

TO: James L. App, City Manager
FROM: Ron Whisenand, Community Development Director
SUBJECT: Acceptance of Parcel Map 05-0186 for Recordation and Annexation No. 05-038 to Community Facilities District No. 2005-1 for Public Services (Kelsheimer)
DATE: July 3, 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 Parcel 1 of Parcel Map PR 05-0186 into the existing Community Facilities District (CFD) No. 2005-1 for Public Services.

- Facts:**
1. Applicant Merle Kelsheimer has requested that Parcel Map PR 05-0186 be accepted by the City for recordation. Parcel Map PR 05-0186 is located at 736 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 05-0186.
 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 05-0186 was tentatively approved by the Planning Commission on November 22, 2005. 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 05-0186, a two-lot residential subdivision at 736 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 ONLY PARTY HAVING ANY RECORD TITLE INTEREST IN THE REAL PROPERTY INCLUDED WITHIN THE SUBDIVISION AND PROJECT SHOWN ON THIS MAP, AND THAT I DO HEREBY CONSENT TO THE FILING AND/OR RECORDBOOKING OF THIS MAP.

I, HEREBY RESERVE TO MYSELF, MY HEIRS AND ASSIGNS THE PRIVATE ACCESS, WATER AND SEWER 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 HEIRS AND ASSIGNS, FOR THE USE AND BENEFIT OF SEVERAL UTILITY COMPANIES WHICH ARE AUTHORIZED TO SERVE ON SAID PARCELS EASEMENTS FOR PUBLIC UTILITY PURPOSES AS DELINEATED ON THIS MAP AS PUBLIC UTILITY EASEMENT OR PIPE.

MERLE KESLSHNER

NOTARY ACKNOWLEDGMENT

STATE OF CALIFORNIA
COUNTY OF SAN LUIS OBISPO

BEFORE ME, _____, NOTARY PUBLIC, FOR THE STATE OF CALIFORNIA, PERSONALLY APPEARED _____, MERLE KESLSHNER, 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 INSTRUMENT IN HIS AUTHORIZED CAPACITY AND THAT BY HIS SIGNATURE ON THE INSTRUMENT HE PERSONALLY OR THE ENTITY UPON BEHALF OF WHICH THE PERSON ACTED, EXECUTED THE INSTRUMENT.

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

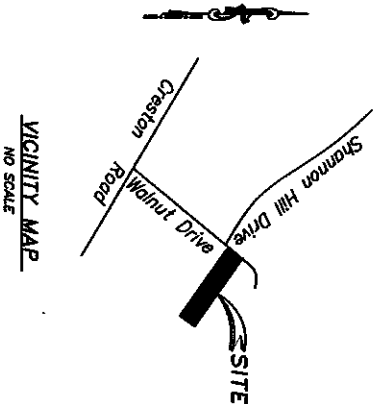
UNPLOTTABLE EASEMENTS

THE FOLLOWING EASEMENTS ARE UNPLOTTABLE FROM RECORD INFORMATION:

1. AN EASEMENT FOR WATER SYSTEM AND INCIDENTAL PURPOSES, RECORDED MARCH 3, 1924, IN BOOK 165 OF DEEDS AT PAGE 491.
2. AN EASEMENT FOR WATER SYSTEM AND INCIDENTAL PURPOSES, RECORDED MAY 12, 1923, IN BOOK 3 OF OFFICIAL RECORDS AT PAGE 101.
3. AN EASEMENT FOR PUBLIC UTILITIES AND INCIDENTAL PURPOSES, RECORDED AUGUST 27, 1984, IN BOOK 2428 OF OFFICIAL RECORDS AT PAGE 833.

PARCEL MAP PR 05-0186

BEING A DIVISION OF PARCEL 1 OF PARCEL MAP PRAL 78-72 (20 PM 06) BEING PORTIONS OF LOTS 59 AND 60 OF ORCHARD BUNGALOW TRACT (2 MB 55) CITY OF EL PASO DE ROBLETS, COUNTY OF SAN LUIS OBISPO, STATE OF CALIFORNIA



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 SURVEYOR MAP ACT AND LOCAL ORDINANCES AT THE REQUEST OF MERLE KESLSHNER IN OCTOBER, 2005. I HEREBY STATE THAT THIS PARCEL MAP SUBSTANTIALLY CONFORMS TO THE APPROVED OR CONDITIONALLY APPROVED TENTATIVE MAP, IF ANY.

DATED _____ DANIEL J. STEWART RCE 14984 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 REMADE.

DATED _____ DANIEL J. STEWART RCE 14984 EXP 3/31/09

CITY ENGINEER'S STATEMENT

I HEREBY STATE THAT I HAVE EXAMINED THE ANNEKED MAP ENTITLED PARCEL MAP PR 05-0186, THAT THE SUBDIVISION AS SHOWN HEREON IS SUBSTANTIALLY THE SAME AS IT APPEARED ON THE TENTATIVE MAP, IF REQUIRED, AND THAT THE MAP SHOWS ALL NECESSARY INFORMATION AND THAT THE SUBDIVISION MAP APPLICABLE AT THE TIME OF THE APPROVAL OF THE TENTATIVE MAP HAVE BEEN COMPLETED WITH AND THAT I AM SATISFIED THAT THIS MAP IS TECHNICALLY CORRECT.

DATED _____ JOHN R. FALKENSTEIN, CITY ENGINEER
CITY OF EL PASO DE ROBLETS
RCE 53760 EXP. 6/30/08

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 ROBLETS FOR PARCEL MAP PR 05-0186 ON THE 22nd DAY OF NOVEMBER, 2005.

DATED _____ RONALD WASSERMAN
COMMUNITY DEVELOPMENT DIRECTOR

CITY CLERK'S STATEMENT

I, DENNIS FANSLER, CITY CLERK OF THE CITY OF PASO ROBLETS, CALIFORNIA, HEREBY STATE THAT THE CITY COUNCIL OF SAID CITY DID ON THE _____ DAY OF _____, 2005, APPROVE THE MAP OF PARCEL MAP PR 05-0186 SHOWN HEREON.

WITNESS MY HAND AND SEAL THIS _____ DAY OF _____, 2005.
CITY CLERK, DENNIS FANSLER

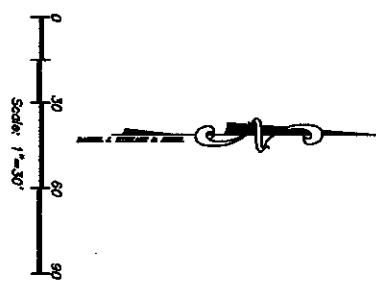
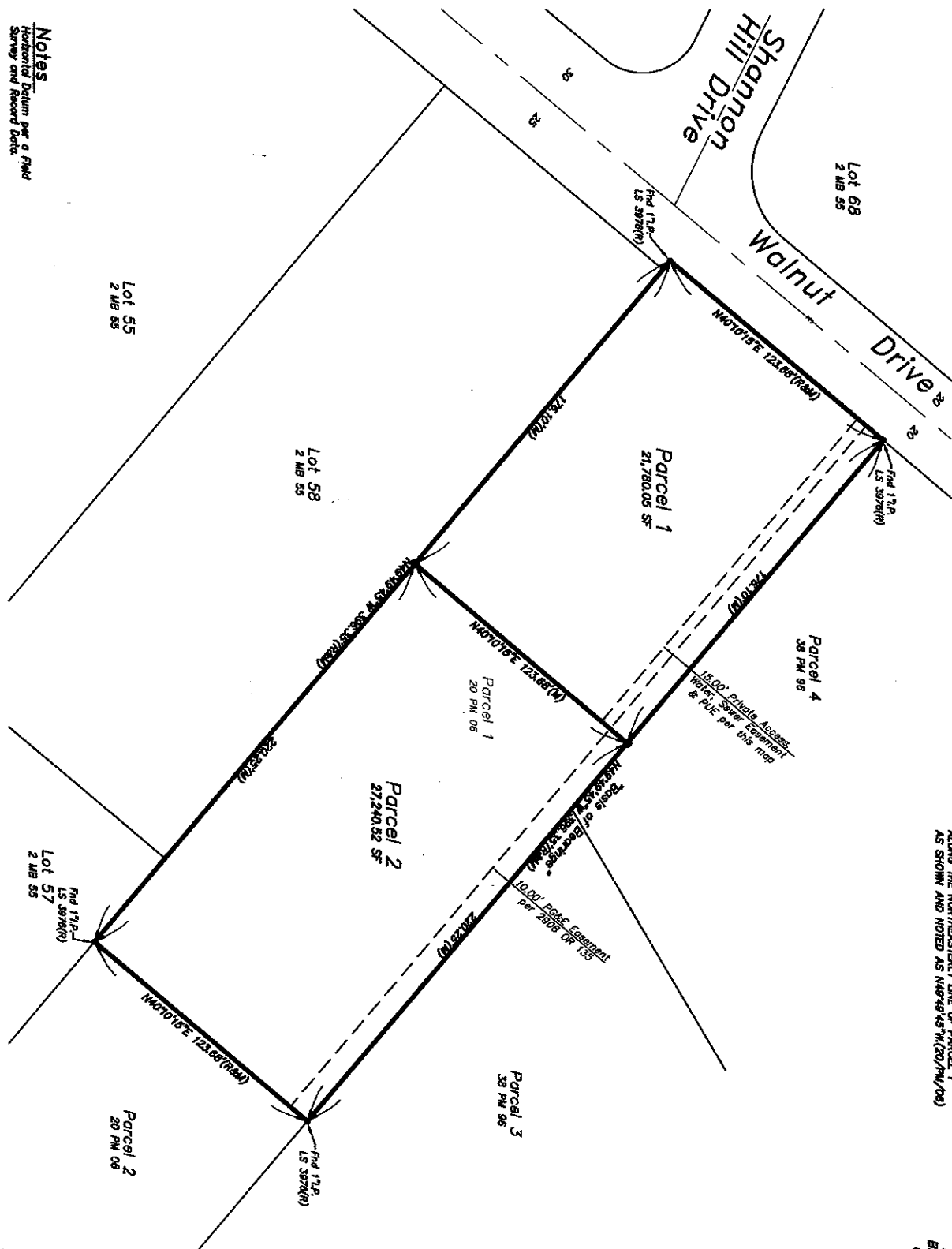
DANIEL J. STEWART & ASSOC.

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

PARCEL MAP PR 05-0186

BEING A DIVISION OF PARCEL 1 OF
 PARCEL MAP PRAL 76-72 (20 PM 06)
 BEING PORTIONS OF LOTS 59 AND 60 OF
 ORCHARD BUNGALOW TRACT (2 MB 55)
 CITY OF EL PASO DE ROBLES,
 COUNTY OF SAN LUIS OBISPO,
 STATE OF CALIFORNIA

BASIS OF BEARINGS.
 THE BASIS OF BEARINGS FOR THIS SURVEY IS THE
 THE BETWEEN FOUND AND ACCEPTED MONUMENTS
 ALONG THE NORTHEASTERLY LINE OF PARCEL 1
 AS SHOWN AND NOTED AS N49°49'45"W.(20/PM/06)



- Legend**
- R - 20 PM 06
 - M - MEASURED
 - - PD. MONUMENT AS NOTED
 - - SET 1/2" REBAR/CAP RCE 14994
 - I.P. = Iron Pipe

DANIEL J. STEWART & ASSOC.
 ENGINEERS - SURVEYORS
 897 12th STREET / P.O. BOX 2038
 PASO ROBLES, CA 93446

SHEET 2 OF 2

AP0007
 7/1/05 4:00-7:00/04

Notes
 Horizontal Datum per a Field
 Survey and Record Data.

RESOLUTION NO. 07-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PASO ROBLES
ACCEPTING PARCEL MAP PR 05-0186 FOR RECORDATION
(KELSHEIMER)

WHEREAS, the subdivider of tentative Parcel Map PR 05-0186, located at 736 Walnut Drive, has requested recordation of the final map; and

WHEREAS, the parcel map allows for the creation of two (2) parcels on a 1.13 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 05-0186 and authorize the execution and recordation of the parcel map.

PASSED AND ADOPTED by the City Council of the City of Paso Robles this 3rd day of July, 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 PARCEL 1 OF PARCEL MAP PR 05-0186 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 Parcel 1 of Parcel Map PR 05-0186 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 Merle Kelsheimer.

SECTION 3. That the City Council for the City of Paso Robles does hereby declare that the assessment for Parcel 1 of Parcel Map PR 05-0186 shall begin with Fiscal Year 2007-2008.

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. 05-038 to the Paso Robles Community Facilities District No. 2005-1.

PASSED AND ADOPTED by the City Council of the City of Paso Robles this 3rd day of July, 2007 by the following vote:

AYES:
NOES:
ABSTAIN:
ABSENT:

Frank R. Mecham, Mayor

ATTEST:

Deborah D. Robinson, Deputy City Clerk

EXHIBIT A

**CONSENT AND ELECTION TO ANNEX REAL PROPERTY TO AN EXISTING
COMMUNITY FACILITIES DISTRICT**

**CITY OF PASO ROBLES
COMMUNITY FACILITIES DISTRICT NO. 2005-1
(PUBLIC SERVICES)**

ANNEXATION NO. 05-038

Legal Description: Real property in the City of Paso Robles, County of San Luis Obispo, State of California, described as follows:

Parcel 1 of Parcel Map PR 05-0186 in the City of Paso Robles, County of San Luis Obispo, State of California, according to map recorded _____ in Book _____ , Pages _____ of Parcel Maps.

Names of the owners of the Annexed Property:

Merle Kelsheimer