

Agenda Report

TO: CITY COUNCIL

Date: July 14, 2003

FROM: City Manager

SUBJECT: Approval of City's Quitclaim of a Portion of an Easement for Ingress and Egress With or Without Vehicles and for All Customary Utility Lines, Pipes, Etc. Adjacent to Rancheros Road (Private Street) at 1240 Bennett Drive

RECOMMENDATION:

It is recommended that the City Council approve a resolution quitclaiming a portion of an easement for ingress and egress with or without vehicles and for all customary utility lines, pipes, etc. adjacent to Rancheros Road (private street) at 1240 Bennett Drive and authorize the City Manager or her designee to execute the Quitclaim Deed.

BACKGROUND:

In 1955, an easement for ingress and egress and public utility purposes along three private streets, Merendino Lane, Rancheros Road, and Bennett Drive, was dedicated to the City to service the residents in the area. The easement area includes the private streets and some unimproved areas. The width of the easement area varies from 60 feet to 180 feet and extends from Linda Vista Avenue to approximately 1,200 feet west of Linda Vista Avenue.

Miss Rebecca K. Taylor, the current owner of the subject property, has requested a quitclaim of a portion of the easement along the Rancheros Road frontage in order to maximize the use of her property in conjunction with the construction of a single-family residence in the easement area. Based on review by staff, it had been determined that the requested quitclaim area is on a hillside and is considered unusable for access or utility service purposes. Consequently, it is recommended that the City approve the requested quitclaim, however, continue to maintain the remaining easement area for its specified purposes.

The quitclaiming of the unusable portion of the easement will streamline the existing easement and reduce the unnecessary easement the City holds. The City's interest of the easement has no market value and therefore, the easement is not considered surplus property subject to disposition pursuant to the City's surplus property ordinance.

BACKGROUND: Continued

The proposed quitclaim document has been prepared by the Department of Public Works, reviewed by the City Attorney's office, and is now ready for approval by the City Council and execution by the City Manager. The property included in the proposed quitclaim is legally described in the text and is graphically shown on the attached Department of Public Works Drawing No. 5140.

FISCAL IMPACT:


No revenue will be expended or generated by the approval of this quitclaim. The property owner has paid all costs for preparing and processing the quitclaim. There will be a positive impact on the property tax.

Respectfully submitted,



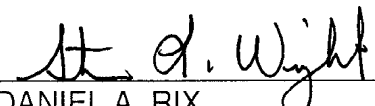
CYNTHIA J. KURTZ
City Manager

Prepared by:




BONNIE L. HOPKINS
Principal Engineer

Reviewed by:



For DANIEL A. RIX
City Engineer

Approved by:



KERRY L. MORFORD, Interim Director
Department of Public Works