TO: James L. App, City Manager

FROM: Ron Whisenand, Community Development Director

SUBJECT: Acceptance of Public Improvement – Tract 2745

(H & D Highlands, LLC)

DATE: August 5, 2008

Needs: That the City Council authorize release of securities and acknowledge the acceptance of

improvements resulting from the development of Tract 2745.

1. On October 4, 2005, the City Council accepted Tract 2745 for recordation and executed a Subdivision Improvement Agreement with the Developer of this subdivision.

- 2. This subdivision is located along the north side of Oak Hill Road, east of S. River Road and south of Niblick Road, see attached Vicinity Map.
- The improvements in Tract 2745 have been constructed to the satisfaction of City staff.
- 4. The Subdivider, H & D Highlands, LLC, has posted bonds that guarantee completion of improvements in Tract 2745.

Analysis And

Facts:

Conclusion:

The improvements, which the developer was required to install for this subdivision, have been completed.

Policy

Reference: Paso Robles Municipal Code, Section 22, Subdivision Map Act.

Fiscal

Impact: None.

Options: Based upon completion of construction of all required improvements to the satisfaction

of the City:

a. Adopt Resolution No. 08-xxx acknowledging completion of the improvements in Tract 2745.

b. Amend, modify or reject the above option.

Attachments: (2)

- 1. Vicinity Map
- 2. Resolution

OWNER'S STATEMENT

WE. THE UNDERSIONED, HEREBY STATE THAT WE ARE ALL THE OWNERS OF (AND ALL RECORD INTERPOLAL PARTIES ANNO ANY PECOND THE INTERPOLATION TO THE REAL, PROPERTY INCLUED 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 DEDIOATE TO THE PUBLIC A 20' BIRK PATH EASEMENT FOR PUBLIC USE SO USE FRATH EASEMENT FOR PUBLIC USE SO ONSERTING ON HEREBY TO THE REED TO SO ONSERTING ON HEREBY TO THE REED TO THE PRESENT OF THE RESENT OF THE RESENT OF THE RESENT OF THE RESENT OF THE SERVENT OF ONSERTING AND EASEMENTS FOR THE USE AND EASEMENTS AND EASEMENTS AND EASEMENTS OF THE USE AND EASEMENT OF THE USE AND EASEMENT OF THE USE AND EASEMENTS OF THE USE AND EASE

BY: H & D HIGHLANDS, LLC, A DELAWARE LIMITED LIABILITY COMPANY

HALFERTY & DEBEIKES REUNION, LLC, A DELAWARE LIMITED LIABILITY COMPANY, MANAGER .:

COMPANY LIMITED LIABILITY DEVELOPMENT COMPANY, LLC, A DELAWARE HALFERTY I MEMBER В.:

DEBEIKES CALIFORNIA LIMITED PARTNERSHIP, LP, A CALIFORNIA LIMITED PARTNERSHIP MEMBER JAMES L. HALFERTY, MEMBER ₽.

FIDELITY NATIONAL TITLE COMPANY, TRUSTEE UNDER A DEED OF TRUST RECORDED AUGUST 19, 2005 AS INSTRUMENT NO. 2005-069376 OF OFFICIAL RECORDS.

TRUSTEE'S STATEMENT

NOTARY COMMISSION NUMBER

11E

PRINTED NAME

Β. .: B.

> RICHARD 23, 1987. RICHARD J. WOODLAND, TRUSTEE OF TRUST "A", FORWED UNDER THE WOODLAND & PATRICIA D. WOODLAND TRUST AGREEMENT DATED MAY .: B

PRESIDEN.

JR.,

RICHARD A. DEBEIKES,

Β.:

RICHARD J. WOODLAND, TRUSTEE ₽.

ACKNOWLEDGMENT

S.S. STATE OF CALIFORNIA COUNTY OF A NOTARY PUBLIC FOR THE STATE OF CALLIDONIA, PERSONALLY APPEARED JAMES L. HALFERTY, PERSONALLY KNOWN TO ME (OR PROVED TO ME ON THE BASIS OF SASTATION CALLIDONIA, PERSONALLY KNOWN TO ME (OR PROVED TO ME ON THE BASIS OF SASTATIONEY EVORENCE) TO BE THE PERSON WHOSE NAME IS SUSPECIED THE SAME IN HIS AUTHORIZED CAPACITY AND ACKNOMEDOED TO ME THAT HE EXECUTED THE SAME IN HIS AUTHORIZED CAPACITY AND THAT BY HIS SIGNATURE ON THE INSTRUMENT THE PERSON ACTED, EXECUTED THE

NOTARY EXPIRES NAME PRINTED Ċ. NOTARY SIGNATURE COUNTY OF

ACKNOWLEDGMENT

NOTARY COMMISSION NUMBER

S.S. STATE OF CALIFORNIA

ON OTARY PUBLIC FOR THE STATE OF CALLORONIA, PERSONALLY APPEARED RICHARD A. DEBEKES, AR. PERSONALLY KNOWN TO ME (OR PROVED TO ME ON THE BASIS OF SATISFACTORY FUNDENCE) TO BE THE PERSON WHOSE TAMME IS SUBSCRIBED TO THE WITHIN INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE EXCULDED THE SAME IN HIS ALM HORONIC TO AND THAT BY HIS SIGNATURE ON THE INSTRUMENT THE PERSON NOTED, EXECUTED THE PERSON ACTED, EXECUTED THE

NAME PRINTED	NOTARY EXPIRES
	Š
NOTARY SIGNATURE	COUNTY OF,
NOTA	COU

JOB NUMBER: 04-103 NORTH COAST ENGINEERING INC. copyright © 2005 ■

NOTARY COMMISSION NUMBER

ACKNOWLEDGMENT

ENGINEER'S STATEMENT

S.S. STATE OF CALIFORNIA SOUNTY OF SAN LUIS OBISPO

ON A NOTARY PUBLIC FOR THE STATE OF CALLEGNENIA, PERSONALLY APPEARED RICHARD J. WOOD AND, PERSONALLY KNOWN TO ME (OR PROYED TO ME ON THE BASIS OF SATISFACTORY EVIDENCE) TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE WHIN INSTRUMENT AND ACKNOWINGDED TO ME THAT HE EXECUTED THE SAME IN HIS AUTHORICED CAPACITY AND LACKNOWINGDED TO THE SAME IN HIS SIGNATURE ON THE INSTRUMENT THE PERSON RETELL STATE OF WHICH THE PERSON ACTED, EXECUTED THE

NOTARY EXPIRES NAME PRINTED Ç, COUNTY OF SAN LUIS OBISPO, NOTARY SIGNATURE



R.C.E. 29743 EXP. 3/31/07

STEVEN J. SYLVESTER

CITY ENGINEER'S STATEMENT

I HEREBY STATE THAT I HAVE EXAMINED THE ANNEXED MAP ENTITLED TRACT 2745, THE THE SUBDIVISION AS SHOWN HEREBON IS SUBSTANTIALLY THE SAME AS IT THE PROPERTY OF THE TRAINING MAP, IF REQUIRED, AND ANY APPROVED ALTERATIONS THEREFOR AND THAT ALL THE PROVISIONS OF ITE SUBDIVISION MAP ACT OF THE STATE OF CALIFORNIA AND OF ANY LOCAL ORDINANCES APPLICABLE AT THE TIME OF THE SAME SAME AND THAT THIS MAP HAVE BEEN COMPLIED WITH AND THAT IT AND ASSISTED THAT THIS MAP IS TECHNICALLY CORRECT.

JOHN R. FALKENSTIEN CITY ENGINEER CITY OF PASO ROBLES R.C.E. C33760 (EXP. 6/30/06)

DATE:

PLANNING COMMISSION STATEMENT

SATISFIED THAT DE ROBLES FOR I HEREBY STATE THAT I HAVE EXAMINED THIS MAP AND THAT I AM MAP CONTONINS WITH THE ACTION TAKEN BY THE CITY OF EL PASO THACT 2745 ON JUNE 28, 2005.

Ħ

ROBERT A. LATA, COMMUNITY DEVELOPMENT DIRECTOR

ON A NOTARY PUBLIC FOR THE STATE OF CALIFORNIA, PRESONALLY APPEARED PROPERTY ON THE STATE OF CALIFORNIA, PRESONALLY APPEARED PRESONALLY KNOWN TO ME (OR PROVED TO ME ON THE BASIS OF SATISFACTORY EVIDENCE) TO BE THE PERSON WHOSE NAME IS DISCONABLY NOT AND ACKNOWLEDGED ON ME THAT HE EXECUTED THE SAME IN THE PLESSON, OR THE INTITY UPON BEHALF OF WHICH THE PERSON ACTED, EXECUTED THE INSTRUMENT THE PESSON, OR THE ENTITY UPON BEHALF OF WHICH THE PERSON ACTED.

S.S.

STATE OF CALIFORNIA COUNTY OF

ACKNOWLEDGMENT

DATE

EASEMENTS UNPLOTTABLE

Ä PARKING AND UTILITY EGRESS, THE NON-EXCLUSIVE EASEMENTS FOR INGRESS, PURPOSES UNDER THE FOLLOWING DOCUMENTS: 1999-042421, 1999-070285 AND 1999-047783

RECORDER'S STATEMENT

NOTARY EXPIRES

Ą.

NOTARY COMMISSION NUMBER

NAME PRINTED

NOTARY SIGNATURE

COUNTY OF

REQUEST OF STEVEN J. SYLVESTER. _M., IN BOOK 2005, AT_ 뿔 ΑT P DAY. MAPS AT PAGES DOCUMENT NO. FILED THIS ij 占

JULIE L. RODEWALD
COUNTY RECORDER

CITY CLERK'S STATEMENT

2745 TRACT DEPUTY RECORDER

N THE CITY OF EL PASO DE ROBLES, COUNTY OF SAN LUIS OBSPO, STATE OF CALIFORNA BEING A SUBDIVISION OF PARCELS 2 AND 3 OF PARCEL MAP 89-0038, RECORDED IN BOOK 83 OF PARCEL MAPS, AT PARCE 94 IN IT PE OFFICE OF THE COUNTY RECORDER OF SAND COUNTY

2005

Р

DAY

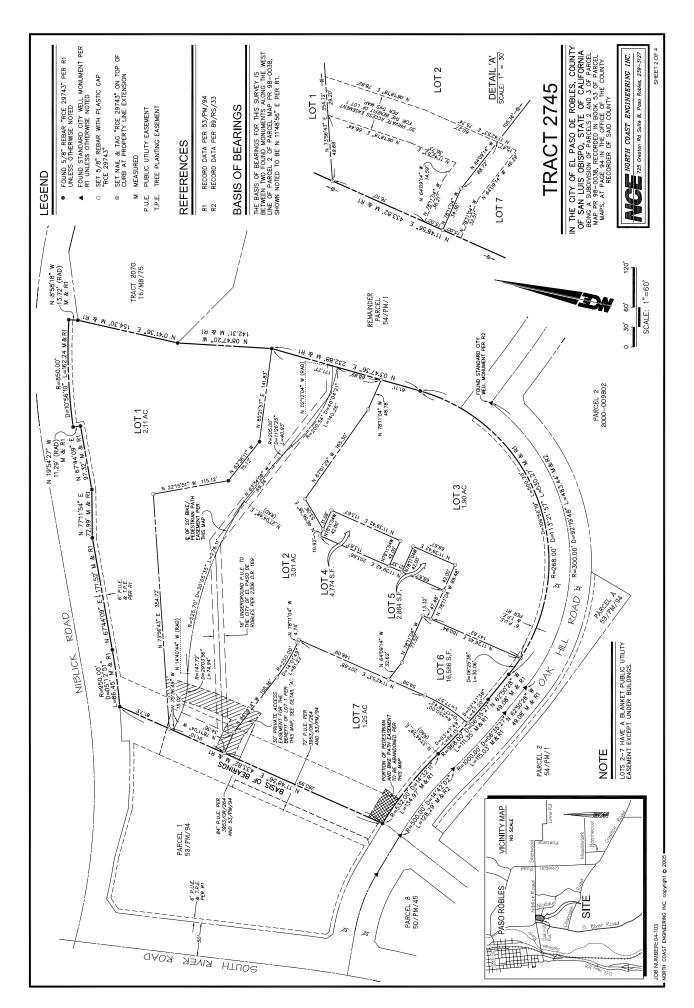
涯

MITNESS MY HAND AND SEAL

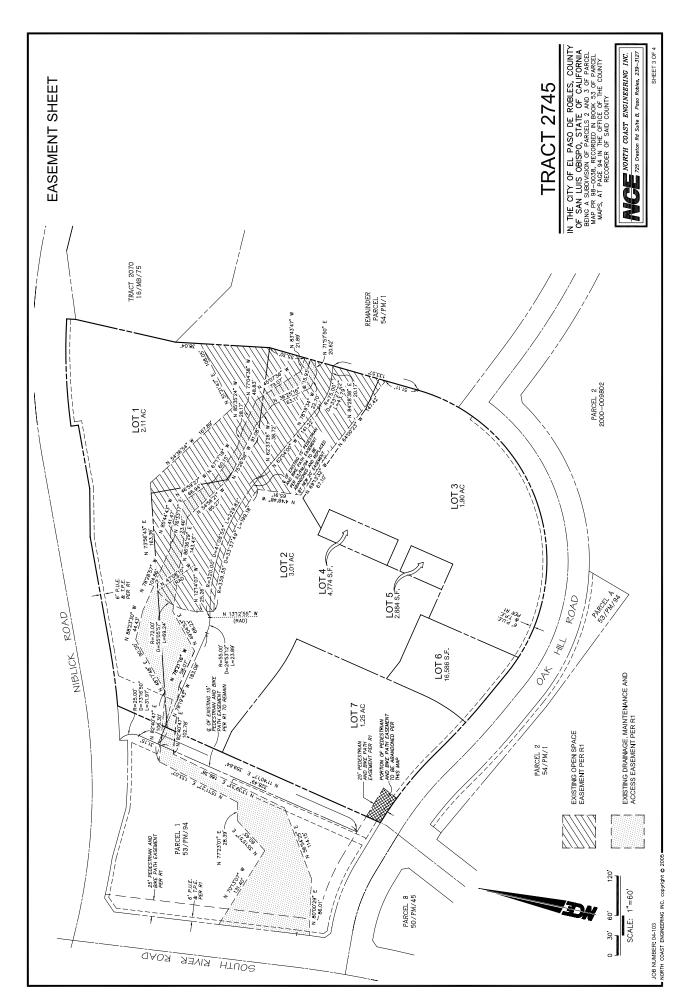
DENNIS FANSLER, CITY

NORTH COAST ENCINEERING INC.

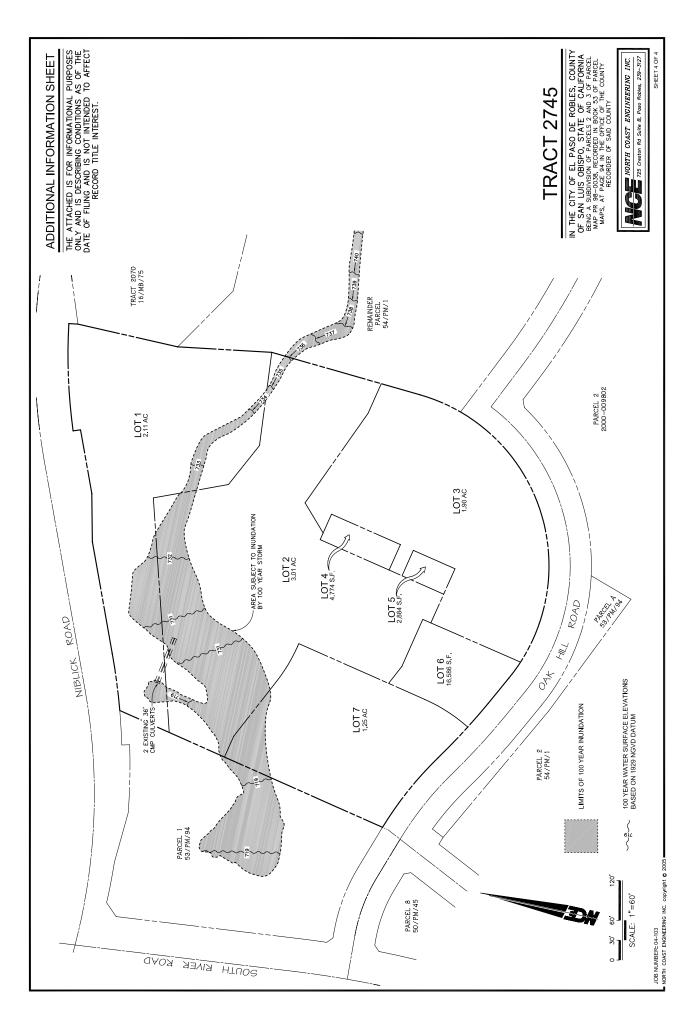
AMERICAN TITLE: 4001-2050107 FIRST



08/05/2008 Agenda Item No. 11, Page 3 of 6



08/05/2008 Agenda Item No. 11, Page 4 of 6



08/05/2008 Agenda Item No. 11, Page 5 of 6

RESOLUTION NO. 08-xxx

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PASO ROBLES ACCEPTING IMPROVEMENTS FOR TRACT 2745 (H & D HIGHLANDS, LLC) CONSTRUCTED PURSUANT TO THE SUBDIVISION IMPROVEMENT AGREEMENT

WHEREAS, Tract 2745 was accepted October 4, 2005, for recordation, and a Subdivision Improvement Agreement was entered into; and

WHEREAS, all improvements required as Conditions of Approval for Tract 2745 have been constructed in compliance with the improvement plans and all applicable City Standards; and

WHEREAS, the Subdivider has posted improvement securities for Tract 2745. Therefore, in accordance with the Subdivision Agreement in place for Tract 2745, 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:

<u>SECTION 1.</u> The performance bond for \$102,505 and the payment bond for \$51,252 guaranteeing construction of subdivision improvements may be released in accordance with the terms of the Subdivision Improvement Agreement for Tract 2745.

PASSED AND ADOPTED by the City Council of the City of Paso Robles this 5th day of August, 2008 by the following vote:

AYES: NOES: ABSTAIN: ABSENT:		
ATTEST:	Frank R. Mecham, Mayor	
Deborah D. Robinson, Deputy City Clerk		