

TO: James L. App, City Manager
FROM: Ron Whisenand, Community Development Director
SUBJECT: Approval of Final Map of Tract 2529, (Hope Development, LLC) for Recordation and Execution of Subdivision Improvement Agreement
DATE: July 5, 2006

Needs: That the City Council consider taking a series of steps toward recordation of the Final Tract Map for Tract 2529, a residential subdivision.

- Facts:**
1. The applicants Hope Development, LLC. have requested that Tract 2529 be authorized by the City for recordation. Tract 2529 is a 21-lot subdivision (with two additional open space lots) of a 28.35-acre site located along Caballo Place, west of Vine Street from 36th to 38th Streets (see Attachment 1).
 2. The required public improvements have been completed, and the applicants have signed a Subdivision Improvement Agreement warranting the construction of these improvements for a one-year period. Maintenance 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 2529 was originally approved by the Planning Commission on June 24, 2003.

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 warranting 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: General Plan
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. **(1)** Adopt Resolution No. 06-xx authorizing the recordation of Tract 2529, a 21-lot subdivision with two additional open space lots located along the north side of Caballo Place, west of Vine Street, and authorizing the Mayor to execute the Subdivision Improvement Agreement warranting the construction of the subdivision improvements for a period of one year; and
- (3)** Adopt Resolution No. 06-xx annexing Tract 2529 into the Landscape and Lighting District.
- b. Amend, modify or reject the above option.

Attachments: (3)

- 1) Vicinity and Tract Maps
- 2) Resolution Final Map
- 3) Resolution L and L

OWNER'S STATEMENT

WE, THE UNDERSIGNED, HEREBY STATE THAT WE ARE ALL THE OWNERS OF, AND ALL RECORD HOLDERS OF SECURITY INTEREST IN, AND ALL PARTIES HAVING ANY RECORD TITLE INTEREST IN THE REAL PROPERTY INCLUDED WITHIN THE SUBDIVISION AND PROJECT SHOWN ON THIS MAP, AND THAT EACH OF US DOES HEREBY CONSENT TO THE FILING AND/OR RECORDATION OF THIS MAP.

WE HEREBY RESERVE TO OURSELVES, OUR HEIRS, AND ASSIGNS FOR THE USE AND THE BENEFIT OF THE SEVERAL PUBLIC UTILITY COMPANIES WHICH ARE AUTHORIZED TO SERVE IN SAID SUBDIVISION, EASEMENTS FOR PUBLIC UTILITY PURPOSES, DELINEATED ON SAID MAP AS "PUBLIC UTILITY EASEMENT" OR "P.U.E."

WE ALSO RESERVE TO OURSELVES, OUR HEIRS, AND ASSIGNS CERTAIN PRIVATE ACCESS AND PRIVATE OPEN SPACE EASEMENTS FOR THE USE AND BENEFIT OF THE PRESENT OR FUTURE OWNERS OF THE LOTS AFFECTED BY SUCH EASEMENTS AS DELINEATED ON SAID MAP.

WE HEREBY DEDICATE TO THE PUBLIC FOR PUBLIC USE CABALLO PLACE AS SHOWN ON THIS MAP AND ALSO DEDICATE TO THE PUBLIC THE EASEMENTS FOR DRAINAGE, WATER, AND SEWER PURPOSES SO DESIGNATED ON THIS MAP AND ALL USES INCIDENT THERE TO.

HOPE DEVELOPMENT LLC, A CALIFORNIA LIMITED LIABILITY COMPANY

WARREN HAMRICK, GP

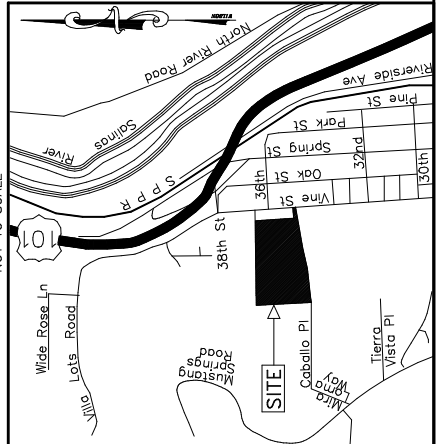
ACKNOWLEDGMENT

STATE OF _____, COUNTY OF _____, ss
ON _____ DAY OF _____, 2005, BEFORE ME _____, PERSONALLY APPEARED _____, a Notary Public for the State of _____, Personally

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.

NOTARY SIGNATURE _____ NAME PRINTED _____
COUNTY OF _____ COMMISSION EXPIRES _____
NOTARY COMMISSION NUMBER _____

VICINITY MAP
NOT TO SCALE



TRUSTEE'S STATEMENT

HERITAGE OAKS BANCORP, A CALIFORNIA CORPORATION AS TRUSTEE UNDER A DEED OF TRUST RECORDED MARCH 5, 2004, AS INSTRUMENT NO. 2004-017521 OF OFFICIAL RECORDS IN SAN LUIS OBISPO COUNTY, CALIFORNIA.

SIGNED _____
PRINT NAME _____
TITLE _____

ACKNOWLEDGMENT

STATE OF _____, COUNTY OF _____, ss
ON _____ DAY OF _____, 2005, BEFORE ME _____, PERSONALLY APPEARED _____, a Notary Public for the State of _____, Personally
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.

NOTARY SIGNATURE _____ NAME PRINTED _____
COUNTY OF _____ COMMISSION EXPIRES _____
NOTARY COMMISSION NUMBER _____

SURVEYOR'S STATEMENT

THIS MAP WAS PREPARED BY ME OR UNDER MY DIRECTION AND IS BASED UPON A FIELD SURVEY IN CONFORMANCE WITH THE REQUIREMENTS OF THE SUBDIVISION MAP ACT AND LOCAL ORDINANCE AT THE REQUEST OF WARREN HAMRICK ON NOVEMBER 2003. I HEREBY STATE THAT THIS FINAL MAP SUBSTANTIALLY CONFORMS TO THE APPROVED OR CONDITIONALLY APPROVED TENTATIVE MAP. I ALSO HEREBY STATE THAT ALL THE DOCUMENTS SHOWING PERSONS AND THEIR INTERESTS IN THE REAL PROPERTY WITHIN THE SUBJECT PARCELS WITHIN ONE YEAR OF APPROVAL OF THIS MAP AND ARE SUFFICIENT TO ENABLE THE SURVEY TO BE RETRACED.

KENNETH D. WILSON
LS 5571
EXPIRATION DATE 9/30/2005



SIGNATURE OMISSIONS

SUBJUNCT TO SECTION 66436, SUBSECTION (b)-(3)(A) OF THE CALIFORNIA SUBDIVISION MAP ACT, ANY UNRECORDED EASEMENT HOLDERS WHOSE INTERESTS HAVE BEEN OMITTED AS THEIR INTEREST CANNOT RISE IN A FEEL TITLE AND SAID SIGNATURES ARE NOT REQUIRED BY THE GOVERNING BODY.

HUGH H. BLACK AND WINONA M. BLACK, HUSBAND AND WIFE, EASEMENT HOLDER PER DEED RECORDED MARCH 9, 1956, IN BOOK 838, PAGE 297, OF OFFICIAL RECORDS.

PACIFIC GAS AND ELECTRIC COMPANY, A CALIFORNIA CORPORATION, EASEMENT HOLDER PER DEED RECORDED OCTOBER 26, 1975, IN BOOK 1860, PAGE 576 OF OFFICIAL RECORDS.

LINDA A. PACHECO AND SHIRLEY B. MASIA, TRUSTEE OF THE SHIRLEY B. MASIA FAMILY TRUST NO. 1 (U/T/D) DECEMBER 20, 1995, EASEMENT HOLDER PER DEED RECORDED APRIL 11, 2003, AS INSTRUMENT NO. 2003-036457 OF OFFICIAL RECORDS.

CITY PLANNING COMMISSION STATEMENT

THIS IS TO 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 2529 ON _____, 20_____.

ROBERT A. LATA
COMMUNITY DEVELOPMENT DIRECTOR
CITY OF EL PASO DE ROBLES, CALIFORNIA

CITY CLERK'S STATEMENT

I DENNIS FANSLER, CITY CLERK OF THE CITY OF EL PASO DE ROBLES CALIFORNIA, HEREBY STATE THAT I HAVE APPROVED THIS MAP ON THE DAY OF _____, 20_____, IN ACCORDANCE WITH THE CITY OF EL PASO DE ROBLES ORDINANCES AND ACCEPTED ON BEHALF OF THE PUBLIC THE OFFERS OF DEDICATION FOR CABALLO PLACE AND PUBLIC SEWER AND WATER EASEMENTS SHOWN ON THIS MAP TO THE TERMS OF OFFER OF DEDICATION BY THE PARTIES HAVING A RECORD TITLE INTEREST IN SAID LAND

DENNIS FANSLER, CITY CLERK
CITY OF EL PASO DE ROBLES, CALIFORNIA

CITY ENGINEER'S STATEMENT

I HEREBY STATE THAT I HAVE EXAMINED THE MAP ENTITLED TRACT MAP NO. 2529, THAT THE SUBDIVISION SHOWN HEREON IS SUBSTANTIALLY THE SAME AS IT APPEARED ON THE TENTATIVE MAP, IF REQUIRED, AND ANY APPROVED ALTERATION THEREOF, THAT ALL PROVISIONS OF THE SUBDIVISION MAP ACT OF THE STATE OF CALIFORNIA AND OF ANY LOCAL ORDINANCES APPLICABLE AT THE TIME OF APPROVAL OF THE TENTATIVE MAP IF REQUIRED, HAVE BEEN COMPLIED WITH, AND THAT I AM SATISFIED THAT THIS MAP IS TECHNICALLY CORRECT.

JOHN R. FALKENSTEN
CITY ENGINEER
CITY OF PASO ROBLES
P.E. 33760 (EXP. 6/30/06)

COUNTY RECORDER'S STATEMENT

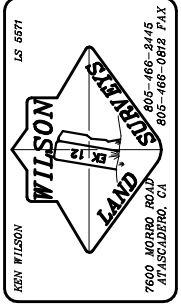
FILED THIS _____ DAY OF _____, 20_____, AT _____ M. IN BOOK _____ OF MAPS, AT PAGE _____, AT THE REQUEST OF KENNETH D. WILSON.

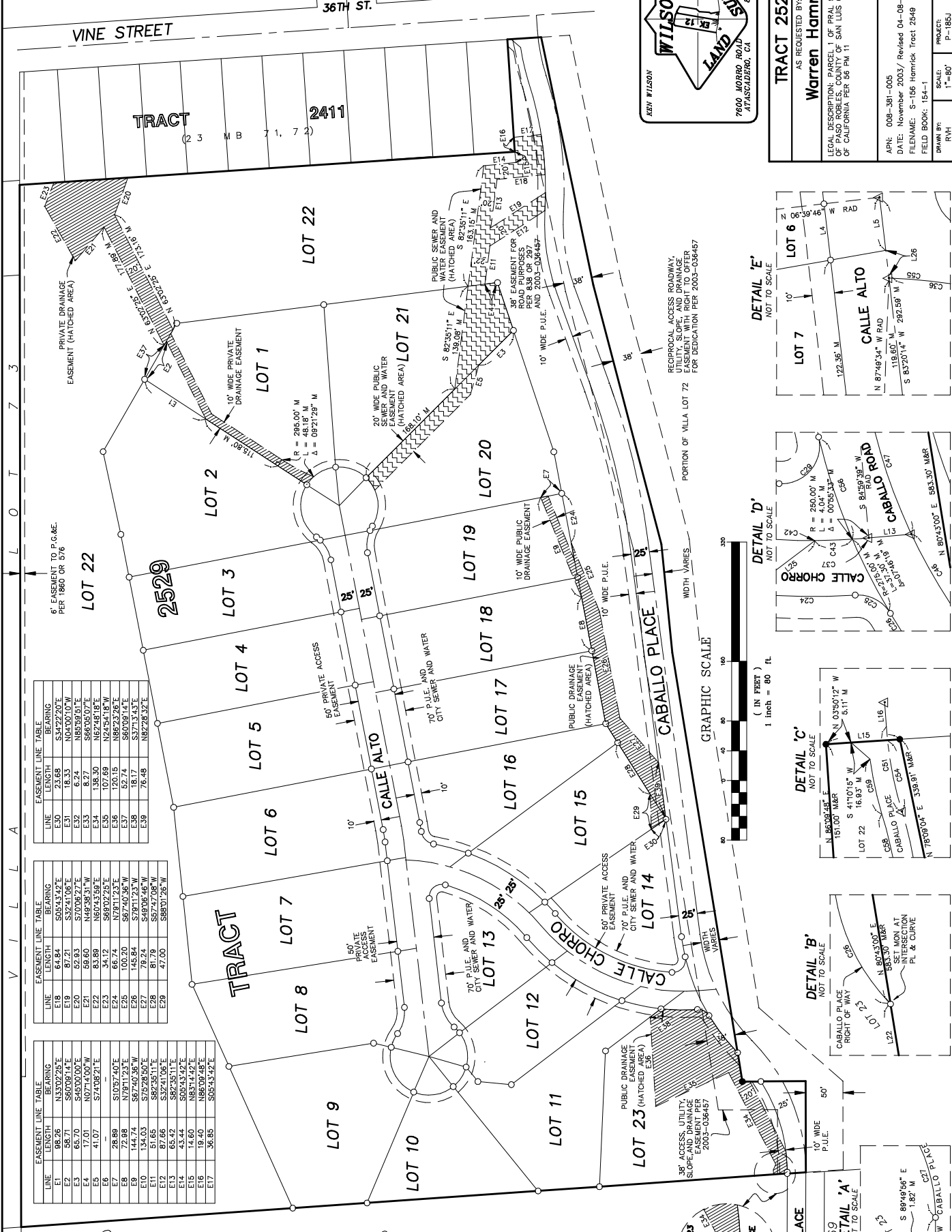
DOCUMENT NO: _____
FEE: _____
SIGNED: JULIE L. RODEWALD, COUNTY RECORDER
BY: _____ DEPUTY

TRACT 2529
AS REQUESTED BY:
Warren Hamrick

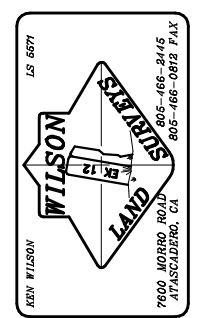
LEGAL DESCRIPTION: PARCEL 1 OF PRAL 89-026, CITY OF PASO ROBLES, COUNTY OF SAN LUIS OBISPO, STATE OF CALIFORNIA PER 56 PM 11

APR: 008-381-005
DATE: November 2003 / Revised April 08, 2005 / July 5, 2005
FILENAME: S-156 Hamrick Tract 2549
FIELD BOOK: 154-1
DRAWN BY: RVH
SCALE: 1"=80'
JOB NUMBER: S-156

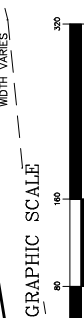
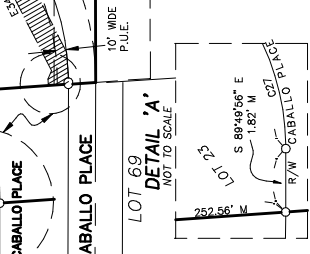
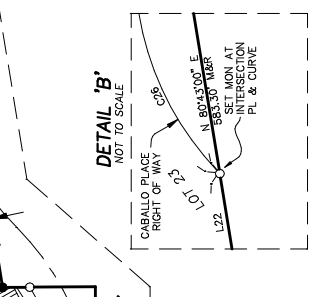
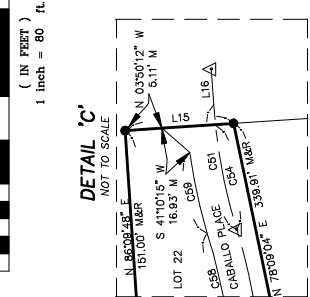
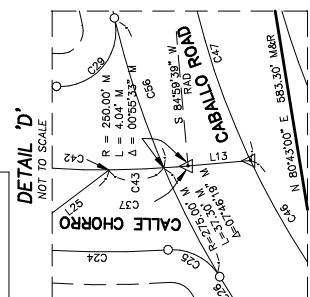
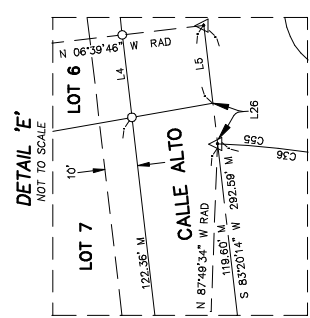




| LINE | EASEMENT LINE TABLE | LINE | EASEMENT LINE TABLE | LINE | EASEMENT LINE TABLE |
|------|---------------------|------|---------------------|------|---------------------|
| E1 | 58.26 | E18 | 64.84 | E35 | 107.69 |
| E2 | 58.71 | E19 | 67.21 | E36 | 120.15 |
| E3 | 65.70 | E20 | 62.83 | E37 | 181.17 |
| E4 | 17.01 | E21 | 59.60 | E38 | 76.48 |
| E5 | 41.07 | E22 | 63.89 | E39 | 76.48 |
| E6 | 28.89 | E23 | 34.12 | | |
| E7 | 65.74 | E24 | 66.74 | | |
| E8 | 144.74 | E25 | 145.84 | | |
| E9 | 134.03 | E26 | 145.84 | | |
| E10 | 51.65 | E27 | 78.24 | | |
| E11 | 87.66 | E28 | 81.79 | | |
| E12 | 65.42 | E29 | 47.00 | | |
| E13 | 43.44 | | | | |
| E14 | 16.60 | | | | |
| E15 | 18.60 | | | | |
| E16 | 36.68 | | | | |
| E17 | 36.68 | | | | |



TRACT 2529
 AS REQUESTED BY:
Warren Hamrick
 LEGAL DESCRIPTION: PARCEL 1 OF PRAL 89-026, CITY OF PASO ROBLES, COUNTY OF SAN LUIS OBISPO, STATE OF CALIFORNIA PER 56 PM 11
 APN: 008-381-005
 DATE: November 2003 / Revised 04-08-05 / 07-05-05 / 11-28-05
 FILENAME: S-156 Hamrick Tract 2549
 FIELD BOOK: 154-1
 DRAWN BY: RVH
 SCALE: 1" = 80'
 PROJECT: P-185J
 JOB NUMBER: S-156
 SHEET: 3 OF 3



RESOLUTION NO. 06-

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 2529 (HOPE DEVELOPMENT, LLC)

WHEREAS, the Developer has met all conditions of the tentative map, has posted payment and performance securities to warranty the installation of public improvements; 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 2529, 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 maintenance securities posted to warranty the installation of the public improvements.

SECTION 3. That the City Council of the City of Paso Robles accept the offers of dedication for Caballo Place, public tree planting, public water line, sewer line and public utility easements as shown on the final map.

PASSED AND ADOPTED by the City Council of the City of Paso Robles this 5th day of July 2006 by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

Frank R. Mecham, Mayor

ATTEST:

Deborah D. Robinson, Deputy City Clerk

TO: James L. App, City Manger
FROM: Ronald Whisenand, Community Development Director
SUBJECT: Acceptance of Offer of Dedication (Caballo Place, Tract 2529)
DATE: July 5, 2006

Needs: That the City Council authorize the acceptance of an Irrevocable and Perpetual Offer of Dedication for public road purposes provided by the Masia Family Trust related to the construction of Caballo Place, a new public road serving Tract 2529.

Facts:

1. The Planning Commission approved Tentative Tract 2529 on June 24, 2003. Conditions of approval required the dedication of additional right of way outside the boundary of Tract 2529 along with the construction of Caballo Place.
2. The City has received a variable width Irrevocable and Perpetual Offer of Dedication for public road purposes for Caballo Place adjacent to Tract 2529 as required by the approved tentative tract map.

**Analysis
and**

Conclusion: Hope Development, LLC. has requested acceptance of public improvements associated with the development of Tract 2529. In order to satisfy the conditions of approval of Tract 2529, a variable width offer of dedication of public right-of-way was required along the south boundary of Tract 2529 to accommodate the construction of Caballo Place. 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:

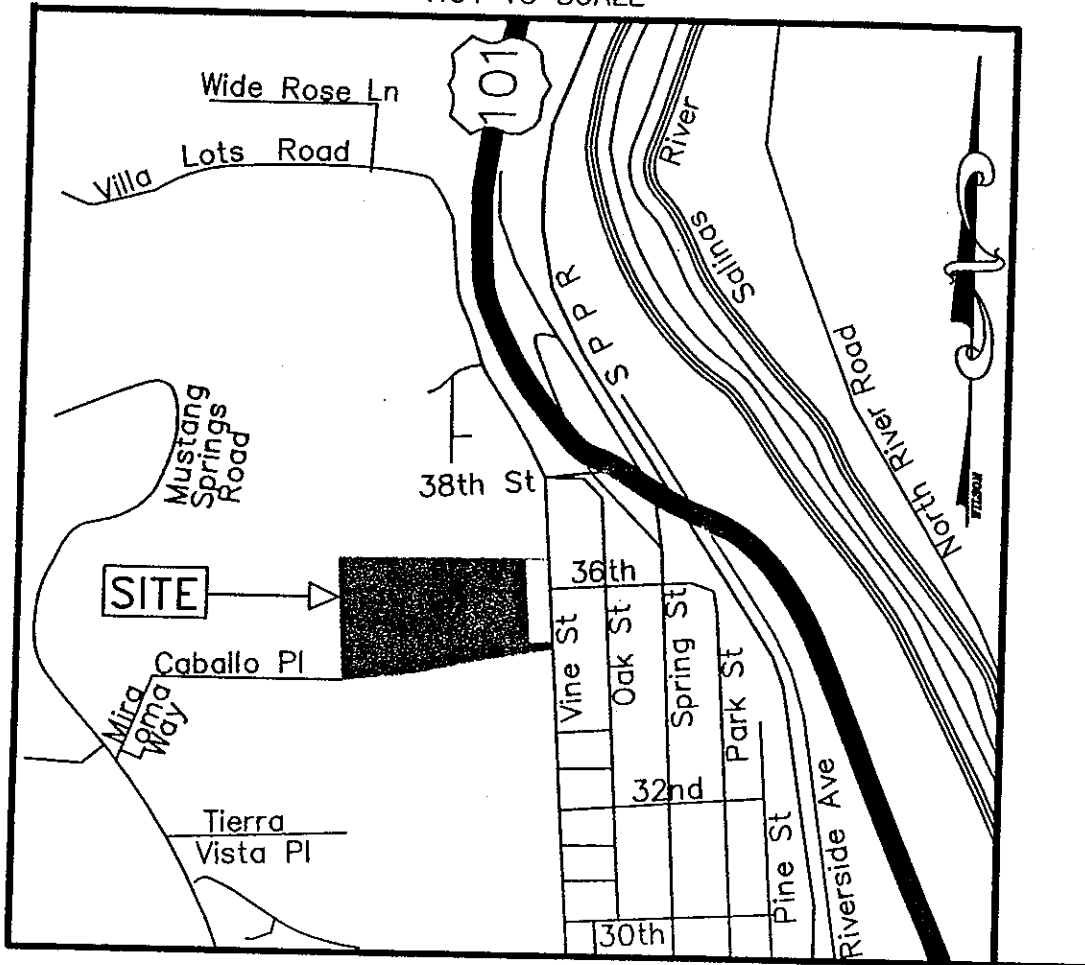
- a. Adopt Resolution No. 06-xxx accepting the variable width Irrevocable and Perpetual Offer of Dedication for road purposes along the south side of Tract 2529 for Caballo Place.
- b. Amend, modify or reject the above option.

Attachments: (3)

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

VICINITY MAP

NOT TO SCALE



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 (CABALLO PLACE, TRACT 2529)

WHEREAS, the City has received a variable width Irrevocable and Perpetual Offer of Dedication from the Masia Family Trust for public road purposes located along the southerly boundary of Tract 2529 being a public road known as Caballo Place; 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 variable width Irrevocable and Perpetual Offer of Dedication for public road purposes provided by the Masia Family Trust located along the southerly boundary of Tract 2529 also being the southerly boundary of Caballo Place 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 5th day of July 2006 by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

Frank R. Mecham, Mayor

ATTEST:

Deborah D. Robinson, Deputy City Clerk

RECORDED REQUESTED BY:

WHEN RECORDED, RETURN TO:

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

APN: 008-381-003 & 004

**IRREVOCABLE AND PERPETUAL
OFFER OF DEDICATION FOR PUBLIC RIGHT OF WAY,
DRAINAGE AND UTILITIES**

THIS OFFER TO DEDICATE is made this 5th day of June, 2006

By **Richard Pacheco and Linda A. Pacheco, as Co-Trustees of the Pacheco Family Trust No. One, Dated November 2, 1998; and Shirley B. Masia, Trustee of the Shirley B. Masia Family Trust No. 1 utd December 20, 1995** hereinafter collectively referred to as "Offeror," which is only to record concurrently with the filing for record of the Final Tract Map for The Terrace Project, Tract 2529 ("Tract Map 2529")

WITNESSETH:

WHEREAS, Offeror desires to make an irrevocable Offer of Dedication to the public of an easement for public right of way, drainage and utilities; and incidental purposes over all areas of said property described in Exhibit "A" and graphically shown on Exhibit "B" attached hereto and made a part hereof, which offer may be accepted at any time after the filing for record of Tract Map 2529 by the governmental entity which has to power to establish, construct and

maintain said easement on behalf of the public.

NOW THEREFORE, said Offeror covenants, promises and grants as follows:

1. That said Offeror is the fee owner of certain real property situated in the City of Paso Robles, County of San Luis Obispo, State of California; and

2. The said Offeror does hereby irrevocably offer to the People of the State of California, the City of Paso Robles, or a private association approved by the City of Paso Robles, a dedication of the easements as previously stated upon the following described property:

SEE EXHIBIT "A"

3. That from and after the time of recordation of this Offer until such time as this Offer of Dedication is accepted by such a government entity, the Offeror and all owners of property shown on Tract Map 2529 shall have the right to the use of said offered property as private easements, subject to the terms and conditions of that certain Grant of Reciprocal Access Roadway, Utility, Slope and Drainage Easement with Right to Offer for Dedication recorded April 11, 2003 as Instrument No. 2003-036457 of Official Records.

4. That the Offeror agrees that the above Offer of Dedication shall be perpetual and irrevocable, commencing from date of recording, and that such a government entity may, at any time in the future, accept said Offer of Dedication of the public easements.

5. That the Offeror agrees that this Offer of Dedication is and shall be binding on his, heirs, assigns and successors in interest.

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

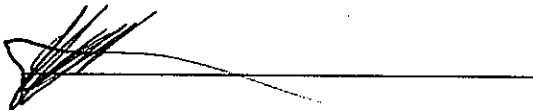
Offeror:

Pacheco Family Trust No. One,

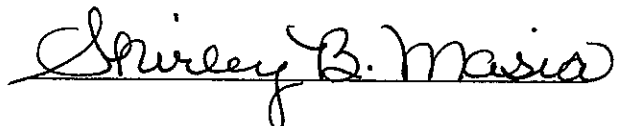
Shirley B. Masia Family Trust No. 1

Dated November 2, 1998

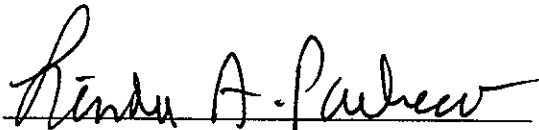
utd December 20, 1995



Richard Pacheco, Co-Trustee



Shirley B. Masia, Trustee



Linda A. Pacheco, Co-Trustee

EXHIBIT A

That portion of Villa Lots 68 and 72 of the Subdivision of a Portion of the Rancho Paso de Robles as recorded in Book A of Maps, Page 169, in the office of the County Recorder, County of San Luis Obispo, State of California, described as follows:

Beginning at an iron pipe at the southwest corner of Parcel 1 of Parcel Map PRAL-99-026, as recorded in Book 11 of Parcel Maps, Page 56, in said office of the County Recorder;

thence along the south boundary of said Parcel 1 the following courses:

N 89°53'02" E 122.13 feet to an iron pipe;

thence N 0°19'36" W 84.93 feet to an iron pipe;

thence N 80°43'00" E 583.30 feet to an iron pipe;

thence N 84°18'55" E 146.18 feet to an iron pipe;

thence N 75°15'09" E 359.61 feet to an iron pipe;

thence N 78°09'04" E 339.91 feet to an iron pipe at the southeast corner of said Parcel 1, said corner being also on the east line said Villa Lot 72;

thence S 3°50'12" E 38.375 feet along said east line of Villa Lot 72 to a point offset 38.00 feet from the previously described line;

thence along a series of lines offset 38.00 feet from said south boundary of Parcel 1 the following courses:

S 78°09'04" W 333.60 feet;

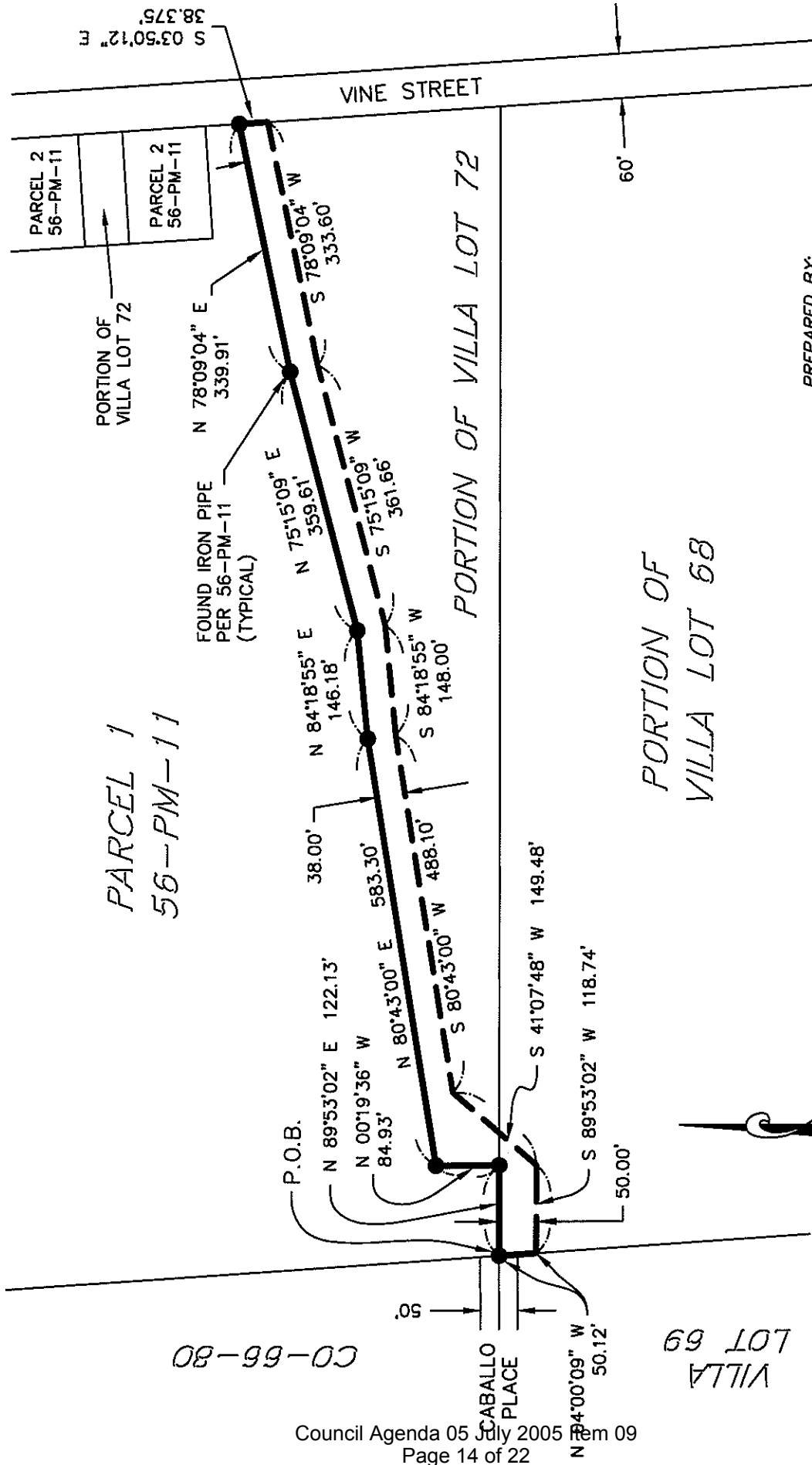
thence S 75°15'09" W 361.66 feet;

thence S 84°18'55" W 148.00 feet;

thence S 80°43'00" W 488.10 feet;

thence S 41°07'48" W 149.48 feet to a point offset 50.00 feet from the north line of said Villa Lot 68;

EXHIBIT B



PARCEL 1
56-PM-11

PORTION OF
VILLA LOT 68

PREPARED BY:

VOLBRECHT
SURVEYS

P.O. BOX 299
SAN LUIS OBISPO, CA 93406
(805) 781-9296

PREPARED FOR:
CHAD WITTSTROM

Date: February 11, 2003

673-04_Wittstrom_exhibit2.dwg

CO-66-80

State of California
County of San Luis Obispo

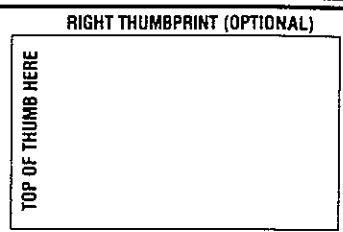
On June 2, 2006 before me, Michael T. LeSage, Esq.

personally appeared Linda AcPacheco, Trustee

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.
Michael T. LeSage
(SIGNATURE OF NOTARY)



CAPACITY CLAIMED BY SIGNER(S)
 INDIVIDUAL(S)
 CORPORATE
OFFICER(S) _____
 PARTNER(S) (TITLE(S))
 ATTORNEY IN FACT
 TRUSTEE(S)
 GUARDIAN/CONSERVATOR
 OTHER: _____

SIGNER IS REPRESENTING:
(NAME OF PERSON(S) OR ENTITY(IES))

ATTENTION NOTARY: The information requested below is **OPTIONAL**. It could, however, prevent fraudulent attachment of this certificate to any unauthorized document.

**THIS CERTIFICATE
MUST BE ATTACHED
TO THE DOCUMENT
DESCRIBED AT RIGHT:**

Irrevocable & Perpetual Offer of Dedication for Public
Title or Type of Document Right of Way Drainage Utilities
Number of Pages 6 Date of Document June 5, 2006
Signer(s) Other Than Named Above _____

State of California
County of San Luis Obispo

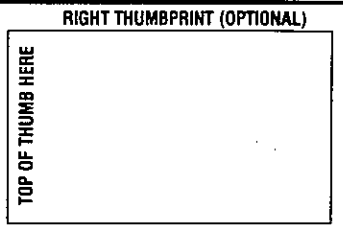
On June 5, 2006 before me, Michael T. LeSage, Esq.

personally appeared Shirley B. Masia, Trustee

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.
Michael T. LeSage
(SIGNATURE OF NOTARY)



CAPACITY CLAIMED BY SIGNER(S)
 INDIVIDUAL(S)
 CORPORATE
OFFICER(S) _____
 PARTNER(S) (TITLE(S))
 ATTORNEY IN FACT
 TRUSTEE(S)
 GUARDIAN/CONSERVATOR
 OTHER: _____

SIGNER IS REPRESENTING:
(NAME OF PERSON(S) OR ENTITY(IES))

ATTENTION NOTARY: The information requested below is **OPTIONAL**. It could, however, prevent fraudulent attachment of this certificate to any unauthorized document.

**THIS CERTIFICATE
MUST BE ATTACHED
TO THE DOCUMENT
DESCRIBED AT RIGHT:**

Irrevocable & Perpetual Offer of Dedication for Public
Title or Type of Document Right of Way Drainage Utilities
Number of Pages 6 Date of Document June 5, 2006
Signer(s) Other Than Named Above _____

State of California

County of San Luis Obispo

On May 31, 2006 before me, Michael T. LeSage
(DATE) (NAME, TITLE OF OFFICER - I.E., 'JANE DOE, NOTARY PUBLIC')

personally appeared Richard Pacheco
(NAME(S) OF SIGNER(S))

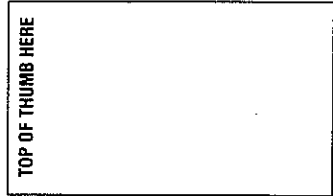
personally known to me - OR - proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.



(SEAL)

Witness my hand and official seal.
Michael T. LeSage
(SIGNATURE OF NOTARY)

RIGHT THUMBPRINT (OPTIONAL)



CAPACITY CLAIMED BY SIGNER(S)

- INDIVIDUAL(S)
- CORPORATE _____
- OFFICER(S) _____ (TITLE(S))
- PARTNER(S)
- ATTORNEY IN FACT
- TRUSTEE(S)
- GUARDIAN/CONSERVATOR
- OTHER: _____

SIGNER IS REPRESENTING:
(NAME OF PERSON(S) OR ENTITY(IES))

ATTENTION NOTARY: The information requested below is **OPTIONAL**. It could, however, prevent fraudulent attachment of this certificate to any unauthorized document.

**THIS CERTIFICATE
MUST BE ATTACHED
TO THE DOCUMENT
DESCRIBED AT RIGHT:**

Irrevocable & Perpetual Offer of Dedication for Public Right of Way Drainage & Utilities
Title or Type of Document Irrevocable & Perpetual Offer of Dedication for Public Right of Way Drainage & Utilities
Number of Pages 6 Date of Document June 5, 2006
Signer(s) Other Than Named Above _____

RECORDING REQUESTED BY AND
WHEN RECORDED RETURN TO:

The City of El Paso de Robles
Public Works Department
1000 Spring Street
Paso Robles, CA 93446

Attn.: Ditas Esperanza

FOR RECORDERS USE ONLY

RESOLUTION NO. 06-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PASO ROBLES
ANNEXING TR 2529 AS PART OF SUBAREA 106
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 for annex TR 2529 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 2529 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 Hope Development, LLC.

SECTION 3. That the City Council for the City of Paso Robles does hereby declare that the assessment for TR 2529 shall begin with Fiscal Year 2007-2008.

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 106.

PASSED AND ADOPTED by the City Council of the City of Paso Robles this 5th day of July 2006 by the following vote:

AYES:
NOES:
ABSTAIN:
ABSENT:

Frank R. Mecham, Mayor

ATTEST:

Deborah D. Robinson, Deputy City Clerk

EXHIBIT A

PARCEL 1 OF PRAL 99-026, IN THE CITY OF PASO ROBLES, COUNTY OF SAN LUIS OBISPO, STATE OF CALIFORNIA, ACCORDING TO THE MAP RECORDED IN DECEMBER 6, 2001 IN BOOK 56, PAGE 11 OF PARCEL MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

LOTS 1 THROUGH 23 OF TRACT 2529 IN THE CITY OF PASO ROBLES, COUNTY OF SAN LUIS OBISPO, STATE OF CALIFORNIA, ACCORDING TO THE MAP RECORDED _____, 2006, IN BOOK _____ OF MAPS, AT PAGE _____ IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

TO: James L. App, City Manger
FROM: Ronald Whisenand, Community Development Director
SUBJECT: Acceptance of Public Improvements – Tract 2529 (Hope Development, LLC)
DATE: July 5, 2006

Needs: That the City Council authorize the acceptance of public improvements resulting from the development of Tract 2529 into the City's maintenance system.

Facts:

1. On July 5, 2006, the City Council approved Tract 2529 for recordation.
2. This subdivision is located along Caballo Road west of the intersection of 36th and Vine Streets (see attached Vicinity Map).
3. The public improvements in Tract 2529 have been constructed to the satisfaction of City staff.
4. The Subdivider has constructed the following streets in Tract 2529 in accordance with the Subdivision Improvement Agreement and in compliance with the improvement plans and all applicable City standards:

| <u>STREET NAME</u> | <u>FROM</u> | <u>TO</u> | <u>MILES</u> |
|--------------------|-------------|------------------------------|--------------|
| Caballo Road | Vine Street | 1600 feet w/o Vine Street | 0.30 |

**Analysis
and**

Conclusion: The public improvements, which the developer was required to install for this subdivision, have been completed. Further, the City will, at a minimum, retain a Maintenance Bond for a period of one year as warranty for the improvements installed.

Policy

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

Fiscal

Impact: The Contractor is obligated to maintain all public improvements for a one-year period following acceptance by the City Council. Once the one-year period has been completed, and the Contractor has completed all correction items, the City will assume additional street, sewer and drainage maintenance costs.

Parkway landscaping and street lighting costs will be financed by the benefiting property owners through the Landscape and Lighting District.

Options: Based upon completion of construction of all required public improvements to the satisfaction of the City:

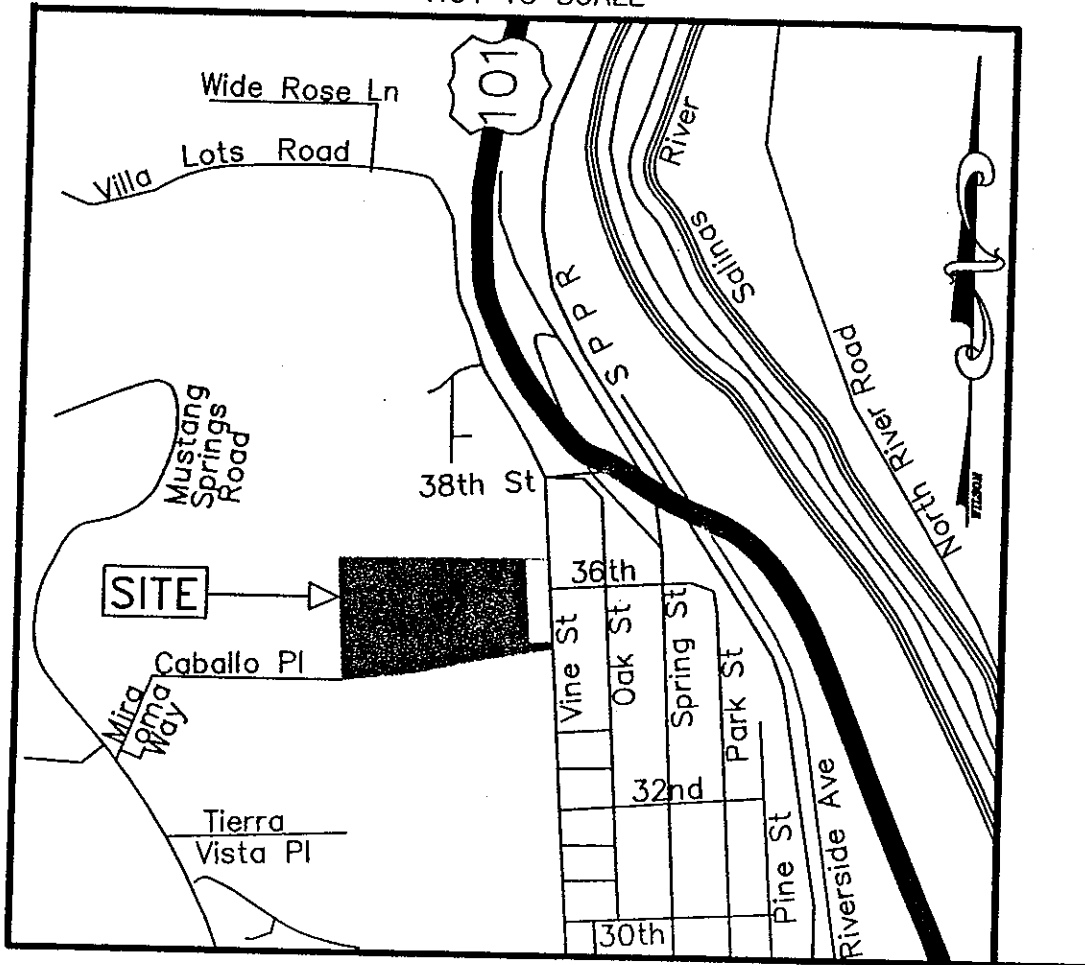
- a. Adopt Resolution No. 06-xxx accepting the public improvements of Tract 2529 into the City's maintenance system.
- b. Amend, modify or reject the above option.

Attachments: (2)

- 1. Vicinity Map
- 2. Resolution

VICINITY MAP

NOT TO SCALE



RESOLUTION NO. 06-xxx

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PASO ROBLES
ACCEPTING PUBLIC IMPROVEMENTS FOR TRACT 2529
(HOPE DEVELOPMENT, LLC) CONSTRUCTED PURSUANT TO THE
SUBDIVISION IMPROVEMENT AGREEMENT

WHEREAS, Tract 2529 was approved July 5, 2006, for recordation, and a Subdivision Improvement Agreement was entered into; and

WHEREAS, all public improvements required as Conditions of Approval for Tract 2529 have been constructed in compliance with the improvement plans and all applicable City Standards, and the City Engineer has certified to the Council the completion of such public improvements; and

WHEREAS, the Subdivider has constructed, installed or completed the following streets in Tract 2529 in accordance with the Subdivision Improvement Agreement, the improvement plans and all applicable City Standards:

| STREET NAME | FROM | TO | MILES |
|--------------|-------------|---------------------------|-------|
| Caballo Road | Vine Street | 1600 feet w/o Vine Street | 0.30 |

WHEREAS, Subdivider has requested that the City accept said public improvements in Tract 2529.

THEREFORE, BE IT RESOLVED AS FOLLOWS:

SECTION 1. Upon completion of all public improvements to the satisfaction of the City Engineer, that the public improvements constructed as required for Tract 2529 be accepted into the City's maintenance system, approximately 0.30 miles in length, and the City shall then assume responsibility for their future maintenance and repair. The Subdivider shall be obligated for maintenance of all public improvements for a period of at least one year from date of acceptance by the City Council. After one year, maintenance securities, posted in the amount of \$50,000 may be released by the City Engineer upon completion of all correction items to the satisfaction of City staff.

PASSED AND ADOPTED by the City Council of the City of Paso Robles this 5th day of July 2006 by the following vote:

- AYES:
- NOES:
- ABSTAIN:
- ABSENT:

Frank R. Mecham, Mayor

ATTEST:

Deborah D. Robinson, Deputy City Clerk