

TO: James L. App, City Manager
FROM: Ronald Whisenand, Community Development Director
SUBJECT: Acceptance of Utility Easement (Baldwin)
DATE: March 18, 2008

Needs: That the City Council authorize the acceptance of an Easement Grant Deed for public utility purposes related to the development of Tract 2778-2 and a lot line adjustment between Justin Baldwin and Tom Erskine.

Facts:

1. The Planning Commission approved Tract 2778, a two-phased subdivision of commercial property on April 25, 2006. Tract 2778 provides for the extension of Wisteria Lane to the east.
2. On October 4, 2007, the Community Development Director administratively approved a lot line adjustment between Lot 8 of Tract 2778-1 and Phase 2 of Tract 2778.
3. The City has received an Easement Grant Deed from Baldwin for a public utility easement over that portion of his land directly adjacent to the future extension of Wisteria Lane and east of Tract 2778-1.

**Analysis
and**

Conclusion: Justin Baldwin has provided an Easement Grant Deed in order to provide for the continuity of the public utility easement from Tract 2778-1 to Tract 2778-2. The easement provides for the orderly transition of public improvements from Phase 1 of Tract 2778 to Phase 2.

Policy

Reference: Paso Robles Municipal Code Sections 17.04.020D

Fiscal

Impact: None.

Options:

- a. Adopt Resolution No. 08-xxx accepting the Easement Grant Deed from Justin and Deborah Baldwin for a Public Utilities Easement adjacent to Wisteria Lane in Tract 2778-2.
- b. Amend, modify or reject the above option.

Attachments: (2)

1. Vicinity Map
2. Easement Grant Deed for Public Utilities Easement
3. Resolution

Grantor also grants the right to trim tree foliage and to cut limbs and roots on said property as may be necessary for the protection of said facilities.

Grantor shall not erect or construct any building or other structure or drill or operate any well within said easement.

Grantees shall be responsible for damage caused intentionally or by any negligent act or emission of grantees, its agents or employees while exercising the rights granted herein.

JUSTIN C. BALDWIN and DEBORAH K. BALDWIN, Trustees of the Baldwin Family Trust dated September 16, 1997

By: Justin C. Baldwin

Date

By: Deborah K. Baldwin

Date

EXHIBIT "A"
PROPERTY DESCRIPTION
PARCEL 1
PRAL 07-0213

Lot 8 of Tract No. 2778-Phase 1, in the City of El Paso de Robles, County of San Luis Obispo, State of California, according to map recorded June 26, 2007 in Book 30, Pages 67 and 68 of Maps, in the Office of the County Recorder of said County and State, together with that portion of Parcel 5 of Parcel Map No. PRAL 95-065, in said City of El Paso de Robles according to map recorded January 29, 1998 in Book 52, page 78 of Parcel Maps, in said Office of said County Recorder, said portion being more particularly described as follows:

Beginning at the Southeast corner of said Lot 8, thence Northerly along the East line thereof N01°21'43"E 444.68 feet; thence leaving said East line S88°38'17"E 48.50 feet to an intersection with a line parallel to said East line; thence Southerly along said parallel line S01°21'43"W 464.32 feet to an intersection with an Easterly extension of the South line of said Lot 8, said point of intersection having a radial bearing of N24°08'45"E; thence Westerly along the arc of a non-tangent curve to the left having a radius of 2034.00 feet with a central angle of 01° 28'26" and an arc length of 52.33 feet to the Point of Beginning.

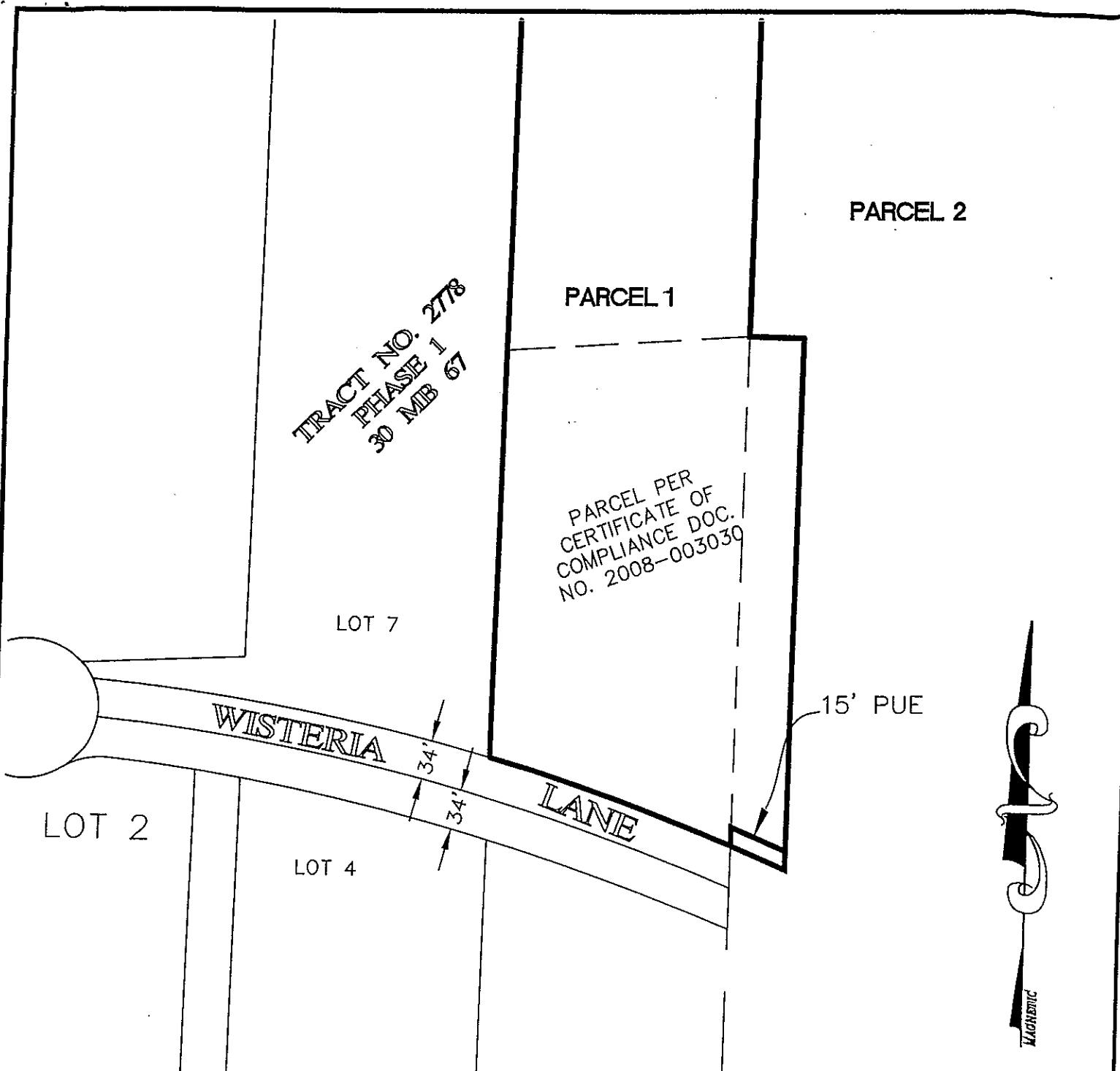
This parcel described in Certificate of Compliance recorded as Document No. 2008-003030 of Official Records, in said Office of said County Recorder.

EXHIBIT "B"
PUE Description

The Southerly 15.00 feet of that portion of Parcel 5 of Parcel Map No. PRAL 95-065, in said City of El Paso de Robles according to map recorded January 29, 1998 in Book 52, page 78 of Parcel Maps, in said Office of said County Recorder, said portion being more particularly described as follows:

Beginning at the Southeast corner of Lot 8 of Tract No. 2778-Phase 1, in the City of El Paso de Robles, County of San Luis Obispo, State of California, according to map recorded June 26, 2007 in Book 30, Pages 67 and 68 of Maps, in the office of said County Recorder, thence Northerly along the East line thereof N01°21'43"E 444.68 feet; thence leaving said East line S88°38'17"E 48.50 feet to an intersection with a line parallel to said East line; thence Southerly along said parallel line S01°21'43"W 464.32 feet to an intersection with an Easterly extension of the South line of said Lot 8, said point of intersection having a radial bearing of N24°08'45"E; thence Westerly along the arc of a non-tangent curve to the left having a radius of 2034.00 feet with a central angle of 01° 28'26" and an arc length of 52.33 feet to the Point of Beginning.

See Exhibit "C" attached.



PRAL 07-0213

PUE (PUBLIC UTILITY EASEMENT)

E X H I B I T " C "

PREPARED FOR: TOM ERSKINE
 PREPARED BY: EMK & ASSOCIATES, INC.
 1005 RAILROAD STREET
 PASO ROBLES, CA 93446
 (805) 238-5427

NOT TO SCALE

JOB NO. 07-476

RESOLUTION NO. 08-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PASO ROBLES
ACCEPTING AN EASEMENT GRANT DEED FOR
A PUBLIC UTILITIES EASEMENT (PRAL 07-0213)

WHEREAS, the City has received a 15-foot wide Easement Grant Deed from Justin and Deborah Baldwin for a public utilities easement located along Wisteria Lane adjacent to Tract 2778-2; and

WHEREAS, the easement will allow for the construction and maintenance of certain public utilities needed to serve Tract 2778-2.

THEREFORE, BE IT RESOLVED AS FOLLOWS:

SECTION 1. That the City Council accept the 15-foot wide Easement Grant Deed for a Public Utilities Easement received from Justin and Deborah Baldwin 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 18th day of March, 2008 by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

Frank R. Mecham, Mayor

ATTEST:

Deborah D. Robinson, Deputy City Clerk