

CITY OF GARDEN GROVE

INTER-DEPARTMENT MEMORANDUM

To: Matthew Fertal
Dept: City Manager
Subject: APPROVAL OF A QUITCLAIM OF EASEMENT FOR SIDEWALK PURPOSES AT 14721 SAIL STREET, GARDEN GROVE

From: William E. Murray
Dept: Public Works
Date: February 11, 2014

OBJECTIVE

It is requested that the City Council authorize the execution of a quitclaim deed to relinquish an easement for walkway purposes at 14721 Sail Street, Garden Grove.

BACKGROUND/DISCUSSION

In 1959, the City Council approved Tract Map No. 2950, a residential subdivision south of Hazard Avenue and east of Ward Street. An easement for walkway purposes was dedicated on the Tract Map and encumbers 14721 Sail Street. Irvine Intermediate School abuts the subject property to the west. The easement was dedicated in anticipation of the construction of Irvine Intermediate School and subsequent pedestrian access to the school by students. For security reasons all access to school grounds occurs along Ward Street, rendering the easement unnecessary. The walkway easement area is bordered by a block wall to the north and south and a wrought iron gate has secured the entrance for quite some time.

On August 1, 2013, Luis and Martha Ignacio, owners of the subject property, requested the relinquishment of the easement. They requested that the easement be relinquished due to the deferred maintenance to the block wall and gate. Furthermore, loiterers and transients make use of the easement for illegal activities. Staff has contacted the Garden Grove Unified School District regarding the quitclaim of the easement. The School District has provided written confirmation that the easement will no longer be needed for access to the school.

In order to properly remove the easement that encumbers the subject property, a quitclaim deed relinquishing the City's interest must be recorded with the office of the County Recorder.

FINANCIAL IMPACT

There is no impact to the General Fund or to the City by this action.

RECOMMENDATION

Based on the foregoing, staff recommends that the City Council:

- Approve the execution of the quitclaim deed relinquishing the City's interest in the walkway easement at 14721 Sail Street, Garden Grove; and
- Authorize the City Manager to execute the quitclaim deed on behalf of the City.


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


By: Carlos Marquez
Senior Real Property Agent

Attachment: Quitclaim Deed

Recommended for Approval


Matthew Fertal
City Manager

AND WHEN RECORDED MAIL TO

Name _____
 Address _____
 City & _____
 State, Zip _____
 Title Order No. _____ Escrow No. _____

MAIL TAX STATEMENTS TO

Name _____
 Address _____
 City & _____
 State, Zip _____

QUITCLAIM DEED

This document is exempt from payment of recording fees
 Pursuant to Section 6103 of the Government Code
 By: _____

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged,

CITY OF GARDEN GROVE, a municipal corporation

does hereby **REMISE, RELEASE AND FOREVER QUITCLAIM** to

LUIS IGNACIO AND MARTHA IGNACIO, husband and wife as joint tenants,

the following described real property in the City of Garden Grove, County of Orange, State of California:

**AS PER LEGAL DESCRIPTION SHOWN ON EXHIBIT "A", ATTACHED HERETO,
AND MADE A PART HEREOF**

This Quitclaim is given to relinquish all right, title, and interest in and to that certain easement for walkway purposes dedicated to the City of Garden Grove on Tract Map No. 2950 recorded in Book 119, Pages 1,2, and 3, of Miscellaneous Maps of Official Records in the Office of the County Recorder of the County of Orange, State of California, insofar and only insofar as said Quitclaim affects only said easement described herein as Exhibit A.

CITY OF GARDEN GROVE, a
municipal corporation

Dated: _____

By: _____

Its: _____

Dated: _____

By: _____

Its: _____

ACKNOWLEDGMENT

State of California
County of _____)

On _____ before me, _____
(insert name and title of the officer)

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 _____ (Seal)

ACKNOWLEDGMENT

State of California
County of _____)

On _____ before me, _____
(insert name and title of the officer)

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 _____ (Seal)

Exhibit "A"

Legal Description

The following described real property in the City of Garden Grove, County of Orange, State of California:

THE SOUTH 10.00 FEET OF LOT 38 OF TRACT NO. 2950 RECORDED IN BOOK 119, PAGES 1, 2, AND 3, OF MISCELLANEOUS MAPS OF OFFICIAL RECORDS IN THE OFFICE OF THE COUNTY RECORDER OF THE COUNTY OF ORANGE, STATE OF CALIFORNIA.

End of Legal Description