

Recording Requested by Fresno County Board of Supervisors

When recorded return to
Fresno County
Department of Public Works and Planning
Development Services Division
Stop # 214
Attention Policy Planning Unit, **ALCC No. 8318**
John Adams

This Area for Recorder's Use Only

**RESCISSION OF LAND CONSERVATION CONTRACT NO. 6495 AND
SIMULTANEOUS ENTRY INTO NEW LAND CONSERVATION CONTRACT NO. 8318**
Incorporating Board of Supervisors Resolution by reference

THIS LAND CONSERVATION CONTRACT IS MADE AND EXECUTED THIS 13th day of December 2016 by and between Cuyler H. Leonard, hereinafter referred to as "Owner" and the COUNTY OF FRESNO, a political subdivision of the State of California, hereinafter referred to as "County".

WITNESSETH:

WHEREAS, Owner possesses certain real property located in the County of Fresno, State of California, hereinafter referred to as "the Subject Property," and more particularly described in Exhibit "A" attached hereto and by this reference incorporated herein; and

WHEREAS, the Subject Property is now devoted to commercial agricultural production of almonds; and

WHEREAS, the Board of Supervisors by resolution has agreed to the rescission of existing Land Conservation Contract No. 6495 and simultaneous entry into a new Land Conservation Contract No. 8318, pursuant to Government Code Section 51257 to allow this contract to **replace and supersede ALCC No. 6495** recorded February 17, 1978, as Instrument Number 18117 in Book 6974, Pages 528 to 530 of the Official Records of Fresno County, California; and

WHEREAS, the Subject Property is located in an agricultural preserve heretofore established by the County, and designated as the Fresno-Clovis Preserve No. 46.

NOW, THEREFORE, both Owner and County, in consideration of the mutual promises, covenants and conditions to which reference is made herein and the substantial public benefits to be derived therefrom, do **hereby rescind Land Conservation Contract No. 6495 as to the Subject Property** referenced above and further agree as follows:

FIRST: This is a new contract between the Property Owner and the County of Fresno. The Subject Property as described in the attached Exhibit "A" shall be subject to all restrictions and conditions of the Interim Guideline adopted by the resolution by the Board of Supervisors of Fresno County, California on May 25, 2004, as well as the Williamson Act Permitted Uses, Compatible Uses, and Conditioned Compatible Uses adopted by resolution by the Board of Supervisors of Fresno County, California on October 25, 2011, and IT IS MUTUALLY AGREED THAT the conditions and restrictions set forth in said resolution are adopted and incorporated herein and made a part hereof as fully as though set forth herein at length and that Owner will observe and perform said provisions.

SECOND: The minimum acreage for new parcels described in Paragraph Seven of the Board of Supervisors' Resolution shall be 20 acres.

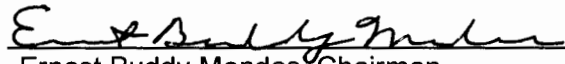
THIRD: This Contract shall be effective as of the date of execution by the Chairman and considered for property tax purposes as of the first day of January, 2017.

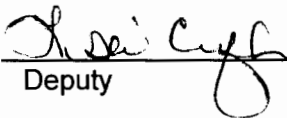
IN WITNESS WHEREOF, the Owner and County have executed this Contract the day and year first above written.

COUNTY OF FRESNO

ATTEST:

Bernice E. Seidel, Clerk
Board of Supervisors

By: 
Ernest Buddy Mendes, Chairman
Board of Supervisors

By: 
Deputy

By: 
Cuyler H. Leonard, Owner

ACKNOWLEDGMENT

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

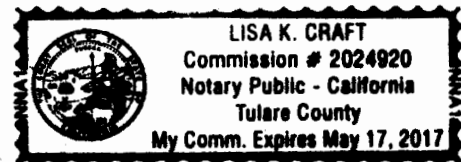
On December 13, 2016 before me, Lisa K. Craft Notary Public
(insert name and title of the officer)

personally appeared Ernest Buddy Mendes
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 Lisa K. Craft (Seal)



ALL – PURPOSE ACKNOWLEDGEMENT

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

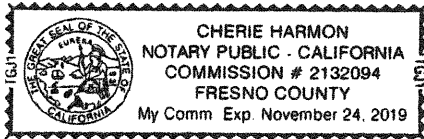
On October 7, 2016 before me, Cherie Harmon, Notary Public, personally appeared,

Cayler H. Leonard

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.



Cherie Harmon

Cherie Harmon, Notary Public #2132094
Commission Expires: November 24 2019

OPTIONAL INFORMATION

The information below is not required by law. However, it could prevent fraudulent attachment of this acknowledgement to an unauthorized document.

CAPACITY CLAIMED BY SIGNER (PRINCIPAL)

- ☐ INDIVIDUAL(S)
☐ CORPORATE OFFICER(S)

DESCRIPTION OF ATTACHED DOCUMENT

Rescission of Land

TITLE(S)

TITLE OR TYPE OF DOCUMENT

- ☐ PARTNER(S)
☐ ATTORNEY-IN-FACT
☐ TRUSTEE(S)
☐ GUARDIAN/CONSERVATOR
☐ OTHER: _____

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NUMBER OF PAGES

DATE OF DOCUMENT

SIGNER IS REPRESENTING:
NAME OF PERSON(S) OR ENTITY(IES)

RIGHT
THUMBPRINT
OF SIGNER

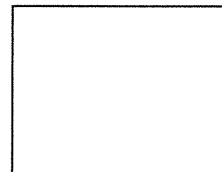


Exhibit "A"

The Southeast quarter of Section 12, Township 14 South, Range 21 East, Mount Diablo Base according to the Official United States Government Township Plat thereof, in the County of Fresno State of California.

EXCEPTING THEREFROM the Northeast quarter and the North three quarters of the Northwest quarter of said Southeast quarter.

ALSO EXCEPTING THEREFROM:

All that portion of the Southeast quarter of said Section 12, conveyed as Parcel 1 in the Grant Deed recorded March 4, 1980 in Book 7478 at Page 302 as Document No. 23017, described as follows:

COMMENCING at the Southwest corner of said Southeast quarter; thence North 00°04' West, 120.35 feet along the West line of said Southeast quarter to TRUE POINT OF BEGINNING of this description; thence North 00°04' West, 523.15 feet continuing along said West line; thence South 86°00' East, 566.45 feet; thence South 00°04' East, 517.54 feet; thence North 86°34' West, 50.00 feet; thence South 00°04' East, 100.5 feet; thence North 86°34' West, 496.0 feet; thence North 00°04' West, 110.5 feet; thence North 86°34' West, 20.00 feet to the TRUE POINT OF BEGINNING.

ALSO EXCEPTING THEREFROM:

All that portion of the Southern Pacific Railroad Company right of lying within the Southeast quarter of said Section 12, as conveyed in the Grant Deed recorded in Book 167 of Deeds at Page 324, Fresno County Records.

ALSO EXCEPTING THEREFROM:

The North 687.54 feet of the East 392.00 feet of the Southwest quarter of the Southeast quarter, the North 687.54 feet of the West 67.71 feet of the Southeast quarter of the Southeast quarter and the South 30.22 feet of the East 392.00 feet of the Northwest quarter of the Southeast quarter of said Section 12.

Containing an area of 71.89 acres, more or less.

