

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



ITEM: 3.58
(ID # 13219)

MEETING DATE:

Tuesday, August 25, 2020

FROM: TLMA-PLANNING:

SUBJECT: TRANSPORTATION & LAND MANAGEMENT AGENCY/PLANNING: FINAL ACTION FOR AGRICULTURAL PRESERVE CASE NO. 867, ADOPT RESOLUTION NO. 2020-024 DIMINISHING HIGHGROVE AGRICULTURAL PRESERVE NO. 1 – No Further CEQA Documentation Required – Applicant: ERP Holding Co Inc. - Engineer/Representative: KWC Engineers - Second Supervisorial District – University District - Highgrove Area Plan – Community Development: Medium Density Residential(CD:MDR) – Location: South of Center Street, West of Spring Street, and North of Palmyrita Avenue – 54.65 acres - Zoning: Specific Plan No. 330 (Springbrook Estates) - REQUEST: Agricultural Preserve Case No. 867 proposes to diminish approximately 54.65 acres of land that is not currently subject to a Land Conservation Contract from Highgrove Agricultural Preserve No. 1 Map No. 63 as amended through Map No. 982. – APNs: 255-130-002, 255-140-001, 255-140-020, 255-170-019, 255-170-018, and 255-130-009. District 2. [Applicant Fees 100%.]

RECOMMENDED MOTION: That the Board of Supervisors:

1. **FIND** that **NO NEW ENVIRONMENTAL DOCUMENT IS REQUIRED** because all potentially significant effects have been adequately analyzed in the previously certified Environmental Impact Report (EIR) No. 448, pursuant to applicable legal standards, and have been avoided or mitigated by the earlier EIR. None of the conditions described in CEQA Guidelines Section 15162, related to subsequent EIR exist based on the findings and conclusions incorporated in EIR No. 448, incorporated herein by reference;

ACTION: Policy

Charissa Leach, Assistant TLMA Director 8/13/2020

MINUTES OF THE BOARD OF SUPERVISORS

On motion of Supervisor Spiegel, seconded by Supervisor Jeffries 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 25, 2020
xc: Planning

Kecia R. Harper
Clerk of the Board

By:
Deputy

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

2. **ADOPT RESOLUTION NO. 2020-024** approving the diminishment of Highgrove Agricultural Preserve No. 1, Map No. 63 as amended through Map No. 982, as shown on Exhibit B of Resolution No. 2020-024, map titled "Map No. 63, Highgrove Agricultural Preserve No. 1, amended by Map No. 125, 283, 482, 798, 810, 828, 833, 839, 840, 858, 867, 982," based upon the findings and conclusions incorporated in the resolution and this staff report; and

3. **DIRECT** the Clerk of the Board to file and record copies of Resolution No. 2020-024 and attachments and transmit copies to the Director of Conservation of the State of California, the Treasurer of Riverside County, and 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

Project

The Project, Agricultural Preserve Case No. 867 (AG00867), is a request by ERP Holding Co Inc. to diminish 54.65 acres of land owned by the ERP Holding Co Inc. from the Highgrove Agricultural Preserve No. 1. The exterior boundaries of Project site to be diminished from Agricultural Preserve No. 1 are identified by the legal description and map attached to Resolution No. 2020-024 as Exhibit A and Exhibit B, respectively. The Project site is not currently subject to a Land Conservation Contract, so no contract cancellation is necessary.

Agriculture Preserve

Highgrove Agricultural Preserve No. 1 was established on February 24, 1970 pursuant to Map No. 63. The proposed diminishment would amend Highgrove Agricultural Preserve No. 1, Map No. 63 as amended through Map No. 982, as shown on Map No. 867 by removing 54.65 acres of property from the subject agricultural preserve. Approximately 67.80 acres of land will remain within the Highgrove Agricultural Preserve No. 1.

Alternative Land Use

The Project site is located in within the approved Specific Plan No. 330 (SP330), Tentative Tract No. 30908 (TR30908) and Tentative Tract No. 30909 (TR30909). SP330 encompasses approximately 184.50 acres, of which 54.65 acres is included in the Project site. The alternative land use for the Project site is a portion of the residential development TR30908 and 30909,

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STATE OF CALIFORNIA**

specifically the area subject to the Agricultural Preserve includes 150 residential lots and 37.1 acres of open-space land.

TR30908 in its entirety is an approved proposal to subdivide 105.15 acres into 437 residential lots with a minimum lot size of 5,000 square feet, 11 open space lots and 2 parks; and, TR30909 is an approved proposal to subdivide 78.80 acres into 213 residential lots with a minimum lot size of 4,000 square feet, 1 regional park, 10 open space lots, and 1 reservoir site. The proposed alternative land use for the Project site is not part of the proposed action. The recordation of the final maps for TR30908 and TR30909 cannot occur until the land involved is no longer in the Highgrove Agricultural Preserve No. 1.

Technical Advisory Committee

The Comprehensive Agriculture Preserve Technical Advisory Committee (CAPTAC) met on January 10, 2003, and evaluated Agricultural Preserve Case No. 867 (AG00867). The CAPTAC found the proposed diminishment to be acceptable since it is consistent with the Land Conservation Act of 1965, and therefore recommends that the Board of Supervisors grant the proposed diminishment.

General Plan Consistency

The proposed diminishment would allow the recordation of the final maps for TR30908 and TR30909 to occur. These tentative tract maps will create 650 residential lots with supporting parks and open space areas that are consistent with the Riverside County General Plan, Highgrove Area Plan and Specific Plan No. 330. The Project site's land use designation is Community Development: Medium Density Residential (CD: MDR), which has a density range of two (2) to five (5) dwelling units (du) per gross acre. TR30908 and TR30909 will provide an average density of 3.5 du/acre, which is within the CD: MDR density range.

Environmental Analysis

In accordance with the California Environmental Quality Act (CEQA), an EIR was prepared and certified for this Project, which includes analyses of the proposed alternative land use for the Project site. The EIR No. 448, represents the independent judgment of Riverside County. No new environmental document is required because all potentially significant effects have been adequately analyzed in the previously adopted EIR, pursuant to applicable legal standards, and have been avoided or mitigated by the earlier EIR. None of the conditions described in CEQA Guidelines Section 15162, related to subsequent EIR, exist based on the findings and conclusions incorporated in EIR No. 448, incorporated herein by reference. EIR No. 448 is available to view at the County of Riverside Planning department located at 4080 Lemon Street 12th Floor Riverside, CA 92506. A request to view EIR No. 448 can be submitted to the Planning Department by mail or emailed to Planning@rivco.org.

The Board of Supervisors (Board) approved TR30908 and TR30909, and certified EIR No. 448 on March 29, 2005 [Agenda Item No. 16.2]. On April 19, 2005, the Board adopted the Specific Plan No. 330 [Agenda Item No. 3.23] and adopted Resolution No. 2005-089, a Certificate of Tentative Cancellation of a Land Conservation Contract and Diminishment of Highgrove

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Agricultural Preserve No. 1, Map No 867 [Agenda Item No. 3.24]. TR30908, TR30909, and SP No. 3330 were fully evaluated by EIR No. 448 and have been approved. Since the approval of EIR No. 448, the area has been developed pursuant to the County's and City's General Plans, and the projects that were evaluated in the Cumulative Impacts Section of the environmental analysis. The projects that were evaluated have since been built or are in the process being built. There are no changes in the surrounding area that were anticipated when EIR No. 448 was certified that would result in new or greater significant impacts to this area. The Board's approval of Resolution No. 2020-024 is the final action to complete the Diminishment of Highgrove Agricultural Preserve No. 1 and to record the final maps for TR30908 and TR30909.

Impact on Citizens and Businesses

The impacts of this Project have been evaluated through the environmental review and public hearing process by Planning Department staff.

ATTACHMENT(S):

A. RESOLUTION NO. 2020-024



Jason Farin, Principal Management Analyst 8/18/2020



Gregory T. Priarios, Director County Counsel 8/13/2020

PLEASE COMPLETE THIS INFORMATION

RECORDING REQUESTED BY:

KECIA HARPER, CLERK OF THE BOARD
RIVERSIDE CO. CLERK OF THE BOARD
4080 LEMON STREET, 1ST FLOOR CAC
P O BOX 1147 – RIVERSIDE, CA 92502

MAIL STOP # 1010

AND WHEN RECORDED MAIL TO:

RETURN TO: STOP #1010
RIVERSIDE COUNTY CLERK OF THE BOARD
P. O. BOX 1147 – RIVERSIDE, CA 92502

2020-0413513

09/02/2020 03:29 PM Fee: \$ 0.00

Page 1 of 11

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



THIS SPACE FOR RECORDERS USE ONLY

1628

RESOLUTION NO. 2020-024

Title of Document

**FINAL DIMINISHMENT OF HIGHGROVE AGRICULTURE PRESERVE NO. 1
(Government Code Section 51231)**

(TLMA-Planning Department ~ Item 3.58 of 08/25/2020)

THIS PAGE ADDED TO PROVIDE ADEQUATE SPACE
FOR RECORDING INFORMATION

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RESOLUTION NO. 2020-024
FINAL DIMINISHMENT OF HIGHGROVE
AGRICULTURAL PRESERVE NO. 1
(Government Code Section 51231)

WHEREAS, the Highgrove Agricultural Preserve No. 1 was adopted on February 24, 1970, pursuant to Map No. 63, and originally consisted of approximately 768.2 acres; and,

WHEREAS, Highgrove Agricultural Preserve No. 1, Map No. 63 was subsequently amended by Map Nos. 125, 283, 482, 798, 810, 828, 833, 839, 840, 858, and 982 and currently consists of approximately 122.4 acres; and,

WHEREAS, Highgrove Agricultural Preserve No. 1, Map No. 63 as amended through Map No. 982 is generally located north of Palmyrita Avenue, east of California Avenue, south of Center Street, and west of Spring Mountain Road; and,

WHEREAS, previous owner Amy A. Sarles, entered into a Land Conservation Contract with the County of Riverside pursuant to the Land Conservation Act of 1965 (Government Code section 51200 et seq.) for approximately 12.50 acres of land that was previously identified with the Assessor’s Parcel Number (“APN”) 123-100-033 within the Highgrove Agricultural Preserve No. 1, Map No. 63, which contract was recorded on May 13, 1970 as Instrument No. 45024 in the Office of the County Recorder of Riverside County, California and took effect on January 1, 1970; and,

WHEREAS, previous owners Denis W. Kidd and the Estate of Benjamin A. Kidd entered into the second of these Land Conservation Contracts with the County of Riverside for approximately 23.19 acres of land that was previously identified with APNs 123-100-034, 122-900-128, 122-900-132, and 122-900-137 within Highgrove Agricultural Preserve No. 1, Map No. 63, which contract was recorded on May 13, 1970 as Instrument No. 45025 and took effect on January 1, 1970; and,

WHEREAS, previous owner Denis W. Kidd entered into the third of these Land Conservation Contracts with the County of Riverside for approximately 9.2 acres of land that was previously identified with APN 122-900-008 within the Highgrove Agricultural Preserve No. 1 Map No. 63, which contract was recorded on May 13, 1970 as Instrument No. 45028 and took effect on January 1, 1970; and,

08.25.2020 3.58

FORM APPROVED COUNTY COUNSEL
BY: *Melissa R. Cushman* 8/10/2020
DATE
MELISSA R. CUSHMAN

1 **WHEREAS**, previous owner Gertrude Thompson entered into the fourth of these Land Conservation
2 Contracts with the County of Riverside for approximately 9.7 acres of land that was previously identified
3 with APN 122-900-011 within the Highgrove Agricultural Preserve No. 1, Map No. 63, which contract was
4 recorded on February 29, 1972 as Instrument No. 26462 and took effect on January 1, 1972; and,

5 **WHEREAS**, Bessie F. Kidd and Denis W. Kidd, Trustees under the Will of Benjamin A. Kidd;
6 Bessie F. Kidd; and, James O. Wallace and Nancy C. Wallace, Trustees of the Wallace Family Trust, the
7 subsequent property owners of land subject to the first Land Conservation Contract recorded by Instrument
8 No. 45024, filed the corresponding Notice of Nonrenewal on the first Land Conservation Contract on
9 September 9, 1998, which notice was recorded on October 5, 1998 as Instrument No. 428299 in the Office
10 of the County Recorder of Riverside County, California; and,

11 **WHEREAS**, Denis W. Kidd and Bessie F. Kidd; and, Denis W. Kidd and Bessie F. Kidd, Trustees
12 under the Will of Benjamin A. Kidd, deceased, subsequent property owners of land subject to the second
13 Land Conservation Contract recorded by Instrument No. 45025, filed the corresponding Notice of
14 Nonrenewal on the second Land Conservation Contract on September 9, 1998, which notice was recorded
15 on October 5, 1998 as Instrument No. 428301 in the Office of the County Recorder of Riverside County,
16 California; and,

17 **WHEREAS**, Denis W. Kidd, property owner of land subject to the third Land Conservation Contract
18 recorded by Instrument No. 45028, filed the corresponding Notice of Nonrenewal on the third Land
19 Conservation Contract on September 9, 1998, which notice was recorded on October 5, 1998 as Instrument
20 No. 428300 in the Office of the County Recorder of Riverside County, California; and,

21 **WHEREAS**, Max Lewis Cardey, Jr., Trustee, and Helen N. Cardey, Trustee, the subsequent
22 property owners of land subject to the fourth Land Conservation Contract recorded by Instrument No. 26462,
23 filed the corresponding Notice of Nonrenewal on the fourth Land Conservation Contract on December 10,
24 1999, which notice was recorded on December 30, 1999 as Instrument No. 1999-564990 in the Office of the
25 County Recorder of Riverside County, California; and,

26 **WHEREAS**, Bessie F. Kidd, Denis W. Kidd and Denis W. Kidd, Trustee for Benjamin A. Kidd
27 Trust, subsequent property owners of land currently identified with 255-130-002, 255-140-001, 255-140-
28 020, 255-170-018, 255-170-019, and Helen N. Cardey, subsequent property owner of land currently
29 identified as 255-130-009, petitioned to cancel all four aforementioned Land Conservation Contracts on
30 approximately 54.65 acres of land that are currently identified with APNs 255-130-002, 255-140-001, 255-

1 140-020, 255-170-018, 255-170-019, and 255-130-009 (the "Property") and to diminish the Highgrove
2 Agricultural Preserve No. 1, Map No. 63 as amended through Map No. 867, by removing the Property from
3 the boundaries of the agricultural preserve as described in Resolution No. 2005-089 Exhibit A legal
4 description entitled Highgrove Agricultural Preserve No. 1, Map No. 867, incorporated herein by reference;
5 and,

6 **WHEREAS**, a public hearing was held on the above request for cancellation and diminishment by
7 the Riverside County Board of Supervisors ("Board") on December 21, 2004, as Agenda Item 16.1, March
8 29, 2005, as Agenda Item 16.2, and April 19, 2005, as Agenda Item 3.24; and,

9 **WHEREAS**, all procedures of the California Environmental Quality Act ("CEQA") and Riverside
10 County Rules to Implement the Act have been satisfied, including Environmental Impact Report No. 448
11 ("EIR No. 488"), which consider the impacts of the establishment of the proposed alternative land use, as
12 well as the impacts of this Diminishment request; and,

13 **WHEREAS**, the Property is within Specific Plan No. 330 ("SP No. 330"), Tentative Tract No. 30908
14 ("TR30908") and Tentative Tract No. 30909 ("TR30909") (the "Project"); and,

15 **WHEREAS**, the Project overall consists of approximately 184.50 acres and is a proposed
16 development of 650 residential lots, three (3) parks and twenty-one (21) open space areas; and,

17 **WHEREAS**, the proposed alternative use for the Property consisted of a portion of the Project, which
18 includes 150 residential lots of a minimum size of 5,000 square feet, approximately 37.1 acres of open space
19 area, and an existing 1-acre water reservoir site; and,

20 **WHEREAS**, on December 21, 2004, the Board tentatively approved the request to diminish
21 Highgrove Agricultural Preserve No. 1 pursuant to Map No. 867, and to cancel all four, above-identified
22 Land Conservation Contracts in accordance to Map No. 867; and,

23 **WHEREAS**, on March 29, 2005, the Board certified EIR No. 488, approved TR30908 and TR30909,
24 approved Agricultural Preserve Case. No. 867 to diminish Highgrove Agricultural Preserve No. 1, as
25 amended, and cancel the associated Land Conservation Contracts in accordance with Map No. 867; and,

26 **WHEREAS**, on April 19, 2005, the Board adopted Resolution No. 2005-155 approving SP No. 330
27 and adopted Ordinance No. 348.4290 adopting the Specific Plan Zoning for SP No. 330 (Agenda Item 3.23);
28 and,

29 **WHEREAS**, on April 19, 2005, the Board adopted Resolution No. 2005-089 issuing a "Certificate
30 of Tentative Cancellation" for the associated Land Conservation Contracts and tentatively approved the

1 request to diminish the Property from Highgrove Agricultural Preserve No. 1, pursuant to the Land
2 Conservation Act of 1965 (Government Code Section 51200 et seq.) and the Rules and Regulations
3 Governing Agricultural Preserves in Riverside County, as amended, provided in Resolution No. 84-526; and,

4 **WHEREAS**, all provisions of the Rules and Regulation Governing Agricultural Preserve in
5 Riverside County pursuant to Resolution No. 84-526 have been satisfied; and,

6 **WHEREAS**, as a result of the recordation of the notice of non-renewals outlined above, all of the
7 Land Conservation Contracts have expired, with the last contract expired on December 31, 2009, and a
8 Certificate of Final Cancellation and satisfaction of associated conditions and contingencies outlined in
9 Resolution No. 2005-089 are no longer necessary; however, final action on the tentatively approved
10 diminishment is still necessary, thus the adoption of this Resolution No. 2020-024 will approve Map No. 867
11 and officially remove approximately 54.65 acres from the Highgrove Agricultural Preserve No. 1, Map No.
12 63 as amended through Map No. 982; and,

13 **WHEREAS**, the decision by the Board to diminish an agricultural preserve for land that is not
14 subject to a Land Conservation Contract shall be final upon the adoption of a resolution, pursuant to section
15 512 of the Rules and Regulations Governing Agricultural Preserves in Riverside County, as amended, and this
16 diminishment is necessary to finalize the associated TR30908 and TR30909 and record the final subdivision
17 maps for the Property; and,

18 **BE IT RESOLVED, FOUND, DETERMINED, AND ORDERED** by the Board of Supervisors of
19 the County of Riverside, State of California, in regular session assembled on August 25, 2020, that:

- 20 1. The above recitals are true and correct and incorporated herein by reference.
- 21 2. Under the County of Riverside's Rules and Regulations Governing Agricultural Preserves
22 and the California Land Conservation Act of 1965, a landowner may apply to have property
23 removed from the boundaries of an agricultural preserve once the land is no longer subject
24 to a Land Conservation Contract.
- 25 3. All Land Conservation Contracts on the Property have expired, with the last Land
26 Conservation Contract for the Property having expired on December 31, 2009.
- 27 4. A Certificate of Final Cancellation is no longer necessary.
- 28 5. The conditions set forth in the Certificate of Tentative Cancellation, provided in Resolution
29 No. 2005-089, became irrelevant when the Land Conservation Contracts expired.
- 30 6. The diminishment of the Highgrove Agricultural Preserve No. 1, Map No. 63 as amended

1 through Map No. 982, as depicted by Map No. 867 is consistent with the provisions of the
2 California Land Conservation Act of 1965 and the Rules and Regulations Governing
3 Agricultural Preserves in Riverside County, as amended.

- 4 7. The Board of Supervisors' decision to diminish the agricultural preserve is final upon the
5 adoption of this resolution.

6 **BE IT FURTHER RESOLVED** by the Board of Supervisors that:

- 7 1. The findings of EIR No. 448, incorporated herein by reference, determined that Agricultural
8 Preserve Case No. 867 would not have a significant effect on the environment and resulted
9 in the preparation of the Environmental Impact Report, which was certified by the Board on
10 March 29, 2005 Agenda Item No. 16.2, after a public hearing, and no new environmental
11 document is required.
- 12 2. Agricultural Preserve Case No. 867 amends the Highgrove Agricultural Preserve No. 1, Map
13 No. 63, as amended through Map No. 982, by removing the Property, as shown on Exhibit
14 B, entitled "MAP NO. 63 HIGHGROVE AGRICULTURAL PRESERVE NO. 1
15 AMENDED BY MAP NO. 125, 283, 482, 798, 810, 828, 833, 839, 840, 858, 867, 982" and
16 legally described in Exhibit A, attached hereto and incorporated herein by reference, being
17 on file in the Office of the Clerk of the Board.

18 **BE IT FURTHER RESOLVED** by the Board of Supervisors that it ADOPTS Agricultural Preserve
19 Case No. 867, as described herein and shown on Exhibit B, entitled "MAP NO. 63 HIGHGROVE
20 AGRICULTURAL PRESERVE NO. 1 AMENDED BY MAP NO. 125, 283, 482, 798, 810, 828, 833, 839,
21 840, 858, 867, 982," incorporated herein by reference.

22 **BE IT FURTHER RESOLVED** by the Board of Supervisors that the Clerk of this Board shall file
23 and record copies of this resolution, map entitled "MAP NO. 63 HIGHGROVE AGRICULTURAL
24 PRESERVE NO. 1 AMENDED BY MAP NO. 125, 283, 482, 798, 810, 828, 833, 839, 840, 858, 867, 982,"
25 and boundary description in the Office of the County Recorder of Riverside County, California, and transmit
26 copies to the Director of Conservation of the State of California, the Treasurer of Riverside County, and the
27 Assessor of Riverside County, California.

EXHIBIT A
HIGHGROVE AGRICULTURAL PRESERVE NO. 1
MAP NO. 867

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

Description

PARCEL 1:

NORTHEAST QUARTER OF NORTHWEST QUARTER OF SOUTHEAST QUARTER OF SECTION 8, TOWNSHIP 2 SOUTH, RANGE 4 WEST, SAN BERNARDINO BASE AND MERIDIAN, AS SHOWN BY UNITED STATES GOVERNMENT SURVEY;

EXCEPTING THEREFROM AN EASEMENT OF RIGHT OF WAY FOR PUBLIC ROAD OVER THE EASTERLY 20 FEET THEREOF, AS GRANTED TO RIVERSIDE COUNTY BY DEED RECORDED JANUARY 10, 1901 IN BOOK 148 PAGE 28 OF DEEDS, RECORDS OF RIVERSIDE COUNTY, CALIFORNIA;

ALSO EXCEPTING THEREFROM ANY PORTION INCLUDED IN SPRING STREET ALONG THE NORTH LINE THEREOF.

PARCEL 2:

ALL THAT PORTION OF LOTS 3 AND 4 OF ROBINSON TRACT, AS SHOWN BY MAP ON FILE IN BOOK 2 PAGE 17 OF MAPS, RECORDS OF RIVERSIDE COUNTY, CALIFORNIA, LYING ON THE MESA NORTH OF THE NORTHERLY BANK OF ARROYO; EXCEPTING THEREFROM THE EAST 20 FEET OF LOT 3 FOR ROAD PURPOSES.

PARCEL 3:

ALL THAT PORTION OF LOTS 1 AND 2 OF ROBINSON TRACT, AS SHOWN BY MAP ON FILE IN BOOK 2 PAGE 17 OF MAPS, RECORDS OF RIVERSIDE COUNTY, CALIFORNIA, LYING ON THE MESA NORTH OF THE NORTHERLY BANK OF ARROYO; EXCEPTING THEREFROM THE WEST 20 FEET OF LOT 2 FOR ROAD PURPOSES.

PARCEL 4:

THE WEST ONE-HALF OF THE NORTH 25 ACRES OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 9, TOWNSHIP 2 SOUTH, RANGE 4 WEST, SAN BERNARDINO BASE AND MERIDIAN.

PARCEL 5:

THE EAST ONE-HALF OF THE NORTH 25 ACRES OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 9, TOWNSHIP 2 SOUTH, RANGE 4 WEST, SAN BERNARDINO BASE AND MERIDIAN.

PARCEL 6:

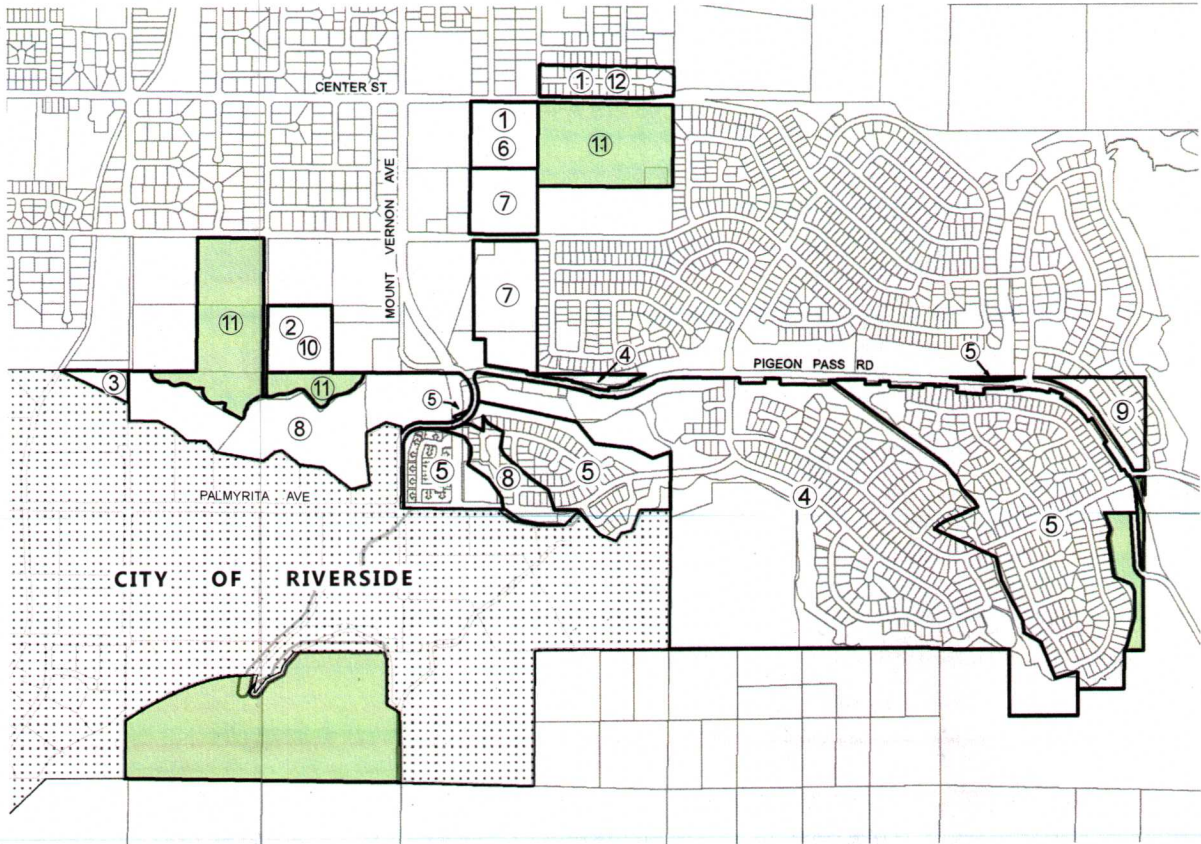
THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 8, TOWNSHIP 2 SOUTH, RANGE 4 WEST, SAN BERNARDINO BASE AND MERIDIAN.

Assessor Parcel No.	Acres (net)	Owner
255-130-009, 255-130-002, 255-140-001, 255-170-019, 255-170-018, and 255-140-020	54.65 acres	EQUITY CORPORATE HOUSING HOLDING CO INC.

MAP NO. 63 HIGHGROVE AGRICULTURAL PRESERVE NO. 1

AMENDED BY MAP NO. 125, 283, 482, 798, 810, 828, 833, 839, 840, 858, 867, 982

T. 2 S., R. 4 W. S.B.B. & M.



AMENDMENTS:

- NO. 1, (ENLARGEMENT), FEBRUARY 8, 1971, MAP NO. 125
- NO. 2, (ENLARGEMENT), FEBRUARY 19, 1974, MAP NO. 283
- NO. 3, (DELETION), NOVEMBER 28, 1978, MAP NO. 482
- NO. 4, (DIMINISHMENT), NOVEMBER 3, 1998, MAP NO. 798
- NO. 5, (DIMINISHMENT), JULY 20, 1999, MAP NO. 810
- NO. 6, (DIMINISHMENT), FEBRUARY 8, 2000, MAP NO. 828
- NO. 7, (DIMINISHMENT), MARCH 21, 2000, MAP NO. 833
- NO. 8, (DIMINISHMENT), MARCH 21, 2006, MAP NO. 839
- NO. 9, (DIMINISHMENT), MARCH 21, 2006, MAP NO. 840
- NO. 10, (DIMINISHMENT), JULY 16, 2002, MAP NO. 858
- NO. 11, (DIMINISHMENT), , MAP NO. 867
- NO. 12, (DIMINISHMENT), FEBRUARY 5, 2008, MAP NO. 982



ADOPTED ON FEBRUARY 24, 1970
 BY THE BOARD OF SUPERVISORS
 OF THE COUNTY OF RIVERSIDE,
 STATE OF CALIFORNIA.

2 **RESOLUTION 2020-024**

3 **A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF**
4 **RIVERSIDE OF FINAL DIMINISHMENT OF HIGHGROVE AGRICULTURE**
5 **PRESERVE NO. 1**

6 ADOPTED by Riverside County Board of Supervisors on August 25, 2020.

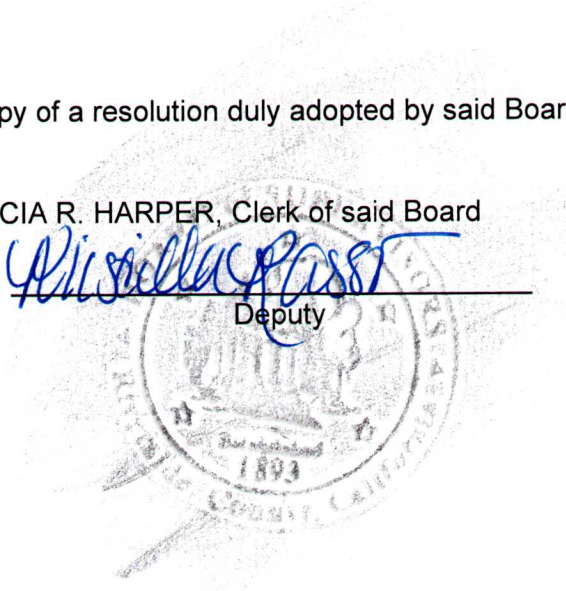
7 ROLL CALL:

8 Ayes: Jeffries, Spiegel, Washington, Perez and Hewitt
9 Nays: None
10 Absent: None

11
12 The foregoing is certified to be a true copy of a resolution duly adopted by said Board of
13 Supervisors on the date therein set forth.

14 KECIA R. HARPER, Clerk of said Board

15 By: *Michelle Passi*
16 Deputy



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22 08.25.2020 3.58
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**PETER ALDANA
COUNTY OF RIVERSIDE
ASSESSOR-COUNTY CLERK-RECORDER**

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

www.riversideacr.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):

CLARIFICATION FOR SEAL for the Riverside County Board of Supervisors
(EMBOSSSED ON DOCUMENT)



Date: 8.25.2020

Signature: Priscilla Rasso

Print Name: Priscilla Rasso, Board Assistant

RESOLUTION NO. 2020-024

FINAL DIMINISHMENT OF HIGHGROVE

AGRICULTURAL PRESERVE NO. 1

(Government Code Section 51231)

WHEREAS, the Highgrove Agricultural Preserve No. 1 was adopted on February 24, 1970, pursuant to Map No. 63, and originally consisted of approximately 768.2 acres; and,

WHEREAS, Highgrove Agricultural Preserve No. 1, Map No. 63 was subsequently amended by Map Nos. 125, 283, 482, 798, 810, 828, 833, 839, 840, 858, and 982 and currently consists of approximately 122.4 acres; and,

WHEREAS, Highgrove Agricultural Preserve No. 1, Map No. 63 as amended through Map No. 982 is generally located north of Palmyrita Avenue, east of California Avenue, south of Center Street, and west of Spring Mountain Road; and,

WHEREAS, previous owner Amy A. Sarles, entered into a Land Conservation Contract with the County of Riverside pursuant to the Land Conservation Act of 1965 (Government Code section 51200 et seq.) for approximately 12.50 acres of land that was previously identified with the Assessor's Parcel Number ("APN") 123-100-033 within the Highgrove Agricultural Preserve No. 1, Map No. 63, which contract was recorded on May 13, 1970 as Instrument No. 45024 in the Office of the County Recorder of Riverside County, California and took effect on January 1, 1970; and,

WHEREAS, previous owners Denis W. Kidd and the Estate of Benjamin A. Kidd entered into the second of these Land Conservation Contracts with the County of Riverside for approximately 23.19 acres of land that was previously identified with APNs 123-100-034, 122-900-128, 122-900-132, and 122-900-137 within Highgrove Agricultural Preserve No. 1, Map No. 63, which contract was recorded on May 13, 1970 as Instrument No. 45025 and took effect on January 1, 1970; and,

WHEREAS, previous owner Denis W. Kidd entered into the third of these Land Conservation Contracts with the County of Riverside for approximately 9.2 acres of land that was previously identified with APN 122-900-008 within the Highgrove Agricultural Preserve No. 1 Map No. 63, which contract was recorded on May 13, 1970 as Instrument No. 45028 and took effect on January 1, 1970; and,

08.25.2020 3.58

FORM APPROVED COUNTY COUNSEL
BY: *M.A.C.* 8/10/2020
MELISSA R. CUSHMAN DATE

1 **WHEREAS**, previous owner Gertrude Thompson entered into the fourth of these Land Conservation
2 Contracts with the County of Riverside for approximately 9.7 acres of land that was previously identified
3 with APN 122-900-011 within the Highgrove Agricultural Preserve No. 1, Map No. 63, which contract was
4 recorded on February 29, 1972 as Instrument No. 26462 and took effect on January 1, 1972; and,

5 **WHEREAS**, Bessie F. Kidd and Denis W. Kidd, Trustees under the Will of Benjamin A. Kidd;
6 Bessie F. Kidd; and, James O. Wallace and Nancy C. Wallace, Trustees of the Wallace Family Trust, the
7 subsequent property owners of land subject to the first Land Conservation Contract recorded by Instrument
8 No. 45024, filed the corresponding Notice of Nonrenewal on the first Land Conservation Contract on
9 September 9, 1998, which notice was recorded on October 5, 1998 as Instrument No. 428299 in the Office
10 of the County Recorder of Riverside County, California; and,

11 **WHEREAS**, Denis W. Kidd and Bessie F. Kidd; and, Denis W. Kidd and Bessie F. Kidd, Trustees
12 under the Will of Benjamin A. Kidd, deceased, subsequent property owners of land subject to the second
13 Land Conservation Contract recorded by Instrument No. 45025, filed the corresponding Notice of
14 Nonrenewal on the second Land Conservation Contract on September 9, 1998, which notice was recorded
15 on October 5, 1998 as Instrument No. 428301 in the Office of the County Recorder of Riverside County,
16 California; and,

17 **WHEREAS**, Denis W. Kidd, property owner of land subject to the third Land Conservation Contract
18 recorded by Instrument No. 45028, filed the corresponding Notice of Nonrenewal on the third Land
19 Conservation Contract on September 9, 1998, which notice was recorded on October 5, 1998 as Instrument
20 No. 428300 in the Office of the County Recorder of Riverside County, California; and,

21 **WHEREAS**, Max Lewis Cardey, Jr., Trustee, and Helen N. Cardey, Trustee, the subsequent
22 property owners of land subject to the fourth Land Conservation Contract recorded by Instrument No. 26462,
23 filed the corresponding Notice of Nonrenewal on the fourth Land Conservation Contract on December 10,
24 1999, which notice was recorded on December 30, 1999 as Instrument No. 1999-564990 in the Office of the
25 County Recorder of Riverside County, California; and,

26 **WHEREAS**, Bessie F. Kidd, Denis W. Kidd and Denis W. Kidd, Trustee for Benjamin A. Kidd
27 Trust, subsequent property owners of land currently identified with 255-130-002, 255-140-001, 255-140-
28 020, 255-170-018, 255-170-019, and Helen N. Cardey, subsequent property owner of land currently
29 identified as 255-130-009, petitioned to cancel all four aforementioned Land Conservation Contracts on
30 approximately 54.65 acres of land that are currently identified with APNs 255-130-002, 255-140-001, 255-

1 140-020, 255-170-018, 255-170-019, and 255-130-009 (the "Property") and to diminish the Highgrove
2 Agricultural Preserve No. 1, Map No. 63 as amended through Map No. 867, by removing the Property from
3 the boundaries of the agricultural preserve as described in Resolution No. 2005-089 Exhibit A legal
4 description entitled Highgrove Agricultural Preserve No. 1, Map No. 867, incorporated herein by reference;
5 and,

6 **WHEREAS**, a public hearing was held on the above request for cancellation and diminishment by
7 the Riverside County Board of Supervisors ("Board") on December 21, 2004, as Agenda Item 16.1, March
8 29, 2005, as Agenda Item 16.2, and April 19, 2005, as Agenda Item 3.24; and,

9 **WHEREAS**, all procedures of the California Environmental Quality Act ("CEQA") and Riverside
10 County Rules to Implement the Act have been satisfied, including Environmental Impact Report No. 448
11 ("EIR No. 488"), which consider the impacts of the establishment of the proposed alternative land use, as
12 well as the impacts of this Diminishment request; and,

13 **WHEREAS**, the Property is within Specific Plan No. 330 ("SP No. 330"), Tentative Tract No. 30908
14 ("TR30908") and Tentative Tract No. 30909 ("TR30909") (the "Project"); and,

15 **WHEREAS**, the Project overall consists of approximately 184.50 acres and is a proposed
16 development of 650 residential lots, three (3) parks and twenty-one (21) open space areas; and,

17 **WHEREAS**, the proposed alternative use for the Property consisted of a portion of the Project, which
18 includes 150 residential lots of a minimum size of 5,000 square feet, approximately 37.1 acres of open space
19 area, and an existing 1-acre water reservoir site; and,

20 **WHEREAS**, on December 21, 2004, the Board tentatively approved the request to diminish
21 Highgrove Agricultural Preserve No. 1 pursuant to Map No. 867, and to cancel all four, above-identified
22 Land Conservation Contracts in accordance to Map No. 867; and,

23 **WHEREAS**, on March 29, 2005, the Board certified EIR No. 488, approved TR30908 and TR30909,
24 approved Agricultural Preserve Case. No. 867 to diminish Highgrove Agricultural Preserve No. 1, as
25 amended, and cancel the associated Land Conservation Contracts in accordance with Map No. 867; and,

26 **WHEREAS**, on April 19, 2005, the Board adopted Resolution No. 2005-155 approving SP No. 330
27 and adopted Ordinance No. 348.4290 adopting the Specific Plan Zoning for SP No. 330 (Agenda Item 3.23);
28 and,

29 **WHEREAS**, on April 19, 2005, the Board adopted Resolution No. 2005-089 issuing a "Certificate
30 of Tentative Cancellation" for the associated Land Conservation Contracts and tentatively approved the

1 request to diminish the Property from Highgrove Agricultural Preserve No. 1, pursuant to the Land
2 Conservation Act of 1965 (Government Code Section 51200 et seq.) and the Rules and Regulations
3 Governing Agricultural Preserves in Riverside County, as amended, provided in Resolution No. 84-526; and,

4 **WHEREAS**, all provisions of the Rules and Regulation Governing Agricultural Preserve in
5 Riverside County pursuant to Resolution No. 84-526 have been satisfied; and,

6 **WHEREAS**, as a result of the recordation of the notice of non-renewals outlined above, all of the
7 Land Conservation Contracts have expired, with the last contract expired on December 31, 2009, and a
8 Certificate of Final Cancellation and satisfaction of associated conditions and contingencies outlined in
9 Resolution No. 2005-089 are no longer necessary; however, final action on the tentatively approved
10 diminishment is still necessary, thus the adoption of this Resolution No. 2020-024 will approve Map No. 867
11 and officially remove approximately 54.65 acres from the Highgrove Agricultural Preserve No. 1, Map No.
12 63 as amended through Map No. 982; and,

13 **WHEREAS**, the decision by the Board to diminish an agricultural preserve for land that is not
14 subject to a Land Conservation Contract shall be final upon the adoption of a resolution, pursuant to section
15 512 of the Rules and Regulations Governing Agricultural Preserves in Riverside County, as amended, and this
16 diminishment is necessary to finalize the associated TR30908 and TR30909 and record the final subdivision
17 maps for the Property; and,

18 **BE IT RESOLVED, FOUND, DETERMINED, AND ORDERED** by the Board of Supervisors of
19 the County of Riverside, State of California, in regular session assembled on August 25, 2020, that:

- 20 1. The above recitals are true and correct and incorporated herein by reference.
- 21 2. Under the County of Riverside's Rules and Regulations Governing Agricultural Preserves
22 and the California Land Conservation Act of 1965, a landowner may apply to have property
23 removed from the boundaries of an agricultural preserve once the land is no longer subject
24 to a Land Conservation Contract.
- 25 3. All Land Conservation Contracts on the Property have expired, with the last Land
26 Conservation Contract for the Property having expired on December 31, 2009.
- 27 4. A Certificate of Final Cancellation is no longer necessary.
- 28 5. The conditions set forth in the Certificate of Tentative Cancellation, provided in Resolution
29 No. 2005-089, became irrelevant when the Land Conservation Contracts expired.
- 30 6. The diminishment of the Highgrove Agricultural Preserve No. 1, Map No. 63 as amended

1 through Map No. 982, as depicted by Map No. 867 is consistent with the provisions of the
2 California Land Conservation Act of 1965 and the Rules and Regulations Governing
3 Agricultural Preserves in Riverside County, as amended.

- 4 7. The Board of Supervisors' decision to diminish the agricultural preserve is final upon the
5 adoption of this resolution.

6 **BE IT FURTHER RESOLVED** by the Board of Supervisors that:

- 7 1. The findings of EIR No. 448, incorporated herein by reference, determined that Agricultural
8 Preserve Case No. 867 would not have a significant effect on the environment and resulted
9 in the preparation of the Environmental Impact Report, which was certified by the Board on
10 March 29, 2005 Agenda Item No. 16.2, after a public hearing, and no new environmental
11 document is required.
- 12 2. Agricultural Preserve Case No. 867 amends the Highgrove Agricultural Preserve No. 1, Map
13 No. 63, as amended through Map No. 982, by removing the Property, as shown on Exhibit
14 B, entitled "MAP NO. 63 HIGHGROVE AGRICULTURAL PRESERVE NO. 1
15 AMENDED BY MAP NO. 125, 283, 482, 798, 810, 828, 833, 839, 840, 858, 867, 982" and
16 legally described in Exhibit A, attached hereto and incorporated herein by reference, being
17 on file in the Office of the Clerk of the Board.

18 **BE IT FURTHER RESOLVED** by the Board of Supervisors that it ADOPTS Agricultural Preserve
19 Case No. 867, as described herein and shown on Exhibit B, entitled "MAP NO. 63 HIGHGROVE
20 AGRICULTURAL PRESERVE NO. 1 AMENDED BY MAP NO. 125, 283, 482, 798, 810, 828, 833, 839,
21 840, 858, 867, 982," incorporated herein by reference.

22 **BE IT FURTHER RESOLVED** by the Board of Supervisors that the Clerk of this Board shall file
23 and record copies of this resolution, map entitled "MAP NO. 63 HIGHGROVE AGRICULTURAL
24 PRESERVE NO. 1 AMENDED BY MAP NO. 125, 283, 482, 798, 810, 828, 833, 839, 840, 858, 867, 982,"
25 and boundary description in the Office of the County Recorder of Riverside County, California, and transmit
26 copies to the Director of Conservation of the State of California, the Treasurer of Riverside County, and the
27 Assessor of Riverside County, California.

EXHIBIT A
HIGHGROVE AGRICULTURAL PRESERVE NO. 1
MAP NO. 867

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

Description

PARCEL 1:

NORTHEAST QUARTER OF NORTHWEST QUARTER OF SOUTHEAST QUARTER OF SECTION 8, TOWNSHIP 2 SOUTH, RANGE 4 WEST, SAN BERNARDINO BASE AND MERIDIAN, AS SHOWN BY UNITED STATES GOVERNMENT SURVEY;

EXCEPTING THEREFROM AN EASEMENT OF RIGHT OF WAY FOR PUBLIC ROAD OVER THE EASTERLY 20 FEET THEREOF, AS GRANTED TO RIVERSIDE COUNTY BY DEED RECORDED JANUARY 10, 1901 IN BOOK 148 PAGE 28 OF DEEDS, RECORDS OF RIVERSIDE COUNTY, CALIFORNIA;

ALSO EXCEPTING THEREFROM ANY PORTION INCLUDED IN SPRING STREET ALONG THE NORTH LINE THEREOF.

PARCEL 2:

ALL THAT PORTION OF LOTS 3 AND 4 OF ROBINSON TRACT, AS SHOWN BY MAP ON FILE IN BOOK 2 PAGE 17 OF MAPS, RECORDS OF RIVERSIDE COUNTY, CALIFORNIA, LYING ON THE MESA NORTH OF THE NORTHERLY BANK OF ARROYO; EXCEPTING THEREFROM THE EAST 20 FEET OF LOT 3 FOR ROAD PURPOSES.

PARCEL 3:

ALL THAT PORTION OF LOTS 1 AND 2 OF ROBINSON TRACT, AS SHOWN BY MAP ON FILE IN BOOK 2 PAGE 17 OF MAPS, RECORDS OF RIVERSIDE COUNTY, CALIFORNIA, LYING ON THE MESA NORTH OF THE NORTHERLY BANK OF ARROYO; EXCEPTING THEREFROM THE WEST 20 FEET OF LOT 2 FOR ROAD PURPOSES.

PARCEL 4:

THE WEST ONE-HALF OF THE NORTH 25 ACRES OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 9, TOWNSHIP 2 SOUTH, RANGE 4 WEST, SAN BERNARDINO BASE AND MERIDIAN.

PARCEL 5:

THE EAST ONE-HALF OF THE NORTH 25 ACRES OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 9, TOWNSHIP 2 SOUTH, RANGE 4 WEST, SAN BERNARDINO BASE AND MERIDIAN.

PARCEL 6:

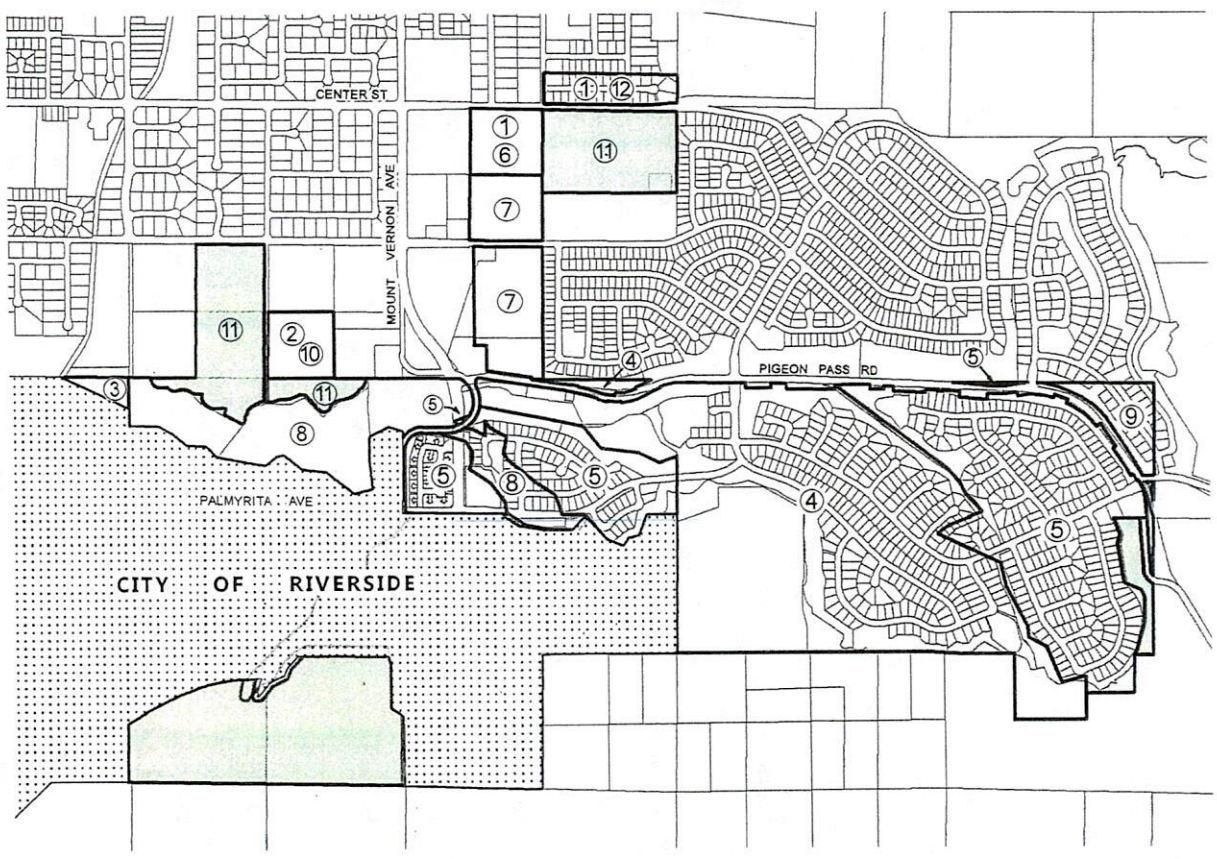
THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 8, TOWNSHIP 2 SOUTH, RANGE 4 WEST, SAN BERNARDINO BASE AND MERIDIAN.

Assessor Parcel No.	Acres (net)	Owner
255-130-009, 255-130-002, 255-140-001, 255-170-019, 255-170-018, and 255-140-020	54.65 acres	EQUITY CORPORATE HOUSING HOLDING CO INC.

MAP NO. 63 HIGHGROVE AGRICULTURAL PRESERVE NO. 1

AMENDED BY MAP NO. 125, 283, 482, 798, 810, 828, 833, 839, 840, 858, 867, 982

T. 2 S., R. 4 W. S.B.B. & M.



- AMENDMENTS:
- NO. 1, (ENLARGEMENT), FEBRUARY 8, 1971, MAP NO. 125
 - NO. 2, (ENLARGEMENT), FEBRUARY 19, 1974, MAP NO. 283
 - NO. 3, (DELETION), NOVEMBER 28, 1978, MAP NO. 482
 - NO. 4, (DIMINISHMENT), NOVEMBER 3, 1998, MAP NO. 798
 - NO. 5, (DIMINISHMENT), JULY 20, 1999, MAP NO. 810
 - NO. 6, (DIMINISHMENT), FEBRUARY 8, 2000, MAP NO. 828
 - NO. 7, (DIMINISHMENT), MARCH 21, 2000, MAP NO. 833
 - NO. 8, (DIMINISHMENT), MARCH 21, 2006, MAP NO. 839
 - NO. 9, (DIMINISHMENT), MARCH 21, 2006, MAP NO. 840
 - NO. 10, (DIMINISHMENT), JULY 16, 2002, MAP NO. 858
 - NO. 11, (DIMINISHMENT), MAP NO. 867
 - NO. 12, (DIMINISHMENT), FEBRUARY 5, 2008, MAP NO. 982



ADOPTED ON FEBRUARY 24, 1970
 BY THE BOARD OF SUPERVISORS
 OF THE COUNTY OF RIVERSIDE,
 STATE OF CALIFORNIA.

2 **RESOLUTION 2020-024**

3 **A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF**
4 **RIVERSIDE OF FINAL DIMINISHMENT OF HIGHGROVE AGRICULTURE**
5 **PRESERVE NO. 1**

6 ADOPTED by Riverside County Board of Supervisors on August 25, 2020.

7 ROLL CALL:

8 Ayes: Jeffries, Spiegel, Washington, Perez and Hewitt
9 Nays: None
10 Absent: None

11
12 The foregoing is certified to be a true copy of a resolution duly adopted by said Board of
13 Supervisors on the date therein set forth.

14 KECIA R. HARPER, Clerk of said Board

15 By: Priscilla Rasso
16 Deputy

17
18
19
20
21
22 08.25.2020 3.58
23
24
25

PLEASE COMPLETE THIS INFORMATION

RECORDING REQUESTED BY:

KECIA HARPER, CLERK OF THE BOARD
RIVERSIDE CO. CLERK OF THE BOARD
4080 LEMON STREET, 1ST FLOOR CAC
P O BOX 1147 – RIVERSIDE, CA 92502

MAIL STOP # 1010

AND WHEN RECORDED MAIL TO:

RETURN TO: STOP #1010
RIVERSIDE COUNTY CLERK OF THE BOARD
P. O. BOX 1147 – RIVERSIDE, CA 92502

2020-0413513

09/02/2020 03:29 PM Fee: \$ 0.00

Page 1 of 11

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



THIS SPACE FOR RECORDERS USE ONLY

1628

RESOLUTION NO. 2020-024

Title of Document

**FINAL DIMINISHMENT OF HIGHGROVE AGRICULTURE PRESERVE NO. 1
(Government Code Section 51231)**

(TLMA-Planning Department ~ Item 3.58 of 08/25/2020)

THIS PAGE ADDED TO PROVIDE ADEQUATE SPACE
FOR RECORDING INFORMATION

RESOLUTION NO. 2020-024
FINAL DIMINISHMENT OF HIGHGROVE
AGRICULTURAL PRESERVE NO. 1
(Government Code Section 51231)

WHEREAS, the Highgrove Agricultural Preserve No. 1 was adopted on February 24, 1970, pursuant to Map No. 63, and originally consisted of approximately 768.2 acres; and,

WHEREAS, Highgrove Agricultural Preserve No. 1, Map No. 63 was subsequently amended by Map Nos. 125, 283, 482, 798, 810, 828, 833, 839, 840, 858, and 982 and currently consists of approximately 122.4 acres; and,

WHEREAS, Highgrove Agricultural Preserve No. 1, Map No. 63 as amended through Map No. 982 is generally located north of Palmyrita Avenue, east of California Avenue, south of Center Street, and west of Spring Mountain Road; and,

WHEREAS, previous owner Amy A. Sarles, entered into a Land Conservation Contract with the County of Riverside pursuant to the Land Conservation Act of 1965 (Government Code section 51200 et seq.) for approximately 12.50 acres of land that was previously identified with the Assessor's Parcel Number ("APN") 123-100-033 within the Highgrove Agricultural Preserve No. 1, Map No. 63, which contract was recorded on May 13, 1970 as Instrument No. 45024 in the Office of the County Recorder of Riverside County, California and took effect on January 1, 1970; and,

WHEREAS, previous owners Denis W. Kidd and the Estate of Benjamin A. Kidd entered into the second of these Land Conservation Contracts with the County of Riverside for approximately 23.19 acres of land that was previously identified with APNs 123-100-034, 122-900-128, 122-900-132, and 122-900-137 within Highgrove Agricultural Preserve No. 1, Map No. 63, which contract was recorded on May 13, 1970 as Instrument No. 45025 and took effect on January 1, 1970; and,

WHEREAS, previous owner Denis W. Kidd entered into the third of these Land Conservation Contracts with the County of Riverside for approximately 9.2 acres of land that was previously identified with APN 122-900-008 within the Highgrove Agricultural Preserve No. 1 Map No. 63, which contract was recorded on May 13, 1970 as Instrument No. 45028 and took effect on January 1, 1970; and,

08.25.2020 3.58

FORM APPROVED COUNTY COUNSEL
BY: *Melissa R. Cushman* 8/10/2020
MELISSA R. CUSHMAN DATE

1 **WHEREAS**, previous owner Gertrude Thompson entered into the fourth of these Land Conservation
2 Contracts with the County of Riverside for approximately 9.7 acres of land that was previously identified
3 with APN 122-900-011 within the Highgrove Agricultural Preserve No. 1, Map No. 63, which contract was
4 recorded on February 29, 1972 as Instrument No. 26462 and took effect on January 1, 1972; and,

5 **WHEREAS**, Bessie F. Kidd and Denis W. Kidd, Trustees under the Will of Benjamin A. Kidd;
6 Bessie F. Kidd; and, James O. Wallace and Nancy C. Wallace, Trustees of the Wallace Family Trust, the
7 subsequent property owners of land subject to the first Land Conservation Contract recorded by Instrument
8 No. 45024, filed the corresponding Notice of Nonrenewal on the first Land Conservation Contract on
9 September 9, 1998, which notice was recorded on October 5, 1998 as Instrument No. 428299 in the Office
10 of the County Recorder of Riverside County, California; and,

11 **WHEREAS**, Denis W. Kidd and Bessie F. Kidd; and, Denis W. Kidd and Bessie F. Kidd, Trustees
12 under the Will of Benjamin A. Kidd, deceased, subsequent property owners of land subject to the second
13 Land Conservation Contract recorded by Instrument No. 45025, filed the corresponding Notice of
14 Nonrenewal on the second Land Conservation Contract on September 9, 1998, which notice was recorded
15 on October 5, 1998 as Instrument No. 428301 in the Office of the County Recorder of Riverside County,
16 California; and,

17 **WHEREAS**, Denis W. Kidd, property owner of land subject to the third Land Conservation Contract
18 recorded by Instrument No. 45028, filed the corresponding Notice of Nonrenewal on the third Land
19 Conservation Contract on September 9, 1998, which notice was recorded on October 5, 1998 as Instrument
20 No. 428300 in the Office of the County Recorder of Riverside County, California; and,

21 **WHEREAS**, Max Lewis Cardey, Jr., Trustee, and Helen N. Cardey, Trustee, the subsequent
22 property owners of land subject to the fourth Land Conservation Contract recorded by Instrument No. 26462,
23 filed the corresponding Notice of Nonrenewal on the fourth Land Conservation Contract on December 10,
24 1999, which notice was recorded on December 30, 1999 as Instrument No. 1999-564990 in the Office of the
25 County Recorder of Riverside County, California; and,

26 **WHEREAS**, Bessie F. Kidd, Denis W. Kidd and Denis W. Kidd, Trustee for Benjamin A. Kidd
27 Trust, subsequent property owners of land currently identified with 255-130-002, 255-140-001, 255-140-
28 020, 255-170-018, 255-170-019, and Helen N. Cardey, subsequent property owner of land currently
29 identified as 255-130-009, petitioned to cancel all four aforementioned Land Conservation Contracts on
30 approximately 54.65 acres of land that are currently identified with APNs 255-130-002, 255-140-001, 255-

1 140-020, 255-170-018, 255-170-019, and 255-130-009 (the "Property") and to diminish the Highgrove
2 Agricultural Preserve No. 1, Map No. 63 as amended through Map No. 867, by removing the Property from
3 the boundaries of the agricultural preserve as described in Resolution No. 2005-089 Exhibit A legal
4 description entitled Highgrove Agricultural Preserve No. 1, Map No. 867, incorporated herein by reference;
5 and,

6 **WHEREAS**, a public hearing was held on the above request for cancellation and diminishment by
7 the Riverside County Board of Supervisors ("Board") on December 21, 2004, as Agenda Item 16.1, March
8 29, 2005, as Agenda Item 16.2, and April 19, 2005, as Agenda Item 3.24; and,

9 **WHEREAS**, all procedures of the California Environmental Quality Act ("CEQA") and Riverside
10 County Rules to Implement the Act have been satisfied, including Environmental Impact Report No. 448
11 ("EIR No. 488"), which consider the impacts of the establishment of the proposed alternative land use, as
12 well as the impacts of this Diminishment request; and,

13 **WHEREAS**, the Property is within Specific Plan No. 330 ("SP No. 330"), Tentative Tract No. 30908
14 ("TR30908") and Tentative Tract No. 30909 ("TR30909") (the "Project"); and,

15 **WHEREAS**, the Project overall consists of approximately 184.50 acres and is a proposed
16 development of 650 residential lots, three (3) parks and twenty-one (21) open space areas; and,

17 **WHEREAS**, the proposed alternative use for the Property consisted of a portion of the Project, which
18 includes 150 residential lots of a minimum size of 5,000 square feet, approximately 37.1 acres of open space
19 area, and an existing 1-acre water reservoir site; and,

20 **WHEREAS**, on December 21, 2004, the Board tentatively approved the request to diminish
21 Highgrove Agricultural Preserve No. 1 pursuant to Map No. 867, and to cancel all four, above-identified
22 Land Conservation Contracts in accordance to Map No. 867; and,

23 **WHEREAS**, on March 29, 2005, the Board certified EIR No. 488, approved TR30908 and TR30909,
24 approved Agricultural Preserve Case. No. 867 to diminish Highgrove Agricultural Preserve No. 1, as
25 amended, and cancel the associated Land Conservation Contracts in accordance with Map No. 867; and,

26 **WHEREAS**, on April 19, 2005, the Board adopted Resolution No. 2005-155 approving SP No. 330
27 and adopted Ordinance No. 348.4290 adopting the Specific Plan Zoning for SP No. 330 (Agenda Item 3.23);
28 and,

29 **WHEREAS**, on April 19, 2005, the Board adopted Resolution No. 2005-089 issuing a "Certificate
30 of Tentative Cancellation" for the associated Land Conservation Contracts and tentatively approved the

1 request to diminish the Property from Highgrove Agricultural Preserve No. 1, pursuant to the Land
2 Conservation Act of 1965 (Government Code Section 51200 et seq.) and the Rules and Regulations
3 Governing Agricultural Preserves in Riverside County, as amended, provided in Resolution No. 84-526; and,

4 **WHEREAS**, all provisions of the Rules and Regulation Governing Agricultural Preserve in
5 Riverside County pursuant to Resolution No. 84-526 have been satisfied; and,

6 **WHEREAS**, as a result of the recordation of the notice of non-renewals outlined above, all of the
7 Land Conservation Contracts have expired, with the last contract expired on December 31, 2009, and a
8 Certificate of Final Cancellation and satisfaction of associated conditions and contingencies outlined in
9 Resolution No. 2005-089 are no longer necessary; however, final action on the tentatively approved
10 diminishment is still necessary, thus the adoption of this Resolution No. 2020-024 will approve Map No. 867
11 and officially remove approximately 54.65 acres from the Highgrove Agricultural Preserve No. 1, Map No.
12 63 as amended through Map No. 982; and,

13 **WHEREAS**, the decision by the Board to diminish an agricultural preserve for land that is not
14 subject to a Land Conservation Contract shall be final upon the adoption of a resolution, pursuant to section
15 512 of the Rules and Regulations Governing Agricultural Preserves in Riverside County, as amended, and this
16 diminishment is necessary to finalize the associated TR30908 and TR30909 and record the final subdivision
17 maps for the Property; and,

18 **BE IT RESOLVED, FOUND, DETERMINED, AND ORDERED** by the Board of Supervisors of
19 the County of Riverside, State of California, in regular session assembled on August 25, 2020, that:

- 20 1. The above recitals are true and correct and incorporated herein by reference.
- 21 2. Under the County of Riverside's Rules and Regulations Governing Agricultural Preserves
22 and the California Land Conservation Act of 1965, a landowner may apply to have property
23 removed from the boundaries of an agricultural preserve once the land is no longer subject
24 to a Land Conservation Contract.
- 25 3. All Land Conservation Contracts on the Property have expired, with the last Land
26 Conservation Contract for the Property having expired on December 31, 2009.
- 27 4. A Certificate of Final Cancellation is no longer necessary.
- 28 5. The conditions set forth in the Certificate of Tentative Cancellation, provided in Resolution
29 No. 2005-089, became irrelevant when the Land Conservation Contracts expired.
- 30 6. The diminishment of the Highgrove Agricultural Preserve No. 1, Map No. 63 as amended

1 through Map No. 982, as depicted by Map No. 867 is consistent with the provisions of the
2 California Land Conservation Act of 1965 and the Rules and Regulations Governing
3 Agricultural Preserves in Riverside County, as amended.

- 4 7. The Board of Supervisors' decision to diminish the agricultural preserve is final upon the
5 adoption of this resolution.

6 **BE IT FURTHER RESOLVED** by the Board of Supervisors that:

- 7 1. The findings of EIR No. 448, incorporated herein by reference, determined that Agricultural
8 Preserve Case No. 867 would not have a significant effect on the environment and resulted
9 in the preparation of the Environmental Impact Report, which was certified by the Board on
10 March 29, 2005 Agenda Item No. 16.2, after a public hearing, and no new environmental
11 document is required.
- 12 2. Agricultural Preserve Case No. 867 amends the Highgrove Agricultural Preserve No. 1, Map
13 No. 63, as amended through Map No. 982, by removing the Property, as shown on Exhibit
14 B, entitled "MAP NO. 63 HIGHGROVE AGRICULTURAL PRESERVE NO. 1
15 AMENDED BY MAP NO. 125, 283, 482, 798, 810, 828, 833, 839, 840, 858, 867, 982" and
16 legally described in Exhibit A, attached hereto and incorporated herein by reference, being
17 on file in the Office of the Clerk of the Board.

18 **BE IT FURTHER RESOLVED** by the Board of Supervisors that it ADOPTS Agricultural Preserve
19 Case No. 867, as described herein and shown on Exhibit B, entitled "MAP NO. 63 HIGHGROVE
20 AGRICULTURAL PRESERVE NO. 1 AMENDED BY MAP NO. 125, 283, 482, 798, 810, 828, 833, 839,
21 840, 858, 867, 982," incorporated herein by reference.

22 **BE IT FURTHER RESOLVED** by the Board of Supervisors that the Clerk of this Board shall file
23 and record copies of this resolution, map entitled "MAP NO. 63 HIGHGROVE AGRICULTURAL
24 PRESERVE NO. 1 AMENDED BY MAP NO. 125, 283, 482, 798, 810, 828, 833, 839, 840, 858, 867, 982,"
25 and boundary description in the Office of the County Recorder of Riverside County, California, and transmit
26 copies to the Director of Conservation of the State of California, the Treasurer of Riverside County, and the
27 Assessor of Riverside County, California.

EXHIBIT A
HIGHGROVE AGRICULTURAL PRESERVE NO. 1
MAP NO. 867

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

Description

PARCEL 1:

NORTHEAST QUARTER OF NORTHWEST QUARTER OF SOUTHEAST QUARTER OF SECTION 8, TOWNSHIP 2 SOUTH, RANGE 4 WEST, SAN BERNARDINO BASE AND MERIDIAN, AS SHOWN BY UNITED STATES GOVERNMENT SURVEY;

EXCEPTING THEREFROM AN EASEMENT OF RIGHT OF WAY FOR PUBLIC ROAD OVER THE EASTERLY 20 FEET THEREOF, AS GRANTED TO RIVERSIDE COUNTY BY DEED RECORDED JANUARY 10, 1901 IN BOOK 148 PAGE 28 OF DEEDS, RECORDS OF RIVERSIDE COUNTY, CALIFORNIA;

ALSO EXCEPTING THEREFROM ANY PORTION INCLUDED IN SPRING STREET ALONG THE NORTH LINE THEREOF.

PARCEL 2:

ALL THAT PORTION OF LOTS 3 AND 4 OF ROBINSON TRACT, AS SHOWN BY MAP ON FILE IN BOOK 2 PAGE 17 OF MAPS, RECORDS OF RIVERSIDE COUNTY, CALIFORNIA, LYING ON THE MESA NORTH OF THE NORTHERLY BANK OF ARROYO; EXCEPTING THEREFROM THE EAST 20 FEET OF LOT 3 FOR ROAD PURPOSES.

PARCEL 3:

ALL THAT PORTION OF LOTS 1 AND 2 OF ROBINSON TRACT, AS SHOWN BY MAP ON FILE IN BOOK 2 PAGE 17 OF MAPS, RECORDS OF RIVERSIDE COUNTY, CALIFORNIA, LYING ON THE MESA NORTH OF THE NORTHERLY BANK OF ARROYO; EXCEPTING THEREFROM THE WEST 20 FEET OF LOT 2 FOR ROAD PURPOSES.

PARCEL 4:

THE WEST ONE-HALF OF THE NORTH 25 ACRES OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 9, TOWNSHIP 2 SOUTH, RANGE 4 WEST, SAN BERNARDINO BASE AND MERIDIAN.

PARCEL 5:

THE EAST ONE-HALF OF THE NORTH 25 ACRES OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 9, TOWNSHIP 2 SOUTH, RANGE 4 WEST, SAN BERNARDINO BASE AND MERIDIAN.

PARCEL 6:

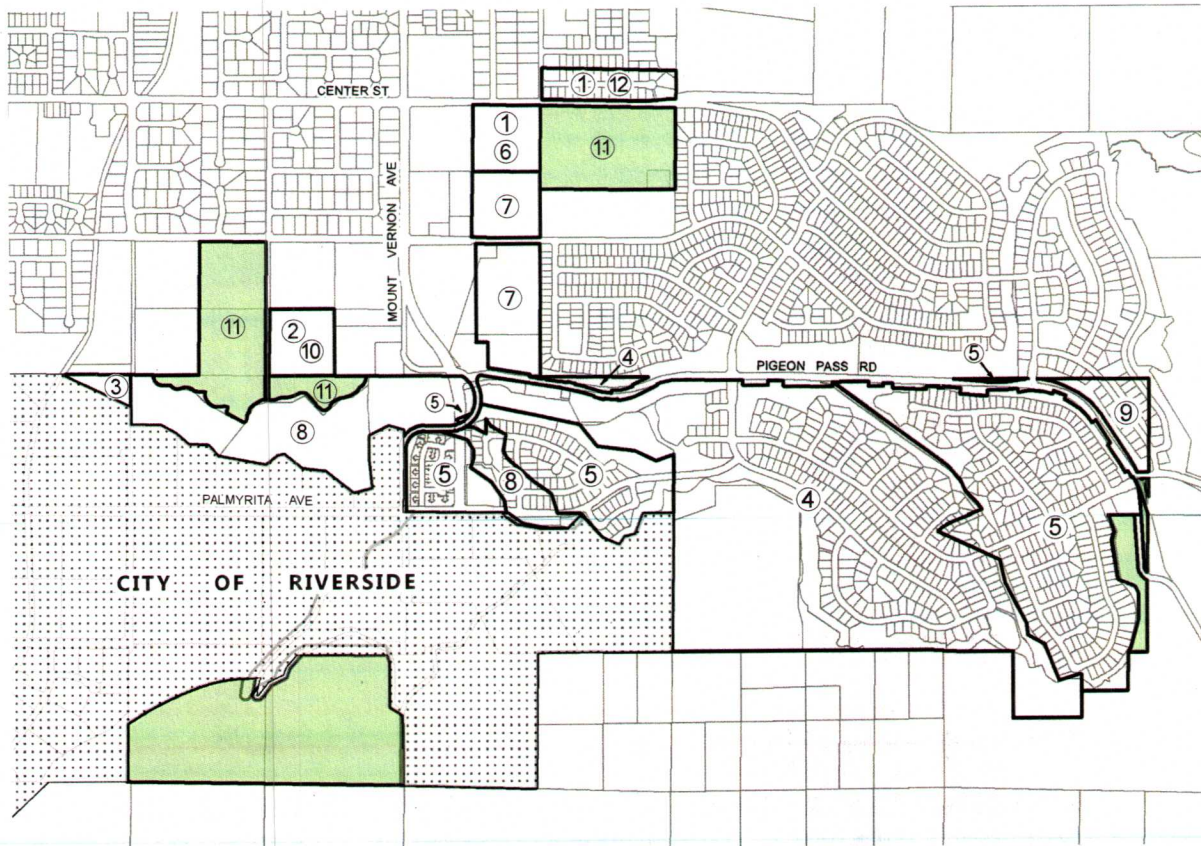
THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 8, TOWNSHIP 2 SOUTH, RANGE 4 WEST, SAN BERNARDINO BASE AND MERIDIAN.

Assessor Parcel No.	Acres (net)	Owner
255-130-009, 255-130-002, 255-140-001, 255-170-019, 255-170-018, and 255-140-020	54.65 acres	EQUITY CORPORATE HOUSING HOLDING CO INC.

MAP NO. 63 HIGHGROVE AGRICULTURAL PRESERVE NO. 1

AMENDED BY MAP NO. 125, 283, 482, 798, 810, 828, 833, 839, 840, 858, 867, 982

T. 2 S., R. 4 W. S.B.B. & M.



AMENDMENTS:

- | | |
|-------------------------|--------------------------------|
| NO. 1, (ENLARGEMENT), | FEBRUARY 8, 1971, MAP NO. 125 |
| NO. 2, (ENLARGEMENT), | FEBRUARY 19, 1974, MAP NO. 283 |
| NO. 3, (DELETION), | NOVEMBER 28, 1978, MAP NO. 482 |
| NO. 4, (DIMINISHMENT), | NOVEMBER 3, 1998, MAP NO. 798 |
| NO. 5, (DIMINISHMENT), | JULY 20, 1999, MAP NO. 810 |
| NO. 6, (DIMINISHMENT), | FEBRUARY 8, 2000, MAP NO. 828 |
| NO. 7, (DIMINISHMENT), | MARCH 21, 2000, MAP NO. 833 |
| NO. 8, (DIMINISHMENT), | MARCH 21, 2006, MAP NO. 839 |
| NO. 9, (DIMINISHMENT), | MARCH 21, 2006, MAP NO. 840 |
| NO. 10, (DIMINISHMENT), | JULY 16, 2002, MAP NO. 858 |
| NO. 11, (DIMINISHMENT), | , MAP NO. 867 |
| NO. 12, (DIMINISHMENT), | FEBRUARY 5, 2008, MAP NO. 982 |

ADOPTED ON FEBRUARY 24, 1970
BY THE BOARD OF SUPERVISORS
OF THE COUNTY OF RIVERSIDE,
STATE OF CALIFORNIA.

COUNTY OF RIVERSIDE

2 **RESOLUTION 2020-024**

3 **A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF**
4 **RIVERSIDE OF FINAL DIMINISHMENT OF HIGHGROVE AGRICULTURE**
5 **PRESERVE NO. 1**

6 ADOPTED by Riverside County Board of Supervisors on August 25, 2020.

7 ROLL CALL:

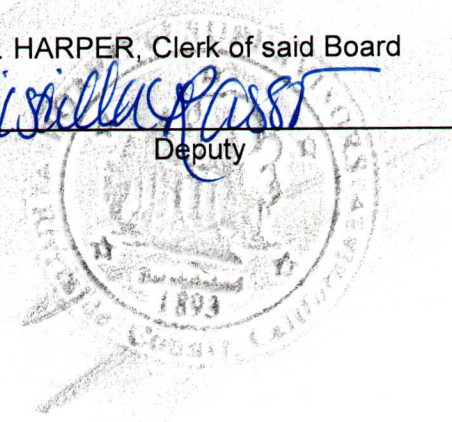
8 Ayes: Jeffries, Spiegel, Washington, Perez and Hewitt
9 Nays: None
10 Absent: None

11
12 The foregoing is certified to be a true copy of a resolution duly adopted by said Board of
13 Supervisors on the date therein set forth.

14 KECIA R. HARPER, Clerk of said Board

15 By:  _____

16 Deputy



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22 08.25.2020 3.58
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**PETER ALDANA
COUNTY OF RIVERSIDE
ASSESSOR-COUNTY CLERK-RECORDER**

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

www.riversideacr.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):

CLARIFICATION FOR SEAL for the Riverside County Board of Supervisors
(EMBOSSSED ON DOCUMENT)



Date:

8.25.2020

Signature:

Priscilla Rasso

Print Name: Priscilla Rasso, Board Assistant