

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

620B



FROM: TLMA - Planning Department

SUBMITTAL DATE:
July 13, 2009

SUBJECT: Adoption of Resolution No. 2009-238 – Diminishment of Mira Loma Agricultural Preserve No. 10 – Agricultural Preserve Case and Map No. 1014 – Applicant: MMI/BDI Riverside Archibald Avenue, LLC – Second Supervisorial District – Prado-Mira Loma Zoning District – Eastvale Area Plan – 19.90 Acres (Gross)

RECOMMENDED MOTION: Adoption of Resolution No. 2009-238 for the diminishment of Mira Loma Agricultural Preserve No. 10, Map No. 1014, based upon the hereinafter listed findings and conclusions:

FINDINGS:

1. The 19.90-acre parcel is located northerly of 65th Street, southerly of the San Bernardino/Riverside County line, easterly of Cucamonga Creek Flood Control Channel and west of and adjacent to Archibald Avenue in the Eastvale area of western Riverside County, California.
2. Maurice Weidman and Virginia P. Weidman entered into a land conservation contract with the County of Riverside for land within Mira Loma Agricultural Preserve No. 10. The contract is dated January 1, 1971, and was recorded on February 26, 1971, as Instrument No. 19302 in the Office of the County Recorder of Riverside County, California.
3. Pursuant to the Land Conservation Act, Maurice Weidman and Virginia P. Weidman, the property owners of Assessor's Parcel No. (APN) 134-020-008-8 (which rolled to 144-010-033-2), filed a notice of non-renewal on October 2, 1986, which notice was

Ron Goldman
Planning Director

RG:kb

(Continued On Attached Page)

RECEIVED BY COUNTY CLERK
 DATE 7/14/09
 TYPE NAME
 Departmental Concurrence
 Michael R. Snetler
 Tina Grande
 Policy Policy
 Consent Consent
 Dep't ecomm.:
 Per Exec. Ofc.:

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

3.113

recorded on October 8, 1986, as Instrument No. 249137, and, as a consequence, the land conservation contract as it applies to the subject property expired on January 1, 1997.

4. Under both the County's Rules and Regulations Governing Agricultural Preserves and the General Plan's Williamson Act Program (i.e., Land Conservation Act), 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, Brandon Birtcher, as authorized representative for the current property owner of 144-010-033-2, MMI/BDI Riverside Archibald, LLC, has now applied to have the property removed from the boundaries of the agricultural preserve.

CONCLUSION:

1. The diminishment of Mira Loma Agricultural Preserve No. 10, Map No. 1014, is consistent with the provisions of the Land Conservation Act and the Rules and Regulations Governing Agricultural Preserves in Riverside County as adopted by the Board of Supervisors.
2. The diminishment of Mira Loma Agricultural Preserve No. 10, Map No. 1014, is consistent with the Riverside County General Plan.

RESOLUTION NO. 2009-238
DIMINISHMENT OF MIRA LOMA
AGRICULTURAL PRESERVE NO. 10
(Government Code Section 51231)

WHEREAS, Maurice Weidman and Virginia P. Weidman 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. 19302, in the Office of the County Recorder of Riverside County, California; and,

WHEREAS, Maurice Weidman and Virginia P. Weidman filed a Notice of Nonrenewal on October 2, 1986, which notice was recorded on October 8, 1986, as Instrument No. 249137, 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 Assessor's Parcel No. 144-010-033-2 on January 1, 1997, pursuant to Government Code Section 51245 and 51246;

WHEREAS, Brandon Birtcher, as authorized representative for the current landowner of APN 144-010-033-2, MMI/BDI Riverside Archibald, LLC, has 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 July 21, 2009, that:

1. Mira Loma Agricultural Preserve No. 10, Map No. 134, dated February 16, 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. 1014: AMENDMENT NO. 9 (DIMINISHMENT) OF MIRA LOMA

FORM APPROVED BY COUNTY CLERK
BY *[Signature]* 6/24/09
TANISA FRIEDKIN

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AGRICULTURAL PRESERVE NO. 10" and described by boundary description thereof, as fully set forth in the attached document entitled "EXHIBIT A, MIRA LOMA AGRICULTURAL PRESERVE NO. 10, MAP NO. 1014 (DIMINISHMENT)," which is made part of this resolution, said map and description both being on file in the Office of the Clerk of the Board.

- 2. The diminishment of Mira Loma Agricultural Preserve No. 10, Map No. 1014, is consistent with the provisions of the Land Conservation Act of 1965, the Riverside County General Plan, and the Rules and Regulations Governing Agricultural Preserves in Riverside County as adopted by the Board of Supervisors.**

BE IT FURTHER RESOLVED 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 of the State of California, and with the Office of the Assessor of Riverside County, California.

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**EXHIBIT A
MIRA LOMA AGRICULTURAL PRESERVE NO. 10
MAP NO. 1014
(DIMINISHMENT)**

That portion of the northeast quarter of Section 27, Township 2 South, Range 7 West, San Bernardino Meridian, in the County of Riverside, State of California, also being a portion of Parcel "A" of that certain Grant Deed recorded July 13, 2007 as Document No. 20070458920, Official Records of said county and state, said portion described as follows:

COMMENCING at the southeast corner of Parcel 2 of Record of Survey filed in Book 34, page 81 of Records of Survey, Records of Riverside County, California;

Thence North 00° 15' 00" West along the easterly line of said Parcel 2, said easterly line also being the westerly right-of-way line of Archibald Avenue (60.00 feet wide) as shown on said Record of Survey, a distance of 1334.04 feet to a point of intersection with a line parallel with and distant northwesterly 7.50 feet, measured at a right angle, from the centerline of a 120.00 foot wide easement to Southern California Edison as described in document recorded January 25, 1952 in Book 1336, page 397, Official Records of said county and state, said point being the TRUE POINT OF BEGINNING, said point also being the southeasterly corner of said Parcel "A";

Thence South 69° 11' 38" West along said parallel line and along the southeasterly line of said Parcel "A", a distance of 1149.02 feet to a point thereon;

Thence South 89° 45' 00" West, a distance of 173.64 feet to a point on the westerly line of said Parcel "A";

Thence North 00° 15' 00" West along said westerly line, a distance of 867.39 feet to the northwesterly corner of said Parcel "A";

Thence North 89° 45' 30" East along the northerly line of said Parcel "A", a distance of 1249.50 feet to the easterly line of said Parcel "A", said easterly line also being said westerly right-of-way line of Archibald Avenue;

Thence South 00° 15' 00" East along said easterly and westerly lines, a distance of 46375 feet to the TRUE POINT OF BEGINNING ;

Containing 19.90 acres, more or less.

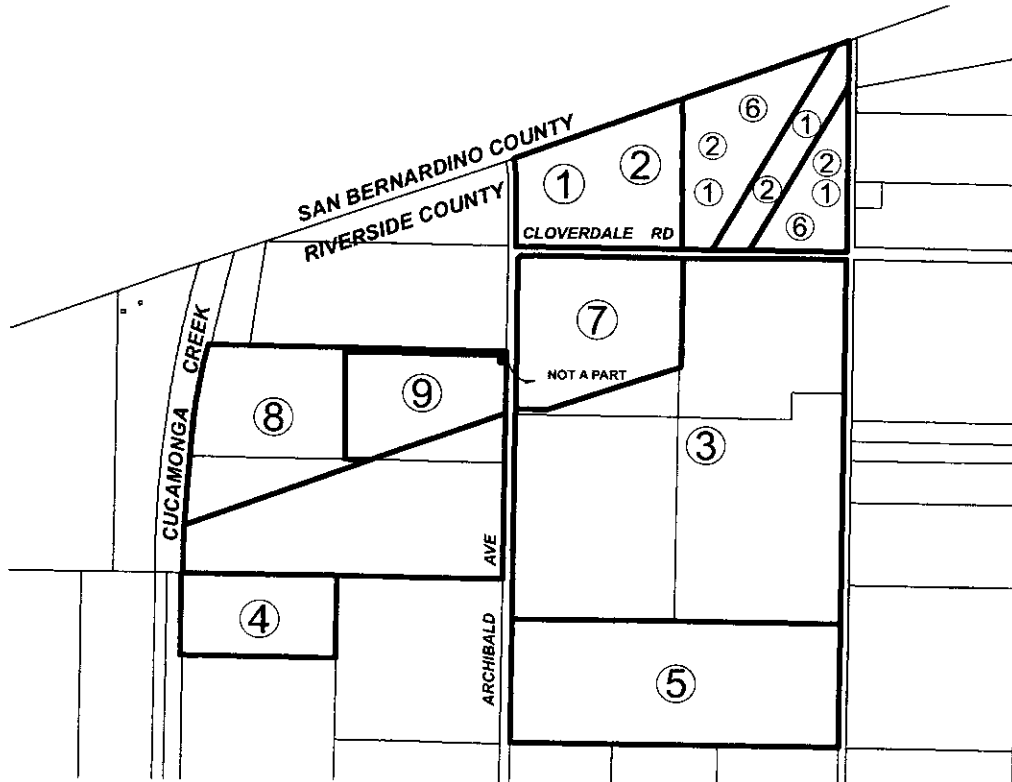
Assessor Parcel No.	Acres (Gross)	Owners
144-010-033-2	19.90	MMI/BDI Riverside Archibald Avenue, LLC
Total	19.90	

MAP NO. 134 MIRA LOMA AGRICULTURAL PRESERVE NO. 10

1014

AMENDED BY MAP NO. 464, 598, 820, 880, 922, 936, 980, 994, 1014

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
- NO. 8, (DIMINISHMENT), , MAP NO. 994
- NO. 9, (DIMINISHMENT), JULY 21, 2009, MAP NO. 1014

ADOPTED ON FEBRUARY 16, 1971
BY THE BOARD OF SUPERVISORS
OF THE COUNTY OF RIVERSIDE,
STATE OF CALIFORNIA.

