

**TOWN OF PARADISE  
RESOLUTION NO. 11-40**

**A RESOLUTION OF THE TOWN OF PARADISE ESTABLISHING LANDMARK TREE STATUS FOR A  
LARGE BLACK OAK TREE GROWING ON RESIDENTIAL PROPERTY LOCATED AT 1627  
MEADOWBROOK LANE, PARADISE, CALIFORNIA (PL11-00169, MESEKE).**

**WHEREAS**, the Town of Paradise has received and processed a Landmark Tree application in accordance with Paradise Municipal Code section 8.12.112; and

**WHEREAS**, the Landmark Tree application formally requested Landmark Tree designation for a black oak tree (*Quercus kelloggii*) growing on property located at 1627 Meadowbrook Lane, Paradise, California and further identified as Assessor Parcel Number 050-210-063 and legally described in Exhibit "A"; and

**WHEREAS**, the 1994 Paradise General Plan contains policy statements promoting the preservation and protection of existing, large trees in the community; and

**WHEREAS**, the Town-established Tree Advisory Committee has unanimously recommended that the tree that is the subject of the Landmark Tree application be formally designated as such by the Town Council because the tree is an outstanding specimen of a desirable species, it is one of the largest or oldest trees on Paradise and it is of distinctive appearance; and

**WHEREAS**, as a result of their analysis and findings, the Town Tree Advisory Committee has determined that the tree that is the subject of the Landmark Tree application meets the required criteria for Landmark Tree designation contained within Paradise Municipal Code Section 8.12.112 (B)(1);

**WHEREAS**, by virtue of its designation as a Landmark Tree, the designated tree shall be afforded and be subject to all of the protections specified within Paradise Municipal Code Chapter 8.12 for Landmark Trees.

**NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF PARADISE AS FOLLOWS:**

**SECTION 1.** Pursuant to California Environmental Quality Act (CEQA) Guidelines Section 15061(b)(3), the proposed Landmark Tree designation is exempt from environmental review because there is no possibility that its adoption will have a significant effect on the environment.

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**SECTION 2.** The Town Council of the Town of Paradise hereby designates a black oak tree (*Quercus kellogii*) growing on property located at 1627 Meadowbrook Lane and further identified as Assessor Parcel Number 050-210-063, and legally described in Exhibit "A", as a Landmark Tree.

**SECTION 3.** The Town-designated Landmark Tree is approximately fifty-one (51) inches in diameter at breast height measured at 54 inches above grade (September, 2011) and is located approximately sixty-eight (68) feet from the east property boundary and approximately twenty-five (25) feet from the north property boundary of the 1.11 acre site.

**SECTION 4.** Declassification, felling or alteration of the Landmark shall be conducted in accordance with the requirements of Paradise Municipal Code sections 8.12.115 and 8.12.117.

**SECTION 5.** This resolution is effective immediately upon its adoption.

**PASSED AND ADOPTED** by the Town of Paradise this 4<sup>th</sup> day of October, 2011 by the following vote:

**AYES:** Steve "Woody" Culleton, Joe DiDuca, Tim Titus and Alan White, Mayor

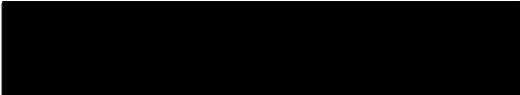
**NOES:** None

**ABSENT:** Scott Lotter

**NOT VOTING:** None

  
\_\_\_\_\_  
Alan White, Mayor

**ATTEST:** 10-6-2011

  
\_\_\_\_\_  
JOANNA GUTIERREZ, TOWN CLERK

**APPROVED AS TO LEGAL FORM:**

  
\_\_\_\_\_  
DWIGHT L. MOORE, TOWN ATTORNEY

EXHIBIT "A"

All that certain real property situate in the Town of Paradise, County of Butte, State of California, described as follows:

PARCEL I:

A portion of the Southeast quarter of the Southeast quarter of Section 12, Township 22 North, Range 3 East, M. D. B. & M., more particularly described as follows:

BEGINNING at a point on the West line of the Southeast quarter of the Southeast quarter of said Section 12, said point being the Northwest corner of the parcel of land described in the Deed to Richard C. Christensen, et ux, recorded September 8, 1948 in Book 483 of Official Records, at Page 344, records of Butte County, California; thence along the North line of said Christensen parcel, North  $89^{\circ} 26'$  East, 180.87 feet to a point; thence North  $0^{\circ} 04'$  West parallel with the West line of said Southeast quarter of the Southeast quarter a distance of 264.02 feet to the North line of said Southeast quarter of the Southeast quarter of Section 12; thence South  $89^{\circ} 26'$  West, a distance of 180.87 feet to the Northwest corner of said Southeast quarter of the Southeast quarter of Section 12; thence South  $0^{\circ} 04'$  East along said West line of said Southeast quarter of the Southeast quarter of said Section 12, a distance of 264.02 feet to the point of beginning.

Said property also being shown as Parcel 1 on that certain Record of Survey filed on June 12, 1979 in Book 69 of Maps, at Page 73.

PARCEL II:

A RIGHT OF WAY FOR ROAD PURPOSES over the following described parcel:

BEGINNING at the Southeast corner of the above described Parcel I and running thence East along the South line of the property described in Deed to Bayard T. Cook, et ux, recorded July 18, 1956 in Book 838 of Official Records, at Page 459, records of Butte County, California, a distance of 475.0 feet to the Southeast corner of said Cook property; thence North  $0^{\circ} 06'$  West along the East line of said property, a distance of 15.0 feet; thence West and parallel with the South line of said property, 475.0 feet to a point; thence South  $0^{\circ} 04'$  East, a distance of 15.0 feet to the point of beginning.

PARCEL III:

A NON-EXCLUSIVE RIGHT OF WAY FOR ROAD, DRIVEWAY, PIPELINE AND UTILITY PURPOSES over, across and along the following described property:

BEGINNING at the Southeast corner of Section 12; thence along the East line of said Section, North  $0^{\circ} 08'$  East, 1042.82 feet to the TRUE POINT OF BEGINNING for the parcel of land herein described; thence from said TRUE POINT OF BEGINNING, continuing along the East line of Section, North  $0^{\circ} 08'$  East, 15.00 feet to the Southeast corner of that tract of land conveyed by Deed to W. J. Powell, et ux, recorded April 27, 1946 in Book 381 of Official Records, at Page 96, records of Butte county, California; thence along the South line of said tract, South  $89^{\circ} 26'$  West, 680.60 feet; thence South  $0^{\circ} 04'$  East, 15.00 feet; thence North  $89^{\circ} 26'$  East, 680.60 feet, more or less, to the point of beginning.

(Continued)

EXHIBIT "A" - CONTINUED

PARCEL IV:

A RIGHT OF WAY FOR ROAD PURPOSES over the South 25 feet of the following described parcel of land:

A portion of the Southeast quarter of the Southeast quarter of Section 12, Township 22 North, Range 3 East, M. D. B. & M., more particularly described as follows:

COMMENCING at a point on the West line of the Southeast quarter of the Southeast quarter of said Section 12, said point being the Northwest corner of the parcel of land described in the Deed to Richard C. Christensen, et ux, recorded September 8, 1948 in Book 483 of Official Records, at Page 344, records of Butte County, California; thence along the North line of said Christensen parcel, North  $89^{\circ} 26'$  East, 180.87 feet to a point, said point being the TRUE POINT OF BEGINNING of the parcel herein described; thence from said TRUE POINT OF BEGINNING, continuing North  $89^{\circ} 26'$  East a distance of 175.0 feet to the Southwest corner of that certain parcel of land described in the Deed to Charles E. Matthews, et ux, recorded January 6, 1961 in Book 1095 of Official Records, at Page 156, records of Butte County, California; thence North  $0^{\circ} 04'$  West parallel with the West line of said Southeast quarter of the Southeast quarter of said Section, a distance of 264.02 feet to the North line of said Section; thence South  $89^{\circ} 26'$  West along said North line a distance of 175.0 feet to a point; thence South  $0^{\circ} 04'$  East parallel to the West line of said Southeast quarter of the Southeast quarter of said Section, a distance of 264.02 feet to the TRUE POINT OF BEGINNING.