

TO: James L. App, City Manager
FROM: Ron Whisenand, Director of Community Development
SUBJECT: Offer of Dedication (BH Development)
DATE: November 21, 2006

Needs: That the City Council authorize the recordation of a Grant Deed of a parcel of land in and adjacent to a stream bed west of Arciero Way.

Facts:

1. Tract 2571 is located along Montebello Oaks Drive and Arciero Way in the Union-46 Specific Plan area. The final map for Tract 2571 was approved for recordation by the City Council on November 16, 2004.
2. The recordation of Tract 2571 included the dedication of open space Lot 35 to the City. Lot 35 includes a natural creek that drains north and west from Arciero Way towards the Salinas River.
3. The west boundary of Lot 34 as recorded with Tract 2571 contains some creek-bed area along with a portion of a City drainage culvert.
4. The property owners of Lot 34, BH Development (Boganrief, Hanson, Keatts), desire to amend the west boundary of Lot 34 so that the creek bed and culvert are not included within the parcel.
5. BH Development has provided the City with a Grant Deed of a 940 square foot parcel of land within and adjacent to the un-named creek bed in Lot 35. The owners feel it is appropriate that this small portion of creek bed be associated with the adjacent City-owned open space.

**Analysis
and**

Conclusion: The attached Grant Deed will connect a small portion of private property to the City owned open space dedicated with Tract 2571. Staff agrees that the deeded area logically should have been part of the open space lot and supports its acceptance. The open space in Tract 2571 is maintained by the Landscape and Lighting District.

Policy

Reference: Union-46 Specific Plan.

Fiscal

Impact: None.

Options:

- a. Adopt Resolution No. 06-xxx accepting and authorizing recordation of the Grant Deed provided by BH Development.
- b. Amend, modify or reject the above option.

Attachments: (3)
1. Vicinity Map
2. Resolution
3. Grant Deed

RESOLUTION NO. 06-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PASO ROBLES
ACCEPTING OFFER OF DEDICATION OF A PORTION OF LOT 34 OF TRACT 2571
(BH DEVELOPMENT, INC)

WHEREAS, at their meeting of November 16, 2004, the City Council adopted Resolution 04-249 authorizing the recordation of Tract 2571 and accepting open space Lot 35; and

WHEREAS, the owners of Lot 34 of Tract 2571 have provided the City with a Grant Deed of a small portion of Lot 34 adjacent to open space Lot 35; and

THEREFORE, BE IT RESOLVED AS FOLLOWS:

SECTION 1. That the City of Paso Robles does hereby accept the Grant Deed of a portion of Lot 34 of Tract 2571 from BH Development, Inc. as described and shown in Exhibit "A".

PASSED AND ADOPTED by the City Council of the City of Paso Robles this 21st day of November, 2006 by the following vote:

AYES:

NOES:

ABSTAIN:

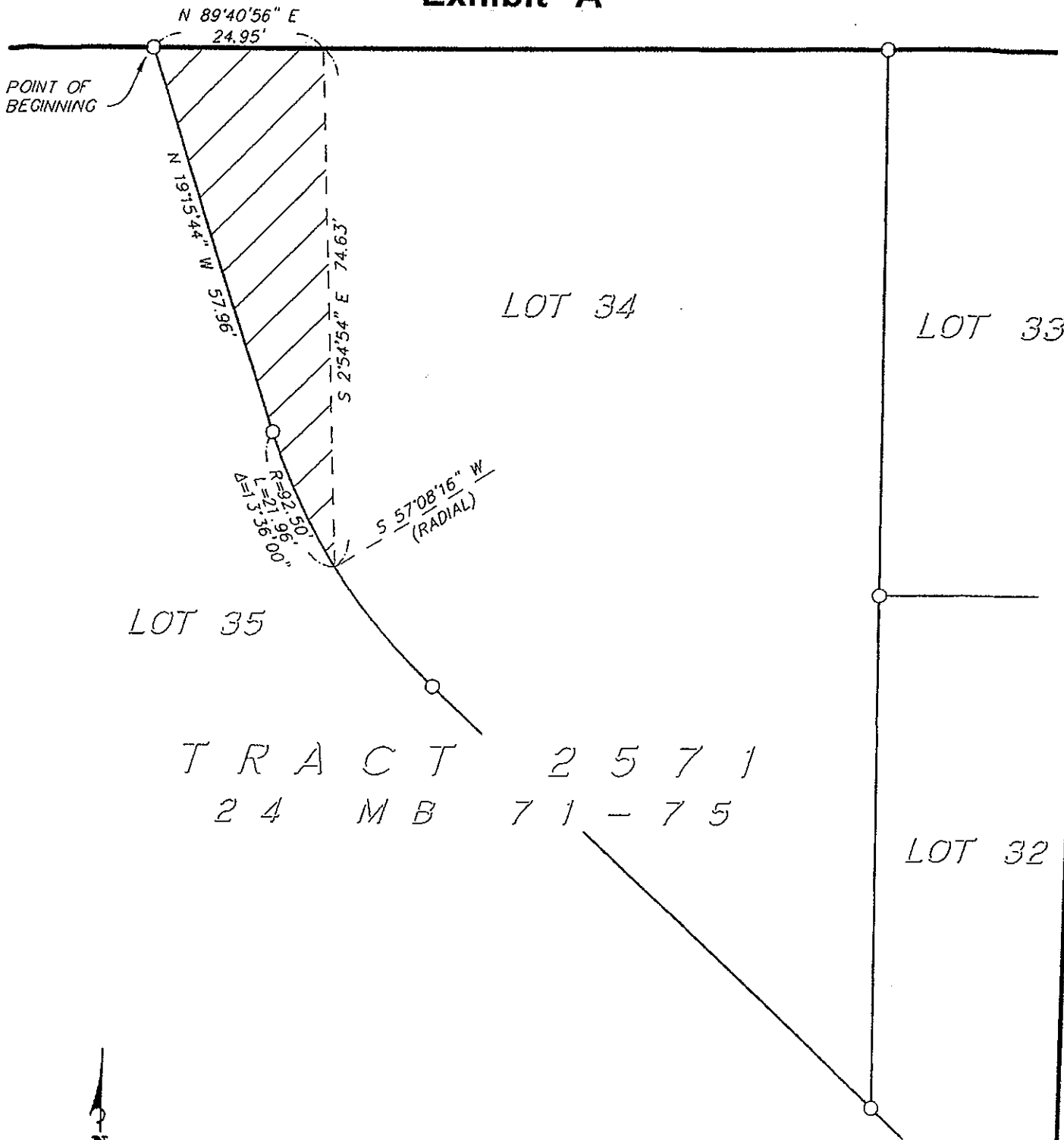
ABSENT:

Frank R. Mecham, Mayor

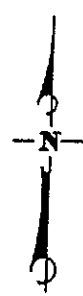
ATTEST:

Deborah D. Robinson, Deputy City Clerk

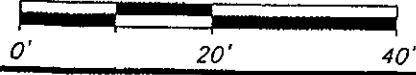
Exhibit "A"



TRACT 2571
24 MB 71-75



SCALE IN FEET



○ INDICATES 1/2" REBAR WITH CAP MARKED "L.S. 5201"

VOLBRECHT
SURVEYS

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

APRIL, 2005

77101ex01.dwg

RECORDING REQUESTED BY
United General Title Insurance Company

AND WHEN RECORDED MAIL TO:
City of Paso Robles
1000 Spring Street
Paso Robles, CA 93447

Space Above This Line for Recorder's Use Only

A.P.N.: 025-603-015

File No.: ()

GRANT DEED

The Undersigned Grantor(s) Declare(s): DOCUMENTARY TRANSFER TAX \$0.00; CITY TRANSFER TAX \$0.00;
SURVEY MONUMENT FEE \$

- computed on the consideration or full value of property conveyed, OR
- computed on the consideration or full value less value of liens and/or encumbrances remaining at time of sale,
- unincorporated area; City of **Paso Robles**, and

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged, **BH Development, a California General Partnership**

hereby GRANTS to **City of El Paso de Robles**


the following described property in the City of **Paso Robles**, County of **San Luis Obispo**, State of **California**:

See Exhibit A attached hereto and made a part hereof


Dated: 11/09/2006

BH Development, a California General Partnership

Hanson Family Partnership, General Partner



By: Nancy Becker Bogenrief, General Partner



By: Tye Kendrick Hanson, General Partner

By: Katrina Hanson Keatts, General Partner

Mail Tax Statements To: **SAME AS ABOVE**

STATE OF California)SS
COUNTY OF San Luis Obispo

On 11/09/06, before me, KAREN L. SATTERFIELD
Notary Public, personally appeared

NANCY BECKER BOGEMRIEF & TYE KENNETH HANSON, 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

Karen L. Satterfield

My Commission Expires: _____

Notary Name: _____

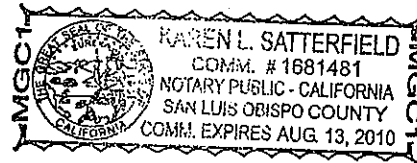
Notary Registration Number: _____



This area for official notarial seal

Notary Phone: _____

County of Principal Place of Business: _____



STATE OF _____

COUNTY OF _____

On _____ before me, _____
(Name, Title of Officer)

personally appeared _____

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 of Notary Public)

(This area for notarial seal)

EXHIBIT "A"

A portion of Lot 34 of Tract 2571 in the City of Paso Robles as shown on Map recorded in Book 24 of Maps, Pages 71 through 75, inclusive, in the County of San Luis Obispo, State of California described as follows:

Beginning at a ½ inch rebar with cap marked "L.S. 5201" at the northwest corner of said Lot 34;

thence, along the north line of said Lot, N 89°40'56" E a distance of 24.95 feet;

thence, leaving said line, S 2°54'54" E a distance of 74.63 feet to a point on the west line of said lot, said point being the beginning of a nontangent curve, concave northeasterly, having a radius of 92.50 feet, a radial line to said point bears S 57°08'16" W;

thence, northerly along said curve, 21.96 feet through a central angle of 13°36'00" to a ½ inch rebar with cap marked "L.S. 5201" at the end of said curve in said line;

thence, continuing along said line, N 19°15'44" W a distance of 57.96 feet;

END OF DESCRIPTION.

Alan L. Volbrecht

Alan L. Volbrecht LS 5201

Nov 9, 2006

exp 6/30/07

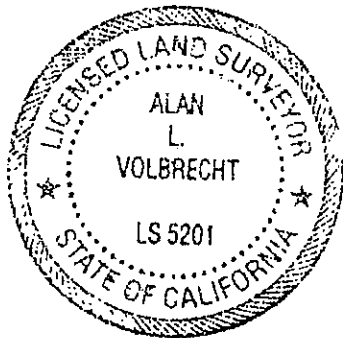
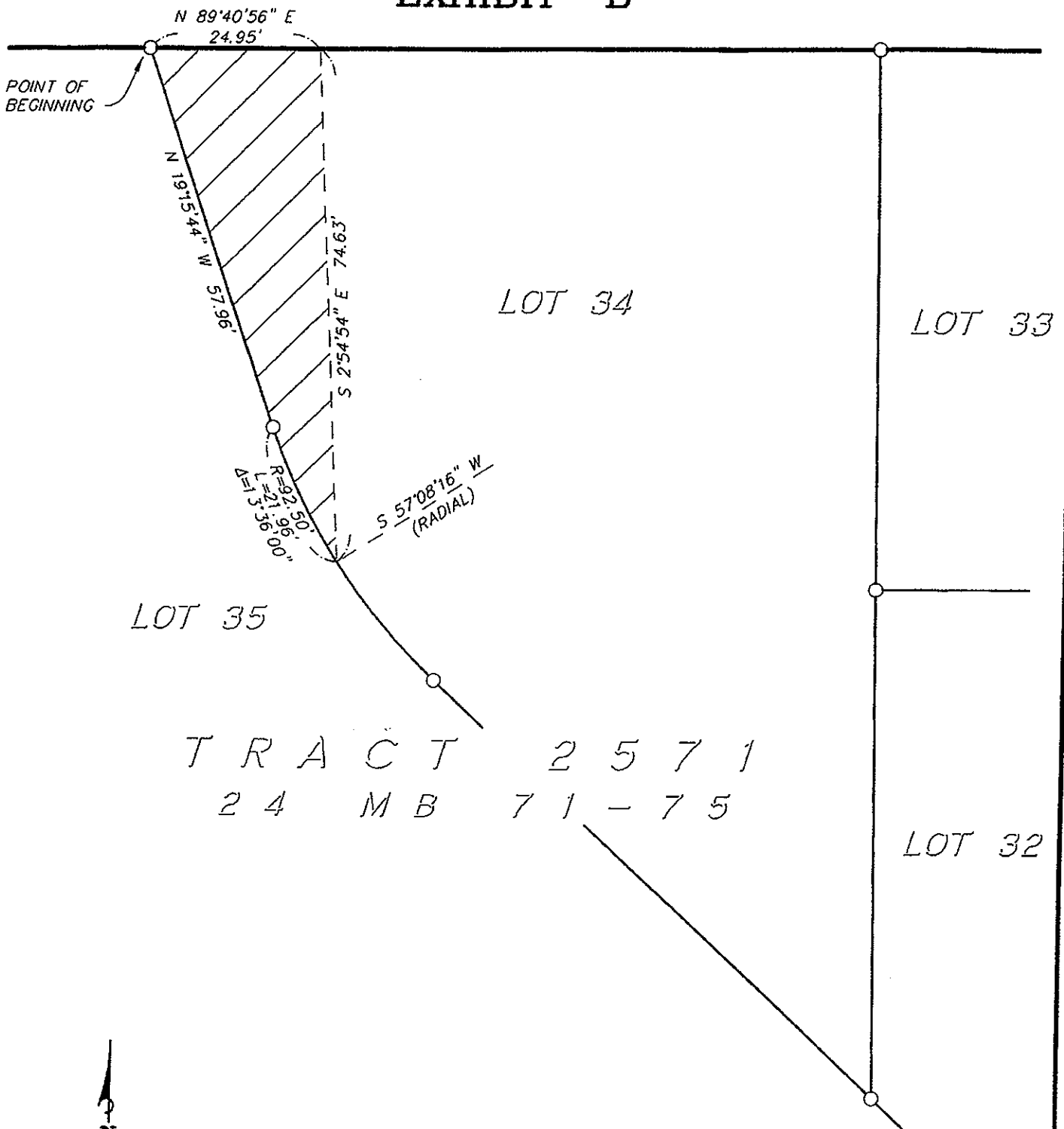
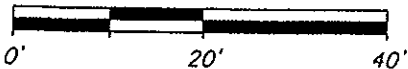


EXHIBIT "B"



SCALE IN FEET



○ INDICATES 1/2" REBAR WITH CAP MARKED "L.S. 5201"

VOLBRECHT
SURVEYS

P.O. BOX 299
SAN LUIS OBISPO, CA. 93406
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APRIL, 2005

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See Exhibit A attached hereto and made a part hereof

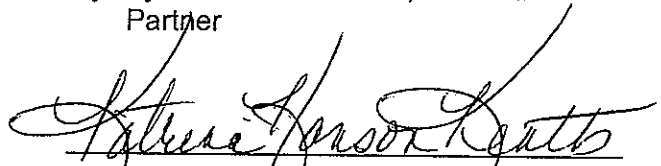
Dated: 11/09/2006

BH Development, a California General Partnership

Hanson Family Partnership, General Partner

By: Nancy Becker Bogenrief, General Partner

By: Tye Kendrick Hanson, General Partner



By: Katrina Hanson Keatts, General Partner

STATE OF California)SS
COUNTY OF San Luis Obispo)

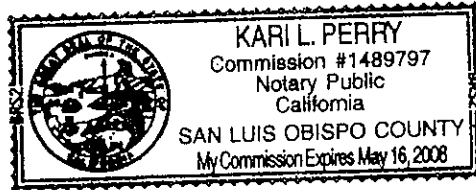
On 11-9-06, before me, Kari L Perry
Notary Public, personally appeared Katrina Hanson Keatts

, 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

Kari L Perry



My Commission Expires: 5-16-08

This area for official notarial seal

Notary Name: Kari L. Perry

Notary Phone: 805-462-9893

Notary Registration Number: 1489797

County of Principal Place of Business: San Luis Obispo

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END OF DESCRIPTION.

Alan L. Volbrecht LS 5201 exp 6/30/07

Vicinity Map

TRACT 2571

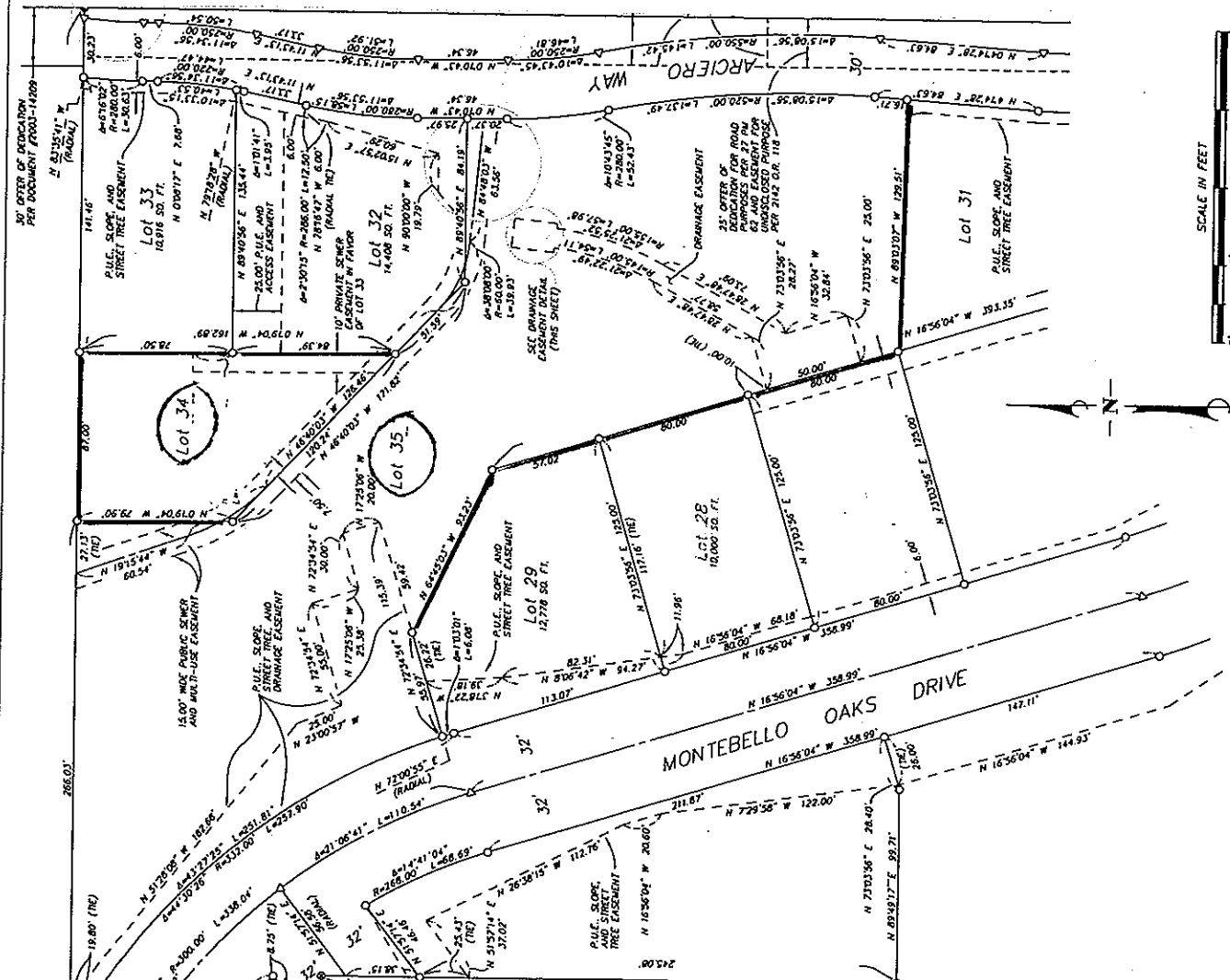
Being a subdivision of Parcels A and B of Parcel Map CO 77-129 and of the Remainder Parcel of Parcel Map PR 07-355, together being a portion of Lot 12 of the subdivision of the Rancho Santa Ysabel as recorded in Book A, Page 29 of Maps, in the office of the County Recorder, City of Paso Robles, County of San Luis Obispo, State of California.

VOLBRECHT SURVEYS

POST OFFICE BOX 299
SAN LUIS OBISPO, CA 93406
(805) 781-9286

JUNE, 2004

67305fm.4.dwg



OPINION OF RELOCATION PER DOCUMENT #0003-14209

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OPINION OF RELOCATION PER DOCUMENT #0003-14000

- LEGEND**
- ⊗ SET 1" IP WITH TAG T.L.S. 5201"
 - SET 1/2" REBAR WITH PLASTIC CAP T.L.S. 5201"
 - △ SET STANDARD CENTERLINE MONUMENT IN WELL
 - FOUND MONUMENT AS NOTED PER R
 - FOUND 1" PIPE WITH TAG T.L.S. 5201" PER R
 - R RECORD OF SURVEY BOOK 87, PAGES 16-21, INCLUSIVE.