

TO: James L. App, City Manager
FROM: Ron Whisenand, Community Development Director
SUBJECT: Acceptance of Public Improvement – Tract 2594
(Golden Hills Business Park, LLC)
DATE: June 19, 2007

Needs: That the City Council authorize the acceptance of public improvements resulting from the development of Tract 2594 into the City's maintenance system.

Facts:

1. On April 4, 2006, the City Council accepted Tract 2594 for recordation and executed a Subdivision Improvement Agreement with the Developer of this subdivision.
2. This subdivision is located along the north side of Highway 46E, east of Wallace Drive and south of Combine Street, see attached Vicinity Map.
3. The public improvements in Tract 2594 have been constructed to the satisfaction of City staff.
4. The Subdivider has constructed the following streets in Tract 2594 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>
Combine Street	N. Boundary	Tract 2594 East Boundary	0.44

5. The Subdivider, Golden Hills Business Park, LLC, has posted bonds that guarantee completion of improvements in Tract 2594.

**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 has been completed. Maintenance of parkway landscaping and street lighting 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 2594 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 RECORD HOLDERS 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 RESERVE TO OURSELVES, OUR HEIRS, AND ASSIGNS FOR THE USE AND THE 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."

WE ALSO RESERVE TO OURSELVES, OUR HEIRS, AND ASSIGNS CERTAIN PRIVATE OPEN SPACE 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 HEREBY DEDICATE TO THE PUBLIC FOR PUBLIC USE ALL STREETS SHOWN AS ON THIS MAP AND ALSO DEDICATE TO THE PUBLIC THE EASEMENTS FOR DRAINAGE, WATER, AND SEWER PURPOSES SO DESIGNATED ON THIS MAP AND ALL USES INCIDENT THERETO.

GOLDEN HILLS BUSINESS PARK LLC, A CALIFORNIA LIMITED LIABILITY COMPANY

BY: _____

TITLE: _____

ACKNOWLEDGEMENT

STATE OF _____ COUNTY OF _____

ON _____ BEFORE ME, _____
A NOTARY PUBLIC FOR THE STATE OF _____ PERSONALLY APPEARED

PERSONALLY KNOWN TO ME (OR PROVED TO ME ON THE BASIS OF SATISFACTORY EVIDENCE) TO BE THE PERSON(S) WHOSE NAME(S) ARE SUBSCRIBED TO THE WITHIN INSTRUMENT AND ACKNOWLEDGED TO ME THAT THEY EXECUTED THE SAME IN THEIR AUTHORIZED CAPACITY(IES), AND THAT BY THEIR SIGNATURE(S) ON THE INSTRUMENT THE PERSON(S) OR THE ENTITY UPON BEHALF OF WHICH THE PERSON(S) ACTED, EXECUTED THE INSTRUMENT.

NOTARY SIGNATURE _____ NAME PRINTED _____

COUNTY OF _____ COMMISSION EXPIRES _____

NOTARY COMMISSION NUMBER _____

BENEFICIARY'S STATEMENT

FIRST BANK OF SAN LUIS OBISPO AS BENEFICIARY PER TRUST DEED RECORDED FEBRUARY 9, 2006 AS INSTRUMENT NO. 2006009324 OF OFFICIAL RECORDS IN SAN LUIS OBISPO COUNTY, CALIFORNIA.

SIGNED _____

PRINT NAME _____

TITLE _____

ACKNOWLEDGEMENT

STATE OF _____ COUNTY OF _____

ON _____ BEFORE ME, _____
A NOTARY PUBLIC FOR THE STATE OF _____ PERSONALLY APPEARED

PERSONALLY KNOWN TO ME (OR PROVED TO ME ON THE BASIS OF SATISFACTORY EVIDENCE) TO BE THE PERSON(S) WHOSE NAME(S) ARE SUBSCRIBED TO THE WITHIN INSTRUMENT AND ACKNOWLEDGED TO ME THAT THEY EXECUTED THE SAME IN THEIR AUTHORIZED CAPACITY(IES), AND THAT BY THEIR SIGNATURE(S) ON THE INSTRUMENT THE PERSON(S) OR THE ENTITY UPON BEHALF OF WHICH THE PERSON(S) ACTED, EXECUTED THE INSTRUMENT.

NOTARY SIGNATURE _____ NAME PRINTED _____

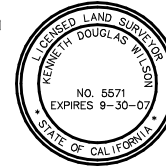
COUNTY OF _____ COMMISSION EXPIRES _____

NOTARY COMMISSION NUMBER _____

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 ORDINANCE AT THE REQUEST OF GOLDEN HILL BUSINESS PARK, LLC ON DECEMBER, 2005. I HEREBY STATE THAT THIS FINAL MAP SUBSTANTIALLY CONFORMS TO THE APPROVED OR CONDITIONALLY APPROVED TENTATIVE MAP. I ALSO HEREBY STATE THAT ALL THE MONUMENTS SHOWN HEREON ARE OF THE CHARACTER AND POSITION INDICATED OR WILL BE SET IN SUCH POSITIONS WITHIN ONE YEAR OF APPROVAL OF THIS MAP AND ARE SUFFICIENT TO ENABLE THE SURVEY TO BE RETRACED.

KENNETH D. WILSON _____ DATE _____
LS 5571
EXPIRATION DATE 9/30/2007



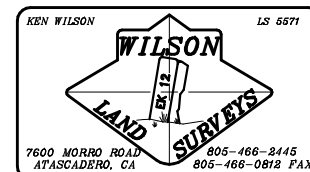
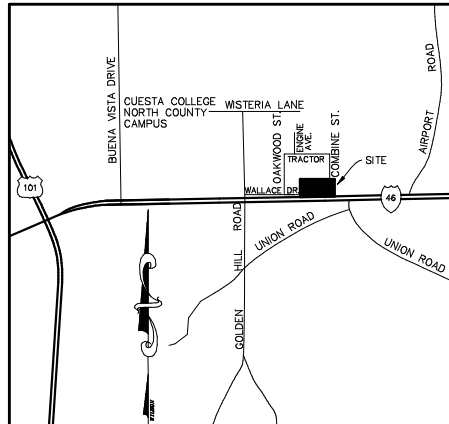
SIGNATURE OMISSIONS

PURSUANT TO SECTION 66436, SUBSECTION (a-3-A) OF THE CALIFORNIA SUBDIVISION MAP ACT, THE SIGNATURES OF THE FOLLOWING EASEMENT HOLDERS HAVE BEEN OMITTED, AS THEIR INTEREST CANNOT RIPEN IN A FEE TITLE AND SAID SIGNATURES ARE NOT REQUIRED BY THE GOVERNING BODY.

OAKWOOD ORCHARD TRUST, EASEMENT HOLDER PER MAP RECORDED OCTOBER 10, 1925, IN BOOK 3, PAGE 68, OF MAPS.

EMERSON E. MOE AND HELEN L. MOE, HUSBAND AND WIFE, EASEMENT HOLDER PER DEED RECORDED APRIL 2, 1962, IN BOOK 1176, PAGE 389 OF OFFICIAL RECORDS.

VICINITY MAP
NOT TO SCALE



CITY PLANNING COMMISSION STATEMENT

THIS IS TO 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 2594 ON JUNE 14, 2005.

JOHN R. FALKENSTIEN _____
INTERIM COMMUNITY DEVELOPMENT DIRECTOR
CITY OF EL PASO DE ROBLES, CALIFORNIA

CITY CLERK'S STATEMENT

I DENNIS FANSLER, CITY CLERK OF THE CITY OF EL PASO DE ROBLES CALIFORNIA, HEREBY STATE THAT THE CITY COUNCIL DID ON THE _____ DAY OF _____, 20____, APPROVE THE MAP OF TRACT MAP NO. 2594 SHOWN HEREON AND ACCEPTED ON BEHALF OF THE PUBLIC THE OFFERS OF DEDICATION FOR STREETS AND PUBLIC RIGHTS OF WAY SHOWN ON THIS MAP TO THE TERMS OF OFFER OF DEDICATION BY THE PARTIES HAVING A RECORD TITLE INTEREST IN SAID LAND

DENNIS FANSLER, CITY CLERK _____ DATE _____
CITY OF EL PASO DE ROBLES, CALIFORNIA

CITY ENGINEER'S STATEMENT

I HEREBY STATE THAT I HAVE EXAMINED THE MAP ENTITLED TRACT MAP NO. 2529, THAT THE SUBDIVISION SHOWN HEREON IS SUBSTANTIALLY THE SAME AS IT APPEARED ON THE TENTATIVE MAP, IF REQUIRED, AND ANY APPROVED ALTERATION THEREOF, THAT ALL PROVISIONS OF THE SUBDIVISION MAP ACT OF THE STATE OF CALIFORNIA AND OF ANY LOCAL ORDINANCES APPLICABLE AT THE TIME OF APPROVAL OF THE TENTATIVE MAP IF REQUIRED, HAVE BEEN COMPILED WITH, AND THAT I AM SATISFIED THAT THIS MAP IS TECHNICALLY CORRECT.

JOHN R. FALKENSTIEN _____ DATE _____
CITY ENGINEER
CITY OF PASO ROBLES
P.E. 33760 (EXP. 6/30/06)

COUNTY RECORDER'S STATEMENT

FILED THIS _____ DAY OF _____, 20____, AT _____ M., IN BOOK _____ OF MAPS, AT PAGE _____, AT THE REQUEST OF KENNETH D. WILSON.

DOCUMENT NO: _____

FEE: _____

SIGNED: JULIE L. RODEWALD, COUNTY RECORDER

BY: _____
DEPUTY

TRACT 2594				
AS REQUESTED BY: GOLDEN HILL BUSINESS PARK, LLC.				
LEGAL DESCRIPTION: PORTION OF LOT 5 AND LOT 6 OF OAKWOOD ORCHARD TRACT, IN THE CITY OF EL PASO DE ROBLES, COUNTY OF SAN LUIS OBISPO, STATE OF CALIFORNIA PER 3 MB 68 (R-3).				
APN: 025-421-008				
DATE: December 6, 2005				
FILENAME: U-161 Golden Hill Business Park Wallace FTM PLOT				
FIELD BOOK: 204 FB 01				
DRAWN BY:	SCALE:	PROJECT:	JOB NUMBER:	SHEET:
RVH	1"=60'	S-145	U-161	1 OF 3

CURVE	LENGTH	RADIUS	DELTA
C1	21.90	84.00	14°56'08"
C2	133.90	64.00	118°52'16"
C3	21.90	84.00	14°56'08"
C4	21.90	84.00	14°56'08"
C5	133.90	64.00	118°52'16"
C6	21.90	84.00	14°56'08"
C7	60.10	300.00	11°28'42"
C8	120.20	300.00	22°57'25"
C9	60.10	300.00	11°28'42"
C10	21.90	84.00	14°56'08"

CURVE	LENGTH	RADIUS	DELTA
C11	133.90	64.00	118°52'16"
C12	21.90	84.00	14°56'08"
C13	18.18	50.00	131°39'35"
C14	236.68	103.00	131°39'35"
C15	18.18	50.00	20°49'47"
C16	18.18	50.00	20°49'47"
C17	236.68	103.00	131°39'35"
C18	18.18	50.00	20°49'47"
C19	66.91	334.00	11°28'43"
C20	106.58	266.00	22°57'25"

CURVE	LENGTH	RADIUS	DELTA
C21	66.91	334.00	11°28'42"
C22	18.18	50.00	20°49'47"
C23	236.68	103.00	131°39'35"
C24	18.18	50.00	20°49'47"
C25	39.27	25.00	90°00'00"
C26	39.27	25.00	90°00'00"
C27	39.27	25.00	90°00'00"
C28	39.27	25.00	90°00'00"
C29	39.27	25.00	90°00'00"
C30	39.27	25.00	90°00'00"

CURVE	LENGTH	RADIUS	DELTA
C31	53.29	266.00	11°28'43"
C32	133.82	266.00	22°57'25"
C33	53.29	266.00	11°28'42"
C34	39.27	25.00	90°00'00"
C35	39.27	25.00	90°00'00"
C36	3.32	103.00	01°50'48"
C37	64.43	103.00	35°50'25"
C38	82.73	103.00	46°01'05"
C39	86.21	103.00	47°57'17"
C40	1.51	50.00	01°44'05"

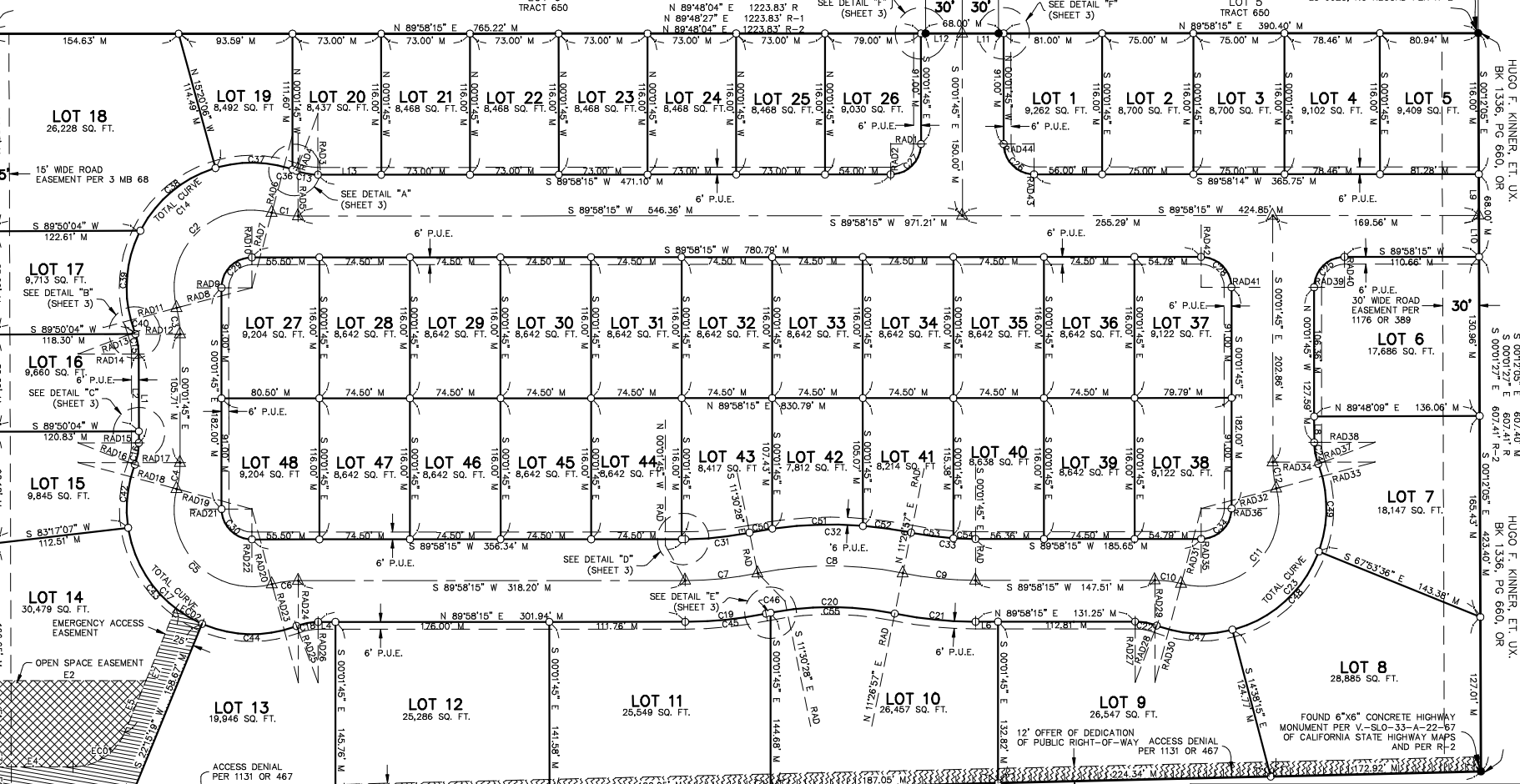
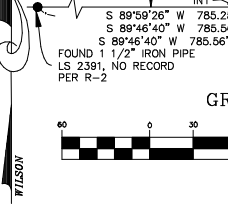
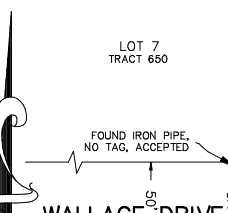
CURVE	LENGTH	RADIUS	DELTA
C41	16.66	50.00	18°05'42"
C42	52.92	103.00	28°26'16"
C43	104.05	103.00	57°52'53"
C44	79.71	103.00	44°20'28"
C45	66.91	334.00	11°28'43"
C46	3.85	266.00	00°49'43"
C47	63.31	103.00	35°51'04"
C48	99.83	103.00	55°31'50"
C49	73.55	103.00	40°54'41"
C50	19.01	334.00	03°15'38"

CURVE	LENGTH	RADIUS	DELTA
C51	74.69	334.00	12°48'47"
C52	40.13	334.00	06°53'00"
C53	35.14	266.00	07°34'05"
C54	18.15	266.00	03°54'37"
C55	102.73	266.00	22°07'42"

LINE	LENGTH	BEARING
L1	73.19	S00°01'45"E
L2	63.64	S00°01'45"E
L3	9.55	S00°01'45"E
L4	14.18	N89°58'15"E
L5	2.84	N89°58'15"E
L6	18.44	N89°58'15"E
L7	-	-
L8	21.23	N00°01'45"W
L9	34.00	S00°12'05"E
L10	34.00	S00°12'05"E

LINE	LENGTH	BEARING
L11	34.00	N89°58'15"E
L12	34.00	N89°58'15"E
L13	62.10	S89°58'15"W
L14	46.07	S00°11'04"E

LINE	BEARING
RAD1	S89°58'15"W
RAD2	S00°01'45"E
RAD3	N00°01'45"W
RAD4	S20°48'02"W
RAD5	N00°01'45"W
RAD6	S14°54'23"W
RAD7	S14°54'23"W
RAD8	S75°02'06"W
RAD9	S89°58'15"W
RAD10	S00°01'45"E
RAD11	S75°02'06"W
RAD12	N89°58'15"E
RAD13	S69°08'27"W
RAD14	N89°58'15"E
RAD15	S89°58'15"W
RAD16	S69°11'58"W
RAD17	S89°58'15"W
RAD18	S75°05'37"E
RAD19	S75°05'37"E
RAD20	S14°57'54"E
RAD21	N89°58'15"E
RAD22	S00°01'45"E
RAD23	S14°57'54"E
RAD24	N00°01'45"W
RAD25	S20°51'33"E
RAD26	N00°01'45"W
RAD27	S00°01'45"E
RAD28	N20°48'02"E
RAD29	S00°01'45"W
RAD30	N14°54'23"E
RAD31	N14°54'23"E
RAD32	N75°02'06"E
RAD33	N75°02'06"E
RAD34	S89°58'15"W
RAD35	N00°01'45"W
RAD36	N89°58'15"E
RAD37	N69°08'27"E
RAD38	S89°58'15"W
RAD39	N89°58'15"E
RAD40	N00°01'45"W
RAD41	S89°58'15"W
RAD42	N00°01'45"W
RAD43	N00°01'45"W
RAD44	S89°58'15"W



LINE	LENGTH	BEARING
E1	54.09	N00°11'04"W
E2	126.00	N89°57'31"W
E3	16.91	N00°11'04"W
E4	65.82	N89°57'31"W
E5	45.79	S22°15'19"W
E6	28.15	N00°11'04"W
E7	110.23	N22°15'19"E

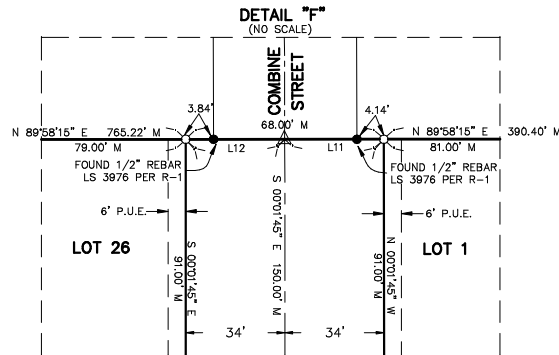
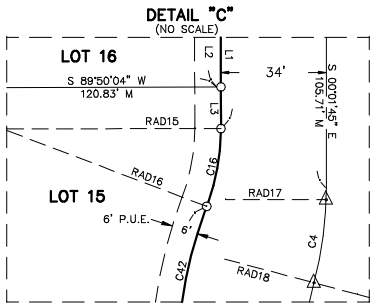
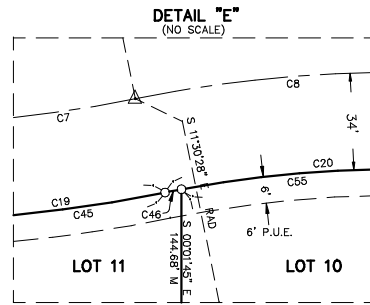
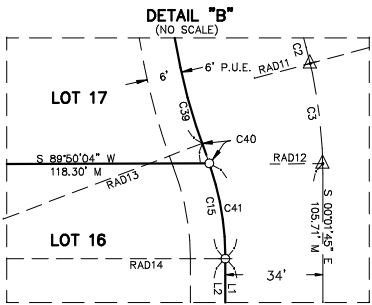
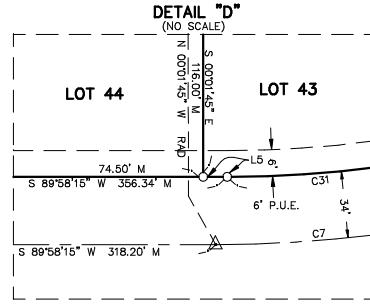
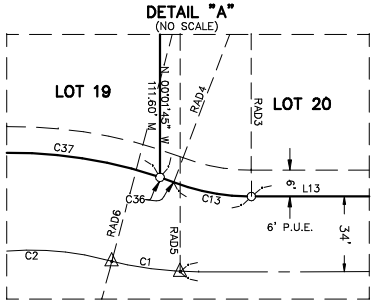
CURVE	LENGTH	RADIUS	DELTA
EC01	54.42	46.00	67°47'10"
EC02	25.33	103.00	14°06'18"

BASIS OF BEARINGS
FOR THIS SURVEY IS GEODETIC NORTH BASED OFF OF GPS OBSERVATION.

LEGEND
 ○ FOUND AS NOTED
 ● SET 5/8" REBAR LS 657
 R 2 PM 20
 R-1 10 MB 46
 R-2 15 RS 81
 R-3 3 MB 68
 SP SINGLE-PROPORTION INTERSECTION
 INT CALCULATED FROM ACCESS DENIAL

WILSON LAND SURVEYS
 7600 MORRO ROAD ATASCADERO, CA 93522
 805-466-8415 805-466-0818 FAX
 LS 5871

TRACT 2594
 AS REQUESTED BY:
GOLDEN HILL BUSINESS PARK, LLC.
 LEGAL DESCRIPTION: PORTION OF LOT 5 AND LOT 6 OF OAKWOOD ORCHARD TRACT, IN THE CITY OF EL PASO DE ROBLES, COUNTY OF SAN LUIS OBISPO, STATE OF CALIFORNIA PER 3 MB 68 (R-3).
 APN: 025-421-008
 DATE: December 6, 2005
 FILENAME: U-161 Golden Hill Business Park Wallace FTM PLOT
 FIELD BOOK: 204 FB 01
 DRAWN BY: RVH SCALE: 1"=60' PROJECT: S-145 JOB NUMBER: U-161 SHEET: 2 OF 3



BASIS OF BEARINGS
FOR THIS SURVEY IS GEODETIC NORTH BASED OFF OF GPS OBSERVATION.

- LEGEND**
- FOUND AS NOTED
 - SET 5/8" REBAR LS 5571
 - R 3 MB 4
 - R-1 74 RS 59
 - R-2 15 PM 23
 - SP SINGLE-PROPORTION
 - INT INTERSECTION
 - CF CALCULATED FROM



TRACT 2594					
AS REQUESTED BY: GOLDEN HILL BUSINESS PARK, LLC.					
LEGAL DESCRIPTION: PORTION OF LOT 5 AND LOT 6 OF OAKWOOD ORCHARD TRACT, IN THE CITY OF EL PASO DE ROBLES, COUNTY OF SAN LUIS OBISPO, STATE OF CALIFORNIA PER 3 MB 68 (R-3).					
APN: 025-421-008	DATE: December 6, 2005	FILENAME: U-161 Golden Hill Business Park Wallace FTM PLOT	FIELD BOOK: 204 FB 01		
DRAWN BY: RVH	SCALE: 1"=60'	PROJECT: S-145	JOB NUMBER: U-161	SHEET: 3 OF 3	

RESOLUTION NO. 07-xxx

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PASO ROBLES
ACCEPTING PUBLIC IMPROVEMENTS FOR TRACT 2594 (GOLDEN HILLS BUSINESS PARK, LLC)
CONSTRUCTED PURSUANT TO THE SUBDIVISION IMPROVEMENT AGREEMENT

WHEREAS, Tract 2594 was accepted April 4, 2006, for recordation, and a Subdivision Improvement Agreement was entered into; and

WHEREAS, all public improvements required as Conditions of Approval for Tract 2594 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 2594 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>
Combine Street	North Tract Boundary	East Tract Boundary	0.44

WHEREAS, Subdivider has requested that the City accept said public improvements in Tract 2594. The Subdivider has posted improvement securities for Tract 2594. Therefore, in accordance with the Subdivision Agreement in place for Tract 2594, 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 2594 be accepted into the City's maintenance system, approximately 0.44 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 \$199,564; the payment bond for \$997,820 and the performance bond for \$1,995,640 guaranteeing construction of these public improvements may be released in accordance with the terms of the Subdivision Improvement Agreement for Tract 2594.

PASSED AND ADOPTED by the City Council of the City of Paso Robles this 19th day of June, 2007 by the following vote:

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

Frank R. Mecham, Mayor

ATTEST:

Deborah D. Robinson, Deputy City Clerk