

Recording Requested
and When Recorded Return to:
City Clerk's Office
P.O. Box 307
Paso Robles, CA 93447

RESOLUTION NO. 90-102

A RESOLUTION OF THE CITY COUNCIL
OF THE CITY OF PASO ROBLES
ACCEPTING AN OFFER TO DEDICATE ON PARCEL MAP CO 77-319
(MEADOWLARK SEWER MAIN PROJECT - CUTCCHINS PROPERTY)

WHEREAS, an Offer of Dedication to the County of San Luis Obispo was made on Parcel Map CO 77-319 as recorded on November 4, 1980, in Book 29, Page 86 of Parcel Maps, in the City of El Paso de Robles, County of San Luis Obispo, State of California; and

WHEREAS, this Offer of Dedication is for right-of-way for sewer and access purposes, and further described as follows:

The southerly one hundred feet (100') of the westerly twenty-five feet (25') of Parcel 1 as offered for dedication on Parcel Map CO 77-319 recorded in Book 29, Page 86 of Parcel Maps on file in the County Recorder's Office of San Luis Obispo County, State of California.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

Section 1. That the City Council of the City of Paso Robles adopt Resolution accepting said Offer of Dedication.


PASSED AND ADOPTED by the City Council of the City of Paso Robles, this 11th day of June, 1990, on the following vote:

AYES: Cousins, Conway, Russell, Reneau and Martin
NOES: None
ABSENT: None

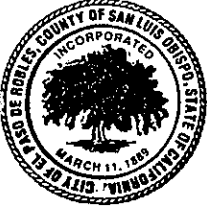


Steven W. Martin, Mayor

ATTEST:



Jerry Bankston, City Clerk



City of El Paso de Robles

"The Pass of the Oaks"

June 7, 1990

James Cutchin
P. O. Box 2298
Paso Robles, CA 93447

Re: Meadowlark Sewer Line Right-of-way Easement

Dear Mr. Cutchin,

In response to your call of June 5, 1990 I would like to apologize for our contractor entering onto your property without prior notification to you. It is the responsibility of the contractor to notify residents, along his route, of work to be performed in the area.

As your main concern is in regards to compensation for tree removal, and use of an existing right-of-way, I would request, through the City Manager, that the City as a good-neighbor policy replant the trees removed during the sewer main installation with 15 gallon like-species trees.

I would like to clarify that your property was originally subdivided with an offer for dedication under Parcel Map 77-319, and in accordance with Government Code Section 66477.2 of the Subdivision Map Act this offer is an irrevocable offer of dedication. The City, at its discretion, may accept this offer of dedication at any future time without any further consent of the property owner. Therefore, the City has chosen to exercise this right.

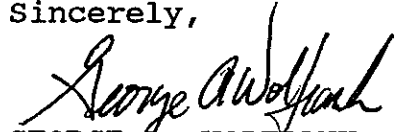
I understand that you have discussed this with your attorney and I would suggest that he review the Government Code Section referenced above. Under that section, and in accordance with the offer of dedication of the above referenced parcel map, the City has the right to remove all trees within the easement of record. You should review your title report. I believe these dedications will be noted and referenced by said parcel map.

Your landscaping and irrigation should have been installed to be compatible with the outstanding dedications affecting your property.

One additional concern I must bring up is that it has been alleged by our contractor that you have destroyed survey staking (monuments) which have been set to provide line and grade for the City's sewer main installation. Any further reports of vandalism of our survey markers will be forwarded to the Police Department and the City Attorney in form of complaint for legal action and restitution.

If we can be of further assistance please feel free to contact me.

Sincerely,



GEORGE A. WOLFRANK, P.E.
Assistant City Engineer

GAW:jj

c: City Manager ✓
City Attorney

MDWLRKES.PW1

RECEIVED
CITY CLERK

June 6, 1990

Mr. Jerry Bankston
City Manager
P.O. Box 307
Paso Robles, CA 93447

JUN 6 1990

CITY OF PASO ROBLES

Dear Mr. Bankston:

My wife and I live at 2275 Larkfield Place in Paso Robles. We recently noticed surveying stakes on our property. After talking with some gentlemen from L.A., who were hired to lay the sewer line, I was told that the stakes were off-set makers and that the sewer line would extend an additional ten feet to a huge drainage ditch and would not affect my property. However, on June 5, 1990, workers showed up to remove four, twenty foot redwoods, four, eight to ten foot cypresses, and six fire thorn plants in addition to removing drip lines. At this point we had still never been contacted

I spoke with Mr. George Wolfrang, engineering department Paso Robles, and was told "I should not expect the city to replace twenty foot trees; something would be done that looked similar to what I have". When I asked if I could meet with someone who had decision making authority, to discuss the situation, I was told that we would receive a letter telling us what will happen. My wife and I have spent four years landscaping our property at considerable expense. We feel, and have been told by many people, that our property is an asset to our community. Simply receiving a letter as to what will happen to our property is not fair. Therefore, please consider the following.

To extend the sewer line ten feet would totally take away the need to remove any trees. After speaking with the men laying the line I was told "they could see no reason why this could not be done". If for some reason this can not be done I would sincerely appreciate having the opportunity to talk with you concerning this matter. After speaking with Mr. Wolfrang, who has little concern for replacing our trees and landscaping, my wife and I are upset and basically feel like a victim of poor planning.

I can be reached at 239-3892. I look forward to your call to arrange a meeting.

Sincerely,


James A. Cutchin