

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. 988
Attention Policy Planning Unit,
Anthony Lee

No Recording Fee Pursuant to Government Code Section 27383

RESOLUTION APPROVING PARTIAL CANCELLATION
OF AGRICULTURAL LAND CONSERVATION CONTRACT NO. 6456
(RLCC NO. 988)

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

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. 6456 (RLCC No. 988)
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WHEREAS, Agricultural Land Conservation Contract (ALCC) No. 6456 was entered into between Gary A. Gipson and Ann F. Gipson and the County of Fresno, recorded February 17, 1978, as Instrument Number 18078, Book 6974, Page 465 to 466, in the Official Records of Fresno County, California, and

WHEREAS, the current land owners, Gary A. Gipson and Ann F. Gipson, have submitted a petition to the Board of Supervisors to remove a 2.5-acre portion of a 19.87-acre parcel subject to the Contract to create a separate parcel as a homesite; and

WHEREAS, the Agricultural Land Conservation Committee, at a public hearing held on April 4, 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 July 10, 2018, 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

lands from agricultural use; and

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

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

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

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

WHEREAS, this Board has certified the Cancellation Fee to be in the amount of \$6,250.00; and

WHEREAS, in accordance with Section 51284.1(a) of the Government Code, County staff provided a copy of the cancellation petition to the Director of the State Department of Conservation for review and comment. County staff did not receive any comments from the Director.

NOW, THEREFORE BE IT RESOLVED, that the Board of Supervisors hereby finds that all the five Consistency Findings listed under Section 51282(b) of the Government Code can be made for this partial cancellation of said Contract as to a 2.5-acre portion of ALCC No. 6456; and

BE IT FURTHER RESOLVED, that the partial cancellation of this Contract be and is hereby approved for a 2.5-acre portion of ALCC No. 6456 as described on the attached legal description (Exhibit "A"), subject to the following conditions:

1. The landowner shall obtain the necessary land use approvals, including a parcel map to create the 2.5-acre homesite parcel.

2. The applicant shall pay the Cancellation Fee in the amount of \$6,250 as determined by the County Assessor and certified by the Board of Supervisors for issuance of a Certificate of Cancellation by the Board. The Cancellation Fee shall be paid and a Certificate of Cancellation issued prior to recording the map to create the homesite parcel; and

BE IT FURTHER RESOLVED, that the Chair is authorized to execute a Certificate of Tentative Cancellation, and upon satisfaction of Conditions of Approval stated in the Certificate of Tentative Cancellation, to execute a Certificate of Partial Cancellation of ALCC No. 6456.

THE FOREGOING, was passed and adopted by the following vote of the Board of Supervisors of the County of Fresno this 10th day of July, 2018
to wit:

AYES: Supervisors Borgeas, Magsig, Mendes, Pacheco, Quintero

NOES: None

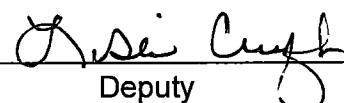
ABSENT: None

ABSTAINED: None



Sal Quintero, Chairperson 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

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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 July 10, 2018 before me, Lisa K. Craft Notary Public
(insert name and title of the officer)

personally appeared Sal Quintana
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)

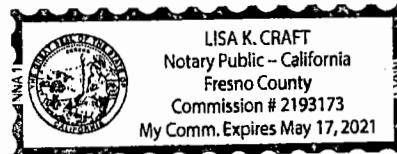


EXHIBIT "A"

All that real property situated in the unincorporated area in the County of Fresno, State of California, and lying within the Southwest Quarter of Section 28, Township 15 South, Range 24 East, Mount Diablo Base and Meridian, more particularly described as follows:

Lot 100 of the Map of Springfield Colony, according to the map thereof, recorded in Book 2 at Page 30 of Record of Surveys, Fresno County Records.

Containing and approximate area of 19.88 acres.

Date: August 24, 2017

