



Meeting Date: 10/23/07

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: Michael More Agenda Item No. I-6

Reviewed By: City Manager [Signature] City Attorney [Signature] Finance SW Other (Specify) _____

DATE: September 27, 2007

TO: City Council

FROM: Michael More, Financial Services Manager [Signature]
Finance Department

SUBJECT: Release of Covenant – Vacant Lots at 3rd Street and D Street

RECOMMENDATION

That City Council approve and authorize the Mayor to execute a Release of Covenant against vacant property on the southeast corner of 3rd Street and D Street.

DISCUSSION

On March 13, 2007, the City Council approved the purchase by the City of 0.32 acres of property (“Property”) on the southeast corner of 3rd Street and D Street from El Concilio del Condado de Ventura (“Seller”) to provide additional parking for the Police Department. A previously recorded covenant associated with Special Use Permit No. 769 required the Property to be retained for parking associated with the former restaurant use at the building located at 301 S. C Street. The building is now used for the Seller’s offices. At the Seller’s request, the Planning commission revoked Special Use Permit No. 769 on October 18, 2007, and as a result, the covenants recorded against the Property requiring the additional parking are no longer needed. The release of covenant forms (Attachments No. 1 and 2) are necessary to close the escrow on the Property.

FINANCIAL IMPACT

There is no financial impact associated with this action.

MJM

Attachments

- #1 – Release of Covenant
- #2 – Release of Covenant

000025

RECORDING REQUESTED BY
AND WHEN RECORDED MAIL TO:

CITY OF OXNARD
305 W. 3rd Street
Oxnard, California 93030
Attn: City Clerk

Request recording without fee. Record for the benefit of the
City of Oxnard pursuant to Section 6103 of the Government Code.

(Space above this line for Recorder's use)

RELEASE OF COVENANT

El Concilio Del Condado De Ventura County, a California corporation, ("El Concilio"), is the owner of the following described property: Lot 1 and Lot 2, Block D, Map 4 of the Town of Oxnard. By covenant recorded in Book 4083, Page 220 and 221 of the Official Records of Ventura County, Stella Delgado, as the owner of Lot 16, Block D, Map 4 of the Town of Oxnard, agrees to limit the use of Lot 16, Block D, Map 4 of the Town of Oxnard for the purpose of vehicular parking for the benefit of, and subservient to, Lot 1 and Lot 2, Block D, Map 4 of the Town of Oxnard, in accordance with then section 6(2) of Chapter 34 of the Code of the City of Oxnard.

Use of Lot 16, Block D, Map 4 of the Town of Oxnard is no longer necessary by El Concilio as owner of Lot 1 and Lot 2, Block D, Map 4 of the Town of Oxnard. El Concilio therefore unconditionally and irrevocably releases Lot 16, Block D, Map 4 of the Town of Oxnard from the provisions of the covenant recorded in Book 4083, Page 220 and 221 of the Official Records of Ventura County.

NOTARIZATION REQUIRED

DATED: 9/27/07

EL CONCILIO DEL CONDADO
DE VENTURA COUNTY

By: [Signature]
Its: Board president

THE CITY OF OXNARD CONSENTS TO THIS RELEASE.

DATED: _____

CITY OF OXNARD

By: _____
Its: _____

000026

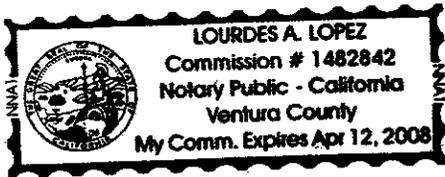
CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California }
County of Ventura } ss.

On September 27, 2007 before me, Lourdes A. Lopez, Notary Public
Date Name and Title of Officer (e.g., "Jane Doe, Notary Public")
personally appeared Armando J. Lopez
Name(s) of Signer(s)

- personally known to me
- 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.
Lourdes A. Lopez
Signature of Notary Public

OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Description of Attached Document

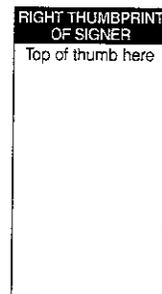
Title or Type of Document: Release of Covenant
Document Date: September 27, 2007 Number of Pages: - 1 -

Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer

Signer's Name: Armando J. Lopez
 Individual
 Corporate Officer — Title(s): _____
 Partner — Limited General
 Attorney-in-Fact
 Trustee
 Guardian or Conservator
 Other: _____

Signer Is Representing: _____



000027

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Use of Lot 15 and 16, Block D, Map 4 of the Town of Oxnard is no longer necessary by El Concilio as owner of Lot 1 and Lot 2, Block D, Map 4 of the Town of Oxnard. El Concilio therefore unconditionally and irrevocably releases Lot 15 and Lot 16, Block D, Map 4 of the Town of Oxnard from the provisions of the covenant recorded in Book 4083, Page 220 and 221 of the Official Records of Ventura County.

NOTARIZATION REQUIRED

DATED: 9/27/07

EL CONCILIO DEL CONDADO
DE VENTURA COUNTY

By: [Signature]
Its: Board President

THE CITY OF OXNARD CONSENTS TO THIS RELEASE.

DATED: _____

CITY OF OXNARD

By: _____

Its: _____

000028

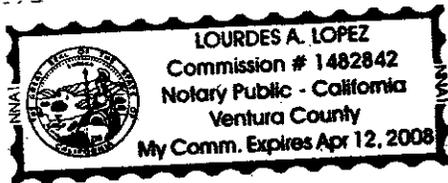
CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California }
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personally appeared Armando J. Lopez
Name(s) of Signer(s)

- personally known to me
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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.
Lourdes A. Lopez
Signature of Notary Public

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Document Date: September 27, 2007 Number of Pages: - 1 -

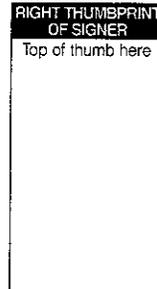
Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer

Signer's Name: Armando J. Lopez

- Individual
- Corporate Officer — Title(s): _____
- Partner — Limited General
- Attorney-in-Fact
- Trustee
- Guardian or Conservator
- Other: _____

Signer Is Representing: _____



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ATTACHMENT NO. 2
PAGE 2 OF 2