

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

603 B



FROM: TLMA - Planning Department

SUBMITTAL DATE:
January 18, 2012

SUBJECT: Withdraw Agricultural Preserve Notice of Non-Renewal AGN00159 and Authorize Notice of Non-Renewal AGN00163 on a 5.65 portion of land subject to a Land Conservation Contract within Rancho California Agricultural Preserve No. 12, Map No. 322 — Applicant: James A. Carter, Trustee of Carter Family Trust – Third Supervisorial District – Southwest Area Plan.

RECOMMENDED MOTION:

The Planning Director recommends that the Board of Supervisors:

1. **ACCEPT** the Applicant's request to withdrawal a Notice of Non-Renewal recorded on November 5, 2008 as Instrument No. 2008-0587411 pursuant to Case Number AGN00159, and:
2. **AUTHORIZE** the Applicant to submit a Notice of Non-Renewal on a 5.65 acre portion of 943-230-001 subject to a Land Conservation Contract in accordance with Section 403 of Resolution No. 84-526.

BACKGROUND:

The property is located within Rancho California Agricultural Preserve No. 12, Map No. 322. The site is located northerly of Rancho California Road, westerly of Anza Road and easterly of Calle Contento.

Milo David Rowell and Chester S. Rowell entered into a Land Conservation Contract with

Carolyn Syms Luma

Carolyn Syms Luma
Planning Director

(Continued On Attached Page)

MINUTES OF THE BOARD OF SUPERVISORS

On motion of Supervisor Stone, seconded by Supervisor Benoit and duly carried by unanimous vote, IT WAS ORDERED that the above matter is approved as recommended.

Ayes: Buster, Tavaglione, Stone, Benoit and Ashley
Nays: None
Absent: None
Date: January 31, 2012
xc: Planning, Applicant

Kecia Harper-Ihem
Clerk of the Board
By: *Kecia Harper-Ihem*
Deputy

Prev. Agn. Ref. AGN00159

District: Third/3 Agenda Number:

3.18

REVIEWED BY COUNTY COUNSEL

DATE 1/18/12
TYPE NAME Michelle Clock

Departmental Concurrence

REVIEWED BY EXECUTIVE OFFICE

1/23/12 PM
Tina Grande

Consent Policy
Consent Policy
Dept's ecomm.:
Per Exec. Ofc.:

The Honorable Board of Supervisors
RE: Execution of Land Conservation Contract
January 18, 2012
Page 2 of 2

the County of Riverside for land within Rancho California Agricultural Preserve No. 12. The contract is dated January 1, 1975 and was recorded on February 28, 1975, as Instrument No. 24233 in the Office of the County Recorder of Riverside County, California.

Pursuant to the Land Conservation Act, James Carter, the subsequent property owner, filed a Notice of Non-Renewal (AGN00159) on October 27, 2008, which was recorded on November 5, 2008 on 109.34 acre parcel as Instrument No. 2008-0587411. As a consequence, the land conservation contract as it applies to the affected property (Assessor's Parcel No. 943-230-001) would expire on January 1, 2019.

The original assessor's map shows APN 943-230-001 as 109.34 acres in size; however, subsequent survey work has revealed that the gross acreage of the parcel was actually 114.29 acres. Of that acreage, 1.61 acres has been dedicated to Riverside County for right of way of Rancho California Road leaving, 112.68 acres.

The landowner has indicated that upon further evaluation of intended use of the property, it would not be necessary to remove the entire parcel from the agricultural preserve, because the majority of the property would continue to remain in productive agricultural use. Therefore, he has requested that the existing Notice of Non-Renewal recorded on November 5, 2008 be withdrawn and be superseded by the proposed Notice of Non-Renewal, which would apply only 5.65-acre portion of the parcel where non-agricultural uses are proposed (Exhibit A-1). This revision would further the objectives of the Land Conservation Act of 1965 by allowing the majority of APN 943-230-001 to remain under long term agricultural contract while ensuring the overall economic viability of the property.

The subject parcel is designated Agriculture on the Southwest Area Plan, within the Citrus Vineyard Rural Policy Area.

The property is zoned Citrus Vineyard with a 20 acre minimum parcel size (C/V-20 Zone).

In accordance with Section 402 of the Resolution No. 84-526, upon request by the owner, the Board may authorize the owner to serve a notice of nonrenewal on a portion of the land under contract. Notice of Non-Renewal is included as Exhibit A-2.

EXHIBIT A-2

PLEASE COMPLETE THIS INFORMATION

RECORDING REQUESTED BY:

CLERK OF THE BOARD
DEPARTMENT
(CAC - 1st Floor)

AND WHEN RECORDED MAIL TO:

RETURN TO STOP#1010
Clerk of the Board
(CAC Bldg. - 1st Floor)

DOC # 2012-0069048
02/15/2012

Customer Copy Label

The paper to which this label is
affixed has not been compared
with the recorded document

Larry W Ward
County of Riverside
Assessor, County Clerk & Recorder

THIS SPACE FOR RECORDERS USE ONLY

NOTICE OF NONRENEWAL NO. 00163 FOR **A PORTION** OF PROPERTY
UNDER A LAND CONSERVATION CONTRACT

NOTICE IS HEREBY GIVEN pursuant to Section 51245 of the California Government Code that the undersigned, being all of the owners of the affected real property, elect not to renew Land Conservation Contract or Agreement dated 1/1/75 and recorded on 2/28/75 as Instrument No. 24233 in the Office of the County Recorder of Riverside County, California. The real property affected by this notice is located in the Rancho California Agricultural Preserve No. 12, Map No. 322, dated 2/18/75.

See attached Legal

Assessor's Parcel Number(s) of land affected: 943-230-001

ORIGINAL OWNER(S)

Milo David Rowell

Chester S. Rowell

CURRENT OWNER(S)

[Signature]
Signature (Title and Company if applicable)

James A. Carter, Trustee of the Carter
Family Trust dtd 12/28/01

Print Name

Signature (Title and Company if applicable)

Print Name

Signature (Title and Company if applicable)

Print Name

Signature (Title and Company if applicable)

Print Name

(All original and current owners must be listed)

Acknowledgement of Receipt
Kecia Harper-Ihem, Clerk of the Board

By: [Signature]
Deputy

Date: 1/31/12

COPY

JAN 31 2012 3.13

NOTARY ACKNOWLEDGMENT

STATE OF CALIFORNIA)
COUNTY OF Riverside)

On 9-13-2011 before me, Christy Hartig, notary public
(Date) (Name and title of officer (e.g. "James Doe, Notary Public"))

personally appeared James A. Carter 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.
Christy Hartig
Notary Public

{SEAL}

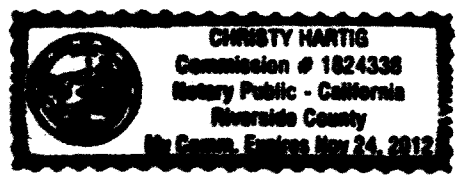
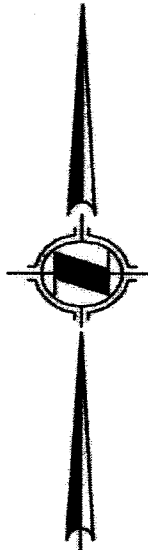
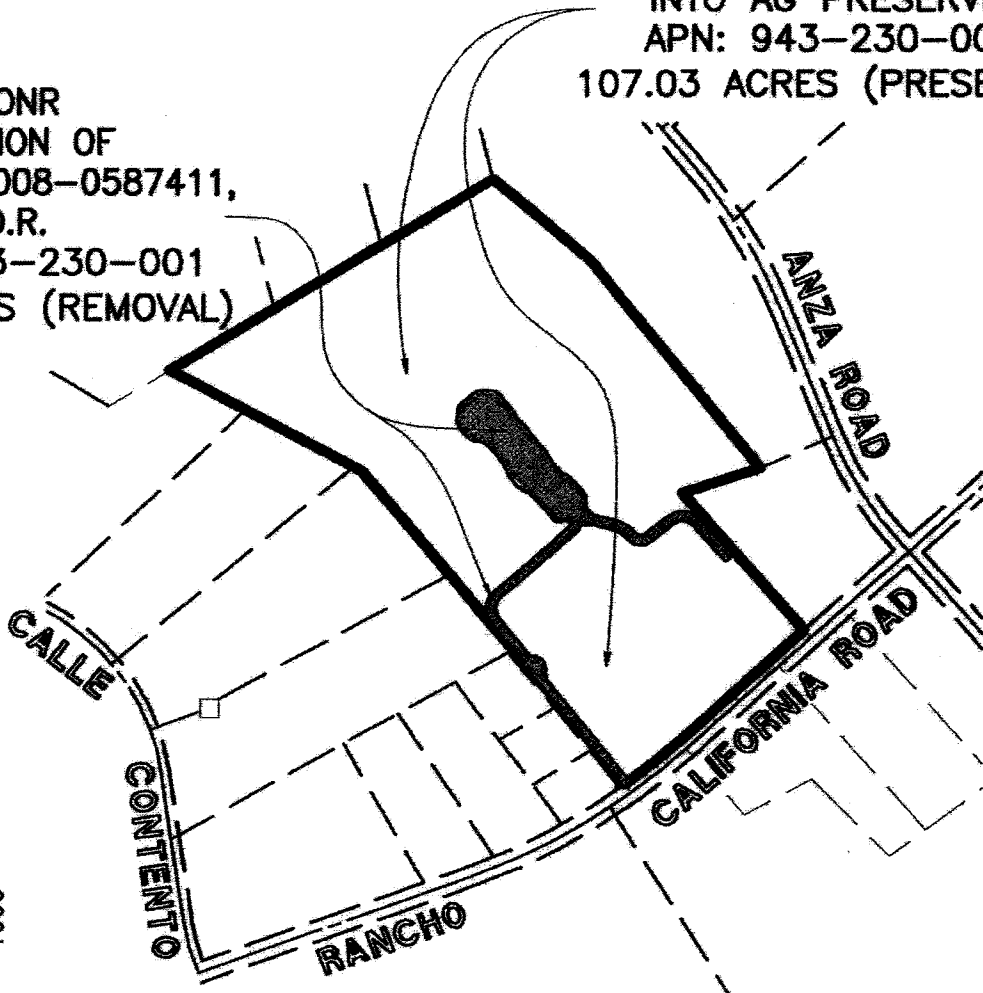


EXHIBIT "A-1"

(NOT INTENDED TO BE A LEGAL DESCRIPTION)

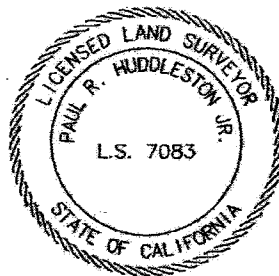
PORTION TO BE PLACED
INTO AG PRESERVE
APN: 943-230-001
107.03 ACRES (PRESERVE)

NONR
PORTION OF
INST. No. 2008-0587411,
O.R.
APN: 943-230-001
5.65 ACRES (REMOVAL)



SCALE: 1" = 1000'

Paul R. Huddleston, Jr.
PAUL R. HUDDLESTON, JR., PLS 7083



PLAT OF A PORTION OF AG No. 12 (AG0101) APN: 943-230-001 (PRESERVE/REMOVAL)			
PREPARED BY RNB	CHECKED BY RNB	DATE 06/11	SHEET 1 OF 1
HUNSAKER & ASSOCIATES IRVINE, INC INLAND EMPIRE REGION 2900 ADAMS STREET, SUITE A-15 RIVERSIDE CA 92504 (951)382-7200 PLANNING/ENGINEERING/SURVEYING/GOVERNMENT RELATIONS			

LEGAL DESCRIPTION

Being a portion of the Pauba Rancho as shown in Book 1, Page 45 of Patents, records of San Diego County and as shown as that certain parcel described in Grant Deed recorded May 3, 2002 as Instrument No. 2002-233998, of Official Records, records of Riverside County, in the Unincorporated Territory of Riverside County, State of California, more particularly described as follows:

Parcel 1

COMMENCING at the southwesterly terminus of that certain curved centerline of Rancho California Road as described in said Grant Deed, said curve described as having a radius of 3600.00 feet, being distant 390.00 feet from the northeasterly terminus of said curve, a radial to said point on the curve bears South 35°34'01" East (South 35°25'09" East per said Grant Deed);
Thence along the southwesterly line of said Grant Deed North 39°39'04" West 55.14 feet to a point on the northerly line of that certain document for Dedication of Rancho California Road in favor of the County of Riverside, recorded October 24, 1967 as Instrument No. 93692, of Official Records of said county, said point being a point on a non-tangent curve concave northwesterly having a radius of 3545.00 feet, a radial line to the beginning of said curve bears South 35°30'13" East;
Thence northeasterly 42.44 feet along said curve through a central angle of 0°41'09";
Thence departing said northerly line, North 82°55'47" West 33.05 feet;
Thence North 39°39'04" West 660.95 feet to a curve concave easterly having a radius of 100.00 feet;
Thence northerly 84.11 feet along said curve through a central angle of 48°11'28" to a reverse curve concave southwesterly having a radius of 56.00 feet;
Thence northwesterly 113.91 feet along said curve through a central angle of 116°32'39";
Thence non-tangent from said curve North 38°58'29" West 274.76 feet to a curve concave easterly having a radius of 88.00 feet;
Thence northerly 134.63 feet along said curve through a central angle of 87°39'25";
Thence North 48°40'56" East 535.15 feet to a curve concave northwesterly having a radius of 49.00 feet;
Thence northeasterly 18.97 feet along said curve through a central angle of 22°10'49";
Thence North 26°30'07" East 19.12 feet;
Thence South 63°29'53" East 5.00 feet;
Thence North 26°30'07" East 3.00 feet to a curve concave southeasterly having a radius of 20.00 feet;
Thence northeasterly 14.91 feet along said curve through a central angle of 42°42'00" to a compound curve concave southerly having a radius of 95.00 feet;
Thence easterly 53.93 feet along said curve through a central angle of 32°31'31";
Thence non-tangent from said curve South 78°16'22" East 105.92 feet to a curve concave southwesterly having a radius of 183.00 feet;
Thence southeasterly 117.93 feet along said curve through a central angle of 36°55'18";
Thence South 41°21'04" East 10.54 feet to a curve concave northeasterly having a radius of 67.00 feet;
Thence southeasterly 52.39 feet along said curve through a central angle of 44°48'20";
Thence South 86°09'24" East 11.60 feet to a curve concave northerly having a radius of 67.00 feet;
Thence easterly 49.74 feet along said curve through a central angle of 42°31'58";
Thence North 51°18'38" East 158.41 feet to a curve concave southerly having a radius of 83.00 feet;
Thence easterly 125.23 feet along said curve through a central angle of 86°26'58";
Thence South 42°14'24" East 258.29 feet;
Thence North 47°45'36" East 29.00 feet;
Thence North 42°14'24" West 258.29 feet to a curve concave southerly having a radius of 112.00 feet;

Thence westerly 168.99 feet along said curve through a central angle of 86°26'58";
 Thence South 51°18'38" West 158.41 feet to a curve concave northerly having a radius of 38.00 feet;
 Thence westerly 28.21 feet along said curve through a central angle of 42°31'58";
 Thence North 86°09'24" West 11.60 feet to a curve concave northeasterly having a radius of 38.00 feet;
 Thence northwesterly 29.72 feet along said curve through a central angle of 44°48'20";
 Thence North 41°21'04" West 10.54 feet to a curve concave southwesterly having a radius of 212.00 feet;
 Thence northwesterly 136.61 feet along said curve through a central angle of 36°55'18";
 Thence North 78°16'22" West 77.85 feet to a curve concave northeasterly having a radius of 100.00 feet;
 Thence northwesterly 82.80 feet along said curve through a central angle of 47°26'31" to a compound curve concave easterly having a radius of 50.00 feet;
 Thence northerly 20.73 feet along said curve through a central angle of 23°45'28";
 Thence North 7°04'23" West 28.83 feet to a curve concave easterly having a radius of 82.50 feet;
 Thence northerly 20.62 feet along said curve through a central angle of 14°19'22" to a reverse curve concave westerly having a radius of 10.00 feet;
 Thence northerly 7.77 feet along said curve through a central angle of 44°30'10" to a compound curve concave southwesterly having a radius of 759.50 feet;
 Thence northwesterly 101.85 feet along said curve through a central angle of 7°40'59";
 Thence North 44°56'10" West 28.63 feet to a curve concave southwesterly having a radius of 25.00 feet;
 Thence northwesterly 15.28 feet along said curve through a central angle of 35°01'06" to a reverse curve concave northeasterly having a radius of 30.00 feet;
 Thence northwesterly 22.21 feet along said curve through a central angle of 42°25'30" to a non-tangent curve concave southwesterly having a radius of 300.00 feet, a radial line to the beginning of said curve bears North 52°28'14" East;
 Thence northwesterly 63.22 feet along said curve through a central angle of 12°04'27" to a reverse curve concave northeasterly having a radius of 105.00 feet;
 Thence northwesterly 36.14 feet along said curve through a central angle of 19°43'05";
 Thence North 29°53'08" West 60.57 feet to a curve concave southwesterly having a radius of 125.00 feet;
 Thence northwesterly 39.57 feet along said curve through a central angle of 18°08'09" to a reverse curve concave northeasterly having a radius of 390.00 feet;
 Thence northwesterly 81.52 feet along said curve through a central angle of 11°58'36" to a compound curve concave northeasterly having a radius of 195.00 feet;
 Thence northwesterly 34.00 feet along said curve through a central angle of 9°59'24" to a reverse curve concave southwesterly having a radius of 87.50 feet;
 Thence northwesterly 47.50 feet along said curve through a central angle of 31°06'22" to a reverse curve concave northeasterly having a radius of 66.00 feet;
 Thence northwesterly 19.28 feet along said curve through a central angle of 16°44'19" to a compound curve concave northeasterly having a radius of 115.00 feet;
 Thence northwesterly 30.57 feet along said curve through a central angle of 15°13'55" to a non-tangent curve concave southwesterly having a radius of 175.00 feet, a radial line to the beginning of said curve bears North 64°48'35" East;
 Thence northwesterly 49.17 feet along said curve through a central angle of 16°05'53" to a non-tangent curve concave northeasterly having a radius of 810.00 feet, a radial line to the beginning of said curve bears South 48°42'42" West;
 Thence northwesterly 92.85 feet along said curve through a central angle of 6°34'04" to a reverse curve concave southwesterly having a radius of 25.00 feet;
 Thence northwesterly 17.20 feet along said curve through a central angle of 39°24'44" to a compound curve concave southerly having a radius of 170.00 feet;
 Thence westerly 82.14 feet along said curve through a central angle of 27°41'06" to a non-tangent curve concave southeasterly having a radius of 45.00 feet, a radial line to the beginning of said curve bears North 11°49'04" West;
 Thence southwesterly 22.10 feet along said curve through a central angle of 28°08'24";

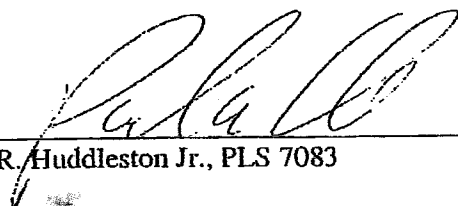
Thence South 50°02'32" West 77.51 feet to a curve concave southeasterly having a radius of 125.00 feet;
 Thence southwesterly 33.23 feet along said curve through a central angle of 15°13'54" to a compound
 curve concave easterly having a radius of 12.50 feet;
 Thence southerly 8.45 feet along said curve through a central angle of 38°44'03" to a reverse curve
 concave westerly having a radius of 230.00 feet;
 Thence southerly 64.16 feet along said curve through a central angle of 15°59'00" to a reverse curve
 concave easterly having a radius of 20.00 feet;
 Thence southerly 19.89 feet along said curve through a central angle of 56°58'51" to a reverse curve
 concave southwesterly having a radius of 555.00 feet;
 Thence southeasterly 74.80 feet along said curve through a central angle of 7°43'19" to a reverse curve
 concave northeasterly having a radius of 50.00 feet;
 Thence southeasterly 32.64 feet along said curve through a central angle of 37°24'08" to a non-tangent
 curve concave northerly having a radius of 70.00 feet, a radial line to the beginning of said curve bears
 South 15°23'55" West;
 Thence easterly 27.56 feet along said curve through a central angle of 22°33'40" to a reverse curve
 concave southerly having a radius of 40.00 feet;
 Thence easterly 25.23 feet along said curve through a central angle of 36°08'34" to a compound curve
 concave southwesterly having a radius of 170.00 feet;
 Thence southeasterly 48.94 feet along said curve through a central angle of 16°29'36" to a non-tangent
 curve concave southwesterly having a radius of 500.00 feet, a radial line to the beginning of said curve
 bears North 45°28'25" East;
 Thence southeasterly 46.53 feet along said curve through a central angle of 5°19'57";
 Thence South 39°11'38" East 23.34 feet to a curve concave southwesterly having a radius of 325.00 feet;
 Thence southeasterly 45.00 feet along said curve through a central angle of 7°56'00" to a compound curve
 concave southwesterly having a radius of 140.00 feet;
 Thence southeasterly 37.35 feet along said curve through a central angle of 15°17'02" to a reverse curve
 concave northeasterly having a radius of 85.00 feet;
 Thence southeasterly 29.77 feet along said curve through a central angle of 20°04'06";
 Thence non-tangent from said curve South 36°02'42" East 78.71 feet;
 Thence South 55°05'50" East 38.57 feet;
 Thence South 62°59'44" East 36.21 feet;
 Thence South 43°25'06" East 92.32 feet to a non-tangent curve concave northeasterly having a radius of
 662.00 feet, a radial line to the beginning of said curve bears South 53°59'55" West;
 Thence southeasterly 90.89 feet along said curve through a central angle of 7°51'58" to a reverse curve
 concave southwesterly having a radius of 56.00 feet;
 Thence southeasterly 11.47 feet along said curve through a central angle of 11°44'04" to a non-tangent
 curve concave northerly having a radius of 20.00 feet, a radial line to the beginning of said curve bears
 South 57°52'01" West;
 Thence easterly 28.61 feet along said curve through a central angle of 81°57'16";
 Thence non-tangent from said curve North 65°54'45" East 14.01 feet to a curve concave southerly having
 a radius of 20.00 feet;
 Thence easterly 5.01 feet along said curve through a central angle of 14°20'50" to a compound curve
 concave southerly having a radius of 53.00 feet;
 Thence easterly 21.17 feet along said curve through a central angle of 22°53'14" to a compound curve
 concave southwesterly having a radius of 30.00 feet;
 Thence southeasterly 20.50 feet along said curve through a central angle of 39°09'03" to a reverse curve
 concave northeasterly having a radius of 53.00 feet;
 Thence southeasterly 22.53 feet along said curve through a central angle of 24°21'02" to a non-tangent
 curve concave westerly having a radius of 25.00 feet, a radial line to the beginning of said curve bears
 North 72°16'33" East;
 Thence southerly 28.98 feet along said curve through a central angle of 66°24'23";

Thence South 48°40'56" West 535.15 feet to a curve concave easterly having a radius of 112.00 feet;
Thence southerly 171.35 feet along said curve through a central angle of 87°39'25";
Thence South 38°58'29" East 271.19 feet to a non-tangent curve concave southeasterly having a radius of 56.00 feet, a radial line to the beginning of said curve bears North 43°01'25" West;
Thence southwesterly 12.61 feet along said curve through a central angle of 12°53'48";
Thence non-tangent from said curve South 39°39'04" East 852.23 feet to the **POINT OF BEGINNING**.

Containing 246,266 square feet, 5.65 acres, more or less.

All as shown on Exhibit "B-1", attached hereto and by this reference made a part hereof.

Prepared under the supervision of:

 3/17/11

Paul R. Huddleston Jr., PLS 7083 Date

COUNTY OF RIVERSIDE
TRANSPORTATION AND LAND MANAGEMENT AGENCY

George Johnson · Agency Director

Planning Department

Carolyn Syms Luna · Planning Director

January 19, 2012

SUBJECT: NOTICE OF NONRENEWAL : AGN00163

SECTION: TLMA - Planning – Riverside

TO: Clerk of the Board of Supervisors

FROM: Planning Department

The attached item(s) require the following action(s) by the Board of Supervisors:

- | | | | |
|-------------------------------------|---|--------------------------|--|
| <input type="checkbox"/> | Approve | <input type="checkbox"/> | Set for Hearing |
| <input type="checkbox"/> | Deny | <input type="checkbox"/> | Publish in Newspaper: Press Enterprise |
| <input checked="" type="checkbox"/> | Consider as Policy matter | <input type="checkbox"/> | Adopt Mitigated Negative Declaration |
| <input type="checkbox"/> | Place on Consent Calendar | <input type="checkbox"/> | 10 Day <input type="checkbox"/> 21 Day <input type="checkbox"/> 30 day |
| <input type="checkbox"/> | Receive and File | <input type="checkbox"/> | Certify Addendum to EIR. |
| <input type="checkbox"/> | File: NOD and Neg. Declaration | <input type="checkbox"/> | Notify Property Owners |
| <input type="checkbox"/> | Pre-Scheduled for: | <input type="checkbox"/> | Labels sent |
| <input type="checkbox"/> | Labels Sent: | | Controversial: <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO |
| <input type="checkbox"/> | Labels Not Sent | | |
| <input type="checkbox"/> | If Set For Hearing: | | |
| | <input type="checkbox"/> 10 Day <input type="checkbox"/> 21 Day <input type="checkbox"/> 30 day | | |

PLEASE SCHEDULE ON THE 01/31/12 BOS AGENDA:

Clerk Of The Board

Please charge your time to case number(s): ZAGN00163