

**CITY OF SEBASTOPOL
CITY COUNCIL
STAFF REPORT**

Meeting Date: March 1, 2016

To: Honorable Mayor and City Councilmembers

From: Joe Gaffney, City Engineer

Subject: Resolution Accepting Certain Easements And Authorizing City Manager To Execute Easement Deeds In Connection With Handline Restaurant

Recommendation: Approve Resolution

Funding: Currently Budgeted: ___ Yes ___No _xx_N/A
Net General Fund Cost: Remaining Budget
If Cost to Other Fund(s):

Introduction:

This item is to request the City Council Approve Adoption of Resolution Accepting Certain Easements and Authorizing the City Manager to Execute Easement Deeds in Connection with Handline Restaurant.

Background

Among various conditions of approval of the Handline Restaurant project now under construction at 965 Gravenstein Highway South, was a requirement to reconstruct portions of the sidewalk, and to provide for future undergrounding of the overhead utilities.

Discussion

The existing sidewalk along Gravenstein Highway South is located outside the State right of way. The sidewalk easement will grant the public a right of access over the sidewalk, both the existing portion and the new portion that will be constructed with the project. In addition, the developer is required to install empty conduits to provide for the future undergrounding of the overhead utilities. These conduits will be located behind the sidewalk.

Easement Deeds were prepared by the developer and submitted to the City for approval. The attached Resolution documents the need for the easements and authorizes the City Manager to execute the Easement Deeds.

Recommendation

Staff recommends that the City Council Approve Adoption of the Resolution Accepting Certain Easements and Authorizing the City Manager to Execute Easement Deeds in Connection with Handline Restaurant.

Attachments

1. Resolution
2. Sidewalk Easement Deed
3. Public Utilities Easement Deed

RESOLUTION NO. ____

RESOLUTION ACCEPTING CERTAIN EASEMENTS AND
AUTHORIZING CITY MANAGER TO EXECUTE EASEMENT DEEDS
IN CONNECTION WITH
HANDLINE RESTAURANT
Assessor's Parcel 004-123-013
in the City of Sebastopol, Sonoma County, California

WHEREAS, the City Engineer approved Improvement Plans for the Handline Restaurant at 965 Gravenstein Highway South on January 26, 2016; and

WHEREAS, among other work, the plans provide for the reconstruction of the public sidewalk and provisions for future under-grounding of certain overhead utilities, as a condition of approval of the project; and

WHEREAS, the sidewalk and future utilities lie outside the existing State right of way; and

WHEREAS, the attached Easement Deeds have been prepared by the developer and submitted to the City with a request for signature approval;

NOW, THEREFORE, BE IT RESOLVED that the City Council hereby authorizes the City Manager to execute the attached Sidewalk Easement Deed and Public Utilities Easement Deed for the purposes described in the deeds.

In Council, duly passed and adopted this 1st day of March, 2016.

APPROVED: _____
Mayor Sarah Glade Gurney

VOTE:

Ayes:

Noes:

Absent:

Abstain:

ATTEST: _____
Mary C. Gourley, CMC, City Clerk

Recording Requested by and
When Recorded Mail to:
CITY OF SEBASTOPOL
P. O. BOX 1776
SEBASTOPOL, CA 95473

Space Above This Line for Recorder's Use Only

APN: A portion of _____

EASEMENT DEED

The undersigned Grantor(s) declare(s):

Documentary transfer tax is \$0.00. City transfer tax is \$ _____.

() Computed on full value of property conveyed, or

() Computed on full value less value of liens and encumbrances remaining at time of sale.

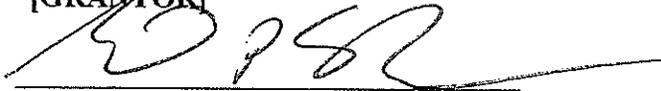
() Unincorporated area: (**XX**) City of Sebastopol – Exempt (R&T 11922)

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged,
[GRANTOR]

Hereby grant(s) to The City of Sebastopol the following described real property located in the
City of Sebastopol, County of Sonoma State of California;

An easement for [fill in] purposes as described in **legal description EXHIBIT "A"**, attached
hereto and made a part hereof.

[GRANTOR]



Name

Name

CERTIFICATE OF ACCEPTANCE

This is to certify that the interest in real property conveyed above is hereby accepted by order of
the Council of the City of Sebastopol by Resolution No. ____ dated _____, 20__, and
grantee consents to recordation thereof by its duly authorized officer.

CITY OF SEBASTOPOL,
A Municipal Corporation

BY: _____
Lawrence McLaughlin, City Manager

DATED: _____

EXHIBIT A
LEGAL DESCRIPTION

An easement for public access and maintenance of a sidewalk over a portion of the lands adjacent the westerly line of Hand Line, LLC as described in that Deed recorded July 22, 2014 as Doc. No. 2014-049918 of Sonoma County Records, said easement being more particularly described as follows:

Beginning at the southwest corner of said lands; thence along the westerly line of said lands, also being the easterly right of way line of State Highway 116 (Gravenstein Hwy), to the northerly line of said lands

North 30° 52' 03" West 177.82 feet, N 30° 53' W 176.58' (R); thence along said northerly line
North 89° 46' 34" East 7.00 feet, N 89° 11' E' (R) to the easterly line of this easement;
thence

South 30° 52' 03" East 129.80 feet, S 30° 53' E (R), to an angle point; thence

South 75° 52' 03" East 3.63 feet, S 75° 53' E (R), to an angle point; thence

South 30° 52' 03" East 47.00 feet, S 30° 53' E (R), to the southerly line of said lands; thence
along said southerly line

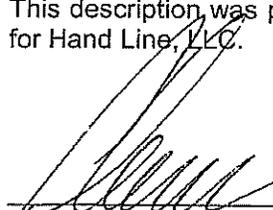
South 89° 55' 23" West 10.00 feet, S 89° 56' W (R) returning to the **Point of Beginning**.

This description is based on a field survey by Cinquini Passarino, Inc on January 06, 2015 for measured data, with record (R) data from that Deed recorded July 22, 2014 as Doc. No. 2014-049918 of Sonoma County Records.

Containing approximately 1,193 square feet, (0.027 acres)

APN: 004-123-013

This description was prepared by me on December 08, 2015 at the request of Steven Sheldon for Hand Line, LLC.


Peter J Lescure P.E.
R.C.E.28044

2016-01-14
Date



- END OF DOCUMENT -

Recording Requested by and
When Recorded Mail to:
CITY OF SEBASTOPOL
P. O. BOX 1776
SEBASTOPOL, CA 95473

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() Unincorporated area: (**XX**) City of Sebastopol – Exempt (R&T 11922)

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An easement for [fill in] purposes as described in **legal description EXHIBIT "A"**, attached
hereto and made a part hereof.

[GRANTOR]



Name

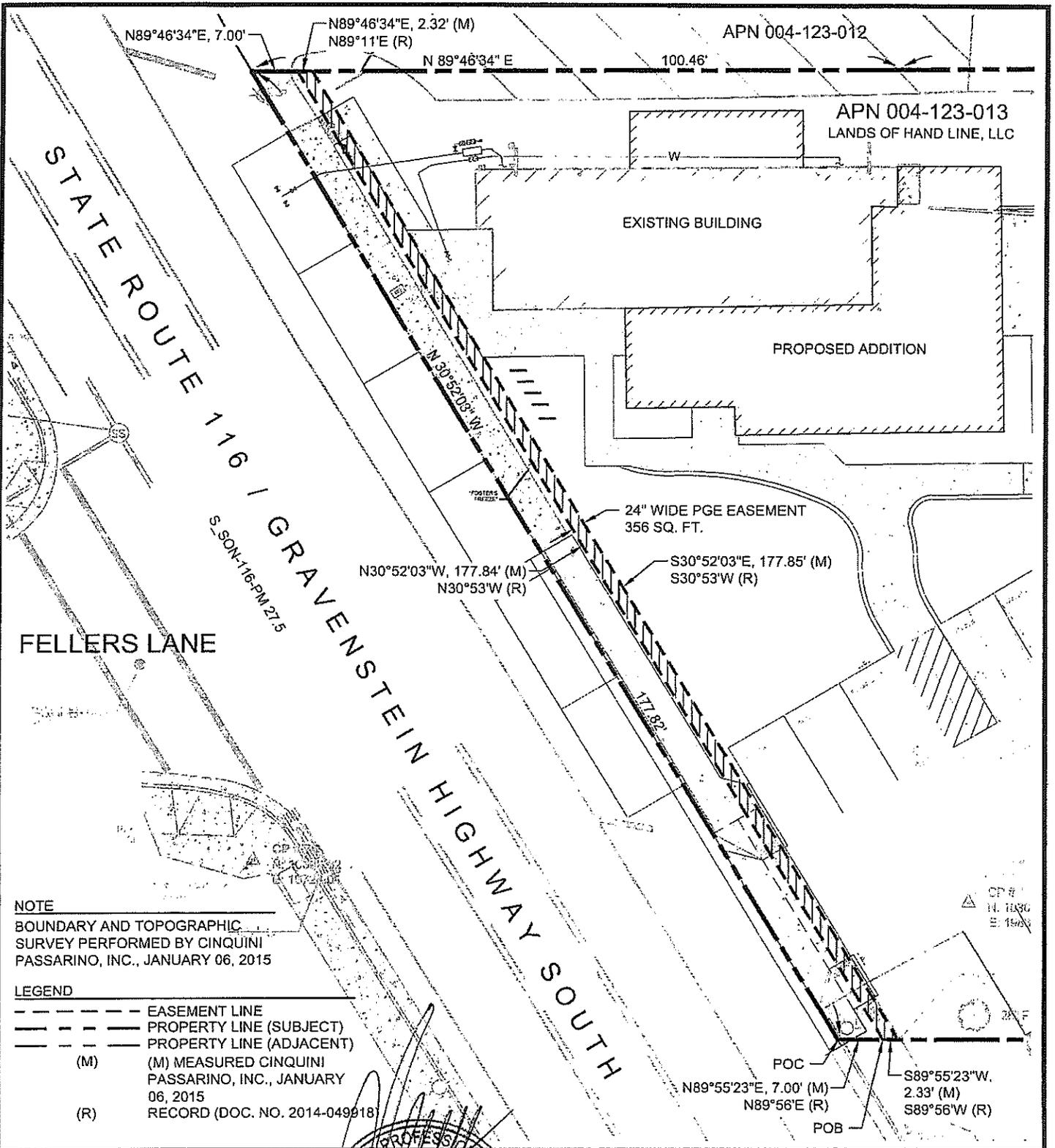
Name

CERTIFICATE OF ACCEPTANCE

This is to certify that the interest in real property conveyed above is hereby accepted by order of
the Council of the City of Sebastopol by Resolution No. ___ dated _____, 20___, and
grantee consents to recordation thereof by its duly authorized officer.

CITY OF SEBASTOPOL,
A Municipal Corporation

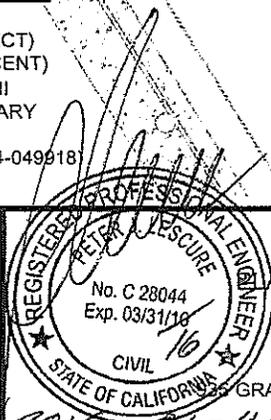
BY: _____ DATED: _____
Lawrence McLaughlin, City Manager



NOTE
 BOUNDARY AND TOPOGRAPHIC
 SURVEY PERFORMED BY CINQUINI
 PASSARINO, INC., JANUARY 06, 2015

LEGEND

---	EASEMENT LINE
---	PROPERTY LINE (SUBJECT)
---	PROPERTY LINE (ADJACENT)
(M)	(M) MEASURED CINQUINI PASSARINO, INC., JANUARY 06, 2015
(R)	RECORD (DOC. NO. 2014-049918)



2016-01-14
 JOB NO. 15-016

EXHIBIT 'B'

TO ACCOMPANY LEGAL DESCRIPTION
 FOR UNDERGROUND ELECTRIC
 PUBLIC UTILITIES EASEMENT
 LANDS OF HAND LINE LLC
 GRAVENSTEIN HIGHWAY SOUTH, SEBASTOPOL, CA 95472



SCALE: 1" = 20'

LESCURE
 ENGINEERS, INC.
 5468 SKYLANE BLVD SUITE 203
 SANTA ROSA, CA 95403
 (707) 575-3427
 le@lesquire-engineers.com

APN 004-123-013

PAGE 1 OF 1

DECEMBER 2015

File Location: C:\p\15-016\Hand Line\Drawings\15-016\asm-pge.dwg Plot date: 2015-12-8, 9:05:08 PM. Printed by: Susan
 ARRES: 15-016\pge 7011-1000-2015\008: 15-016\pge 15-016\pge.dwg

**CALIFORNIA ALL-PURPOSE
ACKNOWLEDGMENT**

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California
County of Sonoma

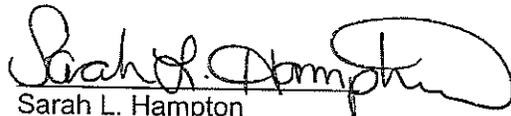
On January 16, 2016 before me, Sarah L. Hampton, Notary Public, personally appeared Lowell P. Sheldon, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/~~she/they~~ executed the same in his/~~her/their~~ 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.



(SEAL)

WITNESS my hand and official seal.



Sarah L. Hampton
Notary Public, Sonoma County
Commission #1980112
Expires: May 28, 2016

If marked, then attached pages will bear embossment of above notary.

Optional: Not required by law, however, may prove valuable to persons relying on the document and could prevent fraudulent reattachment of this form.

Signature Authority of Signer:

- Individual
- Corporate Officer(s)
- _____ (Title)
- Partner (Limited or General)
- Attorney In Fact
- Trustee(s)
- Guardian/Conservator
- Other _____

Description of Attached Documents:

Title or type of Document: _____
Easement Deed
Number of Pages: 3
Date of Document: 1/16/16
Signer(s) other than Named Above:

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State of California
County of Sonoma

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(SEAL)

WITNESS my hand and official seal.

Sarah L. Hampton
Notary Public, Sonoma County
Commission #1980112
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