

Recording Requested By &  
When Recorded Return To:  
Stop #214, Development  
Services Division, Policy  
Planning Unit, Attention:  
John Adams

BEFORE THE BOARD OF SUPERVISORS  
OF THE COUNTY OF FRESNO  
STATE OF CALIFORNIA

IN THE MATTER OF  
AGRICULTURAL LAND  
CONSERVATION CONTRACT

RESOLUTION AUTHORIZING  
RESCISSION OF AGRICULTURAL LAND  
CONSERVATION CONTRACT (ALCC) NOS.  
40 AND 6539 AND ENTRY INTO  
AGRICULTURAL LAND CONSERVATION  
CONTRACT NO. 8322

WHEREAS, Agricultural Land Conservation Contract (ALCC) Nos. 40 and 6539 were entered into between the County of Fresno and James A. Holderman and Patricia Holderman (ALCC No. 40) and Kenneth Hilliam Andreen and Judith K. Andreen (ALCC No. 6539), and succeeded to by Astone Properties, LLC, a California Limited Liability Company hereafter referred to as "Owner", and recorded February 29, 1968 as Instrument Number 15026, Book 5541, Pages 420 through 429 (ALCC No. 40) and recorded February 17, 1978 as Instrument Number 18160, Book 6974, Pages 669 through 672 (ALCC No. 6539) in the Official Records of Fresno County, California; and

WHEREAS, Owner wishes to adjust boundaries between two existing parcels resulting in parcel sizes of 1.57 and 142.67 acres and through rescission of existing Agricultural Land Conservation Contract Nos. 40 and 6539 and simultaneous execution of new Agricultural Land Conservation Contract No. 8322 to adjust the new boundary of the contracted land; and

1 WHEREAS, Section 51257 of the California Government Code provides a process  
2 where parties may upon their mutual agreement rescind a contract in order to simultaneously  
3 enter into a new contract which would enforceably restrict the same property for an initial term  
4 at least as long as the unexpired term of the contract being so rescinded but no less than 10  
5 years; and

6 WHEREAS, This rescission and re-entry would result in rescission of existing  
7 Agricultural Land Conservation Contract Nos. 40 and 6539 and simultaneous entry into a new  
8 Agricultural Land Conservation Contract No. 8322.

9 NOW, THEREFORE IT IS HEREBY RESOLVED that the Board of Supervisors of the  
10 County of Fresno approves rescission of Agricultural Land Conservation Contract Nos. 40 and  
11 6539, and the simultaneous entry into Agricultural Land Conservation Contract No. 8322 and  
12 authorizes the Chairman to execute said contract. The Clerk to the Board of Supervisors shall  
13 cause a certified copy of this resolution to be recorded together with the executed Contracts in  
14 the Office of the County Recorder for the County of Fresno.

15 THE FOREGOING was PASSED and ADOPTED by the following vote of the Board of  
16 Supervisors of the County of Fresno this 23rd day of August 2016, to-wit:

17 AYES: Supervisors Borgeas, Mendes, Pacheco, Perea, Poochigian

18 NOES: None

19 ABSENT: None

20 COUNTY OF FRESNO

21  
22 BY Ernest Buddy Mendes  
Ernest Buddy Mendes, Chairman  
Board of Supervisors

23 ATTEST:  
24 Bernice E. Seidel, Clerk  
25 Board of Supervisors

26 BY [Signature]  
27 Deputy