



Meeting Date: 09 / 01 /09

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: Lou Balderrama, City Engineer

Agenda Item No. I-9

Reviewed By: City Manager [Signature]

City Attorney [Signature]

Finance [Signature]

Public Works [Signature]

DATE: August 13, 2009

TO: City Council

FROM: Lou Balderrama, City Engineer [Signature]
Public Works Department

SUBJECT: Orphaned Parcel in the City of Port Hueneme

RECOMMENDATION

That City Council approve and authorize the Mayor to execute a Quitclaim Deed to the City of Port Hueneme for assessor parcel number 207-270-080 in the City of Port Hueneme.

DISCUSSION

Assessor parcel number 207-270-080 is located within the City of Port Hueneme boundaries in the beach parking lot but is owned by the City of Oxnard. It was granted with other lands to the City of Oxnard in 1946, around the same time that the Federal Government was condemning sewer easements for an outflow pipe in the area. In 1971, the City of Oxnard deeded the surrounding land to Port Hueneme, but this 40' x 80' parcel appears to have been inadvertently left out of the legal description. The City of Oxnard, until recently, did not realize that it still holds title to this parcel. The parcel presents a liability for the City of Oxnard, as it is an odd island surrounded by City of Port Hueneme-owned lands. The City of Oxnard staff has reviewed the matter and recommends moving forward to "clean up" what may have been an error back in 1971 by executing a Quitclaim Deed to transfer the parcel to the City of Port Hueneme, thereby matching the rest of the surrounding lands per the 1971 Quitclaim executed to transfer lands between the two cities.

FINANCIAL IMPACT

There is no financial impact for City Council to approve and authorize the Mayor to execute this Quitclaim Deed to the City of Port Hueneme for assessor parcel number 207-270-080 located within the boundaries of the City of Port Hueneme.

Attachment No. 1 – Quitclaim Deed

Attachment No. 2 – Location Map

Recording Requested By
Hamner, Jewell & Associates
Government Real Estate Services
4476 Market St., Suite 601
Ventura, CA 93003

When Recorded Mail to:
City of Port Hueneme
Attn: City Clerk
250 North Ventura Road
Port Hueneme, CA 93041

Recorders use only
NO FEE DUE Gov't Code 6103
No Documentary transfer tax due

A.P. No. 207-0-270-080

QUITCLAIM DEED
(To the City of Port Hueneme)

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

CITY OF OXNARD a municipal corporation ("GRANTOR")

does hereby release, remise and forever quitclaim to

CITY OF PORT HUENEME, a municipal corporation ("GRANTEE")

any and all rights, title and interests that the City of Oxnard may have and hold in that property specifically described in Exhibit A, attached hereto and incorporated herein.

SEE EXHIBIT A, ATTACHED

Subject to reservations and easements of record.

This deed is specifically intended to extinguish any and all rights, title and interests the City of Oxnard may have and hold in that parcel of land identified by the Ventura County Assessor's Office as APN 207-0-270-080.

CITY OF OXNARD

Date: _____

By: _____

Name:

Title:

Attest: _____

City Clerk

APPROVAL STAMP TO FORM:
Ala Holmberg
Ala Holmberg
City Attorney

Attachment No. 1
Page 1 of 9

LEGAL DESCRIPTION

EXHIBIT "A"

That portion of Lot 1, Block 2, Ormond Beach No. 2, in the City of Port Hueneme, County of Ventura, State of California, as per Map recorded in Book 5, Page 44 of Maps, in the office of the County Recorder of said County, lying Northerly of the Southerly line of that certain strip of land 40 feet wide described as "Tract 5(A)", in the Lis Pendens, recorded December 15, 1944, in Book 710, Page 38 of Official Records.

EXCEPT therefrom all that portion thereof lying below the mean high tide of the Pacific Ocean.

APN: 207-270-080

State of California

County of _____

On _____ before me, _____,

Notary Public, 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 of Notary Public

(Seal)

ATTACH CERTIFICATE OR RESOLUTION OF ACCEPTANCE

Attachment No. 1
Page 3 of 9



PRELIMINARY REPORT

*In response to the application for a policy of title insurance referenced herein, **Chicago Title Company** hereby reports that it is prepared to issue, or cause to be issued, as of the date hereof, a policy or policies of title insurance describing the land and the estate or interest therein hereinafter set forth, insuring against loss which may be sustained by reason of any defect, lien or encumbrance not shown or referred to as an exception herein or not excluded from coverage pursuant to the printed Schedules, Conditions and Stipulations or Conditions of said policy forms.*

The printed Exceptions and Exclusions from the coverage and Limitations on Covered Risks of said policy or policies are set forth in Attachment One. The policy to be issued may contain an arbitration clause. When the Amount of Insurance is less than that set forth in the arbitration clause, all arbitrable matters shall be arbitrated at the option of either the Company or the Insured as the exclusive remedy of the parties. Limitations on Covered Risks applicable to the CLTA and ALTA Homeowner's Policies of Title Insurance which establish a Deductible Amount and a Maximum Dollar Limit of Liability for certain coverages are also set forth in Attachment One. Copies of the policy forms should be read. They are available from the office which issued this report.

This report (and any supplements or amendments hereto) is issued solely for the purpose of facilitating the issuance of a policy of title insurance and no liability is assumed hereby. If it is desired that liability be assumed prior to the issuance of a policy of title insurance, a Binder or Commitment should be requested.

The policy(s) of title insurance to be issued hereunder will be policy(s) of Chicago Title Insurance Company, a Nebraska corporation.

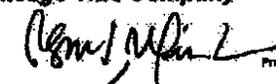
Please read the exceptions shown or referred to herein and the exceptions and exclusions set forth in Attachment One of this report carefully. The exceptions and exclusions are meant to provide you with notice of matters which are not covered under the terms of the title insurance policy and should be carefully considered.

It is important to note that this preliminary report is not a written representation as to the condition of title and may not list all liens, defects and encumbrances affecting title to the land.


Countersigned



Chicago Title Company

BY  President

ATTEST  Secretary



Chicago Title Company

ISSUING OFFICE: 500 E. Esplanade Drive, Suite 102 • Oxnard, CA 93036
805 656-1300 • FAX 805 642-8279

PRELIMINARY REPORT

Title Officer: Margo VanHuss

Title No.: 08-68002369-MVH

Locate No.: CACTI7756-7756-5680-0068002369

TO: Hamner, Jewell & Associates
4476 Market Street Suite 601
Ventura, CA 93003

ATTN: Leah Adams
YOUR REFERENCE: Spec 484

SHORT TERM RATE:

PROPERTY ADDRESS: Oxnard, California

EFFECTIVE DATE: September 19, 2008, 07:30 A.M.

The form of policy or policies of title insurance contemplated by this report is:

PRELIMINARY TITLE REPORT

1. THE ESTATE OR INTEREST IN THE LAND HEREINAFTER DESCRIBED OR REFERRED TO COVERED BY THIS REPORT IS:

A Fee
2. TITLE TO SAID ESTATE OR INTEREST AT THE DATE HEREOF IS VESTED IN:

City of Oxnard, a municipal corporation
3. THE LAND REFERRED TO IN THIS REPORT IS DESCRIBED AS FOLLOWS:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF

PF/DJ 09/29/2008

LEGAL DESCRIPTION

EXHIBIT "A"

That portion of Lot 1, Block 2, Ormond Beach No. 2, in the City of Port Hueneme, County of Ventura, State of California, as per Map recorded in Book 5, Page 44 of Maps, in the office of the County Recorder of said County, lying Northerly of the Southerly line of that certain strip of land 40 feet wide described as "Tract 5(A)", in the Lis Pendens, recorded December 15, 1944, in Book 710, Page 38 of Official Records.

EXCEPT therefrom all that portion thereof lying below the mean high tide of the Pacific Ocean.

APN: 207-270-080

AT THE DATE HEREOF, ITEMS TO BE CONSIDERED AND EXCEPTIONS TO COVERAGE IN ADDITION TO THE PRINTED EXCEPTIONS AND EXCLUSIONS IN SAID POLICY FORM WOULD BE AS FOLLOWS:

1. **Property taxes**, which are a lien not yet due and payable, including any assessments collected with taxes to be levied for the fiscal year 2008-2009.
2. **No taxes** are due for the fiscal year 2007 - 2008.
3. **The lien of supplemental taxes**, if any, assessed pursuant to the provisions of Chapter 3.5 (Commencing with Section 75) of the Revenue and Taxation code of the State of California.
4. **Any adverse claim** based upon the assertion that some portion of said land is tide or submerged lands, or has been created by artificial means or has accreted to such portion so created.
5. **Any rights** in favor of the public which may exist on said land if said land or portions thereof are or were at any time used by the public.
6. **Covenants, conditions and restrictions** in the declaration of restrictions but omitting any covenants or restrictions, if any, including, but not limited to those based upon race, color, religion, sex, sexual orientation, familial status, marital status, disability, handicap, national origin, ancestry, or source of income, as set forth in applicable state or federal laws, except to the extent that said covenant or restriction is permitted by applicable law.

Recorded: November 14, 1908, Book 116, Page 354, of Deeds

7. **Covenants, conditions and restrictions** in the declaration of restrictions but omitting any covenants or restrictions, if any, including, but not limited to those based upon race, color, religion, sex, sexual orientation, familial status, marital status, disability, handicap, national origin, ancestry, or source of income, as set forth in applicable state or federal laws, except to the extent that said covenant or restriction is permitted by applicable law.

Recorded: November 14, 1908, Book 116, Page 355, of Deeds

8. **Easement(s)** for the purpose(s) shown below and rights incidental thereto as granted in a document.

Granted to: United States of America
Purpose: Sewer pipeline or lines and appurtenances, and a perpetual easement to provide access to the treatment plant
Recorded: July 16, 1948, Book 833, Page 236, of Official Records
Affects: Said land

9. **The fact** that said land is included within a project area of the Redevelopment Agency shown below, and that proceedings for the redevelopment of said project have been instituted under the Redevelopment Law (such redevelopment to proceed only after the adoption of the redevelopment plan) as disclosed by a document.

Redevelopment

Agency: City of Port Hueneme

Recorded: August 23, 2007, Instrument No. 20070823-164894, of Official Records

END OF ITEMS

- Note 1.** If a county recorder, title insurance company, escrow company, real estate broker, real estate agent or association provides a copy of a declaration, governing document or deed to any person, California law requires that the document provided shall include a statement regarding any unlawful restrictions. Said statement is to be in at least 14-point bold face type and may be stamped on the first page of any document provided or included as a cover page attached to the requested document. Should a party to this transaction request a copy of any document reported herein that fits this category, the statement is to be included in the manner described.

- Note 2.** Wiring instructions for Chicago Title Company, Oxnard, CA, are as follows:

Receiving Bank: City National Bank
Specialty Deposits
La Palma, CA 90623

ABA Routing No.: 122016066

Credit Account Name: Chicago Title Company - Ventura Payoff/Administration
500 E. Esplanade Drive, Suite 102, Oxnard, CA 93036

Credit Account No.: 013-453004

Reference No.: 08-68002369

These wiring instructions are for this specific transaction involving the Title Department of the Oxnard office of Chicago Title Company. These instructions therefore should not be used in other transactions without first verifying the information with our accounting department. It is imperative that the wire text be exactly as indicated. Any extraneous information may cause unnecessary delays in confirming the receipt of funds.

- Note 3.** Any documents being executed in conjunction with this transaction must be signed in the presence of an authorized Company employee, an authorized employee of an agent, an authorized employee of the insured lender, or by using Bancserv or other approved third-party service. If the above requirements cannot be met, please call the company at the number provided in this report.

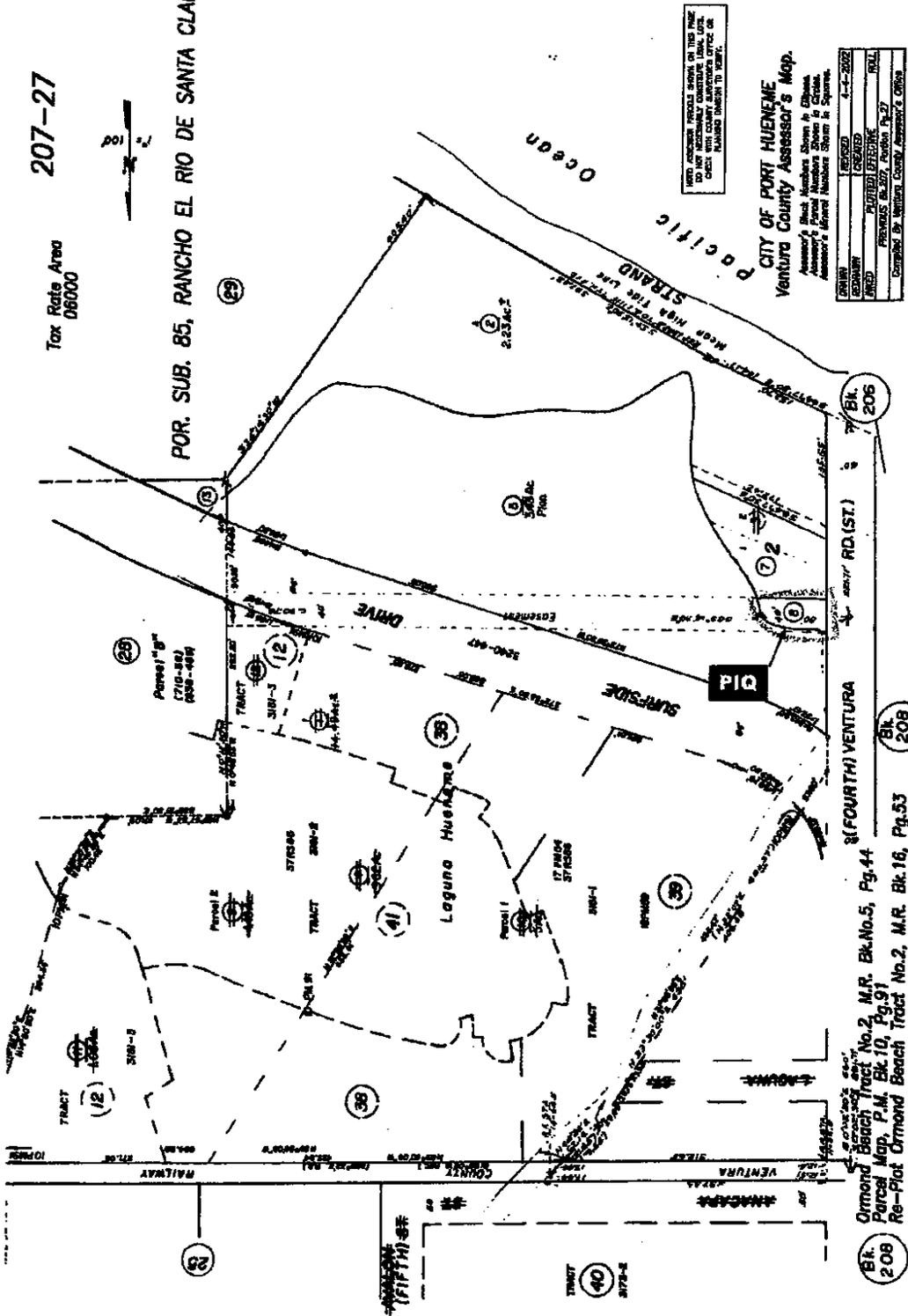
END OF NOTES

207-27

Tax Rate Area
06000



POR. SUB. 85, RANCHO EL RIO DE SANTA CLARA O'LA COLONIA



NOTE: ASSUMED PARCELS SHOWN ON THIS MAP
DO NOT NECESSARILY CORRELATE WITH LATA, UTA, OR
CITY MAPS. THIS MAP IS FOR INFORMATION ONLY AND
SHOULD BE USED IN CONJUNCTION WITH THE CITY OF
PORT HUENEHNE MAPS.

CITY OF PORT HUENEHNE
Ventura County Assessor's Map

Assessor's Block Numbers Shown in Circles
Assessor's Parcel Numbers Shown in Squares
Assessor's Map Numbers Shown in Squares

DATE	REVISION	BY
4-1-2023	CREATED	
	PLANNED REVISION	
	PREPARED BY	PAUL J. PETERSON
	DATE	4-1-2023

Bk. 206

Bk. 208

Bk. 206

