



Meeting Date: 01 27 2009

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 *MM* Agenda Item No. I-10

Reviewed By: City Manager *MMH* City Attorney *JA* Finance *MC* Other (Specify) _____

DATE: January 16, 2009

TO: City Council

FROM: Michael More, Financial Services Manager *Michael More*
Finance Department

SUBJECT: Grant of Boat Dock Easement for 4201 West Hemlock Street, Oxnard CA

RECOMMENDATION

That City Council authorize the Mayor to execute a Grant of Easement Document in conjunction with the sale of City property at 4201 West Hemlock Street, Oxnard CA.

DISCUSSION

On July 22, 2008, City Council approved the sale of vacant land at 4201 West Hemlock Street, Oxnard CA (the "Property") to Robert Stein ("Buyer") for a purchase price of \$1 million. The Property consists of an approximate 13,500 s.f. vacant lot located on Hemlock Avenue bordering a waterway. During the escrow period, staff learned that the City of Oxnard owns the waterway easement adjacent to the Property, and that the easement did not run with the Property, as is typical with properties with boat dock easements. In order to complete the transaction as originally contemplated, staff is requesting that the attached easement be conveyed along with the Property.

The easement will be conveyed to the Buyer only upon successful closing of escrow. Staff estimates that the close of escrow on the Property will occur in early February 2009, subsequent to the execution of the attached document.

FINANCIAL IMPACT

There is no financial impact associated with this recommendation.

MJM

Attachment #1 - Corporation Grant Deed (Easement)

RECORDING REQUESTED BY.
Stewart Title of California

WHEN RECORDED MAIL TO
AND MAIL TAX STATEMENTS TO:
Robert A. Stein, Trustee
1825 West Pier D Street
Long Beach, CA 90802

ORDER NO. 3237-122419
ESCROW NO. 2460-122419
APN: 188-0-120-100 & 110

SPACE ABOVE THIS LINE FOR RECORDER'S USE

CORPORATION GRANT DEED (EASEMENT)

THE UNDERSIGNED GRANTOR(S) DECLARE(S):

- DOCUMENTARY TRANSFER TAX is: -0- CITY TAX \$0.00
- Monument Preservation Fee is: \$0.00
- 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 Oxnard, and

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged, City of Oxnard, a Municipal Corporation, a Corporation organized under the laws of the State of California

hereby GRANT(S) to

Robert A. Stein

the following described real property in the City of Oxnard, County of Ventura, State of California:

An Exclusive easement for the benefit of Lot 3 of Tract No. 4132-1, in the City of Oxnard, County of Ventura, State of California, as per map recorded in Book 108, Pages 37 through 41 inclusive of Maps, in the office of the County Recorder of said County. FOR DOCK PURPOSES OF THAT PORTION OF PARCEL A AS DESCRIBED IN EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF.

In Witness whereof, said Corporation has caused its Corporate name and seal to be affixed hereto and this instrument to be executed by its _____ President and _____ Secretary thereunto duly authorized.

DATE: January 14, 2009

City of Oxnard, a Municipal Corporation

STATE OF CALIFORNIA

By: _____
President

COUNTY OF _____

Secretary

On _____ before me, _____, (here insert name and title of the officer), personally appeared _____

_____, who 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.

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.

Signature _____

(Seal)

MAIL TAX STATEMENTS AS DIRECTED ABOVE

ATTACHMENT #1
PAGE 1 OF 2

EXHIBIT - A -

LEGAL DESCRIPTION

That portion of Parcel A of Tract No. 4132-1, in the City of Oxnard, County of Ventura, State of California, as per map recorded in Book 108, Page 37 of Miscellaneous Records (Maps) in the office of the county recorder of said county, more particularly described as follows:

Beginning at a point at the northwest corner of Lot 3 of said Tract No. 4132-1; thence along the northerly line of said Lot 1 by the following 2 courses,

- 1st: North 88°46'56" West, 56.16 feet; thence
- 2nd South 62°12'25" West, 79.54 feet; thence
- 3rd North 27°47'35" West, 53.00 feet, thence
- 4th North 62°12'25" East, 93.25 feet; thence
- 5th South 88°46'56" East, 925.72 feet; thence
- 6th South 27°12'52" West, 58.97 feet to the POINT OF BEGINNING