

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

801B



FROM: TLMA - Planning Department

SUBMITTAL DATE:
January 28, 2008

SUBJECT: Adoption of Resolution No. 2008-087 – Diminishment of Rancho California Agricultural Preserve No. 8 – Agricultural Preserve Case and Map No. 991 – Applicant: Wilson Creek Winery & Vineyards Inc. – Third Supervisorial District – Rancho California Zoning Area – Southwest Area Plan – 25.68 Acres (Gross)

RECOMMENDED MOTION: Adoption of Resolution No. 2008-087 for the diminishment of Rancho California Agricultural Preserve No. 8, Map No. 991, based upon the hereinafter listed findings and conclusions:

FINDINGS:

1. The 25.68-acre parcel is located northerly of Rancho California Road, southerly of Buck Road, easterly of and adjacent to Berenda Road and west of and adjacent to Hilt Road in the Rancho California area of western Riverside County, California.
2. Miramonte Vineyards, a limited partnership composed of Donald Hanley and Joan Hanley, Donald Lee Hanley, Jr., Dean C. Hanley, Scott D. Hanley, Mark W. Hanley and Elise M. Hanley entered into a land conservation contract with the County of Riverside for land within Rancho California Agricultural Preserve No. 8. The contract is dated January 1, 1974, and was recorded on February 28, 1971, as Instrument No. 23568 in the Office of the County Recorder of Riverside County, California.
3. Pursuant to the Land Conservation Act of 1965, Donald L. Hanley and Joan C.

Ron Goldman
Planning Director

RG:kb

(Continued On Attached Page)

REVIEWED BY EXECUTIVE OFFICE

DATE 1/29/08

Tina Grande
Department Consultant

FORM APPROVED COUNTY COUNSEL

DATE 1/23/08

BY DAVID H.K. HUFF

Policy

Policy

Consent

Consent

Dept't Recomm.:

Per Exec. Ofc.:

Prev. Agn. Ref.

District: Third

Agenda Number:

3.34

Hanley, General Partners of Miramonte Vineyards, a limited partnership, the subsequent property owners of Lot 16 of Parcel Map 4625 (currently APN 942-110-005-0), filed a notice of non-renewal on October 2, 1987, which notice was recorded on October 6, 1987, as Instrument No. 289638, and, as a consequence, the land conservation contract as it applies to the subject parcels expired on January 1, 1998.

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, Wilson Creek Winery & Vineyards Inc., the current property owner of APN 942-110-005-0, has now applied to have the property removed from the boundaries of the agricultural preserve.

CONCLUSION:

1. The diminishment of Rancho California Agricultural Preserve No. 8, Map No. 991, 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 Rancho California Agricultural Preserve No. 8, Map No. 991, is consistent with the Riverside County General Plan.

RESOLUTION NO. 2008-087

DIMINISHMENT OF RANCHO CALIFORNIA

AGRICULTURAL PRESERVE NO. 8

PURSUANT TO NOTICE OF NONRENEWAL

WHEREAS, Miramonte Vineyards, a limited partnership composed of Donald Hanley and Joan Hanley, Donald Lee Hanley, Jr., Dean C. Hanley, Scott D. Hanley, Mark W. Hanley and Elise M. Hanley 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, 1974, and was recorded February 28, 1974, as Instrument No. 23568, in the Office of the County Recorder of Riverside County, California; and

WHEREAS, Donald L. Hanley and Joan C. Hanley, General Partners of Miramonte Vineyards, a limited partnership, the subsequent landowners, filed a Notice of Nonrenewal on October 2, 1987, which notice was recorded on October 6, 1987, as Instrument No. 289638, in the Office of the County Recorder of Riverside County, California;

WHEREAS, the filing of said Notice of Nonrenewal resulted in the expiration of the contract as it applies to the subject property on January 1, 1998, pursuant to Government Code Section 51245 and 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 February 5, 2008, 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 Riverside County, California, and that:

- 1. Rancho California Agricultural Preserve No. 8, Map No. 287, dated February 19, 1974, and on file in the Office of the Clerk of this Board, is further amended by**

FORM APPROVED COUNTY COUNSEL
BY: [Signature] 1/23/08
DAVID H.K. HUFF DATE

1 deleting therefrom the area shown on the map entitled "AGRICULTURAL
2 PRESERVE MAP NO. 991: AMENDMENT NO. 2 (DIMINISHMENT) OF
3 RANCHO CALIFORNIA AGRICULTURAL PRESERVE NO. 8" and described by
4 boundary description thereof, as fully set forth in the attached document entitled
5 "EXHIBIT A, RANCHO CALIFORNIA AGRICULTURAL PRESERVE NO. 8,
6 MAP NO. 991 (DIMINISHMENT)," said map and description both being on file in
7 the Office of the Clerk of the Board.

- 8 2. The Land Conservation Contract between Miramonte Vineyards, a limited
9 partnership composed of Donald Hanley and Joan Hanley, Donald Lee Hanley, Jr.,
10 Dean C. Hanley, Scott D. Hanley, Mark W. Hanley and Elise M. Hanley and the
11 County of Riverside, dated January 1, 1974, and recorded on February 28, 1974, as
12 Instrument No. 23568, in the Office of the County Recorder of Riverside County,
13 California, and as said contract applies to the subject property, has expired,
14 removing from the effect of said contract the real property in the County of
15 Riverside, State of California, described in the attached document entitled
16 "EXHIBIT A, RANCHO CALIFORNIA AGRICULTURAL PRESERVE NO. 8,
17 MAP NO. 991 (DIMINISHMENT)," which is made a part of this resolution.

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

**EXHIBIT A
RANCHO CALIFORNIA AGRICULTURAL PRESERVE NO. 8
MAP NO. 991
(DIMINISHMENT)**

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

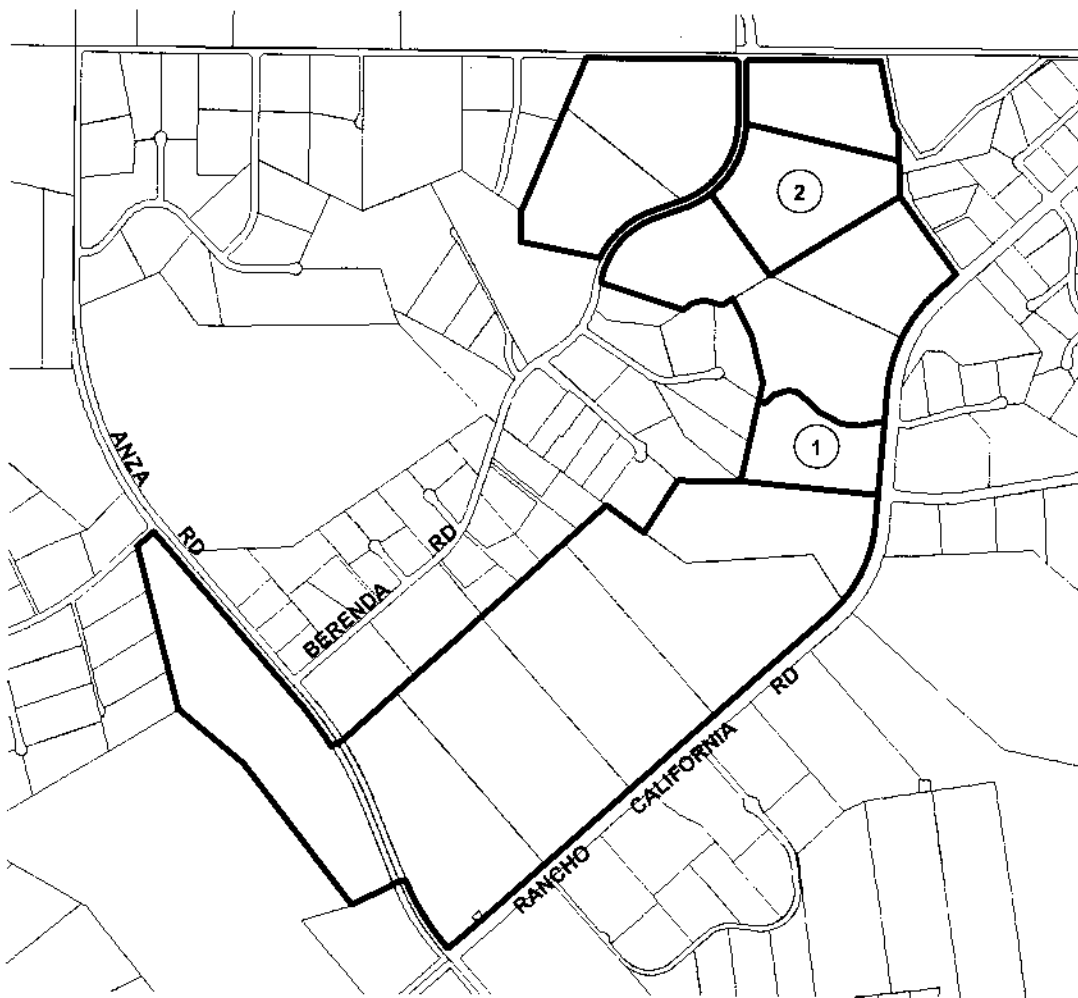
Parcel 16 as shown by Parcel Map 4625 on file in Book 5, Pages 77 to 83, inclusive of Parcel Maps, records of Riverside County, California.

Assessor Parcel No.	Acres (gross)	Owners
942-110-005-0	25.68	Wilson Creek Winery & Vineyards Inc.
TOTAL	25.68	

MAP NO. 287 RANCHO CALIFORNIA AGRICULTURAL PRESERVE NO. 8

AMENDED BY MAP NO. 987, 991

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



AMENDMENTS:

NO. 1, (CONTRACT ONLY), , CASE NO. 987

NO. 2, (DIMINISHMENT), FEBRUARY 5, 2008 , MAP NO. 991

ADOPTED ON FEBRUARY 19, 1974
BY THE BOARD OF SUPERVISORS
OF THE COUNTY OF RIVERSIDE,
STATE OF CALIFORNIA.

