ITEM NO. 24

STAFF REPORT

CITY OF OCEANSIDE

DATE: July 12, 2006

TO: Honorable Mayor and City Councilmembers

FROM: Public Works Department

SUBJECT: **ADOPTION OF A RESOLUTION APPROVING THE IRREVOCABLE OFFER TO DEDICATE EXTENSION TO VILLAGE DRIVE TO PROVIDE ACCESS TO MORRO HILLS VILLAGE L, PILGRIM RESERVOIR AND MORRO HILLS GOLF COURSE**

SYNOPSIS

Staff recommends that the City Council adopt a resolution approving the Irrevocable Offer to Dedicate for Public Highway an extension to Village Drive, located on 1.657 acres at the east end of Village Drive to provide access to Morro Hills Village L, Pilgrim Reservoir and Morro Hills Golf Course, and authorize the City Clerk to file a certified copy of the resolution with the San Diego County Recorder.

BACKGROUND

The development of the Morro Hills Villages and Golf Course necessitated the realignment and continuation of Village Drive. With the development of the Morro Hills Villages and the Golf Course Club House, the water and sewer lines and all necessary improvements have been built and located into the streets. The extension and improvement of Village Drive has provided a better protection and access for maintenance and operation of the facilities in the reservoir.

Southchase, Ltd. and Arrowood Golf, LLC (the "developers") have prepared an irrevocable offer to dedicate a total of 1.657 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 Morro Hills development, 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 referenced documents have been reviewed by the City Attorney and approved as to form.

RECOMMENDATION

Staff recommends that the City Council adopt a resolution approving the Irrevocable Offer to Dedicate for Public Highway an extension to Village Drive, located on 1.657 acres at the east end of Village Drive to provide access to Morro Hills Village L, Pilgrim Reservoir and Morro Hills Golf Course, and authorize the City Clerk to accept the irrevocable offer to dedicate and file a certified copy of the resolution with the San Diego County Recorder.

PREPARED BY:

Maryam Wagner
Senior Engineering Assistant

SUBMITTED BY:

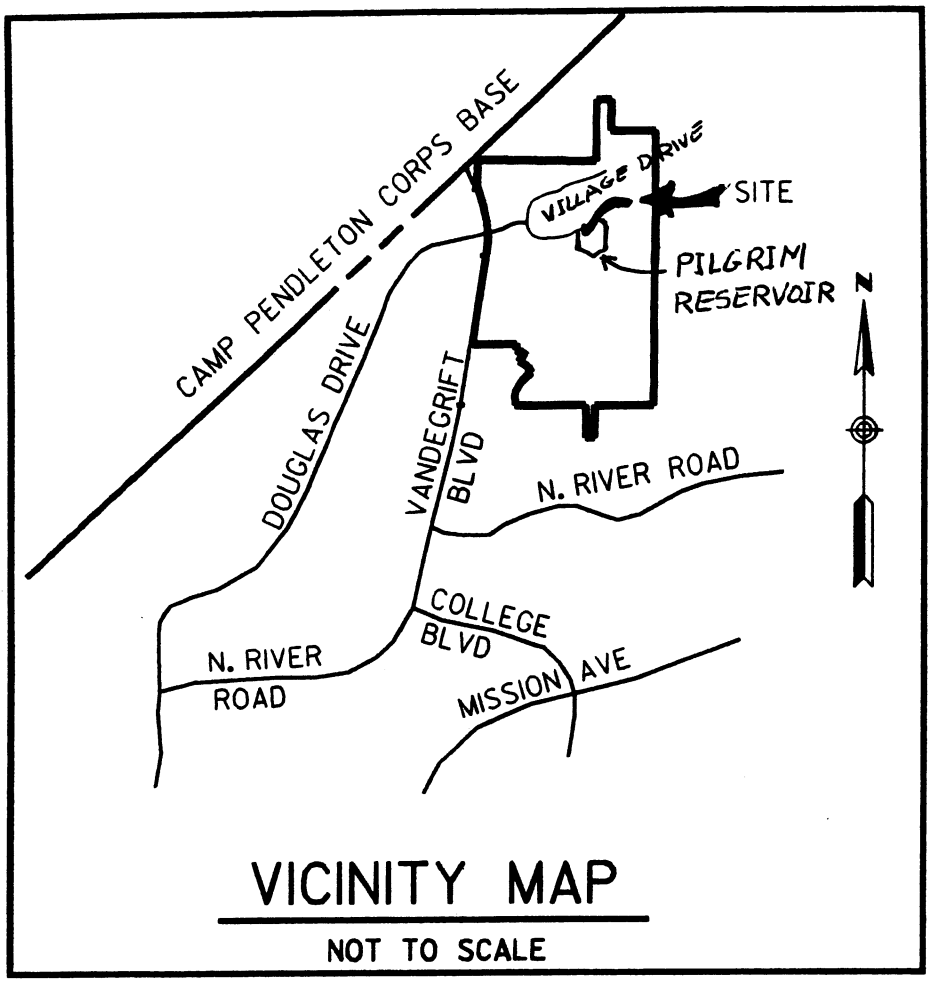
Barry E. Martin
Interim City Manager

REVIEWED BY:

Michelle Skaggs Lawrence, Assistant to the City Manager

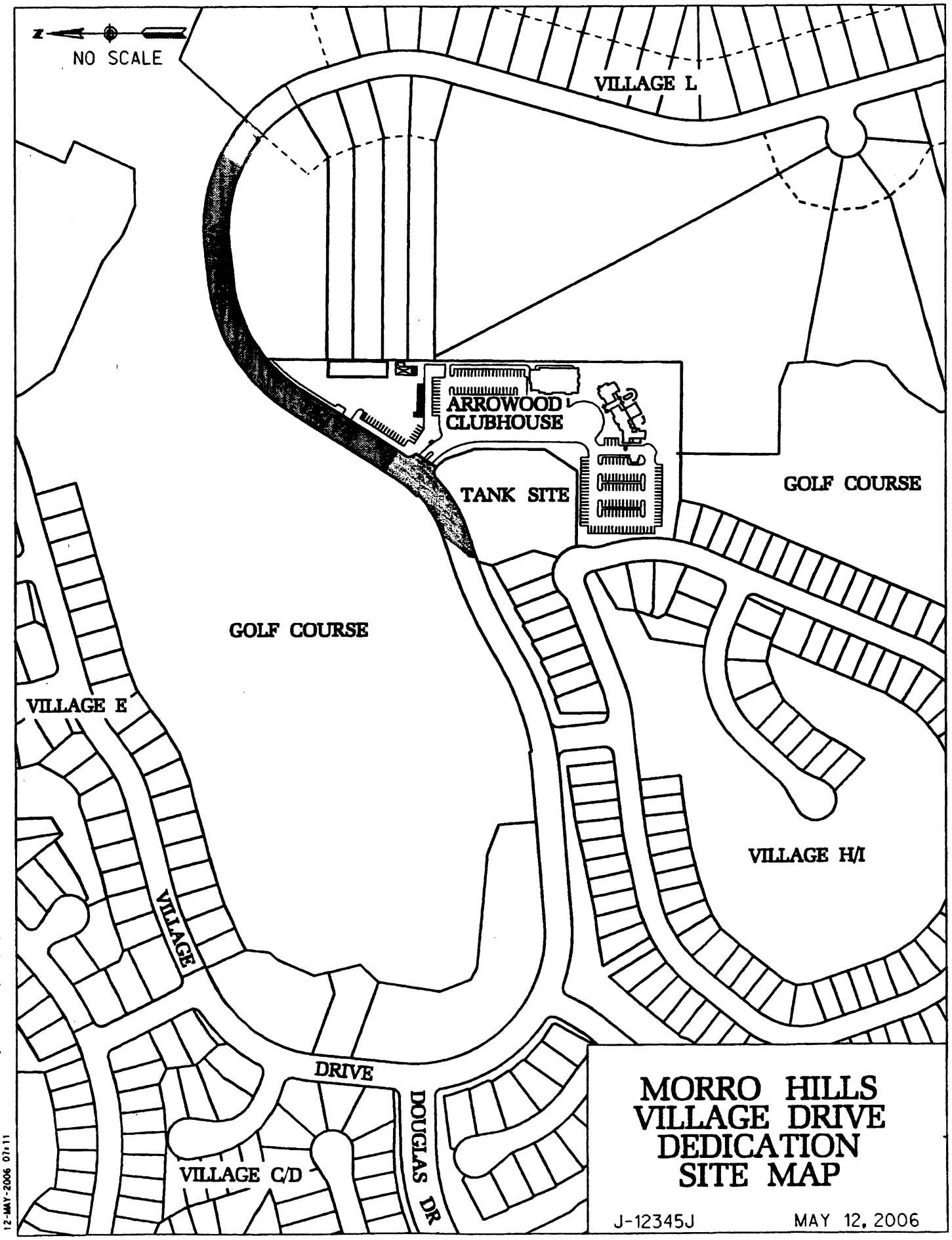
Peter A. Weiss, Public Works Director

Exhibit A



VICINITY MAP

NOT TO SCALE



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RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OCEANSIDE ACCEPTING THE IRREVOCABLE OFFER TO DEDICATE "VILLAGE DRIVE"

WHEREAS, the Southchase, Ltd., a Florida limited partnership is the owner of that certain real property situated in the City of Oceanside, County of San Diego, State of California, as more particularly described in a legal description thereof marked Exhibit "A" and as shown on Exhibit "B" and Arrowood Golf, LLC a Florida limited liability company is the owner of that certain real property situated in the City of Oceanside, County of San Diego, State of California, as more particularly described in a legal description thereof marked Exhibit "C" and as shown on Exhibit "D", attached hereto and incorporated herein by this reference.

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

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

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

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

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

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

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

SECTION 2: That the real property described in exhibit "A" through "D" 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 by the general public.

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

SECTION 4: That on behalf of the People of the State of California and the City of Oceanside the City Council of the City of Oceanside hereby accepts the real property interest as described in the irrevocable offer to dedicate real property more particularly described in the documents attached as Exhibits "A" through "D"

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

PASSED AND ADOPTED by the City Council of the City of Oceanside, California, this _____day of _____ , 2006, by the following vote:

AYES:

NAYS:

ABSENT:

ABSTAIN:

_____
MAYOR OF THE CITY OF OCEANSIDE

ATTEST:

_____
CITY CLERK

APPROVED AS TO FORM:

CITY ATTORNEY

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J-12345J

EXHIBIT "A"

VILLAGE DRIVE DEDICATION AT MORRO HILLS
SOUTHCHASE, LTD.

PARCEL 3

That portion of Lot 18 of Map No. 14562 filed in the Office of the San Diego County Recorder, all in the City of Oceanside, County of San Diego, State of California, more particularly described as follows:

Commending at the most Easterly corner of Lot 7 of said Map No. 14562, also being the beginning of a non-tangent 276.00 foot radius curve concave Northwesterly, to which a radial line bears South 20°37'34" East; thence Northeasterly along the arc of said curve through a central angle of 20°41'50" a distance of 99.70 feet to a point on the Southwesterly line of said Lot 18 and the TRUE POINT OF BEGINNING; thence continuing along said 276.00 foot radius curve, Northeasterly along the arc of said curve through a central angle of 00°54'38" a distance of 4.39 feet; thence North 42°14'02" West 6.00 feet to the beginning of a non-tangent 270.00 foot radius curve concave Northwesterly, to which a radial line bears South 42°14'03" East; thence Northeasterly along the arc of said curve through a central angle of 14°33'32" a distance of 68.61 feet; thence North 33°12'25" East 21.90 feet to a point on the Northerly line of said Lot 18; thence along the Northerly line of said Lot 18 the following courses: North 33°12'25" East 286.82 feet to the beginning of a tangent 430.00 foot radius curve concave Southeasterly; thence Northeasterly along the arc of said curve through a central angle of 50°10'26" a distance of 376.55 feet; thence North 83°22'51" East 86.53 feet to the beginning of a tangent 405.00 foot radius curve concave Southwesterly; thence Southeasterly along the arc of said curve through a central angle of 28°13'15" a distance of 199.48 feet; thence leaving said Northerly line South 21°36'06" West 60.00 feet to the Southerly line of said Lot 18 and the beginning of a non-tangent 345.00 foot radius curve concave Southwesterly, to which a radial line bears North 21°36'06" East; thence along said Southerly line the following courses: Westerly along the arc of said curve through a central angle of 28°13'15" a distance of 169.93 feet; thence South 83°22'51" West 86.53 feet to the beginning of a tangent 370.00 foot radius curve concave Southeasterly; thence Southwesterly along the arc of said curve through a central angle of 50°10'26" a distance of 324.01 feet; thence South 33°12'25" West 300.63 feet to the beginning of a tangent 20.00 foot radius curve concave Easterly; thence Southerly along the arc of said curve through a central angle of 82°19'32" a distance of 28.74 feet; thence South 31°57'54" West 32.78 feet; thence North 44°37'34" West 28.30 feet; thence North 89°37'34" West 64.71 feet to the TRUE POINT OF BEGINNING .

Containing 1.373 acres, more or less.

Exhibit "B" attached hereto and made a part hereof this description.

6-06-06

James M. Coram, L.S. 5059

LICENSED LAND SURVEYOR
JAMES M. CORAM
L.S. 5059
Exp. 12-31-06
STATE OF CALIFORNIA

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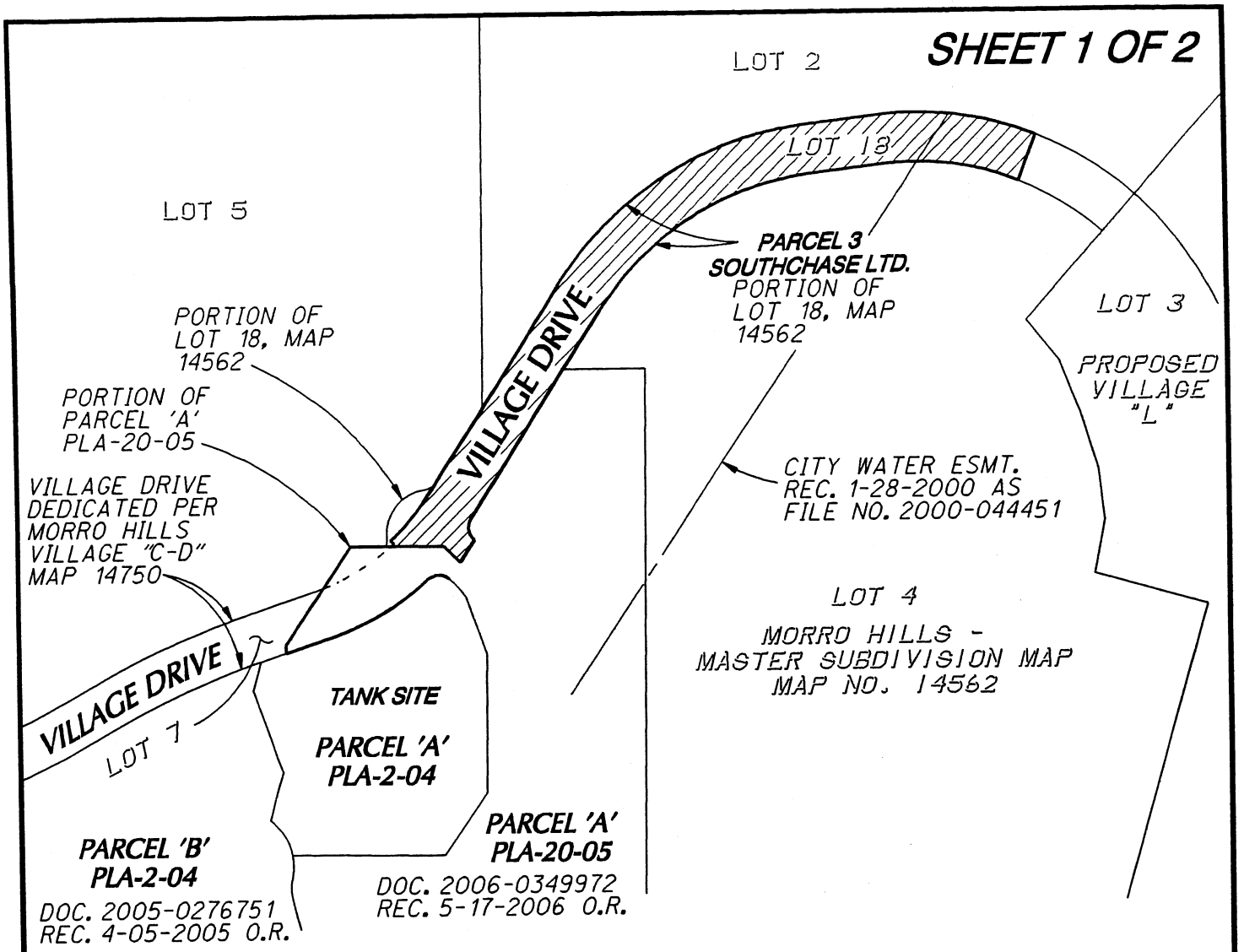

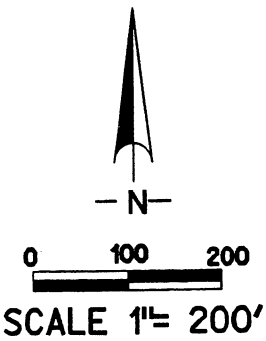

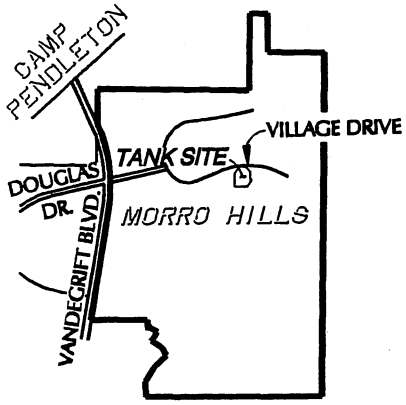

J. 12345-J

RICK ENGINEERING COMPANY

www.rickeng.com

6-06-06

JAMES M. CORAM, LS 5704 DATE

EXHIBIT "B"

PLAT TO ILLUSTRATE LEGAL DESCRIPTION OF IRREVOCABLE OFFER TO DEDICATE TO THE CITY OF OCEANSIDE

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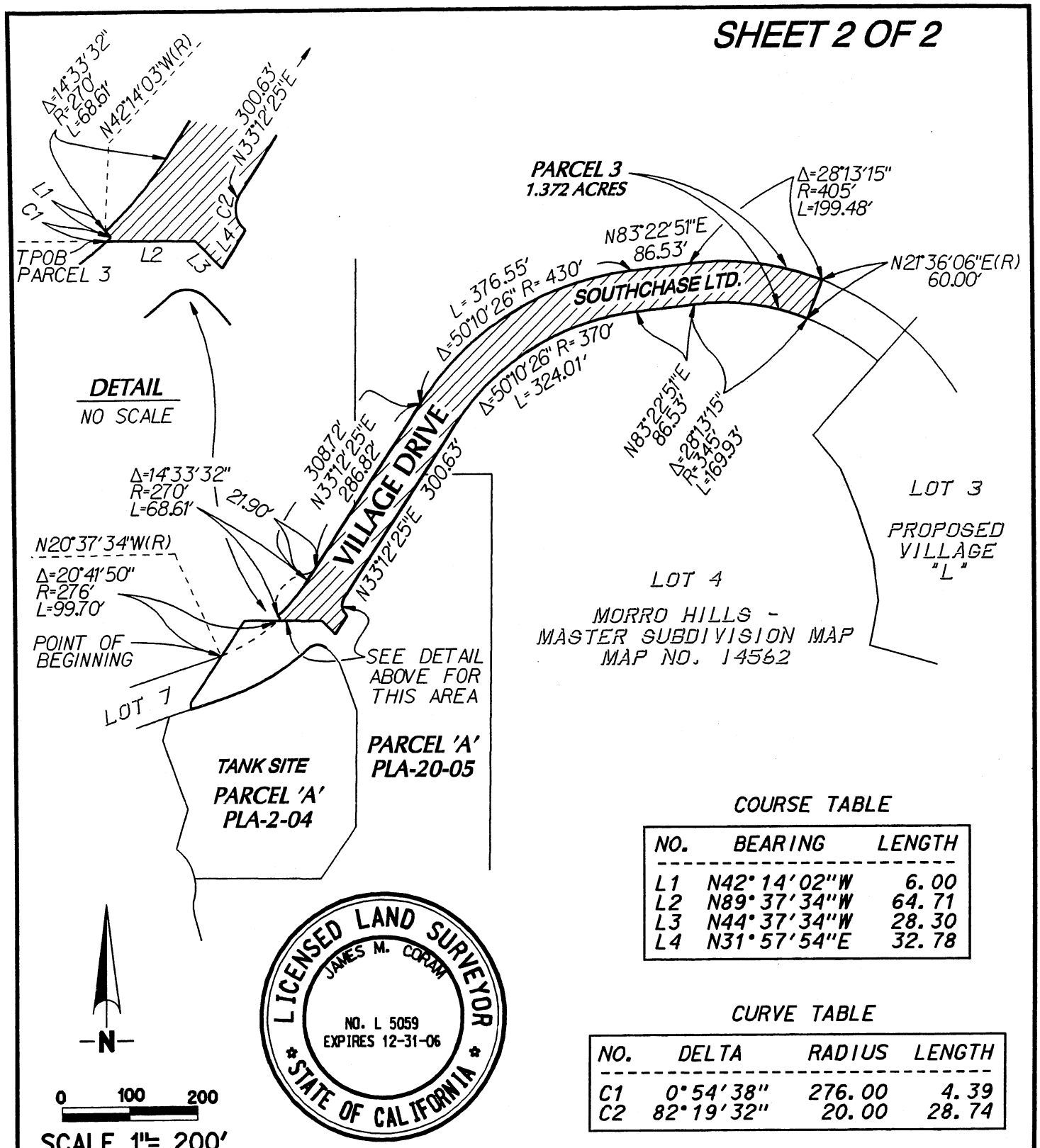

COURSE TABLE

NO.	BEARING	LENGTH
L1	N42°14'02"W	6.00
L2	N89°37'34"W	64.71
L3	N44°37'34"W	28.30
L4	N31°57'54"E	32.78

CURVE TABLE

NO.	DELTA	RADIUS	LENGTH
C1	0°54'38"	276.00	4.39
C2	82°19'32"	20.00	28.74

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6-06-06
JAMES M. CORAM, LS 5704 DATE

EXHIBIT "B"

PLAT TO ILLUSTRATE LEGAL DESCRIPTION OF IRREVOCABLE OFFER TO DEDICATE TO THE CITY OF OCEANSIDE

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EXHIBIT "C"

VILLAGE DRIVE DEDICATION AT MORRO HILLS
ARROWOOD GOLF, LLC

PARCEL 1

That portion of Lot 5 of Map No. 14562 filed in the Office of the San Diego County Recorder, all in the City of Oceanside, County of San Diego, State of California, more particularly described as follows:

Beginning at a point on the Southerly line of said Lot 5, being the northerly terminus of that certain course shown as North 04°25'00" West 6.00 feet; thence North 85°35'00" East 50.33 feet to the beginning of a tangent 670.00 foot radius curve concave Northerly; thence Easterly along the arc of said curve through a central angle of 05°29'47" a distance of 64.27 feet; thence South 09°54'47" East 6.00 feet to said Southerly line of Lot 5 and beginning of a non-tangent 676.00 foot radius curve concave Northerly, to which a radial line bears South 09°54'47" East; thence along said Southerly line the following courses: Westerly along the arc of said curve through a central angle of 05°29'47" a distance of 64.85 feet; thence South 85°35'00" West 50.33 feet; thence North 04°25'-00" West 6.00 feet to the Point of Beginning.

Containing 0.016 acres, more or less.

PARCEL 2

That portion of Parcel "A" of the Certificate of Compliance recorded May 17, 2006, as Document No. 2006-0349972 of San Diego County Official Records, all in the City of Oceanside, County of San Diego, State of California, more particularly described as follows:

Beginning at the most Easterly corner of Lot 7 of Map No. 14562, on file in the Office of the San Diego County Recorder, being the beginning of a non-tangent 276.00 foot radius curve concave Northwesterly, to which a radial line bears South 20°37'34" East; thence Northeasterly along the arc of said curve through a central angle of 20°41'50" a distance of 99.70 feet to a point on the Northerly line of said Parcel "A"; thence along said Northerly line the following courses: South 89°37'34" East 64.71 feet; thence South 44°37'34" East 28.30 feet; thence North 31°57'54" East 32.78 feet to the beginning of a non-tangent 20.00 foot radius curve concave Easterly, to which a radial line bears South 40°52'54" West; thence Northerly along the arc of said curve through a central angle of 82°19'32" a distance of 28.74 feet; thence North 33°12'23" East 4.41 feet to the beginning of a non-tangent 20.00 foot radius curve concave Easterly, to which a radial line bears North 56°47'35" West; thence leaving said Northerly line of Parcel "A", Southerly along the arc of said curve through a central angle of 83°51'15" a distance of 29.27 feet to the beginning of a reverse 208.00 foot radius curve concave Southwesterly; thence Southeasterly along the arc of said curve through a central angle of 02°32'51" a distance of 9.25 feet; thence South 41°54'01" West 61.00 feet to a point on the Southerly line of said Parcel "A" and the beginning of a non-tangent

20.00 foot radius curve concave Southerly, to which a radial line bears North 41°54'01" East; thence along said Southerly and the Westerly line of said Parcel "A" the following courses: Westerly along the arc of said curve through a central angle of 84°16'26" a distance of 29.42 feet to the beginning of a reverse 336.00 foot radius curve concave Northerly; thence Westerly along the arc of said curve through a central angle of 24°06'47" a distance of 141.41 feet; thence South 71°44'23" West 57.04 feet; thence North 00°22'26" East 10.55 feet; thence North 34°03'50" East 82.20 feet to the Point of Beginning.

Containing 0.268 acres, more or less

Exhibit "B" attached hereto and made a part hereof this description.

6-26-06

James M. Coram, L.S. 5059

LICENSED LAND SURVEYOR
JAMES M. CORAM
L.S. 5059
Exp. 12-31-06
STATE OF CALIFORNIA

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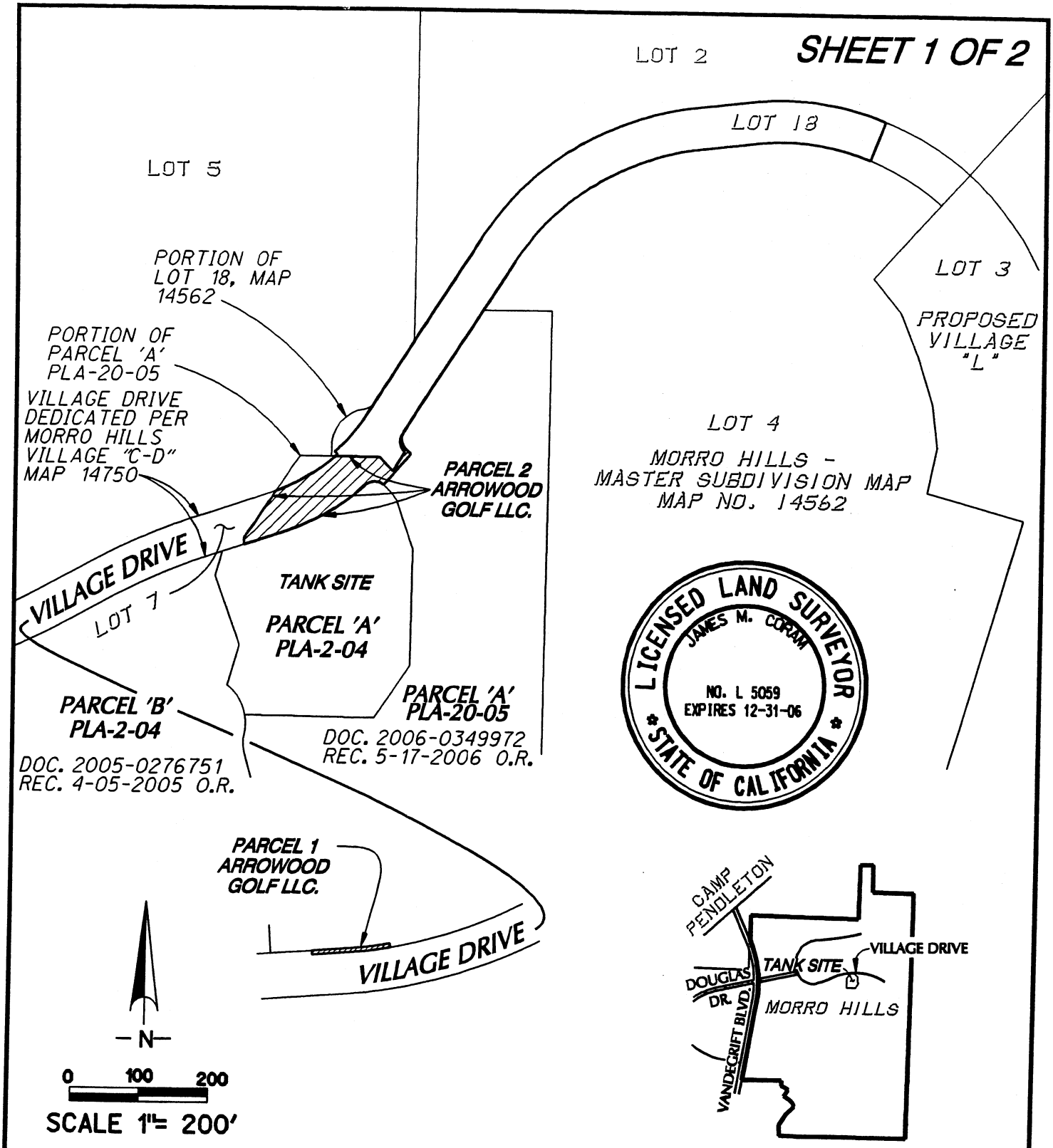

LICENSED LAND SURVEYOR
JAMES M. CORAM
NO. L 5059
EXPIRES 12-31-06
STATE OF CALIFORNIA

J. 12345-J

RICK ENGINEERING COMPANY™
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6-26-06
JAMES M. CORAM, LS 5704 DATE

EXHIBIT "D"

PLAT TO ILLUSTRATE LEGAL DESCRIPTION OF IRREVOCABLE OFFER TO DEDICATE TO THE CITY OF OCEANSIDE

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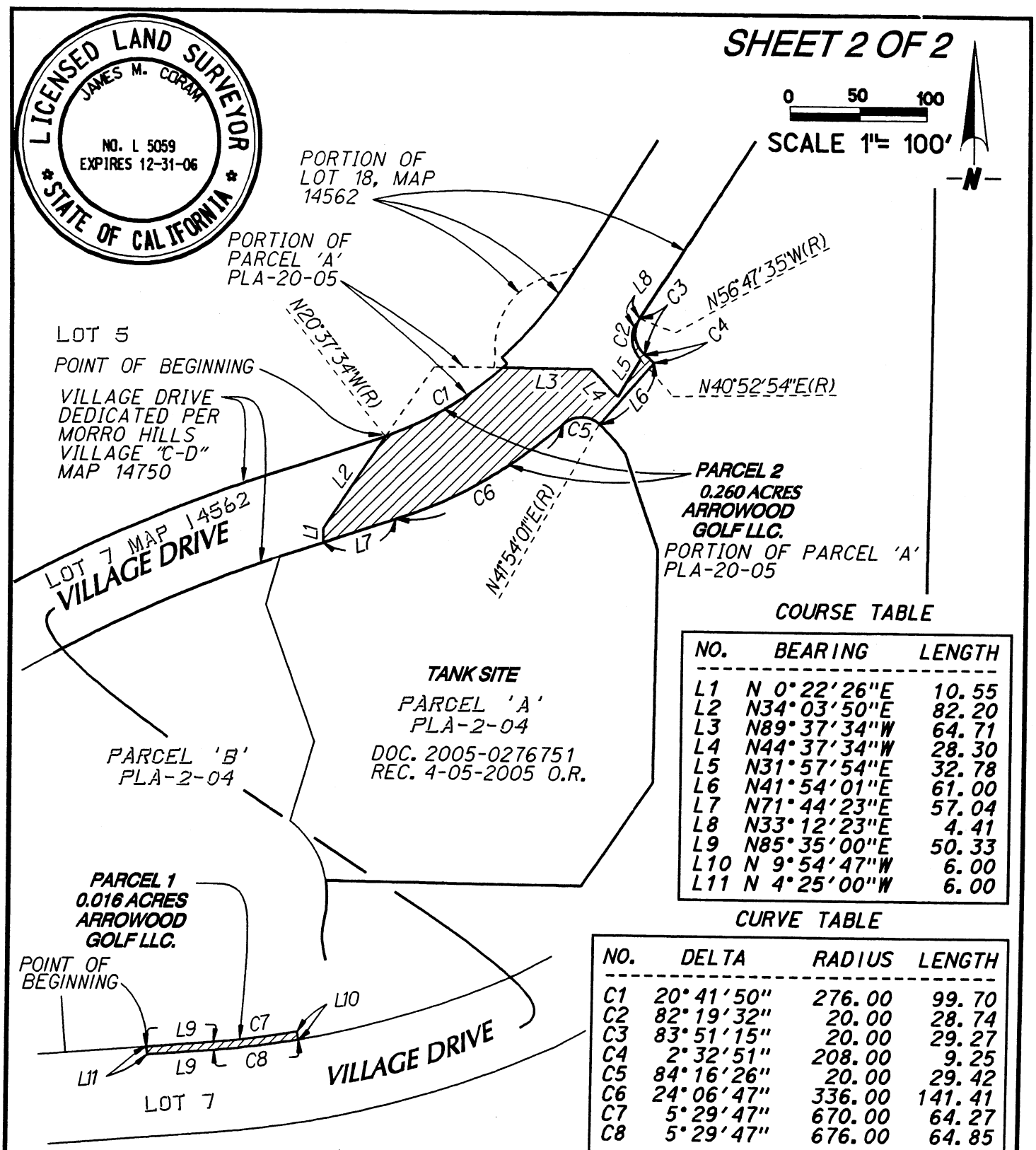

COURSE TABLE

NO.	BEARING	LENGTH
L1	N 0°22'26"E	10.55
L2	N34°03'50"E	82.20
L3	N89°37'34"W	64.71
L4	N44°37'34"W	28.30
L5	N31°57'54"E	32.78
L6	N41°54'01"E	61.00
L7	N71°44'23"E	57.04
L8	N33°12'23"E	4.41
L9	N85°35'00"E	50.33
L10	N 9°54'47"W	6.00
L11	N 4°25'00"W	6.00

CURVE TABLE

NO.	DELTA	RADIUS	LENGTH
C1	20°41'50"	276.00	99.70
C2	82°19'32"	20.00	28.74
C3	83°51'15"	20.00	29.27
C4	2°32'51"	208.00	9.25
C5	84°16'26"	20.00	29.42
C6	24°06'47"	336.00	141.41
C7	5°29'47"	670.00	64.27
C8	5°29'47"	676.00	64.85

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6-06-06

JAMES M. CORAM, LS 5704 DATE

EXHIBIT "D"

PLAT TO ILLUSTRATE LEGAL DESCRIPTION OF IRREVOCABLE OFFER TO DEDICATE TO THE CITY OF OCEANSIDE

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