

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



FROM: TLMA - Planning Department

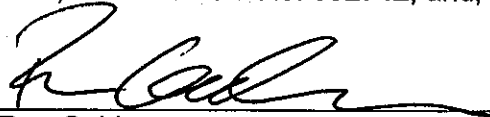
SUBMITTAL DATE:
November 16, 2009

SUBJECT: Adoption of Resolution No. 2009-322 – Diminishment of San Jacinto Agricultural Preserve No. 8 – Agricultural Preserve Case and Map No. 1018 – Applicant: D.R. Horton – Third Supervisorial District – City of San Jacinto – San Jacinto Valley Area Plan – 109.47 Acres (Gross)

RECOMMENDED MOTION: Adoption of Resolution No. 2009-322 for the diminishment of San Jacinto Agricultural Preserve No. 8, Map No. 1018, based upon the hereinafter listed findings and conclusions:

FINDINGS:

1. The 109.47-acre parcel is located southerly of the Ramona Expressway, easterly of Warren Road and westerly of N. Sanderson Avenue in the City of San Jacinto, western Riverside County, California.
2. Charles M. Ross; David H. Ross; and Hyrosen Properties, Inc., a California corporation, entered into a land conservation contract with the County of Riverside for land within San Jacinto Agricultural Preserve No. 8. The contract is dated January 1, 1976, and was recorded on January 28, 1976, as Instrument No. 11835 in the Office of the County Recorder of Riverside County, California.
3. Pursuant to the Land Conservation Act, Jake J. Westra and Alice Westra, the subsequent property owners of Assessor's Parcel No. (APN) 431-020-015-6 (which rolled to 432-030-006-6), filed a notice of non-renewal on September 25, 1990, which notice was recorded on October 18, 1990, as Instrument No. 382742, and, as a



 Ron Goldman
 Planning Director

RG:kb

(Continued On Attached Page)

REVIEWED BY COUNTY COUNSEL
 DATE 11/17/09
 TYPE NAME David H.K. Huff
 Departmental Concurrence

REVIEWED BY EXECUTIVE OFFICE
 DATE _____
 Tina Grande

Dept. i: _____
 Per Exec. Ofc.: _____

Policy
 Consent
 Policy
 Consent

Prev. Agn. Ref.

District: Third

Agenda Number:

consequence, the land conservation contract as it applies to the subject property expired on January 1, 2001.

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, Daniel Boyd, as authorized representative for the current property owner of 432-030-006-6, D.R. Horton, has now applied to have the property removed from the boundaries of the agricultural preserve.

CONCLUSION:

1. The diminishment of San Jacinto Agricultural Preserve No. 8, Map No. 1018, 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 San Jacinto Agricultural Preserve No. 8, Map No. 1018, is consistent with the Riverside County General Plan.

RESOLUTION NO. 2009-322
DISESTABLISHMENT OF SAN JACINTO
AGRICULTURAL PRESERVE NO. 8
(Government Code Section 51231)

WHEREAS, Charles M. Ross; David H. Ross; and Hyrosen Properties, Inc., a California corporation, 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, 1976, and was recorded January 28, 1976, as Instrument No. 11835, in the Office of the County Recorder of Riverside County, California; and,

WHEREAS, Jake J. Westra and Alice Westra, the subsequent property owners of Assessor's Parcel No. (APN) 431-020-015-6 (which went to 432-030-006-6), filed a Notice of Nonrenewal on September 25, 1990, which notice was recorded on October 18, 1990, as Instrument No. 382742, 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, 2001, pursuant to Government Code Section 51245 and 51246;

WHEREAS, Daniel Boyd, as authorized representative for the current landowner of APN 432-030-006-6, D.R. Horton, 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 November 24, 2009, that:

1. San Jacinto Agricultural Preserve No. 8, Map No. 341, dated October 7, 1975, and on file in the Office of the Clerk of this Board, is amended by deleting therefrom the area shown on the map entitled "AGRICULTURAL PRESERVE MAP NO.

F APPROVED COUNTY COUNSEL
BY: *[Signature]* 11/17/09
DATE
DAVID H.K. HUFF

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1018: AMENDMENT NO. 1 (DIMINISHMENT) OF SAN JACINTO AGRICULTURAL PRESERVE NO. 8" and described by boundary description thereof, as fully set forth in the attached document entitled "EXHIBIT A, SAN JACINTO AGRICULTURAL PRESERVE NO. 8, MAP NO. 1018 (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 San Jacinto Agricultural Preserve No. 8, Map No. 1018, 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
 SAN JACINTO AGRICULTURAL PRESERVE NO. 8
 MAP NO. 1018
 (DIMINISHMENT)**

All that certain real property situated in the State of California, County of Riverside and described as follows:

PARCEL D:

Farm Lot 127 of the Lands of the San Jacinto Land Association, in the County of Riverside, State of California, as per map recorded in Book 8, Page 357 of Maps, in the Office of the County Recorder of San Diego County, California.

EXCEPT that portion described as follows:

Beginning on the Northwest corner of Lot 17 of Graham's Hemet Subdivision as shown by map recorded in Book 9, Page 27 of Maps, in the Office of the County Recorder of said Riverside County;

Thence on the Northerly line of said Lot 17 and the North line of Lot 18 of said Graham's Hemet Subdivision South 88° 57' 02" East, 2340.35 feet to a 3" x 3" wood post shown on Record of Survey map filed in Book 19, Page 28 of Record of Surveys of said Riverside County;

Thence on the Easterly boundary of said Record of Survey North 00° 17' 36" West, 3722.41 feet to a point hereinafter referred to as Point "A";

Thence parallel with said Northerly line of Lots 17 and 18 North 88° 57' 02" West, 2311.78 feet to the Westerly line of said Farm Lot 127;

Thence on the Westerly line of said Farm Lots 127 and 135 and the Westerly line of Tract XXIII of Rancho San Jacinto Viejo, South 00° 18' 55" East, 3722.45 feet to the point of beginning.

ALSO EXCEPT that portion lying within Parcel 1 of Record of Survey as shown by map on file in Book 35, Page 62 of Records of Survey, Records of Riverside County, California.

ALSO EXCEPT that portion lying within Parcel 1 of Record of Survey as shown by map on file in Book 37, Page 24 of Records of Survey, Records of Riverside County, California.

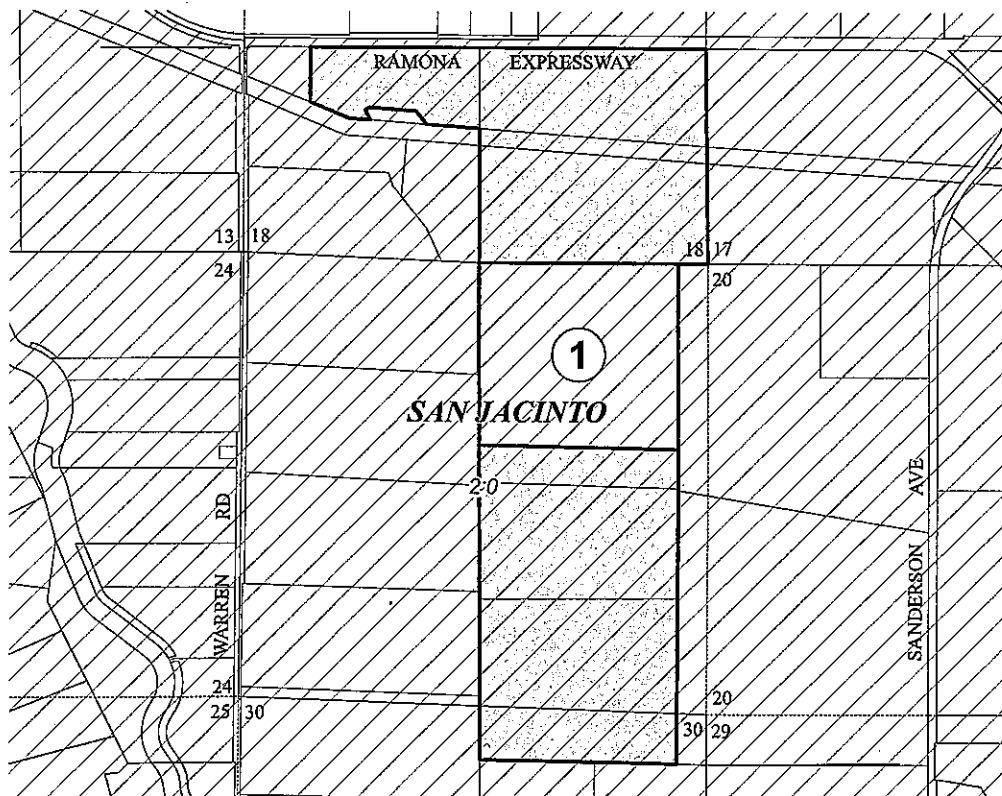
Assessor Parcel No.	Acres (gross)	Owners
432-030-006-6	109.47	D.R. Horton
TOTAL	109.47	

MAP NO. 341 SAN JACINTO AGRICULTURAL PRESERVE NO. 8

1018

AMENDED BY MAP NO. 1018

T. 4 S., R. 1 W. S.B.B. & M.



AMENDMENTS:
NO. 1, (DIMINISHMENT), NOVEMBER 24, 2009, MAP NO. 1018

ADOPTED ON OCTOBER 7, 1975
BY THE BOARD OF SUPERVISORS
OF THE COUNTY OF RIVERSIDE,
STATE OF CALIFORNIA.

