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MARIPOSA COUNTY BOARD OF SUPERVISORS

STATE OF CALIFORNIA

RESOLUTION NO. 82-265

A resolution which would tentatively approve the Williamson Act Contract Cancellation for Mr. Dale Hoagland, et al.

WHEREAS, the County of Mariposa received a complete petition for cancellation from the applicant, in accordance with the conditions and time frames as required by Section 51282.1 (a) of the California Government Code;

WHEREAS, a public hearing was held on the petition for cancellation, in accordance with the provisions of State law; and

WHEREAS, the Mariposa County Board of Supervisors considered the petition for cancellation in accordance with the provisions of Section 51282.1 of the Government Code;

BE IT THEREFORE RESOLVED, that the Mariposa County Board of Supervisors hereby acts to tentatively approve the petition for cancellation of the Williamson Act Contract for the property as described in Attachment "A", with the following findings:

1. The cancellation and alternative uses will not result in discontinuous patterns of urban development.
2. The alternative use is consistent with the applicable provisions of the General Plan which was in effect on October 1, 1981.

BE IT FURTHER RESOLVED, that the above findings are made on the basis of the following:

1. The proposed alternative use of 40 acre residential parcels would not create densities which would be

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considered "urban" in nature.

2. Adjacent land uses would provide for parcels of a similar size or smaller, and that residential development has occurred in the area.
3. The General Plan in effect on October 1, 1981 placed the property in the Industrial Mining and Mountain General land use classifications, both of which would allow residential development on 40 acre parcels.

BE IT FURTHER RESOLVED, that the petition for cancellation of the contract is tentatively approved subject to the following conditions:

1. An application shall be submitted by the applicant and approved by the County which would amend the General Plan from its present land use to the Mountain General or General Forest land uses.
2. An application shall be submitted by the applicant and approved by the County which would rezone the property from its present Agricultural Exclusive zoning to the appropriate zone for 40 acre parcels.
3. An application shall be submitted by the applicant and approved by the County which would remove the Agricultural Preserve on the subject property.
4. An application for a parcel map shall be submitted by the applicant and approved by the County which would create parcels with a minimum size of 40 acres.
5. The applicant/property owner shall pay all of the appropriate fees and penalties for the early cancellation of said contract, in accordance with the

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provisions as set out in said contract and the applicable provisions of State Law.

BE IT FURTHER RESOLVED, that tentative approval of the cancellation shall be valid for one year from the recordation of the "Certificate of Tentative Cancellation" shown as Attachment "B". The Board may extend this one year period for a reasonable period upon a finding that the landowner has proceeded with due diligence and has been prevented from satisfying the conditions by circumstance beyond his control.


PASSED AND ADOPTED this 21st day of December, 1982 by the Mariposa County Board of Supervisors by the following vote:

AYES: Taber, Barrick, Erickson, Moffitt
NOES: None
ABSENT: Dalton
ABSTAINED: None



WILLIAM H. MOFFITT, Chairman
Board of Supervisors

ATTEST:



ELLEN BRONSON, County Clerk
Ex Officio Clerk of the Board

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:



RICHARD K. DENHALTER
County Counsel

EXHIBIT "A"

CERTIFICATE OF TENTATIVE CANCELLATION

OF A

WILLIAMSON ACT CONTRACT

This certificate is filed pursuant to Section 51283.4 of the Government Code regarding the tentative cancellation of a Williamson Act Contract for the property owned by Mr. Dale Hoagland et al.

GRANTEE: Dale E. Hoagland et al

LEGAL DESCRIPTION:

All that portion of the Northwest quarter of Section 29, Township 2 South, Range 16 East, M.D.B.&M., lying North of PENON BLANCO COUNTY ROAD.

ALSO all that portion of the Southwest quarter of Section 29, Township 2 South, Range 16 East, M.D.B.&M., lying North of PENON BLANCO COUNTY ROAD.

ALSO all that portion of the Northeast quarter of the Southeast quarter of Section 30, Township 2 South, Range 16 East, M.D.B.&M., lying North of PENON BLANCO COUNTY ROAD.

ALSO all that portion of the Southwest quarter of the Southeast quarter of Section 30, Township 2 South, Range 16 East, M.D.B.&M., lying North of PENON BLANCO COUNTY ROAD.

The following conditions have been imposed on the tentative approval:

1. An application shall be submitted by the applicant and approved by the County which would amend the General Plan from its present land use to the Mountain General or General Forest land uses.
2. An application shall be submitted by the applicant and approved by the County which would rezone the property from its present Agricultural Exclusive zoning to the appropriate zone for 40 acre parcels.
3. An application shall be submitted by the applicant and approved by the County which would remove the Agricultural Preserve on the subject property.
4. An application for a parcel map shall be submitted by the applicant and approved by the County which would create parcels with a minimum size of 40 acres.
5. The applicant/property owner shall pay all of the appropriate fees and penalties for the early cancellation of said contract, in accordance with the provisions as set out in said contract and the applicable provisions of State law.

Upon the satisfactory completion of the above conditions, a Certificate of Cancellation of the Williamson Act Contract will be issued and recorded.

This Certificate of Tentative Cancellation has been duly acted upon by the Mariposa County Board of Supervisors who have directed the Chairman to so sign and record this document.

Date Dec. 22, 1982

W. H. Moffitt
WILLIAM H. MOFFITT, Chairman
Mariposa County Board of Supervisors