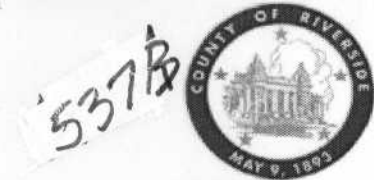


SUBMITTAL TO THE BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA



FROM: TLMA - Planning Department

SUBMITTAL DATE:
June 29, 2005

SUBJECT: Adoption of Resolution No. 2006-264, a Certificate of Final Cancellation of a Land Conservation Contract and Diminishment of Mira Loma Agricultural Preserve No. 4, Map No. 915 – Applicant: Norco II, LLC – Second Supervisorial District – Prado-Mira Loma Zoning District – Eastvale Area Plan – 49.79 Acres

RECOMMENDED MOTION: Adoption of Resolution No. 2006-264, a Certificate of Final Cancellation of a Land Conservation Contract and Diminishment of Mira Loma Agricultural Preserve No. 4, Amendment No. 7, Map No. 915, based upon the hereinafter listed findings and conclusions:

FINDINGS:

1. On June 7, 2005, the Board of Supervisors tentatively approved a request by Norco II, LLC, to diminish Mira Loma Agricultural Preserve No. 4 pursuant to Agricultural Preserve Map No. 915, and to cancel the land conservation contracts as they apply to the 49.79-acre portion of the 106.95-acre project site, which is located south of and adjacent to Schleisman Road, west of and adjacent to the Cucamonga Creek Flood Control Channel and east of and adjacent to Hellman Avenue within the Eastvale area Riverside County.

This cancellation was subject to the following conditions:

- a. Payment of the cancellation fee in the amount of \$1,369,250.00 (recalculated at the owner's request pursuant to Government Code Section 51283.4(a), see attached);

Mark J. Balys for
 Robert C. Johnson
 Planning Director

RCJ:kb

(Continued On Attached Page)

REVIEWED BY EXECUTIVE OFFICE

DATE 7/6/06 AG

FORM APPROVED COUNTY COUNSEL

JUL 03 2006

BY *Mark Johnson*

Policy Policy

Consent Consent

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

Prev. Agn. Ref.

District: Second | Agenda Number:

The Honorable Board of Supervisors

RE: Adoption of Resolution No. 2006-264, a Certificate of Final Cancellation of a Land Conservation Contract and Diminishment of Mira Loma Agricultural Preserve No. 4, Map No. 915

June 29, 2005

Page 2 of 2

- b. Meet all conditions necessary for the County of Riverside to issue grading permits on Tract Map No. 31826 (Assessor's Parcel No. (APN) 144-050-001-7, 144-050-002-8, 144-050-003-9, 144-050-004-0, 144-050-005-1, 144-060-002-9, 144-060-003-0, 144-060-014-0).
2. The cancellation fee of \$1,369,250.00 was paid to the County Treasurer on October 3, 2005.
3. All conditions necessary for the County of Riverside to issue grading permits on Tract Map No. 31826 (APN 144-050-001-7, 144-050-002-8, 144-050-003-9, 144-050-004-0, 144-050-005-1, 144-060-002-9, 144-060-003-0, 144-060-014-0) have been met.

CONCLUSION:

1. All conditions of approval for the diminishment of Mira Loma Agricultural Preserve No. 4, Amendment No. 7, Map No. 915 and cancellation of the associated land conservation contracts have been made.
2. The applicant is now eligible to receive a Certificate of Final Cancellation for Mira Loma Agricultural Preserve No. 4, Amendment No. 7, Map No. 915.

RESOLUTION NO. 2006-264
CERTIFICATE OF FINAL CANCELLATION
OF LAND CONSERVATION CONTRACTS AND
DIMINISHMENT OF AGRICULTURAL PRESERVE
(Government Code Section 51283.4)

WHEREAS, two separate contracts were executed pursuant to the Land Conservation Act of 1965 (Government Code Section 51200 et. seq.) for land within Mira Loma Agricultural Preserve No. 4.

WHEREAS, Harold E. Lee, Robert T. Lee and Helen June Lee entered into the first of these land conservation contracts with the County of Riverside for Assessor's Parcel No. (APN) 144-060-002-9 (was APN 134-140-003-4), which contract is dated January 1, 1970, and was recorded on February 27, 1970 as Instrument No. 19048 in the office of the County Recorder of Riverside County, California; and,

WHEREAS, John Van Der Linden and Laura Van Der Linden entered into the second of these land conservation contracts with the County of Riverside for APN 144-060-014-0 (was APN 134-140-018-8), which contract is dated January 1, 1970, and was recorded on April 1, 1970 as Instrument No. 30492 in the office of the County Recorder of Riverside County, California; and,

WHEREAS, Kevin Canning, as authorized agent of Norco II, LLC, the subsequent owner of the property subject to the Land Conservation Contracts referenced above, all of which property is described in the attached legal description entitled "EXHIBIT A, MIRA LOMA AGRICULTURAL PRESERVE NO. 4, AMENDMENT NO. 7, (DIMINISHMENT), MAP NO. 915," petitioned to cancel the contract and to diminish Mira Loma Agricultural Preserve No. 4, Map No. 5; and,

WHEREAS, a public hearing was held on this matter by the Riverside County Board of

FORM APPROVED COUNTY COUNSEL

JUL 03 2006

BX *[Signature]*

1 Supervisors on June 7, 2005; and,

2 WHEREAS, all provisions of the California Environmental Quality Act (CEQA) and the
3 Procedures for Implementing CEQA in Riverside County have been satisfied, including
4 Environmental Impact Report 468 (SCH No. 2004051067), which consider the impacts of the
5 establishment of the proposed alternative land use, as well as the impacts of this cancellation
6 request; and,

7 WHEREAS, Tract Map No. 31826 is the alternative use; and,

8 WHEREAS, Tract Map No. 31826 will divide the 106.95-acre project site into a total of
9 355 residential lots, including 347 residential lots with a minimum of 7,200 square feet, a 2.75-
10 acre park and 7 open space lots; and,

11 WHEREAS, the amount of the cancellation fee, pursuant to Section 51283.4 of the
12 Government Code, has been determined and certified by this Board to be \$1,369,250.00;

13 WHEREAS, the following conditions have been met:

- 14 1. The cancellation fee in the amount of \$1,369,250.00 has been paid to the
15 Treasurer of Riverside County; and
- 16 2. All conditions necessary for the County of Riverside to issue grading permits on
17 Tract Map No. 31826 (APN 144-050-001-7, 144-050-002-8, 144-050-003-9,
18 144-050-004-0, 144-050-005-1, 144-060-002-9, 144-060-003-0, 144-060-014-0) have
19 been met.

20 BE IT RESOLVED, FOUND, AND DETERMINED AND ORDERED by the Board of
21 Supervisors of the County of Riverside, State of California, in regular session assembled on July
22 11, 2006, that the Clerk of this Board shall file and record copies of this resolution, map and
23 boundary description, in the Office of the County Recorder of Riverside County, California, and
24 transmit copies thereof to the Director of Conservation of the State of California, the Treasurer
25 of Riverside County, and the Assessor of Riverside County; and, thereafter:

- 26 1. Mira Loma Agricultural Preserve No. 4, Map No. 5, dated February 10, 1969, as
27 amended, will be further amended by deleting therefrom the area shown on the
28 map entitled "MIRA LOMA AGRICULTURAL PRESERVE NO. 4,

1 **AMENDMENT NO. 7, (DIMINISHMENT), MAP NO. 915,"** and described by
2 boundary description thereof, said map and description both being on file in the
3 **Office of the Clerk of the Board.**

- 4 **2. The two Land Conservation Contracts, executed on property now owned by**
5 **Norco II, LLC, will be canceled as said contracts apply to land referenced in the**
6 **petition of the aforementioned property owner, thereby removing from the effect**
7 **of said contracts the real property in the County of Riverside, State of California,**
8 **described in the exhibit entitled, "EXHIBIT A, MIRA LOMA AGRICULTURAL**
9 **PRESERVE NO. 4, AMENDMENT NO. 7, (DIMINISHMENT), MAP NO. 915,"**
10 **a copy of which is attached hereto and incorporated herein by reference. The first**
11 **of these contracts being dated January 1, 1970 and recorded in the Office of the**
12 **County Recorder of Riverside County, California on February 27, 1970 as**
13 **Instrument No. 19048; the second of these contracts being dated January 1, 1970**
14 **and recorded in the Office of the County Recorder of Riverside County,**
15 **California on April 1, 1970 as Instrument No. 30492.**

EXHIBIT A
MIRA LOMA AGRICULTURAL PRESERVE NO. 4
MAP NO. 5
(DIMINISHMENT)

All that certain real property situated in the County of Riverside, State of California, described as follows:

PARCEL 1:

That portion of the Northwest Quarter of Section 34, Township 2 South, Range 7 West, San Bernardino Base and Meridian, in the County of Riverside, State of California, described as follows:

Commencing at the West Quarter Corner of said Section 34; Thence North 00°06' East, on the West Line of said Section, 666.52 feet to the True Point of Beginning; thence continuing North 00°06' East on the West Line of said Section, 343.48 feet; thence North 89°53' East, 235.03 feet; thence North 00°02' East, 318.51 feet, more or less, to a point on the Westerly prolongation of the Southerly Line of the Parcel conveyed to Ed Roukema and Angeline Roukema, husband and wife, by deed recorded May 11, 1955 as Instrument No. 30708; thence South 89°59' East on the Westerly prolongation of the Southerly Line and on the Southerly Line of the Parcel so conveyed to Ed Roukema et ux, 1756.97 feet, more or less, to a point on the Westerly Line of that certain Parcel conveyed to E. Van Der Linden, a married man, by deed recorded May 11, 1955 as Instrument No. 3070; thence South 00°31' East, 659.95 feet, more or less, to the Easterly prolongation of the Northerly Line of that certain Parcel conveyed to Henry Hoeker and Nellie Hoeker, husband and wife, by deed recorded May 11, 1955 as Instrument No. 30700; thence South 89°57' West, on the Easterly prolongation of the Northerly Line and on the Northerly Line of said Parcel conveyed to Henry Hoeker et ux, 1973.82 feet to the True Point of Beginning; EXCEPTING THEREFROM the Westerly 25 feet in Hellman Avenue.

Assessor's Parcel Number: 144-060-002-9 (was APN 134-140-003-4)

PARCEL 2:

That portion of the Northwest Quarter of Section 34, Township 2 South, Range 7 West, San Bernardino Base and Meridian, according to the Official Plat thereof described as follows:

Commencing at a point on the North line of the said Northwest Quarter of Section 34, which bears South 89° 57' West 1,383.68 feet from the Quarter Section corner on the North line of said Section 34; thence South 00° 04' East, 30 feet, to a point on the South line of Schleisman Road; thence North 89° 57' East, along the South line of Schleisman Road, 595.24 feet, to the True Point of Beginning; thence North 89° 57' East, 698.08 feet, to the Westerly right of way line of the Cucamonga Storm Drain; thence Southwesterly, along the Westerly line of said Cucamonga Storm Drain, on a curve concave to the Northwest, having a radius of 4,900 feet, through an angle of 23° 47' 59", a distance of 2,035.38 feet, the initial

radial line bears South 85° 59' 24" East; thence South 89° 57' West, 126.14 feet; thence North 00° 31' 10" West, 1,942.95 feet, to the True Point of Beginning;

EXCEPTING THEREFROM a portion of that part of the Northwest Quarter of Section 34, Township 2 South, Range 7 West, San Bernardino Base and Meridian, according to Sectionized Survey of Jurupa Rancho, as shown by Map on file in Book 9 Page 33 of Maps, Record of San Bernardino County, California said part described in document recorded September 8, 1958 as File No. 64339 of Official Records of Riverside County, California, said portion being all of said part lying within the following described Parcel of land;

Beginning at the intersection of the Westerly line of that 200-foot wide strip of land described in Easement to the San Bernardino County Flood Control District, recorded May 24, 1968 as File No. 48801 of Official Records of Riverside County, California with the center line of Schleisman Road (60 feet wide), said center line also being the North line of said Section 34; thence along said center line North 89° 22' 37" West, 69.45 feet to a point that is distant along said center line, North 89° 22' 37" West, 157.54 feet from the North one-quarter corner of said Section 34; thence South 22° 15' 58" East, 150.38 feet to the West line of said 200-foot wide Easement strip of land; thence Northerly along said West line, being a non-tangent curve, concave Westerly, having a radius of 4,900.00 feet and a central angle of 1° 37' 28", a distance of 138.95 feet to the point of beginning, the beginning tangent of said curve bearing South 4° 20' 05" West;

ALSO EXCEPTING a one-half interest in the well and wellsite located on the Northeast corner of the Northwest Quarter of Section 34, together with a one-half interest in the pipelines leading from said well;

ALSO EXCEPTING THEREFROM a one-half interest of all oil and mineral, rights as reserved in Deed from Theodore Durrer and Anna Durrer, husband and wife, to R. Van Der Linden, a married man, dated April 4, 1955 and filed for record May 11, 1955 in Book 1735, Page 487 of Official Records of Riverside County.

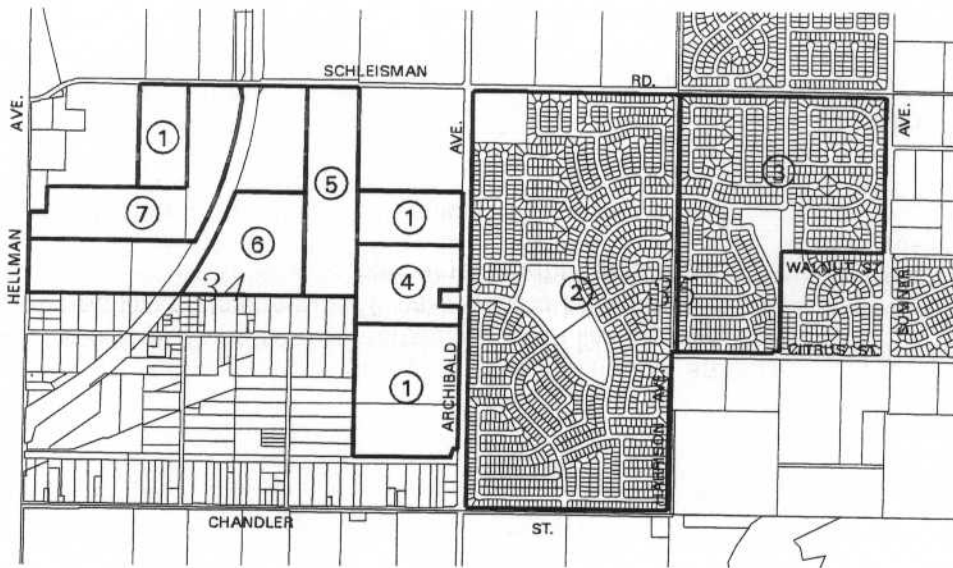
Assessor's Parcel Number: 144-060-014-0 (was APN 134-140-018-8)

Assessor Parcel No.	Acres (net)	Owners
144-060-002-9	28.25	Norco II, LLC
144-060-014-0	21.54	Norco II, LLC
Total	49.79	

MAP NO. 5 MIRA LOMA AGRICULTURAL PRESERVE NO. 4

AMENDED BY MAPS NO. 596, 749, 782, 871, 887, 888, 915

T.2S., R.7W. S.B.B. & M.



AMENDMENTS:

- NO 1, (DIMINISHMENT), MAY 7, 1985, MAP NO. 596
- NO. 2, (DIMINISHMENT), APRIL 2, 1996, MAP NO. 749
- NO. 3, (DIMINISHMENT), JULY 29, 1997, MAP NO. 782
- NO. 4, (DIMINISHMENT), FEBRUARY 4, 2003, MAP NO. 871
- NO. 5, (DIMINISHMENT), MARCH 11, 2003, MAP NO. 887
- NO. 6, (DIMINISHMENT), MAP NO. 888
- NO. 7, (DIMINISHMENT), *July 11, 2006*, MAP NO. 915

ADOPTED ON FEBRUARY 10, 1969
BY THE BOARD OF SUPERVISORS
OF THE COUNTY OF RIVERSIDE,
STATE OF CALIFORNIA.





ASSESSOR-COUNTY CLERK-RECORDER

Agricultural Division – Riverside District

P.O. BOX 12004

Riverside, CA 92504-2204

ph (951) 486-6777 fax: (951) 486-6791

LARRY W. WARD Assessor – Clerk – Recorder

To: Marion Ashley, CHAIRMAN, BOARD OF SUPERVISORS
From: Larry W. Ward, ASSESSOR - CLERK - RECORDER
Re: CERTIFICATION OF CANCELLATION VALUATION OF LAND
FOR: PORTION OF PRESERVE MIRA LOMA NO 4 , MAP NO 5 (AG00915)
Date: 07/29/2005

CERTIFICATE OF CANCELLATION VALUE BASED ON CURRENT MARKET VALUE

I, the undersigned, hereby certify, pursuant to the provisions of Government Code Section 51283(a) and Title 18, California Administrative Code, Section 470, that the cancellation valuation for the below described property is as follows:

<u>Assessor's Parcel No.</u>	<u>Current Market Value</u>	<u>Cancellation Value</u>	<u>Cancellation Fee</u>
144-060-002-9	6,215,000	6,215,000	776,875.00
144-060-014-0	4,739,000	4,739,000	592,375.00
TOTAL:	<u>10,954,000</u>	<u>10,954,000</u>	<u>1,369,250.00</u>
TOTAL CANCELLATION FEE [Per Section 51283 (a)]			\$1,369,250.00
TOTAL CURRENT MARKET VALUE:			10,954,000

Very truly yours,

LARRY W. WARD
ASSESSOR - CLERK - RECORDER

Date: 07-29-2005

by James Harlow
JAMES HARLOW
Sr. Agricultural Appraiser,
Riverside County Assessor