

TO: James L. App, City Manager
FROM: Ronald Whisenand, Community Development Director
SUBJECT: Acceptance of Offer of Dedication (Howell, Tract 2782)
DATE: October 3, 2006

Needs: That the City Council authorizes the acceptance of an Irrevocable and Perpetual Offer of Dedication, for an easement for water, sewer and other underground utilities, provided by Beatrice Howell. The easement is related to the construction of sewer and water lines needed to serve Tract 2782 on Experimental Station Road.

Facts:

1. The Planning Commission approved Tentative Tract 2782 on November 22, 2005. The conditions of approval reflect that the development of Tract 2782 depends on the extension of utilities, including sewer and water lines, from adjacent Tract 2005, Jena Court.
2. The City has received a 20-foot wide Irrevocable and Perpetual Offer of Dedication for an easement for sewer, water and other underground utilities across Lot 5 of Tract 2005, as required by the approved tentative tract map.

**Analysis
and**

Conclusion: Chad Wittstrom has requested the acceptance of an easement obtained from Beatrice Howell to allow for the installation of water and sewer lines to serve his Tract 2782 on Experimental Station Road.

Policy

Reference: Paso Robles Municipal Code Section 14

Fiscal

Impact: None

Options:

- a. Adopt Resolution No. 06-xxx accepting the easement for sewer, water and other utilities provided by Beatrice Howell in order to accommodate the extension of sewer, water and utility lines to Tract 2782.

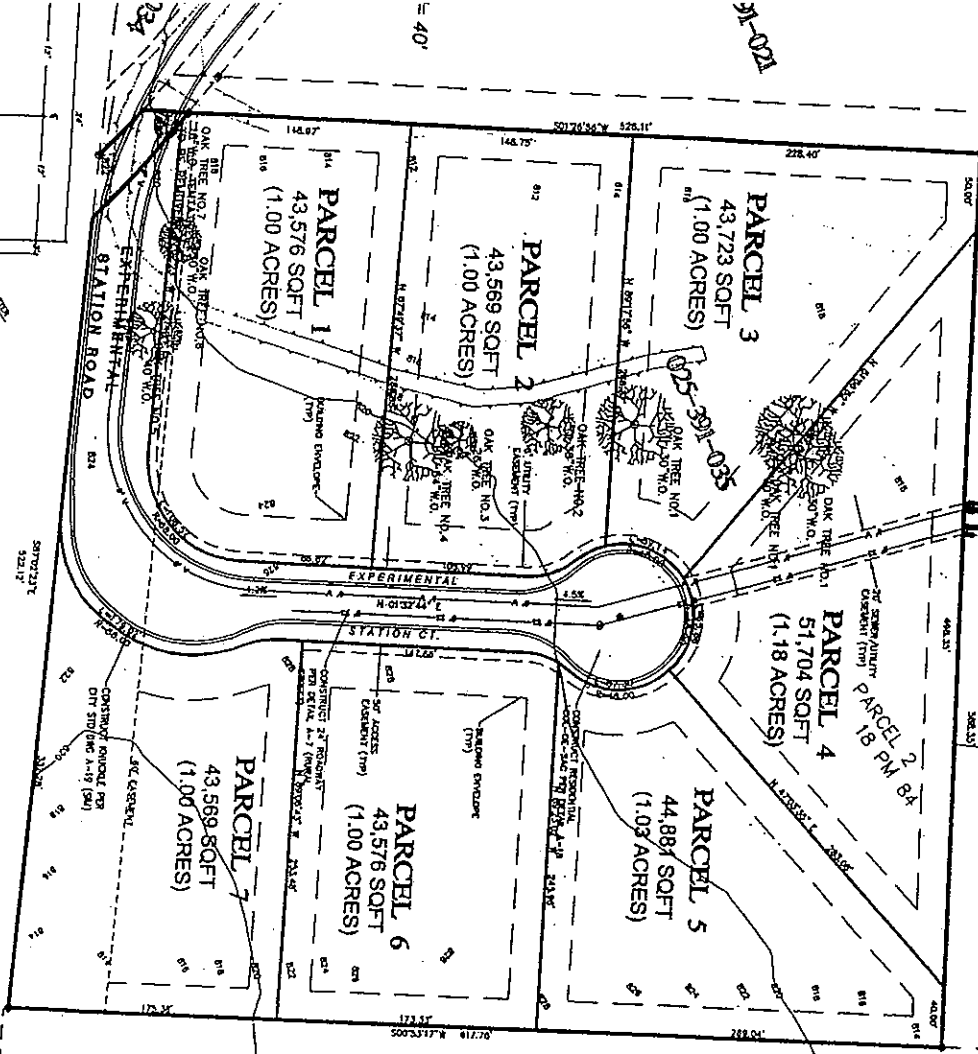
- b. Amend, modify or reject the above option.

Attachments: (3)

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

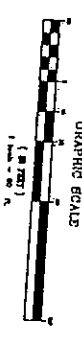
20.00' EASEMENT AREA

20.00' EASEMENT AREA



CAL HWY 46

PAVED ROADWAY SECTION, SEE LOCAL RURAL STREET (STD A-7) ENGINEER'S SHALL BE CONSIDERED RESPONSIBLE FOR THE SURVEY OF THE ROADWAY SECTION.



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008 NO. 05-491

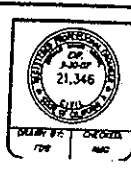
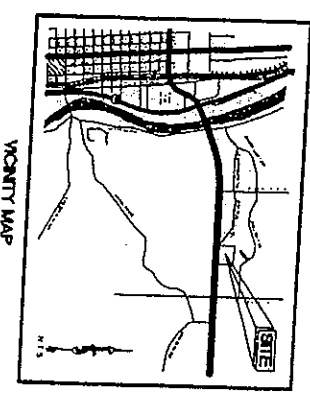
TENTATIVE TRACT 2782
BEING A SEVEN LOT SUBDIVISION OF PARCEL 2 OF 18 PM 84 IN THE CITY OF PASO ROBLES SAN LUIS OBISPO COUNTY STATE OF CALIFORNIA

NOTES:
1. TOPOGRAPHIC MAP IS FROM SALES & PERFORMANCE AT THE OFFICE, CONDITION ANTERIOR, 5/7
2. PRESENT ZONING FROM 18 PM 84

OWNER/APPLICANT
SHARON W. WILSON
3075 STOCKHOLE ROAD
PASO ROBLES, CA 93226
(805) 337-8122 (O)
APN: 002-21-035
ZONING DESIGNATION: R-1.1

PROPOSED PARCELS	ACRES	SQ. FT.
PARCEL 1	1.00	43,576
PARCEL 2	1.00	43,569
PARCEL 3	1.00	43,723
PARCEL 4	1.18	51,704
PARCEL 5	1.03	44,887
PARCEL 6	1.00	43,576
PARCEL 7	1.00	43,569
TOTAL	7.01	311,004

EXISTING PARCELS	ACRES	SQ. FT.
PARCEL 18 PM 84	18.00	391,800
TOTAL	25.01	702,804



EMK & Associates, Inc.
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1008 RAILROAD ST. • PASO ROBLES, CA 93246 • 805/238-5427
ENGINEERING MANAGER: RON M. CRIDER R.C.E. # 21,346

RESOLUTION NO. 06-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PASO ROBLES
ACCEPTING AN IRREVOCABLE AND PERPETUAL OFFER OF DEDICATION
FOR A SEWER, WATER AND UTILITY EASEMENT (TRACT 2782)

WHEREAS, the City has received a 20-foot wide Irrevocable and Perpetual Offer of Dedication from Beatrice Howell for a public sewer, water and utility easement located between Jena Court and Experimental Station Road in Tract 2782; and

WHEREAS, the easement will allow for the construction of sewer, water and utility lines needed to serve Tract 2782.

THEREFORE, BE IT RESOLVED AS FOLLOWS:

SECTION 1. That the City Council accept the 20-foot wide Irrevocable and Perpetual Offer of Dedication for an easement for water, sewer and other utility lines provided by Beatrice Howell and provided for Tract 2782 and the City Council authorizes 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 3rd day of October, 2006 by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

Frank R. Mecham, Mayor

ATTEST:

Deborah D. Robinson, Deputy City Clerk

OFFER TO DEDICATE

RECORDING REQUESTED BY AND
WHEN RECORDED RETURN TO:

City of El Paso de Robles
Community Development, Engineering Division
1000 Spring Street,
Paso Robles, CA, 93446

APN 025-422-005

---000---

THIS OFFER TO DEDICATE, made the 11 day of September, 2006,
By Beatrice J. Howell, an individual and Executrix of the Estate of Richard H. Howell, 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 underground sewer, water and other underground public utilities purposes, which offer may be accepted at any time by any governmental entity which has the power to establish, construct and maintain such utilities. Furthermore, this offer shall not include any egress or ingress rights except for those needed on a temporary basis to install, repair, maintain or replace underground utilities.

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

1. That said Offeror is the owner of the following interest described below:

See Exhibit "A" attached.

2. That said Offeror does hereby irrevocably and in perpetuity offer to such governmental entity a dedication of a public easement for above described underground utility purposes and incidental uses upon the following described property, provided that such easement shall not include any egress or ingress rights except those necessary on a temporary basis to install, repair, maintain, or replace underground utilities.

See Exhibit "B"

3. 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 easement.
4. That said Offeror agrees that this irrevocable and perpetual Offer of Dedication is and shall be binding on her 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.


Beatrice J. Howell

ACKNOWLEDGMENT

State of California
County of San Luis Obispo

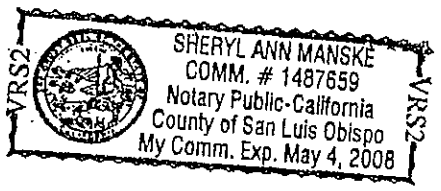
On 9/11/06 before me, Sheryl Ann Manske,
(here insert name and title of the officer)

personally appeared Beatrice J. Howell

~~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.

Signature Sheryl Ann Manske



(Seal)

Job No. 05-491
August 29, 2005

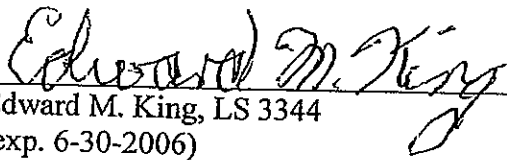
EXHIBIT "A"
Lot 5

Lot 5 of Tract 2005 in the City of Paso Robles, County of San Luis Obispo, State of California as said Tract is shown on the map recorded in Book 19 of Map Books at Page 82 in the office of the County Recorder of said County and State.

EXHIBIT "B"
EASEMENT AREA
ACROSS LOT 5
TRACT 2005
19 MB 82

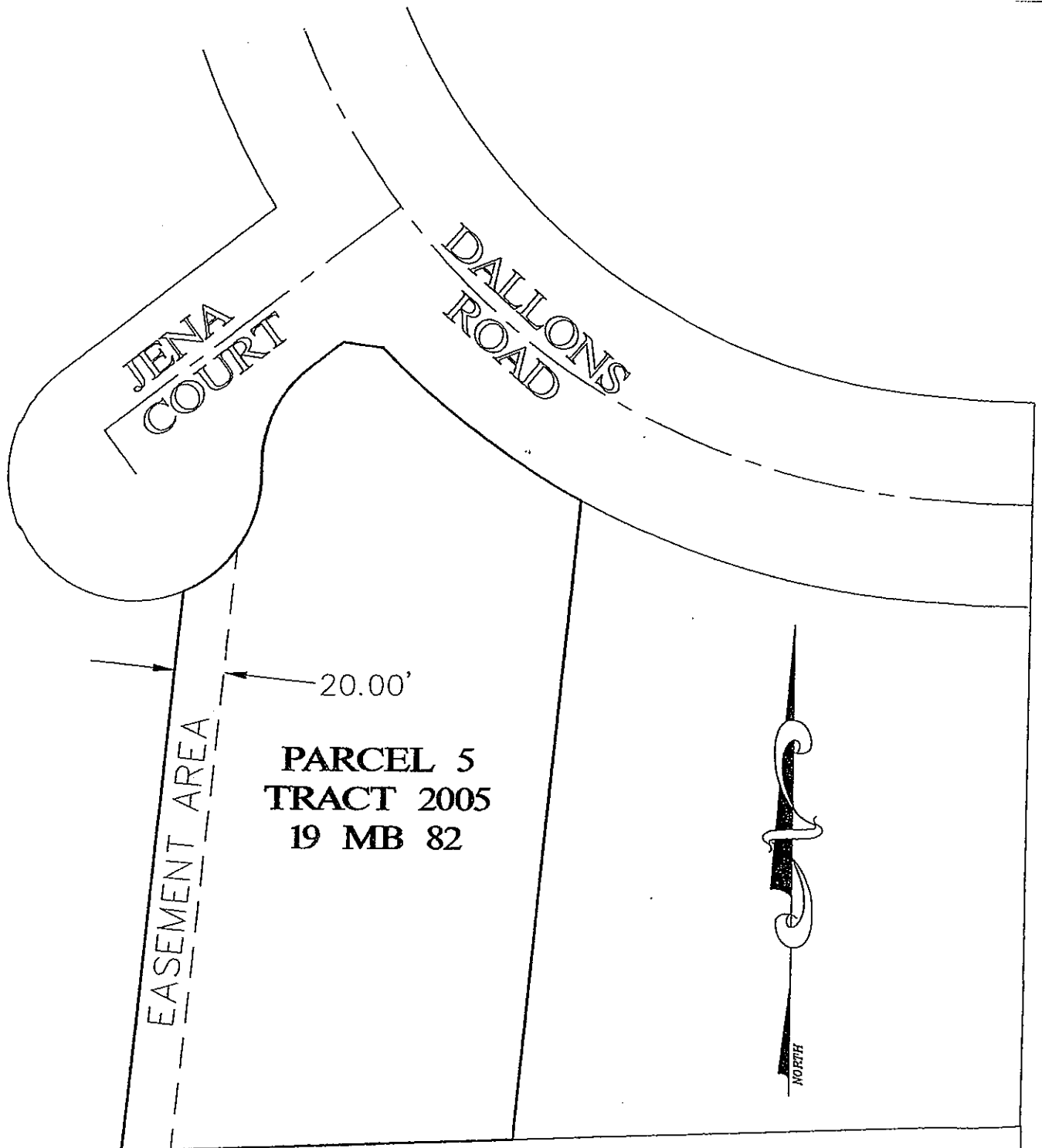
A strip of land 20.00 feet wide across Lot 5 of Tract 2005 in the City of Paso Robles, County of San Luis Obispo, State of California as said Tract is shown on the map recorded in Book 19 of Map Books at Page 82 in the office of the County Recorder of said County and State, and being more particularly described as lying adjoining and Easterly of the Westerly line of said Lot 5, the sidelines of which extend from Jena Court to the South line thereof.

See Exhibit "C" attached.


Edward M. King, LS 3344
(exp. 6-30-2006)


Date





PARCEL 2
18 PM 84

EXHIBIT " C "

PREPARED FOR: WITTSTROM TANNEHILL
PREPARED BY: EMK & ASSOCIATES, INC.
1005 RAILROAD STREET
PASO ROBLES, CA 93446
(805) 238-5427

NOT TO SCALE