

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

203 B



FROM: TLMA - Planning Department

SUBMITTAL DATE:
October 12, 2005

SUBJECT: Adoption of Resolution No. 2005-441, a Certificate of Final Cancellation of a Land Conservation Contract and Diminishment of Mira Loma Agricultural Preserve No. 2, Map No. 907 – Applicant: William Lyon Homes – Second Supervisorial District – Prado-Mira Loma Zoning District – Eastvale Area Plan – 40 Acres

RECOMMENDED MOTION: Adoption of Resolution No. 2005-441, a Certificate of Final Cancellation of a Land Conservation Contract and Diminishment of Mira Loma Agricultural Preserve No. 2, Amendment No. 25, Map No. 907, based upon the hereinafter listed findings and conclusions:

FINDINGS:

1. On August 10, 2004, the Board of Supervisors tentatively approved a request by William Lyon Homes for Catherine & Steven Vander Stelt, Co-Trustees, to diminish Mira Loma Agricultural Preserve No. 2 pursuant to Agricultural Map No. 907, and to cancel the land conservation contract as it applies to the 40-acre site, which is located northerly of Schleisman Road, southerly of Cloverdale Road, east of and adjacent to Harrison Avenue and westerly of Sumner Avenue within the Eastvale area of the Riverside County.

This cancellation was subject to the following conditions:

- a. Payment of the cancellation fee in the amount of \$1,000,000.00;
- b. Meet all conditions necessary for the County of Riverside to issue

Robert C. Johnson
Planning Director

RCJ:kb

(Continued On Attached Page)

Departmental Concurrence

REVIEWED BY EXECUTIVE OFFICE
[Signature]
DATE 10/17/05

Policy
 Policy

Consent
 Consent

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

Prev. Agn. Ref.

District: Second

Agenda Number:

3.40

The Honorable Board of Supervisors

RE: Adoption of Resolution No. 2005-441, a Certificate of Final Cancellation of a Land Conservation Contract and Diminishment of Mira Loma Agricultural Preserve No. 2, Map No. 907

October 12, 2005

Page 2 of 2

grading permits on Tract Map No. 31725 (APN 144-040-006-1).

2. The cancellation fee of \$1,000,000.00 was paid to the County Treasurer on August 16, 2005.
3. All conditions necessary for the County of Riverside to issue grading permits on Tract Map No. 31725 have been met.

CONCLUSION:

1. All conditions of approval for the diminishment of Mira Loma Agricultural Preserve No. 2, Amendment No. 25, Map No. 907 and cancellation of the associated land conservation contract have been met.
2. The applicant is now eligible to receive a Certificate of Final Cancellation for Mira Loma Agricultural Preserve No. 2, Amendment No. 25, Map No. 907.

**RESOLUTION NO. 2005-441
CERTIFICATE OF FINAL CANCELLATION
OF LAND CONSERVATION CONTRACTS AND
DIMINISHMENT OF AGRICULTURAL PRESERVE
(Government Code Section 51283.4)**

WHEREAS, Sam and Annie Heida entered into a Land Conservation Contract with the County of Riverside, pursuant to the Land Conservation Act of 1965 (Government Code Section 51200 et. seq.), which contract is dated January 1, 1971, and was recorded on February 26, 1971 as Instrument No. 19483 in the office of the County Recorder of Riverside County, California; and,

WHEREAS, Catherine Vander Stelt and Steven Clarence Vander Stelt, as Co-Trustees of the property subject to the Land Conservation Contract referenced above, all of which property is described in the attached legal description entitled "EXHIBIT A, MIRA LOMA AGRICULTURAL PRESERVE NO. 2, AMENDMENT NO. 25, (DIMINISHMENT), MAP NO. 907," petitioned to cancel the contract and to diminish Mira Loma Agricultural Preserve No. 2, Map No. 3; and,

WHEREAS, a public hearing was held on this matter by the Riverside County Board of Supervisors on August 10, 2004; and,

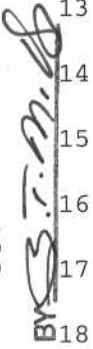
WHEREAS, all procedures of the California Environmental Quality Act (CEQA) and Riverside County Rules to Implement the Act have been satisfied, including Environmental Assessment No. 39239, which consider the impacts of the establishment of the proposed alternative land use, as well as the impacts of this cancellation request; and,

WHEREAS, Tract Map No. 31725 is the alternative use; and,

WHEREAS, Tract Map No. 31725 will divide the 40-acre site into one hundred twenty-four (124) single-family residential lots with a minimum lot size of 7,200 square feet, one open space lot, one storm drain lot and one 5-acre park site; and,

FORM APPROVED
COUNTY COUNSEL

OCT 13 2005

BY  B. T. M.

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1 **WHEREAS, the amount of the cancellation fee, pursuant to Section 51283.4 of the**
2 **Government Code, has been determined and certified by this Board to be \$1,000,000.00;**

3 **WHEREAS, the following conditions have been met:**

- 4 **1. The cancellation fee in the amount of \$1,000,000.00 has been paid to the Treasurer of**
5 **Riverside County; and,**
- 6 **2. All conditions necessary for the County of Riverside to issue grading permits on**
7 **Tract Map No. 31725 (APN 144-040-006-1) have been met.**

8 **BE IT RESOLVED, FOUND, DETERMINED AND ORDERED by the Board of**
9 **Supervisors of the County of Riverside, State of California, in regular session assembled on**
10 **October 25, 2005 that the Clerk of this Board shall file and record copies of this resolution, map**
11 **and boundary description, in the Office of the County Recorder of Riverside County, California,**
12 **and transmit copies thereof to the Director of Conservation of the State of California, the**
13 **Treasurer of Riverside County, and the Assessor of Riverside County; and, thereafter:**

- 14 **1. Mira Loma Agricultural Preserve No.2, Map No. 3, dated February 5, 1968, as**
15 **amended, will be further amended by deleting therefrom the area shown on the map**
16 **entitled "MIRA LOMA AGRICULTURAL PRESERVE NO. 2, AMENDMENT NO.**
17 **25, (DIMINISHMENT), MAP NO. 907," and described by boundary description**
18 **thereof, said map and description both being on file in the Office of the Clerk of the**
19 **Board.**
- 20 **2. The Land Conservation Contract between the County of Riverside and Sam and Annie**
21 **Heida, dated January 1, 1971 and recorded February 26 1971, as Instrument No.**
22 **19483, in the Office of the County Recorder of Riverside County, California, will be**
23 **canceled as said contract applies to land referenced in the petition of Catherine Vander**
24 **Stelt and Steven Clarence Vander Stelt, as Co-Trustees, thereby removing from the**
25 **effect of said contract the real property in the County of Riverside, State of California,**
26 **described in the exhibit entitled, "EXHIBIT A, MIRA LOMA AGRICULTURAL**
27 **PRESERVE NO. 2, AMENDMENT NO. 25, (DIMINISHMENT), MAP NO. 907," a**
28 **copy of which is attached hereto and incorporated herein by reference.**

**EXHIBIT A
MIRA LOMA AGRICULTURAL PRESERVE NO. 2
MAP NO. 907
(DIMINISHMENT)**

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

The Northwest quarter of the Southeast quarter of Section 26, Township 2 South, Range 7 West, as shown by sectionized survey of Jurupa Rancho recorded in Book 9, Page 33 of Maps, San Bernardino County Records;

Excepting therefrom the Westerly 25 feet thereof in Harrison Avenue.

Assessor Parcel No.	Acres (net)	Owners
144-040-006-1	40.00	William Lyon Homes
Total	40.00	