

TO: James L. App, City Manager
FROM: Ron Whisenand, Community Development Director
SUBJECT: Acceptance of Public Improvement – Tract 2620
(Vanderlip)
DATE: March 20, 2007

Needs: That the City Council authorize the acceptance of public improvements resulting from the development of Tract 2620 into the City's maintenance system.

Facts:

1. On July 18, 2006, the City Council accepted Tract 2620 for recordation and executed a Subdivision Improvement Agreement with the Developer of this subdivision.
2. This subdivision is located along Via Magnolia and Via Lantana west of Montebello Estates and north of Riverglen, see attached Vicinity Map.
3. The public improvements in Tract 2620 have been constructed to the satisfaction of City staff.
4. The Subdivider has constructed the following streets in Tract 2620 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>
Via Magnolia	Via Lantana	500 feet w/o Via Flora	0.08
Via Lantana	250 feet n/o Via Fuchsia	500 feet n/o Via Fuchsia	0.05

5. The Subdivider, Vince Vanderlip, has posted bonds that guarantee completion of improvements in Tract 2620.

**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. 07-xxx accepting the public improvements of Tract 2620 into the City's maintenance system.
- b. Amend, modify or reject the above option.

Attachments: (2)

- 1. Vicinity Map
- 2. Resolution

OWNER'S STATEMENT

WE, THE UNDERSIGNED, HEREBY STATE THAT WE ARE ALL THE OWNERS OF (AND ALL RECORDHOLDERS 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 DEDICATE TO THE PUBLIC FOR PUBLIC USE ALL STREETS SHOWN ON THIS MAP, WE ALSO DEDICATE TO THE PUBLIC THE EASEMENTS FOR TREE PLANTING PURPOSES SO DESIGNATED ON THIS MAP AND ALL USES INCIDENT THERETO.

WE ALSO HEREBY DEDICATE OPEN SPACE IN FEE TO THE CITY OF PASO ROBLES.

WE HEREBY RESERVE TO OURSELVES, OUR HEIRS, AND ASSIGNS CERTAIN PRIVATE ACCESS AND PRIVATE SEWER 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 ALSO HEREBY RESERVE TO OURSELVES, OUR HEIRS, AND ASSIGNS FOR THE USE AND 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.".

BY: VINCE VANDERLIP, INC. A CALIFORNIA CORPORATION

BY: _____
VINCE VANDERLIP, PRESIDENT

ACKNOWLEDGMENT

STATE OF CALIFORNIA }
COUNTY OF SAN LUIS OBISPO } s.s.

ON _____, 2006, BEFORE ME _____, A NOTARY PUBLIC FOR THE STATE OF CALIFORNIA, PERSONALLY APPEARED VINCE VANDERLIP, PERSONALLY KNOWN TO ME (OR PROVED TO ME ON THE BASIS OF SATISFACTORY EVIDENCE) TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE WITHIN INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME IN HIS AUTHORIZED CAPACITY AND THAT BY HIS SIGNATURE ON THE INSTRUMENT THE PERSON, OR THE ENTITY UPON BEHALF OF WHICH THE PERSON ACTED, EXECUTED THE INSTRUMENT.

NOTARY SIGNATURE _____ NAME PRINTED _____
COUNTY OF SAN LUIS OBISPO, CA. _____ NOTARY EXPIRES _____

NOTARY COMMISSION NUMBER _____

CITY CLERK'S STATEMENT

I, DENNIS FANSLER, CITY CLERK OF THE CITY OF EL PASO DE ROBLES, CALIFORNIA, HEREBY STATE THAT THE CITY COUNCIL OF SAID CITY DID ON THE _____ DAY OF _____, 2006, APPROVE THE MAP OF TRACT 2620 SHOWN HEREON AND ACCEPTED ON BEHALF OF THE PUBLIC ALL THE STREETS AND THE EASEMENTS FOR TREE PLANTING PURPOSES, AND THE OPEN SPACE TO THE TERMS OF OFFER OF DEDICATION BY THE PARTIES HAVING A RECORD TITLE INTEREST IN SAID LAND.

WITNESS MY HAND AND SEAL THIS _____ DAY OF _____, 2006

DENNIS FANSLER, CITY CLERK

TRUSTEE STATEMENT

MSB PROPERTIES, INC., TRUSTEE UNDER A DEED OF TRUST RECORDED MARCH 10, 2006, AS DOCUMENT NO. 2006-016768 OF OFFICIAL RECORDS AND A DEED OF TRUST RECORDED MARCH 10, 2006 AS INSTRUMENT NO. 2006-016769 OF OFFICIAL RECORDS.

BY: _____

BY: _____
PRINTED NAME DATE

ACKNOWLEDGMENT

STATE OF CALIFORNIA }
COUNTY OF SAN LUIS OBISPO } s.s.

ON _____, 2006, BEFORE ME _____, A NOTARY PUBLIC FOR THE STATE OF CALIFORNIA, PERSONALLY APPEARED _____, PERSONALLY KNOWN TO ME (OR PROVED TO ME ON THE BASIS OF SATISFACTORY EVIDENCE) TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE WITHIN INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME IN HIS AUTHORIZED CAPACITY AND THAT BY HIS SIGNATURE ON THE INSTRUMENT THE PERSON, OR THE ENTITY UPON BEHALF OF WHICH THE PERSON ACTED, EXECUTED THE INSTRUMENT.

NOTARY SIGNATURE _____ NAME PRINTED _____

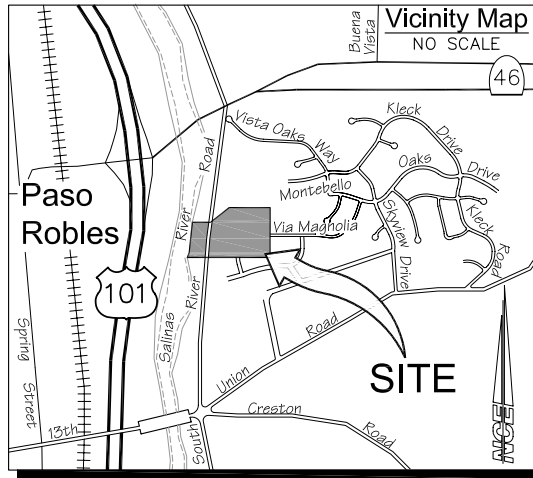
COUNTY OF SAN LUIS OBISPO, CA. _____ NOTARY EXPIRES _____

NOTARY COMMISSION NUMBER _____

PLANNING COMMISSION STATEMENT

I HEREBY 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 2620 ON MARCH 22, 2005.

RONALD WHISENAND, COMMUNITY DEVELOPMENT DIRECTOR DATE



ENGINEER'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 VINCE VANDERLIP IN APRIL OF 2004. I HEREBY STATE THAT THIS FINAL MAP SUBSTANTIALLY CONFORMS TO THE CONDITIONALLY APPROVED TENTATIVE MAP AND THAT ALL THE MONUMENTS SHOWN HEREON ARE OF THE CHARACTER AND OCCUPY THE POSITIONS INDICATED, OR WILL BE SET IN SUCH POSITIONS WITHIN ONE YEAR OF THE APPROVAL OF THIS MAP AND ARE SUFFICIENT TO ENABLE THE SURVEY TO BE RETRACED.

STEVEN J. SYLVESTER R.C.E. 29743 DATE
EXP. 3/31/07



CITY ENGINEER'S STATEMENT

I HEREBY STATE THAT I HAVE EXAMINED THE ANNEXED MAP ENTITLED TRACT 2620, THAT THE SUBDIVISION AS SHOWN HEREON IS SUBSTANTIALLY THE SAME AS IT APPEARED ON THE TENTATIVE MAP, IF REQUIRED, AND ANY APPROVED ALTERATIONS THEREOF AND THAT ALL THE PROVISIONS OF THE SUBDIVISION MAP ACT OF THE STATE OF CALIFORNIA AND OF ANY LOCAL ORDINANCES APPLICABLE AT THE TIME OF THE APPROVAL OF THE TENTATIVE MAP HAVE BEEN COMPLIED WITH AND THAT I AM SATISFIED THAT THIS MAP IS TECHNICALLY CORRECT.

DATE: _____

JOHN R. FALKENSTIEN
CITY ENGINEER
CITY OF PASO ROBLES
R.C.E. C33760 (EXP. 6/30/06)

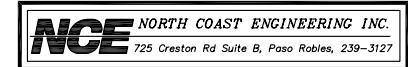
RECORDER'S STATEMENT

FILED THIS _____ DAY OF _____, 2006, AT _____, M., IN BOOK _____
OF MAPS AT PAGES _____, AT THE REQUEST OF STEVEN J. SYLVESTER.
DOCUMENT NO. _____
FEE: _____

JULIE L. RODEWALD
COUNTY RECORDER DEPUTY RECORDER

TRACT 2620

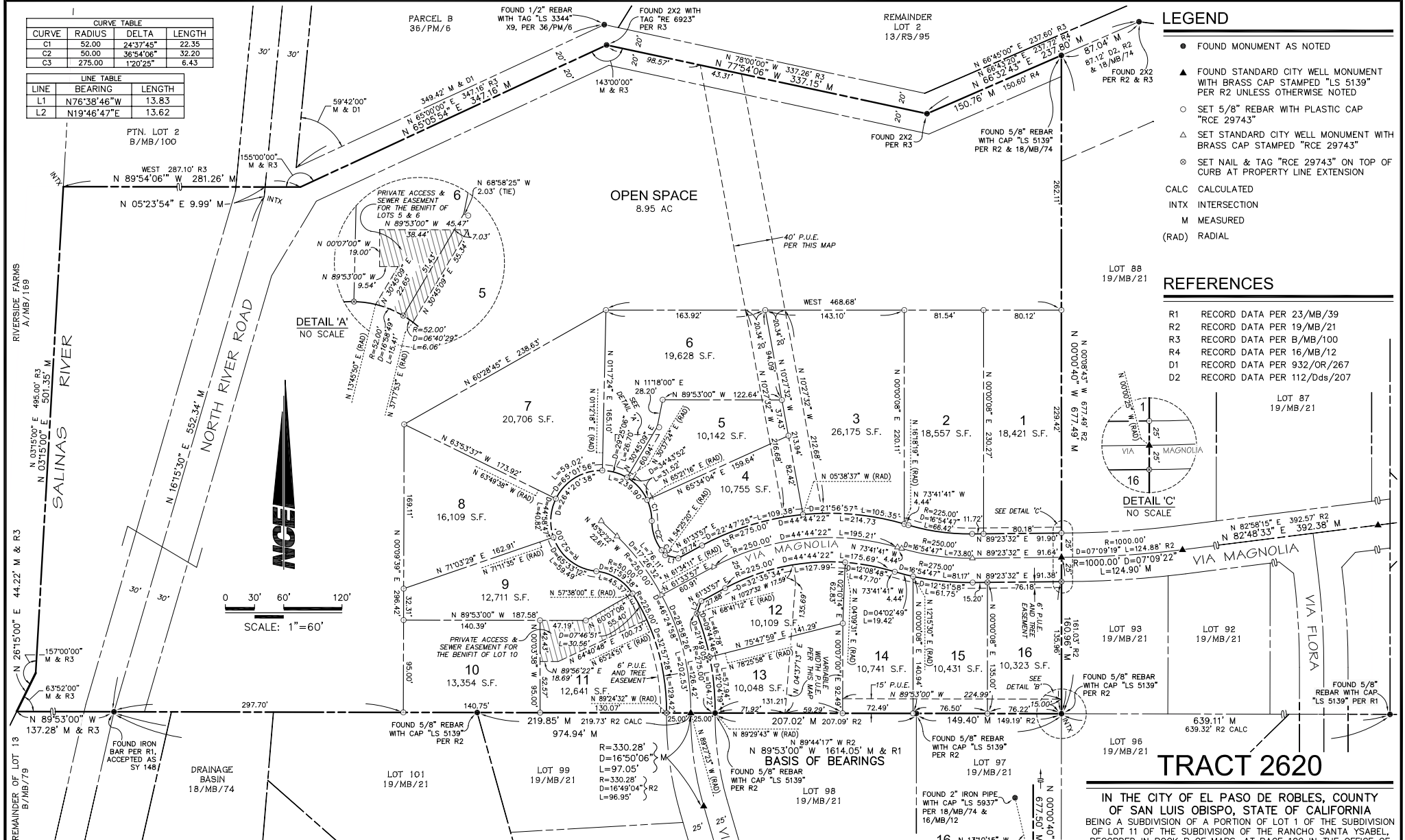
IN THE CITY OF EL PASO DE ROBLES, COUNTY OF SAN LUIS OBISPO, STATE OF CALIFORNIA BEING A SUBDIVISION OF A PORTION OF LOT 1 OF THE SUBDIVISION OF LOT 11 OF THE SUBDIVISION OF THE RANCHO SANTA YSABEL, RECORDED IN BOOK B OF MAPS, AT PAGE 100 IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY



SHEET 1 OF 3

CURVE TABLE			
CURVE	RADIUS	DELTA	LENGTH
C1	52.00	24.37°45"	22.35
C2	50.00	36°54'06"	32.20
C3	275.00	120°25'	6.43

LINE TABLE		
LINE	BEARING	LENGTH
L1	N76°38'46"W	13.83
L2	N19°46'47"E	13.62



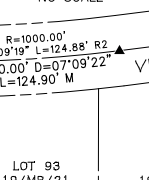
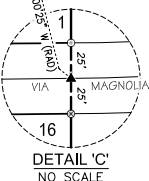
BASIS OF BEARINGS

THE BASIS OF BEARINGS FOR THIS SURVEY IS BETWEEN TWO FOUND MONUMENTS ALONG THE SOUTHERLY LINE AS SHOWN HEREON, NOTED TO BE N 89°53'00" W PER R1.

- LEGEND**
- FOUND MONUMENT AS NOTED
 - ▲ FOUND STANDARD CITY WELL MONUMENT WITH BRASS CAP STAMPED "LS 5139" PER R2 UNLESS OTHERWISE NOTED
 - SET 5/8" REBAR WITH PLASTIC CAP "RCE 29743"
 - △ SET STANDARD CITY WELL MONUMENT WITH BRASS CAP STAMPED "RCE 29743"
 - ⊗ SET NAIL & TAG "RCE 29743" ON TOP OF CURB AT PROPERTY LINE EXTENSION
- CALC CALCULATED
 INTX INTERSECTION
 M MEASURED
 (RAD) RADIAL

- REFERENCES**
- R1 RECORD DATA PER 23/MB/39
 - R2 RECORD DATA PER 19/MB/21
 - R3 RECORD DATA PER B/MB/100
 - R4 RECORD DATA PER 16/MB/12
 - D1 RECORD DATA PER 932/OR/267
 - D2 RECORD DATA PER 112/Dds/207

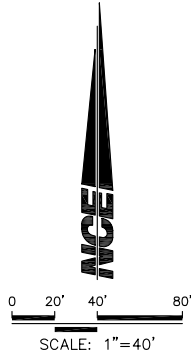
LOT 88
19/MB/21



TRACT 2620

IN THE CITY OF EL PASO DE ROBLES, COUNTY OF SAN LUIS OBISPO, STATE OF CALIFORNIA
 BEING A SUBDIVISION OF A PORTION OF LOT 1 OF THE SUBDIVISION OF LOT 11 OF THE SUBDIVISION OF THE RANCHO SANTA YSABEL, RECORDED IN BOOK B OF MAPS, AT PAGE 100 IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY

NCE NORTH COAST ENGINEERING INC.
 725 Creston Rd Suite B, Paso Robles, 239-3127



OPEN SPACE

ADDITIONAL INFORMATION SHEET

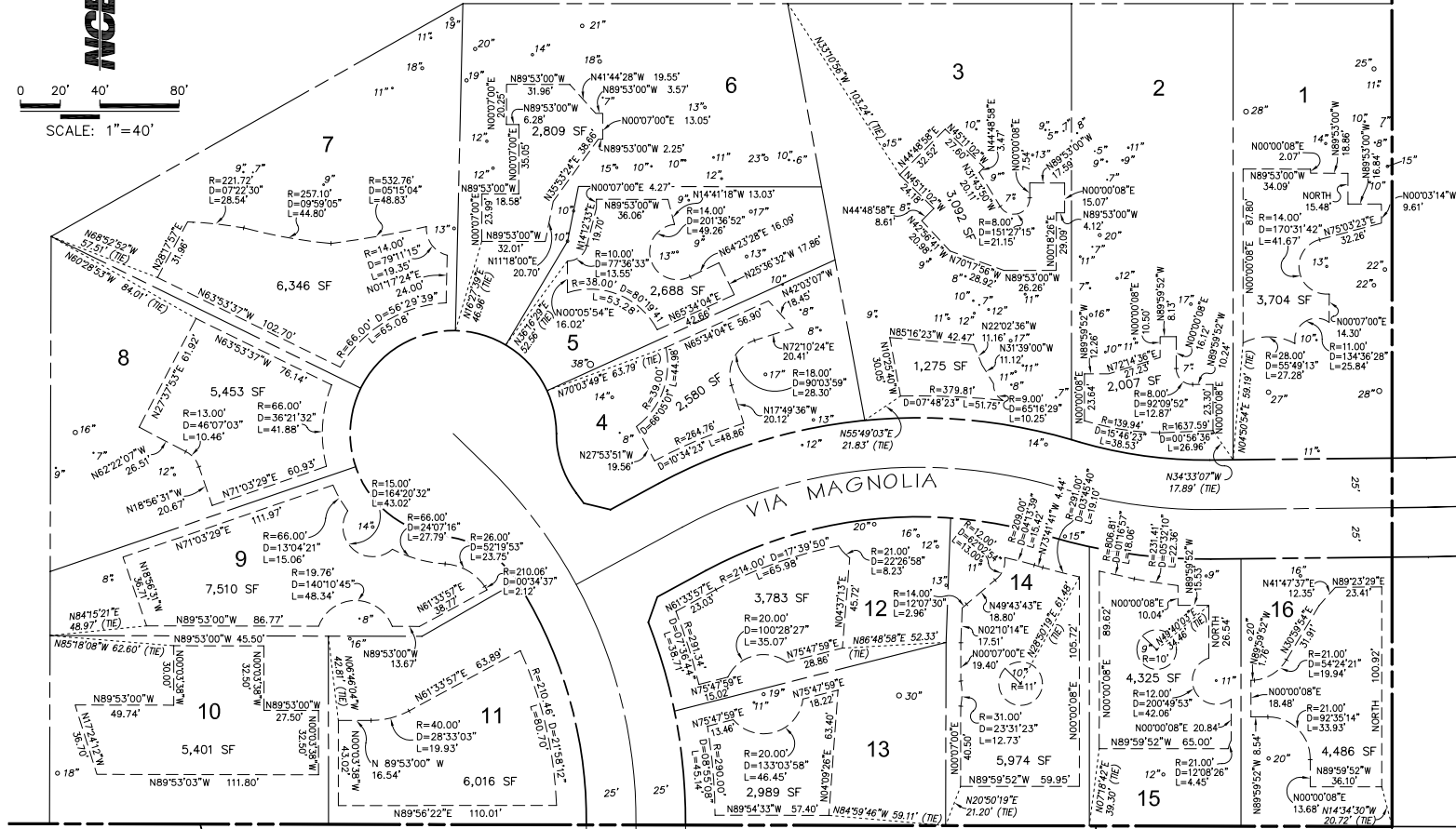
THE ADDITIONAL INFORMATION SHOWN ON THIS SHEET IS FOR INFORMATIONAL PURPOSES ONLY AND IS DESCRIBING THE CONDITIONS AS OF THE DATE OF FILING AND IS NOT INTENDED TO AFFECT RECORD TITLE INTEREST.

THE FOLLOWING RESTRICTIONS APPLY TO THE LOTS SHOWN HEREON IN CONFORMANCE WITH RESOLUTION NUMBER 05-0029, DATED MARCH 22, 2005.

1. PER ITEM 11.a., LOT DEVELOPMENT SHALL BE RESTRICTED TO THE BUILDING ENVELOPES SHOWN HEREON.
2. PER ITEM 11.c., ANY CONSTRUCTION ON THESE LOTS WILL BE REQUIRED TO STAY OUT OF THE CRITICAL ROOT ZONE OF THE OAK TREES.
3. PER ITEM 13, ALL REMAINING OAK TREES SHALL BE PRESERVED WITHIN THE SUBDIVISION BY USE OF CUSTOM AND/OR EXTRAORDINARY GRADING AND HOME DESIGN MEASURES. NO OAK TREE REMOVALS WILL BE ALLOWED IN EXCESS OF THOSE APPROVED WITH CITY COUNCIL RESOLUTION 05-0024.

LEGEND

- EXISTING OAK TREE WITH MEASURED TRUNK DIAMETER
- BUILDING ENVELOPES



TRACT 2620

IN THE CITY OF EL PASO DE ROBLES, COUNTY OF SAN LUIS OBISPO, STATE OF CALIFORNIA
 BEING A SUBDIVISION OF A PORTION OF LOT 1 OF THE SUBDIVISION OF LOT 11 OF THE SUBDIVISION OF THE RANCHO SANTA YSABEL, RECORDED IN BOOK B OF MAPS, AT PAGE 100 IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY



LOT 101
19/MB/21

LOT 99
19/MB/21

LOT 97
19/MB/21

LOT 98
19/MB/21

RESOLUTION NO. 07-xxx

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PASO ROBLES
ACCEPTING PUBLIC IMPROVEMENTS FOR TRACT 2620 (VANDERLIP) CONSTRUCTED
PURSUANT TO THE SUBDIVISION IMPROVEMENT AGREEMENT

WHEREAS, Tract 2620 was accepted July 18, 2006, for recordation, and a Subdivision Improvement Agreement was entered into; and

WHEREAS, all public improvements required as Conditions of Approval for Tract 2620 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 2620 in accordance with the Subdivision Improvement Agreement, the improvement plans and all applicable City Standards:

<u>STREET NAME</u>	<u>FROM</u>	<u>TO</u>	<u>MILES</u>
Via Magnolia	Via Lantana	500 feet w/o Via Flora	0.08
Via Lantana	250 feet n/o Via Fuchsia	500 feet n/o Via Fuchsia	0.05

WHEREAS, Subdivider has requested that the City accept said public improvements in Tract 2620. The Subdivider has posted improvement securities for Tract 2620. Therefore, in accordance with the Subdivision Agreement in place for Tract 2521, the Subdivider has requested that the City accept said public improvements and authorize the release of improvement securities furnished by the Subdivider.

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 2620 be accepted into the City's maintenance system, approximately 0.13 miles in length, upon the release of maintenance securities, 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 may be released by the City Engineer upon completion of all correction items to the satisfaction of City staff.

SECTION 2. That upon receipt of a maintenance bond in the amount of \$25,949; the payment bond for \$129,747 and the performance bond for \$259,494 guaranteeing construction of these public improvements may be released in accordance with the terms of the Subdivision Improvement Agreement for Tract 2620.

PASSED AND ADOPTED by the City Council of the City of Paso Robles this 20th day of March, 2007 by the following vote:

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

Frank R. Mecham, Mayor

ATTEST:

Deborah D. Robinson, Deputy City Clerk