

Agenda Report

TO: CITY COUNCIL

Date: MARCH 3, 2008

FROM: CITY MANAGER

SUBJECT: APPROVAL AND ACCEPTANCE OF AN EASEMENT DEDICATION FOR PUBLIC SIDEWALK PURPOSES AT 3330 EAST FOOTHILL BOULEVARD

RECOMMENDATION

It is recommended that the City Council adopt a resolution approving and accepting a proposed easement dedication for public sidewalk purposes at 3330 East Foothill Boulevard.

BACKGROUND

Variance No. 11428 was approved by the Subdivision Committee on August 20, 2003. As a condition of this discretionary action, the developer was required by the Department of Public Works to dedicate to the City land along the western and southern property lines of the site in order to construct 12-foot sidewalk and a curb ramp in compliance with the Americans with Disabilities Act (ADA).

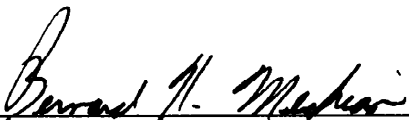
Construction at the site is complete and the Certificate of Occupancy has been issued for the site. The developers have offered the grant of easement for public sidewalk purposes at no cost to the City. The developer prepared and submitted the easement documents.

The proposed easement document has been prepared by a licensed surveyor, executed by the owners, reviewed by the City Attorney's office, and is 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. 5293, Exhibit A.

FISCAL IMPACT

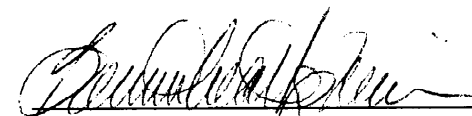
No revenue will be generated by the approval of the dedication. The developer has paid all costs required for preparing and processing the easement.

Respectfully submitted,



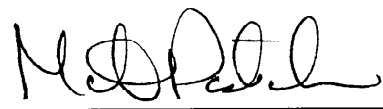
BERNARD K. MELEKIAN
City Manager

Prepared by:



Bonnie L. Hopkins
Principal Engineer

Approved by:



Martin Pastucha, Director
Department of Public Works

RESOLUTION NO.

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PASADENA
APPROVING AND ACCEPTING AN EASEMENT DEDICATION FOR PUBLIC
SIDEWALK PURPOSES AT 3330 EAST FOOTHILL BOULEVARD**

WHEREAS, the easement of land along the western and southern property lines of 3330 East Foothill Boulevard for public sidewalk purposes is presented herewith, and;

WHEREAS, both the Department of Public Works and the 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 sidewalk purposes by the developers of 3330 East Foothill Boulevard, presented herewith, legally described and graphically shown as Exhibit A on the Department of Public Works Drawing No. 5293, also presented herewith, is approved and accepted.

Adopted at the regular meeting of the City Council of the City of Pasadena on the _____ day of _____, 2008, by the following vote:

AYES:


NOES:

ABSENT:

ABSTAIN:

JANE L. RODRIGUEZ, City Clerk

Approved as to form:



Frank Rhemrev
Assistant City Attorney

EXHIBIT "A"

LEGAL DESCRIPTION

Grant of Easement for Public Sidewalk and Public Utility Purposes along the East side of Sierra Madre Villa Avenue

That portion of the Rancho Santa Anita, in the City of Pasadena, County of Los Angeles, State of California, as Book 1, Pages 97 and 98 of Patents in the office of the County Recorder of said county, described as follows:

Beginning at the westerly terminus of that certain course described as having a bearing North 88°58'45" East and a length of 335.14 feet in a Deed to SMV Technology Partners LLC, recorded August 12, 2002 in Document No. 02-1887433 of Official Records in the office of said County Recorder;

thence along said certain course, North 88°58'45" East, 7.26 feet to the beginning of a tangent curve, concave southeasterly and having a radius of 23.00 feet; thence Southwesterly 33.57 feet along said curve through a central angle of 83°38'11" to the beginning of a compound curve, concave easterly and having a radius of 943.00 feet, a radial line of said curve bears North 84°39'26" West, said compound curve being concentric with and 9.00 feet easterly of the easterly line of Sierra Madre Villa Avenue as described in a Final Order of Condemnation recorded July 10, 1970 in Book 4769, Page 425 of said Official Records;

thence Southerly 366.27 feet along said concentric curve and its southerly continuation through a central angle of 22°15'15" to the beginning of a compound curve, concave northeasterly and having a radius of 13.00 feet, a radial line of said curve bears South 73°05'20" West;

thence Southeasterly 16.68 feet along said curve through a central angle of 73°32'12";

thence tangent to said curve, North 89°33'08" East, 96.08 feet to the beginning of a tangent curve, concave southerly and having a radius of 152.00 feet;

thence Easterly 51.52 feet along said curve through a central angle of 19°25'16" to a reverse curve concave northerly and having a radius of 178.00 feet;

thence Easterly 52.26 feet along said curve through a central angle of 16°49'22" to a point on that certain course described as having a bearing of South 00°58'25" East and a length of 171.27 feet in a Deed to SMV Technology Partners LLC, recorded August 12, 2002 in Document No. 02-1887433 of Official Records in the office of said County Recorder, distant thereon North 00°58'25" West, 22.03 feet from the southerly terminus of said certain course;

thence along said certain course South 00°58'25" East, 12.02 feet to a point on a non-tangent curve, concave northerly and having a radius of 190.00 feet, a radial line of said curve bears South 01°57'11" West;

thence along a line that is parallel and concentric with and 10.00 feet northerly of the most southerly line of the land described in said Deed the following courses: (1) Westerly 56.44 feet along said curve through a central angle of 17°01'13" to the beginning of a reverse curve, concave southerly having a radius of 140.00 feet; thence (2) Westerly 47.45 feet along said curve through a central angle of 19°25'16"; thence (3) South 89°33'08" West, 111.42 feet to the beginning of a non-tangent curve, concave easterly and having a radius of 952.00 feet in the easterly line of said Sierra Madre Villa, a radial line of said curve bears South 71°54'27" West;

thence Northerly 386.53 feet along said curve through a central angle of 23°15'46" to the beginning of a compound curve, concave southeasterly hand having a radius of 25.00 feet as described in said Deed recorded in Book 4769, Page 425 of said Official Records;

thence Northeasterly 36.57 feet along said curve through a central angle of 83°48'32" to the Point of Beginning.

The above-described parcel of land contains approximately 6176 square feet.

Said Grant of Easement for public sidewalk and public utility purposes of that portion of the Rancho Santa Anita is shown on the City of Pasadena Department of Public Works Drawing No. 5293, sheet 1 of 1 on file in the office of said Department of said City.

Legal description checked and approved:

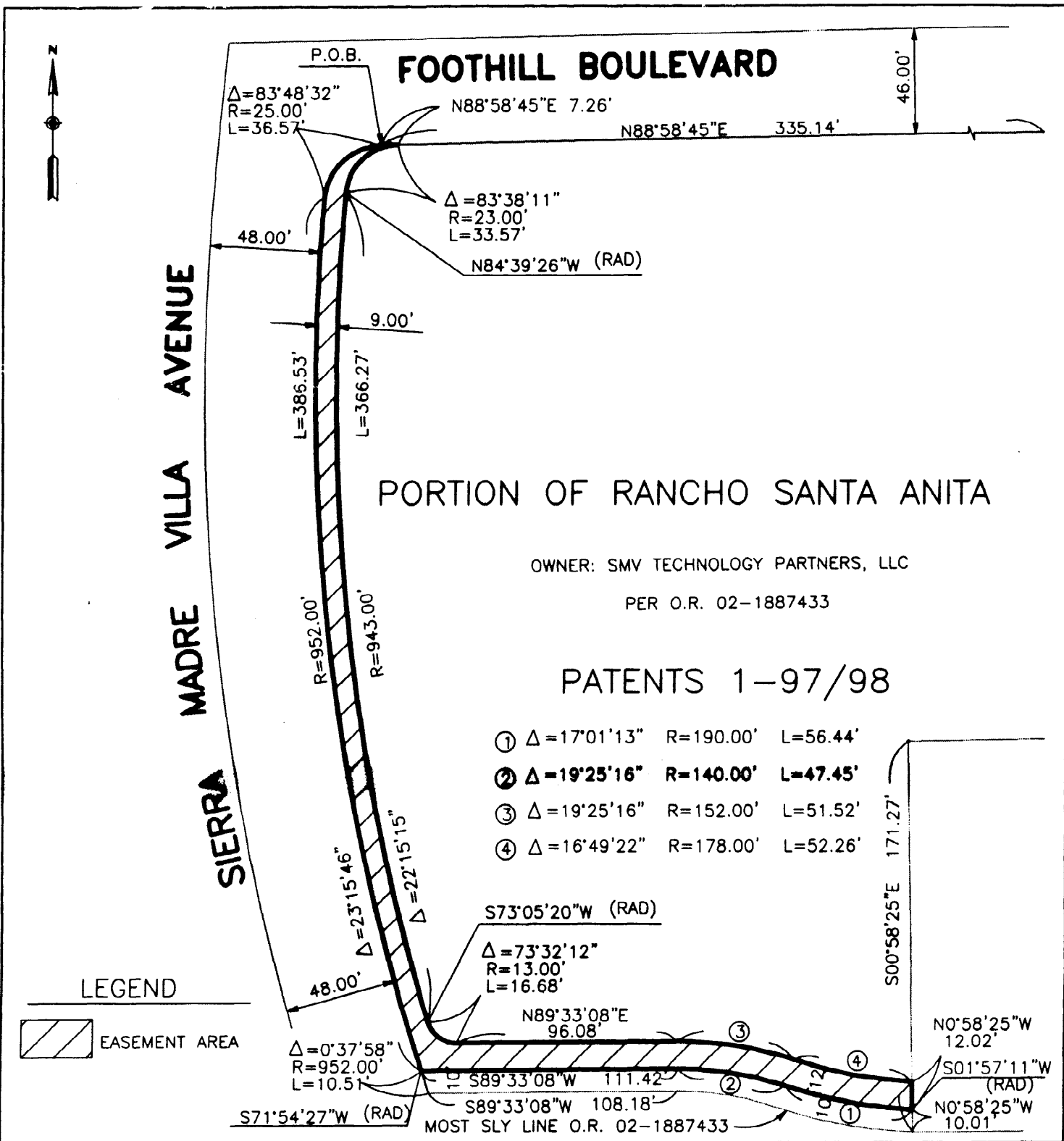
DAVID EVANS AND ASSOCIATES, INC.

Clifford A. Simental 9-25-03
Clifford A. Simental, P.L.S. Date
L.S. No. 5022 Expires: 12-31-2005



Reviewed by:

Daniel A. Rix 10/1/03
Daniel A. Rix Date
City Engineer



FOOTHILL BOULEVARD

**VILLA AVENUE
MADRE
SIERRA**

PORTION OF RANCHO SANTA ANITA

OWNER: SMV TECHNOLOGY PARTNERS, LLC
PER O.R. 02-1887433

PATENTS 1-97/98

- ① Δ = 17°01'13" R=190.00' L=56.44'
- ② Δ = 19°25'16" R=140.00' L=47.45'
- ③ Δ = 19°25'16" R=152.00' L=51.52'
- ④ Δ = 16°49'22" R=178.00' L=52.26'

LEGEND

 EASEMENT AREA

CITY OF PASADENA - DEPARTMENT OF PUBLIC WORKS

DRAWN BY: DAVID EVANS & ASSOCIATES
CHECKED BY: J.O.
SUBMITTED BY: DAVID EVANS & ASSOCIATES
FIELD BOOK NO. NONE

**GRANT OF EASEMENT FOR
PUBLIC SIDEWALK AND PUBLIC UTILITY PURPOSES
ALONG THE EAST SIDE OF SIERRA MADRE VILLA AVENUE**

APPROVED BY: *[Signature]* 10/1/2003
CITY ENGINEER DATE

SCALE: 1" = 60'
DATED: 7/08/03
5293
SHEET 1 OF 1

RECORDING REQUESTED BY
City of Pasadena

WHEN RECORDED MAIL TO

NAME City Clerk
MAILING ADDRESS Room 236, City Hall
100 N. Garfield Avenue
CITY, STATE Pasadena, CA
ZIP CODE 91109-7215

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

GRANT OF EASEMENT

FOR VALUABLE CONSIDERATION, SMV TECHNOLOGY PARTNERS LLC,
A CALIFORNIA LIMITED LIABILITY COMPANY

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

SEE ATTACHED EXHIBIT "A"

By: SMV TECHNOLOGY PARTNERS, LLC
a California limited liability company

Date: Jan. 18, 2008

By: [Signature]
JEFFERY B. ALLEN, MANAGER

Date: JANUARY 16, 2008

By: [Signature]
DAVID L. WORRELL, MANAGER

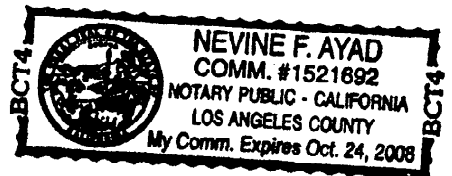
STATE OF CALIFORNIA }
COUNTY OF LOS ANGELES }

On Jan 16, 2008 before me, Nevine F. Ayad, Notary Public,
personally appeared David L. Worrell

~~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)
Nevine F. Ayad
(Name, Typed or Printed)



CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

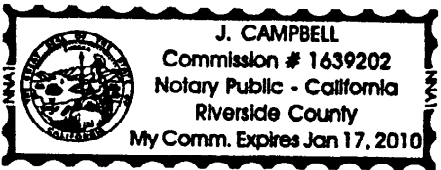
State of California

County of Orange

On 01-18-2008 before me, J. Campbell, Notary Public

personally appeared Jeffery B. Allen

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 [Handwritten Signature]
Signature of Notary Public

Place Notary Seal Above

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

Document Date: _____ Number of Pages: _____

Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: _____

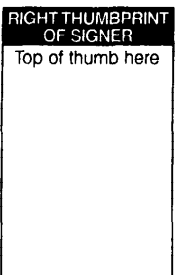
- Individual
- Corporate Officer — Title(s): _____
- Partner — Limited General
- Attorney in Fact
- Trustee
- Guardian or Conservator
- Other: _____



Signer Is Representing: _____

Signer's Name: _____

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



Signer Is Representing: _____