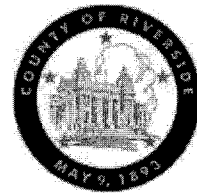


SUBMITTAL TO THE BOARD OF SUPERVISORS  
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA



ITEM  
3.23  
(ID # 9125)

MEETING DATE:  
Tuesday, June 4, 2019

FROM : TLMA-PLANNING:

SUBJECT: TRANSPORTATION & LAND MANAGEMENT AGENCY/PLANNING: Agricultural Preserve Case No. 00186 - Approval of a Williamson Act Land Conservation Contract. CEQA exempt pursuant to State CEQA Guidelines section 15317. Applicant: Michael Bozick - Engineer/Representative: Mali Basta Ranches, LLC - Fourth Supervisorial District - Lower Coachella Valley District - Agriculture: Agriculture (10 Acre Minimum) - Location: North of Airport Blvd., east of Pierce Street, south of 55th Street, and west of Buchanan Street - 155.60 acres - Zoning: Light Agriculture (A-1) 20 Acre Minimum - REQUEST: Approval of Land Conservation Contract for the Coachella Valley Agricultural Preserve No. 22, Map No. 141 - APN: 763-390-008, 763-390-009, 763-390-010 and 763-390-011. District 4. [Applicant Fees 100%]

RECOMMENDED MOTION: That the Board of Supervisors:

1. **FIND** the approval of the attached Land Conservation Contract exempt from the California Environmental Quality Act pursuant to State CEQA Guidelines section 15317;
2. **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. 22, Map No. 141, based upon the findings and conclusions set forth herein; and

Continued on page 2

**ACTION: Policy**

  
Charissa Leach, Assistant TLMA Director


5/24/2019

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**MINUTES OF THE BOARD OF SUPERVISORS**

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

Ayes: Jeffries, Spiegel, Washington, Perez and Hewitt  
Nays: None  
Absent: None  
Date: June 4, 2019  
xc: Planning, State, Recorder

Kecja Harper  
Clerk of the Board  
By:   
Deputy

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

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

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

<b>FINANCIAL DATA</b>	<b>Current Fiscal Year:</b>	<b>Next Fiscal Year:</b>	<b>Total Cost:</b>	<b>Ongoing Cost</b>
<b>COST</b>	\$ N/A	\$ N/A	\$ N/A	\$ N/A
<b>NET COUNTY COST</b>	\$ N/A	\$ N/A	\$ N/A	\$ N/A
<b>SOURCE OF FUNDS: Applicant Fees (100%)</b>			<b>Budget Adjustment:</b>	No
			<b>For Fiscal Year:</b>	N/A

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

**BACKGROUND:**

**Summary**

The Williamson Act, also known as the California Land Conservation Act of 1965, allows local governments to enter into contracts with private landowners for the purpose of restricting specific parcels of land to agricultural or related open space use. In exchange, these landowners are provided a reduction in property taxes based upon farming and open space uses rather than higher taxed non-agricultural uses.

**FINDINGS:**

1. The subject property is located north of Airport Blvd., east of Pierce Street, south of 55<sup>th</sup> Street, and west of Buchanan Street in Coachella Valley Agricultural Preserve No. 22.
2. A previous owner of the subject property entered into a Land Conservation Contract with the County on January 1, 1972, which was recorded on February 29, 1972, as Instrument No. 26798.
3. Subsequently, a notice of nonrenewal was filed on the subject property which was recorded on February 17, 2006 as Instrument No. 2006-0119245. This notice caused the previous contract as it applies to the subject property to expire on December 31, 2015.
4. The current owner of the subject property, Mali Basta Ranches, LLC, has requested to enter into a new Land Conservation Contract as provided for in Resolution No. 84-526, Rules and Regulations Governing Agricultural Preserves in Riverside County.

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

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 Land Conservation Contract.
6. The land is eligible to be under contract because it is within the approved and existing Coachella Valley Agricultural Preserve No. 22, Map No. 141, 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.
7. The approval and execution of this Land Conservation Contract for the 155.60 acres does not authorize development on the property. It only places real property that was previously subject to a Williamson Act Land Conservation Contract back under the terms and obligations of the attached Land Conservation Contract. As a result, approval of this Land Conservation Contract is exempt from the State CEQA Guidelines section 15317 which provides the making and renewing of open space contracts under the Williamson Act are exempt from CEQA.

**CONCLUSION:**

1. The execution of this land contract is consistent with the provisions of the Land Conservation Act of 1965 and the Resolution No. 84-526, 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 Residents and Businesses**

None. The proposed action is the approval of a Williamson Act Land Use Contract on land within an existing agricultural preserve to allow the property owner to benefit from reduced property taxes.

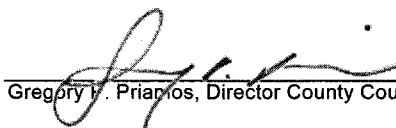
**ATTACHMENTS.**

- A. LAND CONSERVATION CONTRACT**
- B. NOTICE OF NON-RENEWAL**



Jason Farin, Senior Management Analyst

5/28/2019



Gregory L. Priapos, Director County Counsel

5/24/2019

PLEASE COMPLETE THIS INFORMATION

RECORDING REQUESTED BY:

CLERK OF THE BOARD  
DEPARTMENT  
(CAC - 1<sup>st</sup> Floor)

AND WHEN RECORDED MAIL TO:

RETURN TO: STOP#1010  
Clerk of the Board  
(CAC Bldg. - 1<sup>st</sup> Floor)

DOC # 2006-0119245

02/17/2006 08:00A Fee:NC

Page 1 of 5

Recorded in Official Records

County of Riverside

Larry W. Ward

Assessor, County Clerk & Recorder



M	S	U	PAGE	SIZE	DA	PCOR	NOCOR	SMF	MISC.
	1		5						
					1			✓	LC
A	R	L			COPY	LONG	REFUND	NCHG	EXAM

C  
LC

Filed 9/28/05  
OK'D 9/28/05 LAB

AGN 00121

### NOTICE OF NONRENEWAL

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 01-01-72 and recorded on 02-29-72 as Instrument No. 26798 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. 22, Map No. 141. Dated: 01-04-72.

(See attached Legal)

Assessor's Parcel Number(s) of land affected: APN'S 763-390-008-0, 763-390-009-0  
763-390-010-1, 763-390-011-2

#### ORIGINAL OWNER(S)

~~Oscar & Ramona Ortega~~

~~Federal Land Bank~~

Four Webb Bros. - A partnership  
of Thompson Webb, Jr., Howell  
Webb, William Robert Webb and  
John L. Webb

#### CURRENT OWNER(S)

Michael Bozick  
Signature (Title and Company if applicable)

Michael Bozick  
Print Name

Bobbie J. Bozick  
Signature (Title and Company if applicable)

Bobbie J. Bozick  
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  
Nancy Romero, Clerk of the Board

By: [Signature]  
Deputy

Date: 2-15-06

ATTEST:  
NANCY ROMERO, Clerk  
By: [Signature]  
DEPUTY

STATE OF CALIFORNIA, COUNTY OF Riverside

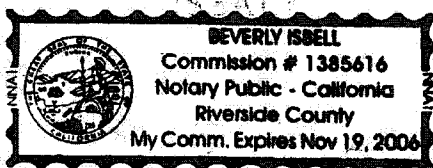
On September 20, 2005 before me personally appeared

Michael Bozick

Bobbie J. Bozick

personally known to me (or 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 THEY executed the same in authorized capacity(ies), and that THEY by THEIR signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.



Beverly Isbell  
Notary Public



2006-0119245  
02/17/2006 09:00A  
3 of 5

**EXHIBIT A  
 COACHELLA VALLEY AGRICULTURAL PRESERVE NO. 22  
 MAP NO. 141  
 (NOTICE OF NON-RENEWAL)**

Real property in the unincorporated area of the County of Riverside, State of California, described as follows:

The Southeast quarter of Township 6 South, Range 8 East, Section 13, San Bernardino Base and Meridian.

Assessor Parcel No.	Acres (net)	Owners
763-390-008	115.06	Michael Bozick and Bobbie J. Bozick
763-390-009	0.34	Michael Bozick and Bobbie J. Bozick
763-390-010	39.30	Michael Bozick and Bobbie J. Bozick
763-390-011	0.90	Michael Bozick and Bobbie J. Bozick
<b>Total</b>	<b>155.60</b>	

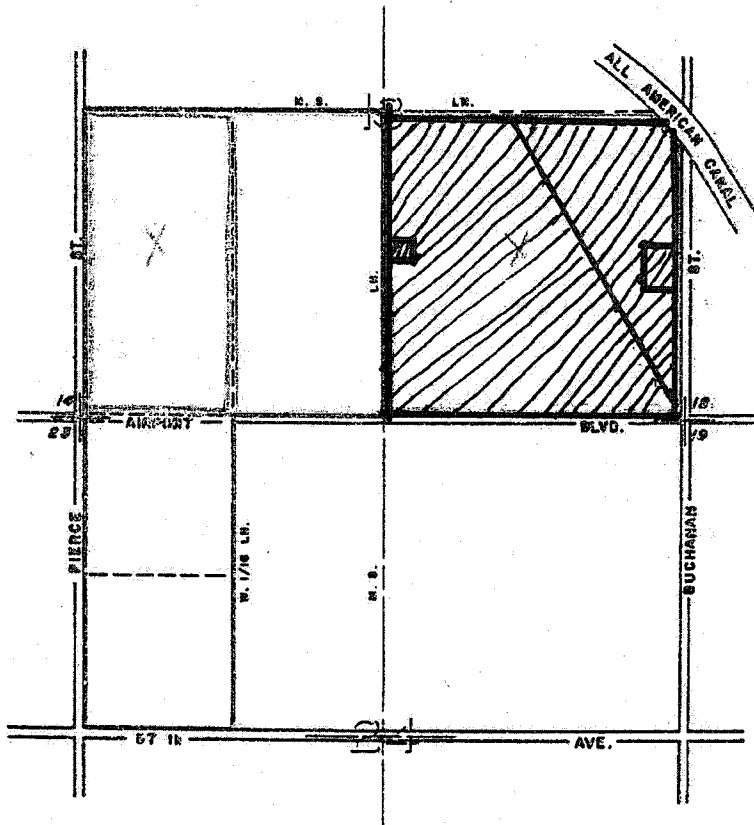


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 02/17/2006 08:00A  
 4 of 5

141

# MAP NO 141 COACHELLA VALLEY AGRICULTURAL PRESERVE NO. 22

T. 6 S., - R. 6 E.

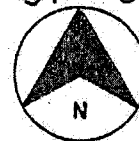


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02/17/2006 08:06A  
5 of 5



APN 763-390-008  
763-390-009  
763-390-010  
763-390-011

ADOPTED ON JANUARY 4, 1972  
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:

**2019-0203638**

06/06/2019 11:46 AM Fee: \$ 0.00

Page 1 of 5

Recorded in Official Records  
County of Riverside  
Peter Aldana  
Assessor-County Clerk-Recorder



380

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

4080 Lemon Street  
Riverside, CA 92501  
No fee, 6103 Government Code

LAND CONSERVATION CONTRACT

COUNTY OF RIVERSIDE, herein called "County," and

Mali Basta Ranches, LLC

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. 22, Map No. 141.
2. This contract shall take effect on January 1, 2019, 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, 2019

STATE OF CALIFORNIA  
COUNTY OF RIVERSIDE

BY [Signature]  
Chairman, Board of Supervisors  
KEVIN JEFFRIES

ATTEST  
Clerk of the Riverside County Board of Supervisors

FORM APPROVED COUNTY COUNSEL  
BY: [Signature] 5/24/2019  
LYNETTE M. CLYDE DATE

By [Signature]  
(Seal) Deputy

**OWNER(S) SIGNATURE AND ADDRESS**

Owner: Michael Bozick, Owner [Signature]

Owner: Bobbie Bozick, Owner [Signature]

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

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

Mailing Address: 65500 Lincoln Street, Mecca, California 92254

**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 April 12, 2017 before me, Amy Cassandra Walling, Notary Public  
(Date) (Name and Title of officer)

personally appeared Michael Bozick and Bobbie Bozick  
(Name(s) of signer(s))

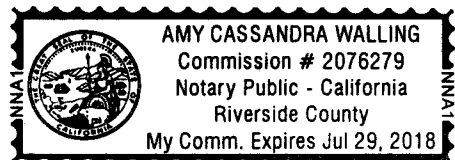
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s),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

[Signature]  
Notary Public

{SEAL}



**CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT**

**CIVIL CODE § 1189**

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.

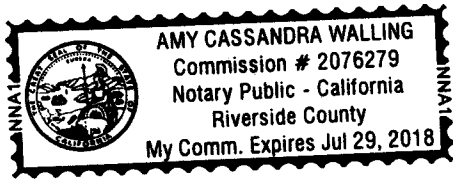
State of California )  
County of Riverside )

On April 3, 2017 before me, Amy Cassandra Walling, Notary Public,  
*Date Here Insert Name and Title of the Officer*  
personally appeared Michael Bozick and Bobbie J Bozick  
*Name(s) of Signer(s)*

who 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.



Signature Amy Walling  
*Signature of Notary Public*

Place Notary Seal Above

**OPTIONAL**

Though this section is optional, completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

**Description of Attached Document**

Title or Type of Document: Land Conservation Contract Document Date: \_\_\_\_\_  
Number of Pages: 2 Signer(s) Other Than Named Above: N/A

**Capacity(ies) Claimed by Signer(s)**

Signer's Name: Michael Bozick  
 Corporate Officer — Title(s): \_\_\_\_\_  
 Partner —  Limited  General  
 Individual  Attorney in Fact  
 Trustee  Guardian or Conservator  
 Other: \_\_\_\_\_

Signer's Name: Bobbie J Bozick  
 Corporate Officer — Title(s): \_\_\_\_\_  
 Partner —  Limited  General  
 Individual  Attorney in Fact  
 Trustee  Guardian or Conservator  
 Other: \_\_\_\_\_

Signer Is Representing: Mali Basta Ranches, LLC.

Signer Is Representing: Mali Basta Ranches, LLC.

EXHIBIT A  
COACHELLA VALLEY AGRICULTURAL PRESERVE NO.22  
MAP NO. 141

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described as follows:

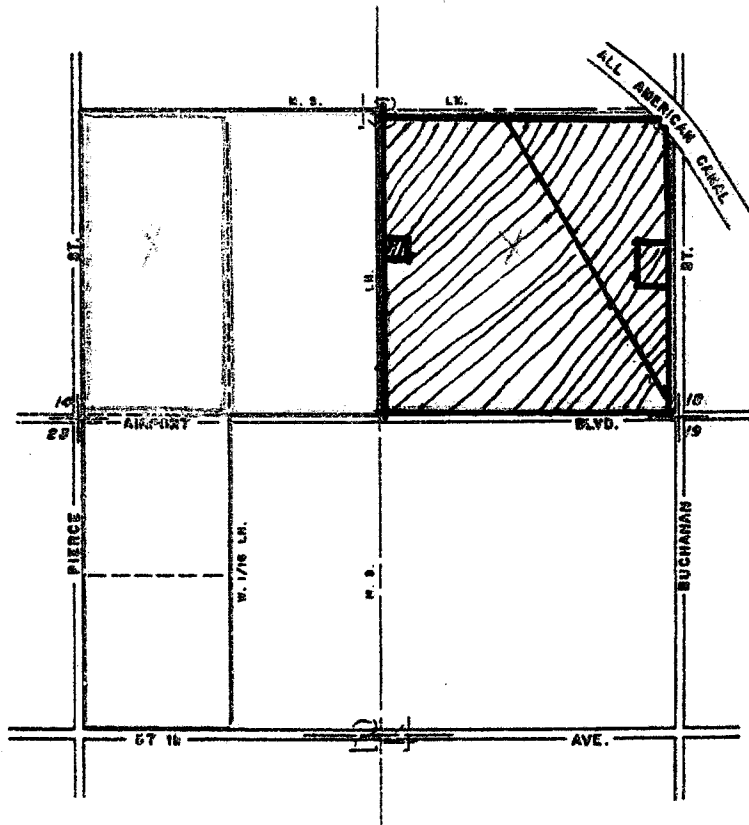
The Southeast quarter of Township 6 South, Range & 8 East Section 13, San Bernardino  
Base and Meridian.

Assessor Parcel No.		Acres (net)		Owners
763-390-008		115.06		Michael Bozick and Bobbie J. Bozick
763-390-009		0.34		Michael Bozick and Bobbie J. Bozick
763-390-010		39.30		Michael Bozick and Bobbie J. Bozick
763-390-011		0.90		Michael Bozick and Bobbie J. Bozick
Total		155.60		

141

# MAP NO 141 COACHELLA VALLEY AGRICULTURAL PRESERVE NO. 22

T. 6 S. - R. 6 E.



2006-0119245  
02/17/2006 08:00A  
5 of 5



APN 763-390-008  
763-390-009  
763-390-010  
763-390-011

ADOPTED ON JANUARY 4, 1972  
BY THE BOARD OF SUPERVISORS  
OF THE COUNTY OF RIVERSIDE,  
STATE OF CALIFORNIA

