

Recording requested by:
Board of Supervisors

When Recorded return to:
PW&P

STOP #214
Development Services Division,
Policy Planning Unit,
Attention: Anthony Lee

This space for Recorder's use, only.

Resolution No. 19-067

**RESOLUTION AUTHORIZING RESCISSION OF AGRICULTURAL LAND CONSERVATION
CONTRACT (ALCC) NO. 7117 AND ENTRY INTO NEW AGRICULTURAL LAND
CONSERVATION CONTRACT NOS. 8326 AND 8327**

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 3 Stop #214, Development
 4 Services Division, Policy
 5 Planning Unit, Attention:
 6 Anthony Lee

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 9 BEFORE THE BOARD OF SUPERVISORS
 10 OF THE COUNTY OF FRESNO
 11 STATE OF CALIFORNIA

12
 13
 14 IN THE MATTER OF
 15 AGRICULTURAL LAND
 16 CONSERVATION CONTRACT

RESOLUTION AUTHORIZING
 RESCISSION OF AGRICULTURAL LAND
 CONSERVATION CONTRACT (ALCC) NO.
 7117 AND ENTRY INTO NEW
 AGRICULTURAL LAND CONSERVATION
 CONTRACT NOS. 8326 AND 8327

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 18 WHEREAS, Agricultural Land Conservation Contract (ALCC) No. 7117 was entered into
 19 between the County of Fresno and Ross Borba Jr. and Linda Borba and succeeded to by Frank
 20 Coelho, General Partner of Casaca Vineyards, a California General Partnership hereafter referred to
 21 as "Owner", and recorded February 21, 1995 as Instrument No. 85016518 in the Official Records of
 22 Fresno County, California; and

23
 24 WHEREAS, Owner wishes to adjust boundaries between two existing parcels resulting in
 25 adjusted parcel sizes of 402.11 and 283.03 acres. The adjusted 402.11-acre parcel will include
 26 approximately 79.93 acres of non-contracted land and approximately 322.18 acres of contracted land
 27 to be covered by the new Agricultural Land Conservation Contract No. 8326 and the entire adjusted
 28 283.03-acre parcel will be enrolled in new Agricultural Land Conservation Contract No. 8327; and

1 WHEREAS, The rescission of existing Agricultural Land Conservation Contract No. 7117 and
2 simultaneous execution of new Agricultural Land Conservation Contract Nos. 8326 and 8327 is to
3 ensure the new contracts reflect the acreage of adjusted contracted parcels or portion of contracted
4 parcel that will be included within a non-contracted parcel; and

5 WHEREAS, Section 51254 of the California Government Code provides a process where
6 parties may upon their mutual agreement rescind a contract in order to simultaneously enter into a
7 new contract which would enforceably restrict the same property for an initial term at least as long as
8 the unexpired term of the contract being so rescinded but no less than 10 years; and

9 WHEREAS, This rescission and re-entry would result in rescission of existing Agricultural Land
10 Conservation Contract No. 7117 and simultaneous entry into new Agricultural Land Conservation
11 Contract Nos. 8326 and 8327.

12 NOW, THEREFORE IT IS HEREBY RESOLVED that the Board of Supervisors of the County of
13 Fresno approves rescission of Agricultural Land Conservation Contract No. 7117 and the simultaneous
14 entry into Agricultural Land Conservation Contract Nos. 8326 and 8327 and authorizes the Chairman to
15 execute said contracts. The Clerk to the Board of Supervisors shall cause a certified copy of this
16 resolution to be recorded together with the executed Contracts in the Office of the County Recorder for
17 the County of Fresno.
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1 THE FOREGOING, was PASSED and ADOPTED by the following vote of the Board of
2 Supervisors of the County of Fresno this 26th day of February 2019, to-wit:

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4 AYES: Supervisors Magsig, Mendes, Pacheco, Quintero

5 NOES: None

6 ABSENT: None

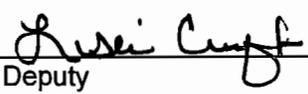
7 ABSTAINED: None

8 VACANT: District 2

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12 Nathan Magsig, Chairman of the Board of
13 Supervisors of the County of Fresno

14 **ATTEST:**
15 Bernice E. Seidel
16 Clerk of the Board of Supervisors
17 County of Fresno, State of California

18 By 
19 Deputy

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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.

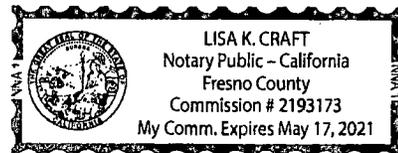
State of California
County of Fresno)

On February 26, 2019 before me, Lisa K. Craft, Notary Public
(insert name and title of the officer)

personally appeared Nathan F. Maguire
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)