

Agenda Report

TO: CITY COUNCIL

Date: February 14, 2005

FROM: City Manager

SUBJECT: Approval and Acceptance of an Easement Dedication for Public Street Purposes along the South Side of Orange Grove Boulevard East of Lake Avenue

RECOMMENDATION:

It is recommended that the City Council adopt the attached resolution approving and accepting a proposed easement dedication for public street purposes along the south side of Orange Grove Boulevard east of Lake Avenue.

BACKGROUND:

As a condition for the construction of the Walgreens drug store at 670 North Lake Avenue, the developer was required to dedicate to the City a four-foot wide strip of land along the south side of Orange Grove Boulevard east of Lake Avenue, including the land necessary to provide a 20-foot radius property corner rounding at the southeast corner of Lake Avenue and Orange Grove Boulevard, to improve pedestrian and vehicular access. The south side of Orange Grove Boulevard has an existing 12-foot wide sidewalk. The southerly four-foot wide strip of the sidewalk is on private property and is currently being used as a public walkway. The dedication would reflect its use as public right-of-way. Consequently, the developer has offered the grant of easement for public street purposes.

The proposed easement documents have been prepared by the Department of Public Works, executed by the developer, reviewed by the City Attorney's office and are now ready for approval and acceptance by the City Council. The property included in the proposed easement is legally described in text and is graphically shown on the attached Department of Public Works Drawing No. 5521.

FISCAL IMPACT:

No revenue will be generated by the approval of the dedication. The developer has paid all costs for preparing and processing the easement.

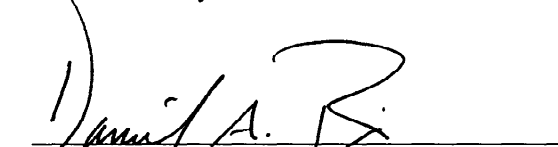
Respectfully submitted,


CYNTHIA J. KURTZ
City Manager

Prepared by:


BONNIE L. HOPKINS
Principal Engineer

Reviewed by:


DANIEL A. RIX
City Engineer

Approved by:


MARTIN PASTUCHA, Director
Department of Public Works

DAR:jo

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PASADENA APPROVING AND ACCEPTING AN EASEMENT DEDICATION FOR PUBLIC STREET PURPOSES ALONG THE SOUTH SIDE OF ORANGE GROVE BOULEVARD EAST OF LAKE AVENUE

WHEREAS, the easement of a four-foot wide strip of land along the south side of Orange Grove Boulevard east of Lake Avenue at 670 North Lake Avenue to reflect its use as public right-of-way, including the land necessary to provide a 20-foot radius property corner rounding at the southeast corner of Lake Avenue and Orange Grove Boulevard, will improve pedestrian and vehicular access; and

WHEREAS, both the Department of Public Works and City Attorney's office have reviewed the proposed dedication;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Pasadena as follows:

That the offered easement for public street purposes by the developer of 670 North Lake Avenue, presented herewith, and graphically shown on the Department of Public Works Drawing No. 5521, Sheet 1 of 1, also presented herewith, is approved and accepted.

Adopted at the _____ meeting of the City Council on the _____ day of _____, 2005, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

JANE L. RODRIGUEZ, City Clerk

Approved as to form:

 1/2/05

Nicholas G. Rodriguez
Assistant City Attorney

EXHIBIT "A"

LEGAL DESCRIPTION

Grant of Easement for Public Street Purposes along the South Side of Orange Grove Boulevard, East of Lake Avenue.

That portion of Lots 8, 9 and 10 of Leighton and Merrill's Subdivision, in the City of Pasadena, as shown on a map filed in Book 24, Page 18 of Miscellaneous Records, in the Office of the County Recorder of the County of Los Angeles, State of California, described as follows:

Beginning at a point on the easterly line of said Lot 8, distant 10.00 feet southerly, along the easterly line thereof from the northeast corner of said Lot 8; thence, along said easterly line, South 0°02'36" West 3.98 feet to a line which is 40.00 feet southerly and parallel, measured at right angles from the centerline of Orange Grove Boulevard as it is shown on the City of Pasadena "Tie Notes" on file with the City of Pasadena; thence, along said parallel line, South 89°41'30" West 171.13 feet to a tangent curve concave southeasterly having a radius of 20.00 feet, the radius point of which is 20.00 feet, measured at right angles from the easterly line of the 10.00 foot right of way easement described in a document filed as Case No. 214918 in Book 692, Page 333 of Judgments; thence southwesterly 31.29 feet along said curve through a central angle of 89°38'54" to the easterly line of North Lake Avenue, 100.00 feet wide, as described in said Case No. 214918 in Book 692, Page 333 of Judgments; thence non-tangent from said curve, and along the said easterly line of Lake Avenue, North 0°02'36" East 23.86 feet along said easterly line, to the southerly line of the northerly 10.00 feet of said Lots 8, 9 and 10; thence along said southerly line North 89°41'30" East 191.00 feet to the **Point of Beginning**.

The herein described parcel of land has an area of 755 square feet, more or less.

Said Grant of Easement for public street purposes of that portion of Lots 8, 9, and 10 of Leighton & Merrill's Subdivision is shown on City of Pasadena Department of Public Works Drawing No. 5521, Sheet 1 of 1 on file in the Office of said department of said city.

Legal description prepared, checked and approved:
Mayers & Associates Civil Engineering, Inc.

 1/14/2005

GERALD R. ANDERSON, L.S. 4400
LICENSE EXPIRES: SEPTEMBER 30, 2005

Date:



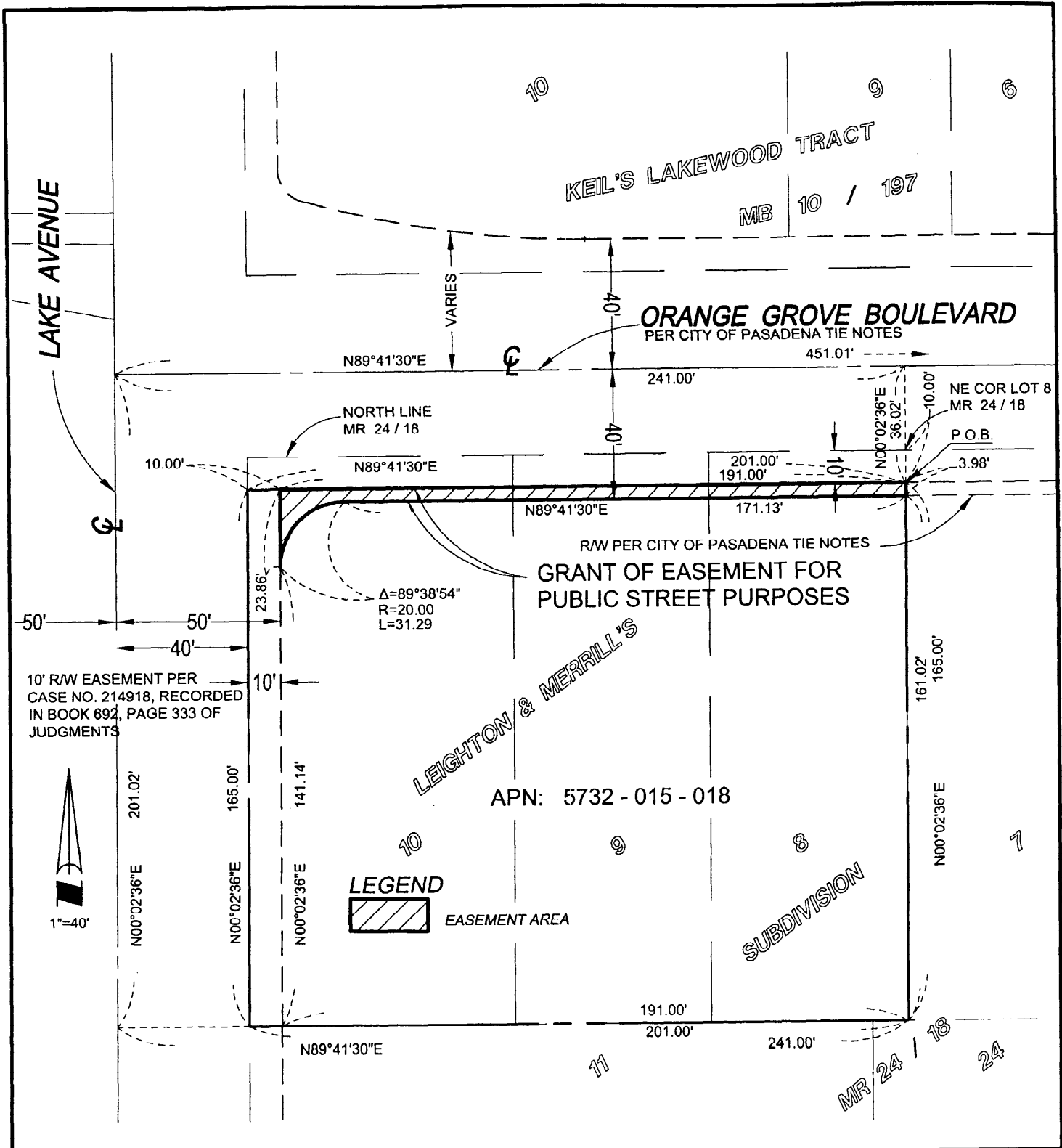
Reviewed by:

 1/31/2005

Daniel A. Rix, City Engineer

Date:

MA-LD 0074



CITY OF PASADENA - DEPARTMENT OF PUBLIC WORKS

DRAWN BY: <i>[Signature]</i> (PVT.)	GRANT OF EASEMENT FOR PUBLIC STREET PURPOSES ALONG THE SOUTH SIDE OF ORANGE GROVE BLVD. EAST OF LAKE AVE.	SCALE: 1" = 40'
CHECKED BY: <i>[Signature]</i> (PVT.)		DATE: 01/06/2005
SUBMITTED BY: J.O.	APPROVED BY: <i>[Signature]</i>	5521
FIELD BOOK NO. NONE	CITY ENGINEER <i>[Signature]</i> DATE: 1/31/2005	

RECORDING REQUESTED BY
City of Pasadena

WHEN RECORDED MAIL TO

NAME City Clerk
MAILING ADDRESS 117 E. Colorado Blvd.
6th Floor
CITY, STATE Pasadena, CA
ZIP CODE 91105

SPACE ABOVE THIS LINE RESERVED FOR RECORDER'S USE
RESOLUTION NO.

GRANT OF EASEMENT

FOR VALUABLE CONSIDERATION, LAKE ORANGE LLC, A CALIFORNIA LIMITED LIABILITY COMPANY, AND AC ORANGE, LLC, A CALIFORNIA LIMITED LIABILITY COMPANY

hereby grant to the CITY OF PASADENA, a municipal corporation, its successors and assigns, an easement for public street purposes in, over, along, upon and across the following described property.

SEE ATTACHED EXHIBIT "A"

Date: 1/21/05

By: LAKE ORANGE LLC,
a California Limited Liability Company
By: [Signature]
David J. Gustafson, Managing Member

Date: 1/21/05

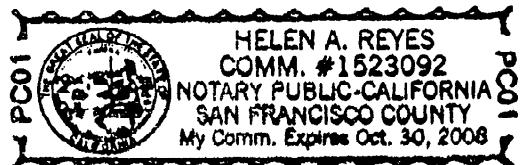
By: AC ORANGE LLC,
a California Limited Liability Company
By: [Signature]
David J. Gustafson, Authorized Signatory

STATE OF CALIFORNIA }
COUNTY OF SAN FRANCISCO }

On 1-21-05 before me, HELEN A. REYES, NOTARY PUBLIC,
personally appeared DAVID J. GUSTAFSON

personally known to me (or 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
Signature [Signature] (Seal)
HELEN A. REYES
(Name, Typed or Printed)



CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California

County of SAN FRANCISCO } ss.

On 1-21-05, before me, HELEN A. REYES, NOTARY PUBLIC

personally appeared DAVID J. GUSTAFSON

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.



Place Notary Seal Above

WITNESS my hand and official seal.

[Signature]
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: GRANT of EASEMENT / LAKE ORANGE LLC + AC ORANGE, LLC

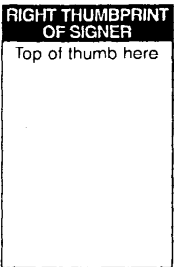
Document Date: 1-21-05 Number of Pages: 1

Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: DAVID J. GUSTAFSON

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

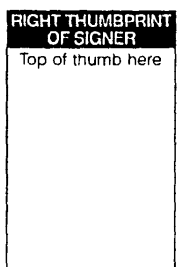


Signer Is Representing: _____

AC ORANGE

Signer's Name: _____

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



Signer Is Representing: _____