

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

802 B



FROM: TLMA - Planning Department

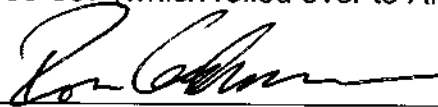
SUBMITTAL DATE:
January 28, 2008

SUBJECT: Adoption of Resolution No. 2008-084 – Diminishment of Highgrove Agricultural Preserve No. 1 – Agricultural Preserve Case and Map No. 982 – Applicant: A. W. Properties West, L.L.C. – Fifth Supervisorial District – University Zoning District – Highgrove Area Plan – 8.08 Acres (Gross)

RECOMMENDED MOTION: Adoption of Resolution No. 2008-084 for the diminishment of Highgrove Agricultural Preserve No. 1, Map No. 982, based upon the hereinafter listed findings and conclusions:

FINDINGS:

1. The 8.08-acre parcel is located north of and adjacent to Center Street, southerly of Main Street and the San Bernardino/Riverside County line and east of and adjacent to Oriole Avenue in the Highgrove area of western Riverside County, California.
2. Frederick Nye Pauly, Elizabeth Pauly Robinson and Paul Edward Pauly entered into a land conservation contract with the County of Riverside for land within Highgrove Agricultural Preserve No. 1. The contract is dated January 1, 1971, and was recorded on February 26, 1971, as Instrument No. 19296 in the Office of the County Recorder of Riverside County, California.
3. Pursuant to the Land Conservation Act of 1965, Stephen E. Pauly, Trustee of the Pauly Family Trust, and Paul E. Pauly, the subsequent property owners of Assessor's Parcel No. (APN) 255-150-007 (which rolled over to APN


 Ron Goldman
 Planning Director

RG:kb

(Continued On Attached Page)

REVIEWED BY EXECUTIVE OFFICE
 DATE 1/29/08 Tina Grande
 Departmental Concurrence

FORM APPROVED COUNTY COUNSEL
 BY: Minh C. Tran 1/28/08
 DATE
 MINH C. TRAN

Dep't Recomm.: Consent Policy

Per Exec. Ofc.: Consent Policy

Prev. Agn. Ref. | District: Fifth | Agenda Number:

3.35

255-150-017-2), filed a notice of non-renewal on September 13, 1990, which notice was recorded on October 1, 1990, as Instrument No. 362115, 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, A. W. Properties West, L.L.C., the current property owner of APN 255-150-017-2, has now applied to have the property removed from the boundaries of the agricultural preserve.

CONCLUSION:

1. The diminishment of Highgrove Agricultural Preserve No. 1, Map No. 982, 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 Highgrove Agricultural Preserve No. 1, Map No. 982, is consistent with the Riverside County General Plan.

RESOLUTION NO. 2008-084

DIMINISHMENT OF HIGHGROVE

AGRICULTURAL PRESERVE NO. 1

PURSUANT TO NOTICE OF NONRENEWAL

WHEREAS, Frederick Nye Pauly, Elizabeth Pauly Robinson and Paul Edward Pauly entered into a Land Conservation Contract with the County of Riverside pursuant to the California Land Conservation Act of 1965 (Government Code Sections 51200 et seq.), which contract is dated January 1, 1971, and was recorded February 26, 1971, as Instrument No. 19296, in the Office of the County Recorder of Riverside County, California; and

WHEREAS, Stephen E. Pauly, Trustee of the Pauly Family Trust, and Paul E. Pauly, the subsequent landowners, filed a Notice of Nonrenewal on September 13, 1990, which notice was recorded on October 1, 1990, as Instrument No. 362115, 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, 2000, pursuant to Government Code Sections 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. Highgrove Agricultural Preserve No. 1, Map No. 125, dated February 8, 1971, and on file in the Office of the Clerk of this Board, is further amended by deleting therefrom the area shown on the map entitled "AGRICULTURAL PRESERVE MAP NO. 982:

Minh C. Tran
FORM APPROVED COUNTY COUNSEL
BY: *Minh C. Tran*
DATE: 1/23/08

1 **AMENDMENT NO. 12 (DIMINISHMENT) OF HIGHGROVE AGRICULTURAL**
2 **PRESERVE NO. 1" and described by boundary description thereof, as fully set forth**
3 **in the attached document entitled "EXHIBIT A, HIGHGROVE AGRICULTURAL**
4 **PRESERVE NO. 1, MAP NO. 982 (DIMINISHMENT)," said map and description**
5 **both being on file in the Office of the Clerk of the Board.**

- 6 **2. The Land Conservation Contract between Frederick Nye Pauly, Elizabeth Pauly**
7 **Robinson and Paul Edward Pauly and the County of Riverside, dated January 1,**
8 **1971, and recorded on February 26, 1971, as Instrument No. 19296, in the Office of**
9 **the County Recorder of Riverside County, California, and as said contract applies to**
10 **the subject property, has expired, removing from the effect of said contract the real**
11 **property in the County of Riverside, State of California, described in the attached**
12 **document entitled "EXHIBIT A, HIGHGROVE AGRICULTURAL PRESERVE**
13 **NO. 1, MAP NO. 982 (DIMINISHMENT)," which is made a part of this resolution.**

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

**EXHIBIT A
HIGHGROVE AGRICULTURAL PRESERVE NO. 1
MAP NO. 982
(DIMINISHMENT)**

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

PARCEL 4:

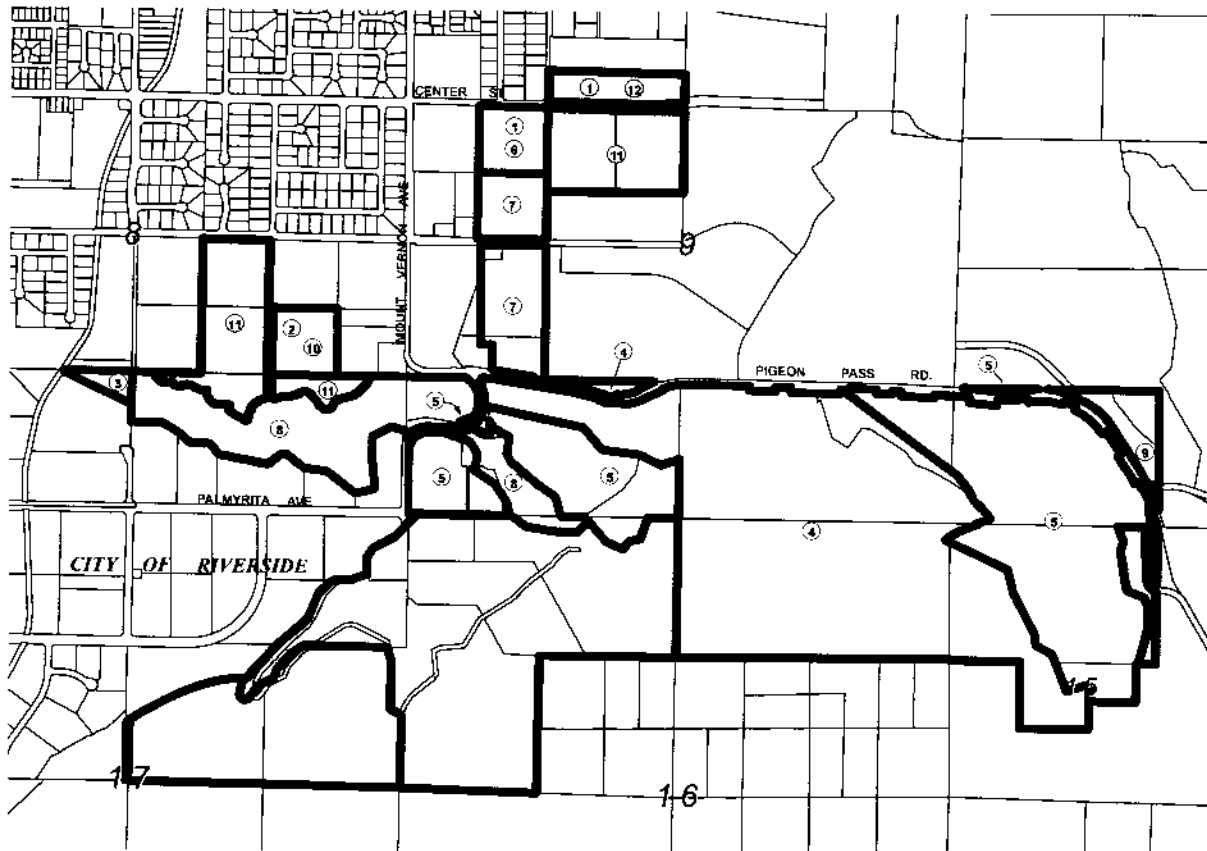
The South half of the South half of the Northeast quarter of the Northwest quarter of Section 9, Township 2 South, Range 4 West in the County of Riverside, State of California, San Bernardino Base and Meridian according to the official plat thereof.

Assessor Parcel No.	Acres (gross)	Owners
255-150-017	8.08	A. W. PROPERTIES WEST, L.L.C.
TOTAL	8.08	

MAP NO. 63 HIGHGROVE AGRICULTURAL PRESERVE NO. 1

AMENDED BY MAP NO. 125, 283, 482, 798, 810, 828, 833, 839, 840, 858, 867, 982

T. 2 S. R. 4 W. S.B.B. & M.



AMENDMENTS:

- NO. 1, (ENLARGEMENT), FEBRUARY 8, 1971, MAP NO. 125
- NO. 2, (ENLARGEMENT), FEBRUARY 19, 1974, MAP NO. 283
- NO. 3, (DELETION), NOVEMBER 28, 1978, MAP NO. 482
- NO. 4, (DIMINISHMENT), NOVEMBER 3, 1998, MAP NO. 798
- NO. 5, (DIMINISHMENT), JULY 20, 1999, MAP NO. 810
- NO. 6, (DIMINISHMENT), FEBRUARY 8, 2000, MAP NO. 828
- NO. 7, (DIMINISHMENT), MARCH 21, 2000, MAP NO. 833
- NO. 8, (DIMINISHMENT), MARCH 21, 2006, MAP NO. 839
- NO. 9, (DIMINISHMENT), MARCH 21, 2006, MAP NO. 840
- NO. 10, (DIMINISHMENT), JULY 16, 2002, MAP NO. 858
- NO. 11, (DIMINISHMENT), , MAP NO. 867
- NO. 12, (DIMINISHMENT), FEBRUARY 5, 2008, MAP NO. 982



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