

23-0642

Recording Requested by Fresno County Board of Supervisors

When recorded return to
Fresno County
Department of Public Works and Planning
Stop # 214
RLCC No. 1028
Attention Policy Planning Unit,
Jordan Walton

No Recording Fee Pursuant to Government Code Section 27383

RESOLUTION APPROVING PARTIAL CANCELLATION OF
AGRICULTURAL LAND CONSERVATION CONTRACT NO. 152
(RLCC No. 1028)

This page added to provide adequate space for the above information only.
(Government Code 27361.6)

AFTER RECORDING,
RETURN TO STOP #214
PUBLIC WORKS AND PLANNING
Attn: Jordan Walton

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

BEFORE THE BOARD OF SUPERVISORS
OF THE COUNTY OF FRESNO
STATE OF CALIFORNIA

IN THE MATTER OF
AGRICULTURAL LAND
CONSERVATION CONTRACT

RESOLUTION APPROVING PARTIAL
CANCELLATION OF AGRICULTURAL
LAND CONSERVATION CONTRACT NO.
152 (RLCC No. 1028)

WHEREAS, Agricultural Land Conservation Contract (ALCC) No. 152 was entered into between Robert L. Garabedian, Mike Garabedian, Helen Garabedian, Michael D. Kowitz, and Patricia Lynn Kowitz and succeeded to by Walter James Bledsoe and Elizabeth D. Bledsoe, as Trustees of the Bledsoe Family Trust dated October 13, 2020 and the County of Fresno, recorded October 31, 1980, as Instrument Number 106407 in the Official Records of Fresno County, California, more commonly referred to as ALCC No. 152; and

WHEREAS, the current land owners, Walter James Bledsoe and Elizabeth D. Bledsoe, as Trustees of the Bledsoe Family Trust dated October 13, 2020, have submitted a petition to the Board of Supervisors to remove a 2.41-acre portion of a 42.93-acre (gross) parcel subject to the Contract to allow creation of a 2.41-acre separate parcels for residential use; and

WHEREAS, the Agricultural Land Conservation Committee, at a public meeting held on November 9, 2022, considered the petition and at the conclusion of the public meeting recommended denial of the cancellation petition to the Board of Supervisors based on its inability to make all the five required findings listed under Section 51282(b) of the Government Code; and

WHEREAS, the Board of Supervisors considered the cancellation petition at a public hearing held on June 20, 2023, and at the conclusion of the public hearing approved the

1 cancellation petition based on its ability to make all the five required Findings listed under
2 Section 51282(b) of the Government Code as follows:

3 1. That the cancellation is for land on which a Notice of Nonrenewal has
4 been recorded pursuant to Section 51245 of the Government Code; and

5 2. That the cancellation is not likely to result in the removal of adjacent
6 lands from agricultural use; and

7 3. That the cancellation is for an alternative use that is consistent with the
8 policies of the County General Plan; and

9 4. That the cancellation will not result in discontinuous patterns of urban
10 development; and

11 5. That there is no proximate non-contracted land that is both available
12 and suitable for the use to which it is proposed that the contracted land be put, or that
13 development of the contracted land would provide more contiguous patterns of urban
14 development than development of proximate non-contracted land; and

15 WHEREAS, in accordance with Section 51283(a) of the Government Code, the
16 County Assessor has determined and certified to this Board the cancellation valuation for
17 determination of the Cancellation Fee; and

18 WHEREAS, this Board has certified the Cancellation Fee to be in the amount of
19 \$10,000.00; and

20 NOW, THEREFORE BE IT RESOLVED, that the Board of Supervisors hereby finds
21 that all of the five Findings listed under Section 51282(b) of the Government Code can be
22 made for this partial cancellation of said Contract as to a 2.41-acre portion of the 42.93-acre
23 parcel known as APN 158-021-61 subject to ALCC No. 152; and

24 BE IT FURTHER RESOLVED, that the partial cancellation of this Contract be and is
25 hereby approved for a 2.41-acre portion of ALCC No. 152 as described on the attached legal
26 description (Exhibit "A"), subject to the following conditions:

27 1. The landowners shall obtain the necessary land use approvals to create the
28 2.41-acre parcel.

EXHIBIT "A"

PARCEL DESCRIPTION

APN: 158-021-61 (Portion)

A portion of the northeast quarter of Section 5, Township 13 South, Range 23 East, Mount Diablo Base and Meridian, described as follows:

Beginning at the intersection of the centerline of Watts Valley Road with the east line of said northeast quarter of Section 5 from which the southeast corner thereof bears South 00° 50' 47" West, a distance of 149.87 feet;

Thence along said east line, North 00° 50' 47" East, a distance of 265.64 feet;

Thence parallel with the south line of said northeast quarter of Section 5, South 89° 29' 30" West, a distance of 417.48 feet;

Thence parallel with said east line, South 00° 50' 47" West, a distance of 208.06 feet;

Thence parallel with said south line, North 89° 29' 30" East, a distance of 208.00 feet;

Thence South 38° 44' 03" East, a distance of 192.07 feet to the intersection with said centerline of Watts Valley Road, being a non-tangent curve concave to the southeast having a radius of 730.00 feet and to which intersection a radial line bears North 51° 51' 07" West;

Thence along said centerline, through a central angle of 10° 08' 57", an arc distance of 129.31 feet to the **Point of Beginning**.

Area: 2.41 acres more or less

