

TO: James L. App, City Manager

FROM: Ron Whisenand, Community Development Director

SUBJECT: Acceptance of Parcel Map 05-0082 for Recordation and Annexation No. 05-036 to Community Facilities District No. 2005-1 for Public Services (Przybyla)

DATE: June 5, 2007

Needs: That the City Council consider steps toward finalizing development plans for a residential development and subdivision, including authorizing the approval of the annexation of Parcels 1 and 2 of Parcel Map PR 05-0082 into the existing Community Facilities District (CFD) No. 2005-1 for Public Services.

- Facts:**
1. Applicant Donna Przybyla has requested that Parcel Map PR 05-0082 be accepted by the City for recordation. Parcel Map PR 05-0082 is located at 712 Walnut Drive.
 2. The owner of the above property was required to annex any newly created parcels to the Community Facilities District as a condition of approval of Tentative Parcel Map PR 05-0082.
 3. Resolution No. 05-063 adopted by City Council on April 5, 2005, authorizes the City to annex to CFD 2005-1, properties which will be assessed only for eligible public services, without further public hearings or formal elections upon receipt of written consent from the owners.
 4. The owners of each parcel or parcels have given consent and approval that such parcel or parcels be annexed to CFD No. 2005-1. The owners have agreed and intend that such consent and approval constitutes election to annex to CFD No. 2005-1 and approval of the authorization for the levy of the Special Tax within the property (see Exhibit A).

**Analysis
and**

Conclusion: Parcel Map PR 05-0082 was tentatively approved by the Planning Commission on March 28, 2006. All conditions imposed by the Planning Commission have been satisfied.

Annexation to the City's CFD 2005-1 is necessary to mitigate projected adverse fiscal impacts of new residential development.

Policy

Reference: General Plan
California Government Code Section 66462 ("Subdivision Map Act")
Paso Robles Municipal Code Section 22.16.160

Fiscal

Impact: With annexation to the CFD, none.

Options: That the City Council accept the subject map and agreement by taking the following actions:

- a.
 - (1) Adopt Resolution No. 07-xx certifying and adding the above properties to CFD No. 2005-1, and directing the City Clerk to record the Amendment to the Notice of Special Tax Lien; and
 - (2) Adopt Resolution No. 07-xx accepting the recordation of Parcel Map PR 05-0082, a two-lot residential subdivision located at 712 Walnut Drive.
- b. Amend, modify, or reject the above option.

Attachments: (4)

- 1) Exhibit A from Consent & Election to CFD
- 2) Vicinity/Reduced size parcel map
- 3) Resolution CFD
- 4) Resolution Final Map

OWNER'S STATEMENT

I, THE UNDERSIGNED, HEREBY STATE THAT I AM THE OWNER OF AND RECORD HOLDER OF SECURITY INTEREST IN AND THE ONE PARTY HAVING ANY RECORD THEREIN OF THE PARCEL AND THE ONE PARTY HAVING ANY RECORD THEREIN OF THE MAP AND THAT I DO HEREBY CONSENT TO THE FILING AND/OR RECORRATION OF THIS MAP.

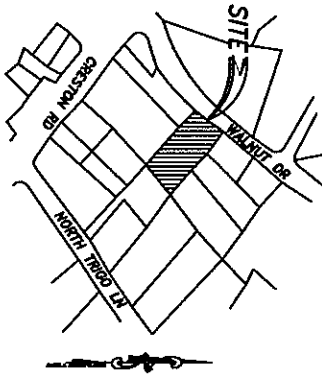
I, HEREBY RESERVE TO MYSELF MY HERNS AND ASSONS, FOR THE USE AND BENEFIT OF THE PUBLIC EMERGENCY SERVICES ACCESS EASEMENTS FOR THE WATER, SEWER AND PUBLIC EMERGENCY SERVICES ACCESS EASEMENTS FOR THE USE AND BENEFIT OF THE PRESENT OR FUTURE OWNERS OF THE LOTS AFFECTED BY SUCH EASEMENTS AS DELINEATED ON THIS MAP.

I, HEREBY RESERVE TO MYSELF MY HERNS AND ASSONS, FOR THE USE AND BENEFIT OF THE PUBLIC UTILITY EASEMENTS WHICH ARE AUTHORIZED TO BE LAYED OUT ON SAID PARCELS FOR THE PURPOSES AS DELINEATED ON THIS MAP AS PUBLIC UTILITY EASEMENT OR "T" USE.

I, HEREBY OFFER TO DEDICATE TO THE PUBLIC AN EASEMENT FOR ROAD PURPOSES AS DELINEATED ON THIS MAP.

PARCEL MAP PR 05-0082

BEING A DIVISION OF LOT 54, ASSOCIATED ALMOND GROVERS ORCHARD BINGALOW TRACT, PER 02/18/55 CITY OF EL PASO DE ROBLES, COUNTY OF SAN LUIS OBISPO, STATE OF CALIFORNIA



VICINITY MAP
NO SCALE

CITY ENGINEER'S STATEMENT

I HEREBY STATE THAT I HAVE EXAMINED THE ANNEDED MAP ENTITLED PARCEL MAP PR 05-0082, THAT THE SUBVISION AS SHOWN HEREON IS SUBSTANTIALLY THE SAME AS IT APPEARED ON THE TENTATIVE MAP OF RECORD, AND THAT THE SAME AS IT APPEARED ON THE TENTATIVE MAP OF RECORD, AND THAT THE MAP IS IN ACCORDANCE WITH THE REQUIREMENTS 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 THAT BEING COMPLIED WITH AND THAT I AM SATISFIED THAT THIS MAP IS TECHNICALLY CORRECT.

DATED _____
JOHN R. FALGOUTER, CITY ENGINEER
CITY OF EL PASO DE ROBLES
RCE 3/7/09 EXP. 8/30/09

CITY PLANNING COMMISSION STATEMENT

I HEREBY STATE THAT I HAVE EXAMINED THIS MAP AND THAT I AM SATISFIED THAT THIS MAP CONFORMS WITH THE ACTION TAKEN BY THE CITY OF PASO ROBLES FOR PARCEL MAP PR 05-0082 ON THE 28th DAY OF MARCH, 2006.

RONALD WASSERMAN, COMMUNITY DEVELOPMENT DIRECTOR
DATED _____

CITY CLERK'S STATEMENT

I, DENNIS FAUSLER, CITY CLERK OF THE CITY OF PASO ROBLES, CALIFORNIA, HEREBY STATE THAT THE CITY COUNCIL OF SAID CITY DID ON THE _____ DAY OF _____ APPROVE THE MAP OF PARCEL MAP PR 05-0082 SHOWN HEREON AND ACCEPTED THE ORDER OF DEDICATION FOR ROAD PURPOSES.
WITNESS MY HAND AND SEAL THIS _____ DAY OF _____, 200__.

DENNIS FAUSLER
CITY CLERK, DENNIS FAUSLER



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 ORDINANCES AT THE REQUEST OF DONNA C. PRZYBYLA IN OCTOBER, 2006. I HEREBY STATE THAT THIS PARCEL MAP SUBSTANTIALLY CONFORMS TO THE APPROVED OR CONDITIONALLY APPROVED TENTATIVE MAP, IF ANY.

DATED _____
DANIEL J. STEWART RCE 14894 EXP 3/31/09

MONUMENT STATEMENT

I, DANIEL J. STEWART, HEREBY STATE THAT ALL MONUMENTS ARE OF THE CHARACTER AND OCCUPY THE POSITIONS INDICATED, THE MONUMENTS SHOWN HEREON ARE SUFFICIENT TO ENABLE THE SURVEY TO BE RETRACED.

DATED _____
DANIEL J. STEWART RCE 14894 EXP 3/31/09

DONNA C. PRZYBYLA
TRUSTEE OF THE PRZYBYLA FAMILY REVOCABLE TRUST,
Dated MARCH 2, 2006

NOTARY ACKNOWLEDGMENT

STATE OF CALIFORNIA
COUNTY OF SAN LUIS OBISPO

BEFORE ME, _____ NOTARY PUBLIC FOR THE STATE OF CALIFORNIA, PERSONALLY APPEARED DONNA C. PRZYBYLA, PERSONALLY KNOWN TO ME OR PROVIDED 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 SHE EXECUTED THE SAME IN HER AUTHORIZED CAPACITY AND THAT BY HER SIGNATURE ON THE INSTRUMENT THE PERSON, OR THE ENTITY UPON BEHALF OF WHICH THE PERSON ACTED, EXECUTED THE INSTRUMENT.

SIGNATURE _____
PRINTED NAME _____
COMMISSION # _____ EXP. DATE: _____
COUNTY OF _____

COUNTY RECORDER'S STATEMENT

FILED THIS _____ DAY OF _____, 200__ AT _____ M
IN BOOK _____ OF PARCEL MAPS AT PAGE _____ AT THE REQUEST OF
DANIEL J. STEWART.

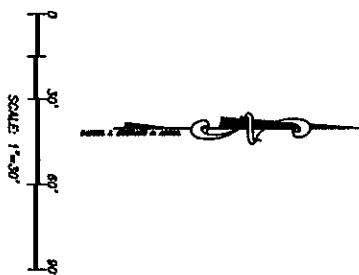
ALLIE L. ROEWALD, COUNTY RECORDER
FEE _____
DOC. NO. _____ DEPUTY RECORDER

DANIEL J. STEWART & ASSOC.

ENGINEERS - SURVEYORS
597 12th STREET / P.O. BOX 2038
PASO ROBLES, CA 93446

PARCEL MAP PR 05-0082

BEING A DIVISION OF LOT 54,
ASSOCIATED ALMOND GROWERS
ORCHARD BUNGALOW TRACT,
PER 02/MB/55
CITY OF EL PASO DE ROBLES,
COUNTY OF SAN LUIS OBISPO,
STATE OF CALIFORNIA



- LEGEND**
- R - 02 MB 55
 - RT - 08 RS 15
 - - FOUND MONUMENT AS NOTED
 - - SET 1/2" REBAR W/CAP RCE 14994 OR AS NOTED

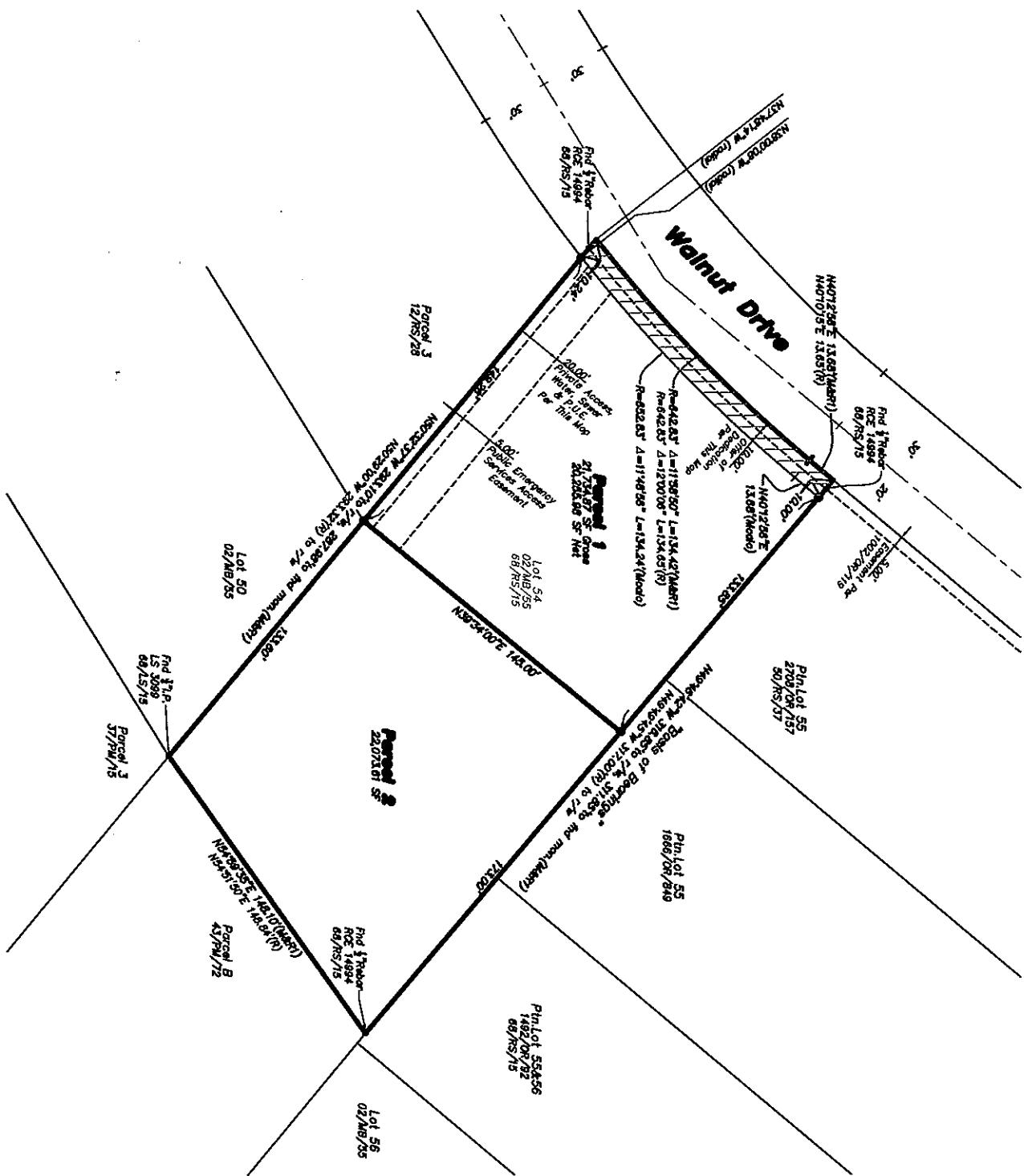
BASIS OF BEARINGS
THE BASIS OF BEARINGS FOR THIS SURVEY IS THE
THE BETWEEN FOUND AND ACCEPTED MONUMENTS
ALONG THE NORTHWESTERL LINE OF LOT 54
AS SHOWN AND NOTED AS N49°46'42"W (89/RS/15).

DANIEL J. STEWART & ASSOC.

ENGINEERS - SURVEYORS
587 12th STREET / P.O. BOX 2008
PASO ROBLES, CA 93446

SHEET 2 OF 2

#35028
SCALE: 1"=30'



RESOLUTION NO. 07-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PASO ROBLES
ACCEPTING PARCEL MAP PR 05-0082 FOR RECORDATION
(PRZYBYLA)

WHEREAS, the subdivider of tentative Parcel Map PR 05-0082, located at 712 Walnut Drive, has requested recordation of the final map; and

WHEREAS, the parcel map allows for the creation of two (2) parcels on a 0.97 acre lot; and

WHEREAS, all conditions of approval for this subdivision have been satisfied by the subdivider; and

WHEREAS, City staff has reviewed the final parcel 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 Parcel Map PR 05-0082 and authorize the execution and recordation of the parcel map.

SECTION 2. That the City Council of the City of Paso Robles accept the offers of dedication for Walnut Drive and the easement for emergency services as shown on the final map.

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

RESOLUTION NO. 07-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PASO ROBLES
ANNEXING PARCELS 1 AND 2 OF PARCEL MAP PR 05-0082 TO THE CITY'S
COMMUNITY FACILITIES DISTRICT NO. 2005-1

WHEREAS, the owner of the real property described in Exhibit 'A' has petitioned to annex Parcels 1 and 2 of Parcel Map PR 05-0082 into the Paso Robles Community Facilities District No. 2005-1 (Public Services).

NOW, THEREFORE, BE IT RESOLVED 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 Community Facilities District 2005-1 and that the subject properties shall be subject to a tax lien of \$657 per dwelling unit per year, which, in turn, is subject to escalation based on a blend of the San Francisco Urban Consumer Price Index and Los Angeles Urban Consumer Price Index or two percent, whichever is greater.

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 Consent and Election to Annex Real Property to an Existing Community Facilities District Petition for Formation of the District, is Donna Przybyla.

SECTION 3. That the City Council for the City of Paso Robles does hereby declare that the assessment for Parcels 1 and 2 of Parcel Map PR 05-0082 shall begin with Fiscal Year 2006-2007.

SECTION 4. That the City Council for the City of Paso Robles does hereby declare that the area annexed shall be designated as Annexation No. 05-036 to the Paso Robles Community Facilities District No. 2005-1.

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

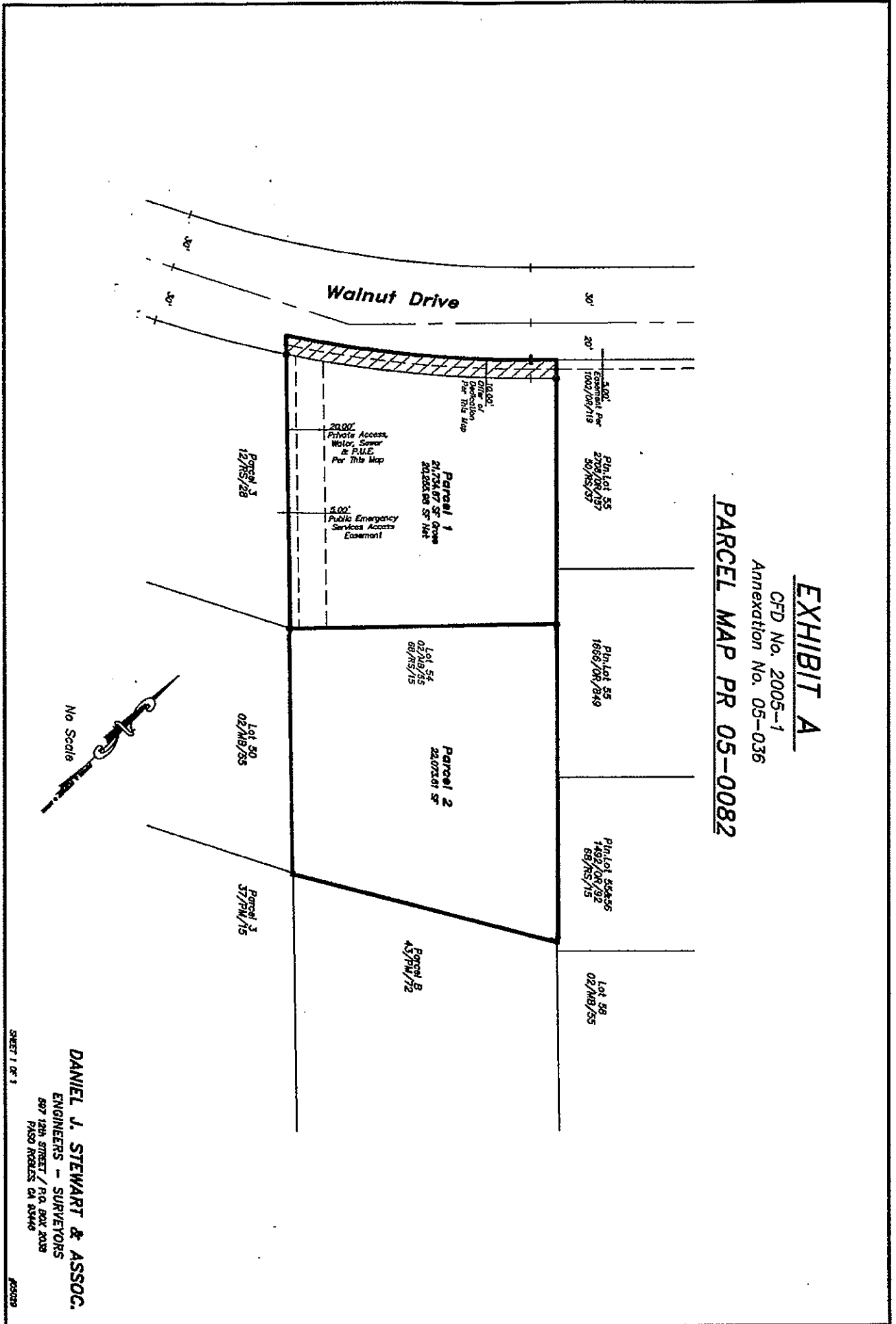
ATTEST:

Deborah D. Robinson, Deputy City Clerk

EXHIBIT A

CFD No. 2005-1
Annexation No. 05-036

PARCEL MAP PR 05-0082



No Scale

DANIEL J. STEWART & ASSOC.
ENGINEERS - SURVEYORS
807 12th STREET / P.O. BOX 2008
PASO ROBLES, CA 94646

SHEET 1 OF 1

200509