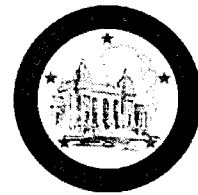


SUBMITTAL TO THE BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA



ITEM
3.36
(ID # 10494)

MEETING DATE:

Tuesday, August 27, 2019

FROM: TLMA-PLANNING:

SUBJECT: TRANSPORTATION & LAND MANAGEMENT AGENCY/PLANNING: Agricultural Preserve Case No. 180002 (APE180002) - Approval of a Williamson Act Land Conservation Contract - CEQA exempt pursuant to State CEQA Guidelines section 15317 - Applicant: Kathy Jones - Owners: The Entrust Group fbo Carl S. Maggio Roth IRA - Fourth Supervisorial District – Lower Coachella Valley District - Agriculture: Agriculture (10 Acre Minimum) - Location: North of 70th Avenue, west of Grant Street, south of Highway 111, and east of Johnson Street – 132.29 acres - Zoning: Light Agriculture 10 Acre Minimum (A-1-10) - REQUEST: Approval of Land Conservation Contract for the Coachella Valley Agricultural Preserve No. 73, Map No. 380 - APN: 729-050-008, 729-050-012, and 729-050-014. 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. 73, Map No. 380, based upon the hereinafter listed findings and conclusions set forth herein; and

ACTION:Policy

Charissa Leach, Assistant TLMA Director 8/19/2019

MINUTES OF THE BOARD OF SUPERVISORS

On motion of Supervisor Washington, seconded by Supervisor Spiegel 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: August 27, 2019
xc: Planning

Kecia R. Harper
Clerk of the Board

By:
Deputy

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

- 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.

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:

- The subject property is located north of 70th Avenue, west of Grant Street, south of Highway 111, and east of Johnson Street in Coachella Valley Agricultural Preserve No. 73.
- A previous owner of the subject property entered into a Land Conservation Contract with the County on January 1, 1976, which was recorded on September 3, 1976, as Instrument No. 132448.
- Subsequently, a notice of nonrenewal was filed on the subject property which was recorded on June 7, 2005, as Instrument No. 2005-0449611. This notice caused the previous contract, as it applies to the subject property, to expire on December 31, 2014.
- The current owners of the subject property, The Entrust Group fbo Carl S. Maggio Roth IRA, 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.
- 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.

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

6. The land is eligible to be under contract because it is within the approved and existing Coachella Valley Agricultural Preserve No. 73, Map No. 380 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 132.29 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 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 re-instatement of a contract within an existing agricultural preserve to allow the property owner to benefit from reduced property taxes in exchange for keeping that property under agricultural use.

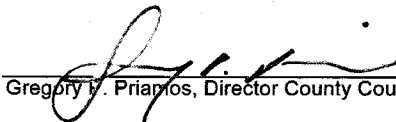
ATTACHMENTS.

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



Jason Farin, Senior Management Analyst

8/21/2019



Gregory V. Priamos, Director County Counsel

8/19/2019

RECORDING REQUESTED BY:

CLERK OF THE BOARD
DEPARTMENT
(CAC - 1ST FLOOR)

WHEN RECORDED MAIL TO:

STOP #1010
Clerk of the Board
(CAC Bldg. - 1st Floor)

DOC # 2005-0449611
06/07/2005

Conformed Copy

Has not been compared with original

Larry W Ward
County of Riverside
Assessor, County Clerk & Recorder

AGN00095
96

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 January 1, 1976, recorded on September 3, 1976, as Instrument No. 132448 in the Office of the Recorder of Riverside County, California. The real property affected by this notice is located in the ~~Coachella Valley Agricultural Preserve No. 1, Map No. 28.~~ Dated: ~~12-1-2004~~ 6-29-76.

COACHELLA VALLEY PRESERVE # 73, MAP # 380
(See attached Legal)

Assessor's parcel Number(s) of land affected: 729-050-008-9; 729-050-012-2; ~~729-050-013-3~~; 729-050-014-4

ORIGINAL OWNER(S)

Josef Gorelik and Gloria Gorelik, husband and wife

CURRENT OWNER(S)

Prime Time Real Estate Holdings, a California limited liability company

Prime Time Real Estate Holdings, LLC, a California limited liability company

By:


Charles Hodges

Its:

Managing Member

(All original and current owners must be listed)

Acknowledgement of Receipt
Nancy Romero, Clerk of the Board

By: 
Deputy

Date: JUN - 7 2005

Seapointe Ranch

COPY

STATE OF CALIFORNIA)
)
COUNTY OF RIVERSIDE)

On Nov 22, 2004, before me, Renee Katri Brooks, notary public, personally appeared Charles Hodges, personally known to me - OR - proved to me on the basis of satisfactory evidence, to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

Witness my hand and official seal.

Renee Katri Brooks



EXHIBIT A
COACHELLA VALLEY AGRICULTURAL PRESERVE NO. 73
MAP NO. 380
(NOTICE OF NON-RENEWAL)

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

Parcel A:

That portion of the Southeast 1/4 of the Northeast 1/4 of Section 21, Township 7 South, Range 9 East, San Bernardino Base and Meridian, according to the United States Government Survey thereof, lying Southwesterly of the Southwesterly line of that certain parcel of land conveyed by deed to the State of California recorded February 11, 1948 as Instrument No. 1392, Official Records of Riverside County, California.

Parcel B:

The East 1/2 of the Southeast 1/4 of Section 21, Township 7 South, Range 9 East, San Bernardino Base and Meridian, according to the Official Plat thereof.

Excepting therefrom that portion of said land which is described as follows:

Beginning at the Northeast corner of the Southeast 1/4 of said Section 21, said Northeast corner being distant North 1° 42' 30" West, measured along the East line of said Section 21, a distance of 151.9 feet from the centerline of the Southern Pacific Railroad Company's Main Tract at Engineers Station 757 72:3; thence South 1° 42' 30" East along said Easterly line of said Section 21, 383.2 feet, to a point that is distant Southwesterly 200 feet, measured at right angles from said center line of said Main Tract; thence North 1° 32' 30" West along a line parallel with a distant Southwesterly 200 feet and measured at right angles from said centerline of Main Tract 803.8 feet to a point in the North line of the Southeast 1/4 of said Section 21; thence Easterly along said North line 696 feet, more or less, to the point of beginning.

Also excepting therefrom that portion conveyed to the State of California by deed recorded August 27, 1948 as Instrument No. 3745 of Official Records of Riverside County, California.

Parcel D:

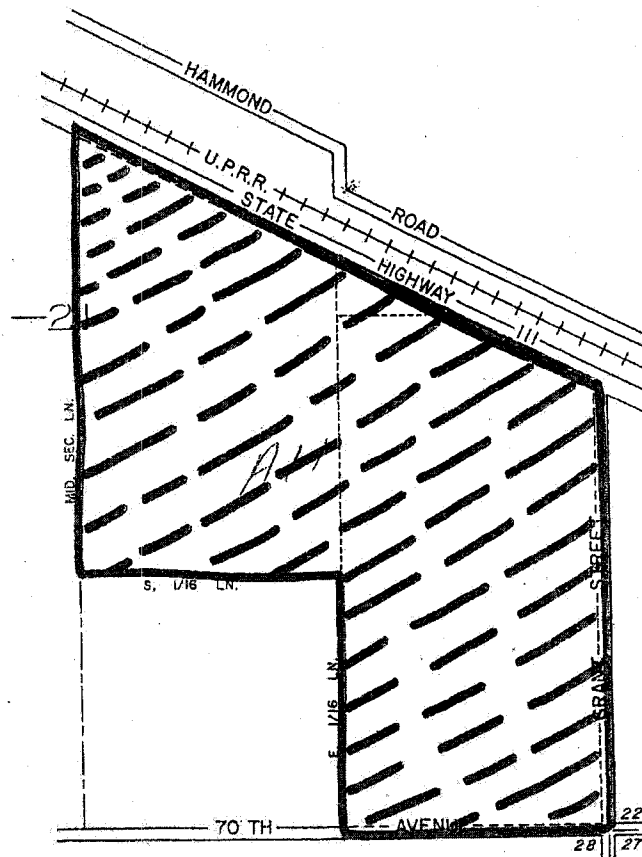
The Northwest 1/4 of the Southeast 1/4 and all that portion of the Southwest 1/4 of the Northeast 1/4 lying South of Highway 111, (being that certain parcel conveyed to the State of California by deed recorded February 11, 1948 as Instrument No. 1392, Official Records of Riverside County, California), in Section 21, Township 7 South, Range 9 East, San Bernardino Base and Meridian, according to the Official Map thereof.

Excepting therefrom the Westerly 20 feet.

Assessor Parcel No.	Acres (net)	Owners
729-050-008-9	2.34	Prime Time Real Estate Holdings, LLC
729-050-012-2	53.80	Prime Time Real Estate Holdings, LLC
729-050-014-4	76.15	Prime Time Real Estate Holdings, LLC
Total	132.29	

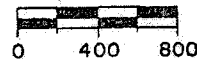
MAP NO. 380
COACHELLA VALLEY
AGRICULTURAL
PRESERVE
NO. 73

T. 7 S - R. 9 E



APN 729-050-008-9
729-050-012-2
729-050-014-4

ADOPTED ON JUNE 29, 1976
BY THE BOARD OF SUPERVISORS
OF THE COUNTY OF RIVERSIDE,
STATE OF CALIFORNIA.



RECORDING REQUESTED BY
RIVERSIDE COUNTY

When recorded, return to:

Stop #1010
Clerk of the Board of Supervisors
Riverside CA, 1st Floor

No fee, 6103 Government Code

THIS AREA FOR RECORDER'S USE ONLY

2019-0340748

09/03/2019 11:34 AM Fee: \$ 0.00

Page 1 of 4

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



(248)

LAND CONSERVATION CONTRACT

COUNTY OF RIVERSIDE, herein called "County," and

The Entrust Group fbo Carl S. Maggio Roth IRA

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. 73, Map No. 380.
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: [Signature]

Chairman, Board of Supervisors
KEVIN JEFFRIES

FORM APPROVED COUNTY COUNSEL

BY: [Signature] 8/14/2019
LYNETTE M. CLYDE DATE

By [Signature]
(Seal) Deputy

OWNER(S) SIGNATURE AND ADDRESS

Owner: M Cruz, The Entrust Group Poo Carl S. Maggio
Owner: _____
Owner: _____
Owner: _____

Roth
IRA

Mailing Address: 86-705 Avenue 54, Suite A, Coachella, CA 92236

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 Alameda)

On March 21, 2018 before me, Irena Vann, Notary Public
(Date) (Name and Title of officer)

personally appeared Maria Cruz
(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

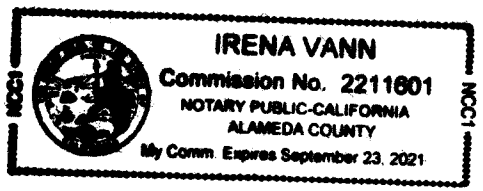


EXHIBIT A
 COACHELLA VALLEY AGRICULTURAL PRESERVE NO. 73
 MAP NO. 380

REAL PROPERTY IN THE UNINCORPORATED AREA OF THE COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, DESCRIBED AS FOLLOWS:

PARCEL A:

THAT PORTION OF THE SOUTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 21, TOWNSHIP 7 SOUTH, RANGE 9 EAST, SAN BERNARDINO BASE AND MERIDIAN, ACCORDING TO THE UNITED STATES GOVERNMENT SURVEY THEREOF, LYING SOUTHWESTERLY OF THE SOUTHWESTERLY LINE OF THAT CERTAIN PARCEL OF LAND CONVEYED BY DEED TO THE STATE OF CALIFORNIA RECORDED FEBRUARY 11, 1948 AS INSTRUMENT NO. 1392, OFFICIAL RECORDS OF RIVERSIDE COUNTY, CALIFORNIA.

PARCEL B:

THE EAST 1/2 OF THE SOUTHEAST 1/4 OF SECTION 21, TOWNSHIP 7 SOUTH, RANGE 9 EAST, SAN BERNARDINO BASE AND MERIDIAN, ACCORDING TO THE OFFICIAL PLAT THEREOF.

EXCEPTING THEREFROM THAT PORTION OF SAID LAND WHICH IS DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF THE SOUTHEAST 1/4 OF SAID SECTION 21, SAID NORTHEAST CORNER BEING DISTANT NORTH 1° 42' 30" WEST, MEASURED ALONG THE EAST LINE OF SAID SECTION 21, A DISTANCE OF 151.9 FEET FROM THE CENTERLINE OF THE SOUTHERN PACIFIC RAILROAD COMPANY'S MAIN TRACT AT ENGINEERS STATION 757 72:3; THENCE SOUTH 1° 42' 30" EAST ALONG SAID EASTERLY LINE OF SAID SECTION 21, 383.2 FEET, TO A POINT THAT IS DISTANT SOUTHWESTERLY 200 FEET, MEASURED AT RIGHT ANGLES FROM SAID CENTER LINE OF SAID MAIN TRACT; THENCE NORTH 1° 32' 30" WEST ALONG A LINE PARALLEL WITH A DISTANT SOUTHWESTERLY 200 FEET AND MEASURED AT RIGHT ANGLES FROM SAID CENTERLINE OF MAIN TRACT 803.8 FEET TO A POINT IN THE NORTH LINE OF THE SOUTHEAST 1/4 OF SAID SECTION 21; THENCE EASTERLY ALONG SAID NORTH LINE 696 FEET, MORE OR LESS, TO THE POINT OF BEGINNING.

ALSO EXCEPTING THEREFROM THAT PORTION CONVEYED TO THE STATE OF CALIFORNIA BY DEED RECORDED AUGUST 27, 1948 AS INSTRUMENT NO. 3745 OF OFFICIAL RECORDS OF RIVERSIDE COUNTY, CALIFORNIA.

PARCEL C:

THE NORTHWEST 1/4 OF THE SOUTHEAST 1/4 AND ALL THAT PORTION OF THE SOUTHWEST 1/4 OF THE NORTHEAST 1/4 LYING SOUTH OF HIGHWAY 111, (INCLUDING THAT CERTAIN PARCEL CONVEYED TO THE STATE OF CALIFORNIA BY DEED RECORDED FEBRUARY 11, 1948 AS

INSTRUMENT NO. 1392, OFFICIAL RECORDS OF RIVERSIDE COUNTY, CALIFORNIA), IN SECTION 21, TOWNSHIP 7 SOUTH, RANGE 9 EAST, SAN BERNARDINO BASE AND MERIDIAN, ACCORDING TO THE OFFICIAL MAP THEREOF.

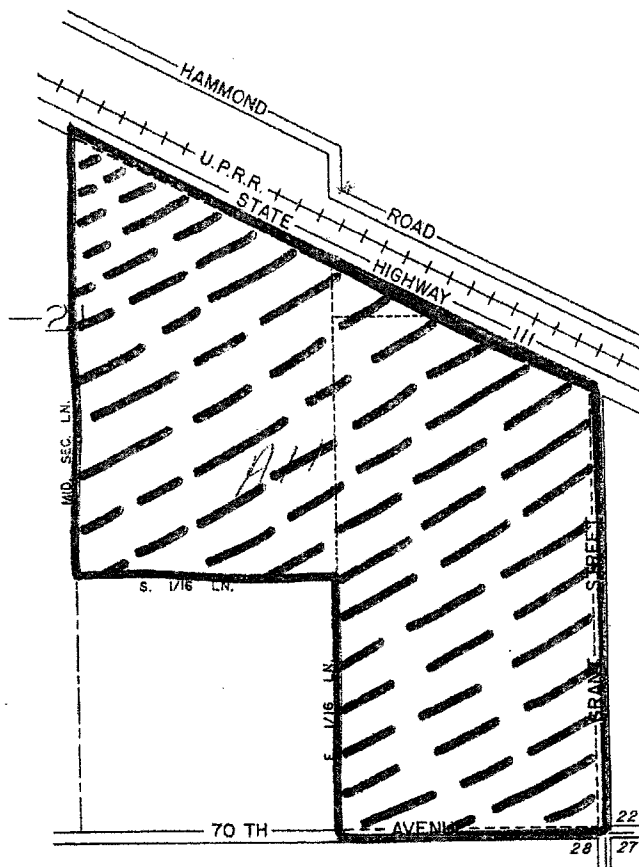
EXCEPTING THEREFROM THE WESTERLY 20 FEET.

APN: 729-050-008-9 and 729-050-014-4 and 729-050-012-2

Assessor Parcel No.	Acres (net)	Owner
729050008-9; 729050014-4; 729050012-2	132.29	The Entrust Group fbo Carl S. Maggio Roth IRA

MAP NO. 380
COACHELLA VALLEY
AGRICULTURAL
PRESERVE
NO. 73

T. 7 S - R. 9 E



APN 729-050-008-9
729-050-012-2
729-050-014-4

ADOPTED ON JUNE 29, 1976
BY THE BOARD OF SUPERVISORS
OF THE COUNTY OF RIVERSIDE,
STATE OF CALIFORNIA.

