

TO: James L. App, City Manger
FROM: Ronald Whisenand, Community Development Director
SUBJECT: Acceptance of Offer of Dedication (Pfeil-Murrell, 2401 Golden Hill Road)
DATE: May 16, 2006

Needs: That the City Council authorize the acceptance of an Irrevocable and Perpetual Offer of Dedication for public road purposes provided by Pfeil-Murrell Enterprises, LLC. related to the development of a service station and convenience store located at 2401 Golden Hill Road.

Facts:

1. The Planning Commission approved the development of a service station and convenience store on Golden Hill Road. Conditions of approval required the dedication of additional right of way and construction of certain road improvements.
2. The City has received an eight-foot wide Irrevocable and Perpetual Offer of Dedication for public road purposes adjacent to property at 2401 Golden Hill Road as required by their approved development plan.

**Analysis
and**

Conclusion: Pfeil-Murrell Enterprises, LLC. has requested occupancy of a service station and convenience store located at 2401 Golden Hill Road. In order to satisfy the conditions of approval of PD 02-004, Pfeil-Murrell Enterprises, LLC constructed street widening improvements to Golden Hill Road.

An eight-foot offer of dedication of public right-of-way was required along Pfeil-Murrell'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 eight-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

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 (PFEIL-MURRELL, LLC, 2401 GOLDEN HILL ROAD)

WHEREAS, the City has received an eight-foot wide Irrevocable and Perpetual Offer of Dedication from Pfeil-Murrell Enterprises, LLC for an easement for public road purposes located at 2401 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 eight-foot wide Irrevocable and Perpetual Offer of Dedication for public road purposes provided by Pfeil-Murrell Enterprises, LLC located at 2401 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 16th day of May 2006 by the following vote:

AYES:

NOES:

ABSTAIN:

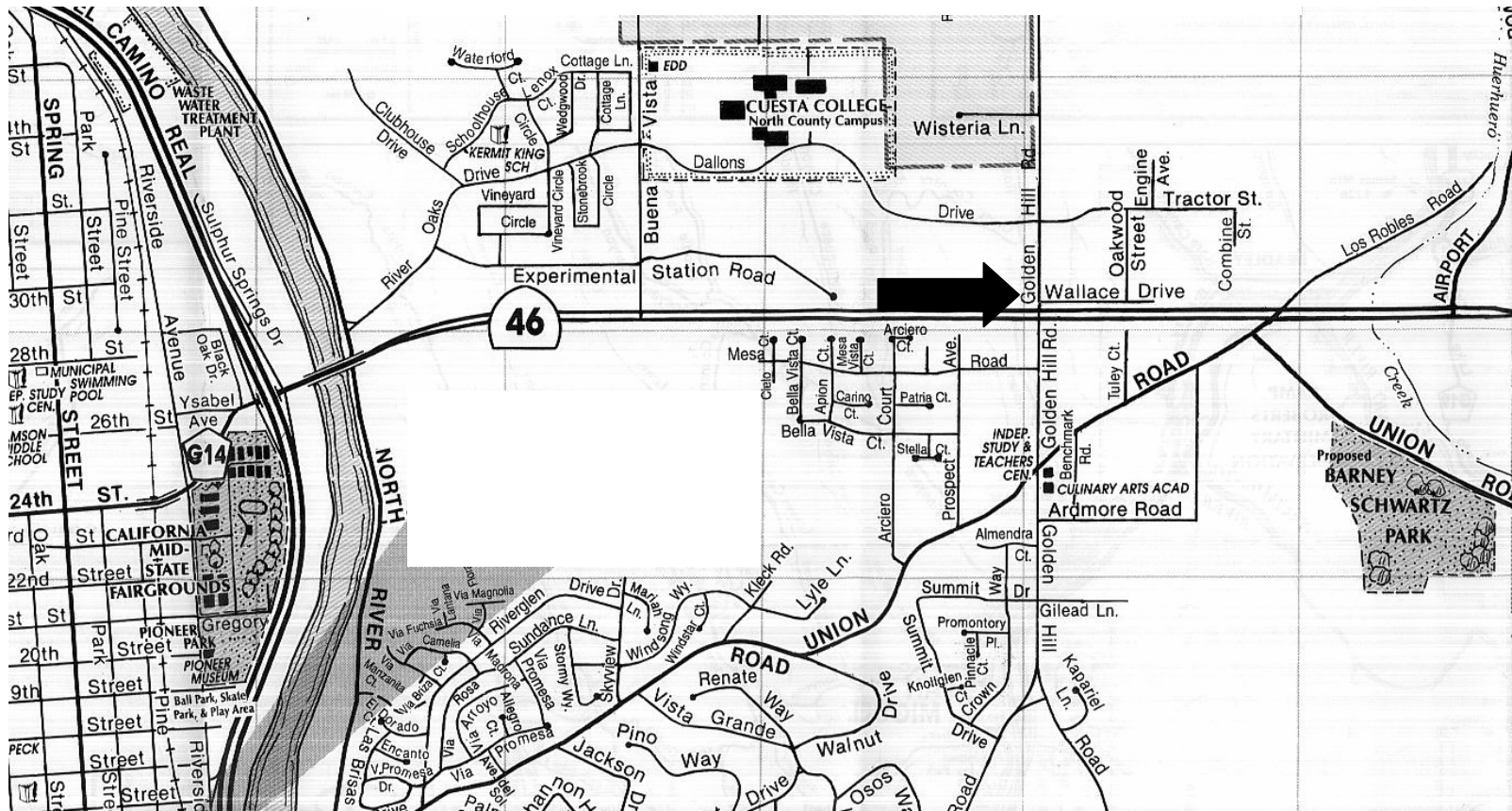
ABSENT:

Frank R. Mecham, Mayor

ATTEST:

Cathy M. David, Deputy City Clerk

VICINITY MAP ~ Offer of Dedication
Pfeil-Murrell Enterprises, LLC



RECORDING REQUESTED BY AND
WHEN RECORDED RETURN TO:

CITY ENGINEER
CITY OF EL PASO DE ROBLES
1000 SPRING STREET
PASO ROBLES, CA 93446

FOR RECORDER USE ONLY

APN 025-391-040

IRREVOCABLE & PERPETUAL OFFER TO DEDICATE

THIS OFFER TO DEDICATE, made the 23 day of April, 2006, by PFIEL-MURRELL ENTERPRISES, LLC of the County of San Luis Obispo, State of California, 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:

PARCEL D OF PARCEL MAP PR 79-252, IN THE CITY OF PASO ROBLES, STATE OF CALIFORNIA, ACCORDING TO MAP RECORDED FEBRUARY 17, 1983, IN BOOK 33, OF MAPS AT PAGE 24, IN THE OFFICE OF THE COUNTY RECORDER OF THE 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:

SEE ATTACHED EXHIBITS A AND B

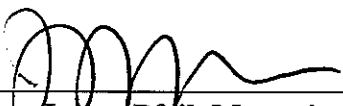
3. That until such time as the above offer of dedication is accepted by such a governmental entity, all owners of property contiguous to the above described road parcel shall have the right to the use of said road parcel as a private road.

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, successors and assignees.

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

Pfeil – Murrell Enterprises, LLC

By: 
 Print name: **James Pfeil, Managing Member**

4/24/06
 Date

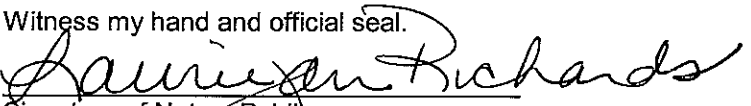
(SIGNATURES MUST BE NOTARIZED)

ACKNOWLEDGMENT

State of California
 County of San Luis Obispo ^{SS}

On April 24, 2006, before me, Laurie Jan Richards,
 a Notary Public, appeared James Pfeil

personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name 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(ies) upon behalf of which the person(s) acted, executed the instrument.

Witness my hand and official seal.

 Signature of Notary Public

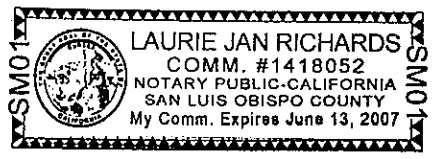


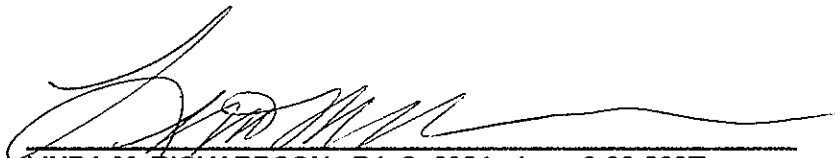
EXHIBIT A
LEGAL DESCRIPTION

BEING A PORTION OF PARCEL D OF PARCEL MAP PR 79-252 IN THE CITY OF PASO ROBLES, COUNTY OF SAN LUIS OBISPO, STATE OF CALIFORNIA, PER THE MAP RECORDED FEBRUARY 17, 1983, IN BOOK 33 OF PARCEL MAPS AT PAGE 24 IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF SAID PARCEL D OF PARCEL MAP PR 79-252; THENCE SOUTH 89°59'15" WEST ALONG THE SOUTH LINE OF SAID PARCEL D, 8.00 FEET; THENCE NORTH 00°00'45" WEST, ALONG A LINE 8.00 FEET WESTERLY OF AND PARALLEL WITH THE EASTERLY LINE OF SAID PARCEL D, SAID LINE ALSO BEING 50.00 FEET WESTERLY OF AND PARALLEL WITH THE CENTERLINE OF GOLDEN HILL ROAD, 397.55 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE TO THE SOUTHWEST HAVING A RADIUS OF 20.00 FEET; THENCE NORTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 89°52'04" AND AN ARC LENGTH OF 31.37 FEET; THENCE NORTH 89°52'49" WEST ALONG A LINE 4.00 FEET SOUTHERLY OF AND PARALLEL WITH THE NORTHERLY LINE OF SAID PARCEL D, 148.11 FEET TO A POINT ON THE WEST LINE OF SAID PARCEL D; THENCE NORTH 00°07'11" EAST ALONG SAID WEST LINE OF PARCEL D, 4.00 FEET TO A POINT ON THE NORTH LINE OF SAID PARCEL D; THENCE SOUTH 89°52'49" EAST ALONG SAID NORTH LINE OF PARCEL D, 156.10 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE TO THE SOUTHWEST HAVING A RADIUS OF 20.00 FEET; THENCE SOUTHEASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 89°52'04" AND AN ARC LENGTH OF 31.37 FEET; THENCE SOUTH 00°00'45" EAST ALONG THE EASTERLY LINE OF SAID PARCEL D, SAID LINE ALSO BEING 42.00 FEET WESTERLY OF AND PARALLEL WITH THE CENTERLINE OF GOLDEN HILL ROAD, 401.53 FEET TO THE POINT OF BEGINNING.

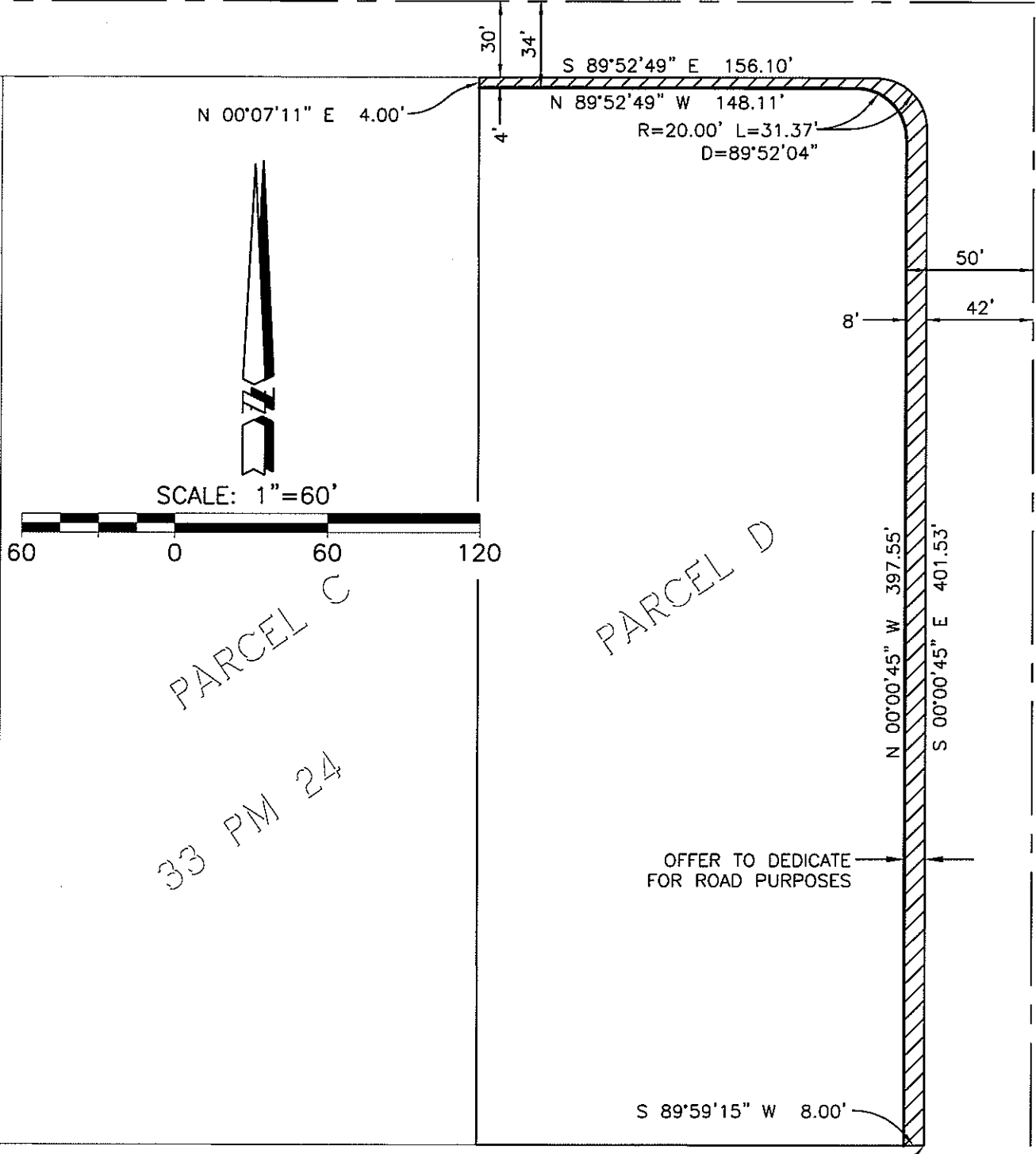
CONTAINING 4,044 SQUARE FEET, MORE OR LESS

THE ABOVE DESCRIBED LAND IS GRAPHICALLY SHOWN ON EXHIBIT B ATTACHED HERETO AND MADE A PART HEREOF


LINDA M. RICHARDSON P.L.S. 6904 (exp. 6-30-2007)



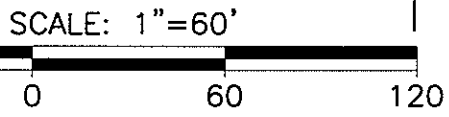
UNNAMED ROAD



GOLDEN HILL ROAD

PARCEL C
33 PM 24

PARCEL D



STATE HIGHWAY 46

EXHIBIT B

design professionals

eda

civil engineers • land surveyors • land planners
1998 santa barbara st • san luis obispo, ca 93401
ph: 805/549-8658 • email: eda@edainc.com