

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

4103



FROM: TLMA - Planning Department

SUBMITTAL DATE:
November 3, 2005

SUBJECT: Adoption of Resolution No. 2005-469 – Disestablishment of Coachella Valley Agricultural Preserve No. 69 – Agricultural Preserve Case and Map No. 953 – Applicant: John P. Powell, Jr. – Fourth Supervisorial District – Lower Coachella Valley District – Eastern Coachella Valley Area Plan – 542.61 Acres (Net)

RECOMMENDED MOTION: Adoption of Resolution No. 2005-469 for the disestablishment of Coachella Valley Agricultural Preserve No. 69, Map No. 953, based upon the hereinafter listed findings and conclusions:

FINDINGS:

1. The 543.96-acre agricultural preserve is comprised of seventeen (17) parcels, which are located northerly of 60th Avenue, south of and adjacent to Airport Boulevard, easterly of Calhoun Street and west of and adjacent to State Highway 86 in the lower Coachella Valley of eastern Riverside County, California.
2. Three separate land conservation contracts are associated with the subject parcels and the disestablishment of Coachella Valley Agricultural Preserve No. 69.
3. The first land conservation contract, for 291.74 acres (Assessor's Parcel No. 759-080-007-0, -009-2, -010-2, -012-4, -014-6, -015-7, -017-9, -018-0, 759-030-001-9, -002-0, -019-6 and 764-160-002-0), was entered into by Peter Rabbit Farms, Inc., with the County of Riverside for land within Coachella Valley Agricultural Preserve No. 69. The contract is dated January 1, 1976, and

Robert C. Johnson
Robert C. Johnson
Planning Director

RCJ:kb

(Continued On Attached Page)

REVIEWED BY EXECUTIVE OFFICE
Robert C. Johnson
DATE 10/27/05

Departmental Concurrence

Policy Policy

Consent Consent

Dept's Recomm.:
Per Exec. Ofc.:

Prev. Agn. Ref.

District: Fourth

Agenda Number:

3.19

was recorded on April 5, 1976, as Instrument No. 44645 in the Office of the County Recorder of Riverside County, California.

4. Pursuant to the Land Conservation Act of 1965, Peter Rabbit Farms, Inc., filed a notice of non-renewal in June 1988, which notice was recorded on December 6, 1988, as Instrument No. 356309 and, as a consequence, the land conservation contract as it applies to the subject parcels expired on January 1, 1999.
5. The second land conservation contract, for 98.91 acres (Assessor's Parcel No. 759-030-006-4 and 759-030-020-6), was entered into by John P. Powell with the County of Riverside for land within Coachella Valley Agricultural Preserve No. 69. The contract is dated January 1, 1976, and was recorded on April 5, 1976, as Instrument No. 44646 in the Office of the County Recorder of Riverside County, California.
6. Pursuant to the Land Conservation Act of 1965, John P. Powell filed a notice of non-renewal in June 1988, which notice was recorded on December 6, 1988, as Instrument No. 356311 and, as a consequence, the land conservation contract as it applies to the subject parcels expired on January 1, 1999.
7. The third and final land conservation contract, for 152.31 acres (Assessor's Parcel No. 759-020-005-2, 759-080-016-8, and 759-090-008-2), was entered into by Cardinal Produce Sales, Inc., with the County of Riverside for land within Coachella Valley Agricultural Preserve No. 69. The contract is dated January 1, 1976, and was recorded on April 5, 1976, as Instrument No. 44647 in the Office of the County Recorder of Riverside County, California.
8. Pursuant to the Land Conservation Act of 1965, Cardinal Produce Sales, Inc., filed a notice of non-renewal in June 1988, which notice was recorded on December 6, 1988, as Instrument No. 356310 and, as a consequence, the land conservation contract as it applies to the subject parcels expired on January 1, 1999.
9. Under both the County's Rules and Regulations Governing Agricultural Preserves and the 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.
10. The land conservation contract having expired, the current property owner of Assessor's Parcel No. 759-020-005-2, 759-030-001-9, -002-0, -006-4, -019-6, 020-6, 759-080-007-0, -009-2, -010-2, -012-4, -014-6, -015-7, -016-8, -017-9, 759-090-008-2, and 764-160-002-0, Peter Rabbit Farms, Inc., has now applied to have said parcels removed from the boundaries of the agricultural preserve.

11. Disestablishment of Coachella Valley Agricultural Preserve No. 69 includes an administrative adjustment to remove a .35-acre parcel (Assessor's Parcel No. 759-080-018-0) from the boundaries of the agricultural preserve. Said parcel is no longer subject to a land conservation contract and, if not removed, would be the sole parcel comprising the agricultural preserve.

CONCLUSION:

1. The disestablishment of Coachella Valley Agricultural Preserve No. 69, Map No. 953, 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 disestablishment of Coachella Valley Agricultural Preserve No. 69, Map No. 953, is consistent with the Riverside County General Plan.

RESOLUTION NO. 2005- 469
DISESTABLISHMENT OF COACHELLA VALLEY
AGRICULTURAL PRESERVE NO. 69
PURSUANT TO NOTICE OF NONRENEWAL

WHEREAS, Peter Rabbit Farms, Inc., 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.), for Assessor's Parcel No. 759-080-007-0, -009-2, -010-2, -012-4, -014-6, -015-7, -017-9, -018-0, 759-030-001-9, -002-0, -019-6 and 764-160-002-0, which contract is dated January 1, 1976, and was recorded April 5, 1976, as Instrument No. 44645, in the Office of the County Recorder of Riverside County, California; and

WHEREAS, Peter Rabbit Farms, Inc., filed a Notice of Nonrenewal in June 1988, which notice was recorded on December 6, 1988, as Instrument No. 356309 in the Office of the County Recorder of Riverside County, California;

WHEREAS, John P. Powell 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.), for Assessor's Parcel No. 759-030-006-4 and 759-030-020-6, which contract is dated January 1, 1976, and was recorded April 5, 1976, as Instrument No. 44646, in the Office of the County Recorder of Riverside County, California; and

WHEREAS, John P. Powell filed a Notice of Nonrenewal in June 1988, which notice was recorded on December 6, 1988, as Instrument No. 356311 in the Office of the County Recorder of Riverside County, California;

WHEREAS, Cardinal Produce Sales, Inc., 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.), for Assessor's Parcel No. 759-020-005-2, 759-080-016-8 and 759-090-008-2, which contract is dated January 1, 1976, and was recorded

1- April 5, 1976, as Instrument No. 44647, in the Office of the County Recorder of Riverside
2 County, California; and

3 WHEREAS, Cardinal Produce Sales, Inc., filed a Notice of Nonrenewal in June 1988,
4 which notice was recorded on December 6, 1988, as Instrument No. 356310 in the Office of the
5 County Recorder of Riverside County, California;

6 WHEREAS, the filing of said Notices of Nonrenewal resulted in the expiration of the
7 contracts as they apply to the subject property on January 1, 1999, pursuant to Government
8 Code Section 51246;

9 BE IT RESOLVED, FOUND, DETERMINED AND ORDERED by the Board of
10 Supervisors of the County of Riverside, State of California, in regular session assembled on
11 November 15, 2005, that the Clerk of this Board shall file and record copies of this resolution,
12 map and boundary description, in the Office of the County Recorder of Riverside County,
13 California, with the Director of Conservation, State of California, and with the Office of the
14 Assessor of Riverside County, California, and that:

- 15 1. Coachella Valley Agricultural Preserve No. 69, Map No. 342, dated November 10,
16 1975, and on file in the Office of the Clerk of this Board, is further amended by
17 deleting therefrom the area shown on the map entitled "AGRICULTURAL
18 PRESERVE MAP NO. 953: AMENDMENT NO. 1 (DISESTABLISHMENT) OF
19 COACHELLA VALLEY AGRICULTURAL PRESERVE NO. 69" and described by
20 boundary description thereof, as fully set forth in the attached document entitled
21 "EXHIBIT A, COACHELLA VALLEY AGRICULTURAL PRESERVE NO. 69,
22 MAP NO. 953 (DISESTABLISHMENT)," said map and description both being on
23 file in the Office of the Clerk of the Board.
- 24 2. The Land Conservation Contract between Peter Rabbit Farms, Inc., and the County
25 of Riverside, dated January 1, 1976, and recorded on April 5, 1976, as Instrument
26 No. 44645, in the Office of the County Recorder of Riverside County, California, and
27 as said contract applies to the subject property, has expired.
- 28 3. The Land Conservation Contract between John P. Powell and the County of

1 Riverside, dated January 1, 1976, and recorded on April 5, 1976, as Instrument No.
2 44646, in the Office of the County Recorder of Riverside County, California, and as
3 said contract applies to the subject property, has expired.

4 4. The Land Conservation Contract between Cardinal Produce Sales, Inc., and the
5 County of Riverside, dated January 1, 1976, and recorded on April 5, 1976, as
6 Instrument No. 44647, in the Office of the County Recorder of Riverside County,
7 California, and as said contract applies to the subject property, has expired.

8 5. The expiration of the above contracts removes from the effect of said contracts the
9 real property in the County of Riverside, State of California, described in the
10 attached document entitled "EXHIBIT A, COACHELLA VALLEY
11 AGRICULTURAL PRESERVE NO. 69, MAP NO. 953 (DISESTABLISHMENT),"
12 which is made a part of 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 of the State of California, and
16 with the Office of the Assessor of Riverside County, California.

FORM APPROVED
COUNTY COUNSEL

OCT 25 2005

BY 

EXHIBIT A
COACHELLA VALLEY AGRICULTURAL PRESERVE NO. 69
MAP NO. 953
(DISESTABLISHMENT)

All of the unincorporated territory of Riverside County, State of California, described as follows:

The East ½ of the Northeast ¼ of Section 24, Township 6 South, Range 7 East, San Bernardino Base and Meridian, excepting that portion of the right-of-way of Van Buren Street;

The North ½ of the Southwest ¼ of Section 19, Township 6 South, Range 8 East, San Bernardino Base and Meridian, excepting that portion of the right-of-way of Van Buren Street;

The West 107 feet of the South ½ of the Southeast ¼ of Section 19, Township 6 South, Range 8 East, San Bernardino Base and Meridian, excepting that portion of the right-of-way of 58th Avenue;

The West ½ of the Northeast ¼ of Section 30, Township 6 South, Range 8 East, San Bernardino Base and Meridian, excepting that portion of the right-of-way of 58th Avenue;

The North ½ of the Southeast ¼ of Section 30, Township 6 South, Range 8 East, San Bernardino Base and Meridian;

The Northeast ¼ of the Northwest ¼ of Section 30, Township 6 South, Range 8 East, San Bernardino Base and Meridian, excepting that portion of the right-of-way of 58th Avenue and that portion described as follows:

Beginning at a point on the centerline of 58th Avenue a distance of 1,984 feet Easterly of the intersection of the center lines of 58th Avenue and Van Buren Street;

Thence Southerly for a distance of 243 feet on a line parallel to the center line of Van Buren Street;

Thence Westerly for a distance of 544 feet on a line parallel to the center line of 58th Avenue;

Thence Northerly for a distance of 118 feet on a line parallel with the center line of Van Buren Street;

Thence Westerly for a distance of 120 feet to the Westerly 1/16 line of Section 30, Township 6 South, Range 8 East, San Bernardino Base and Meridian;

Thence Northerly along said Westerly 1/16 line to the center line of 58th Avenue;

Thence Easterly along said center line to the point of beginning.

Assessor's Parcel No.: 759-080-007-0, -009-2, -010-2, -012-4, -014-6, -015-7, -017-9, -018-0, 759-030-001-9, -002-0, -019-6 and 764-160-002-0

The Northwest ¼ of the Southeast ¼ of Section 19, Township 6 South, Range 8 East, San Bernardino Base and Meridian;

The Southeast ¼ of the Southwest ¼ of said Section 19, excepting that portion of the right-of-way of 58th Avenue;

The East ½ of the Southwest ¼ of the Southwest ¼ of said Section 19, excepting that portion of the right-of-way of 58th Avenue.

Assessor's Parcel No.: 759-030-006-4 and 759-030-020-6

The West ½ of the South ½ of the North ½ of Section 19, Township 6 South, Range 8 East, San Bernardino Base and Meridian, excepting that portion of the right-of-way of Van Buren Street;

The Southeast ¼ of the Northeast ¼ of Section 30, Township 6 South, Range 8 East, San Bernardino Base and Meridian, excepting that portion of the right-of-way of State Highway 86;

The Northeast ¼ of the Southeast ¼ of Section 30, Township 6 South, Range 8 East, San Bernardino Base and Meridian, excepting that portion of the right-of-way of State Highway 86.

Assessor's Parcel No.: 759-020-005-2, 759-080-016-8 and 759-090-008-2

Assessor Parcel No.	Acres (net)	Owners
759-080-007-0	20.00	Peter Rabbit Farms, Inc.
759-080-009-2	14.40	Peter Rabbit Farms, Inc.
759-080-010-2	10.00	Peter Rabbit Farms, Inc.
759-080-012-4	37.50	Peter Rabbit Farms, Inc.
759-080-014-6	27.50	Peter Rabbit Farms, Inc.
759-080-015-7	15.00	Peter Rabbit Farms, Inc.
759-080-017-9	11.97	Peter Rabbit Farms, Inc.
759-080-018-0	.35	Jose A. and Ellen L. Soto
759-030-001-9	34.34	Peter Rabbit Farms, Inc.
759-030-002-0	40.00	Peter Rabbit Farms, Inc.
759-030-019-6	3.71	Peter Rabbit Farms, Inc.
764-160-002-0	76.97	Peter Rabbit Farms, Inc.
759-030-006-4	41.65	Peter Rabbit Farms, Inc.
759-030-020-6	57.26	Peter Rabbit Farms, Inc.
759-020-005-2	74.13	Peter Rabbit Farms, Inc.
759-080-016-8	39.09	Peter Rabbit Farms, Inc.
759-090-008-2	39.09	Peter Rabbit Farms, Inc.
Total	543.96	

