

**SUBMITTAL TO THE BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**



FROM: TLMA - Planning Department

SUBMITTAL DATE: February 4, 2003

SUBJECT: Adoption of Resolution No. 2003-41, a Certificate of Final Cancellation of a Land Conservation Contract and Diminishment of Mira Loma Agricultural Preserve No. 2, Amendment No. 16, Map No. 841 – Owners: Hylton Grabiell Associates, LLC/ Knevelbaard Dairies – 30.14 acres – Prado-Mira Loma Zoning District – Second Supervisorial District.

CONTROVERSIAL ISSUES: None

RECOMMENDED MOTION: Adoption of Resolution No. 2003-41, a Certificate of Final Cancellation of a Land Conservation Contract and Diminishment of Mira Loma Agricultural Preserve No. 2, Amendment No. 16, Map No. 841, based upon the hereinafter listed findings and conclusions:

FINDINGS:

1. On December 5, 2000, the Board of Supervisors tentatively approved a request by Hylton Grabiell Associates, LLC/Knevelbaard Dairies to diminish Mira Loma Agricultural Preserve No. 2 pursuant to Agricultural Preserve Map No. 841, and to cancel the land conservation contract as it applies to the 30.14-acre site located on the northwest corner of Harrison Avenue and 65th Street in the Eastvale area.

This cancellation was subject to the following conditions:

- a. Payment of the cancellation fee in the amount of \$288,750;
- b. Approval of General Plan Amendment No. 481; and



 Aleta J. Laurence, AICP, Planning Director

(Continued on attached page)

REVIEWED BY EXECUTIVE OFFICE
Aleta J. Laurence
 DATE 1/29/03

Policy
 Policy

AJL:kb

Department Recommendation: Consent
 Per Executive Office: Consent

Prev. Agn. Ref.

Dist. Second

AGENDA NO.

3.18

The Honorable Board of Supervisors

RE: Adoption of Resolution No. 2003-41, a Certificate of Final Cancellation of a Land Conservation Contract and Diminishment of Mira Loma Agricultural Preserve No. 2, Amendment No. 16, Map No. 841

February 4, 2003

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- c. Meet all conditions necessary for the County of Riverside to issue grading permits on Tract Map No. 29533 (Assessor's Parcel No. 134-060-006-0 and 134-060-007-1).
2. The cancellation fee of \$288,750 was paid to the County Treasurer on September 27, 2002.
3. General Plan Amendment No. 481 was approved by the Board of Supervisors and adopted by Resolution No. 2000-144 on May 23, 2000.
4. All conditions necessary for the County of Riverside to issue grading permits on Tract Map No. 29533 have been met.

CONCLUSION:

1. All conditions of approval for the diminishment of Mira Loma Agricultural Preserve No. 2, Amendment No. 16, Map No. 841 and cancellation of the associated land conservation contract have been met.
2. The applicant is now eligible to receive a Certificate of Final Cancellation for Mira Loma Agricultural Preserve No. 2, Amendment No. 16, Map No. 841.

RESOLUTION NO. 2003-41
CERTIFICATE OF FINAL CANCELLATION
OF LAND CONSERVATION CONTRACTS AND
DIMINISHMENT OF AGRICULTURAL PRESERVE
(Government Code Section 51283.4)

WHEREAS, Kenneth Ira and Minnie M. Hicks entered into a Land Conservation Contract with the County of Riverside, pursuant to the Land Conservation Act of 1965 (Government Code Section 51200 et. seq.), which contract is dated January 1, 1971, and was recorded on February 26, 1971 as Instrument No. 19445 in the office of the County Recorder of Riverside County, California; and,

WHEREAS, the Knevelbaard Dairies, the current owner of the property subject to the Land Conservation Contract referenced above (which property is described in the attached legal description entitled "MIRA LOMA AGRICULTURAL PRESERVE NO. 2, AMENDMENT NO. 16, MAP NO. 841, EXHIBIT A,") petitioned to cancel the contract and to diminish Mira Loma Agricultural Preserve No. 2, Map No. 3; and,

WHEREAS, a public hearing was held on this matter by the Riverside County Board of Supervisors on December 5, 2000; and,

WHEREAS, all procedures of the California Environmental Quality Act (CEQA) and Riverside County Rules to Implement the Act have been satisfied, including Environmental Assessment No. 37877, which consider the impacts of the establishment of the proposed alternative land use, as well as the impacts of this cancellation request; and,

WHEREAS, Tract Map No. 29533 is the alternative use; and

WHEREAS, Tract Map No. 29533 will divide the 29.67 acre parcel into one hundred and nineteen (119) residential lots and one (1) open space lot for a drainage swale; and,

WHEREAS, the amount of the cancellation fee, pursuant to Section 51283 of the

FORM APPROVED
COUNTY COU
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BY B-T.M.B.

Government Code, has been determined and certified by this Board to be \$288,750;
WHEREAS, the following conditions have been met:

1. The cancellation fee in the amount of \$288,750 has been paid to the Treasurer of Riverside County; and
2. Comprehensive General Plan Amendment No. 481 was approved by the Board of Supervisors and adopted by Board Resolution on May 23, 2000; and
3. All conditions necessary for the County of Riverside to issue grading permits on Tract Map No. 29533 (Assessor's Parcel No. 134-060-006-0 and 134-060-007-1) have been met.

BE IT RESOLVED, FOUND, AND DETERMINED by the Board of Supervisors of the County of Riverside, State of California, in regular session assembled on February 4, 2003, that the Clerk of this Board shall file and record copies of this resolution, map and boundary description, in the Office of the County Recorder of Riverside County, California, and transmit copies thereof to the Director of Conservation of the State of California, the Treasurer of Riverside County, and the Assessor of Riverside County, and thereafter:

1. Mira Loma Agricultural Preserve No. 2, Map No. 3, dated February 5, 1968, as amended, will be further amended by deleting therefrom the area shown on the map entitled "MIRA LOMA AGRICULTURAL PRESERVE NO. 2, AMENDMENT NO. 16, MAP NO. 841," and described by boundary description thereof, said map and description both being on file in the Office of the Clerk of the Board.
2. The Land Conservation Contract between the County of Riverside, Kenneth Ira and Minnie M. Hicks, dated January 1, 1971 and recorded February 26, 1971, as Instrument No. 19445, in the Office of the County Recorder of Riverside County, California, will be canceled as said contract applies to land referenced in the petition of Knevelbaard Dairies, thereby removing from the effect of said contract the real property in the County of Riverside, State of California, described in the exhibit entitled, "MIRA LOMA AGRICULTURAL PRESERVE NO. 2, AMENDMENT NO. 16, MAP NO. 841, EXHIBIT A," a copy of which is attached hereto and incorporated herein by reference.

EXHIBIT A
MIRA LOMA AGRICULTURAL PRESERVE NO. 2
AMENDMENT NO. 16, MAP NO. 841
(Diminishment)

ALL OF THAT CERTAIN REAL PROPERTY IN THE COUNTY OF RIVERSIDE, STATE OF CALIFORNIA MORE PARTICULARLY DESCRIBED AS FOLLOWS:

PARCEL 1 (APN 134-060-006):

THAT PORTION OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 26, TOWNSHIP 2 SOUTH, RANGE 7 WEST, AS SHOWN BY SECTIONALIZED SURVEY OF THE JURUPA RANCHO ON FILE IN BOOK 9 PAGE(S) 33 OF MAPS, RECORDS OF SAN BERNARDINO COUNTY, CALIFORNIA, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT 659.81 FEET NORTH OF THE SOUTHWEST CORNER OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER FOR THE TRUE POINT OF BEGINNING;

THENCE CONTINUING NORTH ALONG THE WEST LINE OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER, 338.51 FEET;
THENCE EAST AND PARALLEL WITH THE SOUTH LINE OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER, 1,319.42 FEET, MORE OR LESS, TO THE EAST LINE OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER;

THENCE SOUTH ALONG THE EAST LINE OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER 338.51 FEET;

THENCE WEST AND PARALLEL WITH THE SOUTH LINE OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER 1,319.42 FEET TO THE TRUE POINT OF BEGINNING;

EXCEPTING THEREFROM THE WESTERLY 25 FEET OF SAID LAND FOR ROAD PURPOSES.

PARCEL 2 (APN 134-060-007):

THE SOUTH HALF OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 26, TOWNSHIP 2 SOUTH, RANGE 7 WEST, IN THE COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS SHOWN BY SECTIONALIZED SURVEY OF THE JURUPA RANCH ON FILE IN BOOK 9 PAGE(S) 33 OF MAPS, RECORDS OF SAN BERNARDINO COUNTY, CALIFORNIA, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE SOUTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 26, WHICH BEARS NORTH 89° 57' 30" EAST, A DISTANCE OF 25 FEET FROM THE CENTER OF SAID SECTION 26;

THENCE NORTH 00° 03' 30" WEST AND PARALLEL WITH THE WEST LINE OF THE NORTHEAST QUARTER OF SAID SECTION 26, A DISTANCE OF 659.31 FEET;

THENCE NORTH 89° 57' 30" EAST, A DISTANCE OF 1,294.42 FEET;

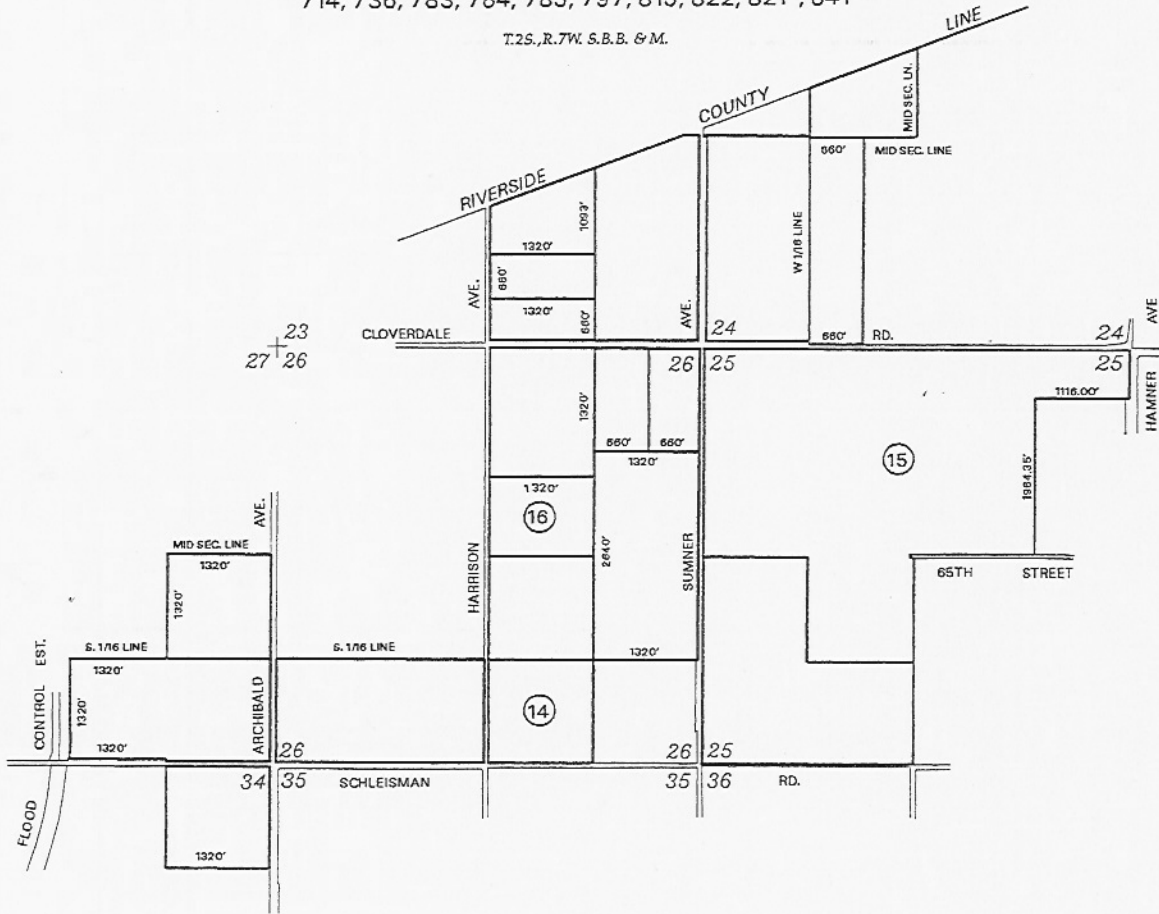
THENCE SOUTH 00° 03' 30" EAST, A DISTANCE OF 659.81 FEET, MORE OR LESS, TO THE SOUTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 26, A DISTANCE OF 1,294.42 FEET TO THE POINT OF BEGINNING;

Assessor Parcel No.	Acres	Owners
134-060-006	10.50	Knevelbaard Dairies
134-060-007	19.64	Knevelbaard Dairies
Total	30.14	

MAP NO. 3 MIRA LOMA AGRICULTURAL PRESERVE NO. 2

AMENDED BY MAPS NO. 7, 26, 148, 253, 256, 393, 595,
714, 736, 783, 784, 785, 797, 815, 822, 821, 841

T.2S., R.7W. S.B.B. & M.



AMENDMENTS:

- NO. 14, (DIMINISHMENT), OCTOBER 26, 1999, MAP NO. 822
- NO. 15, (DIMINISHMENT), MARCH 7, 2000, MAP NO. 821
- NO. 16, (DIMINISHMENT), FEBRUARY 4, 2003, MAP NO. 841

ADOPTED ON FEBRUARY 5, 1968
BY THE BOARD OF SUPERVISORS
OF THE COUNTY OF RIVERSIDE,
STATE OF CALIFORNIA.

