

TO: James L. App, City Manager

FROM: Robert A. Lata, Community Development Director

SUBJECT: Acceptance of Tract 1632-10 (North County Partners II, LLC) for Recordation, Execution of Subdivision Improvement Agreement, and Annexation into the Landscape and Lighting Maintenance District

DATE: June 17, 2003

Needs: That the City Council consider taking a series of three steps toward finalizing development plans for a residential subdivision.

Facts:

1. The applicant, North County Partners II, LLC has requested that Tract 1632-10 be accepted by the City for recordation. Tract 1632-10 is a 70-lot subdivision of a 14.48-acre site, located west of Airport Road. It is the last remaining property to be subdivided in the Meadowlark Farms area (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. Payment and Performance Bonds have been submitted and placed on file in the office of the City Engineer.
3. The applicants have signed a petition and voted in favor of annexation into the Landscape and Lighting District.
4. An off-site easement for a city storm drain is required and has been provided in the form of a signed and notarized Offer of Dedication from Hudson and Dutro.
5. An off-site easement for a sanitary sewer is required and has been provided in the form of a signed and notarized Offer of Dedication from Copely and Espig.
6. The off-site easement, dedicated for sanitary sewer by Copley and Espig, is deeded over land on which the City accepted an offer of dedication for a drainage easement with Tract 812. A separate off-site storm drain easement has been provided (see Hudson and Dutro above) therefore, the City is requested to quitclaim their drainage easement over the same portions of the Copley and Espig properties.

**Analysis
and**

Conclusion: Tract 1632-10 was originally approved by the Planning Commission on January 3, 1989. 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: California Government Code Section 66462 (“Subdivision Map Act”)
Paso Robles Municipal Code Section 22.16.160

Fiscal

Impact: None.

Options:

a. That the City Council accept the subject map and agreement by taking the following actions:

- (1)** Adopt Resolution No. 03-xxx accepting the recordation of Tract 1632-10, a 70-lot subdivision located west of Airport Road, and
- (2)** Approving the Subdivision Improvement Agreement for Tract 1632-10, authorizing deferred construction of the subdivision improvements, with an established deadline of June 17, 2004 to complete these improvements, and authorizing the Mayor to execute the Agreement; and
- (3)** Accept Offer of Dedication for 10-foot Storm Drain Easement from Hudson and Dutro; and
- (4)** Accept Offer of Dedication for 10-foot Sanitary Sewer Easement from Copley and Espig; and
- (5)** Grant a Quitclaim Deed of an existing 10-foot Storm Drain Easement back to Copley and Espig; and

(6) Adopt Resolution No. 03-xx annexing Tract 1632-10 into the Landscape and Lighting District.

b. Amend, modify or reject the above option.

Attachments: (6)

- 1) Vicinity Map
- 2) Resolution Final Map
- 3) Hudson and Dutro Offer of Dedication
- 4) Copley and Espig Offer of Dedication
- 5) Copley and Espig Quitclaim Deed
- 6) Resolution L & L

RESOLUTION NO. 03-

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 1632-10 (NORTH COUNTY PARTNERS II, LLC)

WHEREAS, the Developer has met all conditions of the tentative map and has posted payment and performance securities to guarantee the installation of public improvements. A certificate of insurance has been submitted and all final map fees have been paid; 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 1632-10 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 Sycamore Canyon Road, Hondo Court, Latigo Court, Larable Court and public utility easements as shown on the final map.

SECTION 4. That the City Council of the City of Paso Robles accept the offer of dedication of a 10-foot storm drain easement from Hudson and Dutro.

SECTION 5. That the City Council of the City of Paso Robles accept the offer of dedication of a 10-foot sanitary sewer easement from Copley and Espig.

SECTION 6. That the City Council of the City of Paso Robles grant a quitclaim deed of a 10-foot drainage easement, established with Tract 812, to Copley and Espig.

PASSED AND ADOPTED by the City Council of the City of Paso Robles this 17th day of June 2003 by the following vote:

AYES:
NOES:
ABSTAIN:
ABSENT:

Frank R. Mecham, Mayor

ATTEST:

Sharilyn M. Ryan, Deputy City Clerk



VICINITY MAP

NCE

NO SCALE

TRACT 1632-10

Recording Requested By And
When Recorded, Return To
City of Paso Robles
City Clerk
1000 Spring Street
Paso Robles, CA 93446

DOCUMENT TRANSFER \$ -0-

- () Computed on the consideration or value of property conveyed; OR
() Computed on the consideration or value less liens or encumbrances remaining at time of sale.

Signature of Declarant or Agent determining tax - Firm Name -

APN 009-724-040 and 009-724-041

EASEMENT GRANT DEED

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged,

Richard D. Hudson and Lee R. Hudson as to Lot 6 and Burton L. Dutro and Maxine L. Dutro, Co-Trustees of the Dutro Family Living Trust, Dated November 13, 1990, as to Lot 7 hereby GRANT(S) to the City of El Paso de Robles, A Municipal Corporation

AN EASEMENT TO DISCHARGE DRAINAGE AND TO INSTALL, MAINTAIN, REPAIR, REPLACE AND REMOVE DRAINAGE STRUCTURES AND APPURTENANCES, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THAT PORTION OF LOTS 6 AND 7 OF TRACT 812, IN THE CITY OF PASO ROBLES, COUNTY OF SAN LUIS OBISPO, STATE OF CALIFORNIA, PER MAP RECORDED MARCH 14, 1980, IN BOOK 10 OF MAPS AT PAGE 32, IN THE COUNTY RECORDERS OFFICE OF SAID COUNTY, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THE EASTERLY FIVE (5) FEET OF SAID LOT 6 AND THE WESTERLY FIVE (5) FEET OF SAID LOT 7

SEE EXHIBIT A ATTACHED HERETO AND MADE A PART HEREOF.

Richard D. Hudson Lee R. Hudson
Richard D. Hudson Lee R. Hudson

The Dutro Family Living Trust, Dated November 13, 1990

Burton L. Dutro Maxine L. Dutro
Burton L. Dutro Maxine L. Dutro

ACKNOWLEDGMENT

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

On 11/11/2002, 2002, before me, Ann M. Keleher,
a notary public for the State of California, personally appeared Richard D. Hudson and Lee R. Hudson, personally
known to me (or proved to me on the basis of satisfactory evidence) to be the persons whose names are subscribed
to the within instrument and acknowledged to me that they executed the same in their authorized capacities, and
that by their signatures on the instrument, the persons or the entities upon behalf of which the persons acted,
executed the instrument.

Witness my hand and official seal.

Ann M. Keleher
Notary Public



ACKNOWLEDGMENT

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

On 11/11/2002, 2002, before me, Ann M. Keleher,
a notary public for the State of California, personally appeared Burton L. Dutro and Maxine L. Dutro, personally
known to me (or proved to me on the basis of satisfactory evidence) to be the persons whose names are subscribed
to the within instrument and acknowledged to me that they executed the same in their authorized capacities, and
that by their signatures on the instrument, the persons or the entities upon behalf of which the persons acted,
executed the instrument.

Witness my hand and official seal.

Ann M. Keleher
Notary Public





QUEENANNE ROAD

LOT 5

LOT 6

LOT 7

LOT 8

LOT 8

5'

5'

10' STORM DRAIN
EASEMENT

EXHIBIT A

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

Recording Requested By And
When Recorded, Return To:
City of Paso Robles
City Clerk
1000 Spring Street
Paso Robles, CA 93446

DOCUMENT TRANSFER \$ -0-

- () Computed on the consideration or value of property conveyed; OR
() Computed on the consideration or value less liens or encumbrances remaining at time of sale.

Signature of Declarant or Agent determining tax - Firm Name -

APN 009-724-038 and 009-724-039

EASEMENT GRANT DEED

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged,

Howard S. Copley and Marie A. Copley as to Lot 4 and Scott Espig and Sandra Espig as to Lot 5 hereby GRANT(S) to The City of El Paso de Robles, a Municipal Corporation


An easement for sewer pipelines, appurtenances, ingress, egress, maintenance and repair of said pipelines and appurtenances for the benefit of the City of Paso Robles over and across said property, more particularly described in Exhibits A & B attached hereto and made a part hereof.

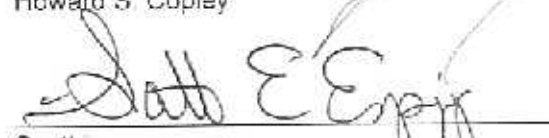
THAT PORTION OF LOTS 4 AND 5 OF TRACT 812, IN THE CITY OF PASO ROBLES, COUNTY OF SAN LUIS OBISPO, STATE OF CALIFORNIA, PER MAP RECORDED MARCH 14, 1980, IN BOOK 10 OF MAPS AT PAGE 32, IN THE COUNTY RECORDERS OFFICE OF SAID COUNTY, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THE EASTERLY FIVE (5) FEET OF LOT 4 AND THE WESTERLY FIVE (5) FEET OF LOT 5

SEE EXHIBIT A ATTACHED HERETO AND MADE A PART HEREOF


Howard S. Copley


Marie A. Copley


Scott Espig


Sandra Espig



QUEENANNE ROAD

LOT 3

LOT 4

LOT 5

LOT 6

LOT 7

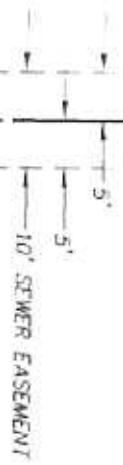


EXHIBIT A

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

ACKNOWLEDGMENT

State of California)
County Of San Luis Obispo) SS

On December 12, 2002, before me, Phyllis R. Dodd

a notary public for the State of California, personally appeared Howard S. Copley and Marie A. Copley, personally known to me (or proved to me on the basis of satisfactory evidence) to be the persons whose names are subscribed to the within instrument and acknowledged to me that they executed the same in their authorized capacities, and that by their signatures on the instrument, the persons or the entities upon behalf of which the persons acted, executed the instrument.

Witness my hand and official seal.

Phyllis R. Dodd
Notary Public



ACKNOWLEDGMENT

State of California)
County Of San Luis Obispo) SS

On December 31, 2002, before me, Phyllis R. Dodd

a notary public for the State of California, personally appeared Scott Epsig and Sandra Epsig, personally known to me (or proved to me on the basis of satisfactory evidence) to be the persons whose names are subscribed to the within instrument and acknowledged to me that they executed the same in their authorized capacities, and that by their signatures on the instrument, the persons or the entities upon behalf of which the persons acted, executed the instrument.

Witness my hand and official seal.

Phyllis R. Dodd
Notary Public



ACKNOWLEDGMENT

State of California)
County Of San Luis Obispo) SS

On _____, 2002, before me, _____

a notary public for the State of California, personally appeared and Betty Widdop, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is 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.

Notary Public

Recording Requested By And
When Recorded, Return To:
City of Paso Robles
City Clerk
1000 Spring Street
Paso Robles, CA 93446

DOCUMENT TRANSFER \$ -0-

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() Computed on the consideration or value less liens or encumbrances remaining at time of sale.

Signature of Declarant or Agent determining tax - Firm Name -

APN 009-724-038 and 009-724-039

EASEMENT QUITCLAIM DEED

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged,

The City of El Paso de Robles, A Municipal Corporation hereby QUITCLAIMS to Howard S. Copley and Marie A. Copley as to Lot 4 and Scott Epsig, Sandra Epsig and Betty Widdop as to Lot 5

THE 10' WIDE DRAINAGE EASEMENT SHOWN ON THE MAP OF TRACT 812, IN THE CITY OF PASO ROBLES, COUNTY OF SAN LUIS OBISPO, STATE OF CALIFORNIA, PER MAP RECORDED MARCH 14, 1980, IN BOOK 10 OF MAPS AT PAGE 32, IN THE COUNTY RECORDERS OFFICE OF SAID COUNTY, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THE EASTERLY FIVE (5) FEET OF SAID LOT 4 AND THE WESTERLY FIVE (5) FEET OF SAID LOT 5

SEE EXHIBIT A ATTACHED HERETO AND MADE A PART HEREOF.

The City of El Paso de Robles, A Municipal Corporation

By: _____
Frank R. Mecham, Mayor

ACKNOWLEDGMENT

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

On _____, 2002, before me, _____,
a notary public for the State of California, personally appeared Frank R. Mecham, personally known to me (or
proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within
instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his 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.

Notary Public

RECORDING REQUESTED BY AND
WHEN RECORDED RETURN TO:

The City of El Paso de Robles
1000 Spring Street
Paso Robles, CA 93446

Attn: DITAS ESPERANZA

RESOLUTION NO. 03-xx

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PASO ROBLES
ANNEXING TRACT 1632-10 AS PART OF SUBAREA 2F 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 Tract 1632-10 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 Tract 1632-10 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 North County Partners II, LLC.

SECTION 3. That the City Council for the City of Paso Robles does hereby declare that the assessment for Tract 1632-10 shall begin with fiscal year 2004-2005.

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 2F.

PASSED AND ADOPTED by the City Council of the City of Paso Robles this 17th day of June 2003 by the following vote:

AYES:
NOES:
ABSTAIN:
ABSENT:

Frank R. Mecham, Mayor

ATTEST:

Sharilyn M. Ryan, Deputy City Clerk

EXHIBIT "A"

**TRACT 1632-10 IN THE CITY OF EL PASO DE ROBLES, COUNTY OF
SAN LUIS OBISPO, STATE OF CALIFORNIA BEING A SUBDIVISION OF
LOT 320 AND 321 OF TRACT 1632-9 AS RECORDED IN BOOK 20 OF
MAPS AT PAGE 66, RECORDS OF SAID COUNTY**