

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

823 B



FROM: TLMA - Planning Department

SUBMITTAL DATE:
September 6, 2005

SUBJECT: Adoption of Resolution No. 2005-429 – Diminishment of Mira Loma Agricultural Preserve No. 11 – Agricultural Preserve Case and Map No. 957 – Pharris Mira Loma, LLC – 64.73 acres (net) – Prado-Mira Loma Zoning District – Eastvale Area Plan – Second Supervisorial District

RECOMMENDED MOTION: Adoption of Resolution No. 2005-429 for the diminishment of Mira Loma Agricultural Preserve No. 11, Map No. 957, based upon the hereinafter listed findings and conclusions:

FINDINGS:

1. The 64.73-acre site is located north of and adjacent to Bellegrave Avenue, south of and adjacent to Cantu-Galleano Ranch Road, easterly of Wineville Road and westerly of Etiwanda Avenue, in the Prado-Mira Loma area of Riverside County, California.
2. Fred Troost and Annie Troost entered into a land conservation contract with the County of Riverside for land within Mira Loma Agricultural Preserve No. 11. The contract is dated January 1, 1972, and was recorded on February 25, 1972, as Instrument No. 24575 in the Office of the County Recorder of Riverside County, California.
3. Pursuant to the Land Conservation Act of 1965, Fred J. Troost and Annie Troost, Trustees, Philip G. Troost and Imogene K. Troost, the subsequent property owners, filed a notice of nonrenewal on September 25, 1986, which was recorded on October 1, 1986, as Instrument No. 242456, and, as a

Robert C. Johnson
Planning Director

RCJ:kb

(Continued On Attached Page)

Departmental Concurrence

REVIEWED BY EXECUTIVE OFFICE
[Signature]
DATE 9/14/05

Policy
 Policy

Consent
 Consent

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

Prev. Agn. Ref.

District: Second

Agenda Number:

consequence, the land 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, Pharris Mira Loma, LLC, the current property owner for Assessor's Parcel No. 160-060-041-2, has now applied to have the property removed from the boundaries of the agricultural preserve.

CONCLUSION:

1. The diminishment of Mira Loma Agricultural Preserve No. 11, Map No. 957, 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. 11, Map No. 957, is consistent with the Riverside County Comprehensive General Plan.

**RESOLUTION NO. 2005-429
DIMINISHMENT OF MIRA LOMA
AGRICULTURAL PRESERVE NO. 11
PURSUANT TO NOTICE OF NONRENEWAL**

WHEREAS, Fred Troost and Annie Troost 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 25, 1972, as Instrument No. 24575, in the Office of the County Recorder of Riverside County, California; and

WHEREAS, Fred J. Troost and Annie Troost, Trustees, Philip G. Troost and Imogene K. Troost, the subsequent landowners, filed a Notice of Nonrenewal on September 25, 1986, which notice was recorded on October 1, 1986, as Instrument No. 242456, in the Office of the County Recorder of Riverside County, California;

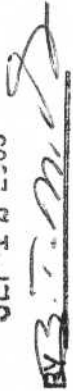
WHEREAS, the filing of said Notice of Nonrenewal resulted in the expiration of the contract as it applies to the subject property on January 1, 1996, pursuant to Government Code Section 51246;

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 September 27, 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. Mira Loma Agricultural Preserve No. 11, Map No. 146, dated January 11, 1972, 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

COUNTY COUNSEL

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MAP NO. 957: AMENDMENT NO. 5 (DIMINISHMENT) OF MIRA LOMA AGRICULTURAL PRESERVE NO. 11" and described by boundary description thereof, as fully set forth in the attached document entitled "EXHIBIT A, MIRA LOMA AGRICULTURAL PRESERVE NO. 11, MAP NO. 957 (DIMINISHMENT)," said map and description both being on file in the Office of the Clerk of the Board.

2. The Land Conservation Contract between Fred Troost and Annie Troost and the County of Riverside, dated January 1, 1972, and recorded on February 25, 1972, as Instrument No. 24575, 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. 11, MAP NO. 957 (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, with the Director of Conservation of the State of California, and with the Office of the Assessor of Riverside County, California.

EXHIBIT A
MIRA LOMA AGRICULTURAL PRESERVE NO. 11
MAP NO. 957
(DISESTABLISHMENT)

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

Parcel "B" of Notice of Lot Line Adjustment 3691, recorded October 13, 1993 as Instrument No. 401013, being a portion of the West half of Fractional Section 17, Township 2 South, Range 6 West, San Bernardino Meridian, as shown by United States Government Survey;

EXCEPTING therefrom an undivided one-half interest in and to all oil, gas, petroleum, naphtha, other hydrocarbon substances and minerals lying below a depth of five hundred (500) feet, with the right of development, production, and removal by slant drilling and other methods not requiring the use of the surface of said land and without right of surface entry, as reserved in the Deed executed by Western Farm Credit Bank by Deed recorded October 13, 1993 as Instrument No. 401011 Official Records.

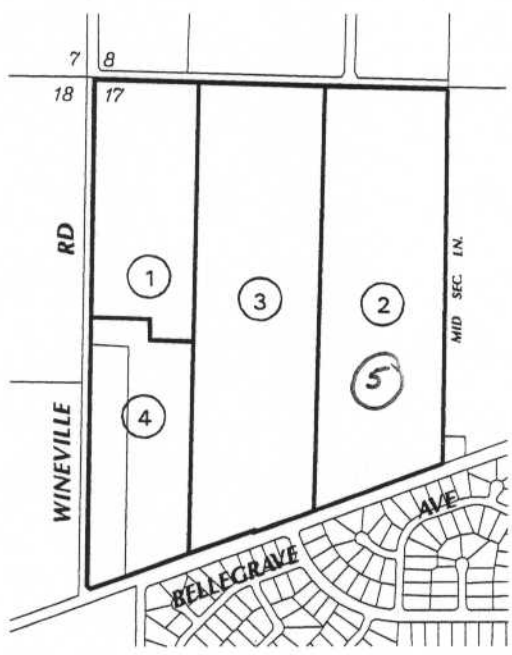
Assessor Parcel No.	Acres (net)	Owners
160-060-041-2	64.73	Pharris Mira Loma, LLC
Total	64.73	

~~921~~
957

MAP NO. 146 MIRA LOMA AGRICULTURAL PRESERVE NO. 11

AMENDED BY MAPS 325, 842, 917, 921, 957

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



AMENDMENTS:

- NO. 1, (ENLARGEMENT), FEBRUARY 25, 1975, MAP NO. 325
- NO. 2, (DIMINISHMENT), MAP NO. 842
- NO. 3, (DIMINISHMENT), APRIL 13, 2004, MAP NO. 917
- NO. 4, (DIMINISHMENT), JULY 27, 2004, MAP NO. 921
- No. 5, (Diminishment), September 27, 2005, map No. 957*

ADOPTED ON JANUARY 11, 1972
BY THE BOARD OF SUPERVISORS
OF THE COUNTY OF RIVERSIDE,
STATE OF CALIFORNIA.

