



City Council Staff Report

Date: June 6, 2012

CONSENT CALENDAR

Subject: APPROVAL OF PARCEL MAP 36387

From: David H. Ready, City Manager

Initiated by: Public Works and Engineering Department

SUMMARY

Charles R. Harris, representing Brandenburg Family Associates, a California Limited Partnership, has prepared a parcel map for reversion to acreage of approximately 24.4 acres, located at the northeast corner of Farrell Drive and Baristo Road, in Section 13, Township 4 South, Range 4 East. Approval of the parcel map will allow the map to be recorded and the underlying property to be reverted to acreage. This is merely a ministerial action, as required by the Municipal Code and the Subdivision Map Act.

RECOMMENDATION:

- 1) Adopt Resolution No. _____ "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING PARCEL MAP 36387 FOR PROPERTY LOCATED AT THE NORTHEAST CORNER OF FARRELL DRIVE AND BARISTO ROAD, IN SECTION 13, TOWNSHIP 4 SOUTH, RANGE 4 EAST;" and
- 2) Authorize the City Manager to execute all necessary documents.

STAFF ANALYSIS:

Charles R. Harris, representing Brandenburg Family Associates, a California Limited Partnership, submitted Parcel Map 36387, requesting that the property located at the northeast corner of Farrell Drive and Baristo Road, in Section 13, Township 4 South, Range 4 East, be consolidated into one parcel (reverted to acreage) of approximately 24.4 acres in size. At its meeting of September 14, 2011, the Planning Commission recommended approval of Tentative Parcel Map 36387, which was subsequently approved by the City Council, subject to conditions, on October 5, 2011.

ITEM NO. 21

The project site is bounded on the north by Tahquitz Canyon Way, on the west by Farrell Drive, on the south by Baristo Road, and on the east by the existing condominium development (Sundial) that was part of an earlier phase of Tract Map 10346. In the original phase of the project, 78 of 202 residential units were constructed, and one office complex was constructed. The subsequent phases of the Sundial project were never completed, and the owners of the property requested the City to approve Tentative Parcel Map 36387 in an effort to revert to acreage the underlying lots within Tract Map 10346.

It has been determined that required conditions have been satisfied, that Parcel Map 36387 is in substantial conformance with the approved Tentative Parcel Map, and that Parcel Map 36387 is ready for City Council approval.

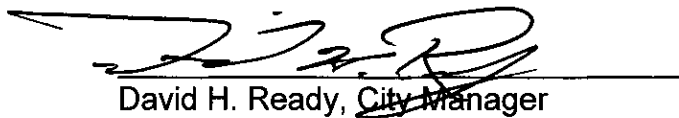
FISCAL IMPACT:
None.



David J. Barakian
Director of Public Works/City Engineer



Thomas J. Wilson
Assistant City Manager



David H. Ready, City Manager

- ATTACHMENTS:
1. Map
 2. Resolution

OWNER'S STATEMENT

WE HEREBY STATE THAT WE ARE THE OWNERS OF THE LAND INCLUDED WITHIN THE REVERSION TO ACREAGE SHOWN HEREON; THAT WE ARE THE ONLY PERSONS WHOSE CONSENT IS NECESSARY TO PASS A CLEAR TITLE TO SAID LAND; THAT WE HEREBY CONSENT TO THE MAKING AND RECORDING OF THIS REVERSION TO ACREAGE MAP AS SHOWN WITHIN THE DISTINCTIVE BORDER LINE.

BRANDENBURG FAMILY ASSOCIATES, A CALIFORNIA LIMITED PARTNERSHIP

BY: LEE H. BRANDENBURG GENERAL PARTNER

TRUSTEE'S STATEMENT

FIRST AMERICAN TITLE COMPANY, TRUSTEE PER DEEDS OF TRUST RECORDED JANUARY 15, 2004, AS INSTRUMENT NO. 2004-30518, DECEMBER 09, 2010, AS INSTRUMENT NO. 2010-992642, AND DECEMBER 03, 2010, AS INSTRUMENT NO. 2010-016156, ALL OF OFFICIAL RECORDS OF RIVERSIDE COUNTY, CALIFORNIA.

BY: _____ BY: _____

NOTARY'S ACKNOWLEDGMENT

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(ES), 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.

MY COMMISSION EXPIRES _____ MY PRINCIPAL PLACE OF BUSINESS IS _____ COUNTY. WITNESS MY HAND AND OFFICIAL SEAL.

NOTARY PUBLIC IN AND FOR SAID STATE (PRINT NAME)

NOTARY'S ACKNOWLEDGMENT

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(ES), 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.

MY COMMISSION EXPIRES _____ MY PRINCIPAL PLACE OF BUSINESS IS _____ COUNTY. WITNESS MY HAND AND OFFICIAL SEAL.

NOTARY PUBLIC IN AND FOR SAID STATE (PRINT NAME)

IN THE CITY OF PALM SPRINGS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA

PARCEL MAP NO. 36387

BEING A REVERSION TO ACREAGE OF A PORTION OF THE AMENDED MAP OF TRACT NO. 10346, ON FILE IN BOOK 97, PAGES 72 TO 81, INCLUSIVE, OF MAPS, O.R., BEING IN THE SOUTHEAST QUARTER OF SECTION 13, T.4S., R.4E., S.B.M.

MSA CONSULTING, INC. JANUARY - 2012

SURVEYOR'S STATEMENT

THIS MAP WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND IS BASED UPON A FIELD SURVEY IN CONFORMANCE WITH THE REQUIREMENTS OF THE SUBDIVISION MAP ACT AND LOCAL ORDINANCE AT THE REQUEST OF BRANDENBURG FAMILY ASSOCIATES IN MAY OF 2011.

I HEREBY STATE THAT ALL MONUMENTS ARE OF THE CHARACTER AND OCCUPY THE POSITIONS INDICATED, OR WILL BE SET IN ACCORDANCE WITH THE TERMS OF THE MONUMENT AGREEMENT FOR THE MAP; AND THAT SAID MONUMENTS ARE SUFFICIENT TO ENABLE THE SURVEY TO BE RETRACED. THE SURVEY IS TRUE AND COMPLETE AS SHOWN. I HEREBY STATE THAT THIS MAP SUBSTANTIALLY CONFORMS TO THE APPROVED OR CONDITIONALLY APPROVED TENTATIVE MAP, IF ANY.

DATED: _____

CHARLES R. HARRIS P.L.S. 4988 EXP. 12/31/13



CITY ENGINEER'S STATEMENT

I HEREBY STATE THAT I HAVE EXAMINED THE WITHIN MAP OF PARCEL MAP NO. 36387, CONSISTING OF 2 SHEETS, THAT THE REVERSION TO ACREAGE SHOWN HEREON IS SUBSTANTIALLY THE SAME AS IT APPEARED ON THE TENTATIVE MAP OR ANY APPROVED ALTERATIONS THEREOF, IF ANY; THAT ALL PROVISIONS OF THE STATE SUBDIVISION MAP ACT AND ANY LOCAL ORDINANCES APPLICABLE AT THE TIME OF APPROVAL OF THE TENTATIVE MAP, IF ANY, HAVE BEEN COMPLIED WITH; AND THAT I AM SATISFIED THAT SAID MAP IS TECHNICALLY CORRECT.

DATED: _____

DAVID J. BIRAKIAN R.C.E. 28931 EXP. 3/31/13 CITY ENGINEER

CITY CLERK'S STATEMENT

I, JAMES THOMPSON, CITY CLERK AND EX-OFFICIO ASSESSOR OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, STATE OF CALIFORNIA, HEREBY STATE THAT SAID CITY COUNCIL AT ITS REGULAR MEETING HELD ON THE _____ DAY OF _____, 20____, DULY APPROVED THE WITHIN MAP OF PARCEL MAP NO. 36387.

PURSUANT TO SECTION 66434(C) OF THE SUBDIVISION MAP ACT, THE APPROVAL AND RECORDATION OF THIS PARCEL MAP CONSTITUTES ABANDONMENT OF THE FOLLOWING:

LOTS G, L, M, H, O, P, AND A PORTION OF LOT C, THE PRIVATE STREETS DEDICATED ON THE AMENDED MAP OF TRACT NO. 10346, ON FILE IN BOOK 97 AT PAGES 72 THROUGH 81, INCLUSIVE, OF MAPS, OFFICIAL RECORDS OF RIVERSIDE COUNTY, CALIFORNIA, LYING WITHIN THE BOUNDARY OF THIS MAP, AND NOT SHOWN HEREIN.

DATED: _____ BY: _____ CITY CLERK AND EX-OFFICIO ASSESSOR OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS

RECORDER'S STATEMENT

FILED THIS _____ DAY OF _____, 20____, AT _____ IN BOOK _____ OF PARCEL MAPS AT PAGES _____ AT THE REQUEST OF THE CITY CLERK OF THE CITY OF PALM SPRINGS.

NO. _____ FEE LARRY W. WARD, ASSESSOR-COUNTY CLERK-RECORDER BY: _____ DEPUTY SUBDIVISION GUARANTEE BY: FIRST AMERICAN TITLE COMPANY

TAX COLLECTOR'S CERTIFICATE

I HEREBY CERTIFY THAT ACCORDING TO THE RECORDS OF THIS OFFICE, AS OF THIS DATE, THERE ARE NO LIENS AGAINST THE PROPERTY SHOWN ON THE WITHIN MAP FOR UNPAID STATE, COUNTY, MUNICIPAL OR LOCAL TAXES, OR SPECIAL ASSESSMENTS COLLECTED AS TAXES, EXCEPT TAXES OR SPECIAL ASSESSMENTS COLLECTED AS TAXES NOW A LIEN BUT NOT YET PAYABLE, WHICH ARE ESTIMATED TO BE \$ _____.

DATED: _____, 20____

DON KENT COUNTY TAX COLLECTOR

BY: _____ DEPUTY

SIGNATURE OMISSIONS

PURSUANT TO SECTION 66436 OF THE SUBDIVISION MAP ACT, THE SIGNATURE(S) OF THE FOLLOWING OWNER(S) OF EASEMENTS AND/OR OTHER INTERESTS HAVE BEEN OMITTED, AS THEIR INTERESTS CANNOT RIPEN INTO FEE.

PALM VALLEY WATER COMPANY, HOLDER OF RIGHTS FOR WATER CONDUITS AND INCIDENTAL PURPOSES, PER INST. REC. 03/05/1887, IN BOOK 88, PAGE 471, O.R.

SOUTHERN CALIFORNIA GAS COMPANY, HOLDER OF RIGHTS FOR PIPELINES AND INCIDENTAL PURPOSES, PER INST. NO. 216081, REC. 10/11/79, O.R.

SOUTHERN CALIFORNIA EDISON COMPANY, HOLDER OF RIGHTS FOR PUBLIC UTILITIES AND INCIDENTAL PURPOSES, PER INST. NO. 2011-0411784, REC. 10/06/11, O.R.

IN THE CITY OF PALM SPRINGS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA

SHEET 2 OF 3 SHEETS

PARCEL MAP NO. 36387

BEING A REVERSION TO ACREAGE OF A PORTION OF THE AMENDED MAP OF TRACT NO. 10346, ON FILE IN BOOK 97, PAGES 72 TO 81, INCLUSIVE, OF MAPS, O.R., BEING IN THE SOUTHEAST QUARTER OF SECTION 13, T.4S., R.4E., S.B.M.



MSA CONSULTING, INC.

JANUARY - 2012

TAX BOND CERTIFICATE

I HEREBY CERTIFY THAT A BOND IN THE SUM OF \$ _____ HAS BEEN EXECUTED AND FILED WITH THE BOARD OF SUPERVISORS OF THE COUNTY OF RIVERSIDE, CALIFORNIA, CONDITIONED UPON THE PAYMENT OF ALL TAXES, STATE, COUNTY, MUNICIPAL, OR LOCAL, AND ALL SPECIAL ASSESSMENTS COLLECTED AS TAXES, WHICH AT THE TIME OF FILING OF THIS MAP WITH THE COUNTY RECORDER ARE A LIEN AGAINST SAID PROPERTY BUT NOT YET PAYABLE AND SAID BOND HAS BEEN DULY APPROVED BY SAID BOARD OF SUPERVISORS.

DATED: _____, 20__

CASH TAX BOND
DON KENT
COUNTY TAX COLLECTOR

KECIA HARPER-HEM
CLERK OF THE BOARD OF SUPERVISORS

BY: _____, DEPUTY

BY: _____, DEPUTY

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING PARCEL MAP 36387 FOR PROPERTY LOCATED AT THE NORTHEAST CORNER OF FARRELL DRIVE AND BARISTO ROAD, IN SECTION 13, TOWNSHIP 4 SOUTH, RANGE 4 EAST

WHEREAS, the Planning Commission, at its meeting of September 14, 2011, recommended approval of Tentative Parcel Map 36387, prepared by MSA Consulting, Inc., representing Brandenburg Family Associates, a California Limited Partnership, for the above described property; and

WHEREAS, the City Council at its meeting of October 5, 2011, approved Tentative Parcel Map 36387 subject to conditions.

THE CITY COUNCIL OF THE CITY OF PALM SPRINGS DOES HEREBY RESOLVE AS FOLLOWS:

1. Parcel Map 36387 is in substantial conformance with approved Tentative Parcel Map 36387; and
2. Requisite conditions associated with Tentative Parcel Map 36387 have been satisfied; and
3. Parcel Map 36387 is in conformance with the General Plan; and
4. Parcel Map 36387 conforms to all requirements of the Subdivision Map Act of the State of California; and
5. Parcel Map 33687 is hereby approved for purposes therein defined.

Resolution No.

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ADOPTED THIS 6th day of June, 2012.

David H. Ready, City Manager

ATTEST:

James Thompson, City Clerk

CERTIFICATION

STATE OF CALIFORNIA)
COUNTY OF RIVERSIDE) ss.
CITY OF PALM SPRINGS)

I, JAMES THOMPSON, City Clerk of the City of Palm Springs, hereby certify that Resolution No. ____ is a full, true and correct copy, and was duly adopted at a regular meeting of the City Council of the City of Palm Springs on June 6, 2012, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

James Thompson, City Clerk
City of Palm Springs, California