

TO: James L. App, City Manager

FROM: Robert A. Lata, Community Development Director

SUBJECT: Acceptance of Tract 2254-3, Lots 37-91 (Erskine & Bermant Development Company) for Recordation, Execution of Subdivision Improvement Agreement, and Annexation into the Landscape and Lighting Maintenance District

DATE: August 19, 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, Thomas Erskine and Bermant Development Company, has requested that Tract 2254-3 be accepted by the City for recordation. Tract 2254-3 is a 55-lot subdivision of a 16.61-acre site, located at the northwest corner of Creston Road and Beechwood Drive (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.

**Analysis
and**

Conclusion: Tract 2254-3 was originally approved by the Planning Commission on January 12, 1999. 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: That the City Council accept the subject map and agreement by taking the following actions:

a. Adopt Resolution No. 03-xxx

- (1)** Accepting the recordation of Tract 2254-3 a 55-lot subdivision located at the northwest corner of Creston Road and Beechwood Drive, and
- (2)** Approving the Subdivision Improvement Agreement for Tract 2254-3, authorizing deferred construction of the subdivision improvements, with an established deadline of August 19, 2004 to complete these improvements, and authorizing the Mayor to execute the Agreement; and

b. Adopt Resolution No. 03-xx annexing Tract 2254-3 into the Landscape and Lighting District.

c. Amend, modify or reject the above options.

Attachments: (3)

- 1) Vicinity Map
- 2) Resolution Final Map
- 3) 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 2254-3 (LOTS 37-91) (ERSKINE & BERMANT DEVELOPMENT CO.)

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 2254-3 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 Silver Oak Drive, Caymus Court, Silverwood Way, detention basin Lot "B" and public tree planting, drainage, water, sewer, access, maintenance, non-access, landscaping, slope and public utility easements as shown on the final map.

PASSED AND ADOPTED by the City Council of the City of Paso Robles this 19th day of August 2003 by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

ATTEST:

Frank R. Mecham, Mayor

Sharilyn M. Ryan, Deputy City Clerk

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 TR 2254-3 (THOMAS H. ERSKINE) AS PART OF SUBAREA 70C
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 to annex TR 2254-3 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 TR 2254-3 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 Thomas H. Erskine.

SECTION 3. That the City Council for the City of Paso Robles does hereby declare that the assessment for TR 2254-3 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 70C.

PASSED AND ADOPTED by the City Council of the City of Paso Robles this 19th day of August 2003 by the following vote:

AYES:
NOES:
ABSTAIN:
ABSENT:

Frank R. Mecham, Mayor

ATTEST:

Sharilyn M. Ryan, Deputy City Clerk

EXHIBIT A

BEING A PORTION OF LOTS 17 THROUGH 20, IN THE CITY OF PASO ROBLES, COUNTY OF SAN LUIS OBISPO, STATE OF CALIFORNIA, ACCORDING TO THE MAP RECORDED JULY 16, 2002, IN BOOK 20 OF RECORD MAPS AT PAGE 22 THROUGH 25, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

LOTS 37 THROUGH 91 OF TRACT 2254-3 IN THE CITY OF PASO ROBLES, COUNTY OF SAN LUIS OBISPO, STATE OF CALIFORNIA, ACCORDING TO THE MAP RECORDED _____, 2003, IN BOOK _____ OF MAPS AT PAGE _____, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

[illegible]

WE HEREBY RESERVE TO OURSELVES, OUR HEIRS, AND ASSIGNS CERTAIN PRIVATE DRAINAGE EASEMENTS FOR THE USE AND BENEFIT OF THE PRESENT OR FUTURE OWNERS OF THE TRACT HEREIN DESCRIBED. NO SUCH EASEMENTS ARE DEFINED ON SAID MAP.

WE HEREBY RESERVE TO OURSELVES, OUR HEIRS, AND ASSIGNS FOR THE USE AND BENEFIT OF THE SEVERAL PUBLIC UTILITY COMPANIES WHO ARE AUTHORIZED TO SERVE THE PUBLIC, THE RIGHT TO TAKE, OR TO CAUSE TO BE TAKEN, ANY AND ALL RIGHTS AND EASEMENTS FOR PUBLIC UTILITY PURPOSES DELINEATED ON SAID MAP AND TO BE TAKEN, EASEMENT, OR "TAKE."

AND FURTHER BY RECDICATION OF THIS MAP, BE HEREBY RELINQUISH ALL RIGHTS OF VEHICULAR ACCESS TO OR EGRESS FROM LOTS 43 AND 44 OVER AND ACROSS THE EASTLY LINES OF SAO LOTS ABUTTING HITCHCOCK DRIVE AND LOTS 45 THROUGH 84, BEING THE INTEREST OF SAO LOT 43 ABUTTING WESTLY LINES OF SAO LOTS ABUTTING GRESTON ROAD, BEING THE INTEREST OF SAO LOT 44 ABUTTING WESTLY LINES OF SAO LOTS ABUTTING GRESTON ROAD.

WE HEREBY DEDICATE LOT B IN FEE SIMPLE TO THE PUBLIC FOR DETENTION BASIN PURPOSES.

CITY CLERK'S STATEMENT

1. DONNIS FANLIER, CITY CLERK OF THE CITY OF EL PASO DE ROSITA, CALIFORNIA, 2003, HEREBY STATE THAT THE CITY COUNCIL OF SAO CITY DID ON APPROVE THE MAP OF TRACT 2284-3 SHOWN HEREIN AND ACCEPTED ON BEHALF OF THE PUBLIC LOT B, ALL STREETS AND THE LASTING FOR TREE PLANTING, ORNAMENT, WATER, SEWER, ACCESS, MAINTENANCE, NON-ACCESS, LANDSCAPING AND SLUICE PURPOSES SHOWN ON THIS MAP. TO THE TOWNS OF OTERO OF DEDICATION BY THE PARTIES HAVING A SPECIAL LIFE INTEREST IN SAID LAND.

WITNESS MY HAND AND SEAL THIS DAY OF _____, 2001.

GENERAL SAVING CITY CLUB

I HEREBY STATE THAT I HAVE EXAMINED THIS MAP AND THAT I AM SATISFIED THAT THE MAP CONFORMS WITH THE ACTION TAKEN BY THE CITY OF EL PASO DE ROBLES FOR TRACT 2254-3 ON JANUARY 12, 1959.

OBJECT 4.14.4 COMMUNITY DEVELOPMENT OBJECTIVE

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STATE OF CALIFORNIA } ss.
COUNTY OF LOS ANGELES }
I, _____, Clerk of the Court, do hereby certify that the foregoing is a true and correct copy of the original as the same appears in the records of the Court.

Clerk of the Court.

Notary Public for the State of California.
My Commission Expires _____

Notary Public for the State of California.
My Commission Expires _____

ON 2003, BEFORE ME A JUDICIAL OFFICER FOR THE STATE OF CALIFORNIA, PERSONALLY APPEARED THOMAS P. ERSHINE, 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 ON HIS AUTHORIZED CAPACITY AND THAT BY HIS SIGNATURE ON THE INSTRUMENT, THE PERSON, OR THE ENTITY, FROM BEHALF OF WHICH THE PERSON ACTED, EXECUTED THE INSTRUMENT.

JOINTLY SIGNATURE

COUNTY OF GUN - HIS OFFICE IN

REGISTERED

CRITICAL EVALUATION

Abstract

THIS MAP WAS PREPARED BY ME OR UNDER MY DIRECTION AND IS BASED UPON A FIELD SURVEY IN CONFORMANCE WITH THE REQUIREMENTS OF THE SURVEYING MAP ACT AND LOCAL ORDINANCE AT THE TIME OF THE SURVEY CONDUCTED IN OCTOBER, 2000. I HEREBY STATE THAT THIS MAP IS A SUBSTANTIAL CONFORMANCE TO THE CONDITIONALLY APPROVED MAP OF THE SAME AREA AND THAT ALL THE MONUMENTS SHOWN HEREON ARE OF THE CORRECT CHARACTER AND OCCUPY THE POSITIONS INDICATED OR MAY BE SET IN SUCH POSITIONS WITHIN ONE YEAR OF THE APPROVAL OF THIS MAP AND ARE SUFFICIENT TO MARK THE SURVEY TO BE RETRACTED.

NAME	DATE
STEVEN J. SYLVESTER	M.C. 29743
	EXP. 3/21/07

I FURTHER STATE THAT I HAVE EXAMINED THE ANNEXED MAP ENTITLED BRACI 27584-1 THAT THE SUBDIVISION AS SHOWN HEREON IS SUBSTANTIALLY THE SAME AS IT APPEARED ON THE TENTATIVE MAP IF REQUIRED, AND AN APPROVED ALTERNATE THEREOF, AND THAT ALL THE PREVISIONS 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
P.O. # 033750 (EXP. 6/30/04)

FILED THIS _____ DAY OF _____, 2003, AT _____, IN BOOK _____
OF MAPS AT PAGE _____, AT THE REQUEST OF SILVIA J. SHAWSTER.

DOCUMENT NO. _____

OFF.

JOE L. ROOSEWALT
COUNTY IN CHARGE

DEPUTY RECORDER



VICINITY MAP

TRACT 2254-3

IN THE CITY OF EL PASO DE ROBLES, COUNTY
OF SAN LUIS OBISPO, STATE OF CALIFORNIA





CURVE TABLE	
CURVE	DATA
C1	150.00' RADIUS
C2	150.00' RADIUS
C3	150.00' RADIUS
C4	150.00' RADIUS
C5	150.00' RADIUS
C6	150.00' RADIUS
C7	150.00' RADIUS
C8	150.00' RADIUS
C9	150.00' RADIUS
C10	150.00' RADIUS
C11	150.00' RADIUS
C12	150.00' RADIUS
C13	150.00' RADIUS
C14	150.00' RADIUS

LINE TABLE	
LINE	DATA
L1	150.00' RADIUS
L2	150.00' RADIUS
L3	150.00' RADIUS
L4	150.00' RADIUS
L5	150.00' RADIUS
L6	150.00' RADIUS
L7	150.00' RADIUS
L8	150.00' RADIUS
L9	150.00' RADIUS
L10	150.00' RADIUS
L11	150.00' RADIUS
L12	150.00' RADIUS
L13	150.00' RADIUS
L14	150.00' RADIUS
L15	150.00' RADIUS
L16	150.00' RADIUS
L17	150.00' RADIUS
L18	150.00' RADIUS
L19	150.00' RADIUS
L20	150.00' RADIUS

TRACT 2254-3

IN THE CITY OF EL PASO DE ROBLES, COUNTY OF SAN LUIS OBISPO, STATE OF CALIFORNIA
BEING A SUBDIVISION OF LOTS 17-21 OF TRACT 2254-1 AS RECORDED IN BOOK 20 OF MAPS AT PAGES 22-26, RECORDS OF SAID COUNTY



LEGEND

- R1 TO R2 22-28
- R2 TO R3 28-28
- R3 TO R4 28-28
- R4 TO R5 28-28
- R5 TO R6 28-28
- R6 TO R7 28-28
- R7 TO R8 28-28
- R8 TO R9 28-28
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