

**MOORPARK CITY COUNCIL
AGENDA REPORT**

TO: Honorable City Council
FROM: Yugal K. Lall, City Engineer/Public Works Director
Prepared by Earl Schwartz, Civil Engineer
DATE: November 21, 2007 (Council Meeting of 12-05-07)
SUBJECT: Consider Deed of Easement of Dedication to the City of Moorpark for Public Sidewalk in Relation to the Village at Moorpark Project, Upon Lot 2 of Tract 4973, CPD 2004-01



BACKGROUND/DISCUSSION

As part of the site improvements for the Village at Moorpark, the developer was required to construct a dedicated right turn lane and driveways into the shopping center. The dedicated right turn lane and driveways were in conflict with the existing sidewalk, and as such required additional right-of-way for the sidewalk. The right-of-way was required on Miller Parkway on the project frontage.

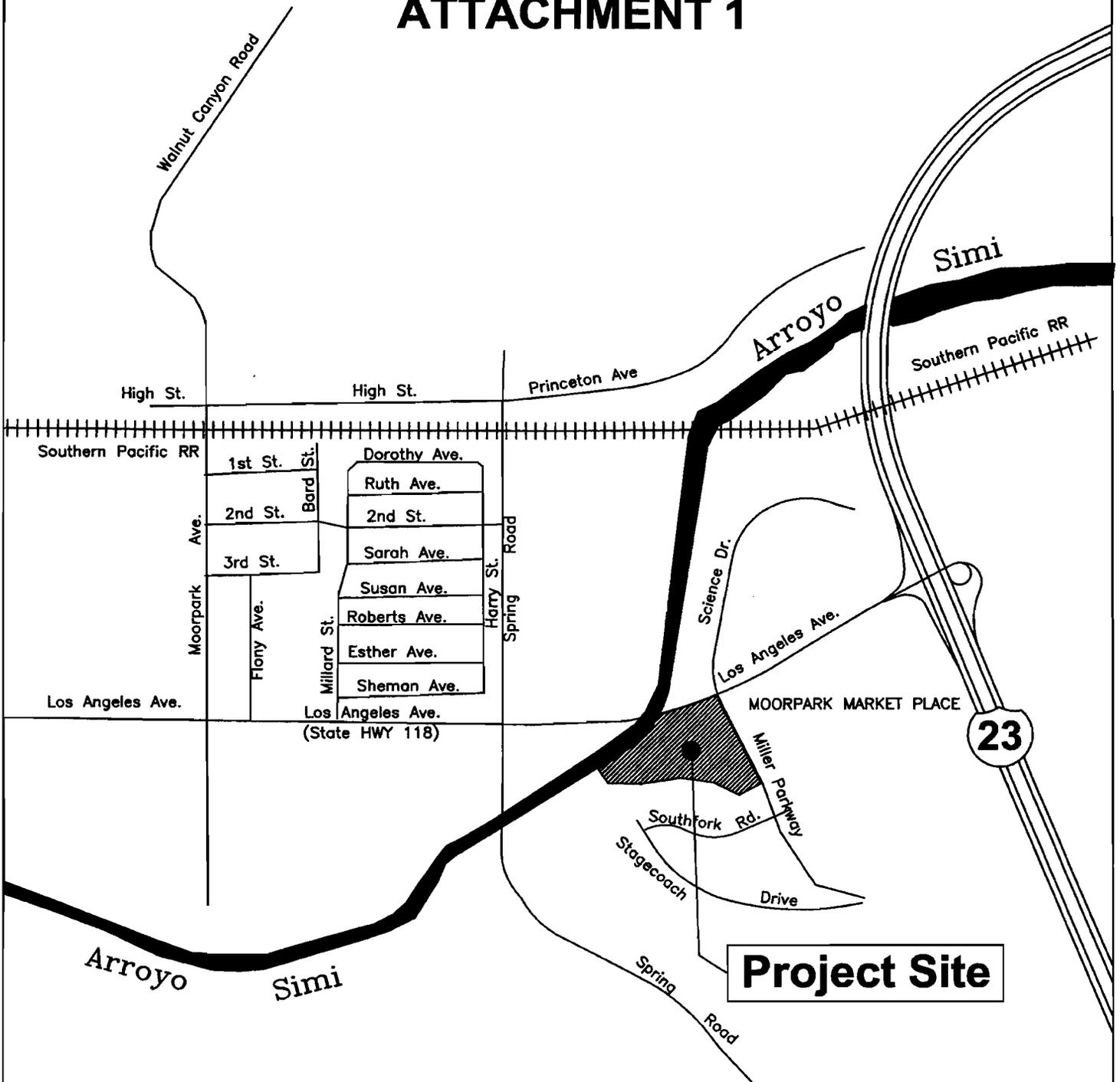
STAFF RECOMMENDATION

Approve the acceptance of the easement and authorize the City Clerk to sign and record an acceptance certificate for the Deed of Sidewalk Easement and the exhibits thereto in the office of the Ventura County Recorder.

ATTACHMENTS:

- 1. Vicinity Map
- 2. Public Sidewalk Easement Deed

ATTACHMENT 1



Vicinity Map

No Scale

LOT 2, TRACT No. 4973



000235

DO NOT PLACE RECORDING DATA ABOVE THIS LINE

RECORDING REQUESTED BY

City of Moorpark

WHEN RECORDED RETURN TO

City Clerk
City of Moorpark
799 Moorpark Ave.
Moorpark, CA 93021

PUBLIC SIDEWALK EASEMENT DEED

512-0-260-125
APN: 512-0-260-095
512-0-260-045

Documentary Transfer Tax \$ -0- ; No Apparent Value or Common Area

"No Fee Required" (Government Code Section 6103 & 27383)
recorded for the benefit of: THE CITY OF MOORPARK

For a valuable consideration, receipt of which is hereby acknowledged,

VILLAGE AT MOORPARK, L.L.C.

(Name)

Herein referred to as "GRANTOR", hereby GRANT(S) to the CITY OF MOORPARK, a municipal corporation, an easement and right-of-way for public sidewalk, including all rights of rights of ingress and the right to lay, construct, repair, maintain, renew and replace sidewalk improvements, and appurtenances incidental thereto.

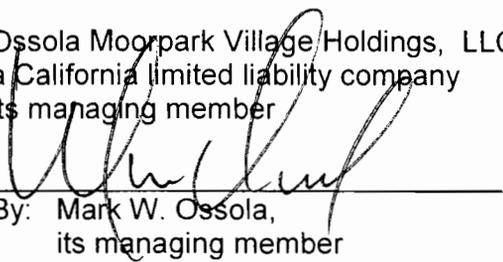
The real property for the public sidewalk easement is fully described in Exhibits "A" & "B" attached hereto and made a part of hereof by reference.

IN WITNESS WHEREOF, this Public Sidewalk Easement deed is executed by the undersigned in, this 17 day of January 2007.

**Signature(s) must be acknowledged
by a Notary Public.**

THE VILLAGE AT MOORPARK, LLC,
a California limited liability company

By: Ossola Moorpark Village Holdings, LLC,
a California limited liability company
its managing member


By: Mark W. Ossola,
its managing member

STATE OF CALIFORNIA)
) ss.
COUNTY OF Ventura)

On 17 Jan 2007, before me,
A Notary Public in and for said County and State,
personally Mark Ossola appeared
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 acknowledge to me that
he/she/they executed the same in 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

Signature: Arianne K. Evans



EXHIBIT "A"

Lot 2, TR. 4973
Sidewalk Easement

AN EASEMENT FOR SIDEWALK PURPOSES OVER A PORTION OF LOT 2 OF TRACT NO. 4973 AS PER MAP RECORDED IN BOOK 130, PAGES 59 TO 63 OF MISCELLANEOUS RECORDS (MAPS), RECORDS OF VENTURA COUNTY. DESCRIBED MORE PARTICULARLY AS FOLLOWS:

COMMENCING AT THE CENTERLINE INTERSECTION OF LOS ANGELES AVENUE AND SCIENCE DRIVE AS SHOWN ON SAID TRACT NO. 4973, SAID POINT BEING A POINT IN CURVE ALONG LOS ANGELES AVENUE HAVING A RADIUS OF 3000.00 FEET, SCIENCE DRIVE HAVING BEEN RENAMED MILLER PARKWAY. A RADIAL LINE TO SAID POINT BEARS N. 21°26'28"W. ON SAID MAP AND IS ROTATED TO N. 21°00'14"W. FOR THE PURPOSE OF THIS DESCRIPTION; THENCE SOUTHEASTERLY ALONG SAID CENTERLINE OF MILLER PARKWAY S. 22°55'34"E. 135.07 FEET, MORE OR LESS, TO THE INTERSECTION WITH THE SOUTHERLY RIGHT OF WAY PRODUCED OF SAID LOS ANGELES AVENUE, A RADIAL LINE TO SAID POINT BEARS N. 21°05'13"W.; THENCE SOUTHWESTERLY ALONG SAID CURVE, CONCAVE NORTHWESTERLY AND HAVING A RADIUS OF 3135.00 FEET, THROUGH A CENTRAL ANGLE OF 00°59'16" AN ARC DISTANCE OF 54.05 FEET, MORE OR LESS, TO THE SOUTHWESTERLY SIDELINE OF SAID MILLER PARKWAY, 108 FEET WIDE, A RADIAL LINE TO SAID POINT BEARS N. 20°05'57"W., SAID POINT BEING THE TRUE POINT OF BEGINNING. THENCE, CONTINUING SOUTHWESTERLY ALONG SAID CURVE, CONCAVE NORTHWESTERLY AND HAVING A RADIUS OF 3135.00 FEET, THROUGH A CENTRAL ANGLE OF 00°02'12" AN ARC DISTANCE OF 2.00 FEET, MORE OR LESS, TO A POINT 2.00 FEET SOUTHWESTERLY OF SAID SOUTHWESTERLY SIDELINE OF SAID MILLER PARKWAY, SAID POINT LYING 56.00 FEET SOUTHWESTERLY AT RIGHT ANGLES FROM CENTERLINE OF SAID MILLER PARKWAY, A RADIAL LINE TO SAID POINT BEARS N. 20°03'45"W.; THENCE SOUTHEASTERLY ALONG SAID 2.00 FOOT SOUTHWESTERLY OFFSET TO SAID SOUTHWESTERLY SIDELINE, S. 22°55'34"E. 150.40 FEET TO THE BEGINNING OF A NON TANGENT CURVE CONCAVE NORTHEASTERLY AND HAVING A RADIUS OF 185.00 FEET, A RADIAL LINE TO SAID POINT BEARS N. 79°00'36"E.; THENCE SOUTHEASTERLY ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 11°56'10" AN ARC DISTANCE OF 38.54 FEET, MORE OR LESS, TO A POINT LYING 6.00 FEET SOUTHWESTERLY OF SAID SOUTHWESTERLY SIDELINE OF SAID MILLER PARKWAY, SAID POINT LYING 60.00 FEET SOUTHWESTERLY AT RIGHT ANGLES FROM CENTERLINE OF SAID MILLER PARKWAY, A RADIAL LINE TO SAID POINT BEARS S. 67°04'26"E.; THENCE S. 22°55'34"E. 80.00 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE WESTERLY AND HAVING A RADIUS OF 10.00 FEET; THENCE SOUTHERLY ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 67°58'32" AN ARC DISTANCE OF 11.86 FEET, A RADIAL LINE TO SAID POINT BEARS S. 44°57'02"E.; THENCE LEAVING SAID CURVE, S. 22°55'34"E. 40.48 FEET TO THE BEGINNING OF A NON TANGENT CURVE CONCAVE SOUTHERLY AND HAVING A RADIUS OF 13.00 FEET, A RADIAL LINE TO SAID POINT BEARS S. 11°05'18"E.; THENCE NORTHEASTERLY AND EASTERLY ALONG SAID CURVE, THROUGH A CENTRAL

ANGLE OF 71°41'06" AN ARC DISTANCE OF 16.26 FEET, A RADIAL LINE TO SAID POINT BEARS
N. 60°35'48"E.; THENCE S. 22°55'34"E. 287.36 FEET; THENCE S. 22°04'00"W. 9.90 FEET;
THENCE S. 22°55'34"E. 11.75 FEET; THENCE S. 29°05'05"W. 31.22 FEET; THENCE S.
67°04'26"W. 3.39 FEET;
THENCE S. 22°55'34"E. 51.95 FEET; THENCE N. 67°04'26"E. 5.96 FEET; THENCE S. 62°02'16"E.
46.04 FEET, MORE OR LESS, TO A POINT 2.00 FEET WESTERLY OF SAID SOUTHWESTERLY
SIDELINE OF SAID MILLER PARKWAY, SAID POINT LYING 56.00 FEET SOUTHWESTERLY
AT RIGHT ANGLES FROM SAID CENTERLINE; THENCE SOUTHEASTERLY ALONG SAID
2.00 FOOT OFFSET, S.22°55'34"E. 80.99 FEET, MORE OR LESS, TO THE SOUTHERLY LINE OF
SAID LOT 2; THENCE NORTHEASTERLY ALONG SAID SOUTHERLY LINE, N.66°28'10"E.
2.00 FEET, MORE OR LESS, TO SAID SOUTHWESTERLY SIDELINE OF SAID MILLER
PARKWAY, SAID POINT LYING 54.00 FEET SOUTHWESTERLY AT RIGHT ANGLES FROM
SAID CENTERLINE; THENCE RETURNING NORTHWESTERLY ALONG SAID SIDELINE, N.
22°55'34"W. 823.56 FEET, MORE OR LESS, TO THE TRUE POINT OF BEGINNING.

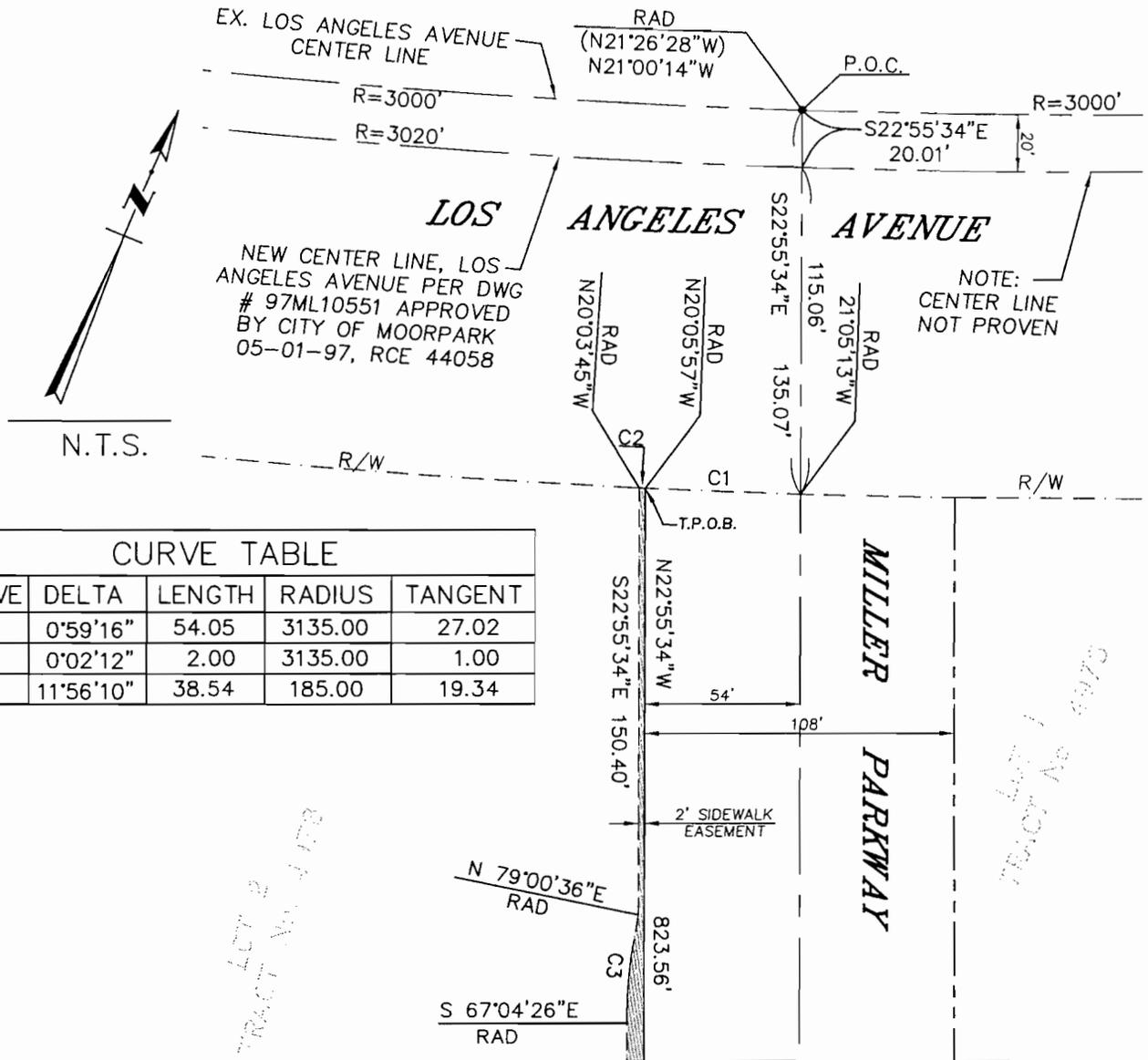
CONTAINING AN AREA OF 5385 SQ. FT. OR 0.12 ACRES MORE OR LESS.

REFERENCE IS MADE TO EXHIBIT "B" ATTACHED HERETO FOR GRAPHICAL REPRESENTATION.



7-12-06

EXHIBIT "B"
 SIDEWALK EASEMENT
 LOT 2, TRACT NO. 4973



CURVE TABLE				
CURVE	DELTA	LENGTH	RADIUS	TANGENT
C1	0°59'16"	54.05	3135.00	27.02
C2	0°02'12"	2.00	3135.00	1.00
C3	11°56'10"	38.54	185.00	19.34

LEGEND:

- R/W -----
- C/L -----
- P/L -----
- EASEMENT LINE -----
- P.O.C. — POINT OF COMMENCEMENT
- T.P.O.B. — TRUE POINT OF BEGINNING.



Stantec

STANTEC CONSULTING INC.
 6345 BALBOA BOULEVARD
 BUILDING 2, SUITE 140
 ENCINO, CA 91316
 818.343.5384

stantec.com



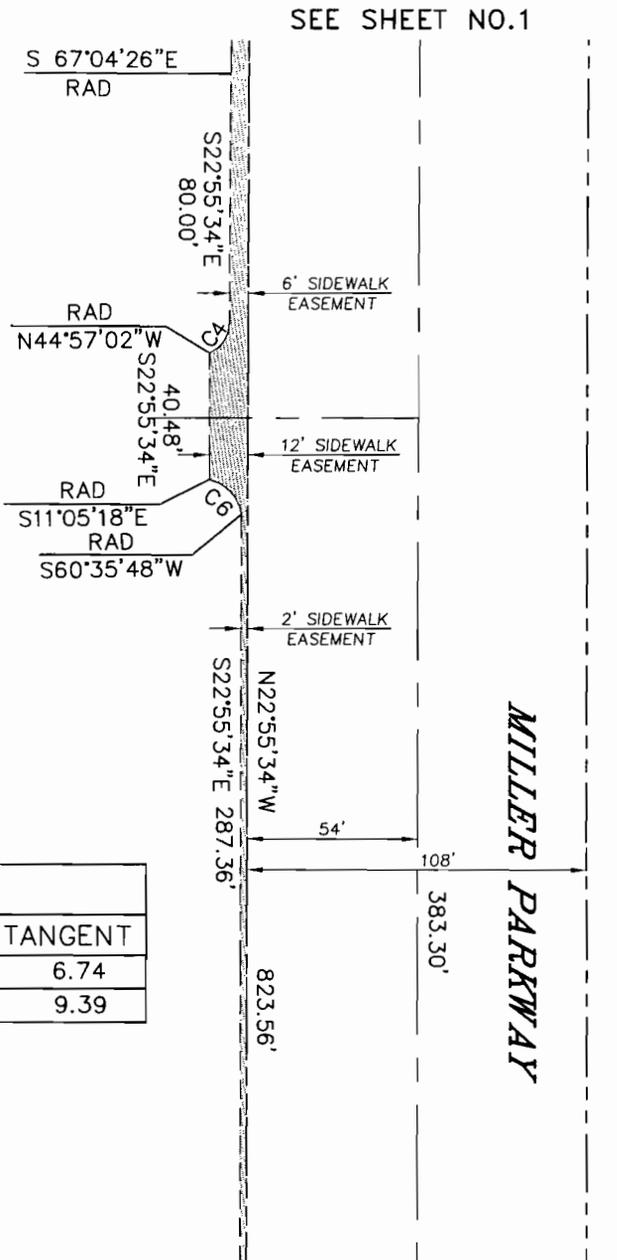
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EXHIBIT "B"
 SIDEWALK EASEMENT
 LOT 2, TRACT NO. 4973



TRACT NO. 4973
 LOT 2



TRACT NO. 4973
 LOT 2

CURVE TABLE				
CURVE	DELTA	LENGTH	RADIUS	TANGENT
C4	67°58'32"	11.86	10.00	6.74
C6	71°41'06"	16.26	13.00	9.39

LEGEND:
 R/W _____
 C/L _____
 P/L _____
 EASEMENT LINE _____
 P.O.C. — POINT OF COMMENCEMENT
 T.P.O.B. — TRUE POINT OF BEGINNING.



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