



CITY OF SACRAMENTO

OFFICE OF THE CITY CLERK
915 I STREET
CITY HALL ROOM 203
SACRAMENTO, CALIFORNIA 95814
TELEPHONE (916) 449-5426

LORRAINE MAGANA
CITY CLERK

CITY MANAGER'S OFFICE
RECEIVED
APR 29 1981

April 28, 1981

Mayor and City Council
City Hall
Sacramento, CA 95814

RE: LAND CONSERVATION AGREEMENT NO. 73-AP-001

Honorable Members in Session:

SUMMARY

The City of Sacramento has received notice of nonrenewal on the Land Conservation Agreement Number 73-AP-001. It is recommended that the Council take notice of the nonrenewal and authorize the City Clerk to record the notice forthwith.

BACKGROUND

The California Land Conservation Act, also known as the Williamson Act, authorizes cities and counties to enter into legal agreements with owners of agricultural land under which the property owners voluntarily relinquish non-agricultural development rights in return for stabilized assessment values on the land. The Act is found in Government Code Section 51200 et seq. The favorable tax assessment provisions are found in Revenue and Taxation Code Section 421 et seq.

The City of Sacramento has entered into a number of these agreements.

The agreements are written for a term of ten (10) years with an annual automatic renewal clause so that the contract term remains at ten (10) years unless and until written notice of non-renewal is given. Either the property owners or the City may give notice of non-renewal. The property owner must serve the City Clerk's Office with notice at least ninety days before the renewal date; the City has until sixty days before the renewal date to serve notice if it chooses not to renew.

APPROVED
BY THE CITY COUNCIL

MAY - 5 1981

OFFICE OF THE
CITY CLERK

Once notice is properly and timely served, the contract remains in effect for the balance of the unexpired term, that is, for nine more years. Government Code Sections 51244-51247.

The property owner has a right to terminate renewal of the agreement, and there are no penalty fees imposed for non-renewal. The property owner does, however, lose the favorable tax assessment once notice of non-renewal is given. Revenue and Taxation Code Section 426. Slightly different provisions regarding the tax assessment method apply if the City chooses to notice non-renewal.

The attached notice of non-renewal of Agreement Number 73-AP-001 was served on the City Clerk on April 8, 1981 by William C. Payne and Rosalie M. Payne. The Agreement covered the following lots:

APN 225-040-02	APN 201-310-09
APN 225-040-03	APN 201-310-10
APN 225-040-04	APN 201-310-11
APN 225-040-05	APN 201-310-12

The form Notice of Non-Renewal has been completed, signed and notarized.

RECOMMENDATION

It is recommended that the Council authorize the City Clerk to complete the processing of the notice of non-renewal and record it forthwith.

Respectfully Submitted,


Lorraine Magana
City Clerk

MM/LM/mm
Attachment

RECOMMENDATION APPROVED:


Walter J. Slipe
City Manager

May 5, 1981
District 1

