

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

417B



**FROM:** TLMA - Planning Department

**SUBMITTAL DATE:**  
December 14, 2009

**SUBJECT:** Adoption of Resolution No. 2009-346, a Certificate of Tentative Cancellation of a Land Conservation Contract and Diminishment of Mira Loma Agricultural Preserve No. 4, Amendment No. 9, Map No. 975 – Applicant: SC Eastvale Development Corporation – Engineer / Representative: Albert A. Webb Associates – Second Supervisorial District – Prado-Mira Loma Zoning District – Eastvale Area Plan – 19.88 Gross Acres

**RECOMMENDED MOTION:** Adoption of Resolution No. 2009-346, a Certificate of Tentative Cancellation of a Land Conservation Contract and Diminishment of Mira Loma Agricultural Preserve No. 4, Amendment No. 9, Map No. 975, based upon the hereinafter listed findings and conclusions:

**FINDINGS:**

1. On October 20, 2009, the Board of Supervisors tentatively approved a request by SC Eastvale Development Corporation to diminish Mira Loma Agricultural Preserve No. 4 and to cancel the land conservation contract as it applies to the 19.88-acre (gross) project site.
2. The subject parcel is located south of and adjacent to Schleisman Road, east of and adjacent to the Cucamonga Creek Flood Control Channel and westerly of Archibald Avenue in the western Riverside County.

Ron Goldman  
Planning Director

<b>FINANCIAL DATA</b>	Current F.Y. Total Cost:	\$ N/A	In Current Year Budget:	N/A
	Current F.Y. Net County Cost:	\$ N/A	Budget Adjustment:	N/A
	Annual Net County Cost:	\$ N/A	For Fiscal Year:	N/A

**SOURCE OF FUNDS:** N/A

**Positions To Be Deleted Per A-30**

**Requires 4/5 Vote**

APPROVE

BY:   
Tina Grande

**C.E.O. RECOMMENDATION:**

**County Executive Office Signature**

FORM APPROVED COUNTY COUNSEL  
BY:   
LARISA R-MCKENNA  
DATE: 12/14/09  
Departmental Concurrence

Policy

Consent

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

**Prev. Agn. Ref.:**

**District:** Second

**Agenda Number:**

3.60

To the Honorable Board of Supervisors

**RE: Adoption of Resolution No. 2009-346, a Certificate of Tentative Cancellation of a Land Conservation Contract and Diminishment of Mira Loma Agricultural Preserve No. 4, Amendment No. 9, Map No. 975**

December 14, 2009

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3. The alternative land use proposed for the project site upon cancellation of the current land conservation contract is Tentative Tract Map No. 35751 (TR35751), which will divide the project site into 24 lots and allow the subsequent development of 243 2-story and 3-story attached and clustered condominium units. The proposal includes 22 residential lots ranging in size from 11,590 square feet to 57,482 square feet; a 23,183 square foot lot for a water quality basin; a 29,273 square foot lot for a recreation center (including pool and spa); 614,693 square feet of open space throughout; 637 parking spaces, including 480 garage spaces, 41 perpendicular off-street spaces, and 116 on-street spaces.
4. Upon adoption of the Certificate of Tentative Cancellation by the Board of Supervisors, the landowner would be required to comply with the following conditions prior to the issuance of a Certificate of Final Cancellation:
  - a. Payment within one year of the total amount of the cancellation fee of \$612,500.00 to the Treasurer of Riverside County, or, if after one year following the date of recordation of the Certificate of Tentative Cancellation, payment of a re-computed fee;
  - b. All conditions necessary for the County to issue grading permits for Tract Map No. 35751 (Assessor's Parcel No. 144-060-041-4) shall have been met.
5. Once all the conditions and contingencies enumerated on the Certificate of Tentative Cancellation have been satisfied, the landowner would notify the Board of Supervisors to that effect.
6. Within 30 days of such notification, a Certificate of Final Cancellation would be executed and recorded, thereby removing the subject parcel from the effect of the land conservation contract and diminishing the agricultural preserve.

**RESOLUTION NO. 2009-346**  
**CERTIFICATE OF TENTATIVE CANCELLATION**  
**OF LAND CONSERVATION CONTRACT AND**  
**DIMINISHMENT OF AGRICULTURAL PRESERVE**  
**(Government Code Section 51283.4)**

**WHEREAS, Carl T. Allen and Hattie J. Allen 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.) for land within Mira Loma Agricultural Preserve No. 4, which contract is dated January 1, 1970, and was recorded on February 27, 1970 as Instrument No. 19047, in the office of the County Recorder of Riverside County, California; and,**

**WHEREAS, John Bootsma, Essie Bootsma, and Ike Bootsma and Squeaker D. Bootsma, as Co-Trustees of the Bootsma Living Trust, the subsequent owners of Assessor's Parcel No. (APN) 144-060-012-8 (which rolled to APN 144-060-041-4), filed a Notice of Nonrenewal on October 5, 2006, which notice was recorded on October 13, 2006 as Instrument No. 2006-0755404, in the Office of the County Recorder of Riverside County, California;**

**WHEREAS, John Bootsma, Essie Bootsma, and Ike Bootsma and Squeaker D. Bootsma, as Co-Trustees of the Bootsma Living Trust, the 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. 4, AMENDMENT NO. 9, (DIMINISHMENT), MAP NO. 975," petitioned to cancel the contract and to diminish Mira Loma Agricultural Preserve No. 4, Map No. 5; and,**

**WHEREAS, a public hearing was held on this matter by the Riverside County Board of Supervisors on September 29, 2009 and October 20, 2009; and,**

**WHEREAS, all provisions of the California Environmental Quality Act (CEQA) and the**

FORM APPROVED COUNTY COUNSEL  
BY *Larisa R-Mckenna* 12/14/07  
LARISA R-MCKENNA DATE

**EXHIBIT A  
MIRA LOMA AGRICULTURAL PRESERVE NO. 4  
MAP NO. 975  
(DIMINISHMENT)**

The following described Real Property situated in the State of California, County of Riverside and described as follows:

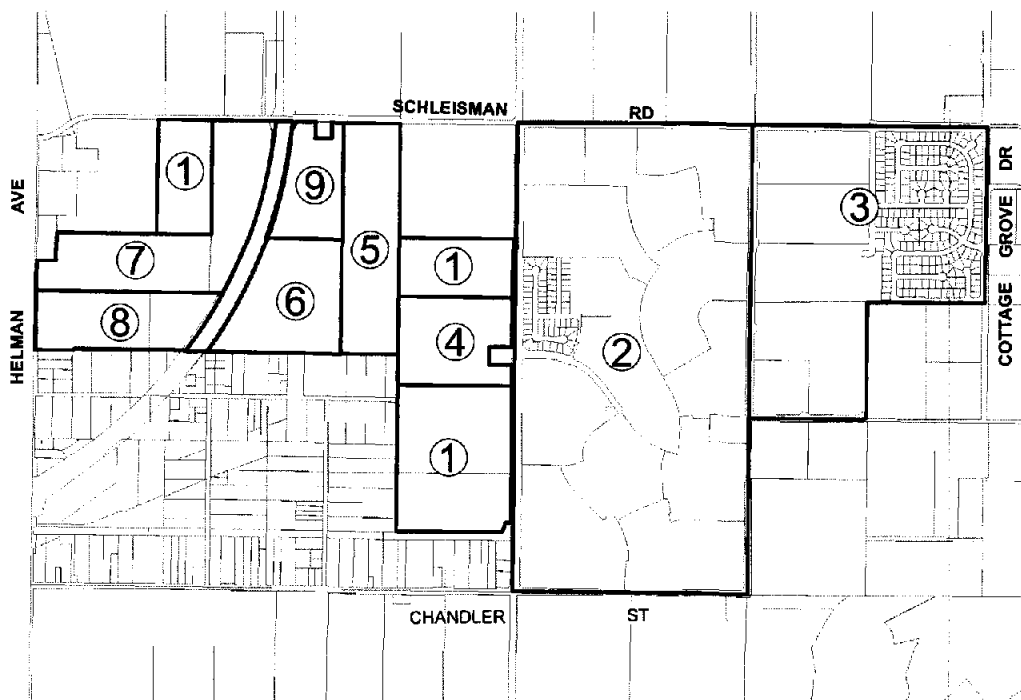
Parcel 2 of Parcel Map 35173, in the County of Riverside, State of California, as per map on file in Book 221, Pages 8 and 9 of Parcel Maps, records of said County.

EXCEPT one-half interest in gas, oil and other minerals, with right of entry, as reserved in Deed from L. A. Thomson, a married man, to Andrew De Bos and Josephine De Bos, husband and wife, dated September 10, 1954 and filed for record October 11, 1954 as Instrument No. 52179 of Official Records.

<b>Assessor Parcel No.</b>	<b>Acres (gross)</b>	<b>Owners</b>
<b>144-060-041-4</b>	<b>19.88</b>	<b>SC Eastvale Development Corp.</b>
<b>TOTAL</b>	<b>19.88</b>	

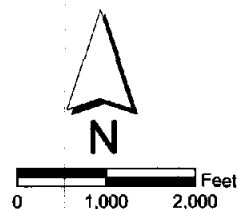
# MAP NO. 5 MIRA LOMA AGRICULTURAL PRESERVE NO. 4

AMENDED BY MAP NO. 596, 749, 782, 871, 887, 915, 916, 975  
T.2.,R.7W. S.B.B & M.



**AMENDMENTS:**

- NO. 1, (DIMINISHMENT), MAY 7, 1985, MAP NO. 596
- NO. 2, (DIMINISHMENT), APRIL 2, 1996, MAP NO. 749
- NO. 3, (DIMINISHMENT), JULY 29, 1997, MAP NO. 782
- NO. 4, (DIMINISHMENT), FEBRUARY 4, 2003, MAP NO. 871
- NO. 5, (DIMINISHMENT), MARCH 11, 2003, MAP NO. 887
- NO. 6, (DIMINISHMENT), JULY 11, 2006, MAP NO. 888
- NO. 7, (DIMINISHMENT), JULY 11, 2006, MAP NO. 915
- NO. 8, (DIMINISHMENT), APRIL 13, 2004, MAP NO. 916
- NO. 9, (DIMINISHMENT), , MAP NO. 975



ADOPTED ON FEBRUARY 10, 1969  
BY THE BOARD OF SUPERVISORS  
OF THE COUNTY OF RIVERSIDE,  
STATE OF CALIFORNIA.