

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

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FROM: TLMA - Planning Department

SUBMITTAL DATE:
February 13, 2007

SUBJECT: Adoption of Resolution No. 2007-062 – Diminishment of Mira Loma Agricultural Preserve No. 1 – Agricultural Preserve Case and Map No. 977 – Applicant: D. R. Horton, Inc. for PKL Investments, LLC – Engineer / Representative: Richard Brasher – Second Supervisorial District – Prado-Mira Loma Zoning District – Eastvale Area Plan – 12.55 Acres (Gross)

RECOMMENDED MOTION: Adoption of Resolution No. 2007-062 for the diminishment of Mira Loma Agricultural Preserve No. 1, Map No. 977, based upon the hereinafter listed findings and conclusions:

FINDINGS:

1. The 12.55-acre parcel is located at the southeast corner of Hamner Avenue and Cantu Galleano Ranch Road in the Eastvale area of western Riverside County, California.
2. Anthony B. Barba, a widower, and Frank Barba, a single man, each as to an undivided ½ interest, entered into a land conservation contract with the County of Riverside for land within Mira Loma Agricultural Preserve No. 1. The contract is dated January 1, 1971, and was recorded on February 26, 1971, as Instrument No. 19459 in the Office of the County Recorder of Riverside County, California.
3. Pursuant to the Land Conservation Act of 1965, Cornelius T. Van Diest, Anna T. Van Diest, Ernest Van Diest and Rena H. Van Diest, the subsequent property owners of Assessor's Parcel No. (APN) 160-020-024-3, filed a notice


Ron Goldman
Planning Director

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(Continued On Attached Page)

REVIEWED BY EXECUTIVE OFFICE

FORM APPROVED COUNTY COUNSEL

FEB 15 2006

DATE

12/20/07

BY

☒ Policy

☐ Consent

Dep't Recomm.:

☒ Policy

☐ Consent

Per Exec. Ofc.:

Prev. Agn. Ref.

District: Second | Agenda Number:

of non-renewal on September 26, 1986, which notice was recorded on October 1, 1986, as Instrument No. 242455, and, as a consequence, the land conservation contract as it applies to the subject parcels expired on January 1, 1997.

4. Under both the County's Rules and Regulations Governing Agricultural Preserves and the Comprehensive General Plan's Williamson Act Program (i.e., Land Conservation Act of 1965), a landowner may apply to have property removed from the boundaries of an agricultural preserve, once the contract has expired.
5. The land conservation contract having expired, D. R. Horton, as authorized representative for the current property owner of Assessor's Parcel No. (APN) 160-020-024-3, PKL Investments, LLC, has now applied to have the property removed from the boundaries of the agricultural preserve.

CONCLUSION:

1. The diminishment of Mira Loma Agricultural Preserve No. 1, Map No. 977, is consistent with the provisions of the Land Conservation Act of 1965 and the Rules and Regulations Governing Agricultural Preserves in Riverside County as adopted by the Board of Supervisors.
2. The diminishment of Mira Loma Agricultural Preserve No. 1, Map No. 977, is consistent with the Riverside County General Plan.

RESOLUTION NO. 2007-062
DIMINISHMENT OF MIRA LOMA
AGRICULTURAL PRESERVE NO. 1
PURSUANT TO NOTICE OF NONRENEWAL

WHEREAS, Anthony B. Barba, a widower, and Frank Barba, a single man, each as to an undivided ½ interest, entered into a Land Conservation Contract with the County of Riverside pursuant to the California Land Conservation Act of 1965 (Government Code Section 51200 et seq.), which contract is dated January 1, 1971, and was recorded February 26, 1971, as Instrument No. 19459, in the Office of the County Recorder of Riverside County, California; and

WHEREAS, Cornelius T. Van Diest, Anna T. Van Diest, Ernest Van Diest and Rena H. Van Diest, the subsequent landowners of Assessor's Parcel No. 160-020-024-3, filed a Notice of Nonrenewal on September 26, 1986, which notice was recorded on October 1, 1986, as Instrument No. 242455, in the Office of the County Recorder of Riverside County, California;

WHEREAS, the filing of said Notice of Nonrenewal resulted in the expiration of the contract as it applies to the subject property on January 1, 1997, pursuant to Government Code Section 51246;

BE IT RESOLVED, FOUND, DETERMINED AND ORDERED by the Board of Supervisors of the County of Riverside, State of California, in regular session assembled on February 27, 2007, that the Clerk of this Board shall file and record copies of this resolution, map and boundary description, in the Office of the County Recorder of Riverside County, California, with the Director of Conservation, State of California, and with the Office of the Assessor of Riverside County, California, and that:

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- 1 1. Mira Loma Agricultural Preserve No. 1, Map No. 2, dated February 5, 1968, and on file
2 in the Office of the Clerk of this Board, is further amended by deleting therefrom the
3 area shown on the map entitled "AGRICULTURAL PRESERVE MAP NO. 977:
4 AMENDMENT NO. 17 (DIMINISHMENT) OF MIRA LOMA AGRICULTURAL
5 PRESERVE NO. 1" and described by boundary description thereof, as fully set forth in
6 the attached document entitled "EXHIBIT A, MIRA LOMA AGRICULTURAL
7 PRESERVE NO. 1, MAP NO. 977 (DIMINISHMENT)," said map and description both
8 being on file in the Office of the Clerk of the Board.
- 9 2. The Land Conservation Contract by Anthony B. Barba, a widower, and Frank Barba, a
10 single man, each as to an undivided ½ interest, dated January 1, 1971, and recorded on
11 February 26, 1971, as Instrument No. 19459, in the Office of the County Recorder of
12 Riverside County, California, and as said contract applies to the subject property, has
13 expired, removing from the effect of said contract the real property in the County of
14 Riverside, State of California, described in the attached document entitled "EXHIBIT A,
15 MIRA LOMA AGRICULTURAL PRESERVE NO. 1, MAP NO. 977
16 (DIMINISHMENT)," which is made a part of this resolution.

17 BE IT FURTHER RESOLVED that the Clerk of this Board shall file and record copies of
18 this resolution, map and boundary description in the Office of the County Recorder of Riverside
19 County, California, with the Director of Conservation of the State of California, and with the Office
20 of the Assessor of Riverside County, California.

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24 FORM APPROVED COUNTY COUNSEL

25 FEB 15 2006
26 BY 
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EXHIBIT A
MIRA LOMA AGRICULTURAL PRESERVE NO. 1
MAP NO. 977
(DIMINISHMENT)

Parcel 1 of Parcel Map 14348, as per Map on File in Book 74 of Parcel Maps, Pages 11 and 12 Records of Riverside County, California.

EXCEPTING therefrom that portion conveyed to the County of Riverside by Deed recorded September 24, 2004 as Instrument No. 2004-0758698 Official Records.

Assessor Parcel No.		Acres (Gross)		Owners
160-020-024-3		12.55		PKL Investments, LLC
Total		12.55		

MAP NO. 2 MIRA LOMA AGRICULTURAL PRESERVE NO. 1

AMENDED BY MAP NO.
44, 524, 633, 683, 681,
703, 705, 706, 774, 780,
781, 837, 838, 850, 876, 919, **977**

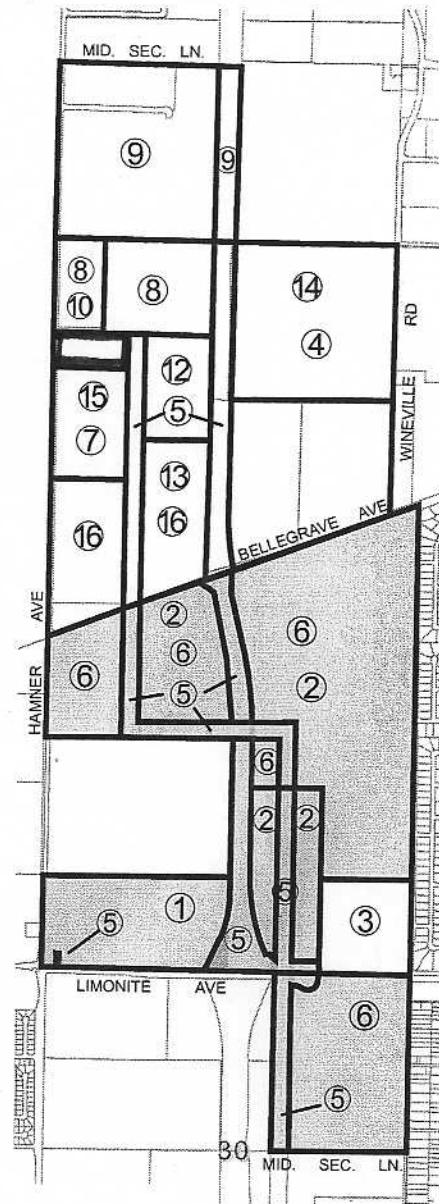
T. 2 S., R. 6 W

Legend:

 NO. 11



0 2,200
Feet



AMENDMENTS:

- NO. 1, (ENLARGEMENT), NOVEMBER 17, 1969, MAP NO. 44
- NO. 2, (DIMINISHMENT), WITHDRAWN, MAP NO. 524
- NO. 3, (DIMINISHMENT), DECEMBER 22, 1987, MAP NO. 633
- NO. 4, (DIMINISHMENT), WITHDRAWN, MAP NO. 683
- NO. 5, (DIMINISHMENT), MAP NO. 681
- NO. 6, (DIMINISHMENT), WITHDRAWN, MAP NO. 703
- NO. 7, (DIMINISHMENT), MAP NO. 705
- NO. 8, (DIMINISHMENT), (RESCINDED), MAP NO. 706
- NO. 9, (DIMINISHMENT), APRIL 30, 1996, MAP NO. 774
- NO. 10, (DIMINISHMENT), MARCH 25, 1997, MAP NO. 780
- NO. 11, (DIMINISHMENT), MARCH 17, 1998, MAP NO. 781 (See Legend)
- NO. 12, (DIMINISHMENT), AUGUST 29, 2000, MAP NO. 837
- NO. 13, (DIMINISHMENT), MAP NO. 838
- NO. 14, (DIMINISHMENT), FEBRUARY 5, 2002, MAP NO. 850
- NO. 15, (DIMINISHMENT), MAY 13, 2003, MAP NO. 876
- NO. 16, (DIMINISHMENT), OCTOBER 17, 2006, MAP NO. 919
- No. 17 (Diminishment), February 27, 2007, Map No. 977*

ADOPTED ON FEBRUARY 5, 1968
BY THE BOARD OF SUPERVISORS
OF THE COUNTY OF RIVERSIDE,
STATE OF CALIFORNIA.