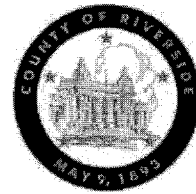


SUBMITTAL TO THE BOARD OF SUPERVISORS  
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA



ITEM  
3.26  
(ID # 9134)

FROM : TLMA-PLANNING:

MEETING DATE:  
Tuesday, June 4, 2019

**SUBJECT:** TRANSPORTATION & LAND MANAGEMENT AGENCY/PLANNING: Agricultural Preserve Case No. 00190 - 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 – Lower Coachella Valley District - Agriculture: Agriculture (10 Acre Minimum) - Location: North of 66th Avenue, east of Johnson Street, south of 62nd Avenue, and west of Painted Canyon Road – 223.54 acres - Zoning: Light Agriculture (A-1) 20 Acre Minimum - REQUEST: Approval of Land Conservation Contract for the Coachella Valley Agricultural Preserve No. 90, Map No. 526 - APN: 727-040-004 and 727-040-007. 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. 90, Map No. 526, 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

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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

Kecia Harper  
Clerk of the Board  
By:   
Deputy

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

<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 north of 66th Avenue, east of Johnson Street, south of 62nd Avenue, and west of Painted Canyon Road in Coachella Valley Agricultural Preserve No. 90.
2. A previous owner of the subject property entered into a Land Conservation Contract with the County on January 1, 1981, which included the subject property and which was recorded on March 26, 1981, as Instrument No. 53221.
3. Subsequently, a notice of nonrenewal was filed on the subject property which was recorded on June 10, 2005, as Instrument No. 2006-0119242. This notice caused the previous contract, as it applies to the subject property, to expire on December 31, 2014.
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 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. 90, Map No. 526, 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 223.54 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 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, 1<sup>st</sup> Floor

4000 Lemon St.  
Riverside, CA 92501  
No fee, 6103 Government Code

**2019-0203641**

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. 90, Map No. 526.
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 3.26

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

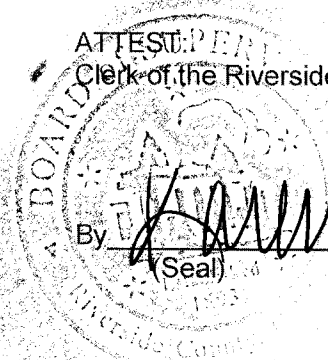
ATTEST: PER  
Clerk of the Riverside County Board of Supervisors

BY: [Signature]  
Chairman, Board of Supervisors

KEVIN JEFFRIES

FORM APPROVED COUNTY COUNSEL

BY: [Signature] 5/24/2019  
LYNETTE M. CLYDE DATE



By: [Signature]  
(Seal) Deputy

**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  
Amy C Walling  
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.

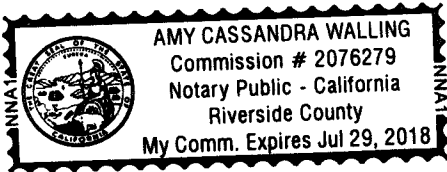
State of California )  
County of Riverside )

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

Signer Is Representing: BFIT 2004, LLC and Citrine Enterprises, LLC.

Signer Is Representing: Mali Basta Ranches, LLC.

# CALIFORNIA ACKNOWLEDGMENT

California Civil Code § 1189

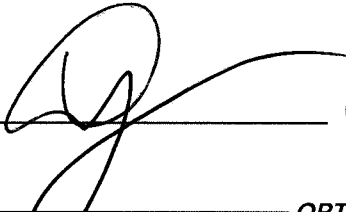
A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

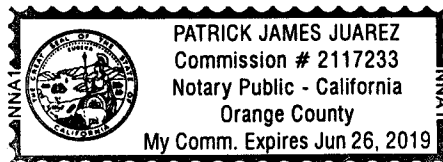
State of California  
County of Orange

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.  
 90 MAP NO. 526

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

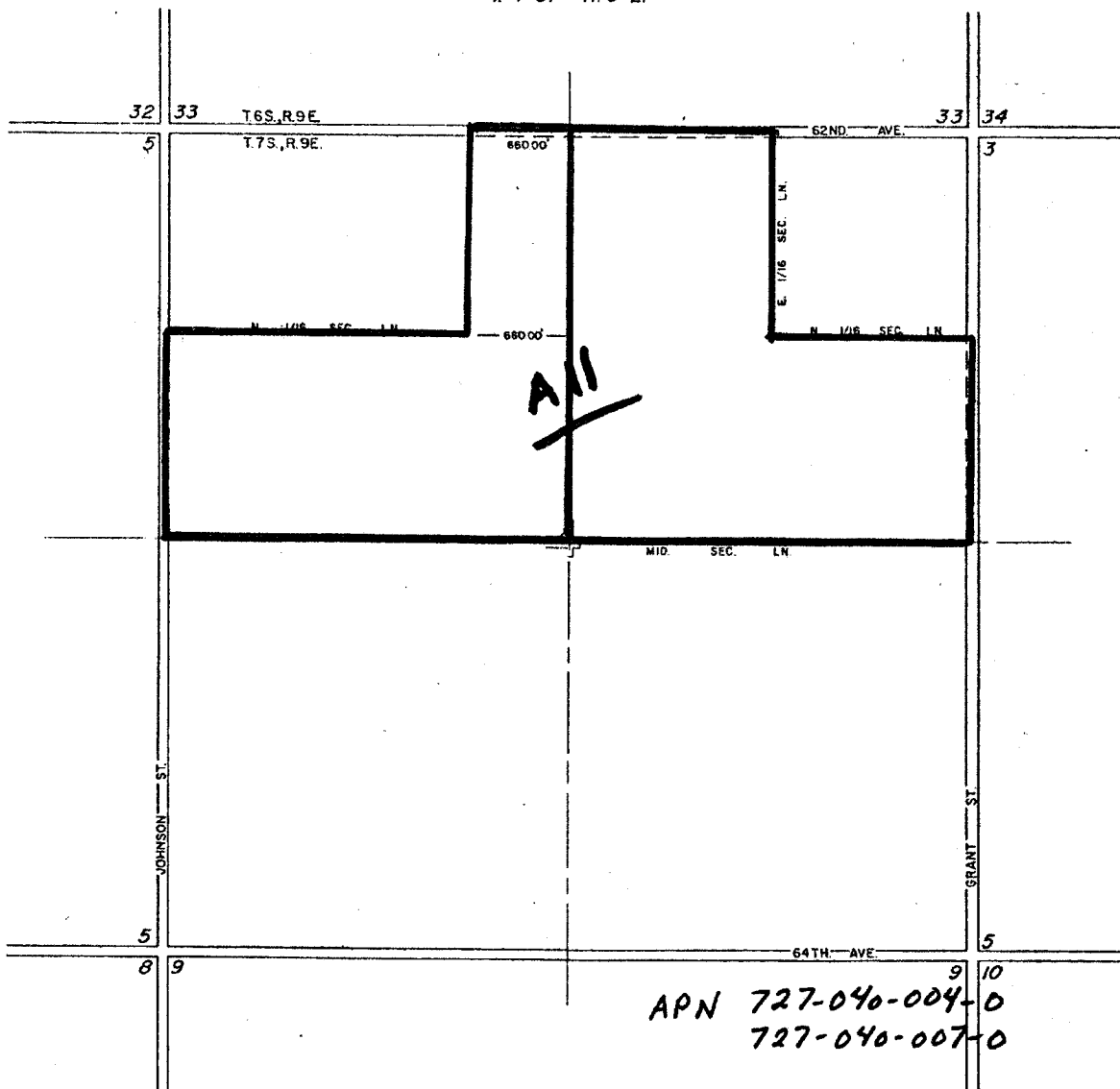
Government Lot 1 and the west half of Government Lot 2 in the Northeast quarter of Section 4, Township 7 South, Range 9 East, San Bernardino Base and Meridian, and Government Lot 1 and the East half of Government Lot 2 in the Northwest quarter of said Section 4.

Assessor Parcel No.	Acres (net)	Owners
727-040-004-0	12291	Michael Bozick, Bobbie J. Bozick, Nicholas L. Bozick, Stephanie A. Bozick, Cynthia L. Bozick, and Mr. Grape Vineyards, Inc.
727-040-007-0	100.63	
Total	223.54	



# MAP NO. 526 COACHELLA VALLEY AGRICULTURAL PRESERVE NO. 90

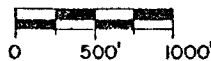
T. 7 S. - R. 9 E.



2006-0119242  
02/17/2006 09:00A  
5 of 7



ADOPTED ON FEBRUARY 24, 1981  
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 - 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 # 2006-0119242

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

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LC

FILED 6-10-05  
OK'D 8-08-05

AGN 00109

### 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 01/01/81 and recorded on 03/26/81 as Instrument No. 53221 in the Office of the County Recorder of Riverside County, California. The real property affected by this notice is located in the

\* ~~Frutas y Legumbres de Mexico~~ Agricultural Preserve No. 90, Map No. 526. Dated: \*\* ~~01/01/81~~

\*Coachella Valley

\*\*03/10/81

(See attached Legal)

Assessor's Parcel Number(s) of land affected: 727-040-004-0, 727-040-007-0

#### ORIGINAL OWNER(S)

Frutas y Legumbres de Mexico

#### 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

Stephanie A. Bozick owner  
Signature (Title and Company if applicable)  
**Stephanie A. Bozick**  
Print Name

**Mr. Grape Vineyards Inc.**

(All original and current owners must be listed)

By Michael Bozick owner

**Cynthia L. Bozick**

Cynthia L. Bozick owner

Acknowledgement of Receipt  
Nancy Romero, Clerk of the Board

By Amie Schlemmer  
Deputy

Date: 2-15-06

ATTEST:  
NANCY ROMERO, Clerk

By Schlemmer  
DEPUTY

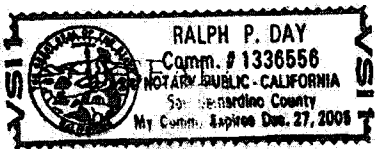
STATE OF CALIFORNIA, COUNTY OF Riverside

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

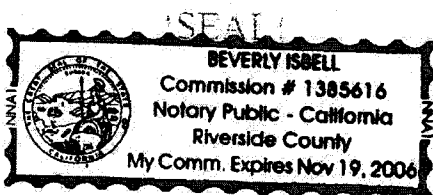


STATE OF CALIFORNIA, COUNTY OF Riverside

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.



WITNESS my hand and official seal

Beverly Isbell  
Notary Public



2006-0119242  
02/17/2006 08:50A  
3 of 7

**EXHIBIT A**  
**COACHELLA VALLEY AGRICULTURAL PRESERVE NO. 90**  
**MAP NO. 526**  
**(NOTICE OF NON-RENEWAL)**

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

Government Lot 1 and the west half of Government Lot 2 in the Northeast quarter of Section 4, Township 7 South, Range 9 East, San Bernardino Base and Meridian, and Government Lot 1 and the East half of Government Lot 2 in the Northwest quarter of said Section 4.

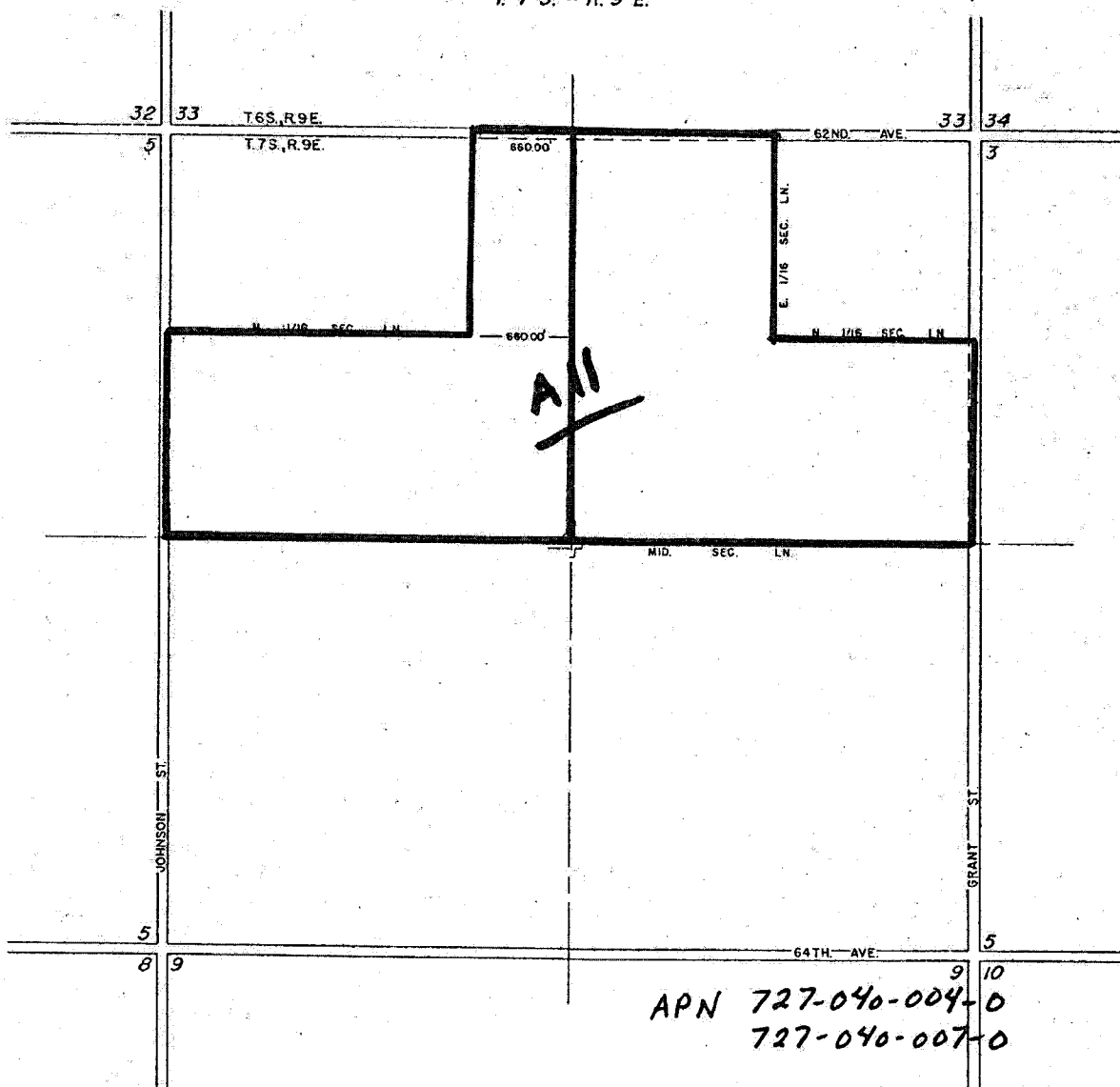
Assessor Parcel No.	Acres (net)	Owners
727-040-004-0	122.91	Michael Bozick, Bobbie J. Bozick, Nicholas L. Bozick, Stephanie A. Bozick, Cynthia L. Bozick, and Mr. Grape Vineyards, Inc.
727-040-007-0	100.63	
<b>Total</b>	<b>223.54</b>	



2006-0119242  
02/17/2006 08:00A  
4 of 7

# MAP NO. 526 COACHELLA VALLEY AGRICULTURAL PRESERVE NO. 90

T. 7 S. - R. 9 E.

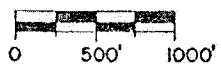


APN 727-040-004-0  
727-040-007-0

2006-0119242  
02/17/2006 09:09A  
5 of 7



ADOPTED ON FEBRUARY 24, 1981  
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.asrclkrec.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: RIVERSIDE

Date Commission Expires: DEC. 27, 2005

Date: 2-16-06

Signature: Sandi Schlemmer

Print Name: SANDI SCHLEMMER



2006-0119242  
02/17/2006 09:00A  
6 of 7



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

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

<http://riverside.asrelkrec.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

\* Information on embossed seal, page 1  
overlaying bottom of "current Owner(s)"

Date:

2-16-04

Signature:

Sandi Schlemmer

Print Name:

Sandi Schlemmer

