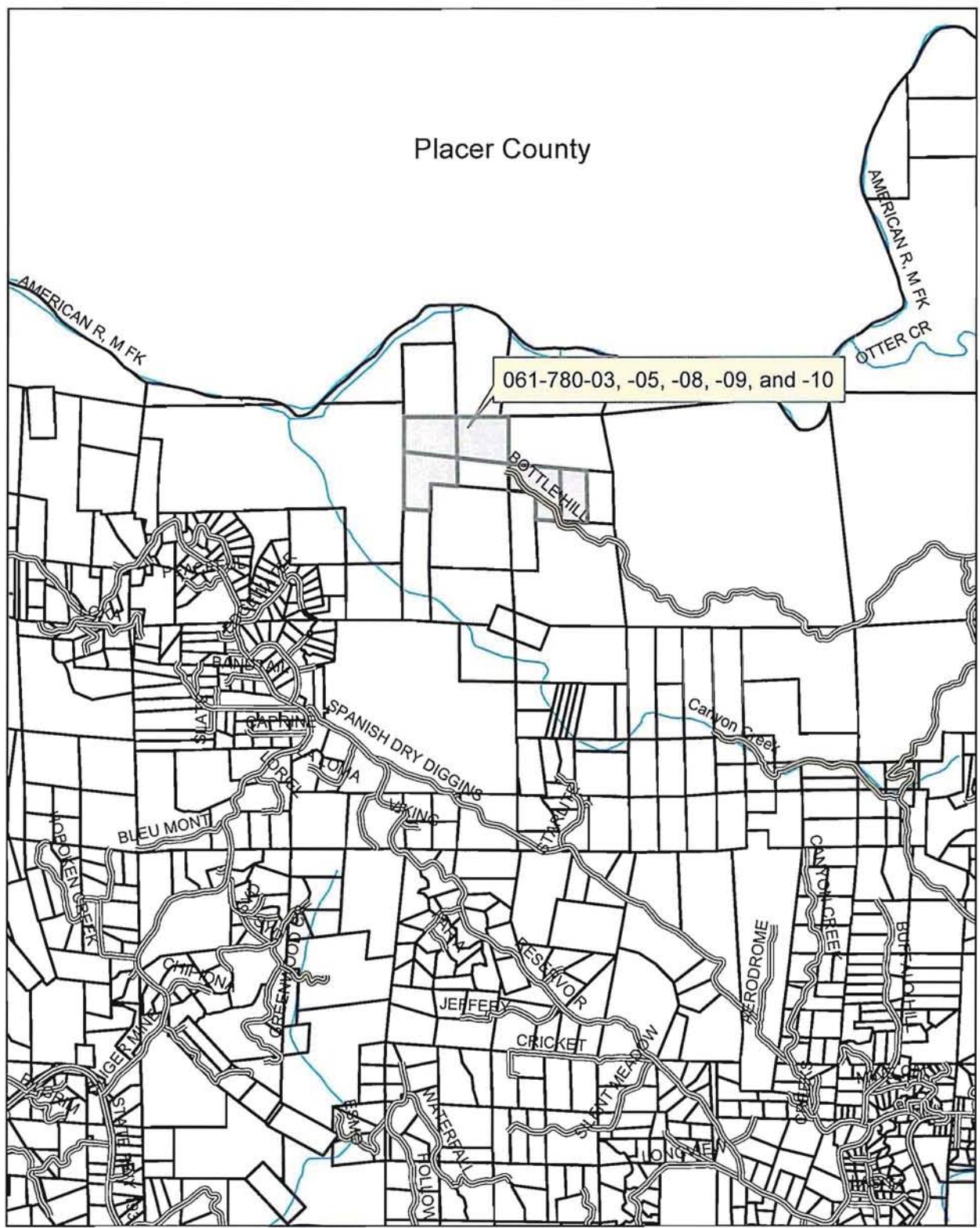


Placer County



061-780-03, -05, -08, -09, and -10

File No. COC11-0007-R

Location Map

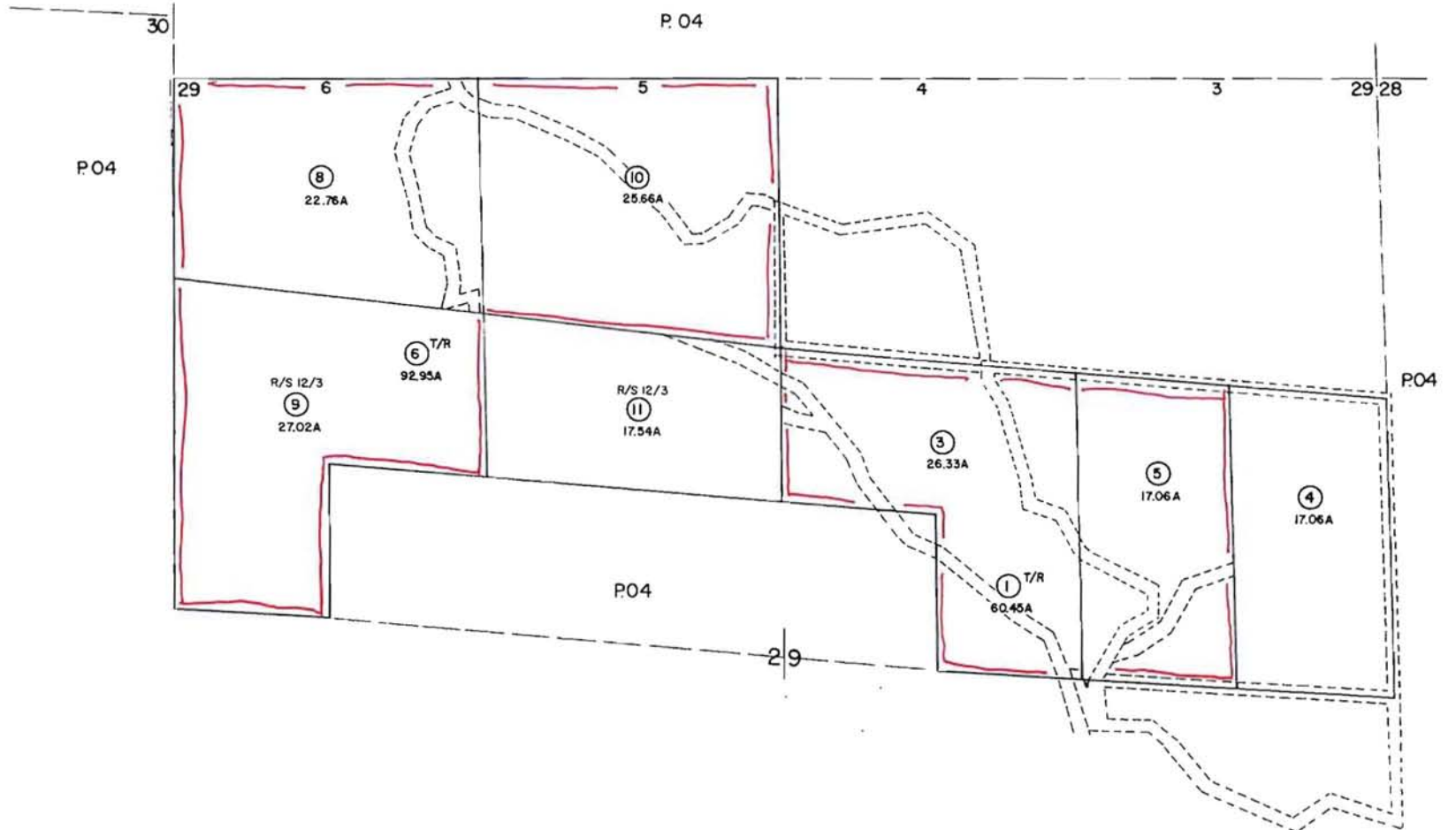
Exhibit A



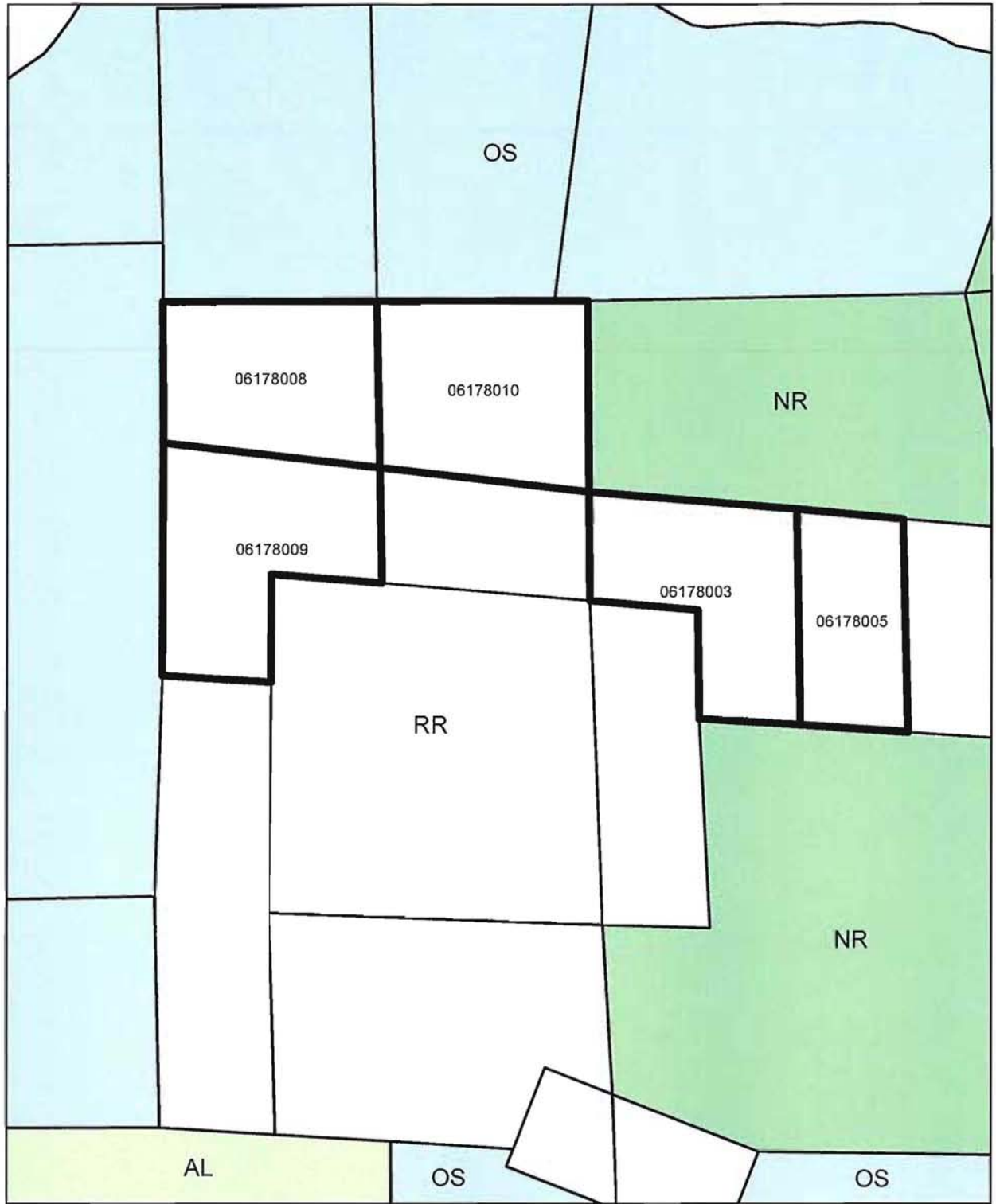
0 1,250 2,500 3,750 5,000 Feet



Exhibit B



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



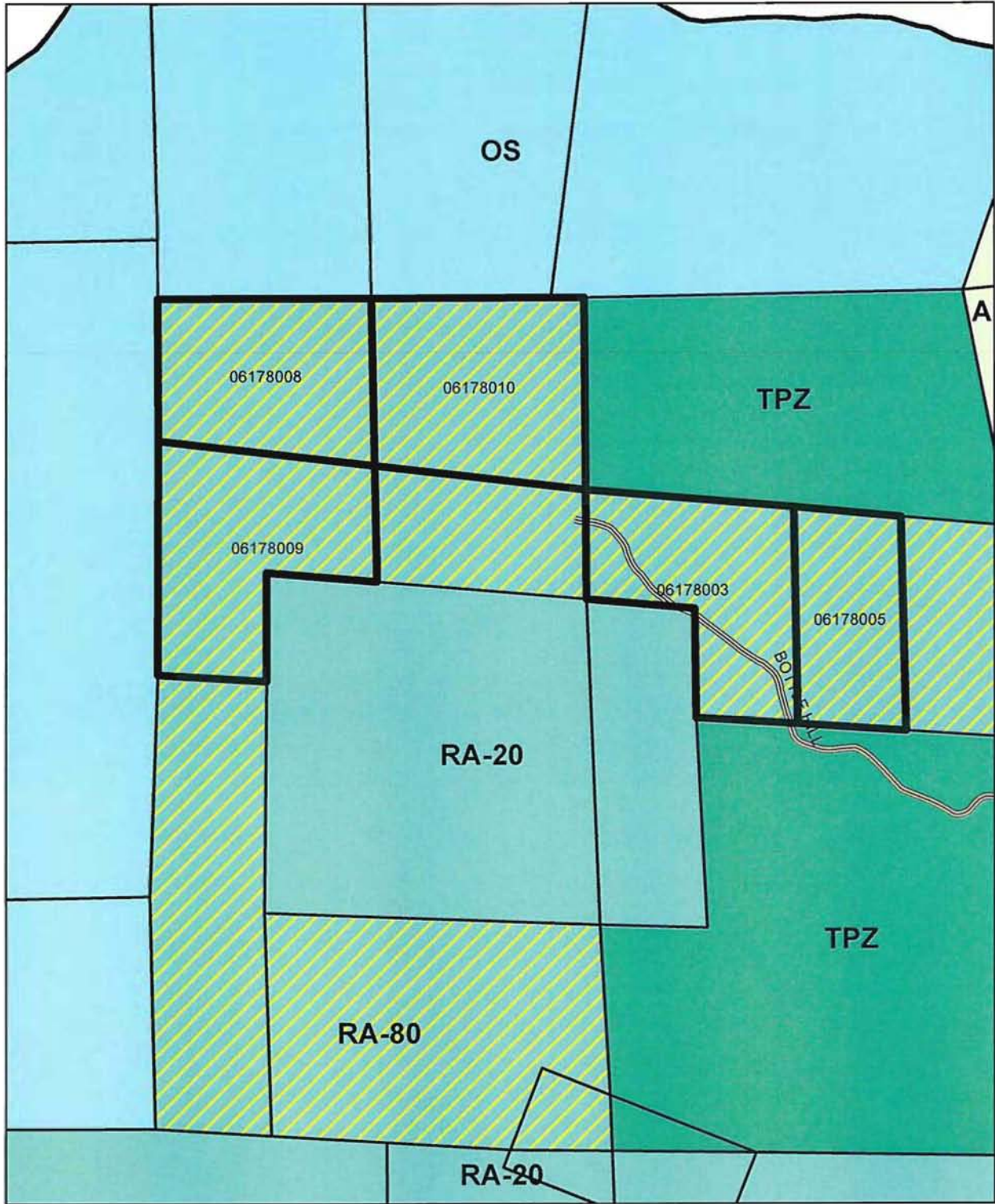
File No. COC11-0007-R
General Plan Land Use Map



- Agricultural Lands
- Open Space
- Natural Resources
- Rural Residential

Exhibit C

0 250 500 750 1,000
 Feet

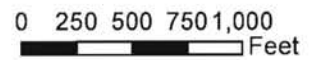


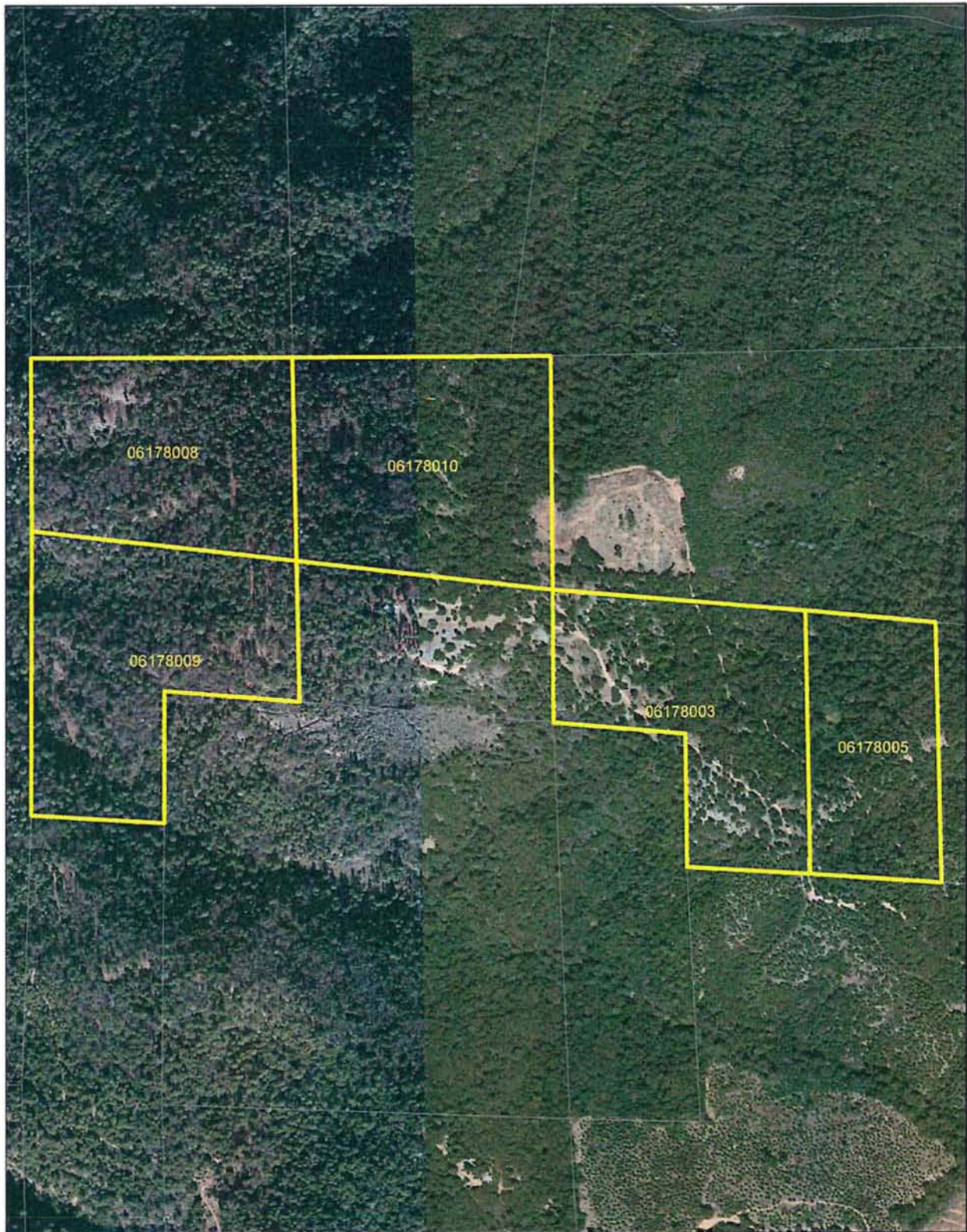
File No.COC11-0007-R
Zoning Map

-  Agricultural
-  Open Space
-  Residential Agricultural 20-acre
-  Residential Agricultural 80-acre
-  Timberland Preserve Zone



Exhibit D





File No. COC11-0007-R
Aerial Photo



Exhibit E

0 250 500 750 1,000
Feet

BECKER RUNKLE LAURIE
& MAHONEY
ATTORNEYS AT LAW

263 MAIN STREET, LEVEL 2
PLACERVILLE, CALIFORNIA 95667
(530)295-6400

FAX (530) 295-6408

DAVID C. BECKER
STEVEN L. BECKER

NARRATIVE

DATED: July 8, 2015

TO: El Dorado County Planning Dept.

RE: APN's 061-780-03 & 061-780-05
Conditional Certificate of Compliance COC11-0007

RECEIVED
PLANNING DEPARTMENT
15 JUL 09 AM 8:43

The purpose of this narrative is to highlight the need for the revision of Conditional Certificate of Compliance #COC11-0007 presently being requested by Denton Beam.

Mr. Beam's project in Georgetown will help El Dorado County remove five illegal, non-compliant parcels, and turn them into two legal and compliant residential parcels, generating property taxes for the County.

The five illegal parcels in question are accessed via Bottle Hill Road and Mameluke Hill Road in Georgetown by way of Wentworth Springs Rd. Bottle Hill Road and Mameluke Hill Road are Forest Service Roads open to all vehicles as delineated on the Forest Service Maps provided to Planning with the Revision Request.

These particular Forest Service roads are used by thousands of users each year for various recreational purposes. Further, these particular roads are used by various property owners whose parcels can only be accessed via Bottle Hill Road and Mameluke Hill Road.

Given the non-compliant and illegal parcels that make up Mr. Beam's project, a Conditional Certificate of Compliance was required for Mr. Beam to combine and legalize the parcels in question. One requirement that has become too onerous to satisfy is the access requirement contained in Condition 9. Specifically, it is not access that is the issue, as the roads undoubtedly exist and are open to all vehicles as outlined in the Forest Service Map. Rather,

it is providing deeded access that is proving too difficult and expensive for the reasons set forth below.

At the outset, given the roads are owned by a public agency, obtaining deeded access is nearly, if not completely, impossible. There is simply no mechanism for getting the US Government to “deed” access to Mr. Beam.

One possible way to satisfy the condition in question would be to obtain a Special Use Permit from the Forest Service to use the roads. In an effort to gauge the feasibility of this option, I spoke with the US Forest Service office in Georgetown, who informed me that Special Use Permits are discretionary, and their approval are subject to payment of annual permit fees and cost recovery fees. These permits, however, are only granted on a per-year basis, and thus would require annual renewal, which is not even guaranteed.

In Mr. Beam’s particular case, the Forest Service graciously indicated they would consider granting a Special Use Permit, but that any such grant of a Special Use Permit would be conditioned on Mr. Beam constructing fairly substantial road improvements on the nearly several miles of road in question, despite the thousands of recreational users who use the roads at no cost, as well as the various property owners that use the roads to access their homes daily despite not paying or contributing to the roads’ maintenance.

To satisfy Condition 9 of the COC, Mr. Beam would essentially be required, at his sole expense, to upgrade and improve roads that are used by thousands of recreational users and residence owners who do not contribute to their repair and maintenance. The grading and gravelling alone of the roads in question could easily exceed tens of thousands of dollars, and make Mr. Beam’s project (or any other project developing the parcels in question) dead on arrival.

The permit and cost recovery fees, on top of the substantial costs for the required road improvements, make satisfying the specific wording of Condition 9 of Conditional Certificate of Compliance #COC11-0007 cost prohibitive, and would make Mr. Beam’s project economically unfeasible. Because the illegal parcels in question are only accessible via these Forest Service roads, anyone hoping to develop and legalize these parcels will face the same problems satisfying the access condition that Mr. Beam is facing.

Therefore, we respectfully request revision of the access requirement (Condition 9) of Conditional Certificate of Compliance #COC11-0007. Access itself is not the issue, as there is clearly access as delineated on the Forest Service maps provided to Planning. Rather, it is providing proof of access that is proving difficult given the roads in question are owned by a public entity. For that reason, we request it be left to the buyer/seller to work out access and road improvement issues, and to the title company issuing their policy of title insurance. If Condition #9 is not revised, then these parcels will remain illegal given the financial unfeasibility of obtaining a Special Use Permit due to the upfront costs and road improvements required by the Forest Service.

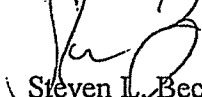
Of equal importance, any Special Use Permit issued would only be valid for one year,

making it a very expensive short term solution without guarantee of a long-term solution.

Thank you for your time and consideration, and please feel free to contact me with any questions or concerns.

Sincerely,

BECKER RUNKLE LAURIE & MAHONEY



Steven L. Becker
Attorney at Law



United States
Department of
Agriculture

Forest
Service

Eldorado National Forest
Georgetown Ranger District

1600 Wentworth Springs Road
Georgetown, CA 95634
530-333-4312
TDD: 530-333-5511
FAX: 530-6475405

File Code: 2730
Date: August 14, 2015

Rob Peters, Project Planner
El Dorado County Planning Services
2850 Fairlane Court
Placerville, CA 95667

RECEIVED
FOREST SERVICE
AUG 14 2015 12:38

Re: COC11-0007-R – BEAM CERTIFICATE OF COMPLIANCE REVISION

Dear Mr. Peters:

We have reviewed the subject application dated July 15, 2015, and offer the following comments:

Access to the 118.83 acres of private land requires use of road number 13N97 (BLM-Canyon Creek) in Section 34, under the jurisdiction of the Bureau of Land Management, and road 13N58 (Bottle Hill Road) in Section 28, under the jurisdiction of the Forest Service, Eldorado National Forest.

Bottle Hill Road is open to public motorized travel in the dry season, but motorized travel is prohibited annually at a minimum from January 1 to March 31 (longer if the wet season extends earlier or later). Year-round motorized travel on Bottle Hill Road requires a special use authorization.

On May 1, 2015, we received a proposal for a special use permit from the landowner; we have been evaluating the proposal with our road engineer to provide the landowner the improvements that will be required to harden the road for winter travel and yearly maintenance.

Under a special use permit, approval from the Forest Service is required to conduct road reconstruction, road maintenance, commercial hauling of heavy loads (timber, construction), and/or snow removal/plowing. Special use permits may be issued for up to 10 years term; and right-of-way fees are assessed annually. Special use permits are not transferable.

Thank you for the opportunity to comment on legal access to the Beam parcels. If you have any questions, please contact Jon Jue, Georgetown Resource Officer at jjue@fs.fed.us or 530-333-5550.

Sincerely,

Patricia M. Trimble

PATRICIA TRIMBLE
District Ranger

