

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

805 B



SUBMITTAL DATE:
March 16, 2009

FROM: TLMA - Planning Department

SUBJECT: Adoption of Resolution No. 2009-097 – Diminishment of Rancho California
Agricultural Preserve No. 2 – Agricultural Preserve Case and Map No. 999 – Applicant: Edward
J. & Sharon D. Slabaugh and Dan & Colleen McLaughlin – Third Supervisorial District – Rancho
California Zoning Area – Southwest Area Plan – 19.38 Acres (Gross)

RECOMMENDED MOTION: Adoption of Resolution No. 2009-097 for the diminishment of
Rancho California Agricultural Preserve No. 2, Map No. 999, based upon the hereinafter
listed findings and conclusions:

FINDINGS:

1. The 19.38-acre site is comprised of two (2) parcels (Assessor's Parcel Number (APN) 924-040-007-4 and 924-040-008-5) which are located north of and adjacent to Robertson Way, southwesterly of Rio Road and west of and adjacent to Mesa Road in the Rancho California area of western Riverside County, California.
2. Dr. Eugene J. Ellis and Ruth N. Ellis entered into a land conservation contract with the County of Riverside for land within Rancho California Agricultural Preserve No. 2. The contract is dated January 1, 1970, and was recorded on April 9, 1970, as Instrument No. 33254 in the Office of the County Recorder of Riverside County, California.
3. Pursuant to the Land Conservation Act of 1965, Rita Pappenfus, the subsequent property owner of APN 924-040-002-9 and 924-040-003-0 (which

Ron Goldman
Planning Director

RG:kb

(Continued On Attached Page)

REVIEWED BY COUNTY COUNSEL

REVIEWED BY EXECUTIVE OFFICE

DATE 3/13/09
DAVID W. K. HUFF
Departmental Concurrence

DATE 3/13/09
Tina Grande

Policy
 Policy

Consent
 Consent

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

MAR 17 9:22

Prev. Agn. Ref.

District: Third

Agenda Number:

3.22

went to APN 924-040-007-4 and 924-040-008-5), filed a notice of non-renewal on September 24, 1984, which notice was recorded on September 27, 1984, as Instrument No. 209956, and, as a consequence, the land conservation contract as it applies to the subject parcels expired on January 1, 1994.

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, Edward J. Slabaugh and Sharon D. Slabaugh, the current property owners of APN 924-040-007-4, and Dan McLaughlin and Colleen McLaughlin, the current property owners of APN 924-040-008-5, have now applied to have the property removed from the boundaries of the agricultural preserve.

CONCLUSION:

1. The diminishment of Rancho California Agricultural Preserve No. 2, Map No. 999, 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. 2, Map No. 999, is consistent with the Riverside County General Plan.

RESOLUTION NO. 2009-097

DIMINISHMENT OF RANCHO CALIFORNIA

AGRICULTURAL PRESERVE NO. 2

(Government Code Section 51231)

WHEREAS, Dr. Eugene J. Ellis and Ruth N. Ellis , 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, 1970, and was recorded April 9, 1970, as Instrument No. 33254, in the Office of the County Recorder of Riverside County, California; and,

WHEREAS, Rita Pappenfus, the subsequent landowner of Assessor's Parcel Number (APN) 924-040-002-9 and 924-040-003-0 (which went to APN 924-040-007-4 and 924-040-008-5), filed a Notice of Nonrenewal on September 24, 1984, which notice was recorded on September 27, 1984, as Instrument No. 209956, 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, 1994, pursuant to Government Code Section 51245 and 51246;

WHEREAS, Edward J. Slabaugh and Sharon D. Slabaugh, the current landowners of APN 924-040-007-4, and Dan McLaughlin and Colleen McLaughlin, the current landowners of APN 924-040-008-5, have requested to have the property removed from the boundaries of the agricultural preserve; now, therefore,

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 March 24, 2009 that:

- 1. Rancho California Agricultural Preserve No. 2, Map No. 72, dated February 24,**

FORM APPROVED COUNTY COUNSEL
BY: *[Signature]* 3/13/09
DATE
DAVID H.K. HUFF

1 **1970, and on file in the Office of the Clerk of this Board, is further amended by**
2 **deleting therefrom the area shown on the map entitled "AGRICULTURAL**
3 **PRESERVE MAP NO. 999: AMENDMENT NO. 1 (DIMINISHMENT) OF**
4 **RANCHO CALIFORNIA AGRICULTURAL PRESERVE NO. 2" and described**
5 **by boundary description thereof, as fully set forth in the attached document**
6 **entitled "EXHIBIT A, RANCHO CALIFORNIA AGRICULTURAL PRESERVE**
7 **NO. 2, MAP NO. 999(DIMINISHMENT)," which is made part of this resolution,**
8 **said map and description both being on file in the Office of the Clerk of the Board.**

- 9 **2. The diminishment of Rancho California Agricultural Preserve No. 2, Map No. 999,**
10 **is consistent with the provisions of the Land Conservation Act of 1965, the**
11 **Riverside County General Plan, and the Rules and Regulations Governing**
12 **Agricultural Preserves in Riverside County as adopted by the Board of**
13 **Supervisors.**

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

18 **///**

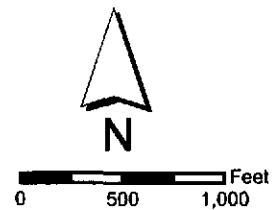
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MAP NO. 72 RANCHO CALIFORNIA AGRICULTURAL PRESERVE NO. 2

AMENDED BY MAP NO. 999



AMENDMENTS:
NO. 1, (DIMINISHMENT), , MAP NO. 999



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