

Recording Requested by Fresno County Board of Supervisors

When recorded return to
Fresno County
Department of Public Works and Planning
Development Services and Capital Projects Division
Stop # 214
Attention Policy Planning Unit, **ALCC No. 8343**
Spencer Wejrowski
No Recording Fee Pursuant to Government Code Section 27383

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 5th day of May, 2022 by Circle G II, L.P., a California limited partnership, hereinafter referred to as "Landowners" and the COUNTY OF FRESNO, a political subdivision of the State of California, hereinafter referred to as "County".

WITNESSETH:

WHEREAS, Landowners own 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 devoted to commercial agricultural use; and

WHEREAS, the Board of Supervisors by Resolution has agreed to the rescission of the existing contract and simultaneous entry into a new contract, pursuant to Government Code Section 51257 to allow this Contract to be entered **replacing and superseding as to the Subject Property ALCC No. 226** recorded February 6, 1969 as Instrument Number 8595, Book 5658, Pages 404 through 410 and **ALCC No. 3446** recorded February 18, 1971 as Instrument Number 12473, Book 5864, Pages 161 through 170 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 **Westside No. 103**.

NOW, THEREFORE, both Landowners 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 Contract as to the Subject Property** referenced above and further agree as follows:

FIRST: This is a new Contract between the Landowners and the County of Fresno. The Subject Property shall be subject to all restrictions and conditions of the Interim Guidelines adopted by 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 March 13, 2012, 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 Landowners will observe and perform said provisions. This Contract will be subject to all resolutions and ordinances adopted by the Board of Supervisors when the Contract is automatically renewed on January first of each year.

SECOND: The minimum acreage for new parcels described in Paragraph Two of the Board of Supervisors' Resolution shall be 40 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 2022.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement as of the day and year first hereinabove written.

LANDOWNERS

Circle G II, L.P., a California limited partnership

COUNTY OF FRESNO



Neal Christopher Hurd, General Partner



Brian Pacheco, Chairman of the Board of Supervisors of the County of Fresno

Kevin Thomas Hurd, General Partner

Dustin Ballou Hurd, General Partner

Mailing Address

FOR ACCOUNTING USE ONLY:

ATTEST:

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

ORG No.:
Account No.:

Requisition No.:

By: 

Deputy

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.

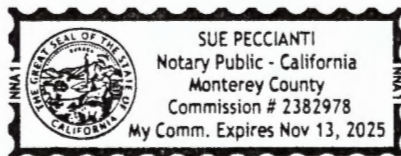
State of California

County of Monterey

On Feb. 10, 2022 before me, Sue Peccianti, Notary Public
Date Here Insert Name and Title of the Officer

personally appeared NEAL Christopher Hurd
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 Sue Peccianti
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: entry into Newland Contract

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 of Conservator

☐ Other: _____

Signer is Representing: _____

Signer's Name: _____

☐ Corporate Officer – Title(s): _____

☐ Partner – ☐ Limited ☐ General

☐ Individual ☐ Attorney in Fact

☐ Trustee ☐ Guardian of Conservator

☐ Other: _____

Signer is Representing: _____

CALIFORNIA ACKNOWLEDGMENT

CIVIL CODE § 1189

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State of California

County of Fresno

On 05/05/2022

Date

before me, Jessica A. Munoz Cardenas notary public,

Here Insert Name and Title of the Officer

personally appeared

Brian Pacheco

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.



Place Notary Seal and/or Stamp Above

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

Jessica A. Munoz Cardenas

Signature of Notary Public

OPTIONAL

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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: _____

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☐ 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: _____

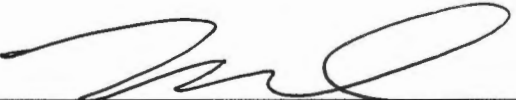
IN WITNESS WHEREOF, the parties hereto have executed this Agreement as of the day and year first hereinabove written.

LANDOWNERS

Circle G II, L.P., a California limited partnership

COUNTY OF FRESNO

Neal Christopher Hurd, General Partner



Kevin Thomas Hurd, General Partner

Dustin Ballou Hurd, General Partner

Mailing Address

FOR ACCOUNTING USE ONLY:

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

ORG No.:
Account No.:

Requisition No.:

By: 
Deputy

CALIFORNIA ALL-PURPOSE CERTIFICATE OF 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 Merced }

On February 3, 2022 before me, Olga Molina Notary Public,
(Here insert name and title of the officer)

personally appeared Kevin Thomas Hurd,
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]

Notary Public Signature

(Notary Public Seal)



ADDITIONAL OPTIONAL INFORMATION

DESCRIPTION OF THE ATTACHED DOCUMENT

Recession and simultaneous entry
(Title or description of attached document)

into new land conservation contract
(Title or description of attached document continued)

Number of Pages 2 Document Date 2/3/2022

CAPACITY CLAIMED BY THE SIGNER

- ☐ Individual (s)
☐ Corporate Officer

(Title)

- ☐ Partner(s)
☐ Attorney-in-Fact
☐ Trustee(s)
☐ Other _____

INSTRUCTIONS FOR COMPLETING THIS FORM

This form complies with current California statutes regarding notary wording and, if needed, should be completed and attached to the document. Acknowledgments from other states may be completed for documents being sent to that state so long as the wording does not require the California notary to violate California notary law.

- State and County information must be the State and County where the document signer(s) personally appeared before the notary public for acknowledgment.
- Date of notarization must be the date that the signer(s) personally appeared which must also be the same date the acknowledgment is completed.
- The notary public must print his or her name as it appears within his or her commission followed by a comma and then your title (notary public).
- Print the name(s) of document signer(s) who personally appear at the time of notarization.
- Indicate the correct singular or plural forms by crossing off incorrect forms (i.e. ~~he~~/~~she~~/~~they~~ - is /are) or circling the correct forms. Failure to correctly indicate this information may lead to rejection of document recording.
- The notary seal impression must be clear and photographically reproducible. Impression must not cover text or lines. If seal impression smudges, re-seal if a sufficient area permits, otherwise complete a different acknowledgment form.
- Signature of the notary public must match the signature on file with the office of the county clerk.
 - ❖ Additional information is not required but could help to ensure this acknowledgment is not misused or attached to a different document.
 - ❖ Indicate title or type of attached document, number of pages and date.
 - ❖ Indicate the capacity claimed by the signer. If the claimed capacity is a corporate officer, indicate the title (i.e. CEO, CFO, Secretary).
- Securely attach this document to the signed document with a staple.

CALIFORNIA ACKNOWLEDGMENT

CIVIL CODE § 1189

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State of California

County of FresnoOn 05/05/2022 before me, Jessica A. Munoz Cardenas notary public,
Date Here Insert Name and Title of the Officerpersonally appeared Brian Pacheco
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 [Signature]
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: _____

IN WITNESS WHEREOF, the parties hereto have executed this Agreement as of the day and year first hereinabove written.

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COUNTY OF FRESNO



Neal Christopher Hurd, General Partner

Brian Pacheco, Chairman of the Board of Supervisors of the County of Fresno

Kevin Thomas Hurd, General Partner



Dustin Ballou Hurd, General Partner

Mailing Address

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By: _____
Deputy

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

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State of California

County of Monterey

On 02/11/2022

before me,

Candace T. Hare, Notary Public

Date

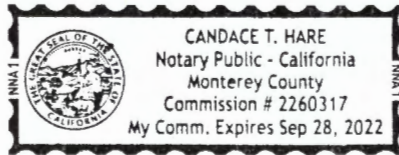
Here Insert Name and Title of the Officer

personally appeared

Dustin Ballou Hurd

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.



Place Notary Seal and/or Stamp Above

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

Signature of Notary Public

OPTIONAL

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Description of Attached Document

Title or Type of Document:

No. 8343- Land Conservation Contract

Document Date:

Number of Pages:

Signer(s) Other Than Named Above:

Capacity(ies) Claimed by Signer(s)

Signer's Name:

Signer's Name:

☐ Corporate Officer – Title(s):

☐ Corporate Officer – Title(s):

☐ Partner – ☐ Limited ☐ General

☐ Partner – ☐ Limited ☐ General

☐ Individual ☐ Attorney in Fact

☐ Individual ☐ Attorney in Fact

☐ Trustee ☐ Guardian of Conservator

☐ Trustee ☐ Guardian of Conservator

☐ Other:

☐ Other:

Signer is Representing:

Signer is Representing:

CALIFORNIA ACKNOWLEDGMENT

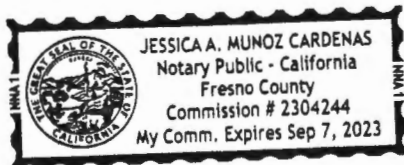
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State of California

County of FresnoOn 05/05/2022 before me, Jessica A. Munoz Cardenas notary public.
Date Here Insert Name and Title of the Officerpersonally appeared Brian Pacheco
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.



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Signature of Notary Public**OPTIONAL**

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☐ 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 LINE ADJUSTMENT NO. 21-32

PARCEL DESCRIPTION

ADJUSTED PARCEL B:

APN: 003-100-04 (portion), 003-100-08 (portion), and 003-100-37S (portion)

That portion of Section 24, Township 11 South, Range 13 East, Mount Diablo Base and Meridian, in the County of Fresno, State of California, according to the Miller & Lux Subdivision Map for said Section 24, on file with Fresno County Surveyor, lying westerly of the westerly right of way line of the Central Canal according to said Miller & Lux Subdivision Map for Section 24, and southerly of the following described line:

Beginning at a point on said west line of Section 24 from which the southwest corner thereof bears South 00° 26' 00" East, a distance of 3850.40 feet;
Thence North 89° 44' 00" East, a distance of 2125.10 feet to intersection with said westerly right of way line of the Central Canal according to said Miller & Lux Subdivision Map for Section 24.

and northerly of the following described line:

Beginning at a point on said west line of Section 24 from which the southwest corner thereof bears South 00° 26' 00" East, a distance of 1955.60 feet;
Thence North 89° 47' 30" East, a distance of 3130.03 feet to intersection with said westerly right of way line of the Central Canal according to said Miller & Lux Subdivision Map for Section 24.

EXCEPTING THEREFROM: the portion within the boundaries of San Juan Drain, according to said Miller & Lux Subdivision Map for Section 24.

Consisting of 98.84 acres gross more or less

