

TO: Thomas Frutchey, City Manager

FROM: Warren Frace, Community Development Director

SUBJECT: Acceptance of Offer of Dedication of Easement, Parcel Map PR 15-0058

DATE: June 21, 2016

Needs: That the City Council accept an Offer of Dedication of an easement for an off-site sewer serving Parcel Map PR 15-0058 between Prospect Avenue and 2025 Union Road.

Facts:

1. Parcel Map PR 15-0058, located at 2025 Union Road, was tentatively approved by the City Council December 1, 2015.
2. In order to access the existing sanitary sewer in Prospect Avenue for the new lots in Parcel Map PR 15-0058 it was necessary for the owners to acquire an easement over the property to the west of 2025 Union Road.
3. The Trustees of the Maria Linares Revocable Trust have provided an Offer of Dedication of an easement to operate and maintain a sanitary sewer line on Parcel 4 of Parcel Map PR 01-186 (the land located between Parcel Map PR 15-0058 and Prospect Avenue).

**Analysis
and**

Conclusion: The owners of Parcel Map PR 15-0058 have provided the City an Offer of Dedication of an easement for the sanitary sewer needed to serve their development at 2025 Union Road. They will proceed with construction of the sewer line. When the sewer line has been observed to have been constructed to all City Standards, the City will accept the new sewer line for maintenance. The Offer of Dedication Easement documents provide for perpetual right of City access, operation and maintenance.

Policy

Reference: Paso Robles Municipal Code Section 14.08.130

Fiscal

Impact: None.

Options:

- a. Adopt Resolution No. 16-xxx accepting the Offer of Dedication of Easement for public sewer associated with Parcel Map PR 15-0058.
- b. Amend, modify or reject the above option.

Attachments: (3)

1. Easement Map
2. Offer of Dedication of Easement
3. Resolution

PROSPECT AVENUE

PARCEL 4
57 PM 40

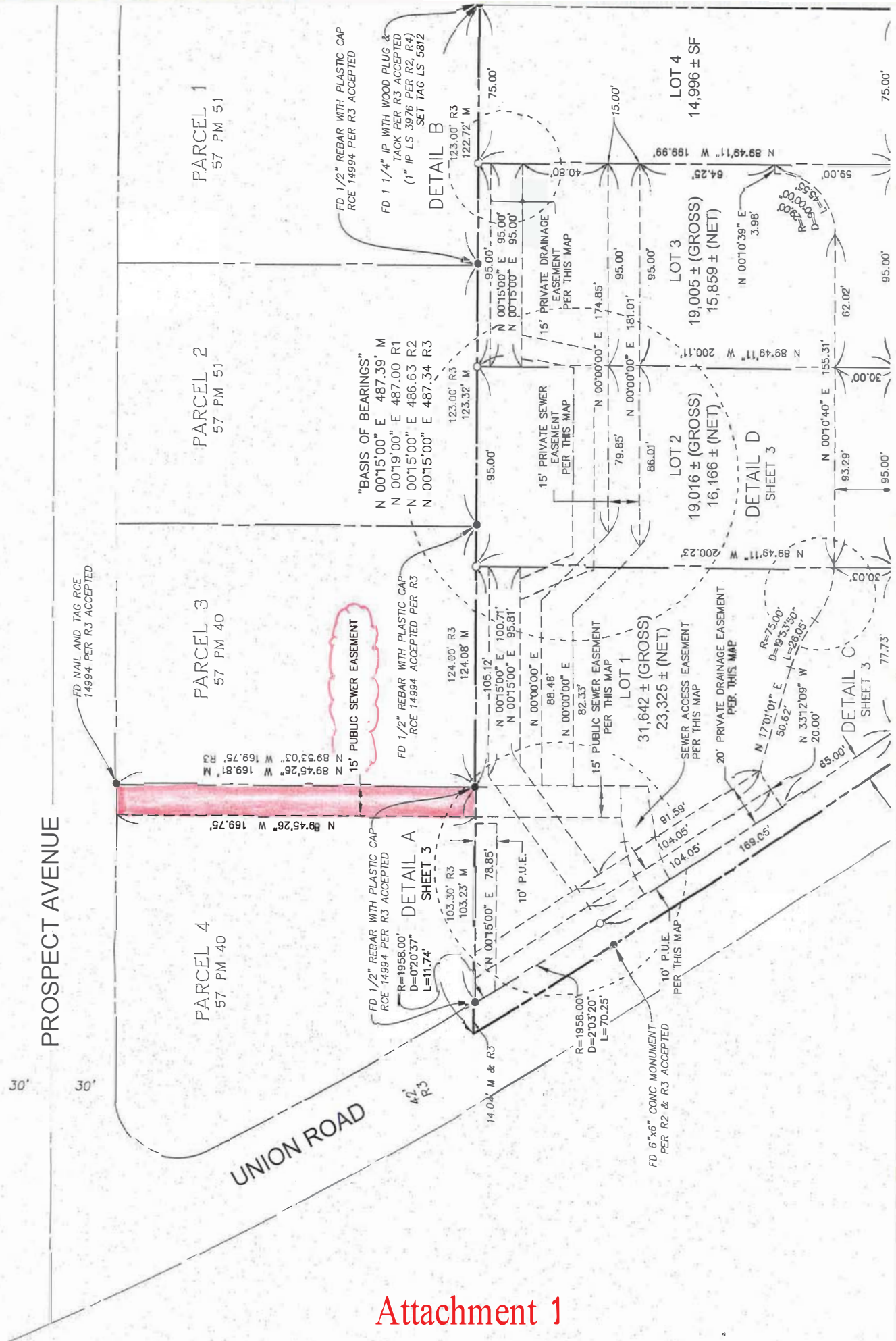
PARCEL 3
57 PM 40

PARCEL 2
57 PM 51

PARCEL 1
57 PM 51

UNION ROAD

Attachment 1 Easement Map



RECORDING REQUESTED BY AND
WHEN RECORDED RETURN TO:

CITY ENGINEER
CITY OF EL PASO DE ROBLES
1000 SPRING STREET
PASO ROBLES, CA 93446

FOR RECORDER USE ONLY

APN 025-403-073

IRREVOCABLE & PERPETUAL OFFER TO DEDICATE

THIS OFFER TO DEDICATE, made the 4th day of April, 2016,
by Marco A. Jimenez and Maria Linares, Trustee of the Maria Linares Revocable Trust dated May
11, 2015, of the County of San Luis Obispo, State of California, hereinafter termed "**OFFEROR**":

WHEREAS, said **OFFEROR** desires to make an offer to dedicate, irrevocably, to the public, an easement, for public sewer lines, pumps and appurtenances including the rights for construction, operation and maintenance of said public sewer facilities, which offer may be accepted at any time by any governmental entity which has the power to establish, construct and maintain such facilities.

NOW, THEREFORE, said **OFFEROR** covenants and promises as follows:

1. That said **OFFEROR** is the owner of the following interest described below:

Parcel 4 of Parcel Map No. PR 01-186, in the City of El Paso de Robles, County of San Luis Obispo, State of California, according to the Map recorded November 18, 2002 in Book 57, Page 51 of Parcel Maps, in the office of the County Recorder of said County.

2. That said **OFFEROR** does hereby irrevocably and in perpetuity offer to such a governmental entity a dedication of an easement for public sewer purposes, including the rights for the installation and maintenance of said sewer, upon the following described property:

SEE ATTACHED EXHIBIT "A"

3. That said **OFFEROR** agrees that said offer of dedication shall be irrevocable and that such a government entity may, at any time in the future, accept said offer of dedication of the easement.
4. That said **OFFEROR** agrees that this irrevocable and perpetual offer to dedicate is and shall be binding on his heirs, legatees, successors and assignees.

IN WITNESS WHEREOF, this **Offer to Dedicate** is hereby executed by the said **OFFEROR** on the day and year first above written.

Offeror:

Marco A. Jimenez and Maria Linares, Trustee of the Maria Linares Revocable Trust dated May 11, 2015.

By: 

Maria Linares, Tustee

Date

Offeror:

By: 

Marco A. Jimenez

Date

4/4/16

(SIGNATURES MUST BE NOTARIZED)

ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California

)

) SS

County of San Luis Obispo

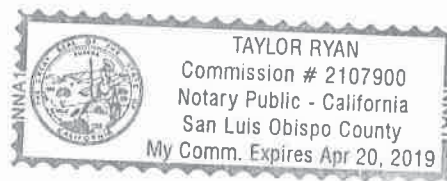
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On April 4, 2016, before me, *Taylor Ryan, Notary Public*, personally appeared Maria Linares, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), 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 that the foregoing paragraph is true and correct.

Witness my hand and official seal.

Taylor Ryan
Signature



(Seal)

ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California

)

) SS

County of San Luis Obispo

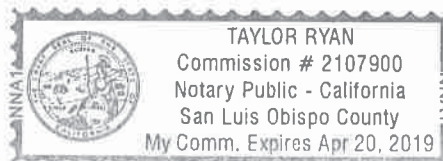
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Taylor Ryan
Signature

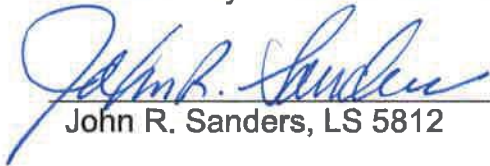


(Seal)

EXHIBIT "A"
LEGAL DESCRIPTION

Being a portion of Parcel 4 of Parcel Map No. PR 01-186, in the City of El Paso de Robles, County of San Luis Obispo, State of California, according to the Map recorded November 18, 2002 in Book 57, Page 51 of Parcel Maps, in the office of the County Recorder of said County, described as follows:

The northerly 15 feet of said Parcel 4.


John R. Sanders, LS 5812

4/4/16
Date



RESOLUTION NO. 16-

A RESOLUTION OF THE CITY COUNCIL OF THE
CITY OF PASO ROBLES ACCEPTING AN OFFER OF DEDICATION OF AN
EASEMENT FOR PUBLIC SEWER LINES SERVING PARCEL MAP PR 15-0058
(LINARES)

WHEREAS, the City has received an Offer of Dedication for an Easement from the Trustees of the Linares Revocable Trust for public sewer lines and appurtenances between Prospect Avenue the west boundary of Parcel Map PR 15-0058; and

WHEREAS, the Offer of Dedication of Easement appropriately covers the location of the sewer lines and appurtenances designed to be constructed by the Tri-West Development.

THEREFORE, BE IT RESOLVED AS FOLLOWS:

SECTION 1. That the City Council accept the Offer of Dedication of Easement for public sewer lines and appurtenances provided by the Trustees of the Linares Revocable Trust between Prospect Avenue and the west boundary of Parcel Map PR 15-0058 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 21st day of June, 2016 by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

Steve W. Martin, Mayor

ATTEST:

Kristen L. Buxkemper, Deputy City Clerk