

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

307A



FORM APPROVED COUNTY COUNSEL  
 BY: GREGORY P. PRAMOS  
 DATE: 2/23/15  
 Departmental Concurrence

**FROM:** TLMA – Planning Department

**SUBMITTAL DATE:**  
February 5, 2015

**SUBJECT:** Execution of Land Conservation Contract for Coachella Valley Agricultural Preserve No. 45, Map No. 265 – Case No. AGN00168 – Owner: Peter Rabbit Farms – Fourth Supervisorial District – Lower Coachella Valley Zoning District – Eastern Coachella Valley Area Plan – 96.04 Acres. [\$0]

**RECOMMENDED MOTION:** That the Board of Supervisors:

1. **APPROVE** and **AUTHORIZE** the Chairman of the Board of Supervisors to execute the attached land conservation contract for real property located within the Coachella Valley Agricultural Preserve No. 45, Map No. 265, based on the findings and conclusions set forth herein; and
2. **DIRECT** the Clerk of the Board of Supervisors to record the contract with the Office of the County Recorder.

**FINDINGS:**

1. The subject property is located north-east corner of 76<sup>th</sup> Avenue and Polk Street.

(continued on next page)

Juan C. Perez  
TLMA Director  
SW:lr

*Steve Weiss*  
Steve Weiss, AICP  
Planning Director

FINANCIAL DATA	Current Fiscal Year:	Next Fiscal Year:	Total Cost:	Ongoing Cost:	POLICY/CONSENT (per Exec. Office)
<b>COST</b>	\$ N/A	\$ N/A	\$ N/A	\$ N/A	Consent <input type="checkbox"/> Policy <input checked="" type="checkbox"/>
<b>NET COUNTY COST</b>	\$ N/A	\$ N/A	\$ N/A	\$ N/A	

**SOURCE OF FUNDS:** Deposit based funds.

**Budget Adjustment:** N/A  
**For Fiscal Year:** N/A

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

APPROVE

BY: *Tina Grande*  
Tina Grande

County Executive Office Signature

**MINUTES OF THE BOARD OF SUPERVISORS**

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

**Ayes:** Jeffries, Tavaglione, Washington, Benoit and Ashley  
**Nays:** None  
**Absent:** None  
**Date:** March 24, 2015  
**xc:** Planning, Recorder

Kecia Harper-Ihem  
Clerk of the Board

By: *[Signature]*  
Deputy

Prev. Agn. Ref.:

District: 4

Agenda Number:

3-32

- A-30
- Positions Added
- 4/5 Vote
- Change Order

**SUBMITTAL TO THE BOARD OF SUPERVISORS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**  
**FORM 11: Execution of Land Conservation Contract for Coachella Valley Agricultural Preserve No. 45, Map No. 265 – Case No. AGN00168**

**DATE: February 5, 2015**

**PAGE: 2 of 2**

**Findings (continued)**

2. A previous owner of the property entered into a Land Conservation Contract with the County which included the subject property and which was recorded on February 22, 1974, as Instrument No. 21258, with an agreement date of January 1, 1974.
3. Subsequently, a notice of nonrenewal was filed on the subject property which was recorded on December 24, 2002 as Instrument No. 2002-772515. This notice caused the present contract as it applies to the subject property to expire on January 1, 2004.
4. The current owner of the subject property, Peter Rabbit Farms, has requested to enter into a new contract as provided for in the County's Rules and Regulations Governing Agricultural Preserves.
5. There are no cities within one mile of the subject property and it currently meets all size, zoning, and use requirements necessary to be placed under a new contract.
6. The land is eligible to be under contract because it is within the approved and existing Coachella Valley Agricultural Preserve No. 45, Map No. 265 and the land is devoted to row crop agricultural production, which is an eligible agricultural use to be the subject of a land conservation contract between the County and the landowner.

**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.

**Impact on Citizens and Businesses**

None. The proposed action is the re-instatement of a contract within an existing agricultural preserve to allow the property owner to benefit from reduced property taxes in exchange for keeping that property under agricultural use.

**ATTACHMENTS :**

- A. Land Conservation Contract between Riverside County and Peter Rabbit Farms (3 copies)
- B. Notice of Non-Renewal related to subject property

RECORDING REQUESTED BY  
RIVERSIDE COUNTY

THI

When recorded, return to:

Stop #1010  
Clerk of the Board of Supervisors  
Riverside CA, 1<sup>st</sup> Floor

No fee, 6103 Government Code



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LAND CONSERVATION CONTRACT

0



COUNTY OF RIVERSIDE, herein called "County," and

Peter Rabbit Farms

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 Coachella Valley Agricultural Preserve No. 47, Map No. 265.
2. This contract shall take effect on January 1, 2015, 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: January 1, 2015

STATE OF CALIFORNIA  
COUNTY OF RIVERSIDE

ATTEST: **KECIA HARPER-IHEM**  
Clerk of the Riverside County Board of Supervisors

BY Marion Ashley  
Chairman, Board of Supervisors

**MARION ASHLEY**

FORM APPROVED COUNTY COUNSEL

BY Michelle Clack 2/17/15  
MICHELLE CLACK DATE

By [Signature]  
(Seal) Deputy

**OWNER(S) SIGNATURE AND ADDRESS**

Owner: [Signature] . Pres. Peter Rabbit Farms

Owner: \_\_\_\_\_

Owner: \_\_\_\_\_

Owner: \_\_\_\_\_

Mailing Address: 85810 Peter Rabbit Lane, Coachella, CA 92236-1897

**NOTARY ACKNOWLEDGMENT**

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

STATE OF CALIFORNIA )  
COUNTY OF Riverside )

On 1/9/2015 before me, Christina L. McCulloch, Notary Public  
(Date) (Name and Title of officer)

personally appeared John P. Powell, Jr., 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

Christina L. McCulloch  
Notary Public

{SEAL}



**EXHIBIT A**  
**COACHELLA VALLEY AGRICULTURAL PRESERVE NO. 47**  
**MAP NO. 265**

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

ALL OF COACHELLA GRAPE FRUIT ORCHARDS SUBDIVISION, AS SHOWN BY MAP ON FILE IN BOOK 18, PAGE 14 OF MAPS, RIVERSIDE COUNTY RECORDS, BEING A SUBDIVISION OF THE FRACTIONAL NORTHEAST QUARTER OF SECTION 3, TOWNSHIP 8 SOUTH, RANGE 8 EAST, SAN BERNARDINO BASE AND MERIDIAN;

EXCEPTING FROM LOT 21 THAT PORTION THEREOF CONVEYED TO THE STATE OF CALIFORNIA BY DEED FROM COACHELLA GRAPEFRUIT ORCHARDS, INC., RECORDED MAY 6, 1932 IN BOOK 75, PAGE 306 OF OFFICIAL RECORDS, RIVERSIDE COUNTY RECORDS DESCRIBED AS FOLLOWS:

A PORTION OF SAID LOT 21 BEGINNING AT THE NORTHEAST CORNER OF SAID LOT 21; THENCE SOUTH 00 DEGREES 37' 06", EAST 8.66 FEET ALONG THE EAST LINE OF SAID LOT 21; THENCE CURVING TO THE RIGHT FROM A TANGENT BEARING NORTH 32 DEGREES 07' 01" WEST WITH A RADIUS OF 10,050 FEET, THROUGH AN ANGLE OF 00 DEGREES 03' 30" A DISTANCE OF 10.23 FEET TO A POINT IN THE NORTH LINE OF SAID LOT 21; THENCE SOUTH 89 DEGREES 54' 30" EAST 5.42 FEET ALONG SAID NORTH LINE TO THE POINT OF BEGINNING.

Owner	Acreage	Assessor Parcel No.
Peter Rabbit Farms	95.97 (net)	755-090-003-9
<b>TOTAL</b>	<b>95.97 (net)</b>	

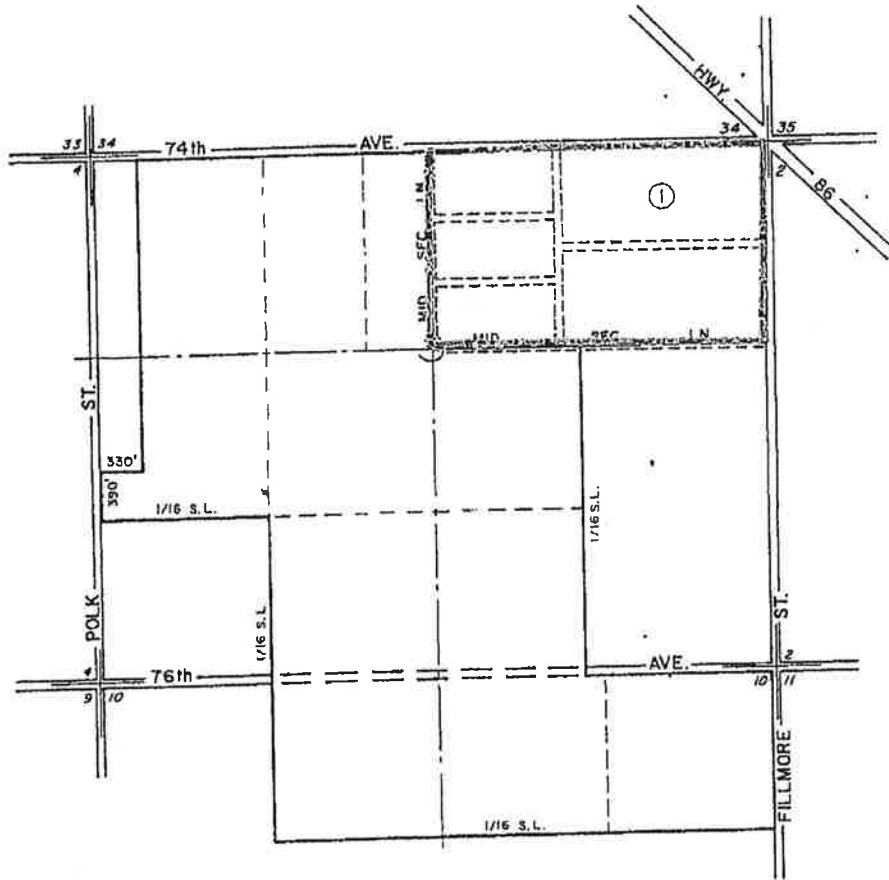




# MAP NO. 213 COACHELLA VALLEY AGRICULTURAL PRESERVE NO. 47

AMENDED BY MAP NO. 265

T. 8 S - R. 8 E



### AMENDMENTS

AMENDMENT NO. 1, NOV. 20, 73, MAP NO. 265

ADOPTED ON FEBRUARY 1, 1972  
BY THE BOARD OF SUPERVISORS  
OF THE COUNTY OF RIVERSIDE,  
STATE OF CALIFORNIA.



2602-772515  
12/24/2002 08:08A  
6 of 6



# MAP NO. 213

## COACHELLA VALLEY

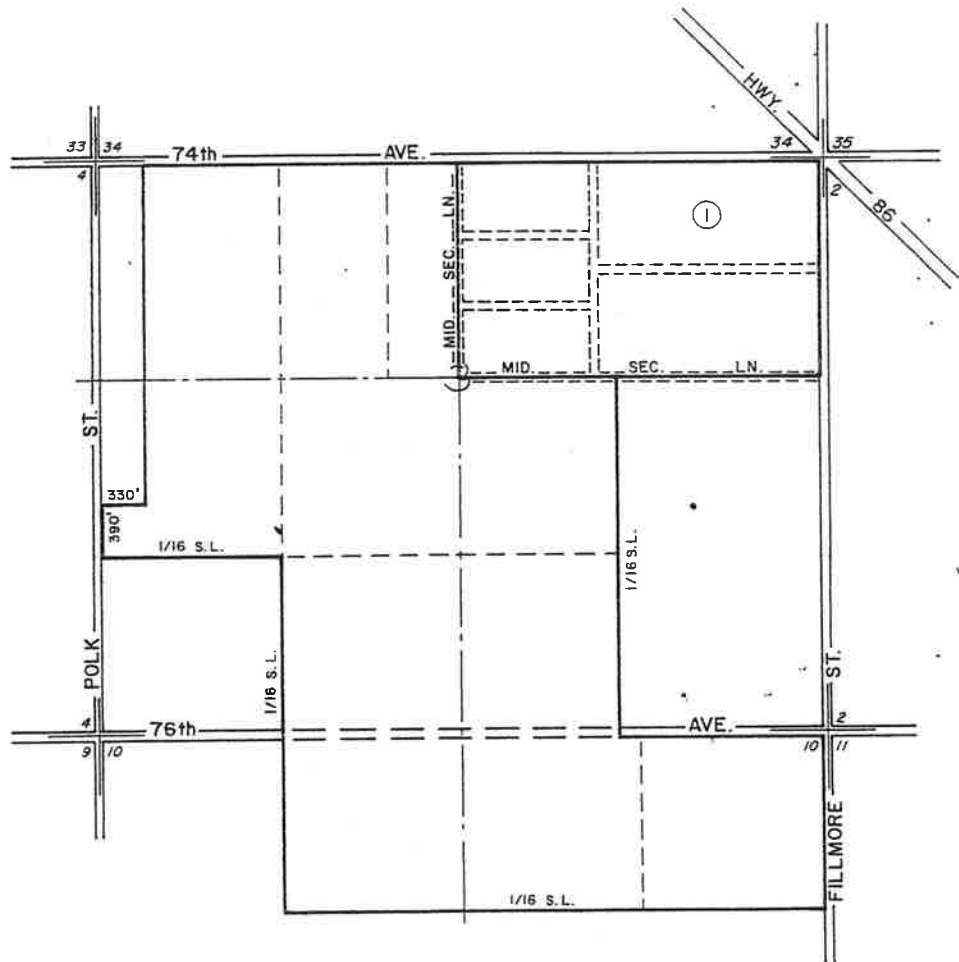
### AGRICULTURAL

### PRESERVE

## NO. 47

AMENDED BY MAP NO. 265

T. 8 S - R. 8 E



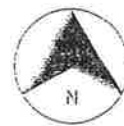
AMENDMENTS

AMENDMENT NO. 1, NOV. 20, 73, MAP NO. 265



2015-0121461  
 03/26/2015 11:14A  
 5 of 6

ADOPTED ON FEBRUARY 1, 1972  
 BY THE BOARD OF SUPERVISORS  
 OF THE COUNTY OF RIVERSIDE,  
 STATE OF CALIFORNIA.





**PETER ALDANA  
COUNTY OF RIVERSIDE  
ASSESSOR-COUNTY CLERK-RECORDER**

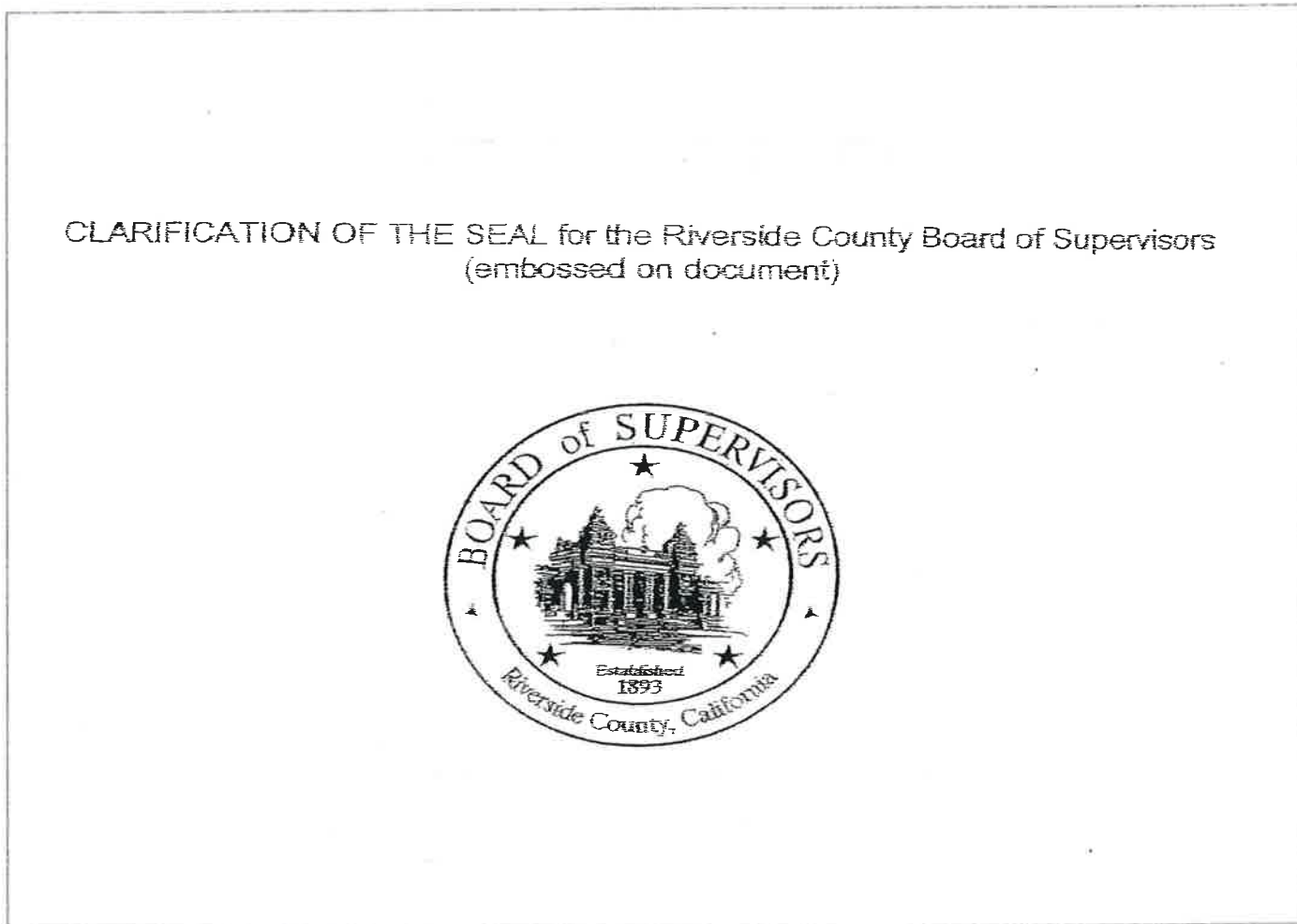
**Recorder**  
P.O. Box 751  
Riverside, CA 92502-0751  
(951) 486-7000

www.riversideacr.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):



Date:

3-24-15

Signature:

*Karen Barton*

Print Name:

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



PLEASE COMPLETE THIS INFORMATION

RECORDING REQUESTED BY:

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

DOC # 2002-772515

12/24/2002 08:00A Fee:NC

Page 1 of 6

Recorded in Official Records

County of Riverside

Gary L. Orso

Assessor, County Clerk & Recorder



AND WHEN RECORDED MAIL TO:

RETURN TO: STOP #1010

Clerk of the Board

(CAC Annex Bldg. - 1 Floor)

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**NOTICE OF NON-RENEWAL**  
**AGRICULTURAL PRESERVE (AGN 00040)**

Title of Document

M  
LM

(COACHELLA VALLEY AGRICULTURAL PRESERVE NO. 47, MAP NO. 265)  
(OWNER: CARDINAL PRODUCE SALES, INC.)

(TLMA / PLANNING)

ORIGINAL

THIS PAGE ADDED TO PROVIDE ADEQUATE SPACE  
FOR RECORDING INFORMATION



COUNTY OF RIVERSIDE  
TRANSPORTATION AND  
LAND MANAGEMENT AGENCY



PLANNING DEPARTMENT

Richard K. Lashbrook  
Agency Director

Aleta J. Laurence  
Director of Planning

PLEASE SUBMIT THIS FORM TO THE PLANNING  
DEPARTMENT WITH THE APPROPRIATE FILING FEE

Recorded at the request of,  
and to be returned to:

Riverside County Planning Department  
4080 Lemon Street, 9th Floor  
Riverside, CA 92502-1409

Clerk of the Board of Supervisors  
4080 Lemon Street, 14th Floor  
Riverside, CA 92501  
cc: Planning Department

*Filed 10/15/02  
OK'd 12/13/02 KB*

**NOTICE OF NON-RENEWAL**

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 Jan. 1, 1974 and recorded on Feb. 22, 1974, as Instrument No. 21258 in the Office of the County Recorder of Riverside County, California. The real property affected by this notice is located in the Coachella Valley Agricultural Preserve No. 47, Annex No. 1, Map No. 265. Dated: Sept. 27, 2002.

STATE OF CALIFORNIA  
COUNTY OF Riverside  
On Septem  
before me personally appeared  
John Powell Jr.  
known to me to be the person

Owner(s)  
Cardinal Produce Sales, Inc.  
J. J. [Signature], Secretary/  
Treasurer

Mailing Address:  
85-810 Grapefruit Blvd.  
Coachella, CA 92236

whose name is subscribed to the  
within instrument and acknowledged that  
he  
executed the same.

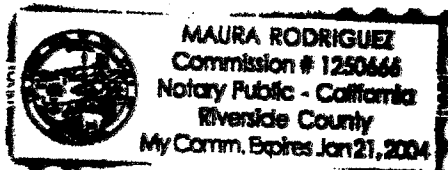
Code area and parcel number(s) of land  
affected:

APN                      Sec/T/R

755-090-001      03T8R8

[Signature]  
Notary Public

FORM 2950089 (8/00)



ORIGINAL



**JURAT WITH AFFIANT STATEMENT**

State of California  
County of Riverside } ss.

- See Attached Document (Notary to cross out lines 1-8 below)
- See Statement Below (Lines 1-7 to be completed only by document signer[s], not Notary)

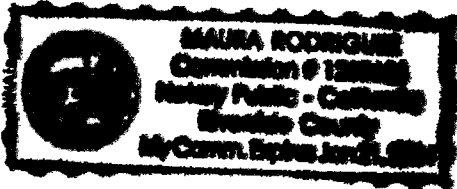
\_\_\_\_\_  
Signature of Document Signer No. 1

\_\_\_\_\_  
Signature of Document Signer No. 2 (if any)

Subscribed and sworn to (or affirmed) before me this 27th day of September,  
Date Month

2002, by  
Year  
(1) John Powell Jr. Secretary  
Name of Signer(s) Cardinal Pictures, Inc.

(2) \_\_\_\_\_  
Name of Signer(s)



Place Notary Seal Above

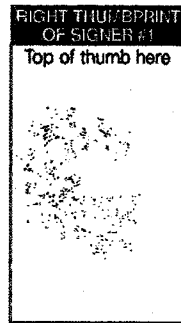
[Signature]  
Signature of Notary Public

**OPTIONAL**

*Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.*

**Further Description of Any Attached Document**

Title or Type of Document: Co. of Riverside Form 2950089  
Document Date: Sept. 27, 2002 Number of Pages: 3  
Signer(s) Other Than Named Above: \_\_\_\_\_



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EXCEPTING FROM LOT 21 THAT PORTION THEREOF CONVEYED TO THE STATE OF CALIFORNIA BY DEED FROM COACHELLA GRAPEFRUIT ORCHARDS, INC., RECORDED MAY 6, 1932 IN BOOK 75, PAGE 306 OF OFFICIAL RECORDS, RIVERSIDE COUNTY RECORDS DESCRIBED AS FOLLOWS:

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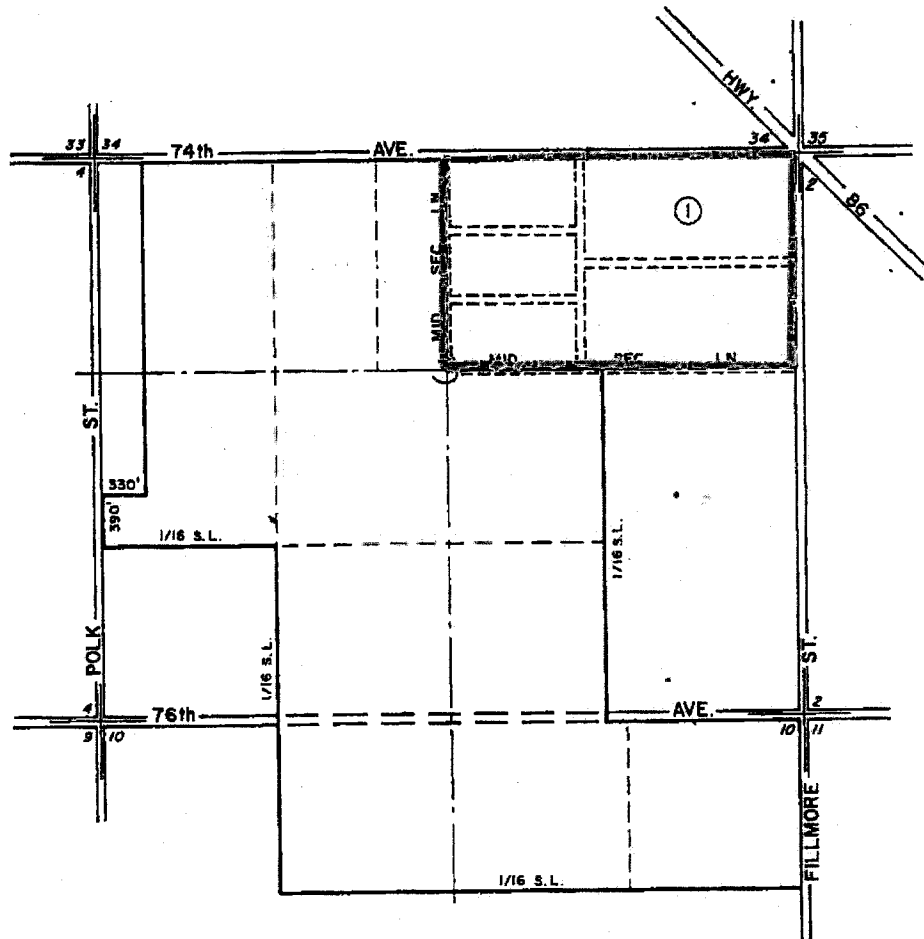
Owner	Acreage	Assessor Parcel No.
Cardinal Produce Sales, Inc.	95.97 (net)	755-090-001
<b>TOTAL</b>	<b>95.97 (net)</b>	



# MAP NO. 213 COACHELLA VALLEY AGRICULTURAL PRESERVE NO. 47

AMENDED BY MAP NO. 265

T. 8S - R. 8E



AMENDMENTS

AMENDMENT NO. 1, NOV. 20, 73, MAP NO. 265

ADOPTED ON FEBRUARY 1, 1972  
BY THE BOARD OF SUPERVISORS  
OF THE COUNTY OF RIVERSIDE,  
STATE OF CALIFORNIA.



2862-772515  
12/24/2002 09:18:09  
6 of 6



**ATTACHMENTS FILED**  
**WITH**  
**THE CLERK OF THE BOARD**