

TO: James L. App, City Manager
FROM: Doug Monn, Public Works Director
SUBJECT: Accept a Quitclaim of Certain Property from Caltrans
DATE: June 5, 2007



NEEDS: For the City Council to consider adopting Resolution No. 07-xx accepting a deed to certain property from Caltrans and directing the City Clerk to record the deed with the County Recorder's Office.

- FACTS:**
1. In February 2007, the City received notice from Caltrans that they have determined that portions of 38th Street, east of Vine, are surplus property.
 2. The State offered the property for purchase by the City in the amount of \$535.00.
 3. The facts pertaining to the subject parcel are:

Size	0.23 acre
Highest and best use	local street

ANALYSIS & CONCLUSION: The area adjacent to the property is currently owned by the City and used as roadway. Staff reviewed the offer from Caltrans and determined that it would be in the best interest of the City to accept the offer. The purchase would make it possible for the City to improve traffic circulation at this location.

POLICY REFERENCE: Circulation Element

FISCAL IMPACT: The price of \$535.00 can be paid from the existing maintenance and operations budget of the Public Works Department.

- OPTIONS:**
- a. Adopt Resolution No. 07-xx accepting a deed to certain property and authorizing and directing the City Clerk to record the deed.
 - b. Amend, modify, or reject the above option.

Prepared by:
Ditas Esperanza, P.E., Capital Projects Engineer

- Attachments (3)
- 1) Resolution
 - 2) Caltrans Offer Letter
 - 3) Exhibit

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. 07-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PASO ROBLES
ACCEPTING A DEED TO CERTAIN PROPERTY AND AUTHORIZING AND
DIRECTING THE CITY CLERK TO RECORD THE SAME WITH THE RECORDER
OF THE COUNTY OF SAN LUIS OBISPO

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO DE ROBLES AS
FOLLOWS:

SECTION 1. The City of El Paso de Robles does hereby accept the deed to certain property within the City executed by the State of California Department of Transportation. A true and correct copy of the deed is attached hereto as Exhibit "A" and hereby incorporated by reference.

SECTION 2. The City Clerk is hereby authorized and directed to record the deed in the office of the County Recorder of the County of San Luis Obispo. The City Clerk may utilize the services of a land title company to effectuate the recording by delivering a certified copy of this resolution to the title company for presentation to the County Recorder together with the original deed.

PASSED AND ADOPTED by the City Council of the City of Paso Robles this 5th day of June 2007 by the following vote:

AYES:
NOES:
ABSTAIN:
ABSENT:

Frank R. Mecham, Mayor

ATTEST:

Deborah D. Robinson, Deputy City Clerk

After Recording Return To:
Department of Transportation—R/W
50 Higuera Street
San Luis Obispo CA 93401-5415

STATE BUSINESS—FREE:

This document presented for recording pursuant to
Govt. Code Section 27383.

Documentary Transfer Tax: No Tax Due
CALIFORNIA DEPARTMENT OF TRANSPORTATION

By _____
Signature of Declarant

Space above this line for Recorder's Use

APN 008-011-001

DIRECTOR'S DEED
(Quitclaim)

District	County	Route	Post	Number
05	SLO	101	59.0	DK 9962-01-01

APR - 2007 6

The STATE OF CALIFORNIA, acting by and through its Director of Transportation, does hereby release and quitclaim
to _____ THE CITY OF PASO ROBLES _____

all right, title and interest in and to all that real property in the _____ CITY OF PASO ROBLES _____, County of
_____ SAN LUIS OBISPO _____, State of California, described as:

(Described on the attached Exhibit "A")

MAIL TAX
STATEMENTS TO: City of Paso Robles
Attn: Ditas Esperanza
1000 Spring Street
Paso Robles, CA 93446

EXHIBIT "A"

PARCEL DD 9962-01-01

Those portions of Villa Lot 73, Blocks 208 and 209, and 38th and Vine Streets shown on the map of El Paso de Robles and adjoining subdivisions filed for record in Book A of Maps, records of San Luis Obispo County, at page 169 that lie southerly of line 1 and southwesterly of line 2 described as follows:


- (1) The northerly side line of 38th Street and the westerly prolongation thereof to an intersection with that record course 2 described in the document filed for record April 20, 1953 in Volume 707 of Official Records at page 597, records of said county, and
- (2) The northwesterly prolongation of that record course 1 described in the instrument of relinquishment to the City of Paso Robles filed for record as Document No. 14798 on September 18, 1957 in Volume 908 of said Official Records at page 167 et seq. to the point of intersection with the above cited northerly side line of 38th Street (said record course 1 is described identically on pages 167 and 169 of said instrument).

EXCEPTING AND RESERVING any and all abutter's rights of access in and to U. S. Highway 101 over and across the above described lines 1 and 2.

THIS CONVEYANCE IS *"subject to special assessments, if any, restrictions, reservations and easements of record."*

End of Description

This real property description has been prepared by me, or under my direction, in conformance with the Professional Land Surveyors Act.

Signature 
Date 11/16/04



Subject to special assessments if any, restrictions, reservations, and easements of record.

This conveyance is executed pursuant to the authority vested in the Director of Transportation by law and, in particular, by the Streets and Highways Code.

WITNESS my hand and the seal of the Department of Transportation of the State of California, this 3 day of MAY 2007.

STATE OF CALIFORNIA
DEPARTMENT OF TRANSPORTATION

APPROVED AS TO FORM AND PROCEDURE

Clare P. Wetmore
ATTORNEY
DEPARTMENT OF TRANSPORTATION

Will Kempton
Director of Transportation
By John W. Maddux
Attorney in Fact
JOHN W. MADDUX
PERSONAL ACKNOWLEDGMENT

STATE OF CALIFORNIA } SS
County of Sacramento }
San Luis Obispo

On this the 3 day of May 2007, before me, John T. Magorian, Notary Public
Name, Title of Officer-E.G., "Jane Doe, Notary Public"

personally appeared John W. Maddux
Name of Signer

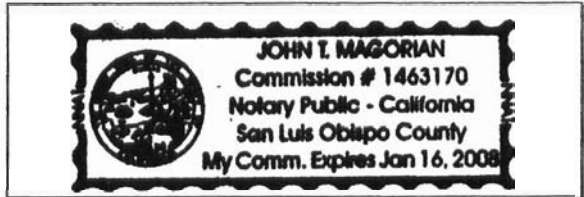
- personally known to me
- proved to me on the basis of satisfactory evidence

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.

WITNESS my hand and official seal.

John T. Magorian

(Notary Public's signature in and for said County and State)



(for notary seal or stamp)

THIS IS TO CERTIFY that the California Transportation Commission has authorized the Director of Transportation to execute the foregoing deed at its meeting regularly called and held on the 26th day of April 2007, in the City of San Luis Obispo.
Dated this 30th day of April 2007.
John F. Barna, Jr.
JOHN F. BARNA, JR., Executive Director
CALIFORNIA TRANSPORTATION COMMISSION

DEPARTMENT OF TRANSPORTATION

50 HIGUERA STREET
SAN LUIS OBISPO, CA 93401-5415
TELEPHONE (805) 549-3317
FAX (805) 549-3558
TTY (805) 549-3259
<http://www.dot.ca.gov/dist05>



*Flex your power!
Be energy efficient!*

February 2, 2007

05-SLO-101-59.0
Caltrans Parcel No. 9962-01-01

City of Paso Robles
Attn: John Falkenstein, City Engineer
1000 Spring Street
Paso Robles, CA 93446

SUBJECT: NOTICE OF INTENT TO SELL EXCESS LAND

Dear Mr. Falkenstein:

The Department of Transportation has determined the land shown on the attached map as surplus to the State's needs. Pursuant to prior correspondence, the City of Paso Robles has expressed interest in acquiring the subject land. Because the State of California purchased the fee rights to the subject land, this land must be conveyed via a monetary transaction. Accordingly, the State hereby offers to sell the referenced parcel at the same value the State purchased the subject land for in 1953, in the amount of Five Hundred Thirty Five Dollars (\$535.00) (based on prorata cost).

The following facts pertain to the subject Parcel:

- 1. Size:0.23 Ac
- 2. Highest & Best Use:..... Local Street Roadway
- 3. Encumbrances:.....None
- 5. Improvements:Roadway

Enclosed you will find an Option Agreement requesting a deposit to secure the subject property. Please respond with your intent to purchase or otherwise by no later than Wednesday, February 28, 2007. Please do not hesitate to contact me with any questions. Thank you.

Sincerely,

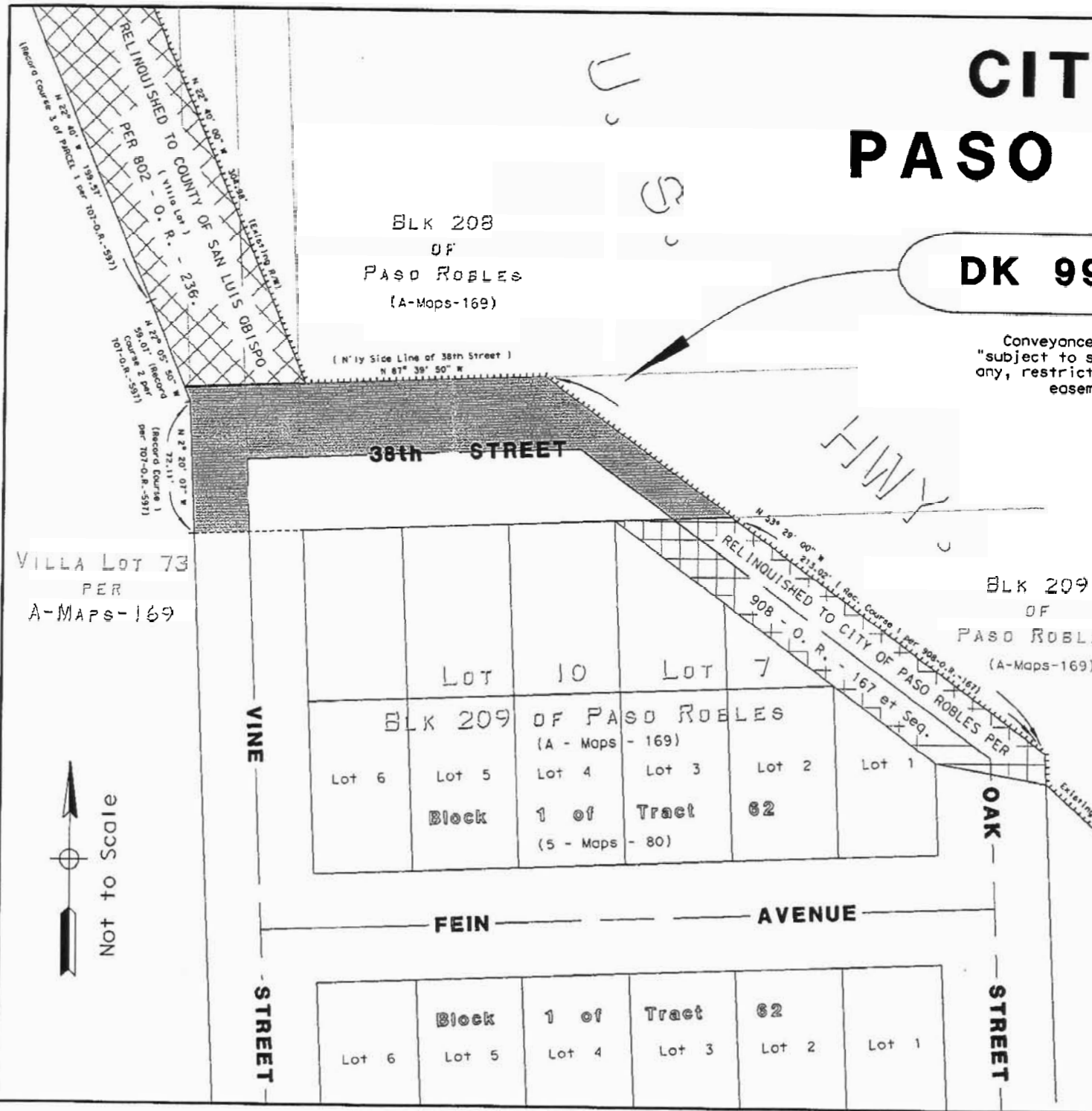
Patrick C. Pittarelli
Excess Land Manager
Central Region Excess Land

Enclosures

CITY OF PASO ROBLES

DK 9962-01-01

Conveyance of DK 9962-01-01 is "subject to special assessments, if any, restrictions, reservations and easements of record."



VILLA LOT 73
 PER
 A-MAPS-169

BLK 209
 OF
 PASO ROBLES
 (A-Maps-169)



STATE OF CALIFORNIA DEPARTMENT OF TRANSPORTATION		
DIRECTORS DEED MAP		
DK-9962-01-01		
COUNTY	ROUTE	POST MILE
SLO	101	59