

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



313B

FROM: TLMA - Planning Department

SUBMITTAL DATE:
October 18, 2013

REVIEWED BY EXECUTIVE OFFICE

DATE 10/23/13 Tina Grande

SUBJECT: Certificate of Final Cancellation of a Land Conservation Contract and Diminishment of Rancho California Agricultural Preserve No. 12, Map. No. 1011 – Applicant: Jim Carter – Third/Third Supervisorial District – Location: Northerly of Rancho California Road, southeasterly of Anza Road, and westerly of Calle Contento – 112.68 Gross Acres - Zoning: Citrus Vineyard – 20 Acre Minimum (C/V-20) – **REQUEST:** Adoption of Resolution No. 2013-263 for Agricultural Preserve No. 1011, Amendment No. 1, which proposes to diminish Rancho California Agricultural Preserve No. 12 and cancel the associated land conservation contract on a portion of the site consisting of 5.65 acres. [\$0]

RECOMMENDED MOTION:

The Planning Director recommends to the Board of Supervisors:

Adoption of Resolution No. 2013-263, for Certificate of Final Cancellation of Land Conservation Contracts and Diminishment of Rancho California Agricultural Preserve No. 12, Amendment No. 1, Map No.1011, based upon the hereinafter listed findings and conclusions:

BACKGROUND:

On October 2, 2012, the Board of Supervisors tentatively approved a request by Jim Carter, to diminish Rancho California Agricultural Preserve No. 12 Map No. 1012, and to cancel the land conservation contract as it applies to 5.65 acres of the project site.

Carolyn Syms Luna

Carolyn Syms Luna
Planning Director

Initials: CSL:hs/dm

(continued on next page)

FORM APPROVED COUNTY COUNSEL
BY: MICHELLE CLACK
DATE: 10/22/13

Departmental Concurrence

MINUTES OF THE BOARD OF SUPERVISORS

On motion of Supervisor Jeffries, seconded by Supervisor Ashley and duly carried, IT WAS ORDERED that the above matter is approved as recommended.

Ayes: Jeffries, Tavaglione, Stone and Ashley
Nays: None
Absent: Benoit
Date: November 5, 2013
xc: Planning

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

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

Prev. Agn. Ref.

District: 3/3

Agenda Number:

3-46

**SUBMITTAL TO THE BOARD OF SUPERVISORS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA
FORM 11A: Certificate of Final Cancellation of a Land Conservation Contract and Diminishment of
Rancho California Agricultural Preserve No. 12, Amendment No. 1, Map. No. 1011.**

DATE: October 17, 2013.

Page: 2 of 2

This cancellation was subject to the following conditions:

1. Payment of the cancellation fee in the amount of \$49,500.
2. Meet all conditions necessary for the County of Riverside to issue grading permits for Plot Plan No. 23017 (Assessor's Parcel No. 943-230-001)
3. The cancellation fee of \$49,500 was paid to the County Treasurer on March 12, 2013.
4. All conditions necessary for the County of Riverside to issue grading permits on Plot Plan No. 23017 have been met.

All conditions of approval for the diminishment of Rancho California Agricultural Preserve No. 12, Amendment No. 1, Map No. 1011 and cancellation of the associated land conservation contract have been met.

The applicant is now eligible to receive a Certificate of Final Cancellation for Rancho California Agricultural Preserve No. 12, Amendment No. 1, Map No. 1011.

PLEASE COMPLETE THIS INFORMATION

RECORDING REQUESTED BY:

KECIA HARPER-IHEM, CLERK OF THE BOARD
RIVERSIDE CO. CLERK OF THE BOARD
4080 LEMON STREET, 1ST FLOOR CAC
P O BOX 1147 – RIVERSIDE, CA 92502

MAIL STOP # 1010

AND WHEN RECORDED MAIL TO:

RETURN TO: STOP #1010
RIVERSIDE COUNTY CLERK OF THE BOARD
P. O. BOX 1147 – RIVERSIDE, CA 92502

DOC # 2013-0544369
11/18/2013

Customer Copy Label

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

Larry W Ward

County of Riverside
Assessor, County Clerk & Recorder

THIS SPACE FOR RECORDERS USE ONLY

RESOLUTION NO. 2013-263

Title of Document

**CERTIFICATE OF FINAL CANCELLATION
OF LAND CONSERVATION CONTRACT AND
DIMINISHMENT OF AGRICULTURAL PRESERVE
(Government Code Section 51283.4)**

(THIRD SUPERVISORIAL DISTRICT)

(Transportation Department ~ Item 3-46 of 11/05/13)

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FOR RECORDING INFORMATION

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RESOLUTION NO. 2013-263
CERTIFICATE OF FINAL CANCELLATION
OF LAND CONSERVATION CONTRACT AND
DIMINISHMENT OF AGRICULTURAL PRESERVE
(Government Code Section 51283.4)

WHEREAS, a contract was executed pursuant to the Land Conservation Act of 1965 (Government Code Section 51200 et. seq.) for land within Rancho California Agricultural Preserve No. 12; and,

WHEREAS, Milo David Rowell and Chester S. Rowell entered into such land conservation contract dated January 1, 1975, with the County of Riverside for land that is currently identified as Assessor's Parcel No. 943-230-001-4 (the "**Property**"), which was recorded on February 28, 1975, as Instrument No. 24233, in the Office of the County Recorder of Riverside County, California (the "**Land Conservation Contract**"); and,

WHEREAS, the Property is described in Exhibit A, attached hereto and incorporated herein by reference, entitled "**MAP NO. 322, RANCHO CALIFORNIA AGRICULTURAL PRESERVE NO. 12, AMENDED BY MAP NO. 1011, AMENDMENT NO. 1, (DIMINISHMENT), MAP NO. 1011**"; and,

WHEREAS, James A. Carter, Trustee of the Carter Family Trust, dated December 28, 2001, is the current owner of the Property and filed a Notice of Nonrenewal on September 19, 2011, which notice was recorded on January 31, 2012, as Instrument No. 2012-0069048, in the Office of the County Recorder of Riverside County, California; and,

WHEREAS, James A. Carter, Trustee of the Carter Family Trust, also petitioned to cancel the Land Conservation Contract as it applies to a 5.65-acre portion of the Property, as depicted on said Map No. 1011, and to diminish Rancho California Agricultural Preserve No. 12, Map No. 322, by removing said 5.65-acre area from the boundaries of said agricultural preserve; and,

1 **WHEREAS**, a public hearing was held by the Riverside County Board of Supervisors on
2 October 2, 2012 where Resolution No. 2012-046, approving Agricultural Preserve No. 1011, and
3 issuing a Certificate of Tentative Cancellation and Diminishing Rancho California Agricultural
4 Preserve No. 12, was adopted, subject to the following conditions:

- 5 1. The cancellation fee of \$49,500 shall be paid,
- 6 2. All conditions necessary for the County to issue grading permits for any portion of
7 the Plot Plan shall have been met; and,
- 8 3. The landowner shall notify the Board of Supervisors when all conditions and
9 contingencies enumerated in the Certificate of Tentative Cancellation have been
10 satisfied; and,

11 **WHEREAS**, all the provisions of the California Environmental Quality Act (CEQA) and
12 the Rules and Regulations Governing Agricultural Preserves in Riverside County (Resolution No.
13 84-526) have been satisfied, including the adoption and certification of a Mitigated Negative
14 Declaration and Addendum thereto for Environmental Assessment No. 41524; and,

15 **WHEREAS**, James A. Carter, Trustee of the Carter Family Trust, dated December 28,
16 2001, has proposed, if the cancellation is approved, that the land will be used for the following
17 alternative use: Plot Plan No. 23017, which consists of a winery and resort consisting of 23
18 buildings totaling 42,051 square feet, including 42 casita units, a 5,470 square-foot winery and
19 tasting room; and a 1,200 square-foot housekeeping building and pool maintenance room, a 221
20 square-foot office, and 142 parking spaces (the "**Plot Plan**"); and,

21 **WHEREAS**, the total amount of the cancellation fee for the Property, pursuant to Section
22 51283.4 of the Government Code, has been determined and certified by the Board of Supervisors
23 to be \$49,500; and,

24 **WHEREAS**, the following conditions have been met:

- 25 1. The cancellation fee in the amount of \$49,500 has been paid to the Treasurer of
26 Riverside County,
- 27 2. All conditions necessary for the County to issue grading permits for any portion of
28 the Plot Plan have been met; and,

1 3. The landowner has notified the Board of Supervisors that all conditions and
2 contingences have been met.

3 **BE IT RESOLVED, FOUND, DETERMINED, AND ORDERED** by the Board of
4 Supervisors of the County of Riverside, State of California, in regular session on November 5,
5 2013, that the Clerk of the Board shall file and record copies of this resolution, map and boundary
6 description in the Office of the County Recorder of Riverside County, California, and transmit
7 copies thereof to the Director of Conservation of the State of California, the Treasurer of Riverside
8 County, and the Assessor of Riverside County; and, thereafter:

9 1. Rancho California Agricultural Preserve No. 12, Map No. 322,
10 adopted on February 18, 1975, will be amended by deleting therefrom the area
11 shown on the map entitled "**MAP NO. 322, RANCHO CALIFORNIA**
12 **AGRICULTURAL PRESERVE NO. 12, AMENDED BY MAP NO. 1011,**
13 **AMENDMENT NO. 1, (DIMINISHMENT), MAP NO. 1011"**, and described by
14 boundary description thereof, said map and description both being on file in the
15 Office of the Clerk of the Board.

16 2. The Land Conservation Contract, dated January 1, 1975, and
17 recorded in the Office of the County Recorder of Riverside County, California, on
18 February 28, 1975, as Instrument No. 24233, will be canceled to the extent said
19 contract applies to land referenced in the petition for cancellation of the
20 aforementioned property owner, thereby removing from the effect of said contract
21 the real property in the County of Riverside, State of California, described in the
22 exhibit entitled, "**MAP NO. 322, RANCHO CALIFORNIA AGRICULTURAL**
23 **PRESERVE NO. 12, AMENDED BY MAP NO. 1011, AMENDMENT NO. 1,**
24 **(DIMINISHMENT), MAP NO. 1011."**
25

2 RESOLUTION NO. 2013 – 263

3 CERTIFICATE OF FINAL CANCELLATION
4 OF LAND CONSERVATION CONTRACT AND
5 DIMINISHMENT OF AGRICULTURAL PRESERVE

6 ADOPTED by Riverside County Board of Supervisors on November 5, 2013.

7 ROLL CALL:

8 Ayes: Jeffries, Tavaglione, Stone and Ashley
9 Nays: None
Absent: Benoit

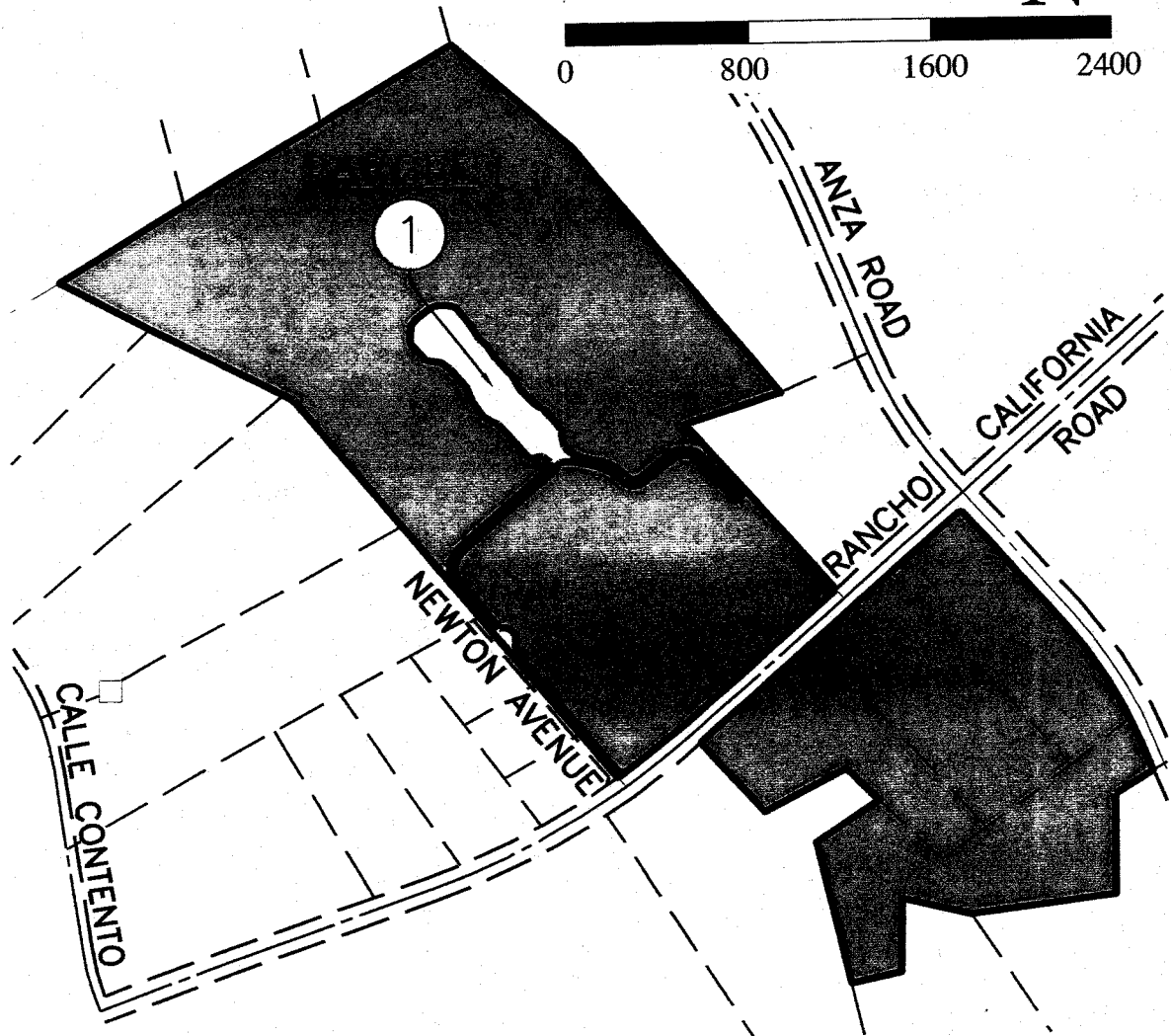
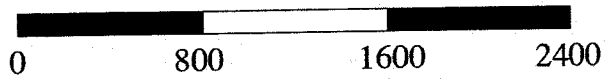
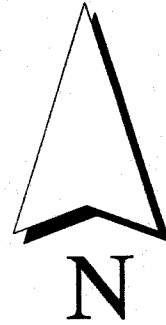
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11
12 The foregoing is certified to be a true copy of a resolution duly adopted by said Board of
13 Supervisors on the date therein set forth.

14 KECIA HARPER-IHEM, Clerk of said Board

15
16 By: 

Deputy

MAP NO. 322
RANCHO CALIFORNIA
AGRICULTURAL PRESERVE
NO. 12
AMENDED BY MAP NO. 1011
PAUBA RANCHO



AMENDMENTS:
NO. 1, (DIMINISHMENT), NOVEMBER 5, 2013, MAP NO. 1011

ADOPTED ON FEBRUARY 18, 1975
BY THE BOARD OF SUPERVISORS
OF THE COUNTY OF RIVERSIDE,
STATE OF CALIFORNIA.

RIVERSIDE COUNTY PLANNING COMMISSION

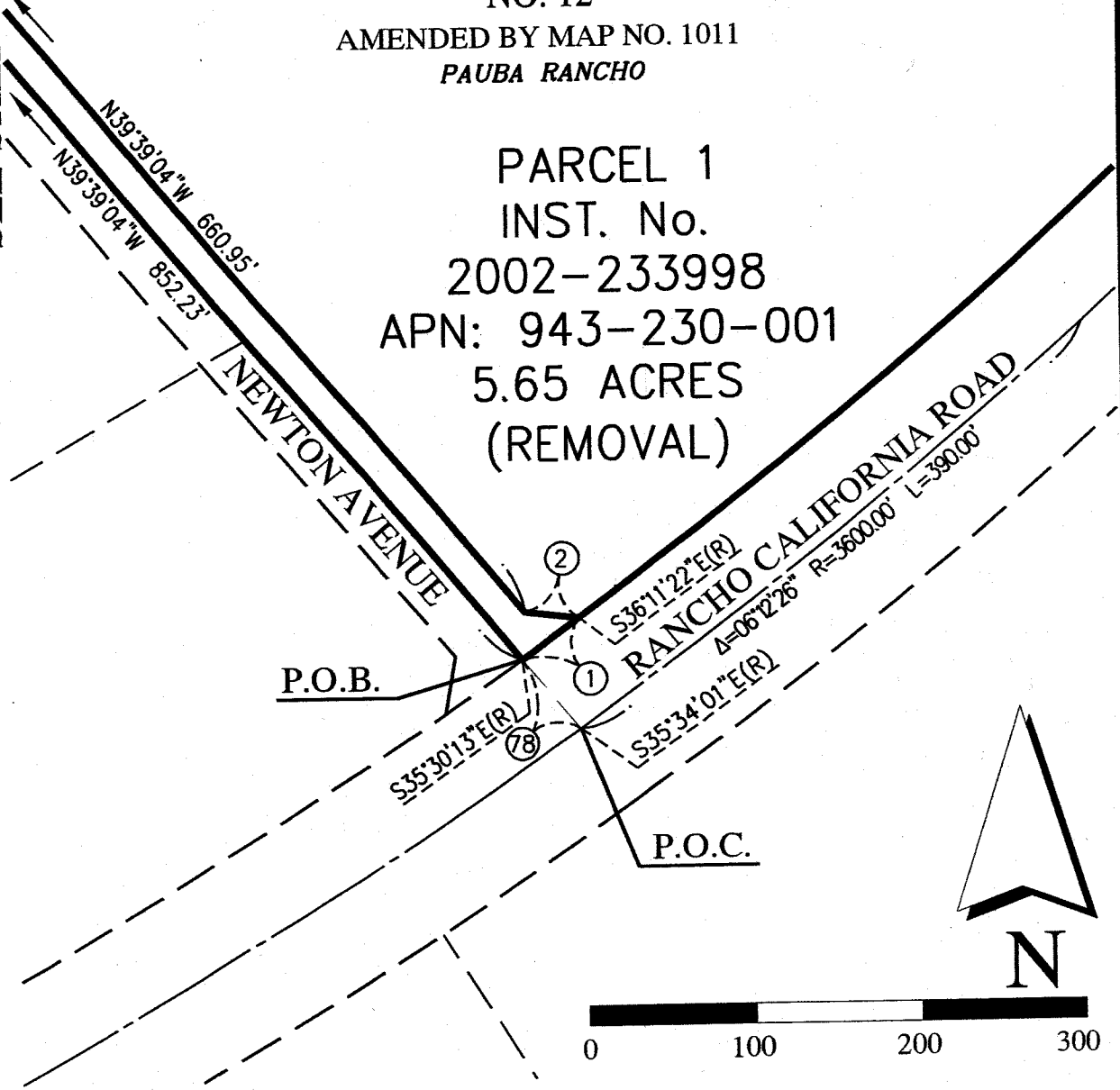
MAP NO. 322
RANCHO CALIFORNIA
AGRICULTURAL PRESERVE

NO. 12

AMENDED BY MAP NO. 1011
PAUBA RANCHO

PARCEL 1
INST. No.
2002-233998
APN: 943-230-001
5.65 ACRES
(REMOVAL)

SEE SHEET 3



AMENDMENTS:
NO. 1, (DIMINISHMENT), NOVEMBER 5, 2013, MAP NO. 1011

ADOPTED ON FEBRUARY 18, 1975
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RIVERSIDE COUNTY PLANNING COMMISSION

MAP NO. 322
RANCHO CALIFORNIA
AGRICULTURAL PRESERVE

NO. 12

AMENDED BY MAP NO. 1011

PAUBA RANCHO

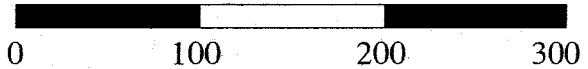
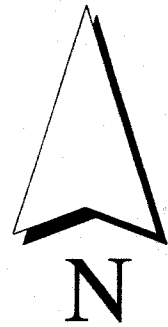
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INST. No.

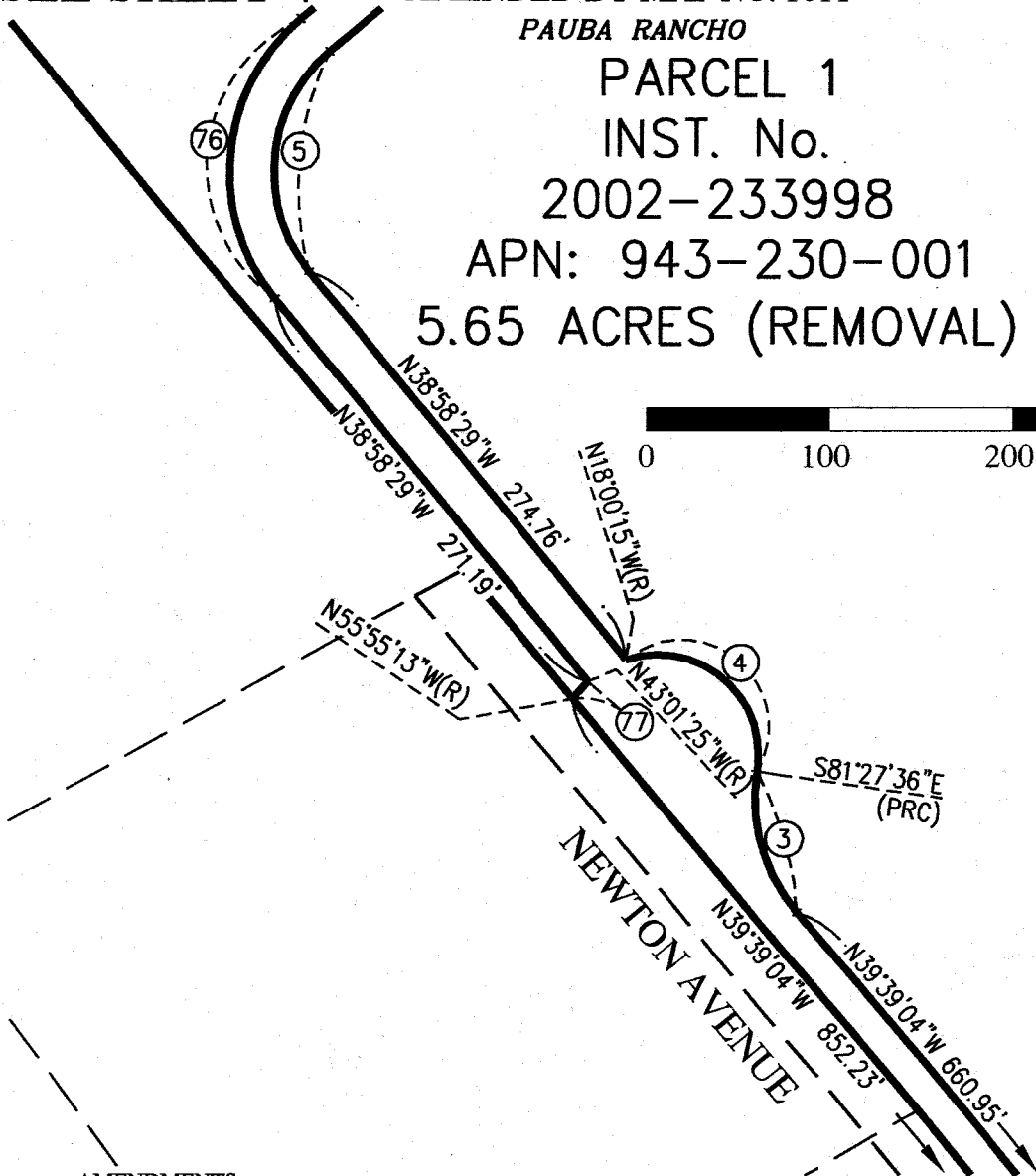
2002-233998

APN: 943-230-001

5.65 ACRES (REMOVAL)



SEE SHEET 4



AMENDMENTS:
NO. 1, (DIMINISHMENT), NOVEMBER 5, 2013, MAP NO. 1011

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OF THE COUNTY OF RIVERSIDE,
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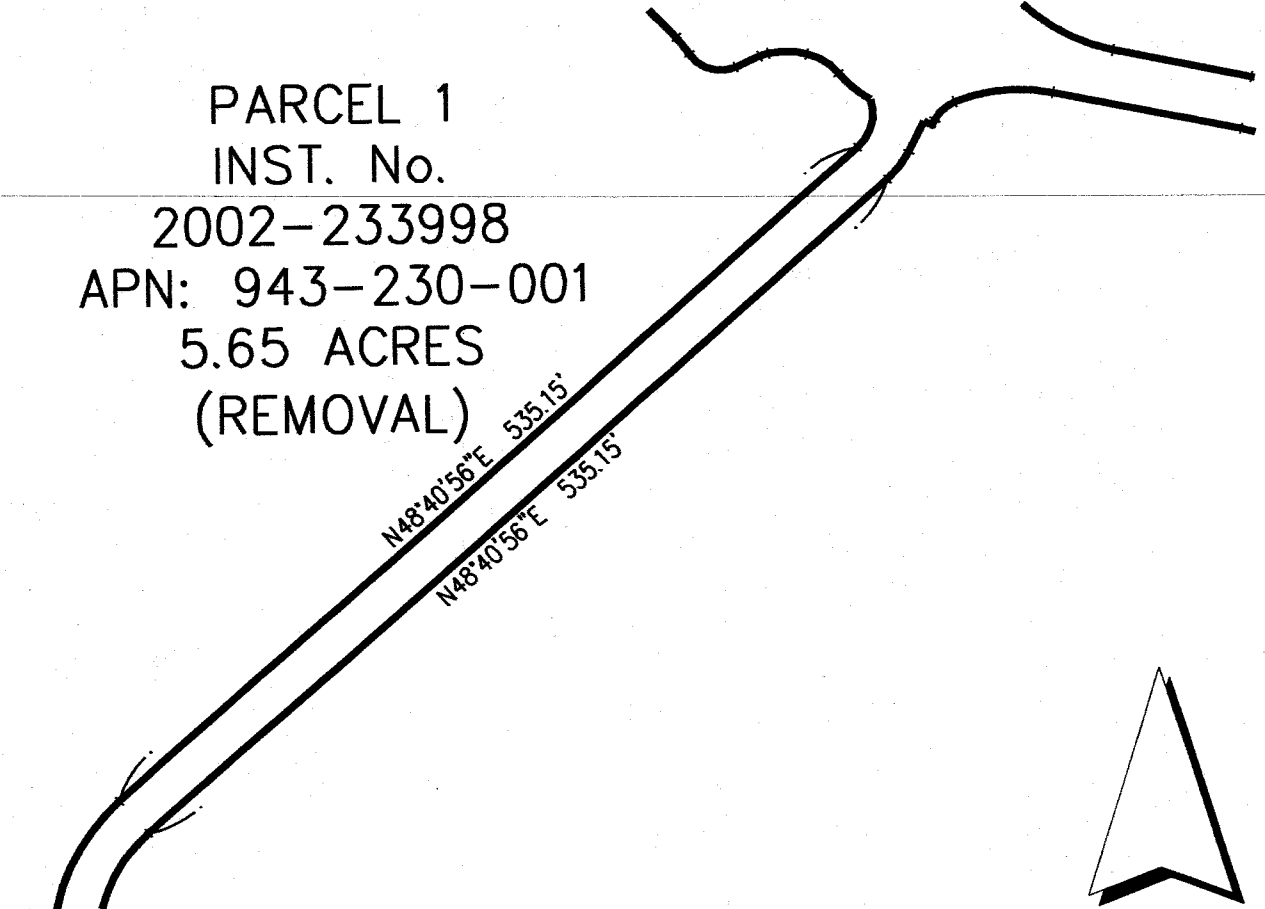
SEE SHEET 2

MAP NO. 322
RANCHO CALIFORNIA
AGRICULTURAL PRESERVE
NO. 12

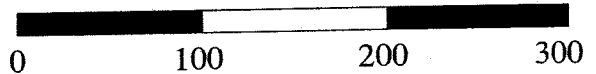
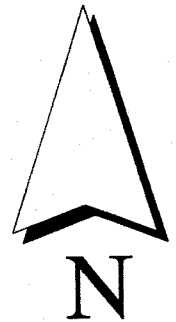
AMENDED BY MAP NO. 1011

PAUBA RANCHO SEE SHEET 5

PARCEL 1
INST. No.
2002-233998
APN: 943-230-001
5.65 ACRES
(REMOVAL)



SEE SHEET 3

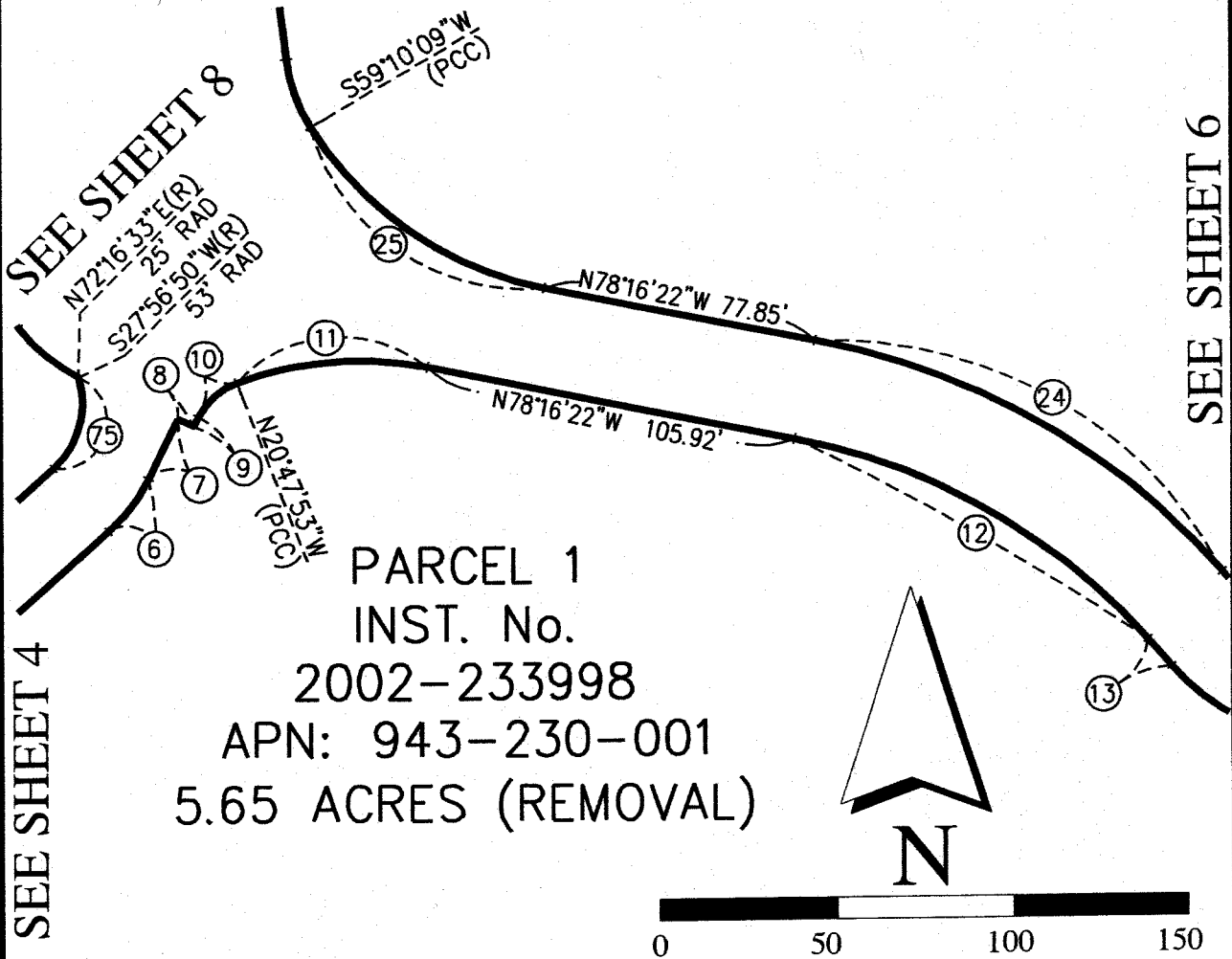


AMENDMENTS:
NO. 1, (DIMINISHMENT), NOVEMBER 5, 2013, MAP NO. 1011

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RIVERSIDE COUNTY PLANNING COMMISSION

MAP NO. 322
 RANCHO CALIFORNIA
 AGRICULTURAL PRESERVE
 NO. 12
 AMENDED BY MAP NO. 1011
 PAUBA RANCHO

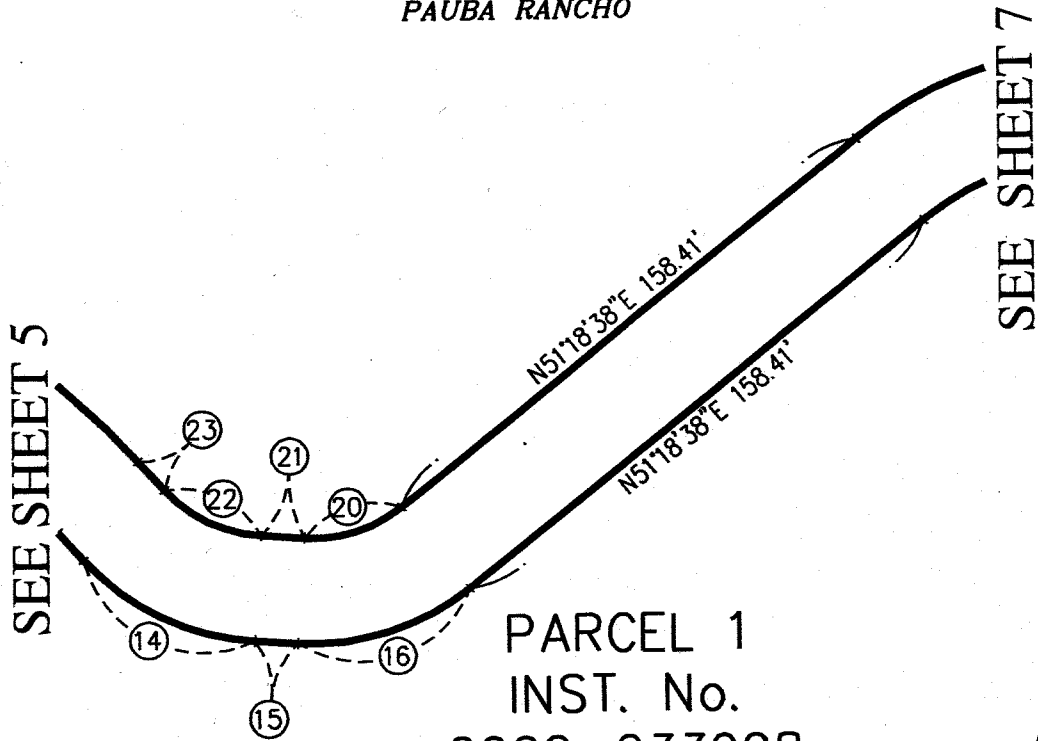


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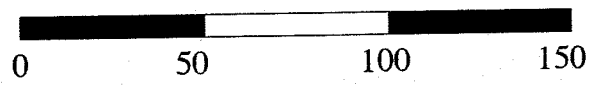
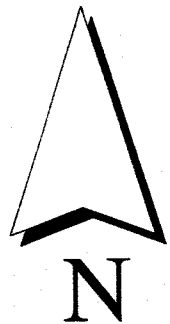
ADOPTED ON FEBRUARY 18, 1975
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RIVERSIDE COUNTY PLANNING COMMISSION

MAP NO. 322
RANCHO CALIFORNIA
AGRICULTURAL PRESERVE
NO. 12
AMENDED BY MAP NO. 1011
PAUBA RANCHO



PARCEL 1
INST. No.
2002-233998
APN: 943-230-001
5.65 ACRES (REMOVAL)



AMENDMENTS:
NO. 1, (DIMINISHMENT), NOVEMBER 5, 2013, MAP NO. 1011

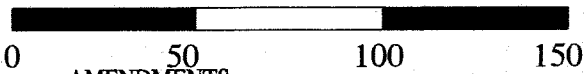
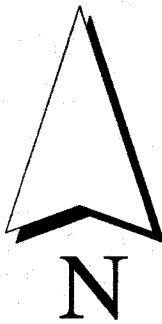
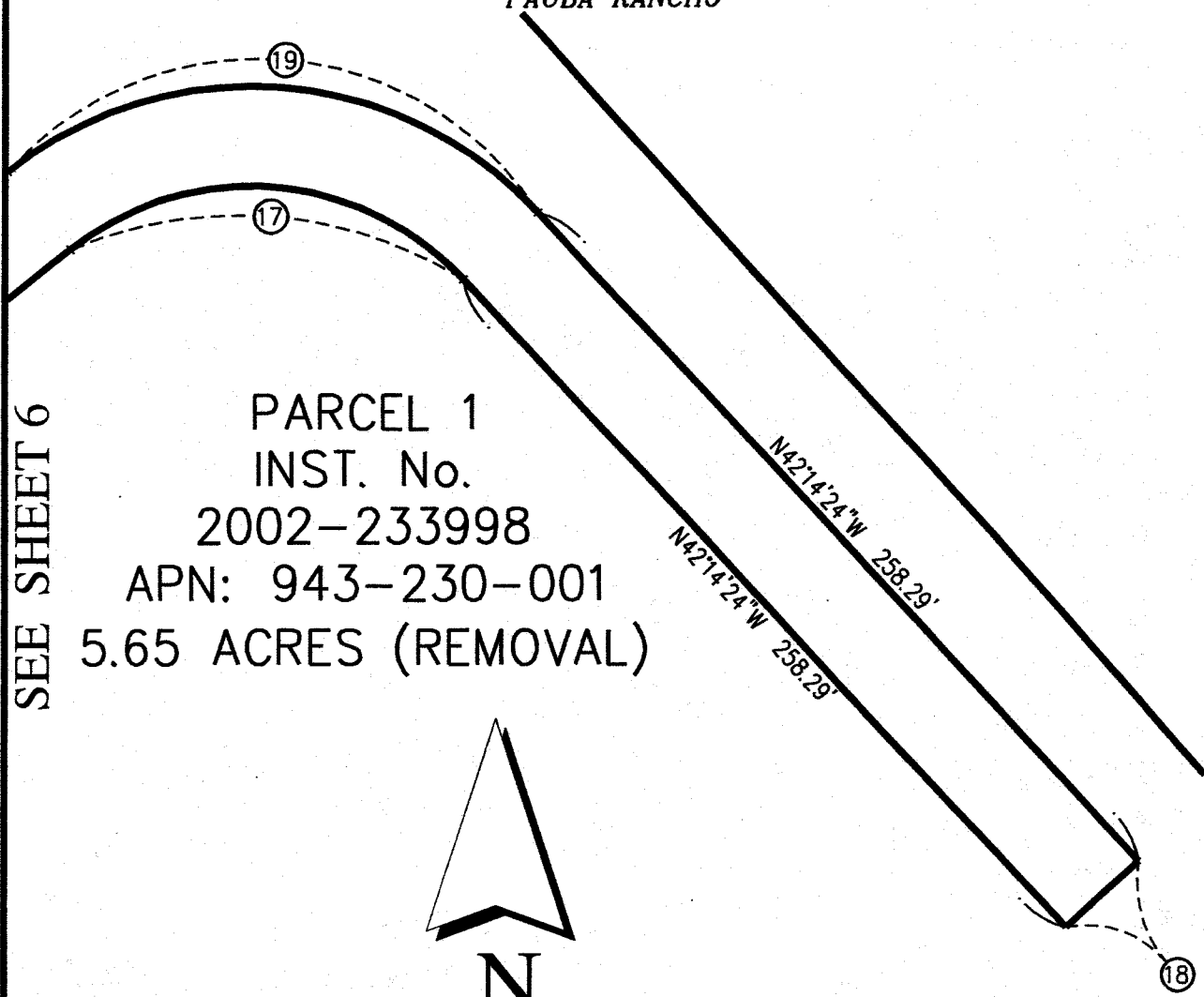
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RIVERSIDE COUNTY PLANNING COMMISSION

MAP NO. 322
RANCHO CALIFORNIA
AGRICULTURAL PRESERVE
NO. 12
AMENDED BY MAP NO. 1011
PAUBA RANCHO

SEE SHEET 6

PARCEL 1
INST. No.
2002-233998
APN: 943-230-001
5.65 ACRES (REMOVAL)



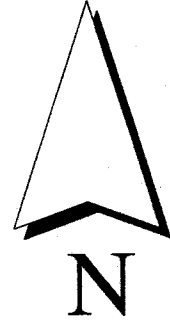
AMENDMENTS:
NO. 1, (DIMINISHMENT), NOVEMBER 5, 2013, MAP NO. 1011

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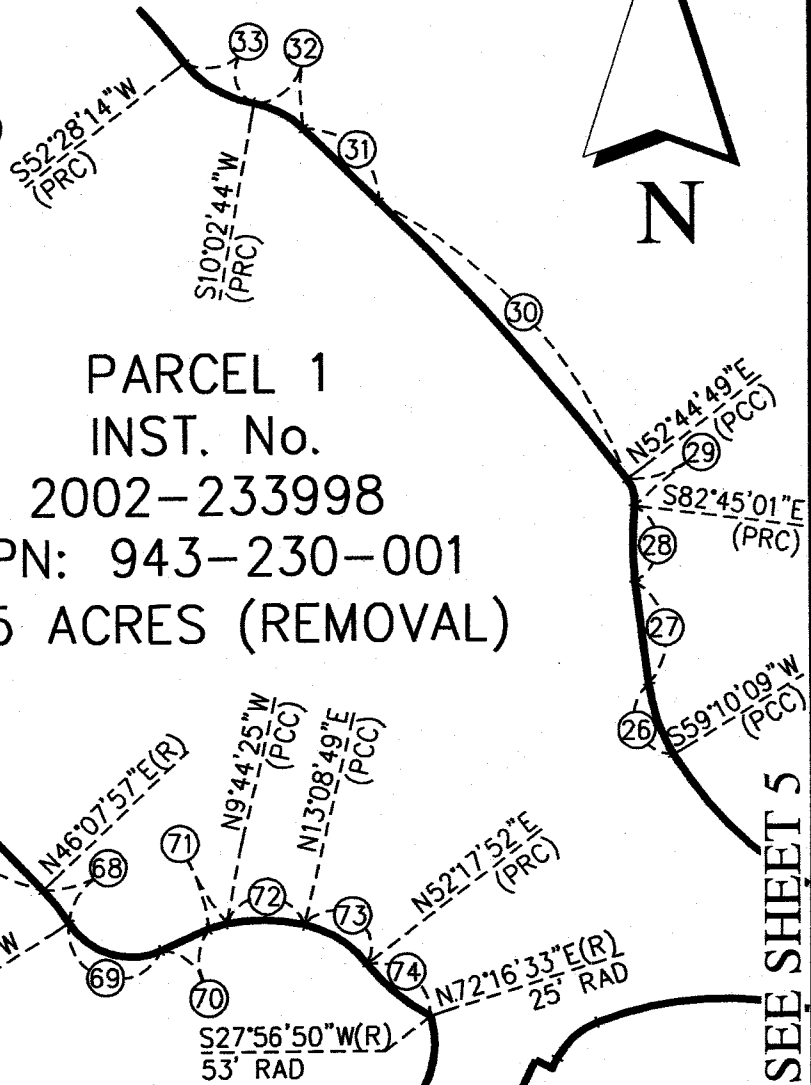
RIVERSIDE COUNTY PLANNING COMMISSION

MAP NO. 322
 RANCHO CALIFORNIA
 AGRICULTURAL PRESERVE
 NO. 12

AMENDED BY MAP NO. 1011
 PAUBA RANCHO



SEE SHEET 9



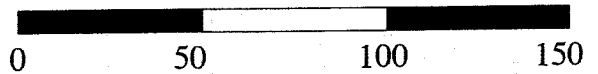
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 INST. No.
 2002-233998
 APN: 943-230-001
 5.65 ACRES (REMOVAL)

SEE SHEET 5

SEE SHEET 5

AMENDMENTS:
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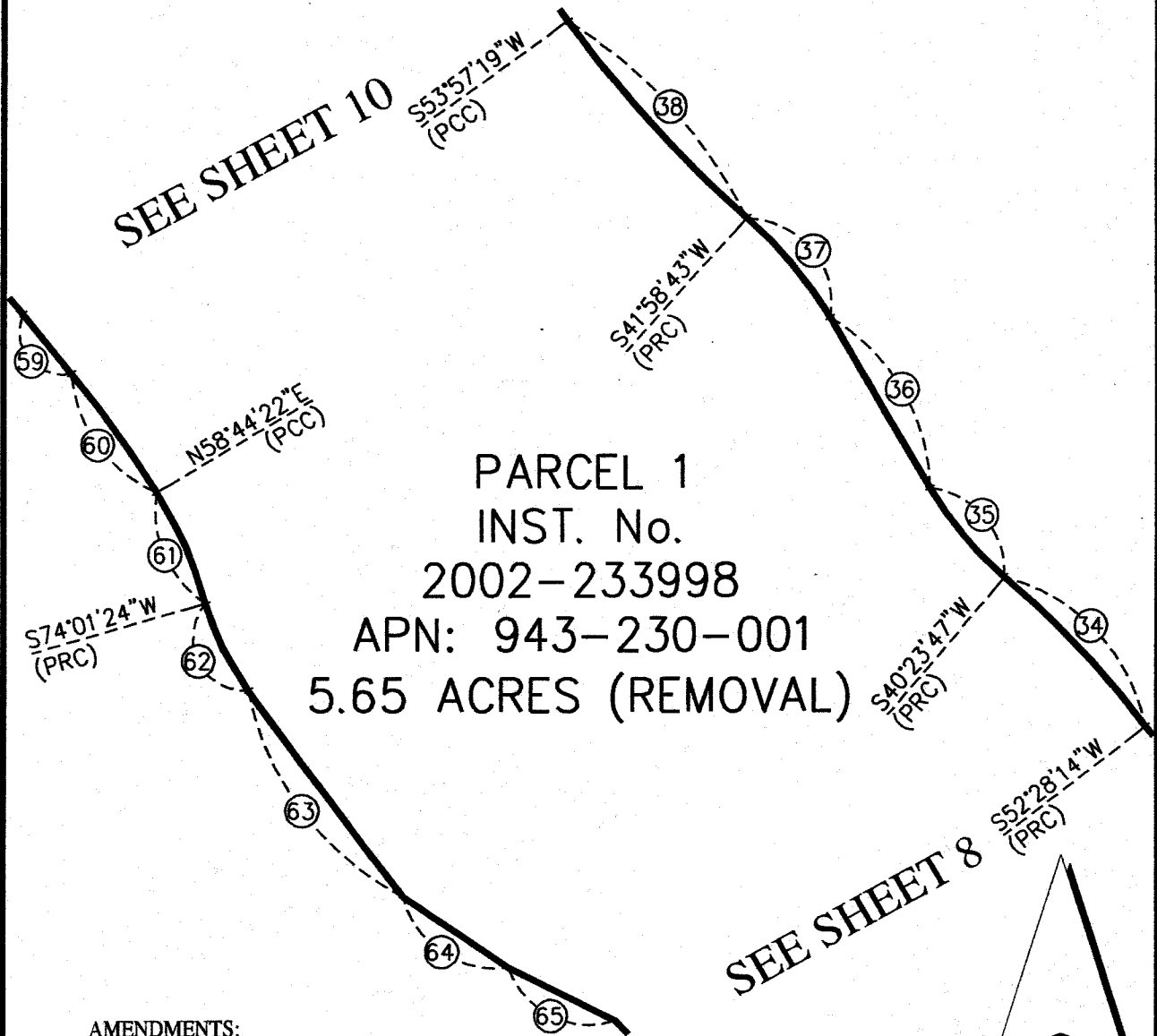
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RIVERSIDE COUNTY PLANNING COMMISSION

MAP NO. 322
RANCHO CALIFORNIA
AGRICULTURAL PRESERVE
NO. 12
AMENDED BY MAP NO. 1011
PAUBA RANCHO

SEE SHEET 10

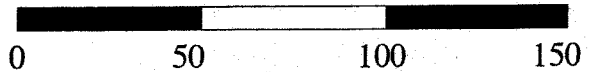
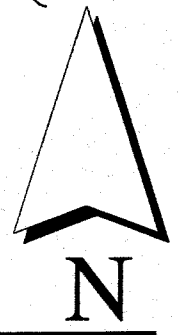


PARCEL 1
INST. No.
2002-233998
APN: 943-230-001
5.65 ACRES (REMOVAL)

SEE SHEET 8

AMENDMENTS:
NO. 1, (DIMINISHMENT), NOVEMBER 5, 2013, MAP NO. 1011

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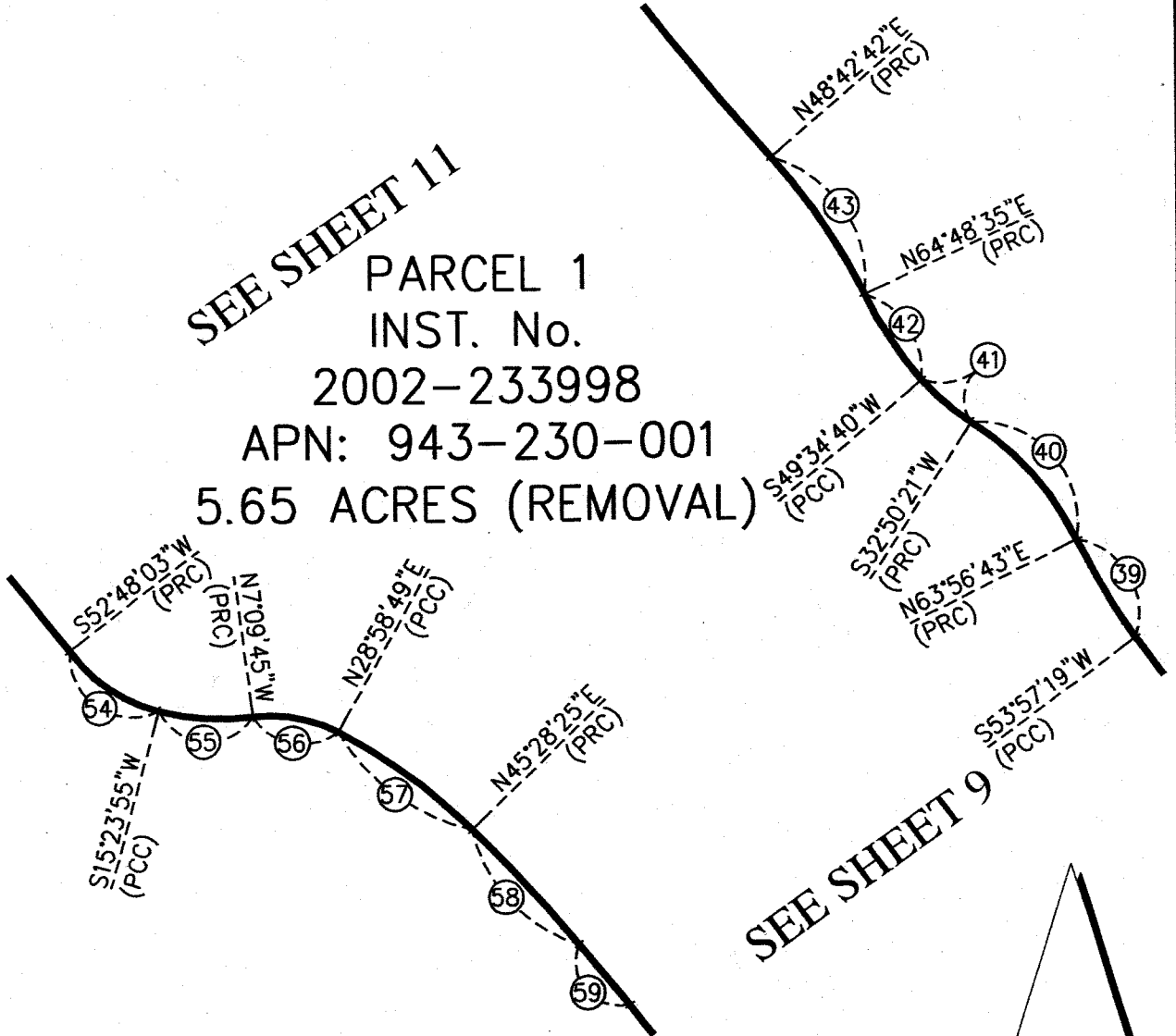


MAP NO. 322
 RANCHO CALIFORNIA
 AGRICULTURAL PRESERVE
 NO. 12

AMENDED BY MAP NO. 1011
 PAUBA RANCHO

SEE SHEET 11

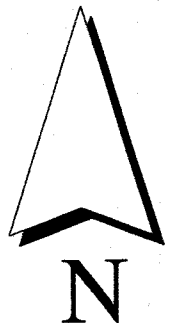
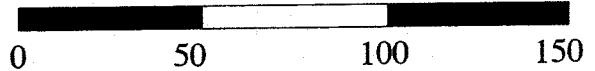
PARCEL 1
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 5.65 ACRES (REMOVAL)



SEE SHEET 9

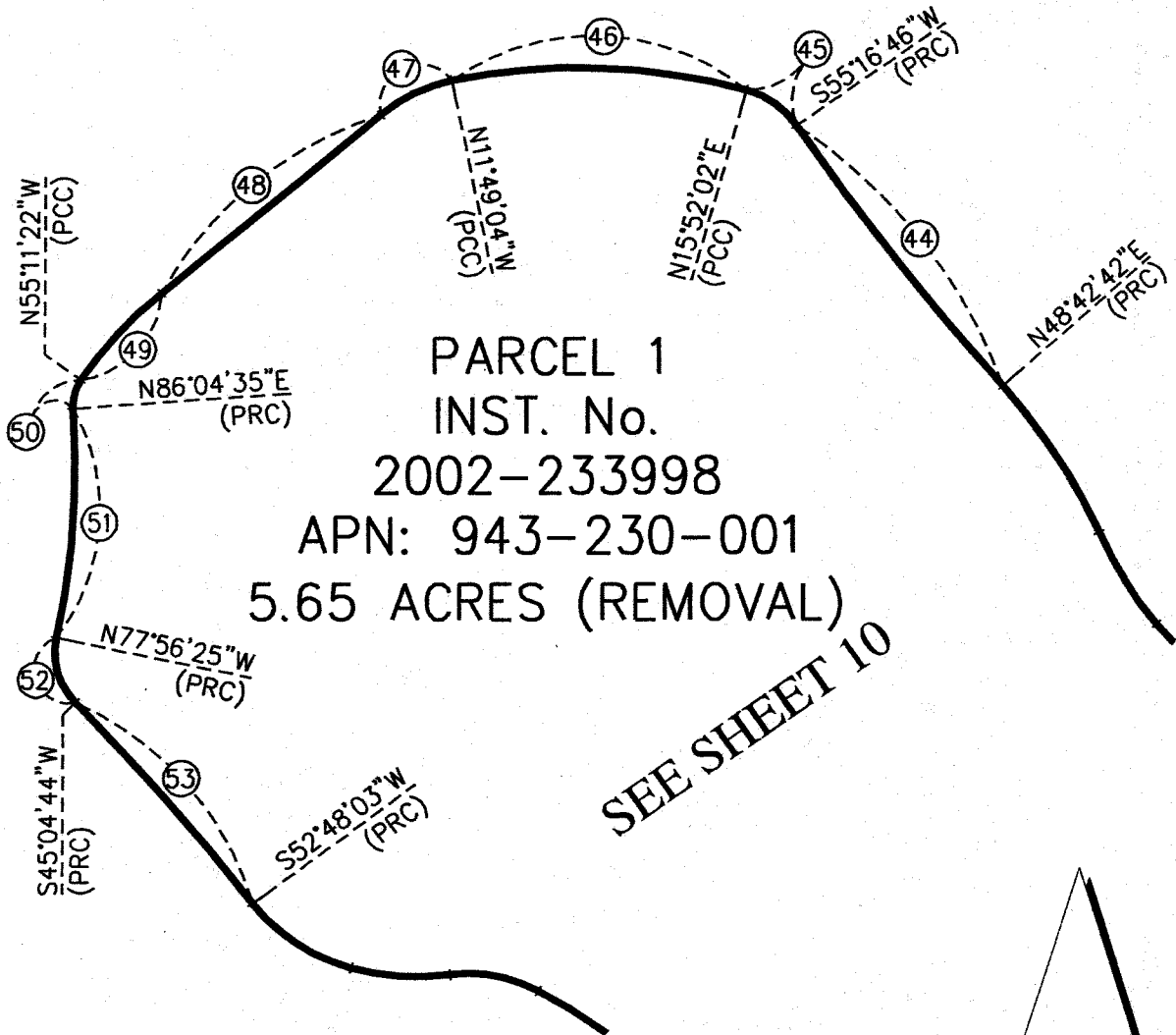
AMENDMENTS:
 NO. 1, (DIMINISHMENT), NOVEMBER 5, 2013, MAP NO. 1011

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RIVERSIDE COUNTY PLANNING COMMISSION

MAP NO. 322
 RANCHO CALIFORNIA
 AGRICULTURAL PRESERVE
 NO. 12
 AMENDED BY MAP NO. 1011
 PAUBA RANCHO

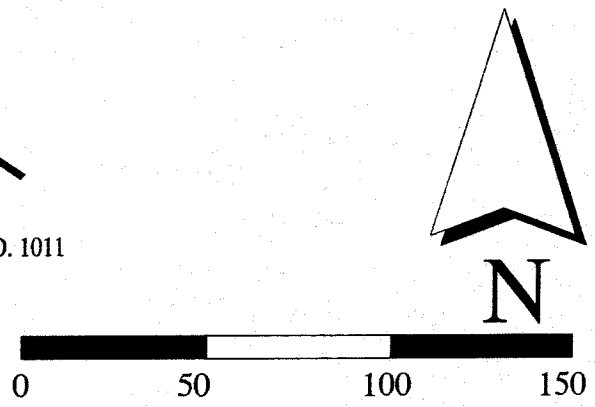


PARCEL 1
 INST. No.
 2002-233998
 APN: 943-230-001
 5.65 ACRES (REMOVAL)

SEE SHEET 10

AMENDMENTS:
 NO. 1, (DIMINISHMENT), NOVEMBER 5, 2013, MAP NO. 1011

ADOPTED ON FEBRUARY 18, 1975
 BY THE BOARD OF SUPERVISORS
 OF THE COUNTY OF RIVERSIDE,
 STATE OF CALIFORNIA.



**MAP NO. 322
RANCHO CALIFORNIA
AGRICULTURAL PRESERVE
NO. 12**

AMENDED BY MAP NO. 1011
PAUBA RANCHO

PARCEL 1 DATA TABLE

	BEARING/DELTA	RADIUS	LENGTH	TANGENT
①	0°41'09"	3545.00'	42.44'	21.22'
②	N82°55'47"W		33.05'	
③	48°11'28"	100.00'	84.11'	44.72'
④	116°32'39"	56.00'	113.91'	90.57'
⑤	87°39'25"	88.00'	134.63'	84.47'
⑥	22°10'49"	49.00'	18.97'	9.60'
⑦	N26°30'07"E		19.12'	
⑧	S63°29'53"E		5.00'	
⑨	N26°30'07"E		3.00'	
⑩	42°42'00"	20.00'	14.91'	7.82'
⑪	32°31'31"	95.00'	53.93'	27.71'
⑫	36°55'18"	183.00'	117.93'	61.09'
⑬	S41°21'04"E		10.54'	
⑭	44°48'20"	67.00'	52.39'	27.62'
⑮	S86°09'24"E		11.60'	
⑯	42°31'58"	67.00'	49.74'	26.08'
⑰	86°26'58"	83.00'	125.23'	78.01'
⑱	N47°45'36"E		29.00'	
⑲	86°26'58"	112.00'	168.99'	105.27'
⑳	42°31'58"	38.00'	28.21'	14.79'
㉑	S86°09'24"E		11.60'	
㉒	44°48'20"	38.00'	29.72'	15.66'

AMENDMENTS:
NO. 1, (DIMINISHMENT), NOVEMBER 5, 2013, MAP NO. 1011

ADOPTED ON FEBRUARY 18, 1975
BY THE BOARD OF SUPERVISORS
OF THE COUNTY OF RIVERSIDE,
STATE OF CALIFORNIA.

RIVERSIDE COUNTY PLANNING COMMISSION

**MAP NO. 322
RANCHO CALIFORNIA
AGRICULTURAL PRESERVE
NO. 12**

AMENDED BY MAP NO. 1011

PAUBA RANCHO

PARCEL 1 DATA TABLE

	BEARING/DELTA	RADIUS	LENGTH	TANGENT
23	S41°21'04"E		10.54'	
24	36°55'18"	212.00'	136.61'	70.77'
25	47°26'31"	100.00'	82.80'	43.94'
26	23°45'28"	50.00'	20.73'	10.52'
27	N7°04'23"W		28.83'	
28	14°19'22"	82.50'	20.62'	10.37'
29	44°30'10"	10.00'	7.77'	4.09'
30	7°40'59"	759.50'	101.85'	51.00'
31	N44°56'10"W		28.63'	
32	35°01'06"	25.00'	15.28'	7.89'
33	42°25'30"	30.00'	22.21'	11.64'
34	12°04'27"	300.00'	63.22'	31.73'
35	19°43'05"	105.00'	36.14'	18.25'
36	S29°53'08"E		60.57'	
37	18°08'09"	125.00'	39.57'	19.95'
38	11°58'36"	390.00'	81.52'	40.91'
39	9°59'24"	195.00'	34.00'	17.04'
40	31°06'22"	87.50'	47.50'	24.35'
41	16°44'19"	66.00'	19.28'	9.71'
42	15°13'55"	115.00'	30.57'	15.38'
43	16°05'53"	175.00'	49.17'	24.75'
44	6°34'04"	810.00'	92.85'	46.48'

AMENDMENTS:

NO. 1, (DIMINISHMENT), NOVEMBER 5, 2013, MAP NO. 1011

ADOPTED ON FEBRUARY 18, 1975
BY THE BOARD OF SUPERVISORS
OF THE COUNTY OF RIVERSIDE,
STATE OF CALIFORNIA.

RIVERSIDE COUNTY PLANNING COMMISSION

MAP NO. 322
RANCHO CALIFORNIA
AGRICULTURAL PRESERVE
NO. 12
 AMENDED BY MAP NO. 1011
PAUBA RANCHO
PARCEL 1 DATA TABLE

	BEARING/DELTA	RADIUS	LENGTH	TANGENT
45	39°24'44"	25.00'	17.20'	8.95'
46	27°41'06"	170.00'	82.14'	41.89'
47	28°08'24"	45.00'	22.10'	11.28'
48	S50°02'32"W		77.51'	
49	15°13'54"	125.00'	33.23'	16.71'
50	38°44'03"	12.50'	8.45'	4.39'
51	15°59'00"	230.00'	64.16'	32.29'
52	56°58'51"	20.00'	19.89'	10.85'
53	7°43'19"	555.00'	74.80'	37.46'
54	37°24'08"	50.00'	32.64'	16.93'
55	22°33'40"	70.00'	27.56'	13.96'
56	36°08'34"	40.00'	25.23'	13.05'
57	16°29'36"	170.00'	48.94'	24.64'
58	5°19'57"	500.00'	46.53'	23.28'
59	N39°11'38"W		23.34'	
60	7°56'00"	325.00'	45.00'	22.54'
61	15°17'02"	140.00'	37.35'	18.78'
62	20°04'06"	85.00'	29.77'	15.04'
63	S36°02'42"E		78.71'	
64	N55°05'50"W		38.57'	
65	S62°59'44"E		36.21'	
66	S43°25'06"E		92.32'	

AMENDMENTS:
 NO. 1, (DIMINISHMENT), NOVEMBER 5, 2013, MAP NO. 1011

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**MAP NO. 322
RANCHO CALIFORNIA
AGRICULTURAL PRESERVE
NO. 12**

AMENDED BY MAP NO. 1011
PAUBA RANCHO

PARCEL 1 DATA TABLE

	BEARING/DELTA	RADIUS	LENGTH	TANGENT
67	7°51'58"	662.00'	90.89'	45.51'
68	11°44'04"	56.00'	11.47'	5.75'
69	81°57'16"	20.00'	28.61'	17.37'
70	N65°54'45"E		14.01'	
71	14°20'50"	20.00'	5.01'	2.52'
72	22°53'14"	53.00'	21.17'	10.73'
73	39°09'03"	30.00'	20.50'	10.67'
74	24°21'02"	53.00'	22.52'	11.44'
75	66°24'23"	25.00'	28.98'	16.36'
76	87°39'25"	112.00'	171.35'	107.51'
77	12°53'48"	56.00'	12.61'	6.33'
78	N39°39'04"W		55.14'	

AMENDMENTS:

NO. 1, (DIMINISHMENT), NOVEMBER 5, 2013, MAP NO. 1011

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RIVERSIDE COUNTY PLANNING COMMISSION



**LARRY W. WARD
COUNTY OF RIVERSIDE
ASSESSOR-COUNTY CLERK-RECORDER**

Recorder
P.O. Box 751
Riverside, CA 92502-0751
(951) 486-7000

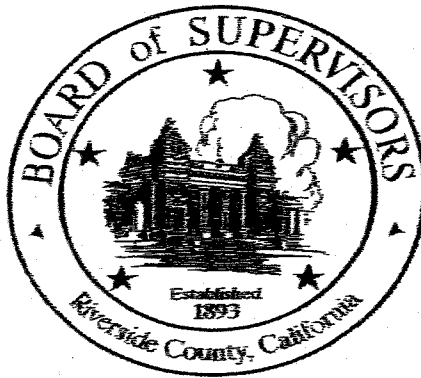
<http://riverside.aac@rec.com>

CERTIFICATION

Pursuant to the provisions of Government Code 27361.7, I certify under the penalty of perjury that the following is a true copy of illegible wording found in the attached document:

(Print or type the page number(s) and wording below):

CLARIFICATION OF THE SEAL for the Riverside County Board of Supervisors
(embossed on document)



Date:

11-5-13

Signature:

Karen Barton

Print Name:

Karen Barton, Board Assistant, Riverside County Clerk of the Board