

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

210B



FROM: TLMA - Planning Department

SUBMITTAL DATE:
December 21, 2005

SUBJECT: Adoption of Resolution No. 2006-005 – Diminishment of Winchester Agricultural Preserve No. 10 – Agricultural Preserve Case and Map No. 961 – Applicant: Mountain Vista Homes, LLC, for Clover Ankerstar, Toshiaki Nitao, Yumiko Nitao, Katsumi Kariya and Katsuko Kariya – Engineer / Representative: Dennis Stafford – Third Supervisorial District – Winchester Zoning Area – Harvest Valley / Winchester Area Plan – 19.28 Acres (Net)

RECOMMENDED MOTION: Adoption of Resolution No. 2006-005 for the diminishment of Winchester Agricultural Preserve No. 10, Map No. 961, based upon the hereinafter listed findings and conclusions:

FINDINGS:

1. The 19.28-acre site is comprised of two (2) parcels, which are located north of and adjacent to Simpson Road, easterly of Leon Road, Schleisman Road and westerly of Beeler Road in the Winchester area of Riverside County.
2. Security Pacific National Bank entered into a land conservation contract with the County of Riverside for land within Winchester Agricultural Preserve No. 10. The contract is dated January 1, 1970, and was recorded on March 25, 1970, as Instrument No. 27904 in the Office of the County Recorder of Riverside County, California.
3. Pursuant to the Land Conservation Act of 1965, Kay Mo Ngai, Kwong Hung Wong and Yuet Kuen Fung, the subsequent property owners of Assessor's Parcel No. (APN) 462-020-021-7, filed a notice of non-renewal on August 16,

Robert C. Johnson
Planning Director

RCJ:kb

(Continued On Attached Page)

REVIEWED BY EXECUTIVE OFFICE
[Signature]
DATE 12/27/05

Departmental Concurrence

Policy
 Policy

Consent
 Consent

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

Prev. Agn. Ref.

District: Third

Agenda Number:

3.49

1990, which notice was recorded on October 1, 1990, as Instrument No. 362099; and, Toshiaki Nitao, Ymiko Nitao, Katsumi Kariya and Katsuko Kariya, the subsequent property owners of APN 462-020-023-9, filed a notice of non-renewal on September 13, 1990, which notice was recorded on October 1, 1990, as Instrument No. 362111, and, as a consequence, the land conservation contract as it applies to the subject parcels expired on January 1, 2000.

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 current property owner of APN 462-020-021-7, Clover Ankerstar, and the current property owners of 462-020-023-9, Toshiaki Nitao, Ymiko Nitao, Katsumi Kariya and Katsuko Kariya, have now applied to have said parcels removed from the boundaries of the agricultural preserve.

CONCLUSION:

1. The diminishment of Winchester Agricultural Preserve No. 10, Map No. 961, 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. 10, Map No. 961, is consistent with the Riverside County General Plan.

**RESOLUTION NO. 2006-005
DIMINISHMENT OF WINCHESTER
AGRICULTURAL PRESERVE NO. 10
PURSUANT TO NOTICE OF NONRENEWAL**

WHEREAS, Security Pacific National Bank 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, 1970, and was recorded on March 25, 1970, as Instrument No. 27904, in the Office of the County Recorder of Riverside County, California; and,

WHEREAS, Kay Mo Ngai, Kwong Hung Wong and Yuet Kuen Fung, the subsequent property owners of Assessor's Parcel No. (APN) 462-020-021-7, filed a notice of non-renewal on August 16, 1990, which notice was recorded on October 1, 1990, as Instrument No. 362099, in the Office of the County Recorder of Riverside County, California;

WHEREAS, Toshiaki Nitao, Ymiko Nitao, Katsumi Kariya and Katsuko Kariya, the subsequent property owners of APN 462-020-023-9, filed a notice of non-renewal on September 13, 1990, which notice was recorded on October 1, 1990, as Instrument No. 362111, in the Office of the County Recorder of Riverside County, California;

WHEREAS, the filing of said Notices of Non-Renewal resulted in the expiration of the contract as it applies to the subject parcels 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 January 10, 2006, 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

COUNTY COUNSEL

DEC 19 2005



1 **Riverside County, California, and that:**

- 2 **1. Winchester Agricultural Preserve No. 10, Map No. 82, dated February 24, 1970, and**
3 **on file in the Office of the Clerk of this Board, is further amended by deleting**
4 **therefrom the area shown on the map entitled "AGRICULTURAL PRESERVE**
5 **MAP NO. 961: AMENDMENT NO. 2 (DIMINISHMENT) OF WINCHESTER**
6 **AGRICULTURAL PRESERVE NO. 10" and described by boundary description**
7 **thereof, as fully set forth in the attached document entitled "EXHIBIT A,**
8 **WINCHESTER AGRICULTURAL PRESERVE NO. 10, MAP NO. 961**
9 **(DIMINISHMENT)," said map and description both being on file in the Office of the**
10 **Clerk of the Board.**
- 11 **2. The Land Conservation Contract between Security Pacific National Bank and the**
12 **County of Riverside, dated January 1, 1970, and recorded on March 25, 1970, as**
13 **Instrument No. 27904, in the Office of the County Recorder of Riverside County,**
14 **California, and as said contract applies to the subject properties, has expired,**
15 **removing from the effect of said contract the real properties in the County of**
16 **Riverside, State of California, described in the attached document entitled**
17 **"EXHIBIT A, WINCHESTER AGRICULTURAL PRESERVE NO. 10, MAP**
18 **NO. 961 (DIMINISHMENT)," which is made a part of this resolution.**

19 **BE IT FURTHER RESOLVED that the Clerk of this Board shall file and record copies**
20 **of this resolution, map and boundary description in the Office of the County Recorder of**
21 **Riverside County, California, with the Director of Conservation of the State of California, and**
22 **with the Office of the Assessor of Riverside County, California.**

**EXHIBIT A
WINCHESTER AGRICULTURAL PRESERVE NO. 10
MAP NO. 961
(DIMINISHMENT)**

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

Assessor's Parcel No. 462-020-021-7 (approximately 9.65 acres)

Parcel 2 of the Parcel Map 6265, as per map filed in Book 16, Page 64 of Parcel Maps, in the Office of the County Recorder of said County.

Assessor's Parcel No. 462-020-023-9 (approximately 9.63 acres)

Parcel 4 of Parcel Map 6265 as shown by map on file in Book 16, Page 64 of Parcel Maps, Riverside County Records.

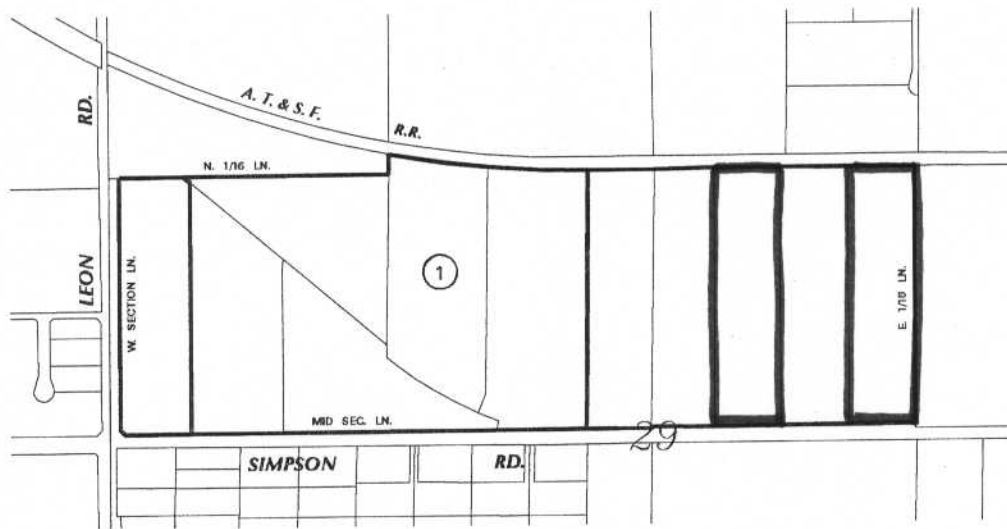
Assessor Parcel No.	Acres (net)	Owners
462-020-021-7	9.65	Clover Ankerstar
462-020-023-9	9.63	Toshiaki Nitao, Ymiko Nitao, Katsumi Kariya and Katsuko Kariya
Total	19.28	

~~895~~
961

MAP NO. 82 WINCHESTER AGRICULTURAL PRESERVE NO. 10

AMENDED BY MAPS NO. 895, 961

T.5S., R.2W. S.B.B. & M.



AMENDMENTS:
 NO.1, (DIMINISHMENT), MAP NO. 895
 No. 2, (Diminishment), January 10, 2006, Map No. 961

ADOPTED ON FEBRUARY 24, 1970
 BY THE BOARD OF SUPERVISORS
 OF THE COUNTY OF RIVERSIDE,
 STATE OF CALIFORNIA.

