

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

901B



FROM: TLMA - Planning Department

SUBMITTAL DATE:
October 20, 2008

SUBJECT: Adoption of Resolution No. 2008-402 – Diminishment of Woodcrest Agricultural Preserve No. 4 – Agricultural Preserve Case and Map No. 1004 – Applicant: Frank Chen – First Supervisorial District – Woodcrest Zoning District – Lake Mathews/Woodcrest Area Plan – 40.45 Acres (Gross)

RECOMMENDED MOTION: Adoption of Resolution No. 2008-402 for the diminishment of Woodcrest Agricultural Preserve No. 4, Map No. 1004, based upon the hereinafter listed findings and conclusions:

FINDINGS:

1. The 40.45-acre site is comprised of two (2) parcels which are located northerly of Markham Street, southerly of Nandina Avenue, easterly of and adjacent to Roosevelt Street and westerly of Taft Street in the Woodcrest area of western Riverside County, CA.
2. George T. Hodges entered into a land conservation contract with the County of Riverside for land within Woodcrest Agricultural Preserve No. 4. The contract is dated January 1, 1971, and was recorded on February 26, 1971, as Instrument No. 19326 in the Office of the County Recorder of Riverside County, California.
3. Pursuant to the Land Conservation Act of 1965, Frank and Tammy Chen, the subsequent property owners of Assessor's Parcel No. (APN) 267-180-002-8 and 267-190-001-8, filed a notice of non-renewal on March 8, 1990, which notice was recorded on March 12, 1990, as Instrument No. 88784, and, as a

Ron Goldman
Planning Director

RG:kc

(Continued On Attached Page)

REVIEWED BY

BY: Tina Grande
Tina Grande

Departmental Concurrence

FORM APPROVED COUNTY COUNSEL
BY: Michelle Clack 10/20/08
MICHELLE CLACK DATE

Dep't Recomm.:	<input type="checkbox"/> Consent	<input checked="" type="checkbox"/> Policy
Per Exec. Ofc.:	<input type="checkbox"/> Consent	<input checked="" type="checkbox"/> Policy

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

3.31

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, Frank and Tammy Chen, the current property owners of APN 267-180-002-8 and 267-190-001-8 have now applied to have the property removed from the boundaries of the agricultural preserve.

CONCLUSION:

1. The diminishment of Woodcrest Agricultural Preserve No. 4, Map No. 1004, 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 Woodcrest Agricultural Preserve No. 4, Map No. 1004, is consistent with the Riverside County General Plan.

RESOLUTION NO. 2008-402

DIMINISHMENT OF WOODCREST

AGRICULTURAL PRESERVE NO. 4

PURSUANT TO NOTICE OF NONRENEWAL

WHEREAS, George T. Hodges 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, 1971, and was recorded February 26, 1971, as Instrument No. 19326, in the Office of the County Recorder of Riverside County, California; and,

WHEREAS, Frank K. and Tammy Y. Chen, Trustees of the Chen Family Trust, the subsequent landowners, filed a Notice of Nonrenewal on March 8, 1990, which notice was recorded on March 12, 1990, as Instrument No. 88784, 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 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 October 28, 2008, that:

- 1. Woodcrest Agricultural Preserve No. 4, Map No. 128, 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. 1004: AMENDMENT NO. 31 (DIMINISHMENT) OF WOODCREST AGRICULTURAL PRESERVE NO. 4" and described by boundary description thereof, as fully set forth in the attached document entitled "EXHIBIT A, WOODCREST AGRICULTURAL PRESERVE NO. 4, MAP NO. 1004**

FORM APPROVED COUNTY COUNSEL
BY: *Michelle Clack*
DATE: 10/11/08

1 **(DIMINISHMENT)," said map and description both being on file in the Office of the**
2 **Clerk of the Board.**

- 3 **2. The Land Conservation Contract between George T. Hodges and the County of**
4 **Riverside, dated January 1, 1971, and recorded on February 26, 1971, as Instrument**
5 **No. 19326, in the Office of the County Recorder of Riverside County, California, and**
6 **as said contract applies to the subject property, has expired, removing from the effect**
7 **of said contract the real property in the County of Riverside, State of California,**
8 **described in the attached document entitled "EXHIBIT A, WOODCREST**
9 **AGRICULTURAL PRESERVE NO. 4, MAP NO. 1004 (DIMINISHMENT)," which**
10 **is made a part of this resolution.**

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

**EXHIBIT A
WOODCREST AGRICULTURAL PRESERVE NO. 4
MAP NO. 1004
(NOTICE OF NON-RENEWAL)**

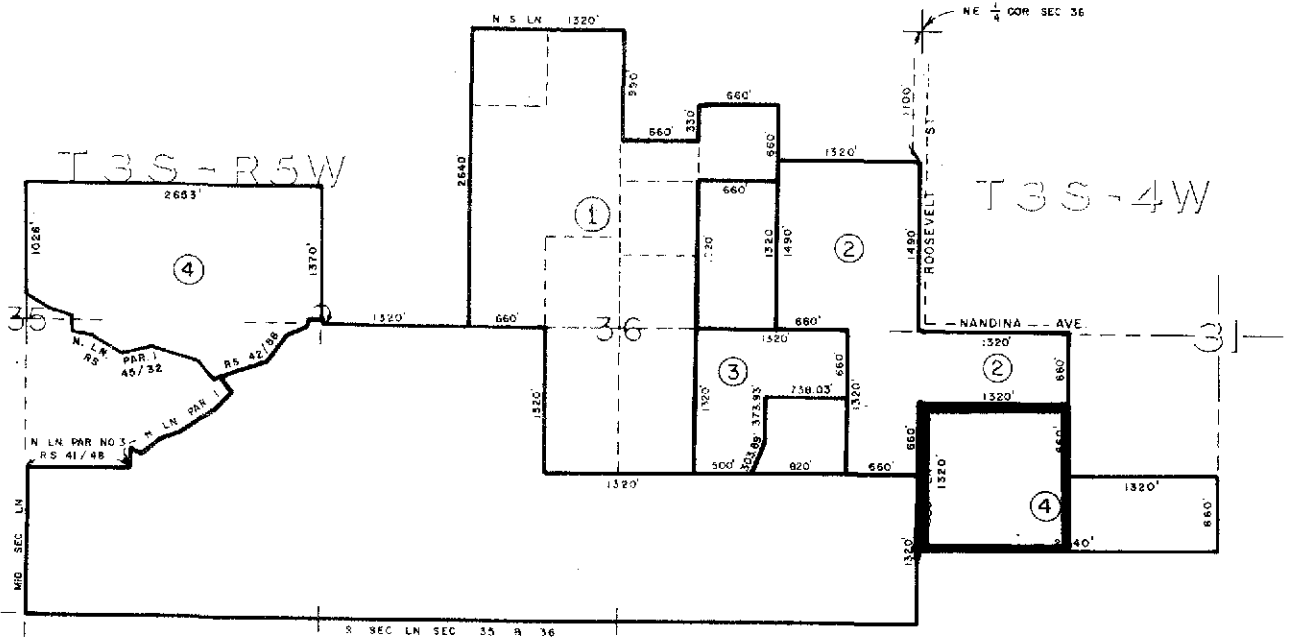
The following described Real Property of Riverside County, State of California, described as follows:

Description: The North Half of the Southwest quarter of the Southwest quarter and the South half of the Northwest quarter of the Southwest quarter, Section 31, Township 3 South, Range 4 West, SBB&M

Assessor Parcel No.	Acres (net)	Owners
267-180-002	20.00	Frank & Tammy Chen Family Trust
267-190-001	20.45	Frank & Tammy Chen Family Trust
Total	40.45	

MAP NO. 24 WOODCREST AGRICULTURAL PRESERVE NO. 4

AMENDED BY MAP NO. 40, 40(a), 40(b), 91, 109, 128



ANNEXATIONS

- AMENDMENT NO. 1 , NOVEMBER 17, 1969, MAP NO. 40
- CORRECTED FEBRUARY 24, 1970 BY MAP NO. 40 (a)
- CORRECTED AUGUST 3, 1970 BY MAP NO. 40 (b)
- AMENDMENT NO. 2 , FEBRUARY 24, 1970, MAP NO. 91
- AMENDMENT NO. 3 , SEPTEMBER 21, 1970 , MAP NO. 109
- AMENDMENT NO. 4, FEBRUARY 8 , 1971 , MAP NO. 128

ADOPTED ON APRIL 14, 1969
 BY THE BOARD OF SUPERVISORS
 OF THE COUNTY OF RIVERSIDE,
 STATE OF CALIFORNIA

