

TO: James L. App, City Manager
FROM: Ed Gallagher, Community Development Director
SUBJECT: Approval of Final Map of Tract 2887-1, (The Cove at River Oaks, LLC) for Recordation, Execution of Subdivision Improvement Agreement, and Annexation No. 05-045 to Community Facilities District No. 2005-1
DATE: June 17, 2014

Needs: That the City Council consider taking a series of steps toward recordation of the Final Tract Map for Tract 2887-1, a residential subdivision.

- Facts:**
1. The applicants The Cove at River Oaks, LLC, have requested that Tract 2887-1 be authorized by the City for recordation. Tract 2887-1 is Phase I of a 51-lot subdivision of a 4.28-acre site. Phase I contains 26 lots. The site is located at the southeast corner of River Oaks Drive and Experimental Station Road (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. A Letter of Credit has 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).

**Analysis
and**

Conclusion: Tract 2887 was originally approved by the Planning Commission on September 11, 2007. Annexation of the building lots into 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. 14-xx authorizing the recordation of Tract 2887-1, a 26-lot subdivision located at the southeast corner of River Oaks Drive and Experimental Station Road, and authorizing the Mayor to execute the Subdivision Improvement Agreement guaranteeing the construction of the subdivision improvements with an established deadline of June 3, 2015 to complete these improvements; and
 - (2)** Adopt Resolution No. 14-xx annexing Lots 1 through 25 and Lot 27 of Tract 2887-1 into Community Facilities District No. 2005-1, and directing the City Clerk to record the Amendment to the Notice of Special Tax Lien; and
- b. Amend, modify or reject the above option.

Attachments: (3)

- 1) Vicinity and Tract Maps
- 2) Resolution Final Map
- 3) Resolution CFD



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 San Marcos, CA 92078
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THESE DRAWINGS ARE INSTRUMENTS OF SERVICE AND ARE THE PROPERTY OF CANON. ALL RIGHTS AND INTERESTS IN THESE INSTRUMENTS ARE RESERVED AND WILL REMAIN WITH CANON UNLESS OTHERWISE SPECIFIED. THESE INSTRUMENTS WILL BE REPRODUCED WITHOUT THE EXPRESSED WRITTEN PERMISSION OF CANON.

SHEET 2 OF 2 SHEETS

LEGEND:

- ① - INDICATES FOUND BRASS CAP IN WELL MONUMENT, 1/2" DIA PER TRACT MAP NO. 1898-2, BOOK 19, PAGE 35 OF MAPS.
- ② - INDICATES FOUND REBAR AND PLASTIC PLUG, 1/2" DIA PER TRACT MAP NO. 1898-2, BOOK 19, PAGE 35 OF MAPS.
- ③ - INDICATES FOUND 5/8" REBAR AND PLASTIC CAP, 1/2" DIA PER TRACT MAP NO. 1898-2, BOOK 19, PAGE 35 OF MAPS.
- ④ - INDICATES FOUND 5/8" REBAR WITH ALUMINUM TOP PLATE PER LOSS OF SURFACE SURVEY, BOOK NO. 2001-02288C, C.R. TO BE ABANDONED BY A SEPARATE DOCUMENT.
- ⑤ - 3.5" STRIP OF SIDE YARD EASEMENT (TYPICAL WHERE SHOWN).
- ⑥ - SET STANDARD CITY OF PASO ROBLES STREET MONUMENT STRAPPED U.S. 5139
- ⑦ - SET 5/8" REBAR W/ PLASTIC CAP STRAPPED U.S. 5139 STRIPES NOTED OTHERWISE.
- - FOUND MONUMENT AS NOTED.
- - TRACT BOUNDARY
- - CENTER LINES
- - EASEMENT LINES
- - EASEMENT PUBLIC ACCESS
- - EASEMENT LINES
- - EASEMENT RIGHT-OF-WAY

REFERENCE:

- R1 - INDICATES RECORD INFORMATION PER RECORD OF SURVEY OF PARCEL 06-0001 AS RECORDED IN BOOK 100, PAGE 99 OF SURVEYS.
- R2 - INDICATES RECORD INFORMATION PER TRACT MAP NO. 1898-2, BOOK 19, PAGE 35 OF MAPS.
- M - MEASURED DATA

NOTE: ALL DISTANCES SHOWN ARE MEASURED UNLESS OTHERWISE NOTED.

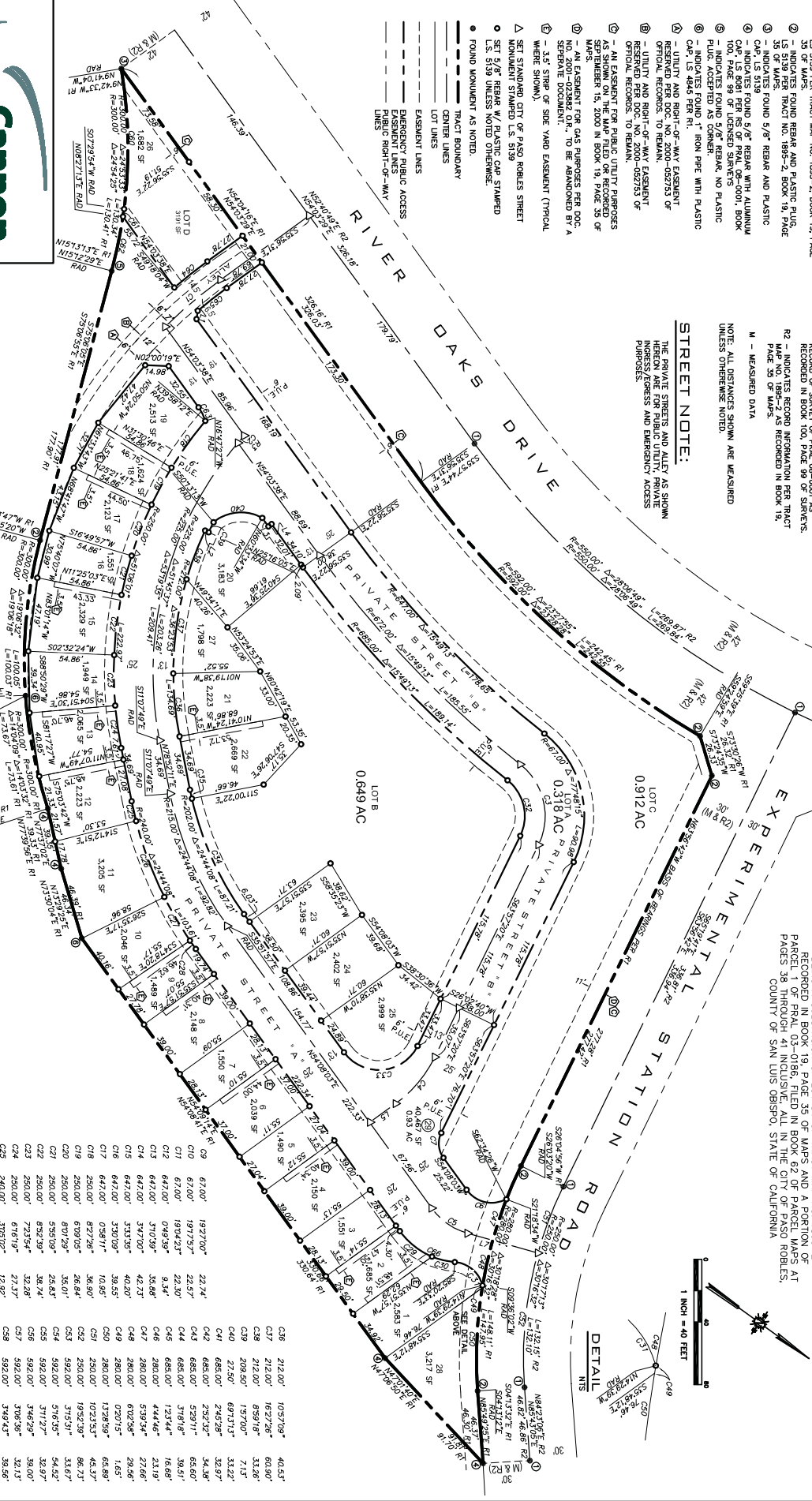
STREET NOTE:

THE PRIVATE STREETS AND ALLEY AS SHOWN HEREON ARE FOR PUBLIC UTILITY, PRIVATE INGRESS/EGRESS AND EMERGENCY ACCESS PURPOSES.

TRACT NO. 2887-1

BEING A SUBDIVISION OF LOT 647 OF MAP NO. 1898-2 RECORDED IN BOOK 19, PAGE 35 OF MAPS AND A PORTION OF PARCEL 1 OF PRAL 03-0186, FILED IN BOOK 62 OF PARCEL MAPS AT COUNTY OF SAN LUIS OBISPO, STATE OF CALIFORNIA.

PER FIRST AMERICAN TITLE INSURANCE COMPANY POLICY NO. 4002-4312942



PARCEL 1
 0.649 AC

PARCEL 2
 0.912 AC

LINE TABLE

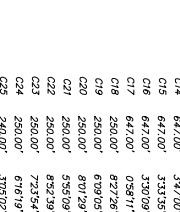
LINE	BEARING	LENGTH
L1	S89°41'41"E	5.93
L2	S54°03'58"W	6.69
L3	S53°56'22"E	2.50
L4	S35°51'57"E	20.49
L5	S72°03'51"E	172.80
L7	N18°35'08"E	46.89

CURVE TABLE

CURVE	RADIUS	DELTA	LENGTH
C1	309.62'	83°53'37"	46.42'
C2	225.00'	133°57'	57.03'
C3	42.00'	77°48'15"	38.22'
C4	80.00'	28°05'23"	28.59'
C5	42.00'	38°12'35"	28.47'
C6	20.00'	81°53'47"	16.75'
C7	15.00'	61°54'37"	23.37'
C8	67.00'	195°59'55"	5.74'

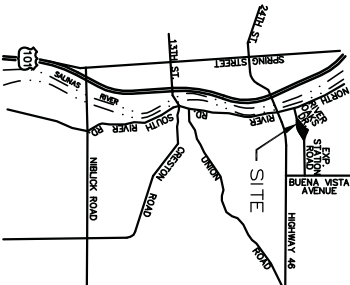
DETAIL

CURVE	RADIUS	DELTA	LENGTH
C36	215.00'	105°37'08"	40.53'
C37	215.00'	182°27'26"	60.90'
C38	215.00'	85°59'18"	7.13'
C39	208.50'	157°57'00"	7.13'
C40	27.50'	69°17'13"	33.22'
C41	685.00'	2°45'28"	32.97'
C42	685.00'	2°52'32"	34.39'
C43	685.00'	52°51'11"	65.60'
C44	685.00'	37°19'18"	16.69'
C45	288.00'	4°44'46"	27.66'
C46	288.00'	5°39'34"	27.66'
C47	288.00'	6°02'58"	29.66'
C48	288.00'	6°20'15"	1.65'
C49	288.00'	102°53'51"	65.89'
C50	288.00'	12°58'59"	46.73'
C51	288.00'	102°53'51"	65.89'
C52	288.00'	195°59'55"	5.74'
C53	288.00'	37°19'18"	16.69'
C54	288.00'	5°39'34"	27.66'
C55	288.00'	4°44'46"	27.66'
C56	288.00'	6°02'58"	29.66'
C57	288.00'	6°20'15"	1.65'
C58	288.00'	102°53'51"	65.89'
C59	288.00'	12°58'59"	46.73'
C60	288.00'	102°53'51"	65.89'
C61	288.00'	195°59'55"	5.74'
C62	288.00'	37°19'18"	16.69'
C63	288.00'	5°39'34"	27.66'
C64	288.00'	4°44'46"	27.66'
C65	288.00'	6°02'58"	29.66'
C66	288.00'	6°20'15"	1.65'
C67	288.00'	102°53'51"	65.89'
C68	288.00'	12°58'59"	46.73'
C69	288.00'	102°53'51"	65.89'
C70	288.00'	195°59'55"	5.74'



TRACT NO. 2887-1

BEGING A SUBDIVISION OF LOT 84 OF TRACT MAP NO. 1895-2 RECORDED IN BOOK 19 PAGE 35 OF MAPS AND A PORTION OF PAGES 38 THROUGH 41 INCLUSIVE ALL IN THE CITY OF PASO ROBLES, COUNTY OF SAN LUIS OBISPO, STATE OF CALIFORNIA



OWNERS STATEMENT

WE, THE UNDERSIGNED, HEREBY STATE THAT WE ARE THE OWNERS OF, AND ALL RECORDS WE OWN, HAVE, CONTROL, POSSESS, MANAGE, OPERATE, MAINTAIN, AND PROJECT AND THAT WE HEREBY CONSENT TO THE FILING AND/OR REPRODUCTION OF THIS MAP.

WE HEREBY RESERVE TO OURSELVES, OUR HEIRS AND ASSIGNS THE EASEMENTS FOR PRIVATE VEHICULAR AND PEDESTRIAN INGRESS/EGRESS, PRIVATE UTILITY, SLOPES, DRAINAGE, AND LANDSCAPE, EXCLUSIVE OF STRUCTURES AND PRIVATE PATIOS AND DECKS.

WE ALSO RESERVE TO OURSELVES, OUR HEIRS AND ASSIGNS CERTAIN SIDE YARD EASEMENT FOR MAINTENANCE, ENGAGEMENT, DRAINAGE AND SEISMIC DEFLECTION PURPOSES FOR THE USE AND BENEFIT OF THE PRESENT OR FUTURE OWNERS OF THE LOTS AFFECTED BY SUCH EASEMENTS AS SHOWN ON THIS MAP.

THE REAL PROPERTY DESCRIBED BELOW ARE DEDICATED AS EASEMENTS FOR PUBLIC PURPOSES:

THOSE EASEMENTS DESIGNATED AS PUBLIC UTILITY EASEMENTS (PUE) ON THIS MAP ARE OFFERED FOR DEDICATION AND HEREBY DEDICATED FOR PUBLIC UTILITY PURPOSES INCLUDING BUT NOT LIMITED TO THE CONDUIT OF WATER, GAS, ELECTRICITY, TELEPHONE, CABLE, EMERGENCY ACCESS AND ALL OTHER PUBLIC UTILITY PURPOSES, TOGETHER WITH ANY AND ALL APPURTENANCES THERETO, INCLUDING THE RIGHT FROM TIME TO TIME TO TRIM AND TO CUT DOWN AND CLEAR AWAY OR OTHERWISE CONTROL ANY TREES OR BRUSH. THE PUE'S HEREBY OFFERED FOR DEDICATION SHALL BE KEPT OPEN AND FREE OF BUILDINGS, STRUCTURES AND WELLS OF ANY KIND.

BY: THE COWE AT RIVER OAKS, LLC, A CALIFORNIA LIMITED LIABILITY COMPANY

BY: _____ DATE _____

BY: _____ DATE _____

NOTARY ACKNOWLEDGEMENTS

STATE OF CALIFORNIA
COUNTY OF SAN LUIS OBISPO } SS
ON _____ BEFORE ME _____

PERSONALLY APPEARED _____ WHO PROVED TO ME ON THE BASIS OF SATISFACTORY EVIDENCE TO THE 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(IES), AND THAT BY HIS/HER/THEIR SIGNATURE(S) ON THE INSTRUMENT THE PERSON(S), OR THE ENTRY 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 THAT THE FOREGOING PARAGRAPH IS TRUE AND CORRECT.

WITNESS MY HAND AND OFFICIAL SEAL.

SIGNATURE _____ COMMISSION NO. _____
PRINTED NAME _____ MY COMMISSION EXPIRES _____



SHEET 1 OF 2 SHEETS

MINORITY MAP

BENEFICIARY

FUNDERS COMMUNITY BANK UNDER DEED OF TRUST RECORDED APRIL 26, 2013 AS INSTRUMENT NO. 2013-024197

BY: _____ DATE _____
PRINTED NAME: _____

NOTARY ACKNOWLEDGEMENTS

STATE OF CALIFORNIA
COUNTY OF SAN LUIS OBISPO } SS
ON _____ BEFORE ME _____

PERSONALLY APPEARED _____ WHO PROVED TO ME ON THE BASIS OF SATISFACTORY EVIDENCE TO THE 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(IES), AND THAT BY HIS/HER/THEIR SIGNATURE(S) ON THE INSTRUMENT THE PERSON(S), OR THE ENTRY 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 THAT THE FOREGOING PARAGRAPH IS TRUE AND CORRECT.

WITNESS MY HAND AND OFFICIAL SEAL.

SIGNATURE _____ COMMISSION NO. _____
PRINTED NAME _____ MY COMMISSION EXPIRES _____

SIGNATURE OMISSIONS

THE SIGNATURES OF THE OWNERS OF THE UNDERLYING EASEMENTS HAVE BEEN OMITTED UNDER THE PROVISIONS OF 66436 SUBSECTION (G-3-A) OF THE SUBDIVISION MAP ACT AS THEIR INTEREST IS SUCH THAT IT CANNOT APPEAR IN THE TITLE AND SAID SIGNATURES ARE NOT REQUIRED BY THE GOVERNING BODY.

AN EASEMENT FOR INGRESS AND EGRESS, UNDERGROUND UTILITY LINES AND MAINTENANCE AND INCIDENTAL PURPOSES, RECORDED SEPTEMBER 15, 2000 AS INSTRUMENT NO. 2000-052753 OF OFFICIAL RECORDS.

SURVEYOR'S STATEMENT

THIS MAP WAS PREPARED BY ME OR UNDER MY DIRECTION AND IS BASED UPON A FIELD SURVEY OF THE SUBDIVISION AND THE INSTRUMENTS OF THE SUBDIVISION MAP ACT AND LOCAL ORDINANCE AT THE REQUEST OF _____ IN _____ HEREBY STATE THAT THIS TRACT MAP SUBSTANTIALLY CONFORMS TO THE APPROVED OR CONDITIONALLY APPROVE TENTATIVE MAP, IF ANY. I ALSO STATE THAT ALL OF 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.

LESTER CARTER, JR., PLS 6148
EXPIRATION DATE MARCH 31, 2016

CITY ENGINEER'S STATEMENT

I HEREBY STATE THAT I HAVE EXAMINED THE SUBDIVISION MAP FOR TRACT NO. 2887-1 THAT THE SUBDIVISION SHOWN IS SUBSTANTIALLY THE SAME AS IT APPEARED ON THE TENTATIVE MAP AND THAT THE SUBDIVISION MAP ACT OF THE STATE OF CALIFORNIA AND OF ANY LOCAL ORDINANCE APPLICABLE AT THE TIME OF APPROVAL OF THE TENTATIVE MAP HAVE BEEN COMPLIED WITH, AND I AM SATISFIED THAT THIS MAP IS TECHNICALLY CORRECT.

DATE _____ JOHN R. FALKENSTEN
CITY ENGINEER
CITY OF PASO ROBLES
R.C.E. 03/30/2014

COMMUNITY DEVELOPMENT DIRECTOR'S STATEMENT

I HEREBY STATE THAT I HAVE EXAMINED THE MAP ENTITLED TRACT NO. 2887-1 THAT THE SUBDIVISION SHOWN IS SUBSTANTIALLY THE SAME AS IT APPEARED ON THE TENTATIVE MAP AND THAT THE SUBDIVISION MAP ACT OF THE STATE OF CALIFORNIA AND OF ANY LOCAL ORDINANCE APPLICABLE AT THE TIME OF APPROVAL OF THE TENTATIVE MAP HAVE BEEN COMPLIED WITH, AND I AM SATISFIED THAT THIS MAP IS TECHNICALLY CORRECT.

ED GALLAGHER, COMMUNITY DEVELOPMENT DIRECTOR _____ DATE _____

CITY CLERK'S STATEMENT

I HEREBY STATE THAT THE CITY CLERK OF THE CITY OF EL PASO DE ROBLES, CALIFORNIA, HAS REVIEWED THE CITY COUNCIL OF SAID CITY DID ON THE _____ DAY OF _____ 2014, APPROVE THE SUBDIVISION MAP NO. 2887-1, THAT THE CITY OF PASO ROBLES, CALIFORNIA, HEREBY IN ACCORDANCE WITH THE PROVISIONS OF THE SUBDIVISION MAP ACT AND AGREE TO ACCEPT ON BEHALF OF THE PUBLIC THE EASEMENTS FOR PUBLIC UTILITIES AND EMERGENCY ACCESS SHOWN ON THE SAID MAP, TO THE TERMS OF OFFER OF DEDICATION BY THE PARTIES HAVING A RECORD TITLE INTEREST IN SAID LAND.

I ALSO DO HEREBY STATE THAT THE CITY COUNCIL DID HEREBY ORDER THE ABANDONMENT OF THOSE PORTIONS OF THE UTILITY, RIGHT-OF-WAY AND SIDEWALK EASEMENTS SHOWN ON THE TENTATIVE MAP, AS LISTED BELOW AND THE SAME IS HEREBY ABANDONED IN ACCORDANCE WITH GOVERNMENT CODE SECTION 66499.20 1/2 WITH THE FILING OF THIS MAP.

- LIST OF EASEMENTS:
- 11' SIDEWALK EASEMENT PER BOOK 19 PAGE 35 OF TRACT MAP NO. 1895-2
 - EASEMENT FOR UTILITY AND RIGHT-OF-WAY PURPOSES RECORDED SEPTEMBER 15, 2000 AS INSTRUMENT NO. 2000-052754 OF OFFICIAL RECORDS

WITNESS MY HAND SEAL THIS _____ DAY OF _____ 2014

DENNIS FANSLER, CITY CLERK _____

RECORDER'S STATEMENT

FILED THIS _____ DAY OF _____ 2014, AT _____ M.
IN BOOK _____ OF TRACT MAPS AT PAGE _____ AT THE _____
REQUEST OF _____ FEE _____
DOC. NO. _____
COUNTY RECORDER _____ BY: _____ DEPUTY _____
PER FIRST AMERICAN TITLE INSURANCE COMPANY POLICY NO. 4002-4312942

RESOLUTION NO. 14-XXX

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 2887-1 (THE COVE AT RIVER OAKS, 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 2887-1, 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 public utility easements as shown on the final map.

PASSED AND ADOPTED by the City Council of the City of Paso Robles this 17th day of June 2014, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST:

Duane Picanco, Mayor

Caryn Jackson, Deputy City Clerk

RESOLUTION NO. 14-xxx

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PASO ROBLES
ANNEXING LOTS 1 THROUGH 25 AND LOT 27 OF TRACT 2887-1 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 25 and Lot 27 of Tract 2887-1 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 \$811.44 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 The Cove at River Oaks, LLC.

SECTION 3. That the City Council for the City of Paso Robles does hereby declare that the assessments for Lots 1 through 25 and Lot 27 of Tract 2887-1 shall begin with Fiscal Year 2014-2015.

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. 05-045 to the Paso Robles Community Facilities District No. 2005-1.

PASSED AND ADOPTED by the City Council of the City of Paso Robles this 17th day of June, 2014 by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

Duane Picanco, Mayor

ATTEST:

Caryn Jackson, Deputy City Clerk