

AFTER RECORDING,
RETURN TO STOP #214
DEV. SERV. / POLICY PLANNING UNIT
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) NO. 3726	RESOLUTION APPROVING PARTIAL CANCELLATION OF AGRICULTURAL LAND CONSERVATION CONTRACT NO. 3726 (RLCC NO. 979)
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WHEREAS, Agricultural Land Conservation Contract (ALCC) No. 3726 was entered into between James Clark and succeeded to by Ceres Ranch No. 4 LLC, a California Limited Liability Company, and the County of Fresno, recorded on February 18, 1971, as Instrument Number 12565, Book 5864, Pages 437 to 438 in the Official Records of Fresno County, California, and

WHEREAS, Jack E. Williams, III, for Ceres Ranch No. 4 LLC, has submitted a petition to the Board of Supervisors to remove an approximately 1.50-acre portion of an 18.86-acre parcel subject to the Contract for residential use; and

WHEREAS, the Board of Supervisors has approved an appeal of a Planning Commission denial of a Variance application to allow creation of a 1.50-acre parcel in the AE-20 (Exclusive Agricultural, 20-acre minimum parcel size) Zone District; and

WHEREAS, the proposed 1.50-acre parcel will be created through recordation of a Parcel Line Adjustment Map; and

WHEREAS, the Parcel Line Adjustment Map will combine the 17.36-acre remainder of the 18.86-acre parcel and an adjoining 39.49-acre parcel to create a 56.85-acre parcel; and

1 WHEREAS, the Agricultural Land Conservation Committee, at a public hearing held
2 on May 3, 2017, considered the petition and recommended approval of the cancellation
3 petition to the Board of Supervisors; and

4 WHEREAS, the Board of Supervisors considered the petition at a public hearing held
5 on February 12, 2019, and at the conclusion of the public hearing approved the petition
6 based on its ability to make the five Consistency Findings listed under Section 51282(b) of
7 the Government Code as follows:

8 1. That the cancellation is for land on which a Notice of Nonrenewal has been
9 recorded; pursuant to Section 51245 of the Government Code and

10 2. That the cancellation is not likely to result in the removal of adjacent lands
11 from agricultural use; and

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

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

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

20 WHEREAS, in accordance with Section 51283(b) of the Government Code, the
21 County Assessor has determined the cancellation fee for the 1.50-acre portion to be removed
22 from the Contract to be \$5,625.00; and

23 WHEREAS, this Board has certified the Cancellation Fee to be in the amount of
24 \$5,625.00; and

25 WHEREAS, in accordance with Section 51284.1(d) of the Government Code, the
26 Board must consider the comments of the Department of Conservation (“DOC”). The DOC did
27 not provide comments for this cancellation petition.

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1 NOW, THEREFORE BE IT RESOLVED, that the Board of Supervisors hereby finds
2 that all of the Consistency Findings listed under Section 51282(b) of the Government Code
3 can be made for this cancellation of said Contract as to a 1.50-acre portion of an 18.86-acre
4 parcel from ALCC No. 3726; and

5 BE IT FURTHER RESOLVED, that the cancellation of this Contract be and is hereby
6 approved for a 1.50-acre portion of an 18.86-acre parcel from ALCC No. 3726 as described
7 in the attached legal description (Exhibit "A"), subject to the following conditions:

8 1. The landowner shall obtain the necessary Parcel Line Adjustment resulting in
9 an adjusted 1.50-acre parcel and combine the 17.36-acre balance of the subject parcel with
10 an adjoining 39.49-acre parcel resulting in a separate 56.85-acre adjusted parcel. Further, as
11 the existing 18.86-acre parcel is enrolled in the Program under Contract No. 3726 and the
12 existing 39.49-acre parcel is also enrolled in the Program under Contract No. 8302, a
13 Rescission and Re-entry of the Williamson Act Contracts is required to reflect the boundaries
14 of the adjusted contracted parcel; and

15 2. The applicant shall pay the Cancellation Fee in the amount of \$5,625.00 as
16 determined by the County Assessor and certified by the Board of Supervisors for issuance of
17 a Certificate of Cancellation by the Board. The Cancellation Fee shall be paid and a
18 Certificate of Cancellation issued prior to Recordation of the Parcel Line Adjustment.

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1 BE IT FURTHER RESOLVED, that the Chair is authorized to execute a Certificate of
2 Tentative Cancellation, and upon satisfaction of Conditions of Approval stated above to
3 execute a Certificate of Cancellation of ALCC No. 3726.

4 THE FOREGOING, was passed and adopted by the following vote of the Board of
5 Supervisors of the County of Fresno this 12th day of February 2019, to
6 wit:

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8 AYES: Supervisors Magsig, Mendes, Pacheco, Quintero

9 NOES: None

10 ABSENT: None

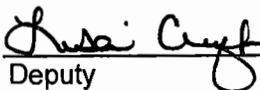
11 ABSTAINED: None

12 VACANT: District 2

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Nathan Magsig, Chairman of the Board of
Supervisors of the County of Fresno

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

19 By  _____
20 Deputy

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