

Recording Requested by Fresno County Board of Supervisors

When recorded return to  
Fresno County  
Department of Public Works and Planning  
Stop # 214  
RLCC No. 1008  
Attention Policy Planning Unit,  
Derek Chambers

**No Recording Fee Pursuant to Government Code Section 27383**

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RESOLUTION APPROVING PARTIAL CANCELLATION OF  
AGRICULTURAL LAND CONSERVATION CONTRACT NO. 2093  
(RLCC No. 1008)

*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: Derek Chambers

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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.  
2093 (RLCC No. 1008)

WHEREAS, Agricultural Land Conservation Contract (ALCC) No. 2093 was entered into between Southern Pacific Company and the County of Fresno, recorded February 26, 1970, as Instrument Number 14000, Book 5765, Pages 173 through 174, in the Official Records of Fresno County, California; and

WHEREAS, the current land owner, True Organic Products, LLC, a California Limited Liability Company, has submitted a petition to the Board of Supervisors to remove a 25.78-acre parcel, a 20.45-acre parcel, and another 20.45-acre parcel subject to the Contract to allow expansion of an existing fertilizer manufacturing and storage facility; and

WHEREAS, the Agricultural Land Conservation Committee, at a public meeting held on April 7, 2021, considered the petition and recommended approval of the cancellation petition to the Board of Supervisors based on its ability to make all the findings set forth 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 22, 2021, and at the conclusion of the public hearing approved the cancellation petition based on its ability to make all the Consistency Findings listed under Section 51282(b) of the Government Code as follows:

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

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

5           3.     That the cancellation is for an alternate use that is consistent  
6 with the policies of the County General Plan; and

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

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

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

17           WHEREAS, this Board has certified the Cancellation Fee to be in the amount  
18 of \$34,375.00; and

19           WHEREAS, notice was provided to the Department of Conservation (“DOC”),  
20 and the Board has considered any comments pertinent to this petition submitted by  
21 the DOC, in accordance with Section 51284.1 of the Government Code.

22           NOW, THEREFORE BE IT RESOLVED, that the Board of Supervisors hereby  
23 finds that the Consistency Findings listed under Section 51282(b) of the Government  
24 Code can be made for this partial cancellation of said Contract as to a 66.68-acre  
25 portion of ALCC No. 2093; and

26           BE IT FURTHER RESOLVED, that the partial cancellation of this Contract be  
27 and is hereby approved for a 25.78-acre portion of ALCC No. 2093 as described on  
28 the attached legal description (Exhibit “A”), a 20.45-acre portion of ALCC No. 2093 as

1 described on the attached legal description (Exhibit "B"), and another 20.45-acre  
2 portion of ALCC No. 2093 as described on the attached legal description (Exhibit  
3 "C"), subject to the following conditions:

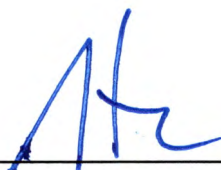
4 1. The landowner shall obtain the necessary land use approvals, including  
5 CUP No. 3656.

6 2. The applicant shall pay the Cancellation Fee in the amount of \$34,375  
7 as determined by the County Assessor and certified by the Board of Supervisors for  
8 issuance of a Certificate of Cancellation by the Board. The Cancellation Fee shall be  
9 paid, and a Certificate of Cancellation issued prior to exercising CUP No. 3656 or  
10 issuance of any permit associated with the proposed use.

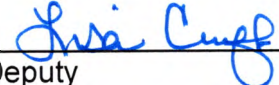
11 BE IT FURTHER RESOLVED, that the Chair is authorized to execute a  
12 Certificate of Tentative Cancellation, and upon satisfaction of Conditions of Approval  
13 stated in the Certificate of Tentative Cancellation, to execute a Certificate of Partial  
14 Cancellation of ALCC No. 2093.

15 THE FOREGOING, was PASSED and ADOPTED by the following vote of the  
16 Board of Supervisors of the County of Fresno this 22nd day of June, 2021, to-wit:

- 17 AYES: Supervisors Brandau, Magsig, Mendes, Pacheco, Quintero  
18 NOES: None  
19 ABSENT: None  
20 ABSTAINED: None

21   
22 \_\_\_\_\_  
23 Steve Brandau, Chairman of the Board of  
24 Supervisors of the County of Fresno

24 ATTEST:  
25 Bernice E. Seidel  
26 Clerk of the Board of Supervisors  
27 County of Fresno, State of California

28 BY   
Deputy

## ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California

County of Fresno

On June 22, 2021 before me, Lisa K. Craft, Notary Public  
(insert name and title of the officer)

personally appeared Steve Brandon,  
who 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.

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

WITNESS my hand and official seal.

Signature Lisa K. Craft (Seal)



EXHIBIT A

THAT PORTION OF SECTION 19, TOWNSHIP 16 SOUTH, RANGE 17 EAST, MOUNT DIABLO BASE AND MERIDIAN, ACCORDING TO THE OFFICIAL UNITED STATES GOVERNMENT PLAT THEREOF, IN THE COUNTY OF FRESNO, STATE OF CALIFORNIA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE NORTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 19, SAID POINT LYING 453.00 FEET EAST OF THE WEST LINE OF SAID NORTHEAST QUARTER, MEASURED AT RIGHT ANGLES THERETO; THENCE

SOUTH 1°09'51" WEST, PARALLEL WITH SAID WEST LINE, 2730.07 FEET TO A POINT LYING 77.00 FEET SOUTH OF THE SOUTH LINE OF SAID NORTHEAST QUARTER, MEASURED AT RIGHT ANGLES THERETO; THENCE

SOUTH 89°32'39" EAST, PARALLEL WITH SAID SOUTH LINE, 415.78 FEET TO THE SOUTHERLY EXTENSION OF THE WEST LINE OF THE EAST 452.16 FEET OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 19; THENCE

NORTH 1°10'17" EAST, ALONG SAID EXTENSION AND SAID WEST LINE, 2729.94 FEET TO THE NORTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 19; THENCE

NORTH 89°31'36" WEST, ALONG SAID NORTH LINE, 416.12 FEET TO THE POINT OF BEGINNING.

APN: 040-080-42S

EXHIBIT B

THAT PORTION OF SECTION 19, TOWNSHIP 16 SOUTH, RANGE 17 EAST, MOUNT DIABLO BASE AND MERIDIAN, ACCORDING TO THE OFFICIAL UNITED STATES GOVERNMENT PLAT THEREOF, IN THE COUNTY OF FRESNO, STATE OF CALIFORNIA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE SOUTHERLY EXTENSION OF THE WEST LINE OF THE EAST 452.16 FEET OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 19, SAID POINT ALSO BEING ON THE WESTERLY EXTENSION OF THE SOUTH LINE OF THE NORTH 398.70 FEET OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 19; THENCE

SOUTH 89°32'07" EAST, ALONG THE WESTERLY EXTENSION OF SAID SOUTH LINE AND CONTINUING ALONG SAID SOUTH LINE, 886.66 FEET; THENCE

SOUTH 1°10'30" WEST, 1004.61 FEET TO A POINT LYING 77.00 FEET SOUTH OF THE SOUTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 19; THENCE

NORTH 89°32'39" WEST, PARALLEL WITH LAST SAID SOUTH LINE, 886.60 FEET TO THE SOUTHERLY EXTENSION OF THE WEST LINE OF THE EAST 452.16 FEET OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 19; THENCE

NORTH 1°10'17" EAST, ALONG THE SOUTHERLY EXTENSION OF SAID WEST LINE, 1004.74 FEET TO THE POINT OF BEGINNING.

APN: 040-080-43S

EXHIBIT C

THAT PORTION OF SECTION 19, TOWNSHIP 16 SOUTH, RANGE 17 EAST, MOUNT DIABLO BASE AND MERIDIAN, ACCORDING TO THE OFFICIAL UNITED STATES GOVERNMENT PLAT THEREOF, IN THE COUNTY OF FRESNO, STATE OF CALIFORNIA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A POINT ON THE SOUTHERLY EXTENSION OF THE WEST LINE OF THE EAST 452.16 FEET OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 19, SAID POINT ALSO BEING ON THE WESTERLY EXTENSION OF THE SOUTH LINE OF THE NORTH 398.70 FEET OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 19; THENCE

SOUTH 89°32'07" EAST, ALONG THE WESTERLY EXTENSION OF SAID SOUTH LINE AND CONTINUING ALONG SAID SOUTH LINE, 886.66 FEET TO THE TRUE POINT OF BEGINNING; THENCE

SOUTH 1°10'30" WEST, 1004.61 FEET TO A POINT LYING 77.00 FEET SOUTH OF THE SOUTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 19; THENCE

SOUTH 89°32'39" EAST, PARALLEL WITH LAST SAID SOUTH LINE, 886.61 FEET TO THE EAST LINE OF SAID SECTION 19; THENCE

NORTH 1°10'43" EAST, ALONG SAID EAST LINE, 1004.47 FEET TO SOUTH LINE OF THE NORTH 398.70 FEET OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 19; THENCE

NORTH 89°32'07" WEST, ALONG LAST SAID SOUTH LINE, 886.67 FEET TO THE TRUE POINT OF BEGINNING.

APN: 040-080-44S