

**TO:** James L. App, City Manager

**FROM:** Robert A. Lata, Community Development Director

**SUBJECT:** Acceptance of Tract 2391, (Hundertmark-Benson) for Recordation, Execution of Subdivision Improvement Agreement, and Annexation into the Landscape and Lighting Maintenance District

**DATE:** September 21, 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 applicants, Mart and Laura Hundertmark and Don Benson, have requested that Tract 2391 be accepted by the City for recordation. Tract 2391 is an 8-lot subdivision of a 2.85-acre site located on the west side of Beechwood Drive south of Meadowlark Lane (see Attachment 1).
  2. All public improvements have been completed with exception of parkway landscaping. The applicants have signed a Subdivision Improvement Agreement guaranteeing the completion of the parkway landscaping within a one-year period. A Performance Bond in the amount of \$36,520 has 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 2391 was originally approved by the Planning Commission on January 9, 2001. 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 any public improvements not completed at the time of recordation of the final map.

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

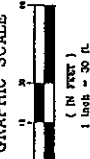
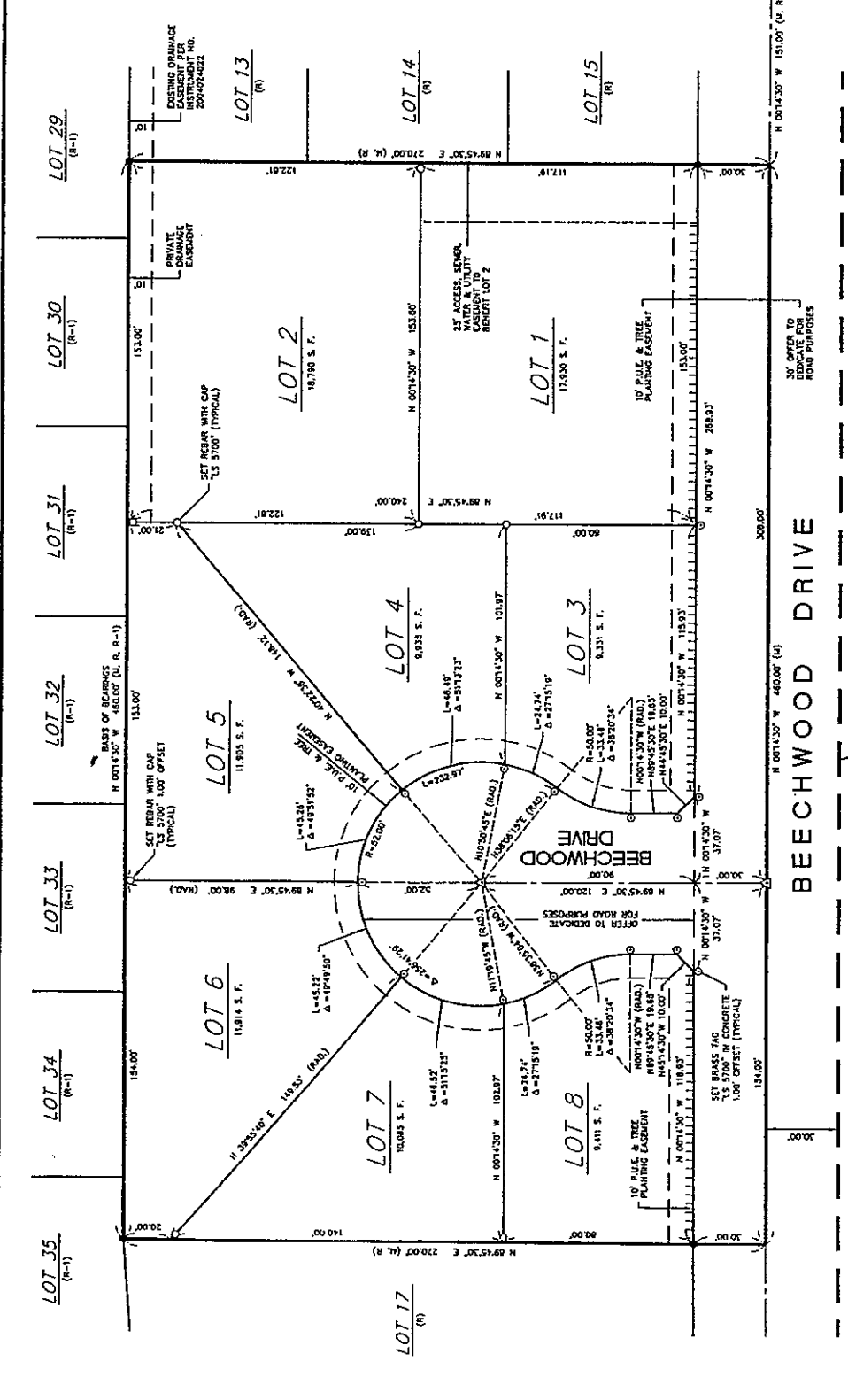
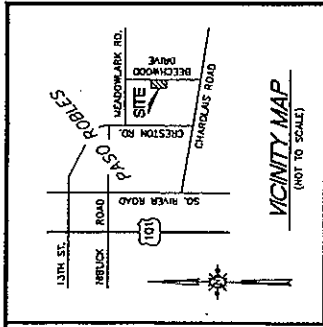
**Fiscal Impact:** None.

**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 2391, an 8-lot subdivision located on the west side of Beechwood Drive south of Meadowlark Lane, and approving the Subdivision Improvement Agreement for Tract 2391 guaranteeing the construction of the subdivision improvements, with an established deadline of September 21, 2005, to complete these improvements, and authorizing the Mayor to execute the Agreement; and
- (2)** Adopt Resolution No. 04-xxx annexing Tract 2391 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



**LEGEND**

- FOUND 5/8" REBAR WITH CAP "SIZE 2974J" PER R
- ▲ FOUND STD. CITY WELL MONUMENT
- SET 5/8" REBAR WITH CAP "S 5700"
- SET BRASS TAG "S 5700" IN CONCRETE AT 1.00 OFFSET AS SHOWN
- △ SET STD. CITY WELL MONUMENT
- ||||| ACCESS RIGHTS RELINQUISHMENT
- M MEASURED
- P.U.E. PUBLIC UTILITY EASEMENT
- CITY LIMIT

**30' OFFER TO DEDICATE FOR ROAD PURPOSES**

**30' OFFER TO DEDICATE FOR ROAD PURPOSES**

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**BASIS OF BEARINGS:**  
 THE BASIS OF BEARINGS FOR THIS TRACT IS THE MERIDIAN BETWEEN THE POINTS OF MONUMENTS (20 MAR. 24), BEING N 01°14'30" W PER R.

**REFERENCE MAPS**  
 R-1 TRACT 2254-1 PER 20 MAR. 22 THRU 25  
 R-1 TRACT 2254-2 PER 20 MAR. 26 THRU 28

**TRACT 2391**  
 BEING A SUBDIVISION OF A PORTION OF LOT 74 OF RANCHO SANTA ISABEL IN THE CITY OF EL PASO DE ROBLES, SAN LUIS OBISPO COUNTY, STATE OF CALIFORNIA PER BOOK A, PAGE 29 OF MAPS; AND AS GIVEN BY DEED PER BOOK 1495, PAGE 299 OF OFFICIAL RECORDS

**SHOULDERS & GUARD SURVEYS**  
 8805 LOS CAJOS ROAD  
 SAN LUIS OBISPO, CA 95061  
 (805) 461-9111 - OFFICE  
 (805) 465-7467 - FAX

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 2391 (HUNDERTMARK-BENSON)

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WHEREAS, the Developer has met all conditions of the tentative map, has posted 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 2391, 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 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 Beechwood Drive, public tree planting 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 21st day of September 2004 by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

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Frank R. Mecham, Mayor

ATTEST:

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Sharilyn M. Ryan, Deputy City Clerk

## EXHIBIT "A"

### PARCEL 1:

That portion of Lot 74 of the Subdivisions of the Rancho Santa Ysabel and Adjacent Lands, in the City of Paso Robles, County of San Luis Obispo, State of California, according to map recorded in Book A, Page 29 of maps, in the office of the County Recorder of said County, included within the following described lines:

Beginning at a point on the center line of the road along the Easterly line of said Lot that is distant along said center line, North 0° 22' West, 1217.11 feet from a point designated as "S.Y. 40" on said map; thence at right angles, South 89° 38' West, 270.00 feet; thence at right angles, North 0° 22' West, 460.00 feet; thence at right angles, North 89° 38' East, 270.00 feet to said center line; thence along said center line, South 0° 22' East, 460.00 feet to the point of beginning.

Excepting therefrom 1/2 of all gas, oil, hydrocarbon substances and other minerals in, upon or underlying said land for a period of 10 years from May 26, 1949 as reserved in the deed from Ruth H. Taylor, recorded September 8, 1949 in Book 534, Page 54 of Official Records.

### PARCEL 2:

A 10 foot easement for using, maintaining, repairing and replacing an above-ground concrete v-ditch Channel to receive, convey and transport natural surface runoff over the Westerly 10 feet of Lot 13, of Tract 2254-1, in the City of Paso Robles, County of San Luis Obispo, State of California, according to map recorded July 16, 2002 in Book 20, Pages 22-25 of Parcel Maps, said easement was granted in a document entitled "Agreement and Grant of Drainage Easement" which recorded 01-23-2004 as Instrument No. 2004-005350 of Official Records.

Assessor's Parcel No: 009-751-054