

24-0669

Recording Requested by Fresno County Board of
Supervisors

When recorded return to
Fresno County
Department of Public Works and Planning
Stop # 214
RLCC No. 1048
Attention Policy Planning Unit,
Alexander Pretzer

**No Recording Fee Pursuant to Government Code Sections 6103,
27383, 27388.1(a)(2)(D) (AB 110, SB 2)**

RESOLUTION APPROVING PARTIAL CANCELLATION OF
AGRICULTURAL LAND CONSERVATION CONTRACT NO. 4826
(RLCC No. 1048)

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: Alexander Pretzer

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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

RESOLUTION APPROVING PARTIAL
CANCELLATION OF AGRICULTURAL
LAND CONSERVATION CONTRACT NO.
4826 (RLCC No. 1048)

WHEREAS, Agricultural Land Conservation Contract (ALCC) No. 4826 was entered into between Harry S. Wilson and Douglas W. Wilson and the County of Fresno, recorded February 14, 1972, as Instrument Number 12642 in the Official Records of Fresno County, California, and succeeded to by Great Bigland, LP, more commonly referred to as ALCC No. 4826; and

WHEREAS, the current land owners, Great Bigland, LP has submitted a petition to the Board of Supervisors to remove 37.29-acre parcel subject to the Williamson Act Contract to allow the subject parcel to be developed into a residential subdivision following annexation to the City of Clovis; and

WHEREAS, the Agricultural Land Conservation Committee, at a public meeting held on June 12, 2024, considered the petition and at the conclusion of the public meeting recommended approval of the cancellation petition to the Board of Supervisors based on its ability to make all the five required findings listed under Section 51282(b) of the Government Code; and

WHEREAS, the Board of Supervisors considered the cancellation petition at a public hearing held on July 9, 2024, and at the conclusion of the public hearing approved the cancellation petition based on its ability to make all the five required 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 has
2 been recorded pursuant to Section 51245 of the Government Code; and

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

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

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

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

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

16 WHEREAS, this Board has certified the Cancellation Fee to be in the amount of
17 \$1,048,500.00; and

18 NOW, THEREFORE BE IT RESOLVED, that the Board of Supervisors hereby finds
19 that all of the five Findings listed under Section 51282(b) of the Government Code can be
20 made for this partial cancellation of said Contract as to the 37.29-acre parcel known as APN
21 556-030-16S subject to ALCC No. 4826; and

22 BE IT FURTHER RESOLVED, that the partial cancellation of this Contract be and is
23 hereby approved for a 37.29-acre portion of ALCC No. 4826 as described on the attached
24 legal description (Exhibit "A"), subject to the following conditions:

25 1. The applicants shall pay the Cancellation Fee in the amount of \$1,048,500.00,
26 as determined by the County Assessor and certified by the Board of Supervisors for issuance
27 of a Certificate of Cancellation by the Board. The Cancellation Fee shall be paid, and a
28 Certificate of Cancellation issued prior to approval of the Tract Map Application No. 6343 by

1 the City of Clovis to subdivide the subject parcel into a residential subdivision. If the
2 Cancellation Fee is not paid within one year of issuance of the Tentative Certificate of
3 Cancellation, the Cancellation Fee must be re-computed by the Assessor's Office and re-
4 certified by the Board of Supervisors.

5 BE IT FURTHER RESOLVED, that the Chair of the Board of Supervisors is
6 authorized to execute a Certificate of Tentative Cancellation, and upon satisfaction of
7 Conditions of Approval stated in the Certificate of Tentative Cancellation, to execute a
8 Certificate of Partial Cancellation for the 37.29-acre portion of ALCC No. 4826

9 THE FOREGOING, was PASSED and ADOPTED by the following vote of the
10 Board of Supervisors of the County of Fresno this 9th day of July, 2024, to-wit:

- 11 AYES:
- 12 NOES:
- 13 ABSENT:
- 14 ABSTAINED:

15
16 Nathan Magsig, Chairman of the Board of
Supervisors of the County of Fresno

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

21 BY _____
22 Deputy

EXHIBIT "A"

LEGAL DESCRIPTION FOR A PORTION OF LAND CONSERVATION CONTRACT No. 4826 CANCELLATION

(portion) APN 556-030-14S

A portion of Parcel 1, as described in the Deed, recorded on September 03, 2020, as Document No. 2020-0116820, Official Records Fresno County, situated in the North half of the Northeast quarter of the Southeast Quarter and the Southeast Quarter of the Northwest Quarter of Section 20, Township 12 South, Range 21 East, Mount Diablo Base & Meridian, in the County of Fresno, State of California, according to the official plat thereof, more particularly described as follows:

BEGINNING at the Northeast corner of the Southeast quarter of the Northwest quarter of said Section 20; thence South $00^{\circ}11'32''$ East, along the East line of the Southeast quarter of the Northwest quarter of said Section 20, a distance of 1323.85 feet, to the Center quarter of said Section 20; thence South $00^{\circ}08'35''$ East, along the East line of the Southwest quarter of said Section 20, a distance of 591.29 feet; thence leaving last said East line, South $79^{\circ}46'00''$ West, a distance of 272.20 feet; thence South $84^{\circ}46'13''$ West, a distance of 159.90 feet; thence South $89^{\circ}25'15''$ West, a distance of 159.93 feet, to the beginning of a tangent curve, concave Northeasterly; thence Northwesterly along the arc of said curve, with a radius of 175.00 feet, through a central angle of $74^{\circ}01'42''$, an arc distance of 226.11 feet; thence North $16^{\circ}33'03''$ West, a distance of 355.48 feet; thence North $04^{\circ}28'27''$ West, a distance of 241.23; thence North $04^{\circ}53'18''$ West 180.24 feet; thence North $00^{\circ}11'32''$ West, a distance of 492.40 feet, to the beginning of a tangent curve, concave Southeasterly; thence Northeasterly along the arc of last said curve, with a radius of 280.00 feet, through a central angle of $26^{\circ}33'24''$, an arc distance of 129.78 feet; thence North $26^{\circ}21'51''$ East, a distance of 342.65 feet, to the beginning of a tangent curve, concave Northwesterly; thence Northeasterly along the arc of last said curve, with radius of 220.00 feet, through a central angle of $26^{\circ}33'24''$, an arc distance of 101.97 feet; thence North $00^{\circ}11'32''$ West, a distance of 72.67 feet, to a point on the North line of the Southeast quarter of the Northwest quarter of said Section 20; thence South $89^{\circ}49'32''$ East, along said North line, a distance of 683.80 feet and the **POINT OF BEGINNING**;

Containing 37.289 acres, more or less.



CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

CIVIL CODE § 1189



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 _____)

On _____ before me, _____,
Date Here Insert Name and Title of the Officer

personally appeared _____
Name(s) of Signer(s)

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 _____
Signature of Notary Public

Place Notary Seal Above

OPTIONAL

Though this section is optional, completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

Description of Attached Document

Title or Type of Document: _____

Document Date: _____ Number of Pages: _____

Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: _____

Corporate Officer — Title(s): _____

Partner — Limited General

Individual Attorney in Fact

Trustee Guardian or Conservator

Other: _____

Signer Is Representing: _____

Signer's Name: _____

Corporate Officer — Title(s): _____

Partner — Limited General

Individual Attorney in Fact

Trustee Guardian or Conservator

Other: _____

Signer Is Representing: _____

