

**MOORPARK CITY COUNCIL
AGENDA REPORT**

TO: Honorable City Council

FROM: Dave Klotzle, City Engineer/Public Works Director



DATE: May 11, 2015 (CC Meeting of 5/20/15)

SUBJECT: Consider Landscape Maintenance Easement Deed to the City of Moorpark from Shea Homes Limited Partnership for Tract 5425

DISCUSSION

Shea Homes is the developer of Tract 5425, a residential subdivision generally located south of Los Angeles Avenue at Fremont Street. The conditions of approval for the Tract require the developer to construct certain parkway landscaping improvements within and/or adjacent to the Tract. The conditions of approval also require that an assessment district be formed to fund certain City maintenance costs for these improvements.

Shea Homes was also the developer of the existing residential community, Tract 5133, located immediately to the east of, and adjacent to, Tract 5425. In June 2006, Landscaping and Lighting Maintenance Assessment District 06-01 (AD 06-01) was formed to fund the City maintenance costs for certain landscaping improvements installed by Shea Homes during the development of Tract 5133. On November 20, 2013, City Council approved the annexation of the maintenance costs related to the Tract 5425 landscaping improvements installed along the frontage of Los Angeles Avenue into AD 06-01.

A landscape maintenance easement from Shea Homes to the City is required for the maintenance of the landscape improvements along the frontage of Los Angeles Avenue on Shea Homes property within AD 06-01. Shea Homes has executed the attached easement deed for acceptance by the City.

FISCAL IMPACT

The landscape maintenance costs are funded by AD 06-01.

STAFF RECOMMENDATION

Accept the landscape maintenance easement deed for Tract 5425 and authorize the City Clerk to sign and record an acceptance certificate for the said deed and the attachments thereto in the office of the Ventura County Recorder.

Attachment:

Landscape maintenance easement deed for Tract 5425

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

No Fee Required

(Gov't Code Sec. 6103 & 27383)

The undersigned grantor(s) declare(s)

Project No.: Tract 5425

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

LANDSCAPE MAINTENANCE EASEMENT DEED

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

SHEA HOMES 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 permanent, nonexclusive easement for access, ingress, egress and
maintaining, operating, altering, repairing and replacing landscaping, irrigation
and equipment over, under, across and upon that property described in Exhibit
"A" and shown on Exhibit "B," attached hereto and made a part hereof.

SHEA HOMES LIMITED PARTNERSHIP,
A California limited partnership

Dated: 5/11/2015

By: Jane Blasingham
(signature)

Name: Jane Blasingham
(type or print)

Title: Authorized Agent
(type or print)

By: [Signature]
(signature)

Name: John Vander Velde
(type or print)

Title: Authorized Agent
(type or print)

STATE OF CALIFORNIA

COUNTY OF ORANGE

On May 11, 2015, before me, Beth A. Hutchinson, Notary Public, personally appeared Jane Blasingham and John Vander Velde, 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.



Beth A. Hutchinson
Notary Public
Commission #2061654
Comm. Expires March 20, 2018



California General Purpose Acknowledgment
For all documents executed in the State of California

EXHIBIT "A"
LEGAL DESCRIPTION
LANDSCAPE MAINTENANCE
EASEMENT
within
LOT 1 AND LOT 5
TRACT 5425

PARCEL 1

That portion of Lot 1, Tract No. 5425, in the City of Moorpark, County of Ventura, State of California, as per map filed in Book 161, Pages 42 through 48 of Miscellaneous Records (Maps) in the Office of the County Recorder of said County, described as follows:

BEGINNING at the northeast corner of said Lot 1;

- 1st Thence, along the east line of said Lot, South 0°27'54 West 3.00 feet to a point of intersection with a line that is parallel with and 3.00 feet south of the north line of said Lot;
- 2nd Thence, departing said east line, along said parallel line North 89°34'27" West 179.65 feet to the beginning of tangent curve concave southeasterly having a radius of 20.00 feet;
- 3rd Thence, west, southwest and south along said curve through a central angle of 91°22'48" an arc distance of 31.91 feet;
- 4th Thence, North 89°33'20" West 1.50 feet to a point in the east line of Edenbridge road (53 feet wide) as shown on said Map of Tract 5425;
- 5th Thence, along said east line North 0°26'10" East 1.00 feet to the beginning of a tangent curve in said east line concave southeasterly having a radius of 22.00 feet;
- 6th Thence, northerly, northeasterly and easterly along said curve through a central angle of 89°59'23" an arc distance of 35.56 feet to the north line of said Lot;
- 7th Thence, along said north line South 89°34'27" East 179.65 feet to the **POINT of BEGINNING**.

CONTAINING: 618 square feet, more or less.

SUBJECT TO: All covenants, Rights, Rights-of-Way and Easements of record.

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

PARCEL 2

That portion of Lot 5, Tract No. 5425, in the City of Moorpark, County of Ventura, State of California, as per map filed in Book 161, Pages 42 through 48 of Miscellaneous Records (Maps) in the Office of the County Recorder of said County, described as follows:

BEGINNING at a point in that certain course in the north line of said Lot 5 shown as "N89°34'27"W 58.48' ", distant thereon South 89°34'27" East 5.84 feet from the westerly terminus thereof;

1st Thence, continuing along said north line South 89°34'27" East 52.64 feet to the beginning of a tangent curve concave southwesterly having a radius of 22.00 feet;

2nd Thence, easterly, southeasterly and southerly along said curve through a central angle of 90°00'37" an arc distance of 34.56 feet;

3rd Thence, North 89°33'50" West 3.67 feet;

4th Thence, South 0°26'10" West 15.98 feet;

5th Thence, South 89°52'29" West 2.33 feet to the beginning of a non-tangent curve concave southwesterly having a radius of 20.67 feet, a radial line from said point bears South 89°33'50" West;

6th Thence, northerly, northwesterly and westerly along said curve through a central angle of 90°00'37" an arc distance of 32.47 feet to a point in a line which is parallel with and 17.33 feet south of the north line of said Lot 5;

7th Thence along said parallel line South 89°34'27" East 47.97 feet to a point in a line which bears South 0°26'10" West 17.33 from the point of beginning;

8th Thence, North 0°26'10" East 17.33 feet to the **POINT of BEGINNING**.

CONTAINING: 1,347 square feet, more or less.

SUBJECT TO: All covenants, Rights, Rights-of-Way and Easements of record.

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




Matthew J. Vernon Date
PLS 7553 5/11/2015

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