



DATE: June 11, 2008

TO: Honorable Mayor and City Councilmembers

FROM: Development Services Department

SUBJECT: **ADOPTION OF A RESOLUTION ACCEPTING THE OFFER TO DEDICATE REAL PROPERTY TO PROVIDE REQUIRED RIGHT-OF-WAY TO SUPPORT THE OLD GROVE ROAD REALIGNMENT.**

SYNOPSIS

Staff recommends that the City Council adopt a resolution accepting the offer to dedicate real property to provide the required right-of-way to support the Old Grove Road realignment, and authorizing the City Clerk to file a certified copy of the resolution with the San Diego County Recorder.

BACKGROUND

The development of the Pacific Coast Business Park necessitated the realignment of Old Grove Road. With the development of the Pacific Coast Business Park, the water and sewer lines and all necessary improvements have been built and located into the streets.

RPRN Land Company, LLC, the owners, have prepared an offer to dedicate a total of 0.15 acres. All the improvements have been completed and accepted by the City.

Exhibit A is a vicinity map showing the aforementioned right-of-way to be dedicated.

ANALYSIS

The action requested of the City Council will not have an adverse fiscal effect. The construction of the road was part of the Pacific Coast Business Park development, which is now complete, and has been accepted by the City.

FISCAL IMPACT

The City will be responsible for the future maintenance and replacement of the improvements. The cost will be absorbed into the City street system and will be maintained as deemed necessary with repairs being appropriately budgeted as future needs dictate.

COMMISSION OR COMMITTEE REPORT

Does not apply.

CITY ATTORNEY'S ANALYSIS

The resolution has been reviewed by the City Attorney and approved as to form.

RECOMMENDATION

Staff recommends that the City Council adopt a resolution accepting the offer to dedicate real property to provide the required right-of-way to support the Old Grove Road realignment, and authorizing the City Clerk to file a certified copy of the resolution with the San Diego County Recorder.

PREPARED BY:



Maryam Wagner
Senior Engineering Assistant

SUBMITTED BY:



Peter A. Weiss
City Manager

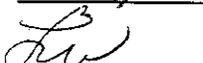
REVIEWED BY:

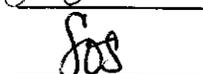
Michelle Skaggs Lawrence, Deputy City Manager

Lauren Wasserman, Interim Development Services Director

Scott O. Smith, City Engineer

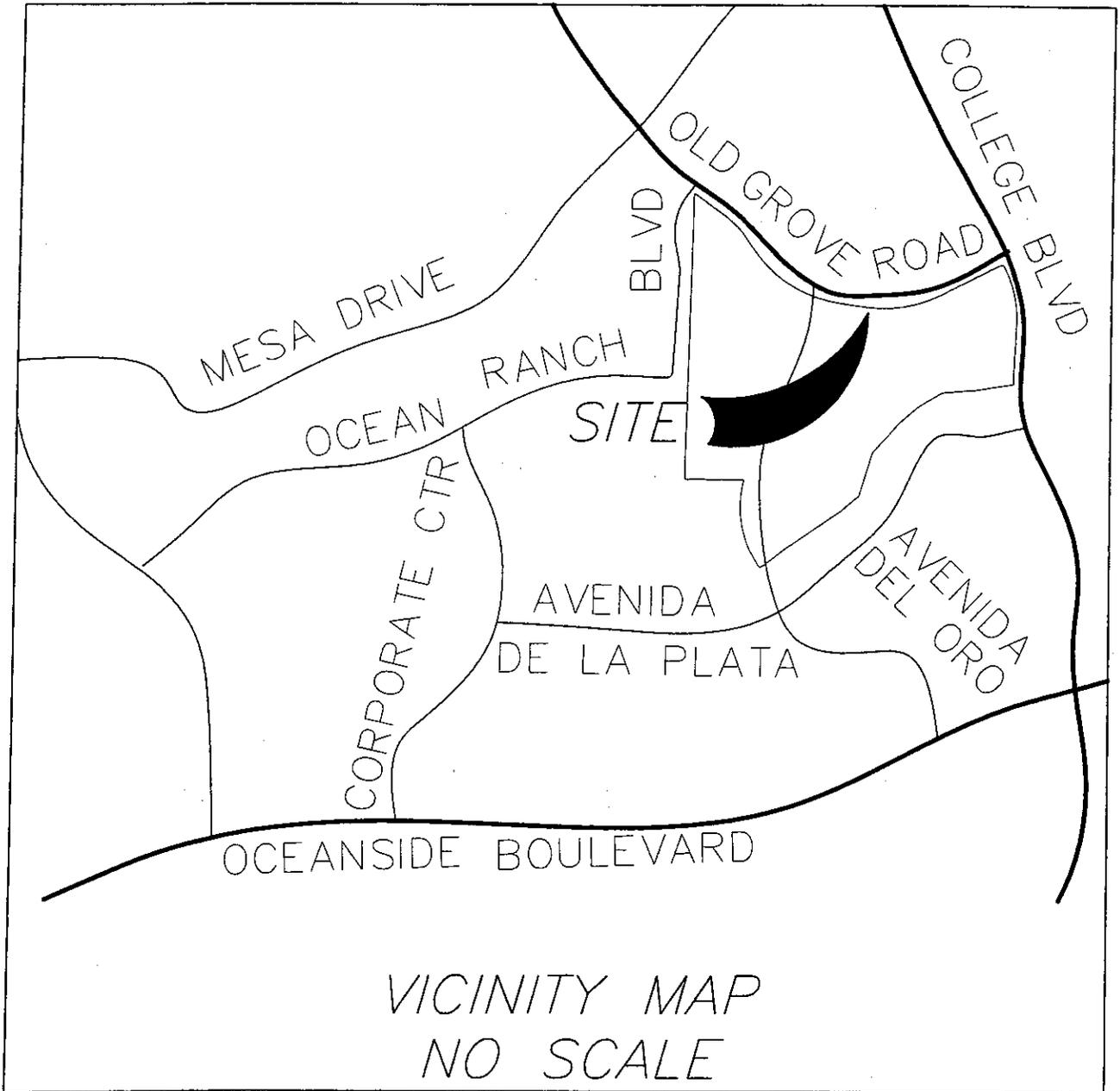






Attachments:

Exhibit A
Resolution



1 RESOLUTION NO.

2 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
3 OCEANSIDE ACCEPTING THE OFFER TO DEDICATE "OLD
4 GROVE ROAD"

5 WHEREAS, the RPRN Land Company, LLC, is the owner of that certain real property
6 situated in the City of Oceanside, County of San Diego, State of California, as more
7 particularly described in the legal descriptions thereof marked Exhibit "A and C" and as shown
8 on Exhibit "B and D", and AMB DFS Pacific Coast, LLC, is the owner of that certain real
9 property situated in the City of Oceanside, County of San Diego, State of California, as more
10 particularly described in a legal description thereof marked Exhibit "E" and as shown on
11 Exhibit "F", attached hereto and incorporated herein by this reference;

12 WHEREAS, the above owners desire to dedicate said real property for Public Street and
13 Right-of-way and appurtenant uses;

14 WHEREAS, the City of Oceanside wishes to accept this offer to dedicate certain real
15 property more particularly described in Exhibits "A", "C" and "E" and shown on Exhibits "B",
16 "D" and "F" attached hereto and incorporated herein by reference;

17 WHEREAS, it is in the City of Oceanside's interest to accept this offer to dedicate and
18 incorporate the property into the Public Street System for use by and for the good of the Public;

19 WHEREAS, pursuant to the California Environment Quality Act (CEQA), the
20 acceptance of this offer to dedicate is exempt under CEQA guidelines Section 15061(b) (3),
21 and;

22 WHEREAS, Government Code Section 7050 of the State of California provides that an
23 offer of dedication may be timely accepted by the City Council of the City of Oceanside.

24 NOW, THEREFORE, the City Council of the City of Oceanside does hereby find,
25 determine and resolve as follows:

26 SECTION 1: That the above recitals are true and correct.

27 SECTION 2: That the real property described in Exhibits "A", "C" and "E" and shown
28 on Exhibits "B", "D" and "F" is located within the City of Oceanside and the acceptance is
consistent with State law and public policy which strongly favors acquisition of streets for use

1 by the general public.

2 SECTION 3: That said right-of-way is to continue in full force and effect so long as
3 said property is used for a public street and until such time that said right-of-way has been
4 lawfully vacated or abandoned by the duly constituted public authorities, at which time said
5 property shall revert to the person, persons or entity entitled thereto.

6 SECTION 4: That on behalf of the People of the State of California and the City of
7 Oceanside, the City Council of the City of Oceanside hereby accepts the real property interest
8 as described in the offer to dedicate real property more particularly described in the documents
9 attached as Exhibits "A" through "F".

10 SECTION 5: That the Clerk of the City of Oceanside is authorized and directed to
11 accept the offer to dedicate and cause a certified copy of the resolution to be recorded in the
12 Office of the County Recorder of the County of San Diego.

13 PASSED AND ADOPTED by the City Council of the City of Oceanside, California,
14 this _____ day of _____, 2008, by the following vote:

15 AYES:

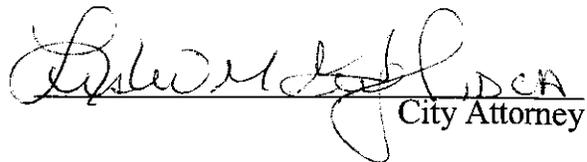
16 NAYS:

17 ABSENT:

18 ABSTAIN:

21 _____
22 Mayor of the City of Oceanside

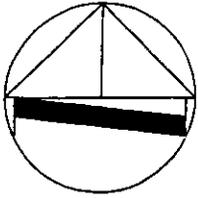
23 APPROVED AS TO FORM:
24 OFFICE OF THE CITY ATTORNEY

25 
26 _____
27 City Attorney

27 ATTEST:

28 _____
City Clerk

EXHIBIT B

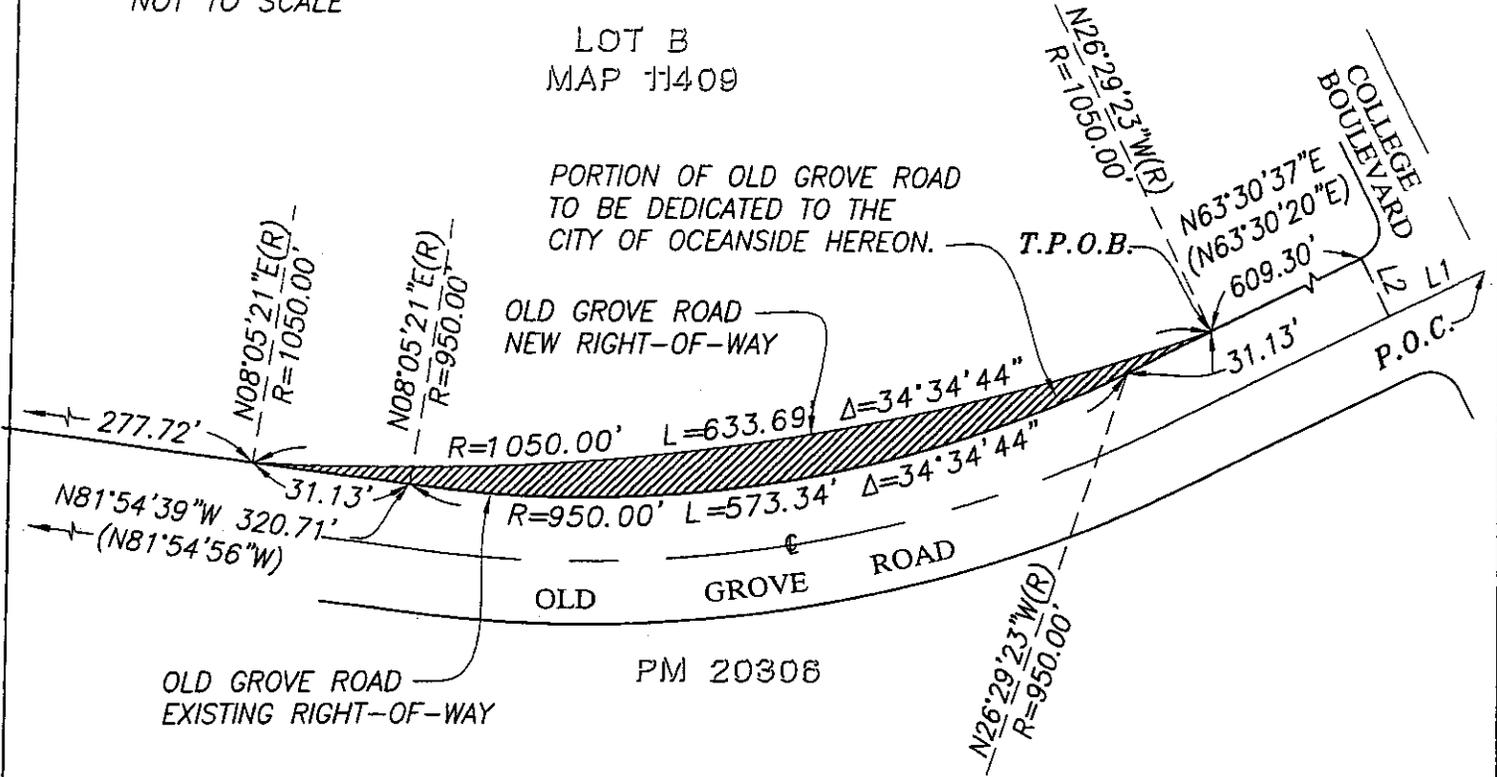


NOT TO SCALE

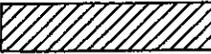
LINE TABLE		
LINE	BEARING	DISTANCE
L1	N63°30'37"E	83.97'
L2	N26°29'23"W	50.00'

LOT B
MAP 11409

PORTION OF OLD GROVE ROAD
TO BE DEDICATED TO THE
CITY OF OCEANSIDE HEREON.



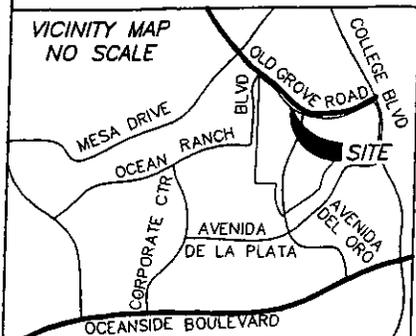
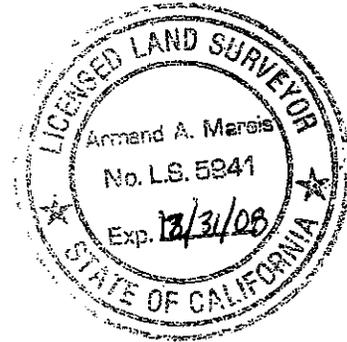
LEGEND

 INDICATES 0.04 ACRES
A PORTION OF OLD GROVE ROAD
TO BE DEDICATION

() INDICATES RIGHT OF WAY
RECORD DATA PER MAP 11409

T.P.O.C. INDICATES TRUE POINT OF BEGINNING

P.O.C. INDICATES POINT OF COMMENCEMENT



bha, Inc.

land planning, civil engineering, surveying
5115 Avenida Encinas
Suite L
Carlsbad, California 92008-4387
(760) 931-8700


ARMAND A. MAROIS P.L.S. 5941

STREET DEDICATION
OLD GROVE ROAD

RPRN LAND COMPANY, LLC
TO
CITY OF OCEANSIDE

EXHIBIT "C"
STREET DEDICATION

A DEDICATION FOR PUBLIC USE FOR STREET PURPOSES, BEING A PORTION OF LOT B OF RANCHO DEL ORO-MASTER SUBDIVISION MAP EAST, IN THE CITY OF OCEANSIDE, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO MAP 11409, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY ON DECEMBER 27, 1985 AS FILE NO. 85-490777, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

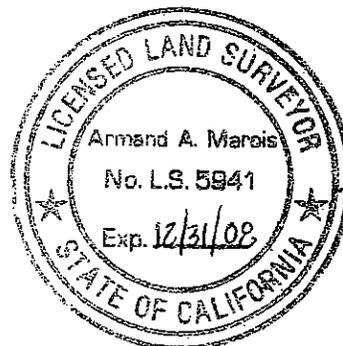
COMMENCING AT THE CENTERLINE INTERSECTION OF OLD GROVE ROAD AND COLLEGE BOULEVARD AS SHOWN ON SAID MAP 11409; THENCE ALONG THE CENTERLINE OF OLD GROVE ROAD, SOUTH 63°30'37" WEST, 83.97 FEET; THENCE LEAVING SAID CENTERLINE, NORTH 26°29'23" WEST, 50.00 FEET TO THE NORTHERLY LINE OF OLD GROVE ROAD; THENCE ALONG THE NORTHERLY LINE OF OLD GROVE ROAD, SOUTH 63°30'37" WEST, 640.43 FEET (RECORD PER MAP 11409: SOUTH 63°30'20" WEST, 640.45 FEET) TO A TANGENT 950.00 FOOT RADIUS CURVE, CONCAVE NORTHERLY; THENCE CONTINUING ALONG THE NORTHERLY LINE OF OLD GROVE ROAD, WESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 34°34'44", AN ARC DISTANCE OF 573.34 FEET; THENCE CONTINUING ALONG THE NORTHERLY LINE OF OLD GROVE ROAD, NORTH 81°54'39" WEST (RECORD PER MAP 11409: NORTH 81°54'56" WEST), 277.72 FEET TO THE **TRUE POINT OF BEGINNING**; THENCE CONTINUING ALONG THE NORTHERLY LINE OF OLD GROVE ROAD, NORTH 81°54'39" WEST (RECORD PER MAP 11409: NORTH 81°54'56" WEST), 42.99 FEET TO A TANGENT 950.00 FOOT RADIUS CURVE, CONCAVE NORTHEASTERLY; THENCE CONTINUING ALONG THE NORTHERLY LINE OF OLD GROVE ROAD, NORTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 46°31'39", AN ARC DISTANCE OF 771.46 FEET; THENCE CONTINUING ALONG THE NORTHERLY LINE OF OLD GROVE ROAD, NORTH 35°23'00" WEST (RECORD PER MAP 11409: NORTH 35°23'17" WEST), 42.99 FEET TO THE CUSP OF A 1,050.00 FOOT RADIUS CURVE, CONCAVE NORTHEASTERLY, A RADIAL BEARING TO SAID CURVE BEARS SOUTH 54°37'00" WEST; THENCE LEAVING THE NORTHERLY LINE OF OLD GROVE ROAD, SOUTHEASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 46°31'39", AN ARC DISTANCE OF 852.66 FEET TO THE **TRUE POINT OF BEGINNING**.

CONTAINING 0.11 ACRES OF LAND, MORE OR LESS.

THIS LEGAL DESCRIPTION WAS PREPARED BY ME OR UNDER MY DIRECTION


ARMAND A. MAROIS
PLS 5941

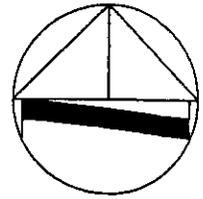
9/25/07
DATE



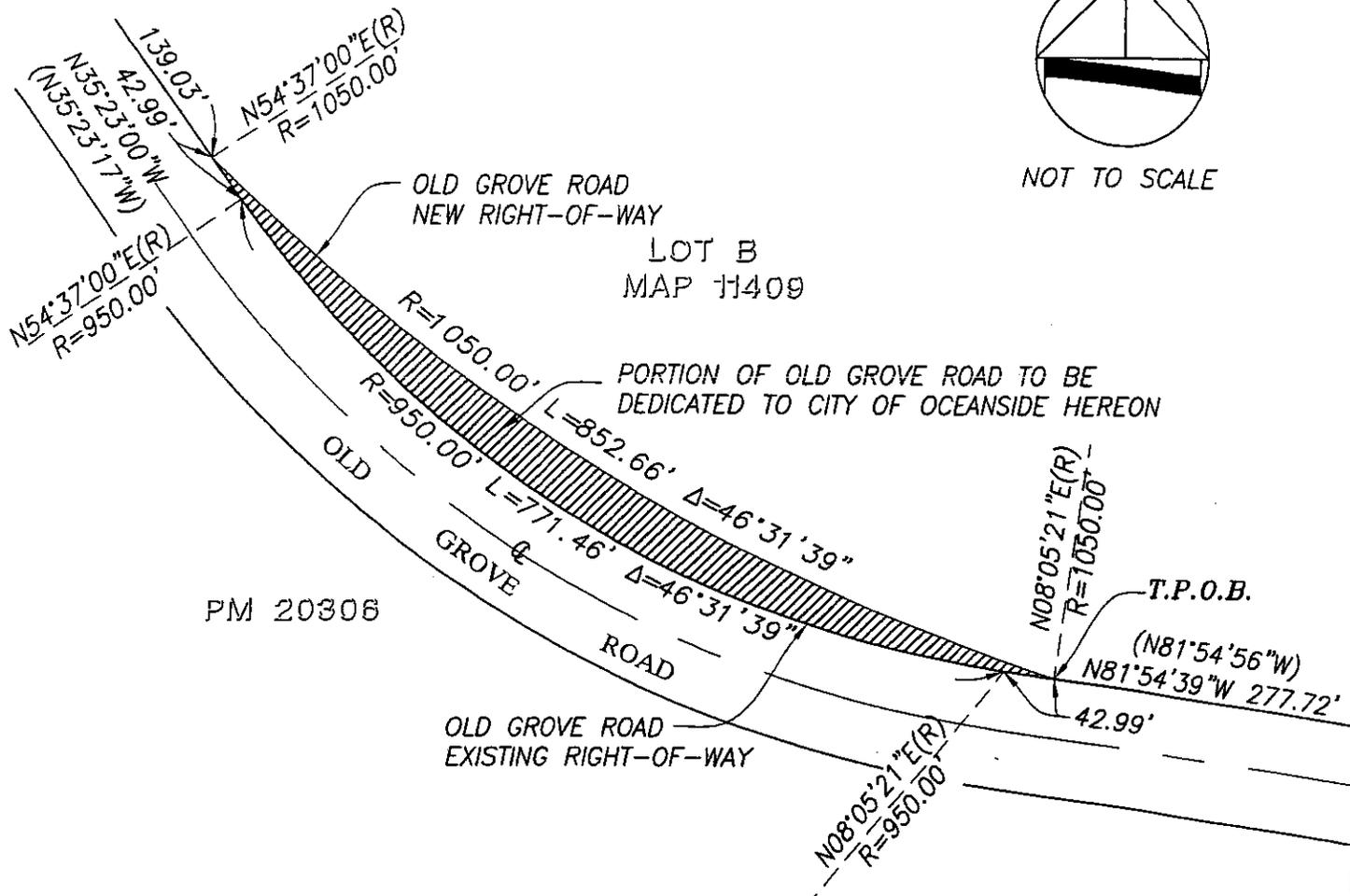
WO: 707-0957-600

Page 1 of 1

EXHIBIT D



NOT TO SCALE



PM 20306

LOT B
MAP 11409

PORTION OF OLD GROVE ROAD TO BE
DEDICATED TO CITY OF OCEANSIDE HEREON

T.P.O.B.

LEGEND

 INDICATES 0.11 ACRES
A PORTION OF OLD GROVE ROAD
TO BE DEDICATION

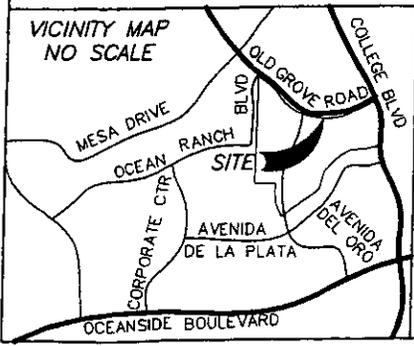
() INDICATES RIGHT OF WAY
RECORD DATA PER MAP 11409

T.P.O.C. INDICATES TRUE POINT OF BEGINNING

P.O.C. INDICATES POINT OF COMMENCEMENT



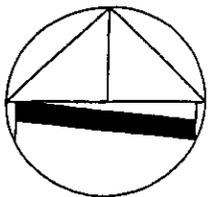

ARMAND A. MAROIS P.L.S. 5941



bHA, Inc.
land planning, civil engineering, surveying
5115 Avenida Encinas
Suite L
Carlsbad, California 92008-4387
(760) 931-8700

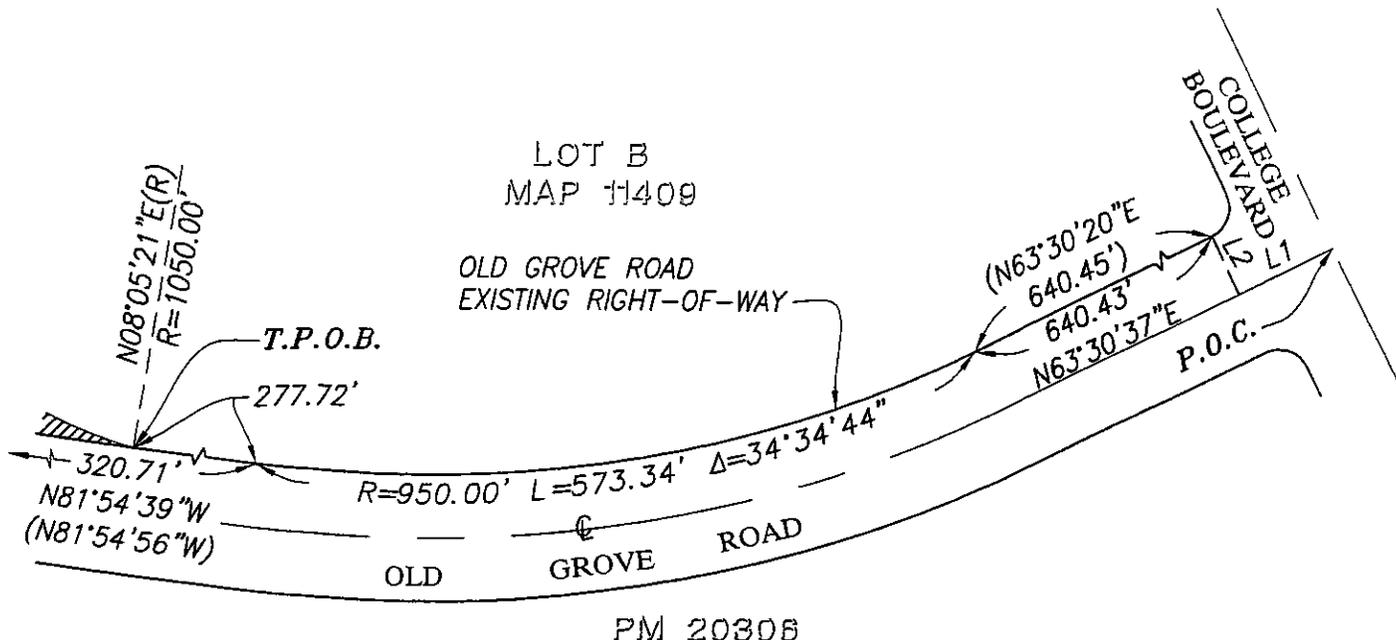
STREET DEDICATION
OLD GROVE ROAD

RPRN LAND COMPANY, LLC
TO
CITY OF OCEANSIDE



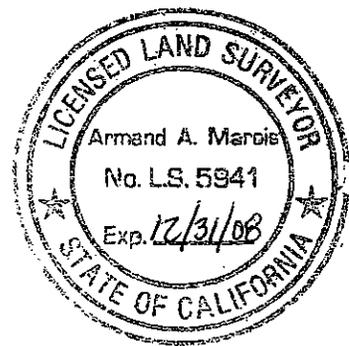
NOT TO SCALE

LINE TABLE		
LINE	BEARING	DISTANCE
L1	N63°30'37"E	83.97'
L2	N26°29'23"W	50.00'



LEGEND

- () INDICATES RIGHT OF WAY
RECORD DATA PER MAP 11409
- T.P.O.C. INDICATES TRUE POINT OF BEGINNING
- P.O.C. INDICATES POINT OF COMMENCEMENT



Armand A. Marois
 ARMAND A. MAROIS P.L.S. 5941



bha, Inc.
 land planning, civil engineering, surveying
 5115 Avenida Encinas
 Suite L
 Carlsbad, California 92008-4387
 (760) 931-8700

STREET DEDICATION
 OLD GROVE ROAD

RPRN LAND COMPANY, LLC
 TO
 CITY OF OCEANSIDE

EXHIBIT "E"
STREET DEDICATION

A PORTION OF PARCEL 1 OF PACIFIC COAST BUSINESS PARK, IN THE CITY OF OCEANSIDE, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO PARCEL MAP 20306, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY ON JULY 24, 2007 AS FILE NO. 2007-0494309, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWESTERLY CORNER OF SAID PARCEL 1, BEING ALSO THE SOUTHWESTERLY TERMINUS OF THAT CERTAIN COURSE IN THE RIGHT-OF-WAY OF OLD GROVE ROAD, SHOWN AS "SOUTH 36°46'06" WEST, 5.51 FEET", AS DEDICATED ON SAID PARCEL MAP 20306, THENCE RETRACING SAID COURSE, NORTH 36°46'06" EAST, 4.41 FEET TO THE **TRUE POINT OF BEGINNING**; THENCE CONTINUING, ALONG SAID COURSE AND RIGHT-OF-WAY, THE FOLLOWING FOUR COURSES: NORTH 36°46'06" EAST, 1.10 FEET TO THE BEGINNING OF A 20.00 FOOT RADIUS CURVE CONCAVE SOUTHERLY; THENCE EASTERLY ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 89°53'04", AN ARC DISTANCE OF 31.38 FEET; THENCE SOUTH 53°20'50" EAST, 271.30 FEET TO THE BEGINNING OF A 1,050.00 FOOT RADIUS CURVE CONCAVE SOUTHWESTERLY; THENCE SOUTHEASTERLY ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 08°55'24", AN ARC DISTANCE OF 163.53 FEET TO THE POINT OF A CUSP WITH A 1,483.00 FOOT RADIUS CURVE CONCAVE SOUTHWESTERLY, A RADIAL LINE TO SAID POINT BEARS NORTH 43°51'28" EAST; THENCE LEAVING SAID RIGHT-OF-WAY LINE, NORTHWESTERLY ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 05°43'08", AN ARC DISTANCE OF 148.02 FEET; THENCE NORTH 51°51'40" WEST, 15.33 FEET; THENCE NORTH 53°20'50" WEST, 271.30 FEET TO THE BEGINNING OF A 20.00 FOOT RADIUS CURVE CONCAVE SOUTHERLY; THENCE WESTERLY ALONG SAID

WO: 832-0957-100
Page 1 of 2

CURVE, THROUGH A CENTRAL ANGLE OF 89°53'04", AN ARC DISTANCE OF 31.38 FEET TO THE TRUE POINT OF BEGINNING.

CONTAINING 0.012 ACRES, MORE OR LESS.

THIS LEGAL DESCRIPTION WAS PREPARED BY ME OR UNDER MY DIRECTION

 2/20/08
ARMAND A. MAROIS DATE
PLS 5941

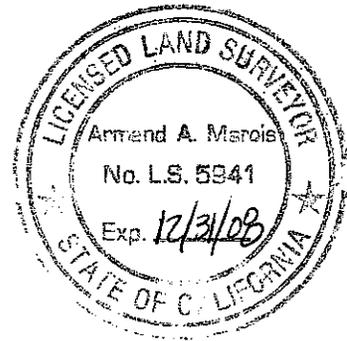
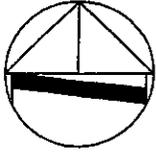
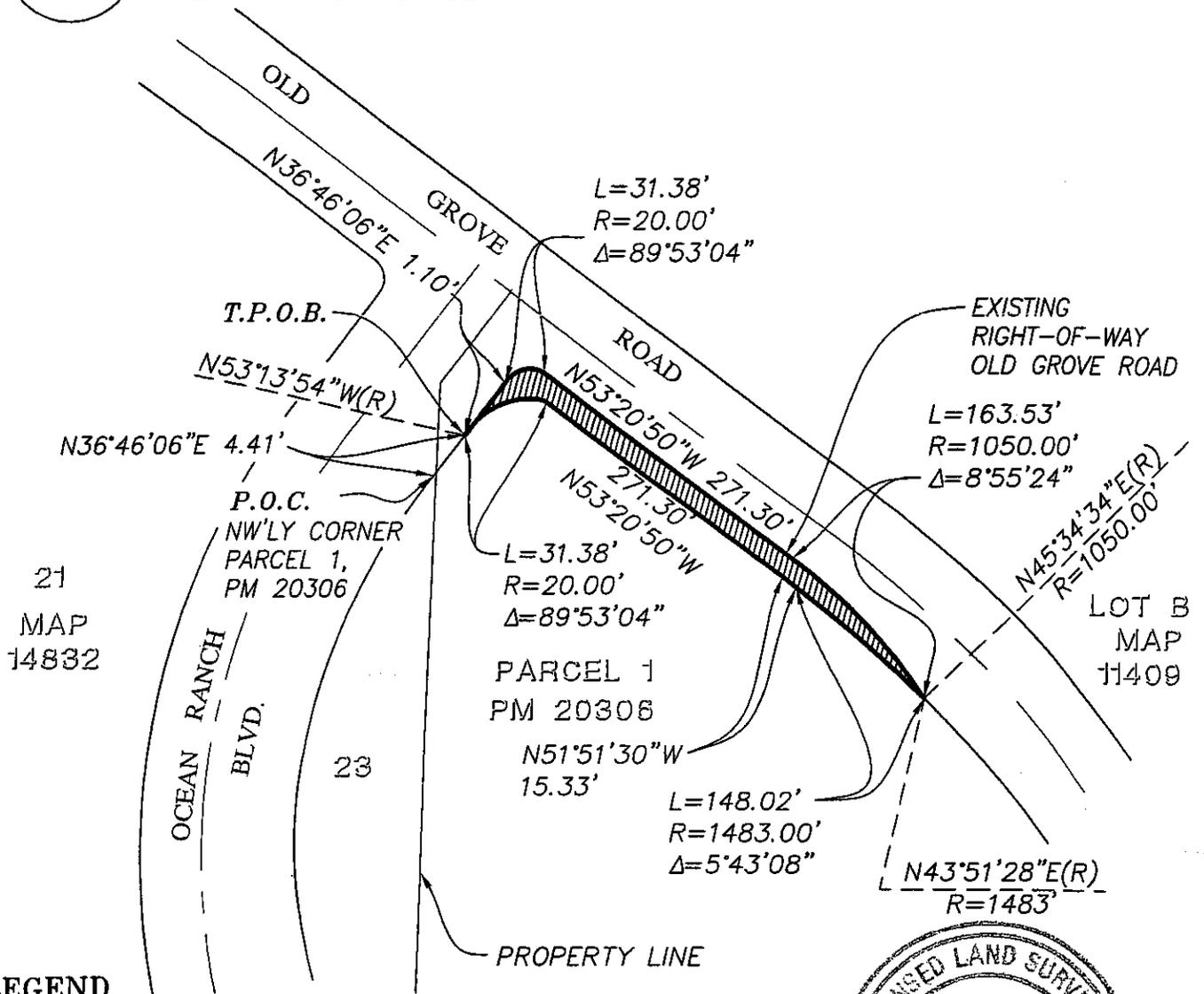


EXHIBIT "F"



NOT TO SCALE
DEDICATED AREA
EXAGGERATED FOR CLARITY



LEGEND

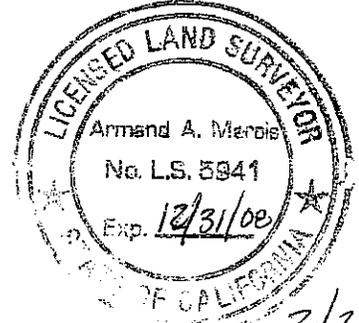


INDICATES AREA TO BE DEDICATED
517.35 SQ. FT/ 0.012 ACRES

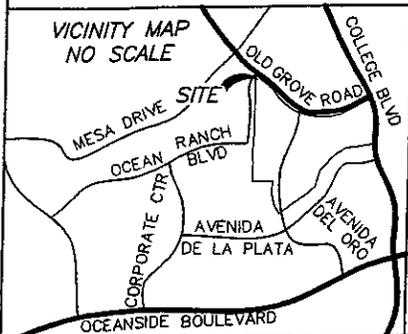
T.P.O.B. INDICATES TRUE POINT OF BEGINNING

P.O.C. INDICATES POINT OF COMMENCEMENT

(R) INDICATES RADIAL BEARING



2/20/08
Armand A. Marois
ARMAND A. MAROIS P.L.S. 5941



bHA, Inc.

land planning, civil engineering, surveying
5115 Avenida Encinas
Suite L
Carlsbad, California 92008-4387
(760) 931-8700

STREET DEDICATION
OLD GROVE ROAD

AMB DFS PACIFIC COAST, LLC
TO
CITY OF OCEANSIDE