



## Council Agenda Report

From: John Falkenstien, City Engineer

Subject: Acceptance of a Public Utility Easement for the Uptown Center building  
3328 Spring Street - Tract 3047-1 (Rick Jeffery)

Date: October 4, 2016

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### **Facts**

1. Tract 3047-1 was tentatively approved by the Planning Commission July 9, 2013, and recorded on June 29, 2015.
2. In order to distribute utilities over the site beyond the building areas, Public Utility Easements (PUE) are needed by the various utility companies providing service.
3. Uptown Center, LLC, represented by Rick Jeffrey, has provided an Offer of Dedication of a Public Utility Easement, for the purposes of providing legal access to the various utility companies providing service to the site.

### **Options**

1. Adopt Resolution No. 16-xxx accepting the Offer of Dedication of a Public Utility Easement in Tract 3047-1.
2. Refer back to staff for additional analysis.

### **Analysis and Conclusion**

Uptown Center, LLC, represented by Rick Jeffrey, has provided the City an Offer of Dedication of a Public Utility Easement for the purposes of providing access to his building site at the southeast corner of Spring Street and 34<sup>th</sup> Street for the various utility companies providing service.

### **Fiscal Impact**

None

### **Recommendation**

Adopt the Resolution accepting the Offer of Dedication of a Public Utility Easement allowing continued expedition of construction of the Jeffrey commercial building at 3328 Spring Street.

### **Attachments (3)**

1. Easement Map
2. Offer of Dedication of Public Utility Easement
3. Draft Resolution A

**EXHIBIT B****EXHIBIT MAP**

APPROXIMATE LOCATION  
EXISTING SEWER  
EASEMENT  
PER 353/OR/151

SPRING STREET

PARCEL 1  
PER DOC. #  
2016036010

EMERGENCY ACCESS EASEMENT  
PER 35 MB 25

PRIVATE WATER  
EASEMENT PER  
35 MB 25

PRIVATE SEWER  
EASEMENT PER  
35 MB 25

REMAINDER  
PER 35 MB 25

20' PUBLIC SEWER EASEMENT  
PER 35 MB 25

34th STREET

PARK STREET



SCALE: 1"=60'

JOB NUMBER: 05164  
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725 Creston Rd Suite B, Paso Robles, 239-3127

## Attachment 2

### Draft Resolution A

#### RESOLUTION NO. 16-XXX

#### RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EL PASO DE ROBLES ACCEPTING AN OFFER OF DEDICATION OF A PUBLIC UTILITIES EASEMENT SERVING TRACT 3047-1(JEFFREY)

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WHEREAS, the City has received an Offer of Dedication for a Public Utilities Easement from Uptown Center, LLC, represented by Rick Jeffrey, for the purposes of distributing utilities to the buildings within the boundaries of Tract 3047-1; and

THEREFORE, BE IT RESOLVED AS FOLLOWS:

SECTION 1. That the City Council accept the Offer of Dedication of a Public Utility Easement provided by Uptown Center, LLC, represented by Rick Jeffrey, for public utilities within the boundary of that land known as Document No. 2016036010 and the Remainder Parcel of Tract 3047-1 as recorded in San Luis Obispo County Recorder's Office and authorize its execution and recordation as shown on Exhibit A.

APPROVED THIS 4<sup>th</sup> day of October, 2016, by the following vote:

AYES:  
NOES:  
ABSENT:  
ABSTAIN:

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Steven W. Martin, Mayor

ATTEST:

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Kristen L. Buxkemper, Deputy City Clerk

Exhibit:

A – Draft PUE Agreement

# Exhibit A

AFTER RECORDING, RETURN TO:  
North Coast Engineering, Inc.  
725 Creston Road, Suite B  
Paso Robles, CA 93446

Location: City/Uninc \_\_\_\_\_  
Recording Fee \_\_\_\_\_  
Document Transfer Tax \$ \_\_\_\_\_  
☐ Computed on Full Value of Property Conveyed, or  
☐ Computed on Full Value Less Liens & Encumbrances  
Remaining at Time of Sale.

Signature of declarant or agent determining tax \_\_\_\_\_

(SPACE ABOVE FOR RECORDER'S USE ONLY)

**EASEMENT GRANT DEED**

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged,

Uptown Center, LLC

hereby GRANT(S) to the public use and the benefit of the several public utility companies which are authorized to serve in the city of Paso Robles, county of San Luis Obispo, State of California, described as:

An easement to construct, place, operate, reconstruct, install, inspect, maintain, replace, remove, add to, and repair, at any time and from time to time, such poles, aerial wires, cables, electrical conductors with associated crossarms, braces, transformers, anchors, guy wires and cables; and such underground conduits, pipes, manholes, service boxes, wires, cables, and electrical conductors; aboveground marker posts, risers, and service pedestals; underground and aboveground switches, fuses, terminals, and transformers with associated concrete pads; and fixtures and appurtenances necessary to any and all thereof together with the right of ingress thereto and egress therefrom, in, on, over, under, across, and along that certain real property more particularly described in Exhibits A (Legal Description) and B (Exhibit Map) attached hereto and made a part hereof.

Grantor also grants the right to trim tree foliage and to cut limbs and roots on said property as may be necessary for the protection of said facilities.

Grantor shall not erect or construct any building or other structure or drill or operate any well within said easement.

RECORD OWNERS

Uptown Center LLC, a California limited liability company

\_\_\_\_\_  
Rick Jeffery, President

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 the document.

State of California

County of \_\_\_\_\_

On \_\_\_\_\_, 2016, Before me \_\_\_\_\_,

a Notary Public, personally appeared \_\_\_\_\_, 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 capacity(ies), and that by his/her/their signatures(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.

\_\_\_\_\_  
Notary Public

# EXHIBIT A

## LEGAL DESCRIPTION

BEING PARCEL 1 OF PRAL 16-0154 PER DOCUMENT RECORDED JULY 26, 2016 AS DOC. # 2016036010 AND THE REMAINDER PARCEL OF TRACT 3047-1 PER MAP RECORDED JUNE 29, 2016, IN BOOK 35 OF MAPS, AT PAGE 25 DESCRIBED AS FOLLOWS;

ALL OF SAID PARCEL 1 AND SAID REMAINDER EXCEPT UNDER BUILDINGS.

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John R. Sanders

Date

LS 5812

# EXHIBIT B

## EXHIBIT MAP

APPROXIMATE LOCATION  
EXISTING SEWER  
EASEMENT  
PER 353/OR/151

SPRING STREET

PARCEL 1  
PER DOC. #  
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EMERGENCY ACCESS EASEMENT  
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PRIVATE WATER  
EASEMENT PER  
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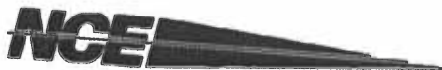
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34th STREET

PARK STREET



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