

**TO:** James L. App, City Manager  
**FROM:** Ronald Whisenand, Community Development Director  
**SUBJECT:** Acceptance of Offer of Dedication and Annexation to Landscape and Lighting Maintenance District (Union Road-Golden Hill Road, PD 04-019)  
**DATE:** January 2, 2007

---

**Needs:** That the City Council authorize the acceptance of an Irrevocable and Perpetual Offer of Dedication for public road purposes provided by Diane Norton and annexation of the Norton-Shores commercial project (PD 04-019) into the Landscape and Lighting Maintenance District.

- Facts:**
1. The Planning Commission approved Planned Development PD 04-019 on October 26, 2004.
  2. Conditions of approval of PD 04-019 required the dedication of right of way along Union Road and Golden Hill in order to accommodate future intersection improvements and require annexation of the property into the Landscape and Lighting Maintenance District.
  3. At its meeting of December 20, 2005, the City Council adopted a plan line for the ultimate construction of a roundabout at the intersection of Golden Hill and Union Roads.
  4. The City has received a variable width Irrevocable and Perpetual Offer of Dedication for public road purposes along the southwest corner of Union and Golden Hill Roads provided by Diane Norton and as required by the approved PD 04-019. The Offer of Dedication accommodates the roundabout design included in the Union Road plan line adopted by the City Council.
  5. The property owner of PD 04-019 has signed a petition and has voted in favor of annexation into the Landscape and Lighting Maintenance District.

**Analysis  
and**

**Conclusion:** In order to satisfy the conditions of approval of PD 04-019, a variable width offer of dedication of public right-of-way was provided by property owner, Diane Norton, along the Union Road and Golden Hill Road frontage. The Offer of Dedication provided by Ms. Norton accommodates the eventual construction of a roundabout in accordance with the Union Road plan line subsequently adopted by City Council.

The property owner, Diane Norton, has signed the petition and has voted to annex her property to the Landscape and Lighting Maintenance District.

**Policy**

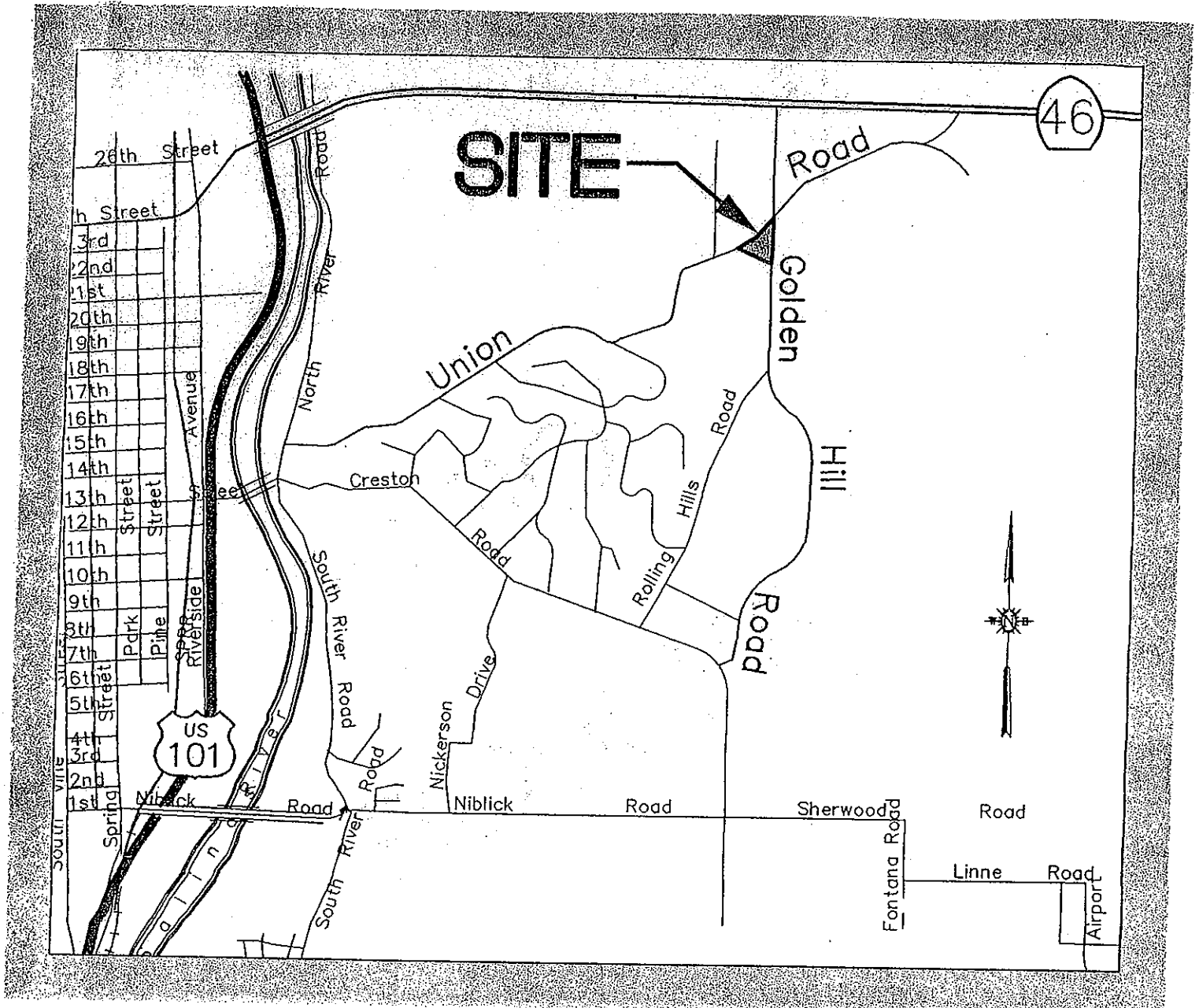
**Reference:** Paso Robles Municipal Code Section 17.04.020D

**Fiscal Impact:** None.

- Options:**
- a.
    - 1) Adopt Resolution No. 07-xxx accepting the variable width Irrevocable and Perpetual Offer of Dedication provided by Diane Norton for road purposes along Union Road and Golden Hill Road.
    - 2) Adopt Resolution No. 07-xxx annexing PD 04-019, property owned by Diane Norton, into the Landscape and Lighting Maintenance District.
  - b. Amend, modify or reject the above option.

Attachments: (4)

1. Vicinity Map
2. Offer of Dedication
3. Resolution Accepting Offer of Dedication
4. Resolution Annexing to Landscape and Lighting Maintenance District



VICINITY MAP

**PD 04-019**

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 - 362 - 015

## IRREVOCABLE & PERPETUAL OFFER TO DEDICATE

**THIS OFFER TO DEDICATE**, made the 13th day of December, 2006, by **Diane Norton**, an unmarried woman, 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:

That portion of Lot 12 of the subdivision of the Rancho Santa Ysabel and adjacent lands, in the City of Paso Robles, County of San Luis Obispo, State of California, described in a deed to Ida Mae Reif filed on February 8, 1980 in the office of the County Recorder of said County and State, in Volume 2220 of Official Record at Page 574.

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 "A", SHEETS 1 AND 2.

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.

Offeror:

By: *Diane Norton* *12/13/06*  
**Diane Norton** **Date**

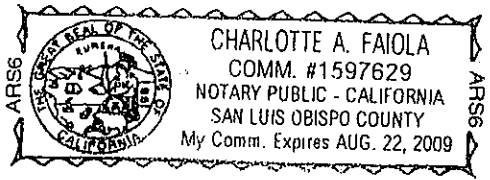
(SIGNATURES MUST BE NOTARIZED)

ACKNOWLEDGMENT

State of California  
 County of San Luis Obispo } ss.

On December 13, 2006, before me, Charlotte A. Faiola, a Notary Public, appeared **Diane Norton** personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is/are subscribed to the within instrument and acknowledged to me that she executed the same in her authorized capacity, and that by her signature on the instrument the person or the entity upon behalf of which the person acted, executed the instrument.

Witness my hand and official seal.  
*Charlotte A. Faiola*  
 Signature of Notary Public





## Wilson Land Surveys, Inc.

7600 Morro Road • Atascadero, CA 93422 •  
Phone: 805-466-2445 • Fax: 805-466-0812  
email: kenw@wilsonlandsurveys.com

### Exhibit A Sheet 1 of 2

That portion of the land in the City of El Paso de Robles, County of San Luis Obispo, State of California described in a deed to Ida Mae Reif filed on February 8, 1980 in the Office of the Recorder of said County and State in Volume 2220 of Official Record at page 574, said portion described as follows:

Beginning at a point on the westerly right of way of Golden Hill Road being the northeast corner of Tract 2373 according to the filed on June 13, 2002 in Book 20 of Maps at page 16 in the Office of the Recorder of said County and State;

thence North  $00^{\circ}10'02''$  West along said westerly right of way of Golden Hill Road a distance of 393.47 feet to the intersection of said westerly right of way with the southeasterly right of way of Union Road;

thence South  $44^{\circ}13'14''$  West along said southeasterly right of way a distance of 21.49 feet to the beginning of a curve concave to the northwest having a radius of 2030.000 feet;

thence southwesterly along said curve through a central angle of  $10^{\circ}16'23''$  along an arc length of 363.98 feet to the most northerly corner of said Tract 2373 to which a radial line bears South  $35^{\circ}30'23''$  East ;

thence South  $64^{\circ}10'16''$  East a distance of 13.66 feet along the northeasterly boundary of said Tract 2373 to the beginning of a non-tangent curve concave to the northwest having a radius of 2042.000 feet to which a radial line bears South  $35^{\circ}41'25''$  East;

thence leaving the northeasterly boundary of said Tract 2373 northeasterly along said curve through a central angle of  $6^{\circ}32'06''$  along an arc length of 232.91 feet to the beginning of a reverse curve concave to the southeast having a radius of 150.000 feet;

thence northeasterly along said curve through a central angle of  $13^{\circ}51'11''$  along an arc length of 36.27 feet to the beginning of a non-tangent compound curve concave to the southwest having a radius of 40.000 feet to which a radial line bears North  $12^{\circ}43'19''$  West;

thence southeasterly along said curve through a central angle of  $93^{\circ}45'14''$  along an arc length of 65.45 feet;

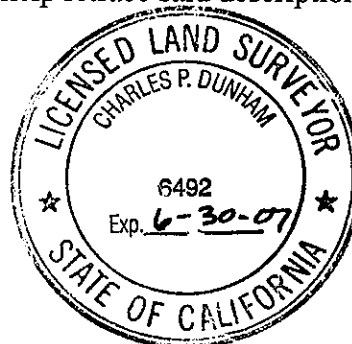
thence South  $00^{\circ}10'08''$  East a distance of 260.14 feet;

thence South  $64^{\circ}10'16''$  East a distance of 22.25 feet to the point of beginning.

The above description and is based on a field survey by Wilson Land Surveys and the attached Exhibit A – Sheet 2 of 2 should be used to help retrace said description.

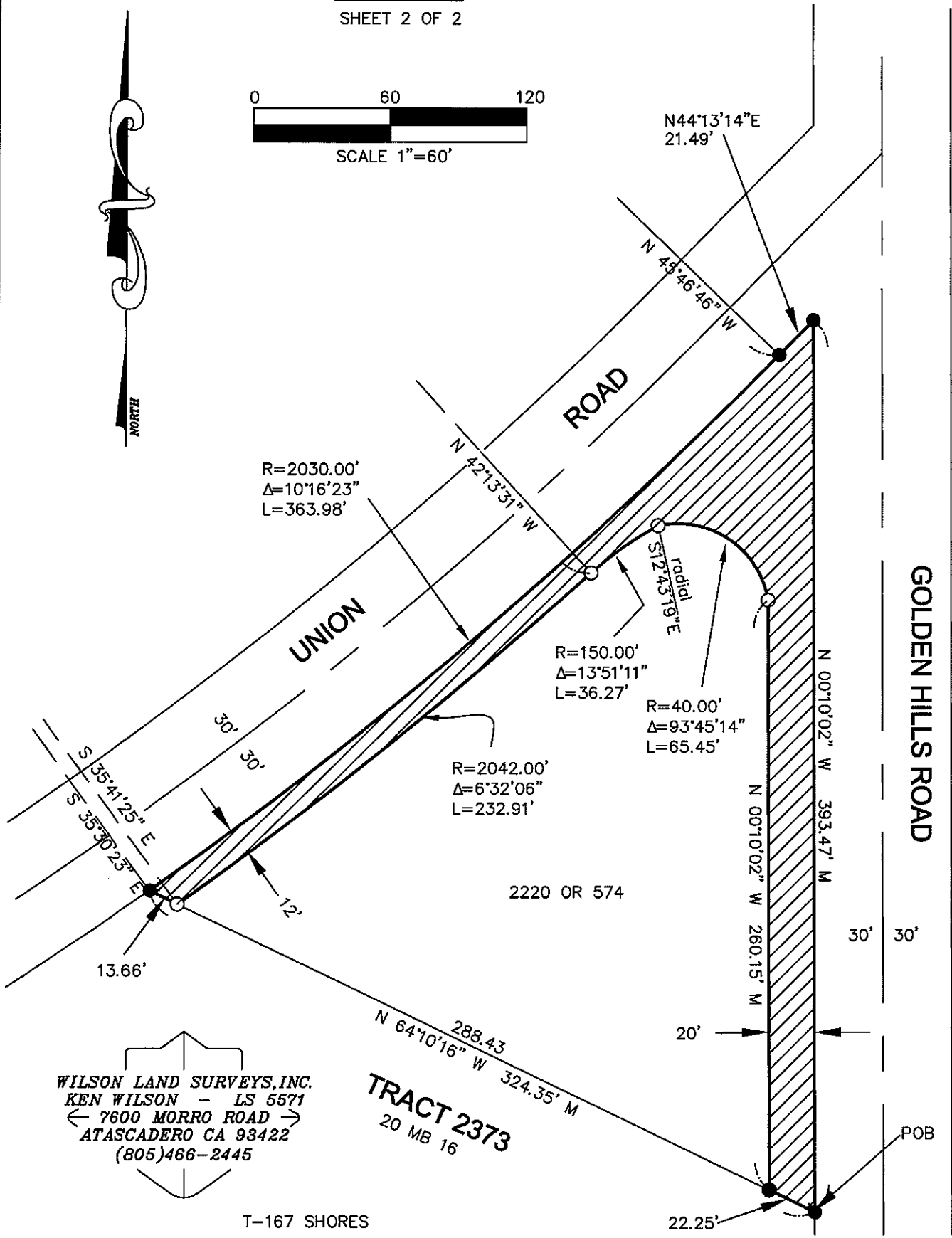
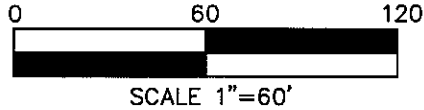
*Charles P. Dunham*

Charles P. Dunham  
Professional Land Surveyor  
LS 6492 Exp 6-30-07



**EXHIBIT A**

SHEET 2 OF 2



WILSON LAND SURVEYS, INC.  
 KEN WILSON - LS 5571  
 7600 MORRO ROAD  
 ATASCADERO CA 93422  
 (805)466-2445

**TRACT 2373**  
 20 MB 16

T-167 SHORES

RESOLUTION NO. 07-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PASO ROBLES  
ACCEPTING AN IRREVOCABLE AND PERPETUAL OFFER OF DEDICATION  
FOR ROAD PURPOSES ON UNION ROAD AND GOLDEN HILL ROAD  
(PD 04-019, NORTON)

---

WHEREAS, the City has received a variable width Irrevocable and Perpetual Offer of Dedication from Diane Norton for public road purposes located along the south side of Union Road and the west side of Golden Hill Road; and

WHEREAS, street improvements have been constructed in accordance with the conditions of approval of PD 04-019 and are ready for inclusion into the City's street system; and

WHEREAS, the Irrevocable and Perpetual Offer of Dedication provided by Diane Norton meets the plan line for Union Road adopted by the City Council at its meeting of December 20, 2005.

THEREFORE, BE IT RESOLVED AS FOLLOWS:

SECTION 1. That the City Council accept the variable width Irrevocable and Perpetual Offer of Dedication for public road purposes provided by Diane Norton located along the south side of Union Road and the west side of Golden Hill Road and authorize its execution and recordation.

ADOPTED by the City Council of the City of El Paso de Robles at a regular meeting of said Council held on the 2<sup>nd</sup> day of January, 2007 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. 07-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PASO ROBLES  
ANNEXING PD 04-019 (SHORES-NORTON) AS PART OF SUBAREA 108  
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 PD 04-019 (Shores-Norton) 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 PD 04-019 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 Diane Norton.

SECTION 3. That the City Council for the City of Paso Robles does hereby declare that the assessment for PD 04-019 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 108.

PASSED AND ADOPTED by the City Council of the City of Paso Robles this 2<sup>nd</sup> day of January, 2007 by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

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

ATTEST:

\_\_\_\_\_  
Deborah D. Robinson, Deputy City Clerk

Exhibit A

That portion of land in the City of Paso Robles, County of San Luis Obispo, State of California, described in a deed to Ida Mae Reif filed on February 8, 1980 in the Office of the Recorder of said County and State in Volume 220 of Official Records at Page 574.

Assessor's Parcel No.: 025-362-015