

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

442A



FROM: TLMA - Planning Department

SUBMITTAL DATE:
March 15, 2010

SUBJECT: EXECUTION OF LAND CONSERVATION CONTRACT FOR RANCHO CALIFORNIA AGRICULTURAL PRESERVE NO. 22, MAP NO. 365, AS AMENDED, AGRICULTURAL PRESERVE CASE NO. 1019 – CEQA Exempt – Applicant: Raul Ramirez – Third Supervisorial District – Rancho California Zoning Area – Southwest Area Plan: Agriculture (AG) – Location: Northeasterly of Rancho California Road, southerly of Vino Way, east of and adjacent to Calle Contento and west of Anza Road – 19.78 Acres – Zoning: Citrus Vineyard – 20 Acre Min. (C/V-20) – REQUEST: To execute a new land conservation contract for property within an existing agricultural preserve.

CONTROVERSIAL ISSUES: None

RECOMMENDED MOTION:

AUTHORIZE the Chairman of the Board of Supervisors to execute the attached land conservation contracts for the real property located within Rancho California Agricultural Preserve No. 22, Map No. 365, as amended, based on the hereinafter listed Findings and Conclusions; and,

Continued on the next page

[Signature]
Ron Goldman
Planning Director

FINANCIAL DATA	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	<input type="checkbox"/>
	Requires 4/5 Vote	<input type="checkbox"/>

C.E.O. RECOMMENDATION: APPROVE
BY: *[Signature]*
Tina Grande
County Executive Office Signature

FORWARD APPROVED COUNTY COUNSEL
 BY: DAVID H.K. HUFF
 DATE: 3/11/10
 Departmental Concurrence
 Policy
 Policy
 Consent
 Consent
 Dep't Recomm.:
 Per Exec. Ofc.:

Prev. Agn. Ref.: | **District:** Third | **Agenda Number:**

3.70

To the Honorable Board of Supervisors

**RE: EXECUTION OF LAND CONSERVATION CONTRACT FOR RANCHO CALIFORNIA
AGRICULTURAL PRESERVE NO. 22, MAP NO. 365, AS AMENDED, AGRICULTURAL PRESERVE
CASE NO. 1019**

March 15, 2010

Page 2 of 2

DIRECT the Clerk of the Board to record the contracts with the County Recorder and transmit copies thereof to the Riverside County Planning Department, the Director of Conservation, State of California, and the Office of the Assessor of Riverside County.

FINDINGS:

1. The 19.78-acre parcel is located within Rancho California Agricultural Preserve No. 22, Map No. 365, as amended.
2. A land conservation contract was previously executed between Robert K. Booher and the County of Riverside resulting in the establishment of Rancho California Agricultural Preserve No. 22, Map No. 365, approved by the Board of Supervisors on February 10, 1976. Subsequently, Robert K. Booher filed a notice of non-renewal for Assessor's Parcel No. (APN) 943-240-005, which notice was recorded on August 15, 1985, as Instrument No. 181905 in the Office of the County Recorder of Riverside County, California.
3. The current property owner of APN 943-240-005, Raul Ramirez, is requesting to execute a new land conservation contract for the subject parcel in order to supersede the affected portion of the original contract and the Notice of Non-Renewal filed thereupon.
4. The subject parcel described in Exhibit A and indicated in the attached agricultural preserve boundary map meets the minimum lot size requirement, is zoned for inclusion into an agricultural preserve and supports agricultural uses.

CONCLUSION:

1. The execution of this land conservation contract 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 execution of this contract is consistent with the Riverside County General Plan.

EXHIBIT A
RANCHO CALIFORNIA AGRICULTURAL PRESERVE NO. 22
MAP NO. 365
(Contract within Existing Agricultural Preserve)

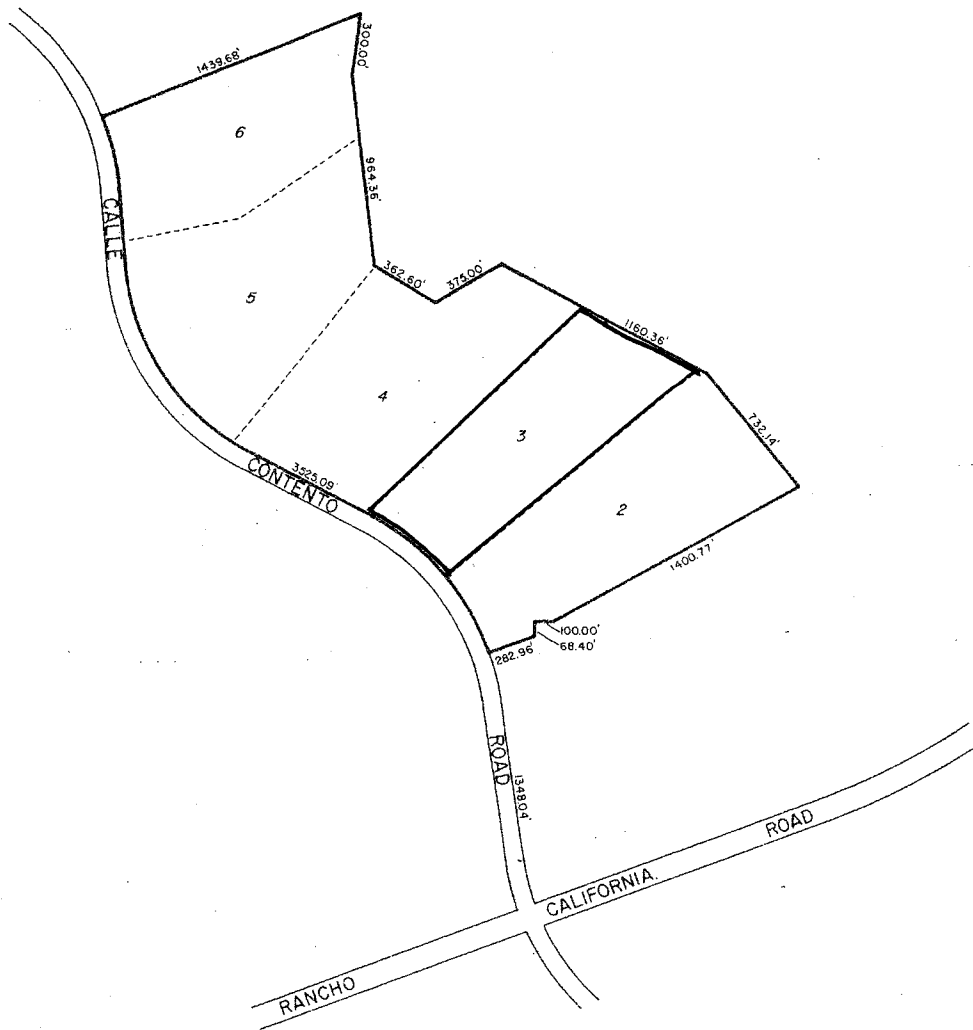
The following real property located in the County of Riverside, State of California, described as follows:

Parcel 3, as shown in Parcel Maps Book 14, Page, records of the County Surveyor of Riverside County.

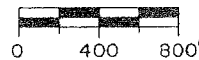
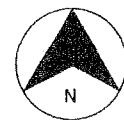
Assessor Parcel No.		Acres		Owners
943-240-005-9		19.78		Raul E. Ramirez
Total		19.78		

MAP NO. 365 RANCHO CALIFORNIA AGRICULTURAL PRESERVE NO. 22

PAUBA RANCHO
POR. P.M. 14/93-95



ADOPTED ON FEBRUARY 10, 1976
BY THE BOARD OF SUPERVISORS
OF THE COUNTY OF RIVERSIDE,
STATE OF CALIFORNIA.



RECORDING REQUESTED BY
RIVERSIDE COUNTY

THIS AREA FOR RECORDER'S USE ONLY

When recorded, return to:

Stop #1010
Clerk of the Board of Supervisors
Riverside CA, 1st Floor

No fee, 6103 Government Code

LAND CONSERVATION CONTRACT

COUNTY OF RIVERSIDE, herein called "County," and

Raul E. Ramirez

herein called "Owner," mutually agree:

1. This contract is made pursuant to the California Land Conservation Act of 1965 (Government Code, Section 51200, et seq.) and affects the real property described in Exhibit "A" attached hereto and made a part of this contract, which lies within the Rancho California Agricultural Preserve No. 22, Map No. 365.
2. This contract shall take effect on January 1, 2011, and shall remain in effect for an initial term of 10 years.
3. On each anniversary date of this contract, one year shall be added to the initial term unless notice of non-renewal shall be given as provided in Section 51245 of the Government Code. Any notice of non-renewal referring to this contract shall be recorded by the County in the office of the County Recorder whenever the contract is not renewed.
4. This contract may be canceled only in accordance with Section 51280, et seq., of the Government Code relating to cancellation, as now written or hereafter amended.
5. When any portion of land subject to this contract is acquired by condemnation of the fee title, or by purchase in lieu thereof, for a public improvement, this contract shall become null and void thereafter as to such portion, and may be amended to correctly reflect the description of any portion not so acquired.
6. In consideration of the execution hereof by County, and the execution by County and other owners within the preserve of similar contracts, the Owner, during the term of this contract, including any renewal period, agrees to use the described land only for agricultural uses and such compatible uses as are permitted by or pursuant to the Uniform Rules established for the administration of agricultural preserves by Riverside County Ordinance Number No. 509. Said Uniform Rules are by this reference incorporated in and made a part of this contract.
7. In consideration of the execution hereof by the Owner and the execution of similar contracts by other property owners within the same agricultural preserve, County agrees not to authorize uses, other than uses permitted by or pursuant to said Uniform Rules, within said agricultural preserve, during the term of this contract or any renewal thereof. Nothing herein shall prohibit a change of boundaries of said agricultural preserve to omit lands not subject to such contract or to include additional lands.
8. Any notice to be given to the Owner pursuant to this contract or said Uniform Rules may be sent by U.S. Mail addressed to the Owner at the address shown below the signature of the Owner. Like notices to County may be sent by U.S. Mail addressed to Clerk, Board of Supervisors, P.O. Box 1010, Riverside, CA 92502-1010. Either party may change such address by notice to the other.

9. This contract shall constitute a covenant running with the land herein described, and shall be binding upon and inure to the benefit of the heirs, successors and assigns of the parties hereto. This contract may be enforced by either party or by any owner of land within the same agricultural preserve which is subject to a similar contract.

Dated as of: April 6 ~~March 16~~, 2010

STATE OF CALIFORNIA
COUNTY OF RIVERSIDE

ATTEST:
Clerk of the Riverside County Board of Supervisors

BY _____
Chairman, Board of Supervisors

FORM APPROVED COUNTY COUNSEL
BY: David H.K. Huff / 3/29/10
DATE

By _____
(Seal) Deputy

OWNER(S) SIGNATURE AND ADDRESS

Owner: Raul E. Ramirez [Signature]

Owner: _____

Owner: _____

Owner: _____

Mailing Address: 440 W. Markham Street, Perris, CA 92571

NOTARY ACKNOWLEDGMENT

STATE OF CALIFORNIA)
COUNTY OF Riverside)

On 29 JANUARY, 2010 before me, RONALD R. RICKLEF, NOTARY PUBLIC
(Date) (Name and Title of officer)

personally appeared RAUL E. RAMIREZ, who
(Name(s) of signer(s))

proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the Sate of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal

[Signature]
Notary Public

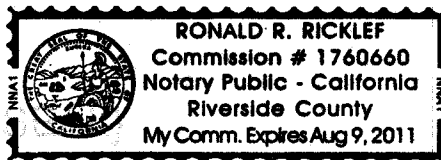


EXHIBIT A
RANCHO CALIFORNIA AGRICULTURAL PRESERVE NO. 22
MAP NO. 365
(Contract within Existing Agricultural Preserve)

The following real property located in the County of Riverside, State of California, described as follows:

Parcel 3, as shown in Parcel Maps Book 14, Page, records of the County Surveyor of Riverside County.

Assessor Parcel No.	Acres	Owners
943-240-005-9	19.78	Raul E. Ramirez
Total	19.78	

MAP NO. 365

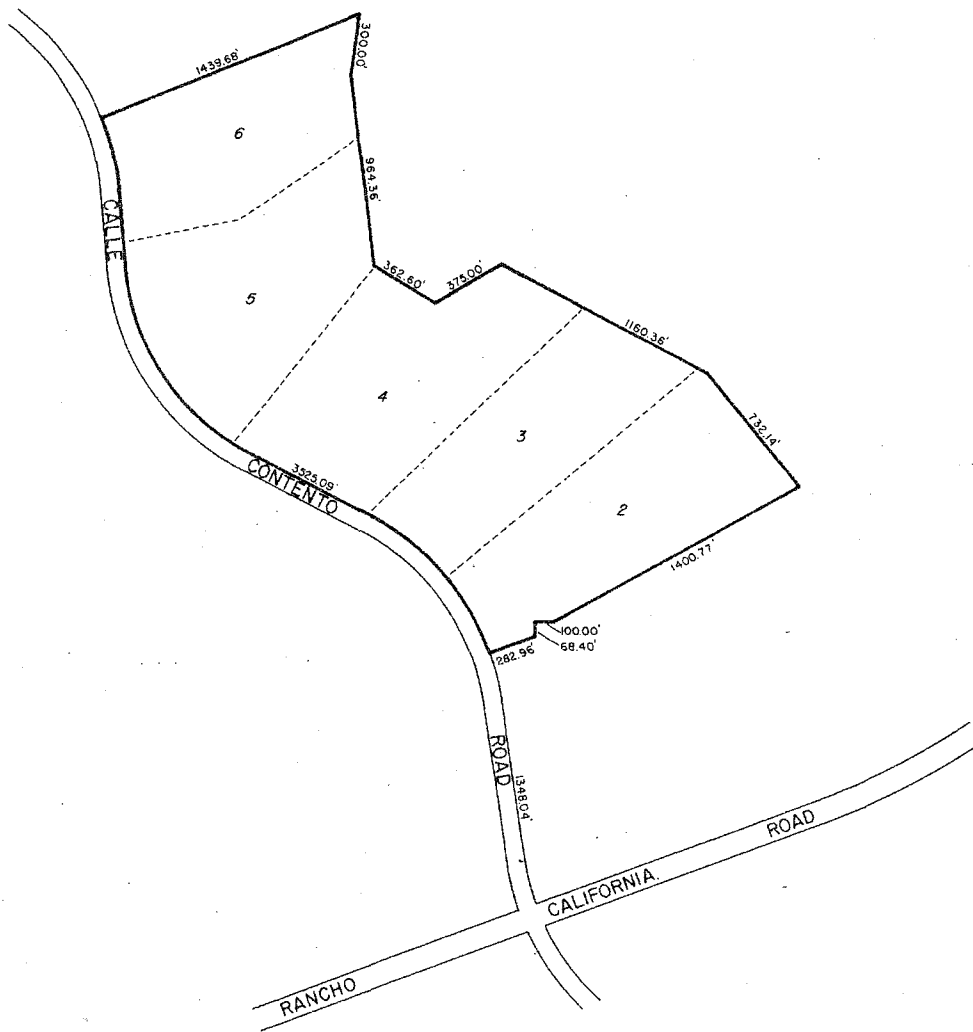
RANCHO CALIFORNIA

AGRICULTURAL

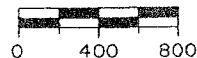
PRESERVE

NO. 22

PAUBA RANCHO
 POR. P.M. 14/93-95



ADOPTED ON FEBRUARY 10, 1976
 BY THE BOARD OF SUPERVISORS
 OF THE COUNTY OF RIVERSIDE,
 STATE OF CALIFORNIA.



When recorded, return to:

Stop #1010
Clerk of the Board of Supervisors
Riverside CA, 1st Floor

No fee, 6103 Government Code

LAND CONSERVATION CONTRACT

COUNTY OF RIVERSIDE, herein called "County," and

Raul E. Ramirez

herein called "Owner," mutually agree:

1. This contract is made pursuant to the California Land Conservation Act of 1965 (Government Code, Section 51200, et seq.) and affects the real property described in Exhibit "A" attached hereto and made a part of this contract, which lies within the Rancho California Agricultural Preserve No. 22, Map No. 365.
2. This contract shall take effect on January 1, 2011, and shall remain in effect for an initial term of 10 years.
3. On each anniversary date of this contract, one year shall be added to the initial term unless notice of non-renewal shall be given as provided in Section 51245 of the Government Code. Any notice of non-renewal referring to this contract shall be recorded by the County in the office of the County Recorder whenever the contract is not renewed.
4. This contract may be canceled only in accordance with Section 51280, et seq., of the Government Code relating to cancellation, as now written or hereafter amended.
5. When any portion of land subject to this contract is acquired by condemnation of the fee title, or by purchase in lieu thereof, for a public improvement, this contract shall become null and void thereafter as to such portion, and may be amended to correctly reflect the description of any portion not so acquired.
6. In consideration of the execution hereof by County, and the execution by County and other owners within the preserve of similar contracts, the Owner, during the term of this contract, including any renewal period, agrees to use the described land only for agricultural uses and such compatible uses as are permitted by or pursuant to the Uniform Rules established for the administration of agricultural preserves by Riverside County Ordinance Number No. 509. Said Uniform Rules are by this reference incorporated in and made a part of this contract.
7. In consideration of the execution hereof by the Owner and the execution of similar contracts by other property owners within the same agricultural preserve, County agrees not to authorize uses, other than uses permitted by or pursuant to said Uniform Rules, within said agricultural preserve, during the term of this contract or any renewal thereof. Nothing herein shall prohibit a change of boundaries of said agricultural preserve to omit lands not subject to such contract or to include additional lands.
8. Any notice to be given to the Owner pursuant to this contract or said Uniform Rules may be sent by U.S. Mail addressed to the Owner at the address shown below the signature of the Owner. Like notices to County may be sent by U.S. Mail addressed to Clerk, Board of Supervisors, P.O. Box 1010, Riverside, CA 92502-1010. Either party may change such address by notice to the other.

9. This contract shall constitute a covenant running with the land herein described, and shall be binding upon and inure to the benefit of the heirs, successors and assigns of the parties hereto. This contract may be enforced by either party or by any owner of land within the same agricultural preserve which is subject to a similar contract.

Dated as of: April 6 ~~March 16~~, 2010

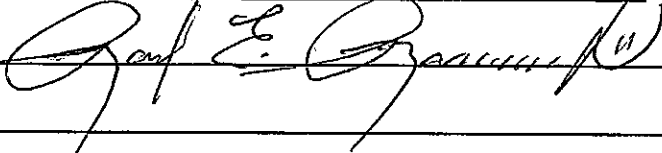
STATE OF CALIFORNIA
COUNTY OF RIVERSIDE

ATTEST:
Clerk of the Riverside County Board of Supervisors

BY _____
Chairman, Board of Supervisors

By _____
(Seal) Deputy

OWNER(S) SIGNATURE AND ADDRESS

Owner: Raul E. Ramirez 
Owner: _____
Owner: _____
Owner: _____

Mailing Address: 440 W. Markham Street, Perris, CA 92571

NOTARY ACKNOWLEDGMENT

STATE OF CALIFORNIA)
COUNTY OF Riverside)


On 29 JANUARY, 2010 before me, RONALD R. RICKLEF, NOTARY PUBLIC,
(Date) (Name and Title of officer)

personally appeared RAUL E. RAMIREZ, who
(Name(s) of signer(s))

proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal



Notary Public

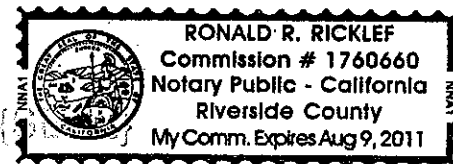


EXHIBIT A
RANCHO CALIFORNIA AGRICULTURAL PRESERVE NO. 22
MAP NO. 365
(Contract within Existing Agricultural Preserve)

The following real property located in the County of Riverside, State of California, described as follows:

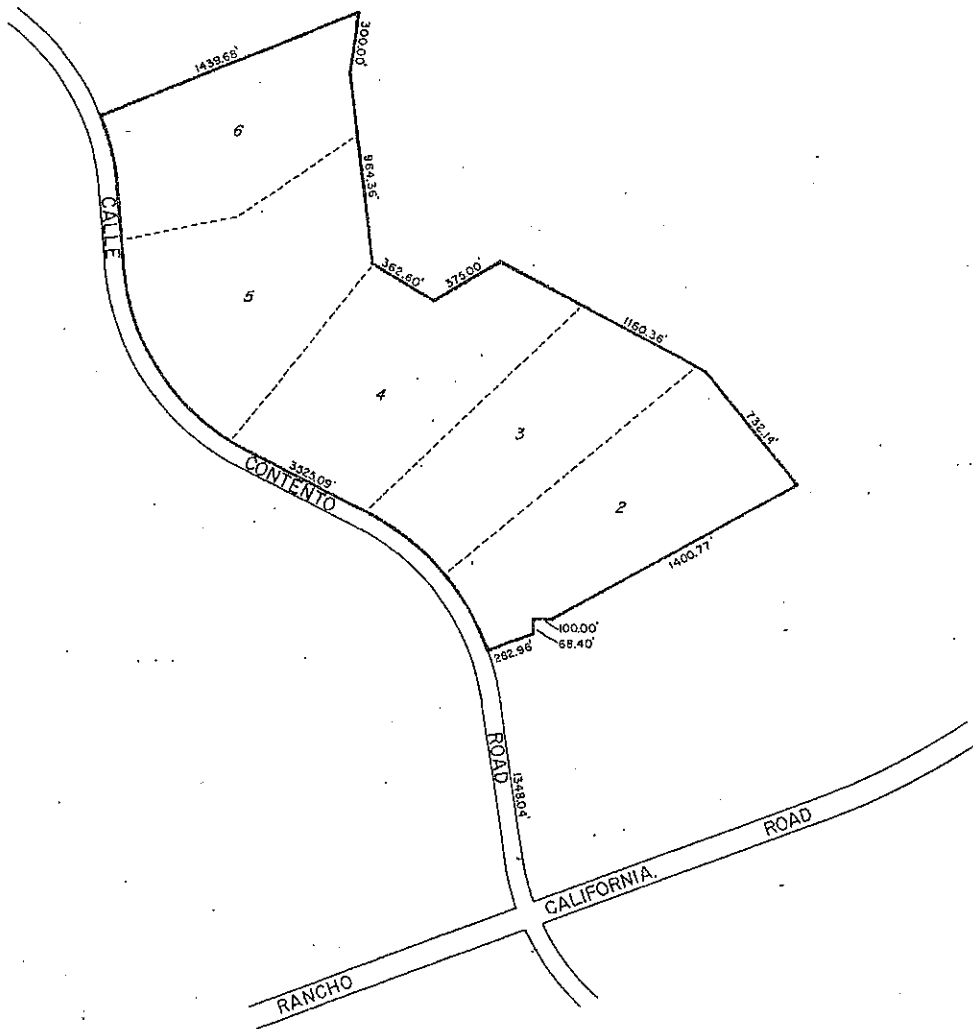
Parcel 3, as shown in Parcel Maps Book 14, Page, records of the County Surveyor of Riverside County.

Assessor Parcel No.	Acres	Owners
943-240-005-9	19.78	Raul E. Ramirez
Total	19.78	

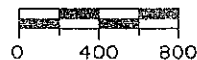
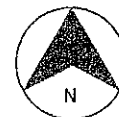
MAP NO. 365 RANCHO CALIFORNIA AGRICULTURAL PRESERVE

NO. 22

PAUBA RANCHO
POR. P.M. 14/93-95



ADOPTED ON FEBRUARY 10, 1976
BY THE BOARD OF SUPERVISORS
OF THE COUNTY OF RIVERSIDE,
STATE OF CALIFORNIA.



When recorded, return to:

Stop #1010
Clerk of the Board of Supervisors
Riverside CA, 1st Floor

No fee, 6103 Government Code

LAND CONSERVATION CONTRACT

COUNTY OF RIVERSIDE, herein called "County," and

Raul E. Ramirez

herein called "Owner," mutually agree:

1. This contract is made pursuant to the California Land Conservation Act of 1965 (Government Code, Section 51200, et seq.) and affects the real property described in Exhibit "A" attached hereto and made a part of this contract, which lies within the Rancho California Agricultural Preserve No. 22, Map No. 365.
2. This contract shall take effect on January 1, 2011, and shall remain in effect for an initial term of 10 years.
3. On each anniversary date of this contract, one year shall be added to the initial term unless notice of non-renewal shall be given as provided in Section 51245 of the Government Code. Any notice of non-renewal referring to this contract shall be recorded by the County in the office of the County Recorder whenever the contract is not renewed.
4. This contract may be canceled only in accordance with Section 51280, et seq., of the Government Code relating to cancellation, as now written or hereafter amended.
5. When any portion of land subject to this contract is acquired by condemnation of the fee title, or by purchase in lieu thereof, for a public improvement, this contract shall become null and void thereafter as to such portion, and may be amended to correctly reflect the description of any portion not so acquired.
6. In consideration of the execution hereof by County, and the execution by County and other owners within the preserve of similar contracts, the Owner, during the term of this contract, including any renewal period, agrees to use the described land only for agricultural uses and such compatible uses as are permitted by or pursuant to the Uniform Rules established for the administration of agricultural preserves by Riverside County Ordinance Number No. 509. Said Uniform Rules are by this reference incorporated in and made a part of this contract.
7. In consideration of the execution hereof by the Owner and the execution of similar contracts by other property owners within the same agricultural preserve, County agrees not to authorize uses, other than uses permitted by or pursuant to said Uniform Rules, within said agricultural preserve, during the term of this contract or any renewal thereof. Nothing herein shall prohibit a change of boundaries of said agricultural preserve to omit lands not subject to such contract or to include additional lands.
8. Any notice to be given to the Owner pursuant to this contract or said Uniform Rules may be sent by U.S. Mail addressed to the Owner at the address shown below the signature of the Owner. Like notices to County may be sent by U.S. Mail addressed to Clerk, Board of Supervisors, P.O. Box 1010, Riverside, CA 92502-1010. Either party may change such address by notice to the other.

9. This contract shall constitute a covenant running with the land herein described, and shall be binding upon and inure to the benefit of the heirs, successors and assigns of the parties hereto. This contract may be enforced by either party or by any owner of land within the same agricultural preserve which is subject to a similar contract.

Dated as of: April 6 ~~March 16~~, 2010

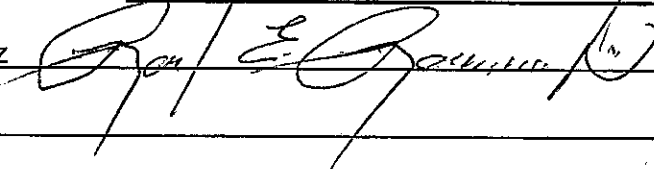
STATE OF CALIFORNIA
COUNTY OF RIVERSIDE

ATTEST:
Clerk of the Riverside County Board of Supervisors

BY _____
Chairman, Board of Supervisors

By _____
(Seal) Deputy

OWNER(S) SIGNATURE AND ADDRESS

Owner: Raul E. Ramirez 
Owner: _____
Owner: _____
Owner: _____

Mailing Address: 440 W. Markham Street, Perris, CA 92571

NOTARY ACKNOWLEDGMENT


STATE OF CALIFORNIA)
COUNTY OF Riverside)

On 29 JANUARY, 2010 before me, RONALD R. RICKLEF, Notary Public,
(Date) (Name and Title of officer)

personally appeared RAUL E. RAMIREZ, who
(Name(s) of signer(s))

proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the Sate of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal

Notary Public

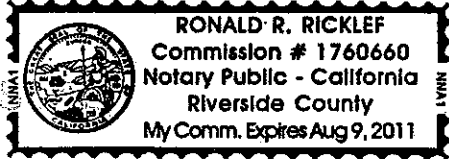


EXHIBIT A
RANCHO CALIFORNIA AGRICULTURAL PRESERVE NO. 22
MAP NO. 365
(Contract within Existing Agricultural Preserve)

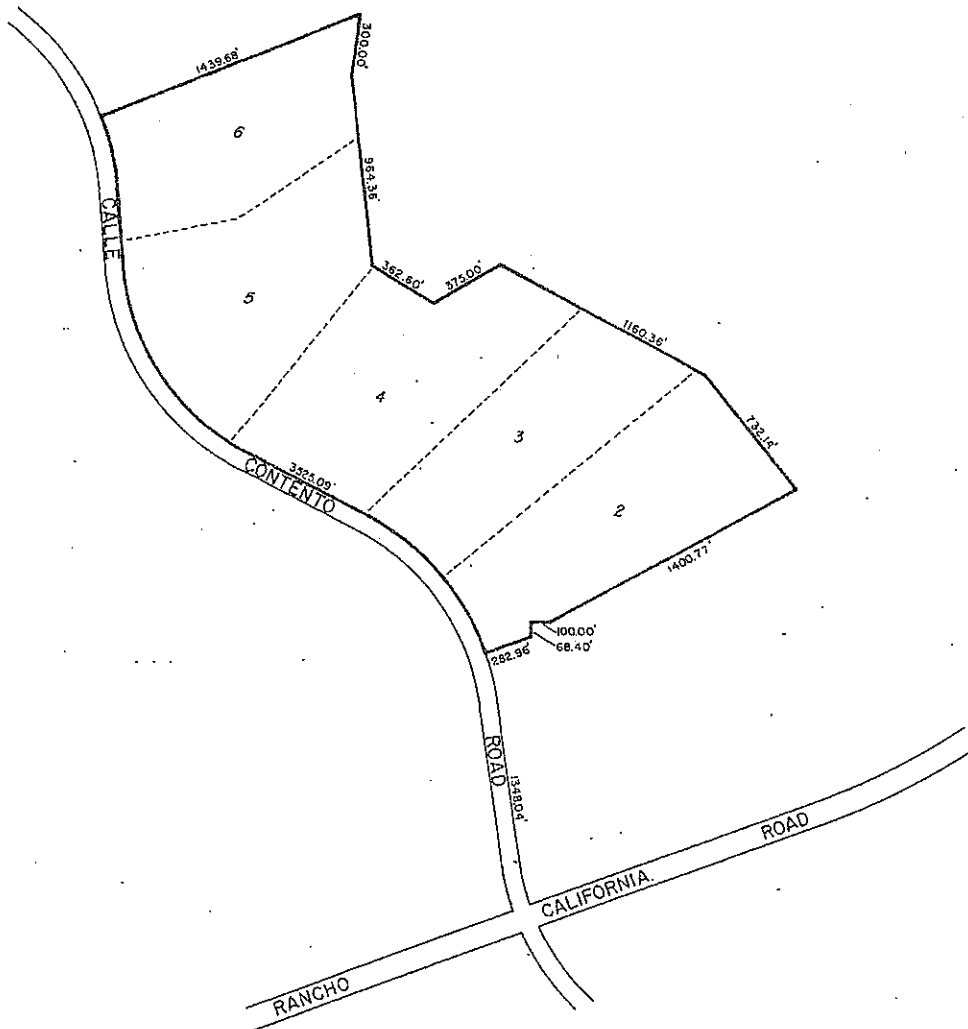
The following real property located in the County of Riverside, State of California, described as follows:

Parcel 3, as shown in Parcel Maps Book 14, Page, records of the County Surveyor of Riverside County.

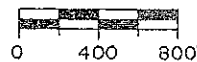
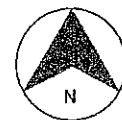
Assessor Parcel No.	Acres	Owners
943-240-005-9	19.78	Raul E. Ramirez
Total	19.78	

MAP NO. 365 RANCHO CALIFORNIA AGRICULTURAL PRESERVE NO. 22

PAUBA RANCHO
POR. P.M. 14/93-95



ADOPTED ON FEBRUARY 10, 1976
BY THE BOARD OF SUPERVISORS
OF THE COUNTY OF RIVERSIDE,
STATE OF CALIFORNIA.



COUNTY OF RIVERSIDE

TRANSPORTATION AND LAND MANAGEMENT AGENCY

George A. Johnson · Agency Director

Planning Department

Ron Goldman · Planning Director

NOTICE OF EXEMPTION

TO: Office of Planning and Research (OPR) FROM: Riverside County Planning Department
P.O. Box 3044 4080 Lemon Street, 9th Floor 38686 El Cerrito Road
Sacramento, CA 95812-3044 P. O. Box 1409 Palm Desert, CA 92201
 County of Riverside County Clerk Riverside, CA 92502-1409

Project Title/Case No.: AGRICULTURAL PRESERVE CASE NO. 1019

Project Location: In the unincorporated area of Riverside County, more specifically Assessor's Parcel Number 943-240-005, located northeasterly of Rancho California Road, south of Vino Way, east of and adjacent to Calle Contento and west of Anza Road in southwestern Riverside County.

Project Description: A request to execute a land conservation contract for land located within Rancho California Agricultural Preserve No. 22, Map No. 365, as amended.

Name of Public Agency Approving Project: Riverside County

Project Sponsor: Raul E. Ramirez

Exempt Status: (Check one)

- Ministerial (Sec. 21080(b)(1); 15268) Categorical Exemption (15317)
 Declared Emergency (Sec. 21080(b)(3); 15269(a)) Statutory Exemption ()
 Emergency Project (Sec. 21080(b)(4); 15269 (b)(c)) Other: _____

Reasons why project is exempt: The establishment of agricultural preserves, the making and renewal of open space contracts under the Williamson Act, or the acceptance of easements or fee interests in order to maintain the open space character of the area are categorically exempt under CEQA.

Findings:

1. The proposal is for land located within the unincorporated areas of Riverside County
2. The proposal is to execute a land conservation contract for land located within an existing agricultural preserve.
3. The proposed is for land that meets the minimum lot size requirement, is zoned for inclusion into an agricultural preserve and supports agricultural uses..
4. The proposal will not individually or cumulatively, have an adverse effect on wildlife resources.
5. It can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment.

Kathleen A. Browne

951-955-4949

Kathleen A. Browne
County Contact Person
Signature

Urban Regional Planner III
Title

Phone Number

03/08/10
Date

Date Received for Filing and Posting at OPR: _____

Y:\Planning Case Files-Riverside office\AG01019\1019_NOE.doc

Please charge deposit fee case#: ZAG01019 ZCFG05656.

FOR COUNTY CLERK'S USE ONLY

*Case No: CFG05656 *

Applied: 03/22/2010

Proposal: CFG FOR NOE ON AG01019

Appl Type: CFG3 CALIF FISH & GAME: DOC FEE

Location:

Project size: F/A:

Min lot size: F/A:

Lots/units:

Assessor Parcel No: 943240005

Section: Twnshp/Range:

Supervisor District:

Census Tract:

Team:

Zoning:

Zoning Area/Dist:

Developer Agreement:

Open Space & Cons Elem:

Community Plan:

Category/Designation:

EA:

Concurrent Cases:

Related Cases:

OWNER	RAUL RAMIREZ 440 W MARKHAM ST PERRIS, CA 92571	03/22/2010 Phone: 951-943-5855
	951-940-9207	
APPLICANT	RAUL RAMIREZ 440 W MARKHAM ST PERRIS, CA 92571	03/22/2010 Phone: 951-943-5855
	951-940-9207 FAX	
PLANNER	BROWNE KATHLEEN	03/22/2010