

Recording Requested by Fresno County Board of Supervisors

When recorded return to  
Fresno County  
Department of Public Works and Planning  
Development Services Division  
Stop # 214  
RLCC No. 989  
Attention Policy Planning Unit,  
Anthony Lee

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

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RESOLUTION APPROVING PARTIAL CANCELLATION OF  
AGRICULTURAL LAND CONSERVATION CONTRACT NO. 5261  
(RLCC No. 989)

*This page added to provide adequate space for the above information only.*  
(Government Code 27361.6)  
(Additional recording fee applies)

AFTER RECORDING,  
RETURN TO STOP #214  
DEV. SERV. / POLICY PLANNING UNIT  
Attn: Anthony Lee

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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. 5261 (RLCC No. 989)
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WHEREAS, Agricultural Land Conservation Contract (ALCC) No. 5261 was entered into between Tadashi Araki and Sachiko Araki and the County of Fresno, recorded February 21, 1973, as Instrument Number 16769, Book 6130, Page 325 to 326, in the Official Records of Fresno County, California, and

WHEREAS, the current land owner, Salam Obadi Kassim, has submitted a petition to the Board of Supervisors to remove a 1.82-acre portion of a 18.15-acre parcel subject to ALCC No. 5261 to create a separate parcel to replace and expand an existing market located on a 0.53-acre adjacent parcel; and

WHEREAS, the Agricultural Land Conservation Committee, at a public hearing held on December 5, 2018, considered the petition and recommended approval of the cancellation to the Board of Supervisors; and

WHEREAS, the Board of Supervisors considered the petition at a public hearing held on June 4, 2019, and at the conclusion of the public hearing approved the petition based on its ability to make the five Consistency Findings listed under Section 51282(b) of the Government Code as follows:

1. That the cancellation is for land on which Notice of Nonrenewal has been served; pursuant to Section 51245 of the Government Code and
2. That the cancellation is not likely to result in the removal of adjacent

1 lands from agricultural use; and

2 3. That the cancellation is for an alternate use that is consistent with the  
3 provisions of the County General Plan; and

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

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

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

13 WHEREAS, this Board has certified the Cancellation Fee to be in the amount  
14 of \$22,500; and

15 WHEREAS, in accordance with Section 51284.1(d) of the Government Code,  
16 the Board must consider the comments of the Department of Conservation (“DOC”)  
17 pertinent to this petition, if provided; and

18 WHEREAS, no comments were provided by the DOC for the Board’s  
19 consideration.

20 NOW, THEREFORE BE IT RESOLVED, that the Board of Supervisors  
21 hereby finds that the Consistency Findings listed under Section 51282(b) of the  
22 Government Code can be made for this partial cancellation of said Contract as to a  
23 1.82-acre portion of ALCC No. 5261; and

24 BE IT FURTHER RESOLVED, that the partial cancellation of this Contract be  
25 and is hereby approved for a 1.82-acre portion of ALCC No. 5261 as described on  
26 the attached legal description (Exhibit “A”), subject to the following conditions:

27 1. The landowner shall obtain the necessary land use approvals including a  
28 parcel map to create the 2.35-acre parcel for the proposed market.

1           2.     The applicant shall pay the Cancellation Fee in the amount of \$22,500  
2 as determined by the County Assessor and certified by the Board of Supervisors for  
3 issuance of a Certificate of Cancellation by the Board. The Cancellation Fee shall be  
4 paid and a Certificate of Cancellation issued prior to recording the parcel map to  
5 create the 2.35-acre parcel for the proposed market; and

6           BE IT FURTHER RESOLVED, that the Chair is authorized to execute a  
7 Certificate of Tentative Cancellation, and upon satisfaction of Conditions of Approval  
8 stated in the Certificate of Tentative Cancellation, to execute a Certificate of Partial  
9 Cancellation of ALCC No. 5261.

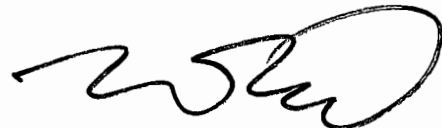
10           THE FOREGOING, was PASSED and ADOPTED by the following vote of the  
11 Board of Supervisors of the County of Fresno this 4th day of June 2019, to-wit:

12  
13 AYES:           Supervisors Brandau, Magsig, Mendes, Pacheco, Quintero

14 NOES:           None

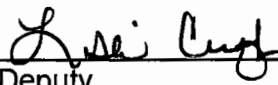
15 ABSENT:         None

16 ABSTAINED:    None

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18  


19           \_\_\_\_\_  
Nathan Magsig, Chairman of the Board of  
20 Supervisors of the County of Fresno

21 **ATTEST:**  
22 Bernice E. Seidel  
23 Clerk of the Board of Supervisors  
County of Fresno, State of California

24  
25 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.

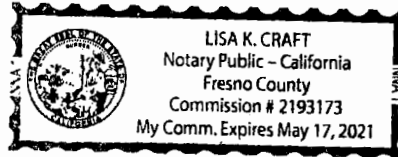
State of California  
County of Fresno

On June 4 2019 before me, Lisa K. Craft, Notary Public  
(insert name and title of the officer)

personally appeared Nathan Mason  
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'**  
**Legal Description**

That portion of Parcel 2 of Parcel Map No. 7568, according to the map thereof recorded in Book 54, Page 88 of Parcel Maps, Fresno County Records, described as follows:

**Beginning** at the Northwest corner of said Parcel 1;

Thence North along the West line of said Parcel 2, a distance of 110.00 feet;

Thence S89°57'54"E, parallel to the North line of said Parcel 1, a distance of 419.00 feet;

Thence South, parallel to the East line of said Parcel 1, a distance of 245.00 feet to a point on the South line of said Parcel 2;

Thence N89°57'54"W along the South line of said Parcel 2, a distance of 247.00 feet to the Southeast corner of said Parcel 1;

Thence North along the East line of said Parcel 1, a distance of 135.00 feet to the Northeast corner thereof;

Thence N89°57'54"W along the North line of said Parcel 1, a distance of 172.00 feet to the **Point of Beginning**.

Containing an area of 1.82 acres, more or less.

End of Description

This real property description has been prepared by me, or under my direction, in conformance with the Professional Land Surveyors' Act.

Signature: \_\_\_\_\_

Neil Zerlang – PLS 5358



Date: April 5, 2018