

# Agricultural Land Division Checklist:

FILED DATE:

1. TPM #: \_\_\_\_\_; AgLD #: \_\_\_\_\_

2. APN: \_\_\_\_\_

3. Applicant:  
 Name: \_\_\_\_\_  
 Address: \_\_\_\_\_  
 \_\_\_\_\_

4. Agent:  
 Name: \_\_\_\_\_  
 Address: \_\_\_\_\_  
 \_\_\_\_\_


1. Zone District (Circle one):                      **AL-10**                      **AG-20**                      **AX**                      **AG-40**

2. **Type of Agricultural Land Division Requested:**

- A. Transfer to relative farming the land
- B. Farm home retention
- C. To create a financing parcel for:      a farm home \_\_\_\_\_, Ag. const. project \_\_\_\_.

Parent parcel acreage: \_\_\_\_\_ acres  
 Proposed area of new parcels:      P1 \_\_\_\_\_;      P2 \_\_\_\_\_; P3 \_\_\_\_\_  
 Dimensions of new parcel:      Depth: \_\_\_\_\_ feet;      Width: \_\_\_\_\_ feet

Date owner purchased site: \_\_\_\_\_  
 Owner will retain remainder of the parent parcel?      Yes      No  
 "Declaration of Intent..." attached (W'mson Act" Declaration if under contract)?      Yes      No  
 Method of sewage disposal?      Public system      Indiv. domestic system      None  
 Method of water supply?      Public system      Indiv. domestic system      None

3. **Is the site restricted by a "Williamson Act" Contract?**                      **Yes**                      **No**

Preserve No. \_\_\_\_\_;      Contract No. \_\_\_\_\_;  
 Has Non-renewal been filed?                      Yes                      No  
     If yes what is the expiration date of the Contract?      \_\_\_\_\_  
 Year existing house was built:      \_\_\_\_\_  
 Is the Joint Management Agreement (JMA) required by "W'mson Act"  
     attached?                      Yes                      No

4. **For transfer of title of the new parcel:**

Is the new parcel is for this persons principal residence?                      Yes                      No  
 Name of the recipient(s): \_\_\_\_\_  
 Relationship to owner(s): \_\_\_\_\_

5. **If parcel is part of non contiguous parcels exception:**

Is this the smallest?                      Yes                      No  
 Is only the new parcel's parent parcel smaller than the minimum?      Yes                      No  
 Is at least one (1) of the parcels in the JMA at least the minimum  
     acreage required in its zone district?                      Yes                      No  
 Will the exception reduce the potential loss of agricultural land on one  
     or more parcels that are at least the minimum parcel size?      Yes                      No

RECORDING REQUESTED BY:  
 \_\_\_\_\_  
 WHEN RECORDED, RETURN TO THE  
 KINGS COUNTY PLANNING DEPT.  
 KINGS COUNTY GOV'T CENTER  
 1400 W. LACEY BLVD.  
 HANFORD, CA 93230

**DECLARATION OF INTENT AND ACKNOWLEDGMENT  
 OF PENALTY FOR UNLAWFUL CONVEYANCE**

\* \* \* \* \*

**THIS DECLARATION IS HEREBY GIVEN BY "OWNER(S)" AND "RECIPIENT(S)"**  
 that said owner(s) intend(s) to create a parcel affecting the property described in Exhibit "A" attached hereto, by conveying  
 \_\_\_\_\_ acres, as described in Exhibit "B", to:

**(Name of the Recipient(s))**

**(Relationship to Owner(s))**

\_\_\_\_\_  
 \_\_\_\_\_

\_\_\_\_\_  
 \_\_\_\_\_

The Owner(s) and recipient(s) further acknowledge the terms and conditions of Agricultural Land Division No. \_\_\_\_\_, approved by the County of Kings pursuant to Sections 40\_\_C.\_\_\_ and 2102.C.10., of the Kings County Zoning Ordinance; and declare that the expressed and intended purpose of the division of land is to convey said acreage to, and used for the exclusive use of, the recipient(s) for their principle residence; for the owner(s) to retain the remainder of the property; no further conveyance is intended without further action that may be required by local ordinance or state law; and the transferred parcel will be jointly managed with the parcel from which it was divided.

**WE ACKNOWLEDGE** that the County of Kings may construe, absent any extenuating circumstances, any subsequent conveyance of the acreage from the recipient(s) or owner(s) to another party, for ten (10) years from the date this declaration was recorded, as a violation of the terms and conditions of the approval of this division of land, the Kings County Zoning Ordinance, the Kings County Land Division Ordinance, and the California Subdivision Map Act. Such a violation could result in the County of Kings imposing a penalty by taking one or more of, but not limited to, the following actions:

1. Take an action pursuant to Article 1.5 (Merger of Parcels) of Chapter 3 of the Subdivision Map Act, or other action, or actions, pursuant to Chapter 7 (Enforcement and Judicial Review) of the Subdivision Map Act, which may include penalties for each violation of the Act by a person who is the subdivider or an owner of record at the time of the violation of imprisonment in the county jail not to exceed one year or in state prison, by a fine not to exceed ten thousand dollars (\$10,000), or both that fine and imprisonment.
2. Loss or rescision of entitlement to development or building permits, thereby prohibiting new construction, or improvement to existing structures.

Extenuating circumstances include the death, divorce, long-term illness, permanent disability, or bankruptcy of one of the parties of the declaration, and may be cause for changes in the intended use of the parcel.

The terms of this declaration shall not apply to this land if it is acquired pursuant to a bona fide involuntary foreclosure by a lender, or similar involuntary process of law, including, but not limited to a deed in lieu of foreclosure.

**WE DECLARE** under penalty of perjury that the foregoing statement is true and correct, and that we understand its terms and intent.

Dated this \_\_\_\_ day of \_\_\_\_\_, 20\_\_, at \_\_\_\_\_ (City), \_\_\_\_\_ (State).

(Recipients)

(Owners)

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

(Attach Notary Acknowledgment)

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 \_\_\_\_\_  
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 HANFORD, CA 93230

**DECLARATION OF INTENT AND ACKNOWLEDGMENT  
 OF PENALTY FOR UNLAWFUL CONVEYANCE,  
 ASSOCIATED WITH A REVISION OF FARMLAND SECURITY ZONE CONTRACT**

\* \* \* \* \*

**THIS DECLARATION IS HEREBY GIVEN BY "OWNER(S)" AND "RECIPIENT(S)"** acknowledging the terms and conditions of Agricultural Land Division No. \_\_\_\_\_, approved by the County of Kings pursuant to Sections 40.C. and 2102.C.10., of the Kings County Zoning Ordinance; and to revise Farmland Security Zone Contract No. \_\_\_\_\_, Farmland Security Zone No. \_\_\_\_-\_\_\_\_\_, by and between:

\_\_\_\_\_  
 \_\_\_\_\_

and the COUNTY OF KINGS, recorded \_\_\_\_\_, 20 \_\_\_\_, as Instrument No. \_\_\_\_\_, of the Official Records of Kings County, California, affecting that property described in Exhibit "A" attached hereto, to modify Section 3 of said contract to convey \_\_\_\_\_ acres to:

(Name of the Recipient(s))	(Relationship to the Owner(s))
_____	_____
_____	_____

The owner(s) and recipient(s) further declare that the expressed and intended purpose is to convey said acreage to the recipient(s), and that the acreage is for the exclusive use of the recipient(s) for their principle residence, to retain the remainder of the property by the owner(s), and no further conveyance is intended without further action that may be required by local ordinance or state law.

**WE ACKNOWLEDGE** that the County of Kings may construe, absent any extenuating circumstances, any subsequent conveyance of the acreage or lot from the recipient(s) or owner(s) to another party, for ten years from the date this declaration was recorded or the parcel is restricted by the Farmland Security Zone Contract No. \_\_\_\_\_, whichever is the longer time period, as a violation of the terms of the joint management agreement required as part of this division of land, the Farmland Security Zone Contract, the Kings County Zoning Ordinance, the Kings County Land Division Ordinance, and the Subdivision Map Act. Such a violation could result in the County of Kings imposing a penalty by taking one or more of, but not limited to, the following actions:

1. Rescission of the contract revision which would render the home site illegal and require the conveyance of the home site to the owners.
2. Take an action pursuant to Article 1.5 (Merger of Parcels) of Chapter 3 of the Subdivision Map Act, or other action pursuant to Chapter 7 (Enforcement and Judicial Review) of the Subdivision Map Act, which may include penalties for each violation of the Act by a person who is the subdivider or an owner of record at the time of the violation of imprisonment in the county jail not to exceed one year or in state prison, by a fine not to exceed ten thousand dollars (\$10,000), or both that fine and imprisonment.
3. Loss or rescission of entitlement to development or building permit, thereby prohibiting new construction, or improvement to, or replacement of, existing structures.

Extenuating circumstances include the death, divorce, long-term illness, permanent disability, or bankruptcy of one of the parties of the declaration, and may be cause for changes in the intended use of the parcel.

The terms of this declaration shall not apply to this land if it is acquired pursuant to a bona fide involuntary foreclosure by a lender, or similar involuntary process of law, including but not limited to a deed in lieu of foreclosure.

**WE DECLARE** under penalty of perjury that the foregoing statement is true and correct, and that we understand its terms and intent.

Dated this \_\_\_\_ day of \_\_\_\_\_, 20\_\_, at \_\_\_\_\_ (City), \_\_\_\_\_ (State).

Recipient(s)

Owner(s)

\_\_\_\_\_  
\_\_\_\_\_

The **COUNTY OF KINGS** acknowledges and approves the revision of the Farmland Security Zone Contract subject to the conditions stated above:

BY: \_\_\_\_\_

**Chairman of the Board of Supervisors**

**STATE OF CALIFORNIA**     }  
  }  
**COUNTY OF KINGS**        }

On this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_, before me Rosie Martinez, clerk of the Board of Supervisors in and for said County personally appeared \_\_\_\_\_, Chairman of the Board of Supervisors of Kings County, known to me to be the person described in and whose name is subscribed to and who executed the same.

**IN WITNESS WHEREOF**, I have hereunto set my hand and affixed the Seal of said Board the day and year in this certificate first written above.

\_\_\_\_\_  
**Catherine Venturella, Clerk of the Board of Supervisors**

(Attach Notary Acknowledgments for Owner(s) and Recipient(s) signatures)