

Recording requested by:  
**Board of Supervisors**

When Recorded return to:  
**PW&P**

**STOP #214**  
**Development Services Division, Policy**  
**Planning Unit, Attention:**  
**Derek Chambers**

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This space for Recorder's use, only.

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Resolution No. 19-068

RESOLUTION AUTHORIZING RESCISSION OF AGRICULTURAL LAND CONSERVATION  
CONTRACT (ALCC) NOS. 3726 AND 8302 AND ENTRY INTO NEW AGRICULTURAL LAND  
CONSERVATION CONTRACT NO. 8328

1 Recording Requested By &  
2 When Recorded Return To:  
3 Stop #214, Development  
4 Services Division, Policy  
5 Planning Unit, Attention:  
6 Derek Chambers  
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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.  
3726 AND 8302 AND ENTRY INTO NEW  
AGRICULTURAL LAND CONSERVATION  
CONTRACT NO. 8328

16 WHEREAS, Agricultural Land Conservation Contract (ALCC) Nos. 3726 and 8302 were  
17 entered into between the County of Fresno and James Clark (ALCC No. 3726) and Kevin Clark and  
18 Nancy Clark (ALCC No. 8302), and succeeded to by Ceres Ranch No. 4 LLC, a California Limited  
19 Liability Company hereafter referred to as "Owner", and recorded February 18, 1971 as Instrument No.  
20 12565, Book 5864, Pages 437 through 438 (ALCC No. 3726) and recorded August 5, 2013 as  
21 Instrument Number 2013-0109845 (ALCC No. 8302) in the Official Records of Fresno County,  
22 California; and  
23

24 WHEREAS, Owner wishes to adjust boundaries between two existing parcels resulting in  
25 adjusted parcel sizes of 1.42 and 57.07 acres. The adjusted 57.07-acre parcel will be enrolled in new  
26 Agricultural Land Conservation Contract No. 8328; and  
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1 WHEREAS, The rescission of existing Agricultural Land Conservation Contract Nos. 3726 and  
2 8302 and simultaneous execution of new Agricultural Land Conservation Contract No. 8328 is to  
3 ensure the new contract reflects the acreage of the adjusted contracted parcel; and

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7 the unexpired term of the contract being so rescinded but no less than 10 years; and

8  
9 WHEREAS, This rescission and re-entry would result in rescission of existing Agricultural Land  
10 Conservation Contract Nos. 3726 and 8302 and simultaneous entry into new Agricultural Land  
11 Conservation Contract No. 8328.

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 Nos. 3726 and 8302, and the  
14 simultaneous entry into Agricultural Land Conservation Contract No. 8328 and authorizes the Chairman  
15 to execute said contract. The Clerk to the Board of Supervisors shall cause a certified copy of this  
16 resolution to be recorded together with the executed Contract in the Office of the County Recorder for the  
17 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:

3  
4 AYES: Supervisors Magsig, Mendes, Pacheco, Quintero

5 NOES: None

6 ABSENT: None

7 ABSTAINED: None

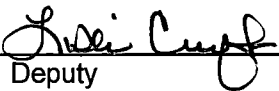
8 VACANT: District 2  
9

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

13 **ATTEST:**

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

17 By   
18 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 27, 2019 before me, Lisa K. Craft, Notary Public  
(insert name and title of the officer)

personally appeared Nathan F. Maggio,  
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)

