

TO: James L. App, City Manger
FROM: Robert A. Lata, Community Development Director
SUBJECT: Acceptance of Offer of Dedication for Road Purposes (Keem, 14th and Spring Streets)
DATE: JULY 15, 2003

Needs: That the City Council authorize the acceptance of an Irrevocable and Perpetual Offer of Dedication for road purposes provided by Eugene and Wonja Keem in order to accommodate the construction of new sidewalk for their business at the northwest corner of 14th and Spring Streets.

Facts: 1. The City has received an Irrevocable and Perpetual Offer of Dedication for road purposes for a triangular portion of property at the northwest corner of 14th and Spring Streets.

**Analysis
And**

Conclusion: Eugene and Wonja Keem have been granted a Conditional Use Permit (CUP) for the operation of a coffee kiosk at the northwest corner of 14th and Spring Streets. As a condition of approval of the CUP, the Planning Commission has required the dedication of a triangular portion of land to accommodate the construction of new sidewalk at this location.

Policy

Reference: Paso Robles Municipal Code, Section 22, Subdivision Map Act

Fiscal

Impact: none

Options: Upon receipt of Offer of Dedication and proper guarantee of title:

- a. Adopt Resolution No. 03-xx accepting the Offer of Dedication for road purposes at the northwest corner of 14th and Spring Streets.
- b. Amend, modify or reject the above option.

Attachments: (3)

1. Offer to Dedicate – Exhibits A & B
2. Resolution

**RECORDING REQUESTED BY AND
WHEN RECORDED RETURN TO:**

**CITY ENGINEER
CITY OF PASO ROBLES
1000 Spring Street
Paso Robles, CA 93446**

IRREVOCABLE & PERPETUAL OFFER TO DEDICATE

THIS OFFER TO DEDICATE, made the 16th day of April, 2003 by **Eugene Keem and Wonja Keem, Trustees for the Eugene Keem and Wonja Keem Living Trust**, hereinafter termed "**OFFEROR**".

WHEREAS, said **OFFEROR** desires to make an offer to dedicate, irrevocably, to the public, an easement, for the 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:

SEE ATTACHED EXHIBIT "A"

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 "B"

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 private road.
4. That said **OFFEROR** agrees that said offer of dedication shall be irrevocable and that such a governmental entity may, at any time in the future, accept said offer of dedication of the public right-of-way.
5. That said **OFFEROR** agrees that this irrevocable and perpetual offer to dedicate is and shall be binding on his/her/their heirs, legatees and assignees.
6. That said **OFFEROR** hereby reserves the right of ingress and egress for use by said **OFFEROR**, his/her successors, assigns and tenants on and over a portion of the property offered for dedication herein, which portion reserved is described as follows:

SEE ATTACHED EXHIBIT "B"

IN WITNESS WHEREOF, this Offer to Dedicate, is hereby executed by the said OFFEROR on the day and year first above written.

Offerors:

Signature: Eugene Keem Trustee Date: 4-17-03
Eugene Keem, Trustee

Signature: Wonja Keem Trustee Date: 4-17-03
Wonja Keem, Trustee

ACKNOWLEDGMENT

State of California)
County of San Luis Obispo)

On April 17th, 2003 before me, Sarah L. Barnes, a Notary Public, personally appeared, Eugene Keem and Wonja Keem, 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(ies), and that by his/her/their authorized signature(s) 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

[Signature]
Signature



Document Title or Type: **City of Paso Robles Offer of Dedication**

Exhibit "A"
Legal Description

The Easterly 79 feet of Lots 9, 10, 11 and 12 of Block 14 in the City of El Paso de Robles, County of San Luis Obispo, State of California according to the map recorded November 15, 1886 in Book B, Page 14 of Maps, in the office of the County Recorder of said County.

Exhibit "B"
Legal Description

That portion of Lot 12 of Block 14 in the City of El Paso de Robles as per map recorded in Book B of Maps, at Page 14, records of the County Recorder of the County of San Luis Obispo, State of California, more particularly described as follows:

Beginning at the southeast corner of said Lot 12;
Thence Northerly along the easterly line of said Lot 12, a distance of 3.86 feet,
Thence southwesterly to a point on the southerly line of said Lot 12 which bears 3.86 feet along said southerly line from said southeast corner;
Thence easterly along said southerly line, a distance of 3.86 feet to the Point of Beginning.

Contains 7.4 square feet, more or less.

 4/16/2003

Bryce Dilger, PLS 7571, Exp. 12/31/03



RESOLUTION NO. 03 -

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PASO ROBLES
ACCEPTING IRREVOCABLE AND PERPETUAL OFFER OF DEDICATION FOR
PUBLIC ROAD PURPOSES (KEEM - 14TH & SPRING STREETS)

WHEREAS, the City has received an Irrevocable and Perpetual Offer of Dedication from Eugene and Wonja Keem for a triangular portion of property to accommodate new sidewalk construction at the northwest corner of 14th and Spring Streets.

THEREFORE, BE IT RESOLVED AS FOLLOWS:

SECTION 1. That the City Council accept the Irrevocable and Perpetual Offer of Dedication for Road Purposes provided by Eugene and Wonja Keem on a portion of Lot 12 of Block 14 of the City of El Paso De Robles and authorize its execution and recordation.

PASSED AND ADOPTED by the City Council of the City of Paso Robles this 15th day of July 2003 by the following vote:

AYES:
NOES:
ABSTAIN:
ABSENT:

Frank R. Mecham, Mayor

ATTEST:

Sharilyn M. Ryan, Deputy City Clerk