

**MOORPARK CITY COUNCIL
AGENDA REPORT**

TO: Honorable City Council

FROM: Dave Klotzle, City Engineer/Public Works Director 

DATE: February 24, 2014 (CC Meeting of 03/05/14)

SUBJECT: Consider Hiking and Equestrian Trail Easement Deeds to the City of Moorpark from Toll Land XIX Limited Partnership for Tract Map 5045-8

DISCUSSION

Toll Land XIX Limited Partnership (Toll) is the developer of Tract 5045-8, a 132-lot residential subdivision located north of Ridgecrest Drive and east of Spring Road as shown on Attachment 1. A condition of development for Tract 5045-8 is the construction of a public hiking and equestrian trail. A hiking and equestrian trail easement from Toll to the City is required for the trail to be open for public use. The trail has been constructed and an easement over the trail was granted on the Tract 5045-8 Final Map. However, a portion of the trail was required to be constructed outside of the original easement in order to achieve an appropriate longitudinal slope of the trail. Additional hiking and equestrian trail easement areas are required on lots 17 and 18 to cover the as-constructed trail location. Toll has executed the necessary hiking and equestrian trail easement deeds for acceptance by the City (Attachments 2 and 3).

FISCAL IMPACT

None

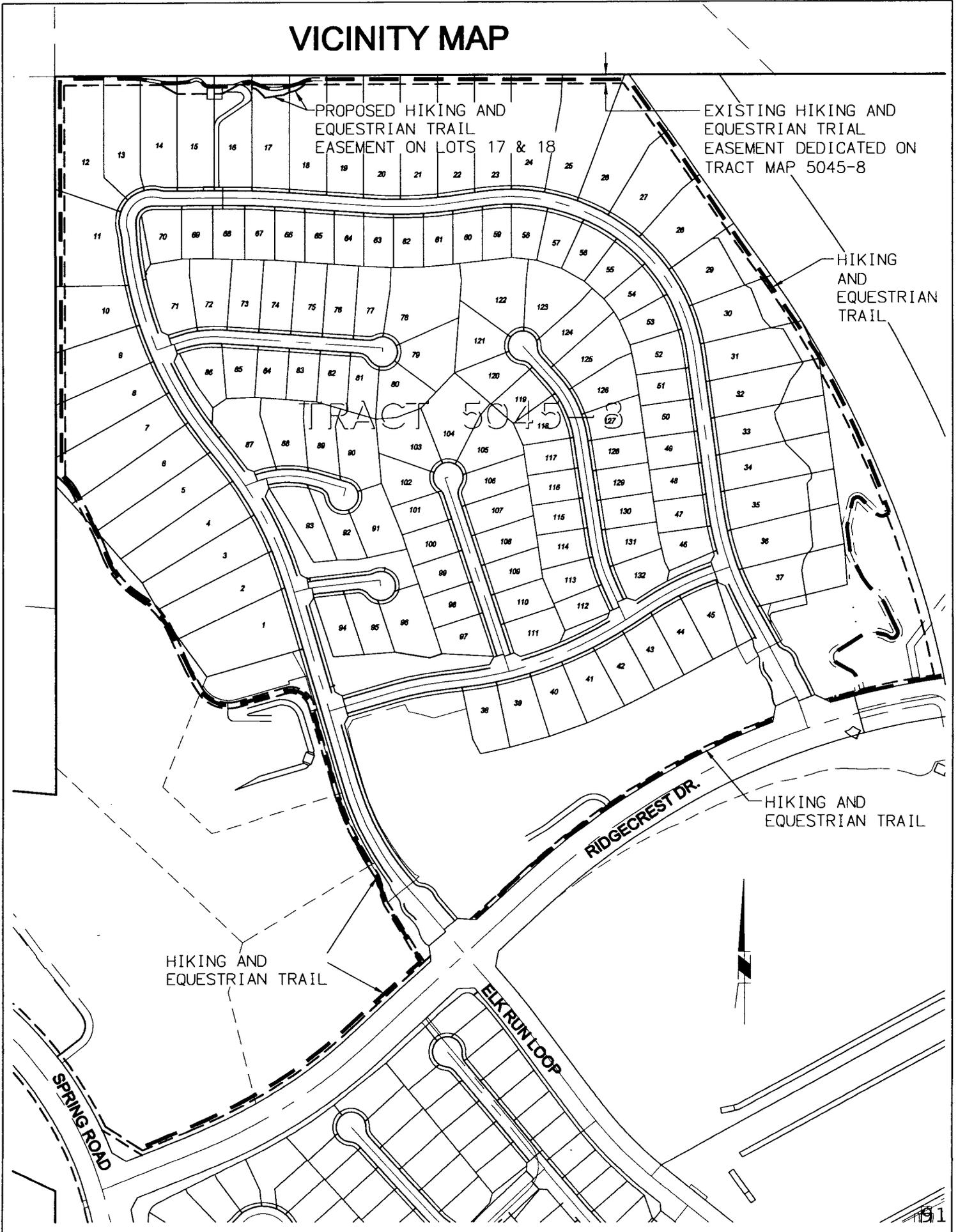
STAFF RECOMMENDATION

Accept the hiking and equestrian trail easement deeds on Lot 17 and Lot 18 of Tract 5045-8 and authorize the City Clerk to sign and record an acceptance certificate for the said deeds and the attachments thereto in the office of the Ventura County Recorder.

Attachments:

- 1 – Vicinity Map
- 2 – Hiking and equestrian trail easement deed on Lot 17 of Tract 5045-8
- 3 – Hiking and equestrian trail easement deed on Lot 18 of Tract 5045-8

VICINITY MAP



RECORDING REQUESTED BY:

WHEN RECORDED MAIL TO:

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

MAIL TAX EXEMPT STATEMENTS TO:

EXEMPT

No Fee Required

(Gov't Code Sec. 6103 & 27383)

The undersigned grantor(s) declare(s):

Documentary transfer tax is \$0.00

() computed on full value of property or

() computed on full value less value of liens and encumbrances remaining at time of sale.

() Unincorporated area: (x) City of Moorpark

SPACE ABOVE THIS LINE FOR RECORDER'S USE

Assessor's Parcel No.: 513-0-190-095

Project No. & Name: Tract 5045-8, Lot 17

EASEMENT DEED

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

TOLL LAND XIX LIMITED PARTNERSHIP, a California limited partnership

hereby GRANTS to:

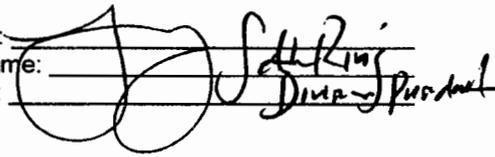
City of Moorpark, a Municipal Corporation

the following described real property in the City of Moorpark, County of Ventura, State of California:

a hiking and equestrian trail easement over, under, across and upon that portion of Lot 17 of TRACT NO. 5045-8, in the City of Moorpark, County of Ventura, State of California, as per Map recorded in Book 157, Pages 7 through 23, inclusive, of Miscellaneous Records, in the Office of the County Recorder of Ventura County, described in Exhibit "A" and shown on Exhibit "B," attached hereto and made a part hereof.

TOLL LAND XIX LIMITED PARTNERSHIP, a California limited partnership

By: Toll CA GP Corp., a California corporation, Its General Partner

By: 
Name: _____
Its: _____

MAIL TAX STATEMENTS AS DIRECTED ABOVE

Acknowledgment

State of California)
County of Orange)

On 2-25-14 before me Rebecca C. Wyckoff, Notary Public
(here insert name and title of the officer)

personally appeared Seth King
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 Rebecca C Wyckoff



**RBF Consulting
14725 Alton Parkway
Irvine, California 92618**

**November 21, 2013
JN 10-101690
Page 1 of 2**

EXHIBIT "A"

LEGAL DESCRIPTION

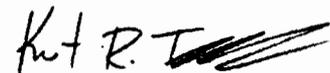
**HIKING & EQUESTRIAN TRAIL EASEMENT
WITHIN LOT 17 OF TRACT NO. 5045-8**

That certain parcel of land situated in the City of Moorpark, County of Ventura, State of California, being that portion of Lot 17 of Tract No. 5045-8 as shown on a map thereof filed in Book 157, Pages 7 through 23 of Miscellaneous Records (Maps) in the Office of the County Recorder of said Ventura County, described as follows:

COMMENCING at the northwest corner of said Lot 17 as shown on said Tract No. 5045-8; thence along the westerly line of said lot South 00°33'53" East 25.00 feet to a line parallel with and 25.00 feet southerly from the northerly line of said lot, said point being the **TRUE POINT OF BEGINNING**; thence along said parallel line South 89°26'54" East 100.00 feet to the easterly line of said lot; thence along said easterly line South 00°33'53" West 20.59 feet; thence leaving said easterly line through the following courses: South 67°44'01" West 6.04 feet; thence South 59°36'28" West 9.23 feet; thence South 80°30'31" West 53.03 feet; thence North 31°03'07" West 6.44 feet to a point on a non-tangent curve concave southwesterly and having a radius of 87.00 feet, a radial line of said curve from said point bears South 53°45'16" West; thence along said curve northwesterly 29.12 feet through a central angle of 19°10'30"; thence non-tangent from said curve North 74°21'57" West 7.25 feet; thence North 84°10'36" West 2.94 feet to said westerly line of Lot 17; thence along said westerly line North 00°33'53" East 9.29 feet to the **TRUE POINT OF BEGINNING**.

CONTAINING: 2651 Square Feet, more or less.

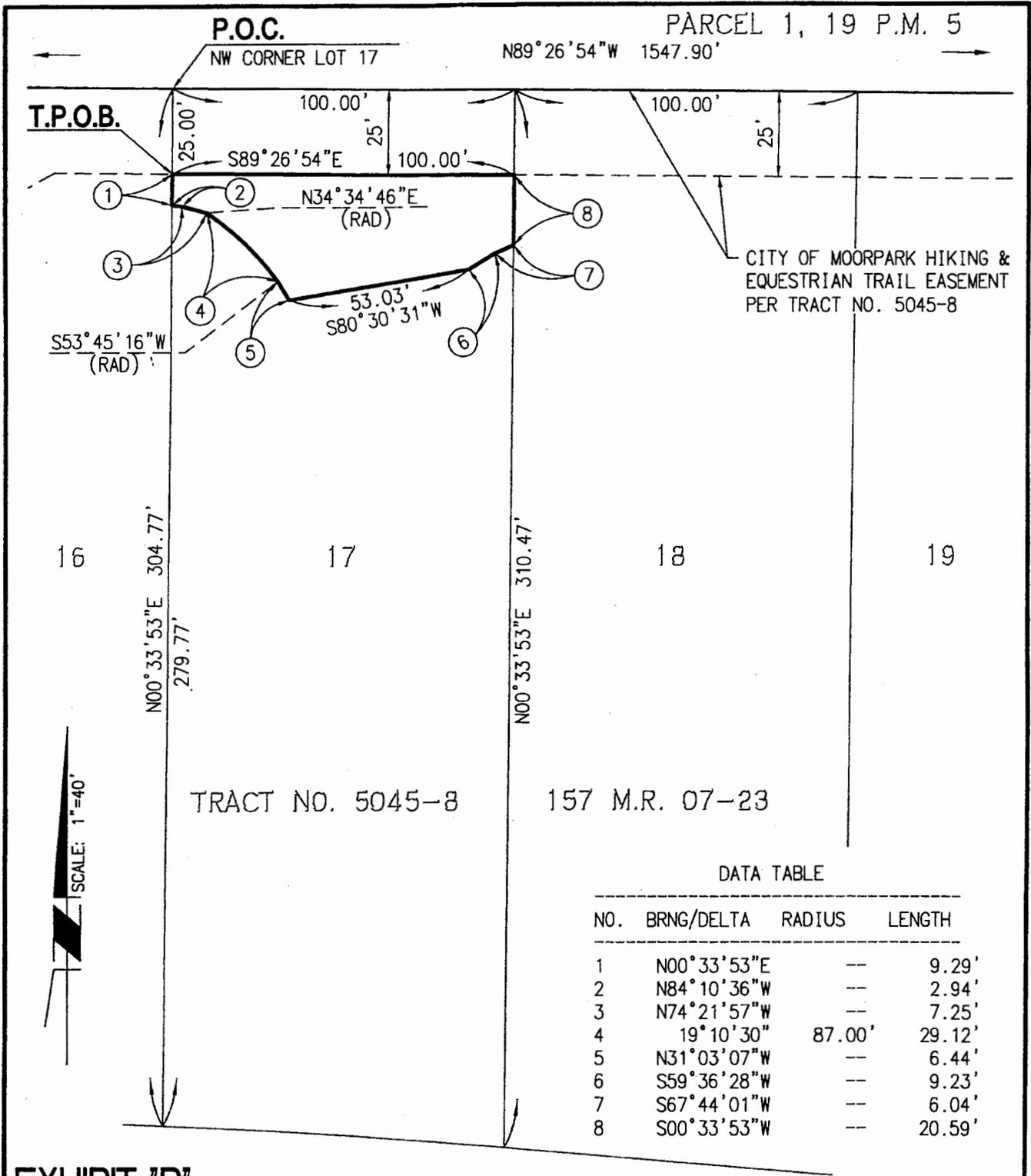
SUBJECT TO all Covenants, Rights, Rights-of-Way and Easements of Record.


Kurt R. Troxell, L.S. 7854

11/21/2013

Date





CITY OF MOORPARK HIKING & EQUESTRIAN TRAIL EASEMENT PER TRACT NO. 5045-8

SCALE: 1"=40'

DATA TABLE

NO.	BRNG/DELTA	RADIUS	LENGTH
1	N00°33'53"E	--	9.29'
2	N84°10'36"W	--	2.94'
3	N74°21'57"W	--	7.25'
4	19°10'30"	87.00'	29.12'
5	N31°03'07"W	--	6.44'
6	S59°36'28"W	--	9.23'
7	S67°44'01"W	--	6.04'
8	S00°33'53"W	--	20.59'

EXHIBIT "B"

SKETCH TO ACCOMPANY A LEGAL DESCRIPTION FOR

C/L HIGHTOP STREET

SHEET 2 OF 2 SHEETS

HIKING & EQUESTRIAN TRAIL EASEMENT
LOT 17 OF TRACT NO. 5045-8

NOTE: RECORD DATA
PER TRACT NO. 5045-8,
157 M.R. 07-23



PLANNING ■ DESIGN ■ CONSTRUCTION

14725 ALTON PARKWAY
IRVINE, CALIFORNIA 92618-2027
949.472.3505 • FAX 949.472.8373 • www.RBF.com

CONTAINING: 2651 SQ.FT. +/-

NOVEMBER 21, 2013

J.N. 10-101690

RECORDING REQUESTED BY:

WHEN RECORDED MAIL TO:

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

MAIL TAX EXEMPT STATEMENTS TO:

EXEMPT

No Fee Required

(Gov't Code Sec. 6103 & 27383)

The undersigned grantor(s) declare(s):

Documentary transfer tax is \$0.00

() computed on full value of property or

() computed on full value less value of liens and encumbrances remaining at time of sale.

() Unincorporated area: (x) City of Moorpark

SPACE ABOVE THIS LINE FOR RECORDER'S USE

Assessor's Parcel No.: 513-0-190-105

Project No. & Name: Tract 5045-8, Lot 18

EASEMENT DEED

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

TOLL LAND XIX LIMITED PARTNERSHIP, a California limited partnership

hereby GRANTS to:

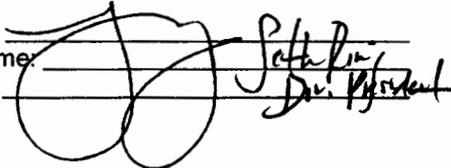
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TOLL LAND XIX LIMITED PARTNERSHIP, a California limited partnership

By: Toll CA GP Corp., a California corporation, Its General Partner

By: 
Name: _____
Its: _____

MAIL TAX STATEMENTS AS DIRECTED ABOVE

USW 804311228.1

Acknowledgment

State of California)
County of Orange)

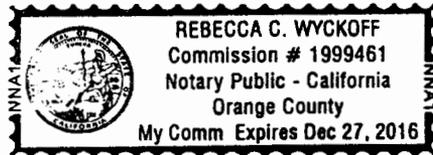
On 2.25.14 before me Rebecca C. Wyckoff, Notary Public
(here insert name and title of the officer)

personally appeared Seth King
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 Rebecca C Wyckoff



RBF Consulting
14725 Alton Parkway
Irvine, California 92618

November 21, 2013
JN 10-101690
Page 1 of 2

EXHIBIT "A"

LEGAL DESCRIPTION

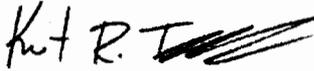
HIKING & EQUESTRIAN TRAIL EASEMENT
WITHIN LOT 18 OF TRACT NO. 5045-8

That certain parcel of land situated in the City of Moorpark, County of Ventura, State of California, being that portion of Lots 18 of Tract No. 5045-8 as shown on a map thereof filed in Book 157, Pages 7 through 23 of Miscellaneous Records (Maps) in the Office of the County Recorder of said Ventura County, described as follows:

COMMENCING at the northwest corner of said Lot 18 as shown on said Tract No. 5045-8; thence along the westerly line of said lot South 00°33'53" East 25.00 feet to a line parallel with and 25.00 feet southerly from the northerly line of said lot, said point being the **TRUE POINT OF BEGINNING**; thence along said parallel line South 89°26'54" East 40.54; thence South 51°36'08" West 7.57 feet to a point on a non-tangent curve concave northwesterly and having a radius of 72.00 feet, a radial line of said curve from said point bears North 41°12'22" West; thence along said curve southwesterly 23.02 feet through a central angle of 18°19'13"; thence non-tangent from said curve South 77°46'44" West 15.73 feet to a point on said westerly line of Lot 18, distant thereon South 00°33'53" East 20.59 feet from the **TRUE POINT OF BEGINNING**; thence along said westerly line North 00°33'53" East 20.59 feet to the **TRUE POINT OF BEGINNING**.

CONTAINING: 582 Square Feet, more or less.

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


Kurt R. Troxell, L.S. 7854

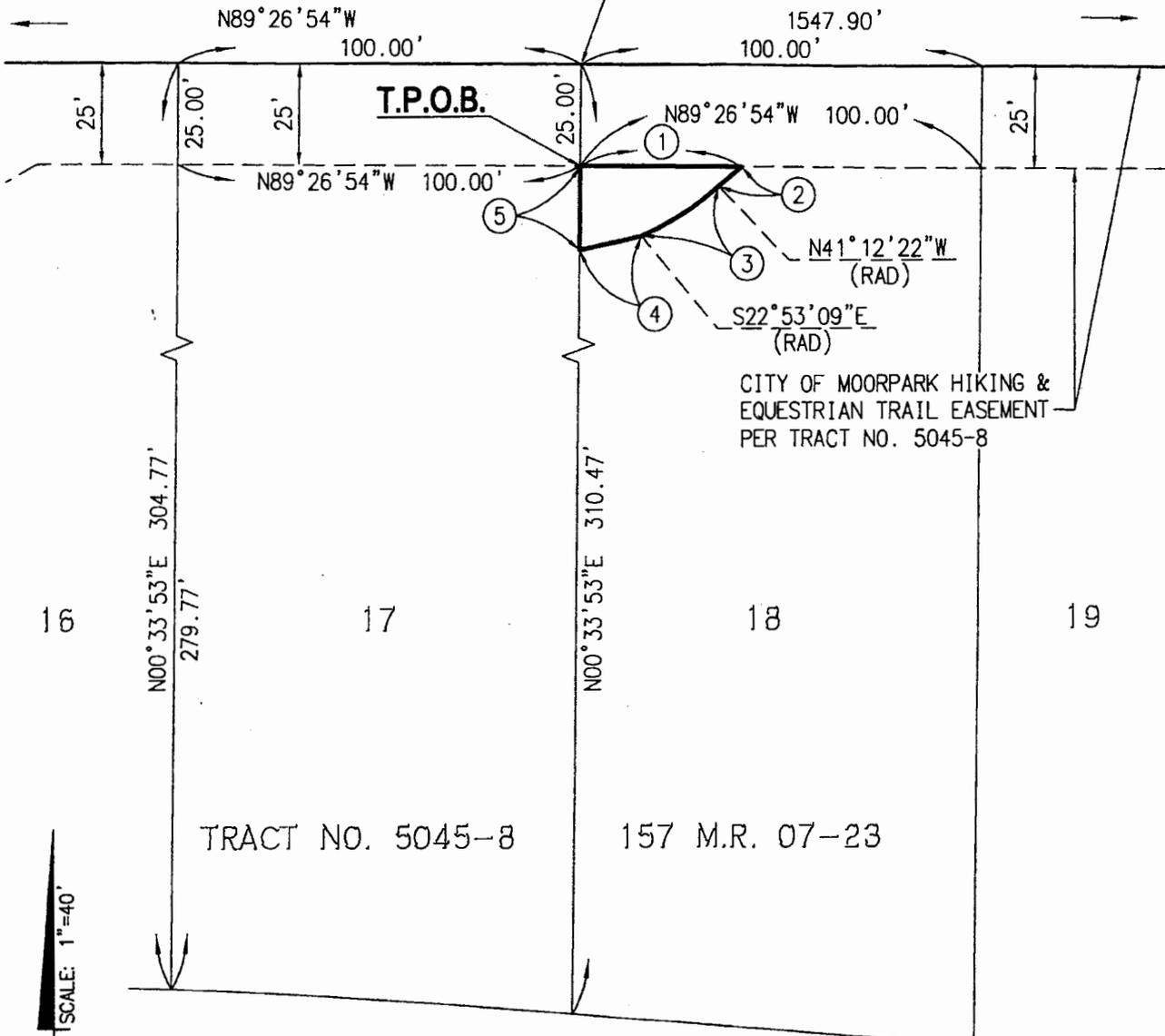
11/21/2013
Date



PARCEL 1, 19 P.M. 5

P.O.C.

NW CORNER LOT 18



CITY OF MOORPARK HIKING & EQUESTRIAN TRAIL EASEMENT PER TRACT NO. 5045-8

TRACT NO. 5045-8

157 M.R. 07-23

SCALE: 1"=40'

C/L HIGHTOP STREET

DATA TABLE

NO.	BRNG/DELTA	RADIUS	LENGTH
1	S89°26'54"E	--	40.54'
2	S51°36'08"W	--	7.57'
3	18°19'13"	72.00'	23.02'
4	S77°46'44"W	--	15.73'
5	N00°33'53"E	--	20.59'

NOTE: RECORD DATA PER TRACT NO. 5045-8, 157 M.R. 07-23

EXHIBIT "B"
SKETCH TO ACCOMPANY A LEGAL DESCRIPTION FOR

HIKING & EQUESTRIAN TRAIL EASEMENT
LOT 18 OF TRACT NO. 5045-8

CONTAINING: 528 SQ.FT. +/-

SHEET 2 OF 2 SHEETS

RBF
CONSULTING

PLANNING ■ DESIGN ■ CONSTRUCTION

14725 ALTON PARKWAY
IRVINE, CALIFORNIA 92618-2027
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NOVEMBER 21, 2013

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