

CITY OF GARDEN GROVE

INTER-DEPARTMENT MEMORANDUM

To: Allan L. Roeder From: William E. Murray
 Dept: Interim City Manager Dept: Public Works
 Subject: ADOPTION OF A RESOLUTIONS AMENDING RESOLUTION NOS. 9168-13, 9169-13, AND 9170-13 MAKING CORRECTIONS TO LEGAL DESCRIPTIONS AFFECTING REAL PROPERTY AT 12971 AND 12972 RANCHERO WAY, AND 12971 TRASK AVENUE, GARDEN GROVE

OBJECTIVE

For the Garden Grove City Council ("City Council") to approve amendments to Resolution Nos. 9168-13; 9169-13; and 9170-13, affecting real property located at 12971 and 12972 Rancho Way and 12971 Trask Avenue, located in Garden Grove, dedicated for street and highway purposes.

BACKGROUND

In September 2009, the City of Garden Grove ("City") undertook Project No. 7255 - Fairview Street/Trask Avenue Intersection Improvement Project ("Project") for the purpose of improving the intersection to conform with the Circulation Element of the City's General Plan 2020 and the City's Master Plan of Arterial Highways. As part of the Project, the City acquired three parcels of land improved with single-family homes adjacent to Fairview Street. The City relocated the residential occupants, demolished the residential structures, and constructed the street improvements.

On February 26, 2013, the City Council adopted Resolution Nos. 9168-13; 9169-13; 9170-13 (collectively "the Resolutions"), setting aside portions of the properties for street and highway purposes, rendering the remaining property not used for the widening as uneconomic remnants. Below is a table indicating the addresses and corresponding assessor parcel numbers of the properties:

Address	Assessor Parcel Numbers	Resolution No.
12971 Rancho Way	101-303-49	9168-13
12972 Rancho Way	101-301-19	9169-13
12971 Trask Avenue	101-301-09	9170-13

DISCUSSION

Staff became aware of discrepancies in the legal descriptions contained in the Resolutions from a property owner who acquired an uneconomic remnant parcel from the City in 2014. The property owner is processing a lot line adjustment to consolidate the remnant parcel with the adjacent parcel and a survey discovered that the legal description of the portion dedicated over 12971 Trask Avenue does not match the physical dimensions of the dedicated street. Staff further investigated the matter and noted discrepancies across all of the legal descriptions used in the Resolutions. The legal descriptions of the dedications must be amended to reflect the actual location of the public improvements constructed during the Project.

FINANCIAL IMPACT

There is no financial impact resulting from amending the Resolutions.

RECOMMENDATION

It is recommended that the City Council:

- Adopt the resolutions amending City Council Resolution No's 9168-13, 9169-13, 9170-13; and
- Authorize the City Clerk to record the new Resolutions with the County.


WILLIAM E. MURRAY JR., P.E.
Public Works Director

By: Carlos Marquez
Senior Real Property Agent

Attachment 1 –Resolution for dedication at 12971 Rancho Way

Attachment 2 –Resolution for dedication at 12972 Rancho Way

Attachment 3 –Resolution for dedication at 12971 Trask Avenue

Recommended for Approval


Allan L. Roeder
Interim City Manager

GARDEN GROVE CITY COUNCIL

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GARDEN GROVE
REVISING THE LEGAL DESCRIPTION AND BOUNDARIES OF THE DEDICATION OF
CERTAIN CITY-OWNED REAL PROPERTY LOCATED AT 12971 RANCHERO WAY,
GARDEN GROVE, FOR PUBLIC STREET AND HIGHWAY PURPOSES

WHEREAS, the City of Garden Grove ("City"), a municipal corporation, implemented Project No. 7255 – Fairview Street/Trask Avenue Intersection Improvement Project, a public works project for the widening of Fairview Street and Trask Avenue to conform them to the Circulation Element of the City's General Plan 2020 ("General Plan") and the City's Master Plan of Arterial Highways, and to provide the community with superior roadways complete with improved public facilities and amenities (the "Project");

WHEREAS, the Project was funded by Measure "M" local, Measure "M" regional, and Gas Tax funds;

WHEREAS, the City acquired the real property located at 12971 Ranchero Way, Garden Grove, and identified by Assessor Parcel Number: 101-303-49, also known as Lot 17 of Tract No. 1414 (the "Property"), to construct and complete the Project;

WHEREAS, a portion of the Property was required for the widening of Fairview Street;

WHEREAS, on February 26, 2013, the Garden Grove City Council adopted Resolution No. 9168-13 dedicating a portion the Property along Fairview Street and the northwest corner of Ranchero Way for street and highway purposes;

WHEREAS, a survey of portions of the Project noted deficiencies in the legal description of the portion of the Property dedicated for street and highway purposes;

WHEREAS, the Garden Grove City Council desires to correct said deficiencies in the legal descriptions of the portion of the Property dedicated for street and highway purposes; and

WHEREAS, a new legal description has been prepared for the dedicated portion of the Property.

NOW THEREFORE THE CITY COUNCIL OF THE CITY OF GARDEN GROVE DOES
HEREBY RESOLVE AS FOLLOWS:

Section 1. Resolution No. 9168-13 is hereby superseded.

Section 2. The portion of the Property legally described in Exhibit "A" and delineated in Exhibit "B" is hereby incorporated by reference and confirmed to be dedicated for street and highway purposes.

EXHIBIT "A"
LEGAL DESCRIPTION

PORTION OF LOT 17 APN 101-303-49

12971 RANCHERO WAY

THAT PORTION OF LOT 17 OF TRACT NO. 1414, IN THE CITY OF GARDEN GROVE, COUNTY OF ORANGE, STATE OF CALIFORNIA, AS SHOWN ON A MAP FILED IN BOOK 47, PAGE 6 OF MISCELLANEOUS MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF SAID LOT 17;

THENCE ALONG THE EASTERLY LINE OF LOT 17, SOUTH 00°44'55" EAST 116.50 FEET TO THE BEGINNING OF A CURVE CONCAVE NORTHWESTERLY HAVING A RADIUS OF 13.00 FEET;

THENCE SOUTHWESTERLY ALONG SAID CURVE 20.50 FEET THROUGH A CENTRAL ANGLE OF 90°20'35" TO THE SOUTHERLY LINE OF LOT 17;

THENCE ALONG SAID SOUTHERLY LINE, SOUTH 89°35'40" WEST 26.54 FEET TO THE BEGINNING OF A CURVE CONCAVE NORTHWESTERLY HAVING A RADIUS OF 19.00 FEET;

THENCE NORTHEASTERLY ALONG SAID CURVE 29.96 FEET THROUGH A CENTRAL ANGLE OF 90°20'35" TO A LINE PARALLEL WITH AND 50.50 FEET WESTERLY FROM THE CENTERLINE OF BERRYDALE AVENUE, AS SHOWN ON SAID TRACT 1414, SAID BERRYDALE AVENUE NOW KNOWN AS FAIRVIEW AVENUE;

THENCE ALONG SAID PARALLEL LINE, NORTH 00°44'55" WEST 110.47 FEET TO THE NORTHERLY LINE OF LOT 17;

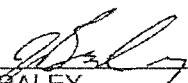
THENCE ALONG SAID NORTHERLY LINE, NORTH 89°35'40" EAST 20.50 FEET TO THE POINT OF BEGINNING.

CONTAINING: 2,698 SQUARE FEET, MORE OR LESS.

EXHIBIT "B" ATTACHED AND BY THIS REFERENCE MADE A PART HEREOF.

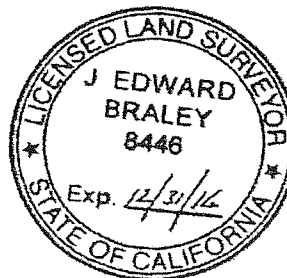
SUBJECT TO: COVENANTS, CONDITIONS, RESERVATIONS, RESTRICTIONS, RIGHTS OF WAY AND EASEMENTS OF RECORD, IF ANY.

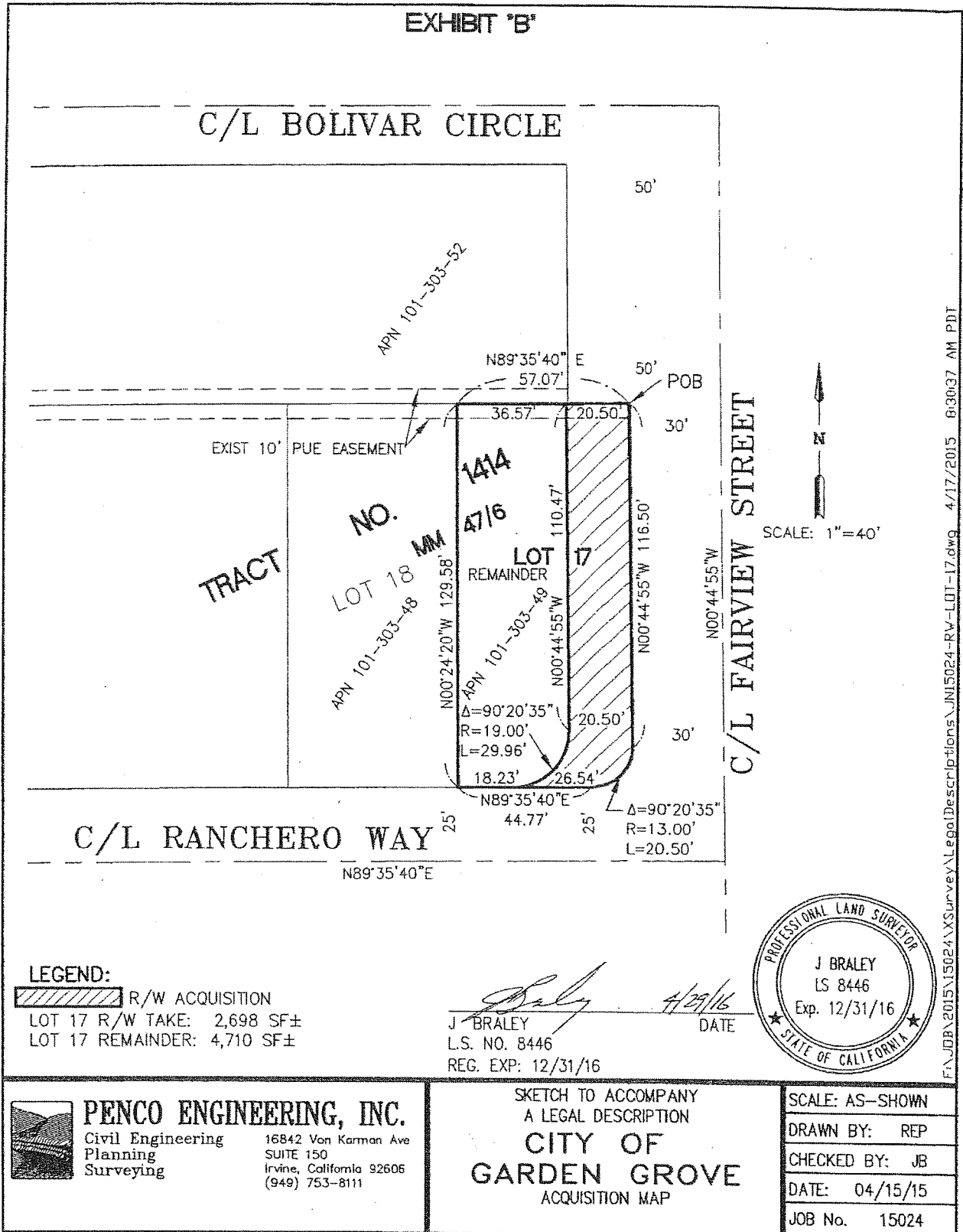
THIS DESCRIPTION WAS PREPARED BY ME OR UNDER MY DIRECTION.



J BRALEY
L.S. NO. 8446
REG. EXP: 12/31/16

4/29/15
DATE





GARDEN GROVE CITY COUNCIL

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GARDEN GROVE
REVISING THE LEGAL DESCRIPTION AND BOUNDARIES OF THE DEDICATION OF
CERTAIN CITY-OWNED REAL PROPERTY LOCATED AT 12972 RANCHERO WAY,
GARDEN GROVE, FOR PUBLIC STREET AND HIGHWAY PURPOSES

WHEREAS, the City of Garden Grove ("City"), a municipal corporation, implemented Project No. 7255 – Fairview Street/Trask Avenue Intersection Improvement Project, a public works project for the widening of Fairview Street and Trask Avenue to conform them to the Circulation Element of the City's General Plan 2020 ("General Plan") and the City's Master Plan of Arterial Highways, and to provide the community with superior roadways complete with improved public facilities and amenities (the "Project");

WHEREAS, the Project was funded by Measure "M" local, Measure "M" regional, and Gas Tax funds;

WHEREAS, the City acquired the real property located at 12972 Ranchero Way, Garden Grove, and identified by Assessor Parcel Number: 101-301-19, also known as Lot 16 of Tract No. 1414 (the "Property"), to construct and complete the Project;

WHEREAS, a portion of the Property was required for the widening of Fairview Street;

WHEREAS, on February 26, 2013, the Garden Grove City Council adopted Resolution No. 9169-13 dedicating a portion the Property along Fairview Street and the southwest corner of Ranchero Way for street and highway purposes;

WHEREAS, a survey of portions of the Project noted deficiencies in the legal description of the portion of the Property dedicated for street and highway purposes;

WHEREAS, the Garden Grove City Council desires to correct said deficiencies in the legal descriptions of the portion of the Property dedicated for street and highway purposes; and

WHEREAS, a new legal description has been prepared for the dedicated portion of the Property.

NOW THEREFORE THE CITY COUNCIL OF THE CITY OF GARDEN GROVE DOES
HEREBY RESOLVE AS FOLLOWS:

Section 1. Resolution No. 9169-13 is hereby superseded.

Section 2. The portion of the Property legally described in Exhibit "A" and delineated in Exhibit "B" is hereby incorporated by reference and confirmed to be dedicated for street and highway purposes.

EXHIBIT "A"
LEGAL DESCRIPTION

PORTION OF LOT 16 APN 101-301-19

12972 RANCHERO WAY

THAT PORTION OF LOT 16 OF TRACT NO. 1414, IN THE CITY OF GARDEN GROVE, COUNTY OF ORANGE, STATE OF CALIFORNIA, AS SHOWN ON A MAP FILED IN BOOK 47, PAGE 6 OF MISCELLANEOUS MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF SAID LOT 16;

THENCE ALONG THE SOUTHERLY LINE OF LOT 16, SOUTH 89°35'40" WEST 20.50 FEET TO A LINE PARALLEL WITH AND 50.50 FEET WESTERLY FROM THE CENTERLINE OF BERRYDALE AVENUE AS SHOWN ON SAID TRACT 1414, SAID BARRYDALE AVENUE NOW KNOWN AS FAIRVIEW AVENUE;

THENCE ALONG SAID PARALLEL LINE NORTH 00°44'55" WEST 106.12 FEET TO THE BEGINNING OF A CURVE CONCAVE SOUTHWESTERLY HAVING A RADIUS OF 20.00 FEET;

THENCE NORTHWESTERLY ALONG SAID CURVE 31.30 FEET THROUGH A CENTRAL ANGLE OF 89°39'25" TO THE NORTHERLY LINE OF LOT 16;

THENCE ALONG SAID NORTHERLY LINE NORTH 89°35'40" EAST 27.46 FEET TO THE BEGINNING OF A CURVE CONCAVE SOUTHWESTERLY HAVING A RADIUS OF 13.00 FEET;

THENCE SOUTHEASTERLY ALONG SAID CURVE 20.34 FEET THROUGH A CENTRAL ANGLE OF 89°39'25" TO THE EASTERLY LINE OF LOT 16;

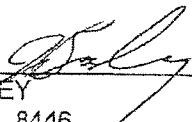
THENCE ALONG SAID EASTERLY LINE SOUTH 00°44'55" EAST 113.08 FEET TO THE POINT OF BEGINNING.

CONTAINING: 2,632 SQUARE FEET, MORE OR LESS.

EXHIBIT "B" ATTACHED AND BY THIS REFERENCE MADE A PART HEREOF.

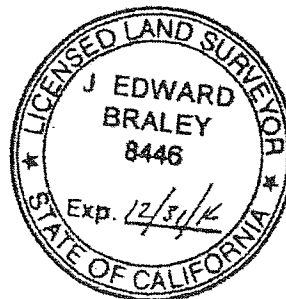
SUBJECT TO: COVENANTS, CONDITIONS, RESERVATIONS, RESTRICTIONS, RIGHTS OF WAY AND EASEMENTS OF RECORD, IF ANY.

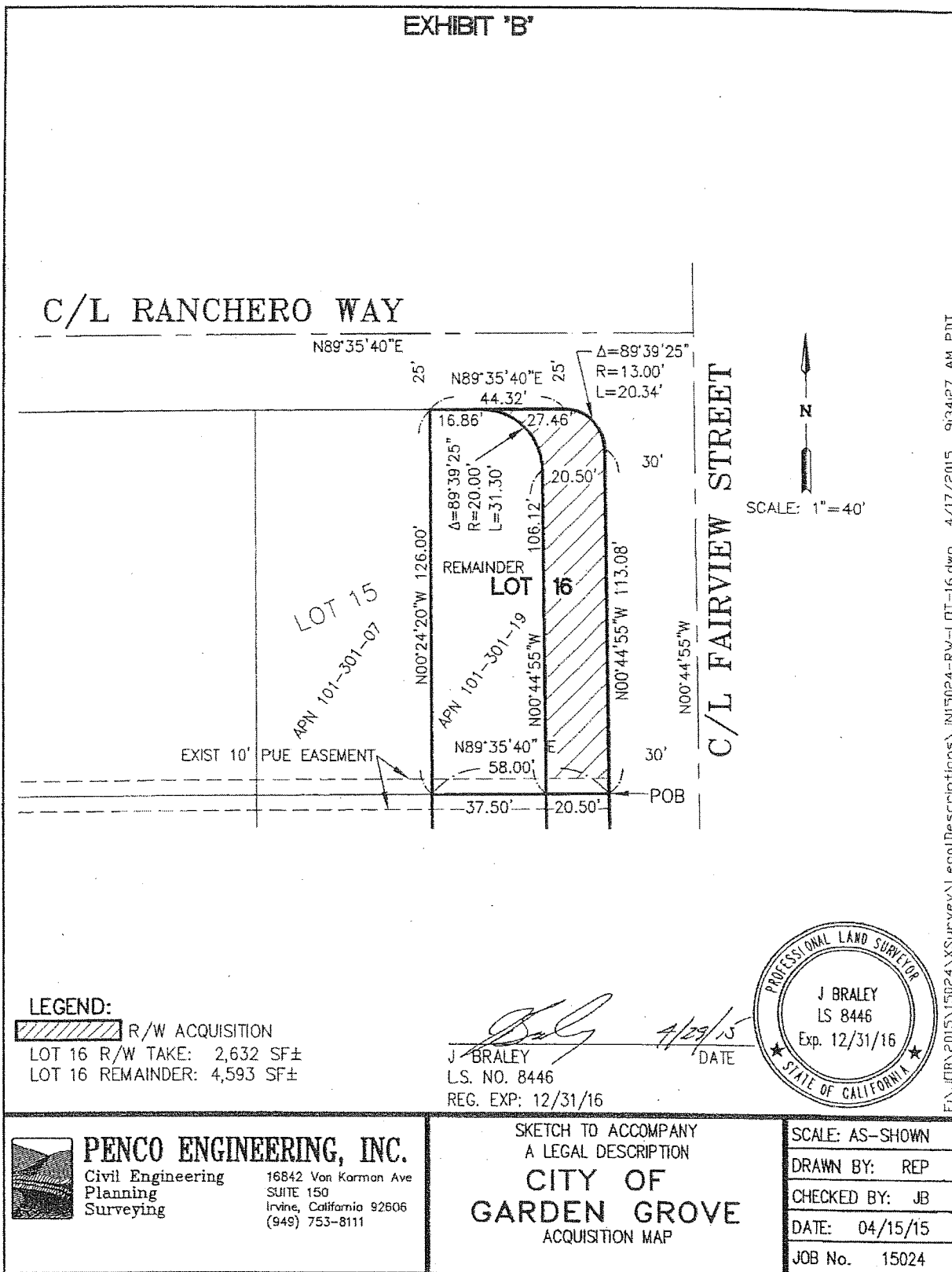
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GARDEN GROVE CITY COUNCIL

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GARDEN GROVE
REVISING THE LEGAL DESCRIPTION AND BOUNDARIES OF THE DEDICATION OF
CERTAIN CITY-OWNED REAL PROPERTY LOCATED AT 12971 TRASK AVENUE,
GARDEN GROVE, FOR PUBLIC STREET AND HIGHWAY PURPOSES

WHEREAS, the City of Garden Grove ("City"), a municipal corporation, implemented Project No. 7255 – Fairview Street/Trask Avenue Intersection Improvement Project, a public works project for the widening of Fairview Street and Trask Avenue to conform them to the Circulation Element of the City's General Plan 2020 ("General Plan") and the City's Master Plan of Arterial Highways, and to provide the community with superior roadways complete with improved public facilities and amenities (the "Project");

WHEREAS, the Project was funded by Measure "M" local, Measure "M" regional, and Gas Tax funds;

WHEREAS, the City acquired the real property located at 12971 Trask Avenue, City of Garden Grove, and identified by Assessor Parcel Number: 101-301-09, also known as Lot 1 of Tract No. 1414 (the "Property"), to construct and complete the Project;

WHEREAS, a portion of the Property was required for the widening of Fairview Street;

WHEREAS, on February 26, 2013, the Garden Grove City Council adopted Resolution No. 9170-13 dedicating a portion the Property along Fairview Street and the southwest corner of Trask Avenue for street and highway purposes;

WHEREAS, on May 27, 2014, the Garden Grove City Council approved the sale of the remainder portion of the Property, which was determined to be an uneconomic remnant parcel by an independent appraisal (the "Remnant"), to Tai Phan and Karim Forsat (collectively, the "Buyer"), excepting the portion dedicated for street and highway purposes;

WHEREAS, the Buyer is in the process of consolidating the adjacent parcel with the Remnant through a lot line adjustment;

WHEREAS, during the due diligence period for the proposed lot line adjustment, the Buyer and the City noted deficiencies in the legal description of the portion of the Property dedicated for street and highway purposes and deficiencies in the legal description of the Remnant;

WHEREAS, the Garden Grove City Council desires to correct said deficiencies in the legal descriptions of the portion of the Property dedicated for street and highway purposes and of the Remnant;

WHEREAS, a new legal description has been prepared for the dedicated portion of the Property.

NOW THEREFORE THE CITY COUNCIL OF THE CITY OF GARDEN GROVE DOES HEREBY RESOLVE AS FOLLOWS:

Section 1. Resolution No. 9170-13 is hereby superseded.

Section 2. The portion of the Property legally described in Exhibit "A" and delineated in Exhibit "B" is hereby incorporated by reference and confirmed to be dedicated for street and highway purposes.

EXHIBIT "A"
LEGAL DESCRIPTION

PORTION OF LOT 1 APN 101-301-09

12971 TRASK AVENUE

THAT PORTION OF LOT 1 OF TRACT NO. 1414, IN THE CITY OF GARDEN GROVE, COUNTY OF ORANGE, STATE OF CALIFORNIA, AS SHOWN ON A MAP FILED IN BOOK 47, PAGE 6 OF MISCELLANEOUS MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF SAID LOT 1;

THENCE ALONG THE EASTERLY LINE OF LOT 1, SOUTH 00°44'55" EAST 112.92 FEET TO THE BEGINNING OF A CURVE CONCAVE NORTHWESTERLY HAVING A RADIUS OF 13.00 FEET;

THENCE SOUTHWESTERLY ALONG SAID CURVE 20.50 FEET THROUGH A CENTRAL ANGLE OF 90°20'35" TO THE SOUTHERLY LINE OF LOT 1;

THENCE ALONG SAID SOUTHERLY LINE, SOUTH 89°35'40" WEST 45.68 FEET TO WESTERLY LINE OF LOT 1;

THENCE ALONG SAID WESTERLY LINE NORTH 00°24'20" WEST 10.00 FEET TO A LINE PARALLEL WITH AND 40.00 FEET NORTHERLY FROM THE CENTERLINE OF TRASK AVENUE AS SHOWN ON SAID TRACT 1414;

THENCE ALONG SAID PARALLEL LINE NORTH 89°35'40" EAST 25.37 FEET;

THENCE NORTH 43°08'43" EAST 18.50 FEET TO A LINE PARALLEL WITH AND 50.50 FEET WESTERLY FROM THE CENTERLINE OF BERRYDALE AVENUE AS SHOWN ON SAID TRACT 1414, SAID BERRYDALE AVENUE NOW KNOWN AS FAIRVIEW AVENUE;

THENCE ALONG SAID PARALLEL LINE NORTH 00°44'55" WEST 102.59 FEET TO THE NORTHERLY LINE OF LOT 1;

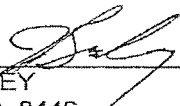
THENCE ALONG SAID NORTHERLY LINE NORTH 89°35'40" EAST 20.50 FEET TO THE POINT OF BEGINNING.

CONTAINING: 3,014 SQUARE FEET, MORE OR LESS.

EXHIBIT "B" ATTACHED AND BY THIS REFERENCE MADE A PART HEREOF.

SUBJECT TO: COVENANTS, CONDITIONS, RESERVATIONS, RESTRICTIONS, RIGHTS OF WAY AND EASEMENTS OF RECORD, IF ANY.

THIS DESCRIPTION WAS PREPARED BY ME OR UNDER MY DIRECTION.



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