

TO: James L. App, City Manger

FROM: Robert A. Lata, Community Development Director

SUBJECT: Acceptance of Easement Grant Deed for Storm Drainage Structures(Cary, Tract 2422)

DATE: November 4, 2003

Needs: That the City Council authorize the acceptance of an Easement Grant Deed for installation and maintenance of storm drainages structures offered by Robert and Karen Cary and the Cary Family Trust. This easement is associated with the proposed reconstruction of the storm drain under South River Road at Navajo Avenue for the development of Tract 2422.

Facts: 1. The City has received an Easement Grant Deed for installation and maintenance of storm drainage structures for a portion of land at the southeast corner of South River Road and Navajo Avenue associated with the proposed reconstruction of the existing storm drain at this location with the development of Tract 2422.

**Analysis
And**

Conclusion: Robert and Karen Cary and the Cary Family Trust have provided an Easement Grant Deed for installation and maintenance of drainage structures on a portion of their property located at the southeast corner of South River Road and Navajo Avenue (See Exhibit B). Reconstruction of the existing storm drain culvert at this location is a condition of development of Tract 2422.

Policy

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

Fiscal

Impact: None

Options:

- a. Adopt Resolution No. 03-xxx accepting the Easement Grant Deed for installation and maintenance of drainage structures on a portion of land at the southeast corner of South River Road and Navajo Avenue in the City of Paso Robles.
- b. Amend, modify or reject the above option.

Attachments: (2)

- 1. Easement Grant Deed, with Exhibits A & B
- 2. Resolution

RESOLUTION NO. 03 -

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PASO ROBLES
ACCEPTING AN EASEMENT GRANT DEED FOR INSTALLATION AND
MAINTAINANCE OF STORM DRAINAGE STRUCTURES
(CARY, TRACT 2422)

WHEREAS, the City has received an Easement Grant Deed from Robert and Karen Cary and the Cary Family Trust for the installation and maintenance of storm drainage structures on a portion of property at the southeast corner of South River Road and Navajo Avenue.

THEREFORE, BE IT RESOLVED AS FOLLOWS:

SECTION 1. That the City Council accept the Easement Grant Deed for installation and maintenance of storm drainage structures offered by Robert and Karen Cary and the Cary Family Trust on a portion of property located at the southeast corner of South River Road and Navajo Avenue in the City of Paso Robles and authorize its execution and recordation.

PASSED AND ADOPTED by the City Council of the City of Paso Robles this 4th day of November 2003 by the following vote:

AYES:
NOES:
ABSTAIN:
ABSENT:

Frank R. Mecham, Mayor

ATTEST:

Sharilyn M. Ryan, Deputy City Clerk

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 #009-611-040

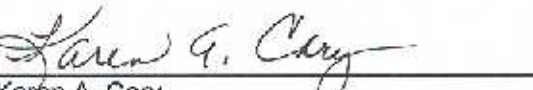
EASEMENT GRANT DEED



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

Robert A. Cary & Karen A. Cary, husband and wife as community property, and Audrey M. Cary, Trustee under Audrey M. Cary Living Trust dated April 15, 1988 hereby **GRANT(S)** to the City of El Paso de Robles, A Municipal Corporation

AN EASEMENT TO INSTALL, MAINTAIN, REPAIR, REPLACE AND REMOVE DRAINAGE STRUCTURES AND APPURTENANCES, AND A TEMPORARY EASEMENT FOR CONSTRUCTION WITH A TERMINUS AT THE COMPLETION OF CONSTRUCTION, MORE PARTICULARLY DESCRIBED IN EXHIBIT "A" AND EXHIBIT "B" CONTAINED HEREIN AND MADE A PART HEREOF.


Robert A. Cary


Karen A. Cary


Audrey M. Cary

Successor Trustee

ACKNOWLEDGMENT

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

On October 10, 2003, 2003, before me, Tiffany Spagnola,
a notary public for the State of California, personally appeared Robert A. Cary & Karen A. Cary, 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 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.

Tiffany Spagnola
Notary Public



ACKNOWLEDGMENT

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

On October 10, 2003, 2003, before me, Tiffany Spagnola,
a notary public for the State of California, personally appeared Sheila M. Cary, 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 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.

Tiffany Spagnola
Notary Public



EXHIBIT "A"

LEGAL DESCRIPTION

Parcel A (Drainage Easement)

Being a portion of Parcel 1 of Parcel Map PR 79-275 in the City of Paso Robles, County of San Luis Obispo, State of California per the Map Recorded June 17, 1980 in Book 29 of Parcel Maps, at Page 43, in the office of the County Recorder of said County, more particularly described as follows:

Commencing at the Northeast corner of said Parcel 1, said point being on the westerly line of the 10 foot offer to dedicate per said map; Thence along said line North 74°36'00" West 411.92 feet to the **Point of Beginning**; Thence continuing along said line and the westerly line of the property conveyed to the City of El Paso De Robles, dated July 10, 1987 and recorded in book 3036 at page 382 of Official Records of said County, North 74°36'00" West 154.43 feet to the beginning of a curve tangent to the last course and concave to the Southeast having a radius of 30.00 feet; Thence Southwesterly 14.92 feet along said curve through a central angle of 28°29'39"; Thence South 60°36'29" East 117.20 feet; Thence South 30°24'03" West 5.25 feet; Thence South 44°35'58" East 46.64 feet; Thence North 30°13'37" East 62.44 feet to the **Point of Beginning**.

Containing 4,411± Square Feet.

Parcel B (Temporary Construction Easement)

Being a portion of Parcel 1 of Parcel Map PR 79-275 in the City of Paso Robles, County of San Luis Obispo, State of California per the Map Recorded June 17, 1980 in Book 29 of Parcel Maps, at Page 43, in the office of the County Recorder of said County, more particularly described as follows:

Commencing at the Northeast corner of said Parcel 1, said point being on the westerly line of the 10 foot offer to dedicate per said map; Thence along said line North 74°36'00" West 411.92 feet to the **Point of Beginning**; Thence along said line and the westerly line of the property conveyed to the City of El Paso De Robles, dated July 10, 1987 and recorded in book 3036 at page 382 of Official Records of said County South 74°36'00" East 20.69 feet; Thence South 30°13'37" West 93.88 feet; Thence North 44°35'58" West 89.01 feet; Thence North 60°36'29" West 105.67 feet to a point on the Northerly line of said portion of Parcel 1 and the beginning of a non-tangent curve concave to the Southeast, having a radius of 30.00 feet and having a radial bearing to said point of North 56°32'59" West; Thence Northeasterly 22.75 feet along said curve through a central angle of 43°27'19"; Thence South 60°36'29" East 117.20 feet; Thence South 30°24'03" West 5.25 feet; Thence South 44°35'58" East 46.64 feet; Thence North 30°13'37" East 62.44 feet to the **Point of Beginning**.

Containing 5,235± Square Feet.

See Exhibit 'B' contained herein and made a part hereof.

John R. Sanders
John R. Sanders
L.S. 5812

10-10-03
Date
Exp. 6/30/2004



EXHIBIT B

EXHIBIT MAP



SOUTH RIVER ROAD

N 56°32'59" W (RAD)

R=30.00'
D=43°27'19"
L=22.75'

R=30.00'
D=28°29'39"
L=14.92'

LCT 74
14/MB/46

NAVAJO AVENUE

NAVAJO

LOT 84
14/MB/46

LOT 85
14/MB/46

PARCEL 'B'
TEMPORARY
CONSTRUCTION
EASEMENT

PTN. PARCEL 1
29/PM/43

PARCEL 'A'
DRAINAGE
EASEMENT

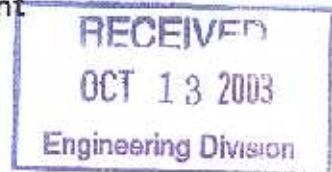
POINT OF
BEGINNING

POINT OF
COMMENCEMENT



NORTH COAST ENGINEERING, INC.

Civil Engineering • Land Surveying • Project Development



LETTER OF TRANSMITTAL

Date: 10/10/03

TO:

John Falkenstien
Paso Robles, City of
1000 Spring Street
Paso Robles, CA. 93446

Fax: (805) 237-3904
Telephone: (805) 237-3860

RE: Tract 2422 Paseo Del Rio - Drainage Easement Grant Deed

WE ARE SENDING YOU THE FOLLOWING ITEMS:

JOB NO.: 97168

Copies	Date	No.	Description
1			Easement Grant Deed - Original

THESE ARE TRANSMITTED as checked below:

☒ For approval

☐ For your use

☐ As requested

☐ For review and comment

REMARKS:

John, here is the necessary drainage easement documents for the construction of the (2) 60" CPP regional storm drains and headwall at the southeast corner of South River Road and Navajo. Please review for acceptance, forward to County Recorder, and inform us when process is complete. If you have any questions, please contact me at your earliest opportunity. Thanks

COPY TO: MIKE HAROLD

☒ with enclosures

SIGNED: Tim Riley

If enclosures are not as noted, kindly notify us at once.

Document2

725 Creston Road, Suite B Paso Robles CA 93446 (805) 239-3127 FAX (805) 239-0758