA PEARL McKINNEY, of Ventura, California, hereinafter termed Grantors, and EVELYN MOREAN McKINNEY, hereinafter termed Grantee,

WITNESSETH:

That Grantors, for and in consideration of the sum of Ten and No/100 Dollars (\$10.00), lawful money of the United States, and other good and valuable considerations to them in hand paid by Grantee, receipt whereof is hereby acknowledged, do hereby grant unto EVELYN MOREAN McKINNEY an undivided One per cent (1%) interest in and to the minerals, oil, gas, casinghead gasoline and other hydrocarbon substances in, under, and that may be produced from the following described Lot, piece or parcel of land situate in the County of Kern, State of California, more particularly described as follows:

The south half of the south half of Lots 7 and 8 and also that portion of said Lots 7 and 8 described as follows:

Commencing on the east line of said Lot 7 at its intersection with the north line of the south half of the south half of said Lot 7; thence west along said north line of said south half of the south half of said Lots 7 and 8 a distance of 1332.395 feet to the center line of the road shown on map of said premises filed in the Office of the County Recorder of said County on August 30, 1890, as bounding said Lot 8 on the West; thence north along the center line of said road 261.4 feet; thence east and parallel with said north line of the south half of the south half of said Lots 7 and 8 to the East line of said Lot 7; and thence south along said east line 261.4 feet to the point of beginning, all in Section 21, Township 29 South, Range 26 East, M.D.B. and M., according to the map of said section filed in the Office of the County Recorder of Kern County on August 20, 1890, together with the right of ingress and egress at all times for the purpose of taking and removing said substances from said lands.

IT IS UNDERSTOOD AND AGREED that this sale is made subject to the terms and conditions of that certain Oil and Gas Lease dated June 26, 1936, between the Grantors herein as Lessors, and Standard Oil Company of California as Lessee, which said Oil and Gas Lease was recorded in Book 654 of Official Records, Page 154, Kern County Records, and which said lease covers and embraces the aforesaid described land, which said lease provides for a twelve and one-half per cent (12 1/2%) landowner's royalty; and

IT IS FURTHER UNDERSTOOD AND AGREED that this conveyance covers and includes, and said Grantors do hereby sell, convey and grant unto said Grantee, an undivided two twenty-fifths (2/25) of any and all minerals, oil, gas, casinghead gasoline and other hydrocarbon substances, or the value thereof, produced, saved and sold under the terms and conditions of said lease above described, and in addition thereto an

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751/283

NOTED

equal portion of the rights, benefits, privileges, rents, royalties, bonuses, profits, or other things of value paid under the terms and conditions of said lease.

IT IS FURTHER UNDERSTOOD AND AGREED that should said Oil and Gas Lease ever be surrendered in full or in part, the Grantors shall have and retain the sole and exclusive right to execute and deliver any subsequent oil and gas lease or leases upon such terms and conditions as he may elect, without consulting or obtaining the Grantee's consent or approval of the terms and conditions thereof, excepting, however, said Grantee shall be entitled to and shall receive two twenty-fifths (2/25) of any and all bonus or consideration paid for such lease or leases, together with an undivided two twenty-fifths (2/25) of any and all rents, royalties, bonuses, profits, or other things of value paid under the terms and conditions thereof.

Grantors hereby warrant that they are the owners of the interest conveyed, and that the same is free and clear of all encumbrances whatsoever, and do further covenant and agree not to change, alter, modify, extend, diminish, delete or otherwise vary any of the terms or conditions of said lease above described without the written consent of Grantee herein.

TO HAVE AND TO HOLD the above described property, together with all and singular the rights, benefits, privileges, and appurtenances thereunto in anywise belonging, unto said Grantee, his heirs, successors and assigns forever.

IN WITNESS WHEREOF, the Grantors have hereunto set their hands the day and year first hereinabove written.

Ivan McKinney

Viola Pearl McKinney
GRANTORS

STATE OF CALIFORNIA }
COUNTY OF VENTURA } ss.

ON THIS 28th day of October, 1937, before me, J. H. HINSDALE, a Notary Public in and for said County and State, personally appeared IVAN McKINNEY and VIOLA PEARL McKINNEY, known to me to be the persons whose names are subscribed to the within Instrument, and acknowledged to me that they executed the same.

WITNESS my hand and official SEAL

J. H. Hinsdale

Notary Public in and for said County and State.
My Commission Expires Apr. 10, 1940.

Recorded at Request of Ivan McKinney, Nov. 6, 1937, at 10 min. past 11 A.M., in Book 751 of Official Records, Page 283 Kern County Records.

Chas. E. Shonate, Recorder

By Frances Ahmann, Deputy Recorder

26253 Compared by: *[Signature]*

Checked by: *[Signature]*

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FOR AND IN CONSIDERATION of the sum of Ten and no/100 Dollars (\$10.00) to the undersigned in hand paid, the receipt whereof is hereby acknowledged, MAUDE D. PERRIS, a married woman, as her separate property, of the County of Los Angeles, State of California, hereinafter called Grantor, does hereby grant to THE CALIFORNIA COMPANY, a corporation, its successors and assigns, hereinafter called Grantee, the right of way from time to time to lay, construct, reconstruct, replace, renew, repair, maintain, operate, change the size of, increase the number of and remove pipe lines for the transportation of oil, petroleum, gas, gasoline, water or other substances with the right of ingress and egress to and from the same, over and through, under or along that certain parcel of land situate in Kern County, State of California, described as follows, to-wit:

The South half of the Northeast quarter of Section Fifteen, Township Thirty-two South, Range Twenty-three East (S 1/2 of NE 1/4 of Sec. 15, T. 32 S., R. 23 E.)

the day and year this certificate first above written.

(REAL) Albert J. Zimmerman

Notary Public in and for said County and State of California, My commission expires Mar. 15, 1941.

STATE OF CALIFORNIA }
COUNTY OF KERN }

On this 4th day of November 1937, before me, M.J. Davis a Notary Public in and for said County and State, residing therein, duly commissioned and sworn, personally appeared L.G. Helm, Samuel Lachenmaier and Pauline Lachenmaier, known to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

Witness my hand and official seal.

(SEAL) M.J. Davis

Notary Public in and for the County of Kern, State of California.

Recorded at request of Bakersfield Abstract Co., Nov. 6, 1937 at 9 A.M. in Book 734 of Official Records page 446 Kern County Records.

Ohas. H. Shonate, Recorder

By Frances Ahmann, Deputy Recorder

26217 Compared by: H. H. H. H. H.

Checked by: J. L. Moore

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MINERAL DEED

THIS INDEMTURE, made this 20th day of October, 1937, by and between IVAN MCKINNEY and VIOLA PEARL MCKINNEY, of Ventura, California, hereinafter termed grantors, and ROBERT IVAN MCKINNEY, hereinafter termed grantee,

WITNESSETH: That grantors, for and in consideration of the sum of ten and no/100 dollars (\$10.00) lawful money of the United States, and other good and valuable considerations to them in hand paid by grantee, receipt whereof is hereby acknowledged, do hereby grant unto ROBERT IVAN MCKINNEY an undivided one per cent (1%) interest in and to the minerals, oil, gas, casinghead gasoline and other hydrocarbon substances in, under, and that may be produced from the following described lot, piece or parcel of land situate in the County of Kern, State of California, more particularly described as follows;

The south half of the south half of lots 7 and 8 and also that portion of said lots 7 and 8 described as follows;

Commencing on the east line of said lot 7 at its intersection with the north line of the south half of the south half of said lot 7; thence west along said north line of said south half of the south half of said lots 7 and 8 a distance of 1332.395 feet to the center line of the road shown on map of said premises filed in the office of the County Recorder of said County on August 30, 1898 as bounding said lot 8 on the west; thence north along the center line of said road 261.4 feet; thence east and parallel with said north line of the south half of the south half of said lots 7 and 8 to the east line of said lot 7; and thence south along said east line 261.4 feet to the point of beginning, all in section 21, township 29 south, range 26 east, M.D.B. and M., according to the map of said section filed in the office of the County Recorder of Kern County on August 20, 1890, together with the right of ingress and egress at all times for the purpose of taking and removing said substances from said lands.

IT IS UNDERSTOOD AND AGREED that this sale is made subject to the terms and conditions of that certain oil and gas lease dated June 25, 1936, between the grantors herein as lessors and Standard Oil Company of California as lessee, which said oil and gas lease was recorded in Book 654 of Official Records page 154 Kern County Records,

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NOTED

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and which said lease covers and embraces the aforesaid described land, which said lease provides for a twelve and one-half per cent (12 1/2%) landowner's royalty; and

IT IS FURTHER UNDERSTOOD AND AGREED that this conveyance covers and includes and said grantors do hereby sell, convey and grant unto said grantee, an undivided two twenty-fifths (2/25) of any and all minerals, oil, gas, casinghead gasoline and other hydrocarbon substances, or the value thereof, produced, saved and sold under the terms and conditions of said lease above described, and in addition thereto an equal portion of all the rights, benefits, privileges, rents, royalties, bonuses, profits, or other things of value paid under the terms and conditions of said lease.

IT IS FURTHER UNDERSTOOD AND AGREED that should said oil and gas lease ever be surrendered in full or in part, the grantors shall have and retain the sole and exclusive right to execute and deliver any subsequent oil and gas lease or leases upon such terms and conditions as he may elect, without consulting or obtaining the grantee's consent or approval of the terms and conditions thereof, excepting, however, said grantee shall be entitled to and shall receive two twenty-fifths (2/25) of any and all bonus or consideration ^{paid} for such lease or leases, together with an undivided two twenty-fifths (2/25) of any and all rents, royalties, bonuses, profits or other things of value paid under the terms and conditions thereof.

Grantors hereby warrant that they are the owners of the interest conveyed, and that the same is free and clear of all encumbrances whatsoever, and do further covenant and agree not to change, alter, modify, extend, diminish, delete or otherwise vary any of the terms or conditions of said lease above described without the written consent of grantee herein.

TO HAVE AND TO HOLD the above described property, together with all and singular the rights, benefits, privileges, and appurtenances thereunto in anywise belonging, unto said grantee, his heirs, successors and assigns forever.

IN WITNESS WHEREOF, the grantors have hereunto set their hands the day and year first hereinabove written.

Ivan McKinney
Viola Pearl McKinney
GRANTORS

STATE OF CALIFORNIA } ss
COUNTY OF VENTURA }

On this 26th day of October 1937, before me, J.H. Hindsdale a Notary Public in and for said County and State, personally appeared Ivan McKinney and Viola Pearl McKinney known to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

Witness my hand and official seal.

(SEAL) J.H. Hindsdale

Notary Public in and for said County and State. My commission expires Apr. 10, 1940.

Recorded at request of Ivan McKinney Nov. 6, 1937 at 10 min. past 11 A.M. in Book 734 of Official Records page 447 Kern County Records.

Chas. H. Shonate, Recorder

By Frances Ahmann, Deputy Recorder

26254 Compared by: H. H. Hindsdale

Checked by: J. H. Hindsdale

GRANT DEED
JOINT TENANCY

THIS INSTRUMENT, made the 6th day of Nov. 1937, between Frank L. Dunspaugh, a single man, the party of the first part, and George R. Linville and Marguerite Linville, husband and wife, as joint tenants, with right of survivorship, the parties

12/13/23, 1:51 PM

AOL Mail - Re: Kern County Mineral Rights

Re: Kern County Mineral Rights

From: wcoastland@aol.com (wcoastland@aol.com)
To: 5mckinney@cox.net; christensenland@gmail.com
Date: Wednesday, December 13, 2023 at 01:51 PM PST

*- never responded
via phone or email*

Mr. McKinney,

I wanted to follow up in regards to the Waiver that we presented to you back in early November. From what I understand, Colton has reached out to you a few times, but hasn't heard from you. I understand this might not be high on your priority list, but we'd like to be able to schedule some time to discuss the Waiver and answer any questions you might have. Please advise a convenient time and we'll make it work.

Look forward to hearing back from you.

Thank you,
Heath Rappleye

PLEASE NOTICE OUR NEW ADDRESS BELOW.

West Coast Land Service
1232 Chester Avenue
Bakersfield, CA 93301
(661) 322-2517 office
(661) 322-2519 fax
wcoastland@aol.com

On Friday, November 10, 2023 at 01:44:25 PM PST, wcoastland@aol.com <wcoastland@aol.com> wrote:

Mr. McKinney,

In accordance with your conversations with Colton Christensen of our office, attached please find the Waiver of Surface Access that we prepared for the mineral interest of Robert Ivan McKinney, deceased.

From what I understand Colton has already submitted some of the title documents that you requested.

Please review and advise if you have any questions.

I'll let Colton follow up with you.

Thank you,
Heath Rappleye

PLEASE NOTICE OUR NEW ADDRESS BELOW.

West Coast Land Service
1232 Chester Avenue
Bakersfield, CA 93301
(661) 322-2517 office
(661) 322-2519 fax
wcoastland@aol.com



23-37 MM Waiver.pdf
251.4kB

Kern County Mineral Rights

From: wcoastland@aol.com (wcoastland@aol.com)

To: 5mckinney@cox.net; christensenland@gmail.com

Date: Friday, November 10, 2023 at 01:44 PM PST

Mr. McKinney,

In accordance with your conversations with Colton Christensen of our office, attached please find the Waiver of Surface Access that we prepared for the mineral interest of Robert Ivan McKinney, deceased.

From what I understand Colton has already submitted some of the title documents that you requested.

Please review and advise if you have any questions.

I'll let Colton follow up with you.

Thank you,
Heath Rappleye

PLEASE NOTICE OUR NEW ADDRESS BELOW.

West Coast Land Service
1232 Chester Avenue
Bakersfield, CA 93301
(661) 322-2517 office
(661) 322-2519 fax
wcoastland@aol.com



23-37 MM Waiver.pdf
251.4kB



WEST COAST LAND SERVICE

1232 CHESTER AVENUE - BAKERSFIELD - CA - 93301 - 661-322-2517 - 661-322-2519 fax - wcoastland@aol.com

November 9, 2023

Michael McKinney

Squareup Prospect (23-37) #2
Kern County, California
Proposed Waiver of Surface Access
Robert Ivan McKinney

Dear Mr. McKinney:

Reference is made to our recent telephone conversation, on behalf of the surface owner, Batey Family Farms, L.P. (BFF) who is looking to acquire a Waiver Of Surface Access, covering your 1.00% mineral interest in an aggregate 11.65 gross acres or 0.1165 net acres of land in Kern County, California.

We represent BFF who will eventually be contemplating the development of the property. In order to develop the property, County regulations require BFF to obtain from each mineral owner a Waiver Of Surface Access. This Waiver Of Surface Access covers the surface of the 11.65 acres down to 500 feet below the surface. You will continue to retain your entire interest in the mineral estate under the 11.65 acres, along with retaining your right of access to your mineral estate below 500 feet subsurface. As consideration paid for this Waiver, we are prepared to tender to you, \$

Therefore, if the foregoing meets with your approval, please execute the enclosed original and duplicate original Waiver Of Surface Access, dated November 9, 2023, where indicated by the red flags. Please have your signature properly acknowledged by a Notary Public on the original and return the executed original document in the enclosed self-addressed, stamped envelope, retaining the duplicate original for the your records. If you should incur any Notary expense, please submit a receipt for such and we will be happy to reimburse you.

Also, enclosed is an Information Form and W-9 Form, which we ask you to please indicate your Social Security Number, phone number, correct mailing address and e-mail address. Upon our receipt of the properly executed and acknowledged Waiver, we will forward to BFF for payment of the full consideration of \$.

Thank you for your cooperation and attention to this matter. Should you have any questions regarding this proposal, please do not hesitate to call me at 661-333-9369 or the letterhead number.

Very truly yours,

Colton Christensen

enclosures



WEST COAST LAND SERVICE

1232 CHESTER AVENUE - BAKERSFIELD - CA - 93301 - 661-322-2517 - 661-322-2519 fax - wcoastland@aol.com

LANDMAN'S REPORT AND INFORMATION FORM

SQUAREUP PROSPECT PARCEL NO. 2
JOB NO. 23-37 WAIVER DATE November 9, 2023

WAIVER OF SURFACE ACCESS

PLEASE CHECK ONE OF THE FOLLOWING AS TO YOUR MARITAL STATUS:

- | | |
|---|---|
| ☐ a single man/never married | ☐ a single woman/never married |
| ☐ an unmarried man/
married at one time | ☐ an unmarried woman/
married at one time |
| ☐ a married man, as his
separate property | ☐ a married woman, as her
separate property |
| ☐ husband and wife | ☐ Trustee |
| ☐ a widow | ☐ Corporation |
| ☐ a widower | ☐ Partnership |

PLEASE LIST YOUR SOCIAL SECURITY NUMBER(S) AND TELEPHONE NO.

S.S.#/TAX ID _____ TELEPHONE NO. () _____

S.S.#/TAX ID _____ E-Mail _____

LESSOR(S) MICHAEL MCKINNEY, an Heir and Devisee of the Estate of Robert
Ivan McKinney, deceased

ADDRESS _____

Acreage: Gross: 11.65 Net: 0.11650 Consideration: \$ _____

REMARKS: Colton Christensen Landman _____ Date

**RECORDING REQUESTED BY,
WHEN RECORDED RETURN TO AND
MAIL TAX STATEMENTS TO:**

Batey Family Farms, L.P.
P.O. Box 20247
Bakersfield, CA 93390

Unincorporated area of
County of Kern, California
(23-37) #2

APN 463-160-53, 54(Ptn) & 55(Ptn)

WAIVER OF SURFACE ACCESS

FOR VALUABLE CONSIDERATION, the receipt and sufficiency of which is hereby acknowledged, and in consideration of the mutual covenants and conditions herein contained, **MICHAEL MCKINNEY, an Heir and Devisee of the Estate of Robert Ivan McKinney, deceased**, hereinafter called "Mineral Owner", does hereby waive forever, for the benefit of **BATEY FAMILY FARMS, L.P., a California limited partnership**, their successors and assigns, Mineral Owner's right of surface access for oil, gas and other hydrocarbons and all other minerals, for the purpose of drilling, exploration and development, from the surface of the earth to a subsurface depth of five hundred feet (500'), with regard to the following lands, hereinafter called "Said Lands", expressly subject to the terms and conditions set forth hereinbelow, to which the parties hereto mutually agree:

EXHIBIT "A" ATTACHED HERETO AND BY THIS REFERENCE MADE A PART HEREOF

Nevertheless, despite the terms and conditions of this Waiver of Surface Access, the Mineral owner, and its successors and assigns, does hereby expressly reserve and retain forever all previously reserved rights appurtenant to oil, gas and other hydrocarbons and all other minerals from below the upper five hundred feet (500') of the land on which the right of surface drilling access is waived.

IN WITNESS WHEREOF, the parties hereto have executed this Waiver of Surface Access as of this 9th day of November, 2023, which shall be known as the effective date of this Waiver.

Michael McKinney, an Heir and
Devisee of the Estate of Robert
Ivan McKinney, deceased

EXHIBIT "A"

Attached to and made a part of that certain Waiver Of Surface Access, dated November 9, 2023, executed by **MICHAEL MCKINNEY**.

Portion of Section 21, Township 29 South, Range 26 East, M.D.B. & M.

The South Half of the South Half of Lots 7 and 8 in Section 21, Township 29 South, Range 26 East, M.D.B. & M., in the unincorporated area of the County of Kern, State of California, as per Map of said Section filed in the Office of the Recorder of said County on August 20, 1890 and also that portion of Lots 7 and 8 in Section 21, Township 29 South, Range 26 East, M.D.B. & M., in the unincorporated area of the County of Kern, State of California, as per Map of said Section filed in the Office of the Recorder of said County on August 20, 1890, described as follows:

COMMENCING at a point on the East line of said Lot 7 at its intersection with North line of the South Half of the South Half of said Lot 7; thence West along said North line of said South Half of the South Half of said Lots 7 and 8, a distance of 1,332.395 feet to the centerline of the road shown on said Map as bounding said Lot 8 on West; thence North along centerline of said road 261.4 feet; thence East and parallel with said North line of the South Half of the South Half of said Lots 7 and 8, to East line of said Lot 7 and thence South along said East line 261.4 feet to Point of Beginning.

EXCEPT the South 390 feet of the West 630 feet of said Lot 8.

ALSO EXCEPTING THEREFROM all that portion conveyed to Vaughn Water Company, a California Mutual Water Company in Grant Deed, recorded July 7, 2015, as Document No. 0215088318.

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)
) ss.
COUNTY OF)

On this ____ day of _____, 2023, before me, _____, a Notary Public, personally appeared MICHAEL MCKINNEY 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.

Notary Public for said State

at my office in _____ County of Kern, the day and year in this Certificate first above written.

229

(SEAL) Frances Marks

Notary Public in and for said Kern County, State of California.

Recorded at request of First National Bank in Delano, Sep. 25, 1937, at 9 A.M.
in Book 748 of Official Records, page 229 Kern County Records.

Chas. H. Shomate, Recorder

By Frances Ahmann, Deputy Recorder

23473 Compared by: *W. H. H. H.*

Checked by: *A. G. G.*

-----000-----

KNOW ALL MEN BY THESE PRESENTS:

That the mortgage dated March 5, 1937, made by AL HAIGH, the party of the first part, to FIRST NATIONAL BANK IN DELANO, CALIFORNIA, a corporation existing and doing business under the laws of the United States, and having its principal place of business at Delano, California, the party of the second part, and recorded in office of the County Recorder of the County of Kern, State of California of Official Records, at page 419 on the fifteenth day of March, A.D., with the debt thereby secured, is fully paid, satisfied and discharged.

IN WITNESS WHEREOF, said corporation by its President thereunto has hereunto set its hand and seal, the twenty-fourth day of September, Signed, Sealed and Delivered (SEAL) FIRST NATIONAL BANK IN DELANO
in the Presence of By L. R. Billings, President.

STATE OF CALIFORNIA }
COUNTY OF KERN } SS.

On this twenty-fourth day of September, 1937, before me, FRANCIS MARKS, a Notary Public in and for said County of Kern, duly commissioned and sworn, personally appeared L. R. BILLINGS, known to me to be the President of the corporation that executed the within and annexed instrument, and acknowledged to me that such corporation executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand, and affixed my official seal, at my office in the County of Kern, the day and year in this Certificate first above written.

(SEAL) Frances Marks

Notary Public in and for said Kern County, State of California.

Recorded at request of First National Bank in Delano, Sep. 25, 1937, at 9 A.M.
in Book 748 of Official Records, page 229 Kern County Records.

Chas. H. Shomate, Recorder

By Frances Ahmann, Deputy Recorder

23474 Compared by: *W. H. H. H.*

Checked by: *A. G. G.*

-----000-----

I.R.S. \$3.00
Cancelled.

MINERAL DEED

THIS INDENTURE, made this 21st day of September, 1937, by and between IVAN MCKINNEY and VIOLA PEARL MCKINNEY, his wife, of Ventura, California, hereinafter termed grantors, and JOHN A. FLEMING, hereinafter termed grantee,

WITNESSETH: That grantor, for and in consideration of the sum of Ten and no/100 Dollars (\$10.00) lawful money of the United States, and other good and valuable considerations to them in hand paid by grantee, receipt whereof is hereby acknowledged, does hereby grant unto JOHN A. FLEMING, an undivided one per cent (1%) interest in and

Fleming
In Bo.

748/229

No Term

at my office in _____ County of Kern, the day and year in this Certificate first above written.

229

(SEAL) Frances Marks

Notary Public in and for said Kern County, State of California.

Recorded at request of First National Bank in Delano, Sep. 25, 1937, at 9 A.M.
in Book 748 of Official Records, page 228 Kern County Records.

Chas. H. Shonate, Recorder

By Frances Ahmann, Deputy Recorder

Checked by: *A. Lyder*

23473 Compared by: *A. Lyder*

-----000-----

KNOW ALL MEN BY THESE PRESENTS:

That the mortgage dated March 5, 1937, made by AL HAIGH, the party of the first part, to FIRST NATIONAL BANK IN DELANO, CALIFORNIA, a corporation existing and doing business under the laws of the United States, and having its principal place of business at Delano, California, the party of the second part, and recorded in the office of the County Recorder of the County of Kern, State of California, in Book 683, of Official Records, at page 119 on the fifteenth day of March, A.D., 1937, together with the debt thereby secured, is fully paid, satisfied and discharged.

IN WITNESS WHEREOF, said corporation by its President thereunto duly authorized, has hereunto set its hand and seal, the twenty-fourth day of September, A.D., 1937.

Signed, Sealed and Delivered (SEAL)
in the Presence of _____

FIRST NATIONAL BANK IN DELANO, CALIFORNIA (Seal)
By L. R. Billings, President.

STATE OF CALIFORNIA
COUNTY OF KERN

On this twenty-fourth day of September, 1937, before me, FRANCES MARKS, a Notary Public in and for said County of Kern, duly commissioned and sworn, personally appeared L. R. BILLINGS, known to me to be the President of the corporation that executed the within and annexed instrument, and acknowledged to me that such corporation executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand, and affixed my official seal, at my office in the County of Kern, the day and year in this Certificate first above written.

(SEAL) Frances Marks

Notary Public in and for said Kern County, State of California.

Recorded at request of First National Bank in Delano, Sep. 25, 1937, at 9 A.M.
in Book 748 of Official Records, page 229 Kern County Records.

Chas. H. Shonate, Recorder

By Frances Ahmann, Deputy Recorder

Checked by: *A. Lyder*

23474 Compared by: *A. Lyder*

-----000-----

I.R.S. \$3.00
Cancelled.

MINERAL DEED

THIS INDENTURE, made this 21st day of September, 1937, by and between IVAN McKINNEY and VIOLA PEARL McKINNEY, his wife, of Ventura, California, hereinafter termed grantors, and JOHN A. FLEMING, hereinafter termed grantee,

WITNESSETH: That grantor, for and in consideration of the sum of Ten and no/100 Dollars (\$10.00) lawful money of the United States, and other good and valuable considerations to them in hand paid by grantee, receipt whereof is hereby acknowledged, does hereby grant unto JOHN A. FLEMING, an undivided one per cent (1%) interest in and

No Term

748/229

to the minerals, oil, gas, casinghead gasoline and other hydrocarbon substances in, under, and that may be produced from the following described lot, piece or parcel of land situate in the County of Kern, State of California, more particularly described as follows, to-wit:

The south half of the south half of Lots 7 and 8 and also that portion of said Lots 7 and 8 described as follows:

COMMENCING on the east line of said Lot 7 at its intersection with the north line of the south half of the south half of said Lot 7; thence west along said north line of said south half of the south half of said Lots 7 and 8 a distance of 1332.395 feet to the center line of the road shown on the map of said premises filed in the office of the County Recorder of said County on August 30, 1890, as bounding said Lot 8 on the west; thence north along the center line of said road 261.4 feet; thence east and parallel with said north line of the south half of the south half of said Lots 7 and 8 to the east line of said Lot 7; and thence south along said east line 261.4 feet to the point of beginning, all in Section 21, Township 29 south, Range 26 east, M.D.B. and M., according to the Map of said Section filed in the office of the County Recorder of Kern County on August 20, 1890. together with the right of ingress and egress at all times for the purpose of taking and removing said substances from said lands.

IT IS UNDERSTOOD AND AGREED that this sale is made subject to the terms and conditions of that certain Oil and Gas Lease dated June 26, 1936, between the grantors herein, as lessors, and STANDARD OIL COMPANY OF CALIFORNIA, a corporation, as lessee, which said Oil and Gas Lease was recorded in Book 654, of Official Records, page 154, Kern County Records, and which said lease covers and embraces the aforesaid described land, which said lease provides for a twelve & one-half per cent (12 1/2%) landowner's royalty; and

IT IS FURTHER UNDERSTOOD AND AGREED that this conveyance covers and includes, and said grantors do hereby sell, convey and grant unto said grantee, an undivided two-twenty-fifths (2/25ths) of any and all minerals, oil, gas, casinghead gasoline and other hydrocarbon substances, or the value thereof, produced, saved and sold under the terms and conditions of said lease above described from any of the lands therein described, and in addition thereto an equal portion of all the rights, benefits, privileges, rents, royalties, bonuses, profits, or other things of value said under the terms and conditions of said lease.

IT IS FURTHER UNDERSTOOD AND AGREED that should said Oil and Gas Lease ever be surrendered in full or in part, the grantor shall have and retain the sole and exclusive right to execute and deliver any subsequent oil and gas lease or leases upon such terms and conditions as he may elect, without consulting or obtaining the grantee's consent or approval of the terms and conditions thereof, excepting, however, said grantee shall be entitled to and shall receive two twenty-fifths (2/25ths) of any and all bonus or consideration paid for such lease or leases, together with an undivided two twenty-fifths (2/25ths) of any and all rents, royalties, bonuses, profits, or other things of value paid under the terms and conditions thereof.

Grantors hereby warrant that they are the owners of the interest conveyed, and that the same is free and clear of all encumbrances whatsoever, and do further covenant and agree not to change, alter, modify, extend, diminish, delete, or otherwise vary any of the terms or conditions of said lease above described without the written consent of grantee herein.

TO HAVE AND TO HOLD the above described property, together with all and singular the rights, benefits, privileges, and appurtenances thereunto in anywise belonging, unto said grantee, his heirs, successors and assigns forever.

IN WITNESS WHEREOF, the grantors have hereunto set their hands and seals the day and year first hereinabove written.

Ivan McKinney
Viola Pearl McKinney
GRANTORS

231

STATE OF CALIFORNIA }
COUNTY OF VENTURA } SS.

On this 21st day of September, 1937, before me, J.H. KINSDALE, a Notary Public in and for said County and State, personally appeared IVAN McKINNEY and VIOLA PEARL McKINNEY, known to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

WITNESS my hand and official seal.

(REAL) J. H. Kinsdale

Notary Public in and for said County and State.

My commission expires Apr. 10, 1940.

Recorded at request of Title Insurance & Trust Co., Sep. 25, 1937, at 9 A.M., in Book 746 of Official Records, page 229 Kern County Records.

Chas. R. Shomate, Recorder

By Frances Ahmann, Deputy Recorder

23475 Compared by: *J. Ahmann*

Checked by: *A. Snyder*

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MORTGAGE ON CROPS
Provisions for Advances

THIS MORTGAGE, made this 24th day of September, 1937, by CORNELIUS R. WEDEL and EMIL E. PENNER, of the County of Kern, State of California, by occupation farmers, Mortgagee, to THE ANGLO CALIFORNIA NATIONAL BANK OF SAN FRANCISCO, a national banking association, duly organized and existing under and by virtue of the laws of the United States of America, engaged in the general banking business in the State of California, with its principal office and place of business in the City and County of San Francisco, said State, Mortgagee,

WITNESSETH: That said mortgagee does hereby mortgage to said mortgagee all the following described crops, situate in the County of Kern, State of California, to-wit: All crops of whatever kind or character, including that certain crop of barley and corn, now planted, growing or standing, or that may, during the years 1937 and 1938, and until the indebtedness and obligations hereby secured are fully paid or performed, be planted or grown, on that certain real property situate in the County of Kern, State of California, and described, known and designated as follows, to-wit:

ALL of the southeast quarter of the northeast quarter (SE 1/4 of NE 1/4);
ALL of the west half of the northeast quarter (W 1/2 of NE 1/4);
ALL of the west half (W 1/2), and all of the southeast quarter (SE 1/4) of Section fourteen (14), Township 27 south, Range 22 east, M. D. B. & M.; and
ALL of Section twenty (20), Township 27 south, Range 22 east, M.D.B. & M.; and
ALL of the north half (N 1/2), all of the southwest quarter (SW 1/4), all of the north half of the southeast quarter (N 1/2 of SE 1/4), and all of the southwest quarter of the southeast quarter (SW 1/4 of SE 1/4) of Section twenty-two (22), Township 27 south, Range 22 east, M. D. B. & M.;
as security for the payment by mortgagee to mortgagee of the sum of \$2,500.00, lawful money of the United States of America, with interest thereon at the rate of seven per cent per annum, according to the terms of a promissory note, made, executed and delivered by mortgagee to mortgagee, dated the 24th day of September, 1937, and

Signet and acknowledgment before this day of Sept. 1937
By *C. R. Shomate*, Recorder
By *F. Ahmann*, Deputy Recorder

BOOK **5149** PAGE **1162**
West Side B, #27

bix 0404670
File 0404670

RECORDING REQUESTED BY

MARGARET DOVER

WHEN RECORDED MAIL TO

RETURN TO
CITIES SERVICE COMPANY
LAND DEPT.
TULSA, OKLAHOMA 74102

2537

041780

89080 15.00 DRS
10/24/78 5.00 CASH
1978 OCT 24 AM 10:55

RECORDED BY
RAY A. VERCAUTEREN
KERN COUNTY RECORDER

SPACE ABOVE THIS LINE FOR RECORDER'S USE

OIL, GAS AND MINERAL LEASE
(SHORT FORM)

THIS LEASE AND AGREEMENT, made and entered into

May 9 1978

by and between **DOROTHY FLEMING, EXECUTRIX OF THE ESTATE OF JOHN A. FLEMING, Dec'd;**
IDA BREWER LEITE, a widow; and CENTRAL COUNTIES LAND CO.

hereinafter called "Lessor" (whether one or more), and **CENTRAL CALIFORNIA OIL CO., a California**
corporation, hereinafter called "Lessee,"

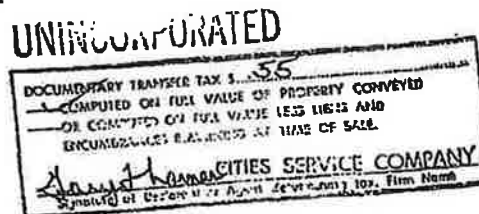
WITNESSETH:

Lessor hereby leases to Lessee and Lessee hereby leases from Lessor the land hereinafter described, for the purposes and with the exclusive right of prospecting, exploring, mining, drilling and operating said land for oil, gas, other hydrocarbons, associated substances, sulphur, nitrogen, carbon dioxide, helium and other commercially valuable substances which may be produced through wells on said land, whether or not similar to the above-mentioned substances. The land hereby leased is situated in **Kern** County, California, and is described as follows:

Township 28 South, Range 20 East, M.D.B. & M.

Section 8: NW $\frac{1}{4}$ of NE $\frac{1}{4}$

Containing 40 acres, more or less.



This lease is made for the term and upon and subject to each and all the terms, provisions, covenants and conditions set forth in the certain Oil, Gas and Mineral Lease of even date herewith between the parties hereto covering the land hereinabove described, and said Oil, Gas and Mineral Lease is hereby incorporated herein with the same force and effect as though herein set forth at length.

IN WITNESS WHEREOF, said parties have caused this lease to be duly executed as of the date first hereinabove written.

Dorothy Fleming
DOROTHY FLEMING, Executrix of the
Estate of John A. Fleming, Deceased
Ida Brewer Leite
IDA BREWER LEITE

CENTRAL CALIFORNIA OIL CO.

By: *[Signature]*
President

CENTRAL COUNTIES LAND CO.

By: *Henry C. Mader*
LESSOR

LESSEE

RECORDERS MEMO. POOR RECORDED
REPRODUCTION DUE TO QUALITY OF
PRINT OR TYPE ON ORIGINAL DOCUMENT.

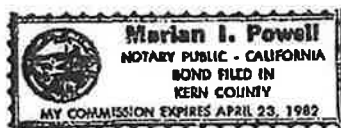
John A Fleming, deceased - not PIQ

BOOK 5149 PAGE 1163

STATE OF CALIFORNIA, } ss.
County of Kern

On JUL 18 1978, 19, before me, the undersigned, a Notary Public in and for said State, personally appeared J. W. Covello, known to me to be the President of CENTRAL CALIFORNIA OIL CO., the Corporation that executed the within Instrument, known to me to be the person who executed the within Instrument, on behalf of the Corporation, therein named, and acknowledged to me that such Corporation executed the within Instrument pursuant to its By-laws or a resolution of its Board of Directors.

Witness my hand and official seal.



Marian I. Powell

STATE OF CALIFORNIA, } ss.
COUNTY OF LOS ANGELES

ON July 10, 1978, before me, the undersigned, a Notary Public in and for said State, personally appeared DOROTHY FLEMING, as Executrix of the Estate of John A. Fleming, Deceased, known to me, to be the person whose name is subscribed to the within Instrument, and acknowledged to me that she executed the same, as such Executrix.

WITNESS my hand and official seal.

Dorothy Fleming
Notary Public in and for said State.

OFFICIAL SEAL
TOBY A. VARGAS
NOTARY PUBLIC - CALIFORNIA
LOS ANGELES COUNTY
My Comm. Expires SEP 12, 1980

RECORDERS MEMO. POOR RECORDED
REPRODUCTION DUE TO QUALITY OF
PRINT OR TYPE ON ORIGINAL DOCUMENT.

(SEAL)

ACKNOWLEDGMENT—General—Notecols Form 220—Rev. 3-84 A SUBSIDIARY OF AMERICAN STATIONERY PRODUCTS CORP.

STATE OF CALIFORNIA } ss.
COUNTY OF KERN

On July 17, 1978, before me, the undersigned, a Notary Public in and for said County and State, personally appeared HENRY C. MACK, known to me to be the President, and HENRY C. MACK, JR., known to me to be the Secretary of CENTRAL COUNTIES LAND CO., the corporation that executed the within instrument, and known to me to be the person who executed the within instrument on behalf of the corporation therein named, and acknowledged to me that such corporation executed the same pursuant to its by-laws or a resolution of its board of directors.

(SEAL)

My Commission Expires:



Effie M. Barnard
NOTARY PUBLIC
Effie M. Barnard
Type or Print Name of Notary

BOOK 5149 PAGE 1164

I hereby certify under penalty of perjury that the notary
seal of TOBY A. VARGAS
affixed to the within document, while not being photographically
reproducible, can be read. I further certify that the said
notary commission expires on September 12, 1980.
The notary bond and commission is filed in Los Angeles
County.

Place of execution Bakersfield, California
Date October 24, 1978

CENTRAL CALIFORNIA OIL CO.

By: 
(Signature and firm name, if any)
J. W. Covello, President

About one quarter mile easterly from the BUCKBOARD EXTENSION.

This notice is intended as an original notice of location and is posted on this claim and a true copy thereof is to be recorded with the County Recorder of this County.

That all the dips, variations, spurs, angles and all vein within the lines of this claim, together with all water and timber appurtenant, allowed by the laws of this State or of the United States.

WITNESSES:

E. W. Milton

LOCATORS:

Wm. Sperling
Elizabeth J. Milton

Recorded at request of Wm. Sperling, Nov. 4, 1937, at 9 A.M.
Official Records, page 470 Kern County Records.

26065 Compared by: *S. H. Smith*
Checked by: *L. Cave*

I.R.S. \$2.00
Cancelled.

MINERAL DEED

THIS INDENTURE, made this 15th day of October, 1937, by and between IVAN MCKINNEY and VIOLA PEARL MCKINNEY, of Ventura, California, hereinafter termed GRANTORS, and E. B. REEDER, hereinafter termed GRANTEE,

WITNESSETH: That grantors, for and in consideration of the sum of Ten and no/100 Dollars (\$10.00), lawful money of the United States, and other good and valuable considerations to them in hand paid by grantee, receipt whereof is hereby acknowledged, do hereby grant unto E. B. REEDER, an undivided one half per cent (1/2%) interest in and to the minerals, oil, gas, casinghead gasoline and other hydrocarbon substances in, under, and that may be produced from the following described lot, piece or parcel of land situate in the County of Kern, State of California, more particularly described as follows:

The south half of the south half of Lots 7 and 8 and also that portion of said Lots 7 and 8 described as follows:

COMMENCING on the east line of said Lot 7 at its intersection with the north line of the south half of the south half of said Lot 7; thence west along said north line of said south half of the south half of said Lots 7 and 8 a distance of 1332.395 feet to the center line of the road shown on the map of said premises filed in the office of the County Recorder of said County on August 30, 1890, as bounding said Lot 8 on the west; thence north along the center line of said road 261.4 feet; thence east and parallel with said north line of the south half of the south half of said Lots 7 and 8 to the east line of said Lot 7; and thence south along said east line 261.4 feet to the point of beginning, all in Section 21, Township 29 south, Range 26 east, M. D. B. and M., according to the Map of said section filed in the office of the County Recorder of Kern County on August 20, 1890, together with the right of ingress and egress at all times for the purpose of taking and removing said substances from said lands.

IT IS UNDERSTOOD AND AGREED that this sale is made subject to the terms and conditions of that certain Oil and Gas Lease dated June 26th, 1936, between the grantors herein as lessors, and STANDARD OIL COMPANY OF CALIFORNIA as lessee, which said Oil and Gas Lease was recorded in Book 654, of Official Records, page 154, Kern County Records, and which said lease covers and embraces the aforesaid described land, which said lease provides for a twelve and one-half per cent (12 1/2%) landowner's royalty; and

I.H.K.
V.P.H.K.

471

Reeder
Info.

748/471

No Term

About one quarter mile easterly from the BUCKBOARD EXTENSION.

This notice is intended as an original notice of location and is posted on this claim and a true copy thereof is to be recorded with the County Recorder of this County.

That all the dips, variations, spurs, angles and all veins, ledges, or deposits within the lines of this claim, together with all water and timber and any other rights appurtenant, allowed by the laws of this State or of the United States are hereby claimed.

WITNESSES:

E. W. Milton

LOCATORS:

Wm. Sperling
Elizabeth J. Milton

Recorded at request of Wm. Sperling, Nov. 4, 1937, at 9 A.M., in Book 748 of Official Records, page 470 Kern County Records.

26065 Compared by: *S. H. H. H.*

Chas. H. Shonate, Recorder

Checked by: *L. Cave*

I.R.S. \$2.00
Cancelled.

MINERAL DEED

THIS INDENTURE, made this 15th day of October, 1937, by and between IVAN MCKINNEY and VIOLA PEARL MCKINNEY, of Ventura, California, hereinafter termed GRANTORS, and E. B. REEDER, hereinafter termed GRANTEE,

WITNESSETH: That grantors, for and in consideration of the sum of Ten and no/100 Dollars (\$10.00), lawful money of the United States, and other good and valuable considerations to them in hand paid by grantee, receipt whereof is hereby acknowledged, do hereby grant unto E. B. REEDER, an undivided one half per cent (1/2%) interest in and to the minerals, oil, gas, casinghead gasoline and other hydrocarbon substances in, under, and that may be produced from the following described lot, piece or parcel of land situate in the County of Kern, State of California, more particularly described as follows:

The south half of the south half of Lots 7 and 8 and also that portion of said Lots 7 and 8 described as follows:

COMMENCING on the east line of said Lot 7 at its intersection with the north line of the south half of the south half of said Lot 7; thence west along said north line of said south half of the south half of said Lots 7 and 8 a distance of 1332.395 feet to the center line of the road shown on the map of said premises filed in the office of the County Recorder of said County on August 30, 1890, as bounding said Lot 8 on the west; thence north along the center line of said road 261.4 feet; thence east and parallel with said north line of the south half of the south half of said Lots 7 and 8 to the east line of said Lot 7; and thence south along said east line 261.4 feet to the point of beginning, all in Section 21, Township 29 south, Range 26 east, M. D. B. and M., according to the Map of said section filed in the office of the County Recorder of Kern County on August 20, 1890, together with the right of ingress and egress at all times for the purpose of taking and removing said substances from said lands.

IT IS UNDERSTOOD AND AGREED that this sale is made subject to the terms and conditions of that certain Oil and Gas Lease dated June 26th, 1936, between the grantors herein as lessors, and STANDARD OIL COMPANY OF CALIFORNIA as lessee, which said Oil and Gas Lease was recorded in Book 654, of Official Records, page 154, Kern County Records, and which said lease covers and embraces the aforesaid described land, which said lease provides for a twelve and one-half per cent (12 1/2%) landowner's royalty; and

I.M.K.
Y.P.M.K.

748/471

No Term

IT IS FURTHER UNDERSTOOD AND AGREED that this conveyance does and includes, and said grantors do hereby sell, convey and grant unto said grantee, an undivided one-twenty-fifth (1/25) of any and all minerals, oil, gas, casinghead gasoline and other hydrocarbon substances, or the value thereof, produced, saved and sold under the terms and conditions of said lease above described from any of the lands therein described, and in addition thereto an equal portion of all the rights, benefits, privileges, rents, royalties, bonuses, profits, or other things of value paid under the terms and conditions of said lease.

IT IS FURTHER UNDERSTOOD AND AGREED that should said oil and gas lease ever be surrendered in full or in part, the grantors shall have and retain the sole and exclusive right to execute and deliver any subsequent oil and gas lease or leases upon such terms and conditions as he may elect, without consulting or obtaining the grantee's consent or approval of the terms and conditions thereof, excepting, however, said grantee shall be entitled to and shall receive one-twenty-fifth (1/25) of any and all bonus or consideration paid for such lease or leases, together with an undivided one-twenty-fifth (1/25) of any and all rents, royalties, bonuses, profits, or other things of value paid under the terms and conditions thereof.

Grantors hereby warrant that they are the owners of the interest conveyed, and that the same is free and clear of all encumbrances whatsoever, and do further covenant and agree not to change, alter, modify, extend, diminish, delete, or otherwise vary any of the terms or conditions of said lease above described without the written consent of grantee herein.

TO HAVE AND TO HOLD, the above described property, together with all and singular the rights, benefits, privileges, and appurtenances thereunto in anywise belonging, unto said grantee, his heirs, successors and assigns forever.

IN WITNESS WHEREOF, the grantors have hereunto set their hands the day and year first hereinabove written.

Ivan McKinney

Viola Pearl McKinney
GRANTORS

I. McK.
V.P. McK.

STATE OF CALIFORNIA }
COUNTY OF VENTURA } SS.

On this 15th day of October, in the year One Thousand, Nine Hundred and thirty-seven, A.D., before me, H. V. HAMMONS, a Notary Public in and for said County, residing therein, duly commissioned and sworn, personally appeared IVAN McKINNEY and VIOLA PEARL McKINNEY, personally known to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year in this certificate first above written.

(SEAL) H. V. Hammons

Notary Public in and for the County of Ventura, State of California.

Recorded at request of E.B.Reeder, Nov. 4, 1937, at 9 A.M., in Book 748 of Official Records, page 471 Kern County Records.

26066 Compared by: *W. Hoberich* Chas. H. Shomate, Recorder
Checked by: *W. Hoberich*

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Monday, November 1, 1937.

Board met in regular session at 10:10 o'clock A.M.

Present: Supervisors: Woollemes, Parish, Hingman, Abel, Wimmer,

M. C. SCOTT, Deputy Clerk.

Absent: Supervisors: None.

such survivor, its or assigns shall violate any of the above ~~mentioned~~ restrictions, or provisions, the land shall thereupon revert to and be vested in the party of the first part. These covenants shall run with and bind the land.

Provided, that the breach of any of the foregoing restrictions or any re-entry by reason of such breach, shall not defeat or render invalid the lien of any Mortgage or Deed of Trust made in good faith and for value as to said land, and any improvements thereon or any part thereof.

WITNESS our hands and seals, this Twenty-ninth day of June, A. D. 1938.

Signed, Sealed and Delivered)
in the Presence of

H. J. Brandt (Seal)

Faarl O. Brandt (Seal)

STATE OF CALIFORNIA)
COUNTY OF KERN } ss.

On this 29th day of June, in the year of our Lord one thousand nine hundred and thirty-eight, before me, E. L. Johnson, a Notary Public in and for said County, state aforesaid, residing therein, duly commissioned and qualified, personally appeared H. J. Brandt and Faarl O. Brandt, known to me to be the persons described in and whose names are subscribed to and who executed the within instrument, and acknowledged that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal, at my office in the said County, the day and year in this or above written.

(SEAL) E. L. Johnson

Notary Public in and for said County and State.

Recorded at Request of Bakersfield Abstract Co. JUL. 1, 1938

in Book 808 of Official Records, Page 106 Kern County Records.

Chas. H. Shomate, Recorder

By Frances Ahlman, Deputy Recorder

Checked by: M. (Brislin)

15153 Compared by: H. Hoberst

I. R. S. 62-50
Cancelled

MINERAL DEED

THIS INDENTURE, made this 28th day of June, 1938, by Ivan McKinney and Viola Pearl McKinney, husband and wife, hereinafter termed grantors, to Oscar Regis, as to an undivided one-half interest, and to William F. Klatt and Fern Marie Klatt, husband and wife, as joint tenants, as to an undivided one-half interest, hereinafter termed grantees.

WITNESSETH: That grantors, for and in consideration of the sum of Ten Dollars (\$10.00) lawful money of the United States, and other good and valuable considerations to them in hand paid by grantess, receipt whereof is hereby acknowledged, do hereby grant, subject to the conditions subsequent hereinafter set forth, unto Oscar Regis, as to an undivided one-half interest, and to William F. Klatt and Fern Marie Klatt, husband and wife, as joint tenants, as to an undivided one-half interest, the following:

An undivided one interest (1%) of all oil, gas, petroleum and other hydrocarbon substances within or underlying, or which may be produced and saved, from the following described parcels of land situate in the County of Kern, State of California, more particularly described as follows, to-wit:

Parcel 1: All of the South Half of the South Half (S 1/2 of S 1/2) of lots

Regis
Info

808/107

1/2 of 1/2

No Perm

such survivor, heirs or assigns shall violate any of the above stated restrictions, or provisions, the land shall thereupon revert to and be vested in the party of the first part. These covenants shall run with and bind the land.

Provided, that the breach of any of the foregoing restrictions or any entry by reason of such breach, shall not defeat or render invalid the lien of any Mortgage or Deed of Trust made in good faith and for value as to said land, and any improvements thereon or any part thereof.

WITNESS our hands and seals, this Twenty-ninth day of June, A. D. 1938.

Signed, Sealed and Delivered
in the Presence of

H. J. Brandt (Seal)
Pearl G. Brandt (Seal)

STATE OF CALIFORNIA } ss.
COUNTY OF KERN }

On this 29th day of June, in the year of our Lord one thousand nine hundred and thirty-eight, before me, E. L. Johnson, a Notary Public in and for said County, state aforesaid, residing therein, duly commissioned and qualified, personally appeared H. J. Brandt and Pearl G. Brandt, known to me to be the persons described in and whose names are subscribed to and who executed the within instrument, and acknowledged that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, at my office in the said County, the day and year in this certificate first above written.

(SEAL) E. L. Johnson

Notary Public in and for said County and State.

Recorded at Request of Bakerafield Abstract Co. JUL. 1, 1938 at 9 A.M.
in Book 808 of Official Records, Page 106 Kern County Records.

Chas. H. Shomate, Recorder

By Frances Ahmann, Deputy Recorder

15153 Compared by: *H. Hoberich*

Checked by: *M. Brookshire*

I. R. S. #2-50
Cancelled

MINERAL DEED

THIS INDENTURE, made this 28th day of June, 1938, by Ivan McKinney and Viola Pearl McKinney, husband and wife, hereinafter termed grantors, to Oscar Regis, as to an undivided one-half interest, and to William F. Klatt and Fern Marie Klatt, husband and wife, as joint tenants, as to an undivided one-half interest, hereinafter termed grantees.

WITNESSETH: That grantors, for and in consideration of the sum of Ten Dollars (\$10.00) lawful money of the United States, and other good and valuable considerations to them in hand paid by grantees, receipt whereof is hereby acknowledged, do hereby grant, subject to the conditions subsequent hereinafter set forth, unto Oscar Regis, as to an undivided one-half interest, and to William F. Klatt and Fern Marie Klatt, husband and wife, as joint tenants, as to an undivided one-half interest, the following:

An undivided one percent (1%) of all oil, gas, petroleum and other hydrocarbon substances within or underlying, or which may be produced and saved, from the following described parcels of land situate in the County of Kern, State of California, more particularly described as follows, to-wit:

Parcel 1: All of the South Half of the South Half (S 1/2 of S 1/2) of Lots

808/107

1/2 of 1/2 each

No Term

Seven (7) and (8) of Section Twenty-one (21), Township Twenty-nine (29) South, Range Twenty-six (26) East, R.D.B.M., according to Sales Map of Lands of J. B. Haggin in said Section 21, filed in the Office of the Recorder of said County on August 20, 1890.

Parcel 2: That portion of Lots Seven (7) and Eight (8) in Section Twenty-one (21), Township Twenty-nine (29) South, Range Twenty-six (26) East, R.D.B.M., according to Sales Map of lands of J. B. Haggin in said Section 21, filed in the Office of the Recorder of said County on August 20, 1890, described as follows:

Commencing at a point on the West line of said Lot 7 at its intersection with the North line of the South Half of the South Half (S 1/2 of S 1/2) of said Lot 7, thence West along said North line of said South Half of the South Half (S 1/2 of S 1/2) of said Lots 7 and 8 a distance of 1352.395 feet to the center line of road shown on said map as bounding said Lot 8 on the West; thence North along center line of said road 261.4 feet; thence East and parallel with said North line of South Half of the South Half (S 1/2 of S 1/2) of said Lots 7 and 8 to the East line of said Lot 7, and thence South along said East line 261.4 feet to the point of beginning.

IT IS UNDERSTOOD AND AGREED that this sale is made subject to the terms and conditions of that certain oil and gas lease dated June 26, 1936, between the grantors herein, as lessors, and Standard Oil Company of California, a corporation, as lessee, which said oil and gas lease was recorded August 8, 1936, in Book 654, Page 154 of Official Records, in the office of the County Recorder of Kern County, and which said lease provides for a one-eighth (1/8th) landowner's royalty, and which said lease covers and embraces the aforesaid described land; and,

IT IS FURTHER AGREED that this conveyance includes, and grantors hereby sell, convey and grant unto said grantees, an undivided two-twenty-fifths (2/25ths) of the royalty in said lease, provided, for any and all minerals, oil, gas, casing-head gasoline and other hydrocarbon substances, or the value thereof, produced, saved and sold under the terms and conditions of said lease above described from any of the lands therein described, and in addition thereto, an equal portion of all the rights, benefits, privileges, rents, royalties, bonuses, profits and other things of value paid under the terms and conditions of said lease.

IT IS FURTHER UNDERSTOOD AND AGREED that should said oil and gas lease ever be surrendered in full or in part, the grantors shall have and retain the sole and exclusive right to execute and deliver any subsequent oil and gas lease or leases upon the entire property, including the grantees' interest, upon such terms and conditions as they may elect, without consulting or obtaining the grantee's consent or approval of the terms and conditions thereof, excepting however, said grantees shall be entitled to and shall receive two-twenty-fifths (2/25ths) of any and all bonus or consideration paid for such lease or leases, together with an undivided two-twenty-fifths (2/25ths) of any and all rents, royalties, bonuses, profits or other things of value paid under the terms and conditions thereof, provided however, that the royalty under the terms of any of such leases shall not be less than one-eighth (1/8th).

Grantors hereby warrant that they are the owners of the interest conveyed, and that same is free and clear of all encumbrances whatsoever; and grantors do further covenant and agree not to change, alter, modify, extend, diminish, delete, or otherwise vary any of the terms and/or conditions of said lease above described, without the written consent of the grantees herein.

TO HAVE AND TO HOLD the above described property, together with all and singular the rights, benefits, privileges and appurtenances thereunto in any-wise belonging unto said grantees, their heirs and assigns forever.

IN WITNESS WHEREOF, the grantors have hereunto set their hands and seals the day and year first hereinabove written.

Ivan McKinney
Viola Pearl McKinney

108

STATE OF CALIFORNIA)
COUNTY OF VENTURA) ss.

On this 29th day of June, 1938, before me, H. V. Hammons, a Notary Public in and for said County and State, residing therein, duly commissioned and sworn, personally appeared Ivan McKinney and Viola Pearl McKinney, known to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

WITNESS my hand and official seal.

(SEAL) H. V. Hammons

Notary Public in and for the County of Ventura, State of California.
BEFORE THE DEPARTMENT OF INVESTMENT DIVISION OF CORPORATIONS OF THE STATE OF CALIFORNIA
In the matter of the application of

IVAN McKINNEY and VIOLA PEARL McKINNEY,
his wife

ORDER APPROVING
ESCROW HOLDER

for a permit authorizing them to sell
and issue their securities

File No. 6772EL4

HENRY G. MACK, Attorney at Law, 404 Haberfelds Building, Bakersfield, California, having been designated by applicants as ESCROW HOLDER under the permit issued to applicants on the 27th day of June, 1938, and all amendments and supplements thereto,

IT IS ORDERED that said HENRY G. MACK be and he is approved as such ESCROW HOLDER.

Dated: Los Angeles, California

June 27, 1938

(SEAL) EDWIN M. DAUGHERTY
Commissioner of Corporations

By Thomas J. Kelley
THOMAS J. KELLEY
Assistant Commissioner

HVV-MH

BEFORE THE
DEPARTMENT OF INVESTMENT
DIVISION OF CORPORATIONS
OF THE
STATE OF CALIFORNIA

In the matter of the application of

IVAN McKINNEY and VIOLA PEARL McKINNEY,
his wife

for a permit authorizing them to sell
and issue their securities.

PERMIT

File No. 6772EL4
Receipt No. LA27124

THIS PERMIT DOES NOT CONSTITUTE A RECOMMENDATION
OR ENDORSEMENT OF THE SECURITIES PERMITTED
TO BE ISSUED, BUT IS PERMISSIVE ONLY.

IVAN McKINNEY and VIOLA PEARL McKINNEY, his wife, are hereby authorized to sell and issue their securities as hereinbelow set forth:

1. To sell, grant and convey to the persons named in the application an undivided one half interest in all oil, gas, petroleum and other hydrocarbon substances within or underlying or which may be produced and saved from the premises described in the application, subject to that certain lease described therein, and an undivided 2/25ths of the royalty provided for under the terms and conditions of said lease and an undivided 2/25ths of any and all rents, royalties, bonuses, profits or other things of value provided for under the terms and conditions of any future lease or leases, as consideration for the sum of \$2,500.00 cash, lawful money of the United States, so as to net applicants the full amount of the selling price thereof, upon the condition that the applicants shall execute and deliver, as evidences of ownership thereof, a deed or deeds in the form filed with the application.

This permit is issued upon each of the following conditions:

(a) That none of the deeds authorized to be executed and delivered by paragraph 1 hereof shall be executed and delivered unless and until the applicants first shall have selected an escrow holder and said escrow holder shall have been

first approved by the Commissioner of Corporations; that when executed and delivered, the deeds evidencing the ownership of the interest herein authorized to be sold, shall be forthwith deposite with said escrow holder, to be held as an escrow pending the further written order of the said Commissioner; that the receipt of said escrow holder for said deeds shall be filed with said Commissioner; and that the owner or persons entitled to said interest shall not consummate a sale or transfer of said interest, or any part thereof, or any interest therein, until the written consent of said Commissioner shall have been obtained so to do.

(b) That unless, revoked, suspended or extended by alteration or amendment, upon application filed on or before the date of expiration specified in this condition and upon such terms and conditions as the Commissioner may deem proper, all authority to sell securities under issuance clause 1 of this permit shall terminate and expire on the 27th day of September, 1938. All other issuance clauses and/or conditions of this permit shall remain in full force and effect until revoked, suspended, altered or amended by appropriate order of the Commissioner.

Dated: Los Angeles, California

June 27, 1938

(SEAL) EDWIN M. DAUGHERTY
Commissioner of Corporations

By Thomas J. Kelley
THOMAS J. KELLEY
Assistant Commissioner

HVN-HM

Recorded at Request of Bakersfield Abstract Co. JUL. 1, 1938 at 9 A.M.
in Book 808 of Official Records, Page 107 Kern County Records.

Chas. E. Shomate, Recorder

By Frances Ahmann, Deputy Recorder

15155 Compared by:

H. Habersaat

Checked by: *M. Brookshire*

-----000-----

NOTICE OF EXTENSION OF TIME FOR LABOR ON MINING CLAIMS

STATE OF CALIFORNIA) ss.
COUNTY OF KERN)

Raymond Lanes and Alma Lanes a Co-Partnership hereby give notice of their desire to hold the following described Mining Claims, said claims being situated in the Goler Mining District, in the County of Kern in the State of California To wit:

Gun Right # 7	lode claim amended and recorded in Book 715, Page 230.
Gun Right # 8	" " " " " " 715, " 230.
Gun Right # 9	" " " " " " 715, " 231.
Gun Right # 10	" " " " " " 715, " 232.
Gun Right # 11	" " " " " " 715, " 262.
Queen # 8	lode claim recorded in Book 714, Page 127.
Queen # 12	" " " " " " 710, " 243.
Queen Fraction # 6	lode claim recorded in Book 710, Page 244.
Queen Fraction # 7	" " " " " " 708, " 312.
Queen # 9	lode claim recorded in Book 729, Page 181.
Queen # 10	" " " " " " 729, " 182.
Queen # 11	" " " " " " 729, " 183.

Official records of Kern County, State of California,

as owner, does hereby declare their intention to hold same in accordance with the U. S. Statutes made and provided for the extension of time for performance of annual assessment work on Mining Claims for the period July 1st, 1937 to and including June 30th, 1938, and does hereby claim extension of time for performance of annual assessment work for the year 1937-1938.

That the Location Notice or Certificate of said Mining Claim is recorded in the office of the County Recorder of said County. (That being the proper office of record) and notice is hereby further given by said Claimant that said Claimant was entitled to exemption from the payment of a Federal Income Tax for the Taxable

1964

BOOK 3745 PAGE 141

RECORDED IN OFFICIAL RECORDS
OF KERN COUNTY, CALIF.

JUL 1 1964

RAY A. VERCAMMEN, County Clerk

RECORDING REQUESTED BY AND MAIL 70

GRANT DEED

Boys Republic
Info.

As a gift, WILLIAM F. KLATT, a married man dealing with his separate property, hereby grants to BOYS REPUBLIC, a California non-profit corporation, all right, title and interest of the Grantor in and to the real property situated in the County of Kern, State of California, described as follows:

S/B 50% per 808/107

An undivided one percent of all oil, gas, petroleum and other hydrocarbon substances within or underlying, or which may be produced and saved, from the following described property:

PARCEL 1: South half of South half (S 1/2 of S 1/2) of Lots Seven (7) and Eight (8) in Section Twenty-one (21), Township Twenty-nine (29) South, Range Twenty-six (26) East, M.D.B.M.; in the County of Kern, State of California, according to Sales Map of Lands of J. B. Haggin in said Section 21, filed in the Office of the Recorder of said County on August 20, 1890.

PARCEL 2: That portion of Lots Seven (7) and Eight (8) in Section Twenty-one (21), Township Twenty-nine (29) South, Range Twenty-six (26) East, M.D.B.M.; in the County of Kern, State of California, according to Sales Map of Lands of J. B. Haggin in said Section 21, filed in the Office of the Recorder of said County on August 20, 1890, described as follows:

Commencing at a point on the East line of said Lot 7 at its intersection with North line of South half of South half of said Lot 7; thence West along said North line of said South half of South half of said Lots 7 and 8, a distance of 1332.395 feet to the center line of road shown on said Map as bounding said Lot 8 on the West; thence North along the center line of said road 261.4 feet; thence East and parallel with said North line of South half of South half of said Lots 7 and 8, to the East line of

3745/141

4521

BOOK 3745 PAGE 141

RECORDING REQUESTED BY AND MAIL TO

RECORDED IN OFFICIAL RECORDS
OF KERN COUNTY, CALIFORNIA

JUL 1 1964

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RAY A. VERCAMMEN, County Recorder

GRANT DEED

As a gift, WILLIAM F. KLATT, a married man dealing with his separate property, hereby grants to BOYS REPUBLIC, a California non-profit corporation, all right, title and interest of the Grantor in and to the real property situated in the County of Kern, State of California, described as follows:

S/B 50% per 808/104

An undivided one percent of all oil, gas, petroleum and other hydrocarbon substances within or underlying, or which may be produced and saved, from the following described property:

PARCEL 1: South half of South half (S 1/2 of S 1/2) of Lots Seven (7) and Eight (8) in Section Twenty-one (21), Township Twenty-nine (29) South, Range Twenty-six (26) East, M.D.B.M.; in the County of Kern, State of California, according to Sales Map of Lands of J. B. Haggin in said Section 21, filed in the Office of the Recorder of said County on August 20, 1890.

PARCEL 2: That portion of Lots Seven (7) and Eight (8) in Section Twenty-one (21), Township Twenty-nine (29) South, Range Twenty-six (26) East, M.D.B.M.; in the County of Kern, State of California, according to Sales Map of Lands of J. B. Haggin in said Section 21, filed in the Office of the Recorder of said County on August 20, 1890, described as follows:

Commencing at a point on the East line of said Lot 7 at its intersection with North line of South half of South half of said Lot 7; thence West along said North line of said South half of South half of said Lots 7 and 8, a distance of 1332.395 feet to the center line of road shown on said Map as bounding said Lot 8 on the West; thence North along the center line of said road 261.4 feet; thence East and parallel with said North line of South half of South half of said Lots 7 and 8, to the East line of

3745/141

said Lot 7 and thence South along said East line 261.4 feet to the point of commencement.

DATED: June 30th, 1964.

William F. Klatt
William F. Klatt

HARRIETT N. KLATT, wife of William F. Klatt, hereby acknowledges that the interest of the Grantor in the above described property is the separate property of the Grantor.

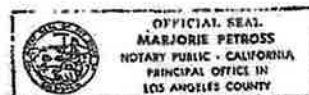
Harriett N. Klatt
Harriett N. Klatt

STATE OF CALIFORNIA }
COUNTY OF LOS ANGELES } SS.

On June 30, 1964, before me, the undersigned, a Notary Public in and for said State, personally appeared WILLIAM F. KLATT and HARRIETT N. KLATT, known to me to be the persons whose names are subscribed to the within Instrument and acknowledged that they executed the same.

WITNESS my hand and official seal.

Marjorie Petross
Name (Typed or Printed)



1521

END OF DOCUMENT

PLANNING COMMISSION RESOLUTIONS

**BEFORE THE PLANNING COMMISSION
COUNTY OF KERN, STATE OF CALIFORNIA**

In the matter of:

RESOLUTION NO. 144-26

APPLICATION FOR SPECIFIC PLAN AMENDMENT CASE NO. 97, MAP 101

South side of Hageman Road, approximately 1/4 mile east of Nord Avenue in the Bakersfield area (APNs: 463-160-11, -13 & -53)
Batey Family Farms and O'Connell Investments, LLC by Batey Homes (PP25175)

FINDINGS AND DETERMINATION

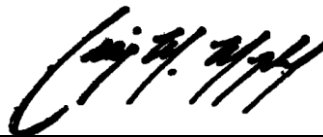
I, Craig M. Murphy, Secretary of the Planning Commission of the County of Kern, State of California, do hereby certify that the following resolution, proposed by Ms. Skidmore, seconded by Mr. Brooks, was duly passed and adopted by said Planning Commission at an official meeting hereof this **23rd** day of **July, 2026**, by the following vote, to wit:

AYES: Brooks, Dunbar, Oliver, Skidmore

NOES: none

ABSTAINED: none

ABSENT: Ashley



**SECRETARY OF THE PLANNING COMMISSION
COUNTY OF KERN, STATE OF CALIFORNIA**

R E S O L U T I O N

SECTION 1. WHEREAS:

(a) Pursuant to the California Government Code, Title 7, Sections 65354 and 65453 (known as the Planning and Zoning Law), the Kern County Planning Commission considers proposed amendments to the County's General and Specific Plans and must provide a recommendation on all such proposed amendments to the Kern County Board of Supervisors; and

(b) Pursuant to said Sections 65354 and 65453, such advisory actions shall be considered by the Planning Commission prior to consideration by the Board of Supervisors, following submission of an application containing the information specified in the applicable section of this title and a properly noticed public hearing; and

(c) The Kern County Planning and Natural Resources Department has received an application pertaining to a parcel of real property which is located within that portion of the unincorporated area of the County for which an official Zoning Map has been adopted under Section **7297.342** of said Ordinance Code and for which precise land use and zoning regulations are in effect; and

(d) Said parcel of real property is described as follows:

APN: 463-160-11, -13, & -53

Section 21, Township 29 South, Range 26 East MDB&M, County of Kern, State of California (A complete legal description is on file with the Kern County Planning and Natural Resources Department); and

(e) Said application has been made in accordance with requirements of the Planning and Natural Resources Department, and requests an amendment of the Land Use Element of the Western Rosedale Specific Plan from Map Code ER (Estate Residential - Minimum 1 Net Acre/Unit) to LMR (Low Medium Density Residential - Less Than or Equal to 10 Dwelling Units/Net Acre); and

(f) The Planning and Natural Resources Department has reviewed the matter and prepared a report containing detailed description and analysis of the proposed amendment to the Specific Plan, (copy of the report is on file with the Planning and Natural Resources Department and incorporated herein by this reference as if set forth in full); and

(g) Said application has been made in the form and in the manner prescribed by the Planning and Natural Resources Department and is on file with the Secretary of this Commission, designated as above, and reference is hereby made thereto for further particulars; and

(h) The Secretary of this Commission has caused notice to be duly given of a public hearing in this matter in accordance with law, as evidenced by the affidavit of publication and the affidavit of mailing on file with the Secretary of this Commission; and

(i) Said notice of hearing stated that the Planning and Natural Resources Department has determined that the activity in question is included on the list of classes of projects which have been determined not to have a significant effect on the environment and this Commission concurs with this determination and that, therefore, under the provisions of Public Resources Code 21159.25, Public Resources Code 21083.3, Public Resources Code 21159.24, Special Situations, Section 15182 of the State CEQA Guidelines, Categorical Exemption, Section 15303 of the State CEQA Guidelines, and Government Code 65457, it is exempt from the provisions of the California Environmental Quality Act; and

(j) Said public hearing has been duly and timely conducted, during which the proposal was explained by a representative of the Planning and Natural Resources Department and all persons so desiring were duly heard; and

(k) During said hearing and prior to consideration of the merits of said matter, this Commission called for any objections to the dispensing with an environmental impact report; and

(l) This Commission has considered the recommendation of the Planning and Natural Resources Department and all the testimony presented during said public hearing, after which said public hearing was concluded.

SECTION 2. NOW, THEREFORE, BE IT HEREBY RESOLVED by the Planning Commission of the County of Kern, as follows:

(a) This Commission finds that the facts recited above are true and that this Commission has jurisdiction to consider the subject of this resolution; and

(b) After careful consideration of all facts and evidence as presented at said hearing, it is the decision of the Planning Commission that the application herein described be recommended for **APPROVAL**, as recommended by Staff, by the Board of Supervisors, in accordance with the findings contained in this Resolution; and

(c) The findings of this Commission upon which its decision is based are as follows:

- (1) This Planning Commission has determined that pursuant to Public Resources Code Section 21166 and 21083.3, and Section 15182 of the State CEQA Guidelines, said project qualifies as a special situation and does not require preparation of further environmental documents under the requirements of the Environmental Quality Act of 1970.

County Staff has reviewed the Environmental Information Form submitted by the applicant, and it has been determined there are no project-specific significant effects for the Specific Plan Amendment No. 97; Map 101. Pursuant to the California Environmental Quality Act (CEQA) and the Guidelines for the Implementation of CEQA, Section 15182, after a review of the proposed project and in light of the evidence in the record, Staff has made the determination that the requested actions for the Specific Plan Amendment No. 97; Map 101 do not require the preparation of subsequent environmental documentation based on the following:

- As a result of the requested actions, no substantial changes are proposed in the project that will require major revisions to the Western Rosedale Specific Plan Final Environmental Impact Report because of the involvement of new significant environmental effects or a substantial increase in the severity of previously identified effects.
- As a result of the requested actions, no substantial changes will occur with respect to the circumstances under which the project will be undertaken that will require major revisions to the Western Rosedale Specific Plan Final Environmental Impact Report because of the involvement of new significant environmental effects or a substantial increase in the severity of previously identified effects.

- There is no new information of substantial importance that was not known or could not have been known at the time the Western Rosedale Specific Plan Final Environmental Impact Report was certified, and no new significant effects as a result of the requested actions will occur that were not addressed in the Western Rosedale Specific Plan Final Environmental Impact Report.
 - The requested actions initiate the implementation of a project addressed in the Western Rosedale Specific Plan and previously analyzed in the Western Rosedale Specific Plan Final Environmental Impact Report, and the requested actions are in substantial conformance with that plan.
 - The requested actions do not require the preparation of subsequent environmental documentation as the conditions identified in Section 15162 do not occur.
- (2) The Specific Plan Amendment qualifies under Section 15303 as the amendment will support and promote the construction of residential units similar with criteria established under Section 15303.
 - (3) The Specific Plan Amendment is consistent with the applicable provisions of the Western Rosedale Specific Plan and is consistent with the suburban, agricultural, and rural atmosphere. The LMR (Low Medium Residential) map code designation will remain consistent with the standards while maintaining compatibility with the surrounding residential development and planned land use pattern.
 - (4) Approval of the requested Specific Plan Amendment will facilitate the development of residential housing that is compatible with the surrounding area and consistent with the goals of the Western Rosedale Specific Plan by increasing housing opportunities while maintaining continuity with existing residential neighborhoods and infrastructure.
 - (5) The Specific Plan Amendment is consistent with the goals and provisions of the Western Rosedale Specific Plan which encourages a variety of housing opportunities, orderly expansion of urban development, and residential neighborhoods that are compatible with surrounding land uses.
 - (6) As a result of the Specific Plan Amendment, future development of the property will remain subject to review through the Vesting Tentative Tract Map process, applicable improvement plans, and building permit review, and shall comply with all applicable Kern County Development Standards, conditions of approval, and requirements of the Land Division Ordinance prior to development.
 - (7) This project is exempt from the provisions of CEQA pursuant to Public Resources Code 21083.3 for projects that are consistent with applicable planning documents for which environmental review has previously been completed.
 - (8) This project is exempt from the provisions of CEQA pursuant to Public Resources Code 21159.24 for qualifying infill housing developments located within an urbanized area and in proximity to transit. The project will promote infill residential development in areas planned for urban growth.
 - (9) This project is exempt from the provisions of CEQA pursuant to Public Resources Code 21159.25 for residential and mixed-use residential projects that are consistent with an adopted Specific Plan; and

(d) The Secretary of this Commission shall cause copies of this resolution to be transmitted to the following:

Batey Family Farms (applicant)
O'Connell Investments, LLC (applicant)
LiUNA (1)
File (3)

an

BEFORE THE PLANNING COMMISSION
COUNTY OF KERN, STATE OF CALIFORNIA

In the matter of:

RESOLUTION NO. 145-26

APPLICATION FOR ZONE CHANGE CASE NO. 208, MAP 101

South side of Hageman Road, approximately 1/4 mile east of Nord Avenue in the Bakersfield area (APNs: 463-160-11, -13 & -53)
Batey Family Farms and O'Connell Investments, LLC by Batey Homes (PP25175)

FINDINGS AND DETERMINATION

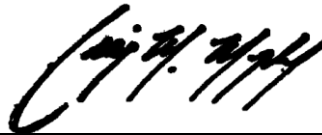
I, Craig M. Murphy, Secretary of the Planning Commission of the County of Kern, State of California, do hereby certify that the following resolution, proposed by Ms. Skidmore, seconded by Mr. Brooks, was duly passed and adopted by said Planning Commission at an official meeting hereof this **23rd** day of **July, 2026**, by the following vote, to wit:

AYES: Brooks, Dunbar, Oliver, Skidmore

NOES: none

ABSTAINED: none

ABSENT: Ashley



SECRETARY OF THE PLANNING COMMISSION
COUNTY OF KERN, STATE OF CALIFORNIA

R E S O L U T I O N

SECTION 1. WHEREAS:

(a) Pursuant to the California Government Code, Title 7, Section 65000, et seq. (known as the Planning and Zoning Law), the Kern County Board of Supervisors has adopted the Official Land Use and Zoning Ordinance for the County of Kern (Ordinance Code of Kern County, Chapter 19.02, et seq.), herein called the Zoning Ordinance; and

(b) The Zoning Ordinance establishes various classes of zones, prescribes land uses and regulations for the various zones, and adopts zoning maps for the purposes of dividing the County into zones and showing the zone boundaries; and

(c) The Zoning Ordinance regulates the use of buildings, structures, and land, as between agriculture, industry, business, residence, and other purposes, and other uses more specifically set forth in Section 65850 of said Government Code; and

(d) The Kern County Planning and Natural Resources Department has received an application pertaining to a parcel of real property which is located within that portion of the unincorporated area of the County for which an official Zoning Map has been adopted under Section **7297.342** of said Ordinance Code and for which precise land use and zoning regulations are in effect; and

(e) Said parcel of real property is described as follows:

APN: 463-160-11, -13, & -53

Section 21, Township 29 South, Range 26 East MDB&M, County of Kern, State of California (A complete legal description is on file with the Kern County Planning and Natural Resources Department); and

(f) Said application has been made pursuant to provisions of Chapter 19.112 of said Ordinance Code, and requests a zone change insofar as said requirements are applicable to the aforescribed parcel of real property, and more particularly a change in zone classification from A* (Exclusive Agriculture) [E (1) RS (Estate - 1 acre - Residential Suburban Combining) in suspense] to R-1 (Low-density Residential), E (1/4) (Estate - 1/4 acre), and E (1/2) RS (Estate - 1/2 acre - Residential Suburban Combining); on three (3) parcels of record, totaling an approximate 34.24 acres; and

(g) Said application has been made in the form and in the manner prescribed by said Zoning Ordinance and is on file with the Secretary of this Commission, designated as above, and reference is hereby made thereto for further particulars; and

(h) The Secretary of this Commission has caused notice to be duly given of a public hearing in this matter in accordance with law, as evidenced by the affidavit of publication and the affidavit of mailing on file with the Secretary of this Commission; and

(i) Said notice of hearing stated that the Planning and Natural Resources Department has determined that the activity in question is included on the list of classes of projects which have been determined not to have a significant effect

on the environment and this Commission concurs with this determination and that, therefore, under the provisions of Public Records Resources Code 21159.25, Public Resources Code 21083.3, Public Resources Code 21159.24, Special Situations, Section 15182, Categorical Exemption, Section 15303 of the State CEQA Guidelines, and Government Code 65457, it is exempt from the provisions of the California Environmental Quality Act; and

(j) Said public hearing has been duly and timely conducted, during which the proposal was explained by a representative of the Planning and Natural Resources Department and all persons so desiring were duly heard; and

(k) During said hearing and prior to consideration of the merits of said matter, this Commission called for any objections to the dispensing with an environmental impact report; and

(l) This Commission has considered the recommendation of the Planning and Natural Resources Department and all the testimony presented during said public hearing, after which said public hearing was concluded.

SECTION 2. NOW, THEREFORE, BE IT HEREBY RESOLVED by the Planning Commission of the County of Kern, as follows:

(a) This Commission finds that the facts recited above are true and that this Commission has jurisdiction to consider the subject of this resolution; and

(b) After careful consideration of all facts and evidence as presented at said hearing, it is the decision of the Planning Commission that the application herein described be recommended for **APPROVAL**, as recommended by Staff, by the Board of Supervisors, for the reasons specified in this Resolution; and

(c) The findings of this Commission upon which its decision is based are as follows:

- (1) This Planning Commission has determined that pursuant to Public Resources Code Section 21166 and 21083.3, and Section 15182 of the State CEQA Guidelines, said project qualifies as a special situation and does not require preparation of further environmental documents under the requirements of the Environmental Quality Act of 1970.

County Staff has reviewed the Environmental Information Form submitted by the applicant, and it has been determined there are no project-specific significant effects for the Zone Change Case No. 208; Map 101. Pursuant to the California Environmental Quality Act (CEQA) and the Guidelines for the Implementation of CEQA, Section 15182, after a review of the proposed project and in light of the evidence in the record, Staff has made the determination that the requested actions for the Zone Change Case No. 208; Map 101 do not require the preparation of subsequent environmental documentation based on the following:

- As a result of the requested actions, no substantial changes are proposed in the project that will require major revisions to the Western Rosedale Specific Plan Final Environmental

Impact Report because of the involvement of new significant environmental effects or a substantial increase in the severity of previously identified effects.

- As a result of the requested actions, no substantial changes will occur with respect to the circumstances under which the project will be undertaken that will require major revisions to the Western Rosedale Specific Plan Final Environmental Impact Report because of the involvement of new significant environmental effects or a substantial increase in the severity of previously identified effects.
 - There is no new information of substantial importance that was not known or could not have been known at the time the Western Rosedale Specific Plan Final Environmental Impact Report was certified, and no new significant effects as a result of the requested actions will occur that were not addressed in the Western Rosedale Specific Plan Final Environmental Impact Report.
 - The requested actions initiate the implementation of a project addressed in the Western Rosedale Specific Plan and previously analyzed in the Western Rosedale Specific Plan Final Environmental Impact Report, and the requested actions are in substantial conformance with that plan.
 - The requested actions do not require the preparation of subsequent environmental documentation as the conditions identified in Section 15162 do not occur.
- (2) The Zone Change qualifies under Section 15303 as the change in zoning will support and promote the construction of residential units similar with criteria established under Section 15303.
 - (3) This project is exempt from the provisions of CEQA pursuant to Public Resources Code 21083.3 for projects that are consistent with applicable planning documents for which environmental review has previously been completed.
 - (4) This project is exempt from the provisions of CEQA pursuant to Public Resources Code 21159.24 for qualifying infill housing developments located within an urbanized area and in proximity to transit. The project will promote infill residential development in areas planned for urban growth.
 - (5) This project is exempt from the provisions of CEQA pursuant to Public Resources Code 21159.25 for residential and mixed-use residential projects that are consistent with an adopted Specific Plan.
 - (6) The proposed change in zone classification from A* (Exclusive Agriculture) [E (1) RS (Estate – 1 Acre Residential Suburban Combining) in suspense] to R-1 (Low Density Residential), E (1/4) (Estate – 1/4 Acre), and E (1/2) RS (Estate – 1/2 Acre Residential Suburban Combining) is consistent with the Western Rosedale Specific Plan and will implement the proposed LMR (Low Medium Residential) land use designation while remaining compatible with surrounding residential development.
 - (7) Approval of the requested Zone Change will allow development of residential lots that are compatible with surrounding residential uses, provide additional housing opportunities, and implement the residential development anticipated by the Western Rosedale Specific Plan.
 - (8) The proposed R-1, E (1/4), and E (1/2) RS zone classifications are appropriate for the site because they implement the proposed Specific Plan land use designation, are consistent with the character

of the surrounding area, and support orderly residential development consistent with County planning policies.

- (9) As a result of the Zone Change, development of the site shall remain subject to the Vesting Tentative Tract Map, conditions of approval, improvement plans, and all applicable provisions of the Kern County Zoning Ordinance and Land Division Ordinance prior to recordation of the Final Map and issuance of grading or building permits.
- (10) This Zone Change shall not become effective until such time that a final subdivision map is recorded; and

(d) The Secretary of this Commission shall cause copies of this resolution to be transmitted to the following:

Batey Family Farms (applicant)
O'Connell Investments, LLC (applicant)
LiUNA (1)
File (3)

an

**BEFORE THE PLANNING COMMISSION
COUNTY OF KERN, STATE OF CALIFORNIA**

In the matter of:

RESOLUTION NO. 146-26

APPLICATION FOR VESTING TENTATIVE TRACT 7446 WITH VARIATIONS AND WAIVER OF SIGNATURES

South side of Hageman Road, approximately 1/4 mile east of Nord Avenue in the Western Rosedale area (APNs: 463-160-11, -13 & -53)
Batey Family Farms and O'Connell Investments, LLC by Batey Homes (PP25175)

FINDINGS AND DETERMINATION

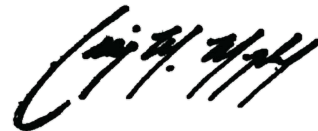
I, Craig M. Murphy, Secretary of the Planning Commission of the County of Kern, State of California, do hereby certify that the following resolution, proposed by Ms. Skidmore, seconded by Mr. Brooks, was duly passed and adopted by said Planning Commission at an official meeting hereof **23rd** day of **July, 2026**, by the following vote, to wit:

AYES: Brooks, Dunbar, Oliver, Skidmore

NOES: None

ABSTAINED: None

ABSENT: Ashley



**SECRETARY OF THE PLANNING COMMISSION
COUNTY OF KERN, STATE OF CALIFORNIA**

R E S O L U T I O N

SECTION 1. WHEREAS:

(a) Pursuant to Section 18.10.025 of the Ordinance Code of Kern County, this Commission is the designated Advisory Agency (Government Code Section 66415) for tentative subdivision maps and charged with the duty of imposing requirements or conditions on proposed divisions of real property and having the authority to approve, conditionally approve, or disapprove maps; and

(b) The Kern County Planning and Natural Resources Department has received an application pertaining to a parcel of real property which is located within that portion of the unincorporated area of the County for which an official Zoning Map has been adopted under Section **7297.342** of said Ordinance Code; and

(c) Said parcel of real property is described as follows:

APN: 463-160-11, -13, & -53

Section 21, Township 29 South, Range 26 East MDB&M, County of Kern, State of California (A complete legal description is on file with the Kern County Planning and Natural Resources Department Department); and

(d) Said application has been made pursuant to provisions of Chapter 18.15 of said Ordinance Code, and Batey Family Farms and O'Connell Investments, LLC by Batey Homes (PP25175) has filed a Tentative Map for Vesting Tentative Tract Map 7446 proposing to divide a 34.24-acre (gross) site into 77 residential lots ranging in size from 8,601 square feet (net) to 29,843 square feet (net), and a 4.24-acre (net) sump lot; with Development Variations to the Land Division Ordinance to allow a cumulative dead-end road length exceeding 800 feet for lots zoned less than one (1) acre (Section 18.55.050.B.1.j) and to eliminate required equestrian trails where precluded by the location and design of the proposed subdivision (Section 18.55.050.I.1); and with Limited Design Variations to the Land Division Ordinance to authorize double frontage lots (Section 18.55.050.F.4) and key (reverse corner) lots (Section 18.55.050.F.6); and Request for Waiver of Signatures of Mineral Rights Owners in accordance with Section 18.15.030.K. of Kern County Land Division Ordinance; and

(e) The Kern County Planning and Natural Resources Department has prepared and filed with the Secretary of this Commission a report containing its and the Subdivision Review Committee's recommendations relating to the Tentative Map, petitions for variations to the Subdivision Ordinance and/or Subdivision Standards, and environmental considerations; and

(f) A copy of said report has been served on the subdivider and has been on file with the Secretary of this Commission and available for examination during regular business hours by any interested persons since this matter was noticed for hearing; and

(g) The Subdivision Review Committee has recommended certain conditions be imposed on the approval of said

Tentative Map as follows:

- (1) Final subdivision map proposed to be recorded shall be in substantial conformance with the approved Tentative Map.
 - (i) The developer shall update the Tentative Map to show construction of an eight-foot-high solid masonry wall with bullnose capstone along the eastern property boundary adjacent to the area zoned E (1/2) RS (Estate - 1/2 acre - Residential Suburban Combining). A six-foot-high solid masonry wall shall be constructed along the remainder of the project perimeter, as shown on the Tentative Map.
 - (ii) The developer shall update the Tentative Map to show a temporary turnaround at the northern terminus of Pacini Street in accordance with Section 18.55.030.A.2.a of the Land Division Ordinance, or as otherwise approved by the Kern County Fire Department and the Kern County Public Works Director.
 - (iii) The developer shall update the Tentative Map to show a ten- (10-) foot-wide landscape area along the outside wall of Lots 64 through 70 adjacent to Pacini Street, and maintain a minimum thirty (30) foot width for Pacini Street. The landscape area shall be shown on the Final Map and its maintenance shall be through annexation to an existing County Service Area (CSA) or by formation of a new CSA or as otherwise approved by the Kern County Public Works Director.
 - (iv) The developer shall update the Tentative Map to show a twenty- (20-) foot no-build setback measured from the proposed block wall along the rear property lines of Lots 64 through 70. The no-build setback shall be shown on the Final Map and established by a recorded instrument acceptable to the Kern County Planning and Natural Resources Director.
- (2) Approval or conditional approval shall expire three (3) years from the date of approval of the Tract Map. Extensions may be granted in accordance with Section 18.15.100.B (Expirations and Extensions – Extensions) of the Kern County Land Division Ordinance.
- (3) Vesting shall expire one (1) year beyond the recording of the final Map. A one-(1-)year extension may be granted by the Director of the Kern County Planning and Natural Resources Department in accordance with Section 18.40.040.C.3 of the Kern County Land Division Ordinance.
- (4) All related subdivision improvements for Tract 7446 shall be in accordance with the requirements of a Type “A” subdivision as noted in the Kern County Land Division Ordinance, Development Standards, and Western Rosedale Specific Plan.
- (5) If a conflict exists between the conditions of the Tentative Map and the Kern County Land Division Ordinance, then the Kern County Land Division Ordinance shall control unless specific variations have been granted by the County.
- (6) Developer shall quitclaim or abandon any easements or rights-of-way traversing lots prior to recordation of final Map.

- (7) **Prior to submittal of final Map**, final approval of full street names (including prefix and suffix) from the Kern County Planning and Natural Resources Department/Graphics Unit shall be submitted to the Kern County Public Works Department.
- (8) All parcels shall contain no less than the minimum area required by the adopted site zoning and shall comply with lot size and density requirements of the Western Rosedale Specific Plan. Existing zoning, applicable to this tract is R-1 (Low-density Residential, which requires a minimum lot size of 6,000 square feet (net); E (1/4) (Estate – 1/4 acre), which requires a minimum lot size of 10,890 square feet (net); and E (1/2) RS (Estate - 1/2-acre -Residential Suburban Combining), which requires a minimum lot size of 21,780 square feet (net).
- (9) Record, through Kern County Public Works Department, an irrevocable offer of dedication to the County of Kern of all subject property for Hageman Road, 55 feet in width, per the Kern County Development Standards and the Land Division Ordinance.
- (10) Record, through Kern County Public Works Department, an irrevocable offer of dedication to the County of Kern of all subject property for the westerly property frontage along Hesston Street, 30 feet in width, per the Kern County Development Standards and the Land Division Ordinance.
- (11) Record a public access easement of all subject property for all interior streets, 60 feet in width, including additional right-of-way for cul-de-sacs and knuckles, per the Kern County Development Standards and the Land Division Ordinance.
- (12) Dedicate vehicular access rights of all lots along Hageman Road, Pacini Street, the easterly property frontage, and the southerly property frontage.
- (13) Provide a 20-foot by 20-foot right of way corner cutoff at all intersections.
- (14) Under street improvement plans approved by the Kern County Public Works Department, construct Hageman Road project frontage to Type “A” Subdivision Standard, half-width arterial street, per the Kern County Development Standards and the Land Division Ordinance. These improvements shall be, but not limited to, curb, gutter, sidewalk, wheelchair ramps, asphalt concrete, and the necessary tie-ins.
- (15) Under street improvement plans approved by the Kern County Public Works Department, construct the westerly project frontage along Hesston Street to Type “A” Subdivision Standard, half-width local street plus 10 feet, per the Kern County Development Standards and the Land Division Ordinance. These improvements shall be, but not limited to, asphalt concrete and the necessary tie-ins.
- (16) Under street improvement plans approved by the Kern County Public Works Department, construct all interior streets to Type “A” Subdivision Standard, full-width local street, per the Kern County Development Standards and the Land Division Ordinance. These improvements shall be, but not limited to, curb, gutter, sidewalk, wheelchair ramps, asphalt concrete, and the necessary tie-ins.
- (17) A striping plan and streetlight plan shall be included with the street improvement plans.
- (18) All new utility services shall be placed underground. Underground utility construction shall be in accordance with the provisions of Public Utility Commission General Order 95. Any above-ground cabinets or facilities shall be screened in a manner approved by the Director of the Kern County Public Works Department. Any above-ground cabinets or facilities located within the road

right-of-way shall be permitted only upon approval by the Director of the Kern County Public Works Department. Compliance with this requirement may result in the need to create public utility easements outside of the right-of-way.

- (19) Obstructions shall be relocated and/or removed pursuant to Section 18.55.030.A.6 of the Land Division Ordinance. This shall include, but is not limited to, Quitclaim or Subordination of Rights to the County by all interest and easement holders having the right to place facilities or otherwise obstruct the free use of the road right-of-way. Where major facilities exist, a Common Use Agreement may be allowed when determined necessary by the Director of the Kern County Public Works Department.

These entities should be contacted as soon as possible with regard to their facilities in the road rights-of-way to minimize delay of final Map approval.

- (20) Sewer must be connected to a regional wastewater treatment plant. The applicant shall obtain a will-serve letter from North of River Sanitary District, or the appropriate sewer service provider, for sewage disposal.
- (21) Prior to recordation, the applicant shall submit an unconditional will-serve letter from Vaughn Water Company, acceptable to the Kern County Public Health Department/Environmental Health Division, indicating Vaughn Water Company's intent and capability to provide water service to the project site.
- (22) In accordance with Section 18.55.050.I.10 and Section 18.55.050.I.11 of the Land Division Ordinance, street lighting and street sweeping
- (23) Tract 7446 is within the boundary of County Service Area (CSA) 71 for sewer planning. The following Zones of Benefit shall be extended:
 - (a) Zone of Benefit 71.3 - for streetlight maintenance;
 - (b) Zone of Benefit 71.5 - for street sweeping;
 - (c) Zone of Benefit 71.7 - for drainage facilities maintenance;
 - (d) Zone of Benefit 71.8 – for landscaping/wall maintenance.

Streetlights shall be rate schedule LS-1. Contact Pacific Gas and Electric (PG&E) to use the proper LED lighting.

To minimize delay of final Map approval, the County Service Area establishment process should begin as soon as possible.

All applicable County Service Area establishment fees shall be paid at the time of processing. Applicant can reach the CSA Division at PW-CSA@kerncounty.com to begin process.

- (24) Subdivider shall dedicate land and/or pay in lieu fees, for park or recreational purposes, as determined by the North of the River Recreation and Park District, as required by Chapter 18.96 of the Kern County Land Division Ordinance.
- (25) The applicant shall annex into the administrative boundaries of the North of the River Park Maintenance District.

- (26) Prior to recordation of a final Map, the subdivider shall dedicate 0.62 acres of land with free and clear title to North of the River Recreation and Park District based on a park land dedication requirement of 2.5 acres per 1,000 population in accordance with Chapters 18.50.080 & 18.96 of the County of Kern Land Division Ordinance. If the number of dwelling units increases or decreases upon recordation of a final Map(s), the park land requirement will change accordingly. Prior to recordation of a final Map, the subdivider shall enter into an agreement with North of the River Recreation and Park District to implement and satisfy this condition. This subdivision is located within the boundaries of North of the River Recreation and Park District. In accordance with Government Code Section 66020(d), the 90-day period in which the applicant may protest the imposition of the fee has begun.
- (27) Prior to recordation of any final Map, the subdivider shall record a covenant on the property disclosing the requirement to dedicate public park land pursuant to a park agreement with the North of the River Recreation and Park District. Covenant shall be reviewed for approval by the North of the River Recreation and Park District prior to recordation.
- (28) The applicant shall pay park development fees for any residential development within the North of the River Recreation and Park District jurisdiction to help provide park facilities within the NOR area. All fees must be paid at the time of building permit issuance. Fees required shall be the applicable amount in effect at the time a building permit is obtained.
- (29) If the subdivision is to be phased, additional improvements for circulation shall be provided as required by the Director of the Kern County Public Works Department.
- (30) The subdivider shall comply with the Standards and Rules and Regulations of the Kern County Environmental Health Department regarding sewage disposal and water supply and with the requirements of the Regional Water Quality Control Board.
- (31) Developer shall comply with requirements of the Kern County Fire Department regarding fire hydrants, fire flows, and hydrant maintenance.
- (a) Hydrant spacing within residential tracts shall be a maximum of 660 feet.
 - (b) The minimum required flow is 1,500 gpm at 20 psi residual for 2 hours.
 - (c) Fire hydrants shall be AWWA approved.
 - (d) The water system shall be looped.
 - (e) Per Uniform Fire Code 2000, Section 901.4.3, reflective markers shall be installed to identify hydrant locations.
 - (f) The Kern County Fire Department must review and approve all water improvement plans prior to installation. The Fire Department will perform fire flow tests prior to issuance of any certificates of occupancy.
 - (g) Should the tract be phased, each phase shall be provided with the required fire protection.
 - (h) Hydrants are to be maintained by an approved entity.

- (32) All fire access roads to each parcel must meet specifications set forth in Section 503.2 of the California Fire Code and the applicable Appendix and Ordinance Sections.
- (33) If drainage sumps are required, the sump shall be located no closer than 100 feet from any existing or proposed water well. Sump perimeter fence shall be a six-foot-high solid masonry wall. Wall shall be sealed with an approved anti-graffiti sealer. If the right of public maintenance is to be guaranteed, those facilities with this requirement shall be fenced.
- (34) If the sump is constructed and tract is not recorded, the sump site shall be returned to its original condition.
- (35) Final acceptance of the tract shall be contingent upon the subdivider providing within and/or outside the tract, drainage disposal facilities, methods, or easements that may be required to receive drainage and discharge or dispose of drainage and stormwaters from this tract. Said facilities, methods, or easements shall be subject to approval of the Director of the Kern County Public Works Department.
- (36) An entity with taxing powers, such as a County Service Area (CSA), subject to approval by the Director of the Kern County Public Works Department, shall be formed prior to final Map recordation for the purpose of maintaining on-site and off-site drainage facilities.
- (37) The following note shall appear on the final Map:
 - (a) All easements shall be kept open, clear, and free from buildings and structures of any kind pursuant to Chapters 18.50 and 18.55 of the Kern County Land Division Ordinance. All obstructions, including utility poles and lines, trees, pole signs, fences, or similar obstructions, shall be removed from the ultimate rights-of-way. Compliance with this requirement is the responsibility of the applicant and may result in significant financial expenditures.
 - (b) If any abandoned water wells are located within the development or discovered during excavation or grading, the Kern County Public Health Department/Environmental Health Division must be contacted to obtain information for the proper permitting and destruction procedures.
 - (c) This project shall comply with San Joaquin Valley Air Pollution Control District Rule 4901, which prohibits the use of wood burning fireplaces and wood burning heaters in new residential developments.
 - (d) All appropriate sewer connection fees are to be paid prior to issuance of any building permit.
 - (e) No building permit shall be issued until adequate access and adequate water supply for fire protection purposes is provided, as approved by the Kern County Fire Department.
 - (f) Neighboring Business Activity Statement: The County of Kern encourages operation of properly conducted businesses in agriculture, oil, mining, manufacturing, and other nonresidential operations within the County. If the property you are purchasing is located near these businesses, you may be subject to inconveniences or discomforts arising from such operation to the extent allowed by law. This notice does not waive your legal rights

(38) The following note(s) shall appear on the final Map and all grading plans:

- (a) If, during development activities, any plugged, abandoned, or unrecorded well(s) are uncovered or damaged that were not part of the initial review, the property owner is expected to immediately notify the Department of Conservation/Geologic Energy Management (CalGEM) Division's construction site well review engineer in the Inland district office, and comply with all requirements of CalGEM.
- (b) Should any cultural materials be discovered during any grading or development, all work shall be halted and a qualified archaeologist/ historian shall be contacted to assess the finds and impose mitigation measures, if necessary, prior to the resumption of construction.
- (c) If human remains are discovered at any time on this property, work must halt in the area of the find, and the Kern County Coroner must be notified immediately (Health and Safety Code Section 7050.5). The Kern County Planning and Natural Resources Department shall be notified immediately following Coroner notification.
- (d) During grading operations, the applicant for a development permit shall be responsible for the application of water to development sites to mitigate the impact of dust and PM-10 (particulates) emissions. Spraying should be sufficient to ensure that soils remain damp, with the frequency of spraying dependent on weather conditions. Verification of compliance will be the responsibility of the Kern County Public Works Department/Building Inspection Division.
- (e) During grading operations, all activity shall be restricted to periods of low wind to reduce dust emissions. Verification of compliance will be the responsibility of the Kern County Public Works Department/Building Inspection Division.
- (f) Construction speed limits will be posted at 15 mph. Verification of compliance will be the responsibility of the Kern County Public Works Department/Building Inspection Division.
- (g) Before any digging or excavation occurs, please contact Underground Service Alert (USA) by dialing 811 a minimum of two (2) working days prior to commencing any work. This free and independent service will ensure that all existing underground utilities are identified and marked on-site.
- (h) Prior to grading and development, the applicant shall comply with the requirements of the applicable utility service provider(s) to ensure safety and prevent conflict with existing utility facilities.
- (i) All construction equipment shall be properly and routinely maintained, as recommended by manufacturer manuals, to control exhaust emissions.
- (j) Construction equipment shall be shut down when not in use for extended periods of time to reduce emissions associated with idling engines.
- (k) Electric construction equipment should be used whenever possible in lieu of fossil fuel-fired equipment.

- (l) Fugitive dust emissions from all disturbed areas, including storage piles, which are not being actively utilized for construction purposes, shall be stabilized using water, chemical stabilizers/suppressants, covered with a tarp or other suitable cover, or planted with vegetative ground cover.
 - (m) Fugitive dust emissions from all on-site unpaved roads and off-site access roads shall be stabilized through the use of water or chemical stabilizers/suppressants.
 - (n) Fugitive dust emissions from all land clearing, grubbing, scraping, excavation, land leveling, grading, cut and fill, and demolition activities shall be controlled by applying water or by presoaking.
 - (o) When materials are transported off site, all material shall be covered or effectively wetted to limit visible dust emissions, and at least six inches of freeboard space from the top of the container shall be maintained.
 - (p) All operations shall limit or expeditiously remove the accumulation of mud or dirt from adjacent public streets at the end of each workday. (The use of dry rotary brushes is expressly prohibited except where preceded or accompanied by sufficient wetting to limit the visible dust emissions. Use of blower devices is expressly forbidden).
 - (q) Fugitive dust emissions shall be controlled with the application of sufficient water or chemical stabilizers/suppressants whenever materials are added to, or removed from, outdoor storage piles.
 - (r) Vegetation cover on the site shall be retained until construction begins.
- (39) The following notes shall appear on the final Map and all grading and construction plans:
- (a) It is unlawful for any person to do, or cause to be done, any of the following acts within the unincorporated areas of the County:

To create noise from construction, between the hours of 9:00 p.m. and 6:00 a.m. on weekdays and 9:00 p.m. and 8:00 a.m. on weekends, which is audible to a person with average hearing faculties or capacity at a distance of 150 feet from the construction site, if the construction site is within 1,000 feet of an occupied residential dwelling except where the Director of the Planning and Natural Resources Department or his designated representative may for good cause exempt some construction work for a limited time.; and

(h) The applicant has requested the following variations to the Subdivision Ordinance and/or Development Standards, and upon review the Subdivision Review Committee is recommending:

Petition 2819: A Development Variation to Section 18.55.050.B.1.j of the Land Division Ordinance to allow a cumulative dead-end road length exceeding 800 feet for lots zoned less than one acre.

Recommendation: Approve

Findings:

- (a) Approval of the Development Variation is justified based on the fact that existing development to the east and west of the project site limits opportunities to extend local

streets beyond the project boundaries. As a result, the proposed street layout relies on a single north-south roadway connection through the subdivision, resulting in a cumulative dead-end road length exceeding 800 feet. The proposed street design provides access to all lots while accommodating the surrounding development pattern.

- (b) Approval of the Development Variation will not be materially detrimental to the public health, safety, or welfare or to property or residents in the vicinity, as evidenced by the proposed street system has been designed to provide adequate access and circulation throughout the subdivision. The project will be subject to review by the Kern County Fire Department and Kern County Public Works Department to ensure compliance with applicable emergency access, roadway design and locations, and public safety requirements.

Petition 2820: A Development Variation to Section 18.55.050.I.1 of the Land Division Ordinance to eliminate required equestrian trails where precluded by the location and design of the proposed subdivision.

Recommendation: Approve

Findings:

- (a) Approval of the Development Variation is justified based on the fact that the approved equestrian trail identified in the Western Rosedale Specific Plan Trails Plan is 2 miles from the project site. As a result, requiring the construction of an equestrian trail would not serve its intended purpose of providing connectivity within a broader trail network and would not be compatible with the overall character and design of the proposed subdivision.
- (b) Approval of the Development Variation will not be materially detrimental to the public health, safety, or welfare or to property or residents in the vicinity as elimination of the equestrian trail requirement will not disrupt any existing broader trail network or reduce public access to existing recreational facilities. The surrounding area has been developed without equestrian trail connections, and the proposed subdivision will remain compatible with adjacent residential development and circulation patterns.

Petition 2821: Petition 2821. A Limited Design Variation to Section 18.55.050.F.4 of the Land Division Ordinance to authorize double-frontage lots.

Recommendation: Approve

Findings:

- (a) Approval of the Limited Design Variation is justified based on the proposed subdivision design, which includes a six-foot masonry wall and dedication of vehicular access along the northern project boundary prevents direct access from the lots to Hageman Road and Pacini Street. As a result, access to Lots 1 through 9 is provided from Caterpillar Court and Lots 64-70 is provided from New Holland Court, promoting safe and efficient circulation while maintaining the integrity of the subdivision design.
- (b) Approval of the Limited Design Variation will not be materially detrimental to the public health, safety, or welfare or to property or residents in the vicinity, as evidenced by the

resulting lot configuration is consistent with the proposed subdivision design and does not adversely affect access, circulation, or compatibility with surrounding development.

Petition 2822. A Limited Design Variation to Section 18.55.050.F.6 of the Land Division Ordinance to authorize key (reverse corner) lots.

Recommendation: Approve

Findings:

- (a) Approval of the Limited Design Variation is justified based on the fact that the configuration and orientation of the proposed lots are influenced by the shape of the existing parcels, internal street layout and existing development surrounding the project site. The proposed lot arrangement allows for an efficient subdivision design while maintaining orderly circulation and providing access to the proposed residential lots.
- (b) Approval of the Limited Design Variation will not be materially detrimental to the public health, safety, or welfare or to property or residents in the vicinity, as evidenced by the resulting lot configuration is consistent with the proposed subdivision design and does not adversely affect access, circulation, or compatibility with surrounding development.

(i) With respect to imposing park/recreation fees as recommended by the Subdivision Review Committee:

- (1) Tract No. 7446 is located within the jurisdiction of the North of the River Parks and Recreation Department.
- (2) The North of the River Parks and Recreation Department has developed a recreation element as part of its master plan, and the Board of Supervisors has approved said recreation element.
- (3) Said recreation element contains appropriate standards, principles, schedules, and procedures to implement Kern County Ordinance Code 18.50.080 et seq. as authorized by Government Code Sections 66477 et seq.
- (4) Kern County Land Division Ordinance requires findings pertaining to dedication of land or payment of fees in lieu for park sites.

Recommendation. That the Board of Supervisors make such findings noted therein for collection of park fees or land acquisition for the North of the River Parks and Recreation Department.

- (a) That the land, fees, or combination thereof are to be used only for the purpose of providing park or recreational facilities to serve the subdivision.
- (b) That the County has adopted a Recreation Element as part of its Specific Plan, and the proposed park or recreational facilities for which such land or fees or combination thereof are required are in accordance with definite principles and standards contained in such Recreation Element.
- (c) That the amount and location of land to be dedicated or the fees to be paid bear a reasonable relationship to the use of the park and recreational facilities for the future inhabitants of such subdivision.

- (d) The time within which development of the park or recreational facilities must begin is contained within the Facilities Improvement Schedule as adopted by the North of the River Parks and Recreation Department; and

(j) Additionally, the Kern County Planning and Natural Resources Department has investigated possible environmental impacts of the requested actions and found this project qualifies as a special situation and does not require preparation of further environmental documents pursuant to the Public Resources Code Sections 21166 and 21083.3, and Section 15182 of the State CEQA Guidelines; and

(k) The Secretary of the Planning Commission has caused notice to be duly given of a public hearing in said matter in accordance with law, as evidenced by the affidavit of publication and the affidavit of mailing on file with the Secretary of the Planning Commission; and

(l) Said public hearing has been duly conducted at which this Commission called for any objections to the dispensing with an environmental impact report and then considered the merits of the proposal, the recommendations of the Kern County Planning and Natural Resources Department and the Subdivision Review Committee, and all persons desiring to be heard on this matter were given the opportunity to address, and were heard by this Commission;

SECTION 2. NOW, THEREFORE, BE IT HEREBY RESOLVED by this Planning Commission of the County of Kern, State of California, as follows:

(a) This Commission finds the facts recited hereinabove are true, makes the recommended findings for each project approval, and further finds that this Commission has jurisdiction to consider, approve, and adopt the subject of this Resolution.

(b) This Commission finds and determines that the applicable provisions of the California Environmental Quality Act of 1970, the State CEQA Guidelines, and the Kern County Guidelines have been duly observed in conjunction with said hearing and the considerations of this project and all of the previous proceedings related hereto.

(c) With respect to the variations so requested, this Commission finds as follows:

- (1) There are special circumstances affecting the subdivision and its design and improvement.
- (2) The granting of the variations will not be materially detrimental to the public welfare or injurious to other property.

- (3) The granting of the variations will not be in conflict with the purposes and objectives of the General Plan or any element thereof or any applicable specific plan.

(d) This Commission hereby approves the street and lot design shown on said Tentative Map; the conditions of approval, as recommended by the Subdivision Review Committee, and the Tentative Map, subject to said conditions of approval. This Commission further approves the requested variations.

(e) This Commission hereby finds and determines that said Tentative Map, including the street and lot design thereon, is reasonable and conforms to all requirements of the Subdivision Map Act, including the applicable portions of Government Code Section 66477, and the Land Division Ordinance of the County of Kern, including Chapter 18.15 thereof.

(f) Pursuant to Government Code Sections 66473.5 and 65567, this Commission hereby finds and determines that said Tentative Map, together with the conditions set forth herein, and provisions for its design and improvements, is consistent with the General Plan of the County of Kern, including but not confined to the Land Use, Open Space and Conservation Element thereof, and is compatible with the objectives, policies, general land uses and programs specified therein.

(g) Pursuant to Government Code Section 66474(c) through (g), this Commission hereby finds and determines:

- (1) That the site is physically suitable for the proposed density of development;
- (2) That the design of the subdivision or the proposed improvements are not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat;
- (3) That the design of the subdivision or the proposed improvements are not likely to cause serious public health problems;
- (4) That the design of the subdivision or the type of improvements will not conflict with easements, acquired by the public at large, for access through or use of, property within the proposed subdivision.
- (5) Section 66473.1, Government Code states, “The design of the subdivision shall provide, to the extent feasible, for future passive or natural heating or cooling opportunities.”

Recommendation: The Planning Commission make a finding that the design of the subdivision provides for future passive or natural heating or cooling opportunities based on design and lot size allows most structures to be placed in an east-west alignment for exposure.

- (6) Section 66473.5, Government Code states, “No local agency shall approve a map unless the legislative body shall find that the proposed subdivision, together with the provisions for its design and improvement, is consistent with any adopted specific plan.”

Recommendation. The Planning Commission make a finding that the subdivision, together with the provisions for its design and improvement, is consistent with the various adopted elements of the Western Rosedale Specific Plan.

- (7) Section 66474, Government Code identifies seven (7) findings pertaining to denial of a tentative map.

Recommendation: The Planning Commission make a finding that no substantial evidence has been presented that any of the findings mentioned in this Government Code section warrants denial of Vesting Tentative Tract Map 7446.

- (8) Section 65567, Government Code. Requires a subdivision map to be consistent with the local open-space plan.

Recommendation. That the Planning Commission make a finding that the subject tract is consistent with the Open Space and Conservation Element of the Western Rosedale Specific Plan.

(h) The findings of this Commission upon which its decision is based are as follows:

- (1) The applicable provisions of the California Environmental Quality Act, the State CEQA Guidelines, and the Kern County Guidelines have been duly observed in conjunction with said hearing in the consideration of this matter and all of the previous proceedings relating thereto.
- (2) This Planning Commission has determined that pursuant to Public Resources Code Section 21166 and 21083.3, and Section 15182 of the State CEQA Guidelines, said project qualifies as a special situation and does not require preparation of further environmental documents under the requirements of the Environmental Quality Act of 1970.

County Staff has reviewed the Environmental Information Form submitted by the applicant, and it has been determined there are no project-specific significant effects for the Vesting Tentative Tract Map 7446 project (Type A – Bakerfield) (Map 101). Pursuant to the California Environmental Quality Act (CEQA) and the Guidelines for the Implementation of CEQA, Section 15182, after a review of the proposed project and in light of the evidence in the record, Staff has made the determination that the requested actions for the Vesting Tentative Tract Map 7446 project (Type A – Bakerfield) (Map 101) do not require the preparation of subsequent environmental documentation based on the following:

- As a result of the requested actions, no substantial changes are proposed in the project that will require major revisions to the Western Rosedale Specific Plan Final Environmental Impact Report because of the involvement of new significant environmental effects or a substantial increase in the severity of previously identified effects.
- As a result of the requested actions, no substantial changes will occur with respect to the circumstances under which the project will be undertaken that will require major revisions to the Western Rosedale Specific Plan Final Environmental Impact Report because of the involvement of new significant environmental effects or a substantial increase in the severity of previously identified effects.

- There is no new information of substantial importance that was not known or could not have been known at the time the Western Rosedale Specific Plan Final Environmental Impact Report was certified, and no new significant effects as a result of the requested actions will occur that were not addressed in the Western Rosedale Specific Plan Final Environmental Impact Report.
 - The requested actions initiate the implementation of a project addressed in the Western Rosedale Specific Plan and previously analyzed in the Western Rosedale Specific Plan Final Environmental Impact Report, and the requested actions are in substantial conformance with that plan.
 - The requested actions do not require the preparation of subsequent environmental documentation as the conditions identified in Section 15162 do not occur.
- (3) The requested actions initiate the implementation of a residential project consistent with the established development density pursuant to Section 15182 of State CEQA Guidelines.
- (4) The requirement for road improvements is necessary for the protection of the public safety and welfare and is in compliance with Section 65909 of the California Government Code, inasmuch as the proposed development will generate more traffic in the immediate vicinity; and

FINDINGS FOR WAIVER OF SIGNATURES OF MINERAL RIGHTS OWNERS:

- (1) Section 18.15.030.K.1. of the Kern County Land Division Ordinance states “Waiver of the requested signatures of the owners of interest can be determined to be in the public interest that development not be prevented.”
- Recommendation. Make a finding that development of the subdivision will provide additional housing opportunities in keeping with the goals of the Land Use Element of the Western Rosedale Specific Plan. Land Use Goal No. 2 encourages the development of future residential uses that are compatible with existing uses. The public interest will be served as the proposed development will implement residential development and serve the community.
- (2) Section 18.15.030.K.2. of the Kern County Land Division Ordinance states “It can be determined that the surface owner has exhausted all reasonable means for locating owners of interest and obtaining their signatures.”
- Recommendation. Make a finding that evidence in the recording, including this staff report, contains information documenting the applicant’s attempt to obtain the consent from the mineral rights owner with rights of surface entry and make a finding that all reasonable means have been exhausted to obtain the consent of the mineral rights owners to sign the final map that will result from the approval of Vesting Tentative Tract No. 7446.
- (3) Section 18.15.030.K.3. of the Kern County Land Division Ordinance states “In the case of requests to waive the signatures of mineral rights owners, in addition to the above findings, it can be determined that the proposed tract provides for future development of mineral right through the establishment of a zoning district, pursuant to the Kern County Zoning Ordinance, that permits the exploration and extraction of the underlying minerals as a matter of right.”

Recommendation. Make a finding that Development of the subdivision will provide a zoning district for mineral rights. However, Staff notes, the existing surrounding developments do not include a zone district to allow for oil and/or gas uses. Therefore, Staff believes not including a zone district for such use is necessary.

- (i) The Secretary of this Commission shall cause a Notice of Exemption to be prepared;
- (j) The Secretary of this Commission shall cause copies of this resolution to be transmitted to the following:

Batey Family Farms LP (applicant)
O'Connell Investments, LLC (applicant)
Batey Homes (agent)
Kern County Public Works Department (1)
Kern County Public Health Department/Environmental Health
Kern County Public Works Department /Development Review
Kern County Public Works Department/Permitting
Kern County Public Works Department/CSA
LiUNA (1)
Kern County Assessor/Chief, Realty Division

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