

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

412B



FROM: TLMA - Planning Department

SUBMITTAL DATE: December 1, 2003

SUBJECT: Adoption of Resolution No. 2003-534 – Diminishment of Menifee Agricultural Preserve No. 4 – Agricultural Preserve Case and Map No. 902 – Owners: Woodside Homes of California, Inc. for Pleasant Valley Investments, LLC, and Victory Land Investments, LLC – 85.63 acres – Antelope Valley Zoning Area – Third Supervisorial District

RECOMMENDED MOTION: Adoption of Resolution No. 2003-534 for the diminishment of Menifee Agricultural Preserve No. 4, Map No. 902, based upon the hereinafter listed findings and conclusions:

FINDINGS:

1. The 85.63-acre site consists of four (4) parcels and is located north of and adjacent to Wickerd Road, south of and adjacent to Daniel Road, east of and adjacent to Evans Road and westerly of Ascot Way in the Sun City/Menifee area of Riverside County, California.
2. Louis E. Krubsack, Leona Krubsack and Kathryn Krubsack entered into a land conservation contract with the County of Riverside for land within Menifee Agricultural Preserve No. 4. The contract is dated January 1, 1972, and was recorded on February 29, 1972, as Instrument No. 26474 in the Office of the County Recorder of Riverside County, California.
3. Pursuant to the Land Conservation Act of 1965, Dieter Schnirch and Berit Schnirch, the subsequent property owners of Assessor's Parcel No. 360-300-002-0, filed a notice of non-renewal on September 24, 1990, which

Robert C. Johnson, Planning Director

(Continued On Attached Page)

RCJ:kb

REVIEWED BY EXECUTIVE OFFICE
[Signature]
DATE 12/10/03

Department Recommendation: Consent Policy
Per Executive Office: Consent Policy

Prev. Agn. Ref.

Dist. Third

AGENDA NO.

3.21

notice was recorded on October 1, 1990, as Instrument No. 382737; Yat Sum International Corp., the subsequent property owner of Assessor's Parcel No. 360-300-003-1, filed a notice of non-renewal on September 11, 1990, which notice was recorded on October 1, 1990, as Instrument No. 362094; Louis E. Krubsack and Kathryn M. Krubsack, owners of Assessor's Parcel No. 360-300-004-2, filed a notice of non-renewal on September 18, 1990, which notice was recorded on October 1, 1990, as Instrument No. 362098; and, Chuang Ti Hung, Ling Ling Hung, Chi-Chhi Wu and Y. H. Chang Wu, the subsequent property owners of Assessor's Parcel No. 360-300-005-3, filed a notice of non-renewal on September 26, 1990, which notice was recorded on October 18, 1990, as Instrument No. 382753, and, as a consequence, the land conservation contract as it applies to the subject parcels expired on January 1, 2000.

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 current property owner of Assessor's Parcel No. 360-300-002-0 and 360-300-003-1, Pleasant Valley Investments, LLC, and the current property owner of Assessor's Parcel No. 360-300-004-2 and 360-300-005-3, Victory Land Investments, LLC, have now applied to have the property removed from the boundaries of the agricultural preserve.

CONCLUSION:

1. The diminishment of Meniffee Agricultural Preserve No. 4, Map No. 902, 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 Meniffee Agricultural Preserve No. 4, Map No. 902, is consistent with the Riverside County General Plan.

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**RESOLUTION NO. 2003-534
DIMINISHMENT OF MENIFEE
AGRICULTURAL PRESERVE NO. 4
PURSUANT TO NOTICE OF NONRENEWAL**

WHEREAS, Louis E. Krubsack, Leona Krubsack and Kathryn Krubsack 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, 1972, and was recorded February 29, 1972, as Instrument No. 26474, in the Office of the County Recorder of Riverside County, California; and

WHEREAS, Dieter Schnirch and Berit Schnirch, the subsequent property owners of Assessor's Parcel No. 360 300 002-0, filed a Notice of Nonrenewal on September 24, 1990, which notice was recorded on October 1, 1990, as Instrument No. 382737, in the Office of the County Recorder of Riverside County, California;

WHEREAS, Yat Sum International Corp., the subsequent property owner of Assessor's Parcel No. 360-300-003-1, filed a Notice of Nonrenewal on September 11, 1990, which notice was recorded on October 1, 1990, as Instrument No. 362094, in the Office of the County Recorder of Riverside County, California;

WHEREAS, Louis E. Krubsack and Kathryn M. Krubsack, owners of Assessor's Parcel No. 360 300-004-2, filed a Notice of Nonrenewal on September 18, 1990, which notice was recorded on October 1, 1990, as Instrument No. 362098, in the Office of the County Recorder of Riverside County, California;

WHEREAS, Chuang Ti Hung, Ling Ling Hung, Chi-Chhi Wu and Y. H. Chang Wu, the subsequent property owners of Assessor's Parcel No. 360-300-005-3, filed a Notice of Nonrenewal on September 26, 1990, which notice was recorded on October 18, 1990, as Instrument No. 382753, in the Office of the County Recorder of Riverside County, California;

FORM APPROVED
COUNTY COUNSEL

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BR. T. M. S.

1 **WHEREAS, the filing of said Notices of Nonrenewal resulted in the expiration of the**
2 **contract as it applies to the subject property on January 1, 2000, pursuant to Government Code**
3 **Section 51246;**

4 **BE IT RESOLVED, FOUND, DETERMINED AND ORDERED by the Board of**
5 **Supervisors of the County of Riverside, State of California, in regular session assembled on**
6 **December 16, 2003, that the Clerk of this Board shall file and record copies of this resolution,**
7 **map and boundary description, in the Office of the County Recorder of Riverside County,**
8 **California, with the Director of Conservation, State of California, and with the Office of the**
9 **Assessor of Riverside County, California, and that:**

- 10 **1. Menifee Agricultural Preserve No. 4, Map No. 199, dated January 25, 1972, and on**
11 **file in the Office of the Clerk of this Board, is further amended by deleting therefrom**
12 **the area shown on the map entitled "AGRICULTURAL PRESERVE MAP NO. 902:**
13 **AMENDMENT NO. 3 (DIMINISHMENT) OF MENIFEE AGRICULTURAL**
14 **PRESERVE NO. 4" and described by boundary description thereof, as fully set forth**
15 **in the attached document entitled "EXHIBIT A, MENIFEE AGRICULTURAL**
16 **PRESERVE NO. 4, MAP NO. 902 (DIMINISHMENT)," said map and description**
17 **both being on file in the Office of the Clerk of the Board.**
- 18 **2. The Land Conservation Contract between Louis E. Krubsack, Leona Krubsack and**
19 **Kathryn Krubsack and the County of Riverside, dated January 1, 1972, and**
20 **recorded February 29, 1972, as Instrument No. 26474 in the Office of the County**
21 **Recorder of Riverside County, California, and as said contract applies to the subject**
22 **property, has expired, removing from the effect of said contract the real property in**
23 **the County of Riverside, State of California, described in the attached document**
24 **entitled "EXHIBIT A, MENIFEE AGRICULTURAL PRESERVE NO. 4, MAP NO.**
25 **902 (DIMINISHMENT)," which is made a part of this resolution.**

26 **BE IT FURTHER RESOLVED that the Clerk of this Board shall file and record copies**
27 **of this resolution, map and boundary description in the Office of the County Recorder of**
28 **Riverside County, California, and with the Director of Conservation of the State of California.**

**EXHIBIT A
 MENIFEE AGRICULTURAL PRESERVE NO. 4
 MAP NO. 902
 (DIMINISHMENT)**

The land referred to herein is situated in the unincorporated area of the County of Riverside, State of California, described as follows:

Parcel 2 of Parcel Map 8433, in the County of Riverside, State of California, as per map recorded in Book 38, Page 33 of Parcel Maps, in the Office of the County Recorder of said County.

APN: 360-300-002

Parcel 3 of Parcel Map 8433, in the County of Riverside, State of California, as per map recorded in Book 38, Page 33 of Parcel Maps, in the Office of the County Recorder of said County.

APN: 360-300-003

Parcel 4 of Parcel Map 8433, in the County of Riverside, State of California, as per map recorded in Book 38, Page 33 of Parcel Maps, in the Office of the County Recorder of said County.

APN: 360-300-004

Parcel 5 of Parcel Map 8433, in the County of Riverside, State of California, as per map recorded in Book 38, Page 33 of Parcel Maps, in the Office of the County Recorder of said County.

APN: 360-300-005

Assessor Parcel No.	Acres	Owners
360-300-002-0	22.00	Pleasant Valley Investments, LLC
360-300-003-1	20.42	Pleasant Valley Investments, LLC
360-300-004-2	21.13	Victory Land Investments, LLC
360-300-005-3	22.08	Victory Land Investments, LLC
Total	85.63	

MAP NO. 199 MENIFEE AGRICULTURAL PRESERVE NO. 4

AMENDED BY MAPS NO. 792, 795, 902

T.6S., R.3W. S.B.B. & M.



AMENDMENTS:

- NO. 1, (DIMINISHMENT), JULY 21, 1998, MAP NO. 792
- NO. 2, (DIMINISHMENT), APRIL 13, 1999, MAP NO. 795
- NO. 3, (DIMINISHMENT), DECEMBER 16, 2003, MAP NO. 902

ADOPTED ON JANUARY 25, 1972
BY THE BOARD OF SUPERVISORS
OF THE COUNTY OF RIVERSIDE,
STATE OF CALIFORNIA.

