

TO: James L. App, City Manager
FROM: Ronald Whisenand, Community Development Director
SUBJECT: Acceptance of Offer of Dedication (PD 03-020)
DATE: October 16, 2007

Needs: That the City Council authorize the acceptance of an Irrevocable and Perpetual Offer of Dedication for public road purposes provided by the Terry and Jim Saunders related to the development of the northeast corner of 4th and Spring Streets, PD 03-020.

Facts:

1. The Planning Commission approved PD 03-020 on March 28, 2006. Conditions of approval required the dedication of additional right-of-way along 4th and Spring Streets to accommodate street improvements.
2. The City has received an Irrevocable and Perpetual Offer of Dedication for public road purposes for the widening of 4th and Spring Streets adjacent to PD 03-020 as required by the Planning Commission.

**Analysis
and**

Conclusion: In order to satisfy the conditions of approval of PD 03-020, Terry and Jim Saunders have provided an offer of dedication of public right-of-way. The additional right-of-way accommodates the new curbs and sidewalks recently placed on 4th and Spring Streets.

Traffic signal equipment is on site and will be placed in the next few weeks. The traffic signal will complete the improvement requirements for the first phase of development of the Saunders Master Plan.

The City continues to work with Saunders on a purchase agreement of the old City Hall site. That property transaction will lead to the realignment of 4th and Pine Streets to conform to the plan line for the eventual underpass connection to Riverside Avenue.

Policy

Reference: Paso Robles Municipal Code Section 17.04.020

Fiscal

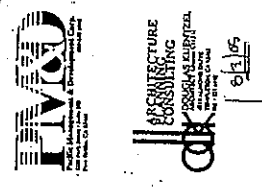
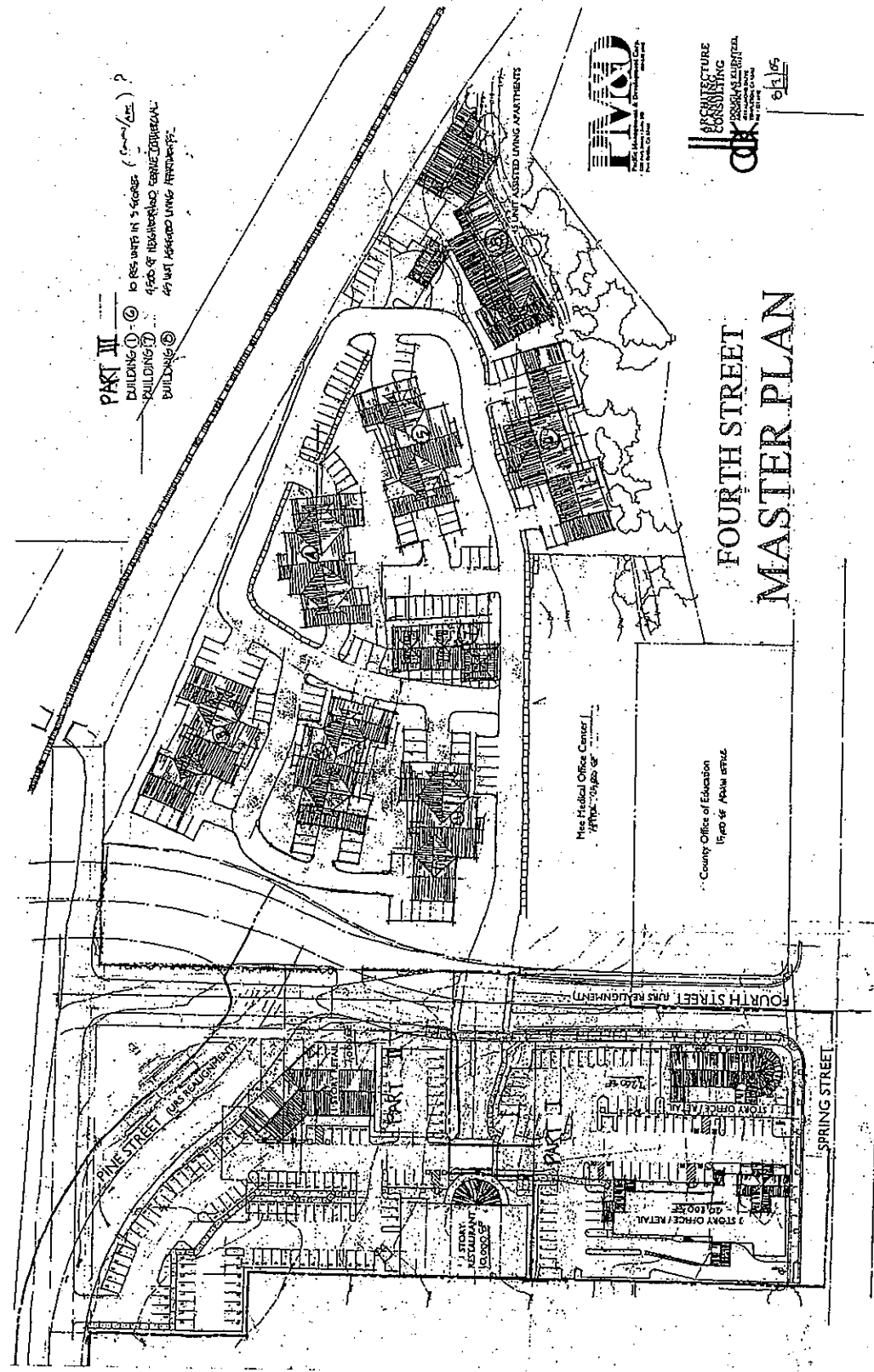
Impact: None.

- Options:**
- a.** Adopt Resolution No. 07-xxx accepting the Irrevocable and Perpetual Offer of Dedication for road purposes along 4th and Spring Streets adjacent to PD 03-020.
 - b.** Amend, modify or reject the above option.

Attachments: (3)

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

Vicinity Map



4th Street Master Plan

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: 009-261-002

IRREVOCABLE & PERPETUAL OFFER TO DEDICATE

THIS OFFER TO DEDICATE, made the 28 day of AUGUST, 2007, by Terry C. Saunders, Trustee of the Terry C. Saunders Family Trust dated February 24, 1995; and, James R Saunders and Debra A. Saunders, Husband and Wife 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:

LOT 7 AND THE SOUTH HALF OF LOT 8 IN BLOCK 117 OF THE CITY OF EL PASO DE ROBLES, IN THE CITY OF PASO ROBLES, COUNTY OF SAN LUIS OBISPO, STATE OF CALIFORNIA, ACCORDING TO THE MAP RECORDED OCTOBER 25, 1889 IN BOOK A, OF MAPS, AT PAGE 169 IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY AND DESCRIBED IN THE DEED RECORDED OCTOBER 30, 2002 AS DOCUMENT NO. 2002-092731 OF OFFICIAL RECORDS OF SAID COUNTY.

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"

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.

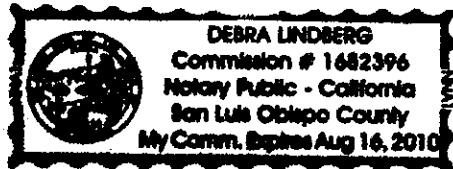
ACKNOWLEDGMENT

State of California)
) SS
County Of San Luis Obispo)

On Aug 28, 2007, before me, Debra Lindberg, Notary Public
a Notary Public, personally appeared Terry C. Saunders, 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~~/they executed the same in his/~~her~~/their authorized capacity, and that by his/~~her~~/their signatures on the instrument, the person(s) or the entity upon behalf of which the person(s) acted, executed the instrument.

Witness my hand and official seal.

Debra Lindberg
Notary Signature



ACKNOWLEDGMENT

State of California)
) SS
County Of San Luis Obispo)

On Aug 28, 2007, before me, Debra Lindberg
a Notary, personally appeared James R. Saunders and Debra A. Saunders, 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~~/they executed the same in his/~~her~~/their authorized capacity, and that by his/~~her~~/their signatures on the instrument, the person(s) or the entity upon behalf of which the person(s) acted, executed the instrument.

Witness my hand and official seal.

Debra Lindberg
Notary Signature

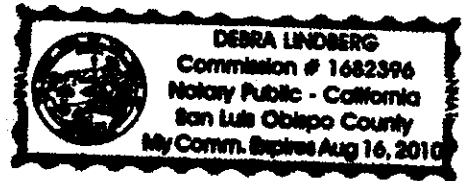


EXHIBIT 'A'

Being Lot 7 and the south half of Lot 8 in Block 117 of the City of El Paso de Robles, in the City of Paso Robles, County of San Luis Obispo, State of California, according to the map recorded October 25, 1889 in Book A, of Maps, at Page 169 in the office of the County Recorder of said County and described in the deed recorded October 30, 2002 as Document No. 2002-092731 of Official Records of said County, and more particularly described as follows:

BEGINNING at the southwest corner of said Lot 7;

Thence North 02°21'59" West, 74.94 feet along the west line of said Lot 7 and south half of Lot 8, said line being the east right-of-way line of Spring Street, to the north line of said Parcel described in Document No. 2002-092731;

Thence North 87°39'13" East, 2.00 feet along said north line;

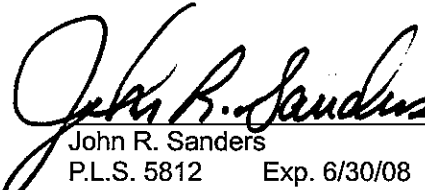
Thence South 02°21'59" East, 50.95 feet, said line being parallel with and 2.00 feet east of said right-of-way line of Spring Street, to the beginning of a curve concave to the northeast, and having a radius of 20.00 feet; thence southeasterly 31.41 feet along said curve through a central angle of 89°58'30";

Thence North 87°39'32" East, 118.04 feet along a line parallel with and 4.00 feet north of the south line of said Lot 7, said south line also being the north right-of-way line of 4th Street, to a point on the east line of said Lot 7;

Thence South 02°21'59" East, 4.00 feet to the southeast corner of said Lot 7;

Thence South 87°39'32" West, 140.03 feet along said north right-of-way line of 4th Street to the **POINT OF BEGINNING** and containing 788 square feet, more or less.

See attached Exhibit B made a part hereof.


John R. Sanders
P.L.S. 5812 Exp. 6/30/08

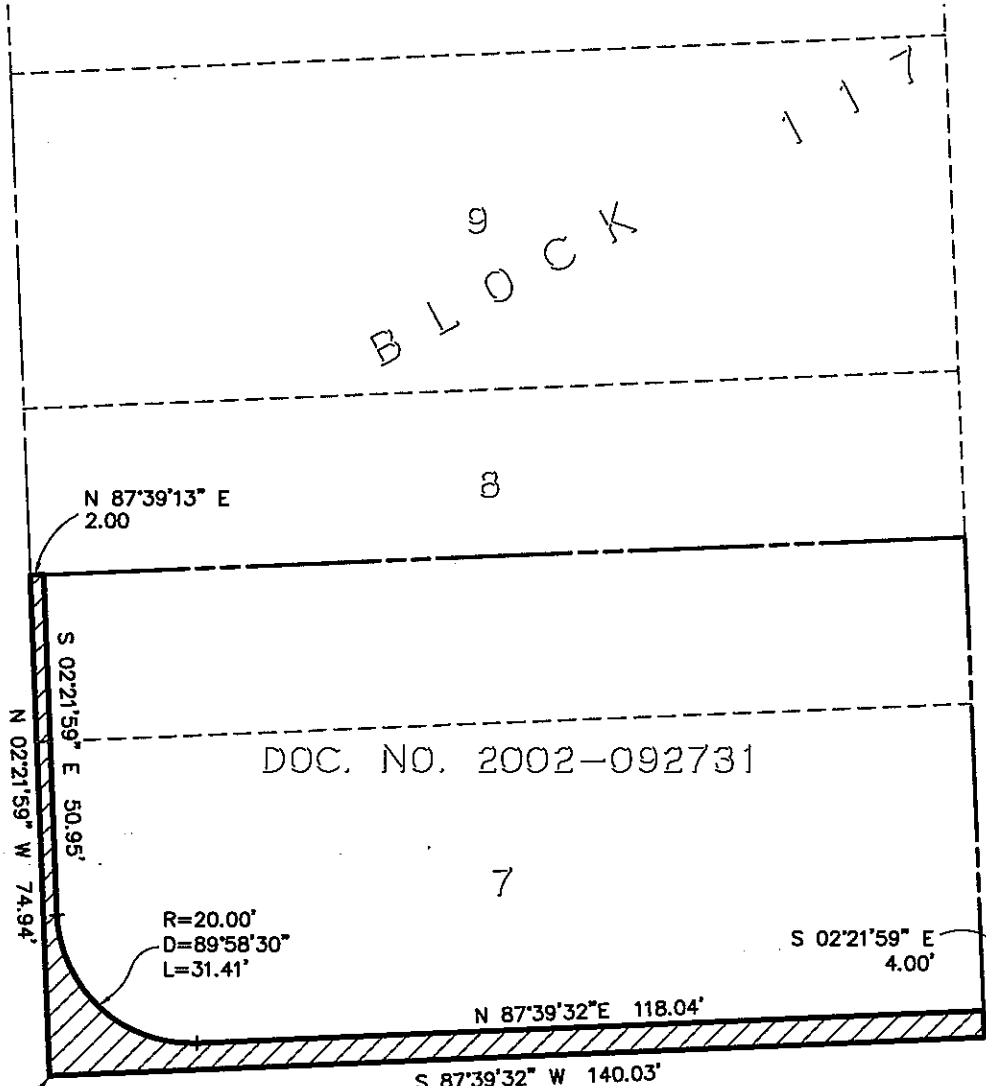
8-6-07
Date



EXHIBIT B

SPRING STREET

BLOCK 9
BLOCK 8
BLOCK 7



NO SCALE

4th STREET

PORTION OF LOT 12, BLOCK 118
A/MB/169

LEGEND

P.O.B. POINT OF BEGINNING

NCE NORTH COAST ENGINEERING INC.
725 Creston Rd Suite B, Paso Robles, 239-3127

JOB NUMBER: 05163A

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 4TH AND SPRING STREETS
(PD 03-020, SAUNDERS)

WHEREAS, the City has received an Irrevocable and Perpetual Offer of Dedication from Terry and James Saunders for public road purposes located along the east side of Spring Street and the north side of 4th Street; and

WHEREAS, street improvements have been constructed in accordance with the conditions of approval of PD 03-020 and are ready for inclusion into the City's street system; and

WHEREAS, the Irrevocable and Perpetual Offer of Dedication provided by Terry and James Saunders meets the conditions of approval for PD 03-020 as set by Resolution 06-023 of the City Planning Commission, adopted on their meeting of March 28, 2006.

THEREFORE, BE IT RESOLVED AS FOLLOWS:

SECTION 1. That the City Council accept the Irrevocable and Perpetual Offer of Dedication for public road purposes provided by Terry and James Saunders located along the east side of Spring Street and the north side of 4th Street 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 16th day of October, 2007 by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

Frank R. Mecham, Mayor

ATTEST:

Deborah D. Robinson, Deputy City Clerk