

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 #: 8319
John Adams

This Area For Recorder's Use Only

RESCISSION AND SIMULTANEOUS ENTRY INTO NEW LAND CONSERVATION CONTRACT

Incorporating Board of Supervisors Resolution by reference

THIS LAND CONSERVATION CONTRACT IS MADE AND EXECUTED THIS 28th day of February, 2017 by and between Walter M. Lehrman and Holly E. Lehrman as trustees of the Walter and Holly Lehrman Family Trust dated October 4, 2004, and 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 nectarines, plums and pluots; and

WHEREAS, the Board of Supervisors by resolution has agreed to the rescission and simultaneous entry, pursuant to Government Code Section 51254 to allow this contract to be entered **replacing and superceding as to the Subject Property ALCC No. 2912** recorded February 17, 1971, as Instrument Number 11847 in Book 5863, Pages 124 and 125 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 Parlier-Reedley-Orange Cove #13.

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 the above referenced contracts 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 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 resolutions 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.

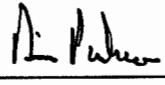
SECOND: The minimum acreage for new a parcel subject to Contract No. 8319 shall be 20 acres.

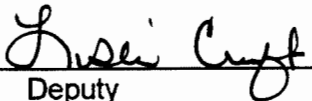
THIRD: This Contract shall be effective as of the date of execution by the Chairman and considered for property tax purposes as of the first day of January, 2018.

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

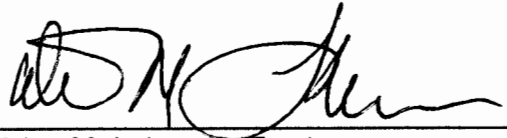
COUNTY OF FRESNO

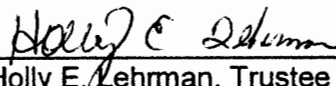
ATTEST:
BERNICE E. SEIDEL, Clerk
Board of Supervisors

By: 
Brian Pacheco, Chairman
Board of Supervisors

By 
Deputy

Walter and Holly Lehrman Family
Trust dated October 4, 2004

By: 
Walter M. Lehrman, Trustee

By: 
Holly E. Lehrman, Trustee

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

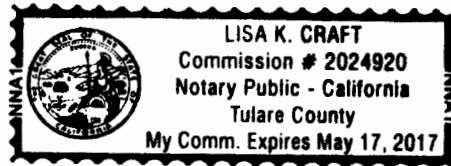
County of Fresno

On February 28, 2011 before me, Lisa K. Craft Notary Public
(insert name and title of the officer)

personally appeared Brian Pacheco
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)

EXHIBIT A
LEGAL DESCRIPTION

PARCEL A

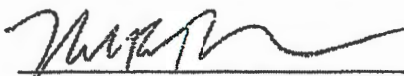
ALL OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER AND A PORTION OF THE SOUTH HALF OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 5, TOWNSHIP 16 SOUTH, RANGE 23 EAST, MOUNT DIABLO BASE AND MERIDIAN, ACCORDING TO THE OFFICIAL PLAT THEREOF, AND A PORTION OF PARCEL 2 OF PARCEL MAP 7795, AS RECORDED IN BOOK 60 OF PARCEL MAPS, AT PAGE 48, SITUATE IN THE COUNTY OF FRESNO, STATE OF CALIFORNIA, BEING FURTHER DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE NORTH LINE OF THE NORTHWEST QUARTER OF SAID SECTION 5, FROM WHICH THE NORTHWEST CORNER OF SAID SECTION 5 BEARS SOUTH 88°25'39" WEST, A DISTANCE OF 1219.50 FEET, ALONG SAID NORTH LINE;
THENCE SOUTH 17°26'00" WEST, A DISTANCE OF 372.48 FEET;
THENCE SOUTH 02°48'00" WEST, A DISTANCE OF 916.09 FEET TO THE SOUTH LINE OF SAID NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 5;
THENCE ALONG SAID SOUTH LINE, SOUTH 88°03'55" WEST, A DISTANCE OF 1075.70 FEET TO THE WEST LINE OF SAID NORTHWEST QUARTER OF SECTION 5;
THENCE ALONG SAID WEST LINE, NORTH 00°33'27" EAST, A DISTANCE OF 1273.27 FEET TO THE NORTHWEST CORNER OF SAID SECTION 5;
THENCE ALONG THE NORTH LINE OF SAID NORTHWEST QUARTER OF SECTION 5, NORTH 88°25'39" EAST, A DISTANCE OF 656.96 FEET TO THE NORTHWEST CORNER OF PARCEL 1 OF SAID PARCEL MAP NO. 7795;
THENCE ALONG THE WEST LINE OF SAID PARCEL 1, SOUTH 00°29'58" WEST, A DISTANCE OF 243.66 FEET TO THE SOUTHWEST CORNER OF SAID PARCEL 1;
THENCE ALONG THE SOUTH LINE OF SAID PARCEL 1, NORTH 88°25'39" EAST, A DISTANCE OF 180.12 FEET TO THE SOUTHEAST CORNER OF SAID PARCEL 1;
THENCE ALONG THE EAST LINE OF SAID PARCEL 1, NORTH 00°29'58" EAST, A DISTANCE OF 243.66 FEET TO THE NORTHEAST CORNER OF SAID PARCEL 1, SAID POINT BEING ON THE NORTH LINE OF THE NORTHWEST QUARTER OF SAID SECTION 5;
THENCE ALONG SAID NORTH LINE, NORTH 88°25'39" EAST, A DISTANCE OF 382.42 FEET TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED PARCEL CONTAINS 31.43 ACRES, MORE OR LESS.

THE BASIS OF BEARINGS FOR THIS DESCRIPTION IS THE NORTH LINE OF SAID SECTION 5, AS SHOWN ON PARCEL MAP NO. 7795, RECORDED IN BOOK 60 OF PARCEL MAPS AT PAGES 48-49, FRESNO COUNTY RECORDS. TAKEN TO BEAR: NORTH 88°25'39" EAST

PREPARED BY: BASE CONSULTING GROUP, INC.



2/8/2016

NEIL E. THONESEN

DATE

P.L.S. 8656

LIC. EXP. 12/31/2017



CALIFORNIA ALL-PURPOSE 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 3/30/16 before me, Sharon G. Wiggam, a Notary Public
Date Here Insert Name and Title of the Officer

personally appeared Walter M. Lehrman and Holly E. Lehrman
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.



Signature Sharon G. Wiggam
Signature of Notary Public

Place Notary Seal Above

OPTIONAL

Though this section is optional, completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

Description of Attached Document Rescission + Simultaneous Entry into Land
Title or Type of Document: Conservation Contract Document Date: 3/30/16
Number of Pages: 3 Signer(s) Other Than Named Above: n/a

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: _____

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☐ Corporate Officer — Title(s): _____
☐ Partner — ☐ Limited ☐ General
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☐ Trustee ☐ Guardian or Conservator
☐ Other: _____
Signer Is Representing: _____