

**TO:** James L. App, City Manager  
**FROM:** Robert A. Lata, Community Development Director  
**SUBJECT:** Acceptance of Tract 2422, (Harrod) for Recordation, Execution of Subdivision Improvement Agreement, and Annexation into the Landscape and Lighting Maintenance District  
**DATE:** October 5, 2004

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**Needs:** That the City Council consider taking a series of three steps toward finalizing development plans for a residential subdivision.

**Facts:**

1. The applicant, Mike Harrod, has requested that Tract 2422 be accepted by the City for recordation. Tract 2422 is a 22-lot subdivision of a 23-acre site located on the west side of South River Road at Navajo Avenue (see Attachment 1).
2. Since the required public improvements have not been completed, the applicants have signed a Subdivision Improvement Agreement guaranteeing the construction of these improvements within a one-year period. Payment and Performance Bonds have been submitted and placed on file in the office of the City Engineer.
3. The applicants have signed a petition and voted in favor of annexation into the Landscape and Lighting District.

**Analysis  
and**

**Conclusion:** Tract 2422 was originally approved by the Planning Commission on May 14, 2002. With the exception of the construction of the public improvements, all conditions imposed by the Planning Commission have been satisfied.

The Subdivision Map Act and the City of Paso Robles Municipal Code authorizes acceptance of final maps when securities have been posted guaranteeing construction of public improvements.

Acceptance of public improvements and release of the securities occurs only after these improvements have been constructed to the satisfaction of the City Engineer and following the adoption of a resolution of acceptance by the City Council.

**Policy**

**Reference:** California Government Code Section 66462 (“Subdivision Map Act”)  
Paso Robles Municipal Code Section 22.16.160

**Fiscal Impact:** None.

**Options:** That the City Council accept the subject map and agreement by taking the following actions:

- a. **(1)** Adopt Resolution No. 04-xxx accepting the recordation of Tract 2422, a 22-lot subdivision located on the west side of South River Road at Navajo Avenue, and approving the Subdivision Improvement Agreement for Tract 2422 guaranteeing the construction of the subdivision improvements, with an established deadline of October 5, 2005, to complete these improvements, and authorizing the Mayor to execute the Agreement; and
- (2)** Adopt Resolution No. 04-xx annexing Tract 2422 into the Landscape and Lighting District.
- b. Amend, modify or reject the above option.

Attachments: (3)

- 1) Vicinity and Tract Maps
- 2) Resolution Final Map
- 3) Resolution L & L

## EXHIBIT A

IN THE CITY OF PASO ROBLES, COUNTY OF SAN LUIS OBISPO, STATE OF CALIFORNIA, BEING A PORTION OF LOT 4 OF OLIVE PARK TRACT AS PER THE MAP RECORDED IN BOOK A OF MAPS, AT PAGE 32 AND A PORTION OF LOT 33 OF RANCHO SANTA YSABEL, AS PER THE MAP RECORDED IN BOOK A OF MAPS, AT PAGE 29 IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY AND BEING MOR PARTICULARLY DESCRIBED AS FOLLOWS:

LOTS 1 THROUGH 22 OF TRACT 2422 IN THE CITY OF PASO ROBLES, COUNTY OF SAN LUIS OBISPO, STATE OF CALIFORNIA, ACCORDING TO THE MAP RECORDED \_\_\_\_\_, 200\_\_, IN BOOK \_\_\_\_\_ OF MAPS, AT PAGE \_\_\_\_\_ IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

RECORDING REQUESTED BY AND  
WHEN RECORDED RETURN TO:

The City of El Paso de Robles  
Public Works Department  
1000 Spring Street  
Paso Robles, CA 93446

Attn.: Ditas Esperanza

**FOR RECORDERS USE ONLY**

RESOLUTION NO. 04-xx

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PASO ROBLES  
ANNEXING TRACT 2422 AS PART OF SUBAREA 88 TO THE  
“PASO ROBLES LANDSCAPE AND LIGHTING DISTRICT NO. 1”  
(STREETS AND HIGHWAYS CODE SECTIONS 22500, ET SEQ.)

WHEREAS, the owner of the real property described in Exhibit ‘A’ has petitioned for annex Tract 2422 into the Paso Robles Landscape and Lighting District No. 1 (“District”).

NOW, THEREFORE, BE IT RESOLVED, DETERMINED AND ORDERED as follows:

SECTION 1. That the City Council of the City of Paso Robles does hereby declare that the real property located in the City of Paso Robles, County of San Luis Obispo, as more particularly described in Exhibit ‘A’ hereto, is hereby annexed into the District and that all landscape and lighting improvements required as conditions of approval of Tract 2422 be installed by the developer.

SECTION 2. That the City Council of the City of Paso Robles does hereby declare that the current owner of the real property, according to the Petition for Formation of the District, is Mike Harrod and Jackie Harrod.

SECTION 3. That the City Council for the City of Paso Robles does hereby declare that the assessment for Tract 2422 shall begin with Fiscal Year 2005-2006.

SECTION 4. That the City Council for the City of Paso Robles does hereby declare that the area annexed shall be designated Paso Robles Landscape and Lighting District No. 1, as part of Sub-Area 88.

PASSED AND ADOPTED by the City Council of the City of Paso Robles this 5th day of October 2004 by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

\_\_\_\_\_  
Frank R. Mecham, Mayor

ATTEST:

\_\_\_\_\_  
Sharilyn M. Ryan, Deputy City Clerk



RESOLUTION NO. 04-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PASO ROBLES  
ACCEPTING AND APPROVING THE EXECUTION AND RECORDATION  
OF THE FINAL MAP AND SUBDIVISION IMPROVEMENT AGREEMENT FOR  
TRACT 2422 (HARROD)

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WHEREAS, the Developer has met all conditions of the tentative map, has posted payment and performance securities to guarantee the installation of public improvements, and submitted a certificate of insurance; and

WHEREAS, City staff has reviewed the final tract map and finds it to be in substantial conformance with the approved tentative map and technically correct.

THEREFORE, BE IT RESOLVED AS FOLLOWS:

SECTION 1. That the City Council of the City of Paso Robles does hereby approve the final map for Tract 2422, and authorize the execution and recordation of the tract map.

SECTION 2. That the City Council of the City of Paso Robles does hereby accept the Performance and Payment securities posted to guarantee the installation of the public improvements.

SECTION 3. That the City Council of the City of Paso Robles accept the offers of dedication for public open space, for South River Road, Navajo Avenue and Vista Del Rio Court, public tree planting easements, public drainage, water and sewer easements, and public utility easements as shown on the final map.

PASSED AND ADOPTED by the City Council of the City of Paso Robles this 5<sup>th</sup> day of October 2004 by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

ATTEST:

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Frank R. Mecham, Mayor

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Sharilyn M. Ryan, Deputy City Clerk

### OWNER'S STATEMENT

WE, THE UNDERSIGNED, HEREBY STATE THAT WE ARE ALL THE OWNERS OF AND ALL RECORDS HAVE BEEN FILED WITH THE RECORDS DIVISION OF THE COUNTY OF PASO ROBLES, CALIFORNIA, AND ALL THE HAVING ANY RECORD TITLE INTEREST IN THE REAL PROPERTY INCLUDING AND WITHIN THE HAVING ANY RECORD SHOWN ON THIS MAP AND THAT EACH OF US DOES HEREBY CONSENT TO THE FILING AND/OR RECORDATION OF THIS MAP, AND WE HEREBY DEDICATE TO THE PUBLIC FOR PUBLIC USE ALL STREETS SHOWN ON THIS MAP, AND WE ALSO DEDICATE TO THE PUBLIC THE EASEMENTS FOR TREE PLANTING, DRAINAGE, WATER, SEWER, ACCESS, MAINTENANCE, NON-ACCESS AND LANDSCAPING PURPOSES SO DESIGNATED ON THIS MAP AND ALL EASEMENTS OR THE ENTIRETY UPON BEHALF OF WHICH THE PERSONS ACTED, EXECUTED EL PASO DE ROBLES.

WE HEREBY RESERVE TO OURSELVES, OUR HEIRS, AND ASSIGNS FOR THE USE AND BENEFIT OF THE SEVERAL PUBLIC UTILITY COMPANIES WHICH ARE AUTHORIZED TO WORK IN SAID SUBDIVISION EASEMENTS FOR PUBLIC UTILITY PURPOSES DELINEATED ON SAID MAP AS "PUBLIC UTILITY EASEMENT" OR "P.U.E.". WE ALSO RESERVE TO OURSELVES, OUR HEIRS, AND ASSIGNS CERTAIN PRIVATE DRAINAGE EASEMENTS FOR THE USE AND BENEFIT OF THE PERSONS OR THE ENTIRETY UPON BEHALF OF WHICH THE PERSONS ACTED, EASEMENTS AS DELINEATED ON SAID MAP.

MIKE HARROD & JACKIE HARROD, HUSBAND AND WIFE, AS JOINT TENANTS.

BY: MIKE HARROD \_\_\_\_\_ BY: JACKIE HARROD \_\_\_\_\_

### BENEFICIARY'S STATEMENT

PACIFIC CAPITAL BANK, N.A. A NATIONAL BANKING ASSOCIATION AS BENEFICIARY UNDER DEEDS OF TRUST RECORDED JULY 2, 2004, AS INSTRUMENT NO. 2004-058591 OF OFFICIAL RECORDS.

BY: STEVEN D. MARTIN, SENIOR VICE PRESIDENT \_\_\_\_\_

### ACKNOWLEDGMENT (MIKE HARROD & JACKIE HARROD)

STATE OF CALIFORNIA } S.S.  
COUNTY OF SAN LUIS OBISPO }

ON \_\_\_\_\_ 2004, BEFORE ME, \_\_\_\_\_, A NOTARY PUBLIC FOR THE STATE OF CALIFORNIA, PERSONALLY APPEARED MIKE HARROD & JACKIE HARROD, PERSONALLY KNOWN TO ME (OR PROVED TO ME ON THE BASIS OF SATISFACTORY EVIDENCE) TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE WITHIN INSTRUMENT AND ACKNOWLEDGED TO ME THAT THEY EXECUTED THE SAME IN THEIR AUTHORIZED CAPACITY AND THAT BY THEIR SIGNATURE ON THE INSTRUMENT THE PERSON, OR THE ENTIRETY UPON BEHALF OF WHICH THE PERSON ACTED, EXECUTED THE INSTRUMENT.

NOTARY SIGNATURE \_\_\_\_\_ NAME PRINTED \_\_\_\_\_  
COUNTY OF SAN LUIS OBISPO, CA. \_\_\_\_\_ NOTARY EXPIRES \_\_\_\_\_  
NOTARY COMMISSION NUMBER \_\_\_\_\_

### SIGNATURE OMISSIONS

PURSUANT TO SECTION 66406, SUBSECTION (G-3-A-1) OF THE CALIFORNIA SUBDIVISION MAP ACT, ANY SIGNATURES OF THE PERSONS WHOSE NAMES HAVE BEEN OMITTED, AS THEIR INTEREST CANNOT BE SHOWN IN A FEE TITLE & SAID SIGNATURES ARE NOT REQUIRED BY THE GOVERNING BODY.

ANDREW SOURCE, HOLDER OF AN EASEMENT BY DEED RECORDED OCTOBER 6, 1910, IN BOOK 85 OF DEEDS AT PAGE 524.

### ACKNOWLEDGMENT (PACIFIC CAPITAL BANK, N.A.)

STATE OF CALIFORNIA } S.S.  
COUNTY OF \_\_\_\_\_ }

ON \_\_\_\_\_ 2004, BEFORE ME, \_\_\_\_\_, A NOTARY PUBLIC FOR THE STATE OF CALIFORNIA, PERSONALLY APPEARED STEVEN D. MARTIN, PERSONALLY KNOWN TO ME (OR PROVED TO ME ON THE BASIS OF SATISFACTORY EVIDENCE) TO BE THE PERSONS WHOSE NAMES ARE SUBSCRIBED TO THE WITHIN INSTRUMENT AND ACKNOWLEDGED TO ME THAT THEY EXECUTED THE SAME IN THEIR AUTHORIZED CAPACITY AND THAT BY THEIR SIGNATURES ON THE INSTRUMENT THE PERSONS, OR THE ENTIRETY UPON BEHALF OF WHICH THE PERSONS ACTED, EXECUTED THE INSTRUMENT.

NOTARY SIGNATURE \_\_\_\_\_ NAME PRINTED \_\_\_\_\_  
COUNTY OF \_\_\_\_\_, CA. \_\_\_\_\_ NOTARY EXPIRES \_\_\_\_\_  
NOTARY COMMISSION NUMBER \_\_\_\_\_

### CITY CLERK'S STATEMENT

I, DENNIS FANSLER, CITY CLERK OF THE CITY OF EL PASO DE ROBLES, CALIFORNIA, HEREBY STATE THAT THE CITY CLERK OF SAID CITY OF EL PASO DE ROBLES, CALIFORNIA, AND ACCEPTED ON BEHALF OF THE PUBLIC ALL THE STREETS, OPEN SPACE AND THE EASEMENTS FOR TREE PLANTING, DRAINAGE, WATER, SEWER, ACCESS, MAINTENANCE, NON-ACCESS AND LANDSCAPING PURPOSES TO THE TERMS OF OFFER OF DEDICATION BY THE PARTIES HAVING A RECORD TITLE INTEREST IN SAID LAND.

WITNESS MY HAND AND SEAL THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2004.

DENNIS FANSLER, CITY CLERK

### PLANNING COMMISSION STATEMENT

I HEREBY STATE THAT I HAVE EXAMINED THIS MAP AND THAT I AM SATISFIED THAT THE MAP CONFORMS WITH THE ACTION TAKEN BY THE CITY OF EL PASO DE ROBLES FOR TRACT 2422 ON MAY 14, 2003.

ROBERT A. LATA, COMMUNITY DEVELOPMENT DIRECTOR

DATE \_\_\_\_\_

### ENGINEER'S STATEMENT

THIS MAP WAS PREPARED BY ME OR UNDER MY DIRECTION AND IS BASED UPON A FIELD SURVEY IN CONFORMANCE WITH THE REQUIREMENTS OF THE SUBDIVISION MAP ACT AND LOCAL ORDINANCE AT THE REQUEST OF MIKE HARROD IN JANUARY, 2003. I HEREBY STATE THAT THE MAP SUBSTANTIALLY CONFORMS TO THE CONDITIONALLY APPROVED TENTATIVE MAP. THE MAP IS TECHNICAL IN CHARACTER AND OF THE CHARACTER AND OCCUPY THE POSITIONS INDICATED OR WILL BE SET IN SUCH POSITIONS WITHIN ONE YEAR OF THE APPROVAL OF THIS MAP, AND ARE SUFFICIENT TO ENABLE THE SURVEY TO BE RETRACED.

STEVEN J. SYLVESTER, R.C.E. 29743 \_\_\_\_\_ DATE \_\_\_\_\_  
Exp. 3/31/07



### CITY ENGINEER'S STATEMENT

I HEREBY STATE THAT I HAVE EXAMINED THE MAP ENTITLED TRACT 2422, THAT THE SUBDIVISION MAP AS SHOWN HEREON IS SUBSTANTIALLY THE SAME AS IT APPEARED ON THE TENTATIVE MAP AS SHOWN HEREON AND THAT THE MAP CONFORMS TO ALL THE PROVISIONS OF ALL THE LOCAL ORDINANCES APPLICABLE AT THE TIME OF THE APPROVAL OF THE TENTATIVE MAP HAVE BEEN COMPLIED WITH AND THAT I AM SATISFIED THAT THIS MAP IS TECHNICALLY CORRECT.

DATE: \_\_\_\_\_ JOHN B. FALKENSTEIN  
CITY ENGINEER  
CITY OF PASO ROBLES  
R.C.E. C33780 (EXP. 6/30/06)

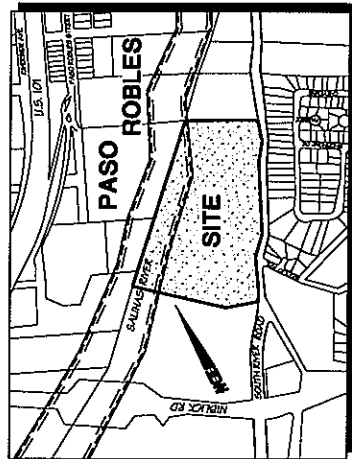
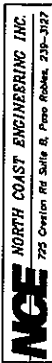
### RECORDER'S STATEMENT

FILED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2004, AT \_\_\_\_\_ M., IN BOOK \_\_\_\_\_ OF MAPS AT PAGES \_\_\_\_\_, AT THE REQUEST OF STEVEN J. SYLVESTER.  
DOCUMENT NO. \_\_\_\_\_ FEE: \_\_\_\_\_

JULIE L. ROOFWALD  
COUNTY RECORDER  
DEPUTY RECORDER

## TRACT 2422

IN THE CITY OF EL PASO DE ROBLES, COUNTY OF SAN LUIS OBISPO, STATE OF CALIFORNIA BEING A SUBDIVISION OF A PORTION OF LOT 4 OF OLIVE PARK TRACT AS PER MAP RECORDED IN BOOK 4 OF MAPS, AT PAGE 32 AND A PORTION OF LOT 33 OF RANCHO SANTA YSABEL AS PER MAP RECORDED IN BOOK 4 OF MAPS, AT PAGE 29, RECORDS OF SAID COUNTY

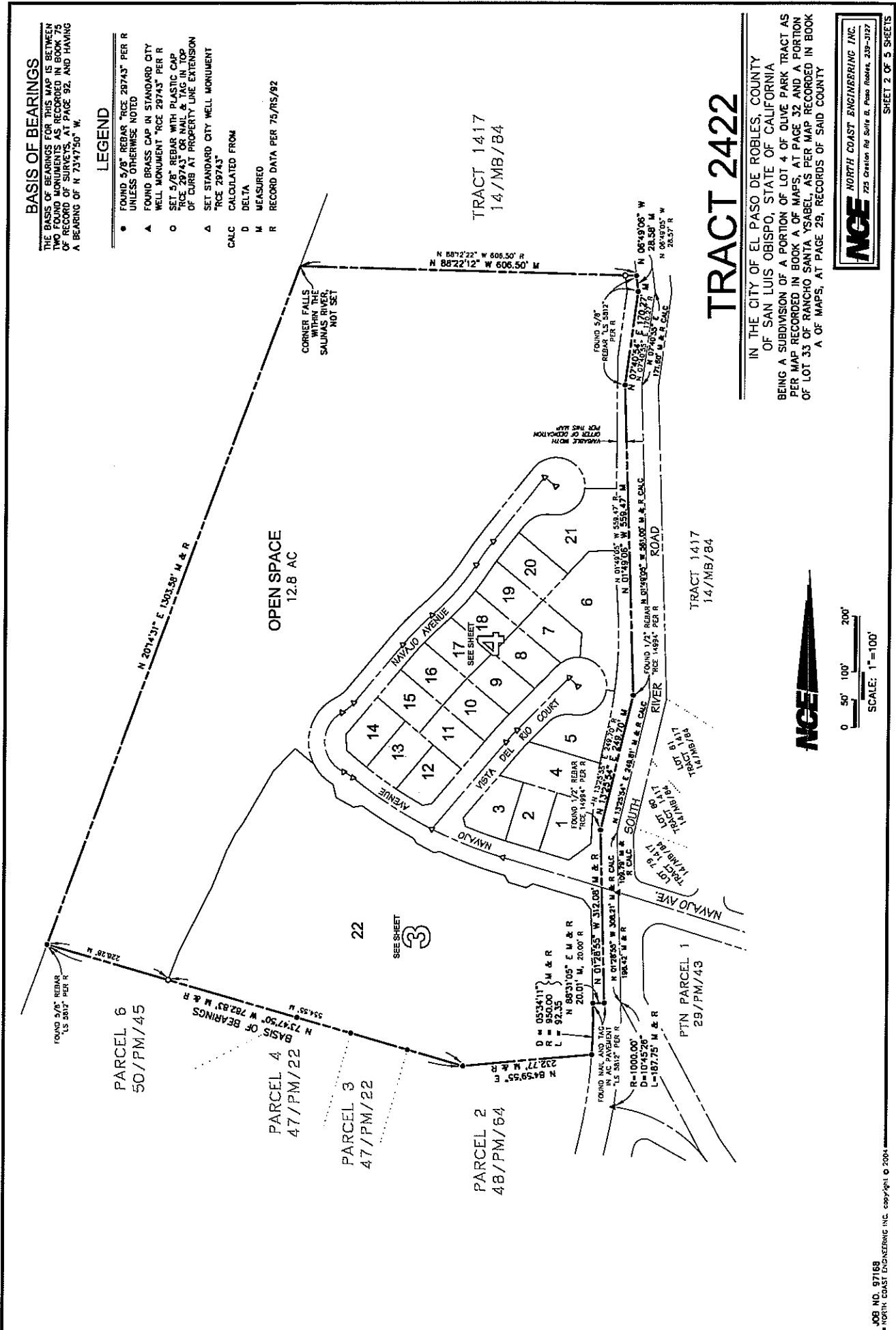


**BASIS OF BEARINGS**

THE BASIS OF BEARINGS FOR THIS MAP IS BETWEEN TWO FOUND MONUMENTS AS RECORDED IN BOOK 32 OF RECORD OF SURVEYS AT PAGE 92, AND HAVING A BEARING OF N 73°47'50" W.

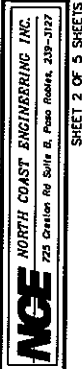
**LEGEND**

- FOUND 5/8" REBAR "RCE 29743" PER R UNLESS OTHERWISE NOTED
- ▲ FOUND BRASS CAP IN STANDARD CITY WELL MONUMENT "RCE 29743" PER R
- SET 5/8" REBAR WITH PLASTIC CAP "RCE 29743" OR NAIL & TAG IN TOP OF CURB AT PROPERTY LINE EXTENSION
- △ SET STANDARD CITY WELL MONUMENT "RCE 29743"
- CALC CALCULATED FROM
- D DELTA
- M MEASURED
- R RECORD DATA PER 75/RS/82



**TRACT 2422**

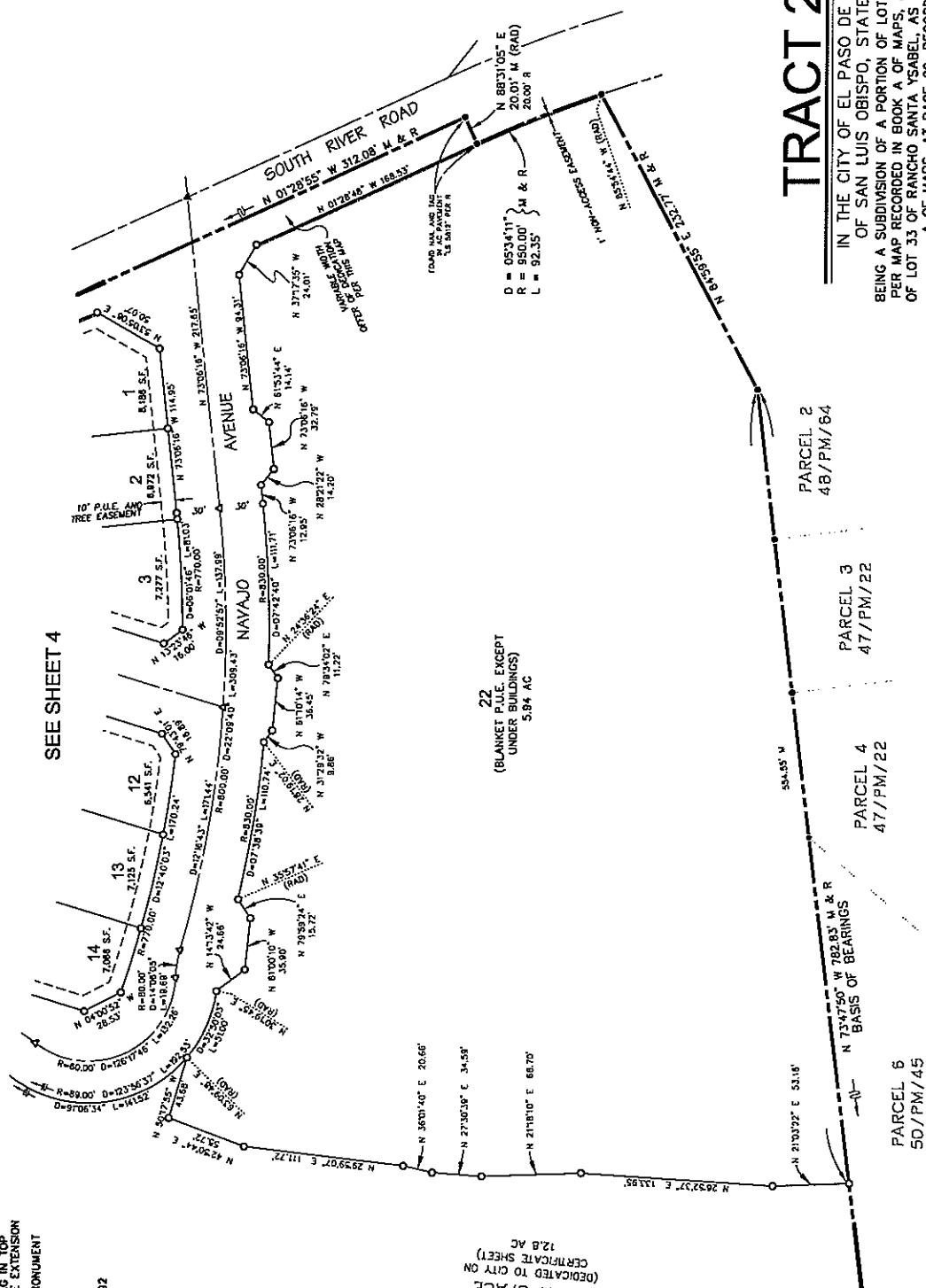
IN THE CITY OF EL PASO DE ROBLES, COUNTY OF SAN LUIS OBISPO, STATE OF CALIFORNIA BEING A SUBDIVISION OF A PORTION OF LOT 4 OF OLIVE PARK TRACT AS PER MAP RECORDED IN BOOK A OF MAPS, AT PAGE 32 AND A PORTION OF LOT 33 OF RANCHO SANTA YSABEL, AS PER MAP RECORDED IN BOOK A OF MAPS, AT PAGE 29, RECORDS OF SAID COUNTY



0 50' 100' 200'  
SCALE: 1"=100'

**LEGEND**

- FOUND 5/8" REBAR "RICE 29743" PER R UNLESS OTHERWISE NOTED
- ▲ FOUND BRASS CAP IN STANDARD CITY WELL MONUMENT "RICE 29743" PER R
- SET 5/8" REBAR WITH PLASTIC CAP "RICE 29743" OR NAIL & TAG IN TOP OF CURB AT PROPERTY LINE EXTENSION
- △ SET STANDARD CITY WELL MONUMENT "RICE 29743"
- D DELTA
- M MEASURED
- R RECORD DATA PER 75/RS/02 (RAD)
- 1' NON-ACCESS EASEMENT

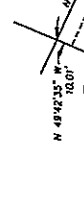
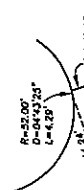
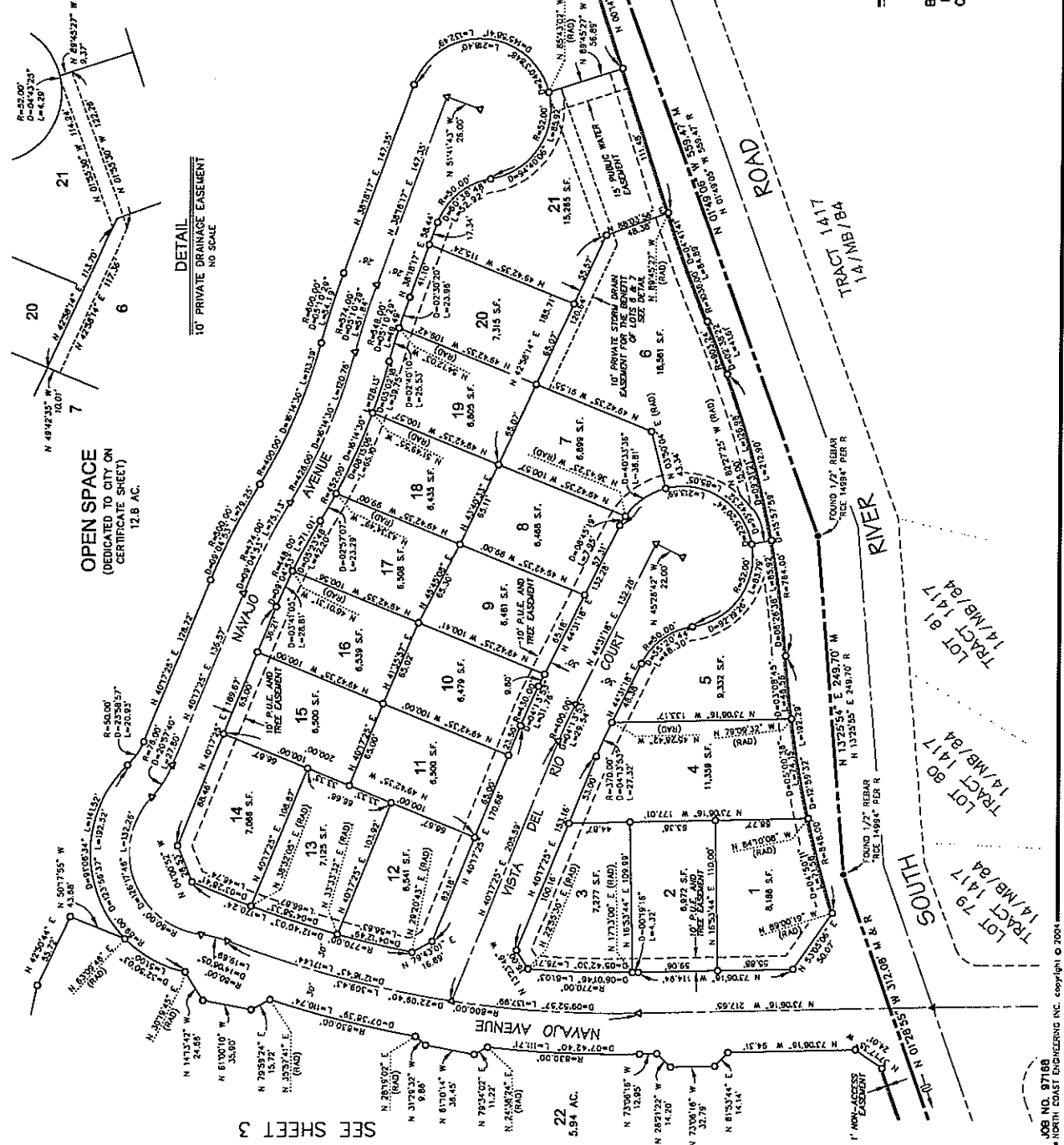
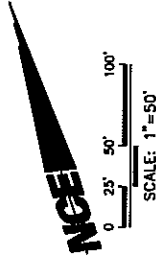


**TRACT 2422**

IN THE CITY OF EL PASO DE ROBLES, COUNTY OF SAN LUIS OBISPO, STATE OF CALIFORNIA BEING A SUBDIVISION OF A PORTION OF LOT 4 OF OLIVE PARK TRACT AS PER MAP RECORDED IN BOOK A OF MAPS, AT PAGE 32 AND A PORTION OF LOT 33 OF RANCHO SANTA YSABEL AS PER MAP RECORDED IN BOOK A OF MAPS, AT PAGE 29, RECORDS OF SAID COUNTY

**NCE** NORTH COAST ENGINEERING INC.  
725 Overton Rd. Suite B, Pismo, Robles, 239-3127

- LEGEND**
- FOUND 5/8" REBAR "RCE 28743" PER R UNLESS OTHERWISE NOTED
  - ▲ FOUND BRASS CAP IN STANDARD CITY WELL MONUMENT "RCE 28743" PER R
  - SET 5/8" REBAR WITH PLASTIC CAP "RCE 28743" OR NAIL & TAG IN TOP OF CURB AT PROPERTY LINE EXTENSION
  - ▲ SET STANDARD CITY WELL MONUMENT "RCE 28743"
  - DELTA
  - MEASURED
  - R RECORD DATA PER 75/RS/92 RADIAL
  - (RAD) 1' NON-ACCESS EASEMENT



# TRACT 2422

IN THE CITY OF EL PASO DE ROBLES, COUNTY OF SAN LUIS OBISPO, STATE OF CALIFORNIA  
 BEING A SUBDIVISION OF A PORTION OF LOT 4 OF OLIVE PARK TRACT AS PER MAP RECORDED IN BOOK A OF MAPS, AT PAGE 32 AND A PORTION OF LOT 33 OF RANCHO SANTA YSABEL, AS PER MAP RECORDED IN BOOK A OF MAPS, AT PAGE 29, RECORDS OF SAID COUNTY

**NCE** NORTH COAST ENGINEERING INC.  
 725 Cavalier Rd Suite B, Paso Robles, 209-3127

