

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. 992  
Attention Policy Planning Unit,  
Anthony Lee

**No Recording Fee Pursuant to Government Code Section 27383**

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RESOLUTION APPROVING PARTIAL CANCELLATION OF  
AGRICULTURAL LAND CONSERVATION CONTRACT NO. 775  
(RLCC No. 992)

*This page added to provide adequate space for the above information only.*  
(Government Code 27361.6)  
(Additional recording fee applies)

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

IN THE MATTER OF	)	RESOLUTION APPROVING PARTIAL
AGRICULTURAL LAND	)	CANCELLATION OF AGRICULTURAL
CONSERVATION CONTRACT	)	LAND CONSERVATION CONTRACT NO.
		775 (RLCC No. 992)

WHEREAS, Agricultural Land Conservation Contract (ALCC) No. 775 was entered into between Richard A. Carstens and Carol A. Carstens and the County of Fresno, recorded February 18, 1970, as Instrument Number 11622, Book 5760, Page 943 to 945, in the Official Records of Fresno County, California, and

WHEREAS, the current land owners, Richard A. and Carol Carstens in their capacity as Trustees of the Carstens Family Trust dated April 4, 1998, have submitted a petition to the Board of Supervisors to remove a 2.01-acre portion of a 40-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 February 6, 2019, 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 May 7, 2019, 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(a) 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; and

WHEREAS, in accordance with Section 51284.1(d) of the Government Code, the Board has considered the comments of the Department of Conservation ("DOC") pertinent to this petition.

NOW, THEREFORE BE IT RESOLVED, that the Board of Supervisors hereby finds that the Consistency Findings listed under Section 51282(b) of the Government Code can be made for this partial cancellation of said Contract as to a 2.01-acre portion of ALCC No. 775; and

BE IT FURTHER RESOLVED, that the partial cancellation of this Contract be and is hereby approved for a 2.01-acre portion of ALCC No. 775 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 2.01-acre homesite parcel.

2. The applicant shall pay the Cancellation Fee in the amount of \$6,250.00 as determined by the County Assessor and certified by the Board of Supervisors for

1 issuance of a Certificate of Cancellation by the Board. The Cancellation Fee shall be  
2 paid and a Certificate of Cancellation issued prior to recording the parcel map to  
3 create the homesite parcel; and

4 BE IT FURTHER RESOLVED, that the Chair is authorized to execute a  
5 Certificate of Tentative Cancellation, and upon satisfaction of Conditions of Approval  
6 stated in the Certificate of Tentative Cancellation, to execute a Certificate of Partial  
7 Cancellation of ALCC No. 775.

8 THE FOREGOING, was PASSED and ADOPTED by the following vote of the  
9 Board of Supervisors of the County of Fresno this 7th day of May 2019, to-wit:

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11 AYES: Supervisors Brandau, Magsig, Mendes, Pacheco, Quintero

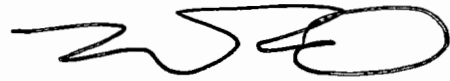
12 NOES: None

13 ABSENT: None

14 ABSTAINED: None

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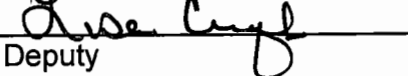
Nathan Magsig, Chairman of the Board of  
Supervisors of the County of Fresno

18

19 **ATTEST:**

20 Bernice E. Seidel  
21 Clerk of the Board of Supervisors  
County of Fresno, State of California

22

23 By   
24 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

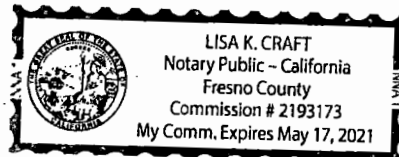
On May 7, 2019 before me, Lisa K. Craft  
(insert name and title of the officer)

personally appeared Nathan Maggion  
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

That portion of Lot 30 of Perrin Colony, according to the map thereof recorded in Volume 3 of Plats at Page 66, Fresno County Records, located in the northeast quarter of Section 24, Township 15 South, Range 19 East, Mount Diablo Base and Meridian, according to the Official Plat thereof, more particularly described as follows:

COMMENCING at the north quarter corner of said Section 24; thence South, along the west line of the northeast quarter of said Section 24, a distance of 1435.00 feet to the TRUE POINT OF BEGINNING; thence

- 1) East, perpendicular to said west line, a distance of 318.00 feet; thence
- 2) South, parallel to said west line, a distance of 276.00 feet; thence
- 3) West, perpendicular to said west line, a distance of 318.00 feet to said west line; thence
- 4) North, along said west line, a distance of 276.00 feet to the TRUE POINT OF BEGINNING.

Containing an area of 2.01 acres, more or less.

**END OF DESCRIPTION**



Date  
Signed 5/15/2018