

RESOLUTION NO. 2015-193

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ROHNERT PARK AUTHORIZING THE CITY MANAGER TO ACCEPT THE GRANT DEEDS CONVEYING 53 ACRES FOR A WATER TANK SITE FROM UNIVERSITY DISTRICT LLC AND RIGHT-OF-WAY FOR KEISER AVENUE FROM VAST OAK PROPERTIES LP AND TO TAKE OTHER ACTIONS NECESSARY TO CLOSE ESCROW

WHEREAS, on April 22, 2014, the City Council of the City of Rohnert Park adopted Ordinance No. 878, approving a Development Agreement (“Development Agreement”) between the City of Rohnert Park and Vast Oak Property L.P. and University District LLC (“Developer”); and

WHEREAS, the Developer intends to file the final maps for Phases 1-A, 1-B, 1-C, and 1-D for the Vast Oak Property, consisting of 399 single-family residential lots; and

WHEREAS, the Development Agreement and the Conditions of Approval for Tentative Map for University District Development require the Developer to dedicate a 53 acre parcel known as the Anderson 53 site to the City for public purposes including the construction of a water tank prior to the approval of the first Final Map; and

WHEREAS, the Development Agreement and the Conditions of Approval for the Tentative Map for University District Development also require the Developer to dedicate right-of-way necessary for the widening of Keiser Avenue prior to the approval of the Final Map;

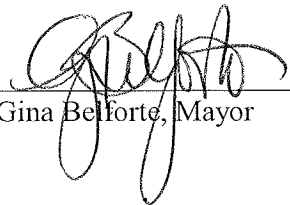
WHEREAS, the owners of these properties have offered the required dedications in the form of the Grant Deeds included as Exhibits A and B to this Resolution.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Rohnert Park that it does hereby authorize the City Manager to accept the 53 acre water tank site and the Keiser Avenue right-of-way as described in the Grant Deeds included as Exhibits A and B, with minor revisions as may be approved by the City Manager and City Attorney, in accordance with the terms set forth in the Development Agreement.

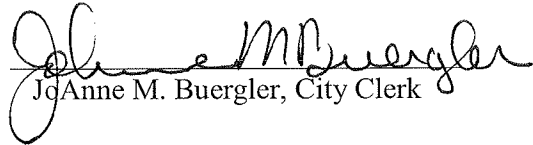
BE IT FURTHER RESOLVED that the City Manager is hereby authorized and directed to execute documents, including certificates of acceptance, and take all other actions necessary to close escrow in accordance with the terms of the Development Agreement and Condition of Approval.

DULY AND REGULARLY ADOPTED this 22nd day of December, 2015.

CITY OF ROHNERT PARK


Gina Belforte, Mayor

ATTEST:


JoAnne M. Buerger, City Clerk

Attachments: Exhibits A and B

AHANOTU: Aye CALLINAN: Absent STAFFORD: Aye MACKENZIE: Aye BELFORTE: Aye
AYES: (4) NOES: (0) ABSENT: (1) ABSTAIN: (0)

Exhibit A to Resolution

RECORDED AT THE REQUEST OF AND
AFTER RECORDING MAIL TO:

City of Rohnert Park
130 Avram Avenue
Rohnert Park, California 94928
Attention: City Clerk

Space above this line reserved for recorder's use
Exempt from recording fee pursuant to Gov. Code 27383

GRANT DEED

This Grant Deed (the "Grant Deed") is made on _____, 2015, by University District LLC, a Delaware Limited Liability Corporation ("Grantor"), to the City of Rohnert Park, a California municipal corporation ("City") with reference to the following:

Recitals

A. Grantor has submitted an application to the City to develop certain real property located in the City of Rohnert Park, County of Sonoma, State of California.

B. In connection with the approval of its development project and in lieu of acquisition by eminent domain, Grantor is granting certain real property to the City.

C. Grantor now desires to grant deed to City the property described herein.

NOW THEREFORE, for valuable consideration, the value, adequacy and receipt of which are hereby acknowledged:

Grantor does hereby grant and convey to City that certain real property legally described on Exhibit A, attached hereto and incorporated herein by reference.

[SIGNATURES ON FOLLOWING PAGE]

IN WITNESS WHEREOF, the Grantor has executed this Grant Deed as of the day and year first written above.

GRANTOR:

By: _____
Name: _____
Its: _____

By: _____
Name: _____
Its: _____

[signature must be acknowledged by a notary public]

CERTIFICATE OF ACCEPTANCE

This is to certify that the interests in real property conveyed by Grant Deed dated _____, 2015, from _____, as grantor, to the City of Rohnert Park, as grantee, are hereby accepted by the City Manager of the City Rohnert Park pursuant to authority conferred by Resolution No. _____ of the City Council adopted on _____, and the City of Rohnert Park, as grantee, consents to recordation of said Grant Deed.

Dated: _____, 2015

By: _____
Darrin Jenkins, City Manager
[Signature Must Be Notarized]

EXHIBIT A

Legal Description

[to be inserted]

ACKNOWLEDGMENT

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 _____)

On _____, before me, _____, a Notary Public, personally appeared _____, 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 _____

EXHIBIT "A"

**LEGAL DESCRIPTION FOR
WATER TANK SITE
LANDS OF UNIVERSITY DISTRICT LLC**

ALL THAT CERTAIN REAL PROPERTY SITUATED IN THE UNINCORPORATED AREA OF SONOMA COUNTY STATE OF CALIFORNIA, BEING A PORTION OF TRACT II AS DESCRIBED IN DOCUMENT NO. 2003-080334, SONOMA COUNTY RECORDS, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWESTERLY CORNER OF SAID TRACT II, BEING ALSO A POINT ON THE EASTERLY RIGHT OF WAY OF PETALUMA HILL ROAD; THENCE FROM SAID POINT OF BEGINNING ALONG THE NORTHERLY LINE OF SAID TRACT II, THE FOLLOWING THREE (3) COURSES:

- 1) SOUTH 77°39'44" EAST 86.49 FEET;
- 2) SOUTH 67°55'25" EAST 206.96 FEET;
- 3) THENCE SOUTH 89°03'51" EAST 1703.57 FEET;

THENCE LEAVING SAID NORTHERLY LINE AND ENTERING SAID TRACT II THE FOLLOWING THREE (3) COURSES:

- 1) SOUTH 89°03'51" EAST 323.22 FEET;
- 2) NORTH 65°22'06" EAST 250.51 FEET;
- 3) THENCE SOUTH 89°53'55" EAST 81.20 FEET TO THE EASTERLY LINE OF SAID TRACT II;

THENCE ALONG SAID EASTERLY LINE, SOUTH 00°18'05" WEST 960.82 FEET TO THE SOUTHERLY LINE OF SAID TRACT II;

THENCE ALONG THE SOUTHERLY LINE NORTH 89°56'20" WEST 2,606.17 FEET TO A POINT ON THE EASTERLY RIGHT OF WAY LINE OF PETALUMA HILL ROAD;

THENCE ALONG SAID EASTERLY RIGHT OF WAY COMMON WITH WESTERLY LINE OF SAID TRACT II, NORTH 00°01'44" WEST 983.12 FEET, TO THE **POINT OF BEGINNING**.

CONTAINING 53.00 ACRES, MORE OR LESS

RESERVING THEREFROM A NON-EXCLUSIVE EASEMENT:

BEING THE NORTHERLY TWENTY FEET (20') OF THE ABOVE DESCRIBED PARCEL FOR SHARED PRIVATE ACCESS AND UTILITY EASEMENT PURPOSES.

A PORTION OF APN 047-132-038

END OF DESCRIPTION

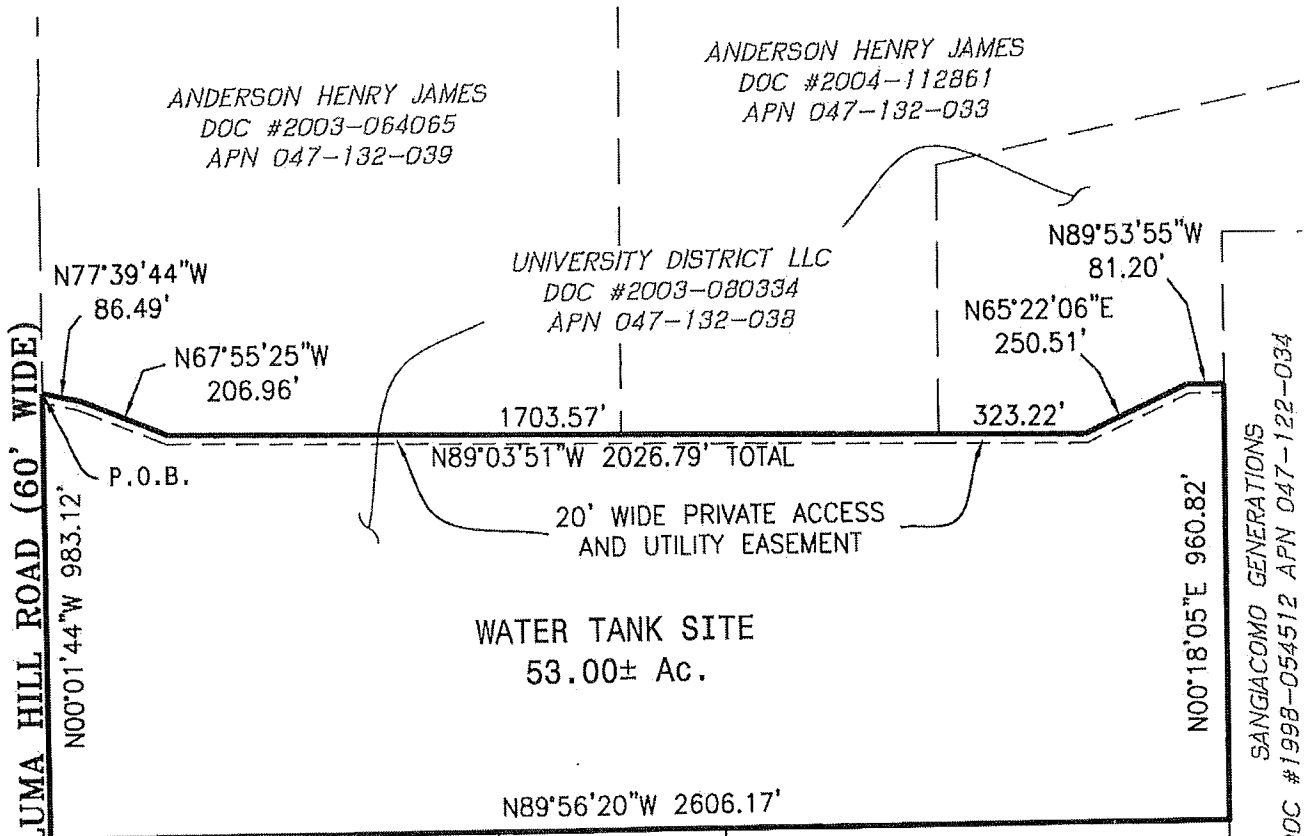
PREPARED BY:

IAN MACDONALD
LICENSED LAND SURVEYOR No. 8817
(EXP 12/31/2015)
STATE OF CALIFORNIA



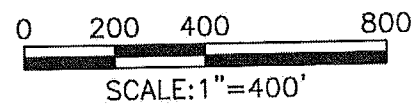
10/15/15
DATE

MACKAY & SOMPS
CIVIL ENGINEERING • LAND PLANNING • LAND SURVEYING
5142 Franklin Drive Suite B, Pleasanton, CA. 94588-3355
(925) 225-0690



LEGEND

- BOUNDARY OF DESCRIPTION
- - - - EXISTING PARCEL
- - - - EASEMENT LINE
- P.O.B. POINT OF BEGINNING



PLAT TO ACCOMPANY LEGAL DESCRIPTION FOR			
WATER TANK SITE			
LANDS OF UNIVERSITY DISTRICT LLC			
CITY OF ROHNERT PARK		CALIFORNIA	
Mackay & Soms			
ENGINEERS	PLANNERS	SURVEYORS	
5142B FRANKLIN DR, PLEASANTON, CA 94588		(925)225-0690	
DRAWN	DATE	SCALE	JOB NO.
IBM	OCT. 2015	1"=400'	19539

EXHIBIT "A"

LEGAL DESCRIPTION FOR
RIGHT-OF-WAY DEDICATION
LANDS OF VAST OAK PROPERTIES

ALL THAT REAL PROPERTY SITUATED IN THE CITY OF ROHNERT PARK, COUNTY OF SONOMA, STATE OF CALIFORNIA BEING THE NORTHERLY THIRTY-SIX (36) FEET OF RESULTANT PARCELS A, B, AND C OF THAT CERTAIN LOT LINE ADJUSTMENT RECORDED AS DOCUMENT NUMBER 2015010549 SONOMA COUNTY RECORDS.

PORTION OF APN'S 045-262-001, 045-262-002, AND 045-262-003

PREPARED BY

IAN MACDONALD
LICENSED LAND SURVEYOR NO. 8817
(EXP 12/31/15)
STATE OF CALIFORNIA



10/15/15
DATE

MACKEY & SOMPS

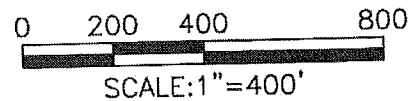
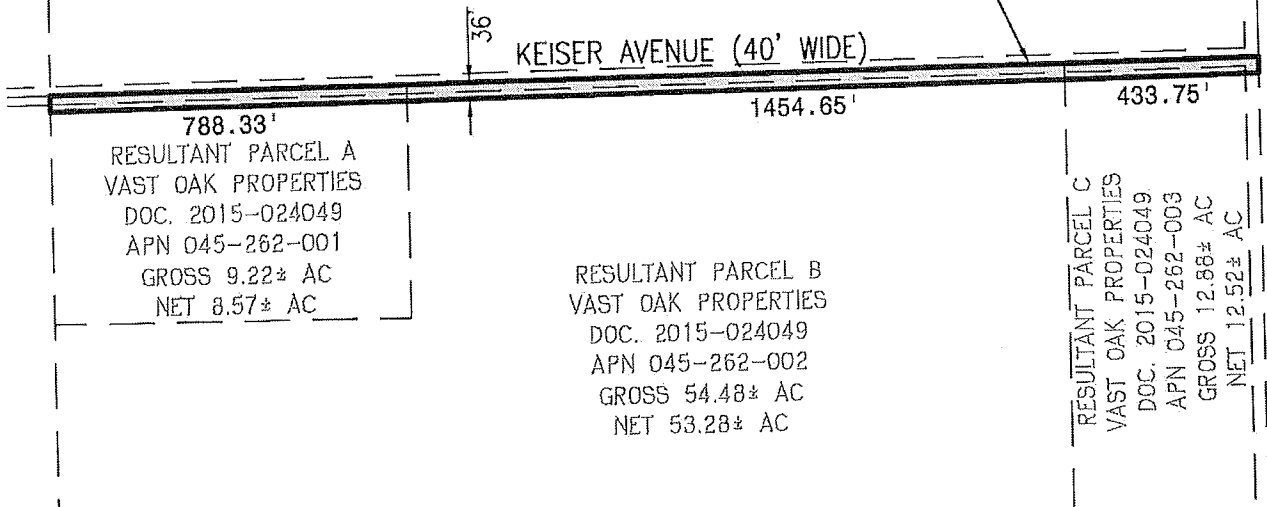
CIVIL ENGINEERING • LAND PLANNING • LAND SURVEYING
5142 Franklin Drive Suite B, Pleasanton, CA. 94588-3355
(925) 225-0690

EXHIBIT "B"



RONCO 81 INC
DOC. 1981-002430
APN 045-261-001

RIGHT-OF-WAY DEDICATION



LEGEND

———— BOUNDARY OF DESCRIPTION
- - - - - EXISTING PARCEL

PLAT TO ACCOMPANY LEGAL DESCRIPTION FOR

RIGHT-OF-WAY DEDICATION
LANDS OF VAST OAK PROPERTIES

ROHNERT PARK

CALIFORNIA

MACKAY & SOMPS

ENGINEERS PLANNERS SURVEYORS
5142B FRANKLIN DR, PLEASANTON, CA 94588 (925)225-0690

DRAWN	DATE	SCALE	JOB NO.
MB	OCT. 2015	1" = 400'	19539.010

Exhibit B to Resolution

RECORDED AT THE REQUEST OF AND
AFTER RECORDING MAIL TO:

City of Rohnert Park
130 Avram Avenue
Rohnert Park, California 94928
Attention: City Clerk

Space above this line reserved for recorder's use
Exempt from recording fee pursuant to Gov. Code 27383

GRANT DEED

This Grant Deed (the "Grant Deed") is made on _____, 2015, by Vast Oak Properties LP, a California Limited Partnership ("Grantor"), to the City of Rohnert Park, a California municipal corporation ("City") with reference to the following:

Recitals

A. Grantor has submitted an application to the City to develop certain real property located in the City of Rohnert Park, County of Sonoma, State of California.

B. In connection with the approval of its development project, Grantor is required to dedicate certain real property to the City.

C. In order to comply with the conditions of the project approval, Grantor now desires to grant deed to City the property described herein.

NOW THEREFORE, for valuable consideration, the value, adequacy and receipt of which are hereby acknowledged:

Grantor does hereby grant and convey to City that certain real property legally described on Exhibit A, attached hereto and incorporated herein by reference.

[SIGNATURES ON FOLLOWING PAGE]

IN WITNESS WHEREOF, the Grantor has executed this Grant Deed as of the day and year first written above.

GRANTOR:

By: _____
Name: _____
Its: _____

By: _____
Name: _____
Its: _____

[signature must be acknowledged by a notary public]

CERTIFICATE OF ACCEPTANCE

This is to certify that the interests in real property conveyed by Grant Deed dated _____, 2015, from _____, as grantor, to the City of Rohnert Park, as grantee, are hereby accepted by the City Manager of the City Rohnert Park pursuant to authority conferred by Resolution No. _____ of the City Council adopted on _____, and the City of Rohnert Park, as grantee, consents to recordation of said Grant Deed.

Dated: _____, 2015

By: _____
Darrin Jenkins, City Manager
[Signature Must Be Notarized]

EXHIBIT A

Legal Description

[to be inserted]

ACKNOWLEDGMENT

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 _____)

On _____, before me, _____, a Notary Public, personally appeared _____, 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 _____