

**MOORPARK CITY COUNCIL  
AGENDA REPORT**

**TO:** Honorable City Council

**FROM:** Yugal K. Lall, City Engineer/Public Works Director  
Prepared by: David Klotzle, Assistant City Engineer 

**DATE:** August 6, 2008 (CC Meeting of 08/20/08)

**SUBJECT:** Consider the Grant Deed of Easement to the City of Moorpark from Anthony J. Costa

**BACKGROUND**

The intersection of Moorpark Avenue and Second Street has a high volume of vehicular and pedestrian traffic. The City implemented improved safety features at this intersection by the construction of an in-road lighted crosswalk. A signal pole on the west side of Moorpark Avenue was placed on private property due to conflicts with an existing water line and sidewalk accessibility. The placement of the pole was done without obtaining the required easement from the property owner. The required easement now has been obtained from the property owner.

**DISCUSSION**

The signal pole was placed on the property located at 401 Moorpark Avenue, owned by Anthony J. Costa. Mr. Costa has executed a Grant Deed of Easement (Attachment) to the City for the installation and maintenance of the signal pole. Mr. Costa has been paid \$3,000 for the subject easement.

**FISCAL IMPACT**

Total cost for the easement, including payment to the owner, legal and survey fees, is approximately \$4,000.00. This cost was funded within the project budget with Local Transportation TDA Article 8A funds (Fund 2603) in FY 2007/08.

**STAFF RECOMMENDATION**

Accept the easement and authorize the City Clerk to sign and record an acceptance certificate for the Grant Deed of Easement and the attachments thereto in the office of the Ventura County Recorder.

**ATTACHMENT**

Grant Deed of Easement

GRANT DEED OF EASEMENT

RECORDING REQUESTED BY:

WHEN RECORDED MAIL TO:

City Clerk  
CITY OF MOORPARK  
799 Moorpark Avenue  
Moorpark, CA 93021

MAIL TAX EXEMPT STATEMENTS TO:  
EXEMPT

SPACE ABOVE THIS LINE FOR RECORDER'S USE

The undersigned grantor(s) declare(s):  
Documentary transfer tax is \$0.00

Assessor's Parcel No.: 511-0-101-330  
Project No. & Name: 401 Moorpark Avenue

- ( ) computed on full value of property conveyed, or
- ( ) computed on full value less value of liens and encumbrances remaining at time of sale.
- ( ) Unincorporated area: (x) City of Moorpark, and

GRANT DEED OF EASEMENT

FOR A VALUABLE CONSIDERATION, in the amount of \$3,000, receipt of which is hereby acknowledged,

Name of Grantor:

Anthony J. Costa ("Grantor")

hereby GRANTS to:

City of Moorpark, a Municipal Corporation ("City")

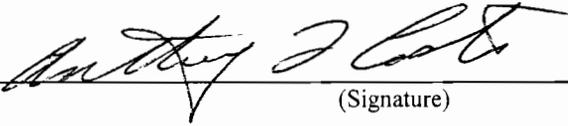
the following described real property in the City of Moorpark, County of Ventura, State of California ("Easement"):

an easement for Public Street and Roadway purposes, including construction, maintenance, inspection, removal and replacement of any and all facilities over, under and upon that property described in Exhibit "A" consisting of 1 page(s), attached hereto and made a part hereof. Exhibit "B" consisting of 1 page(s) is attached for illustration purposes only.

Claimant acknowledges that payment represents full and complete just compensation for City's acquisition of Acquired Property.

DATED 7-11-08

STATE OF CALIFORNIA     )  
  )  
COUNTY OF VENTURA    )

By:   
(Signature)

Name: Anthony J Costa  
(Type or Print)

Title: owner  
(Type or Print)

ACKNOWLEDGEMENT

State of California )

County of VENTURA )

On 7-11-2008 before me, JAMES WU, NOTARY,  
personally appeared ANTHONY COSTA,  
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,

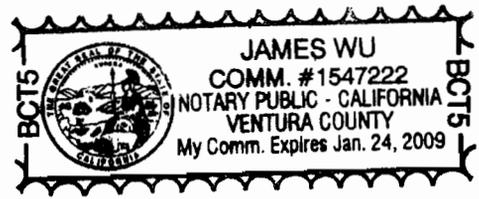
Signature [Handwritten Signature]

Name of Notary JAMES WU

County in which commissioned VENTURA

Date Commission expires JAN 24, 2009

Commission Number 1547222



## EXHIBIT "A"

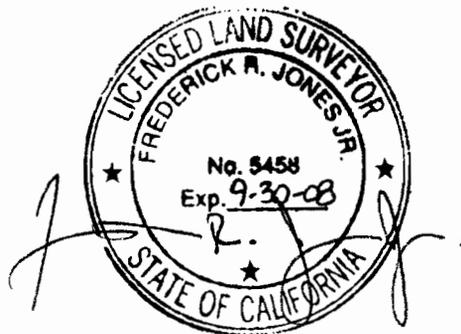
### Legal Description

A 3 feet by 3 feet, square portion of land within that portion of Lot P, Tract L, Rancho Simi, in the City of Moorpark, County of Ventura, State of California, according to the map recorded in Book 5, Page 5 of Maps, said land also being a portion of that land shown as "John I. Cornett" per Record of Survey recorded in Book 14, page 41 (14 R.S. 41), in the Office of the County Recorder of Said County, described as a whole as follows:

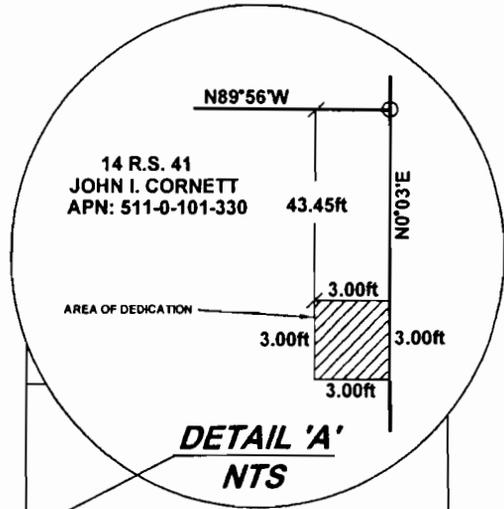
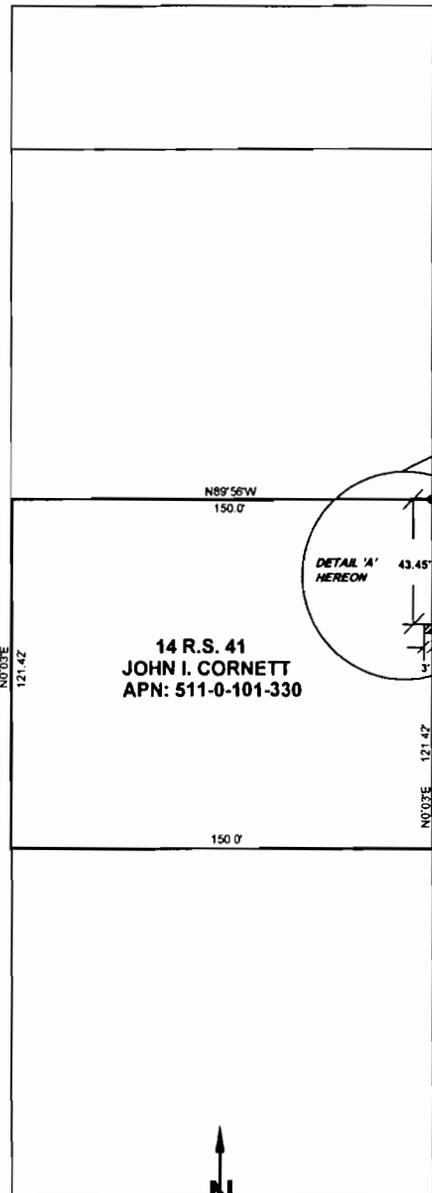
A strip of land 3 feet by 3 feet square, the northerly line of which lies 43.45 feet south of the north line of said land described shown as "John I. Cornett" per 14 R.S. 41, the east line of which is the east line of said land shown "John I. Cornett."

Containing 9 square feet.

See Exhibit "B" attached hereto and made a part of this description by reference herein.



**EXHIBIT 'B'**



FOUND 1/2" IP, TAG RCE 4825

**SECOND ST**

**MOORPARK AVE**

**401 MOORPARK AVE**  
**GRANT DEED OF EASEMENT**

