

October 12, 2021

Mendocino County

OCT 12 2021

Department of Planning and Building Services  
860 North Bush St. Ukiah CA., 95482

Planning & Building Services

RE: Case# MS\_2020-0007

Owner/Applicant: **Bodhi Marx**

Attention: **Mr. Keith Gronendyke**

**Mr. Gronendyke,**

Thank you and county staff for the notification dated September 24, 2021 regarding the BODHI minor subdivision. To be clear as to my interest and my concerns on this project is but a few items. I just completed my minor subdivision last year. (MS\_2016-0006). I am not anti-subdivision nor do I oppose any landowner their right to pursue the highest and best use of their land. I do however reject the concept of exceptions that are not afforded all directly impacted. The rules are to be applied as written and the equal protection of those rules need to prevail.

The Easement at issue has been legally defined as a 60 foot access for a fixed number of parcels. That easement legal description is not in dispute. The roadway that is described in the easement has been in continued use since the late 1800's and its location cannot be disputed. Its topographical constraints do not provide for its mis-interpretation of the historic footprint. Here is where the applicant has attempted to misrepresent the entrance from HWY 128 by using a map that has been openly discussed amongst the road users in email chains on other issues, road maintenance in this case and was clarified by my survey of the entrance and it too is filed with the county. That surveyed correction is attached.

Next point of concern: adding additional users to the roadway that is currently a challenge to fire and safety.

The proposed grade variance chip-seal mitigation is incomplete and temporary. The long term use of that class of surface would be a long term cost liability to other users. Furthermore that expense is not mitigated in the applicant's proposal. Repair and maintenance of chip-seal will be a far more costly burden on the collective of users and not solely the expense of the applicant. The County is not in a position to burden the neighbors with costs that they have not elected to participate in.

Summary:


1. The applicant has requested for one additional user be added to the road system which does not meet the minor-subdivision standards.

2. The applicant has not met the fire and emergency access standards pertaining to this application.
3. The applicant has submitted a map from a public source not supported by survey. Applicant's documents DO NOT represent the project accurately. The applicant has had engineering on site and I'm a little confused as to the applicant's use of information that is known to be inaccurate.
4. The majority of the impact of this project is on our lot 1 of our recently approved minor subdivision MS\_2016-0006. That impact is the strip of land 30 feet wide, one half of the deeded 60' access easement.

Attachments:

Survey of road entrance

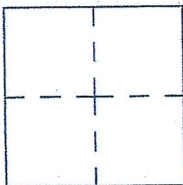
Minor Subdivision, final approved map for MS\_2016-0006

 Date: 10-12-21  
Pete Opata - owner

# CORNER RECORD

Agency Index 009-2020

Document Number \_\_\_\_\_

City of Unincorporated County of Mendocino, California**Brief Legal Description**LYING WITHIN SECTION 20, TOWNSHIP 12 NORTH, RANGE 11 WEST M.D.B & MAND BEING ON THE WESTERLY SIDE OF PARCEL 1AS SHOWN ON "PARCEL MAP, MS\_2016-0006", FILED IN MAPS, DR. 88, PG. 53-55, M.C.R.**CORNER TYPE****COORDINATES (Optional)**

Government Corner  Control   
 Meander  Property   
 Rancho  Other

N. \_\_\_\_\_ E. \_\_\_\_\_  
Elevation. \_\_\_\_\_Units Metric  U.S. Survey Foot 

Horizontal Datum \_\_\_\_\_

Zone \_\_\_\_\_ Epoch Date \_\_\_\_\_

Date of Survey SEPTEMBER, 30, 2020

Vertical Datum \_\_\_\_\_

 Complies with Public Resources Code §§8801-8819 Complies with Public Resources Code §§8890-8902PLS Act Ref.:  8765(d)  8771  8773  Other:

Corner/Monument:  Left as found  Established  Rebuilt  Pre-Construction  
 Found and tagged  Reestablished  Referenced  Post-Construction

Narrative of corner identified and monument as found, set, reset, replaced, or removed:

 See sheet #2 for description(s):

SET 5/8" REBARS WITH TAG STAMPED "PLS 8594" ALONG A PORTION OF THE EASTERLY LINE OF THAT CERTAIN 60' WIDE ACCESS AND UTILITY EASEMENT SHOWN AS THE CENTERLINE GRAVEL ROAD ON THAT MAP ENTITLED "PARCEL MAP, MS\_2016-0006", FILED IN MAPS, DR. 88, PG. 53-55, M.C.R.

**SURVEYOR'S STATEMENT**

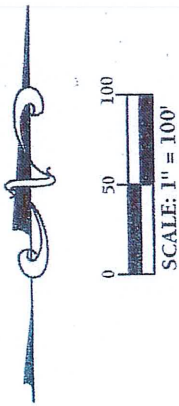
This Corner Record was prepared by me or under my direction in conformance with the Professional Land Surveyors' Act on 10/02/20

Signed *W. Vance Ricks* P.L.S. No. 8594**COUNTY SURVEYOR'S STATEMENT**This Corner Record was received OCTOBER 02, 2020and examined and filed OCTOBER 5, 2020Signed *Howard N. Dashiell* P.L.S. No. 7148Title County Surveyor

County Surveyor's Comment

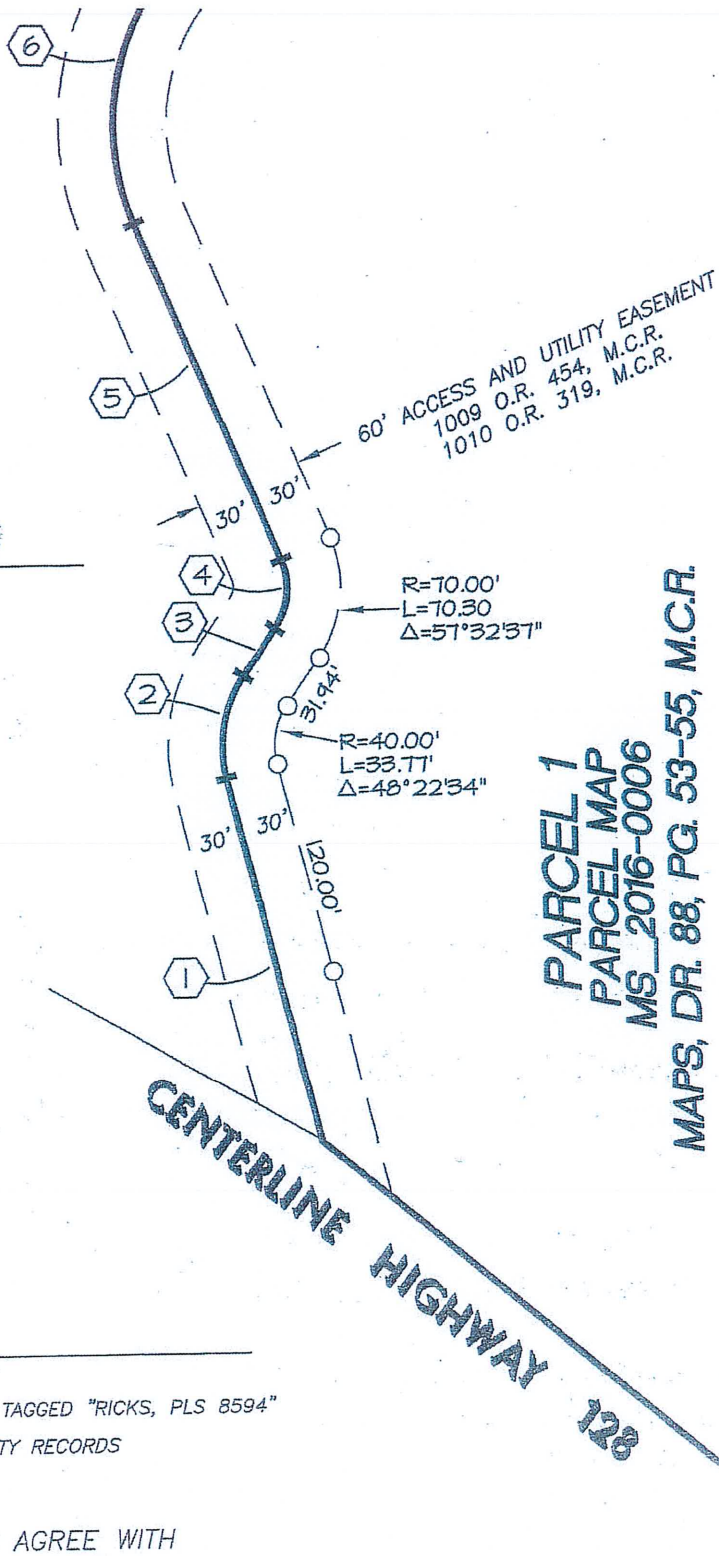
APN 049-380-x37





**CENTERLINE GRAVEL ROAD**

- ① - N12°40'33"W 210.58'
- ② - R=70.00' L=59.10' Δ=48°22'34"
- ③ - N35°42'01"E 31.94'
- ④ - R=40.00' L=40.17' Δ=57°32'57"
- ⑤ - N21°50'36"W 205.46'
- ⑥ - R=140.00' L=199.71' Δ=81°43'57"



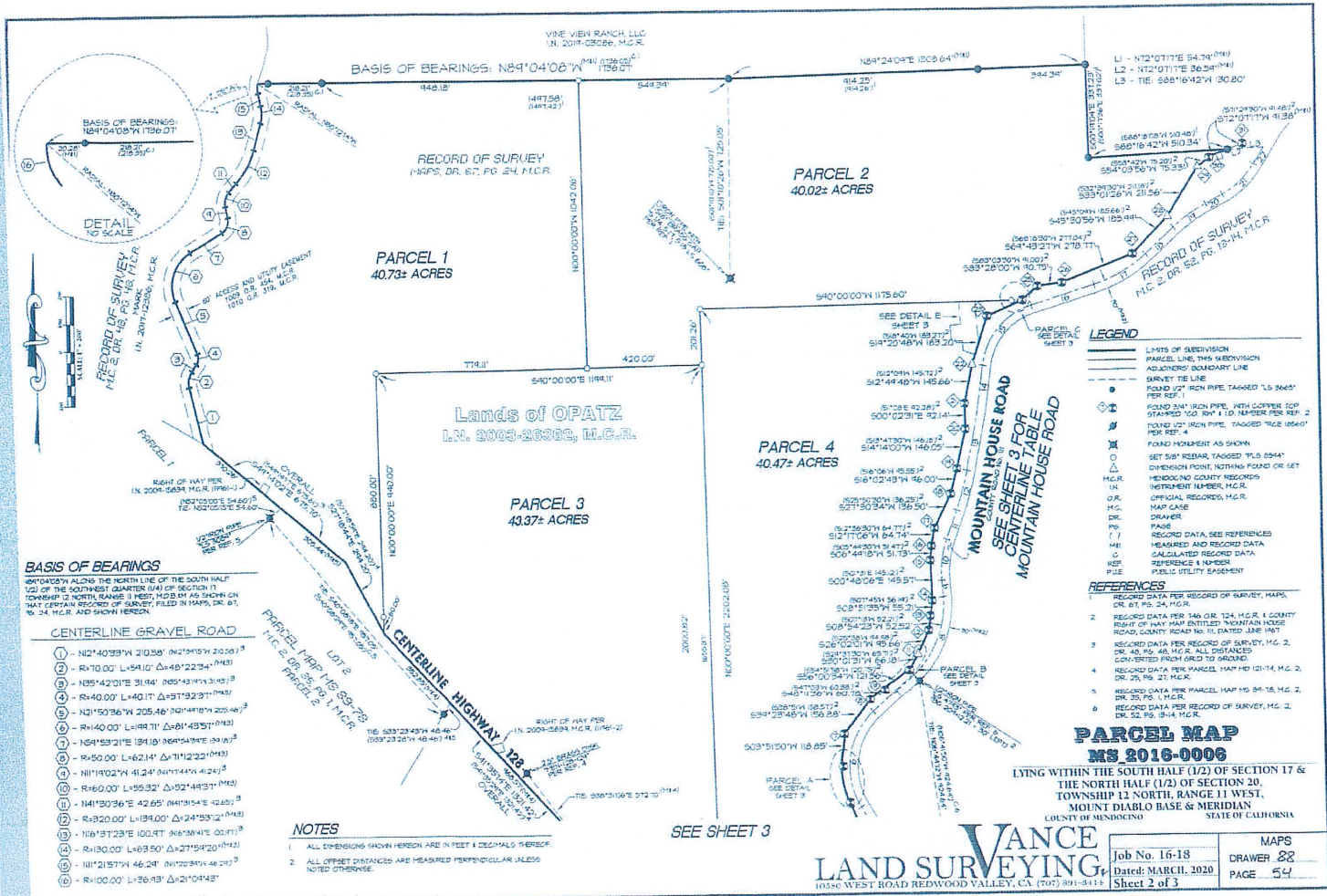
**PARCEL 1  
PARCEL MAP  
MS\_2016-0006  
MAPS, DR. 88, PG. 53-55, M.C.R.**

**LEGEND**

○	EASEMENT
○	SET 5/8" REBAR TAGGED "RICKS, PLS 8594"
M.C.R.	MENDOCINO COUNTY RECORDS
DR.	DRAWER
PG.	PAGE

ALL BEARINGS AND DISTANCES AGREE WITH  
MAPS, DR. 88, PG. 53-55, M.C.R.



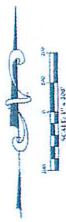


**PARCEL MAP**  
**MS 2016-0006**

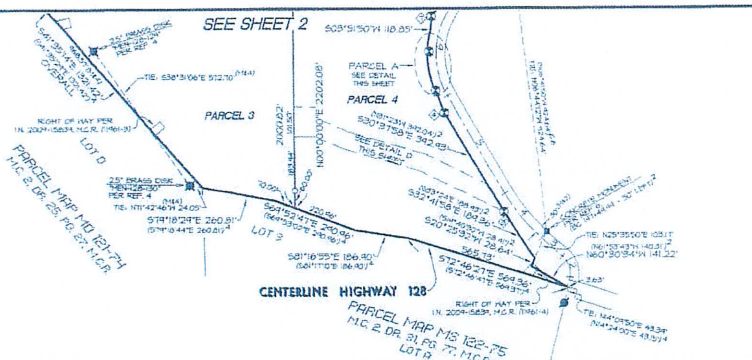
LYING WITHIN THE SOUTH HALF (1/2) OF SECTION 17 & THE NORTH HALF (1/2) OF SECTION 20, TOWNSHIP 13 NORTH, RANGE 11 WEST, MOUNT DIABLO BASE & MERIDIAN COUNTY OF CALIFORNIA STATE OF CALIFORNIA

**VANCE LAND SURVEYING**  
10356 WEST ROAD REDWOOD VALLEY, CA (707) 891-8414

Job No. 16-18	MAPS
Dated: MARCH, 2020	DRAWER 28
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**BASIS OF BEARINGS**  
SEE SHEET 2



**CENTERLINE MOUNTAIN HOUSE ROAD**  
(COUNTY ROAD NO. III, 746 OR 724, M.C.R.)

- 1 - N10°31'01"E 35.15' Δ=17°52'34"E
- 2 - R=78.78' L=11.44' Δ=56°21'20" (M)
- 3 - N44°31'22"W 46.10' Δ=14°26'11" (M)
- 4 - R=600.00' L=195.30' Δ=18°34'00" (M)
- 5 - N01°00'22"W 38.10' Δ=18°41'18" (M)
- 6 - R=275.00' L=171.34' Δ=18°31'40" (M)
- 7 - N40°31'10"E 202.50' Δ=17°50'40" (M)
- 8 - R=350.00' L=95.68' Δ=51°40'40" (M)
- 9 - N03°03'22"W 60.10' Δ=18°01'00" (M)
- 10 - R=195.00' L=146.15' Δ=24°21'00" (M)
- 11 - N21°11'38"E 12.81' Δ=20°31'E 12.81' (M)
- 12 - R=400.00' L=148.10' Δ=10°11'28" (M)
- 13 - N11°49'58"E 318.00' Δ=10°31'E 28.00" (M)
- 14 - N08°21'38"E 167.60' Δ=11°31'E 47.60" (M)
- 15 - R=260.00' L=241.10' Δ=169°24'20" (M)
- 16 - N78°58'58"E 242.04' Δ=17°22'00" (M)
- 17 - R=500.00' L=214.77' Δ=25°11'00" (M)
- 18 - N48°41'58"E 140.85' Δ=18°02'00" (M)
- 19 - R=600.00' L=146.08' Δ=13°51'00" (M)
- 20 - N62°44'58"E 10.56' Δ=15°20'10" (M)
- 21 - R=300.00' L=160.28' Δ=30°36'30" (M)
- 22 - N32°09'08"E 72.33' Δ=12°20'00" (M)

CALCULATED FROM 746 OR 724 M.C.R. DEED DESCRIBED EASTERLY LINE OF MOUNTAIN HOUSE ROAD OR THE RIGHT OF WAY MAP SHOWING CENTERLINE DISTANCES IN ERROR. HELD EASTERLY LINE PER DEED AND CALCULATED CENTERLINE DISTANCES.

**LEGEND**

- LIMITS OF SUBDIVISION
- PARCEL LINE THIS SUBDIVISION
- ADJACENT BOUNDARY LINE
- SURVEY TIE LINE
- FOUND 1/2" IRON PIPE, TAGGED "L5 3665" PER REF. 1
- FOUND 3/4" IRON PIPE, WITH LOWER TOP STAMPED "L5 504" (L2) NUMBER PER REF. 2
- FOUND 1/2" IRON PIPE, TAGGED "L6 15560" PER REF. 4
- FOUND MONUMENT AS SHOWN
- SET 5/8" REBAR, TAGGED "T15 6941" DIMENSION POINT, NOTHING FOUND OR SET
- △ HORIZONTAL ANGLE RECORDS
- △ HORIZONTAL ANGLE RECORDS
- OR OFFICIAL RECORDS, M.C.R.
- DR DRAWER
- PG PAGE
- ( ) RECORD DATA, SEE REFERENCES
- ( ) MEASURED AND RECORD DATA
- ( ) CALCULATED RECORD DATA
- REF REFERENCE # NUMBER
- P.U.E. PUBLIC UTILITY EASEMENT

**REFERENCES**

- 1 RECORD DATA PER RECORD OF SURVEY, MAPS, OR 41 PG. 24, M.C.R.
- 2 RECORD DATA PER 746 OR 724, M.C.R. & COUNTY RIGHT OF WAY MAP ENTITLED "MOUNTAIN HOUSE ROAD COUNTY ROAD NO. III, DATED LINE 1961"
- 3 RECORD DATA PER RECORD OF SURVEY, M.C. 2, OR 40 PG. 40, M.C.R. ALL DISTANCES CONVERTED FROM GRID TO GROUND
- 4 RECORD DATA PER PARCEL MAP HD 121-14, M.C. 2, OR 28 PG. 21, M.C.R.
- 5 RECORD DATA PER PARCEL MAP MS 04-10, M.C. 2, OR 28 PG. 1, M.C.R.
- 6 RECORD DATA PER RECORD OF SURVEY, M.C. 2, OR 52 PG. 13-14, M.C.R.

**PARCEL MAP MS 2016-0006**

LYING WITHIN THE SOUTH HALF (1/2) OF SECTION 17 & THE NORTH HALF (1/2) OF SECTION 20, TOWNSHIP 12 NORTH, RANGE 11 WEST, MOUNT DIABLO BASE & MERIDIAN COUNTY OF MENDOCINO STATE OF CALIFORNIA

**VANCE LAND SURVEYING**  
10390 WEST ROAD REDWOOD VALLEY, CA. (707) 451-9141

Job No. 16-18  
Date: MARCH, 2020  
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