

BEFORE THE BOARD OF SUPERVISORS
COUNTY OF FRESNO
STATE OF CALIFORNIA

IN THE MATTER OF THE)	
TRANSFER OF ONE SEWER AND)	
ONE WATER EQUIVALENT)	
DWELLING UNIT FROM ONE)	RESOLUTION
PROPERTY TO ANOTHER)	
WITHIN COUNTY SERVICE AREA)	
NO. 31)	

WHEREAS, an “equivalent dwelling unit” (“EDU”) represents a proportional volumetric measurement of sewer and water capacity used in the conditional allocation to prospective individual (residential or commercial) parcels of available system-wide sewer and water capacity, the use of which is contingent upon prior issuance of all requisite approvals and permits; and

WHEREAS, Fresno County Board of Supervisors Resolution No. 00-043 (“Resolution No. 00-043”), which was adopted on February 8, 2000, and which by its terms is applicable to all County Service Areas including CSA 31, establishes a process for transferring EDUs “from one property to another, subject to authorization by the Board of Supervisors”; and

WHEREAS, Mark A. Stover and Kelly A. Stover, (“Transferor”) is the owner of the real property from which it is proposed that two EDUs be transferred (“Transferor Property”), and Paul V. Evert and Sharon H. Evert Trustees (“Transferee”) is the owner of the real property to which it is proposed that the two EDU be transferred (“Transferee Property”); and

WHEREAS, as required by Step 1(a) of Resolution No. 00-043, the Resources Division of the Department of Public Works and Planning (“Resources Division”) has received a letter from Paul V. Evert seeking authorization for the proposed EDU transfer, asking the County to initiate the transfer process, identifying the parcels and parties to be involved, and identifying the number and location of EDUs involved with the parcels and proposed uses of the parcels; and

WHEREAS, as required by Steps 1(b) of Resolution No. 00-043, Transferor and Transferee have submitted to the Resources Division a notarized joint request to the Resources Division to transfer one sewer and one water EDU from the Transferor Property to the Transferee Property, which request includes a legal description of the Transferor Property and the Transferee Property and a statement that the persons who signed the request are the owners or authorized representatives of the owners of those respective properties; and

WHEREAS, as required by Step 1(c) of Resolution No. 00-043, the Resources Division has received a Lot Book Guarantee that includes a legal description and confirms the ownership status of the Transferor Property; and

WHEREAS, as required by Steps 2 and 3 of Resolution No. 00-043, the Resources Division has reviewed the documentation provided by the requesting parties in support of their joint request, including but not limited to the factual representations and warranties contained in their joint request, and has prepared an accompanying agenda item that includes "a discussion of background information and an evaluation of the proposed transfer," as required in Step 3 of Resolution No. 00-043; and

NOW, THEREFORE, THE BOARD OF SUPERVISORS OF THE COUNTY OF FRESNO HEREBY FINDS, DETERMINES, AND RESOLVES AS FOLLOWS:

1. The recitals above are all true and correct.
2. The request complies with the requirements of Resolution No. 00-043.
3. The transfer of one sewer and one water EDU from the Transferor Property to the Transferee Property is conditionally authorized, subject to the following condition: Transferee must deliver to the Resources Division, as required by Step 4 of Resolution No. 00-043, the fully executed and notarized form including legal descriptions of both the Transferor Property and the Transferee Property and reciting that the transfer was consummated by the parties' execution of the form.
4. After that condition is satisfied, the Transferor Property shall retain an allocation of one sewer and one water EDU and the Transferee Property shall have an allocation of one water and one sewer EDU.

ADOPTED by the Fresno County Board of Supervisors this 7th day of February 2017, by the following vote, to wit:

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

NOES: None

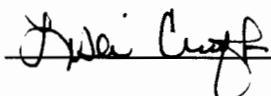
ABSENT: None



CHAIRMAN, Board of Supervisors

ATTEST:

BERNICE SEIDEL, Clerk
Board of Supervisors

By:  Deputy