

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

209 B



FROM: TLMA - Planning Department

SUBMITTAL DATE: February 11, 2004

**SUBJECT:** Adoption of Resolution No. 2004-093 – Diminishment of Mira Loma Agricultural Preserve No. 2 – Agricultural Preserve Case and Map No. 913 – Owner: Joe Simas and Delores Simas – 16.61 acres – Prado-Mira Loma Zoning District – Second Supervisorial District.

**CONTROVERSIAL ISSUES:** None

**RECOMMENDED MOTION:** Adoption of Resolution No. 2004-093 for the diminishment of Mira Loma Agricultural Preserve No. 2, Map No. 913, based upon the hereinafter listed findings and conclusions:

**FINDINGS:**

1. The 16.61-acre site is located northerly of Cloverdale Road, southerly of the Riverside/San Bernardino County line, east of and adjacent to Harrison Avenue and west of and adjacent to Cedar Creek Road in the Eastvale area of Riverside County.
2. Ids and Shirley Schaap, husband and wife, entered into a land conservation contract with the County of Riverside for land within Mira Loma Agricultural Preserve No. 2. The contract is dated January 1, 1972, and was recorded on January 13, 1972, as Instrument No. 5381 in the Office of the County Recorder of Riverside County, California.
3. Pursuant to the Land Conservation Act of 1965, Joe Simas and Delores Simas, husband and wife, the subsequent landowners, filed a Notice of

*Robert C. Johnson*  
Robert C. Johnson, Planning Director

RCJ:kb

(Continued On Attached Page)

REVIEWED BY EXECUTIVE OFFICE  
*James P. Gagnier*  
DATE 2/17/04

Department Recommendation:  Consent  Policy

Per Executive Office:  Consent  Policy

RECEIVED STATEWIDE COMPLEX  
500 FEB 13 6M 1:38  
COUNTY OF RIVERSIDE  
04 FEB 13 6M 3:01  
OFFICE  
EXECUTIVE

Prev. Agn. Ref.

Dist. Second

AGENDA NO.

3.34

Nonrenewal on March 16, 1990, which notice was recorded on March 30, 1990, as Instrument No. 113926, and, as a consequence, the land conservation contract as it applies to this property expired on January 1, 1999.

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 owners for Assessor's Parcel No. 134-040-004-6, Joe Simas and Delores Simas have now applied to have the property removed from the boundaries of the agricultural preserve.

**CONCLUSION:**

1. The diminishment of Mira Loma Agricultural Preserve No. 2, Map No. 913, 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. 2, Map No. 913, is consistent with the Riverside County Comprehensive General Plan.

**RESOLUTION NO. 2004-093  
DIMINISHMENT OF MIRA LOMA  
AGRICULTURAL PRESERVE NO. 2  
PURSUANT TO NOTICE OF NONRENEWAL**

**WHEREAS, Ids and Shirley Schaap, husband and wife, 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 January 13, 1972, as Instrument No. 5381, in the Office of the County Recorder of Riverside County, California; and**

**WHEREAS, Joe Simas and Delores Simas, husband and wife, the subsequent landowners, filed a Notice of Nonrenewal on March 16, 1990, which notice was recorded on March 30, 1990, as Instrument No. 113926, 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, 2000, 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 24, 2004, 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. 2, Map No. 7, dated February 5, 1968, and on file in the Office of the Clerk of this Board, as amended, is further amended by deleting therefrom the area shown on the map entitled "AGRICULTURAL**

FORM APPROVED  
COUNTY COUNSEL

FEB 11 2004

*B. J. M. [Signature]*

**PRESERVE MAP NO. 913: AMENDMENT NO. 26 (DIMINISHMENT) OF MIRA LOMA AGRICULTURAL PRESERVE NO. 2" and described by boundary description thereof, as fully set forth in the attached document entitled "EXHIBIT A, MIRA LOMA AGRICULTURAL PRESERVE NO. 2, MAP NO. 913 (DIMINISHMENT)," said map and description both being on file in the Office of the Clerk of the Board.**

- 2. The Land Conservation Contract between Ids and Shirley Schaap, husband and wife, and the County of Riverside, dated January 1, 1972, and recorded on January 13, 1972, as Instrument No. 5381, 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. 2, MAP NO. 913 (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. 2  
MAP NO. 913  
(DIMINISHMENT)**

That portion of fractional Section 23, Township 2 South, Range 7 West, as per Sectionalized Survey of Jurupa Rancho, in the County of Riverside, State of California, as per map recorded in Book 9, Page 33 of Maps, described as follows:

That portion of the southeast quarter of fractional Section 23, Township 2 South, Range 7 West, as shown by Sectionalized Survey of Jurupa Rancho on file in Book 9, Page 33 of Maps, San Bernardino County Records, described as follows:

Beginning at a point on the Westerly line of the Southeast quarter of said section, 458.89 feet from the Southwest corner of the Southeast quarter of said section; thence North, on the West line of the Southeast quarter of said section, 694.20 feet; thence East, parallel with the South line of the Southeast quarter of said section, 1320.39 feet; thence South 00° 00' 30" East, 694.20 feet; thence Westerly, parallel with the South line of the Southeast quarter of said section, 1320.31 feet, to the point of beginning;

EXCEPT that portion described as follows: Beginning at a point, on the Westerly line of the Southeast quarter of said Section 23, which bears North 00° 01' 00" West 458.89 feet from the Southwest corner of the Southeast quarter of said Section 23; thence North 00° 01' 00" West, on the Westerly line of the Southeast quarter of said section, 135.00 feet; thence East, parallel with the Southerly line of the Southeast quarter of said section, 1320.33 feet; thence South 00° 00' 30" East 135.00 feet; thence West, parallel with the Southerly line of the Southeast quarter of said section, 1320.31 feet, to the point of beginning;

Also except that portion conveyed to the County of Riverside by deed recorded March 26, 1963 as Instrument No. 29944 of Official Records.

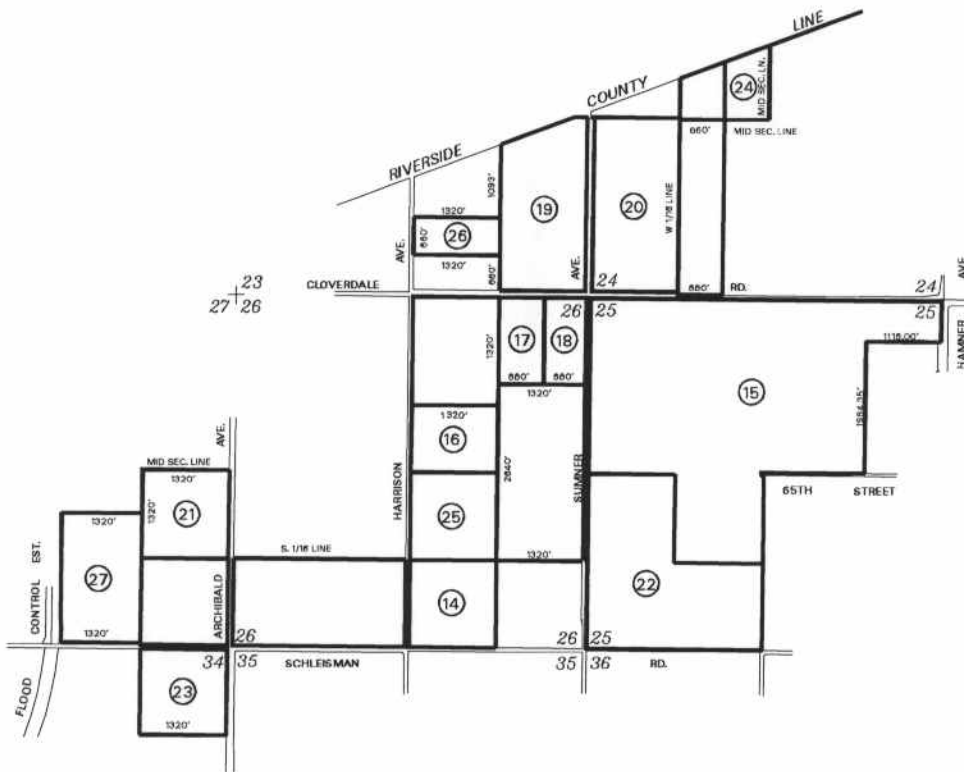
ALSO EXCEPT forty-nine percent of all mineral rights as reserved in deed from Charles E. Flanigan and Maribel F. Flanigan, husband and wife, recorded May 21, 1957 in Book 2091, Page 214 of Official Records, Riverside County Records.

Assessor Parcel No.	Acres	Owners
134-040-004-6	16.61	Joe Simas and Dolores Simas
<b>Total</b>	<b>16.61</b>	

# 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, 849, 863,  
879, 886, 890, 907, 913

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), MAP NO. 841
- NO. 17, (DIMINISHMENT), MAP NO. 848
- NO. 18, (DIMINISHMENT), FEBRUARY 5, 2002, MAP NO. 849
- NO. 19, (DIMINISHMENT), JULY 16, 2002, MAP NO. 863
- NO. 20, (DIMINISHMENT), APRIL 8, 2003, MAP NO. 879
- NO. 21, (DIMINISHMENT), MAP NO. 881
- NO. 22, (DIMINISHMENT), MAP NO. 882
- NO. 23, (DIMINISHMENT), MARCH 11, 2003, MAP NO. 886
- NO. 24, (DIMINISHMENT), APRIL 8, 2003, MAP NO. 890
- NO. 25, (DIMINISHMENT), MAP NO. 907
- NO. 26, (DIMINISHMENT), FEBRUARY 24, 2004, MAP NO. 913

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

