

AGENDA REPORT

SAN CLEMENTE CITY COUNCIL MEETING

Meeting Date: August 20, 2019

Approvals: City Manager

Dept. Head

Agenda Iter

Attorney

Finance

Department: Prepared By:

Public Works / Engineering Division Zak Ponsen, Senior Civil Engineer

Subject:

ACCEPTANCE OF SIDEWALK EASEMENT AND WATERLINE EASEMENT LOCATED AT 620

AVENIDA PICO.

Fiscal Impact: None.

Summary:

Staff recommends that City Council accept the Sidewalk Easement and Waterline Easement from 620 Avenida Pico, LLC for the improvements which are required at 620 Avenida Pico for the new Starbucks development.

Discussion:

The property owner for 620 Avenida Pico received Planning Commission approval of a Starbucks development during the Planning Commission hearing on May 2, 2018. As part of the Conditions of Approval for the project, the developer was required to grant easements to the City for sidewalk and waterline purposes. Sidewalk easement is needed in order to construct compliant sidewalk around the drive approach on Avenida Pico. The property owner was also conditioned to grant a waterline easement to the City for an existing reclaimed water line located on the southern slope of the property. The City will continue to be responsible for all maintenance of the City reclaimed waterline improvements that are on the property.

Recommended

Action:

STAFF RECOMMENDS THAT the City Council:

- 1. Accept the Sidewalk Easement and Waterline Easement from 620 Avenida Pico. LLC;
- 2. Authorize the Mayor and City Clerk to sign the Sidewalk Easement Deed and Waterline Easement Deed; and
- 3. Authorize the City Clerk to submit the Sidewalk Easement Deed and the Waterline Easement Deed to the Orange County Recorder for recordation.

Attachments:

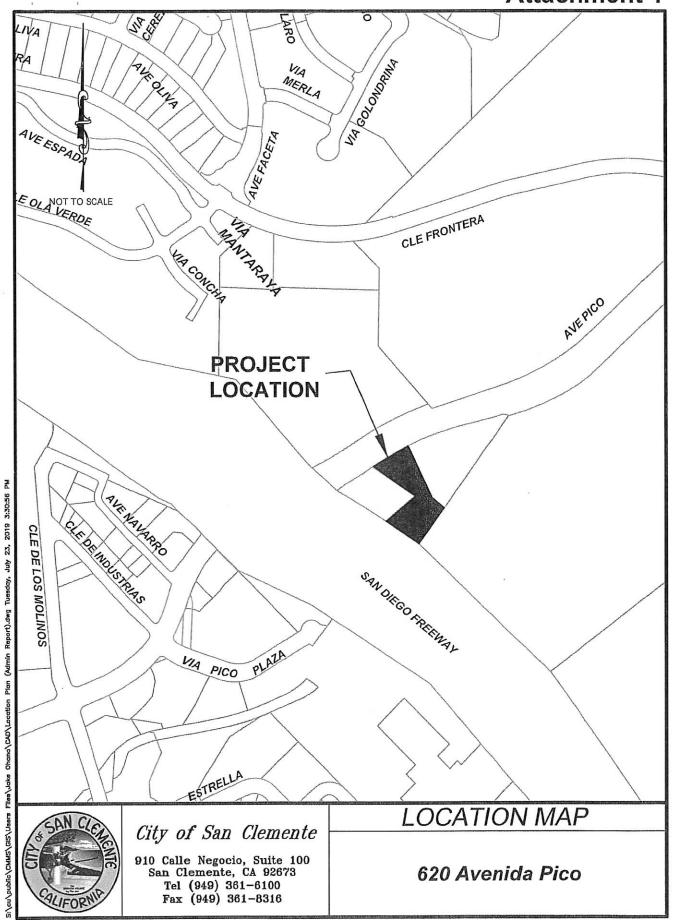
- 1. Location Map
- 2. Sidewalk Easement Deed
- Waterline Fasement Deed

Notification:

William Nascimento / 620 Avenida Pico, LLC

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Attachment 1



After recording mail to:					
CITY CLERK CITY OF SAN CLEMENTE 910 Calle Negocio San Clemente, California 92673					
	ABOVE SPACE FOR RECORDER'S USE				
DOCUMENTARY TRANSFER TAX \$(Exempt recording requested—Gov. Code Section 6103					
	The undersigned Grantor				
	Signature of Declarant or Agent determining tax – Firm Name				
EASEMENT DEED					
FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged, 620 Avenida Pico LLC, property owner hereby grants to THE CITY OF SAN CLEMENTE, a Municipal Corporation, a perpetual nonexclusive easement for sidewalk and pedestrian access in, on, and over the Real Property in the State of California, County of Orange, City of San Clemente, described as follows:					
See Exhibit A (Legal Description) and Exhibit B (Plat Map).					
Dated:	Ву:				
	Title:				
	Print Name:				

PLACE INTERNAL REVENUE STAMPS HERE

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.

ACCEPTANCE

STATE OF CALIFORNIA)		
COUNTY OF ORANGE) ss.		
CITY OF SAN CLEMENTE)		
	5		
THIS IS TO CERTIFY that	the interest in	real property conveyed by the d	leed or grant deed dated
		ida Pico, LLC, to the CITY OF	
municipal corporation, is hereby acc			
Grantee consents to recordation the			
Dated:			
	By:_		
		City Clerk of the City of San	Clemente

	After recording mail to:					
	CITY CLERK CITY OF SAN CLEMENTE 910 Calle Negocio San Clemente, California 92673					
ABOVE SPACE FOR RECORDER'S USE						
DOCUMENTARY TRANSFER TAX \$(Exempt recording requested—Gov. Code Section 6103						
		The undersigned Grantor Signature of Declarant or Agent determining tax – Firm Name				
	EASEMENT DEED					
_	FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged, 620 Avenida Pico LLC, property owner, hereby grants to THE CITY OF SAN CLEMENTE, a Municipal Corporation, a perpetual nonexclusive easement for waterline improvements and access in, on, and over the Real Property in the State of California, County of Orange, City of San Clemente, described as follows:					
See Exhibit A (Legal Description) and Exhibit B (Plat Map).						
	Dated:	By: Title: Print Name:				

STATE OF CALIFORNIA)					
COUNTY OF) ss					
On, before personally appeared	e me,				
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 of Notary Public	(Notary Seal)				
PLACE INTERNAL REVENUE STAMPS HERE					

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 ORANGE) ss. CITY OF SAN CLEMENTE) THIS IS TO CERTIFY that the interest in real property conveyed by the deed or grant deed dated from 620 Avenida Pico LLC, to the CITY OF SAN CLEMENTE, a municipal corporation, is hereby accepted by order of the City Council on _____ and Grantee consents to recordation thereof by its duly authorized officer. Dated: ______

City Clerk of the City of San Clemente

ACCEPTANCE