

TO: James L. App, City Manager

FROM: Ron Whisenand, Community Development Director

SUBJECT: Approval of Final Map of Tract 2775, (Maplewood Estates, LLC) for Recordation, Execution of Subdivision Improvement Agreement, and Annexation No. 05-019 to Community Facilities District No. 2005-1

DATE: June 20, 2006

Needs: That the City Council consider taking a series of steps toward recordation of the Final Tract Map for Tract 2775, a residential subdivision.

Facts:

1. The applicants Charter Pacific Holdings, Inc. have requested that Tract 2775 be authorized by the City for recordation. Tract 2775 is a 17-lot subdivision of a 7.62-acre site located on the west side of Maple Street just south of Pacific 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 the documents needed for annexation of Lots 1 through 17 into the Community Facilities District (CFD).
4. The applicants have signed a petition and voted in favor of annexation into the Landscape and Lighting District.

**Analysis
and**

Conclusion: Tract 2775 was originally approved by the Planning Commission on December 13, 2005. Annexation of Lots 1 through 17 in to the City's Community Facilities District 2005-1 is necessary to mitigate projected adverse fiscal impacts of new residential development.

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

Fiscal

Impact: With annexation to the CFD, none.

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

- a. **(1)** Adopt Resolution No. 06-xx authorizing the recordation of Tract 2775, a 17-lot subdivision located on the west side of Maple Street south of Pacific Avenue, and authorizing the Mayor to execute the Subdivision Improvement Agreement guaranteeing the construction of the subdivision improvements with an established deadline of June 6, 2007 to complete these improvements; and
 - (2)** Adopt Resolution No. 06-xx annexing Lots 1 through 17 of Tract 2775 into Community Facilities District No. 2005-1, and directing the City Clerk to record the Amendment to the Notice of Special Tax Lien; and
 - (3)** Adopt Resolution No. 06-xx annexing Tract 2775 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 CFD
- 4) Resolution L and L

RESOLUTION NO. 06-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PASO ROBLES
ANNEXING LOTS 1 THROUGH 17 OF TRACT 2775 TO THE CITY'S COMMUNITY
FACILITIES DISTRICT NO. 2005-1

WHEREAS, the owner of the real property described in Exhibit 'A' has petitioned to annex Lots 1 through 17 of Tract 2775 into the Paso Robles Community Facilities District No. 2005-1 (Public Services).

NOW, THEREFORE, BE IT RESOLVED 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 Community Facilities District 2005-1 and that the subject properties shall be subject to a tax lien of \$657 per dwelling unit per year, which, in turn, is subject to escalation based on a blend of the San Francisco Urban Consumer Price Index and Los Angeles Urban Consumer Price Index or two percent, whichever is greater.

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 Consent and Election to Annex Real Property to an Existing Community Facilities District Petition for Formation of the District, is Maplewood Estates, LLC.

SECTION 3. That the City Council for the City of Paso Robles does hereby declare that the assessments for Lots 1 through 17 of Tract 2775 shall begin with Fiscal Year 2006-2007.

SECTION 4. That the City Council for the City of Paso Robles does hereby declare that the area annexed shall be designated as Annexation No. 05-019 to the Paso Robles Community Facilities District No. 2005-1.

PASSED AND ADOPTED by the City Council of the City of Paso Robles this 20th day of June, 2006 by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

Frank R. Mecham, Mayor

ATTEST:

Deborah D. Robinson, Deputy City Clerk

OWNERS STATEMENT

WE, THE UNDERSIGNED, HEREBY STATE THAT WE ARE ALL THE OWNERS OF, AND ALL PARTIES HAVING ANY RECORD TITLE INTEREST IN THE REAL PROPERTY DESCRIBED WITHIN THIS SUBDIVISION AND PROJECT SHOWN ON THIS MAP, AND THAT EACH OF US DOES HEREBY CONSENT TO THE PLANNING AND (OR) RECORDATION OF THIS MAP.

WE HEREBY DEDICATE TO THE PUBLIC FOR PUBLIC USE ALL STREETS SHOWN ON THIS MAP AND ALSO DEDICATE TO THE PUBLIC THE EASEMENT FOR WATER LINE PURPOSES SO DESIGNATED ON THIS MAP AND ALL USES INCIDENT THERETO.

WE HEREBY DEDICATE TO THE PUBLIC FOR PUBLIC USE AND THE BENEFIT OF THE SEVERAL PUBLIC UTILITY COMPANIES WHICH ARE AUTHORIZED TO SERVICE THIS SUBDIVISION, EASEMENTS FOR PUBLIC UTILITY PURPOSES, DESIGNATED ON SAID MAP AS PUBLIC UTILITY EASEMENT OR "P.U.E."

WE HEREBY RESERVE TO OURSELVES, OUR HEIRS AND ASSIGNS THOSE CERTAIN PRIVATE DRAINAGE, SLOPE AND UTILITY EASEMENTS FOR THE USE AND BENEFIT OF THE PRESENT OR FUTURE OWNERS OF THE LOTS AFFECTED BY SUCH EASEMENTS AS DESIGNATED ON SAID MAP.

MAPLEWOOD ESTATES, LLC
A CALIFORNIA LIMITED LIABILITY COMPANY

BY: JAMES GUTHRIE, A MANAGING MEMBER

ACKNOWLEDGMENT

STATE OF CALIFORNIA
COUNTY OF SAN LUIS OBISPO

ON THIS _____ DAY OF _____, 2005, BEFORE ME, _____ A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE,
PERSONALLY APPEARED _____

PERSONALLY KNOWING TO ME (OR PROVED TO ME ON THE BASIS OF SATISFACTORY EVIDENCE) TO BE THE PERSON(S) WHOSE NAME(S) IS/ARE SUBSCRIBED TO THE WITHIN INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE/SHE/IT/HEY EXECUTED THE SAME IN HIS/HER/OTHER AUTHORIZED CAPACITY(IES), AND THAT BY HIS/HER/IT/HER SIGNATURE(S) ON THE WITHIN INSTRUMENT, HE/SHE/IT/HEY ENTERED UPON BEHALF OF WHICH THE PERSON(S) ACTED, EXECUTED THE INSTRUMENT.

WITNESS MY HAND AND OFFICIAL SEAL.

SIGNATURE _____ COUNTY OF SAN LUIS OBISPO, CALIFORNIA

NAME PRINTED _____ COMMISSION # _____ COMMISSION EXPIRES _____

SURVEYOR'S STATEMENT

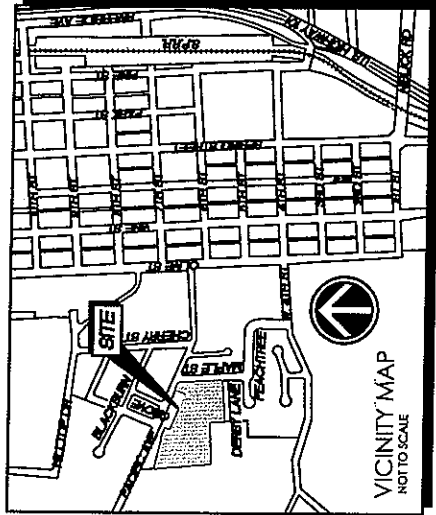
THIS MAP WAS PREPARED BY ME OR UNDER MY DIRECTION AND IS BASED UPON A FIELD SURVEY IN CONFORMANCE WITH THE REQUIREMENTS OF THE SUBDIVISION MAP ACT AND LOCAL ORDINANCE AT THE REQUEST OF CHARTER PACIFIC HOLDINGS CORPORATION, INC. IN DECEMBER 2005. I HEREBY STATE THAT THIS MAP SUBSTANTIALLY CONFORMS TO THE CONDITIONALLY APPROVED TENTATIVE MAP AND COORDINATE ALL THE MONUMENTS SHOWN HEREON ARE OF THE CHARACTER AND LOCATION AS INDICATED, OR WILL BE SET IN SUCH POSITIONS WITHIN ONE YEAR OF THE DATE OF THIS MAP AND ARE SUFFICIENT TO ENABLE THE SURVEY TO BE RETRACED.

BARAK J. MILES, PLS 7835
Exp. 12/31/2006
DATE _____



TRACT 2775

BEING A SUBDIVISION OF THE REMAINDER PARCEL OF PARCEL MAP PR 03-0222, IN THE CITY OF PASO ROBLES, COUNTY OF SAN LUIS OBISPO, STATE OF CALIFORNIA, ACCORDING TO MAP RECORDED JULY 26, 2005 IN BOOK 62, PAGES 71 AND 72 OF PARCEL MAPS



BENEFICIARY'S STATEMENT

MID-STATE BANK & TRUST, AS BENEFICIARY UNDER A DEED OF TRUST RECORDED JUNE 22, 2005 AS INSTRUMENT NO. 2005-092733 OF OFFICIAL RECORDS, SAN LUIS OBISPO COUNTY, CALIFORNIA

BENEFICIARY: MID-STATE BANK & TRUST

BY: _____
PRINT NAME _____
TITLE _____

ACKNOWLEDGMENT

STATE OF CALIFORNIA
COUNTY OF SAN LUIS OBISPO

ON THIS _____ DAY OF _____, 2005, BEFORE ME, _____ A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE,
PERSONALLY APPEARED _____

PERSONALLY KNOWN TO ME (OR PROVED TO ME ON THE BASIS OF SATISFACTORY EVIDENCE) TO BE THE PERSON(S) WHOSE NAME(S) IS/ARE SUBSCRIBED TO THE WITHIN INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE/SHE/IT/HEY EXECUTED THE SAME IN HIS/HER/OTHER AUTHORIZED CAPACITY(IES), AND THAT BY HIS/HER/IT/HER SIGNATURE(S) ON THE WITHIN INSTRUMENT, HE/SHE/IT/HEY ENTERED UPON BEHALF OF WHICH THE PERSON(S) ACTED, EXECUTED THE INSTRUMENT.

WITNESS MY HAND AND OFFICIAL SEAL.

SIGNATURE _____ COUNTY OF SAN LUIS OBISPO, CALIFORNIA

NAME PRINTED _____ COMMISSION # _____ COMMISSION EXPIRES _____



GEO-WEST
Land Consultants, Inc.
Engineering Land Surveying Planning
5255 Traffic Way, Suite 104 • Atascadero, CA 93422
805.461.5560 • fax 805.461.5562
www.gco-west.com

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 PLANNING COMMISSION OF THE CITY OF EL PASO DE ROBLES FOR TRACT 2775 ON DECEMBER 6, 2005.

ROBERT A. LATA
COMMUNITY DEVELOPMENT DIRECTOR
CITY OF PASO ROBLES, CALIFORNIA

CITY CLERK'S STATEMENT

I, DENNIS FANSLER, CITY CLERK OF THE CITY OF EL PASO DE ROBLES, STATE OF CALIFORNIA, HEREBY STATE THAT THE CITY COUNCIL OF SAID CITY, CALIFORNIA, ON THIS _____ DAY OF _____, 2005, APPROVE TRACT 2775 SHOWN HEREON AND THE OFFER OF DEDICATION SHOWN HEREON FOR STREETS AND THE EASEMENT FOR WATER LINE PURPOSES WERE ACCEPTED BY THE TERMS OF OFFER OF DEDICATION BY THE PARTIES HAVING A RECORD TITLE INTEREST IN SAID LAND.

WITNESS BY HAND AND SEAL, THIS _____ DAY OF _____, 2005.

DENNIS FANSLER
CITY CLERK
CITY OF PASO ROBLES, CALIFORNIA

CITY ENGINEER'S STATEMENT

I HEREBY STATE THAT I HAVE EXAMINED THE MAP ENTITLED TRACT 2775, THAT THE SUBDIVISION, AS SHOWN, IS IN SUBSTANTIAL CONFORMANCE WITH THE TENTATIVE MAP, IF REQUIRED, AND ANY APPLICABLE ORDINANCES THEREOF, THAT ALL PROVISIONS OF THE SUBDIVISION MAP ACT OF THE STATE OF CALIFORNIA AND OF ANY LOCAL ORDINANCES APPLICABLE AT THE TIME OF APPROVAL OF THE TENTATIVE MAP, IF REQUIRED, HAVE BEEN COMPLIED WITH AND THAT I AM SATISFIED THAT THE MAP IS TECHNICALLY CORRECT.

JOHN FALKENSTEY, CITY ENGINEER
RCE 33760 EXPIRES 6/30/2006
CITY OF EL PASO DE ROBLES

COUNTY RECORDER'S STATEMENT

FILED THIS _____ DAY OF _____ AT _____ A.M. IN BOOK _____ OF MAPS AT PAGE _____ AT THE REQUEST OF GEO-WEST LAND CONSULTANTS, INC.

DOCUMENT NO. _____
FEE _____

COUNTY RECORDER _____

BY: DEPUTY _____

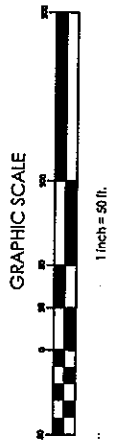
AS REQUESTED BY:
CHARTER PACIFIC HOLDINGS, INC.

DATE: FEBRUARY 2006 JOB: 00846 APN: PIN 00922190



TRACT 2775

BEING A SUBDIVISION OF THE REMAINDER PARCEL OF PARCEL MAP PR 03-0222, IN THE CITY OF PASO ROBLES, COUNTY OF SAN LUIS OBISPO, STATE OF CALIFORNIA, ACCORDING TO MAP RECORDED JULY 26, 2005 IN BOOK 62, PAGES 71 AND 72 OF PARCEL MAPS

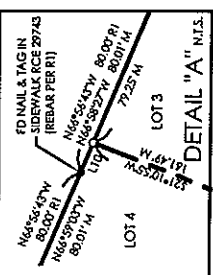
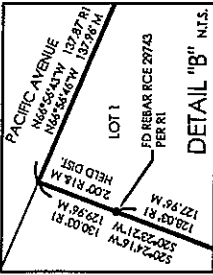
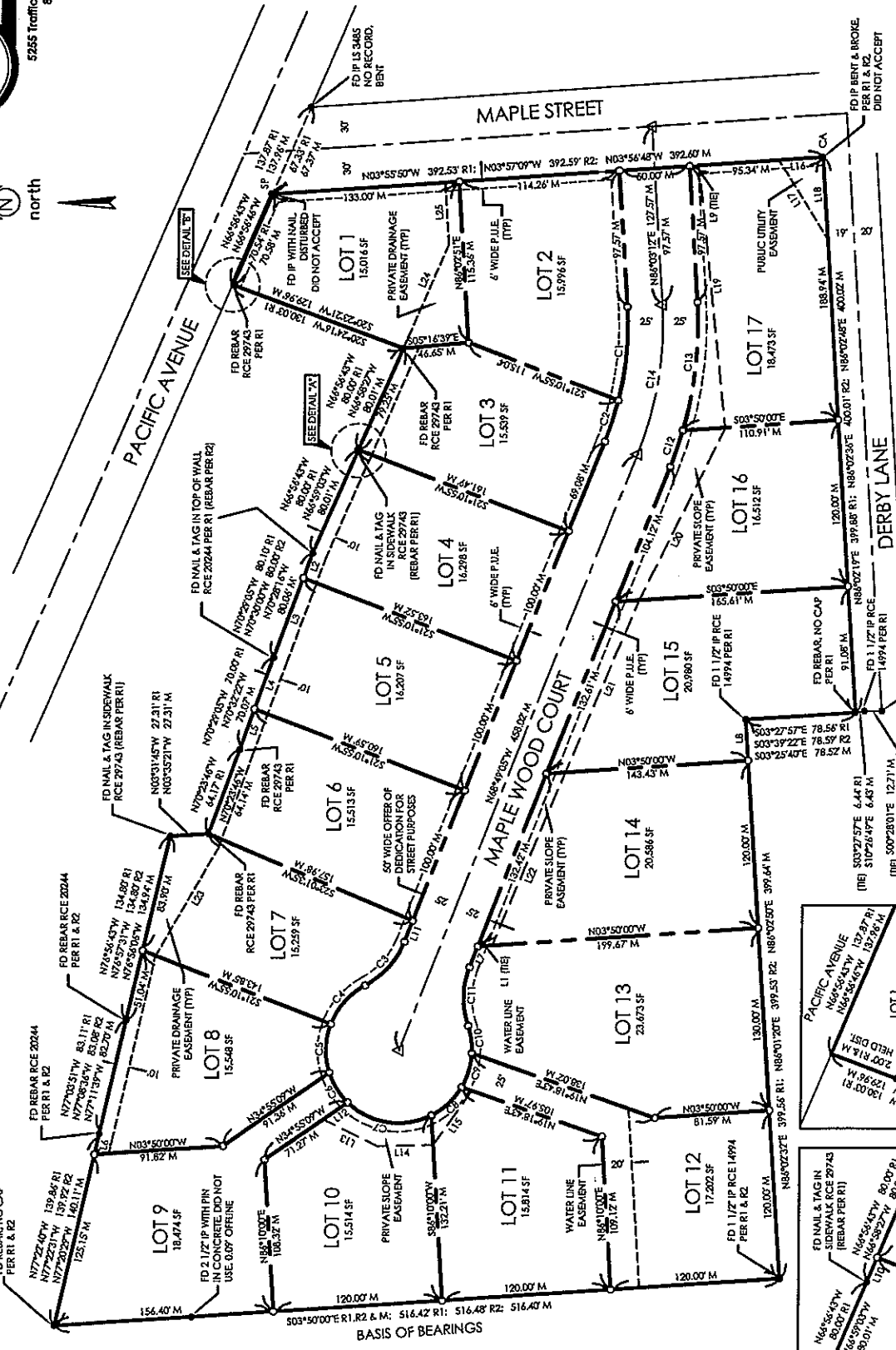


LEGEND

- FOUND MONUMENT AS NOTED
- SET 5/8" REBAR L5 7835, UNLESS OTHERWISE NOTED
- R1 64 PM 72
- R2 34 PM 54
- SP SINGLE PROPORTION
- CA COMPASS ADJUSTMENT
- M MEASURED

CURVE	RADIUS	DELTA	LENGTH
C1	225.00	17°13'48"	67.26'
C2	225.00	07°55'35"	31.02'
C3	60.00	49°37'49"	42.55'
C4	52.00	41°07'28"	37.35'
C5	52.00	38°46'29"	35.22'
C6	52.00	27°51'12"	25.28'
C7	52.00	70°57'41"	64.40'
C8	52.00	32°37'51"	29.42'
C9	52.00	27°51'12"	25.28'
C10	52.00	21°59'40"	19.56'
C11	60.00	40°37'49"	42.55'
C12	275.00	5°43'18"	27.76'
C13	275.00	19°21'25"	92.01'
C14	250.00	25°07'43"	109.44'

LINE	BEARING	LENGTH
L1	S03°52'00"E	10.28'
L2	N07°28'16"W	12.28'
L3	N07°28'16"W	60.78'
L4	N07°32'22"W	37.26'
L5	N07°32'22"W	30.81'
L6	N77°20'29"W	14.76'
L7	N69°49'05"W	15.95'
L8	N68°02'52"E	29.54'
L9	S03°54'48"E	6.62'
L10	N66°59'27"W	0.76'
L11	S68°49'05"E	14.01'
L12	N54°55'07"W	21.02'
L13	N24°09'21"E	42.86'
L14	N01°17'18"W	39.88'
L15	S54°55'20"E	47.12'
L16	N03°56'48"W	31.57'
L17	S57°48'14"W	64.76'
L18	N84°02'48"E	58.67'
L19	S83°39'12"W	107.46'
L20	N64°14'45"W	137.41'
L21	N67°54'15"W	134.00'
L22	N67°54'15"W	133.61'
L23	N64°14'45"W	137.41'
L24	N69°58'27"W	80.77'
L25	N86°02'52"E	44.46'



AS REQUESTED BY:
CHARTER PACIFIC HOLDINGS, INC.

DATE: FEBRUARY 2005 JOB: 034-05 APR: P/N 009-221-002

BASIS OF BEARINGS
THE BASIS OF BEARINGS FOR THIS SURVEY IS NORTH 05°50'00" WEST BEING THE BEARING BETWEEN TWO FOUND MONUMENTS PER R1 & R2.

RESOLUTION NO. 06-

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 2775 (MAPLEWOOD ESTATES, LLC)

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 2775, 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 Maplewood Court, public tree planting, public water line, and public utility easements as shown on the final map.

PASSED AND ADOPTED by the City Council of the City of Paso Robles this 20th day of June 2006 by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

Frank R. Mecham, Mayor

ATTEST:

Deborah D. Robinson, Deputy City Clerk

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. 06-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PASO ROBLES
ANNEXING TR 2775 AS PART OF SUBAREA 110
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 of TR 2775 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 TR 2775 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 Maplewood Estates, LLC.

SECTION 3. That the City Council for the City of Paso Robles does hereby declare that the assessment for TR 2775 shall begin with Fiscal Year 2007-2008.

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 110.

PASSED AND ADOPTED by the City Council of the City of Paso Robles this 20th day of June 2006 by the following vote:

AYES:
NOES:
ABSTAIN:
ABSENT:

Frank R. Mecham, Mayor

ATTEST:

Deborah D. Robinson, Deputy City Clerk

Exhibit A

Legal Description: Real property in the City of Paso Robles, County of San Luis Obispo, State of California, described as follows:

Lots 1 – 17 of Tract map 2775, in the City of Paso Robles, County of San Luis Obispo, State of California, as per map recorded _____ in Book _____, page _____ of Maps, in the office of the County Recorder of said county.