

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



ITEM
3.25
(ID # 9136)

FROM : TLMA-PLANNING:

MEETING DATE:
Tuesday, June 4, 2019

SUBJECT: TRANSPORTATION & LAND MANAGEMENT AGENCY/PLANNING: Agricultural Preserve Case No. 00189 - 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: Mali Basta Ranches, LLC, BFIT, 2004 LLC, Citrine Enterprises LLC, Graysen Properties, LLC - Fourth Supervisorial District - Eastern Coachella Valley District - Agriculture: Agriculture (10 Acre Minimum) - Location: North of 62nd Avenue, east of Johnson Street, south of 62nd Avenue, and west of Painted Canyon Road - 166.83 acres - Zoning: Light Agriculture (A-1) 20 Acre Minimum - REQUEST: Approval of Land Conservation Contract for the Coachella Valley Agricultural Preserve No. 88, Map No. 511 - APN: 717-290-020, 717-290-021 and 717-040-014. 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. 88, Map No. 511, 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.

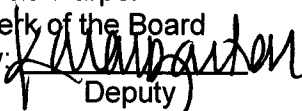
ACTION: Policy


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 62nd Avenue, east of Johnson Street, south of 62nd Avenue and west of Painted Canyon Road in Coachella Valley Agricultural Preserve No. 88.
2. A previous owner of the subject property entered into a Land Conservation Contract with the County on January 1, 1980, which was recorded on March 5, 1980, as Instrument No. 43050.
3. Subsequently, a notice of nonrenewal was filed on the subject property which was recorded on February 17, 2006, as Instrument No. 2016-0119244. 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, Mali Basta Ranches, LLC, BFIT 2004, 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.
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. 88, Map No. 511 and the land is

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

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 166.83 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:

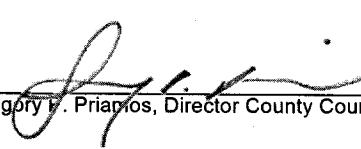
1. The execution of this land contract is consistent with the provisions of the Land Conservation Act of 1965 and the Resolution No. 84-526, Rules and Regulations Governing Agricultural Preserves in Riverside County as adopted by the Board of Supervisors.
2. The execution of this contract is consistent 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**



Gregory V. 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

2019-0203640

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, Mali Basta Ranches, 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. 88, Map No. 511.
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

JUN 04 2019 3.25

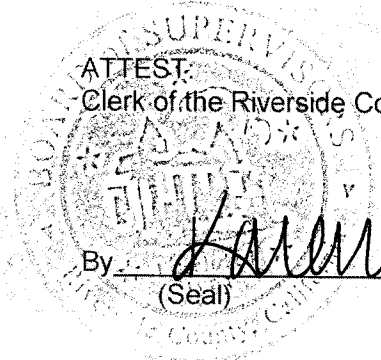
County may be sent by U.S. Mail addressed to Clerk, Board of Supervisors, P.O. Box 1010, Riverside, CA 92502-1010. Either party may change such address by notice to the other.

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

By [Signature]
(Seal) Deputy

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

OWNER(S) SIGNATURE AND ADDRESS

Owner: Nicholas Bozick, Owner [Signature]
Owner: Michael Bozick, Owner [Signature]
Owner: Bobbie J Bozick, Owner [Signature]
Owner: Cynthia Beteta, Owner [Signature]
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.

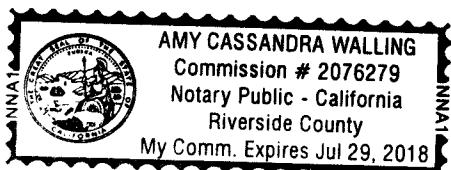
STATE OF CALIFORNIA)
COUNTY OF Riverside)
On April 12, 2017 before me, Amy Cassandra Walling, Notary Public
(Date) (Name and Title of officer)
personally appeared Nicholas Bozick, Michael Bozick, Bobbie J Bozick
(Name(s) of signer(s))

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]
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 and Michael 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 Is Representing: BFIT 2004, LLC.
Citrine Enterprises, LLC.

Signer's Name: Michael Bozick

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

Signer Is Representing: Mali Basta Ranches,
LLC.

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

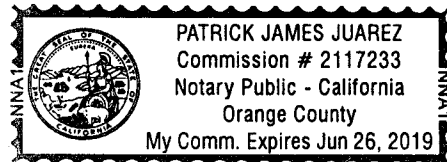
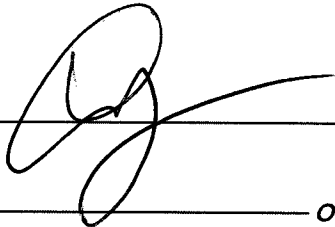
County of Orange

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.
88, MAP NO. 511**

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

PARCEL 1:

The West half of the East half of Government Lot 2 of the Northwest quarter of Fractional Section 4, Township 7 South, Range 9 East, San Bernardino Meridian, according to the official plat thereof.

PARCEL 2:

The West half of Government Lot 2 of the Northwest half of Fractional Section 4, Township 7 south, Range 9 East, San Bernardino Meridian, according to the official plat thereof.

Except that portion described as follows:

That portion of Government Lot 2 in the Northwest quarter of Section 4, Township 7 South, Range 9 East, San Bernardino Meridian, according to the official plat thereof, described as follows:

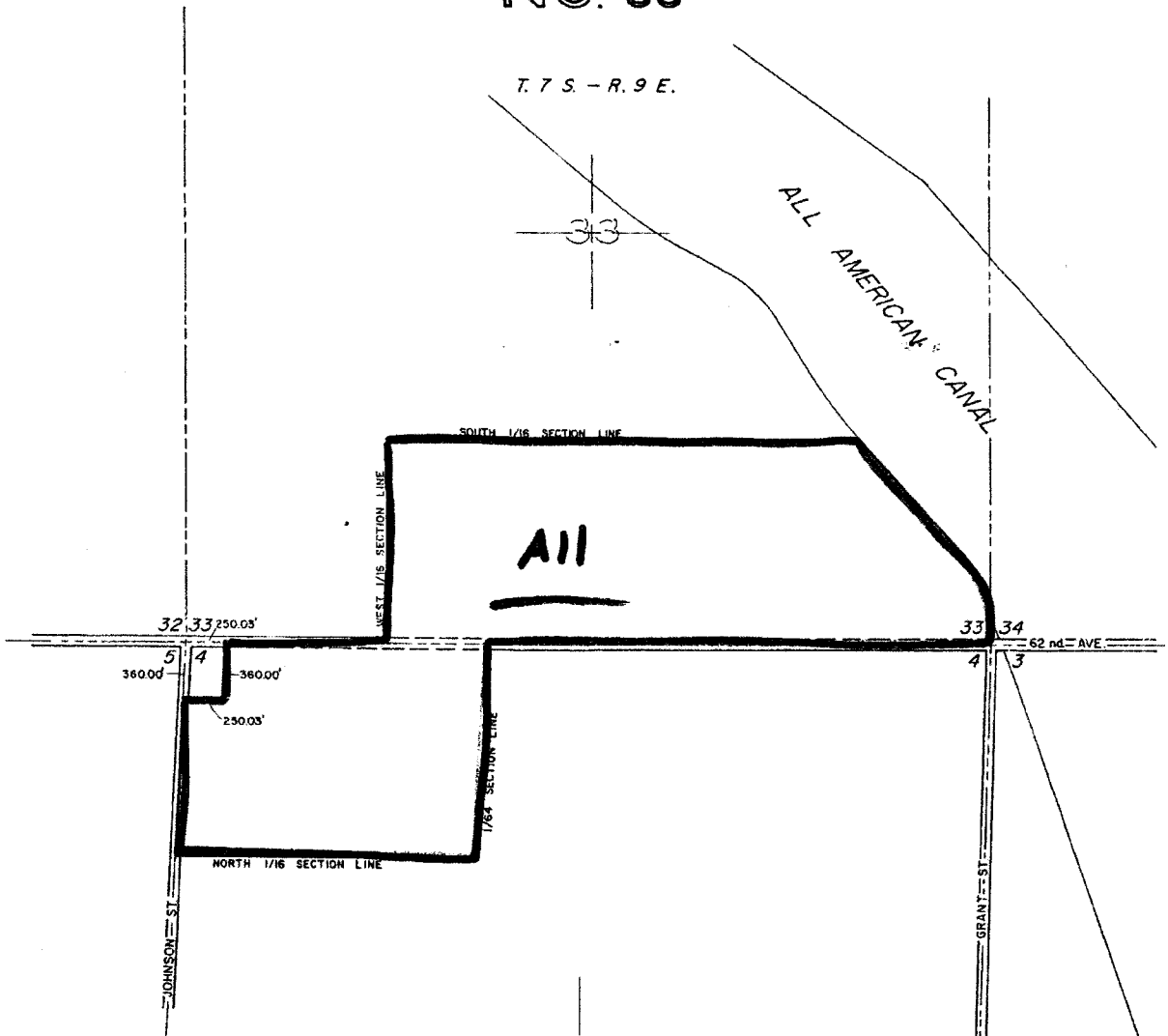
Beginning at the Northwest corner of said section; thence South 89° 26' 42" East 250.03 feet on the North line thereof; thence South 02° 51' 48" West 360.00 feet; thence North 89° 26' 42" West 250.03 feet to the West line of said Section 4; thence North 02° 51' 48" East 360.00 feet thereon to the point of beginning.

PARCEL 3:

The Southeast quarter of the Southwest quarter, and that portion of the South half of the Southeast quarter of Section 33, Township 6 South, Range 9 East, San Bernardino Meridian, in the County of Riverside, State of California, according to the official plat thereof, lying Southwesterly of the Southwesterly line of the land described in deed to the United States of American, recorded May 5, 1947, as Instrument No. 548, Official Records.

Assessor Parcel No.	Acres (net)	Owners
727-040-014-9	58.81	Michael Bozick and Bobbie J. Bozick
717-290-020-4	101.21	
717-290-021-5	6.81	
Total	166.83	

MAP NO. 511 COACHELLA VALLEY AGRICULTURAL PRESERVE NO. 88

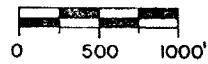


2006-0119244
62/17/2006 08:08A
5 of 7



APN 727-040-014-9
717-290-020-4
717-290-021-5

ADOPTED ON FEBRUARY 26, 1980
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 # 2006-0119244

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

Page 1 of 7

Recorded in Official Records
County of Riverside

Larry W. Ward
Assessor, County Clerk & Recorder



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					1			✓	LC
A	R	L			COPY	LONG	REFUND	NCHG	EXAM

Filed 6/10/05
ok'd 8/30/05

AGN00107

C
LC

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 01/01/80 and recorded on 03/05/80 as Instrument No. 43050 in the Office of the County Recorder of Riverside County, California. The real property affected by this notice is located in the *Patricia Ranch - Agricultural Preserve No. 88, Map No. 511, Dated: 01/01/08 **
*Coachella Valley **02/26/80

(See attached Legal)

Assessor's Parcel Number(s) of land affected: 727-040-014-9, 717-290-020-4, 717-290-021-5

ORIGINAL OWNER(S)

Patricia Ranch Company

CURRENT OWNER(S)

Michael Bozick owner
 Signature (Title and Company if applicable)
Michael Bozick
 Print Name
Robert 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
Stephanie A. Bozick owner
 Signature (Title and Company if applicable)
Stephanie A. Bozick
 Print Name
Mr. Grape Vineyards Inc.
 Signature (Title and Company if applicable)
Cynthia L. Bozick
 Print Name
Cynthia L. Bozick owner

(All original and current owners must be listed)

Acknowledgement of Receipt
Nancy Romero, Clerk of the Board

By: Jim Schlemmer
Deputy

Date: 2-15-06

ATTEST:
NANCY ROMERO, Clerk

By: Schlemmer
DEPUTY

STATE OF CALIFORNIA, COUNTY OF Riverside

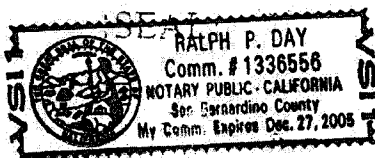
On Jan 10, 2005 before me personally appeared

Nicholas L Bozick

Stephanie A 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.



Ralph P. Day
Notary Public



STATE OF CALIFORNIA, COUNTY OF RIVERSIDE

On JAN 12, 2005 before me personally appeared

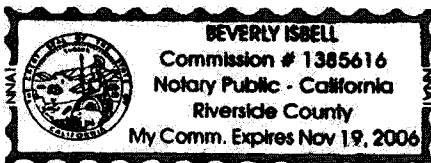
MICHAEL BOZICK, BOBBIE J BOZICK AND
CYNTHIA L. BOZICK

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.

SEAL

WITNESS my hand and official seal.

Beverly Isbell
Notary Public



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



2006-0119244
82/17/2006 08:00A
3 of 7

EXHIBIT A
COACHELLA VALLEY AGRICULTURAL PRESERVE NO. 88
MAP NO. 511
(NOTICE OF NON-RENEWAL)

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

PARCEL 1:

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PARCEL 2:

The West half of Government Lot 2 of the Northwest half of Fractional Section 4, Township 7 south, Range 9 East, San Bernardino Meridian, according to the official plat thereof.

Except that portion described as follows:

That portion of Government Lot 2 in the Northwest quarter of Section 4, Township 7 South, Range 9 East, San Bernardino Meridian, according to the official plat thereof, described as follows:

Beginning at the Northwest corner of said section; thence South 89° 26' 42" East 250.03 feet on the North line thereof; thence South 02° 51' 48" West 360.00 feet; thence North 89° 26' 42" West 250.03 feet to the West line of said Section 4; thence North 02° 51' 48" East 360.00 feet thereon to the point of beginning.

PARCEL 3:

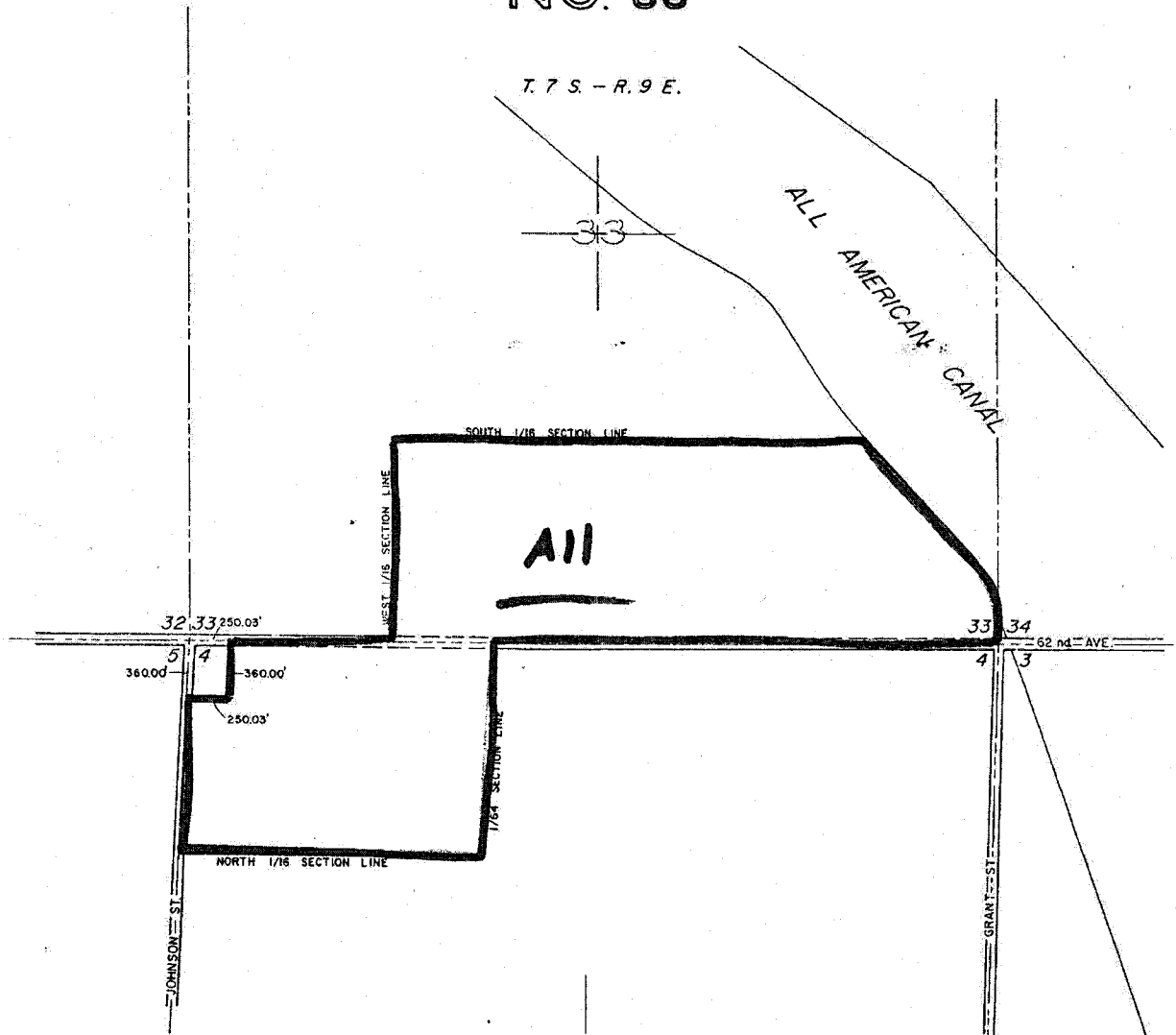
The Southeast quarter of the Southwest quarter, and that portion of the South half of the Southeast quarter of Section 33, Township 6 South, Range 9 East, San Bernardino Meridian, in the County of Riverside, State of California, according to the official plat thereof, lying Southwesterly of the Southwesterly line of the land described in deed to the United States of American, recorded May 5, 1947, as Instrument No. 548, Official Records.

Assessor Parcel No.	Acres (net)	Owners
727-040-014-9	58.81	Michael Bozick and Bobbie J. Bozick
717-290-020-4	101.21	
717-290-021-5	6.81	
Total	166.83	



2006-0119244
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4 of 7

MAP NO. 511 COACHELLA VALLEY AGRICULTURAL PRESERVE NO. 88

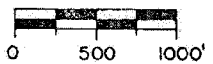
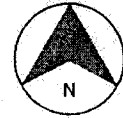


2006-0119244
02/17/2006 09:09H
5 of 7



APN 727-040-014-9
717-290-020-4
717-290-021-5

ADOPTED ON FEBRUARY 26, 1980
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.asrclrec.com>

NOTARY CLARITY

Under the provisions of Government Code 27361.7, I certify under the penalty of perjury that the notary seal on the document to which this statement is attached reads as follows:

Name of Notary: RALPH P. DAY

Commission #: 1336556

Place of Execution: COUNTY OF RIVERSIDE

Date Commission Expires: 12-27-2005

Date: 2-15-06

Signature: Jane Schlemmer

Print Name: SANDI SCHLEMMER





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

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

<http://riverside.asrcclrec.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:

Sandi Schlemmer

Print Name:

SANDI SCHLEMMER

