

**TO:** James L. App, City Manager  
**FROM:** Ronald Whisenand, Community Development Director  
**SUBJECT:** Approval of Final Map of Tract 2972, (Nunno) for Recordation  
**DATE:** December 16, 2008

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**Needs:** That the City Council take a series of steps toward recordation of the Final Tract Map for Tract 2972, a commercial-industrial condominium subdivision.

**Facts:**

1. The applicant, Mike Nunno, has requested that Tract 2972 be authorized by the City Council for recordation. Tract 2972 is a 32-unit condominium subdivision of buildings constructed by Nunno under PD 01-030 located at 3500 Dry Creek Road (see Vicinity/Reduction tract map, Attachment 1).
2. All public improvements associated with this project were completed with the development of PD 01-030.
3. In accordance with the conditions of approval of PD 01-030, Nunno has provided an Irrevocable and Perpetual Offer of Dedication of public right-of-way along Dry Creek Road.

**Analysis and**

**Conclusion:** Tract 2972 was approved by the Planning Commission on April 8, 2008. All conditions imposed by the Planning Commission on the subdivision of the property have been satisfied.

**Policy**

**Reference:** General Plan  
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 by taking the following actions:

- a. Adopt Resolution No. 08-xxx authorizing the recordation of Tract 2972, a condominium subdivision of two buildings into 32 units located at 3500 Dry Creek Road.
- b. Adopt Resolution No. 08-xxx accepting the Irrevocable and Perpetual Offer of Dedication for Dry Creek Road.
- c. Amend, modify or reject the above option.

Attachments: (3)

- 1) Vicinity/Reduced size tract map
- 2) Resolution Accepting Final Map
- 3) Resolution Accepting Offer of Dedication

**OWNER'S STATEMENT**

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

BY: NUMAQ, LLC, A CALIFORNIA LIMITED LIABILITY COMPANY  
BY: \_\_\_\_\_  
BY: \_\_\_\_\_  
PRINTED NAME AND TITLE \_\_\_\_\_

**ACKNOWLEDGMENT**

STATE OF CALIFORNIA } S.S.  
COUNTY OF \_\_\_\_\_ }  
ON \_\_\_\_\_, 2008, BEFORE ME \_\_\_\_\_, WHO A NOTARY PUBLIC PERSONALLY APPEARED 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 CAPACITIES, AND THAT BY HIS/HER/THEIR SIGNATURE(S) ON THE INSTRUMENT THE PERSON(S), OR THE ENTITY UPON BEHALF OF WHICH THE PERSON(S) ACTED, EXECUTED THE INSTRUMENT.  
I CERTIFY UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF CALIFORNIA THE FOREGOING PARAGRAPH IS TRUE AND CORRECT.

NOTARY SIGNATURE \_\_\_\_\_ NAME PRINTED \_\_\_\_\_  
COUNTY OF \_\_\_\_\_ CA NOTARY EXPIRES \_\_\_\_\_ NOTARY COMMISSION NUMBER \_\_\_\_\_

**BENEFICIARY'S STATEMENT**

HERITAGE BANK, BENEFICIARY UNDER A DEED OF TRUST RECORDED MAY 16, 2007 AS INSTRUMENT NO. 2007-033209 OF OFFICIAL RECORDS.

BY: \_\_\_\_\_  
BY: \_\_\_\_\_  
PRINTED NAME \_\_\_\_\_ TITLE \_\_\_\_\_

**ACKNOWLEDGMENT**

STATE OF CALIFORNIA } S.S.  
COUNTY OF \_\_\_\_\_ }  
ON \_\_\_\_\_, 2008, BEFORE ME \_\_\_\_\_, WHO A NOTARY PUBLIC PERSONALLY APPEARED 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 CAPACITIES, AND THAT BY HIS/HER/THEIR SIGNATURE(S) ON THE INSTRUMENT THE PERSON(S), OR THE ENTITY UPON BEHALF OF WHICH THE PERSON(S) ACTED, EXECUTED THE INSTRUMENT.  
I CERTIFY UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF CALIFORNIA THE FOREGOING PARAGRAPH IS TRUE AND CORRECT.

NOTARY SIGNATURE \_\_\_\_\_ NAME PRINTED \_\_\_\_\_  
COUNTY OF \_\_\_\_\_ CA NOTARY EXPIRES \_\_\_\_\_ NOTARY COMMISSION NUMBER \_\_\_\_\_

**CITY CLERK'S STATEMENT**

I, DENNIS FANSLER, CITY CLERK OF THE CITY OF EL PASO DE ROBLES, CALIFORNIA, HEREBY STATE THAT THE CITY OF EL PASO DE ROBLES APPROVES THE MAP OF TRACT 2972 SHOWN HEREON WITH THE FILING OF THIS MAP.

WITNESS MY HAND AND SEAL THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2008  
DENNIS FANSLER, CITY CLERK \_\_\_\_\_

**PLANNING COMMISSION STATEMENT**

I HEREBY STATE THAT I HAVE EXAMINED THIS MAP AND THAT I AM SATISFIED THAT THE MAP COMPLIES WITH THE ACTION TAKEN BY THE CITY OF EL PASO DE ROBLES FOR TRACT 2972 ON APRIL 9, 2008.

RONALD WHISNAND, COMMUNITY DEVELOPMENT DIRECTOR \_\_\_\_\_ DATE \_\_\_\_\_

**SURVEYOR'S STATEMENT**

THIS MAP WAS PREPARED BY ME OR UNDER MY DIRECTION AND IS BASED UPON A FIELD SURVEY MADE BY ME OR UNDER MY DIRECTION AND IS SUBJECT TO THE ACT AND LOCAL ORDINANCE AT THE REQUEST OF MICHAEL HUNING IN JANUARY OF 2008. I HEREBY STATE THAT THIS FINAL MAP SUBSTANTIALLY CONFORMS TO THE CONDITIONALLY APPROVED TENTATIVE MAP AND THAT ALL THE MONUMENTS SHOWN HEREON ARE OF THE CHARACTER AND OCCUPY THE POSITIONS INDICATED, OR WILL BE SET IN SUCH POSITIONS WITHIN ONE YEAR OF THE APPROVAL OF THIS MAP AND ARE SUFFICIENT TO ENABLE THE SURVEY TO BE RETRACED.

JOHN R. SANDERS U.S. 5912 DATE \_\_\_\_\_  
Exp. 6/30/08

**CITY ENGINEER'S STATEMENT**

I HEREBY STATE THAT I HAVE EXAMINED THE ANNEKED MAP ENTITLED TRACT 2972, THAT THE SUBDIVISION AS SHOWN HEREON IS SUBSTANTIALLY THE SAME AS IT APPEARED ON THE TENTATIVE MAP, IF REQUIRED, AND ANY APPROVED ALTERATIONS THEREOF AND THAT ALL THE PROVISIONS OF THE SUBDIVISION MAP ACT OF THE STATE OF CALIFORNIA AND OF ANY LOCAL ORDINANCES APPLICABLE AT THE TIME OF THE APPROVAL OF THE TENTATIVE MAP HAVE BEEN COMPLIED WITH AND THAT I AM SATISFIED THAT THIS MAP IS TECHNICALLY CORRECT.

DATE: \_\_\_\_\_  
JOHN R. FALKENSTEIN  
CITY ENGINEER  
CITY OF PASO ROBLES  
R.C.E. 03760 (Exp. 6/30/08)

**RECORDER'S STATEMENT**

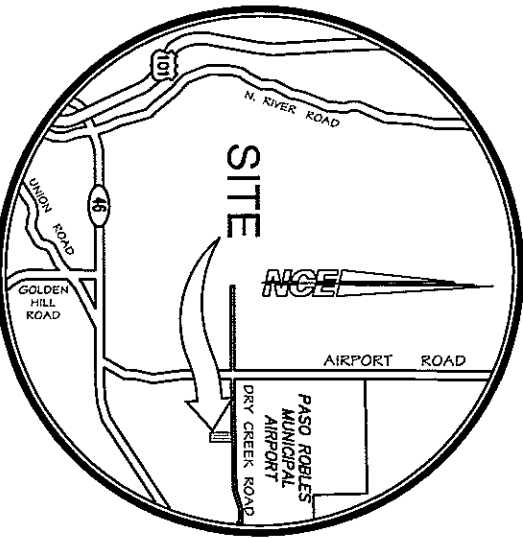
FILED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2008, AT \_\_\_\_\_, IN BOOK \_\_\_\_\_ OF MAPS AT PAGES \_\_\_\_\_, AT THE REQUEST OF JOHN R. SANDERS.  
DOCUMENT NO. \_\_\_\_\_  
FEE: \_\_\_\_\_

**RECORDER'S DISCLAIMER**

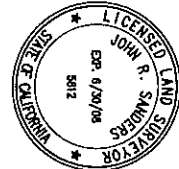
THE TABULATION, LISTING AND NUMBERING OF ANY SEPARATE DOCUMENTS AUTHORIZED TO BE RECORDED CONCURRENTLY WITH THIS MAP HAVE BEEN PROVIDED BY THE SUBDIVIDER OR BY THE LOCAL AGENCY APPROVING THE MAP. THE COUNTY RECORDER MAKES NO REPRESENTATIONS REGARDING THE ACCURACY OF THE TABULATION, LISTING AND NUMBERING OF ANY SEPARATE DOCUMENTS REFERRED TO ON THE MAP.  
NOTE: THE FOLLOWING DOCUMENTS AFFECTING THE PROPERTY DENOTED HEREON ARE BEING RECORDED CONCURRENTLY HEREWITH:  
1.) A DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS PER DOC. NO. \_\_\_\_\_  
2.) CONDOMINIUM PLAN PER DOC. NO. \_\_\_\_\_

TRACT 2972  
FOR CONDOMINIUM PURPOSES

IN THE CITY OF PASO ROBLES, COUNTY OF SAN LUIS OBISPO, STATE OF CALIFORNIA  
BEING A SUBDIVISION FOR CONDOMINIUM PURPOSES OF PARCEL 2 OF THE CERTIFICATE OF OFFICIAL RECORDS IN DOCUMENT NO. 2001-008923 OF OFFICIAL RECORDS IN THE OFFICE OF THE COUNTY RECORDER OF SAO COUNTY.



VICINITY MAP  
NO SCALE



PTN. SW 1/4, SW 1/4 SEC. 13,  
T26S, R12E, M.D.M.

**BASIS OF BEARINGS**  
THE BASIS OF BEARING FOR THIS SURVEY IS BETWEEN THE POINTS OF INTERSECTION OF THE SECTION CORNERS AT THIS SITE, HAVING A BEARING OF N 01°51'25" E PER R.

**BASIS OF BEARINGS**  
N 01°51'25" E 1021.45' M & R

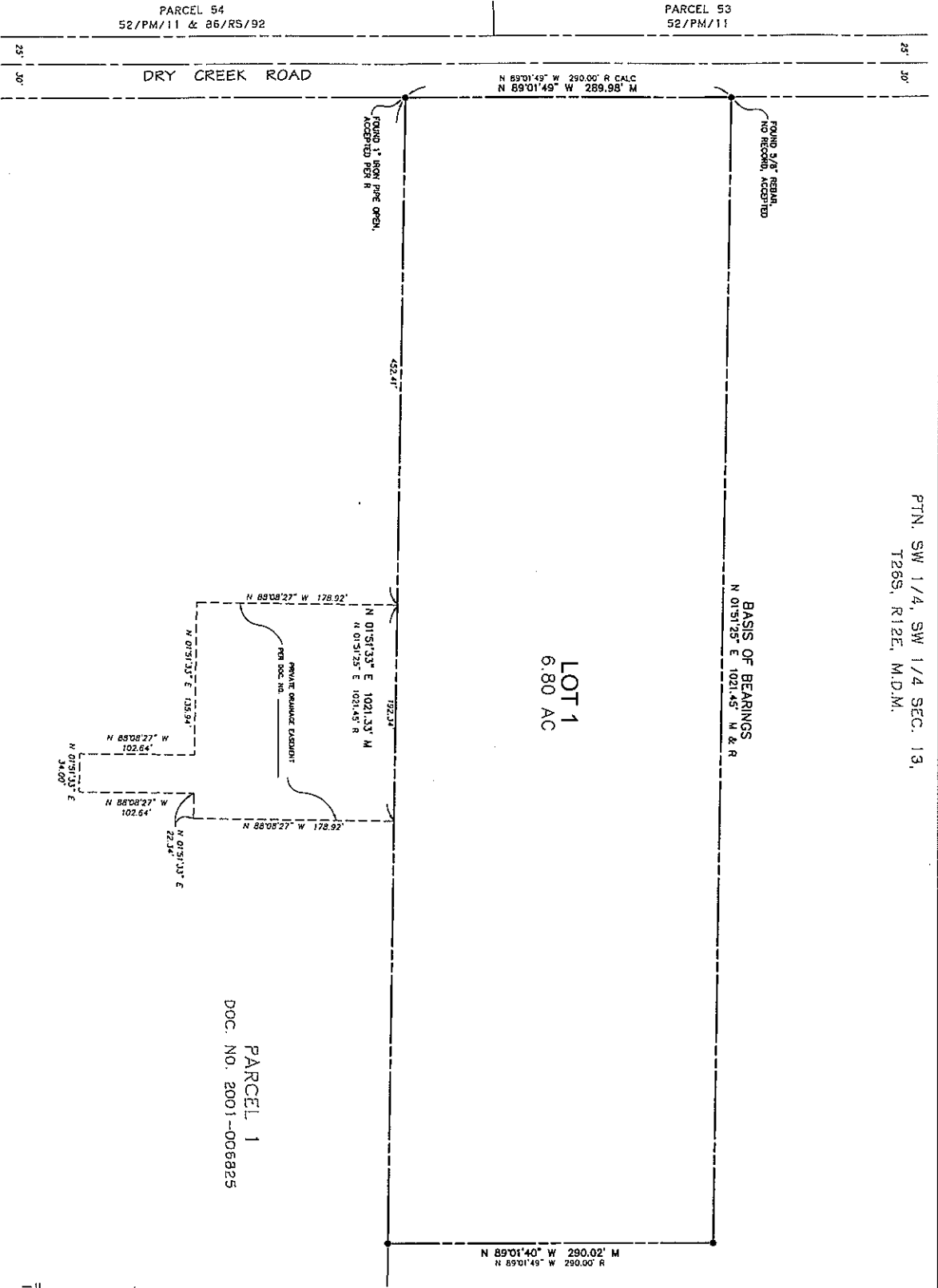
**LEGEND**

- FOUND 1" IRON PIPE WITH CAP 1.5 5751'
- PER R UNLESS OTHERWISE NOTED.
- CALC CALCULATED FROM RECORD DATA
- M MEASURED

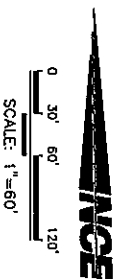
**REFERENCES**

R 76/RS/4 (1997)

N 89°01'49" W 290.00' R  
N 89°01'49" W 289.98' M



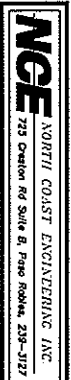
PARCEL 1  
DOC. NO. 2001-006825



TRACT 2972

**FOR CONDOMINIUM PURPOSES**

IN THE CITY OF PASO ROBLES, COUNTY OF SAN LUIS OBISPO, STATE OF CALIFORNIA  
BEING A SUBDIVISION FOR CONDOMINIUM PURPOSES OF PARCEL 2 OF TRACT 2972 OF CONDOMINIUM DESCRIBED IN DOCUMENT NO. 2001-006825 OF OFFICIAL RECORDS IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.



SHEET 2 OF 2

JOB NUMBER: 05121  
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RESOLUTION NO. 08-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PASO ROBLES  
ACCEPTING AND APPROVING THE RECORDATION  
OF THE FINAL MAP FOR TRACT 2972 (NUNNO)

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WHEREAS, at their meeting of April 8, 2008, the Planning Commission approved Tentative Tract 2972, a condominium subdivision of two buildings into 32 commercial-industrial units located at 3500 Dry Creek Road; and

WHEREAS, the Developer has met all conditions of the tentative map; 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 2972, and authorize the execution and recordation of the tract map.

PASSED AND ADOPTED by the City Council of the City of Paso Robles this 16<sup>th</sup> day of December 2008 by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

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Duane Picanco, Mayor

ATTEST:

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Deborah D. Robinson, Deputy City Clerk

RESOLUTION NO. 08-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PASO ROBLES  
ACCEPTING AN IRREVOCABLE AND PERPETUAL OFFER OF DEDICATION  
FOR ROAD PURPOSES ON DRY CREEK ROAD  
(NUNNO)

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WHEREAS, the City has received an Irrevocable and Perpetual Offer of Dedication from Nunno, LLC for public road purposes along the frontage of Planned Development PD 01-030 located at 3500 Dry Creek Road; and

WHEREAS, the Irrevocable and Perpetual Offer of Dedication provided by Nunno, LLC meets the conditions of approval for PD 01-030 as set by Resolution 05-0020 of the City Planning Commission, adopted on their meeting of February 22, 2005.

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 Nunno, LLC located at 3500 Dry Creek 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 16<sup>th</sup> day of December, 2008 by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

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Duane Picanco, Mayor

ATTEST:

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Deborah D. Robinson, Deputy City Clerk