

**TO:** James L. App, City Manager  
**FROM:** Ron Whisenand, Community Development Director  
**SUBJECT:** Acceptance of Parcel Map 07-0275 for Recordation and Annexation No. 05-043 to Community Facilities District No. 2005-1 for Public Services (Cook)  
**DATE:** December 1, 2009

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**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 2 of Parcel Map PR 07-0275 into the existing Community Facilities District (CFD) No. 2005-1 for Public Services.

**Facts:**

1. Applicant Richard Cook has requested that Parcel Map PR 07-0275 be accepted by the City for recordation. Parcel Map PR 07-0275 is located at 105 Capitol Hill Drive, just south of Creston Road.
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 07-0275.
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 07-0275 was tentatively approved by the Planning Commission on June 10, 2008. 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. 09-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. 09-xx accepting the recordation of Parcel Map PR 07-0275, a two-lot residential subdivision located at 105 Capitol Hill Drive, south of Creston Road.
- 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

**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. 05-043**

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

Parcel 2 of Parcel Map PR 07-0275 in the City of Paso Robles, County of San Luis Obispo, State of California, according to map recorded \_\_\_\_\_ in Book \_\_\_\_\_ , Pages \_\_\_\_\_ of Maps.

Names of the owners of the Annexed Property:

Richard Cook

**OWNERS' STATEMENT**

I, THE UNDERSIGNED, HEREBY STATE THAT I AM THE SOLE OWNER OF, AND SOLE 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 RECORDATION OF THIS MAP, AND THAT I DO HEREBY CONSENT TO THE FILING AND/OR RECORDATION OF THIS MAP. I HEREBY RESERVE TO MYSELF THE RIGHT TO USE THE 90 FOOT WIDE STRIP OF LAND SHOWN HEREON FOR ANY ROAD PURPOSES, AND I HEREBY RESERVE FOR THE USE AND 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.". I ALSO RESERVE TO MYSELF, MY HEIRS, AND ASSIGNS THE PRIVATE UTILITY AND ACCESS EASEMENTS FOR THE USE AND BENEFIT OF THE PRESENT OR FUTURE OWNERS OF PARCELS 1 AND 2 AS SHOWN ON THIS MAP.

RICHARD STEVEN COOK

**NOTARY ACKNOWLEDGMENT**

STATE OF CALIFORNIA }  
COUNTY OF SAN LUIS OBISPO }

ON \_\_\_\_\_ 2008, BEFORE ME A NOTARY PUBLIC, PERSONALLY APPEARED RICHARD STEVEN COOK, WHO 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 SAME IN HIS AUTHORIZED CAPACITY, AND THAT BY HIS SIGNATURE ON THE INSTRUMENT THE PERSON, OR THE ENTITY UPON BEHALF OF WHICH THE PERSON ACTED, EXECUTED THE INSTRUMENT.

I CERTIFY UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF \_\_\_\_\_ THAT THE FOREGOING PARAGRAPH IS TRUE AND CORRECT.

WITNESS MY HAND:

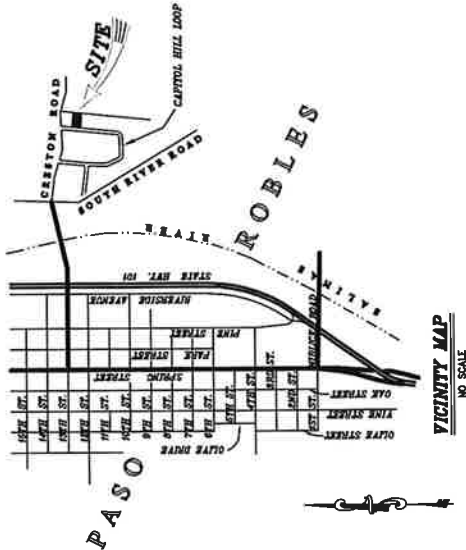
SIGNATURE \_\_\_\_\_ NAME PRINTED \_\_\_\_\_

COUNTY OF COMMISSION: \_\_\_\_\_ COMMISSION EXPIRES: \_\_\_\_\_

COMMISSION NO: \_\_\_\_\_

**PARCEL MAP PR 07-0275**

BEING A SUBDIVISION OF LOT 9 AND A PORTION OF LOT 10 OF THE CAPITOL HILL TRACT IN THE CITY OF EL PASO DE ROBLES, PER MAP FILED IN BOOK 2, PAGE 71 OF MAPS, AND PER DEED RECORDED AS DOCUMENT #087-067068, IN THE 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 SUBDIVISION MAP ACT AND LOCAL ORDINANCE AT THE REQUEST OF RICHARD COOK IN NOVEMBER OF 2007. I HEREBY STATE THAT THIS PARCEL MAP SUBSTANTIALLY CONFORMS TO THE APPROVED OR CONDITIONALLY APPROVED TENTATIVE MAP, IF ANY. I ALSO STATE THAT ALL OF THE MONUMENTS SHOWN HEREON ARE OF THE CORRECT KIND AND LOCATION AND CONDITIONS INDICATED AND ARE SUFFICIENT TO ENABLE THE SURVEY TO BE RETRACED.

W.M. E. TOUCHON L.S. 4846 (EXP. 9-30-2010)



**CITY ENGINEER'S STATEMENT**

I HEREBY STATE THAT I HAVE EXAMINED THE ANNEXED MAP ENTITLED PARCEL MAP PR 07-0275, THAT THE SUBDIVISION SHOWN IS SUBSTANTIALLY THE SAME AS IT APPEARED ON THE TENTATIVE MAP APPROVED BY THE CITY OF EL PASO DE ROBLES AND THAT ALL THE PROVISIONS OF THE SUBDIVISION MAP ACT OF THE STATE OF CALIFORNIA AND OF ANY LOCAL ORDINANCE APPLICABLE AT THE TIME OF APPROVAL OF THE TENTATIVE MAP HAVE BEEN COMPLIED WITH, AND I AM SATISFIED THAT THIS MAP IS TECHNICALLY CORRECT.

JOHN R. FALKENSTEIN, CITY ENGINEER DATE \_\_\_\_\_  
P.O. BOX 1000 (LOC. 26) EL PASO DE ROBLES, CA 94026  
CITY OF EL PASO DE ROBLES

**PLANNING COMMISSION STATEMENT**

I HEREBY STATE THAT I HAVE EXAMINED THIS MAP ENTITLED PARCEL MAP PR 07-0275, THAT SAID MAP SUBSTANTIALLY CONFORMS TO THE TENTATIVE MAP AS APPROVED BY THE CITY OF EL PASO DE ROBLES ON JUNE 10, 2008. THIS MAP IS THEREFORE APPROVED BY THE CITY OF EL PASO DE ROBLES.

RONALD WEISBAND DATE \_\_\_\_\_  
COMMUNITY DEVELOPMENT DIRECTOR  
CITY OF EL PASO DE ROBLES

**CITY CLERK'S STATEMENT**

I, DENNIS FANSLER, CITY CLERK OF EL PASO DE ROBLES, CALIFORNIA, HEREBY STATE THAT THE CITY MAP OF PARCEL MAP PR 07-0275, SHOWN HEREON, AND THE OFFER OF DEDICATION SHOWN HEREON FOR ROAD PURPOSES IS ACCEPTED TO THE TERMS OF OFFERS OF DEDICATION BY THE PARTIES HAVING A RECORD TITLE INTEREST IN SAID LAND.

WITNESS MY HAND AND SEAL THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 2008.

DENNIS FANSLER, CITY CLERK

**RECORDER'S STATEMENT**

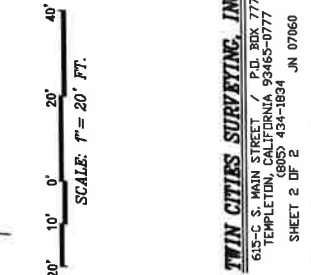
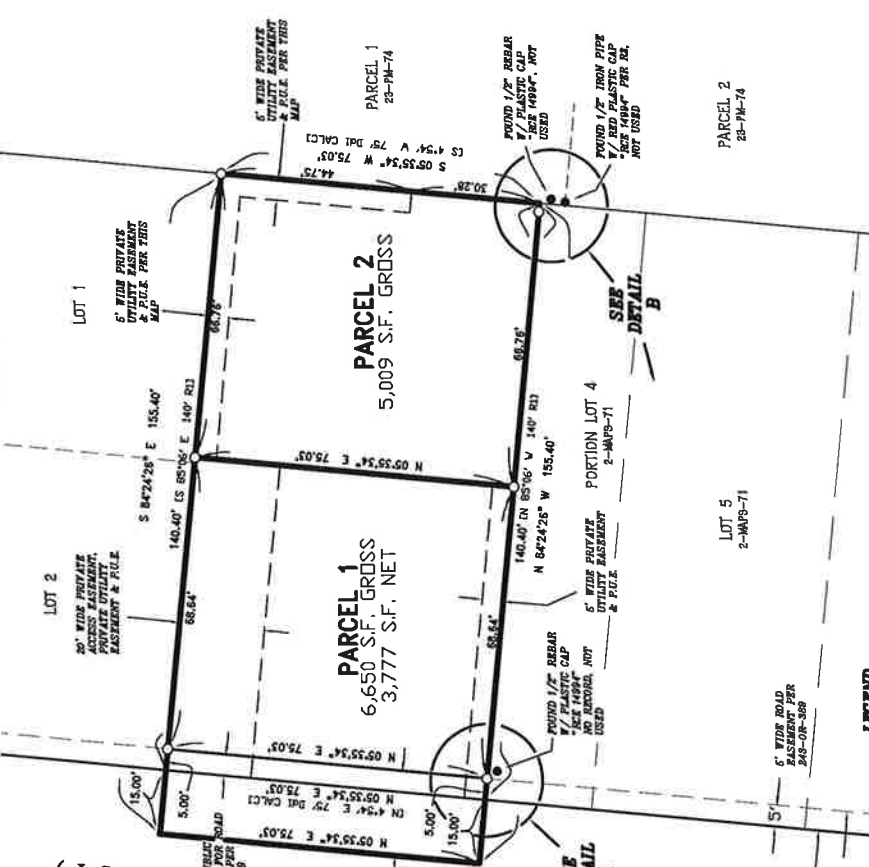
FILED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 2008, AT \_\_\_\_\_ M.  
IN BOOK \_\_\_\_\_ OF PARCEL MAPS AT PAGES \_\_\_\_\_ AT THE  
REQUEST OF W.M. E. TOUCHON

DOC. NO.: \_\_\_\_\_ PER: \_\_\_\_\_  
JULIE L. BODENWALD BY: \_\_\_\_\_  
COUNTY RECORDER DEPUTY

**TWIN CITIES SURVEYING, INC.**  
615-C S. MAIN STREET / P.O. BOX 777  
TEMPLETON, CALIFORNIA 93465-0777  
(805) 434-1834 JUN 07060  
SHEET 1 OF 2

**PARCEL MAP PR 07-0275**

BEING A SUBDIVISION OF LOT 3 AND A PORTION OF LOT 4 OF THE CAPITOL HILL TRACT, PER MAP FILED IN BOOK 2, PAGE 71 OF MAPS AND PER DEED RECORDED AS DOCUMENT #887-057069, IN THE COUNTY OF SAN LUIS OBISPO, STATE OF CALIFORNIA.

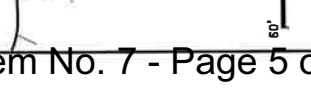
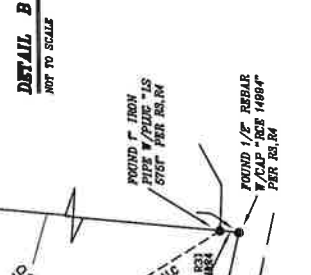
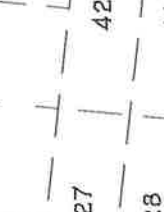
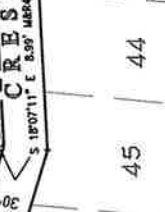
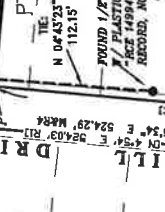
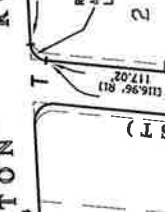


- LEGEND**
- - FOUND AS NOTED
  - - FOUND 1/2" IRON PIPE W/ BRASS WAS STAMPED "15 4467", UNLESS INDICATED OTHERWISE
  - △ - FOUND BRASS CAP IN WELL PER REBAR
  - - FOUND REBAR
  - P - POINT DETERMINED BY SINGLE PROPORTION S.F. = SQUARE FEET
  - CS - CROSS AREA IS CALCULATED TO THE CENTERLINE OF THE ROAD
  - NET - CROSS AREA LESS 8' WIDE STRIP OF STRIP DEDICATION FOR ROAD PURPOSES
  - R/W - RIGHT OF WAY
  - P.I. - POINT OF INTERSECTION
  - RI - 8-WAPS-71 (1997)
  - RE - 85-PM-74 (1997)
  - RS - 84-LS-RP TO 90 (2005)
  - RS - 85-PM-85/90 (2005)
  - DAI - DOC. #887-057069 (1997)

**BASIS OF BEARINGS**

THE BEARINGS SHOWN HEREON, NOT ENCLOSED WITHIN BRACKETS [...], ARE BASED ON THE CALIFORNIA COORDINATE SYSTEM, ZONE 6. THE MAPPING ANGLE AT THE NORTHEAST CORNER OF THE CAPITOL HILL TRACT IS -1°31'40".

NOTES: DISTANCES SHOWN HEREON, NOT ENCLOSED WITHIN BRACKETS [...] ARE GRID DISTANCES OF THE CALIFORNIA COORDINATE SYSTEM, ZONE 6. TO OBTAIN GROUND DISTANCES, MULTIPLY GRID DISTANCES BY THE COMBINED SCALE FACTOR 0.9999916.



RESOLUTION NO. 09-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PASO ROBLES  
ANNEXING PARCEL 2 OF PARCEL MAP PR 07-0275 TO THE CITY'S COMMUNITY  
FACILITIES DISTRICT NO. 2005-1

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WHEREAS, the owner of the real property described in Exhibit 'A' has petitioned to annex Parcel 2 of Parcel Map PR 07-0275 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 Richard Cook.

SECTION 3. That the City Council for the City of Paso Robles does hereby declare that the assessment for Parcel 2 of Parcel Map PR 07-0275 shall begin with Fiscal Year 2009-2010.

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. 05-043 to the Paso Robles Community Facilities District No. 2005-1.

PASSED AND ADOPTED by the City Council of the City of Paso Robles this 1<sup>st</sup> day of December, 2009 by the following vote:

AYES:  
NOES:  
ABSTAIN:  
ABSENT:

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Duane Picanco, Mayor

ATTEST:

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Lonnie Dolan, Deputy City Clerk

RESOLUTION NO. 09-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PASO ROBLES  
ACCEPTING PARCEL MAP PR 07-0275 FOR RECORDATION  
(COOK)

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WHEREAS, the subdivider of tentative Parcel Map PR 07-0275, located at 105 Capitol Hill Drive, south of Creston Road, has requested recordation of the final map; and

WHEREAS, the parcel map allows for the creation of two (2) parcels on a 0.27 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 07-0275 and authorize the execution and recordation of the parcel map.

SECTION 2. That the City Council of the City of Paso Robles accept the offer of dedication for road purposes on Capitol Hill Drive as shown on the final map.

PASSED AND ADOPTED by the City Council of the City of Paso Robles this 1<sup>st</sup> day of December, 2009 by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

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Duane Picanco, Mayor

ATTEST:

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Lonnie Dolan, Deputy City Clerk