

APPENDIX B

LEGAL DESCRIPTION OF PERMITTED LANDFILL BOUNDARIES

Recorded at Request of
DeMEO, DeMEO, FOSTER, WANER & HOOD

When Recorded Return to
DeMEO, DeMEO, FOSTER, WANER & HOOD
1022 Mendocino Avenue
Santa Rosa, California 95401

Documentary Transfer Tax \$ None
computed on full value of property
conveyed
DeMEO, DeMEO, Foster, Waner & Hood
By Redmond Empire Title Co. Agent
Agent for Grantee

RECORDED AT REQUEST OF
D E T CO
AT MIN. PAST 12 M
Sonoma County, California
Hub Douglas RECORDER
FEB 11 1971

OFFICIAL RECORDS BOOK 2513 PAGE 57

FEES \$ no fee PD.

L 97788

EXECUTOR'S DEED

In consideration of the sum of \$118,167.00, receipt of which is hereby acknowledged, I, LOUIS STEFENONI, executor of the will of ERMINIA STEFENONI, deceased, hereby GRANT to the County of Sonoma, a political subdivision of the State of California, all the right, title and interest of said decedent at the time of said decedent's death, and all right, title and interest that said decedent's estate may have subsequently acquired by operation of law or otherwise in and to the real property situated in an unincorporated area of the County of Sonoma, State of California, described as follows:

(See Exhibit "A" attached hereto)

This deed is made pursuant to the order of the Superior Court of the State of California, for the County of Sonoma, made in the matter of the Estate of ERMINIA STEFENONI, deceased, proceeding No. 33312, on November 23, 1970, confirming said sale of said real property and directing a conveyance.

Dated: December 21, 1970.

Louis Stefanoni
Louis Stefanoni

State of California, County of Sonoma:

On December 21, 1970, before me, the undersigned, a Notary Public in and for said State, with principal place of business in said County, personally appeared LOUIS STEFENONI, as executor of the will of ERMINIA STEFENONI, deceased, known to me to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same as such.

B. Scott Foster
Notary Public

Mail Tax Statements to:

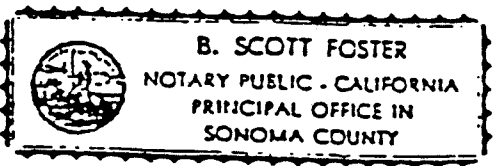


EXHIBIT "A"

An undivided one-half ($\frac{1}{2}$) interest in and to the following described real property.

Being a portion of the lands of Lui Stefenoni, et ux, as recorded in Book 570, Official Records, page 28, and being more particularly described as follows:

PARCEL 1

That certain 392.20 acre parcel shown as Parcel 1 on the Record of Survey of the lands of Lui Stefenoni, et ux, as recorded in Book 146, Maps, page 10.

PARCEL A

A strip of land thirty-six (36) feet in width measured at right angles, and parallel and adjacent to, the easterly line of Parcel 2 as shown on the Record of Survey of the lands of Lui Stefenoni, et ux, as recorded in Book 146, Maps, page 10, and running from the northerly boundary of said Parcel 2 to the southerly boundary of said Parcel 2.

Containing 0.89 acres, more or less, of which 0.40 acres, more or less, is not now used.

Acquired for road and water line purposes.

Being a portion of the lands of Lui Stefenoni, et ux, as described in Book 592, Official Records, page 394, and being more particularly described as follows:

PARCEL B

A strip of land sixteen (16) feet in width, measured at right angles, and parallel and adjacent to the most easterly line of the said lands of Lui Stefenoni, et ux, said easterly line also being the most westerly line of Meacham Road as described in Book 184, Deeds, page 33; and running from the northerly boundary of the lands of Stefenoni, said boundary being the southerly boundary of the right of way of the Petaluma and Santa Rosa Railroad, to the southerly boundary of Stefenoni, said boundary being the northeasterly boundary of the lands of Lui Stefenoni, et ux, as described in Book 570, Official Records, page 28.

Containing 2.52 acres, more or less, of which 1.12 acres, more or less, is not now used.

Acquired for road and water line purposes.

PARCEL C

COMMENCING at a 3/4 inch iron pipe marking the southeasterly corner of the lands of Lui Stefenoni as described in Book 592, Official Records, page 394; thence S. 74° 41' 35" E., 11.95 feet; thence N. 12° 42' 35" E., 1386.71 feet; thence N. 20° 48' 45" E., 1138.39 feet; thence N. 21° 02' 55" E., 536.24 feet; thence N. 56° 23' 05" W., 20.36 feet to a point on the easterly line of the lands of Stefenoni, said point being the point of beginning of the herein described parcel; thence continuing N. 56° 23' 05" W. parallel to and 15.00 feet measured at right angles from the southwesterly right-of-way line of the Petaluma and Santa Rosa Railroad, 168.76 feet; thence N. 67° 29' 25" W. parallel and 15.00 feet measured at right angles from said southwesterly line of said Railroad 147.23 feet; thence S. 14° 56' 35" W., 35.00 feet; thence N. 64° 08' 25" W., 50.00 feet; thence N. 14° 56' 35" E., 50.00 feet to the southwesterly line of the Petaluma and Santa Rosa Railroad; thence southeasterly along said southwesterly line to a point from which the point of beginning bears S. 21° 10' W., 15.47 feet; thence S. 21° 10' W., 15.47 feet to the point of beginning.

Containing 0.166 acres, more or less.

Acquired for well site, access, and utility purposes.

Basis of Bearings: Happy Acres Record of Survey.

C E R T I F I C A T E O F A C C E P T A N C E
(Government Code 27281)

This is to certify that the interest in real property conveyed by the deed or grant dated December 21, 19 70 from Louis Stefenoni, executor of the will of Erminia Stefenoni, Dec'd. to County of Sonoma, a political subdivision of the State of California, a political corporation and/or governmental agency is hereby accepted by order of the Board of Supervisors of the County of Sonoma or, December 7, 19 70, (or by the undersigned officer or agent on behalf of the County of Sonoma) pursuant to authority conferred by resolution of the Board of Supervisors of Sonoma County adopted on December 7, 19 70,) and the grantee consents to recordation thereof by its duly authorized officer.

Dated: February 10, 19 71.

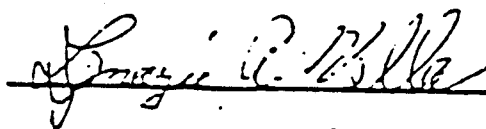


EXHIBIT "A"

Lying within the Rancho Roblar de la Miseria and being a portion of the lands of EUGENE CAMOZZI AND LYDIA CAMOZZI, HUSBAND AND WIFE AS COMMUNITY PROPERTY, AS TO AN UNDIVIDED $\frac{1}{2}$ INTEREST; AND ROBERT CAMOZZI AND GLORIA CAMOZZI, HUSBAND AND WIFE AS JOINT TENANTS, AS TO AN UNDIVIDED $\frac{1}{2}$ INTEREST as described in deeds recorded as Document Number 1991 0038893 and Document Number 1994 0102345 of Official Records, Sonoma County Records and being more particularly described as follows.

Parcel A

COMMENCING at a point in the northerly line of Parcel 1 as shown on the Record of Survey of the lands of Lui Stefenoni, et ux, as recorded in Book 146, of Maps, Page 10 from which Engineer's Station 68+51.58 P.O.C. as shown on a map entitled "Mecham Road" dated June 1971 and on a map entitled "Lands to be deeded to L. and E. Stefenoni at Central Area Disposal Site dated February 1972 on file in the office of the Sonoma County Department of Public Works bears South $82^{\circ} 26' 42''$ East, 41.38 feet; also from said point of commencement a $\frac{1}{2}$ inch iron pipe monument found and tagged L.S. 2798 in said northerly line bears South $82^{\circ} 26' 42''$ East, 30.49 feet; thence from said point of commencement and along said northerly line North $82^{\circ} 26' 42''$ West, 1056.75 feet to another $\frac{1}{2}$ inch iron pipe monument found and tagged L.S. 2798 marking an angle point in said northerly line; said $\frac{1}{2}$ inch iron pipe monument found being designated as point "A"; thence North $44^{\circ} 47' 18''$ West, 15.21 feet, to a #5 rebar monument with a 2 inch cap stamped Sonoma County Department of Transportation and Public Works and the POINT OF BEGINNING; thence North $44^{\circ} 47' 18''$ West, 1107.23 feet, to a #5 rebar monument with a 2 inch cap stamped Sonoma County Department of Transportation and Public Works; thence South $76^{\circ} 30' 16''$ East, 853.72 feet, to a #5 rebar monument with a 2 inch cap stamped Sonoma County Department of Transportation and Public Works; thence South $04^{\circ} 52' 58''$ West, 588.72 feet to the POINT OF BEGINNING.

Containing 5.70 acres, more or less

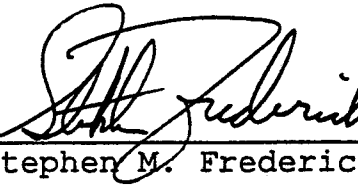
Parcel B

COMMECING at point "A" as designated in PARCEL "A"; thence from said point of commencement and along above said northerly line N. $44^{\circ} 47' 18''$ W., 494.47 feet to a $\frac{3}{4}$ inch iron pipe monument set and marked "CSSC"; said $\frac{3}{4}$ inch iron pipe set being the true point of beginning of the hereinafter described parcel; thence from said

point of beginning and continuing along said northerly line N. 44° 47' 18" W., 406.40 feet to another ¾ inch iron pipe monument set and marked "CSSC"; thence leaving said northerly line S. 7° 19' 55" W., 219.24 feet to another ¾ inch iron pipe monument set and marked "CSSC"; thence S. 77° 16' 24" E., 322.20 feet to the point of beginning.

Containing 0.81 acres, more or less

This legal description was prepared by me or under my direction in conformance with the requirements of the Land Surveyor's Act.


Stephen M. Fredericks



APN 24-080-018 PTN.

ENDORSED
FILED

JAN 19 2000

SUPERIOR COURT OF CALIFORNIA
COUNTY OF SONOMA

STEVEN M. WOODSIDE #58684
County Counsel
NEIL C. BAKER #56493
Chief Deputy County Counsel
County of Sonoma
575 Administration Dr., Rm. 105A
Santa Rosa, California 95403-2881
Telephone: (707) 565-2421

Attorneys for Plaintiff

SUPERIOR COURT OF CALIFORNIA, COUNTY OF SONOMA

COUNTY OF SONOMA, a political
subdivision of the State of California,

Plaintiff,

vs.

EUGENE CAMOZZI and LYDIA
CAMOZZI, Husband and Wife; ROBERT
CAMOZZI and GLORIA CAMOZZI,
Husband and Wife, *et al.*,

Defendants.

No. SCV-223124

NOTICE OF DEPOSIT OF PROBABLE
JUST COMPENSATION;
APPLICATION FOR ORDER OF
IMMEDIATE PREJUDGMENT
POSSESSION; DECLARATION OF
APPRAISER; DECLARATION OF
ENGINEER: ORDER OF POSSESSION

(General Civil Case)

I.

NOTICE OF DEPOSIT

TO DEFENDANTS NAMED HEREIN:

PLEASE TAKE NOTICE that a deposit of money for the benefit of those persons of record having an ownership interest in the property that is the subject of this eminent domain action was made on January 19, 2000, in the Sonoma County Superior Court in the amount of \$26,850.00. The property affected by the easements to be acquired is a portion of Assessor's Parcels Nos. 024-080-018 and 024-080-027 and the known owners of record are Eugene and Lydia Camozzi, husband and wife, and Robert and Gloria Camozzi, husband and wife.

II.
APPLICATION FOR ORDER OF PREJUDGMENT POSSESSION

Pursuant to Code of Civil Procedure section 1255.410, plaintiff applies for an order of possession of the property interests described in the Complaint on file in this action. The property interests to be acquired are needed for the construction of the Central Landfill Expansion Project (the "Project"), which will be carried out in the unincorporated area of Sonoma County. The Project will involve the construction of a recycling/reuse area, a public tipping facility, and a household hazardous waste collection facility. It is imperative that the Project be completed as soon as possible in order to increase the capacity of the County's Central Landfill.

The property owned by the Defendants consists of two Assessor's Parcels (024-080-018 and 024-080-027) of agricultural land with a total of approximately 372 acres. The property to be acquired in this eminent domain action consists of approximately 6.5 acres of land located approximately 6 miles south of the City of Santa Rosa, adjacent to the County of Sonoma's Central Landfill (the "Parcel"). For the Project to proceed, the County must finalize permits from the State Integrated Waste Management Board and the State Regional Water Quality Control Board. In order to process the permit applications, the County must have an order of possession with respect the Parcel. Therefore, the County is applying at this time for an order of possession under Code of Civil Procedure section 1255.450(b) which entitles the County of Sonoma to possession of the Parcel ninety (90) days after service of the order to satisfy the permit requirements. However, the actual construction schedule for the various phases of the Project will require access to the Property earlier than the ninety day period, and the County is attempting to secure permission from the property owners for such access. In the event that the negotiations are not successful, the County will apply to the Court for a superseding order of immediate possession pursuant to Code of Civil Procedure section 1255.410(c).

As shown by the complaint on file in this action, the plaintiff is entitled to acquire the property interests described in the complaint by eminent domain, and the appraised amount

1 of probable compensation of \$26,850.00 is hereby tendered by the County and shall
2 immediately be deposited with the Clerk of the Superior Court pursuant to the provisions of
3 Code of Civil Procedure section 1255.010, et seq.

4 Respectfully submitted,

5
6 Dated: January 18, 2000

7 STEVEN M. WOODSIDE, County Counsel

8 By: 
9 NEIL C. BAKER
10 Chief Deputy County Counsel

11 Attorneys for Plaintiff.

12
13 **III.**
DECLARATION OF APPRAISER

14 I, DAVID LEWIS, declare:

15 I am the Manager of the Right-of-Way Section of the Sonoma County Department of
16 Transportation and Public Works. That Section is responsible for the acquisition of property
17 needed for the construction of public works of improvement undertaken by the County of
18 Sonoma. From 1972 to the present, I have had extensive experience in the fields of property
19 appraisal and acquisition as well as land use planning. In addition to my present position, I
20 was employed by the San Bernardino County Department of Real Estate Services, the San
21 Bernardino County Office of Planning, and the cities of Victorville and Fontana. I am a
22 Senior Member of the International Right-of-Way Association (SR/WA) and a Senior
23 Member of the American Society of Appraisers, and regularly teach classes and participate
24 in seminars relating to substantive and procedural appraisal issues and the acquisition of
25 property interests by public entities. During my career I have appraised all types of real
26 property for the purpose of determining fair market value.

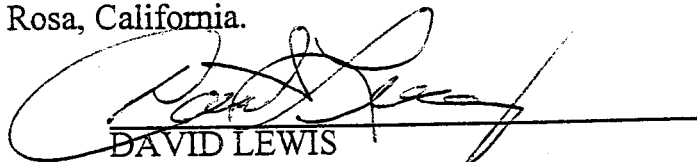
27 The property needed for the Central Landfill Expansion Project (the "Project") was
28 appraised using established methods of valuation including, as appropriate, the comparable

1 sales, cost, and income approaches. A formal offer of just compensation was made to the
2 owners based on an appraisal conducted by the County and other pertinent information.

3 I am familiar with the proposed Project and the property interests necessary to
4 construct it, and I have specifically inspected the property to be acquired in this action. I
5 have conducted a review of appraisal for the property owned by the defendants. Based on
6 that review and my knowledge of the property, it is my opinion that the fair market value of
7 the property being condemned, including severance damages and compensation for site
8 improvements, if any, is as follows:

| 9 <u>PARCEL</u> | TOTAL AMOUNT |
|---------------------------------|--------------|
| 10 A. P. Nos. 024-080-018 & 027 | \$26,850.00 |

11
12 I declare under penalty of perjury under the laws of the State of California that
13 the foregoing is true and correct and that this Declaration was executed on
14 January 18, 2000 at Santa Rosa, California.

15
16 
17 DAVID LEWIS

18
19 **IV.**
DECLARATION OF ENGINEER

20 I, SUSAN KLASSEN, declare:

21 I received a Bachelor of Science degree in Civil Engineering from California State
22 University, Chico in 1982. I hold license No. 39859 as a professional Civil Engineer in
23 the State of California. In 1998, I completed my Solid Waste Association of North
24 America - Manager of Landfill Operations Training and successfully completed the exam,
25 receiving certification No. 38993.

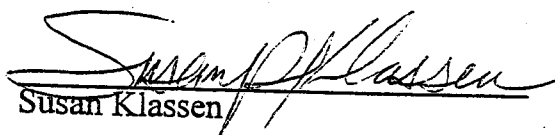
26 Since graduation from college I have worked continuously in the field of Civil
27 Engineering, first with California Department of Transportation as a Junior Civil Engineer,
28 then with Kern County Public Works Department as an Assistant Civil Engineer, before

1 coming to Sonoma County. I worked with Kern County for two and one-half years in their
2 Environmental Division where I was responsible for monitoring landfill and transfer station
3 operations and performing project engineering of related capital improvements.

4 I have been employed by the County of Sonoma in the Department of Transportation
5 and Public Works for 14 and one-half years. I worked as a Civil Engineer in the Refuse
6 Division for the first several years and then transferred into the Road Division where I worked
7 as a Senior Engineer responsible for County road, bridge and water system projects. Since
8 November 1997, I have held the position of Engineering and Operations Division Manager
9 and am responsible for the supervision and management of the Refuse Division within the
10 Integrated Waste Division of the Department. I am responsible for the management of
11 Sonoma County's Central Landfill, its five Refuse Transfer Stations, and its seven closed
12 landfill sites. My responsibilities extend to supervision and management of all capital
13 improvement projects, this responsibility extends to all phases of such projects from
14 conceptualization through construction. I have specific responsibility for the Central Landfill
15 Operation Improvement Project. As a result, I am familiar with both the purposes for the
16 Improvement Project and its design details.

17 I am also familiar with the property owned by the Defendants and, specifically, the
18 Parcel that is the subject of this eminent domain. It is necessary for the County to acquire
19 the Parcel to construct the Central Landfill Expansion Project, and in order to process the
20 County's permit application for the Project with the State Integrated Waste Management
21 Board, the County must have an order for possession of the Parcel.

22 I declare under penalty of perjury under the laws of the State of California that the
23 foregoing is true and correct and that this Declaration was executed on January 18, 2000,
24 at Santa Rosa, California.

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27 Susan Klassen
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IV.
ORDER FOR PREJUDGMENT POSSESSION

On consideration of plaintiff's application for an order of possession of the property interests described in the complaint on file in this action, and the Court having determined that the plaintiff is entitled to acquire the property by eminent domain and that plaintiff has tendered a deposit of the probable just compensation and filed a summary of the basis of appraisal, both of which meet the requirements of Code of Civil Procedure sections 1255.010, et seq.,

IT IS ORDERED that plaintiff is authorized and empowered to take possession and use of the property described in the complaint, and to remove any and all persons, obstacles, improvements or structures of any kind or nature located on the property.

IT IS FURTHER ORDERED that this Order shall be effective ninety (90) days after service of this Order on the owners of record of the property described in the Complaint on file in this action or on their attorney of record.

IT IS FURTHER ORDERED that the plaintiffs' deposit of probable just compensation shall be deposited in an interest bearing account in the County Treasury.

DATED: JAN 19 2000

LLOYD VON DER MEHDEN
JUDGE OF THE SUPERIOR COURT