

TO: James L. App, City Manager
FROM: Ron Whisenand, Community Development Director
SUBJECT: Rescind Approval of Parcel Map PR 06-0012 (Stoll)
DATE: October 16, 2007

Needs: That the City Council rescind Final Map approval of Parcel Map PR 06-0012 (Stoll).

- Facts:**
1. At their meeting of September 4, 2007, the City Council accepted Parcel Map PR 06-0012 for recordation. Parcel Map PR 06-0012 is a two-lot subdivision located at 1810 Park Street.
 2. As a condition of approval of Parcel Map PR 06-0012, alley paving is required. Mr. Stoll agreed to post a bond in the amount of \$15,000 to guarantee his performance. As of the date of this report, the bond has not been received by the City. Therefore, the map has not been sent to the County Recorder's office.
 3. Subdivision Map Act Section 66466 requires that the City Clerk place the map on the agenda of the next regular meeting of the City Council and rescind its approval.

**Analysis
and**

Conclusion: Parcel Map PR 06-0012 was tentatively approved by the Planning Commission on June 13, 2006. Conditions imposed by the Planning Commission have been satisfied with the exception of alley paving.

Mr. Stoll agreed to post a bond in the amount of \$15,000 to guarantee the completion of alley paving. Based upon the agreement, a staff report was prepared and the map was scheduled for City Council acceptance on the consent calendar at its meeting of September 4. To date, no bond has been submitted.

If the map approval is rescinded, the applicant will retain Planning Commission approval of the tentative map and will continue to have the opportunity to post the bond and to request council acceptance of the map for recordation.

Policy

Reference: California Government Code Section 66466 ("Subdivision Map Act")

Fiscal

Impact: None.

Options: That the City Council consider one of the following options:

- a. Rescind approval of Parcel Map PR 06-0012.
- b. Amend, modify or reject the above options.

Attachments: (2)

- 1) Reduced size parcel map
- 2) Resolution

OWNER'S STATEMENT

WE, THE UNDERSIGNED, HEREBY STATE THAT WE ARE ALL THE OWNERS OF AND ALL PARTIES HAVING ANY RECORD TITLE INTEREST IN, THE ENTIRE 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 THOSE CERTAIN PRIVATE ACCESS EASEMENTS, PRIVATE SEWER AND WATER EASEMENTS FOR THE USE AND BENEFIT OF THE PRESENT OR FUTURE OWNERS OF THE PARCELS 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 SEVERAL PUBLIC UTILITY COMPANIES, WHICH ARE AUTHORIZED TO SERVE ON SAID PARCELS, EASEMENTS FOR PUBLIC UTILITY PURPOSES DELINEATED ON SAID MAP AS "PUBLIC UTILITY EASEMENT" OR "P.U.E."

BY: WILLIAM STOLL, III
BY: JANETTE STOLL
BY: VIRGINIA A. STOLL

ACKNOWLEDGMENT

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

ON _____, 2006, BEFORE ME _____, PERSONALLY APPEARED WILLIAM STOLL, III AND JANETTE STOLL, PERSONALLY KNOWN TO ME (OR PROVED TO ME ON THE BASIS OF SATISFACTORY EVIDENCE) TO BE THE PERSONS WHOSE NAMES ARE SUBSCRIBED TO THE WITHIN INSTRUMENT AND ACKNOWLEDGED TO ME THAT THEY EXECUTED THE SAME IN THEIR AUTHORIZED CAPACITY AND THAT BY THEIR SIGNATURE ON THE INSTRUMENT THE PERSONS, OR THE ENTITY UPON BEHALF OF WHICH THE PERSONS ACTED, EXECUTED THE INSTRUMENT.

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

NOTARY COMMISSION NUMBER _____

ACKNOWLEDGMENT

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

ON _____, 2006, BEFORE ME _____, PERSONALLY APPEARED WILLIAM STOLL AND VIRGINIA A. STOLL, PERSONALLY KNOWN TO ME (OR PROVED TO ME ON THE BASIS OF SATISFACTORY EVIDENCE) TO BE THE PERSONS WHOSE NAMES ARE SUBSCRIBED TO THE WITHIN INSTRUMENT AND ACKNOWLEDGED TO ME THAT THEY EXECUTED THE SAME IN THEIR AUTHORIZED CAPACITY AND THAT BY THEIR SIGNATURE ON THE INSTRUMENT THE PERSONS, OR THE ENTITY UPON BEHALF OF WHICH THE PERSONS ACTED, EXECUTED THE INSTRUMENT.

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

NOTARY COMMISSION NUMBER _____

TRUSTEE STATEMENT

RECON TRUST COMPANY, N.A., TRUSTEE UNDER DEEDS OF TRUST RECORDED NOVEMBER 9, 2005 AS INSTRUMENT NO. 2005-094318 OF OFFICIAL RECORDS.

BY: _____ DATE _____
BY: PRINTED NAME _____

ACKNOWLEDGMENT

STATE OF CALIFORNIA }
COUNTY OF _____ } S.S.

ON _____, 2006, BEFORE ME _____, 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 THEY EXECUTED THE SAME IN THEIR AUTHORIZED CAPACITY AND THAT BY THEIR 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 _____, CA. NOTARY EXPIRES _____

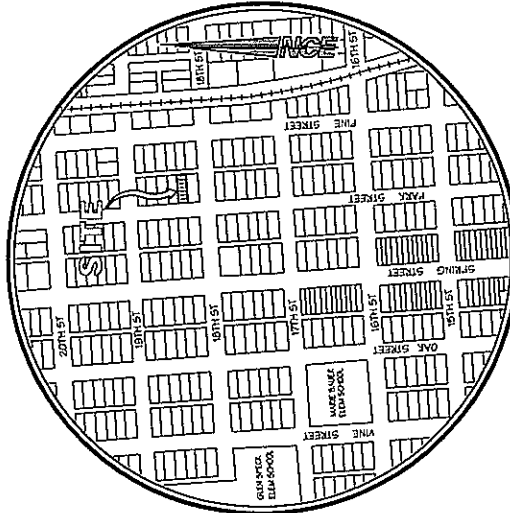
NOTARY COMMISSION NUMBER _____

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 _____, 2006, APPROVE THE MAP OF PARCEL MAP PR 08-0012 SHOWN HEREON.

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

DENNIS FANSLER, CITY CLERK



VICINITY MAP
NO. SCALE

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 STATE ORDINANCE AT THE REQUEST OF JOHN R. MCCARTHY, AUGUST, 2006. I HEREBY STATE THAT THE SUBDIVISION MAP SUBSTANTIALLY CONFORMS TO THE APPROVED OR CONDITIONALLY APPROVED MAP OF THE CITY OF EL PASO DE ROBLES, CALIFORNIA. I ALSO STATE THAT ALL DOCUMENTS ARE OF THE CHARACTER AND CLASS OF THE INSTRUMENTS INDICATED OR WILL BE SET WITHIN ONE YEAR OF THE DATE OF THIS MAP. THE INSTRUMENTS SHOWN HEREON ARE SUFFICIENT TO ENABLE THE SURVEY TO BE REFRACED.

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 PARCEL MAP PR 08-0012, SHOWING THE SUBDIVISION AS SHOWN HEREON IS SUBSTANTIALLY THE SAME AS APPROVED IN THE TENTATIVE MAP FILED WITH THE PUBLIC WORKS DEPARTMENT OF THE STATE OF CALIFORNIA AND OF ANY LOCAL ORDINANCES APPLICABLE AND THAT I AM SATISFIED THAT THIS MAP IS TECHNICALLY CORRECT.

DATE: _____ JOHN R. FALVENSTERN
CITY ENGINEER
CITY OF PASO ROBLES
R.C.E. G33760 (EXP. 6/30/08)

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 PARCEL MAP PR 08-0012 ON JUNE 13, 2006.

RONALD WISEMANN, COMMUNITY DEVELOPMENT DIRECTOR DATE _____

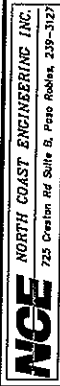
RECORDER'S STATEMENT

FILED THIS _____ DAY OF _____, 2006, AT _____, IN BOOK _____ OF PARCEL MAPS AT PAGE _____, AT THE REQUEST OF STEVEN J. SYLVESTER. DOCUMENT NO. _____

FEE: _____
JULIE L. RODEWALD DEPUTY RECORDER
COUNTY RECORDER

PARCEL MAP PR 06-0012

IN THE CITY OF EL PASO DE ROBLES, COUNTY OF SAN LUIS OBISPO, STATE OF CALIFORNIA BEING A SUBDIVISION OF LOT 8, BLOCK 36 OF THE MAP OF THE CITY OF EL PASO DE ROBLES RECORDED IN BOOK A OF MAPS, AT PAGE 169 IN THE OFFICE OF COUNTY RECORDER OF SAID COUNTY.



LEGEND

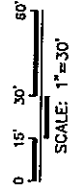
- FOUND 1" IRON PIPE WITH TAG "LS 4845" PER R2 UNLESS OTHERWISE NOTED
- ▲ FOUND STANDARD CITY WELL MONUMENT WITH BRASS CAP PER R2 UNLESS OTHERWISE NOTED
- SET 5/8" REBAR WITH PLASTIC CAP "RCE 29743"
- INTX INTERSECTION
- M MEASURED
- SP SINGLE PROPORTION

REFERENCES

- R A/AB/169
- R1 25/RS/47
- R2 RECORD OF SURVEY IN PROGRESS BY TWIN CITIES SURVEYING, INC.

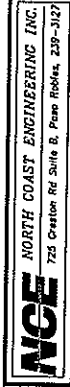
BASIS OF BEARINGS

THE BASIS OF BEARING FOR THIS SURVEY IS BETWEEN TWO FOUND MONUMENTS ALONG THE CENTER LINE OF PARK STREET, 14TH STREET TO 10TH STREET, HAVING A BEARING OF N 03°50'00" W PER R.

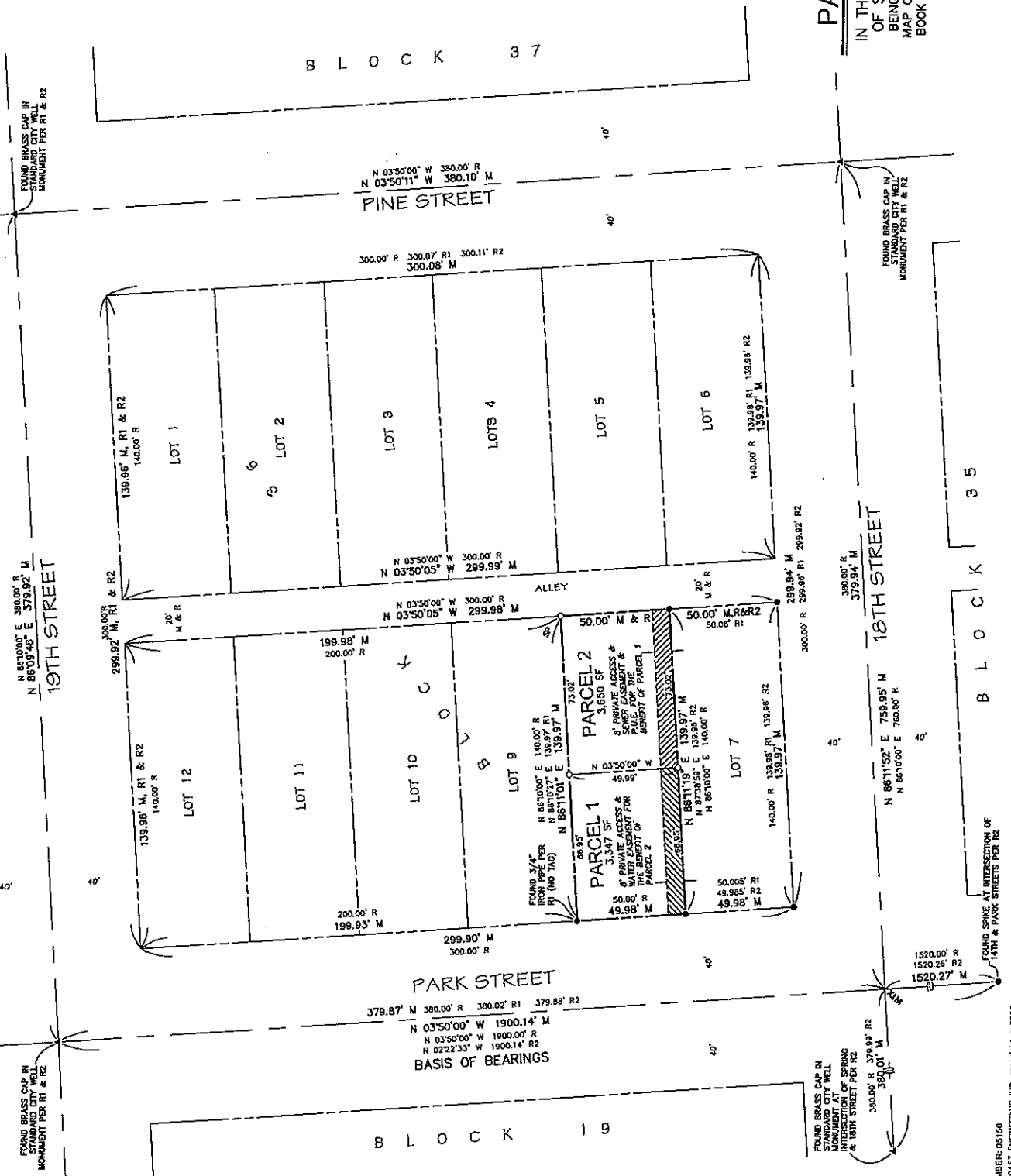


PARCEL MAP PR 06-0012

IN THE CITY OF EL PASO DE ROBLES, COUNTY OF SAN LUIS OBISPO, STATE OF CALIFORNIA BEING A SUBDIVISION OF LOT 8, BLOCK 36 OF THE MAP OF THE CITY OF EL PASO DE ROBLES RECORDED IN BOOK A OF MAPS, AT PAGE 169 IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.



SHEET 2 OF 2



JOB NUMBER: 05150
 NORTH COAST ENGINEERING INC. copyright © 2008

RESOLUTION NO. 07-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PASO ROBLES
RESCINDING ACCEPTANCE OF PARCEL MAP PR 06-0012 FOR RECORDATION
(STOLL)

WHEREAS, the subdivider of tentative Parcel Map PR 06-0012, located at 1810 Park Street, requested recordation of the final map; and

WHEREAS, in order to satisfy the conditions of approval set by the Planning Commission the subdivider agreed to post a bond in the amount of \$15,000; and

WHEREAS, the City Council, at their meeting of September 4, 2007 accepted Parcel Map PR 06-0012 for recordation; and

WHEREAS, City staff has not received the bond as needed to satisfy the conditions of approval of Parcel Map PR 06-0012.

THEREFORE, BE IT RESOLVED AS FOLLOWS:

SECTION 1. That the City Council of the City of Paso Robles does hereby rescind its approval of Parcel Map PR 06-0012.

PASSED AND ADOPTED by the City Council of the City of Paso Robles this 16th day of October, 2007 by the following vote:

AYES:
NOES:
ABSTAIN:
ABSENT:

Frank R. Mecham, Mayor

ATTEST:

Deborah D. Robinson, Deputy City Clerk