

23-0356

Recording Requested by Fresno County Board of
Supervisors

When recorded return to
Fresno County
Department of Public Works and Planning
Stop # 214
RLCC No. 1028
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. 152
(RLCC No. 1028)

This page added to provide adequate space for the above information only.
(Government Code 27361.6)

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.
152 (RLCC No. 1028)

WHEREAS, Agricultural Land Conservation Contract (ALCC) No. 152 was entered into between Robert L. Garabedian, Mike Garabedian, Helen Garabedian, Michael D. Kowitz, and Patricia Lynn Kowitz and succeeded to by Walter James Bledsoe and Elizabeth D. Bledsoe, as Trustees of the Bledsoe Family Trust dated October 13, 2020 and the County of Fresno, recorded October 31, 1980, as Instrument Number 106407 in the Official Records of Fresno County, California, more commonly referred to as ALCC No. 152; and

WHEREAS, the current land owners, Walter James Bledsoe and Elizabeth D. Bledsoe, as Trustees of the Bledsoe Family Trust dated October 13, 2020, have submitted a petition to the Board of Supervisors to remove a 2.41-acre portion of a 42.93-acre (gross) parcel subject to the Contract to allow creation of a 2.41-acre separate parcels for residential use; and

WHEREAS, the Agricultural Land Conservation Committee, at a public meeting held on November 9, 2022, considered the petition and at the conclusion of the public meeting recommended denial of the cancellation petition to the Board of Supervisors based on its inability to make all the five required findings listed under Section 51282(b) of the Government Code; and

1 WHEREAS, the Board of Supervisors considered the cancellation petition at a
2 public hearing held on May 23, 2023, and at the conclusion of the public hearing
3 approved the cancellation petition based on its ability to make all the five required
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 alternative 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 \$10,000.00; and

23 NOW, THEREFORE BE IT RESOLVED, that the Board of Supervisors hereby
24 finds that all of the five Findings listed under Section 51282(b) of the Government
25 Code can be made for this partial cancellation of said Contract as to a 2.41-acre
26 portion of the 42.93-acre parcel known as APN 158-021-61 subject to ALCC No. 152;
27 and
28

1 BE IT FURTHER RESOLVED, that the partial cancellation of this Contract be
2 and is hereby approved for a 2.41-acre portion of ALCC No. 152 as described on the
3 attached legal description (Exhibit "A"), subject to the following conditions:

4 1. The landowners shall obtain the necessary land use approvals to create
5 the 2.41-acre parcel.

6 2. The applicants shall pay the Cancellation Fee in the amount of
7 \$10,000.00, 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 recording the required documents to create the 2.41-acre parcel.

11 BE IT FURTHER RESOLVED, that the Chair of the Board of Supervisors is
12 authorized to execute a Certificate of Tentative Cancellation, and upon satisfaction of
13 Conditions of Approval stated in the Certificate of Tentative Cancellation, to execute a
14 Certificate of Partial Cancellation for the 2.41-acre portion of ALCC No. 152.

15 THE FOREGOING, was PASSED and ADOPTED by the following vote of the
16 Board of Supervisors of the County of Fresno this 23rd day of May 2023, to-wit:

17 AYES:

18 NOES:

19 ABSENT:

20 ABSTAINED:

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

EXHIBIT "A"

PARCEL DESCRIPTION

APN: 158-021-61 (Portion)

A portion of the northeast quarter of Section 5, Township 13 South, Range 23 East, Mount Diablo Base and Meridian, described as follows:

Beginning at the intersection of the centerline of Watts Valley Road with the east line of said northeast quarter of Section 5 from which the southeast corner thereof bears South $00^{\circ} 50' 47''$ West, a distance of 149.87 feet;

Thence along said east line, North $00^{\circ} 50' 47''$ East, a distance of 265.64 feet;

Thence parallel with the south line of said northeast quarter of Section 5, South $89^{\circ} 29' 30''$ West, a distance of 417.48 feet;

Thence parallel with said east line, South $00^{\circ} 50' 47''$ West, a distance of 208.06 feet;

Thence parallel with said south line, North $89^{\circ} 29' 30''$ East, a distance of 208.00 feet;

Thence South $38^{\circ} 44' 03''$ East, a distance of 192.07 feet to the intersection with said centerline of Watts Valley Road, being a non-tangent curve concave to the southeast having a radius of 730.00 feet and to which intersection a radial line bears North $51^{\circ} 51' 07''$ West;

Thence along said centerline, through a central angle of $10^{\circ} 08' 57''$, an arc distance of 129.31 feet to the **Point of Beginning**.

Area: 2.41 acres more or less

