

AFTER RECORDING,
RETURN TO STOP #214
POLICY PLANNING SECTION

BEFORE THE BOARD OF SUPERVISORS
OF THE COUNTY OF FRESNO
STATE OF CALIFORNIA

IN THE MATTER OF)
AGRICULTURAL LAND)
CONSERVATION CONTRACT)

RESOLUTION CERTIFYING THE
RECOMPUTED CANCELLATION FEE FOR
AGRICULTURAL LAND CONSERVATION
CONTRACT NO. 1387 (RLCC No. 892)

WHEREAS, Agricultural Land Conservation Contract (ALCC) No. 1387 was entered into between the County of Fresno and Victor J. Gragnani, Claudine Gragnani, Don Gragnani and Thelma Gragnani, recorded February 18, 1970, as Instrument Number 11449, Book 5760, Pages 345 to 347, in the Official Records of Fresno County, California; and

WHEREAS, the current land owner, Jeane Lloyd Gragnani, has submitted a petition to the Board of Supervisors for cancellation of a Williamson Act Contract on a 318-acre parcel subject to the Contract to establish a solar power generation facility; and

WHEREAS, the Agricultural Land Conservation Committee, at a public hearing held on September 23, 2011, 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 November 15, 2011 and at the conclusion of the public hearing approved the petition based on its ability to make the Public Interest Findings listed under Section 51282(c) of the Government Code as follows:

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

3 2. That there is no proximate non-contracted land which is both available
4 and suitable for the proposed use to which it is proposed the contracted land be put;
5 and

6 WHEREAS, at the conclusion of the public hearing, the Board approved
7 cancellation of the Contract for the 318.18-acre parcel subject to the following
8 conditions:

9 1. The landowner shall obtain the necessary land use entitlements including
10 a Conditional Use Permit (CUP) to allow a solar electrical power generation facility.

11 2. The applicant shall pay the Cancellation Fee in the amount of
12 \$318,125.00 in order for a Certificate of Cancellation to be issued by the Board of
13 Superiors. If the Fee is not paid within one year of issuance of the Certificate of
14 Tentative Cancellation, the fee shall be recomputed by the Assessor and certified
15 by the Board. The Cancellation fee shall be paid and a Certificate of Cancellation
16 issued prior to issuance of and Grading or Construction Permits; and

17 WHEREAS, the applicant did not pay the Cancellation fee within one year of the
18 issuance of the Certificate of Tentative Cancellation; and

19 WHEREAS, per Government Code Section 51283.4, the Cancellation Fee must
20 be recomputed and certified by the Board of Supervisors.

21 WHEREAS, the County Assessor's Office, at the request of the applicant, has
22 recomputed the Cancellation Fee in the amount of \$437,500.00; and

23 NOW, THEREFORE BE IT RESOLVED, that the Board of Supervisors hereby
24 certifies and approves the recomputed Cancellation fee in the amount of \$437,500.00;
25 and

26 BE IT FURTHER RESOLVED, that the partial cancellation of this Contract be
27 and is hereby approved for a 318.18-acre parcel subject to ALCC No. 1387 as
28

1 described on the attached legal description (Exhibit "A"), subject to the following

2 Conditions:

3 1. The landowner shall obtain the necessary land use entitlements,
4 including a Conditional Use Permit to allow establishment of a solar electrical
5 generation facility; and

6 2. Payment in full of the Cancellation Fee (Fee) of \$437,500.00 prior to
7 issuance of a Certificate of Cancellation by the Board of Supervisors. If the Fee is not
8 paid within one year of issuance of the Tentative Certificate of Cancellation, the Fee
9 shall be recomputed by the Assessor and certified by the Board. The Cancellation Fee
10 shall be paid and a Certificate of Cancellation issued prior to issuance of any grading
11 or construction permits; and

12 BE IT FURTHER RESOLVED, that the Chair is authorized to execute a
13 Certificate of Tentative Cancellation, and upon satisfaction of Conditions of Approval
14 stated above to execute a Certificate of Partial Cancellation of ALCC No. 1387.

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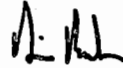
1 THE FOREGOING was passed and adopted by the following vote of the
2 Board of Supervisors of the County of Fresno this 31st day of October 2017, to-wit:

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

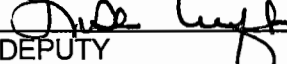
4 NOES: None

5 ABSENT: None

6 ABSTAINED: None

7
8 BY 
9 BRIAN PACHECO, CHAIRMAN of the
Board of Supervisors of the County of Fresno

10 ATTEST:
11 BERNICE E. SEIDEL
12 Clerk to the Board of Supervisors
County of Fresno, State of California

13 BY 
14 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)

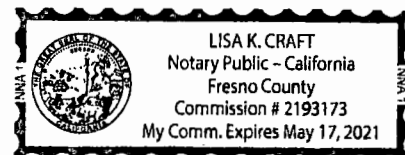
On October 31, 2017 before me, Lisa K. Craft Notary Public
(insert name and title of the officer)

personally appeared Brian Parker
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)



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EXHIBIT "A"

APN: 040-080-15s

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

The West half of Section 20, Township 16 South, Range 17 East, Mount Diablo base
and Meridian, according to the Official Plat thereof;