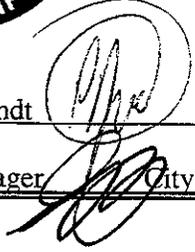
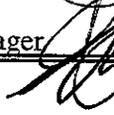




Meeting Date: 05 /15/07

ACTION	TYPE OF ITEM
<input type="checkbox"/> Approved Recommendation	<input checked="" type="checkbox"/> Info/Consent
<input type="checkbox"/> Ord. No(s). _____	<input type="checkbox"/> Report
<input type="checkbox"/> Res. No(s). _____	<input type="checkbox"/> Public Hearing (Info/consent)
<input type="checkbox"/> Other _____	<input type="checkbox"/> Other _____

Prepared By: Paul J. Wendt  Agenda Item No. I-1
 Reviewed By: City Manager  City Attorney  Finance SW Other (Specify) _____

DATE: April 27, 2007

TO: City Council

FROM: Paul J. Wendt, Supervising Civil Engineer 
Development Services Department

SUBJECT: **Acceptance of a Portion of an Easement for Street and Public Utility Purposes and Rejection of an Easement for Public Utility Purposes Located east of Riverpark Boulevard in American River Court.**

RECOMMENDATION

That City Council adopt a resolution:

- 1.) Accepting a portion of an irrevocable offer for a street and public utility easement for American River Court located east of Riverpark Boulevard within the Riverpark Specific Plan.
- 2.) Rejecting a portion of an irrevocable offer for a street and public utility easement for American River Court located east of Riverpark Boulevard within the Riverpark Specific Plan.
- 3.) Rejecting an irrevocable offer for a 5 foot wide public utility easement located adjacent to American River Court.

DISCUSSION

In order to insure the orderly development of lots within the Riverpark Specific Plan area, the Riverpark Master Developer and the City recorded irrevocable offers of dedication for anticipated streets and public utilities within portions of the Riverpark project prior to transferring ownership to third party developers. Two of these irrevocable offers of dedication were along the anticipated alignment of American River Court just easterly of Riverpark Boulevard. These irrevocable offers were recorded on January 27th, 2005 as document numbers 20050127-0021246 and 20050127-0021264.

The City recorded these irrevocable offers without accepting or rejecting them which results in their remaining open offers that the City can accept or reject at a future date without further action by the underlying property owner. The original irrevocable offers included a possible cul-de-sac design for

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American River Court that was subsequently altered to eliminate the cul-de-sac. The proposed resolution accepts the required portion of the street and public utility dedication for American River Court while permanently rejecting the cul-de-sac portion. The resolution also permanently rejects the offered 5 foot wide public utility easement that will not be needed because all utilities were located within proposed American River Court right-of-way.

FINANCIAL IMPACT

There is no anticipated financial impact to the current fiscal year 2006-2007 budget.

(PJW)

Attachment #1 – Resolution accepting and rejecting various portions of two irrevocable offers of dedication for public easements

Attachment #2 – Exhibit “A-1” Legal Description Quitclaim Offer of Dedication within Lot 19, Tract No. 5352-1 per 150 MR 76

Attachment #3 - Exhibit “A-2” Legal Description Quitclaim Offer of Dedication within Lot 19, Tract No. 5352-1 per 150 MR 76

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RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OXNARD ACCEPTING AND REJECTING VARIOUS PORTIONS OF TWO IRREVOCABLE OFFERS OF DEDICATION FOR PUBLIC EASEMENTS.

WHEREAS, the RIVERPARK TRUST A executed an irrevocable offer of dedication for an easement for street and public utility purposes on January 24th, 2005 and the offer was recorded on January 27th, 2005 as instrument number 20050127-0021264; and

WHEREAS, the RIVERPARK TRUST A executed an irrevocable offer of dedication for an easement for public utility purposes on January 24th, 2005 and the offer was recorded on January 27th, 2005 as instrument number 20050127-0021246; and

WHEREAS, instrument numbers 20050127-0021264 and 20050127-0021246 include a provision that the irrevocable offers of dedication remain open until the City of Oxnard accepts or rejects said offer(s) by resolution; and

WHEREAS, the limits of the required street and public utility easements for American River Court have been determined.

NOW, THEREFORE, the City Council of the City of Oxnard resolves:

1. The City Council hereby accepts all portions of that certain parcel of land described as "Street and Public Utility Easement", in the City of Oxnard, County of Ventura, State of California, in the document entitled "Irrevocable Offer of Dedication", Recorded January 27, 2005, as document number 20050127-0021264 of Official Records in the Office of the County Recorder of said County excepting therefrom that portion of said "Street and Public Utility Easement" described in exhibit A-1 and shown on exhibit B-1 both of which are attached hereto and by this reference incorporated herein
2. The City Council hereby permanently rejects that portion of the irrevocable offer of dedication for street and public utility purposes described in exhibit A-1 and shown on exhibit B-1.
3. The City Council hereby permanently rejects the irrevocable offer of dedication for public utility purposes described in exhibit A-2 and shown on exhibit B-2 both of which are attached hereto and by this reference incorporated herein.
4. The City Clerk is instructed to cause a certified copy of this resolution, attested by the City Clerk under the seal of the City, to be recorded in the office of the Ventura County Recorder.

Passed and adopted this ____ day of _____, 2007, by the following vote:

AYES:

NOES:

ABSENT:

Dr. Thomas E. Holden, Mayor

ATTEST:

APPROVED AS TO FORM:

Daniel Martinez, City Clerk

Gary L. Gillig, City Attorney

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ATTACHMENT # 1

PAGE 1 OF 1

EXHIBIT "A-1"
LEGAL DESCRIPTION
Quitclaim Offer of Dedication
within
Lot 19
Tract No. 5352-1
per
150 MR 76

ALL of that certain parcel of land described as "Street and Public Utility Easement", in the City of Oxnard, County of Ventura, State of California, in the document entitled "Irrevocable Offer of Dedication", Recorded January 27, 2005, as Document No. 20050127-0021264 of Official Records in the Office of the County Recorder of said County.

EXCEPT THEREFROM that portion of said "Street and Public Utility Easement" more particularly described as follows:

BEGINNING at the most Northerly corner of said Lot 19;

- 1st Thence, along the northwesterly line of said Lot 19 South 41°56'06" West 28.00 feet to a point of intersection with a line parallel with and 28.00 feet southwesterly of northeasterly line of said Lot 19;
- 2nd Thence, departing said northwesterly line along said parallel line South 48°03'54" East 88.24 feet to the beginning of a curve concave northeasterly and having a radius of 66.00 feet;
- 3rd Thence, southeasterly and easterly along said curve through a central angle of 54°50'50" to a point in the northeasterly line of said Lot 19;
- 4th Thence, along said northeasterly line, North 48°03'54" West 142.20 feet to the **POINT OF BEGINNING**.

CONTAINING: 4,932 Sq. Ft., 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 5/2/2007
PLS 7553, Exp. 12/31/2007 Date

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ATTACHMENT # 826EX001.doc 2
PAGE 1 OF 2

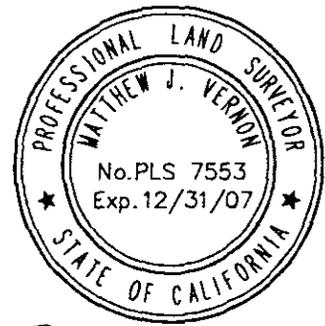
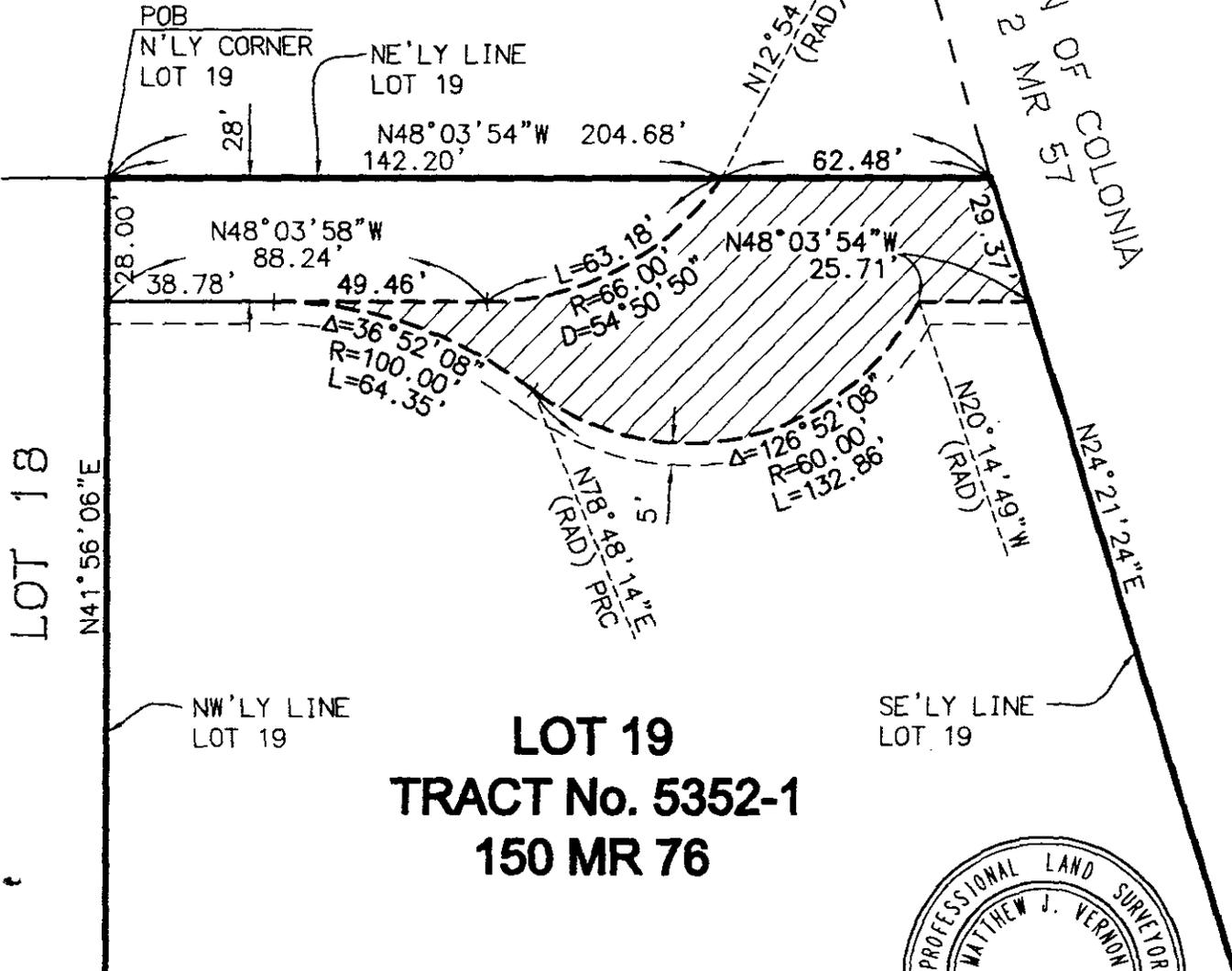
EXHIBIT "B-1"

PLAT TO ACCOMPANY LEGAL DESCRIPTION

LOT 20
TRACT No. 5352-1
150 MR 76

SCALE: 1" = 40'

TOWN OF COLONIA
2 MR 57



REFERENCE LEGEND:

- POB POINT OF BEGINNING
- PRC POINT OF REVERSE CURVE
- (RAD) RADIAL



AREA OF DESCRIPTION

[Signature]
MATTHEW J. VERNON, PLS 7553 DATE 5/2/2007

RBF CONSULTING
PLANNING ■ DESIGN ■ CONSTRUCTION
4880 SANTA ROSA ROAD, SUITE 170
CAMARILLO, CALIFORNIA 93012-5190
805.383.3373 • FAX 805.383.3371 • www.RBF.com

QUITCLAIM
OFFER OF DEDICATION
DOC. No. 20050127-0021264, OR
CITY OF OXNARD
COUNTY OF VENTURA, STATE OF CALIFORNIA

DATE: 5/02/07
SCALE: 1"=40'
SHEET: 1 OF 1
CAD: CRT
CHK'D: MJV

EXHIBIT "A-2"
LEGAL DESCRIPTION
Quitclaim Offer of Dedication
within
Lot 19
Tract No. 5352-1
per
150 MR 76

ALL of that certain parcel of land described as "Public Utility Easement", in the City of Oxnard, County of Ventura, State of California, in the document entitled, "Irrevocable Offer of Dedication", Recorded January 27, 2005, as Document No. 20050127-0021246 of Official Records in the Office of the County Recorder of said County.

CONTAINING: 1,165 Sq. Ft., 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
PLS 7553, Exp. 12/31/2007

5/2/2007
Date

826EX002.doc

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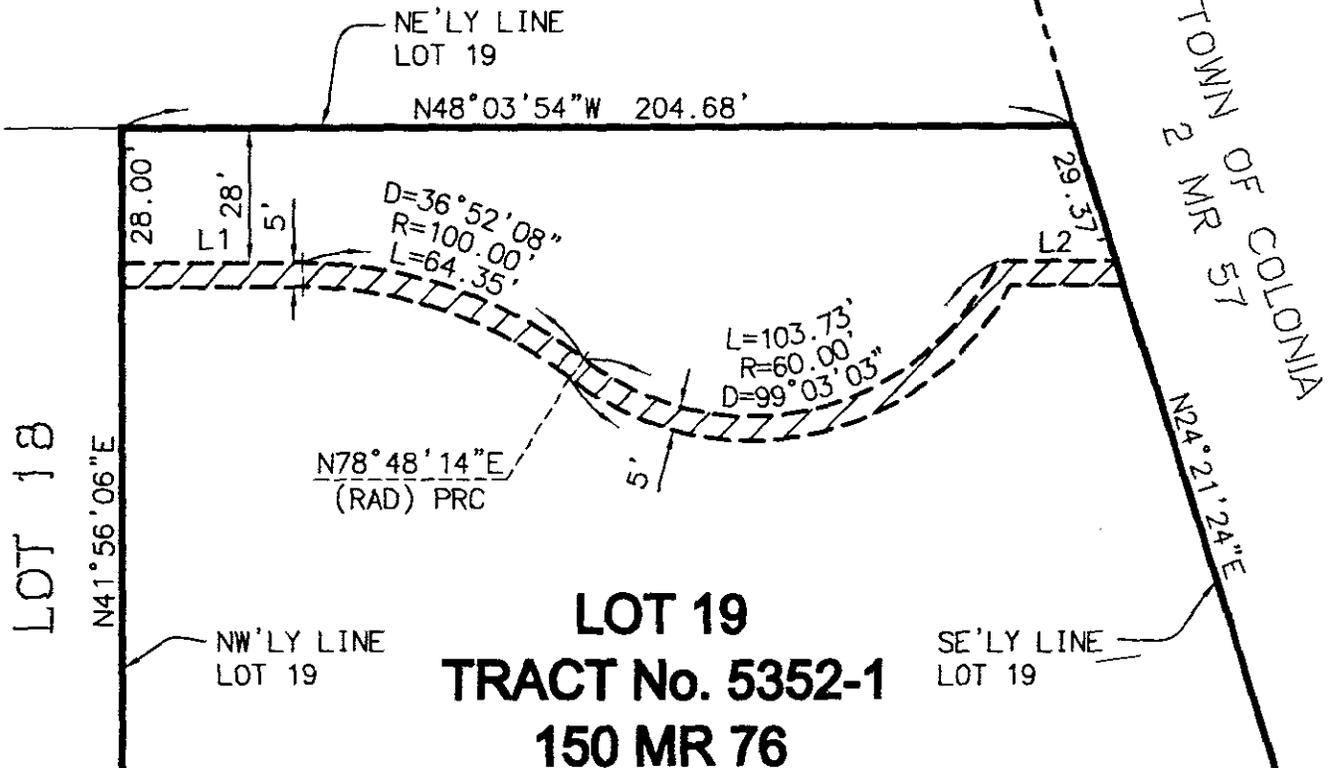
ATTACHMENT # 3
PAGE 1 OF 2

EXHIBIT "B-2"

PLAT TO ACCOMPANY LEGAL DESCRIPTION

LOT 20
TRACT No. 5352-1
150 MR 76

SCALE: 1" = 40'



DATA TABLE		
NO.	BEARING/DELTA	LENGTH
L1	N48°03'54"W	38.78'
L2	N48°03'54"W	25.71'



REFERENCE LEGEND:

- POB POINT OF BEGINNING
- PRC POINT OF REVERSE CURVE
- (RAD) RADIAL
- AREA OF DESCRIPTION PER DOC. NO. 2005-0021246, O.R.

Matthew J. Vernon
 MATTHEW J. VERNON, PLS 7553 5/2/2007 DATE

RBF CONSULTING
 PLANNING ■ DESIGN ■ CONSTRUCTION
 4880 SANTA ROSA ROAD, SUITE 170
 CAMARILLO, CALIFORNIA 93012-5190
 805.383.3373 • FAX 805.383.3371 • www.RBF.com

QUITCLAIM
 OFFER OF DEDICATION
 DOC. No. 20050127-0021246, OR
 CITY OF OXNARD
 COUNTY OF VENTURA, STATE OF CALIFORNIA

DATE: 10/26/06
 SCALE: 1"=40'
 SHEET: 1 OF 1
 CAD: CRT
 CHK'D: MJV

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