Recording Requested By and When Recorded Mail To:

Jared G. Carter, Esq. Carter, Momsen & Knight LLP 305 N. Main Street Ukiah, CA 95482

Mail Tax Statement To:

DHRMA REALM BUDDHIST ASSOC. INC. 1777 Murchison Drive Burlingame, CA 94010

AP No. 181-190-05

CONFORMED COPY
Copy of Document Recorded on 12/20/2013 10:28:40 AM as 2013-18541
Mendocino County Clerk-Recorder



### **CORRECTION DEED**

DHARMA REALM BUDDHIST ASSOCIATION INC., a California nonprofit corporation makes the conveyances and actions described herein for the following reasons:

The Purpose of this correction Deed is to correct information in the deed recorded 01/07/2005 (#2005-00529) official records of Mendocino County, which recited the term of condition 19 of Mendocino County Use Permit U-11-99/variance V 7-99 and purported impose restrictions upon, by dedication, two separate parcels of real property, of 4.27 acres and 16.32 acres, owned by Dharma Realm Buddhist Association Inc., (DRBA). That Use Permit was never implemented and has been superceded by Use Permit Renewal #UR 51-78/2009 and Use Permit modification #UM 11-99/2009 and variance #V 7-99/2009, which do not include condition #19 contained in Use Permit U-11-99/variance V 7-99. However, the purpose of previous condition #19 is met by the new Use Permit because (i) DRBA has since purchased parcels 181-200-04 (76.5 acres) and 189-040-08 (100.0 acres), which add to its ownership approximately 176.5 acres located north of its previous property line, so that the need for any north buffer is obviated, and (ii) the current Use Permit approved a footprint for new construction (copy attached as Exhibit A hereto) that incorporates the same set back on the east as the previous Use Permit and, with the ownership of parcels 181-200-04 and 189-040-08 a much greater set back on the north.

Accordingly, Dharma Realm Buddhist Association Inc. by this correction deed does:

1. Cancel and quit claim and reconvey to Dharma Realm Buddhist Association Inc., all of the interests conveyed in the Deed recorded 01/07/2005 (Document Number 2005-00529) official records of Mendocino County, excepting the dedication to agricultural use or open space the property fronting on Guidiville Road providing a set back of approximately 600 feet to between such road and the construction portrayed on Exhibit A hereto. This restriction on use restriction on use shall remain in effect until changed by the County of Mendocino.

2. Affirm and accept its obligations under UR 51-78/2009 and UM 11-99/2009 and V 7-99/2009, attached as Exhibit B hereto, until and unless they are modified as provided for by law.

Dated: December 202013

DHRMA REALM BUDDHIST ASSOCIATION, INC.

By: Heng Lyu Skr, Vice President

By: Jen Hou Chu, Designated Agent

Approved as to form:

dared G. Carter

Attorneys for Dhrma Realm Buddhist Association, Inc.

**Deputy County Counsel** 

Mendocino County

STATE OF CALIFORNIA ) ) ss.
COUNTY OF MENDOCINO )

On December 20, 2013, before Gina Testa Vau, a Notary Public, personally appeared Heng Lyu Shr who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed this instrument.

I certify under PENALTY OF PERJURY under the laws of the state of California that the forgoing paragraph is true and correct.

WITNESS my hand and official seal.

(seal)

GINA TESTA VAU
Commission # 1959148
Notary Public - California
Mendocino County
My Comm. Expires Dec 1, 2015

Notary Public, State of California

STATE OF CALIFORNIA ) ss. COUNTY OF MENDOCINO )

On December 20 2013, before Gina Testa Vau, a Notary Public, personally appeared Jen Hou Chu who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed this instrument.

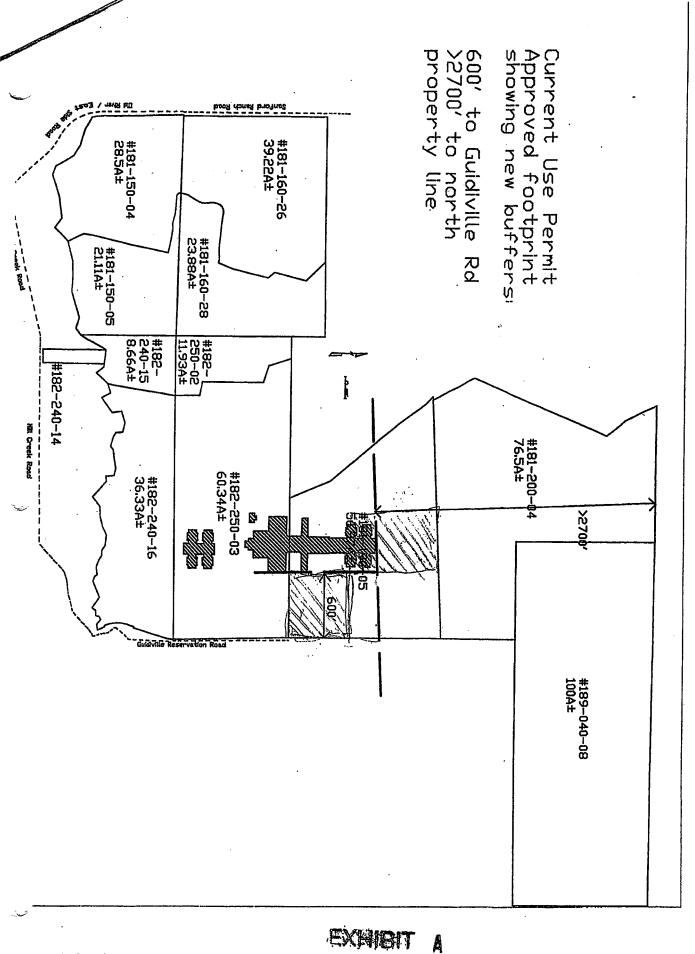
I certify under PENALTY OF PERJURY under the laws of the state of California that the forgoing paragraph is true and correct.

WITNESS my hand and official seal.

(seal)

GINA TESTA VAU
Commission # 1959148
Notary Public - California
Mendocino County
My Comm. Expires Dec 1, 2015

Notary Public. State of California



IGNACIO GONZALEZ, DIRECTOR Telephone 707-463-4281 FAX 707-463-5709 pbs@co.mendocino.ca.us

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September 16, 2011

# FINAL FINDINGS AND CONDITIONS OF APPROVAL CASE # UR 51-78/2009 AND UM 11-99/2009 AND V 7-99/2009 OWNER: DHARMA REALM BUDDHIST ASSOCIATION SEPTEMBER 15, 2011

The Planning Commission approves Use Permit Renewal # UR 51-78/2009 and Use Permit Modification # UM 11-99/2009 and Variance # V 7-99/2009 per the findings and conditions of approval contained in the staff report on pages PC 38 through PC 49 and as modified during the public hearing by the Planning Commission, further finding:

## **ENVIRONMENTAL RECOMMENDATIONS:**

Pursuant to the provisions of the California Environmental Quality Act (CEQA). Section 15153 provides that the lead agency may employ a single EIR to describe more than one project, if such projects are essentially the same in terms of Environmental Impact. Further, the lead agency may use an earlier EIR prepared in connection with an earlier project to apply to a later project, if the circumstances of the projects are essentially the same.

Further, an EIR prepared for an earlier project may also be used as part of an Initial Study to document a finding that a later project will not have a significant impact.

When an EIR has been certified and a Mitigated Negative Declaration adopted for a project, no subsequent EIR shall be prepared for the project unless the lead agency determines one is necessary on the basis of substantial evidence presented in light of the whole record.

Based on the provisions of CEQA cited, the Planning Commission finds that the analysis that the EIR prepared for the former design and this new assessment of the redesign have adequately addressed present day environmental concerns that can be identified. Pursuant to the provisions of CEQA and this assessment, the Planning Commission adopts a Mitigated Negative Declaration.

#### **GENERAL PLAN CONSISTENCY:**

The Planning Commission further finds that the project is consistent with the applicable goals and policies of the General Plan.

## **RECOMMENDED MOTION:**

#### **Project Findings:**

The Planning Commission approves UR 51-78/2009, UM 11-99/2009 and V 7-99/2009 subject to the conditions of approval as recommended in the staff report on pages PC 38 through PC 49 further finding:

- 1. That adequate utilities, access roads, drainage and other necessary facilities have been or are being provided.
- 2. That the proposed use will not constitute a nuisance or be detrimental to the health, safety, peace, morals, comfort or general welfare of persons residing on or working in or passing through the neighborhood of such proposed use, or be detrimental or injurious to property and improvements in the neighborhood or the general welfare of the County.
- 3. That such use preserves the integrity of the Zoning District.