

Mayor
Willard Rodarmel
Mayor Pro Tem
John Plourde
Council Members
John Gordon
John Murray
William Siegel



Planning Department
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Lemoore, CA 93245
Phone (559) 924-6740
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Staff Report

Item # 4D

To: Lemoore City Council
From: Holly Smyth, Planning Director
Date: September 28, 2011
Subject: Irrevocable Offers of Right-of-Way Dedication and Grants of Easement by the Roman Catholic Bishop of Fresno and Diocese of Fresno Education Corp. for land along Lemoore Avenue south of Club Drive

Discussion:

On October 13, 2008, the Lemoore Planning Commission approved Conditional Use Permit #2008-08 for Saint Peter's Catholic Church to construct a 23,041 square foot church building with offices, a lobby, vestry, storage area, day chapel, courtyard, restroom facilities and associated parking south of Mary Immaculate Queen school on Lemoore Avenue.

As part of the approval, Condition #2 required the applicant to dedicate 2' of additional right-of-way along Lemoore Avenue so that a full 42' right of way will exist from the street centerline. Additionally, this condition required a 10' public utility easement (PUE) behind the right-of-way for public utilities, sidewalk and bus shelter purposes.

Because there are two different ownerships involved, processing requires the attached four documents be recorded. These documents have been reviewed and approved by the Planning Department and the City Engineering and are deemed in conformity to Condition #2.

Budget Impact:

None.

Recommendation:

Staff recommends that the Council accept, by motion, the two (2) Irrevocable Offers of Right-of-Way Dedication and the two(2) Grants of Easement provided to the City to accommodate the full 42' right-of-way from each street centerline and appropriate public utility easements described therein for recordation with the Kings County Recorder with executed certificates of acceptance.

CERTIFICATE OF ACCEPTANCE

This is to certify that the IRREVOCABLE OFFER OF RIGHT-OF-WAY DEDICATION depicted on Exhibit A1 from the Roman Catholic Bishop of Fresno, a Corp Sole to the City of Lemoore, a Municipal Corporation was hereby accepted by Order of the Lemoore City Council on October 4, 2011 and the Grantee consents to the recordation by its duly authorized officer.

DATED: October 5, 2011

CITY OF LEMOORE

Jeff Britz
City Manager

ATTEST:

Nanci C.O. Lima, MMC
City Clerk

PUBLIC AGENCY ACKNOWLEDGEMENT

STATE OF CALIFORNIA)
COUNTY OF KINGS) ss.
CITY OF LEMOORE)

On October 5, 2011 before me, Nanci C.O. Lima, City Clerk, personally appeared Jeff Britz, 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 forgoing paragraph is true and correct.

Nanci C.O. Lima, MMC
City Clerk

CERTIFICATE OF ACCEPTANCE

This is to certify that the GRANT OF EASEMENT depicted on Exhibit B1 from the Roman Catholic Bishop of Fresno, a Corp Sole to the City of Lemoore, a Municipal Corporation was hereby accepted by Order of the Lemoore City Council on October 4, 2011 and the Grantee consents to the recordation by its duly authorized officer.

DATED: October 5, 2011

CITY OF LEMOORE

Jeff Britz
City Manager

ATTEST:

Nanci C.O. Lima, MMC
City Clerk

PUBLIC AGENCY ACKNOWLEDGEMENT

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

Nanci C.O. Lima, MMC
City Clerk

CERTIFICATE OF ACCEPTANCE

This is to certify that the IRREVOCABLE OFFER OF RIGHT-OF-WAY DEDICATION depicted on Exhibit C1 from the Diocese of Fresno Education Corp to the City of Lemoore, a Municipal Corporation was hereby accepted by Order of the Lemoore City Council on October 4, 2011 and the Grantee consents to the recordation by its duly authorized officer.

DATED: October 5, 2011

CITY OF LEMOORE

Jeff Briltz
City Manager

ATTEST:

Nanci C.O. Lima, MMC
City Clerk

PUBLIC AGENCY ACKNOWLEDGEMENT

STATE OF CALIFORNIA)
COUNTY OF KINGS) ss.
CITY OF LEMOORE)

On October 5, 2011 before me, Nanci C.O. Lima, City Clerk, personally appeared Jeff Briltz, 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 forgoing paragraph is true and correct.

Nanci C.O. Lima, MMC
City Clerk

CERTIFICATE OF ACCEPTANCE

This is to certify that the GRANT OF EASEMENT depicted on Exhibit D1 from the Diocese of Fresno Education Corp to the City of Lemoore, a Municipal Corporation was hereby accepted by Order of the Lemoore City Council on October 4, 2011 and the Grantee consents to the recordation by its duly authorized officer.

DATED: October 5, 2011

CITY OF LEMOORE

Jeff Britz
City Manager

ATTEST:

Nanci C.O. Lima, MMC
City Clerk

PUBLIC AGENCY ACKNOWLEDGEMENT

STATE OF CALIFORNIA)
COUNTY OF KINGS) ss.
CITY OF LEMOORE)

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Nanci C.O. Lima, MMC
City Clerk