

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



FROM: TLMA - Planning Department

SUBMITTAL DATE: January 27, 2003

SUBJECT: Adoption of Resolution No. 2003-72 – Diminishment of Mira Loma Agricultural Preserve No. 5 – Agricultural Preserve Case and Map No. 869 – Owner: Excelsior Farms – 67.68 acres – Prado-Mira Loma Zoning District – Second Supervisorial District.

CONTROVERSIAL ISSUES: None

RECOMMENDED MOTION: Adoption of Resolution No. 2003-72 for the diminishment of Mira Loma Agricultural Preserve No. 5, Map No. 869, based upon the hereinafter listed findings and conclusions:

FINDINGS:

1. The 62.68-acre site is comprised of two parcels, which are located northerly of Citrus Street, south of and adjacent to Schleisman Road, easterly of and adjacent to Hamner Avenue and westerly of Cleveland Avenue in the Prado-Mira Loma area of Riverside County, California.
2. Excelsior Farms entered into a land conservation contract with the County of Riverside for land within Mira Loma Agricultural Preserve No. 5. The contract is dated January 1, 1971, and was recorded on February 26, 1971, as Instrument No. 19265 in the Office of the County Recorder of Riverside County, California.
3. Pursuant to the Land Conservation Act of 1965, Excelsior Farms filed a notice of nonrenewal on September 29, 1986, which was recorded on October 1, 1986, as Instrument No. 242459 and, as a consequence, the land

Aleta J. Laurence
Aleta J. Laurence, AICP, Planning Director

(Continued on attached page)

AJL:kb

REVIEWED BY EXECUTIVE OFFICE
Summit Wright
DATE 1/29/03

Policy Policy

Consent Consent

Department Recommendation: Consent
Per Executive Office: Consent

Prev. Agn. Ref.

Dist. Second

AGENDA NO.

3.21

conservation contract as it applies to this property expired on January 1, 1996.

4. Under both the County's Rules and Regulations Governing Agricultural Preserves and the Comprehensive General Plan's Williamson Act Program (i.e., Land Conservation Act of 1965), a landowner may apply to have property removed from the boundaries of an agricultural preserve, once the contract has expired.
5. The land conservation contract having expired, the property owner for Assessor's Parcel No. 134-250-002 and 134-250-014, Excelsior Farms, has now applied to have the property removed from the boundaries of the agricultural preserve.
6. Diminishment of Mira Loma Agricultural Preserve No. 5, Map No. 869, includes an administrative amendment to adjust the boundaries of the agricultural preserve to include only those parcels which are currently under contract. This portion of the diminishment is located immediately south of 65th Avenue and east of Cleveland Avenue.

CONCLUSION:

1. The diminishment of Mira Loma Agricultural Preserve No. 5, Map No. 869, is consistent with the provisions of the Land Conservation Act of 1965 and the Rules and Regulations Governing Agricultural Preserves in Riverside County as adopted by the Board of Supervisors.
2. The diminishment of Mira Loma Agricultural Preserve No. 5, Map No. 869, is consistent with the Riverside County Comprehensive General Plan.

RESOLUTION NO. 2003-72
DIMINISHMENT OF MIRA LOMA
AGRICULTURAL PRESERVE NO. 5
PURSUANT TO NOTICE OF NONRENEWAL

WHEREAS, Excelsior Farms entered into a Land Conservation Contract with the County of Riverside pursuant to the California Land Conservation Act of 1965 (Government Code Section 51200 et seq.), which contract is dated January 1, 1971, and was recorded February 26, 1971, as Instrument No. 19265, in the Office of the County Recorder of Riverside County, California; and

WHEREAS, Excelsior Farms, the landowner, filed a Notice of Nonrenewal on September 29, 1986, which notice was recorded on October 1, 1986, as Instrument No. 242459, in the Office of the County Recorder of Riverside County, California;

WHEREAS, the filing of said Notice of Nonrenewal resulted in the expiration of the contract as it applies to the subject property on January 1, 1996, pursuant to Government Code Section 51246;

WHEREAS, Sam DeLeeuw, Harvey Ranch and, Symon Vander Leest and Anna Vander Leest entered into a Land Conservation Contract with the County of Riverside pursuant to the California Land Conservation Act of 1965 (Government Code Section 51200 et seq.), which contracts are dated January 1, 1971, and were recorded February 26, 1971, as Instrument No. 19268, 19279 and 19450, respectively, in the Office of the County Recorder of Riverside County, California; and

WHEREAS, Tony and Mary Bos and J&T Dairy; John and Tena Hoogendam; and, Sylvester, Richard Allen, Arlene Joyce and Kathleen Vander Tuig, the subsequent landowners, filed Notices of Nonrenewal on September 18, 1986; October 2, 1986; and, September 30, 1986, which notices were recorded on September 26, 1986, as Instrument No. 237212; October 8, 1986,

COUNTY COUNSEL
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as Instrument No. 249129; and, October 1, 1986, as Instrument No. 242464, respectively, in the Office of the County Recorder of Riverside County, California;

WHEREAS, the filing of said Notices of Nonrenewal resulted in the expiration of the contract as it applies to the subject property on January 1, 1996, pursuant to Government Code Section 51246;

BE IT RESOLVED, FOUND, DETERMINED AND ORDERED 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, with the Director of Conservation, State of California, and with the Office of the Assessor of Riverside County, California, and that:

1. Mira Loma Agricultural Preserve No. 5, Map No. 6, dated February 10, 1969, and on file in the Office of the Clerk of this Board, is further amended by deleting therefrom the area shown on the map entitled "AGRICULTURAL PRESERVE MAP NO. 869: AMENDMENT NO. 7 (DIMINISHMENT) OF MIRA LOMA AGRICULTURAL PRESERVE NO. 5" and described by boundary description thereof, as fully set forth in the attached document entitled "EXHIBIT A, MIRA LOMA AGRICULTURAL PRESERVE NO. 5, MAP NO. 869 (DIMINISHMENT)," said map and description both being on file in the Office of the Clerk of the Board.
2. The Land Conservation Contract between Elcelsior Farms and the County of Riverside, dated January 1, 1971, and recorded on February 26, 1971, as Instrument No. 19265, in the Office of the County Recorder of Riverside County, California, and as said contract applies to the subject property, has expired, removing from the effect of said contract the real property in the County of Riverside, State of California, described in the attached document entitled "EXHIBIT A, MIRA LOMA AGRICULTURAL PRESERVE NO. 5, MAP NO. 869 (DIMINISHMENT)," which is made a part of this resolution.
3. The Land Conservation Contract between Sam DeLeeuw, Harvey Ranch and, Symon

Vander Leest and Anna Vander Leest and the County of Riverside, dated January 1, 1971, and recorded on February 26, 1971, as Instrument No. 19268, 19279 and 19450. respectively, in the Office of the County Recorder of Riverside County, California, and as said contract applies to the subject property, has expired, removing from the effect of said contract the real property in the County of Riverside, State of California, described in the attached document entitled "EXHIBIT A, MIRA LOMA AGRICULTURAL PRESERVE NO. 5, MAP NO. 869 (DIMINISHMENT)," which is made a part of this resolution.

BE IT FURTHER RESOLVED 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 with the Director of Conservation of the State of California.

EXHIBIT A
MIRA LOMA AGRICULTURAL PRESERVE NO. 5
MAP NO. 869
(DIMINISHMENT)

Real property in the County of Riverside, State of California, described as follows:

PARCEL 1:

The West 376 feet of Lot 52 and all of Lots 51 and 58 of the Kingston Tract, as shown by map on file in book 12 page(s) 6 of maps, Records of San Bernardino County, California.

PARCEL 2:

That portion of Lot "P" of Fuller Rancho, central and Easterly section, as shown by map on file in book 16 page(s) 94 to 97, inclusive, of maps, Records of Riverside County, California, described as follows:

Beginning at a point in the center line of Adams Street and the North line of said Lot "P" produced;

Thence South 0° 11' East, 869 feet along the center line of Adams Street;
Thence South 47° 26' West, 810.40 feet;
Thence South 41° 46' West, 530.90 feet;
Thence South 71° 45' West, 38.13 feet;
Thence North 0° 10' West, 503.78 feet;
Thence South 89° 52' West, 329.30 feet to the West line of said Lot "P";
Thence North 0° 10' West, 1319.49 feet to the North line of said Lot "P";
Thence North 89° 52' East, 1319.09 feet to the point of beginning;

Excepting therefrom the portion thereof conveyed to the State of California by deed recorded November 29, 1941 in book 525 page 160 of Official Records of Riverside County, California.

PARCEL 3:

That portion of the West half of the West half of the East half of the Southeast Quarter of Section 36, Township 2 South, Range 7 West, San Bernardino Base and Meridian, in the Jurupa Rancho, as shown by map on file in book 9 page(s) 33 of maps, Records of San Bernardino County, described as follows:

Beginning at the Northwest corner of the East half of the Southeast quarter of Section 36;
Thence North 89° 52' East, 329.30 feet;
Thence South 0° 10' East, 503.78 feet;
Thence South 71° 45' West, 611.22 feet to the point of beginning.

PARCEL 4:

All that portion of Lot "P" of Fuller Rancho central and Easterly Sections, as shown by map on file in book 16 page(s) 94, 95, 96 and 97 of maps, Records of Riverside County, California, described as follows:

Commencing at a point in the center line of Adams Street and North line of said Lot "P" produced;

Thence South 0° 11' East 869 feet on the center line of Adams Street to the true point of beginning;

Thence continuing South 0° 11' East on said center line 30 feet;

Thence Southwesterly on a straight line 594 feet to the intersection of a line that bears South 47° 26' West from the true point of beginning;

Excepting therefrom that portion thereof in Adams Street.

Assessor Parcel No.	Acres	Owners
134-250-002	25.00	Excelsior Farms
134-250-014	42.68	Excelsior Farms
Total	67.68	

ADMINISTRATIVE AMENDMENT:

All of that certain real property in the County of Riverside, State of California, described as follows:

The Northwest quarter of the Southeast quarter and that portion of the North half of the Northeast quarter of the Southeast quarter of Section 25, Township 2 South, Range 7 West, San Bernardino Base and Meridian.

MAP NO. 6 MIRA LOMA AGRICULTURAL PRESERVE NO. 5

AMENDED BY MAPS NO. 35, 62, 184, 597, 788, 817, 869

T.2S.,R.6W. S.B.B. & M.
T.2S.,R.7W. S.B.B. & M.



AMENDMENTS:

- NO. 1, (ENLARGEMENT), DENIED, MAP NO. 35
- NO. 2, (ENLARGEMENT), FEBRUARY 24, 1970, MAP NO. 62
- NO. 3, (ENLARGEMENT), JANUARY 25, 1972, MAP NO. 184
- NO. 4, (DIMINISHMENT), MAY 7, 1985, MAP NO. 597
- NO. 5, (DIMINISHMENT), MAY 3, 2000, MAP NO. 788
- NO. 6, (DIMINISHMENT), AUGUST 17, 1999, MAP NO. 817
- NO. 7, (DIMINISHMENT), FEBRUARY 4, 2003, MAP NO. 869

ADOPTED ON FEBRUARY 10, 1969
BY THE BOARD OF SUPERVISORS
OF THE COUNTY OF RIVERSIDE,
STATE OF CALIFORNIA.

