

24-1252

Recording Requested by Fresno County Board of Supervisors

When recorded return to
Fresno County
Department of Public Works and Planning
Stop # 214
RLCC No. 1051
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. 3853
(RLCC No. 1051)

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

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

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.
3853 (RLCC No. 1051)

WHEREAS, Agricultural Land Conservation Contract (ALCC) No. 3853 was entered into between Joseph Anthony Lucchesi and Dorothy Jean Lucchesi and the County of Fresno, recorded February 28, 1971, as Instrument Number 12616 in the Official Records of Fresno County, California, and succeeded to by GSW Farms, LLC., more commonly referred to as ALCC No. 3853; and

WHEREAS, Mellissa White Holtermann on behalf of the current land owners, GSW Farms, LLC., (the "Applicant"), has submitted a petition to the Board of Supervisors ("Board") to remove a two-acre portion of a 20-acre parcel subject to ALCC No. 3853 to allow creation of a two-acre separate parcel for residential use; and

WHEREAS, the Board considered the partial cancellation petition at a public hearing held on August 05, 2025, 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. That the cancellation is for land on which a Notice of Nonrenewal has been recorded 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

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

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

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

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

12 WHEREAS, this Board has certified the Cancellation Fee to be in the amount of
13 \$23,125.00; and

14 NOW, THEREFORE BE IT RESOLVED, that the Board hereby finds that all of the
15 five Findings listed under Section 51282(b) of the Government Code can be, and are hereby,
16 made for this partial cancellation of ALCC No. 3853 as to a two-acre portion of the 20-acre
17 parcel known as APN 016-110-07 subject to ALCC No. 3853.; and

18 BE IT FURTHER RESOLVED, that the partial cancellation of this Contract be and is
19 hereby approved for a 2-acre portion of ALCC No. 3853 as described on the attached legal
20 description (Exhibit "A"), subject to the following condition:

21 The Applicant shall pay the Cancellation Fee in the amount of \$23,125.00 as
22 determined by the County Assessor and certified by the Board of Supervisors for issuance of
23 a Certificate of Cancellation by the Board of Supervisors. The Cancellation Fee shall be paid,
24 and a Certificate of Cancellation issued prior to recording the map to create the two-acre and
25 18-acre parcels. If the Cancellation Fee is not paid within one year of issuance of the
26 Certificate of Tentative Cancellation, the Cancellation Fee must be re-computed by the
27 Assessor's Office and re-certified by the Board of Supervisors.

28

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

BE IT FURTHER RESOLVED, that the Chair of the Board is authorized to execute a Certificate of Tentative Cancellation, and upon satisfaction of Conditions of Approval stated in the Certificate of Tentative Cancellation, to execute a Certificate of Partial Cancellation for the two-acre portion of ALCC No. 3853

THE FOREGOING, was PASSED and ADOPTED by the following vote of the Board of Supervisors of the County of Fresno this 5th day of August, 2025, to-wit:

AYES: Supervisors Bredefeld, Chavez, Magsig, Mendes, Pacheco

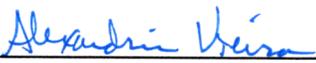
NOES: None

ABSENT: None

ABSTAINED: None


Ernest C. Mendes, Chairman of the Board of Supervisors of the County of Fresno

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

BY 
Deputy

CALIFORNIA 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 Fresno }

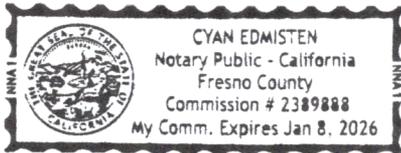
On 08/05/2025 before me, Cyan Edmisten, Notary Public
Date Here Insert Name and Title of the Officer

personally appeared Ernest C. Mendes
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.



Place Notary Seal and/or Stamp Above

Signature Cyan Edmisten
Signature of Notary Public

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: _____

FEBRUARY 12, 2024

MSA PROJECT #222743

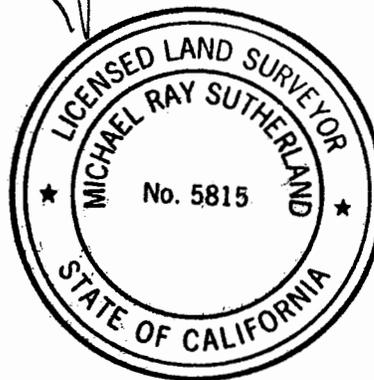
Exhibit A
LEGAL DESCRIPTION
FOR
PARCEL 1

THE WEST 445.00 FEET OF THE SOUTH 196.00 FEET OF LOT 25 IN SECTION 21,
TOWNSHIP 13 SOUTH, RANGE 18 EAST, MOUNT DIABLO BASE AND MERIDIAN OF
SYCAMORE RANCH TRACT, IN THE COUNTY OF FRESNO, STATE OF CALIFORNIA,
ACCORDING TO THE MAP THEREOF RECORDED IN BOOK 8, PAGE 7 OF RECORD OF
SURVEYS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

CONTAINING 2.00 NET ACRES MORE OR LESS.

APN: 016-110-07 (PORTION)

Michael Ray Sutherland



02/12/2024.