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To Government Code Section 6103*

Attorneys for Plaintiffs
COUNTY OF FRESNO and THE PEOPLE OF STATE OF CALIFORNIA

SUPERIOR COURT OF CALIFORNIA, COUNTY OF FRESNO

CIVIL DIVISION

COUNTY OF FRESNO; and
THE PEOPLE OF THE STATE OF
CALIFORNIA, by and through the Office of
County Counsel for the County of Fresno

Plaintiffs,

v.

SAMUEL COBIAN-GOMEZ, an individual;
and DOES 1 through 50, inclusive,

Defendants.

Case No. 24CECG03722

**STIPULATION FOR ENTRY OF
JUDGMENT AND ORDER THEREON
(Code Civ. Proc. § 664.6)**

**Judge Assigned for All Purposes –
Hon Kristi Culver Kapetan in Dept. 502**

Plaintiffs COUNTY OF FRESNO, a political subdivision of the State of California,
("County") and THE PEOPLE OF THE STATE OF CALIFORNIA, by and through the Office
of County Counsel for the County of Fresno, (collectively, "Plaintiffs"); and Defendant
SAMUEL COBIAN-GOMEZ ("Defendant") desire and hereby agree to resolve the above-
captioned matter through this stipulation for entry of judgment as follows:

RECITALS

WHEREAS, Defendant owns, possesses, controls and maintains certain real property
located at and commonly known as 4931 South Buttonwillow Avenue, Reedley, California

1 93654, further identified as Assessor's Parcel Number (APN) 333-290-15, and legally described
2 as follows:

3 The South half (S-1/2) of the Lot 22 of the Resubdivision of Columbia Colony, in
4 the County of Fresno, State of California, according to the map thereof recorded
5 March 2, 1908, in Book 4, Page 15 of the Records of Surveys in the Office of the
County Recorder of said County,

6 hereinafter referred to as the "Subject Property."

7 **WHEREAS**, the Subject Property is zoned Exclusive Agriculture under Fresno
8 County Zoning Ordinance, Division 6 of the Fresno Ordinance Code ("Fresno County Zoning
9 Ordinance") sections 806.2.010 and 808.2.010.

10 **WHEREAS**, in October 2022, Defendant began to hold weddings, parties, concerts,
11 and to other large events, and began operating a commercial event center at the Subject Property.

12 **WHEREAS**, the County issued administrative citations and Defendant incurred
13 administrative fines for ongoing violations of the Fresno County Zoning Ordinance.

14 **WHEREAS**, on August 26, 2024, Plaintiffs filed a Complaint for Injunctive Relief
15 and Other Relief to Abate a Public Nuisance, Unfair Business Practices, and Other Relief (the
16 "Complaint").

17 **WHEREAS**, on or about September 4, 2024, service of summons was completed on
18 Defendant at this primary residence, the Subject Property.

19 **WHEREAS**, the Complaint seeks to abate violations of the Fresno County Zoning
20 Ordinance sections 808.2.020, 834.4.260, 842.5.020, 878.6.040.A for operation of a commercial
21 wedding and event center on the Subject Property as a high intensity park use without an
22 Unclassified Conditional Use Permit.

23 **WHEREAS**, the Complaint further sought recovery of civil penalties against the
24 Defendant as authorized by California's Unfair Competition Law, Business and Professions
25 Code section 17200, *et seq*, for the unlawful commercial use of the Subject Property in violation
26 of the Fresno County Zoning Ordinance.

27 **WHEREAS**, among the relief prayed for in the Complaint, Plaintiffs seek a
28 mandatory permanent injunction to require Defendants to abate the violations of the Fresno

1 County Zoning Ordinance.

2 WHEREAS, to avoid further litigation, the Plaintiffs and the Defendant (collectively,
3 "Parties") enter into this stipulation for judgment for Plaintiffs and issuance of a permanent
4 injunction.

5 **STIPULATION**

6 Plaintiffs and Defendant agree to the following:

7 1. Defendant owns, controls, and is in possession of certain real property located at and
8 commonly known as 4931 South Buttonwillow Avenue, Reedley, California 93654, further
9 identified as Assessor's Parcel Number (APN) 333-290-15, and legally described as follows:

10 The South half (S-1/2) of the Lot 22 of the Resubdivision of Columbia Colony, in
11 the County of Fresno, State of California, according to the map thereof recorded
12 March 2, 1908, in Book 4, Page 15 of the Records of Surveys in the Office of the
County Recorder of said County,

13 hereinafter referred to as the ("Subject Property").

14 2. Defendant admits receipt of service of the Summons and Complaint, and Defendant
15 submits to the jurisdiction of this Court in this above-captioned action.

16 3. The Parties agree to have judgment entered as follows:

17 A. Defendant shall be permanently enjoined, restrained, and prohibited from: (i)
18 holding weddings, parties, concerts and events at the Subject Property; and (ii)
19 operating a commercial event center at the Subject Property (each an "Illegal
20 Condition," and collectively "Illegal Conditions"). The permanent injunction
21 imposed by this paragraph will dissolve if Defendant obtains the appropriate land
22 use approvals to operate an event center on the Subject Property.

23 B. The County is authorized to enter and inspect the Subject Property without a
24 warrant or further orders from this Court and remove any guests from the Subject
25 Property upon Defendant holding a wedding, party, concert or event in violation
26 of this Stipulation. This authorization to enter, inspect and abate excludes the
27 single-family residence.

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- 1 C. The County's authorization to enter the Subject Property to inspect and abate any
2 unlawful events may be modified by further orders issued by the Court.
- 3 D. Defendant agrees that certain unpermitted structures and improvements exist on
4 the Subject Property to include: (1) a 12' x 32' platform, (2) two bathrooms, (3)
5 an accessory building remodeled as a food court, (4) a dress room, (5) and a patio
6 addition attached to the accessory building (collectively referred to as
7 "Unpermitted Structures").
- 8 E. Defendant agrees to apply for permits or remove the Unpermitted Structures
9 within 90 days of a final decision, defined as exhaustion of all administrative and
10 judicial appeals, on Defendant's application for Unclassified Conditional Use
11 Permit number 3784 ("UCUP") to operate an event center on the Subject
12 Property.
- 13 F. The County is authorized to enter the Subject Property and remove any
14 Unpermitted Structures that remain on the Subject Property without a warrant or
15 further orders from the Court after expiration of the correction period in paragraph
16 3.E, and the County is authorized to recover the cost of abatement work to remove
17 any remaining Unpermitted Structures.
- 18 G. The County is authorized to impose a special assessment on the Subject Property
19 for any abatement costs incurred and as authorized by paragraph 3.F, pursuant to
20 the procedures in Ordinance Code of Fresno County sections 1.16.150–1.16.180.
- 21 H. Defendant agrees to a monetary award to be paid in the amount of seven thousand
22 dollars (\$7,000) to the County to compromise and resolve Defendant's liability
23 for unpaid administrative fines and civil penalties pursuant to California Business
24 and Professions Code section 17206.
- 25 I. The County and Defendant agree that Defendant will satisfy the seven thousand
26 dollars (\$7,000) monetary award to the County as follows: (i) seven (7) equal
27 installment payments of one thousand dollars (\$1,000); (ii) the first installment of
28 one thousand dollars (\$1,000) is due to the County thirty (30) calendar days after

1 the date of service on Defendant of the Notice of Entry of Judgment pursuant to
2 this stipulation; and (iii) the six (6) subsequent installment payments of one
3 thousand dollars (\$1,000) are due each thirty (30) calendar days after the due date
4 of the first installment until the full amount of seven thousand dollars (\$7,000) is
5 paid to the County (as provided in Code Civ. Proc., § 116.620). Payment shall be
6 made by check or money order payable to the "County of Fresno," and delivered
7 to the Office of the Fresno County Counsel, c/o Code Enforcement Attorney,
8 2200 Tulare Street, 5th Floor, Fresno, California 93721.

9 J. Upon Defendant's full payment of the seven thousand dollars (\$7,000) monetary
10 award, the County will file and serve an Acknowledgement of Satisfaction of
11 Judgment, Judicial Council Form EJ-100, as this form may be amended by the
12 Judicial Council.

13 K. If any installment is not paid when due, interest accrues on the unpaid installment
14 at the legal rate for a money judgment (as provided in Code Civ. Proc., § 685.010)
15 beginning on the date the installment becomes due (as provided in Code Civ.
16 Proc., § 685.020). The Parties agree that the Complaint is not a claim related to
17 medical expenses or personal debt. In addition, if any installment is not paid when
18 due, the County may avail itself to the procedures to enforce money judgments
19 under the laws of the State of California, including, but not limited to, a lien on
20 the Subject Property and garnishment of the bank accounts held by Defendant. If
21 any installment is not paid when due, a judgment lien on the Subject Property
22 may be enforced for the amount of unmatured installments (as provided in Code
23 Civ. Proc., § 697.350). If any prior installment is not paid, all funds received or
24 collected by the County from Defendant as payment under the judgment will be
25 applied first to interest. If Defendant pays any installment early, the due date for
26 later installments is not advanced. At any time, Defendant may pay all remaining
27 outstanding or unmatured installments and interest, if any.

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1 L. The Parties agree that notice pursuant to this Stipulation, and the judgment
2 entered pursuant to this Stipulation, shall be provided to the Parties as follows:

3 i. **COUNTY OF FRESNO**

4 Office of Fresno County Counsel
5 c/o Code Enforcement Attorney
6 2220 Tulare Street, 5th Floor
7 Fresno, California 93721
8 (559) 600-3479
9 kroberson@fresncountyca.gov *and*
10 CountyCounselMailbox@fresnocountyca.gov

11 ii. **DEFENDANT**

12 Samuel Cobian-Gomez
13 4931 South Buttonwillow Avenue
14 Reedley, California 93654
15 (559) 908-6613
16 samuelcobian@yahoo.com

17 Any notices pursuant to this stipulation must be in writing and mailed to the
18 respective party pursuant to this paragraph 3.L.

19 M. Except as expressly provided in this Stipulation, each party to this Stipulation
20 agrees to bear its own attorney's fees and costs incurred in this matter.

21 4. The Parties agree that the Court shall retain jurisdiction over this matter for the
22 purposes of enforcing the judgment entered pursuant to this Stipulation and issuing any further
23 orders as necessary.

24 5. Each person signing this Stipulation expressly warrants and represents that it is legally
25 authorized to act on behalf of the party for which they sign and has full authority to obligate and
26 bind that party to the terms of the conditions of this Stipulation pursuant to Code of Civil
27 Procedure section 664.6.

28 6. The Parties agree that this Stipulation may be executed in counterparts, each of which
shall be deemed an original instrument, and all when taken together, shall constitute the
Stipulation for Entry of Judgment.

[Signatures on next page]

1 IT IS SO STIPULATED

2
3 FOR PLAINTIFFS

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5 Dated: 8/19/25

COUNTY OF FRESNO AND
THE PEOPLE OF THE STATE OF CALIFORNIA

6
7 ATTEST:
8 BERNICE E. SEIDEL
9 Clerk of the Board of Supervisors
County of Fresno, State of California

10 By: Shadi Vini Deputy

By: Ernest Buddy Mendes
ERNEST BUDDY MENDES, Chairman of the
Board of Supervisors of the County of Fresno

11 APPROVED AS TO FORM:

12
13 Dated: 7/31/2025

PETER WALL
Interim County Counsel

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16 By: Peter Wall
KYLE R. ROBERSON, Senior Deputy
Attorneys for Plaintiffs,
COUNTY OF FRESNO and
PEOPLE OF THE STATE OF CALIFORNIA

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20 FOR DEFENDANT

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22 Dated: 07/31/2025

By: Samuel Cobian-Gomez
SAMUEL COBIAN-GOMEZ, an individual

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**JUDGEMENT IS ENTERED FOR PLAINTIFFS AND AGAINST DEFENDANT ON
THE FOLLOWING TERMS:**

- The South half (S-1/2) of the Lot 22 of the Resubdivision of Columbia Colony, in the County of Fresno, State of California, according to the map thereof recorded March 2, 1908, in Book 4, Page 15 of the Records of Surveys in the Office of the County Recorder of said County,

2. Defendant is permanently enjoined, restrained, and prohibited from: (i) holding weddings, parties, concerts and events; and (ii) operating a commercial event center Subject Property (each an “Illegal Condition,” and collectively “Illegal Conditions”).

4. The County is authorized to enter and inspect the Subject Property without a warrant or further orders from this Court remove any guests from the Subject Property upon Defendant holding a wedding, party, concert or event in violation of paragraph 2. This authorization to enter, inspect and abate excludes the single-family residence on the Subject Property.

5. Defendant agrees to apply for permits or remove all unpermitted structures and improvements on the Subject Property identified as follows: (1) a 12' x 32' platform, (2) two bathrooms, (3) an accessory building remodeled as a food court, (4) a dress room, (5) and a patio addition attached to the accessory building (collectively referred to as "Unpermitted Structures") within 90 days of a final decision, defined as exhaustion of all administrative and

1 judicial appeals, on Defendant's application for Unclassified Conditional Use Permit number
2 3784 ("UCUP") to operate an event center on the Subject Property.

3 6. The County is authorized to enter the Subject Property and remove any Unpermitted
4 Structures that remain on the Subject Property after expiration of the correction period in
5 paragraph 5. The County is further authorized to recover the cost of abatement work to
6 remove any remaining Unpermitted Structures. Defendant shall forfeit all legal right to
7 possession and an ownership interest in any Unpermitted Structures the County removes
8 from the Subject Property for the for the purposes of abating the Unpermitted Structures.

9 7. The County is authorized to impose a special assessment on the Subject Property for
10 any abatement costs incurred and as authorized by paragraph 6, pursuant to the procedures in
11 Ordinance Code of Fresno County sections 1.16.150–1.16.180.

12 8. The County's authorization to enter the Subject Property to inspect may be modified
13 by further orders issued by the Court.

14 9. Defendant shall pay a monetary award to the County in the amount seven thousand
15 dollars (\$7,000) to compromise and resolve Defendant's liability for unpaid administrative
16 fines and civil penalties authorized pursuant to California Business and Professional Code
17 section 17206. Defendant shall satisfy the seven thousand dollars (\$7,000) monetary award to
18 the County as follows: (a) seven (7) equal installment payments of one thousand dollars
19 (\$1,000); (b) the first installment of one thousand dollars (\$1,000) is due to the County thirty
20 (30) calendar days after the date of service of the Notice of Entry of Judgment pursuant to
21 this stipulation; and (c) the six (6) subsequent installment payments of one thousand dollars
22 (\$1,000) are due each thirty (30) calendar days after the due date of the first installment until
23 the full amount of seven thousand dollars (\$7,000) is paid to the County (as provided in Code
24 Civ. Proc., § 116.620). Payment shall be made by check or money order payable to the
25 "County of Fresno," and delivered to the Office of the Fresno County Counsel, c/o Code
26 Enforcement Attorney, 2200 Tulare Street, 5th Floor, Fresno, California 93721.

27 10. Upon full payment of the seven thousand dollars (\$7,000) monetary award, the County
28 shall file and serve an Acknowledgement of Satisfaction of Judgment, Judicial Council Form

1 EJ-100, as this form may be amended by the Judicial Council.

2 11. If any installment is not paid when due, interest accrues on the unpaid installment at
3 the legal rate for a money judgment (as provided in Code Civ. Proc., § 685.010) beginning on
4 the date the installment becomes due (as provided in Code Civ. Proc., § 685.020). This
5 judgment does not arise from a claim related to medical expenses or personal debt. In
6 addition, if any installment is not paid when due, the County may avail itself to the
7 procedures to enforce money judgments under the laws of the State of California, including,
8 but not limited to, a lien on the Subject Property and garnishment of the bank accounts held
9 by Defendant. If any installment is not paid when due, a judgment lien on the Subject
10 Property may be enforced for the amount of unmatured installments (as provided in Code
11 Civ. Proc., § 697.350). If any prior installment is not paid, all funds received or collected by
12 the County from Defendant as payment under this judgment may be applied first to interest.
13 If Defendant pays any installment early, the due date for later installments is not advanced.
14 At any time, Defendant may pay all remaining outstanding or unmatured installments and
15 interest, if any.

16 12. The Parties shall issue any notices pursuant to this judgment as follows:

17 **COUNTY OF**

18 Office of the Fresno County Counsel
19 c/o Code Enforcement Attorney
20 2220 Tulare Street, 5th Floor
21 Fresno, California 93721
22 (559) 600-3479
23 kroberson@fresnocountyca.gov *and*
24 CountyCounselMailbox@fresnocountyca.gov

25 **DEFENDANTS**

26 Samuel Cobian-Gomez
27 4931 South Buttonwillow Avenue
28 Reedley, California 93654
(559) 908-6613
samuelsobian@yahoo.com

Any notice issued pursuant to this judgment must be in writing and mailed to the
respective party pursuant to this paragraph 12.

- 1 13. Each party shall bear its own attorney's fees and costs incurred in this matter.
2 14. The Court retains jurisdiction over this matter for the purposes of enforcing this
3 judgment pursuant to Code of Civil Procedure section 664.6.
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5 IT IS SO ORDERED.
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8 Dated: _____

By: _____

9 JUDGE OF THE SUPERIOR COURT
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