



Instructions for Filing an LCA Contract PNNR

County of Ventura • Resource Management Agency • Planning Division

800 S. Victoria Avenue, Ventura, CA 93009-1740 • (805) 654-2478 • www.vcrma.org/divisions/planning

Purpose

These instructions are intended to assist applicants in preparing the necessary materials for non-renewal of a portion of a Land Conservation Act (“LCA”) contract. Below is the Declaration of Notice of Non-renewal for a portion of an LCA contract (collectively, “PNNR”).

Filing Deadline

Completed PNNRs may be filed at any time. However, completed forms and documents must be filed by the first Friday in June, in order to be considered by the Board of Supervisors during the same calendar year and to be effective the following calendar year. The non-renewed portion of the LCA Contract expires at the end of the remaining contract term, which depending on the provisions of the specific contract is either 9 or 19 years.

Recordation

Because a portion of the contracted property would remain under contract, the size and uses of the remaining portion must be found to be consistent with State law and the County LCA Guidelines. Therefore, agricultural PNNR applications are reviewed by the Ventura County Agricultural Policy Advisory Committee (APAC), and open space/wildlife habitat PNNR applications are reviewed by the Ventura County Planning Commission. PNNRs are considered by the Board of Supervisors for approval. If approved, the Planning Division will assist the applicant with recording the PNNR with the County Recorder's Office no later than December 31st of the same calendar year. The applicant is responsible for all applicable recording fees. The Planning Division recommends that the applicant request a copy of the recorded PNNR from the Recorder's Office at the time of recordation.

PNNRs cannot be rescinded once they are recorded. However, property owners of qualifying lands may apply for a rescission of the non-renewed LCA Contract and simultaneous re-entry into a new LCA Contract.

Tax Assessment

There are no fines, assessment fees, or collection of back taxes as a result of non-renewals. However, property taxes will increase during the remaining term of the contract following non-renewal. Upon expiration of the portion of the contract, property taxes will reach the non-LCA value of that portion. The Planning Division recommends that you contact the Ventura County Assessor's Office to determine the effect of contract non-renewal on property taxes prior to filing a PNNR. The Assessor's Office webpage pertaining to the LCA program is located at <http://assessor.countyofventura.org/taxsavings/lca.html>.

Filing Requirements

All of the following documents must be submitted at the time of filing:

1. *Notarized Declaration of Notice of Non-Renewal*

Each contract being proposed for a PNNR requires its own Declaration, signed by all current owners as they appear in the Preliminary Title Report and Property Deed. You may attach additional signature sheets, if needed. Each signature must be notarized using a current, all-purpose acknowledgement form that is acceptable to the Recorder's office. Signatures must correspond to the ownership type of the property (e.g., individual, corporation, trust, or partnership). Please provide three (3) original sets of notarized signatures.

2. *Current Assessor's Parcel Map(s)*

Assessor's Parcel Maps are available on the Assessor's Office website at <http://assessor.countyofventura.org/research/mappage.asp>. Indicate the parcel/contract boundary by outlining it in red ink, and identify the area proposed to be non-renewed.

3. *Current Preliminary Title Report*

The title report must be issued by a title company no more than 60 days prior to submittal of the PNNR.

4. *Copy of the Property Deed*

5. *Notarized Consent of Trust Deed Beneficiary*

This form is only required if a trust deed exists on the property.

6. *Legal Description of the Property being Non-Renewed*

If the boundary of the proposed area of non-renewal does not correspond with an existing legal description of the land, then a surveyed map with exact non-renewal boundaries and a certified legal description are required.

7. *Signed Reimbursement Agreement*

8. *Deposit/Filing Fees*

The deposit amount is dependent on the current fee schedule, which is available on the Planning Division's website: www.ventura.org/planning. (Click on the "Public Information" tab, then on the link entitled "Planning Division Fee Schedule.") Should final processing fees exceed this deposit, the applicant will be billed for the balance of the final cost of processing, which is computed upon actual time expended by all County staff. However, if the final cost for all County staff involved with processing the PNNR is less than the deposit fees submitted for the PNNR, the remaining balance will be refunded to the property owner, as indicated on the signed Reimbursement Agreement.

Please contact Justin Bertoline, LCA Program Planner at justin.bertoline@ventura.org or at (805) 654-2466 if you have any questions, need more information, and/or to schedule an appointment to discuss a proposed PNNR.

No charge for recording per Gov. Code Sec. 27383

RECORDING REQUESTED BY:

RETURN RECORDED DOCUMENTS TO:

Planning Division – L#1740
Resource Management Agency
County of Ventura
Attn.: Justin Bertoline, LCA Program

COUNTY OF VENTURA * RESOURCE MANAGEMENT AGENCY * PLANNING DIVISION

**DECLARATION OF NOTICE OF NON-RENEWAL FOR A PORTION OF
LAND CONSERVATION ACT (LCA) CONTRACT NO. _____**

Pursuant to Paragraph 4 of the subject LCA Contract and Government Code Section 51245, the current undersigned owners and assignees hereby give written notice of non-renewal for the entire LCA Contract No. _____. The area to be non-renewed totals _____ acres and is described below and in the attached Exhibits. This property is subject to the LCA Contract No. _____ recorded in Book _____, Page(s) _____, or as Document No. _____ of Official Records in the Office of the Ventura County Recorder.

Assessor’s Parcel Number(s): _____

Original Contract Holder/Property Owner: _____

Current Property Owner:

(e.g. Individual Name, Corporation, LLC, Trust, or Partnership) Mailing Address

By: _____ Date: _____
Name Title Signature

By: _____ Date: _____
Name Title Signature

This notice must be signed by all owners and assignees who have a current ownership interest in the property subject to the site-specific LCA, which is requested for non-renewal. Only original, notarized signatures will be accepted.

County Use Only:

The Non-Renewal will become effective on: _____

The LCA Contract will terminate on: _____

- Exhibit A – Legal Description
- Exhibit B – Location Map
- Exhibit C – Clerk of the Board Acknowledgement



LCA Consent by Trust Deed Beneficiary(ies)

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As beneficiary(ies) of that certain Trust Deed dated _____, which was recorded on _____, as Document No. _____ of the Official Records at the Ventura County Recorder's Office, consent is hereby given to _____, Trustor(s) to non-renew a Land Conservation Act (LCA) Contract(s) and/or a Farmland Security Zone Area LCA (FSZA/LCA) Contract(s) between Trustor and County of Ventura for the land subject to the said Deed of Trust(s).

Trust Deed Beneficiary (Print) Signature Title Date

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Trust Deed Beneficiary (Print) Signature Title Date

Contract No. _____

Only original signatures of Trust Deed Beneficiaries shall appear on this document. All signatures must be notarized.