

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

254B



FROM: TLMA - Planning Department

SUBMITTAL DATE:
August 21, 2006

SUBJECT: Adoption of Resolution No. 2006-358, a Certificate of Final Cancellation of a Land Conservation Contract and Diminishment of Coachella Valley Agricultural Preserve No. 52, Map No. 911 – Applicant: Riverside County Economic Development Agency – Fourth Supervisorial District – Mecca Zoning District – Eastern Coachella Valley Area Plan – 30 Acres (Net)

RECOMMENDED MOTION: **Adoption of Resolution No. 2006-358**, a Certificate of Final Cancellation of a Land Conservation Contract and Diminishment of Coachella Valley Agricultural Preserve No. 52, Amendment No. 1, Map No. 911, based upon the hereinafter listed findings and conclusions:

FINDINGS:

1. On November 8, 2005, the Board of Supervisors tentatively approved a request by the Riverside County Economic Development Agency to diminish Coachella Valley Agricultural Preserve No. 52 pursuant to Agricultural Map No. 911 and to cancel the land conservation contract as it applies to an approximately 30-acre portion of old Assessor's Parcel No. (APN) 727-272-002 and 727-272-003 (new APN 727-272-015-8 and 727-272-018-0).

This cancellation was subject to the following conditions:

- a. Payment of the cancellation fee in the amount of \$35,625.00;

Robert C. Johnson
Planning Director

(Continued On Attached Page)

RCJ:kb

REVIEWED BY EXECUTIVE OFFICE

DATE 8/22/06
Departmental Concurrence

FORM APPROVED
COUNTY COUNSEL

AUG 21 2006

BY

Policy
 Policy

Consent
 Consent

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

Prev. Agn. Ref.

District: Fourth

Agenda Number:

3.108

The Honorable Board of Supervisors

RE: Adoption of Resolution No. 2006-358, a Certificate of Final Cancellation of a Land Conservation Contract and Diminishment of Coachella Valley Agricultural Preserve No. 52, Map No. 911

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- b. Obtain all permits necessary to complete the project (Assessor's Parcel No. 727-272-015-8 and 727-272-018-0).
2. The cancellation fee of \$35,625.00 was paid to the County Treasurer on July 28, 2006.
3. All permits necessary to complete the project have been obtained.

CONCLUSION:

1. All conditions of approval for the diminishment of Coachella Valley Agricultural Preserve No. 52, Amendment No. 1, Map No. 911 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 Coachella Valley Agricultural Preserve No. 52, Amendment No. 1, Map No. 911.

RESOLUTION NO. 2006-358
CERTIFICATE OF FINAL CANCELLATION
OF LAND CONSERVATION CONTRACT AND
DIMINISHMENT OF AGRICULTURAL PRESERVE
(Government Code Section 51283.4)

WHEREAS, the Estate of Edwin Silverman, et al, 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, 1974, and was recorded on February 20, 1974 as Instrument No. 20144 in the office of the County Recorder of Riverside County, California; and,

WHEREAS, the Riverside County Economic Development Agency, the subsequent property owner of an approximately 30-acre portion of old Assessor's Parcel No. (APN) 727-272-002 and 727-272-003 (went to APN 727-272-015-8 and 727-272-018-0), filed a Notice of Nonrenewal on November 3, 2003, which notice was recorded on January 7, 2004 as Instrument No. 2004-0010707, in the Office of the County Recorder of Riverside County, California;

WHEREAS, the Riverside County Economic Development Agency, the current owners 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, COACHELLA VALLEY AGRICULTURAL PRESERVE NO. 52, AMENDMENT NO. 1, (DIMINISHMENT), MAP NO. 911," petitioned to cancel the contract on the 30-acre portion of the property and to diminish Coachella Valley Agricultural Preserve No. 52, Map No. 243; and,

WHEREAS, a public hearing was held on this matter by the Riverside County Board of Supervisors on November 8, 2005; and,

WHEREAS, all provisions of the California Environmental Quality Act (CEQA) and the Procedures for Implementing CEQA in Riverside County have been satisfied, including Initial Study CEQA-2003-01, prepared by the Riverside County Economic Development Agency (EDA) (Indio),

1 which consider the impacts of the establishment of the proposed alternative land use, as well as the
2 impacts of this cancellation request; and,

3 WHEREAS, the Mecca Public Health and Social Service Center is the alternative use; and,

4 WHEREAS, development of the Mecca Public Health and Social Service Center will provide
5 services and facilities such as health care, dental care, counseling, job assistance, housing assistance,
6 WIC Nutritional assistance, a public library and public park to Mecca residents; and,

7 WHEREAS, the amount of the cancellation fee, pursuant to Section 51283.4 of the
8 Government Code, has been determined and certified by this Board to be \$35,625.00;

9 WHEREAS, the following conditions have been met:

10 1. The cancellation fee in the amount of \$35,625.00 has been paid to the Treasurer
11 of Riverside County; and

12 2. All permits necessary for the Riverside County Economic Development Agency to
13 complete the project have been obtained.

14 BE IT RESOLVED, FOUND, DETERMINED, AND ORDERED by the Board of Supervisors
15 of the County of Riverside, State of California, in regular session assembled on August 29, 2006 that
16 the Clerk of this Board shall file and record copies of this resolution, map and boundary description,
17 in the Office of the County Recorder of Riverside County, California, and transmit copies thereof to
18 the Director of Conservation of the State of California, the Treasurer of Riverside County, and the
19 Assessor of Riverside County; and, thereafter:

20 1. Coachella Valley Agricultural Preserve No. 52, Map No. 243, dated August 7, 1973, as
21 amended, will be further amended by deleting therefrom the area shown on the map
22 entitled "COACHELLA VALLEY AGRICULTURAL PRESERVE NO. 52,
23 AMENDMENT NO. 1, (DIMINISHMENT), MAP NO. 911," and described by
24 boundary description thereof, said map and description both being on file in the
25 Office of the Clerk of the Board.

26 2. The Land Conservation Contract between the County of Riverside and the Estate of
27 Edwin Silverman, et al, dated January 1, 1974 and recorded on February 20, 1974 as
28 Instrument No. 20144, in the office of the County Recorder of Riverside County,
29 California, will be canceled as said contract applies to land referenced in the petition

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of the Riverside County Economic Development Agency thereby removing from the effect of said contract the real property in the County of Riverside, State of California, described in the exhibit entitled, "EXHIBIT A, COACHELLA VALLEY AGRICULTURAL PRESERVE NO. 52, AMENDMENT NO. 1, (DIMINISHMENT), MAP NO. 911," a copy of which is attached hereto and incorporated herein by reference.

FORM APPROVED
COUNTY COUNSEL

AUG 21 2006

BY 