

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

915 B



FROM: TLMA - Planning Department

SUBMITTAL DATE:
April 16, 2008

SUBJECT: Adoption of Resolution No. 2008-203, a Certificate of Final Cancellation of a Land Conservation Contract and Diminishment of Mira Loma Agricultural Preserve No. 10, Map No. 980 – Applicant: Michael and Deanna Stelzer – Engineer / Representative: Trip Hord & Associates – Second Supervisorial District – Prado-Mira Loma Zoning District – Eastvale Area Plan – 40.95 Acres (Gross)

RECOMMENDED MOTION: Adoption of Resolution No. 2008-203, a Certificate of Final Cancellation of a Land Conservation Contract and Diminishment of Mira Loma Agricultural Preserve No. 10, Amendment No. 7, Map No. 980, based upon the hereinafter listed findings and conclusions:

FINDINGS:

1. On December 18, 2007, the Board of Supervisors tentatively approved a request by Michael and Deanna Stelzer to diminish Mira Loma Agricultural Preserve No. 10 pursuant to Agricultural Map No. 980, and to cancel the land conservation contract as it applies to the 40.95-acre (gross) project site.

This cancellation was subject to the following conditions:

- a. Payment of the cancellation fee in the amount of \$1,062,500.00;
- b. Meet all conditions necessary for the County of Riverside to issue grading permits on Parcel Map No. 35061 or Plot Plan No. 22277 (Assessor's Parcel No. 144-030-028-0 and 144-030-012-5).

Ron Goldman
Planning Director

RG:kb

(Continued On Attached Page)

Departmental Concurrence

REVIEWED BY EXECUTIVE OFFICE

DATE 4/21/08
Tina Grande

Policy
 Policy

Consent
 Consent

Dept's Recomm.:
Per Exec. Ofc.:

Prev. Agn. Ref.

District: Second

Agenda Number:

3.27

a

The Honorable Board of Supervisors

RE: Adoption of Resolution No. 2008-203, a Certificate of Final Cancellation of a Land Conservation Contract and Diminishment of Mira Loma Agricultural Preserve No. 10, Map No. 980

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2. The cancellation fee of \$1,062,500.00 was paid to the County Treasurer on April 17, 2008.
3. All conditions necessary for the County of Riverside to issue grading permits on Parcel Map No. 35061 or Plot Plan No. 22277 (Assessor's Parcel No. 144-030-028-0 and 144-030-012-5) have been met.

CONCLUSION:

1. All conditions of approval for the diminishment of Mira Loma Agricultural Preserve No. 10, Amendment No. 7, Map No. 980 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 Mira Loma Agricultural Preserve No. 10, Amendment No. 7, Map No. 980.

RESOLUTION NO. 2008-203
 CERTIFICATE OF FINAL CANCELLATION
 OF LAND CONSERVATION CONTRACTS AND
 DIMINISHMENT OF AGRICULTURAL PRESERVE
 (Government Code Section 51283.4)

WHEREAS, Steven Litwin 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, 1971, and was recorded on February 24, 1971 as Instrument No. 18031 in the office of the County Recorder of Riverside County, California; and,

WHEREAS, Mike C. Stelzer and Deanna Mae Stelzer, as Co-Trustees of the Stelzer Family Trust established June 27, 2001, by Mike C. Stelzer and Deanna Mae Stelzer, as Trustors, 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, MIRA LOMA AGRICULTURAL PRESERVE NO. 10, AMENDMENT NO. 7, (DIMINISHMENT), MAP NO. 980," petitioned to cancel the contract and to diminish Mira Loma Agricultural Preserve No. 10, Map No. 134; and,

WHEREAS, a public hearing was held on this matter by the Riverside County Board of Supervisors on December 18, 2007; 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. 41138, which consider the impacts of the establishment of the proposed alternative land use, as well as the impacts of this cancellation request; and,

WHEREAS, Plot Plan No. 22277 is the alternative use; and,

WHEREAS, Plot Plan No. 22277 will implement the development of a commercial and industrial retail center consisting of 15 buildings and includes: a fitness center, drugstore, bank,

FORM APPROVED COUNTY COUNSEL
 BY: MICHELLE CLACK DATE: 1/21/08

1 restaurant, car wash, mini storage, market, 3 fast food establishments, 3 retail shops, and 2
2 multi tenant research and development buildings. Parcel Map No. 35061, processed currently
3 with PP22277, will subdivide the subject site into 13 industrial and commercial parcels,
4 including one parcel for condominium purposes; and,

5 WHEREAS, the amount of the cancellation fee, pursuant to Section 51283.4 of the
6 Government Code, has been determined and certified by this Board to be \$1,062,500.00;

7 WHEREAS, the following conditions have been or will be met:

- 8 1. The cancellation fee in the amount of \$1,062,500.00 has been paid to the
9 Treasurer of Riverside County; and
- 10 2. All conditions necessary for the County of Riverside to issue grading permits on
11 Parcel Map No. 35061 or Plot Plan No. 22277 (APN 144-030-028-0 and
12 144-030-012-5) will be met.

13 BE IT RESOLVED, FOUND, DETERMINED, AND ORDERED by the Board of
14 Supervisors of the County of Riverside, State of California, in regular session on April 29, 2008
15 that the Clerk of this Board shall file and record copies of this resolution, map and boundary
16 description, in the Office of the County Recorder of Riverside County, California, and transmit
17 copies thereof to the Director of Conservation of the State of California, the Treasurer of
18 Riverside County, and the Assessor of Riverside County; and, thereafter:

- 19 1. Mira Loma Agricultural Preserve No. 10, Map No. 134, dated February 16, 1971,
20 as amended, will be further amended by deleting therefrom the area shown on
21 the map entitled "MIRA LOMA AGRICULTURAL PRESERVE NO. 10,
22 AMENDMENT NO. 7, (DIMINISHMENT), MAP NO. 980," and described by
23 boundary description thereof, said map and description both being on file in the
24 Office of the Clerk of the Board.
- 25 2. The Land Conservation Contract between Steven Litwin and the County of
26 Riverside, dated January 1, 1971 and recorded February 24, 1971, as Instrument
27 No. 18031, in the Office of the County Recorder of Riverside County, California,
28 will be canceled as said contract applies to land referenced in the petition of

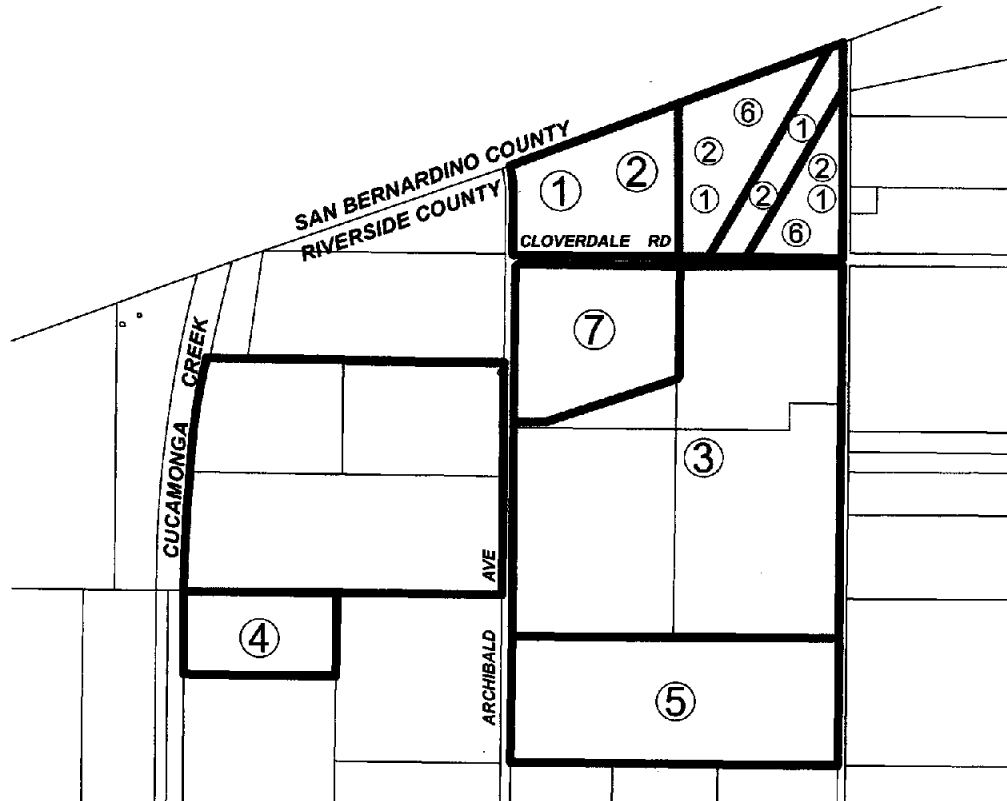
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Michael and Deanna Stelzer, thereby removing from the effect of said contract the real property in the County of Riverside, State of California, described in the exhibit entitled, "EXHIBIT A, MIRA LOMA AGRICULTURAL PRESERVE NO. 10, AMENDMENT NO. 7, (DIMINISHMENT), MAP NO. 980," a copy of which is attached hereto and incorporated herein by reference.

MAP NO. 134 MIRA LOMA AGRICULTURAL PRESERVE NO. 10

AMENDED BY MAP NO. 464, 598, 820, 880, 922, 936, 980

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



AMENDMENTS:

- NO. 1, (ENLARGEMENT), JANUARY 31, 1978 , MAP NO. 464
- NO. 2, (DIMINISHMENT), ABANDONED , MAP NO. 598
- NO. 3, (DIMINISHMENT), FEBRUARY 4, 2003, MAP NO. 820
- NO. 4, (DIMINISHMENT), OCTOBER 18, 2005, MAP NO. 880
- NO. 5, (DIMINISHMENT), FEBRUARY 28, 2006 ,MAP NO. 922
- NO. 6, (DIMINISHMENT), , MAP NO. 936
- NO. 7, (DIMINISHMENT), APRIL 29, 2008 , MAP NO. 980

ADOPTED ON FEBRUARY 16, 1971

BY THE BOARD OF SUPERVISORS

OF THE COUNTY OF RIVERSIDE,

STATE OF CALIFORNIA.

