

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

447B



FROM: TLMA - Planning Department

SUBMITTAL DATE:
February 13, 2007

SUBJECT: Adoption of Resolution No. 2007-063 – Diminishment of Menifee Agricultural Preserve No. 3 – Agricultural Preserve Case and Map No. 978 – Applicant: Kassen Klein PacTwo Partners for Zeiders Business Park, Inc. – Third Supervisorial District – Antelope Valley Zoning Area – Sun City / Menifee Valley Area Plan – 11.96 Acres (Gross)

RECOMMENDED MOTION: Adoption of Resolution No. 2007-063 for the diminishment of Menifee Agricultural Preserve No. 3, Map No. 978, based upon the hereinafter listed findings and conclusions:

FINDINGS:

1. The 11.96-acre parcel is located northerly of Keller Road, southerly of Scott Road, east of and adjacent to Zeiders Road and westerly of Interstate 215 in the Menifee area of western Riverside County, California.
2. Gothfred A. Anderson and Zazel C. Anderson entered into a land conservation contract with the County of Riverside for land within Menifee Agricultural Preserve No. 3. The contract is dated January 1, 1972, and was recorded on February 29, 1972, as Instrument No. 26755 in the Office of the County Recorder of Riverside County, California.
3. Pursuant to the Land Conservation Act of 1965, Ethyl M. Burke and Robert Burke, the subsequent property owners of Assessor's Parcel No. (APN) 384-159-003-2, filed a notice of non-renewal on January 27, 1997, which notice was recorded on February 28, 1997, as Instrument No. 068452, and, as a


Ron Goldman
Planning Director

RG:kb

(Continued On Attached Page)

REVIEWED BY EXECUTIVE OFFICE

FORM APPROVED
COUNTY COUNSEL

DATE: 2/20/07
BY: [Signature]
Departmental Concurrence

FEB 16 2007

☒ Policy

☐ Consent

Dep't Recomm.:

☒ Policy

☐ Consent

Per Exec. Ofc.:

Prev. Agn. Ref.

District: Third

Agenda Number:

3.88

consequence, the land conservation contract as it applies to the subject parcels expired on January 1, 1998.

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, Kassen Klein PacTwo Partners, as authorized representative for the current property owner of APN 384-150-003-2, Zeiders Business Park, Inc., has now applied to have the property removed from the boundaries of the agricultural preserve.

CONCLUSION:

1. The diminishment of Meniffee Agricultural Preserve No. 3, Map No. 978, 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 Meniffee Agricultural Preserve No. 3, Map No. 978, is consistent with the Riverside County General Plan.

RESOLUTION NO. 2007-063
DIMINISHMENT OF MENIFEE
AGRICULTURAL PRESERVE NO. 3
PURSUANT TO NOTICE OF NONRENEWAL

WHEREAS, Gothfred A. Anderson and Zazel C. Anderson 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, 1972, and was recorded February 29, 1972, as Instrument No. 26755, in the Office of the County Recorder of Riverside County, California; and

WHEREAS, Ethyl M. Burke and Robert Burke, the subsequent landowners, filed a Notice of Nonrenewal on January 27, 1997, which notice was recorded on February 28, 1997, as Instrument No. 068452, 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, 1998, pursuant to Government Code Section 51245 and 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:

1. Meniffee Agricultural Preserve No. 3, Map No. 198, dated January 25, 1972, and on file in the Office of the Clerk of this Board, is further amended by deleting therefrom the area shown on the map entitled "AGRICULTURAL PRESERVE MAP NO. 978: AMENDMENT NO. 4 (DIMINISHMENT) OF MENIFEE AGRICULTURAL

1 **PRESERVE NO. 3" and described by boundary description thereof, as fully set forth**
2 **in the attached document entitled "EXHIBIT A, MENIFEE AGRICULTURAL**
3 **PRESERVE NO. 3, MAP NO. 978 (DIMINISHMENT)," said map and description**
4 **both being on file in the Office of the Clerk of the Board.**

- 5 **2. The Land Conservation Contract between A. Anderson and Zazel C. Anderson and**
6 **the County of Riverside, dated January 1, 1972, and recorded on February 29, 1972,**
7 **as Instrument No. 26755, in the Office of the County Recorder of Riverside County,**
8 **California, and as said contract applies to the subject property, has expired, removing**
9 **from the effect of said contract the real property in the County of Riverside, State of**
10 **California, described in the attached document entitled "EXHIBIT A, MENIFEE**
11 **LOMA AGRICULTURAL PRESERVE NO. 3, MAP NO. 978 (DIMINISHMENT),"**
12 **which is made a part of this resolution.**

13 **BE IT FURTHER RESOLVED that the Clerk of this Board shall file and record copies of**
14 **this resolution, map and boundary description in the Office of the County Recorder of Riverside**
15 **County, California, with the Director of Conservation of the State of California, and with the Office**
16 **of the Assessor of Riverside County, California.**

**EXHIBIT A
MENIFEE AGRICULTURAL PRESERVE NO. 3
MAP NO. 978
(DIMINISHMENT)**

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

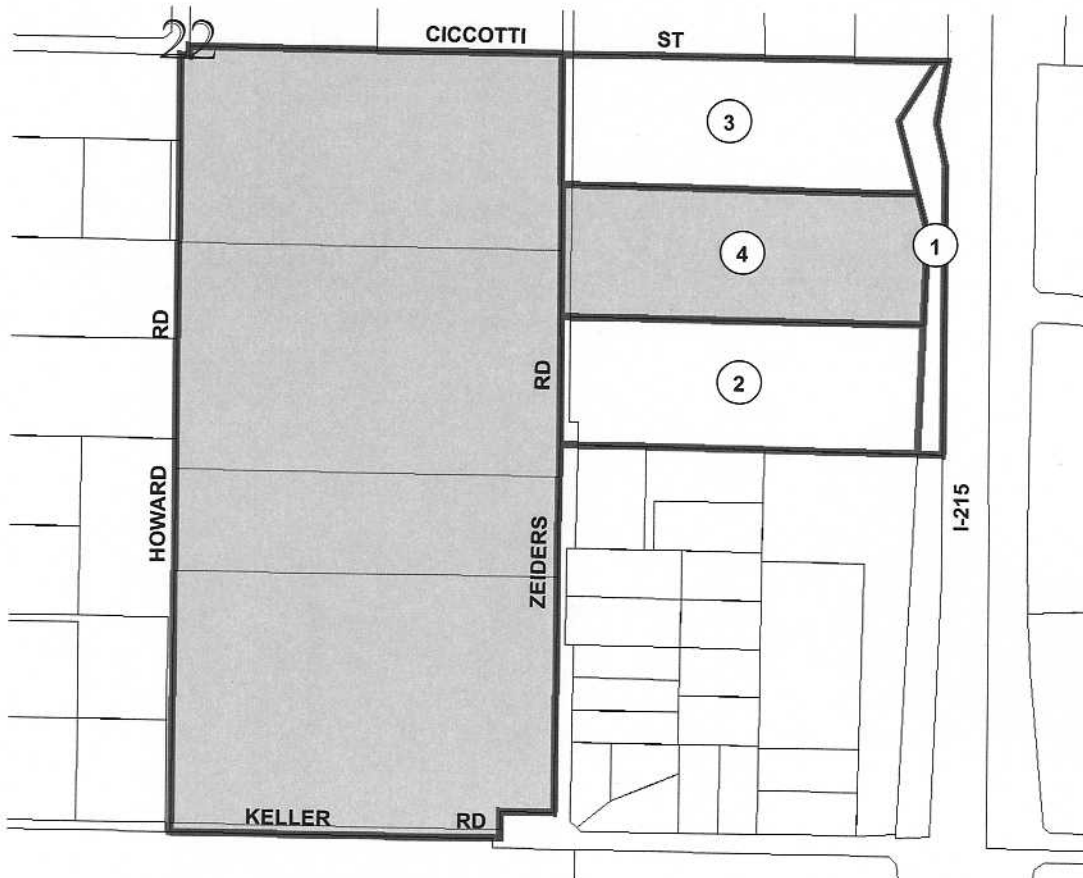
Parcel 2 of Parcel Map 8158, as shown by Map on file in Book 31, Page 50 of Parcel Maps, Records of Riverside County, California.

Assessor Parcel No.		Acres (Gross)		Owners
384-150-003-2		11.96		Zeiders Business Park, Inc.
Total		11.96		

MAP NO. 198 MENIFEE AGRICULTURAL PRESERVE NO. 3

AMENDED BY MAP NO. 616, 804, 812, 978

T. 6S., R. 3W. S.B.B. & M.



AMENDMENTS:

- NO. 1, DIMINISHMENT, APRIL 2, 1985, MAP NO. 616
- NO. 2, DIMINISHMENT, APRIL 13, 1999, MAP NO. 804
- NO. 3, DIMINISHMENT, APRIL 27, 1999, MAP NO. 812
- NO. 4, DIMINISHMENT, *February 27, 2007*, MAP NO. 978

ADOPTED ON JANUARY 25, 1972
BY THE BOARD OF SUPERVISORS
OF THE COUNTY OF RIVERSIDE,
STATE OF CALIFORNIA.

