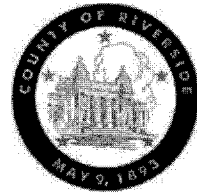


SUBMITTAL TO THE BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA



ITEM
3.24
(ID # 9126)

MEETING DATE:

Tuesday, June 4, 2019

FROM : TLMA-PLANNING:

SUBJECT: TRANSPORTATION & LAND MANAGEMENT AGENCY/PLANNING: Agricultural Preserve Case No. 00187 - Approval of a Williamson Act Land Conservation Contract. CEQA exempt pursuant to State CEQA Guidelines section 15317. Applicant: Mecca Star Ranches c/o Nicholas Bozick - Owners: BFIT 2004 LLC, Citrine Enterprises LLC, Grand Star Properties LLC - Fourth Supervisorial District - Lower Coachella Valley District - Agriculture: Agriculture (10 Acre Minimum) - Location: North of Hammond Road, east of Johnson Street, south of 68th Avenue, and west of Grant Street- 102.71 acres - Zoning: Heavy Agriculture (A-2) 20 Acre Minimum - REQUEST: Approval of Land Conservation Contract for the Coachella Valley Agricultural Preserve No. 67, Map No. 315 - APN: 729-050-005. 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. 67, Map No. 315, based upon the findings and conclusions set forth herein; and
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.


ACTION:Policy


Charles Leach, Assistant TLMA Director 5/24/2019

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

Kecia Harper
Clerk of the Board
By: 
Deputy

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

FINANCIAL DATA	Current Fiscal Year:	Next Fiscal Year:	Total Cost:	Ongoing Cost
COST	\$ N/A	\$ N/A	\$ N/A	\$ N/A
NET COUNTY COST	\$ N/A	\$ N/A	\$ N/A	\$ N/A
SOURCE OF FUNDS: Applicant Fees (100%)			Budget Adjustment:	No
			For Fiscal Year:	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 Hammond Road, east of Johnson Street, south of 68th Avenue, and west of Grant Street in Coachella Valley Agricultural Preserve No. 67.
2. A previous owner of the subject property entered into a Land Conservation Contract with the County on January 1, 1975, which was recorded on January 15, 1975, as Instrument No. 5454.
3. Subsequently, a notice of nonrenewal was filed on the subject property which was recorded on February 17, 2006, as Instrument No. 2006-0119243. This notice caused the previous contract, as it applies to the subject property, to expire on December 31, 2015.
4. The current owners of the subject property, BFIT 2004, LLC, Grand Star Properties, LLC, Citrine Enterprises, LLC, and Graysen Properties, LLC have 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.
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. 67, Map No. 315, 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.

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

7. The approval and execution of this Land Conservation Contract for the 102.71 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. Priamos, Director County Counsel

5/24/2019

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
4080 Lemon St.
Riverside, CA 92501
No fee, 6103 Government Code

2019-0203639

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

Page 1 of 6

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



380

LAND CONSERVATION CONTRACT

COUNTY OF RIVERSIDE, herein called "County," and

BFIT 2004, LLC., Grand Star Properties, LLC., Citrine Enterprises, LLC., and Graysen Properties, 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. 67, Map No. 315.
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


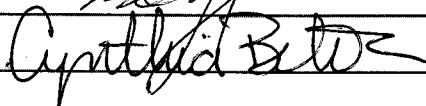
ATTEST, 
Clerk of the Riverside County Board of Supervisors

BY: 
Chairman, Board of Supervisors
KEVIN JEFFRIES

By: 
(Seal) Deputy

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

OWNER(S) SIGNATURE AND ADDRESS

Owner: Nicholas Bozick, Owner 
Owner: Cynthia Beteta, Owner 
Owner: _____
Owner: _____

Mailing Address: 65500 Lincoln Street, Mecca, California, 92254

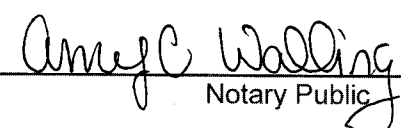
NOTARY ACKNOWLEDGMENT

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 Nicholas 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

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 14, 2017 before me, Amy Cassandra Walling, Notary Public,
Date Here Insert Name and Title of the Officer

personally appeared Nicholas 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 C 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: App LAnd Conservation Document Date: _____
Number of Pages: _____ Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

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

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

Signer Is Representing: BFIT 2004 LLC Signer Is Representing: _____
Grand Star Properties, and Citrine Enterprises

CALIFORNIA ACKNOWLEDGMENT

California 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

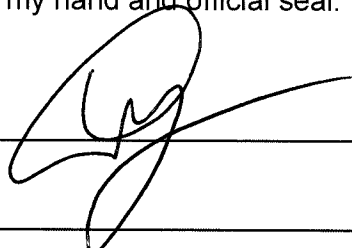
County of Orange

On 10-April, 2017 before me, Patrick James Juarez, Notary Public, personally appeared Cynthia Beteta, 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.

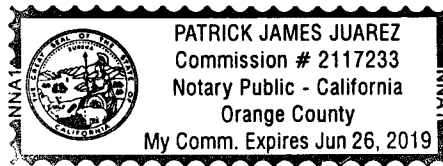
I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature



(Seal)



OPTIONAL

Additional information provided in this section is not required however may deter fraudulent attachment of this certificate to a document other than originally intended.

Description of Attached Document:

Title or Type of Document: Application for Entry Into A Land Conservation Contract In An Agricultural Pr

Document Date: 10-April, 2017

Number of Pages: 2

Signer(s) Other Than Named Above: -

Capacity(ies) Claimed by Signer(s):

Signer's Name: Cynthia Beteta

Capacity Claimed:

- Individual Trustee Attorney-in-Fact
 Guardian or Conservator
 Corporate Officer - Title(s) _____
 Other Property Owner

Signer is Representing: Graysen Properties, LLC

Capacity(ies) Claimed by Signer(s):

Signer's Name: -

Capacity Claimed:

- Individual Trustee Attorney-in-Fact
 Guardian or Conservator
 Corporate Officer - Title(s) _____
 Other -

Signer is Representing: -

EXHIBIT A
 COACHELLA VALLEY AGRICULTURAL PRESERVE NO. 67
 MAP NO. 315

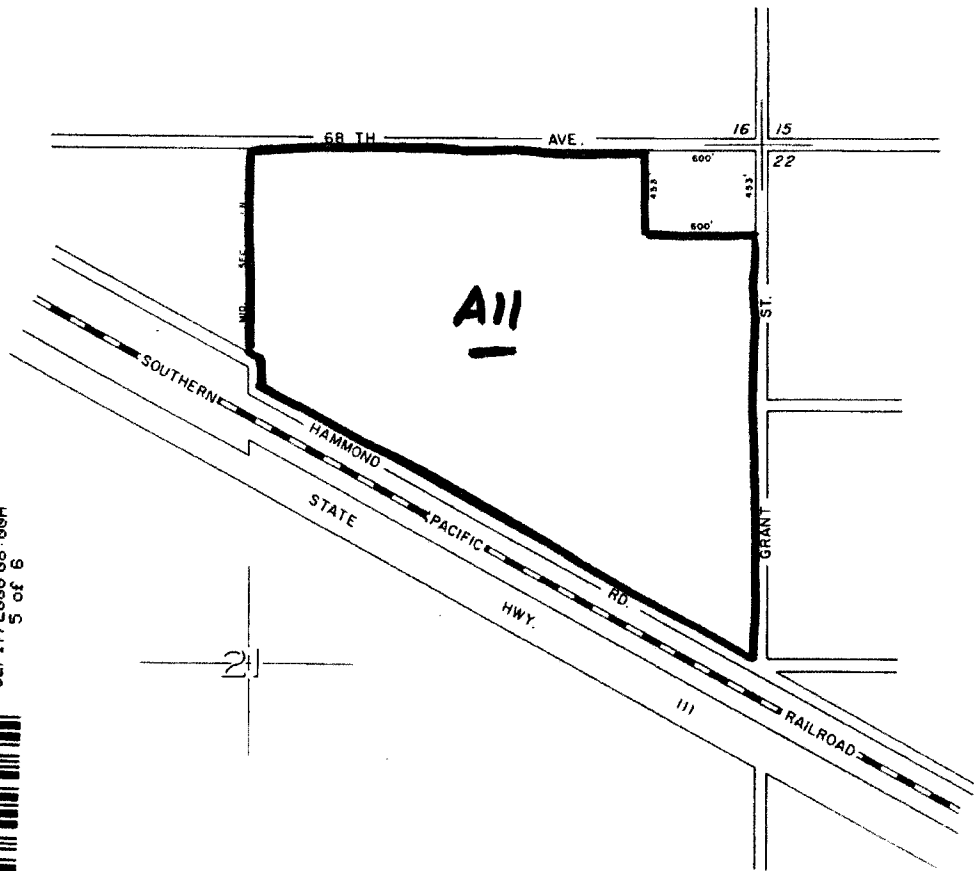
All of the unincorporated territory in Riverside County, State of California, described as follows:

That portion of the Northeast quarter of Section 21, Township 7 South, Range 9 East, San Bernardino Base and Meridian, lying North of the North right-of-way of Hammond Road, excepting therefrom the Northerly 453 feet of the easterly 660 feet.

Assessor Parcel No.	Acres (net)	Owners
729-050-005-6	102.71	Michael Bozick, Bobbie J. Bozick, Nicholas L. Bozick, Cynthia L. Bozick, and Mr. Grape Vineyards, Inc.
Total	102.71	

MAP NO. 315 COACHELLA VALLEY AGRICULTURAL PRESERVE NO. 67

T. 7 S. - R. 9 E.

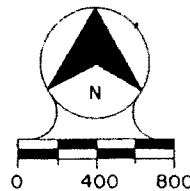


APN 729-050-005-6

2006-0119243
02/17/2006 08:00A
5 of 6



ADOPTED ON NOVEMBER 26, 1974
BY THE BOARD OF SUPERVISORS
OF THE COUNTY OF RIVERSIDE,
STATE OF CALIFORNIA.



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 # 2006-0119243

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

Page 1 of 6

Recorded in Official Records

County of Riverside

Larry W. Ward

Assessor, County Clerk & Recorder



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

Filed 8-30-2005
OK'D 8-30-2005

AGN00108



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 -01/15/75- and recorded on -02/28/75- as Instrument No. -23555- 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. #67, Map No. 315. Dated: 11/26/74.

(See attached Legal)

Assessor's Parcel Number(s) of land affected: 729-050-005-6

ORIGINAL OWNER(S)

Venon & Dinette Nussbaum

CURRENT OWNER(S)

Michael Bozick owner
Signature (Title and Company if applicable)
Michael Bozick
Print Name

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

Nicholas L. Bozick owner
Signature (Title and Company if applicable)
Nicholas L. Bozick
Print Name

Cynthia L. Bozick owner
Signature (Title and Company if applicable)
Cynthia L. Bozick
Print Name

Mr. Grape Vineyards Inc.

(All original and current owners must be listed)

By Michael Bozick owner

Acknowledgement of Receipt
Nancy Romero, Clerk of the Board

By Dan Schlemmer
Deputy

Date: 2-15-06

ATTEST:
NANCY ROMERO, Clerk

By Schlemmer
DEPUTY



GARY L. ORSO
COUNTY OF RIVERSIDE
ASSESSOR-COUNTY CLERK-RECORDER

Recorder
P.O. Box 751
Riverside, CA 92502-0751
(909) 486-7000

<http://riverside.asrclrec.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):

Page 1, Paragraph 1:

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 01/01/75 and recorded on 01/15/75 as Instrument No. 5454 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. 67, Map No. 315.
Dated: 11/26/74.

Date: August 30, 2005

Signature: Kathleen A. Browne

Print Name: Kathleen A. Browne, Urban Regional Planner III
Riverside County Planning Dept.

ACR 601P-AS4RE0 (Est. 04/2003)



2006-0119243
02/17/2006 08:00A
2 of 6

STATE OF CALIFORNIA, COUNTY OF Riverside

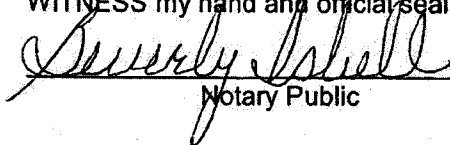
On Jan 12, 2005 before me personally appeared

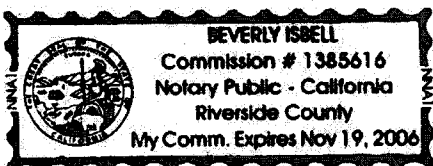
Michael Bozick, Bobbie J. Bozick, Nicholas L. Bozick and

Cynthia L. 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.


Notary Public



2006-0119243
02/17/2006 09:00A
3 of 6

FORM 295-0089 (REV. 03/05/04)

EXHIBIT A
COACHELLA VALLEY AGRICULTURAL PRESERVE NO. 67
MAP NO. 315
(NOTICE OF NON-RENEWAL)

All of the unincorporated territory in Riverside County, State of California, described as follows:

That portion of the Northeast quarter of Section 21, Township 7 South, Range 9 East, San Bernardino Base and Meridian, lying North of the North right-of-way of Hammond Road, excepting therefrom the Northerly 453 feet of the easterly 660 feet.

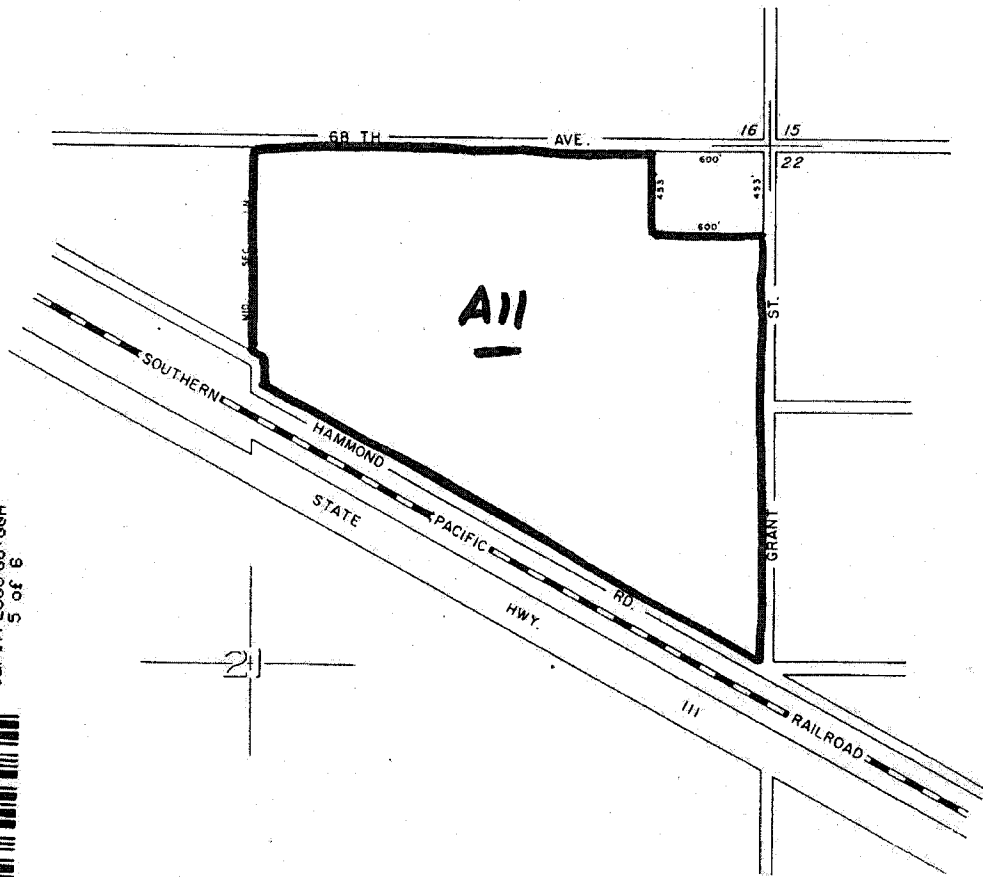
Assessor Parcel No.	Acres (net)	Owners
729-050-005-6	102.71	Michael Bozick, Bobbie J. Bozick, Nicholas L. Bozick, Cynthia L. Bozick, and Mr. Grape Vineyards, Inc.
Total	102.71	



2006-0119243
02/17/2006 08:00A
4 of 6

MAP NO. 315 COACHELLA VALLEY AGRICULTURAL PRESERVE NO. 67

T. 7 S. - R. 9 E.

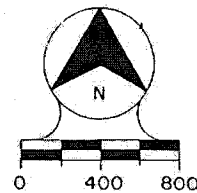


APN 729-050-005-6

2886-0119243
02/17/2006 08:08A
5 of 6



ADOPTED ON NOVEMBER 26, 1974
BY THE BOARD OF SUPERVISORS
OF THE COUNTY OF RIVERSIDE,
STATE OF CALIFORNIA.





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

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

<http://riverside.asrcrkrec.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):

ATTACHED FOR CLARIFICATION

MR. GRAPE VINEYARDS, INC.
CALIFORNIA
INCORPORATED
MAR. 17, 1958

Date:

2-15-06

Signature:

Jandi Schlemmer

Print Name:

JANDI SCHLEMMER

