

Recording Requested by Fresno County Board of
Supervisors

When recorded return to
Fresno County
Department of Public Works and Planning
Stop # 214
RLCC No. 1042
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. 1152
(RLCC No. 1042)

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

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.
1152 (RLCC No. 1042)

WHEREAS, Agricultural Land Conservation Contract (ALCC) No. 1152 was entered into between Evelyn Tidyman and Wilma Mitchell and Myrtle Walton and Jane Walton and Phil J. Prescott and Howard James Conn and Wilma C. Prescott and Fred H. Bear and Fred S. Deutsch and Bessie B. Cobb and Charles L. Cobb and Bert M. Green and Edith E. Leslie and Barbara J. Dixon and Telles Ranch, Inc., a California Corporation and succeeded to by Hewitson Limited Partnership, a California Limited Partnership dated October 20, 2010 and the County of Fresno, recorded February 18, 1983, as Instrument Number 13505 in the Official Records of Fresno County, California, more commonly referred to as ALCC No. 1152; and

WHEREAS, the current land owners, Hewitson, Limited Partnership, dated October 20, 2010, have submitted a petition to the Board of Supervisors to remove a 40.00-acre parcel from the Williamson Act program to establish a solar electrical generation facility on the subject parcel as the alternative use.

WHEREAS, the Agricultural Land Conservation Committee, at a public meeting held on March 8, 2023, considered the petition and recommended denial of the cancellation petition to the Board of Supervisors based on its inability to make all the findings listed under Section 51282(b) of the Government Code; and

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1 WHEREAS, the Board of Supervisors considered the cancellation petition at
2 a public hearing held on May 9, 2023, and at the conclusion of the public hearing
3 approved the cancellation petition based on its ability to make all the Consistency
4 Findings listed under Section 51282(b) of the Government Code as follows:

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

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

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

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

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

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

21 WHEREAS, this Board has certified the Cancellation Fee to be in the amount
22 of \$43,750.00; and

23 NOW, THEREFORE BE IT RESOLVED, that the Board of Supervisors hereby
24 finds that all of the Consistency Findings listed under Section 51282(b) of the
25 Government Code can be made for this partial cancellation of said Contract as to a
26 40.00-acre parcel known as APN 027-121-15s subject to ALCC No. 1152; and

27 ///

28 ///

1 BE IT FURTHER RESOLVED, that the partial cancellation of this Contract be
2 and is hereby approved for a 40.00-acre portion of ALCC No. 1152 as described on
3 the attached legal description (Exhibit "A"), subject to the following conditions:

4 1. The applicant shall obtain the necessary permits to to develop the
5 subject parcel into a solar electrical generation facility.

6 2. The applicants shall pay the Cancellation Fee in the amount of
7 \$43,750.00, as determined by the County Assessor and certified by the Board of
8 Supervisors for issuance of a Certificate of Cancellation by the Board. The
9 Cancellation Fee shall be paid, and a Certificate of Cancellation issued and recorded
10 prior to issuance of any permit associated with the proposed use.

11 BE IT FURTHER RESOLVED, that the Chair is authorized to execute a
12 Certificates of Tentative Cancellation, and upon satisfaction of Conditions of Approval
13 stated in the Certificates of Tentative Cancellation, to execute Certificates of Partial
14 Cancellation of ALCC No. 1152.


15 THE FOREGOING, was PASSED and ADOPTED by the following vote of the
16 Board of Supervisors of the County of Fresno this 9th day of May 2023, to-wit:

17 AYES: Supervisors Brandau, Magsig, Mendes, Pacheco, Quintero

18 NOES: None

19 ABSENT: None

20 ABSTAINED: None

21 
22 Sal Quintero, Chairman of the Board of
23 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

CALIFORNIA ACKNOWLEDGMENT

CIVIL CODE § 1189

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.

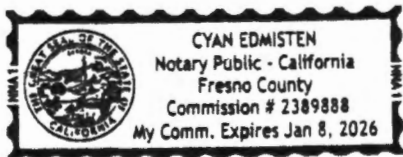
State of California

County of Fresno

On 05/10/2023 before me, Cyan Edmisten, Notary Public
Date Here Insert Name and Title of the Officer

personally appeared Salvador Quintero
Name(s) of Signer(s)

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.

Place Notary Seal and/or Stamp Above

Signature Cyan Edmisten
Signature of Notary Public

OPTIONAL

Completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

Description of Attached Document

Title or Type of Document: _____

Document Date: _____ Number of Pages: _____

Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: _____

☐ Corporate Officer – Title(s): _____

☐ Partner – ☐ Limited ☐ General

☐ Individual ☐ Attorney in Fact

☐ Trustee ☐ Guardian or Conservator

☐ Other: _____

Signer is Representing: _____

Signer's Name: _____

☐ Corporate Officer – Title(s): _____

☐ Partner – ☐ Limited ☐ General

☐ Individual ☐ Attorney in Fact

☐ Trustee ☐ Guardian or Conservator

☐ Other: _____

Signer is Representing: _____

EXHIBIT A

THE LAND REFERRED TO HEREIN IS SITUATED IN THE STATE OF CALIFORNIA,
COUNTY OF FRESNO UNINCORPORATED AND DESCRIBED AS FOLLOWS:

THE SOUTH HALF OF THE EAST HALF OF THE NORTHEAST QUARTER OF
SECTION 17, TOWNSHIP 15 SOUTH, RANGE 13 EAST, MOUNT DIABLO BASE AND
MERIDIAN, ACCORDING TO THE OFFICIAL PLAT THEREOF.

EXCEPTING THEREFROM ALL OIL, GAS, OTHER HYDROCARBON SUBSTANCES
AND MINERALS OF ANY KIND OR CHARACTER, IN, ON, OR THEREUNDER, AS
RESERVED AND/OR CONVEYED IN DOCUMENTS OF RECORD.

APN: 027-121-15



8-03-2022