

Recording Requested by Fresno County Board of
Supervisors

When recorded return to
Fresno County
Department of Public Works and Planning
Stop # 214
RLCC No. 1009
Attention Policy Planning Unit,
Derek Chambers

No Recording Fee Pursuant to Government Code Section 27383

RESOLUTION APPROVING PARTIAL CANCELLATION OF
AGRICULTURAL LAND CONSERVATION CONTRACT NO. 3342
(RLCC No. 1009)

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

AFTER RECORDING,
RETURN TO STOP #214
PUBLIC WORKS AND PLANNING
Attn: Derek Chambers

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. 3342 (RLCC No. 1009)
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WHEREAS, Agricultural Land Conservation Contract (ALCC) No. 3342 was entered into between Americo Foglio and Anna Mae Foglio and Valentino Foglio and Thelma Foglio and the County of Fresno, recorded February 18, 1971, as Instrument Number 12427, Book 5864, Pages 37 through 38, in the Official Records of Fresno County, California; and

WHEREAS, the current land owner, C & A Farms, LLC, a California Limited Liability Company, has submitted a petition to the Board of Supervisors to remove a 1.18-acre portion of a 40-acre parcel subject to the Contract to allow creation of a separate 1.18-acre parcel; and

WHEREAS, the Agricultural Land Conservation Committee, at a public hearing held on September 9, 2020, considered the petition and recommended denial of the cancellation petition to the Board of Supervisors based on its inability to make all the findings set forth in Section 51282(b) of the Government Code; and

WHEREAS, the Board of Supervisors considered the cancellation petition at a public hearing held on January 26, 2021, and at the conclusion of the public hearing approved the cancellation petition based on its ability to make all the Consistency Findings listed under Section 51282(b) of the Government Code as follows:

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

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

5 3. That the cancellation is for an alternate use that is consistent
6 with the policies of the County General Plan; and

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

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

14 WHEREAS, in accordance with Section 51283(a) of the Government Code,
15 the County Assessor has determined and certified to this Board the cancellation
16 valuation for determination of the Cancellation Fee; and

17 WHEREAS, this Board has certified the Cancellation Fee to be in the amount
18 of \$7,500.00; and

19 WHEREAS, notice was provided to the Department of Conservation ("DOC"),
20 and the Board has considered any comments pertinent to this petition submitted by
21 the DOC, in accordance with Section 51284.1 of the Government Code.

22 NOW, THEREFORE BE IT RESOLVED, that the Board of Supervisors hereby
23 finds that the Consistency Findings listed under Section 51282(b) of the Government
24 Code can be made for this partial cancellation of said Contract as to a 1.18-acre
25 portion of ALCC No. 3342; and

26 BE IT FURTHER RESOLVED, that the partial cancellation of this Contract be
27 and is hereby approved for a 1.18-acre portion of ALCC No. 3342 as described on
28 the attached legal description (Exhibit "A"), subject to the following conditions:

1 1. The landowner shall obtain the necessary land use approvals (Zone
2 Variance and Parcel Map) to create the proposed 1.18-acre parcel.

3 2. The applicant shall pay the Cancellation Fee in the amount of \$7,500.00
4 as determined by the County Assessor and certified by the Board of Supervisors for
5 issuance of a Certificate of Cancellation by the Board. The Cancellation Fee shall be
6 paid and a Certificate of Cancellation issued prior to recording the Parcel Map to
7 create the proposed 1.18-acre parcel; and

8 BE IT FURTHER RESOLVED, that the Chair is authorized to execute a
9 Certificate of Tentative Cancellation, and upon satisfaction of Conditions of Approval
10 stated in the Certificate of Tentative Cancellation, to execute a Certificate of Partial
11 Cancellation of ALCC No. 3342.

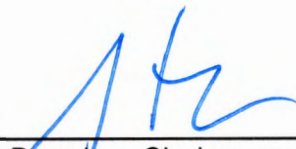
12 THE FOREGOING, was PASSED and ADOPTED by the following vote of the
13 Board of Supervisors of the County of Fresno this 26th day of January 2021, to-wit:

14
15 AYES: Supervisors Brandau, Magsig, Mendes, Pacheco, Quintero

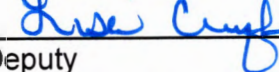
16 NOES: None

17 ABSENT: None

18 ABSTAINED: None

19
20
21 
22 _____
Steve Brandau, Chairman of the Board of
Supervisors of the County of Fresno

23 ATTEST:
24 Bernice E. Seidel
25 Clerk of the Board of Supervisors
County of Fresno, State of California

26
27 BY 
28 _____
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 January 24, 2021 before me, Lisa K. Craft, Notary Public
(insert name and title of the officer)

personally appeared Steve Brandon,
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"

PARCEL 2

Legal Description:

Being a portion of the Southeast Quarter of the Northwest Quarter of Section 24, Township 14 South, Range 18 East, Mount Diablo Base and Meridian, in the County of Fresno, State of California, according to the Official Plat thereof, and being more particularly described as follows:

Beginning at the northeast corner of said Southeast Quarter of the Northwest Quarter of Section 24; thence South $00^{\circ}27'08''$ West along the East line of said Southeast Quarter of the Northwest Quarter of Section 24, a distance of 214.70 feet; thence South $89^{\circ}45'42''$ West along a line being parallel with the North line of said Southeast Quarter of the Northwest Quarter of Section 24, a distance of 239.00 feet; thence North $00^{\circ}27'08''$ East along a line being parallel with the said East line of the Southeast Quarter of the Northwest Quarter of Section 24, a distance of 214.70 feet to a point on said North line of the Southeast Quarter of the Northwest Quarter of Section 24; thence North $89^{\circ}45'42''$ East along said North line of the Southeast Quarter of the Northwest Quarter of Section 24, a distance of 239.00 feet to said northeast corner of the Southeast Quarter of the Northwest Quarter of Section 24 and **Point of Beginning**.

Said Parcel Contains 1.18 Gross Acres, more or less.



[Handwritten signature] 3-9-2020