

24-0460

Recording Requested by Fresno County Board of  
Supervisors

When recorded return to  
Fresno County  
Department of Public Works and Planning  
Stop # 214  
RLCC No. 1030  
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)

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CERTIFICATE OF TENTATIVE CANCELLATION  
(LESS THAN THE TOTAL OF THE LAND SUBJECT TO CONTRACT)  
ALCC NO. 5834

*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  
Exempt from Recording Fees:  
Government Code sections  
6103, 27383, 27388.1(a)(2)(D)  
(AB 110, SB 2)

BEFORE THE BOARD OF SUPERVISORS  
OF THE COUNTY OF FRESNO  
STATE OF CALIFORNIA  
CERTIFICATE OF TENTATIVE CANCELLATION  
(less than the total of the land subject to contract)

NOTICE IS HEREBY GIVEN:

By Resolution dated July 09, 2024, the Board of Supervisors ("Board") of the County of Fresno has granted tentative approval of the petition filed by Dirk Poeschel Land Development Services, Inc., on behalf of The Gerdt's Family Trust dated January 8, 1991 (the "Applicants"), for partial cancellation of Agricultural Land Conservation Contract (ALCC) No. 5834 which applies to the real property situated in the County of Fresno, State of California, and is more particularly described in the legal description attached hereto as Exhibit "A", and made a part hereof, describing the 2.00-acre portion of the 32.22-acre parcel subject to the cancellation petition.

The above-referenced parcel is less than the total acreage of the real property subject to ALCC No. 5834 recorded on February 04, 1974, as Instrument Number 9111, Book 6262, Pages 241 through 243 in the Official Records of Fresno County, California.

A Certificate of Cancellation of the Contract shall be issued and recorded at such time as the following contingencies and conditions are satisfied:

1           1.       The Applicants shall obtain the necessary approvals to create the 2.00-acre  
2 parcel.

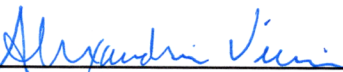
3           2.       The Applicants shall pay the Cancellation Fee in the amount of \$31,250.00, as  
4 determined by the County Assessor and certified by the Board for issuance of a Certificate of  
5 Cancellation by the Board. The Cancellation Fee shall be paid, and a Certificate of Cancellation  
6 issued by the Board and recorded, prior to recording the required documents to create the 2.00-  
7 acre parcel and the 30.22-acre parcel. If the Cancellation Fee is not paid within one year of  
8 issuance of the Certificate of Tentative of Cancellation, the Cancellation Fee is subject to being  
9 re-computed by the Assessor's Office and re-certified by the Board.

10           IN WITNESS WHEREOF, I have unto set my hand this 9th day of July, 2024.

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12  
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15           Nathan Magsig, Chairman of the Board of  
16 Supervisors of the County of Fresno

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

20           By   
21 Deputy  
22  
23  
24  
25  
26  
27  
28

**CALIFORNIA ACKNOWLEDGMENT**

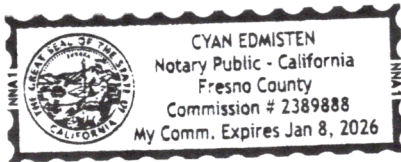
CIVIL CODE § 1189

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 FresnoOn 07/09/2024 before me, Cyan Edmisten, Notary Public,  
Date Here Insert Name and Title of the Officerpersonally appeared Nathan Magsig  
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: \_\_\_\_\_

## EXHIBIT "A"

### Property Description

#### Portion to be Removed from AP-5834

That portion of the Southwest quarter of Section 7, Township 14 South, Range 23 East, Mount Diablo Base and Meridian, in the County of Fresno, State of California, being more particularly described as follows:

COMMENCING at the Southwest Corner of said Section 7, Township 14 South, Range 23 East, thence (1) North 00°20'43" East along the West line of said Section 7, a distance of 457.41 feet; Thence, (2) South 89°39'53" East parallel with the South line of said Section 7, a distance of 778.66 feet to the TRUE POINT OF BEGINNING;

Thence, (3) North 00°00'40" East, 91.64 feet;

Thence, (4) North 60°14'38" West, 278.47 feet;

Thence, (5) North 70°08'13" West, 103.53 feet;

Thence, (6) North 20°48'32" West, a distance of 52.16 feet more or less to a point on the South line of South Rainbow Route Road;

Thence, (7) along the South line of South Rainbow Route Road South 87°10'11" East, 53.42 feet;

Thence, (8) along the South line of South Rainbow Route Road North 72°12'35" East, 317.50 feet;

Thence, (9) leaving said South Rainbow Route Road, South 17°47'25" East, a distance of 245.47 feet;

Thence, (10) South 77°19'08" East, 35.41 feet;

Thence, (11) South 17°47'25" East, 146.89 feet;

Thence, (10) South 80°02'27" West, a distance of 154.80 feet more or less to the TRUE POINT OF BEGINNING.

Containing an area of 2.0 acres, more or less.

End of Description

This real property description has been prepared by me, or under my direction, in conformance with the Professional Land Surveyor's Act.

Signature: \_\_\_\_\_

Frank J. Mungia, RCE 26317

Date: August 2, 2022

