

RESOLUTION NO. 2019-86

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MARINA
ACCEPTING THE OFFER OF DEDICATION OF RIGHT-OF-WAY FROM
COMMUNITY HOUSING IMPROVEMENT SYSTEMS AND PLANNING
ASSOCIATION, INC. (CHISPA), AND; DESIGNATE CITY PROPERTY AS RIGHT
OF WAY OF DE FOREST ROAD, AND; AUTHORIZE THE CITY CLERK TO
RECORD THE DEDICATION WITH THE MONTEREY COUNTY RECORDER'S
OFFICE

WHEREAS, at the regular meeting of May 15, 2012, the City Council adopted Resolution No. 2012-76, approving the Specific Plan (SP 2012-01) for a ± 1.7 acre project site located at 3098 De Forest Road (APN 032-171-036) The proposed project consists of a three story, $\pm 35,758$ square foot building including 47 affordable age restricted housing units with a $\pm 1,200$ square foot community room, and;

WHEREAS, CHISPA has submitted the on-site and off-site Improvement Plans for approval, which include the dedication of 30 feet of right-of-way that would extend De Forest Road. Marina Municipal Code (MMC) section 16.06.090 sets the requirements for off-site improvements for proposed right-of-way dedications, and;

WHEREAS, CHISPA has submitted the proposed right-of-way dedication for recordation. Based on the City's adopted official plan lines and future planned development, staff is recommending acceptance of the dedication and designation as right-of-way for De Forest Road, and;

WHEREAS, should the City Council approve this request, the City would maintain all right-of-way improvements within the dedication area.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Marina does hereby:

1. Accept the offer of dedication of right-of-way from Community Housing Improvement Systems and Planning Association, Inc. (CHISPA), and;
2. Designate City Property as right-of-way of De Forest Road, and;
3. Authorize the City Clerk to record the dedication with the Monterey County Recorder's Office.

PASSED AND ADOPTED by the City Council of the City of Marina at a regular meeting held on the 20th day of August 2019, by the following vote:

AYES: COUNCIL MEMBERS: Berkley, Urrutia, O'Connell, Morton, Delgado

NOES: COUNCIL MEMBERS: None

ABSENT: COUNCIL MEMBERS: None

ABSTAIN: COUNCIL MEMBERS: None

Bruce Delgado, Mayor

ATTEST:

Anita Sharp, Deputy City Clerk

**LEGAL DESCRIPTION
RIGHT-OF-WAY DEDICATION**

Certain real property situate in the City of Marina, County of Monterey, State of California, being a portion of Lot 11 as shown on that map titled "Map of Locke-Paddon Subdivision of Monterey City Lands" filed in Volume 2 of "Maps and Grants (Outside Lands)", at Page 10, in the office of the County Recorder of said County, described as follows:

Beginning at a point in the boundary common to Lots 10 and 11 of said Locke-Paddon subdivision as shown on said map, from which point the most northerly corner of said Lot 11 bears North 30°18'20" East, 496.39 feet distant; thence along the boundary common to said Lots 10 and 11

- 1) South 30°18'20" West, 255.54 feet to the corner common to Lots 10, 11, 48 and 49 as shown on said map; thence along the boundary common to said Lots 11 and 48
- 2) South 59°32'30" East, 30.00 feet to a point on a line that is parallel with the boundary common to said Lots 10 and 11 and 30.00 feet distant southeasterly therefrom; thence along said parallel line
- 3) North 30°18'20" East, 255.62 feet; thence departing said parallel line
- 4) North 59°41'40" West, 30.00 feet to the Point of beginning

Containing 7,667 square feet or 0.176 Acres, more or less.

END OF DESCRIPTION

PREPARED BY:
WHITSON ENGINEERS



RICHARD P. WEBER, LS
L.S. No. 8002



DEFOREST
ROAD

REEL 2156 PAGE 474

N59°41'40"W

30.00'

S30°18'20"W 255.54'

N30°18'20"E 255.62'

POINT OF BEGINNING

LOT 11

VOL. 2 OF *MAPS AND GRANTS
(OUTSIDE LANDS)*, AT PAGE 10

30'

30' WIDE RIGHT-OF-WAY
DEDICATION STRIP

LOT 10

CORNER OF LOTS 10,11,48 AND 49

S59°32'30"E

30.00'

LOT 49

LOT 48

50 0 50 100 150 Ft.

SCALE: 1" = 50'



**PLAT TO ACCOMPANY DESCRIPTION
RIGHT-OF-WAY DEDICATION**

CITY OF MARINA, COUNTY OF MONTEREY, STATE OF CALIFORNIA

MAY 8, 2018

WE WHITSON ENGINEERS

6 Harris Court ■ Monterey, CA 93940

831 649-5225 ■ Fax 831 373-5065

CIVIL ENGINEERING ■ LAND SURVEYING ■ PROJECT MANAGEMENT

August 8, 2019

Item No. **8g(2)**

Honorable Mayor and Members
of the Marina City Council

City Council Meeting
of August 20, 2019

RECOMMENDATION TO CONSIDER ADOPTING RESOLUTION NO. 2019-, ACCEPTING THE OFFER OF DEDICATION OF RIGHT-OF-WAY FROM COMMUNITY HOUSING IMPROVEMENT SYSTEMS AND PLANNING ASSOCIATION, INC. (CHISPA), AND; DESIGNATE CITY PROPERTY AS RIGHT OF WAY OF DE FOREST ROAD, AND; AUTHORIZE THE CITY CLERK TO RECORD THE DEDICATION WITH THE MONTEREY COUNTY RECORDER'S OFFICE

RECOMMENDATION:

It is recommended that the City Council:

1. Consider accepting the offer of dedication of right-of-way from Community Housing Improvement Systems and Planning Association, Inc. (CHISPA), and;
2. Designate City Property as right-of-way of De Forest Road, and;
3. Authorize the City Clerk to record the dedication with the Monterey County Recorder's Office.

BACKGROUND:

At the regular meeting of May 15, 2012, the City Council adopted Resolution No. 2012-76, approving the Specific Plan (SP 2012-01) for a ±1.7 acre project site located at 3098 De Forest Road (APN 032-171-036) The proposed project consists of a three story, ±35,758 square foot building including 47 affordable age restricted housing units with a ±1,200 square foot community room.

ANALYSIS:

CHISPA has submitted the on-site and off-site Improvement Plans for approval, which include the dedication of 30 feet of right-of-way that would extend De Forest Road. Marina Municipal Code (MMC) section 16.06.090 sets the requirements for off-site improvements for proposed right-of-way dedications. Those off-site improvements will be secured for construction under a Public Improvement Agreement (also on this meeting's agenda for City Council consideration) and inspected under a City encroachment permit.

CHISPA has submitted the proposed right-of-way dedication for recordation. Based on the City's adopted official plan lines and future planned development, staff is recommending acceptance of the dedication and designation as right-of-way for De Forest Road.

FISCAL IMPACT:

Should the City Council approve this request, the City would maintain all right-of-way improvements within the dedication area.

CONCLUSION:

This request is submitted for City Council consideration and possible action.

Respectfully submitted,

Edrie Delos Santos, P.E.
Senior Engineer, Engineering Division
Public Works Department
City of Marina

REVIEWED/CONCUR:

Brian McMinn, P.E., P.L.S.
Public Works Director/City Engineer
City of Marina

Layne P. Long
City Manager
City of Marina