

CDC

CORRIE DEVELOPMENT CORPORATION

CORRIE CENTER • SUITE 111, 7950 DUBLIN BLVD. • DUBLIN, CALIFORNIA 94568
(925) 551-7900 • FAX (925) 551-7916

Mr. Demian Hardman, Planner
Contra Costa County
30 Muir Road
Martinez, CA 94553

March 14, 2012
(Email demain.hardman@dcd.cccounty.us & Mail)

RE: Creekside Memorial Park

Dear Demian:

We are in receipt of a copy of your letter to Tim Clancy dated 2/16/2012 regarding his request to rescind our application for the proposed Creekside Memorial Park. We are glad to see your conclusion to move forward with the modified project, but believe your description of the project as "encompassing the remaining 188 acre site" is inaccurate. For the record, Mr. Corrie traded the current 32+ acre parcel to Mr. Clancy in April, 2000 and retained a 20 year option to re-acquire 23 acres (all but the house on 9.2 acres). It was never envisioned that the existing house on 9.2 acres would be part of our Cemetery submittal.

Enclosed for your records please find a recorded copy of Mr. Corrie's Memorandum of Option to acquire the 23 acre portion of the 32 acre parcel.

Finally, on a related matter we are working to bring our outstanding account balance current, thus enabling you to proceed with the contract amendment proposed in your 1/10/2012 email to us. Thank you for your help. Should you have any questions please give me a call.

Sincerely,



Peter Klein
Chief Financial Officer

cc: Jim Parsons
Sid Corrie

d208142

RECORDING REQUESTED BY
CHICAGO TITLE COMPANY

Recording requested by:

Sidney Corrie, Jr.

When recorded mail to:

Corrie Development Corp.
Sidney Corrie, Jr.
7950 Dublin Blvd.
Ste 111
Dublin, CA 94568

CONTRA COSTA Co Recorder Office
STEPHEN L. WEIR, Clerk-Recorder
DOC- 2000-0073971-00
Apct 2- Chicago Title
T, APR 13, 2000 08:00:00
MIC \$1.00 MOD \$7.00 REC \$11.00
TCF \$8.00
Ttl Pd \$25.00 Nbr-0000861050
Kat/R2/1-7

RECEIVED

MAY 26 2000

CORRIE DEVELOPMENT CORP.

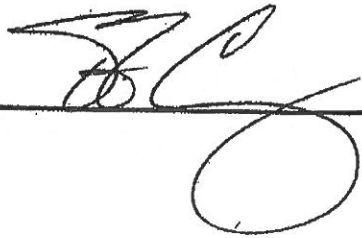
MEMORANDUM OF OPTION

By this Memorandum of Option ("Memorandum"), TIMOTHY F. CLANCY ("Optioner") grants to SIDNEY CORRIE, JR. ("Optionee") an option to purchase certain real property more particularly described in attached Exhibit A, incorporated in this Memorandum as real property, together with all rights of Optioner to adjoining streets, rights-of-way, easements and all other appurtenant rights and all other personal property belonging to Optioner on the real property (collectively "property"). The option is more particularly described in the Real Property Exchange Agreement ("Agreement") dated as of September 24, 1999, executed between Optioner and Optionee.

1. Term. The term of the option agreement begins on April 7, 2000 and ends on April 6, 2020 ("term") unless terminated sooner in accordance with the Agreement.
2. Termination. The option shall automatically terminate and shall have no further force upon the first of the following events to occur:
 - (a) The purchase of the property by Optionee;
 - (b) The end of the term.
3. Price and Terms. The parties have executed and recorded this instrument to give notice of the option agreement and respective rights and obligations of Optionee and Optioner. The price and other terms are in the unrecorded Real Property Exchange Agreement which includes the Option Agreement which is incorporated by reference in its entirety in this Memorandum. In the event of any inconsistency between this Memorandum of the Option Agreement contained in the Real Property Exchange Agreement, the Option Agreement shall control.
4. Assignment. Neither party to the Option Agreement has the right to assign the Option Agreement without the written consent of both the Optioner and Optionee. Any assignment without that consent shall be void.

073971

5. Successors and Assigns. This Memorandum and the Option Agreement shall bind and inure to the benefit of the parties and their respective heirs, successors and assigns, subject, however, to the provisions of the Option Agreement.



Timothy F. Clancy, Optioner AKA T. F. Clancy

COUNTERPART SIGNATURE

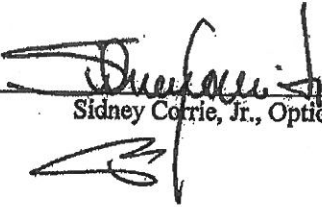
Sidney Corrie, Jr., Optionee

073971

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COUNTERPART SIGNATURES

Timothy F. Clancy, Optioner



Sidney Corrie, Jr., Optionee

073971

UNINCORPORATED AREA

PORTION OF LOT 4, AS SHOWN ON THE MAP ENTITLED, "MAP OF THE PROPERTY OF THE ESTATE OF ELIZABETH A. DOUGHERTY, DECEASED, FILED MARCH 4, 1891, IN MAP BOOK C, AT PAGE 63, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE NORTHERN LINE OF SAID LOT 4, DISTANT THEREON SOUTH 50° 45' EAST, 330 FEET FROM THE MOST NORTHERN CORNER THEREOF; RUNNING THENCE ALONG THE SOUTHWESTERN AND SOUTHERN LINES OF THE LAND DESCRIBED IN THE DEED TO MANUAL S. MATOS, RECORDED NOVEMBER 3, 1923, IN BOOK 453 OF DEEDS, AT PAGE 66, CONTRA COSTA COUNTY RECORDS, SOUTH 1° 30' WEST, 438.24 FEET AND SOUTH 61° 45' EAST, 3311 FEET, MORE OR LESS, TO THE WESTERN LINE OF THE LAND DESIGNATED AS PARCEL "B" ON THE RECORD OF SURVEY FILED MAY 17, 1966, IN BOOK 42 OF LICENSED SURVEY MAPS, AT PAGE 36, CONTRA COSTA COUNTY RECORDS; THENCE ALONG THE LAST NAMED LINE, NORTH 62° 05' EAST, 530 FEET; NORTH 27° 24' 40" EAST, 224.71 FEET; AND NORTH 70° 24' EAST, 115 FEET TO THE CENTER LINE OF TASSAJARA ROAD; THENCE ALONG THE LAST NAMED LINE, NORTH 9° 24' 22" EAST, 13.84 FEET TO SAID NORTHERN LINE OF LOT 4; AND THENCE ALONG THE LAST NAMED LINE, WESTERLY 3800 FEET, MORE OR LESS, TO THE POINT OF BEGINNING.

ASSESSOR'S PARCEL NO. 206-060-007

EXCEPTING THEREFROM THE PROPERTY DESCRIBED IN EXHIBIT "B" ATTACHED HERETO AND MADE A PART HEREOF.

073971

EXHIBIT "B"

ALL THAT REAL PROPERTY, SITUATE, LYING AND BEING IN THE COUNTY OF CONTRA COSTA, STATE OF CALIFORNIA, DESCRIBED AS FOLLOWS:

A PORTION OF THE PARCEL OF LAND DESCRIBED IN THE GRANT DEED TO SIDNEY CORRIE RECORDED JUNE 27, 1990 IN SERIES NO. 90-131339, DESCRIBED AS FOLLOWS:

BEGINNING AT THE WESTERLY CORNER OF PARCEL B AS SHOWN ON THE PARCEL MAP OF MS 202-73 RECORDED AUGUST 1, 1974, IN BOOK 34 OF MAPS AT PAGE 44; THENCE FROM SAID POINT OF BEGINNING NORTH 60 43' 08" WEST 527.28 FEET; THENCE NORTH 56 22' 17" EAST 454.54 FEET; THENCE NORTH 51 42' 32" EAST 36.83 FEET; THENCE NORTH 68 29' 07" EAST 93.32 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE TO THE NORTHWEST, HAVING A RADIUS OF 140.00 FEET; THENCE NORTHERLY 150.08 FEET ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 61 25' 11"; THENCE NORTH 07 03' 56" EAST 19.43 FEET; THENCE SOUTH 69 10' 34" EAST 555.56 FEET TO THE WESTERLY LINE OF CAMINO TASSAJARA BEING THE BEGINNING OF A NON-TANGENT CURVE CONCAVE TO THE SOUTHWEST, HAVING A RADIUS OF 2050.00 FEET, A RADIAL LINE TO THE BEGINNING OF SAID CURVE BEARS NORTH 78 15' 30" WEST; THENCE SOUTHERLY 46.67 FEET ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 01 18' 16" TO THE EXTERIOR LINE OF SAID PARCEL MAP (34 PM 44); THENCE ALONG SAID EXTERIOR LINE SOUTH 71 25' 52" WEST 57.83 FEET; THENCE SOUTH 28 26' 32" WEST 224.71 FEET; THENCE SOUTH 63 06' 52" WEST 530.00 FEET TO THE POINT OF BEGINNING.

CONTAINING 9.02 ACRES MORE OR LESS.

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California

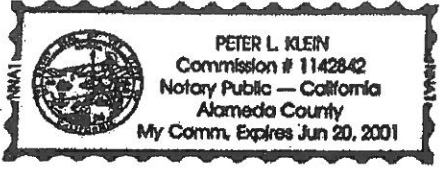
073971

County of Alameda

On April 10 before me, Peter L. Klein, Notary Public

personally appeared Sidney Corrie Jr
Date Name and Title of Officer (e.g., "Jane Doe, Notary Public")
Name(s) of Signer(s)

personally known to me - OR - 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/they 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.



WITNESS my hand and official seal
[Signature]
Signature of Notary Public

OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Description of Attached Document

Title or Type of Document: Memorandum of Option

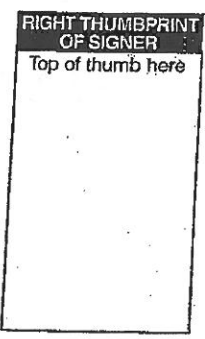
Document Date: undated Number of Pages: Two plus description

Signer(s) Other Than Named Above: Timothy F. Clancy

Capacity(ies) Claimed by Signer(s)

Signer's Name: Sidney Corrie Jr

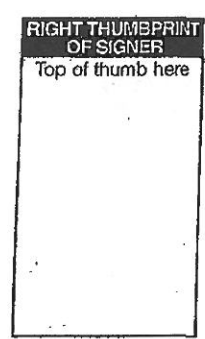
- Individual
- Corporate Officer
- Title(s): _____
- Partner — Limited General
- Attorney-in-Fact
- Trustee
- Guardian or Conservator
- Other: _____



Signer Is Representing:

Signer's Name: _____

- Individual
- Corporate Officer
- Title(s): _____
- Partner — Limited General
- Attorney-in-Fact
- Trustee
- Guardian or Conservator
- Other: _____



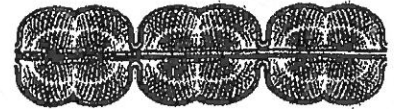
Signer Is Representing:

CALIFORNIA

073971



ALL-PURPOSE



ACKNOWLEDGEMENT

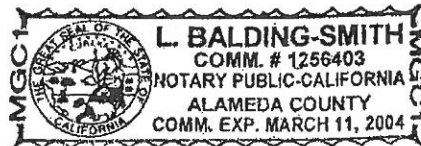
STATE OF CALIFORNIA)

COUNTY OF ALAMEDA)

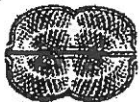
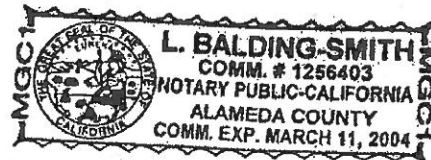
On APRIL 7, 2000 before me, L. BALDING-SMITH
DATE NAME, TITLE OF OFFICER - E.G., "JANE DOE, NOTARY PUBLIC"

personally appeared, T.F. CLANCY
personally known to me (or 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/they 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.

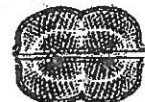
WITNESS my hand and official seal.



L. Balding-Smith (SEAL)
NOTARY PUBLIC SIGNATURE



OPTIONAL INFORMATION



TITLE OR TYPE OF DOCUMENT _____

DATE OF DOCUMENT _____ NUMBER OF PAGES _____

SIGNER(S) OTHER THAN NAMED ABOVE _____

END OF DOCUMENT

**Department of
Conservation &
Development**

30 Muir Road
Martinez, CA 94553-4601

Phone: 1-855-323-2626

**Contra
Costa
County**



Catherine Kutsuris
Director

Aruna Bhat
Deputy Director
Community Development Division

Jason Crapo
Deputy Director
Building Inspection Division

Steven Goetz
Deputy Director
Transportation, Conservation and
Redevelopment Programs

February 16, 2012

Timothy F. Clancy
7090 Camino Tassajara
Pleasanton, CA 94588

**RE: Request to Rescind Application for Proposed Creekside Memorial Park Cemetery at
7090 Camino Tassajara, in the Tassajara area (County File LP052096).**

Dear Mr. Clancy:

We have received your letter dated January 17, 2012, requesting to rescind your application for proposed development of the Creekside Memorial Park Cemetery on your property (approximately 33 acres) located at 7090 Camino Tassajara. Due to your request, the proposed project submitted by Corrie Development Corporation to develop a portion of a Cemetery (Creekside Memorial Park) on your property has been suspended.

However, Corrie Development Corporation may continue to move forward with a modified project that encompasses the remaining 188 acre project site currently owned by Corrie Development Corporation.

If you have any questions or concerns, please contact me at (925) 674-7826 or e-mail me at demian.hardman@dcd.cccounty.us.

Sincerely,

A handwritten signature in blue ink that reads "Demian Hardman".

Demian Hardman
Planner

cc: Aruna Bhat, Deputy Director, Community Development Division
Monish Sen, Public Works Department
Sid Corrie, Corrie Development Corporation, 7950 Dublin Blvd, Suite 111, Dublin, CA 94568
Jim Parsons, P/A Design Resources, Inc., 2700 Ygnacia Valley Road, Suite 100, Walnut Creek, CA 94598
Nadin Sponomore, Sponamore Associates, 2128 Contra Costa Avenue, Santa Rosa, CA 95405
County File LP052096
Att: Timothy F. Clancy Rescind Application Letter, January 17, 2012

Timothy F. Clancy
7090 Camino Tassajara
Pleasanton, CA 94588
925-200-9735
timclancy100@yahoo.com

January 17, 2012

Demian Hardman
Department of Conservation & Development
Demian.hardman@dcd.cccounty.us

Re: Tassajara Cemetery Project and Property at 7090 Camino Tassajara, Pleasanton,
CA 94588

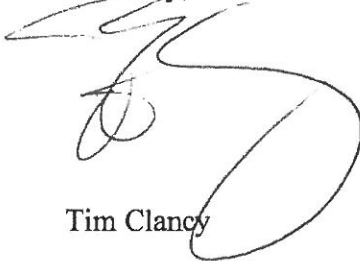
Dear Demian:

As a follow up to our conversation today, I am requesting that you rescind my application for the proposed development of a new cemetery (Creekside Memorial Park Cemetery) on my property at 7090 Camino Tassajara, Pleasanton, CA 94588.

I am rescinding due to the fact that Corrie Development Corporation has failed to respond to terms regarding the purchase of my property prior to cemetery approval and prior to any lot line adjustments.

I respectfully ask that the planning department refrain from any further public hearings or meetings regarding my property until I can come to terms on a purchase agreement with Sid Corrie of Corrie Development Corporation.

Sincerely,

A handwritten signature in black ink, appearing to read 'Tim Clancy', with a large, stylized flourish extending from the end of the signature.

Tim Clancy

2012 JAN 17 PM 2:04

Regional Planning Commission Boundary Description Map," which is on file with the clerk of this board, is adopted by this reference and available for public inspection in the community development department. (Ords. 99-56 § 2, 99-55 § 2, 97-37 § 1, 95-43 § 1, 93-85 § 1, 92-66 § 5, 92-45 § 1, 91-50 § 4, 88-75 § 3, 88-65 § 1, 86-47).

26-2.1514 Repeal.

Sections 26-2.1510 and 26-2.1512 of the Contra Costa County Code shall be repealed and of no further force and effect beginning on October 7, 2007 unless this board otherwise provides before then. (Ords. 03-20 § 2, 03-19 § 2, 99-50 § 2, 99-49 § 2, 97-36 § 1).

Article 26-2.16. Application

26-2.1602 Application—Generally.

Application for rezoning, conditional use, variance, special permits or any other matter designated to come before the planning agency shall be made to the planning department. (Ord. 1975: prior code § 2203: Ord. 917).

26-2.1604 Application—Applicant qualifications.

A qualified applicant is any person or firm, or authorized agent, having a freehold interest in the subject land; or having a possessory interest entitling him to exclusive possession; or having a contractual interest which may become a freehold or exclusive possessory interest and is specifically enforceable. Proof of such an interest may be required. A person acting as agent for a qualified applicant must attach a copy of written authority to act. (Ord. 1975: prior code § 2203.10: Ord. 917).

26-2.1606 Application—Fees.

In accordance with Article 26-2.28, fees shall be paid with the submission of an application for filing of a request for rezoning, conditional (land) use permit, variance permit, development plan permit, other special permit, and planned unit district rezoning or final development plan approval. (Ord. 74-2 § 1, 1974: Ord. 1975: prior code § 2203.13: Ord. 917).

Article 26-2.18. Rezoning

26-2.1802 Rezoning—Application requirements.

Application form for rezoning shall include, but is not limited to, a map description of the subject property, names of adjoining streets and property owners, zoning and general plan designation of subject and adjoining

property, zoning history of subject property, a brief description of the justification for the request and a statement of how the request conforms to, and is consistent with, the applicable general and specific plans. The planning department may adopt a form which will be used for applications. (Ords. 85-56 § 2, 1975: prior code § 2203.11: Ord. 917).

26-2.1803 Rezoning—Renewed application after denial.

If any application for rezoning involving reclassifying certain land(s) from one zoning district to another is not granted, no new application therefor shall be made or accepted within one year after final action on the earlier application, unless:

- (1) Less intensive land uses are allowable in the newly proposed zoning district than in the earlier one; and
- (2) The planning director finds that the circumstances have materially changed since the earlier application was first filed.

"Materially changed circumstances" means:

- (1) A change in zoning districts or land uses on or near the land(s); and/or
- (2) A change in the land area for which reclassification is proposed; and/or
- (3) An amendment to the county general plan which may affect the property. (Ord. 72-49 § 1, 1972: prior code § 2203.11a).

26-2.1804 Rezoning—Notice requirements.

The planning department shall schedule and give notice of hearing for zoning and applications for rezoning as required by Government Code Sections 65854 and 65854.5. (Ords. 78-54 § 1, 1975: prior code § 2203.14: Ord. 917, 856).

26-2.1806 Rezoning—Standards.

An application for rezoning is a request for change of the land use district applicable to the subject property or to amend the uses permitted in a land use district. Before ordering such change the planning agency shall determine that:

- (1) The change proposed will substantially comply with the general plan;
- (2) The uses authorized or proposed in the land use district are compatible within the district and to uses authorized in adjacent districts;
- (3) Community need has been demonstrated for the use proposed, but this does not require demonstration of future financial success. (Ord. 1975: prior code § 2204.20: Ord. 917).

have been waived by appellant or the tentative map under consideration is being considered in conjunction with or is conditioned upon the obtaining of a necessary zoning variance, rezoning or the approval of a final development plan. (Ord. 77-33 § 15).

Article 26-2.26. Conditional Zoning

26-2.2602 Conditional zoning—Authority.

On the planning commission’s recommendation, the board of supervisors may impose conditions on the zoning reclassification of property. (Ord. 71-18 § 1 (part), 1971: prior code § 2204.72(a)).

26-2.2604 Conditional zoning—Conditions.

These conditions shall be those only which the board determines, after considering the commission’s recommendations, to be necessary to avoid circumstances inimical to the public health, safety or general welfare, or to fulfill public needs reasonably expected to result from the allowable uses and/or development; and the conditions shall be reasonably so designed, and reasonably related to the necessities of each case considering all the relevant facts.

Further, these conditions shall relate to special problems of the property if rezoned, such as water supply, sewers, utilities, drainage, grading or topography, access, pedestrian or vehicular traffic, or proposed physical developments affecting nearby properties. (Ord. 71-18 § 1 (part), 1971: prior code § 2204.72(b)).

26-2.2606 Conditional zoning—Operativeness.

The ordinance reclassifying the property shall not be operative until the conditions have been satisfied, or assurance provided by way of contract (with adequate surety), as found and declared by board resolution. (Ord. 71-18 § 1 (part), 1971: prior code § 2204.72(c)).

Article 26-2.28. Fees

26-2.2802 Fees required.

Each person who applies for, requests, receives, or appeals a land use permit or other entitlement or service furnished by the community development department shall at the time of such application, request, receipt, or appeal pay the applicable fee or fees established by the board of supervisors. (Ords. 86-95 § 3, 74-2 § 3).

26-2.2804 Environmental impact reports.

(a) Environmental impact reports prepared by county staff shall be charged at cost against money deposited in

advance by the applicant. Environmental impact reports prepared by consultants engaged by the county will be charged against money deposited in advance by the applicant and shall include an additional nonrefundable twenty-five percent of the consultant’s fee for community development department costs in support thereof. If the cost exceeds the applicant’s deposit, the applicant shall pay the excess costs to the county upon initial hearing on the proposed action. If the cost is less than the deposit, any excess shall be refunded to the applicant.

(b) The director of community development may waive part or all of the fee for a planned unit district final development plan EIR if he finds, in accordance with the state CEQA guidelines, that the preliminary development plan EIR is appropriate for final development plan consideration. (Ords. 86-95 § 4, 74-2 § 3).

26-2.2806 Late filing.

Whenever the director of community development determines that a person has begun an illegal land use without first applying for and obtaining all required permits or entitlements, he shall apply as soon as practicable and pay a fee of one and one-half times the normal fee, but he remains subject to other penalties and enforcement procedures. (Ord. 86-95 § 5).

26-2.2808 Refunds.

If an application, filing, or appeal is withdrawn before any required notice is given but after processing work has begun, the director of community development shall authorize a partial or complete refund of required fees which exceed the cost of the work performed. Once any required notice is given, no refund may be granted. (Ords. 86-95 § 6, 74-2 § 3).

26-2.2810 Public service activities.

The director of community development may waive the fees required by this article for applications filed by community interest, nonprofit groups receiving substantial financial support from public entities for public service activities which are determined by the director to be for the welfare of the county because they relieve the county of directly performing them. (Ord. 86-95 § 7).

26-2.2812 Bond processing fee.

Whenever an applicant elects to post a faithful performance bond in lieu of improvements required in conditions of approval, he shall pay an additional nonrefundable five percent of estimated improvement costs in cash, check or money order (but not less than one hundred dollars nor more than five hundred dollars) for