

TO: James L. App, City Manger
FROM: Robert A. Lata, Community Development Director
SUBJECT: Acceptance of Offer of Dedication (Zukowski, Union Road)
DATE: February 17, 2004

Needs: That the City Council authorize the acceptance of an Irrevocable and Perpetual Offer of Dedication for public road purposes provided by Jeffrey and Charla Zukowski related to the construction of a single family residence at 1781 Union Road.

Facts: 1. The City has received an Irrevocable and Perpetual Offer of Dedication for a 12-foot wide easement for public road purposes adjacent to the west side of Union Road along the property known as 1781 Union Road.

**Analysis
And**

Conclusion: Jeffrey and Charla Zukowski have constructed a single family residence at 1781 Union Road. In accordance with Municipal Code Section 17.04.020, the City Engineer has requested the dedication of a 12-foot strip of land to the City for public road purposes to accommodate the future improvements to Union Road. The dedication of the easement does not affect the owner's ability to reasonably develop and use the subject property.

Policy

Reference: Paso Robles Municipal Code Section 17.04.020

Fiscal

Impact: none

Options:

- a. Adopt Resolution No. 04-xxx accepting the 12-foot wide Irrevocable and Perpetual Offer of Dedication for road purposes at 1781 Union Road.
- b. Amend, modify or reject the above option.

Attachments: (3)

1. Vicinity Map
2. Offer of Dedication
3. Resolution

RESOLUTION NO. 04 -

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PASO ROBLES
ACCEPTING AN IRREVOCABLE AND PERPETUAL OFFER OF DEDICATION
FOR ROAD PURPOSES (ZUKOWSKI, 1781 UNION ROAD)

WHEREAS, the City has received an Irrevocable and Perpetual Offer of Dedication from Jeffrey and Charla Zukowski for a 12-foot wide easement for public road purposes on property known as 1781 Union Road.

THEREFORE, BE IT RESOLVED AS FOLLOWS:

SECTION 1. That the City Council accept the 12-foot wide Irrevocable and Perpetual Offer of Dedication for public road purposes provided by Jeffrey and Charla Zukowski on property known as 1781 Union Road and authorize its execution and recordation.

PASSED AND ADOPTED by the City Council of the City of Paso Robles this 17th day of February 2004 by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

Frank R. Mecham, Mayor

ATTEST:

Sharilyn M. Ryan, Deputy City Clerk

RECORDING REQUESTED BY AND
WHEN RECORDED RETURN TO:

CITY ENGINEER
CITY OF EL PASO DE ROBLES
1000 SPRING STREET
PASO ROBLES, CA 93446

FOR RECORDER USE ONLY

APN 025-013-002

IRREVOCABLE & PERPETUAL OFFER TO DEDICATE

THIS OFFER TO DEDICATE, made the 27 day of January, 2004, by Jeffrey G. Zukowski & Charla R. Zukowski of the County of San Luis Obispo, State of California, hereinafter termed "**OFFEROR**":

WHEREAS, said **OFFEROR** desires to make an offer to dedicate, irrevocably, to the public, an easement, for public road purposes, which offer may be accepted at any time by any governmental entity which has the power to establish, construct and maintain roads.

NOW, THEREFORE, said **OFFEROR** covenants and promises as follows:

1. That said **OFFEROR** is the owner of the following interest described below:

SEE ATTACHED EXHIBIT "A"

2. That said **OFFEROR** does hereby irrevocably and in perpetuity offer to such a governmental entity a dedication of a public right-of-way for road purposes and incidental uses upon the following described property:

SEE ATTACHED EXHIBIT "B"

3. That until such time as the above offer of dedication is accepted by such a governmental entity, all owners of property contiguous to the above described road parcel shall have the right to the use of said road parcel as a private road.
4. That said **OFFEROR** agrees that said offer of dedication shall be irrevocable and that such a government entity may, at any time in the future, accept said offer of dedication of the public right-of-way.

5. That said **OFFEROR** agrees that this irrevocable and perpetual offer to dedicate is and shall be binding on his heirs, legatees, successors and assignees.

IN WITNESS WHEREOF, this Offer to Dedicate is hereby executed by the said **OFFEROR** on the day and year first above written.

Offerors:

By: *Jeffrey G. Zukowski* *1-27-04*
Jeffrey G. Zukowski Date

Offerors:

Charla R. Zukowski *1/27/04*
Charla R. Zukowski Date

(SIGNATURES MUST BE NOTARIZED)

ACKNOWLEDGMENT

State of *California* }
County of *San Luis Obispo* } ss.

On *January 27, 2004*, before me, *C. L. Chapman, Notary Public*, a Notary Public, appeared *Jeffrey G. Zukowski and Charla R. Zukowski*, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name ~~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(ies) upon behalf of which the person(s) acted, executed the instrument.

Witness my hand and official seal.

[Signature]
Signature of Notary Public

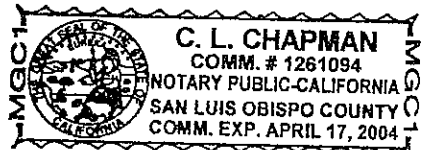


EXHIBIT "A"

PARCEL "A" OF THE PARCEL MAP RECORDED IN BOOK 21 OF PARCEL MAPS AT PAGE 54
IN THE OFFICE OF THE COUNTY RECORDER OF THE COUNTY OF SAN LUIS OBISPO,
STATE OF CALIFORNIA

EXHIBIT "B"

THE EASTERLY 12 FEET OF PARCEL A, ADJACENT TO THE WEST BOUNDARY OF UNION
ROAD, AS SHOWN ON THE PARCEL MAP RECORDED IN BOOK 21 OF PARCEL MAPS AT
PAGE 54 IN THE OFFICE OF THE COUNTY RECORDER OF THE COUNTY OF SAN LUIS
OBISPO, STATE OF CALIFORNIA