

**MOORPARK CITY COUNCIL
AGENDA REPORT**

TO: Honorable City Council

FROM: Barry K. Hogan, Community Development Director
Prepared by Joseph R. Vacca, Principal Planner



DATE: April 5, 2007 (Council Meeting 04/18/2007)

SUBJECT: Consider Acceptance of a Grant Deed Offering 4.83 Acres of Land at 13991 Princeton Avenue to the City of Moorpark for Mitigation Purposes in Relation to the Pardee Project, Moorpark Highlands Specific Plan, Tract No. 5045

BACKGROUND/DISCUSSION

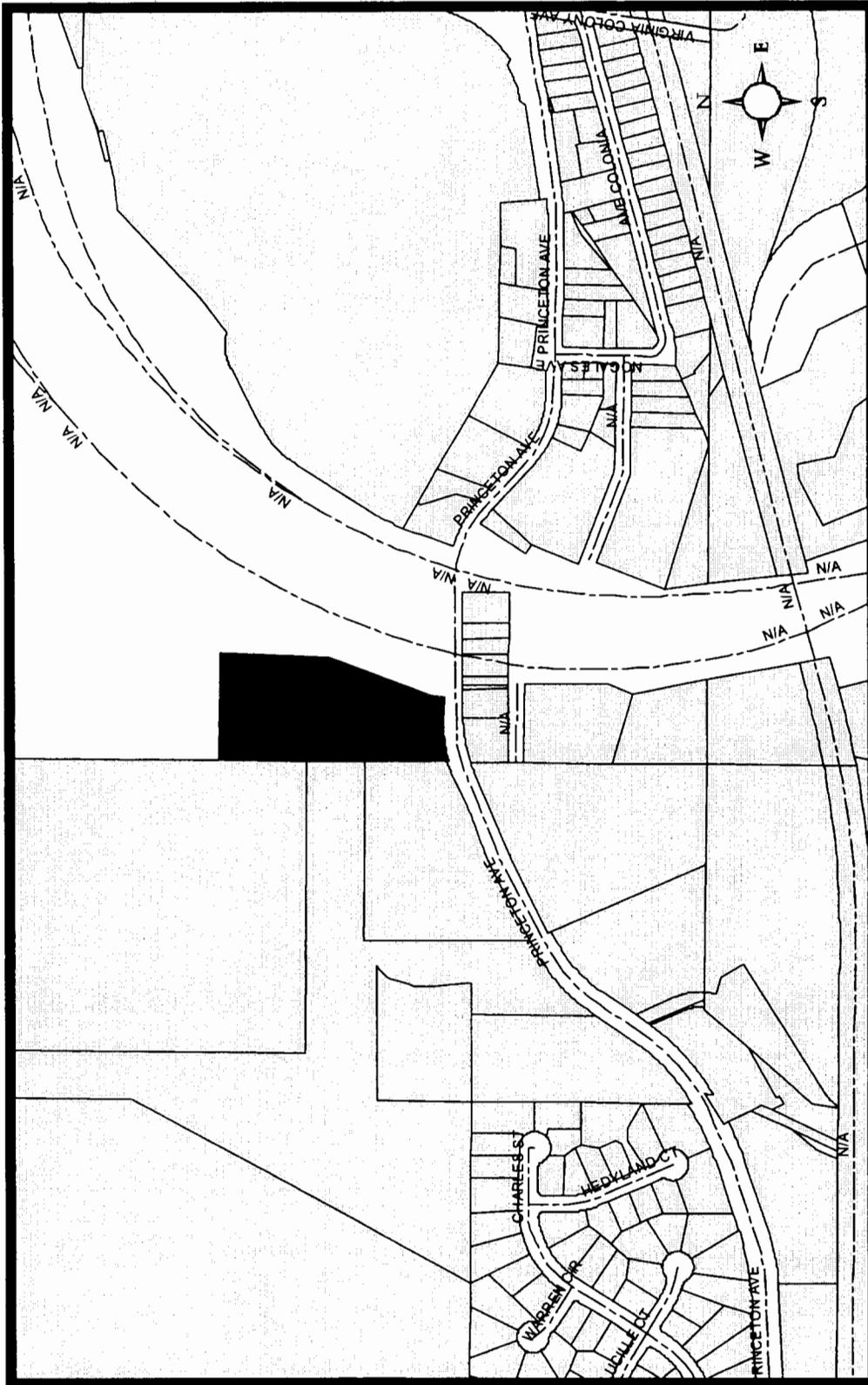
As part of the project development and site improvements for Moorpark Highlands Specific Plan, dedication to the City of Moorpark of a 4.83 acre parcel adjacent to the development was found to be necessary for environmental mitigation purposes. Attachment 1 shows the location of the property and Attachment 2 is a copy of the Grant Deed and Attachment 3 is correspondence verifying that the site is clean of pollutants based on completed Phase I and II Environmental Site Assessments. A portion on the site may also be used for the widening of Princeton Avenue. This portion does not contain any sensitive habitat.

STAFF RECOMMENDATION

Approve the acceptance of the Grant Deed 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.

ATTACHMENTS:

1. Location Map
2. Grant Deed
3. Converse Consultants Correspondence on Final Site Review



LOCATION MAP
13991 Princeton Avenue

↑
NORTH

Recording requested by
and when recorded return to:

GRANT DEED

The Undersigned Grantor declares Documentary Transfer Tax is \$ 0* City Tax \$ 0*

*This is a conveyance to a municipal corporation which is exempt from transfer tax under R & T 11922.

- computed on full value of property conveyed, or
- computed on full value less value of liens or encumbrances remaining at time of sale,
- Unincorporated area: City of Los Angeles, and

For valuable consideration, receipt of which is hereby acknowledged,

PARDEE HOMES, a California corporation,

hereby GRANTS to

THE CITY OF MOORPARK, a municipal corporation,

the real property located in the County of Ventura, State of California, described on Exhibit "A-1" and plotted on Exhibit "A-2" attached hereto and incorporated herein by this reference.

Assessor's Parcel Number 513-0-010-225.

Dated July 11, 2006

PARDEE HOMES,
a California corporation

By: _____

Its: V.P. Community Development

By: _____

Its: Assorted Secretary

054C1MXA.786-2

STATE OF California
COUNTY OF Los Angeles

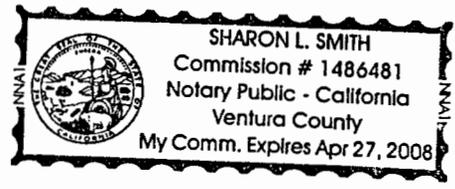
On July 11, 2006, before me, Sharon L. Smith,
Notary Public, personally appeared James C. Bizelle, III,

- personally known to me - OR
- 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.

WITNESS my hand and official seal.

Sharon L. Smith
NOTARY PUBLIC



STATE OF California
COUNTY OF Los Angeles

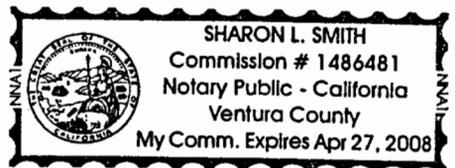
On July 11, 2006, before me, Sharon L. Smith,
Notary Public, personally appeared Barbara Bail,

- personally known to me - OR
- 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.

WITNESS my hand and official seal.

Sharon L. Smith
NOTARY PUBLIC



LEGAL DESCRIPTION

Lot 121 of Colonia Virginia Tract, in the County of Ventura, State of California, as per map recorded in Book 19, Page 29 of Maps, in the Office of the County Recorder of said county.

Except all coal, lignite, coal oil, petroleum, naphtha, asphalt, maltha, brea, natural gas and all kindred or similar minerals or mineral substances which now exist or at any time hereafter may exist upon, in or under said land, together with the rights incidental thereto, as reserved by Simi Land and Water Company, in deed recorded November 16, 1889 in Book 29, Page 314 of Deeds.

Also except from said land the interest conveyed to Ventura County in deed recorded October 8, 1900 in Book 67, Page 370 of Deeds.

Except that portion granted to the State of California in deed recorded July 17, 1992, as Instrument No. 92-125616, Official Records.

APN: 513-0-010-225

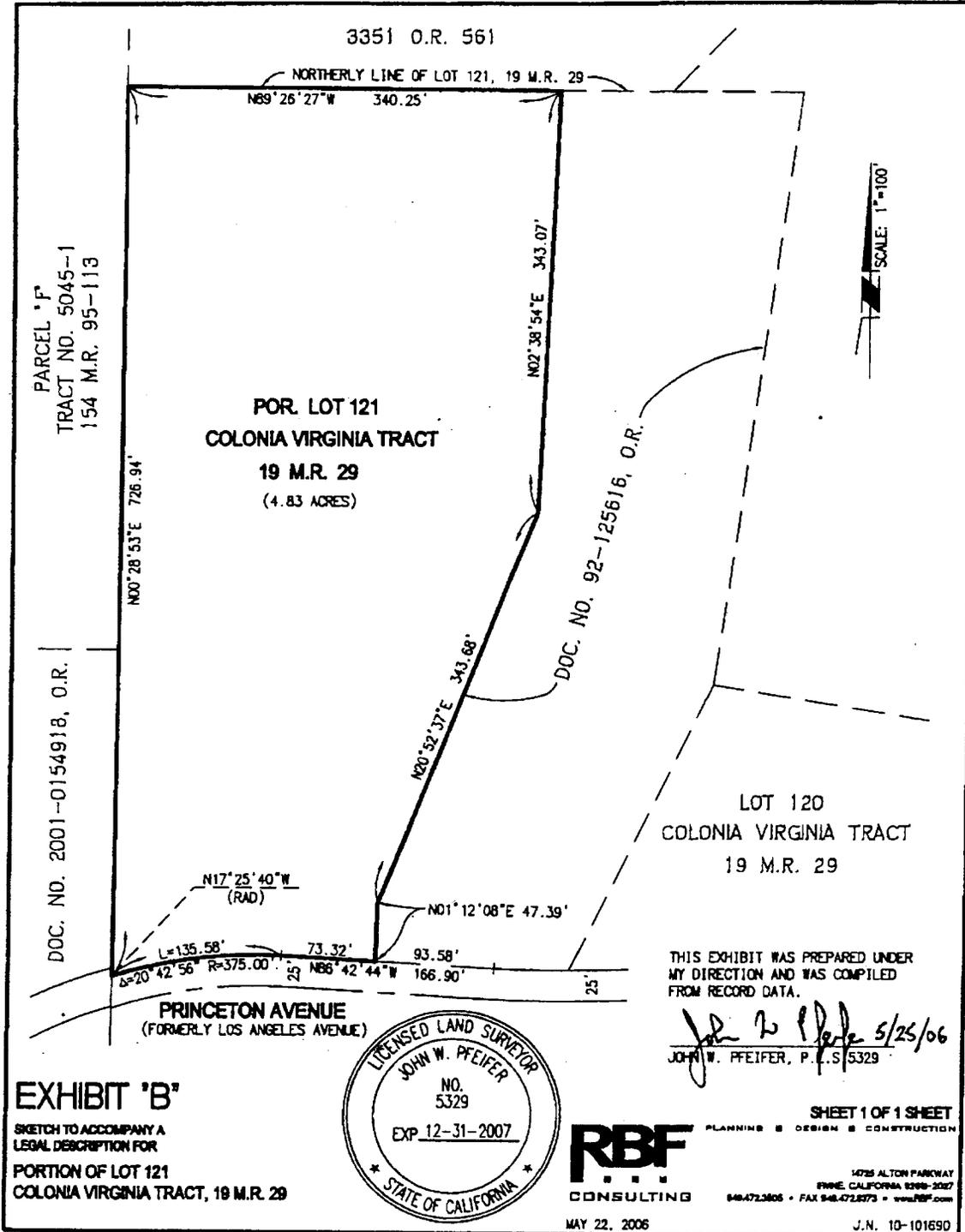


EXHIBIT 'B'
SKETCH TO ACCOMPANY A
LEGAL DESCRIPTION FOR
PORTION OF LOT 121
COLONIA VIRGINIA TRACT, 19 M.R. 29

054C1MXA.786-2

EXHIBIT "A-2"

000131



Converse Consultants

Geotechnical Engineering, Environmental & Groundwater Science, Inspection & Testing Services

March 30, 2007

Mr. Peter Kim
Land Development Manager
Pardee Homes
26650 The Old Road, Suite 110
Valencia, California 91381

Subject: Final Site Review Letter
13991 East Los Angeles Avenue
Moorpark, California
Converse Project No. 03-41-319-01

Mr. Kim:

Provided is a letter summarizing a Final Site Review conducted at the above referenced property (Property) on March 22, 2007.

Background:

Converse conducted a Phase I Environmental Site Assessment (ESA) and Phase II ESA in September 2003. Based on the findings of the Phase I and Phase II ESAs, the following issue remained to be addressed:

- A plastic pipe (½-foot diameter, 3 feet long) was observed protruding from the ground on the southern portion of the Property. The Property owner stated that a septic tank existed under the pipe. Converse recommended that prior to acquiring the Property, the septic tank be removed according to applicable regulations.

In March 2007, Pardee Homes (Pardee) contacted Converse to document the abandonment of the above mentioned septic tank. At the request of Pardee, Converse conducted a final site visit to ascertain the current conditions of the Property.

Site Visit:

On March 22, 2007, Converse visited the Property. Converse was accompanied by Mr. Bill Hicks, Off-Site Superintendent with Pardee.

Converse assessed the area of the abandoned septic tank. The abandoned septic tank is located on the southern portion of the Property, west of an electrical powerpole. According to Mr. Hicks, a backhoe was utilized to trench in the area of the septic tank. During the trenching activities, the septic tank was fully exposed. The septic tank was observed to be dry, and was completely disconnected from any piping. After inspection



of the septic tank, the septic tank was left in place and filled with sand, and the trench was backfilled with sand. The area is currently a relatively even ground surface with no vegetation. No environmental concerns were noted. A copy of a Pardee Purchase Order regarding the septic tank abandonment is attached.

In addition, two (2) concrete slabs that were previously noted in the Phase I ESA conducted in September 2003 were removed. No environmental concerns were noted in the area of the former concrete slabs.

Conclusions and Recommendations:

Based on observations during the Site visit assessing the recent work completed on the Property and the review of records documenting abandonment, no further assessment appears to be warranted with regards to the former septic system.

Closure:

This report is for the sole benefit and exclusive use of Pardee Homes, in accordance with the terms and conditions attached to our work order under which these services have been provided. Its preparation has been in accordance with generally accepted environmental practices. No other warranty, either express or implied, is made. This letter should not be regarded as a guarantee that no further contamination beyond that which could be detected within the scope of this review is present at the Property. Any reliance on this report by Third Parties shall be at the Third Party's sole risk.

If you have any questions, please call Heidi Heims at (626) 930-1248 or Norman Eke at (626) 930-1260.

Sincerely,

Converse Consultants



Norman S. Eke
Managing Officer

Attch: Pardee Purchase Order

Dist: 1/Addressee via Electronic Mail
2/Addressee via Overnight Mail



Control No. NT-44
Code No. 0235-70

Construction Purchase Order Request Change Order Request Customer Service PO Request

Project Name: Macapans Highlands Phase: _____ Homeowner Name: _____

Property Address: _____ M/O Address: _____

For: Onsite Construction Plan No. _____ Lot(s) _____

For: Offsite Construction Tract No. 5045 For: Customer Service PTE yes no

Walk Date _____ Service Request Date _____ Walk Through Service Request

Name: New Turb Subcontractor Supplier

Address: _____ City: _____ Zip: _____

Telephone: 805 482 9876 Contact: Danny

Description: Abandon 3 Septic tanks. 2 @ Curvigan Home area. 1 @ Freeway 118 lot on Old LA Ave.

Reason for Purchase: A requirement.

Unit Costs of Repair/Product Purchased

DESCRIPTION	QTY	UNIT COST	TOTAL

Estimated Cost: _____ Agreed Cost: _____ Not to Exceed Cost: _____ TOTAL COST: _____

Requested By: W.D. Hicks Date: 1-22-07 Approved By: [Signature]

Verbal OK Per: _____ Date: _____ P.O. No.: 177729

Backcharge Requested? Yes No

Company: _____

Person Notified: _____ Date: _____ Time: _____

Address: _____ City: _____ Zip: _____

Area Manager to Fill Out: Backcharge: Yes No "No Backcharge" Letter Sent: Yes No

Send Copy For Necessary Action To: _____

Change Order Needed: _____ Immediately: _____ Next Release: _____ Other: _____