

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

208 B



FROM: TLMA - Planning Department

SUBMITTAL DATE:
February 1, 2005

SUBJECT: Adoption of Resolution No. 2005-053 – Diminishment of Winchester Agricultural Preserve No. 24 – Agricultural Preserve Case and Map No. 938 – Richard Shirek dba Hemet Auto Center Leasing – 78.33 acres (net) – Hemet-San Jacinto Zoning District – Third Supervisorial District

RECOMMENDED MOTION: Adoption of Resolution No. 2005-053 for the diminishment of Winchester Agricultural Preserve No. 24, Map No. 938, based upon the hereinafter listed findings and conclusions:

FINDINGS:

1. The 78.33-acre site is located north of and adjacent to Tres Cerritos Avenue, southerly of Esplanade Avenue, easterly of California Avenue and westerly of Warren Road in the San Jacinto Valley area of Riverside County, California.
2. Hemet Development Corporation, incorporated December 10, 1962, entered into a land conservation contract with the County of Riverside for land within Winchester Agricultural Preserve No. 24. The contract is dated January 1, 1976, and was recorded on June 24, 1976, as Instrument No. 90747 in the Office of the County Recorder of Riverside County, California.
3. Pursuant to the Land Conservation Act of 1965, Agri Empire Corporation, the subsequent property owner of Assessor's Parcel No. (APN) 455-100-015-7, filed a notice of non-renewal, which notice was recorded on October 17, 1980, as Instrument No. 193010, and, as a consequence, the land conservation

Robert C. Johnson

 Robert C. Johnson
 Planning Director

RCJ:kb

(Continued On Attached Page)

REVIEWED BY EXECUTIVE OFFICE
[Signature]
 DATE 2/3/05

Departmental Concurrence

Dep't Recomm.: Policy Policy
 Per Exec. Ofc.: Consent Consent

5002 FEB -8 AM 1:20
 RECEIVED RIVERSIDE COUNTY

COUNTY OF RIVERSIDE
 02 FEB -1 PM 5:03
 OFFICE EXECUTIVE

Prev. Agn. Ref.

District: Third

Agenda Number:

3.24

contract as it applies to the subject parcel expired on January 1, 1991.

1. 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.
2. The land conservation contract having expired, the current property owner of APN 455-100-015-7, Richard Shirek dba Hemet Auto Center Leasing, has now applied to have the property removed from the boundaries of the agricultural preserve.

CONCLUSION:

1. The diminishment of Winchester Agricultural Preserve No. 24, Map No. 938, 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 Winchester Agricultural Preserve No. 24, Map No. 938, is consistent with the Riverside County General Plan.

RESOLUTION NO. 2005-053

DIMINISHMENT OF WINCHESTER

AGRICULTURAL PRESERVE NO. 24

PURSUANT TO NOTICE OF NONRENEWAL

WHEREAS, Hemet Development Corporation, incorporated December 10, 1962, 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, 1976, and was recorded June 24, 1976, as Instrument No. 90747, in the Office of the County Recorder of Riverside County, California; and

WHEREAS, Agri Empire Corporation, the subsequent landowner, filed a Notice of Nonrenewal, which notice was recorded on October 17, 1980, as Instrument No. 193010, 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, 1991, 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 15, 2005, 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. Winchester Agricultural Preserve No. 24, Map No. 375, dated June 1, 1976, 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. 938: AMENDMENT NO. 1 (DIMINISHMENT) OF WINCHESTER AGRICULTURAL

FEB 04 2005
BY: [Signature]

1 PRESERVE NO. 24" and described by boundary description thereof, as fully set
2 forth in the attached document entitled "EXHIBIT A, WINCHESTER
3 AGRICULTURAL PRESERVE NO. 24, MAP NO. 938 (DIMINISHMENT)," said
4 map and description both being on file in the Office of the Clerk of the Board.

- 5 2. The Land Conservation Contract between Hemet Development Corporation, dated
6 January 1, 1976, and recorded on June 24, 1976, as Instrument No. 90747, in the
7 Office of the County Recorder of Riverside County, California, and as said contract
8 applies to the subject property, has expired, removing from the effect of said contract
9 the real property in the County of Riverside, State of California, described in the
10 attached document entitled "EXHIBIT A, WINCHESTER AGRICULTURAL
11 PRESERVE NO. 24, MAP NO. 938 (DIMINISHMENT)," which is made a part of
12 this resolution.

13 BE IT FURTHER RESOLVED that the Clerk of this Board shall file and record copies
14 of this resolution, map and boundary description in the Office of the County Recorder of
15 Riverside County, California, with the Director of Conservation, State of California, and with
16 the Office of the Assessor of Riverside County, California.

**EXHIBIT A
WINCHESTER AGRICULTURAL PRESERVE NO. 25
MAP NO. 938
(DIMINISHMENT)**

The following described real property in the County of Riverside, State of California:

Parcel 1 as shown on Parcel Map No. 5027, in the County of Riverside, State of California, on file in Book 8, Page 51 of Parcel Maps, records of Riverside County, California.

Assessor Parcel No.	Acres (net)	Owners
455-100-015-7	78.33	Hemet Auto Center Leasing
Total	78.33	

MAP NO. 375 WINCHESTER AGRICULTURAL PRESERVE NO. 24

AMENDED BY MAP NO. 938

T. 5 S - R. 2 W



AMENDMENTS:
NO. 1, (DIMINISHMENT), FEBRUARY 15, 2005, MAP NO. 938



ADOPTED ON JUNE 1, 1976
BY THE BOARD OF SUPERVISORS
OF THE COUNTY OF RIVERSIDE,
STATE OF CALIFORNIA.

RIVERSIDE COUNTY PLANNING COMMISSION