

24-0463

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
RLCC No. 1057
Attention: Policy Planning Unit,
Alexander Pretzer

No Recording Fee Pursuant to Government Code Sections 6103, 27383, 27388.1(a)(2)(D), (AB 110, SB 2)

RESOLUTION APPROVING RESCISSION OF AGRICULTURAL LAND
CONSERVATION CONTRACT NOS. 3044, 3045, and 3046 AND
SIMULTANEOUS ENTRY INTO NEW AGRICULTURAL LAND
CONSERVATION CONTRACT NO. 8349
(RLCC NO. 1057)

This page added to provide adequate space for the above information only.
(Government Code 27361.6)

1 Recording Requested By &
2 When Recorded Return To:
3 Stop #214, Development
4 Services and Capital Projects Division,
5 Policy Planning Unit, Attention:
6 Alexander Pretzer
7 Government Code sections
8 6103, 27383, 27388.1(a)(2)(D)
9 (AB 110, SB 2)

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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.
3044, 3045, AND 3046 AND ENTRY INTO
NEW ALCC NO. 8349

WHEREAS, Agricultural Land Conservation Contract (ALCC) Number 3044 was entered into between the County of Fresno and Warren D. George and Helen L. George, and succeeded to by Four W Farms LLC, a California Limited Liability Company, hereafter referred to as "Owner", and recorded February 17, 1971 as Instrument Number 11895, Book 5863, Pages 255 through 257 in the Official Records of Fresno County, California; and

WHEREAS, ALCC Number 3045 was entered into between the County of Fresno and Warren D. George aka W. D. George and Helen L. George, and succeeded to by Four W Farms LLC, a California Limited Liability Company, hereafter referred to as "Owner", and recorded February 17, 1971 as Instrument Number 11896, Book 5863, Pages 258 through 261 in the Official Records of Fresno County, California; and

WHEREAS, ALCC 3046 was entered into between the County of Fresno and Warren D. George and Helen L. George, and succeeded to by Four W Farms LLC, a California Limited Liability Company, hereafter referred to as "Owner", and recorded February 17, 1971 as Instrument Number 11897, Book 5863, Pages 262 through 264 in the Official Records of Fresno County, California; and

1 WHEREAS, Owner proposed allowing the creation of seven (7) parcels from a 314.55-
2 acre (gross) parcel identified as APN 041-110-57S. The rescission of existing Agricultural Land
3 Conservation Contract Numbers 3044, 3045, and 3046 and simultaneous execution of new
4 Agricultural Land Conservation Contract Number 8349 is required to ensure the new contract
5 reflects the acreage of the proposed parcels; and

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

12 WHEREAS, this rescission and re-entry would result in rescission of existing
13 Agricultural Land Conservation Contract Numbers 3044, 3045, and 3046 and simultaneous
14 entry into new Agricultural Land Conservation Contract Number 8349.

15 NOW, THEREFORE IT IS HEREBY RESOLVED that the Board of Supervisors of the
16 County of Fresno hereby approves rescission of Agricultural Land Conservation Contract
17 Numbers 3044, 3045, and 3046 and simultaneous entry into new Agricultural Land
18 Conservation Contract Number 8349, based on upon mutual agreement of the parties of the
19 contract pursuant to Government Code Section 51254, and approves and authorizes the
20 Chairman to execute the Rescission and Simultaneous Entry into New Land Conservation
21 Contract for Contract Number 8349 on behalf of the County; the Clerk of the Board of
22 Supervisors shall cause a certified copy of this resolution to be recorded together with
23 recordation of the fully-executed Rescission and Simultaneous Entry into New Land
24 Conservation Contract for Contract Number 8349 in the Office of the County Recorder for the
25 County of Fresno.

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THE FOREGOING, was passed and adopted by the following vote of the Board of Supervisors of the County of Fresno this _____ day of _____, 2024, to wit:

AYES:

NOES:

ABSENT:

ABSTAINED:

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

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

By _____
Deputy

Exhibit A

Legal Description of Existing Parcels Fresno County, CA APN: 041-110-57s

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE COUNTY OF FRESNO, STATE OF CALIFORNIA, AND IS DESCRIBED AS FOLLOWS:

PARCEL 1:

The East half of the Northeast quarter; the Southwest quarter of the Northeast quarter; the Northeast quarter of the Northwest quarter; and the North half of the Northwest quarter of the Northwest quarter of Section 25, Township 16 South, Range 18 East, Mount Diablo Base and Meridian, County of Fresno, State of California, according to the Official Plat thereof.

EXCEPTING AND RESERVING UNTO THE GRANTOR an undivided 50% interest in and to all oil, gas, minerals, and hydrocarbon substances in, on, or under said land.

PARCEL 2:

The Northwest quarter of the Northeast quarter of Section 25, Township 16 South, Range 18 East, Mount Diablo Base and Meridian, County of Fresno, State of California, according to the Official Plat thereof.

EXCEPTING AND RESERVING UNTO THE GRANTOR an undivided interest in and to all oil, gas, minerals, and hydrocarbon substances in, on, or under said land.

PARCEL 3:

The Northeast quarter of the Southwest quarter of the Southeast quarter and the East half of the Northwest quarter of the Southwest quarter of the Southeast quarter of Section 25, Township 16 South, Range 18 East, Mount Diablo Base and Meridian, County of Fresno, State of California, according to the Official Plat thereof.

Excepting therefrom that portion lying South of the Centerline of Liberty Canal.

Also Excepting therefrom 75% of all oil, gas and other hydrocarbons and minerals now or at any time hereafter situate therein and thereunder; together with all easements and rights necessary or convenient for the production, storage and transportation thereof and the exploration and testing of the said real property, and also the right to drill for, produce and use water from the said real property in connection with drilling or mining operations thereon.

EXCEPTING AND RESERVING UNTO THE GRANTOR an undivided 50% interest of Grantor's interest in and to all oil, gas, minerals, and hydrocarbon substances in, on, or under said land.

PARCEL 4:

The Northeast quarter of the Southeast quarter and the East half of the Northwest quarter of the Southeast quarter of Section 25, Township 16 South, Range 18 East, Mount Diablo Base and Meridian, County of Fresno, State of California, according to the Official Plat thereof.

Excepting therefrom 74-2/5 % of all oil, gas and other hydrocarbons and minerals now or at any time hereafter situate therein and thereunder; together with all easements and rights necessary or convenient for the production, storage and transportation thereof and the exploration and testing of the said real property, and also the right to drill for, produce and use water from the said real property in connection with drilling or mining operations thereon.

EXCEPTING AND RESERVING UNTO THE GRANTOR an undivided 50% interest of Grantor's interest in and to all oil, gas, minerals, and hydrocarbon substances in, on, or under said land.

PARCEL 5:

The West half of the Northwest quarter of the Southeast quarter of Section 25, Township 16 South, Range 18 East, Mount Diablo Base and Meridian, County of Fresno, State of California, according to the Official Plat thereof.

Exhibit A

Excepting therefrom that portion lying South of the Centerline of Liberty Canal.

Also Excepting therefrom 50% of all oil, gas and other hydrocarbon substances underlying said land, as reserved in the deed from Bank of America National Trust and Savings Association, a national banking association, as Trustee under the Last Will and Testament of M. S. McMartry', deceased, to Louis T. George and Retha O. George, husband and wife, as joint tenants, recorded March 16/ 1965 in Book 4144 Page 566, as Document No. 22065.

EXCEPTING AND RESERVING UNTO THE GRANTOR an undivided 50% interest of Grantor's interest in and to all oil, gas, minerals, and hydrocarbon substances in, on, or under said land.

PARCEL 6:

The West half of the Northwest quarter of the Southwest quarter of the Southeast quarter of Section 25, Township 16 South, Range 18 East, Mount Diablo Base and Meridian, County of Fresno, State of California, according to the Official Plat thereof.

EXCEPTING AND RESERVING UNTO THE GRANTOR an undivided 50% interest in and to all oil, gas, minerals, and hydrocarbon substances in, on, or under said land.

Containing an area of 316.94 acres more or less.

End of Description

This real property description has been prepared by me, or under my direction, in conformance with the Professional Land Surveyors' Act.

Signature: _____

Narinder S. Sahota, PLS 8719

Date: February 2, 2024



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 _____)

On _____ before me, _____,
Date Here Insert Name and Title of the Officer

personally appeared _____
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.

Signature _____
Signature of Notary Public

Place Notary Seal Above

OPTIONAL

Though this section is 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: _____