

TO: James L. App, City Manager
FROM: Ronald Whisenand, Community Development Director
SUBJECT: Approval of Final Map of Tract 2972, (Nunno) for Recordation
DATE: December 16, 2008

Needs: That the City Council take a series of steps toward recordation of the Final Tract Map for Tract 2972, a commercial-industrial condominium subdivision.

Facts:

1. The applicant, Mike Nunno, has requested that Tract 2972 be authorized by the City Council for recordation. Tract 2972 is a 32-unit condominium subdivision of buildings constructed by Nunno under PD 01-030 located at 3500 Dry Creek Road (see Vicinity/Reduction tract map, Attachment 1).
2. All public improvements associated with this project were completed with the development of PD 01-030.
3. In accordance with the conditions of approval of PD 01-030, Nunno has provided an Irrevocable and Perpetual Offer of Dedication of public right-of-way along Dry Creek Road.

Analysis and

Conclusion: Tract 2972 was approved by the Planning Commission on April 8, 2008. All conditions imposed by the Planning Commission on the subdivision of the property have been satisfied.

Policy

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

Fiscal

Impact: None.

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

- a. Adopt Resolution No. 08-xxx authorizing the recordation of Tract 2972, a condominium subdivision of two buildings into 32 units located at 3500 Dry Creek Road.
- b. Adopt Resolution No. 08-xxx accepting the Irrevocable and Perpetual Offer of Dedication for Dry Creek Road.
- c. Amend, modify or reject the above option.

Attachments: (3)

- 1) Vicinity/Reduced size tract map
- 2) Resolution Accepting Final Map
- 3) Resolution Accepting Offer of Dedication

OWNER'S STATEMENT

WE, THE UNDERSIGNED, HEREBY STATE THAT WE ARE ALL THE OWNERS OF (AND ALL RECORDED HOLDERS OF SECURITY INTEREST IN), AND ALL PARTIES HAVING ANY RECORD TITLE INTEREST IN THE REAL PROPERTY DESCRIBED 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.

BY: NUMAQ, LLC, A CALIFORNIA LIMITED LIABILITY COMPANY
 BY: _____
 BY: PRINTED NAME AND TITLE

ACKNOWLEDGMENT

STATE OF CALIFORNIA }
 COUNTY OF _____ } S.S.
 ON _____, 2008, BEFORE ME _____, WHO A NOTARY PUBLIC PERSONALLY APPEARED PROVED TO ME ON THE BASIS OF SATISFACTORY EVIDENCE TO BE THE PERSON(S) WHOSE NAME(S) IS/ARE SUBSCRIBED TO THE WITHIN INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE/SHE/THEY EXECUTED THE SAME IN HIS/HER/THEIR CAPACITIES, AND THAT BY HIS/HER/THEIR SIGNATURE(S) ON THE INSTRUMENT THE PERSON(S), OR THE ENTITY UPON BEHALF OF WHICH THE PERSON(S) ACTED, EXECUTED THE INSTRUMENT.
 I CERTIFY UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF CALIFORNIA THE FOREGOING PARAGRAPH IS TRUE AND CORRECT.

NOTARY SIGNATURE _____ NAME PRINTED _____
 COUNTY OF _____ CA NOTARY EXPIRES _____ NOTARY COMMISSION NUMBER _____

BENEFICIARY'S STATEMENT

HERITAGE BANK, BENEFICIARY UNDER A DEED OF TRUST RECORDED MAY 16, 2007 AS INSTRUMENT NO. 2007-033209 OF OFFICIAL RECORDS.

BY: _____
 BY: _____
 BY: PRINTED NAME _____ TITLE _____

ACKNOWLEDGMENT

STATE OF CALIFORNIA }
 COUNTY OF _____ } S.S.
 ON _____, 2008, BEFORE ME _____, WHO A NOTARY PUBLIC PERSONALLY APPEARED PROVED TO ME ON THE BASIS OF SATISFACTORY EVIDENCE TO BE THE PERSON(S) WHOSE NAME(S) IS/ARE SUBSCRIBED TO THE WITHIN INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE/SHE/THEY EXECUTED THE SAME IN HIS/HER/THEIR CAPACITIES, AND THAT BY HIS/HER/THEIR SIGNATURE(S) ON THE INSTRUMENT THE PERSON(S), OR THE ENTITY UPON BEHALF OF WHICH THE PERSON(S) ACTED, EXECUTED THE INSTRUMENT.
 I CERTIFY UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF CALIFORNIA THE FOREGOING PARAGRAPH IS TRUE AND CORRECT.

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 OF EL PASO DE ROBLES APPROVES THE MAP OF TRACT 2972 SHOWN HEREON WITH THE FILING OF THIS MAP.

WITNESS MY HAND AND SEAL THIS _____ DAY OF _____, 2008
 DENNIS FANSLER, CITY CLERK _____

PLANNING COMMISSION STATEMENT

I HEREBY STATE THAT I HAVE EXAMINED THIS MAP AND THAT I AM SATISFIED THAT THE MAP COMPLIES WITH THE ZONING TAKEN BY THE CITY OF EL PASO DE ROBLES FOR TRACT 2972 ON APRIL 9, 2008.

RONALD WHISNAND, COMMUNITY DEVELOPMENT DIRECTOR _____ DATE _____

SURVEYOR'S STATEMENT

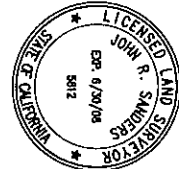
THIS MAP WAS PREPARED BY ME OR UNDER MY DIRECTION AND IS BASED UPON A SURVEY MADE BY ME OR UNDER MY DIRECTION AND IS SUBJECT TO THE REVISIONS MADE BY ME OR UNDER MY DIRECTION. I HEREBY STATE THAT THIS FINAL MAP SUBSTANTIALLY CONFORMS TO THE CONDITIONALLY APPROVED TENTATIVE MAP AND THAT ALL THE MONUMENTS SHOWN HEREON ARE OF THE CHARACTER AND OCCUPY THE POSITIONS INDICATED, OR WILL BE SET IN SUCH POSITIONS WITHIN ONE YEAR OF THE APPROVAL OF THIS MAP AND ARE SUFFICIENT TO ENABLE THE SURVEY TO BE RETRACED.

JOHN R. SANDERS U.S. 5912 DATE _____
 Exp. 6/30/08

CITY ENGINEER'S STATEMENT

I HEREBY STATE THAT I HAVE EXAMINED THE ANNEKED MAP ENTITLED TRACT 2972, THAT THE SUBDIVISION AS SHOWN HEREON IS SUBSTANTIALLY THE SAME AS IT APPEARED ON THE TENTATIVE MAP, IF REQUIRED, AND ANY APPROVED ALTERATIONS THEREOF AND THAT ALL THE PROVISIONS 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 HAVE BEEN COMPLIED WITH AND THAT I AM SATISFIED THAT THIS MAP IS TECHNICALLY CORRECT.

DATE: _____
 JOHN R. FALKENSTEIN
 CITY ENGINEER
 CITY OF PASO ROBLES
 P.O. BOX 63760 (EXP. 6/30/08)



RECORDER'S STATEMENT

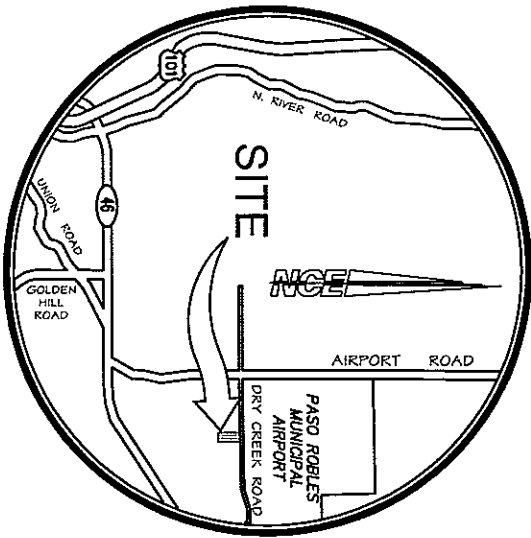
FILED THIS _____ DAY OF _____, 2008, AT _____, IN BOOK _____ OF MAPS AT PAGES _____, AT THE REQUEST OF JOHN R. SANDERS.
 DOCUMENT NO. _____
 FEE: _____

JULE L. ROSENWALD DEPUTY RECORDER _____
 COUNTY RECORDER _____

RECORDER'S DISCLAIMER

THE TABULATION, LISTING AND NUMBERING OF ANY SEPARATE DOCUMENTS AUTHORIZED TO BE RECORDED CONCURRENTLY WITH THIS MAP HAVE BEEN PROVIDED BY THE SUBDIVIDER OR BY THE LOCAL AGENCY APPROVING THE MAP. THE COUNTY RECORDER MAKES NO REPRESENTATIONS REGARDING THE ACCURACY OF THE TABULATION, LISTING AND NUMBERING OF ANY SEPARATE DOCUMENTS REFERRED TO ON THE MAP.

- NOTE: THE FOLLOWING DOCUMENTS AFFECTING THE PROPERTY DENOTED HEREON ARE BEING RECORDED CONCURRENTLY HEREWITH:
- 1.) A DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS PER DOC. NO. _____
 - 2.) CONDOMINIUM PLAN PER DOC. NO. _____



VICINITY MAP
 NO SCALE

TRACT 2972

FOR CONDOMINIUM PURPOSES
 IN THE CITY OF PASO ROBLES, COUNTY OF SAN LUIS OBISPO, STATE OF CALIFORNIA
 BEING A SUBDIVISION FOR CONDOMINIUM PURPOSES OF PARCEL 2 OF THE CERTIFICATE OF COMPLIANCE RECORDED IN DOCUMENT NO. 2001-008923 OF OFFICIAL RECORDS IN THE OFFICE OF THE COUNTY RECORDER OF SAO COUNTY.



PTN. SW 1/4, SW 1/4 SEC. 13,
T26S, R12E, M.D.M.

BASIS OF BEARINGS
THE BASIS OF BEARING FOR THIS SURVEY IS BETWEEN THE POINTS OF INTERSECTION OF THE SECTION CORNERS AT THIS SITE, HAVING A BEARING OF N 01°51'25" E PER R.

BASIS OF BEARINGS
N 01°51'25" E 1021.45' M & R

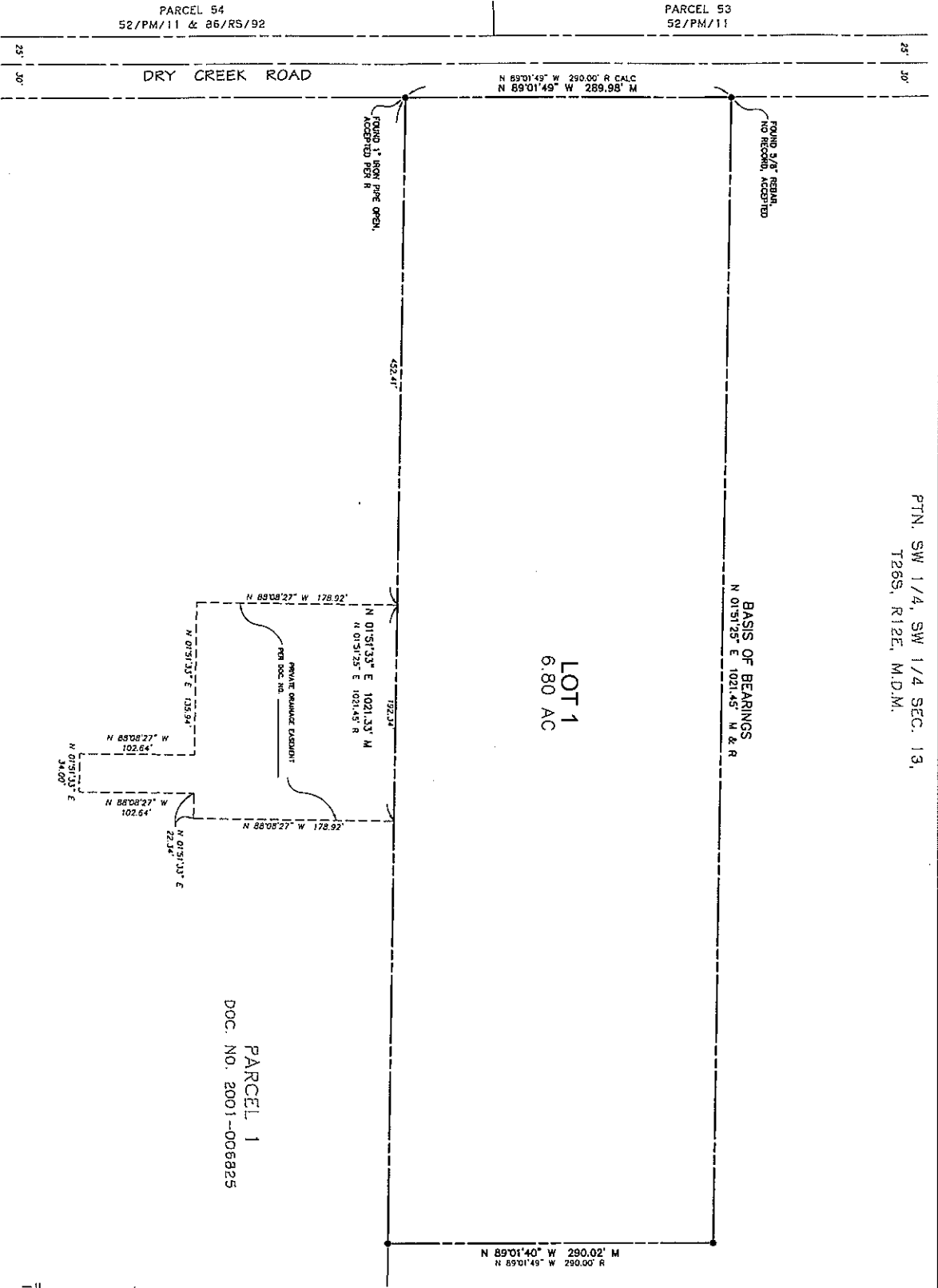
LEGEND

- FOUND 1" IRON PIPE WITH CAP "1 S 5751" PER R UNLESS OTHERWISE NOTED.
- CALC. CALCULATED FROM RECORD DATA
- M MEASURED

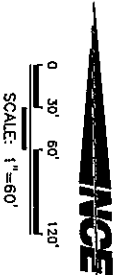
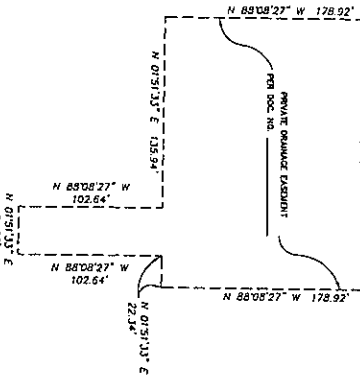
REFERENCES

R 76/RS/4 (1997)

N 89°01'49" W 290.00' R
N 89°01'49" W 289.98' M



PARCEL 1
DOC. NO. 2001-006825



TRACT 2972

FOR CONDOMINIUM PURPOSES

IN THE CITY OF PASO ROBLES, COUNTY OF SAN LUIS OBISPO, STATE OF CALIFORNIA BEING A SUBDIVISION FOR CONDOMINIUM PURPOSES OF PARCEL 2 OF TRACT 2972 OF CONDOMINIUM RECORDED IN DOCUMENT NO. 2001-006825 OF OFFICIAL RECORDS IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

NGE NORTH COAST ENGINEERING, INC.
723 Ocean Rd Suite B, Paso Robles, 239-3127

SHEET 2 OF 2

JOB NUMBER: 05121
NORTH COAST ENGINEERING, INC. copyright © 2008

RESOLUTION NO. 08-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PASO ROBLES
ACCEPTING AND APPROVING THE RECORDATION
OF THE FINAL MAP FOR TRACT 2972 (NUNNO)

WHEREAS, at their meeting of April 8, 2008, the Planning Commission approved Tentative Tract 2972, a condominium subdivision of two buildings into 32 commercial-industrial units located at 3500 Dry Creek Road; and

WHEREAS, the Developer has met all conditions of the tentative map; and

WHEREAS, City staff has reviewed the final tract 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 Tract 2972, and authorize the execution and recordation of the tract map.

PASSED AND ADOPTED by the City Council of the City of Paso Robles this 16th day of December 2008 by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

Duane Picanco, Mayor

ATTEST:

Deborah D. Robinson, Deputy City Clerk

RESOLUTION NO. 08-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PASO ROBLES
ACCEPTING AN IRREVOCABLE AND PERPETUAL OFFER OF DEDICATION
FOR ROAD PURPOSES ON DRY CREEK ROAD
(NUNNO)

WHEREAS, the City has received an Irrevocable and Perpetual Offer of Dedication from Nunno, LLC for public road purposes along the frontage of Planned Development PD 01-030 located at 3500 Dry Creek Road; and

WHEREAS, the Irrevocable and Perpetual Offer of Dedication provided by Nunno, LLC meets the conditions of approval for PD 01-030 as set by Resolution 05-0020 of the City Planning Commission, adopted on their meeting of February 22, 2005.

THEREFORE, BE IT RESOLVED AS FOLLOWS:

SECTION 1. That the City Council accept the Irrevocable and Perpetual Offer of Dedication for public road purposes provided by Nunno, LLC located at 3500 Dry Creek Road and authorize its execution and recordation.

ADOPTED by the City Council of the City of El Paso de Robles at a regular meeting of said Council held on the 16th day of December, 2008 by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

Duane Picanco, Mayor

ATTEST:

Deborah D. Robinson, Deputy City Clerk