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Staff Report

Item # 3F

To: Lemoore City Council
From: Holly Smyth, Planning Director,
Date: April 25, 2012
Subject: Irrevocable Offer of Dedication in Fee Interest and Irrevocable Offer of Dedication by Frank and Virginia Homan for land along Iona Avenue and Vine Street

Discussion:

On November 3, 2011, the Lemoore Planning Director approved Administrative Site Plan Review #2011-07 to construct a new 4,800 square foot metal warehouse building to the existing Valley Movers site at 585 W. Iona Avenue. As part of the approval, Condition #3 required the applicant to dedicate right-of-way along (ROW) Iona Avenue and Vine Street so that a full 42' ROW will exist along Iona and 30' of ROW will exist along Vine from the street centerline to conform to the Lemoore General Plan. Additionally, this same condition required a 10' public utility easement (PUE) behind each of the new ROWs also be recorded, so long as the one along Iona did not encroach into the existing scales. Per the engineer's legal description and map the full ROW and existing easements are shown, with 9' additional feet being dedicated along Iona Avenue and 10' along Vine Street and 10' PUEs behind each of these ROWs.

California Government Code Section 7050 states that "with the consent of the City, an irrevocable offer of dedication of real property for any public purpose may be made pursuant to this section. Such offer of dedication shall be executed, acknowledged, and recorded in the same manner as a conveyance of real property. Such offer of dedication, when recorded in the office of the county recorder, shall be irrevocable and may be accepted at any time by the City Council".

Because street widening across this property is not expected to occur in the near term, staff recommends that Council "acknowledge" and record the Offers of Dedication instead of "accepting" and recording them. The attached two documents have been reviewed and approved by the Planning Department and the City Engineering and are deemed acceptable per Condition #3.

Budget Impact:

None.

Recommendation:

Council should "acknowledge" the attached two Irrevocable Offers as prepared to accommodate the full 42' ROW and 30' ROWs from the centerline and 10' public utility easement in back of the new ROWs as shown for recordation with the Kings County Recorder with certificates of acknowledgement.

"In God We Trust"_{sm}