

RESOLUTION NO. 96-97

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EL PASO DE ROBLES, CALIFORNIA, OFFERING AND ACCEPTING A DEDICATION OF A PORTION OF CITY OWNED PROPERTY FOR PUBLIC ROAD PURPOSES ALONG THE SOUTHWESTERLY SIDE OF UNION ROAD BARNEY SCHWARTZ PARK PROPERTY

WHEREAS, the "Circulation Master Plan" of the City of El Paso de Robles, California's (City) "Land Use and Circulation Elements" stipulates that Union Road, within the frontage of the City's Barney Swats Park property is a designated 100 foot wide arterial road;

WHEREAS, the City contemplates the development of said park property for public park purposes, including widening of adjacent Union Road, a City road, to its ultimate width and extension of underground public utilities along said roadway; and,

WHEREAS, a dedication of an additional 20 foot width of this City owned property along its entire 1,664 foot frontage on said Union Road is needed along the southerly side of said road to supplement the existing public right-of-way.

NOW, THEREFORE, the City Council of the City of El Paso de Robles, California (City), does resolve as follows:

1. That the City does hereby certify that the City is the owner of the real property known as Barney Schwartz Park, as described in Exhibit "A" of the attached Irrevocable and

Perpetual Offer to Dedicate, and hereby consents to said offering to the public for public use a 20.00 wide strip of Union Road frontage along said City roadway;

2. That the City does hereby accept on behalf of the public the offer to dedicate a 20 foot wide strip of land along Union Road for public use, as shown on the attached Irrevocable and Perpetual Offer to Dedicate, and Exhibit "A" attached thereto; and,

3. The City Mayor is hereby authorized to sign said Offer to Dedicate on behalf of the City.

PASSED AND ADOPTED by the City Council of the City of Paso Robles, this **6th** day of **August, 1996**, on the following vote:

AYES: Heggarty, Iversen, Martin, Picanco, and Macklin

NOES: None


ABSENT: None

ABSTAIN: None

CITY OF EL PASO DE ROBLES


MAYOR WALTER J. MACKLIN

ATTEST:


Richard J. Ramirez, City Manager/Clerk

RECORDING REQUESTED BY AND
WHEN RECORDED RETURN TO:

CITY CLERK'S OFFICE
CITY OF EL PASO DE ROBLES
1000 SPRING STREET
PASO ROBLES, CA 93446

FOR RECORDER USE ONLY

IRREVOCABLE & PERPETUAL
OFFER TO DEDICATE

A.P.N. 25-370-009 (Portion)

THIS OFFER TO DEDICATE, made the 6th day of August, 1996, by
The City of El Paso De Robles hereinafter termed "OFFEROR":

WHEREAS, said OFFEROR desires to make an offer to dedicate,
irrevocably, to the public, an easement, for public road and public
utility purposes, which offer may be accepted at any time by any
governmental entity which has the power to establish, construct and
maintain roads.

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

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

SEE ATTACHED EXHIBIT "A"

2. That said OFFEROR does hereby irrevocably and in perpetuity
offer to such a governmental entity a dedication of a public
right-of-way for road purposes and incidental uses upon the
following described property:

SEE ATTACHED EXHIBIT "A"

3. That until such time as the above offer of dedication is accepted by such a governmental entity, all owners of property contiguous to the above described road parcel shall have the right to the use of said road parcel as a private road.
4. 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 public right-of-way.
5. That said **OFFEROR** agrees that this irrevocable and perpetual offer to dedicate is and shall be binding on his heirs, legatees and assignees.

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

Walter J. Macklin
Offeror - **WALTER J. MACKLIN**
MAYOR

Offeror -

(SIGNATURES MUST BE NOTARIZED)

LEGAL DESCRIPTION

EXHIBIT "A"

BEING A PORTION OF PARCEL "B" OF PARCEL MAP PR 81-80, IN THE CITY OF EL PASO ROBLES, COUNTY OF SAN LUIS OBISPO, STATE OF CALIFORNIA, PER THE MAP RECORDED SEPTEMBER 2, 1981, IN BOOK 31 OF PARCEL MAPS AT PAGE 3, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEING A SUPPLEMENTARY EASEMENT FOR PUBLIC ROAD PURPOSES 20.00 FEET IN WIDTH AND PARALLEL TO THE SOUTH WESTERLY SIDE OF UNION ROAD, WHICH IS MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTH WESTERLY CORNER OF PARCEL "B" OF SAID PARCEL MAP, WHICH IS LOCATED A PERPENDICULAR DISTANCE OF 30.00 FEET SOUTH WESTERLY OF THE CENTERLINE OF SAID UNION ROAD. SAID PORTION BEING THE TRUE POINT OF BEGINNING; THENCE ALONG A CURVE CONCAVED NORTH EASTERLY, HAVING A RADIUS OF 2,530 FEET, THROUGH AN ANGLE OF $9^{\circ} 33' 10''$ AND AN ARC LENGTH OF 421.82 FEET; THENCE SOUTH $65^{\circ} 31'$ WEST, A DISTANCE OF 1,242.30 FEET TO THE EASTERLY MOST CORNER OF SAID PARCEL "B". SAID POINT IS LOCATED A PERPENDICULAR DISTANCE OF 30.00 FEET SOUTH WESTERLY OF THE CENTERLINE OF SAID UNION ROAD.

SEE EXHIBIT "B" ATTACHED HERETO AND MADE A PART HEREOF.

EXHIBIT "A"

EXHIBIT "B"

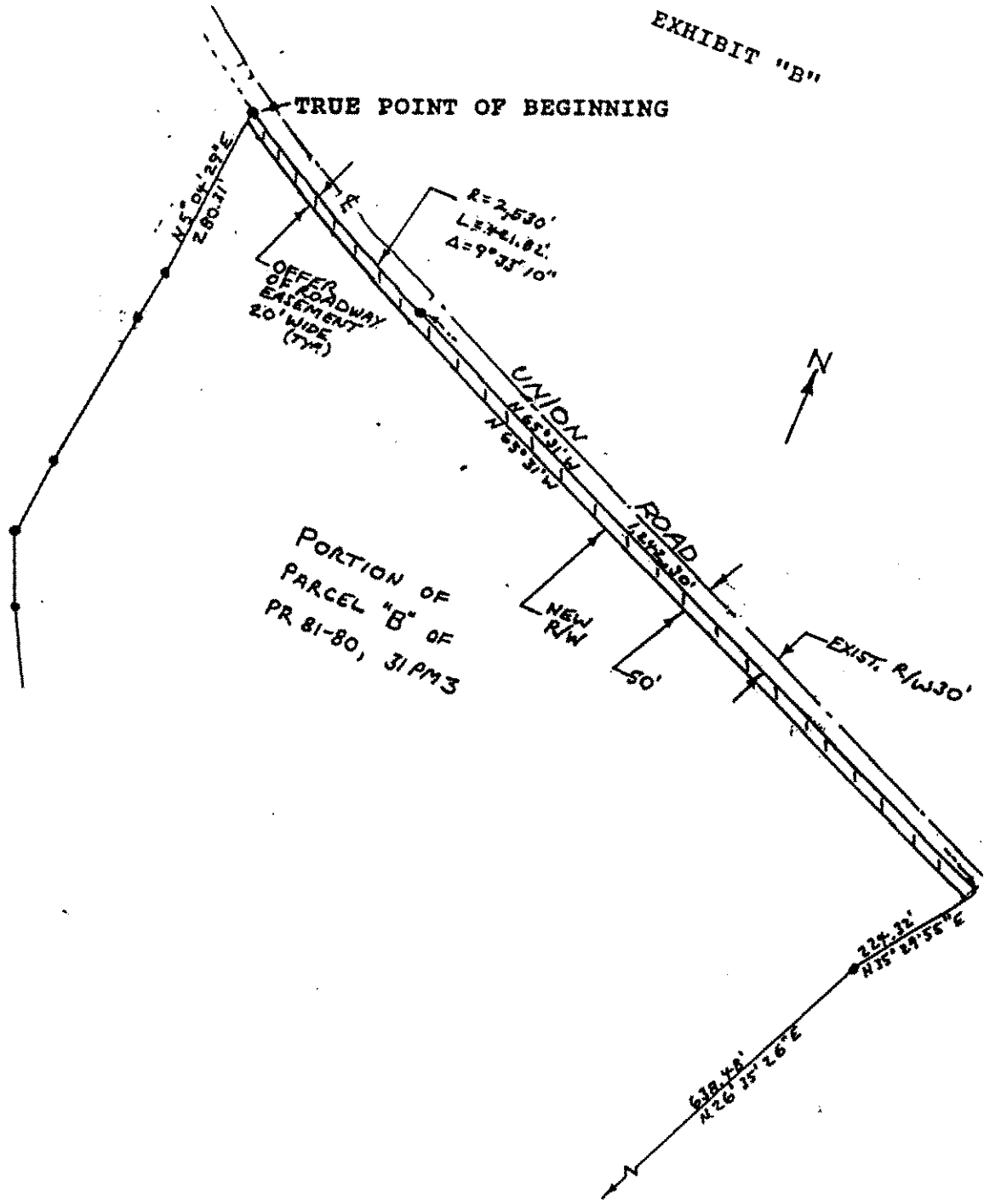


EXHIBIT "B"