

**MOORPARK CITY COUNCIL
AGENDA REPORT**

TO: Honorable City Council

FROM: Yugal K. Lall, City Engineer/Public Works Director
Prepared By: Dave Klotzle, Assistant City Engineer 

DATE: June 21, 2010 (CC Meeting of 07/21/10)

SUBJECT: Consider the Right-of-Way Dedication to the City of Moorpark from Pardee Homes, Moorpark Highlands, Tract 5045

BACKGROUND

Pardee Homes, Moorpark Highlands, Tract 5045, is a 445-acre subdivision housing development that is located northeasterly of the extension of the new Spring Road between Walnut Canyon Road and Charles Street with 450 single-family residential lots, 102 multi-family condominiums, and one lot dedicated for a park. Open space, common areas and private street parcels are also included as part of this subdivision.

As part of the project conditions of approval, improvements and realignment of Spring Road at the intersection with Charles Street were required. The realignment required additional street right-of-way on the west side of Spring Road south of Charles Street.

DISCUSSION

As part of the project's Conditions of Approval, Pardee Homes is required to dedicate the required additional right-of-way associated with the above described improvements. The developer has dedicated the necessary right-of-way in fee (attachment).

FISCAL IMPACT

None

STAFF RECOMMENDATION

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

Attachment: Grant Deed of Easement

RECORDING REQUESTED BY:
City Clerk

WHEN RECORDED MAIL TO:
City Clerk
City of Moorpark
799 Moorpark Avenue
Moorpark, CA 93021

No fee per Government Code 6103

GRANT DEED OF EASEMENT
(To The City of Moorpark)

No Documentary Transfer Tax per Revenue Taxation Code 11922

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

PARDEE HOMES (hereinafter referred to as "Grantor")

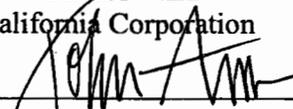
hereby grants to THE CITY OF MOORPARK, ("City"), the following described interests in real property located in the City of Moorpark, County of Ventura, State of California:

In Fee

All that property described in Exhibit "A" attached hereto and incorporated herein, for Public Street and roadway purposes, including construction, maintenance, inspection, removal and replacement of any and all facilities over, under and upon that property. The grantor hereby releases and relinquishes to the City any and all abutter's rights including access rights, appurtenant to the grantor's remaining property, in and to said Spring Road, a public roadway, except all existing access opening.

OWNER:

PARDEE HOMES
a California Corporation

By  5/7/10
Its John Arvin, Sr. Vice President

By  5/7/10
Its Anthony Dolim, Sr. Vice President

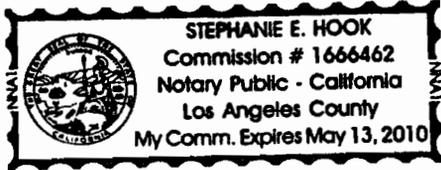
STATE OF CALIFORNIA }
 }
COUNTY OF LOS ANGELES } SS

On 5/7/2010 before me, Stephanie E. Hook, Notary Public personally appeared John Arvin and Anthony P. Dolim, who proved to me on the basis of satisfactory evidence to be the persons whose names are subscribed to the within instrument and acknowledged to me that they executed the same in their authorized capacities, and that by their signatures on the instrument the persons, or the entity upon behalf of which the persons 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: Stephanie E. Hook (Seal)



RBF Consulting
14725 Alton Parkway
Irvine, California 92618

Revised March 3, 2010
October 23, 2009
JN 10-101690
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EXHIBIT "A"

LEGAL DESCRIPTION

SPRING ROAD
RIGHT-OF-WAY DEDICATION

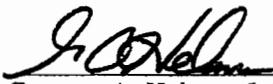
That certain parcel of land situated in the City of Moorpark, County of Ventura, State of California, being that portion of that certain unnumbered lot located at the east end of Block "F" as shown on the map entitled "M.L. Wicks Subdivision of Part of Tract "U" and Addition to Moorpark in the Rancho Simi, Ventura County, California", and recorded in Book 5, Page 37 of Miscellaneous Records (Maps) in the Office of the County Recorder of said Ventura County, described as follows:

COMMENCING at the intersection of the centerline of Spring Road with the centerline of Charles Street as said centerlines are shown on the map of Tract No. 5045-1 filed in Book 154, Pages 95 through 113 of Miscellaneous Records (Maps) in said Office of the County Recorder of Ventura County; thence along said centerline of Charles Street North 89°29'30" West 81.79 feet; thence leaving said centerline at a right angle South 00°30'30" West 30.00 feet to a point in the north line of that certain parcel of land described in that Grant Deed recorded January 31, 2003 as Document No. 2003-0033045-00 of Official Records in said Office of the County Recorder of Ventura County; said point being the **TRUE POINT OF BEGINNING**; thence South 51°06'10" East 40.30 feet to a point on a non-tangent curve concave westerly and having a radius of 760.00 feet, said curve being concentric with and 40.00 feet westerly from that certain curve in the construction centerline of Spring Road shown on said Tract No. 5045-1 as being concave westerly, having a radius of 800.00 feet and a central angle of 13°37'55", a radial line of said concentric curve from said point bears South 77°14'41" West; thence along said concentric curve southerly 131.52 feet through a central angle of 09°54'56" to the southerly line of said parcel described in Document No. 2003-0033045-00; thence along said southerly line and along the easterly and northerly line of said last parcel through the following courses: non-tangent from said curve South 89°30'40" East 1.29 feet; thence North 00°29'09" East 102.72; thence North 00°29'38" East 52.29 feet; thence North 89°29'30" West 51.80 feet to the **TRUE POINT OF BEGINNING**.

CONTAINING: 2050 Square Feet.

SUBJECT TO all Covenants, Rights, Rights-of-Way and Easements of Record.

EXHIBIT "B" attached and by this reference made a part hereof.



Gregory A. Helmer, L.S. 5134

3/4/2010
Date



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RBF CONSULTING

JOB ID : 10101690 DATE 03/03/2010 AT 14:15:44
 FILE NAME : H:\PDATA\10101690\CADD\MAPPING\EXHIBITS\2009-SPRINGRD.TRV

TRAVERSE OF : SPRING RD. R/W -- TRAV # 100

BEARING	DISTANCE		NORTHING	EASTING		
	STARTING	AT	1927738.8196	6297406.5081	PT #	9701
N 89-29-30.00 W	51.8000	TO	1927739.2792	6297354.7101	PT #	9702
S 51-06-10.00 E	40.3000	TO	1927713.9738	6297386.0746	PT #	9703
S 77-14-41.00 W	760.0000	TO	1927546.1755	6296644.8298	PT #	30132

DELTA = 09-54-56.00 RADIUS = 760.0000 LENGTH = 131.5249
 CHORD = 131.3608 TANGENT = 65.9271

N 87-09-37.00 E	760.0000	TO	1927583.8276	6297403.8966	PT #	9704
S 89-30-40.00 E	1.2900	TO	1927583.8166	6297405.1865	PT #	9705
N 00-29-09.00 E	102.7200	TO	1927686.5329	6297406.0575	PT #	9706
N 00-29-38.00 E	52.2900	TO	1927738.8209	6297406.5083	PT #	9701

ERROR OF CLOSURE NORTH = -0.0012868 EAST = -0.0001768
 BEARING S 07-49-30.00 W DISTANCE = 0.0013
 AREA = 2049.8 SF 0.0471 ACRES
 PERIMETER = 379.9249 PRECISION = 1 : 292,490