

Recording requested by:

Board of Supervisors

When Recorded return to:

PW&P

STOP #214

Development Services Division

Attn: Derek Chambers

This space for Recorder's use, only.

Resolution No. 19-045

Rescission of Agricultural Land Conservation Contract Nos. 1161 and 2970 and simultaneous entry into new Agricultural Land Conservation Contract Nos. 8324 and 8325, pursuant to Government Code Section 51257

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

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.
1161 AND 2970 AND ENTRY INTO NEW
AGRICULTURAL LAND CONSERVATION
CONTRACT NOS. 8324 AND 8325

WHEREAS, Agricultural Land Conservation Contract (ALCC) Nos. 1161 and 2970 were entered into between the County of Fresno and C.R. Van Dyke, Clarence R. Van Dyke and Viola Van Dyke (ALCC No. 1161) and Weeth Ranches, Inc., a California Corporation (ALCC No. 2970), and succeeded to by Donald Devine, Trustee of the Donald Devine Separate Property Trust hereafter referred to as "Owner", and recorded February 18, 1970 as Instrument No. 11503, Book 5760, Pages 540 through 546 (ALCC No. 1161) and recorded February 17, 1971 as Instrument Number 11871, Book 5863, Pages 193 through 195 (ALCC No. 2970) in the Official Records of Fresno County, California; and

WHEREAS, Owner wishes to adjust boundaries between two existing parcels resulting in adjusted parcel sizes of 159.75 and 160.33 acres. The rescission of existing Agricultural Land Conservation Contract Nos. 1161 and 2970 and simultaneous execution of new Agricultural Land Conservation Contract Nos. 8324 and 8325 is to ensure the new contracts reflect the acreage of adjusted parcels; and

1 WHEREAS, Section 51254 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4 at least as long as the unexpired term of the contract being so rescinded but no less than 10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. 1161 and 2970 and simultaneous entry into new
8 Agricultural Land Conservation Contract Nos. 8324 and 8325.

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. 1161
11 and 2970, and the simultaneous entry into Agricultural Land Conservation Contract Nos. 8324
12 and 8325 and authorizes the Chairman to execute said contracts. The Clerk to the Board of
13 Supervisors shall cause a certified copy of this resolution to be recorded together with the
14 executed Contracts in the Office of the County Recorder for the County of Fresno.

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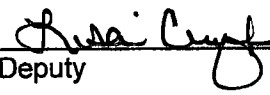
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1 THE FOREGOING, was passed and adopted by the following vote of the Board of
2 Supervisors of the County of Fresno this 12th day of February 2019, to wit:

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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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10 
11 Nathan Magsig, Chairman of the Board of
Supervisors of the County of Fresno

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

15 By 
16 Deputy

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 12, 2019 before me, Lisa K. Craft, Notary Public
(insert name and title of the officer)

personally appeared Nathan Massie,
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)

