

**RESOLUTION NO. 2022-\_\_\_\_\_**

**A RESOLUTION OF THE CITY COUNCIL OF  
THE CITY OF MERCED, CALIFORNIA,  
APPROVING THE FINAL SUBDIVISION MAP  
FOR THE SAGE CREEK, PHASE 2 SUBDIVISION  
(#5397)**

WHEREAS, a Tentative Subdivision Map for the Sage Creek Subdivision was approved on April 19, 2020, by the Planning Commission; and,

WHEREAS, a Final Map conforming to the approved Tentative Map has been filed with the City of Merced; and,

WHEREAS, the City Engineer has reviewed the Final Map and certified that the Final Map substantially conforms to the conditionally approved Vesting Tentative Subdivision Map; and,

WHEREAS, all required certificates on said Final Map have been signed and, where necessary, acknowledged; and,

WHEREAS, the City has determined that the Final Map is statutorily exempt from the California Environmental Quality Act (CEQA) Statutory Exemptions, Title 14 of the California Code of Regulations Section 15268(b)(3) Ministerial Projects, Approval of Final Subdivision Maps and a Notice of Exemption is attached hereto.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MERCED DOES RESOLVE AS FOLLOWS:

SECTION 1. FINDINGS. The City Council finds and declares that:

1. The Final Map is statutorily exempt from the California Environmental Quality Act (CEQA), Statutory Exemptions, Title 14 of the California Code of Regulations Section 15268(b)(3) Ministerial Projects, Approval of Final Subdivision Maps.

2. The Final Map is in substantial compliance with the Tentative Map.
3. The discharge of waste from the proposed subdivision into the sewer system will not result in violation of existing requirements of the Water Quality Control Board.
4. The Final Map is consistent with applicable general and specific plans.
5. The design or improvement of the proposed subdivision is consistent with applicable general and specific plans.
6. The site is physically suitable for the proposed type of development.
7. The site is physically suitable for the proposed density of development.
8. The design of the subdivision or the proposed improvements are not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife of their habitat.
9. The design of the subdivision or the type of improvements are not likely to cause serious public health problems.
10. The design of the subdivision or the type of improvements will not conflict with easements, acquired by the public at large, for access through or use of, property within the proposed subdivision.
11. An agreement has been entered into with the developer satisfactory to guarantee completion of public improvements within the subdivision.

SECTION 2. APPROVAL OF MAP. The City Council hereby approves the Final Map for the Sage Creek, Phase 2 Subdivision and hereby accepts on behalf of the public all Streets, Courts, and Avenues (subject to Subdivision improvements), and all easements and dedications as shown on the map as shown

on the map at Exhibit "A" attached hereto and incorporated herein by this reference.

PASSED AND ADOPTED by the City Council of the City of Merced at a regular meeting held on the \_\_\_\_ day of \_\_\_\_\_ 2022 by the following called vote:

AYES: Council Members:

NOES: Council Members:

ABSTAIN: Council Members:

ABSENT: Council Members:

APPROVED:

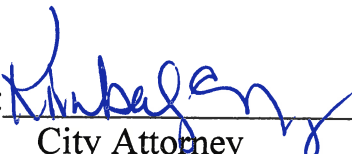
\_\_\_\_\_  
Mayor

ATTEST:  
STEPHANIE R. DIETZ, CITY CLERK

BY: \_\_\_\_\_  
Deputy City Clerk

(SEAL)

APPROVED AS TO FORM:

BY:  4/25/22  
City Attorney Date

OWNER'S STATEMENT

WE HEREBY STATE THAT WE ARE THE OWNERS OF OR HAVE RECORD TITLE INTEREST IN THE SUBDIVIDED REAL PROPERTY, AND THAT WE ARE THE ONLY PERSONS WHOSE CONSENT IS NECESSARY TO PASS CLEAR TITLE TO SAID LAND. WE HEREBY CONSENT TO THE PREPARATION AND RECORDATION OF THIS SUBDIVISION MAP AS SHOWN WITHIN THE EXTERIOR BOUNDARY LINES.

WE ALSO HEREBY IRREVOCABLY OFFER FOR DEDICATION THE REAL PROPERTY DESCRIBED BELOW AS AN EASEMENT FOR PUBLIC PURPOSES TO THE CITY OF MERCED.

ALL THE PUBLIC UTILITY EASEMENTS AND THE 10' WATERLINE EASEMENT, AS INDICATED IN THIS MAP.

WE ALSO HEREBY IRREVOCABLY OFFER FOR DEDICATION IN FEE THE REAL PROPERTY DESCRIBED BELOW FOR PUBLIC PURPOSES TO THE CITY OF MERCED.

MONACO DRIVE, ANISE COURT, CLARY COURT, SCARLET COURT, AND HORIZONS AVENUE.

WE HEREBY RELINQUISH ALL DIRECT RIGHTS OF ACCESS OF LOTS 92-104 TO AND FROM HORIZONS AVENUE.

PURSUANT TO SECTION 66434(g) OF THE SUBDIVISION MAP ACT, THE PORTION ON THE 10' WATERLINE EASEMENT AS DEDICATED BY THE MAP FILED IN VOLUME OF OFFICIAL PLATS, AT PAGES, MERCED COUNTY RECORDS, LYING WITHIN ANISE COURT, AS DELINEATED ON THIS MAP, IS HEREBY BEING ABANDONED.

WE FURTHER STATE THAT WE KNOW OF NO EASEMENTS OR STRUCTURES EXISTING WITHIN THE LAND HEREIN OFFERED FOR DEDICATION TO THE PUBLIC, OTHER THAN PUBLIC UTILITIES OR AS PLOTTED WITHIN THIS MAP.

OWNER: STONEFIELD HOME INC, A CALIFORNIA CORPORATION

BY: GREG HOSTETLER - PRESIDENT DATE:

TRUSTEE: FIDELITY NATIONAL TITLE INSURANCE COMPANY, A CALIFORNIA CORPORATION

BY: DATE:

PRINT NAME AND TITLE:

NOTARY STATEMENT

A NOTARY PUBLIC OR OTHER OFFICER COMPLETING THIS CERTIFICATE VERIFIES ONLY THE IDENTITY OF THE INDIVIDUAL WHO SIGNED THE DOCUMENT TO WHICH THIS CERTIFICATE IS ATTACHED, AND NOT THE TRUTHFULNESS, ACCURACY, OR VALIDITY OF THAT DOCUMENT.

STATE OF CALIFORNIA COUNTY OF } S.S.

ON , 20 , BEFORE ME,

A NOTARY PUBLIC, PERSONALLY APPEARED

WHO 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/HEY 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.

I CERTIFY UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF CALIFORNIA THAT THE FOREGOING PARAGRAPH IS TRUE AND CORRECT.

WITNESS MY HAND

SIGNATURE: COMMISSION NUMBER:

PRINCIPAL COUNTY OF BUSINESS: MY COMMISSION EXPIRES:

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A NOTARY PUBLIC OR OTHER OFFICER COMPLETING THIS CERTIFICATE VERIFIES ONLY THE IDENTITY OF THE INDIVIDUAL WHO SIGNED THE DOCUMENT TO WHICH THIS CERTIFICATE IS ATTACHED, AND NOT THE TRUTHFULNESS, ACCURACY, OR VALIDITY OF THAT DOCUMENT.

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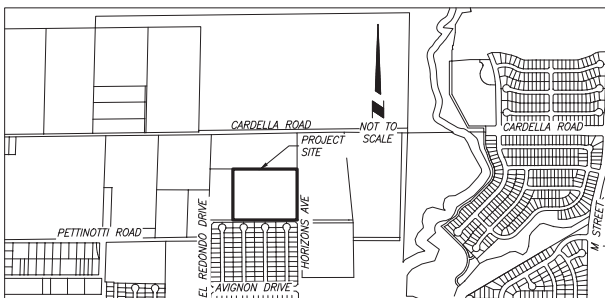
TENTATIVE MAP NO. 1313 SUBDIVISION NO. 5397 SAGE CREEK - PHASE 2

BEING A SUBDIVISION OF THE REMAINDER AS SHOWN ON THE FINAL MAP FOR SAGE CREEK - PHASE 1, FILED FOR RECORD IN VOLUME OF OFFICIAL PLATS, AT PAGES THROUGH, MERCED COUNTY RECORDS, LYING WITHIN SECTION 12, TOWNSHIP 7 SOUTH, RANGE 13 EAST, MOUNT DIABLO BASE AND MERIDIAN CITY OF MERCED, COUNTY OF MERCED, STATE OF CALIFORNIA MARCH 2022



BENCHMARK ENGINEERING, INC.

915 17TH STREET, MODESTO, CALIFORNIA, 95354



PRELIMINARY TITLE REPORT

PRELIMINARY TITLE REPORT FIDELITY NATIONAL TITLE COMPANY PREPARED BY: ORDER NUMBER: DATE: AFFECT:

SOILS REPORT

IN ACCORDANCE WITH THE SUBDIVISION MAP ACT AND LOCAL ORDINANCE, A PRELIMINARY SOILS REPORT FOR THE SUBDIVISION WAS PREPARED ON APRIL 13, 2021 BY TECHNICON ENGINEERING SERVICES, INC. TES NO. 210186.001, AND IS ON FILE IN THE OFFICE OF THE CITY ENGINEER OF THE CITY OF MERCED.

RIGHT TO FARM STATEMENT

PER MERCED COUNTY ORDINANCE NO. 12133: THE PROPERTY DESCRIBED ON THE HEREON SHOWN MAP IS IN THE VICINITY OF LAND UTILIZED FOR AGRICULTURAL PURPOSES AND RESIDENTS OF THIS PROPERTY MAY BE SUBJECT TO INCONVENIENCE OR DISCOMFORT ARISING FROM THE USE OF AGRICULTURAL CHEMICALS, INCLUDING, BUT NOT LIMITED TO, PESTICIDES AND FERTILIZERS, AND FROM THE PURSUIT OF AGRICULTURAL OPERATIONS INCLUDING, BUT NOT LIMITED TO, FLOWING, SPRAYING, AND BURNING WHICH OCCASIONALLY MAY GENERATE DUST, SMOKE, NOISE, AND ODOR.

THE COUNTY OF MERCED HAS ESTABLISHED AGRICULTURE AS A PRIORITY USE IN AGRICULTURAL ZONES WHICH ARE OUTSIDE OF AN ESTABLISHED SPECIFIC URBAN DEVELOPMENT (SUDP) BOUNDARY, RURAL RESIDENTIAL CENTER (RRC) BOUNDARY, HIGHWAY INTERCHANGE CENTER (HIC) BOUNDARY, OR AGRICULTURAL SERVICES CENTER (ASC) BOUNDARY, AND RESIDENTS OF PROPERTY IN THE VICINITY OF SUCH AGRICULTURAL ZONES SHOULD BE PREPARED TO ACCEPT INCONVENIENCE OR DISCOMFORT FROM THE NORMAL, NECESSARY AGRICULTURAL OPERATIONS.

SURVEYOR'S STATEMENT

THIS MAP WAS PREPARED BY ME OR UNDER MY DIRECTION AND IS BASED UPON A FIELD SURVEY IN CONFORMANCE WITH THE REQUIREMENTS OF THE SUBDIVISION MAP ACT AND LOCAL ORDINANCE AT THE REQUEST OF STONEFIELD HOME INC. IN AUGUST 2020. I HEREBY STATE ALL MONUMENTS ARE OF THE CHARACTER AND OCCUPY THE POSITIONS INDICATED, OR THAT THEY WILL BE SET IN THOSE POSITIONS ON OR BEFORE DECEMBER 31, 2022, THAT THE MONUMENTS ARE, OR WILL BE, SUFFICIENT TO ENABLE THE SURVEY TO BE RETRACED, AND THAT THIS FINAL MAP SUBSTANTIALLY CONFORMS TO THE CONDITIONALLY APPROVED TENTATIVE MAP.

DATED THIS DAY OF , 20.

PRELIMINARY FOR REVIEW ONLY MICHAEL HALTERMAN P.L.S. 8040



CITY SURVEYOR'S STATEMENT

I HEREBY STATE THAT I HAVE EXAMINED THIS FINAL MAP AND HAVE FOUND THAT IT CONFORMS WITH MAPPING PROVISIONS OF CHAPTER 2 OF THE SUBDIVISION MAP ACT AND THAT I AM SATISFIED THAT THIS MAP IS TECHNICALLY CORRECT.

DATED THIS DAY OF , 20.

JOE M. CARDOSO, PLS 8851

CITY ENGINEER'S STATEMENT

I HEREBY STATE THAT I HAVE EXAMINED THIS MAP AND THAT THE SUBDIVISION SHOWN HEREON IS SUBSTANTIALLY THE SAME AS IT APPEARED ON THE TENTATIVE MAP, AND ANY APPROVED ALTERATIONS THEREOF, THAT THIS MAP IS IN COMPLIANCE WITH ALL PROVISIONS OF THE CALIFORNIA SUBDIVISION MAP ACT AND LOCAL ORDINANCES APPLICABLE AT THE TIME OF THE APPROVAL OF THE TENTATIVE MAP, HAVE BEEN COMPLIED WITH.

DATED THIS DAY OF , 20.

MICHAEL R. BELTRAN II, CITY ENGINEER R.C.E. 83916

CITY CLERK'S CERTIFICATE

I, STEPHANIE R. DIETZ CITY CLERK OF THE CITY OF MERCED, STATE OF CALIFORNIA, DO HEREBY CERTIFY THAT THIS MAP WAS APPROVED AT A REGULAR MEETING BY THE CITY COUNCIL OF MERCED, STATE OF CALIFORNIA, HELD ON THE DAY OF , 20, AND THAT COUNCIL DID ACCEPT ON BEHALF OF THE PUBLIC ALL OF MONACO DRIVE, ANISE COURT, CLARY COURT, SCARLET COURT, AND HORIZONS AVENUE, IN FEE (SUBJECT TO SUBDIVISION IMPROVEMENTS BEING ACCEPTED BY THE CITY OF MERCED), ALL EASEMENTS AND OTHER DEDICATIONS INDICATED ON THIS MAP. PURSUANT TO SECTION 66434(g) OF THE SUBDIVISION MAP ACT, THE FOLLOWING EASEMENT IS HEREBY ABANDONED:

THE 10' WATERLINE EASEMENT AS DEDICATED BY THE MAP FILED IN VOLUME OF OFFICIAL PLATS, AT PAGES, MERCED COUNTY RECORDS, LYING WITHIN ANISE COURT, AS DELINEATED ON THIS MAP, IS HEREBY BEING ABANDONED.

DATED THIS DAY OF , 20.

STEPHANIE R. DIETZ, CITY CLERK

SUBDIVISION AGREEMENT

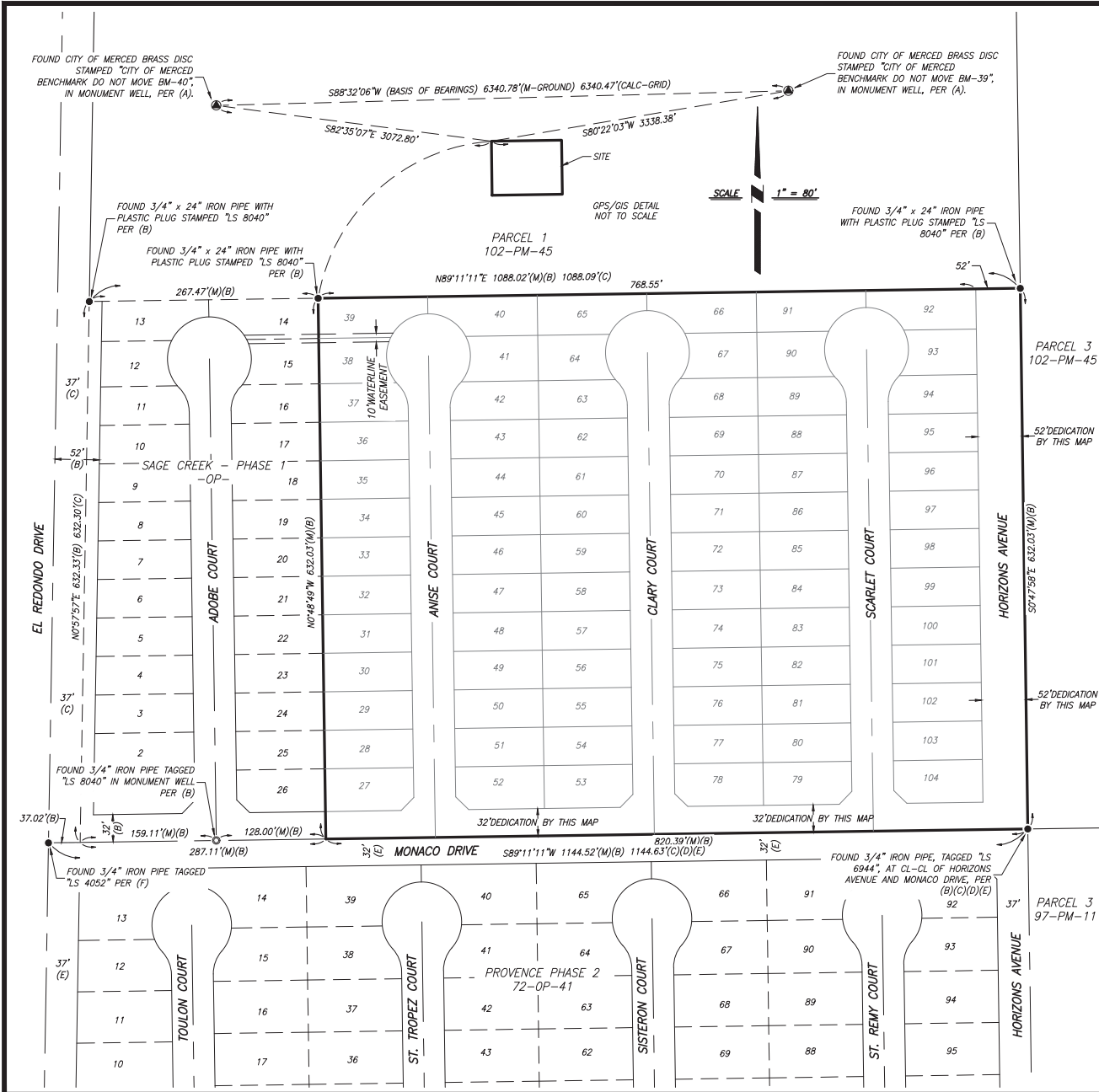
SUBDIVISION AGREEMENT BETWEEN THE CITY OF MERCED AND STONEFIELD HOME, INC. FOR SAGE CREEK PHASE 2, RECORDED AS DOCUMENT NUMBER, DATE, M.C.R.

RECORDER'S STATEMENT

DOC. # FILED THIS DAY OF , 20, AT M. IN VOLUME OF OFFICIAL PLATS AT PAGES, M.C.R. AT THE REQUEST OF STONEFIELD HOME, INC. FEE: MATT H. MAY, COUNTY RECORDER BY: , DEPUTY

VOLUME PAGE SHEET 1 OF 3

EXHIBIT A - Page 1



**TENTATIVE MAP NO. 1313**  
**SUBDIVISION NO. 5397**  
**SAGE CREEK - PHASE 2**

BEING A SUBDIVISION OF THE REMAINDER AS SHOWN ON THE FINAL MAP FOR SAGE CREEK - PHASE 1, FILED FOR RECORD IN VOLUME \_\_\_ OF OFFICIAL PLATS, AT PAGES \_\_\_ THROUGH \_\_\_ MERCED COUNTY RECORDS, LYING WITHIN SECTION 12, TOWNSHIP 7 SOUTH, RANGE 13 EAST, MOUNT DIABLO BASE AND MERIDIAN CITY OF MERCED, COUNTY OF MERCED, STATE OF CALIFORNIA MARCH 2022



**BENCHMARK ENGINEERING, INC.**  
 915 17TH STREET, MODESTO, CALIFORNIA, 95354

**LEGEND**

- NOTE: ALL PIPE SIZES ARE INSIDE DIAMETER
- FOUND MONUMENT AS NOTED
  - FOUND MONUMENT IN MONUMENT WELL, AS NOTED
  - FOUND GPS MONUMENT, AS SHOWN ON REF. A.
  - SET 3/4" x 24" IRON PIPE, WITH PLASTIC PLUG STAMPED LS 8040
  - SET 3/4" x 24" IRON PIPE, WITH PLASTIC PLUG STAMPED LS 8040 IN MONUMENT WELL
  - SET 3/4" x 24" IRON PIPE, WITH PLASTIC PLUG STAMPED LS 8040 AT ALL REAR LOT CORNERS, AND LOT ANGLE POINTS, UNLESS NOTED AS A WITNESS CORNER
- 3'WC ○
- ////// RESTRICTED ACCESS
- CL CENTERLINE
  - D.N. DOCUMENT NUMBER
  - R.S. RECORD OF SURVEY
  - P.M. PARCEL MAP
  - O.P. OFFICIAL PLATS
  - (M) MEASURED ON THIS SURVEY
  - (R) RADIAL BEARING
  - SFN SEARCHED, FOUND NOTHING
  - PUE PUBLIC UTILITY EASEMENT
  - C42 CURVE TABLE REFERENCE

**NOTES**

1. ALL BEARINGS AND DISTANCES SHOWN HEREON ARE MEASURED UNLESS OTHERWISE NOTED.
2. ALL DISTANCES AND DIMENSIONS SHOWN ARE IN FEET AND DECIMAL PARTS THEREOF.
3. ALL RECORD INFORMATION SHOWN IS FROM MERCED COUNTY RECORDS.

**BASIS OF BEARINGS**

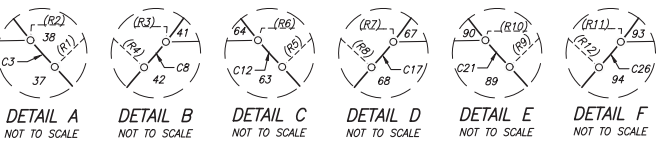
A BEARING OF  $S88^{\circ}32'06''W$  WAS MEASURED FOR THE LINE BETWEEN GPS MONUMENT 39 AND GPS MONUMENT 40 AS SHOWN ON THE GPS SURVEY CONTROL NETWORK FILED IN VOLUME 58 OF SURVEYS, AT PAGES 38-41, MERCED COUNTY RECORDS, WAS USED AS THE BASIS OF BEARINGS FOR THIS SURVEY.

**REFERENCES**

- (A) RECORD OF SURVEY FOR GPS CONTROL, FILED IN VOLUME 58 OF SURVEYS, AT PAGE 38-41, M.C.R.
- (B) SUBDIVISION MAP FOR SAGE CREEK - PHASE 1, \_\_\_-OP-\_\_\_, M.C.R.
- (C) PARCEL MAP FOR YCH, FILED IN VOLUME 102 OF PARCEL MAPS, AT PAGES 45-46, M.C.R.
- (D) AMENDED PARCEL MAP, VOLUME 97, PAGE 11, M.C.R.
- (E) PROVENCE PHASE 2, VOLUME 72 OF OFFICIAL PLATS, PAGE 41, M.C.R.

PARCEL 1  
102-PM-45

RADIAL TABLE		RADIAL TABLE	
(R1)	S45°30'10"W	(R7)	N51°34'03"W
(R2)	N49°56'25"E	(R8)	S47°07'48"E
(R3)	N51°34'03"W	(R9)	S45°30'10"W
(R4)	S47°07'48"E	(R10)	N49°56'25"E
(R5)	S45°30'10"W	(R11)	N51°34'03"W
(R6)	N49°56'25"E	(R12)	S47°07'48"E



# TENTATIVE MAP NO. 1313 SUBDIVISION NO. 5397 SAGE CREEK - PHASE 2

BEING A SUBDIVISION OF THE REMAINDER AS SHOWN ON THE FINAL MAP FOR SAGE CREEK - PHASE 1, FILED FOR RECORD IN VOLUME \_\_\_ OF OFFICIAL PLATS, AT PAGES \_\_\_ THROUGH \_\_\_ MERCED COUNTY RECORDS, LYING WITHIN SECTION 12, TOWNSHIP 7 SOUTH, RANGE 13 EAST, MOUNT Diablo BASE AND MERIDIAN CITY OF MERCED, COUNTY OF MERCED, STATE OF CALIFORNIA  
MARCH 2022

**BENCHMARK ENGINEERING, INC.**

915 17TH STREET, MODESTO, CALIFORNIA, 95354



**LEGEND**

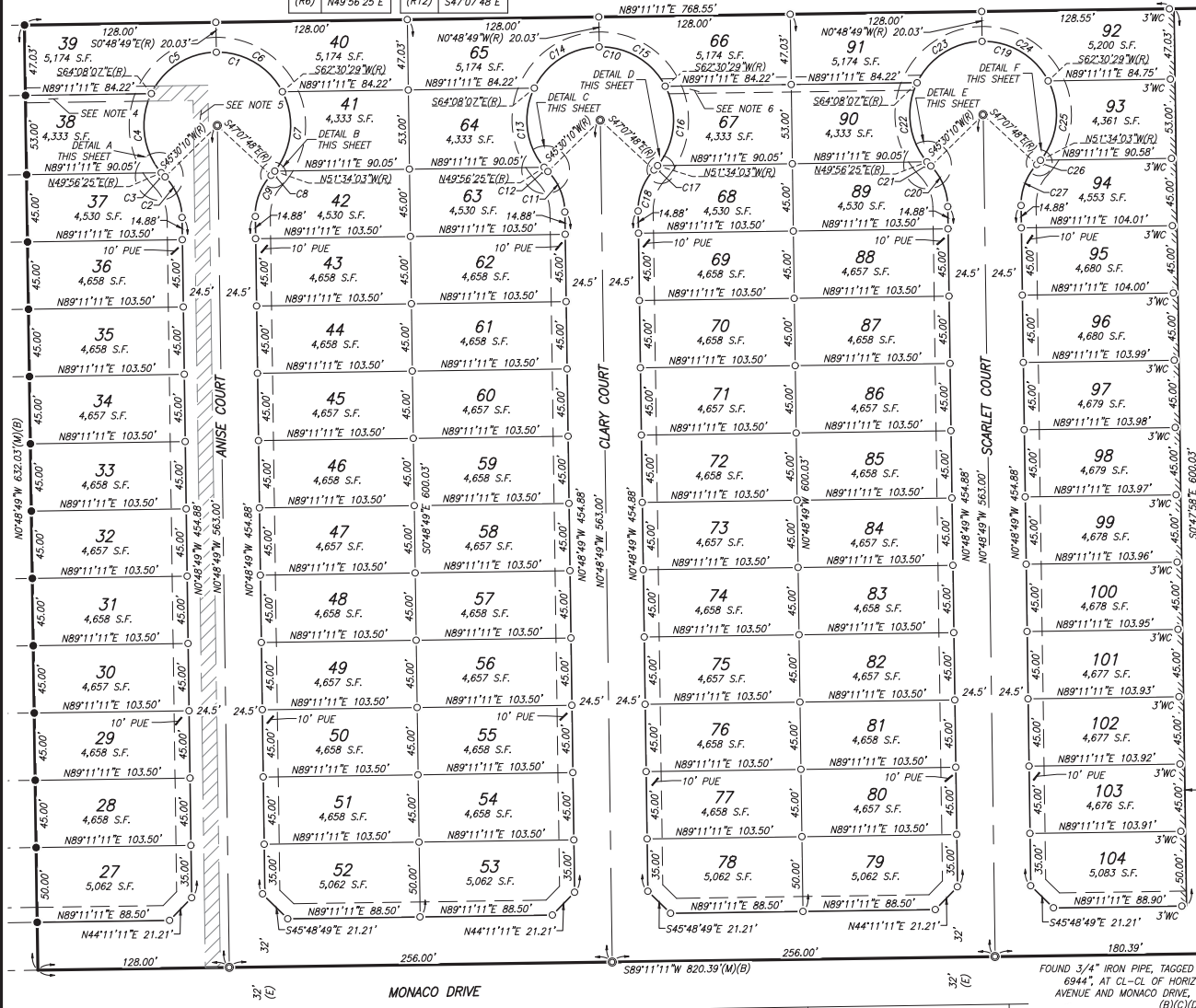
- NOTE: ALL PIPE SIZES ARE INSIDE DIAMETER
- FOUND 3/4" x 24" IRON PIPE, WITH PLASTIC PLUG STAMPED LS 8040 PER (B) UNLESS OTHERWISE NOTED
  - FOUND MONUMENT IN MONUMENT WELL, AS NOTED
  - FOUND GPS MONUMENT, AS SHOWN ON REF. A
  - SET 3/4" x 24" IRON PIPE, WITH PLASTIC PLUG STAMPED LS 8040
  - SET 3/4" x 24" IRON PIPE, WITH PLASTIC PLUG STAMPED LS 8040 IN MONUMENT WELL
  - SET 3/4" x 24" IRON PIPE, WITH PLASTIC PLUG STAMPED LS 8040 AT ALL REAR LOT CORNERS, AND LOT ANGLE POINTS, UNLESS NOTED AS A WITNESS CORNER
- RESTRICTED ACCESS

**NOTES**

1. ALL BEARINGS AND DISTANCES SHOWN HEREON ARE MEASURED UNLESS OTHERWISE NOTED.
2. ALL DISTANCES AND DIMENSIONS SHOWN ARE IN FEET AND DECIMAL PARTS THEREOF.
3. ALL RECORD INFORMATION SHOWN IS FROM MERCED COUNTY RECORDS.
4. EXISTING 10' WATERLINE EASEMENT PER (B).
5. PORTION OF 10' WATERLINE EASEMENT ABANDONED BY THIS MAP.
6. 10' WATERLINE EASEMENT DEDICATED BY THIS MAP.
7. SEE SHEET 2 FOR RECORD REFERENCES.

**SUBDIVISION SUMMARY**

65 LOTS	9.71 ACRES
STREETS	2.19 ACRES
<b>TOTAL</b>	<b>11.90 ACRES</b>



SCALE 1" = 50'

HORIZONS AVENUE

CURVE DATA TABLE			
CURVE	DELTA	RADIUS	LENGTH
C1	267°22'03"	49.00'	228.66'
C2	4°34'01"	39.50'	30.12'
C3	4°26'15"	49.00'	3.80'
C4	65°55'28"	49.00'	56.38'
C5	63°19'18"	49.00'	54.15'
C6	63°19'18"	49.00'	54.15'
C7	65°55'28"	49.00'	56.38'
C8	4°26'15"	49.00'	3.80'
C9	4°34'01"	39.50'	30.12'
C10	267°22'03"	49.00'	228.66'
C11	4°34'01"	39.50'	30.12'
C12	4°26'15"	49.00'	3.80'
C13	65°55'28"	49.00'	56.38'
C14	63°19'18"	49.00'	54.15'

CURVE DATA TABLE			
CURVE	DELTA	RADIUS	LENGTH
C15	63°19'18"	49.00'	54.15'
C16	65°55'28"	49.00'	56.38'
C17	4°26'15"	49.00'	3.80'
C18	4°34'01"	39.50'	30.12'
C19	267°22'03"	49.00'	228.66'
C20	4°34'01"	39.50'	30.12'
C21	4°26'15"	49.00'	3.80'
C22	65°55'28"	49.00'	56.38'
C23	63°19'18"	49.00'	54.15'
C24	63°19'18"	49.00'	54.15'
C25	65°55'28"	49.00'	56.38'
C26	4°26'15"	49.00'	3.80'
C27	4°34'01"	39.50'	30.12'

FOUND 3/4" IRON PIPE, TAGGED "LS 6944", AT CL-CL OF HORIZONS AVENUE AND MONACO DRIVE, PER (B)(C)(D)(E)

VOLUME

PAGE

SHEET 3 OF 3