

Recording Requested by Fresno County Board of Supervisors

When recorded return to
Fresno County
Department of Public Works and Planning
Stop # 214
RLCC Nos. 982, 983, 985, 986
Attention Policy Planning Unit,
Derek Chambers

No Recording Fee Pursuant to Government Code Section 27383

RESOLUTION APPROVING PARTIAL CANCELLATION OF
AGRICULTURAL LAND CONSERVATION CONTRACT NOS. 365, 367
(RLCC NOS. 982, 983); AND
CANCELLATION OF AGRICULTURAL LAND CONSERVATION
CONTRACT NOS. 2227, 2799 (RLCC NOS. 985, 986)

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 CANCELLATION OF AGRICULTURAL LAND CONSERVATION CONTRACT NOS. 365, 367, 2227, 2799
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WHEREAS, Agricultural Land Conservation Contract (ALCC) No. 365 was entered into between Giffen, Inc. and the County of Fresno, recorded February 27, 1969, as Instrument Number 13853, Book 5665, Pages 150 through 177, in the Official Records of Fresno County, California; and

WHEREAS, the current land owners, Stuart P. Woolf, Christopher R. Woolf and Michael T. Woolf in their capacity as Trustees of the G3 Farming Trust, have submitted a petition to the Board of Supervisors to remove a 159.63-acre parcel subject to the Contract to allow the development of a photovoltaic solar power generation facility and an electrical battery storage facility on the subject parcel as the alternative use; and

WHEREAS, Agricultural Land Conservation Contract (ALCC) No. 367 was entered into between Russell Giffen and Ruth P. Giffen and the County of Fresno, recorded February 27, 1969, as Instrument Number 13855, Book 5665, Page 182, in the Official Records of Fresno County, California; and

WHEREAS, the current landowner, Woolf Properties, a California Corporation, has submitted a petition to the Board of Supervisors to remove a 159.77-acre parcel subject to the Contract to allow the development of a photovoltaic solar power

1 generation facility and an electrical battery storage facility on the subject parcel as the
2 alternative use; and

3 WHEREAS, Agricultural Land Conservation Contract (ALCC) No. 2227 was
4 entered into between Southern Pacific Transportation Company and the County of
5 Fresno, recorded February 26, 1970, as Instrument Number 14275, Book 5765,
6 Pages 842 through 843, in the Official Records of Fresno County, California; and

7 WHEREAS, the current land owners, Stuart P. Woolf, Christopher R. Woolf and
8 Michael T. Woolf in their capacity as Trustees of the G3 Farming Trust, have
9 submitted a petition to the Board of Supervisors to remove a 638.82-acre parcel
10 subject to the Contract to allow the development of a photovoltaic solar power
11 generation facility and an electrical battery storage facility on the subject parcel as the
12 alternative use; and

13 WHEREAS, Agricultural Land Conservation Contract (ALCC) No. 2799 was
14 entered into between Sommerville Farms, a California Corporation, and the County of
15 Fresno, recorded February 17, 1971, as Instrument Number 11811, Book 5863,
16 Pages 24 through 25, in the Official Records of Fresno County, California; and

17 WHEREAS, the current land owners, Christopher R. Woolf, Anne A. Delaware
18 and Daryl Barsoom in their capacity as Trustees of the Woolf Family Trust No. I, have
19 submitted a petition to the Board of Supervisors to remove 320.02 acres subject to
20 the Contract to allow the development of a photovoltaic solar power generation facility
21 and an electrical battery storage facility on the subject parcel as the alternative use;
22 and

23 WHEREAS, the Agricultural Land Conservation Committee, at a public hearing
24 held on July 8, 2020, considered the petitions to remove the parcels stated above
25 from the Williamson Act Program and recommended approval of the cancellation
26 petitions to the Board of Supervisors; and

27 WHEREAS, the Board of Supervisors considered the cancellation petitions at
28 a public hearing held on December 15, 2020, and at the conclusion of the public

1 hearing approved the cancellation petitions based on its ability to make the two Public
2 Interest Findings listed under Section 51282(c) of the Government Code as follows:

3 1. That other public concerns substantially outweigh the objectives of the
4 Williamson Act; and

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

9 WHEREAS, in accordance with Section 51283(a) of the Government Code,
10 the County Assessor has determined the cancellation valuations and the Cancellation
11 Fees; and

12 WHEREAS, this Board has certified the Cancellation Fee for ALCC No. 365 to
13 be in the amount of \$198,750.00; and

14 WHEREAS, this Board has certified the Cancellation Fee for ALCC No. 367 to
15 be in the amount of \$198,750.00; and

16 WHEREAS, this Board has certified the Cancellation Fee for ALCC No. 2227
17 to be in the amount of \$796,875.00; and

18 WHEREAS, this Board has certified the Cancellation Fee for ALCC No. 2799
19 to be in the amount of \$400,000.00; and

20 NOW, THEREFORE BE IT RESOLVED, cancellation of these Contracts be and
21 is hereby approved for a 159.63-acre portion of ALCC No. 365 as described on the
22 attached legal description (Exhibit "A"), a 159.77-acre portion of ALCC No. 367 as
23 described on the attached legal description (Exhibit "B"), a 638.82-acre portion of
24 ALCC No. 2227 as described on the attached legal description (Exhibit "C"), and a
25 320.02-acre portion of ALCC No. 2799 as described on the attached legal description
26 (Exhibit "D"), subject to the following conditions:

- 27 1. The Applicants shall pay the Cancellation Fee in the amount of
28 \$198,750.00 as determined by the County Assessor and certified by the

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Board of Supervisors for issuance of a Certificate of Cancellation by the Board for ALCC No. 365. The Cancellation Fee shall be paid, and a Certificate of Cancellation issued prior to issuance of any permit associated with the proposed use.

2. The Applicants shall pay the Cancellation Fee in the amount of \$198,750.00 as determined by the County Assessor and certified by the Board of Supervisors for issuance of a Certificate of Cancellation by the Board for ALCC No. 367. The Cancellation Fee shall be paid, and a Certificate of Cancellation issued prior to issuance of any permit associated with the proposed use.

3. The Applicants shall pay the Cancellation Fee in the amount of \$796,875.00 as determined by the County Assessor and certified by the Board of Supervisors for issuance of a Certificate of Cancellation by the Board for ALCC No. 2227. The Cancellation Fee shall be paid, and a Certificate of Cancellation issued prior to issuance of any permit associated with the proposed use.

4. The Applicants shall pay the Cancellation Fee in the amount of \$400,000.00 as determined by the County Assessor and certified by the Board of Supervisors for issuance of a Certificate of Cancellation by the Board for ALCC No. 2799. The Cancellation Fee shall be paid, and a Certificate of Cancellation issued prior to issuance of any permit associated with the proposed use.

BE IT FURTHER RESOLVED, that the Chair is authorized to execute Certificates of Tentative Cancellation, and upon satisfaction of Conditions of Approval stated in the Certificates of Tentative Cancellation, to execute Certificates of Partial Cancellation of ALCC Nos. 365 and 367 and Certificates of Cancellation of ALCC Nos. 2227 and 2799.

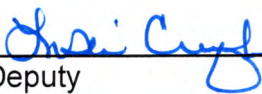
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THE FOREGOING, was PASSED and ADOPTED by the following vote of
the Board of Supervisors of the County of Fresno this 13th day of July, 2021, to-wit:

- AYES: Supervisors Brandau, Magsig, Mendes, Pacheco, Quintero
- NOES: None
- ABSENT: None
- ABSTAINED: None

Steve Brandau, Chairman of the Board of
Supervisors of the County of
Fresno

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

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 7/13/2001 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)

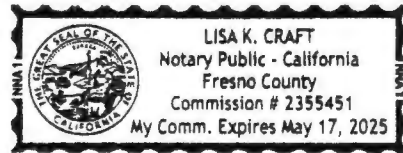


EXHIBIT "A"

THE SOUTHEAST QUARTER OF SECTION 28, TOWNSHIP 20 SOUTH, RANGE 17 EAST M.D.M. IN THE UNINCORPORATED AREA OF THE COUNTY OF FRESNO, STATE OF CALIFORNIA, ACCORDING TO THE OFFICIAL PLAT THEREOF.

CONTAINING 159.63 ACRES, MORE OR LESS.

EXHIBIT "B"

THE NORTHEAST QUARTER OF SECTION 28, TOWNSHIP 20 SOUTH, RANGE 17 EAST M.D.M. IN THE UNINCORPORATED AREA OF THE COUNTY OF FRESNO, STATE OF CALIFORNIA, ACCORDING TO THE OFFICIAL PLAT THEREOF.

CONTAINING 159.77 ACRES, MORE OR LESS.

EXHIBIT "C"

SECTION 27 IN TOWNSHIP 20 SOUTH, RANGE 17 EAST M.D.M. IN THE UNINCORPORATED AREA OF THE COUNTY OF FRESNO, STATE OF CALIFORNIA, ACCORDING TO THE OFFICIAL PLAT THEREOF.

CONTAINING 638.82 ACRES, MORE OR LESS.

EXHIBIT "D"

THE NORTHEAST QUARTER AND THE NORTHWEST QUARTER OF SECTION 34, TOWNSHIP 20 SOUTH, RANGE 17 EAST M.D.M. IN THE UNINCORPORATED AREA OF THE COUNTY OF FRESNO, STATE OF CALIFORNIA, ACCORDING TO THE OFFICIAL PLAT THEREOF.

CONTAINING 320.02 ACRES, MORE OR LESS.