

DEPARTMENT OF RESOURCE MANAGEMENT

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Planning Services Division

SOLANO COUNTY ZONING ADMINISTRATOR

**Staff Report
Minor Subdivision MS-24-01**

Application No. MS-24-01 Project Planner: Eric Wilberg, Senior Planner		Meeting of March 6, 2025	
Applicant Dave Chisamore, Joyce James, and Marsha Hamby 4465 Olive Avenue Fairfield, CA 94533		Property Owner same	
Action Requested Consideration and approval of Minor Subdivision MS-24-01 by Dave Chisamore, Joyce James, and Marsha Hamby to subdivide a 9.80-acre parcel into two lots of 3 and 6.80 acres, located at 4465 Olive Avenue, adjacent to the City of Fairfield within the Rural Residential "RR-2.5" zoning district; APN 0038-242-020.			
Property Information			
Size: 9.80 acres		Location: 4465 Olive Avenue	
APN: 0038-242-020			
Zoning: Rural Residential "RR-2.5"		Land Use: Residential	
General Plan: Rural Residential		Ag. Contract: n/a	
Utilities: SID and private septic systems		Access: Olive Avenue	
Adjacent General Plan Designation, Zoning District, and Existing Land Use			
	General Plan	Zoning	Land Use
North	Rural Residential	Rural Residential "RR-2.5"	Residential
South	Rural Residential	Rural Residential "RR-2.5"	Residential
East	Rural Residential	Rural Residential "RR-2.5"	Residential
West	City of Fairfield	City of Fairfield	Commercial
Environmental Review The project qualifies for an Exemption from the California Environmental Quality Act pursuant to CEQA Guidelines Section 15061(b)(3), Common Sense Exemption.			
Motion to Approve The Zoning Administrator does hereby ADOPT the attached resolution and APPROVE Minor Subdivision MS-24-01 based on the enumerated findings and subject to the recommended conditions of approval.			

SETTING

The 9.80-acre property is located within the unincorporated area of Tolenas, adjacent to the City of Fairfield. The parcel is essentially flat, sloping slightly to the southeast toward Olive Avenue. The property is developed with two single-family residences and multiple residential accessory buildings including an office, barn, and various unenclosed carports. The property is served domestic water via Solano Irrigation District (SID) and private septic systems. Driveway encroachments off Olive Avenue provide access to the property. Similar rural residential development surrounds the subject site.

PROJECT DESCRIPTION

The applicant is proposing to subdivide their 9.80-acre property into two lots. Proposed Parcel A is 6.80 acres and is developed with an approximate 1,200 square foot (sf) residence, barn, and various fenced pasture areas. Proposed Parcel B is 3 acres and is developed with an approximate 2,650 sf residence, 1,400 sf office, and numerous unenclosed carports. Potable water service is currently provided to the property through the Solano Irrigation District's Tolenas system. A "will serve" letter has been provided by SID to serve the proposed lot split. Both lots will have domestic water supply through SID and utilize existing private septic systems. Both lots have frontage along and access from Olive Avenue, a County maintained public road.

The City of Vallejo operates and maintains a waterline and associated easement that traverses the southeast corner of the subject property. The property has an "Agreement Re: Encroaching Structure" recorded on Book 38 Page 33098 of the Solano County Official Records. The subdivider shall either amend the existing agreement to include liability and indemnification language or enter into an entirely new agreement to address additional structures within that easement. Alternatively, the subdivider may demolish or relocate said structures prior to recordation of the Parcel Map.

LAND USE CONSISTENCY

General Plan & Zoning

The General Plan Land Use Diagram designates the property Rural Residential. In addition, the property is zoned Rural Residential "RR-2.5". As seen on the General Plan/Zoning Consistency Table (Table LU-7 General Plan), the RR-2.5 district is consistent with the General Plan Designation. Each proposed parcel exceeds the 2.5-acre minimum parcel size required by zoning. The existing residential development and proposed lot sizes are consistent with applicable General Plan designation and zoning district.

Road Improvement and Land Development Standards

Access to Proposed Parcels A and B is developed off Olive Avenue.

As conditioned, the Subdivider shall provide a 10-foot dedication along Olive Avenue (County Road 599) to ensure the ultimate half-width of 30-feet for the Public Right-of-Way.

ENVIRONMENTAL ANALYSIS (CEQA)

At the request of the Department, the applicant has provided a Phase I Environmental Site Assessment (ESA) of the property based on prior records indicating the potential disposal of waste oil to an underground storage tank.

The ESA was conducted by CKG Environmental Inc. to investigate and identify recognized environmental conditions (RECs), controlled recognized environmental conditions (CRECs), and historic

recognized environmental conditions (HRECs) associated with the subject property and/or surrounding properties. The assessment included:

- A site reconnaissance and visual survey of properties proximate to the subject property,
- Review of records and interviews with regulatory officials and representatives regarding current and former operations at the subject property,
- A review of historical resources, such as: property records, topographic maps, fire insurance maps, city directories, and aerial photographs,
- Review of previous environmental site assessments, if made available,
- Review of State and Federal environmental database information, and
- Evaluation of information and preparation of the report

The assessment observed that there were areas where large amounts of equipment or materials and soil piles had been accumulated over the years. Because the origins of the soil piles are not certain, and it is possible that fuels or lubricants as well as paints and metals could have been released from the equipment, CKG suggests that surface soils may have been impacted by these substances in the areas where soil piles and equipment were observed. Although there were no visible signs of impacts a property purchaser may want some shallow soil sampling in those areas to evaluate the potential for impacts from petroleum hydrocarbons and metals a minimum.

In addition, the assessment identified the potential for impacts from petroleum hydrocarbons associated with the aboveground storage tanks (ASTs) at the shed. These impacts include releases to soil and potentially groundwater and associated vapor intrusion to indoor air. There is also a potential that there may be an underground tank in that vicinity. Minor oil staining on the floors in the shed and workshop, may have spread to shallow soils.

The Phase I ESA concludes there is no immediate need to conduct a Phase II environmental site assessment to address the RECs identified. Further CKG recommends that the Phase I ESA be provided to potential buyers for their consideration.

The existing project site is developed with a residence and does not contain any major slopes or prominent topographical features; rare, endangered or regionally significant species of native flora and fauna or known culturally significant archeological sites. The project does not have the potential for causing a significant effect on the environment.

A Notice of Exemption shall be prepared for the project pursuant to California Environmental Quality Act (CEQA) Guidelines Section 15061(b)(3), Common Sense Exemption.

RECOMMENDATION

Staff recommends that the Zoning Administrator **ADOPT** the enumerated findings, and **APPROVE** Minor Subdivision MS-24-01, subject to the recommended conditions of approval.

Attachments:

- A – Draft Resolution
- B – Tentative Parcel Map
- C – Phase I ESA
- D – Agreement RE: Encroaching Structure
- E – Public Notice

SOLANO COUNTY ZONING ADMINISTRATOR RESOLUTION NO. XX

WHEREAS, the Solano County Zoning Administrator has considered Minor Subdivision Application No. MS-24-01 of Joyce James, Marsha Hamby, and David Chisamore to subdivide a 9.80-acre parcel into two lots of 3 acres and 6.80 acres, located at 4465 Olive Avenue, adjacent to the City of Fairfield, within the Rural Residential “RR-2.5” zoning district, APN: 0038-242-020, and;

WHEREAS, said Zoning Administrator has reviewed the applicant’s submittal, staff report of the Department of Resource Management, and has considered all comments regarding said application at the duly noticed public hearing held on March 6, 2025, and;

WHEREAS, after due consideration, the Zoning Administrator has made the following findings in regard to said proposal:

1. **The proposed tentative parcel map is consistent with applicable general and specific plans as specified in Section 65451 of the Government Code.**

The General Plan Land Use Diagram designates the property Rural Residential which provides for single-family residences on 2.5 to 10-acre parcels. Both proposed lots are developed with primary dwellings, consistent with this designation and density. No specific plan is adopted on this property.

2. **The design of the proposed subdivision is consistent with the Solano County General Plan.**

The two proposed lots are of sufficient size and shape and accommodate existing rural residential development.

3. **The site is physically suitable for the proposed type of development.**

Each proposed lot currently supports existing residential development including primary dwellings, private septic systems, and access via Olive Avenue (County Road No. 599) and no additional development is proposed as part of this minor subdivision.

4. **The site is physically suitable for the proposed density of development.**

Both proposed lots are physically suitable to accommodate the existing density of development of one single-family dwelling per 2.5-10-acre lot.

5. **The design of the subdivision will not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.**

The subdivision does not involve any changes to the existing setting, therefore will not include any environmental damages or changes to habitat.

6. The design of the subdivision will not cause serious public health problems.

Each proposed lot has existing residential development and no changes are proposed. The subdivision will not cause serious health problems.

7. The design of the subdivision and the type of improvements will not conflict with any public easements.

The design of the subdivision including the proposed property lines will not conflict with any public easements.

8. The discharge of waste from the proposed subdivision into an existing community sewer system will not result in, or add to, a violation of existing requirements prescribed by a California Regional Water Quality Control Board pursuant to Division 7 (commencing with Section 13000) of the Water Code.

The two existing primary single-family residences utilize on-site private septic systems and will not affect any existing community sewer system.

9. The property does not front on any public waterway, public river, public stream, coastline, shoreline, publicly owned lake or publicly owned reservoir.

10. The proposed subdivision does not front along a public waterway, public river or public stream and dedication of a public easement along a portion of the bank of the private waterway, river or stream bordering or lying within the subdivision is required.

11. The parent parcel or a portion thereof is not subject to a contract entered into pursuant to the California Land Conservation Act of 1965.

12. The proposed subdivision is consistent with applicable provisions of the County Hazardous Waste Management Plan.

13. The proposed subdivision is not located within a special studies zone established pursuant to the Alquist-Priolo Special Studies Zone Act (Public Resources Code Section 2621 et seq.).

14. A Notice of Exemption shall be prepared and filed pursuant to CEQA Guidelines Section 15061(b)(3). The project qualifies for this exemption because the proposal does not involve further development or improvements to the site. Creating an additional lot that has been previously developed with a residence is not significant to create effects on environmental resources such as transportation, noise, biological, cultural, hydrology, air quality, or others. Implementation of recommended conditions of approval would prevent the project from creating significant effects to the environment.

RESOLVED, the Zoning Administrator approves Minor Subdivision Application No. MS-24-01 subject to the following conditions of approval:

- 1. Tentative Map Expiration.** Pursuant to §26-98.1 of the Solano County Subdivision Ordinance, the conditionally approved tentative parcel map shall expire 24 months from its approval date. Unless a parcel map is filed with the County Surveyor prior to the expiration of the corresponding tentative parcel map, February 20, 2027. All proceedings shall terminate upon such expiration, and any subdivision of the land shall require the filing and

processing of a new tentative map.

2. **Tentative Map Extension.** At any time prior to the expiration of the approved tentative map, the subdivider may submit to the Planning Services Division an application for an extension of the 24-month initial time period, pursuant to §66452.6(e) of the Subdivision Map Act. A timely filed extension may be granted by the initial Advisory Agency. There shall be no other extensions of the time period for the tentative map except as required by §66452.6 or §66453.5 of the Subdivision Map Act.
3. **Modification.** Approval of a minor or major modification of the previously approved tentative map shall not affect the expiration date of the tentative map.
4. The Parcel Map to be recorded shall be in substantial compliance with the “Tentative Parcel Map of APN: 0038-242-020” prepared by Phillippi Engineering, dated January 2025, except as modified herein.

Public Works – Engineering

5. A 10-foot dedication along Olive Avenue (County Road 599) shall be required to ensure the ultimate half-width of 30-feet for the Public Right-of-Way.
6. The following note shall be placed on a supplemental map sheet:

“Any grading permit review shall be required before the issuance of a building permit for dwellings and/or driveways”.
7. Any unpermitted structures shall be brought into compliance with Solano County Code prior to the recordation of the Parcel Map.
8. Subdivider shall apply for, secure, and abide by the conditions of an encroachment permit for any work within the Public Right-of-Way. Driveways shall be maintained in such a manner as to prevent soil, rocks, and debris from tracking onto public roads.

Environmental Health Division

9. Per Solano County Code Ch. 6.4-35(d) the subdivider shall include a declaration on the Parcel Map:

“Site and soil evaluation data submitted at this time requires the use of an alternative / engineered type onsite wastewater treatment system (OWTS) and such a system must be operated, monitored, and maintained in accordance with the standards set forth in Solano County Code Ch. 6.4.

The tested areas indicate that the OWTS reserve areas for proposed parcels A and B will need to be of the alternative / engineered type. A standard OWTS may be specified in the future if additional soil testing is performed which demonstrates such a system can be installed in compliance with the standards set forth in Solano County Code Ch. 6.4”.
10. The subdivider shall provide Will Serve letters from the Solano Irrigation District (SID) stating that SID has agreed to service both proposed “RR-2.5” zoned lots with potable water.

City of Vallejo – Water Department

- 11. The City of Vallejo operates and maintains a waterline and associated easement that traverses the southeast corner of the subject property. The property has an “Agreement Re: Encroaching Structure” recorded on Book 38 Page 33098 of the Solano County Official Records. The subdivider shall either amend the existing agreement to include liability and indemnification language or enter into an entirely new agreement to address additional structures within that easement. Alternatively, the subdivider may demolish or relocate said structures prior to recordation of the Parcel Map.

Solano Irrigation District

- 12. Per the District’s Rules and Regulations, the developer is required to provide a water service to all newly created parcels.
- 13. The SID Engineer, to the extent of existing records, will identify existing SID facilities within the scope of a project. Per the SID record drawings; there is currently a potable and non-potable water services to the property. The services will need to be modified or relocated to ensure each parcel has a service.
- 14. The services shall be constructed prior to approval of the Parcel Map.
- 15. The Developer must sign a work order with the District. The work order is the mechanism to which all fees and charges associated with District staff time and/or materials will be charged for reimbursement from the landowner.
- 16. Per the District’s Rules and Regulations, the District must review, place its certificate on and sign the Parcel Maps and Improvement Plans submitted by the Developer.
- 17. Electronic AutoCAD files are required upon the completion of the project showing “as-builts” for electronic archiving.

I hereby certify that the foregoing resolution was adopted at the regular meeting of the Solano County Zoning Administrator on March 6, 2025.

JAMES BEZEK, DIRECTOR
RESOURCE MANAGEMENT

Allan Calder
Planning Program Manager

Phase I Environmental Site Assessment Report

4465, 4475, & 4481 Olive Avenue

Fairfield, CA 94533



Prepared by
CKG Environmental
P.O. Box 246
St. Helena, CA 94574

Prepared for
Janice and David Chisamore
4481 Olive Avenue
Fairfield, CA 94533

January 09, 2025
Project # 4465 Olive Avenue



1.0 GENERAL INFORMATION

Project Information:

4465 Olive Avenue

Project Number:

4465 Olive Avenue

Consultant Information:

CKG Environmental

P.O. Box 246

St. Helena, CA 94574

Phone: (707) 967-8080

E-mail Address:**Inspection Date:**

Report Date: January 9, 2025

Site Information:

4465 Olive Avenue

4465 Olive Avenue

Fairfield, CA 94533

County: Solano

Latitude, Longitude: 38.260858, -122.004935

Site Access Contact:**Client Information:**

Janice and David Chisamore

Janice and David Chisamore

4481 Olive Avenue

Fairfield, CA 94533

Chistina Kennedy
Senior Project Manager

Certification:

I declare that, to the best of my professional knowledge and belief, I meet the definition of Environmental Professional as defined in 40 CFR Part 312. I have the specific qualifications based on education, training, and experience to assess a property of the nature, history, and setting of the subject property. I have developed and performed the all appropriate inquiries in conformance with the standards and practices set forth in 40 CFR Part 312.

Chistina Kennedy - Senior Project Manager



2.0 EXECUTIVE SUMMARY

CKG Environmental, Inc performed a Phase I Environmental Site Assessment (Phase I ESA) of the property located at 4465, 4475 and 4481 Olive Avenue, Fairfield, Solano County, California (subject property). The purpose of the Phase I ESA is to identify recognized environmental conditions (RECs) in accordance with ASTM Standard E1527-21.

2.1 Subject Property Description

The subject property is located at 4465, 4475 and 4481 Olive Avenue, Fairfield, California Information obtained from the Fairfield Assessor's Department indicated that the tax assessment parcel number for the subject property is 0038-242-020. Presently all three addresses are on the parcel. The property owners, David and Janice Chisamore are presently working with Solano County to create a lot line adjustment that separates 4475 and 4481 Olive Avenue from the rest of the property as shown on Plate 1. The Chisamores intend to keep the smaller parcel and sell the remainder. As such the adjusted smaller parcel will not be part of a property transaction at this time.

Currently the property is used as residences, a horse corral, and to store mainly recreational vehicles. Part of the office/workshop building is rented to a representative of Snap-On Tools to store his toolboxes prior to sale. Some of the vehicle shelters are rented to small businesses to store their vehicles.

The residential buildings were constructed in the early 1960s and are wood framed on slab foundations. The office/workshop is wood framed with corrugated metal siding and was brought to the property between 1964 and 1968. The shed also was either constructed on site or brought to the property between 1964 and 1968. By 2003 the animal shelters and most of the vehicle shelters were on the property.

The Solano Irrigation District supplies drinking water to the subject property from the municipal distribution system. Sanitary discharges on the subject property are discharged into two on site septic systems. Electricity and gas is provided to the subject property by Pacific Gas and Electric Company.

2.2 Data Gaps

No deviations from the recommended scope of ASTM Standard E 1527-21 were performed as part of this Phase I ESA with the exception of any additions noted in Detailed Scope of Services.

2.3 Environmental Report Summary

A thorough Property survey, a complete review of regulatory agency records, a review of local historical resources, and interviews with people with knowledge of the subject property revealed the



following environmental conditions on the Sites that could be the subject of an enforcement action if brought to the attention of appropriate governmental agencies:

On the part of the property that will be subject to a future property transaction CKG observed that there were areas where large amounts of equipment or materials and soil piles had been accumulated over the years. Because the origins of the soil piles are not certain, and it is possible that fuels or lubricants as well as paints and metals could have been released from the equipment CKG suggests that surface soils may have been impacted by these substances in the areas where soil piles and equipment were observed as shown on Plate 1. Although there were no visible signs of impacts a property purchaser may want some shallow soil sampling in those areas to evaluate the potential for impacts from petroleum hydrocarbons and metals at a minimum.

In the area that is to be retained through a lot line adjustment CKG identifies the potential for impacts from petroleum hydrocarbons associated with the ASTs at the shed. These impacts include releases to soil and potentially groundwater and associated vapor intrusion to indoor air. There is also a potential that there may be an underground tank in that vicinity. Minor oil staining on the floors in the shed and workshop, may have spread to shallow soils. CKG understands that this smaller section of the parcel is not under consideration for sale at this time.

2.4 Recommendations

CKG understands that this Phase I report will be used to support the Chisamore's effort to create the lot line adjustment. As such there is no immediate need to conduct a Phase II environmental site assessment to address the RECs identified. When the lot line adjustment is completed and the larger section of the parcel is put up for sale, this document should be provided to potential buyers for their consideration.



3.0 INTRODUCTION

CKG Environmental, Inc. performed a Phase I Environmental Site Assessment (Phase I ESA) of the property located at 4481, 4475 and 4465 Olive Avenue in Fairfield, Solano County, California (subject property).

3.1 Purpose

The purpose of this Phase I ESA is to investigate and identify recognized environmental conditions (RECs), controlled recognized environmental conditions (CRECs), and historic recognized environmental conditions (HRECs) associated with the subject property and/or surrounding properties.

ASTM Standard Practice E1527-21 defines **RECs** as: (1) the presence of hazardous substances or petroleum products in, on, or at the subject property due to a release to the environment; (2) the likely presence of hazardous substances or petroleum products in, on, or at the subject property due to a release or likely release to the environment; or (3) the presence of hazardous substances or petroleum products in, on, or at the subject property under conditions that pose a material threat of a future release to the environment. A de minimis condition is not a REC. De minimis conditions relate to a release that generally do not present a threat to human health or the environment and that generally would not be the subject of an enforcement action if brought to the attention of appropriate governmental agencies.

ASTM Standard Practice E1527-21 defines **CRECs** as: REC affecting the subject property that has been addressed to the satisfaction of the applicable regulatory authority or authorities with hazardous substances or petroleum products allowed to remain in place subject to implementation of required controls.

ASTM Standard Practice E1527-21 defines **HRECs** as: a previous release of hazardous substances or petroleum products affecting the subject property that has been addressed to the satisfaction of the applicable regulatory authority or authorities and meeting unrestricted use criteria established by the applicable regulatory authority or authorities without subjecting the subject property to any controls (for example, activity and use limitations or other property use limitations). A HREC is not a REC.

3.2 Scope of Work

The Phase I ESA conducted at the subject property was in general accordance with ASTM Standard E 1527-21 and included the following:

- A site reconnaissance and visual survey of properties proximate to the subject property,
- Review of records and interviews with regulatory officials and representatives regarding current and former operations at the subject property,



- A review of historical resources, such as: property records, topographic maps, fire insurance maps, city directories, and aerial photographs,
- Review of previous environmental site assessments, if made available,
- Review of State and Federal environmental database information, and
- Evaluation of information and preparation of the report provided herein.

Typically, a Phase I ESA does not include sampling or testing of air, soil, groundwater, surface water, or building materials. These activities would be carried out under separate cover, if necessary.

3.3 Significant Assumptions

There is a possibility that even with the proper application of these methodologies conditions may exist that could not be identified within the scope of the assessment or which were not reasonably identifiable from the available information. CKG Environmental believes that the information obtained from the record review and the interviews concerning the subject property is reliable. However, CKG Environmental cannot and does not warrant or guarantee that the information provided by these other sources is accurate or complete. The methodologies of this assessment are not intended to produce all inclusive or comprehensive results, but rather to provide the Chisamores with information relating to the subject property.

3.4 Limitations and Exceptions

No limitations or exceptions to ASTM Standard E1527-21 were noted during the course of this Phase I ESA.

3.5 Deviations

No deviations from the recommended scope of ASTM Standard E 1527-21 were performed as part of this Phase I ESA with the exception of any additions noted in Detailed Scope of Services.

3.6 Special Terms and Conditions

Authorization to perform this assessment was given by the client on December 27, 2024. Instructions as to the location of the subject property, access, and an explanation of the subject property and facilities to be assessed were provided by the property owner.

3.7 Reliance

This report has been prepared for the sole benefit of the client. The report may not be relied upon by any other person or entity without the express written consent of CKG Environmental, Inc.



4.0 USER-PROVIDED INFORMATION

As part of this Phase I ESA, CKG Environmental, Inc. requested certain information from the "User" Janice and David Chisamore. This section describes tasks to be performed by the User.

4.1 Activity/Use Limitations

The clients, Janice and David Chisamore did not make CKG Environmental aware of known Activity and Use Limitations (AUL) associated with the subject property.

4.2 Specialized Knowledge

The Chisamores did not report any specialized knowledge of this subject property.

CKG Environmental has no specialized knowledge of the subject property outside of the research which was conducted and reported as part of this report.

The subject property ownership and tenants as well as all individuals who were interviewed as part of this investigation, have not reported any specialized knowledge of this subject property outside of what is contained in this report.

4.3 Valuation Reduction for Environmental Issues

CKG Environmental has not been provided with information related to a valuation reduction due to environmental issues.

4.4 Owner, Subject Property Manager, and Occupant Information

The property owner, David Chisamore did reveal that there had been two aboveground fuel storage tanks on the property as discussed in Sections 6 and 8.

4.5 Reason For Performing Phase I ESA

CKG Environmental understands that the findings of this study will be used to support a lot line adjustment and then a future financial transaction in connection with the subject property.



5.0 SUBJECT PROPERTY DESCRIPTION

The following section provides information describing the property.

5.1 Location and Legal Description

The subject property is located at 4465, 4475 and 4481 Olive Avenue, Fairfield, California. Information obtained from the Fairfield Assessor's Department indicated that the tax assessment parcel number for the subject property is 0038-242-020. Presently all three addresses are on the parcel. The property owners, David and Janice Chisamore are presently working with Solano County to create a lot line adjustment that separates 4475 and 4481 Olive Avenue from the rest of the property as shown on Plate 1. The Chisamores intend to keep the smaller parcel and sell the remainder. As such the adjusted smaller parcel will not be part of a property transaction at this time.

5.2 Subject Property and Surrounding Area Description

The subject property consists of approximately 9.8 acres and is developed with two residences, an office/workshop building, a storage shed, multiple vehicle shelters and some animal shelters. The ground surface at the subject property is relatively flat with drainage ditches along the north and south sides that drain to a larger drainage ditch on the west side. That ditch drains to Peytonia Slough to the south and then to Grizzly Bay and ultimately to Suisun Bay. Groundcover consists primarily of grass with driveways, parking areas and the buildings. The subject property can be accessed from Olive Avenue via driveways to each address.

The subject property is zoned rural residential. The area surrounding the subject property is primarily mixed commercial and residential to the west and more rural residential to the north, east and south.

5.3 Current Use of Subject Property

Currently the property is used for residences, a horse corral, and to store mainly recreational vehicles. Part of the office/workshop building is rented to a representative of Snap-On Tools to store his toolboxes prior to sale. Some of the vehicle shelters are rented to small businesses to store their vehicles.

5.4 Description of Structures and Other Improvements

The residential buildings were constructed in the early 1960s and are wood framed on slab foundations. The office/workshop is wood framed with corrugated siding and was brought to the property between 1964 and 1968. The shed also was either constructed on brought to the property between 1964 and 1968. By 2003 the animal shelters and most of the vehicle shelters were on the property.



The Solano Irrigation District supplies drinking water to the subject property. Sanitary discharges on the subject property are discharged into two on site septic systems. Electricity and gas is provided to the subject property by Pacific Gas and Electric Company.

5.5 Adjoining Property Information

During the site reconnaissance, CKG Environmental observed the following land use on properties in the immediate vicinity of the subject property,

Adjoining Property Information			
Direction From Subject Property	Occupant	Use	Comments
North	Private owner	Rural residence and grazing	No concerns noted.
South	Private owner	Rural residence and grazing	No concerns noted
East	Private owners	Rural residences	No concerns noted
West	Private residential owners to the south and businesses including Ramirez Towing, Solitude Lake Management, and Aliotos Garage.	Main drainage ditch, Humphrey Drive then commercial properties.	No significant regulatory violations or observed concerns noted. Alioto's Garage uses and stores hazardous materials (vehicle maintenance lubricants, but only administrative issues noted).



6.0 SITE RECONNAISSANCE

The site reconnaissance was conducted on December 20, 2024, by Christina Kennedy, Senior Project Manager with CKG Environmental, accompanied by the property owners David and Janice Chisamore. Weather conditions at the time of the site reconnaissance were clear and sunny. Photographs of pertinent features identified during the site reconnaissance are included in the Photograph Appendix.

6.1 Methodology and Limiting Conditions

The site reconnaissance consisted of observing the boundaries of the subject property and traversing the subject property to provide an overlapping field of view, wherever possible. The site reconnaissance included walking the exterior areas, maintenance areas, and the interior of the office/workshop and the shed. Occupied residences were not entered. Inaccessible areas of the subject property were not observed, such as beneath vehicles. The adjoining properties were visually observed from curbside but were not entered. The inability to inspect these areas does not represent a significant data gap.

6.2 General Subject Property Setting

The subject property is located in the eastern part of Fairfield with low density development consisting of rural residences on parcels up to around 10 acres in size. The property includes two residences, an office/workshop building a shed and some vehicle and animal shelters. The ground surface at the subject property is relatively flat with drainage ditches along the north and south sides that drain to a larger drainage ditch on the west side. That ditch drains to Peytonia Slough to the south and then to Grizzly Bay and ultimately to Suisun Bay. Groundcover consists primarily of grass with driveways, parking areas and the buildings. The subject property can be accessed from Olive Avenue via driveways to each address. All structures are wood framed. The residences are covered in siding with asphalt tile roofs. The office/workshop is clad in corrugated metal and the shed has metal siding. The vehicle shelters are open sided canopies. The subject property is zoned rural residential. The area surrounding the subject property is primarily mixed commercial and residential to the west and more rural residential to the north, east and south.

6.3 Site Visit Findings

The following summarizes the observations made during the site visit.

Condition, Feature or Operation Observed or Identified?	Yes	No
Hazardous Substances		X
Petroleum Products	X	
Underground Storage Tanks (USTs)		X
Aboveground Storage Tanks (ASTs)	X	
Strong, Pungent, or Noxious Odors		X
Standing Surface Water and Pools or Sumps Containing Liquids Likely to be Hazardous Substances or Petroleum Products		X



Condition, Feature or Operation Observed or Identified?	Yes	No
Drums, Totes, and Intermediate Bulk Containers		X
Hazardous Substance and Petroleum Product Containers Not in Connection With Identified Uses		X
Unidentified Substance Containers		X
PCB-Containing Items		X
Stains or Corrosion on Floors, Walls, or Ceilings	X	
Drains and Sumps		X
Pits, Ponds, or Lagoons		X
Solid Waste		X
Stained Soil or Pavement		X
Stressed Vegetation		X
Wells		X
Other		X

6.3.1 Petroleum Products

Two 55-gallon drums containing waste oil were observed sitting on concrete in the office/workshop building. Minor stains were observed.

6.3.2 Aboveground Storage Tanks (ASTs)

Although no ASTs were present at the time of the site visit, Mr. Chisamore, the owner, described two former ASTs, (Plate 1). He stated that a smaller AST (around 1000-gallons) was used to store waste oil and was located inside the shed. The second AST was 10,000 gallons for diesel fuel that was formerly located on the south side of the shed. The ASTs were removed years ago.

6.3.3 Stains or Corrosion on Floors, Walls, or Ceilings

Minor oil staining was visible on the concrete floor in the shed in the area where the 1000-gallon waste oil AST was formerly located. Minor spills resulting from adding or pumping waste oil in and out of the tank are to be expected.



7.0 RECORDS REVIEW

The purpose of the records review is to obtain and review records that will help identify RECs in connection with the subject property.

7.1 Standard Environmental Record Resources

CKG Environmental contracted Environmental Data Resources, Inc. (EDR) to conduct a search of Federal and State databases containing known and suspected sites of environmental contamination. The number of listed sites identified within the approximate minimum search distance (AMSD) from the Federal and State environmental records database listings specified in ASTM Standard E 1527-21 are summarized in the EDR report. Detailed information for sites identified within the AMSDs is provided below, along with an opinion about the significance of the listing to the analysis of recognized environmental conditions in connection with the subject property. Copies of the EDR research data and a description of the databases are included in Appendix D of this report.

The EDR report provided elevation information for each of the identified facilities as either being higher or lower than the subject site. The report provided some information via a map that indicated groundwater elevations at a few of the identified facilities that was helpful in determining the direction of groundwater flow. Based on regional topography, groundwater generally flows towards the south-southeast or north-northeast and is encountered from approximately 7 to 10 feet below grade.

Although other facilities were identified in the EDR report, it is the opinion of CKG that they are all too far away from, or cross gradient, or down gradient to the subject site to cause environmental impacts to the subject site.

Adjoining and Nearby Properties	
Site Name:	C&S COMPANY
Databases:	HWTS and UST
Address:	4475 OLIVE AVE
Distance (Feet):	Subject Property
Direction:	
Elevation:	
Comments:	The property appears on the HWTS (Hazardous Waste Tracking System) because C&S Company collected waste oil from vehicle maintenance and disposed of it regularly. The UST listing originates with Solano County who had records that two underground storage tanks were present on the property. The permits for the tanks expired in 1992 and there was no information regarding the size or contents of the tanks.

Site Name:	ALIOTO'S GARAGE - SUISUN CITY, FIX AUTO
Databases:	CERS, HWTS, CERS HAZ WASTE, RCRA NonGen / NLR
Address:	1510 HUMPHREY DR
Distance (Feet):	136
Direction:	West-Northwest
Elevation:	Higher



Comments:	This property appears on the above databases because, as an automotive service garage they store use store and dispose of hazardous materials. They also have a hazardous materials business plan and other documentation that is regularly reported to Solano County. No violations other than administrative issues were reported.
------------------	--

7.1.1 Regulatory File Review

CKG requested files from Solano County Environmental Health to clarify the listing regarding USTs. Unfortunately, Solano County did not have complete records. They did have a record of a former employee complaint in which the person alleged that they observed waste oil and other wastes being dumped into an underground tank behind the shed, (Appendix E). At the time of the complaint there was no regulatory follow up because there were no other corroborating complaints. It is not clear why the EDR database listing had a report of two USTs on the property and why Solano County's records are not clear on the subject. Regardless because of the former presence of the ASTs there was significant petroleum hydrocarbon storage in the vicinity of the shed and as such is an REC.

7.2 Additional Environmental Record Resources

CKG utilized the State of California Geotracker and Envirostor online databases to research additional information on the subject site and nearby sites to evaluate their potential impact.

7.3 Physical Setting

General site settings including topography, surface water bodies, geology and hydrology are detailed in the following sections.

7.3.1 Topography

Based on a review of the 2021 USGS topographic map for the subject property area, groundwater is inferred to flow to the south toward Grizzly Bay and ultimately Suisun Bay.

7.3.2 Surface Water Bodies

The nearest surface water in the vicinity of the subject property is the drainage ditch that runs along the western property boundary at Humphrey Drive.

7.3.3 Geology and Hydrology

The site is located in the north central portion of the Suisun-Fairfield Groundwater Basin. The Coast Range bounds the basin on the north, east and west. Suisun, Honker and Grizzly Bays bound the basin on the south. A folded marine sedimentary bedrock high separates the basin from the Sacramento Valley Groundwater Basin. This structure restricts movement of groundwater between the basins. Fresh groundwater occurs primarily in the alluvium that overlies the marine sedimentary bedrock in



this area. The alluvium ranges from more than 200 feet thick near Fairfield to 30 feet thick in the northern portion of the basin.

Generally, regional groundwater flow is from north to south. Groundwater discharges to the bays along the southern margin of the county. The marine sedimentary rocks are not considered an important source of groundwater.

7.4 Historical Use

The objective of reviewing historical resources is to develop a history of the previous uses of the subject property and surrounding area, in order to help identify the likelihood of past uses which might have led to RECs in connection with the subject property.

7.4.1 Historical Summary

Historical information identifying the past use of the subject property was obtained from a variety of sources as detailed in Appendix E of this report and included: City Directories, Aerial Photographs, Sanborn Fire Insurance Maps, and/or Topographic Maps.

The property was historically agricultural and occupied by a rural residence and barn(s) since before 1937 until the early 1960s when the present residences were constructed (1963 for 4465 Olive Avenue and 1964 for 4481 Olive Avenue). By 1968 the office/workshop building and the shed were brought to the property or constructed on it as part of the former owner, Solano Concrete's operation. Solano Concrete operated until approximately 1993 when the property was purchased by David Chisamore, the current owner. He operated his trucking business, C&S Company on the property from about 1972 until about the mid 2010s. the property is still occupied by the Chisamores where they store larger vehicles for tenants and family members.

The surrounding area was dominantly agricultural with rural residences through the early 1980s when residential development increased to the west and other commercial development increased along Humphrey Drive to the west.

Historical Summary			
Period	Source	Subject Property Uses	Adjoining Property Uses
1902	Topographic Maps	No details shown, it appeared to be undeveloped.	No details shown. The area appears to be undeveloped.
1907,1908	Topographic Maps	Area not shown.	Are not shown.
1917,1918	Topographic Maps	No details shown, it appeared to be undeveloped.	No details shown. The area appears to be undeveloped.
1937	Aerial Photographs	A rural residence and probably barn were present behind what is presently the residence at 4481 Olive Avenue.	The surrounding area was agricultural with mainly pasture or hay fields and some orchards.



Period	Source	Subject Property Uses	Adjoining Property Uses
1940,1942	Topographic Maps	The residence and barns were shown on the property.	A number of structures, probably residences and agricultural buildings were shown along Olive Avenue.
1947	Aerial Photographs	A residence and at least two barns were present on the property at the same location as observed in the 1937 photograph.	More residences had been constructed along Olive Avenue.
1947	Topographic Maps	No changes from the 1940 topographic map.	No changes from the 1940 topographic map.
1951	Topographic Maps	No changes from the 1947 topographic map.	No changes from the 1947 topographic map.
1952	Aerial Photographs	No significant changes from the 1947 aerial photograph.	No significant changes from the 1947 aerial photograph.
1964	Aerial Photographs	The old residence had been replaced with the existing residence at 4481 Olive Avenue and another residence had been constructed at 4465 Olive Avenue. There was another structure to the southwest of the residence at 4481 Olive Avenue that may be one of the old barns.	No significant changes from the 1952 aerial photograph.
1968	Topographic Maps	The two residences and other outbuildings were shown on the topographic map.	No changes from the 1951 topographic map.
1968	Aerial Photographs	Substantially more activity was occurring on the property. The office/workshop and shed were present. A substantial amount of equipment was present all over the property and a number of roadways and parking areas had been created.,	No significant changes from the 1964 aerial photograph.
1972	Aerial Photographs	The barn adjacent to 4481 Olive Avenue had been removed.	No significant changes from the 1968 aerial photograph.
1973	Topographic Maps	No significant changes from the 1968 topographic map.	No significant changes from the 1968 topographic map.
1974	Aerial Photographs	There was less equipment stored on the property compared to the 1968 and 1972 aerial photographs. An area toward the western part of the property appeared to have been scraped or graded.	No significant changes from the 1972 topographic map.
1980	Topographic Maps	No significant changes from the 1973 topographic map.	Residential development had increased to the southwest of the property.
1981	City Directories	David C. Chisamore was listed at what was then 137 Olive Avenue.	Nearby listings were all private numbers.
1982	Aerial Photographs	No significant changes from the 1974 aerial photograph.	No significant changes from the 1974 aerial photograph.
1984	Aerial Photographs	No significant changes from the 1982 aerial photograph.	No significant changes from the 1982 aerial photograph.
1986	City Directories	The only listing was for a Mary Cummins at 4465 Olive Avenue.	Nearby listings were all private numbers.
1992	City Directories	The only listing was for a Mary Cummins at 4465 Olive Avenue.	Nearby listings were all private numbers.
1993	Aerial Photographs - Google Earth	No significant changes from the 1984 aerial photograph.	No significant changes from the 1984 aerial photograph.
1995	City Directories	Mary Cummins was listed at 4465 Olive Avenue. C&S Company was listed at 4475 Olive Avenue.	Nearby listings were all private numbers.
2000	City Directories	No listings at the subject property	Nearby listings were all private numbers.



Period	Source	Subject Property Uses	Adjoining Property Uses
2003	Aerial Photographs - Google Earth	The property appeared similar to the way it is presently. There were vehicle shelters and the animal shelters added compared to the 1993 aerial photograph.	No significant changes from the 1993 aerial photograph.
2005	City Directories	Dave Chisamore was listed at 4465 Olive Avenue.	Nearby listings were all private numbers.
2006	Aerial Photographs	No significant changes from the 2003 aerial photograph except that there were more vehicle shelters.	No significant changes from the 2003 aerial photograph.
2009	Aerial Photographs	Possible soil piles appear behind the vehicle shelters. As seen on Google Earth these piles shrink and grow throughout the 2000s.	No significant changes from the 2006 aerial photograph.
2010	City Directories	Dave Chisamore was listed at 4465 and 4481 Olive Avenue. C&S Company was listed at 4475 Olive Avenue.	Nearby listings were all private numbers.
2012	Aerial Photographs	A pile of dark soil was present behind the vehicle shelters. Tracks were visible in the field behind the buildings.	No significant changes from the 2009 aerial photograph.
2012	Topographic Maps	No details shown.	No details shown.
2014	City Directories	Dave Chisamore was listed at 4465 Olive Avenue. C&S Company was listed at 4475 Olive Avenue.	Nearby listings were all private numbers.
2015	Topographic Maps	No details shown.	No details shown.
2016	Aerial Photographs	The dark soil pile was gone.	No significant changes from the 2012 aerial photograph.
2017	City Directories	Dave Chisamore was listed at 4465 Olive Avenue. Dave and Dovie Chisamore were listed at 4481 Olive Avenue.	Nearby listings were all private numbers.
2018	Topographic Maps	No details shown.	No details shown.
2020	City Directories	Charlotte Chisamore was listed at 4465 Olive Avenue. Dave and Dovie Chisamore were listed at 4481 Olive Avenue.	Nearby listings were all private numbers.
2020	Aerial Photographs	No significant changes from the 2016 aerial photograph.	No significant changes from the 2016 aerial photograph.
2022,2021	Topographic Maps	No details shown.	No details shown.

7.4.2 Previous Environmental Reports

No previous environmental reports were identified or made available by the client/user during the Phase I ESA.

7.4.3 Building Department Records

Records from Fairfield Building Department were reviewed for evidence indicating the developmental history of the subject property, and for the presence of documentation relative to underground storage tanks. No records were available for the subject property.



7.4.4 Title Records

No title records were provided by the user/client. Please refer to the Records Review section for current and historical ownership/use of the subject property.

7.5 Environmental Liens and Activity/Use Limitations

Mr. Chisamore is not aware of any environmental cleanup liens against the Property that are filed or recorded under federal, tribal, state or local law. There has been no disclosure or discovery of AULs, such as engineering controls, land use restrictions or institutional controls that are in place at the site and/or have been filed or recorded in a registry under federal, tribal, state or local law. The EDR Environmental Lien report also states that there are no environmental liens on the Property (Appendix C).

7.6 Vapor Encroachment Evaluation

CKG completed a Vapor Encroachment Screen for the Subject Site. The screen was conducted in accordance with the ASTM E 2600-10 methodology, (Appendix F). Because there were ASTs formerly at the site in the vicinity of the shed, and because of the inconsistent regulatory information regarding USTs CKG concludes that there is the possibility that there could be Vapor Encroachment Conditions (VEC) affecting the subject Site. This concern is centered around the shed at 4475 Olive Avenue and is within the lot line adjustment area that will be retained by the Chisamores.



CKG Environmental
P.O. Box 246
St. Helena, CA 94574

8.0 INTERVIEWS

CKG Environmental interviewed Mr. David Chisamore and Mrs. Janice Chisamore, the property owners on December 20, 2024. Mr. Chisamore has owned the property since 1993 but operated his business C&S Company, a trucking operation on the property since around 1972. The property was formerly owned by Solano Concrete. Mr. Chisamore explained that he had used two ASTs on the property. One was a 1000-gallon waste oil AST housed inside the shed and the second was a 10,000-gallon diesel AST housed outside the south side of the shed. The waste oil was collected and properly disposed as needed. He also explained that dark soil observed in the 2009 aerial photograph was soil that he brought to the site from some work that was being done at Tabor and Walters Road to the east of the property. The Chisamores stated that the residence at 4465 Olive Avenue was constructed in 1963 and the one at 4481 Olive Avenue was constructed in 1964. They also stated that the office/workshop structure was brought to the property around 1970. Presently the Chisamores rent storage space on the property to others including a representative of Snap-On Tools which stores toolboxes in the workshop; a tree contractor who stores tree cutting machines in some of the vehicle shelters. Piles of wood have been visible in past aerial photographs. Most other stored materials include recreational vehicles and farming equipment. Inside the workshop were two 55-gallon drums of waste oil that Mr. Chisamore usually has disposed.



9.0 NON-SCOPE CONSIDERATIONS

The following additional considerations were included for this ESA.

Asbestos-Containing Building Materials

Asbestos is the name for a group of naturally occurring silicate minerals that can be separated into fibers. The fibers are strong, durable, and resistant to heat and fire. They are also long, thin and flexible, so they can even be woven into cloth. Because of these qualities, asbestos has been used in thousands of consumer, industrial, maritime, automotive, scientific and building products. During the 20th century, some 30 million tons of asbestos have been used in industrial sites, homes, schools, shipyards and commercial buildings in the United States. Common ACMs include pipe covering, insulating cement, insulating block, refractory and boiler insulation materials, transite board, fireproofing spray, joint compound, vinyl floor tile, ceiling tile, mastics, roofing products, and duct insulation for HVAC applications. Inhalation of asbestos fibers can result in deleterious health effects.

The manufacture of friable ACM was banned in 1978. The 1960s construction of the residences suggest that ACM could be present in building materials. The Chisamores stated that asbestos had been removed from the residences, but it is not clear if all ACM had been removed. If these materials are present, they need to be managed properly if the buildings are to be demolished or renovated. Non-friable ACM may exist in the roofing components, but CKG Environmental does not consider these products to be a health hazard so long as they are not rendered friable.

PCB-Containing Building Materials

Prior to 1975, PCBs were commonly used in di-electric fluids in transformers, capacitors, and fluorescent light ballasts due to their desirable thermal characteristics. In 1975, PCBs were demonstrated to be highly toxic and persistent in the environment. At that time the manufacture of PCB's was discontinued in the United States. The 1960s construction of the buildings suggests that PCBs could be present but no transformers were observed on or near the Property.



10.0 FINDINGS AND OPINIONS

A thorough Property survey, a complete review of regulatory agency records, a review of local historical resources, and interviews with people with knowledge of the subject property revealed the following environmental conditions on the site that could be the subject of an enforcement action if brought to the attention of appropriate governmental agencies:

On the part of the property that will be subject to a future property transaction CKG observed that there were areas where large amounts of equipment or materials and soil piles had been accumulated over the years. Because the origins of the soil piles are not certain, and it is possible that fuels or lubricants as well as paints and metals could have been released from the equipment CKG suggests that surface soils may have been impacted by these substances in the areas where soil piles and equipment were observed as shown on Plate 1. Although there were no visible signs of impacts a property purchaser may want some shallow soil sampling in those areas to evaluate the potential for impacts from petroleum hydrocarbons and metals at a minimum.

In the area that is to be retained through a lot line adjustment CKG identifies the potential for impacts from petroleum hydrocarbons associated with the ASTs at the shed. These impacts include releases to soil and potentially groundwater and associated vapor intrusion to indoor air. There is also a potential that there may be an underground tank in that vicinity. Minor oil staining on the floors in the shed and workshop, may have spread to shallow soils. CKG understands that this smaller section of the parcel is not under consideration for sale at this time.



11.0 CONCLUSIONS

CKG Environmental has performed a Phase I Environmental Site Assessment in conformance with the scope and limitations of ASTM Practice E1527-21 of 4465,4475 and 4481 Olive Avenue, the subject property. Any exceptions to, or deletions from, this practice are described in Section 3.4 of this report. This assessment has revealed recognized environmental conditions (RECs) in connection with the subject property as discussed in Section 10.



12.0 RECOMMENDATIONS

CKG understands that this Phase I report will be used to support the Chisamore's effort to create the lot line adjustment. As such there is no immediate need to conduct a Phase II environmental site assessment to address the RECs identified. When the lot line adjustment is completed and the larger section of the parcel is put up for sale, this document should be provided to potential buyers for their consideration.



13.0 REFERENCES

Gregg Drilling Inc., 2007, Northern California Groundwater Elevations.
http://www.greggdrilling.com/Resources/water_table_n.html

Lawrence Livermore National Laboratory (LLNL), 1995, Recommendations to Improve the Cleanup Process for California's Leaking Underground Fuel Tanks (LUFTs) October 16, 1995

USGS Geologic Map of the Santa Rosa Quadrangle, Wagner D. L. and Bortugno E. J., 1982

Source Reviewed	References	
	Date(s)	Source Details
EDR Aerial Photo Decade Package (Inquiry Number 7858213.11S) Ship Date: December 27th, 2024	1937, 1947, 1952, 1964, 1968, 1972, 1974, 1982, 1984, 2006, 2009, 2012, 2016, 2020	EDR, 6 Armstrong Road, Shelton, CT 06484, (800) 352-0050.
EDR City Directory Abstract (Inquiry Number 7858213.5S) Ship Date: December 30th, 2024	1963, 1968, 1972, 1977, 1981, 1986, 1992, 1995, 2000, 2005, 2010, 2014, 2017, 2020	EDR, 6 Armstrong Road, Shelton, CT 06484, (800) 352-0050.
EDR Historical Topo Map (Inquiry Number 7858213.4S) Ship Date: December 27th, 2024	1902, 1907, 1908, 1908, 1917, 1918, 1918, 1940, 1942, 1942, 1947, 1947, 1950, 1950, 1951, 1953, 1953, 1951, 1953, 1953, 1968, 1968, 1968, 1968, 1973, 1973, 1973, 1980, 1980, 1980, 1980, 1980, 2012, 2012, 2012, 2012, 2015, 2015, 2015, 2015, 2018, 2018, 2018, 2018, 2022, 2022, 2021, 2021	EDR, 6 Armstrong Road, Shelton, CT 06484, (800) 352-0050.
EDR Sanborn Map Search/Print (Inquiry Number 7858213.3S) Ship Date: December 27th, 2024		EDR, 6 Armstrong Road, Shelton, CT 06484, (800) 352-0050.
EDR Radius Map Report (Inquiry Number 7858213.2S) Ship Date: December 27th, 2024		EDR, 6 Armstrong Road, Shelton, CT 06484, (800) 352-0050.

RECORDED AT REQUEST OF:

Mildred R. Watson, City Clerk
Vallejo, California

WHEN RECORDED RETURN TO:

Mildred R. Watson, City Clerk
City of Vallejo
P. O. Box 3068
Vallejo, California 94590

PG 33098
Recorded At Request Of
City of Vallejo
BOOK 38 10A
MAY 27 1982
OFFICIAL RECORDS
SOLANO COUNTY CALIF.
Ronald J. Givens
P.O. Recorder

18938

AGREEMENT RE: ENCROACHING STRUCTURE

THIS AGREEMENT made and entered into at Vallejo, California, this 21st day of May, 1982, by and between the CITY OF VALLEJO, a municipal corporation, hereinafter called "City", and B & L PROPERTIES, a California general partnership, 1601 Cement Hill Road, Fairfield, California, hereinafter called "Owner".

W I T N E S S E T H:

WHEREAS, certain property of Owner is located at 139 Olive Road, Fairfield, California and further identified as Assessor's Parcel #38-242-02; the legal description of said property being Lots 7 and 8 of Tolenas Farms, Book 4 of Maps, Page 29, Solano County Official Records; and

WHEREAS Owner has caused to be placed on said property heretofore described a wood frame building with metal siding approximately 51.5 feet by 61 feet in size; and

WHEREAS said building as heretofore described was constructed by Owner without consultation with, or consent of, City and said building has been located and constructed by Owner so as to encroach upon an easement of record running in favor of City and within which lies the Cache water pipeline; and

NOW, THEREFORE, IN CONSIDERATION OF THIS AGREEMENT, and the mutual promises, covenants and stipulations herein contained, the parties hereto agree as follows:

- 1) The structure of Owner heretofore described which structure encroaches upon the water pipeline easement of City, may remain as presently located and may be utilized by Owner so long as said utilization does not further encroach upon said easement nor subject the soils within said easement to compaction so as to damage said pipeline.

PG 33099

2) Should City, at its sole discretion, determine that access to said easement or the pipeline therein is needed, or that removal of said structure is desirable Owner shall, within 10 days after notice from City, remove the encroaching structure as heretofore described.

3) Should Owner fail to remove said encroaching structure after notice from City then City may cause said structure to be removed both from the easement as well as such other portion of said structure as in the judgment of the City is necessary for purposes of public safety. Any and all costs incurred by City as a result of Owner's failure to remove the structure in accordance with this Agreement shall be paid by Owner to City upon demand.

4) This Agreement and the conditions contained herein shall be binding upon, and inure to the benefit of the parties hereto, and to their respective heirs, executors, legal representatives, successors and assigns. Owner shall indemnify and save harmless City, its officers, agents and employees, from any liability, claims, actions, or causes of action arising out of or in connection with operations and activities undertaken pursuant to this Agreement and carried out by or on behalf of Owner, or in the event of Owner's failure to carry out said terms and conditions of this Agreement by City, for the clearance and removal of said encroaching structure from the Cache water pipeline easement.

5) The provisions of this Agreement shall not, nor are they intended to, constitute a modification or waiver of any right, obligation or claim, relating to damage to the Cache water pipeline arising as a result of Owner's placement of the encroaching structure which is the subject of this Agreement or as a result of the continued existence and maintenance of said structure, if any damage there be.

Acknowledgment - Partnership

PG 33101

State of California,

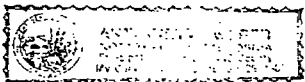
County of Solano

ss.

On May 17, 1982, before me, the undersigned, a Notary Public for California,

personally appeared BILLY G. YARBROUGH

known to me (or proved to me on the oath of) to be one of the partners of the partnership that executed the within instrument, and acknowledged to me that such partnership executed the same.



Billy G. Yarbrough
Notary Public for California

ATTEST: My Commission Expires 12/31/84

100-3

100-3

PG 33102

RESOLUTION NO. 82-75 N.C.

BE IT RESOLVED, by the Council of the City of Vallejo, as follows:

THAT the City Manager is authorized to execute that certain agreement between the City of Vallejo and B & L Properties concerning the maintenance, and possible future removal, of a structure encroaching upon the Cache water pipeline easement; which agreement is attached hereto as Exhibit "A" and incorporated herein as though set forth in full, and said agreement shall be recorded in the office of the County Recorder of Solano County, and lienholders of record notified thereof.

ADOPTED by the Council of the City of Vallejo at a regular meeting held on February 8, 1982 by the following vote:

AYES: Councilmembers Berry, Curtola, Hodge, Intintoli, Keith, Kondylis and Sibley

NOES: None

ABSENT: None

Ferry A. Curtola, Jr.
FERRY A. CURTOLA, JR., Mayor

ATTEST: *Mildred R. Watson*
MILDRED R. WATSON, City Clerk

THE WITHIN INSTRUMENT IS A
CORRECT COPY OF THE
ORIGINAL ON FILE IN THIS OFFICE

DATE: *May 26, 1982*

ATTEST: *Michaela True*
MILDRED R. WATSON
CITY CLERK & EX-OFFICIO CLERK OF THE
COUNCIL OF THE CITY OF VALLEJO

DEPARTMENT OF RESOURCE MANAGEMENT



Planning Services Division

NOTICE OF PUBLIC HEARING

(Zoning Administrator)

NOTICE IS HEREBY GIVEN that the Solano County Zoning Administrator will hold a PUBLIC HEARING to consider Minor Subdivision Application No. MS-24-01 of Joyce James, Marsha Hamby, and David Chisamore to subdivide a 9.80-acre parcel into two lots of 3 acres and 6.80 acres, located at 4465 Olive Avenue, adjacent to the City of Fairfield, within the Rural Residential "RR-2.5" zoning district, APN: 0038-242-020. The project has been determined not to have a significant effect on the environment and is categorically exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15061(b)(3). (Project Planner: Eric Wilberg, (707) 784-6765)

The hearing will be held on **Thursday, March 6, 2025 at 10:00 a.m.** in the Department of Resource Management Conference Room, 5th Floor, County Administration Center, 675 Texas Street, Fairfield, California. Staff reports and associated materials will be available to the public approximately one week prior to the meeting at www.solanocounty.com under Departments; Resource Management; Boards, Commissions & Special Districts; Solano County Zoning Administrator.

The County of Solano does not discriminate against persons with disabilities. If you wish to participate in this meeting and you will require assistance in order to do so, please call 707-784-6765 at least 24 hours in advance of the event to make reasonable arrangements to ensure accessibility to this meeting.

PUBLIC COMMENTS:

In-Person: You may attend the public hearing at the time and location listed above and provide comments during the public speaking period. Email/Mail: Written comments can be emailed to Planning@SolanoCounty.com or mailed to Resource Management, Zoning Administrator, 675 Texas Street, Suite 5500, Fairfield, CA 94533 and must be received by 8:00 a.m. the day of the meeting. Copies of written comments received will be provided to the Zoning Administrator and will become a part of the official record but will not be read aloud at the meeting.

If you challenge the proposed consideration in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Zoning Administrator at, or prior to, the public hearing.

Daily Republic - legal ad/one time – Sunday, February 23, 2025