

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



FROM: TLMA - Planning Department

SUBMITTAL DATE:
August 21, 2006

SUBJECT: Adoption of Resolution No. 2006-357, a Certificate of Final Cancellation of a Land Conservation Contract and Diminishment of Winchester Agricultural Preserve No. 10, Map No. 895 – Applicant: Griffin Communities – Engineer / Representative: N/A – Third Supervisorial District – Winchester Zoning Area – Harvest Valley / Winchester Area Plan – 53.11 Acres (Net)

RECOMMENDED MOTION: Adoption of Resolution No. 2006-357, a Certificate of Final Cancellation of a Land Conservation Contract and Diminishment of Winchester Agricultural Preserve No. 10, Amendment No. 1, Map No. 895, based upon the hereinafter listed findings and conclusions:

FINDINGS:

1. On May 4, 2004, the Board of Supervisors tentatively approved a request by Stonegate Development for Clarence Lee Small, Jr., to diminish Winchester Agricultural Preserve No. 10 pursuant to Agricultural Map No. 895, and to cancel the land conservation contract as it applies to the 53.11-acre site, which is comprised of five (5) parcels, located north of and adjacent to Simpson Road, southerly of Grand Avenue, easterly of Leon Road and westerly of Beeler Road in the unincorporated area of Riverside County.

This cancellation was subject to the following conditions:

- a. Payment of the cancellation fee in the amount of \$262,462.50;
- b. Meet all conditions necessary for the County of Riverside to issue

Robert C. Johnson
Planning Director

(Continued On Attached Page)

REVIEWED BY EXECUTIVE OFFICE

DATE: 8/21/06
Departmental Conference

FORM APPROVED
COUNTY COMMISSION

AUG 21 2006

BY: [Signature]

RCJ:kb

Policy
 Policy

Consent
 Consent

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

Prev. Agn. Ref.

District: Third

Agenda Number:

3.107

The Honorable Board of Supervisors

RE: Adoption of Resolution No. 2006-357, a Certificate of Final Cancellation of a Land Conservation Contract and Diminishment of Winchester Agricultural Preserve No. 10, Map No. 895

August 21, 2006

Page 2 of 2

grading permits on Tract Map No. 30989 (Assessor's Parcel No. 462-020-040-4, 462-020-041-5, 462-020-044-8, 462-020-046-0 and 462-020-047-1).

2. The cancellation fee of \$262,462.50 was paid to the County Treasurer on August 22, 2005.
3. All conditions necessary for the County of Riverside to issue grading permits on Tract Map No. 30989 (Assessor's Parcel No. 462-020-040-4, 462-020-041-5, 462-020-044-8, 462-020-046-0 and 462-020-047-1) have been met.

CONCLUSION:

1. All conditions of approval for the diminishment of Winchester Agricultural Preserve No. 10, Amendment No. 1, Map No. 895 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 Winchester Agricultural Preserve No. 10, Amendment No. 1, Map No. 895.

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RESOLUTION NO. 2006-357
CERTIFICATE OF FINAL CANCELLATION
OF LAND CONSERVATION CONTRACT AND
DIMINISHMENT OF AGRICULTURAL PRESERVE
(Government Code Section 51283.4)

WHEREAS, Security Pacific National Bank 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, 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, Clarence Lee Small, Jr., the owner 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, WINCHESTER AGRICULTURAL PRESERVE NO. 10, AMENDMENT NO. 1, (DIMINISHMENT), MAP NO. 895," petitioned to cancel the contract and to diminish Winchester Agricultural Preserve No. 10, Map No. 82; and,

WHEREAS, a public hearing was held on this matter by the Riverside County Board of Supervisors on May 4, 2004; and,

WHEREAS, all provisions of the California Environmental Quality Act (CEQA) and the Procedures for Implementing CEQA in Riverside County have been satisfied, including Environmental Assessment No. 38873, 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. 30989 is the alternative use; and,

WHEREAS, Tract Map No. 30989 will divide the 53.11-acre site into two hundred and two (202) single-family residential lots with a minimum lot size of 7,200 square feet and include one (1) park site, one (1) detention basin, one (1) water quality basin and one (1) landscape lot; and,

FORM APPROVED
COUNTY COUNSEL

AUG 21 2006


BY: 

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 \$262,462.50;**

3 WHEREAS, the following conditions have been met:

- 4 1. **The cancellation fee in the amount of \$262,462.50 has been paid to the Treasurer**
5 **of Riverside County; and**
- 6 2. **All conditions necessary for the County of Riverside to issue grading permits on**
7 **Tract Map No. 30989 (Assessor's Parcel No. 462-020-040-4, 462-020-041-5,**
8 **462-020-044-8, 462-020-046-0 and 462-020-047-1) have been met.**

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 **August 29, 2006 that the Clerk of this Board shall file and record copies of this resolution, map**
12 **and boundary description, in the Office of the County Recorder of Riverside County, California,**
13 **and transmit copies thereof to the Director of Conservation of the State of California, the**
14 **Treasurer of Riverside County, and the Assessor of Riverside County; and, thereafter:**

- 15 1. **Winchester Agricultural Preserve No. 10, Map No. 82, dated February 24, 1970,**
16 **as amended, will be further amended by deleting therefrom the area shown on**
17 **the map entitled "WINCHESTER AGRICULTURAL PRESERVE NO. 10,**
18 **AMENDMENT NO. 1, (DIMINISHMENT), MAP NO. 895," and described by**
19 **boundary description thereof, said map and description both being on file in the**
20 **Office of the Clerk of the Board.**
- 21 2. **The Land Conservation Contract between the County of Riverside and Security**
22 **Pacific National Bank, dated January 1, 1970 and recorded March 25, 1970, as**
23 **Instrument No. 27904, in the Office of the County Recorder of Riverside County,**
24 **California, will be canceled as said contract applies to land referenced in the**
25 **petition of Clarence Lee Small, Jr., thereby removing from the effect of said**
26 **contract the real property in the County of Riverside, State of California,**
27 **described in the exhibit entitled, "EXHIBIT A, WINCHESTER**
28 **AGRICULTURAL PRESERVE NO. 10, AMENDMENT NO. 1,**

1

**(DIMINISHMENT), MAP NO. 895," a copy of which is attached hereto and
incorporated herein by reference.**

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**EXHIBIT A
WINCHESTER AGRICULTURAL PRESERVE NO. 10
AMENDMENT NO. 1
(DIMINISHMENT)
MAP NO. 895**

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

TENTATIVE TRACT NO. 30989 BEING A SUBDIVISION OF THE FOLLOWING DESCRIBED PROPERTY:

Parcel A:

PARCELS 1 AND 2 AS SHOWN BY PARCEL MAP NO. 5986, ON FILE IN BOOK 16, PAGE 78 OF PARCEL MAPS, RECORDS OF RIVERSIDE COUNTY, CALIFORNIA.

Parcel B:

PARCELS 1, 3, AND 4 TOGETHER WITH THAT PORTION OF LOT 'A' LYING ADJACENT THERETO, AND ALL OF LOTS 'B,' 'D' AND 'E' AS SHOWN BY PARCEL MAP NO. 6517, ON FILE IN BOOK 22, PAGE 6 OF PARCEL MAPS, RECORDS OF RIVERSIDE COUNTY, CALIFORNIA.

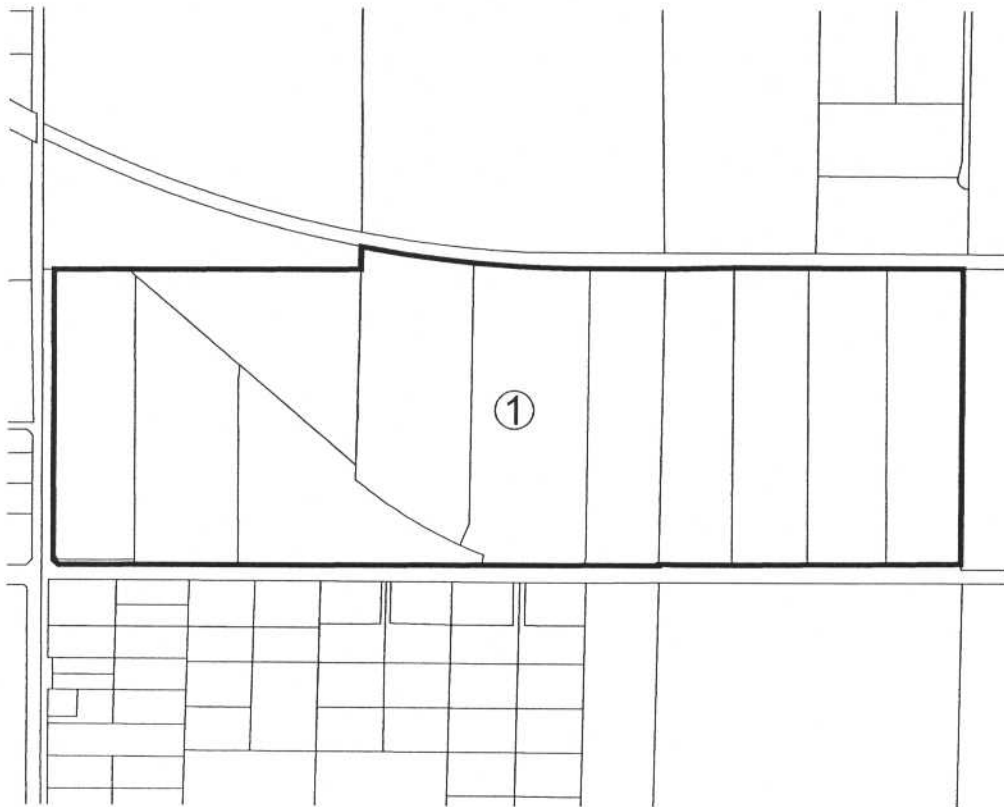
APN: 462-020-040-4, 462-020-041-5, 462-020-044-8, 462-020-046-0 and 462-020-047-1

Assessor Parcel No.	Acres	Owners
462-020-040-4	11.47	Winchester Ranch 202
462-020-041-5	13.75	Winchester Ranch 202
462-020-044-8	8.37	Winchester Ranch 202
462-020-046-0	10.26	Winchester Ranch 202
462-020-047-1	9.26	Winchester Ranch 202
Total	53.11	

MAP NO. 82 WINCHESTER AGRICULTURAL PRESERVE NO. 10

AMENDED BY MAP NO. 895

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



AMENDMENTS:
NO. 1, (DIMINISHMENT), AUGUST 29, 2006, MAP NO. 895

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



**EXHIBIT A
COACHELLA VALLEY AGRICULTURAL PRESERVE NO. 52
MAP NO. 911**

THAT PORTION OF THE NORTH HALF OF SECTION 17, TOWNSHIP 7 SOUTH, RANGE 9 EAST, SAN BERNARDINO MERIDIAN, DESCRIBED AS FOLLOWS:

COMMENCING AT THE INTERSECTION OF THE NORTH LINE OF SAID SECTION 17 AND THE EASTERLY LINE OF THE RIGHT-OF-WAY OF THE SOUTHERN PACIFIC RAILROAD COMPANY;

THENCE SOUTH 89° 47' 00" EAST, ALONG THE NORTHERLY LINE OF SAID SECTION 17, A DISTANCE OF 424.00 FEET;

THENCE SOUTH 00° 13' 00" WEST, A DISTANCE OF 30.00 FEET TO A POINT OF INTERSECTION WITH THE SOUTHERLY RIGHT-OF-WAY LINE OF 66TH AVENUE AS RELINQUISHED TO THE COUNTY OF RIVERSIDE BY DOCUMENT RECORDED AS INSTRUMENT NUMBER 86493 ON JULY 2, 1973, SAID POINT BEING THE NORTHEAST CORNER OF THAT CERTAIN PARCEL OF LAND CONVEYED BY GRANT DEED RECORDED IN BOOK 2998, PAGE 555 ON OCTOBER 13, 1961, BOTH BEING RECORDS OF THE RECORDER OF RIVERSIDE COUNTY, CALIFORNIA, SAID POINT ALSO BEING THE TRUE POINT OF BEGINNING;

THENCE SOUTH 89° 47' 00" EAST, ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE OF 66TH AVENUE, A DISTANCE OF 1900.00 FEET;

THENCE SOUTH 00° 13' 00" WEST, A DISTANCE OF 700.12 FEET;

THENCE NORTH 89° 47' 00" WEST, A DISTANCE OF 1714.70 FEET TO A POINT OF INTERSECTION WITH THE NORTHEASTERLY RIGHT-OF-WAY LINE OF HAMMOND AVENUE (60 FEET WIDE) AS ESTABLISHED BY SUPERVISORS MINUTES BOOK VOLUME 14, PAGE 413, DATED MARCH 7, 1917;

THENCE SOUTH 36° 00' 42" WEST, ALONG SAID NORTHEASTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 313.54 FEET TO THE SOUTHEAST CORNER OF THAT CERTAIN PARCEL OF LAND CONVEYED BY SAID GRANT DEED RECORDED IN BOOK 2998, PAGE 555;

THENCE NORTH 00° 13' 00" EAST, ALONG THE EAST LINE OF SAID GRANT DEED, A DISTANCE OF 447.20 FEET TO THE TRUE POINT OF BEGINNING.

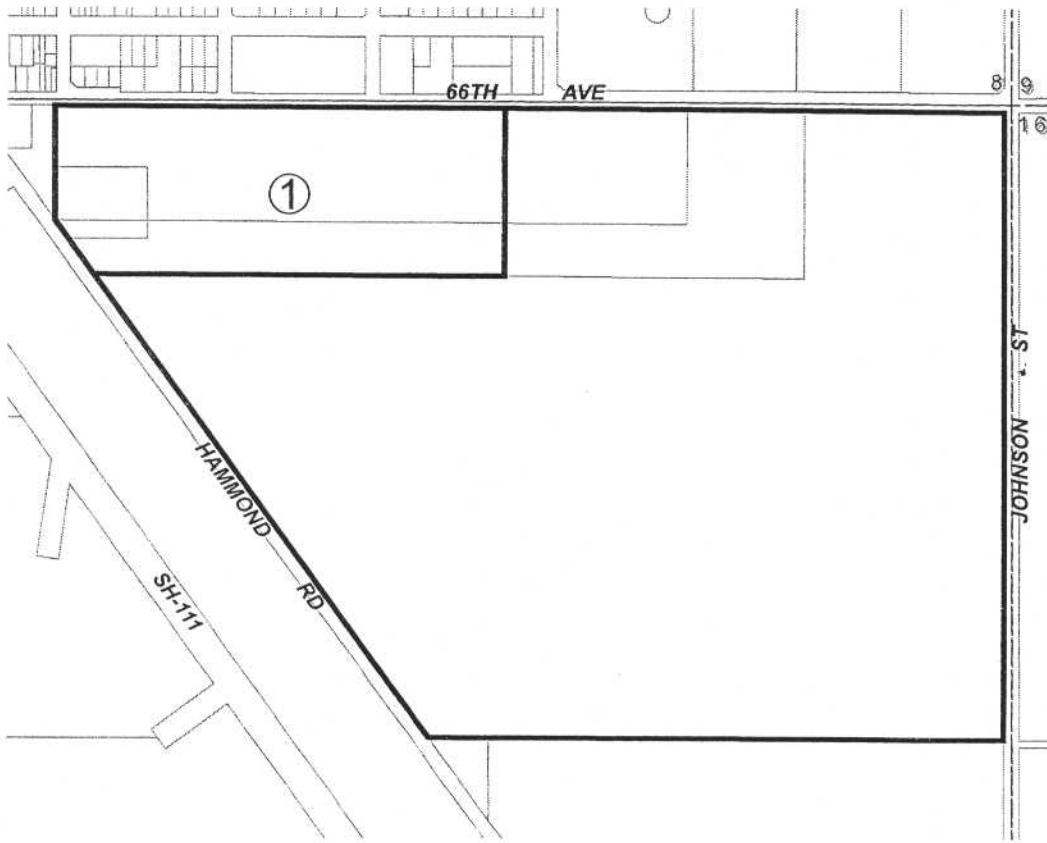
PORTIONS OF: OLD APN 727-272-002 AND OLD APN 727-272-003
CONTAINING: 30.000 ACRES, MORE OR LESS.

Assessor Parcel No.	Acres	Owners
727-272-015-8	20.208	Riverside County EDA
727-272-018-0	9.226	Riverside County EDA
Total	29.434	

MAP NO. 243 COACHELLA VALLEY AGRICULTURAL PRESERVE NO. 52

AMENDED BY MAP NO. 911

T. 7 S., R. 9 E.



AMENDMENTS:
NO. 1, (DIMINISHMENTS), AUGUST 29, 2006, MAP NO. 911

ADOPTED ON AUGUST 7, 1973
BY THE BOARD OF SUPERVISORS
OF THE COUNTY OF RIVERSIDE,
STATE OF CALIFORNIA.

