

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

845B



FROM: TLMA - Planning Department

SUBMITTAL DATE:
August 24, 2009

SUBJECT: Adoption of Resolution No. 2009-250, a Certificate of Final Cancellation of a Land Conservation Contract and Diminishment of Mira Loma Agricultural Preserve No. 3, Map No. 968 – Applicant: D. R. Horton Los Angeles Holding Co., Inc. – Engineer / Representative: Steve Rowland – Second Supervisorial District – Prado-Mira Loma Zoning District – Eastvale Area Plan – 44.50 Acres (Gross)

RECOMMENDED MOTION: Adoption of Resolution No. 2009-250, a Certificate of Final Cancellation of a Land Conservation Contract and Diminishment of Mira Loma Agricultural Preserve No. 3, Amendment No. 4, Map No. 968, based upon the hereinafter listed findings and conclusions:

FINDINGS:

1. On July 25, 2006, the Board of Supervisors tentatively approved a request by D. R. Horton Los Angeles Holding Co., Inc., to diminish Mira Loma Agricultural Preserve No. 3 pursuant to Agricultural Map No. 968, and to cancel the land conservation contract as it applies to the 44.50-acre (gross) project site.

This cancellation was subject to the following conditions:

- a. Payment of the cancellation fee in the amount of \$1,529,625.00;
- b. Meet all conditions necessary for the County of Riverside to issue grading permits on Tract Map No. 32491 (Assessor's Parcel No.

Ron Goldman
Planning Director

RG:kb
PM

(Continued On Attached Page)

REVIEWED BY COUNTY COUNSEL

DATE 8/24/09 TYPE NAME John P. M...
Departmental Concurrence

REVIEWED BY EXECUTIVE OFFICE

DATE 8/24/09 Tina Grande

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

Prev. Agn. Ref.

District: Second

Agenda Number:

3.132

The Honorable Board of Supervisors

RE: Adoption of Resolution No. 2009-250, a Certificate of Final Cancellation of a Land Conservation Contract and Diminishment of Mira Loma Agricultural Preserve No. 3, Map No. 968

August 24, 2009

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144-020-001-4, 144-020-002-5 and 144-020-003-6 since rolled to 144-020-039-9, 144-020-040-9 and 144-020-046-5).

2. The cancellation fee of \$1,529,625.00 was paid to the County Treasurer on August 21, 2006.
3. All conditions necessary for the County of Riverside to issue grading permits on Tract Map No. 32491 (Assessor's Parcel No. 144-020-001-4, 144-020-002-5 and 144-020-003-6 since rolled to 144-020-039-9, 144-020-040-9 and 144-020-046-5) have been met.

CONCLUSION:

1. All conditions of approval for the diminishment of Mira Loma Agricultural Preserve No. 3, Amendment No. 4, Map No. 968 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. 3, Amendment No. 4, Map No. 968.

BACKGROUND: (Continued)

Preparing for FY 2010-2011 – Achieving balance in the coming fiscal year will require continuation of the labor saving measures in place now, as well as additional cuts to Net County Costs. The following is the schedule of key dates:

September 29, 2009	FY 2008-09 Closing Procedures
September 29, 2009	Preliminary Report on Departmental Performance and Mandate Impacts
November 3, 2009	First Quarter Budget Report
November 16, 2009	FY 2010-2011 Budget Workshop
January 26, 2010	FY 2010-2011 Budget Workshop
January 26, 2010	Internal Service Rates reviewed by Board
February 2, 2010	Mid-Year Report
February 4, 2010	Budget preparation instructions given to departments
April 6, 2010	FY 2010-2011 Budget Workshop
May 4, 2010	Third Quarter Report
May 24, 2010	Adopt proposed Budget and open Budget Hearings
June 22, 2010	Final Budget adopted

RESOLUTION NO. 2009-250

**CERTIFICATE OF FINAL CANCELLATION
OF LAND CONSERVATION CONTRACTS AND
DIMINISHMENT OF AGRICULTURAL PRESERVE**

(Government Code Section 51283.4)

WHEREAS, Tena Koopman 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, 1976, and was recorded on January 28, 1976 as Instrument No. 11830 in the office of the County Recorder of Riverside County, California; and,

WHEREAS, Steve Fitzpatrick, as authorized representative of D. R. Horton Los Angeles Holding Co., Inc., the subsequent property owner of Assessor's Parcel No. (APN) 144-020-003-6, filed a Notice of Nonrenewal on March 28, 2006, which notice was recorded on May 5, 2006 as Instrument No. 2006-0329406, in the Office of the County Recorder of Riverside County, California;

WHEREAS, D. R. Horton Los Angeles Holding Co., Inc., the current owner 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. 3, AMENDMENT NO. 4, (DIMINISHMENT), MAP NO. 968," petitioned to cancel the contract and to diminish Mira Loma Agricultural Preserve No. 3, Map No. 347; and,

WHEREAS, a public hearing was held on this matter by the Riverside County Board of Supervisors on July 25, 2006; 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. 39882, which consider the impacts of the establishment of the

1 proposed alternative land use, as well as the impacts of this cancellation request; and,

2 WHEREAS, Tract Map No. 32491 is the alternative use; and,

3 WHEREAS, Tract Map No. 32491 will divide the 54.60-acre project site into 174 single-
4 family residential lots with a minimum lot size of 7,200 square feet, two (2) water mitigation lots
5 and four (4) open space lots; and,

6 WHEREAS, the amount of the cancellation fee, pursuant to Section 51283.4 of the
7 Government Code, has been determined and certified by this Board to be \$1,529,625.00;

8 WHEREAS, the following conditions have been met:

- 9 1. The cancellation fee in the amount of \$1,529,625.00 has been paid to the
10 Treasurer of Riverside County; and
- 11 2. All conditions necessary for the County of Riverside to issue grading permits on
12 Tract Map No. 32491 (Assessor's Parcel No. 144-020-001-4, 144-020-002-5 and
13 144-020-003-6 since rolled to 144-020-039-9, 144-020-040-9 and 144 020-046-5)
14 have been met.

15 BE IT RESOLVED, FOUND, DETERMINED, AND ORDERED by the Board of
16 Supervisors of the County of Riverside, State of California, in regular session on September 1,
17 2009 that the Clerk of this Board shall file and record copies of this resolution, map and
18 boundary description, in the Office of the County Recorder of Riverside County, California, and
19 transmit copies thereof to the Director of Conservation of the State of California, the Treasurer
20 of Riverside County, and the Assessor of Riverside County; and, thereafter:

- 21 1. Mira Loma Agricultural Preserve No. 3, Map No. 347, dated December 9, 1975,
22 as amended, will be further amended by deleting therefrom the area shown on
23 the map entitled "MIRA LOMA AGRICULTURAL PRESERVE NO. 3,
24 AMENDMENT NO. 4, (DIMINISHMENT), MAP NO. 968," and described by
25 boundary description thereof, said map and description both being on file in the
26 Office of the Clerk of the Board.
- 27 2. The Land Conservation Contract between Tena Koopman and the County of
28 Riverside, dated January 1, 1976 and recorded January 28, 1976, as Instrument

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No. 11830, in the Office of the County Recorder of Riverside County, California,
will be canceled as said contract applies to land referenced in the petition of D. R.
Horton Los Angeles Holding Co., Inc., 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. 3, AMENDMENT NO. 4, (DIMINISHMENT), MAP NO. 968,"
a copy of which is attached hereto and incorporated herein by reference.

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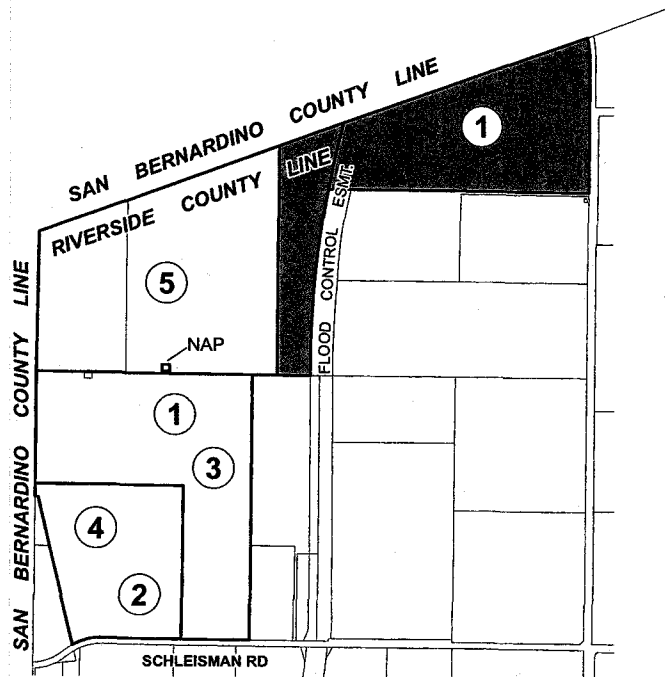
FORM APPROVED COUNTY COUNSEL
BY: Larisa R-Mckenna 7/20/09
LARISA R-MCKENNA DATE

MAP NO. 4 MIRA LOMA AGRICULTURAL PRESERVE NO. 3

968

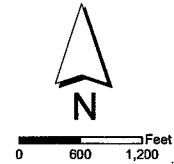
AMENDED BY MAP NO. 31, 347, 897, 968, 971

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



AMENDMENTS:

- NO. 1, (ENLARGEMENT), AUGUST 4, 1969, MAP NO. 31
- NO. 2, (ENLARGEMENT), DECEMBER 9, 1975, MAP NO. 347
- NO. 3, (DIMINISHMENT), MARCH 23, 2005, MAP NO. 897
- NO. 4, (DIMINISHMENT), SEPTEMBER 1, 2009, MAP NO. 968
- NO. 5, (DIMINISHMENT), AUGUST 29, 2006, MAP NO. 971



ADOPTED ON FEBRUARY 5, 1968
BY THE BOARD OF SUPERVISORS
OF THE COUNTY OF RIVERSIDE,
STATE OF CALIFORNIA.

RIVERSIDE COUNTY PLANNING COMMISSION