

CITY OF ROSEVILLE
PLANNING DEPARTMENT
MICROFICHE RECORD

ADDRESS: 123 1/2 CIRCUIT DRIVE

PROJECT NAME: _____

PROJECT NUMBER: SUP 92-419

ORANGE



UNIVERSAL APPLICATION FORM
CITY OF ROSEVILLE PLANNING DEPARTMENT
 316 Vernon Street #104, Roseville, CA 95678
 (916) 774-5276

ATTACHMENT #1

200080

PLEASE TYPE OR PRINT

Proposed Project Name: _____

Address of Project Location: 123 1/2 Circuit Dr., Roseville, Ca. 95678

Total Land Area: 08AC/AVG Assessor's Parcel #'s 012-152-021

Gross Floor Area, No. of living units, Sign Area (if applicable) 889 Sq. Ft., 1 Single Family Home

Project Description:
THE BACK OR WEST ONE HALF (1/2) OF LOT 17 IN BLOCK 12 OF ROSEVILLE

HEIGHTS TRACT, AS THE SAME IS PLATTED AND OF RECORD IN THE OFFICE

ON THE COUNTY RECORDER PLACER COUNTY CALIFORNIA. I am requesting a Special Use Permit for a existing home in a Commercial Zone.

OWNER'S AUTHORIZATION and CERTIFICATION:

I certify that the site is not listed as a hazardous waste or substance site by the State of California Environmental Affairs Agency ((916) 332-4203).
 I also authorize the Applicant, which is not the owner of record, to file this application and to represent me on all matters concerning the application.

PROPERTY OWNER SIGNATURE

<u><i>Dolores Lopez</i></u>	Name (please type or print) <u>Dolores Lopez</u>	Company Name _____
Mailing Address <u>123 1/2 Circuit Dr., Roseville, CA. 95678</u>	Title _____	Daytime Telephone # <u>916/444-6400</u>

APPLICANT (please type or print)

<u>Samantha Valencia</u>	Company Name _____	Daytime Telephone # <u>916/444-6400 916-703-019</u>
Mailing Address <u>123 1/2 Circuit Dr., Roseville, Ca. 95678</u>	Signature <u><i>Samantha Valencia</i></u>	_____

DEVELOPER (please type or print)

_____	Company Name _____	Daytime Telephone # _____
Mailing Address _____	Signature _____	_____

Designated Primary Contact Person if Different than Applicant listed above:

Name _____ Daytime Phone Number _____

TO BE COMPLETED BY STAFF:

DEC 21 1992

Date Received: <u>12-21-92</u>
Received by: <u>SARIT DHALIWAL</u>
Receipt Number: _____
Project File Numbers: <u>SUP92-49</u>

CHECK PAID CASH
1166 PC3404

fee paid \$ <u>250--</u>
fee paid \$ _____
fee paid \$ _____
fee paid \$ _____

PLAN AREA: _____

SUBJECT PROPERTY ZONING: C3

GENERAL PLAN/SPECIFIC PLAN DESIGNATION: COMMERCIAL

CURRENT LAND USE: SINGLE FAMILY RESIDENTIAL

PROJECT PERMIT CHECK-OFF REQUIREMENTS:

- | | |
|---|--|
| <input type="checkbox"/> Tree Permit () | <input type="checkbox"/> Zoning Reclassification/Text Amendment () |
| <input type="checkbox"/> Use Permit/Site Review () | <input type="checkbox"/> Easement Abandonment () |
| <input type="checkbox"/> Special Use Permit () | <input type="checkbox"/> Lot Line Adjustment/Voluntary Merger |
| <input type="checkbox"/> Variance to Development Standards () | <input type="checkbox"/> & Signature Form () |
| <input type="checkbox"/> Parking Variance () | <input type="checkbox"/> Tentative Subdivision Map () |
| <input type="checkbox"/> Sign Variance () | <input type="checkbox"/> (Tentative Parcel Map () |
| <input type="checkbox"/> Planned Sign Permit Program () | <input type="checkbox"/> Tentative Map Extension or Modification () |
| <input type="checkbox"/> General Plan/Specific Plan Amendment () | <input type="checkbox"/> Other _____ |



PLANNING
CITY OF ROSEVILLE
TRADITION • PRIDE • PROGRESS

318 VERNON STREET, #104 • ROSEVILLE, CA 95678
PHONE: (916) 774-8278

July 9, 1993

TO: Delores Lopez/Samantha Valencia
123 ½ Circuit Drive
Roseville, CA 95678

FROM: Planning Department

FILE NO. SUP 92-49

At their meeting of July 8, 1993 the Planning Commission APPROVED a request for approval of a Special Use Permit to allow the continued use of the property for residential purposes in a commercial district at 123 ½ Circuit Drive.

NOTICE: Persons dissatisfied with this decision may appeal it to the Planning Commission by filing a written appeal within twenty (20) calendar days of the date of the decision (not the date of this notice). The appeal should be filed with the Planning Department.

You may not commence a court case challenging this decision unless you use this opportunity for administrative appeal and raise any issue you believe to be wrongly decided.

Persons wishing to commence a court case challenging this decision must do so within ninety (90) days of the final decision (after all administrative appeals are exhausted) pursuant to Code of Civil Procedures Section 104.6. (See Roseville City Council Resolution No. 82-81).

NOTICE TO PROJECT APPLICANT: Color exhibits and surplus maps may be picked up from the Planning Department following the Commission hearing. With exception of color renderings and material boards, all materials will be disposed of after two (2) working days. Color renderings and material boards will be disposed of after two (2) weeks.

The approved conditions for this project are:

1. Should the garage or existing dwelling be destroyed or require reconstruction which is equal to or greater than 50 percent of the value of the structure, all new construction shall comply with R-1, setbacks and coverage requirements, Uniform Building Code and Fire Code requirements.



**CITY OF ROSEVILLE
PLANNING DEPARTMENT STAFF REPORT
PLANNING COMMISSION MEETING**

July 8, 1993

Prepared by: Chris Robles

ITEM V-B: Special Use Permit, 123 ½ Circuit Drive File # SUP 92-49

REQUEST:

The applicant requests approval of a Special Use Permit to allow the continued use of the property for residential purposes in a commercial district.

Applicant - Samantha Valencia
Property owner - Dolores Lopez

SUMMARY RECOMMENDATION:

The Planning Department recommends:

Adoption of the three findings of fact; and
Approval of the Special Use Permit with one condition of approval.

BACKGROUND:

The site was developed with a single family dwelling prior to adoption of the Zoning Ordinance. The dwelling is currently located within the C-3, General Commercial District. Since, the residential use predates the City's Zoning Ordinance, it is a nonconforming use. The applicant is requesting a Special Use Permit to allow the continued use of the property as a residence. This is requested in the event that something happens to the structure which removes its non-conforming status. Many banks are requesting some assurance that if something happens to a non-conforming structure, it can be replaced.

The subject parcel is 50' wide by 70' deep, 3,500 square feet in area and does not have street frontage or alley access. The parcel would be substandard as a residential lot. Single Family zoning district standards requires a minimum lot width of 60 feet with a minimum lot area of 6,000 square feet. The General Commercial (C-3) zoning district does not include a minimum requirement for lot width, depth or area.

The City Subdivision Ordinance requires that all lots have approved access. Access to the site is provided by means of a recorded access easement from Circuit Drive to the subject site. The access easement crosses a vacant parcel of approximately the same size as the subject parcel. The vacant parcel has 50' of street frontage on Circuit Drive.

The lot does not comply with the City's Subdivision Ordinance which was in place at the time the lot was created. The lot was created in 1960 by the Superior Court of Placer County through probate proceedings. As such the parcel is a legal lot (see attachment 2).

The subject property actually has a General Plan designation of Low Density Residential. The General Plan designation of Low Density Residential is intended to identify areas where single family residences comprise the majority of the housing type. The C-3 zone is intended to provide areas for commercial uses. Pursuant to the C-3 zone, residences are permitted within the zone subject to review and approval of a Special Use Permit.

The property to the northeast is zoned R-3 and is developed as residences. The property to the south and east is zoned M-1 (Light Industrial) and is occupied by Southern Pacific Railroad Yard. The property to the southwest is zoned C-3 and is occupied by an existing residence. The property to the northwest is R-3 Neighborhood Apartment and is developed with multi-family and single family residences. (See attachment 3)

EVALUATION:

The parcel is not of a size which would lend itself to a commercial use. In addition to the parcel's limited size, it does not have street frontage which is critical to most commercial operations. The vacant parcel located in front of the subject site, although a lot of similar size, would be better suited for commercial activity with its street frontage. Considering the size and access to the parcel it is unlikely the site will be developed with a commercial use.

The C-3 zoning along Church Street is intended to provide a buffer from the Southern Pacific Rail Yard to the adjacent residences to the northwest. This buffer is provided along Church Street in the form of Commercial Manufacturing (CM) and General Commercial Zone C-3 (see attachment 3). The commercial buffer is one lot deep the majority of its length, however, in the location of the subject property the buffer is six lots wide. The subject property is the fifth lot away from the rail yard.

The site is currently being utilized as a residence and has functioned as such for over 30 years. As a nonconforming use the site may be maintained in perpetuity provided the use is not expanded. The dwellings and use would lose their nonconforming status should they be destroyed or require reconstruction which exceeds 50 percent of the value of the structures. The approval of this request will give the property owner and any prospective buyer or lender the assurance that the site can continue to be used as a residence.

ENVIRONMENTAL DETERMINATION:

The project is exempt per CEQA Guidelines section 15302, which allows replacement of existing structures.

RECOMMENDATION:

The Planning Department recommends that the Planning Commission take the following two actions (A & B):

- A. Adopt the following three findings of fact for the Special Use Permit to allow a residence within the C-3 Zone:
1. A residence within the C-3 (General Commercial) Zone is allowable subject to the approval of a Special Use Permit.
 2. The residence will not have a detrimental impact on the existing or planned uses in the area.
 3. The continued use and, maintenance of a residence located at 123 1/2 Circuit Drive will not, be detrimental to the health, safety, peace, morals, comfort and general welfare of the persons residing or working in the neighborhood of this residence or be detrimental or injurious to property and improvements in the neighborhood or the general welfare of the City.
- B. Approve the Special Use Permit for a residence within the C-3 zone as illustrated in exhibit A; -- 123 1/2 Circuit Drive -- File # SUP 92-49, with the following condition:

CONDITION OF APPROVAL:

1. Should the garage or existing dwelling be destroyed or require reconstruction which is equal to or greater than 50 percent of the value of the structure, all new construction shall comply with R-1, setbacks and coverage requirements, Uniform Building Code and Fire Code requirements.

ATTACHMENTS:

1. Application
2. Memo from Deputy City Attorney
3. Zoning Map
4. Land Use Map

EXHIBITS:

- A. Site Plan

Note to Applicant and/or Developer: Please contact the Planning Department staff at (916) 774-5276 prior to the Commission meeting if you have any questions on any of the recommended conditions for your project. If you challenge the decision of the Commission in court, you may be limited to raising only those issues which you or someone else raised at the public hearing held for this project, or in written correspondence delivered to the Planning Director at, or prior to, the public hearing.

CR:jd circ123.eup

ATTACHMENT # 2

CITY OF ROSEVILLE
M E M O R A N D U M

RECEIVED

June 18, 1993

JUN 21 1993

To: Associate Planner Robles ✓

From: Deputy City Attorney

PLANNING DEPARTMENT

Subject: 123 1/2 Circuit Parcel Split

The property at 123 1/2 Circuit Drive was divided by order of the Superior Court in 1960 pursuant to probate proceedings. Your question was whether this was a legal division of land for purpose of subsequent development of the property where the Roseville Municipal Code requires a parcel map to divide property.

The question has been addressed by the California Supreme Court in Wells Fargo Bank v. Town of Weedside (1983) 33 Cal.3d 378. The court held that a local subdivision ordinance requiring local approval of a division of land resulting from probate was in conflict with the state probate homestead law. Thus, the probate action is controlling, and the parcels at 123 1/2 Circuit Drive are legal parcels.

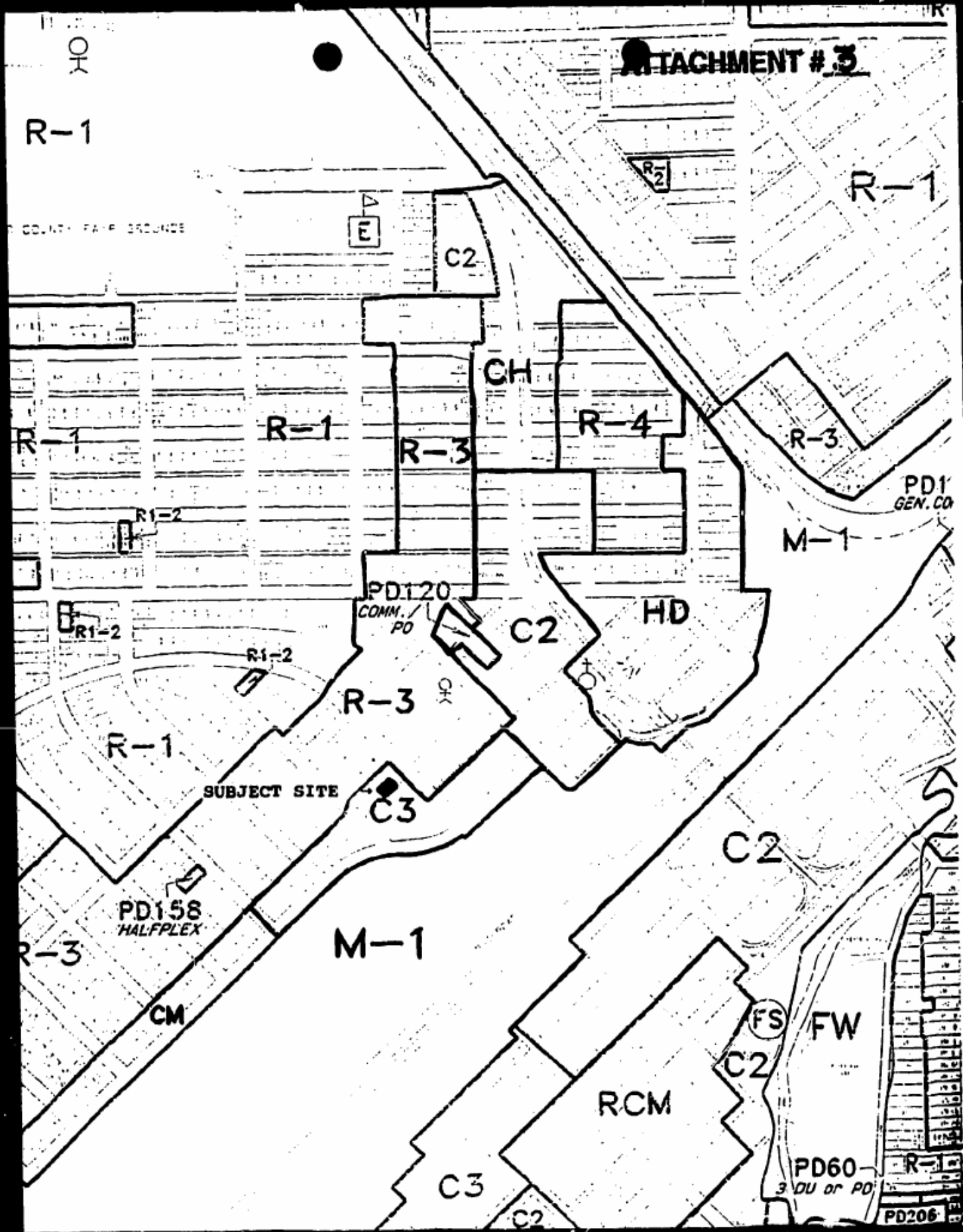
If you have any questions, please feel free to contact me.


STEVEN BRUCKMAN
Deputy City Attorney

SB:pd

cc: Senior Civil Engineer Maguire

ATTACHMENT # 3



R-1

R-1

COUNTY FAIR BRIDGE

F

C2

R2

CH

R-1

R-3

R-4

R-3

PD1
GEN. CO

M-1

PD120

COMM.
PD

C2

HD

R1-2

R1-2

R-3

R-1

SUBJECT SITE

C3

PD158
HALF PLEX

R-3

M-1

C2

CM

RCM

FS

FW

C2

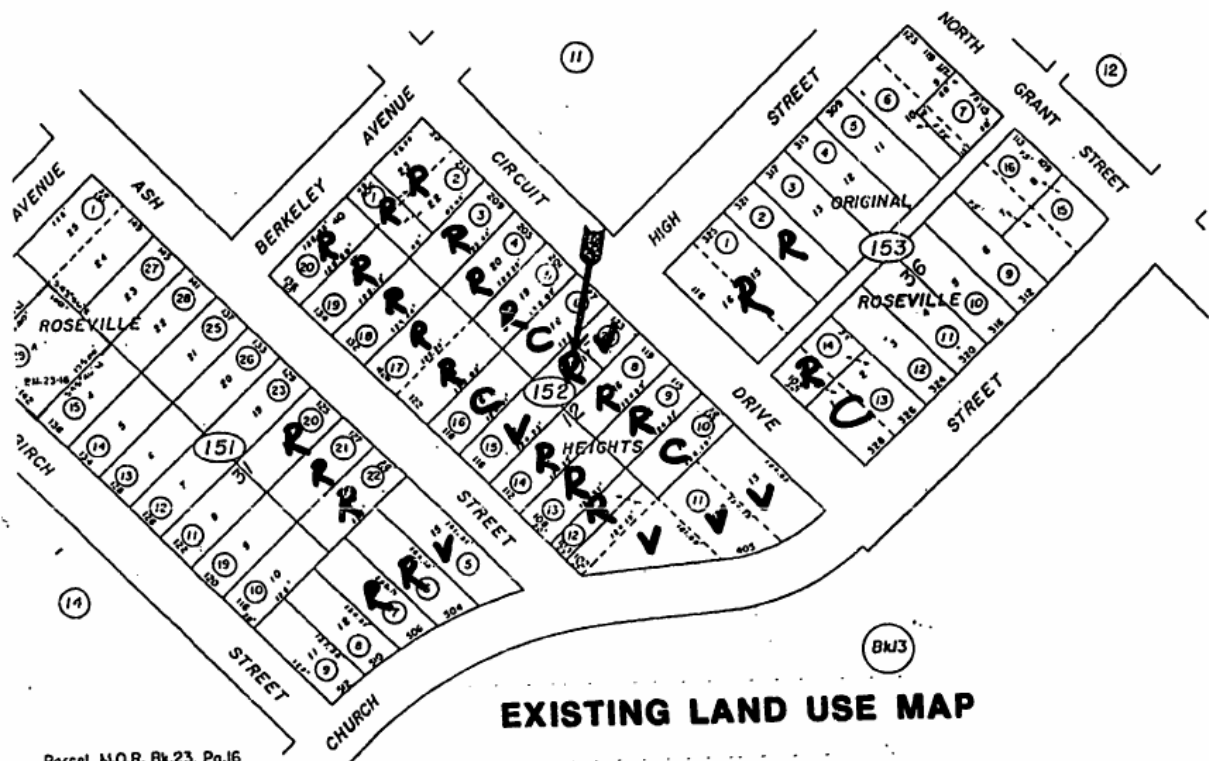
PD60
3 DU or PD

C3

C2

PD206

ATTACHMENT # 4



EXISTING LAND USE MAP

Parcel M.O.R. Bk.23, Pg.16
 Roseville Heights (Unrecorded)
 Original Roseville M.O.R. Bk. A, Pg. 30
 Roseville Resurvey M.O.R. Bk. C, Pg. 33

- C = COMMERCIAL**
- R = RESIDENTIAL**
- V = VACANT**

Assessor's Map Bk.12-Pg.15
 County of Placer, Calif



LEGAL NOTICE OF HEARING

Public Notice is hereby given that a public hearing will be held before the Planning Commission of the City of Roseville for the purpose of considering an application for:

Special Use Permit, 123 1/2 Circuit Drive File #s SUP 92-49

NATURE OF REQUEST: The applicant requests approval of a Special Use Permit to allow the continued use of the property for residential purposes in a commercial district.

ENVIRONMENTAL DETERMINATION: The project is exempt per CEQA Guidelines section 15302.

LOCATION: 123 1/2 Circuit Drive



PRESENT ZONING OF PROPERTY: C-3 General Commercial

NAME OF APPLICANT: Samantha Valencia

If you challenge the decision in court, you may be limited to raising only those issues which you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Planning Director at, or prior to, the public hearing.

The Public Hearing will be held on the 24th day of June, 1993 at 7:00 p.m. in the Council Chambers located at 311 Vernon Street, Roseville, California. All interested persons are invited to appear and be heard.

Plans for the proposed project are on file with the Planning Department and are available for public review Monday through Friday, 8 a.m. to 5 p.m.

PLANNING COMMISSION

David Watts, Chairman

Publish: June 14, 1993

Dated: June 10, 1993

PUBLIC NOTICE PROOF OF PUBLICATION

STATE OF CALIFORNIA)

)ss

County of Placer)

I am a citizen of the United States and resident of the County aforesaid. I am over the age of eighteen years and not a party to or interested in the above entitled matter. I am the principal clerk of The Press-Tribune, a newspaper of general circulation printed and published in the County of Placer and which newspaper has been adjudged a newspaper of general circulation by the Superior Court of the County of Placer, State of California, under date of May 5, 1952, by Superior Court Order number 17357, that the notice, of which the annexed is printed copy (set in type not smaller than nonpareil) has been published in each regular and entire issue of said newspaper and not in any supplement thereof on the following dates, to-wit:

June 14

all in the year(s) _____

1993

I certify (or declare) under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Vicky Kimball
Signature

Date June 14, 1993
(last date of publication)

THE PRESS-TRIBUNE

916-786-6500
188 Kirby Way, Roseville, CA 95678

This space for the County Clerk's Filing Stamp:

Proof of Publication:

Name City of Escondido - Planning

Type NOTICE

PT # 5219

LEGAL NOTICE OF HEARING

Public Notice is hereby given that a public hearing will be held before the Planning Commission of the City of Escondido for the purpose of considering an application for:

Special Use Permit, 123% Circuit Drive FILE # 92-P-58-20

NATURE OF PROPOSED USE:
The applicant requests approval of a Special Use Permit to allow the continued use of the property for residential purposes in a commercial district.

ENVIRONMENTAL DETERMINATION: The project is exempt per CSEA Guidelines section 15022.

LOCATION: 123% Circuit Drive



PRESENT ZONING OF PROPERTY: C-3 General Commercial

NAME OF APPLICANT: Escondido Vistas
If you challenge the application, you must do so in writing.

If you wish to appear at the hearing, you must file a written request with the Planning Commission at the City of Escondido, 211 West Main Street, Escondido, California 92026, at least 10 days before the hearing. The Public Hearing will be held on the 14th day of June, 1993, at 7:00 P.M. at the Escondido City Administration Center, 211 West Main Street, Escondido, California 92026. Persons are invited to attend and be heard.

Plans for the proposed project are on file with the Planning Department and are available for public review Monday through Friday, 9 A.M. to 5 P.M.

PLANNING COMMISSION
David West, Chairman
Date: June 14, 1993
Public: June 14, 1993 - PT

INV # 6027



Preliminary Report

Fidelity National Title Insurance Company of California

A Stock Company

PRELIMINARY REPORT

In response to the application for a policy of title insurance referenced herein, FIDELITY NATIONAL TITLE INSURANCE COMPANY OF CALIFORNIA hereby reports that it is prepared to issue, or cause to be issued, as of the date hereof, a Policy or Policies of Title Insurance describing the land and the estate or interest therein hereinafter set forth, insuring against loss which may be sustained by reason of any defect, lien or encumbrance not shown or referred to as an Exception herein or not excluded from coverage pursuant to the printed Schedules, Conditions and Stipulations of said policy forms.

The printed exceptions and exclusions from the coverage of said Policy or Policies are set forth in Exhibit A attached. Copies of the Policy forms should be read. They are available from the office which issued this report.

This report (and any supplements or amendments hereto) is issued solely for the purpose of facilitating the issuance of a Policy or Policies of title insurance and no liability is assumed hereby. If it is desired that liability be assumed prior to the issuance of a policy of title insurance, a Binder or Commitment should be requested.

Fidelity National Title Insurance Company of California



By *W. R. King*

President

Attest *Cynthia J. Hunt*

Secretary

Countersigned:

Benny J. Bullin

Authorized Signature

FIDELITY NATIONAL TITLE INSURANCE COMPANY

X 120 Center Street, Auburn, CA 95603 (916)823-7880
2999 Douglas Blvd., Suite 105, Roseville, CA 95661 (916)783-6062
925 N. Lake Blvd., Suite B101, Tahoe City, CA 96145 (916)581-0542

PRELIMINARY REPORT
November 20, 1992

To: Fidelity National Title
Attn: Julie Ann
1515 River Park Drive
Sacramento, CA 95815
(916) 925-4200

Your No.: 110392-JL

Our No.: 91254 TO
Escrow Officer: Julie Ann

cc: Long Beach Bank
c/o Fidelity National Title
Sacramento Main Branch

Effective Date: November 12, 1992
at 7:30 A.M.

Property Address:
123 1/2 Circuit Drive, #A
Roseville, CA

The form of Policy or Policies of title Insurance contemplated by this report is:

_____ California Land Title Association Standard
Coverage Policy - 1990
X _____ American Land Title Association Loan Policy
(04-06-90)
_____ With A.L.T.A. endorsement form 1 coverage
_____ Other:

The estate or interest in the land hereinafter described or referred to covered by this Report is:

A Fee

Title to said estate or interest at the date hereof is vested in:

DOLORES LOPEZ as Trustee of the DOLORES LOPEZ REVOCABLE LIVING TRUST
dated October 5, 1992

The land referred to in this Report is situated in the State of California, County of PLACER, City of Roseville, and is described as follows:

THE BACK OR WEST ONE HALF (1/2) OF LOT 17 IN BLOCK 12 OF ROSEVILLE HEIGHTS TRACT, AS THE SAME IS PLATTED AND OF RECORD IN THE OFFICE ON THE COUNTY RECORDER PLACER COUNTY CALIFORNIA

At the date hereof exceptions to coverage in addition to the printed Exceptions and Exclusions in said policy form would be as follows:

Exceptions:

1. The lien of supplemental taxes, if any, assessed pursuant to the provisions of Chapter 3.5 (commencing with Section 75) of the Revenue and Taxation Code of the State of California.

2. An easement affecting the portion of said land and for the purpose(s) stated therein, and incidental purposes,
In favor of : Faustino Lopez
For : To use the drive-way for ordinary entrance and exit purposes
Recorded : January 12, 1960, in book 842, page 256, Official Records

3. A Deed of Trust to secure payment of an indebtedness in the original principal amount stated herein, together with interest and any other obligations secured thereby.
Dated : August 14, 1992
Amount : \$16,500.00
Trustor : DOLORES LOPEZ, A WIDOW
Trustee : MORTGAGE LENDER SERVICES INC., A California Corporation
Beneficiary : FUNDING CENTRE, INC., A California Corporation
Recorded : August 19, 1992, Official Records
Instrument No. : 92-063329
Loan No. : FC1976

4. An easement affecting the portion of said land and for the purpose(s) stated therein, and incidental purposes,
In favor of : DOLORES LOPEZ as Trustee of the DOLORES LOPEZ REVOCABLE LIVING TRUST dated October 5, 1992
For : TO USE THE DRIVEWAY FOR ORDINARY ENTRANCE AND EXIT PURPOSES
Recorded : October 9, 1992, Official Records
Affects : The front of said lot to the back of said lot

5. The requirement that a complete copy of that certain trust entitled "Dolores Lopez Revocable Living Trust dated October 5, 1992" and any amendments thereto be submitted to the title department for review prior to the close of escrow. If it is determined that said trust is a community property trust, all parties must sign as individuals and as trustees on all documents.

The requirement that a written declaration of the condition of the trust be signed and submitted by the trustees of said trust.

Note: Following tax information is set forth for information purposes only.

General and Special County taxes for the fiscal year 1992-1993:

1st Installment	:	\$54.54 paid
2nd Installment	:	\$54.54 paid
Land	:	\$1,247.00
Improvements	:	\$9,428.00
Personal Property	:	\$0
Exemption	:	\$0
Parcel No.	:	012-152-02..-000
Code Area	:	05001

NOTE:

LENDERS SUPPLEMENTAL INFORMATION

If and when a 116 Indorsement is issued on the hereinafter described real property, said 116 Indorsement will reflect the following information:

There is located on said land a single family dwelling, commonly known as:

123 1/2 Circuit Drive, #A, Roseville, CA

NOTE: Unless shown in the body of this preliminary report, there appear of record no transfers, or agreements to transfer, the land described herein record during the period of twenty-four months prior to the date of this report, except as follows:

Grant Deed	:	
Dated	:	October 5, 1992
Executed by	:	DOLORES LOPEZ, A WIDOW
To	:	DOLORES LOPEZ as Trustee of the DOLORES LOPEZ REVOCABLE LIVING TRUST dated October 5, 1992
Recorded	:	October 9, 1992, Official Records
Instrument No.	:	92-077256

Short Term Rate: YES

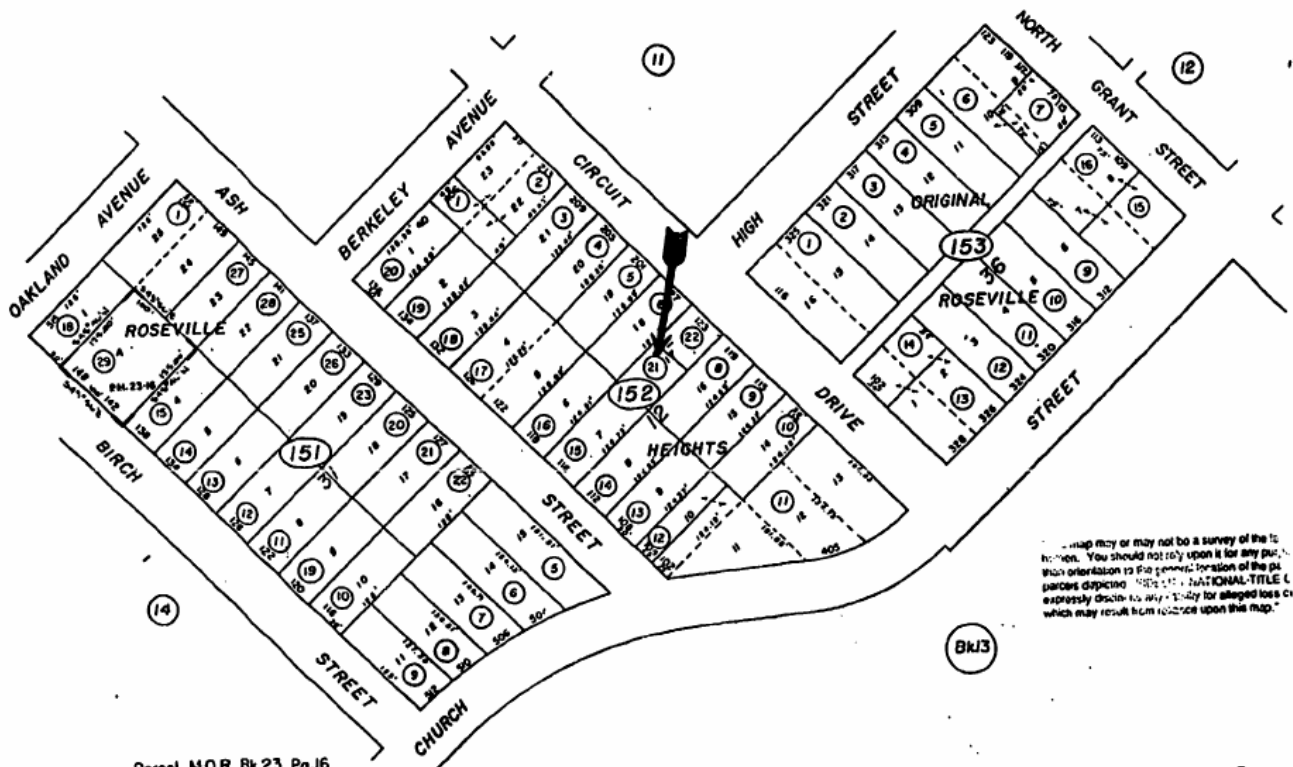
Note:

Any funds to be disbursed by Fidelity National Title Insurance will be disbursed in compliance with Section 12413.1 of the California Insurance Code. A cashier's, teller's, or certified check will have next day availability after deposit. All other local checks will have 3 day availability after deposit. Non-local checks will have 7 day availability after deposit. Funds received to late in the day for same day deposit will require one additional day before they are available for disbursement.

THE DEPOSIT OF A CASHIER'S, TELLER'S, OR CERTIFIED CHECK, OR ELECTRONIC TRANSFER OF FUNDS WILL EXPEDITE THE DISBURSEMENT OF FUNDS AND THE CLOSE OF THIS TRANSACTION.

CITY OF ROSEVILLE

12-15



This map may or may not be a survey of the lots shown. You should not rely upon it for any purpose other than to show the general location of the parcels depicted. THE STATE OF CALIFORNIA TITLE & EXPLORATION COMPANY, INC. expressly disclaims any liability for alleged loss or which may result from reliance upon this map.

Parcel M.O.R. Bk. 23, Pg. 16
 Roseville Heights (Unrecorded)
 Original Roseville M.O.R. Bk. A, Pg. 30
 Roseville Resurvey M.O.R. Bk. C, Pg. 33

NOTE-ASSESSOR'S BLOCK
 & LOT NUMBERS
 SHOWN IN CIRCLES

Assessor's Map Bk. 12-Pg. 15
 County of Placer, Calif

4-7-87
 1-88
 3-88
 12-87

EXHIBIT A
AMERICAN LAND TITLE ASSOCIATION LOAN POLICY - 1975
WITH ALTA ENDORSEMENT - FORM 1 COVERAGE
SCHEDULE OF EXCLUSIONS FROM COVERAGE

Following matters are expressly excluded from the coverage of this policy:

(a) Governmental police power; (b) Any law, ordinance or governmental regulation relating to environmental protection; (c) Any law, ordinance or governmental regulation (including but not limited to building or zoning ordinances) restricting or regulating or prohibiting the occupancy, use or enjoyment of the land, or regulating the character, dimensions or location of any improvement now or hereafter erected on the land, or prohibiting a separation in ownership or a change in the dimensions or area of the land or any parcel of which the land is or was a part; (d) The effect of any violation of the matters excluded under (a), (b) or (c) above, unless notice of a defect, lien or encumbrance resulting from a violation has been recorded at Date of Policy in those records in which under state statutes deeds, mortgages, judgment liens or lis pendens must be recorded in order to impart constructive notice to purchasers of the land for value and without knowledge. Rights of eminent domain unless notice of the exercise of such rights appears in the public records at Date of Policy.

3. Defects, liens, encumbrances, adverse claims, or other matters (a) created, suffered, assumed or agreed to by the insured claimant, (b) not known to the Company and not shown by the public records but known to the insured claimant either at Date of Policy or at the date such claimant acquired an estate or interest insured by this policy or acquired the insured mortgage and not disclosed in writing by the insured claimant to the Company prior to the date such insured claimant became an insured hereunder, (c) resulting in no loss or damage to the insured claimant, (d) attaching or created subsequent to Date of Policy insofar as the extent insurance is afforded herein as to any statutory lien for labor or material or if the extent insurance is afforded herein as to assessments for street improvements under construction or completed at Date of Policy.
4. Unenforceability of the lien of the insured mortgage because of failure of the insured at date of policy or of any subsequent owner of the indebtedness to comply with applicable "doing business" laws of the state in which the land is situated.

AMERICAN LAND TITLE ASSOCIATION
RESIDENTIAL TITLE INSURANCE POLICY (6-1-87) EXCLUSIONS

In addition to the Exceptions in Schedule B, you are not insured against loss, costs, attorney's fees and expenses resulting from:

Governmental police power, and the existence or violation of any law or government regulation. This includes building and zoning ordinances and also laws and regulations concerning:

- land use
- improvements on the land
- land division
- environmental protection

This exclusion does not apply to violations or the enforcement of these matters which appear in the public records at policy date.

This exclusion does not limit the zoning coverage described in Items 12 and 13 of Covered Title Risks.

The right to take the land by condemning it, unless:

- a notice of exercising the right appears in the public records on the Policy Date
- the taking happened prior to the Policy Date and is binding on you if you bought the land without knowledge of the taking

3. Title Risks:
 - that are created, allowed, or agreed to by you
 - that are known to you, but not to us, on the Policy Date - unless they appeared in the public records
 - that result in no loss to you
 - that first affect your title after the Policy Date - this does not limit the labor and material lien coverage in Item 8 of Covered Title Risks
4. Failure to pay value for your title.
5. Lack of a right:
 - to any land outside the area specifically described and referred to in Item 3 of Schedule A
 - or
 - in streets, alleys, or waterways that touch your land.This exclusion does not limit the access coverage in Item 5 of Covered Title Risks.

SCHEDULE B
EXCEPTIONS

In addition to the Exclusions, you are not insured against loss, costs, attorneys' fees, and the expenses resulting from:

1. Any rights, interests, or claims of parties in possession of the land not shown by the public records.
2. Any easements or liens not shown by the public records. This does not limit the lien coverage in Item 8 of Covered Title Risks.

3. Any facts about the land which a correct survey would disclose and which are not shown by the public records. This does not limit the forced removal coverage in Item 12 of Covered Title Risks.
4. Any water rights or claims or title to water in or under the land, whether or not shown by the public records.

AMERICAN LAND TITLE ASSOCIATION OWNER'S POLICY (10-21-87)
SCHEDULE OF EXCLUSIONS FROM COVERAGE

Following matters are expressly excluded from the coverage of this policy and the Company not pay loss or damage, costs, attorney's fees or expenses which arise by reason of:

(i) Any law, ordinance or governmental regulation (including but not limited to building and zoning laws, ordinances, or regulations) restricting, prohibiting or relating to (ii) the occupancy, use, or enjoyment of the land; (iii) the character, dimensions or location of any improvement now or hereafter erected on the land; (iv) a separation in ownership or a change in the dimensions or area of the land or any parcel of which the land is or was a part; or (v) environmental protection, or the effect of any violation of these laws, ordinances or governmental regulations, except to the extent that a notice of the enforcement thereof or a notice of a defect, lien or encumbrance resulting from a violation or alleged violation affecting the land has been recorded in the public records at Date of Policy.

(a) Any governmental police power not excluded by (a) above, except to the extent that notice of the exercise thereof or a notice of a defect, lien or encumbrance resulting from

a violation, or alleged violation affecting the land has been recorded in the public records at Date of Policy.

2. Rights of eminent domain unless notice of the exercise thereof has been recorded in the public records at Date of Policy, but not excluding from coverage any taking which has occurred prior to Date of Policy which would be binding on the rights of a purchaser for value without knowledge.
3. Defects, liens, encumbrances, adverse claims, or other matters:
 - (a) created, suffered, assumed or agreed to by the insured claimant;
 - (b) not known to the Company, not recorded in the public records at Date of Policy, but known to the insured claimant and not disclosed in writing to the Company by the insured claimant prior to the date the insured claimant became an insured under this policy;
 - (c) resulting in no loss or damage to the insured claimant;
 - (d) attaching or created subsequent to Date of Policy, or
 - (e) resulting in loss or damage which would not have been sustained if the insured claimant had paid value for the estate or interest insured by this policy.

AMERICAN LAND TITLE ASSOCIATION LOAN POLICY (10-21-87)
WITH ALTA ENDORSEMENT - FORM 1 COVERAGE
SCHEDULE OF EXCLUSIONS FROM COVERAGE

Following matters are expressly excluded from the coverage of this policy and the Company not pay loss or damage, costs, attorney's fees or expenses which arise by reason of:

(i) Any law, ordinance or governmental regulation (including but not limited to building and zoning laws, ordinances, or regulations) restricting, prohibiting or relating to (ii) the occupancy, use, or enjoyment of the land; (iii) the character, dimensions or location of any improvement now or hereafter erected on the land; (iv) a separation in ownership or a change in the dimensions or area of the land or any parcel of which the land is or was a part; or (v) environmental protection, or the effect of any violation of these laws, ordinances or governmental regulations, except to the extent that a notice of the enforcement thereof or a notice of a defect, lien or encumbrance resulting from a violation or alleged violation affecting the land has been recorded in the public records at Date of Policy.

(a) Any governmental police power not excluded by (a) above, except to the extent that notice of the exercise thereof or a notice of a defect, lien or encumbrance resulting from violation, or alleged violation affecting the land has been recorded in the public records at Date of Policy.

Rights of eminent domain unless notice of the exercise thereof has been recorded in the public records at Date of Policy, but not excluding from coverage any taking which has occurred prior to Date of Policy which would be binding on the rights of a purchaser for value without knowledge.

Defects, liens, encumbrances, adverse claims, or other matters:

- (a) created, suffered, assumed or agreed to by the insured claimant;
- (b) not known to the Company, not recorded in the public records at Date of Policy, but known to the insured claimant and not disclosed in writing to the Company by the insured claimant prior to the date the insured claimant became an insured under this policy;
- (c) resulting in no loss or damage to the insured claimant;
- (d) attaching or created subsequent to Date of Policy, or
- (e) resulting in loss or damage which would not have been sustained if the insured claimant had paid value for the estate or interest insured by this policy.
4. Unenforceability of the lien of the insured mortgage because of the inability or failure of the insured at Date of Policy, or the inability or failure of any subsequent owner of the indebtedness, to comply with applicable doing business laws of the state in which the land is situated.
5. Invalidity or unenforceability of the lien of the insured mortgage, or claim thereof, which arises out of the transaction evidenced by the insured mortgage, and is based upon usury or any consumer credit protection or truth in lending law.
6. Any statutory lien for services, labor or materials for the claim of priority of any statutory lien for services, labor or materials over the lien of the insured mortgage arising from an improvement or work related to the land which is contracted for and commenced subsequent to Date of Policy and is not financed in whole or in part by proceeds of the indebtedness secured by the insured mortgage which at Date of Policy the insured has advanced or is obligated to advance.

**EXHIBIT A
(CONTINUED)**
CALIFORNIA TITLE ASSOCIATION STANDARD COVERAGE PC - 1990
EXCLUSIONS FROM COVERAGE

following matters are expressly excluded from the coverage of this policy and the Company will not pay loss or damage, costs, attorney's fees or expenses which arise by reason of:

(a) Any law, ordinance or governmental regulation (including but not limited to building and zoning laws, ordinances, or regulations) restricting, prohibiting or relating to (i) the occupancy, use, or enjoyment of the land; (ii) the character, dimensions or location of any improvement now or hereafter erected on the land; (iii) a separation in ownership or a change in the dimensions or area of the land or any parcel of which the land is or was a part; or (iv) environmental protection, or the effect of any violation of these laws, ordinances or governmental regulations, except to the extent that a notice of the enforcement thereof or a notice of a defect, lien or encumbrance resulting from a violation or alleged violation affecting the land has been recorded in the public records at Date of Policy.

(b) Any governmental police power not excluded by (a) above, except to the extent that a notice of the exercise thereof or a notice of a defect, lien or encumbrance resulting from a violation, or alleged violation affecting the land has been recorded in the public records at Date of Policy.

Rights of eminent domain unless notice of the exercise thereof has been recorded in the public records at Date of Policy, but not excluding from coverage any taking, which has occurred prior to Date of Policy which would be binding on the rights of a purchaser for value without knowledge.

Defects, liens, encumbrances, adverse claims, or other matters:

- (a) created, suffered, assumed or agreed to by the insured claimant; but (b) not known to the Company, not recorded in the public records at Date of Policy, but known to the insured claimant and not disclosed in writing to the Company by the insured claimant prior to the date the insured claimant became an insured under this policy;
 - (c) resulting in no loss or damage to the insured claimant;
 - (d) attaching or created subsequent to Date of Policy; or
 - (e) resulting in loss or damage which would not have been sustained if the insured claimant had paid value for the estate or interest insured by this policy.
4. Unenforceability of the lien of the insured mortgage because of the inability or failure of the insured at Date of Policy, or the inability or failure of any subsequent owner of the indebtedness, to comply with the applicable doing business laws of the state in which the land is situated.
 5. Invalidity or unenforceability of the lien of the insured mortgage, or claim thereof, which arises out of the transaction evidenced by the insured mortgage, and is based upon usury or any consumer credit protection or truth in lending law.
 6. Any claim, which arises out of the transaction creating the interest of the insured estate or interest insured by this policy or the transaction creating the interest of the insured lender, by reason of the operation of federal bankruptcy, state insolvency, or similar creditors' rights laws.

**SCHEDULE B
EXCEPTIONS FROM COVERAGE**

This policy does not insure against loss or damage (and the Company will not pay costs, attorney's fees or expenses) which arise by reason of:

PART 1

Taxes or assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the public records. Proceedings by a public agency which may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the public records.

Any facts, rights, interests or claims which are not shown by the public records but which could be ascertained by an inspection of the land or which may be asserted by persons in possession thereof.

3. Easements, liens or encumbrances, or claims thereof, which are not shown by the public records.
4. Discrepancies, conflicts in boundary lines, shortage in area, encroachments, or any other facts which a correct survey would disclose, and which are not shown by the public records.
5. (a) Unpatented mining claims; (b) reservations or exceptions in patents or in Acts authorizing the issuance thereof; (c) water rights, claims or title to water, whether or not the matters excepted under (a), (b), or (c) are shown by the public records.

**AMERICAN LAND TITLE ASSOCIATION LOAN POLICY (1-6-90)
WITH A.L.T.A. ENDORSEMENT - FORM 1 COVERAGE A AND
AMERICAN LAND TITLE ASSOCIATION LEASEHOLD LOAN POLICY (4-6-90)
WITH A.L.T.A. ENDORSEMENT - FORM 1 COVERAGE
SCHEDULE OF EXCLUSIONS FROM COVERAGE**

following matters are expressly excluded from the coverage of this policy and the Company will not pay loss or damage, costs, attorney's fees or expenses which arise by reason of:

(a) Any law, ordinance or governmental regulation (including but not limited to building and zoning laws, ordinances, or regulations) restricting, prohibiting or relating to (i) the occupancy, use, or enjoyment of the land; (ii) the character, dimensions or location of any improvement now or hereafter erected on the land; (iii) a separation in ownership or a change in the dimensions or area of the land or any parcel of which the land is or was a part; or (iv) environmental protection, or the effect of any violation of these laws, ordinances or governmental regulations, except to the extent that a notice of the enforcement thereof or a notice of a defect, lien or encumbrance resulting from a violation or alleged violation affecting the land has been recorded in the public records at Date of Policy.

(b) Any governmental police power not excluded by (a) above, except to the extent that a notice of the exercise thereof or a notice of a defect, lien or encumbrance resulting from a violation, or alleged violation affecting the land has been recorded in the public records at Date of Policy.

Rights of eminent domain unless notice of the exercise thereof has been recorded in the public records at Date of Policy, but not excluding from coverage any taking which has occurred prior to Date of Policy which would be binding on the rights of a purchaser for value without knowledge.

Defects, liens, encumbrances, adverse claims, or other matters:

(a) created, suffered, assumed or agreed to by the insured claimant;

- (b) not known to the Company, not recorded in the public records at Date of Policy, but known to the insured claimant and not disclosed in writing to the Company by the insured claimant prior to the date the insured claimant became an insured under this policy;
 - (c) resulting in no loss or damage to the insured claimant;
 - (d) attaching or created subsequent to Date of Policy; or
 - (e) resulting in loss or damage which would not have been sustained if the insured claimant had paid value for the estate or interest insured by this policy.
4. Unenforceability of the lien of the insured mortgage because of the inability or failure of the insured at Date of Policy, or the inability or failure of any subsequent owner of the indebtedness, to comply with applicable doing business laws of the state in which the land is situated.
 5. Invalidity or unenforceability of the lien of the insured mortgage, or claim thereof, which arises out of the transaction evidenced by the insured mortgage, and is based upon usury or any consumer credit protection or truth in lending law.
 6. Any statutory lien for services, labor or materials (or the claim of priority of any statutory lien for services, labor or materials over the lien of the insured mortgage) arising from an improvement or work related to the land which is contracted for and commenced subsequent to Date of Policy and is not financed in whole or in part by proceeds of the indebtedness secured by the insured mortgage which at Date of Policy the insured has advanced or is obligated to advance.
 7. Any claim, which arises out of the transaction creating the interest of the mortgagee insured by this policy, by reason of the operation of federal bankruptcy, state insolvency, or similar creditors' rights laws.

**AMERICAN LAND TITLE ASSOCIATION OWNER'S POLICY (4-6-90) AND
AMERICAN LAND TITLE ASSOCIATION LEASEHOLD OWNER'S POLICY (4-6-90)
SCHEDULE OF EXCLUSIONS FROM COVERAGE**

following matters are expressly excluded from the coverage of this policy and the Company will not pay loss or damage, costs, attorney's fees or expenses which arise by reason of:

(a) Any law, ordinance or governmental regulation (including but not limited to building and zoning laws, ordinances, or regulations) restricting, prohibiting or relating to (i) the occupancy, use, or enjoyment of the land; (ii) the character, dimensions or location of any improvement now or hereafter erected on the land; (iii) a separation in ownership or a change in the dimensions or area of the land or any parcel of which the land is or was a part; or (iv) environmental protection, or the effect of any violation of these laws, ordinances or governmental regulations, except to the extent that a notice of the enforcement thereof or a notice of a defect, lien or encumbrance resulting from a violation or alleged violation affecting the land has been recorded in the public records at Date of Policy.

(b) Any governmental police power not excluded by (a) above, except to the extent that a notice of the exercise thereof or a notice of a defect, lien or encumbrance resulting from a violation or alleged violation affecting the land has been recorded in the public records at Date of Policy.

Rights of eminent domain unless notice of the exercise thereof has been recorded in the public records at Date of Policy, but not excluding from coverage any taking, which

has occurred prior to Date of Policy which would be binding on the rights of a purchaser for value without knowledge.

3. Defects, liens, encumbrances, adverse claims, or other matters:
 - (a) created, suffered, assumed or agreed to by the insured claimant;
 - (b) not known to the Company, not recorded in the public records at Date of Policy, but known to the insured claimant and not disclosed in writing to the Company by the insured claimant prior to the date the insured claimant became an insured under this policy;
 - (c) resulting in no loss or damage to the insured claimant;
 - (d) attaching or created subsequent to Date of Policy; or
 - (e) resulting in loss or damage which would not have been sustained if the insured claimant had paid value for the estate or interest insured by this policy.
4. Any claim, which arises out of the transaction creating the interest of the mortgagee insured by this policy, by reason of the operation of federal bankruptcy, state insolvency, or similar creditors' rights laws.

The above ALTA policy forms may be issued to afford either Standard Coverage or Extended Coverage. In addition to the above Exclusions from Coverage, the Exceptions from Coverage in a Standard Coverage policy will also include the following General Exceptions:

**SCHEDULE B
EXCEPTIONS FROM COVERAGE**

This policy does not insure against loss or damage (and the Company will not pay costs, attorney's fees or expenses) which arise by reason of:

PART 1

1. Taxes or assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the public records. Proceedings by a public agency which may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the public records.
2. Any facts, rights, interests or claims which are not shown by the public records but which could be ascertained by an inspection of the land or which may be asserted by persons in possession thereof.

3. Easements, liens or encumbrances, or claims thereof, which are not shown by the public records.
4. Discrepancies, conflicts in boundary lines, shortage in area, encroachments, or any other facts which a correct survey would disclose, and which are not shown by the public records.
5. (a) Unpatented mining claims; (b) reservations or exceptions in patents or in Acts authorizing the issuance thereof; (c) water rights, claims or title to water, whether or not the matters excepted under (a), (b), or (c) are shown by the public records.

PLACER COUNTY TITLE CO.
JUL 12 3 51 PM '60
9678

BOWERS & SINCLAIR
100 MAIN STREET
ROSEVILLE CALIFORNIA
TELEPHONE 8-4242

FILED JUN 20 1960
L. RECHENMACHER
COUNTY CLERK OF PLACER COUNTY
BY ELMOR FREEMAN DEPUTY

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ATTORNEYS FOR EXECUTOR

IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA
IN AND FOR THE COUNTY OF PLACER

In the Matter of the Estate
of
CIRILO LOPEZ,
Deceased

NO. 9274
ORDER APPROVING FINAL ACCOUNT
AND FOR DISTRIBUTION UNDER
WILL.

The final account and petition for distribution herein of Raul Lopez, executor of the last will of said deceased, by Bowers & Sinclair, his attorneys, coming on June 20, 1960, for hearing in the above-entitled court, notice thereof having been given as required by law, the court, after hearing the evidence, and finding that all the allegations of the petition are true; that the account is settled showing on hand assets in the amount of Six Thousand Dollars (\$6,000.00), all of which is real property; that the property of said estate is separate property; that no inheritance taxes are due from the distributees; no personal property taxes are due from said estate; no taxes have been imposed under the provisions of the Personal Income Tax Act, the court approves the report and orders distribution of said estate as follows:

The front, or east one-half (1,2) of Lot 17, in block 12, of Roseville Heights Tract, as the same is platted and of record in the office of the County recorder, Placer County, California, together with the improvements thereon, to Raul Lopez, as his sole and separate property, subject to the right of Faustino Lopez to use the drive-way for ordinary entrance and exit purposes from the front of said

Date Entered JUN 20 1960 -1-
ORDER

Book 1 Page 370

M. 55216
P.C.T.C.

1 lot to the back of said lot.

2 The back or west one-half (1/2) of Lot 17, in Block 12,
3 of Roseville Heights Tract, as the same is platted and of
4 record in the office of the County Recorder, Placer County,
5 California, to Faustino Lopez, as his sole and separate
6 property.

7 All the rest and residue of the estate of every name and
8 nature unto Raul Lopez and Faustino Lopez, share and share
9 alike, to each of them.

10 IT IS ORDERED, ADJUDGED AND DECIDED that due notice to
11 creditors of said deceased has been given; that the said executor
12 has in his possession belonging to said estate the property here-
13 inafter described, at the value of the appraisal, and that said
14 report be in all respects approved; that out of the residue of
15 cash in his hands said administrator pay \$270.00, hereby allowed
16 as attorneys' fees, and \$60.00 costs; that in pursuance of and ac-
17 cording to the provisions of the last will of said deceased and by
18 operation of law, the property hereinafter described, and all
19 other property belonging to said estate, whether described herein
20 or not, be distributed to Raul Lopez and Faustino Lopez.

21 The property referred to hereinabove is described as:

22 The front, or east one-half (1/2) of Lot 17, in Block 12,
23 of Roseville Heights Tract, as the same is platted and of
24 record in the office of the County Recorder, Placer County,
25 California, together with the improvements thereon, to
26 Raul Lopez, as his sole and separate property, subject to
27 the right of Faustino Lopez to use the drive-way for
28 ordinary entrance and exit purposes from the front of said
29 lot to the back of said lot.

30 The back or west one-half (1/2) of Lot 17, in Block 12,
31 of Roseville Heights Tract, as the same is platted and of
32 record in the office of the County Recorder, Placer County,
California, to Faustino Lopez, as his sole and separate
property.

33 All the rest and residue of the estate of every name and
34 nature unto Raul Lopez and Faustino Lopez, share and share
35 alike, to each of them.

36 DATED this 20 day of June, 1960.

37 THE FOREGOING INSTRUMENT IS A CORRECT
38 COPY OF THE ORIGINAL ON FILE IN THIS OF-
39 FICE.

40 ATTEST- JUL 12 1960
41 RECHENWACHER
42 County Clerk and ex-officio Clerk of the Superior
43 Court of the State of California in and for the
44 County of Placer. Della Neves
45 DEPUTY CLERK

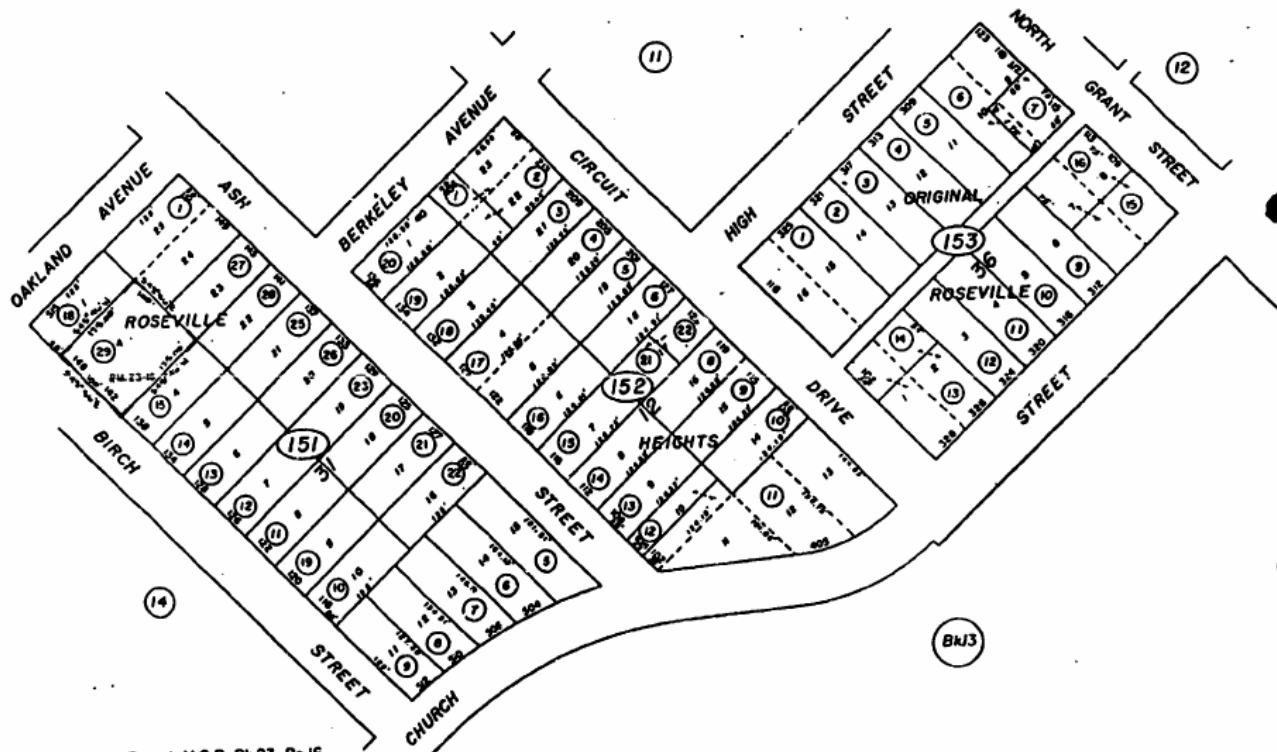
46 *Russell Sparks*
47 JUDGE OF THE SUPERIOR COURT

48 EDWARDS & SINCLAIR
49 ATTORNEYS AT LAW
50 100 MAIN STREET
51 ROSEVILLE, CALIF.
52 QUARTER 5-1100

9878

CITY OF ROSEVILLE

12-15



Parcel M.O.R. Bk.23, Pg.16
 Roseville Heights (Unrecorded)
 Original Roseville M.O.R. Bk. A, Pg.30
 Roseville Resurvey M.O.R. Bk. C, Pg.33

NOTE-ASSESSOR'S BLOCK
 & LOT NUMBERS
 SHOWN IN CIRCLES

Assessor's Map Bk.12-Pg.15
 County of Placer, Calif

4-7-97
 1-99
 5-04
 10-97

RECORDING REQUESTED BY

AND WHEN RECORDED MAIL TO

Name Delores Lopez
Street Address 313 Porter Dr.
City & State Roseville, Ca. 95678

MAIL TAX STATEMENTS TO

Name
Street Address
City & State

92-043382	92-043382	92-043382
92-043382		Fee Fee 5.00
Recorded		PCD 20.00
Official Records		Cash 25.00
County of Placer		
Mary Ann Hulse		
Recorder		
1,388 5-Jun-98		TL 1

SPACE ABOVE THIS LINE FOR RECORDER'S USE

Individual Grant Deed

NAT-30 (8-87)

ALL
THIN

The undersigned grantor(s) declare(s):
Documentary transfer tax is \$ 0.00, GIFT
() computed on full value of property conveyed, or
() computed on full value less value of liens and encumbrances remaining at time of sale.
() Unincorporated area: () City of _____, and

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged,

HELEN TERESA LOPEZ, SINGLE AND MADELLA JO WATTS, SINGLE

hereby GRANT(S) to

DELORES LOPEZ, A WIDOW
the following described real property in the _____, State of California:
County of PLACER

AN EASEMENT TO USE THE DRIVE-WAY FOR ORDINARY ENTRANCE AND EXIT PURPOSES FROM THE FRONT OF SAID LOT TO THE BACK OF SAID LOT.

ADDRESS: 123 1/2 CIRCUIT DR.
ROSEVILLE, CA. 95678

PARCEL NO. 012-152-021-000

PARCEL ONE:
ALL THAT REAL PROPERTY SITUATE IN THE COUNTY OF PLACER STATE OF CALIFORNIA,
DESCRIBED AS FOLLOWS:
LOT AND BLOCK ARE SHOWN AND DELINEATED UPON THAT CERTAIN MAP ENTITLED "MAP NO. 2
OF ROSEVILLE HEIGHTS PLACER COUNTY, CALIFORNIA 1906" FILED JANUARY 9, 1907 IN THE
OFFICE OF THE COUNTY RECORDER OF SAID PLACER COUNTY.

THE FRONT, OR EAST ONE-HALF (1/2) OF LOT 17, IN BLOCK 12, OF ROSEVILLE HEIGHTS
TRACT, AS THE SAME IS PLATTED AND OF RECORD IN THE OFFICE OF THE COUNTY RECORDER,
PLACER COUNTY, CALIFORNIA.

Dated 6/2/92

State of California } ss.

County of Sacramento

On 6/2/92 before me,

MARY ANN HULSE
personally appeared Helen Teresa Lopez and
MADELLA JO WATTS

Helen Teresa Lopez
HELEN TERESA LOPEZ
Maddella Jo Watts
MADELLA JO WATTS

personally known to me (or proved to be 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.
WITNESS my hand and official seal.



Signature Marie McLaughlin

(Seal)

(This area for official notarial seal)

MAIL TAX STATEMENTS AS DIRECTED ABOVE

RECORDING REQUESTED BY:
CALIFORNIA WILLS & TRUSTS
 426 Folsom Road
 Roseville, CA 95678

WHEN RECORDED MAIL TO:
DOLORES LOPEZ
 6448 STOCKTON BLVD A-1
 SACRAMENTO CA 95823

93-001035 | Rec Fee 5.00
 | Check 5.00

Recorded
 Official Records
 County of
 Placer
 Mary Ann Hulise
 Recorder
 8:02am 8-Jan-93 | TL 1

SPACE ABOVE THIS LINE FOR RECORDER'S USE

This conveyance transfers the grantor's interest into his/her revocable living trust (R&T 11911) DOCUMENTARY TRANSFER TAX \$ **EXEMPT**

...Computed on the consideration or value of property conveyed; OR
 ...Computed on the consideration or value less liens or encumbrances remaining at time of sale.

Dolores Lopez
 Signature of Declarant or Agent determining tax - Firm Name

GRANT DEED

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged,
 DELORES LOPEZ, a widow

herby GRANT(S) to DOLORES LOPEZ as Trustee of the DOLORES LOPEZ REVOCABLE LIVING TRUST dated October 5, 1992

the real property in the City of
 County of PLACER

, State of California

described as

AN EASEMENT TO USE THE DRIVEWAY FOR ORDINARY ENTRANCE AND EXIT PURPOSES FROM THE FRONT OF SAID LOT TO THE BACK OF SAID LOT.
 ADDRESS: 123 1/2 CIRCUIT DRIVE, ROSEVILLE CA 95678

PARCEL ONE:
 ALL THAT REAL PROPERTY SITUATE IN THE COUNTY OF PLACER, STATE OF CALIFORNIA, DESCRIBED AS FOLLOWS:

LOT AND BLOCK ARE SHOWN AND DELINEATED UPON THAT CERTAIN MAP ENTITLED MAP NO. 2 OF ROSEVILLE HEIGHTS PLACER COUNTY, CALIFORNIA 1906 FILED JANUARY 9, 1907 IN THE OFFICE OF THE COUNTY RECORDER OF SAID PLACER COUNTY.

THE FRONT OR EAST ONE-HALF (1/2) OF LOT 17, IN BLOCK 12, OF ROSEVILLE HEIGHTS TRACT, AS THE SAME IS PLATTED AND OF RECORD IN THE COUNTY RECORDER, PLACER COUNTY, CALIFORNIA

APN: 012-152-021

Dated 12-31-92

STATE OF CALIFORNIA
 COUNTY OF PLACER)
 On DECEMBER 31, 1992)
 before me, the undersigned, a Notary Public in and for said State, personally appeared DOLORES LOPEZ

personally known to me (or 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.

WITNESS my hand and official seal.

Signature *Ellen B. Mueggli*



MAIL TAX STATEMENTS AS DIRECTED ABOVE

RECORDING REQUESTED BY:

CALIFORNIA WILLS & TRUSTS
426 Folsom Road
Roseville, CA 95678

WHEN RECORDED MAIL TO:

DOLORES LOPEZ
6448 STOCKTON BLVD A-1
SACRAMENTO CA

92--077256

Rec Fee 5.00
Check 5.00

Recorded
Official Records
County of
Placer

Mary Ann Hulse
Recorder
12:19pm 9-Oct-92

RJ 1

MAIL TAX STATEMENTS TO:

SAME AS ABOVE

This conveyance transfers the grantor's interest into his/her revocable living trust (R&T 11911) DOCUMENTARY TRANSFER TAX \$ 1181PT

...Computed on the consideration or value of property conveyed; or
...Computed on the consideration or value (less liens or encumbrances remaining at time of sale).

Dolores Lopez
Signature of Declarant or Agent determining tax - Firm Name

GRANT DEED

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged,

DOLORES LOPEZ, A WIDOW

hereby GRANT(S) to DOLORES LOPEZ as Trustee of the DOLORES LOPEZ REVOCABLE LIVING TRUST dated October 5, 1992

the real property in the City of
County of PLACER

, State of California

described as

ADDRESS: 123 1/2 CIRCUIT DRIVE, ROSEVILLE, CA

PARCEL TWO:

THE BACK OR WEST ONE HALF (1/2) OF LOT 17 IN BLOCK 12 OF ROSEVILLE HEIGHTS TRACT, AS THE SAME IS PLATTED AND OF RECORD IN THE OFFICE OF THE COUNTY RECORDER PLACER COUNTY CALIFORNIA

APN: 012-152-21

Date: 10-5-92

STATE OF CALIFORNIA)
COUNTY OF PLACER)

On OCTOBER 5, 1992
before me, the undersigned, a Notary Public in and for said State, personally appeared DOLORES LOPEZ

personally known to me (or 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.

WITNESS my hand and official seal.

Signature *Betty B. Muiggge*

Dolores Lopez
DOLORES LOPEZ



MAIL TAX STATEMENTS AS DIRECTED ABOVE

(This area for official notarial seal)



PLANNING
CITY OF ROSEVILLE
TRADITION • PRIDE • PROGRESS

318 VERNON STREET, #104 • ROSEVILLE, CA 95678
PHONE: (916) 774-5278

January 5, 1993

Samantha Valencia
123 ½ Circuit Drive
Roseville, CA 95678

Subject: Special Use Permit and Variance Applications

Dear Ms. Valencia,

This letter is to inform you that the Special Use Permit and Variance applications which you submitted for the project located at 123 ½ Circuit Drive have been accepted for processing.

This application is now being processed. The plans which were submitted have been distributed to all responsible City departments and other agencies. This review period will last until January 15th.

If you should have any questions regarding this matter, please contact me at the City of Roseville in the Planning Department, (916) 774-5276.

Sincerely,

Chris Robles
Associate Planner

CR:ba



PLANNING
CITY OF ROSEVILLE
TRADITION • PRIDE • PROGRESS

318 VERNON STREET, #104 • ROSEVILLE, CA 95678
PHONE: (916) 774-5278

July 7, 1992

Attn: Samantha Valencia
313 Porter Drive
Roseville, Ca. 95678

SUBJECT: Use Permit for legal non-conforming use at 123 1/2 Circuit Drive.

Dear Ms. Valencia,

This letter is written in response to your request to verify the zoning at 123 1/2 Circuit Drive, and confirm that with the approval of a Use Permit the residence at this location could be reconstructed, if destroyed by fire, flood or other natural disaster. The current zoning for the site is C-3, for Commercial. Since the existing use on the property is a residential use within a Commercial zone the use of the property is classified to be a legal non-conforming use.

Under Article 29, Section 29.07, of the City of Roseville's Zoning Ordinance, a legal non-conforming use may be permitted to be reconstructed in cases where an application for a Special Use Permit is approved. A Special Use Permit is a Public Hearing in which the Planning Commission (a seven member board) will review the project proposal, consider public testimony and vote on the approval/disapproval of the project based on the information provided. The entire process takes approximately 8 to 10 weeks. The fee for a Special Use Permit is a one time, non-refundable fee of \$250.00 dollars.

If you have any further questions as to the process for reconstruction of a non-conforming use, please do not hesitate to contact me at (916) 781-0276.

Sincerely, ,


Kevin N. Payne
Associate Planner

PROJECT DISTRIBUTION LIST

Distribution of the maps/site plans are as follows for 123.5 URBAN SUP 92-49 mailed 1/9/93 and returned by 1/20/92

DATE RETURNED:

- 1/12/93 1 CHIEF BUILDING INSPECTOR, Susan Jones (5332)
- ~~_____~~ ~~_____~~ CITY CLERK (No -- UP AND SR) (5263)
- ~~_____~~ ~~_____~~ CRIME PREVENTION (5150)
- ~~_____~~ ~~_____~~ DAN DAMERON, PLANNING DEPARTMENT (only projects in Specific Plan Areas) (5285)
- ~~_____~~ ~~_____~~ Ed Klein, (landscape plans)
- 1/7/93 2 ELECTRIC DEPARTMENT, Administrative Secretary (5600)
- ~~_____~~ ~~_____~~ ENERGY OFFICE (5624)
- ~~_____~~ 2 ENGINEERING DIVISION (5339)
- ~~_____~~ ~~_____~~ FINANCE DEPARTMENT Attn: Bonds (5319)(SUBD MAPS ONLY) (Put assessor's parcel # on rev. form.)
- ~~_____~~ ~~_____~~ FIRE CHIEF (5480)
- ~~_____~~ ~~_____~~ HEIDI KEITH (5480), AND JEANNIE GARDNER, map & textual plan (5365)(UP/SR only)
- ~~_____~~ ~~_____~~ JOHN SPRAGUE, HOUSING DIVISION (only projects affecting housing developments) (SUBD, RZ, UP). Put specific plan parcel #'s on review form when applicable. (5272)
- ~~_____~~ ~~_____~~ PARKS AND RECREATION DIRECTOR, Paula Finley (5241)
- ~~_____~~ ~~_____~~ REPOSE SUPERINTENDENT (No -- SUBD and PM) (5297)
- 1-19-93 2 ROY VANNESS, ENVIRONMENTAL UTILITIES (5353)
- ~~_____~~ ~~_____~~ STREET DIVISION, FRED BRUMMER (UP/SR, SR, SUBD Only) (5295)
- ~~_____~~ ~~_____~~ SUPERINTENDENT, DRY CREEK ELEM. SCHOOL DIST. (No -- UP, SR & PM) (771-2060)
2955 PFE Road, Roseville, CA 95678
- ~~_____~~ ~~_____~~ SUPERINTENDENT, EUREKA UNION SCHOOL DIST. (No -- UP, SR & PM) (791-4939)
5477 Eureka Road, Roseville, CA 95661
- ~~_____~~ ~~_____~~ SUPERINTENDENT, ROCKLIN SCHOOL DISTRICT (No -- UP, SR & PM) (624-2428)
5175 Meyers Road, Rocklin, CA 95677
- ~~_____~~ ~~_____~~ RSVL. CITY SCH. DIST. (No -- UP, SR, & PM) (786-5090)
1000 Darling Way, Roseville, CA 95678 Attn: Mark Schrader
- ~~_____~~ ~~_____~~ RSVL. JT. UNION HIGH SCH. DIST (No -- UP, SR & PM) (786-2018)
1750 Kirby Way, Roseville, CA 95661 Attn: Denny Jones
- ~~_____~~ ~~_____~~ SUPERINTENDENT OF MAIL, U.S. POST OFFICE (No -- UP, SR, SUBD only) (782-1203)
324 Varmon Street, Roseville, CA 95678
- ~~_____~~ ~~_____~~ JONES INTERCABLE Attn: Kathy Dean (786-2469)
501 Giuseppe Ct., Suite D, Roseville, CA 95678
- 1-29-93 2 PACIFIC GAS AND ELECTRIC COMPANY (781-3110 Bob Fratini)
151 North Sunrise Avenue, #513, Roseville, CA 95661
- 1-18-93 2 ROSEVILLE TELEPHONE COMPANY Attn: Jack Poulsen, Engr. Supvr. (plus copy of application) (786-1203)
Roseville, CA 95678
- ~~_____~~ ~~_____~~ CALTRANS DISTRICT 3 Attn: Betty Sanchez (323-3898)
P.O. Box 942874-MS-11, Sacramento, CA 94274-0001
- ~~_____~~ ~~_____~~ CORPS OF ENGINEERS Attn: Brenda Federsan (557-6699)
650 Capitol Mall, Sacramento, CA 95814
- ~~_____~~ ~~_____~~ MR. DALE WHITMORE, WILDLIFE BIOLOGIST
1263 Nadene Drive, Marysville, CA 95901
- ~~_____~~ ~~_____~~ DEPARTMENT OF FISH AND GAME-REGION 2 (355-0811)
1701 Nimbus Road, Suite A, Rancho Cordova, CA 95670
- ~~_____~~ ~~_____~~ THE REGULATION BOARD, Floodway Protection Section (653-5726)
1416 Ninth Street, Room 455-8, Sacramento, CA 95814-5594 (only when near water bodies)
- ~~_____~~ ~~_____~~ NED SNYDER, PLAGER CO. PUBLIC WORKS DEPT. (889-7500)
11444 B Street, Auburn, CA 95603 (SUBD street name list only)
- ~~_____~~ ~~_____~~ REGIONAL WATER QUALITY CONTROL BOARD, CENTRAL VALLEY REGION (361-5600)
3443 Router Road, Sacramento, CA 95827-3098 (only when near water bodies)

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		012-112-007-000 Ladawn Marie Bagwill 311 Circuit Dr. Roseville, Ca. 95678-2151	1	012-152-002-000 Severo & Janice Cavazos 2188 Roworthy Ave. San Jose, Ca. 95124	2
012-153-001-000 Isabel Conchas 116 Circuit Dr. Roseville, Ca. 95678	3	012-112-006-000 Ted & Sam Damas 319 Circuit Dr. Roseville, Ca. 95678	4	012-152-008-000 Tomas & Rosella Duran 115 Circuit Dr. Roseville, Ca. 95678	5
012-151-009-000 Luis & Esperanza Hinojosa 332 High St. Roseville, Ca. 95678	6	012-111-009-000 Michael Howe 2410 S Whitney Blvd. Rocklin, Ca. 95677	7	012-111-010-000 Virginia Ana Virginia Jasper 310-1/2 Circuit Dr. Roseville, Ca. 95678	8
012-152-010-000 Mary Kerecman 131 Donner Ave. Roseville, Ca. 95678	9	012-152-005-000 Jose De Ornales 201 Circuit Dr. Roseville, Ca. 95678	10	012-111-006-000 Domingo & Emma Padilla 216 Elm St. Roseville, Ca. 95678	11
LEAVE BLANK		012-152-003-000 Godofredo Patawaran 263 Firestone Dr. Roseville, Ca. 95678	12	012-152-004-000 Juana Sanchez 206 Circuit Dr. Roseville, Ca. 95678	13
012-111-011-000 William & Viola Terrell Sr. 306 Circuit Dr. Roseville, Ca. 95678	14	012-152-012-000 Brad Burant 5916 Garlough Dr. San Jose, Ca. 95123	15	012-153-010-000 Jose & Yolanda Barron 312 Church St. Roseville, Ca. 95678	16
012-144-012-000 Edgar & Genevieve Bauman 1112 Elm St. Roseville, Ca. 95678	17	012-152-017-000 Gregory Monroe Brown 2009 Crist dr. Los Altos, Ca. 94024-7228	18	012-152-015-000 John Callahan 175 Westbury Cir Folsom, Ca. 95630	19
012-114-014-000 Andy Christoforidis 1775 Egbert Ave. San Francisco, Ca. 94124-2518	20	012-144-011-000 William & Joyce Dalatri 604 Church St. Roseville, Ca. 95678	21	012-153-009-000 Luis & Eina Esparza 713 Maple Dr. Roseville, Ca. 95678	22
LEAVE BLANK		012-151-007-000 Juan Garcia 504 Church St. Roseville, Ca. 95678	23	012-151-008-000 Cayetano & Blanca Hernandez 510 Church St. Roseville, Ca. 95678	24

CERTIFIED PROPERTY OWNERS LIST

AFFIDAVIT

State of California)
County of Placer) ss
City of Roseville)

I, Dolores Lopez, hereby certify
that the attached list contains the names and addresses of all
persons to whom all property is assessed as they appear on the
latest available assessment roll of the County within the area
described on the attached application and for all properties
within three hundred feet (300') from the exterior boundaries of
the property described on the attached application.

I certify under penalty of perjury that the foregoing is true
and correct.

(signed) Dolores Lopez
(name) Dolores Lopez
(address) 123 1/2 Circuit dr. Rsvl. 95678
(phone no.) 916/173-4456

S
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12/18/92 14:42 066490289
12/18/92 14:04

Survey M.O.R. Bk. 4 Pg. 100
Roseville, Resurvey M.O.R. Bk. C, Pg. 33
Roseville Heights
Survey M.O.R. Bk. 3, Pg. 23
Original Roseville A/30
Survey M.O.R. Bk. 2, Pg. 9

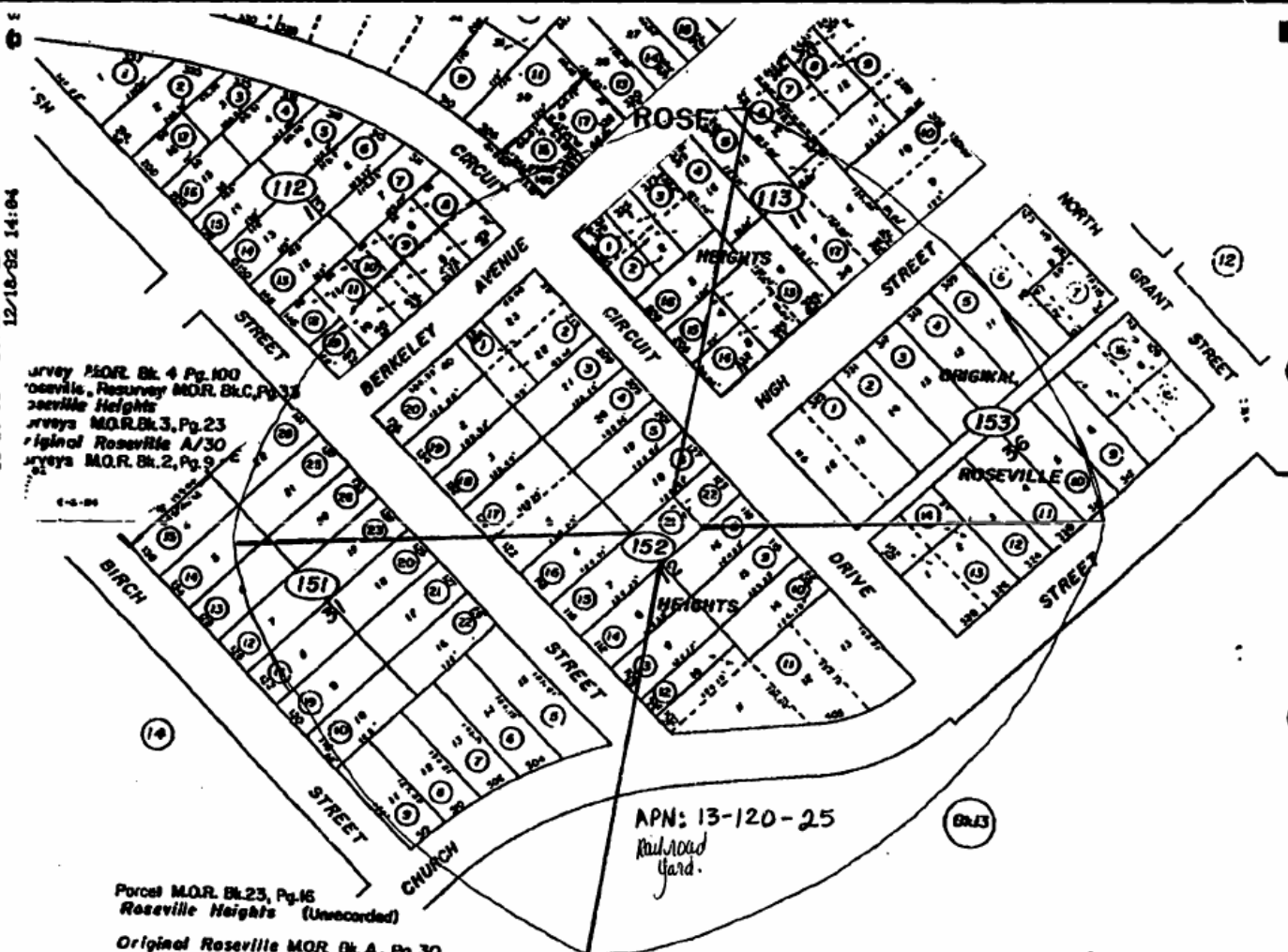
12/18/92 14:05

Parcel M.O.R. Bk. 23, Pg. 16
Roseville Heights (Unrecorded)
Original Roseville M.O.R. Bk. A, Pg. 30
Roseville Resurvey M.O.R. Bk. C, Pg. 33

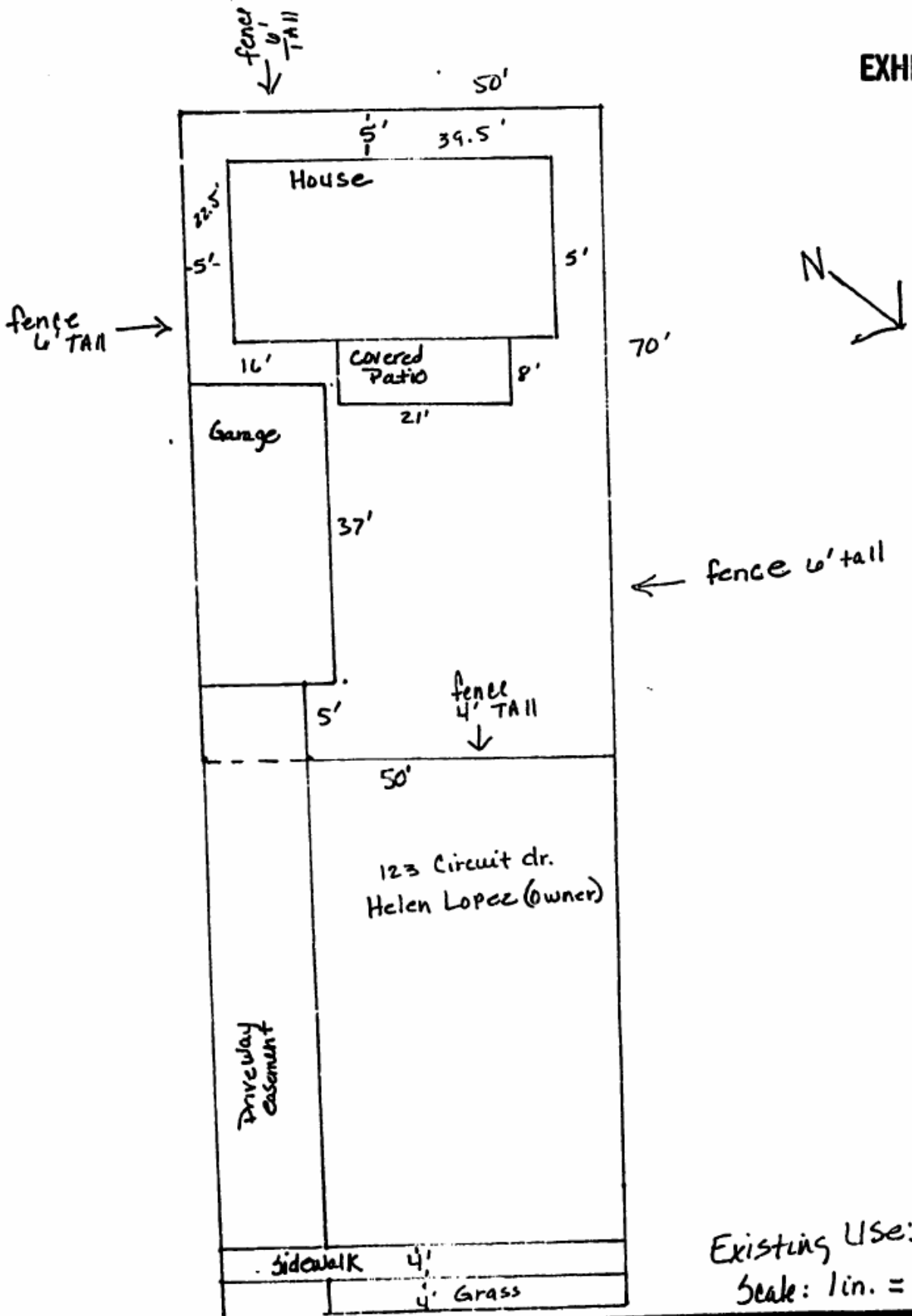
APN: 13-120-25
Railroad
Yard.

NOTE-ASSESSOR'S BLOCK
& LOT NUMBERS
SHOWN IN CIRCLES

Assessor's Map Bk. 12-Pg. 15
County of Placer, Calif.

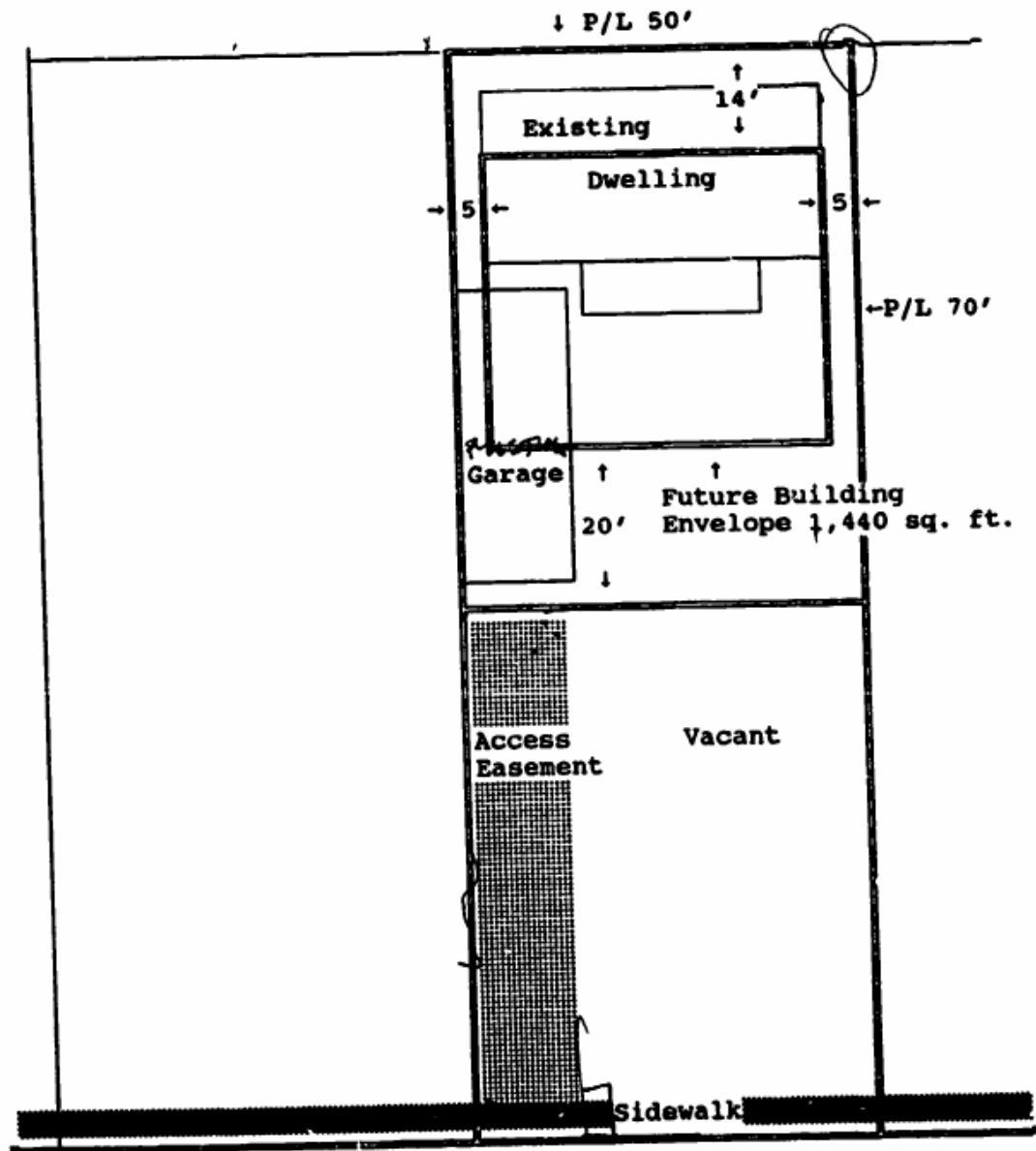


EXHIBIT



Existing Use: single
Scale: 1 in. = 15'

SPECIAL USE PERMIT, 123½ Circuit Drive - FILE 92-49
Lopes Residence
ZONING - C-3
LAND USE - LDR
TOTAL AREA - .08 ACRES
APN - 12-142-021
MAXIMUM RESIDENTIAL COVERAGE 35% = 1,225 SQ. FT.



CIRCUIT DRIVE
Scale 1" = 20'