CONSENT AGENDA

D-5:
Right-of-Way Deed Neckel Rd and SR-86
Northerly Side of Neckel Road

Agenda Item No. O-5

DATE SUBMITTED	03/26/15	COUNCIL ACTION	(✓)
SUBMITTED BY	PLANNING DIRECTOR	PUBLIC HEARING REQUIRED	( )
		RESOLUTION	( )
		ORDINANCE 1ST READING	( )
DATE ACTION REQUIRED	04/01/15	ORDINANCE 2ND READING	( )
		CITY CLERK'S INITIALS	( )

IMPERIAL CITY COUNCIL
AGENDA ITEM

SUBJECT: DISCUSSION/ACTION:

ACCEPTANCE OF ADDITIONAL FORTY (40) FEET RIGHT-OF-WAY FOR NECKEL ROAD FROM OASIS GROWTH PARTERS LLC (HOLIDAY INN DEVELOPER)

1. ACCEPTANCE OF ADDITIONAL FORTY (40) FEET RIGHT-OF-WAY FOR NECKEL ROAD.

DEPARTMENT INVOLVED: PLANNING

BACKGROUND/SUMMARY:

The City of Imperial is currently developing a project to improve the intersection of Neckel Road and SR-86.

The project includes the installation of new traffic signal lights, extension of left turn lanes on SR-86, new pavement areas at the NE corner and the NW corner of said intersection, existing pavement resurfacing and striping of roadway, and, curb & gutter installation with ADA ramps.

Existing Right-of-Way along Neckel Road is not sufficient to complete the proposed improvements. The amount of right of way needed for this project is an additional forty (40) feet along the northerly side of Neckel Road for a distance of eight hundred fifteen (815) feet.

Oasis Growth Partners LLC, the developer of the Holiday Inn Project located at the Northwest corner said intersection is willing to assist the City by dedicating the needed right of way along the southerly side of their property.

For your review and acceptance, attached are the documents prepared by the Planning & Development Department for dedication of the needed right of way.

FISCAL IMPACT: NONE F.O. INITIALS: _____

STAFF RECOMMENDATION:

Staff recommends acceptance of the additional Right-of-Way needed for this project as described.

MANAGER'S RECOMMENDATION: MANAGER'S INITIALS

MOTION:

SECONDED:
AYES:
NAYES:
ABSENT:

APPROVED ( ) REJECTED ( )
DISAPPROVED ( ) DEFERRED ( )

REFERRED TO:

RECORDING REQUESTED BY:
City of Imperial
620 S.Imperial Ave.
Imperial,CA 92251

WHEN RECORDED MAIL TO:
City of Imperial
620 S.Imperial Ave.
Imperial,CA 92251
Attn: Jorge Galvan
City Planner

SPACE ABOVE THIS LINE FOR RECORDER'S USE

The undersigned grantor(s) declare(s):
Documentary transfer tax is $ 0.00 per R&T Code 11922
( ) 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: (X) City of Imperial

RIGHT OF WAY DEED

Oasis Growth Partners, LLC, a California Limited Liability Company, as Grantor, does hereby grant, convey and dedicate to the City of Imperial, a municipal corporation, in the County of Imperial, State of California, a portion of land for the construction, operation, repair and maintenance of roadway improvements, traffic signal lights, utility lines, appurtenances and incidents thereto, over, along, in, under and across a portion of Tract 135, Township 15 South, Ranges 13 and 14 East, San Bernardino Base and Meridian, in the County of Imperial, State of California, described as follows:

Commencing at the South East Corner of Tract 135, thence 125 feet westerly along the south boundary line of Tract 135, to the west right of way line of State Highway 86 and being the point of beginning, thence **815** feet westerly along the south boundary line of Tract 135, thence northerly **40** feet parallel to the east boundary line of Tract 135, thence easterly **815** feet parallel to the south boundary line of Tract 135 to the west right of way line of State Highway 86 thence southerly **40** feet along the west right of way line of State Highway 86 to the point of beginning.

Said portion of land being an area of ±0.75 acre (±32,600 square feet) as shown on Exhibit A attached.

IN WITNESS WHEREOF, said Grantor has caused he/her name to be hereunto subscribed this 13th day of October 2014.

Oasis Growth Partners, LLC, a California Limited Liability Company

(signature) _____

Name and Title Rebecca C. Chiu, Managing Member

(State of California }

County of ~~Imperial~~ Los Angeles }

On October 13, 2014 before me, SARAH SHUM, A NOTARY PUBLIC ,
personally appeared REBECCA C. CHIU 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.

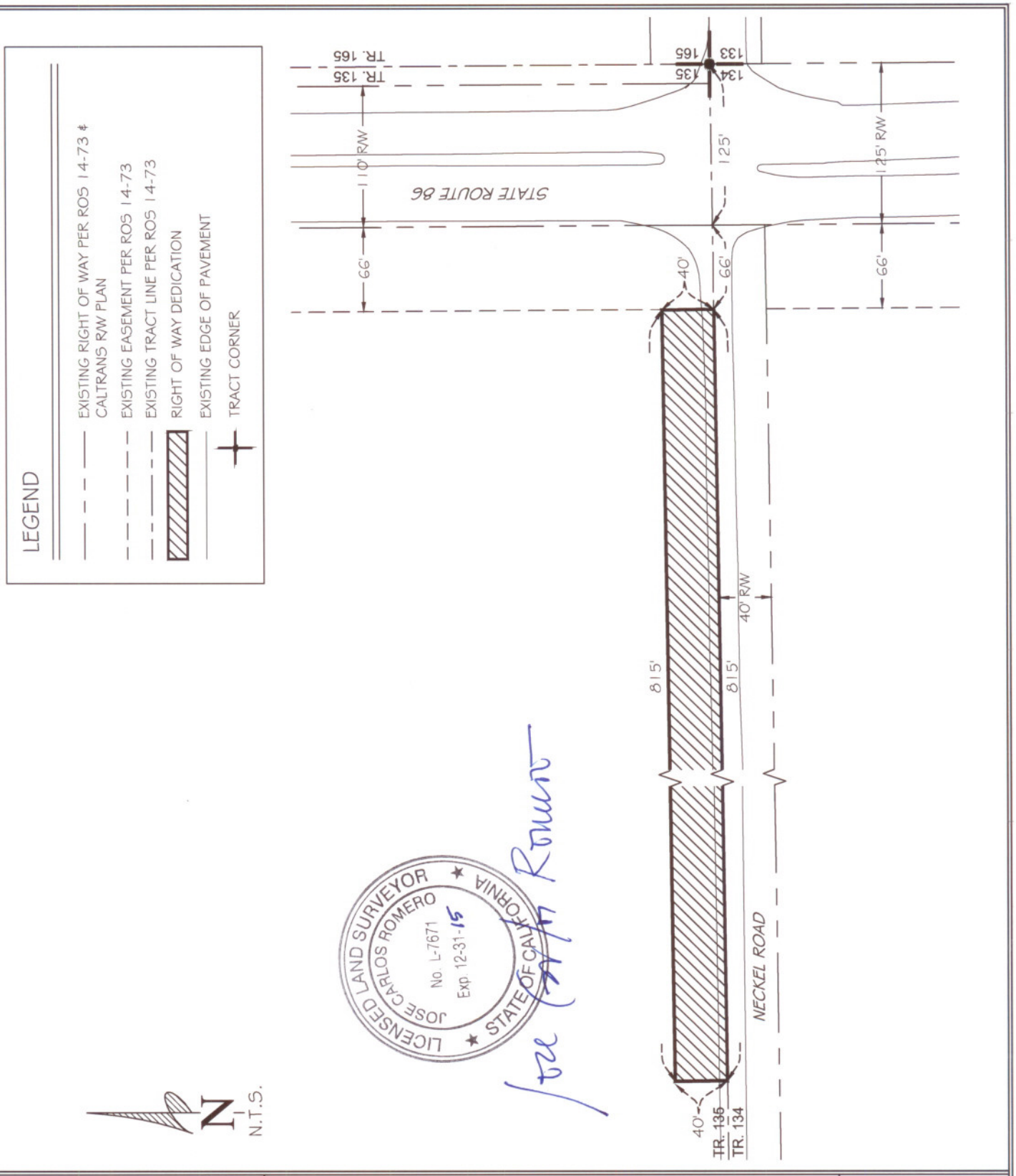
I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing is true and correct.

WITNESS my hand and official seal.

SARAH SHUM
COMM. #1930858
Notary Public-California
LOS ANGELES COUNTY
My Comm. Exp. APRIL 26, 2015

Signature of Officer

(Seal)



ProTerra
LAND SURVEYING / CIVIL ENGINEERING / PROJECT MANAGEMENT
444 South Eight Street, Suite D, El Centro CA 92243
(760) 352 6968 Off - 760 352 6069 Fax - 760 235 5185 Cell

PROJECT DESCRIPTION: NEW TRAFFIC SIGNAL LIGHT AND INTERSECTION IMPROVEMENTS AT SR-86 & NECKEL ROAD (HSIP 5134-013)

DRAWING DESCRIPTION: RIGHT OF WAY DEDICATION

LOCATION: HIGHWAY 86 & NECKEL ROAD INTERSECTION

EXHIBIT A
SHEET 1/1

DRAWN BY: MD 07/31/14
LAST REVISED
DATE: MD 07/31/14

RECORDING REQUESTED BY:
City of Imperial
620 S.Imperial Ave.
Imperial,CA 92251

WHEN RECORDED MAIL TO:
City of Imperial
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Imperial,CA 92251
Attn: Jorge Galvan
City Planner

_____SPACE ABOVE THIS LINE FOR RECORDER'S USE _____

The undersigned grantor(s) declare(s):
Documentary transfer fax is $ 0.00 per R&T Code 11922
( ) 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 (X) City of Imperial

CERTIFICATE OF ACCEPTANCE

This is to certify that the interest in real property conveyed by the deed or grant dated October 13, 2014 from Oasis Growth Partners, LLC, a California Limited Liability Company, to City of Imperial, a political corporation and/or governmental agency, is hereby accepted by order of the City Council on _____ and the grantee consents to recordation thereof by its duly authorized officer

_____ _____
Mayor Signature Date
(Name)

(State of California }

County of Imperial }

On _____before me,_____,
personally appeared (NAME or NAMES of Persons) 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 is true and correct.

WITNESS my hand and official seal.

_____

Signature of Officer (Seal)