

**TO:** James L. App, City Manger  
**FROM:** Ronald Whisenand, Community Development Director  
**SUBJECT:** Acceptance of Offer of Dedication (Eagle Energy, 2400 Golden Hill Road)  
**DATE:** April 4, 2006

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**Needs:** That the City Council authorize the acceptance of an Irrevocable and Perpetual Offer of Dedication for public road purposes provided by Eagle Energy, Inc. related to the development of a service station and convenience store located at 2400 Golden Hill Road.

**Facts:** The City has received a fifty-foot wide Irrevocable and Perpetual Offer of Dedication for public road purposes adjacent to property at 2400 Golden Hill Road.

**Analysis  
and**

**Conclusion:** Eagle Energy, Inc. has requested occupancy of a service station and convenience store located at 2400 Golden Hill Road. In order to satisfy the conditions of approval of PD 03-012, Eagle Energy, Inc. constructed street widening improvements to Golden Hill Road.

A fifty-foot offer of dedication of public right-of-way is required along Eagle Energy's frontage in accordance with the Circulation Element of the General Plan. The road improvements have been completed and are now ready for inclusion to the City's street system.

**Policy**

**Reference:** Paso Robles Municipal Code Section 17.04.020

**Fiscal**

**Impact:** None

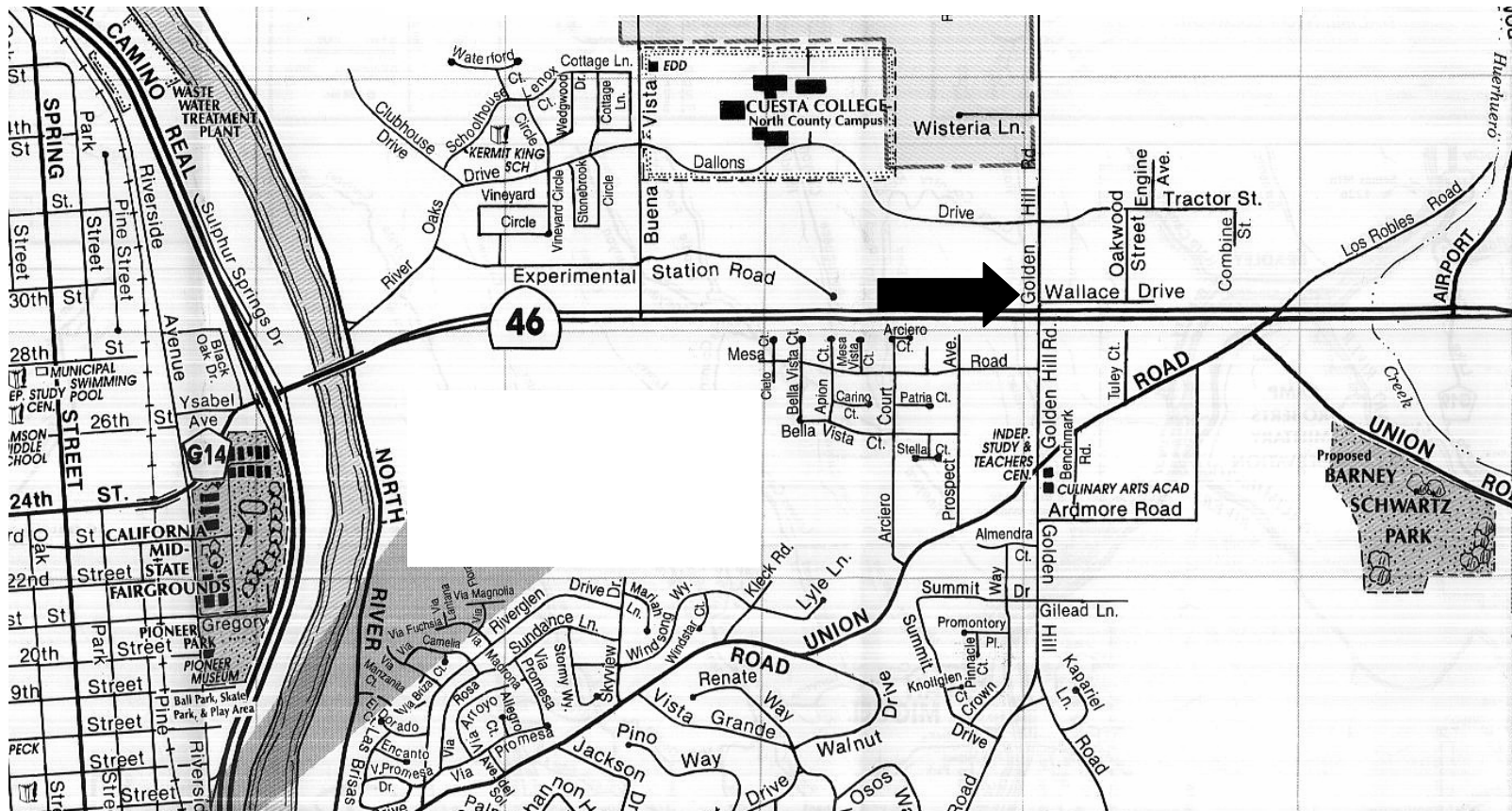
**Options:**

- a. Adopt Resolution No. 06-xxx accepting the fifty-foot Irrevocable and Perpetual Offer of Dedication for road purposes along the east side of Golden Hill Road.
- b. Amend, modify or reject the above option.

Attachments: (3)

1. Vicinity Map
2. Offer of Dedication
3. Resolution

VICINITY MAP ~ Offer of Dedication  
(Eagle Energy, Inc.)



Doc No: 1998-034513

Rpt No: 00044343

RECORDING REQUESTED BY AND  
WHEN RECORDED, RETURN TO:

Official Records  
San Luis Obispo Co.  
Julie L. Rodewald  
Recorder  
Jun 09, 1998  
Time: 14:30

NF -1 0.00

CITY ENGINEER'S OFFICE  
City of El Paso de Robles  
1000 Spring Street  
Paso Robles, CA 93446

[ 2 ]

TOTAL 0.00

IRREVOCABLE AND PERPETUAL  
OFFER TO DEDICATE

THIS OFFER TO DEDICATE, made the 12<sup>th</sup> day of July, 1998, by  
Daniel D. Schultze, President of Eagle Energy, Inc., hereinafter termed "OFFEROR":

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

That property given by Volume 2178, Page 221 of Official Records (as recorded  
August 15, 1979 in Document No. 37310) in the office of the County Recorder,  
County of San Luis Obispo, State of California.

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:

The west 50 feet of said property.

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 a private road.

4. That said OFFEROR agrees that said offer of dedication shall be irrevocable and  
that such a government 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 heirs, legatees and assignees.

IN WITNESS WHEREOF, this Offer to Dedicate a portion of 2178 O.R. 221 is hereby  
executed by the said OFFEROR on the day and year first above written.

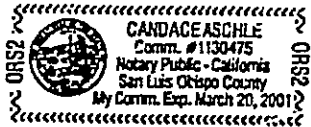
Eagle Energy, Inc:

  
Daniel G. Schultze, as President

**CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT**

State of CALIFORNIA  
 County of SAN LUIS OBISPO  
 on MAY 15, 1998 before me, CANDACE ASCHLE, Notary Public  
 personally appeared DANIEL B. SCHULTZE

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.

Candace Aschle  
 Signature of Notary Public

**OPTIONAL**

Though the information below is not required by law it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

**Description of Attached Document**

Title or Type of Document: DEED TO DEDICATE  
 Document Date: MAY 15, 1998 Number of Pages: 1

Signer(s) Other Than Named Above: \_\_\_\_\_

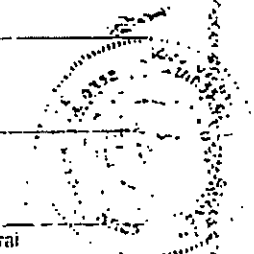
**Capacity(ies) Claimed by Signer(s)**

Signer's Name: \_\_\_\_\_  
 Individual  
 Corporate Officer  
 Title(s): \_\_\_\_\_  
 Partner — Limited General  
 Attorney-in-Fact  
 Trustee  
 Guardian or Conservator  
 Other: \_\_\_\_\_

Signer's Name: \_\_\_\_\_  
 Individual  
 Corporate Officer  
 Title(s): \_\_\_\_\_  
 Partner — Limited General  
 Attorney-in-Fact  
 Trustee  
 Guardian or Conservator  
 Other: \_\_\_\_\_

Signer Is Representing: \_\_\_\_\_

Signer Is Representing: \_\_\_\_\_



RESOLUTION NO. 06-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PASO ROBLES  
ACCEPTING AN IRREVOCABLE AND PERPETUAL OFFER OF DEDICATION  
FOR ROAD PURPOSES (EAGLE ENERGY, INC, 2400 GOLDEN HILL ROAD)

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WHEREAS, the City has received a fifty-foot wide Irrevocable and Perpetual Offer of Dedication from Eagle Energy, Inc. for an easement for public road purposes located at 2400 Golden Hill Road; and

WHEREAS, the street improvements have been constructed by the City's standards and are ready for inclusion into the City's street system.

THEREFORE, BE IT RESOLVED AS FOLLOWS:

SECTION 1. That the City Council accept the fifty-foot wide Irrevocable and Perpetual Offer of Dedication for public road purposes provided by Eagle Energy, Inc. located at 2400 Golden Hill Road and authorize its execution and recordation.

ADOPTED by the City Council of the City of El Paso de Robles at a regular meeting of said Council held on the 4<sup>th</sup> day of April 2006 by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

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Frank R. Mecham, Mayor

ATTEST:

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Cathy M. David, Deputy City Clerk