

PROJECT PROPOSAL STATEMENT
IN SUPPORT OF
EPISCOPAL SENIOR COMMUNITIES
PETITION FOR GRANT OF EXCESS PROPERTY

CITY OF SANTA ROSA
Santa Rosa, CA

JAN 27 2016

DEPARTMENT OF
EPISCOPAL SENIOR

THIS PROJECT PROPOSAL STATEMENT is submitted by EPISCOPAL SENIOR COMMUNITIES, a California nonprofit corporation ("**Landowner**"), in support of the attached Petition For Grant of Excess Property ("**Petition**") concerning property on Montgomery Drive in Sonoma County and adjacent to 5733 Montgomery Drive, Santa Rosa, California.

SUMMARY REQUEST:

The City of Santa Rosa (the "**City**") currently owns an approximately 986 square foot triangular parcel of property protruding from the northern edge of Montgomery Drive in Santa Rosa, California (the "**City Property**"). Landowner currently owns that certain property in Sonoma County known as 5733 Montgomery Drive, Santa Rosa, CA, and bearing Assessor's Parcel No. 031-080-020 ("**Landowner Property A**") as well as that certain property in Sonoma County known as 5711 Montgomery Drive, Santa Rosa, CA, and bearing Assessor's Parcel No. 031-080-008 ("**Landowner Property A**").

The City Property has been used solely as a private driveway to access Landowner Property A and Landowner Property B. The City presently makes no public or beneficial use of the City Property, no public improvements appear to have been constructed there, it interferes with the uniform configuration of Montgomery Drive, and it is excess and surplus to the City.

In order to restore the uniform configuration of Montgomery Drive and to generate additional property tax revenues for the City, project applicant petitions the City to grant to Landowner the City Property containing approximately 986 square feet, as more particularly described in Exhibit A-1 attached hereto and depicted in Exhibit A-2 attached hereto, subject to an easement in gross for private road access appurtenant to Landowner Property B (i.e., 5711 Montgomery Drive, APN 031-080-008).

BACKGROUND:

Landowner acquired Landowner Property A (i.e., 5733 Montgomery Drive – APN 031-080-020) by Grant Deed recorded with the Official Records of Sonoma County, California on July 25, 2014, as Instrument No. 2014-051050. A "Record of Survey" of 5733 Montgomery Drive was prepared and filed July 17, 2014 in Book 765 of Maps, Page 16-17, Sonoma County Records.

Landowner acquired Landowner Property B (i.e., 5711 Montgomery Drive – APN 031-080-008) by Grant Deed recorded with the Official Records of Sonoma County, California on December 11, 2014, as Instrument No. 2014-088348.

Montgomery Drive was moved from the old railroad right of way as part of the Sonoma County Flood Control and Water Conservation District work for Spring Lake and Santa Rosa Creek. The Sonoma County Flood Control and Water Conservation District obtained portions of Montgomery Drive pursuant to a Final Order of Condemnation from

Hefty, et al to the Sonoma County Flood Control and Water Conservation District filed January 15, 1963 in Book 1936, Page 760, of the Official Records of Sonoma County. As part of the new alignment for Montgomery Drive, the Sonoma County Water Agency then conveyed portions of Montgomery Drive to the City by means of that certain Quitclaim Deed recorded July 17, 1984, as Document Number 84-048480, Official Records of Sonoma County. An additional portion of Montgomery Drive was annexed in to the City of Santa Rosa by Rincon Valley Annexation No. 489, the map of which was recorded August 17, 1971 in Book 160 of Maps, Page 9, Sonoma County Records. Montgomery Drive was the subject of (a) a "Record of Survey" filed July 5, 1989 in Book 437 of Maps, Pages 26-31, Sonoma County Records, and (b) A "Record of Survey" of 5733 Montgomery Drive was prepared and filed July 17, 2014 in Book 765 of Maps, Page 16-17, Sonoma County Records..

The City Property is not used by the City or necessary for the public road known as Montgomery Drive. Granting the City Property to Landowner will in no way impair the use or function of Montgomery Drive, but will serve to restore the uniform configuration of Montgomery Drive and to generate additional property tax revenues for the City.

CONCLUSION:

Landowner respectfully requests that the City grant this Petition to grant and convey the City Property to Landowner as excess property and cause the same to become a part of the Landowner Property at 5733 Montgomery Drive.

CITY OF SANTA ROSA
Santa Rosa, CA

JAN 27 2016

DEPARTMENT OF
COMMUNITY DEVELOPMENT

GRANT OF EXCESS PROPERTY

Grant/Relinquishment of Excess Property

Legal Description:

A Portion of Montgomery Drive
Adjacent to 5555, 5711 & 5733 Montgomery Drive
APN 031-080-034, 031-070-041; APN 031-080-080 & 020, respectively

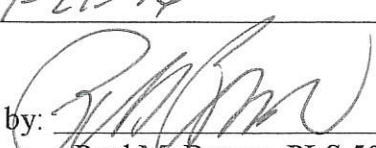
All that real property situated in the City of Santa Rosa, Count of Sonoma, State of California being a portion of property acquired by Quit Claim deed from the Sonoma County Water Agency recorded July 17, 1984 under Official Records Document Number 84-0048480, Sonoma County Records, and shown on "Record of Survey" filed June 29, 1989 in Book 437 of Maps, Pages 26-31, Sonoma County Records, said portion being particularly described as follows:

Beginning at a $\frac{3}{4}$ inch iron pipe, RCE 23082 marking the most southeasterly corner of the lands of Episcopal Senior Communities, a California nonprofit public benefit corporation as described in that Instrument of Merger recorded January 23, 2013 under Official Records Document Number 2013-007408, Sonoma County Records, and as shown on "Record of Survey" recorded July 17, 2014 in Book 765 of Maps, Pages 16-17, Sonoma County Records; thence from said point of beginning and along the southeasterly line of said lands of Episcopal Senior Communities, N $25^{\circ}34'36''$ E, 27.32 feet to a $\frac{3}{4}$ inch untagged iron pipe marking an angle point in said lands of Episcopal Senior Communities, and also marking the most westerly corner of the lands of Episcopal Senior Communities, a California nonprofit public benefit corporation as described by deed recorded June 19, 2014 under Official Records Document Number 2014-041608, Sonoma County Records; thence along the southwesterly line of said last mentioned lands of Episcopal Senior Communities, S $63^{\circ}14'51''$ E, 72.196 feet, to a $\frac{3}{4}$ inch iron pipe tagged LS 5087, said iron pipe also marking an angle point on the northerly line of Montgomery Drive as granted to the City of Santa Rosa by deed recorded July 17, 1984 under Official Records Document Number 84-0048480, Sonoma County Records; thence, N $84^{\circ}07'20''$ W, 76.66 feet, to the point of beginning. Containing an area of 986 square feet, more or less.

SUBJECT TO an easement in gross for Ingress and Egress over the existing paved driveway appurtenant to property commonly known as 5711 & 5733 Montgomery Drive, Santa Rosa, APN 031-080-008 & 020, respectively

Basis of Bearings for the above legal description is the City of Santa Rosa coordinate system as shown on "Record of Survey" filed July 5, 1989 in Book 437 of Maps, Pages 26-31, Sonoma County Records.

Date: 1-21-16

Prepared by: 
Paul M. Brown, PLS 5087
My license expires 06/30/17



File: T:\2014 PROJECTS\14109\dwg\Adobe-Survey\VACATION PLAT.dwg Time: Jan 21, 2016 - 9:11am

Episcopal Senior Communities
Instrument of Merger
DN 2013-007408
5555 Montgomery Drive
APN 031-080-034 &
APN 031-070-041

"Record of Survey"
712 Maps 36-38

Episcopal Senior Communities
DN 2014-088348
5711 Montgomery Drive
APN 031-080-008

"Record of Survey"
765 Maps 16-17

Episcopal Senior Communities
DN 2014-041608
5733 Montgomery Drive
APN 031-080-020

Episcopal Senior Communities
Instrument of Merger
DN 2013-007408

Found 1" Iron Pipe, No Tag
N 63°14'51" W 150.07'
Private Road Easement
per DN 2006-047753
(over existing road, no
width specified)

Found 3/4" Iron Pipe, No Tag
S 63°14'51" E 72.19'

Found 3/4" Iron Pipe, LS 5087
S 84°07'20" E 135.32'

Found 3/4" Iron Pipe, LS 5087
S 84°07'20" E 135.32'

Found "Copper Weld" monument, LS 3489
in standard street monument well

Point of Beginning
N 84°07'20" W 30.00'

Montgomery Drive
City of Santa Rosa
DN 84-048480

"Record of Survey"
437 Maps 26-31
655.02'

Found "Copper Weld" monument, LS 3489
in standard street monument well

Sonoma County Water Agency
successor to the Sonoma County
Flood Control & Conservation
District
"Final Order of Condemnation"
1936 OR 760
APN 031-080-032

PROPOSED GRANT
Point of Beginning:
N 25°34'36" E 27.32'
S 63°14'51" E 72.19'
N 84°07'20" W 76.66'
to the point of beginning
986 square feet

Grant of Excess Property

Adjacent to
5555, 5711 & 5733 Montgomery Drive
Santa Rosa, California
EPISCOPAL SENIOR COMMUNITIES
DN 2013-007408, DN 2014-041608, DN
2014-088348
APN 031-080-034 & 031-070-041;
APN 031-080-008 & 020

adobe associates, inc.
civil engineering | land surveying | wastewater
1220 N. Dutton, Ave., Santa Rosa, Ca. 95401
P (707) 541-2300; F (707) 541-2301

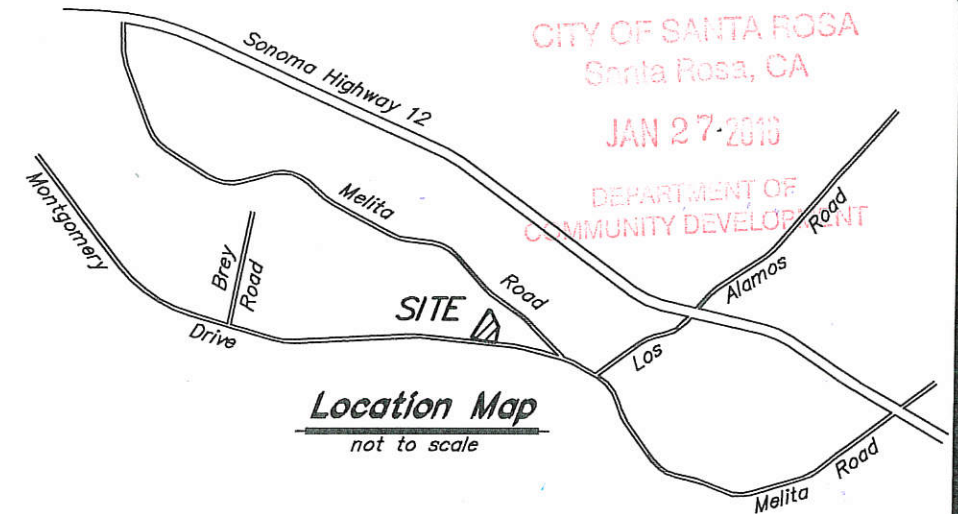


Paul M. Brown, PLS 5087
my license expires 6/30/17

Job No. 14109

APN 031-080-034 & 031-070-041 & APN 031-080-008 & 020

January 2016



PROJECT PROPOSAL STATEMENT
IN SUPPORT OF
EPISCOPAL SENIOR COMMUNITIES
PETITION FOR GRANT OF EXCESS PROPERTY

CITY OF SANTA ROSA
Santa Rosa, CA

JAN 27 2016

DEPARTMENT OF
COMMUNITY DEVELOPMENT

THIS PROJECT PROPOSAL STATEMENT is submitted by EPISCOPAL SENIOR COMMUNITIES, a California nonprofit corporation (“**Landowner**”), in support of the attached Petition For Grant of Excess Property (“**Petition**”) concerning property near the intersection of Melita Road and Montgomery Drive in Sonoma County and adjacent to 5850 Melita Road, Santa Rosa, California.

SUMMARY REQUEST:

The City of Santa Rosa (the “**City**”) currently owns an approximately 683 square foot parcel of property near the intersection of Melita Road and Montgomery Drive in Santa Rosa, California (the “**City Property**”). Landowner currently owns that certain property in Sonoma County known as 5850 Melita Road, Santa Rosa, CA, and bearing Assessor’s Parcel No. 031-101-033 (the “**Landowner Property**”). The Landowner Property historically has been operated as the Melitta Station Inn.

For many years, portions of the building improvements at the Landowner Property have technically encroached into portions of the City Property, consisting primarily of a wooden deck, landscaping and fence improvements. All such encroachments are outside of the public roads that are Melita Road and Montgomery Drive. The City presently makes no beneficial use of the City Property and it is excess and surplus to the City.

In order to clear said encroachments and to generate additional property tax revenues for the City, project applicant petitions the City to grant to Landowner the City Property containing approximately 683 square feet, as more particularly described in Exhibit A-1 attached hereto and depicted in Exhibit A-2 attached hereto.

BACKGROUND:

Landowner acquired the Landowner Property by Grant Deed recorded with the Official Records of Sonoma County, California on July 25, 2014, as Instrument No. 2014-051050. A “Record of Survey” of 5850 Melita Road was prepared and filed July 17, 2014 in Book 765 of Maps, Pages 13-15, Sonoma County Records.

Melita Road was initially created by Grant Deed recorded April 9, 1881 in Book 74 of Deeds, Pages 415-418, Sonoma County Records as a “Public Road and Highway” 50 feet wide. The portion of Melita Road intersecting with Montgomery Drive was annexed in to the City of Santa Rosa by Rincon Valley Annexation No. 489, the map of which was recorded August 17, 1971 in Book 160 of Maps, Page 9, Sonoma County Records.

Montgomery Drive was moved from the old railroad right of way as part of the Sonoma County Flood Control and Water Conservation District work for Spring Lake and Santa Rosa Creek. The Sonoma County Flood Control and Water Conservation District obtained the City Property pursuant to a Final Order of Condemnation from Hefty, et al to the

Sonoma County Flood Control and Water Conservation District filed January 15, 1963 in Book 1936, Page 760, of the Official Records of Sonoma County. As part of the new alignment for Montgomery Drive, the Sonoma County Water Agency then conveyed the City Property to the City by means of that certain Quitclaim Deed recorded July 17, 1984, as Document Number 84-048480, Official Records of Sonoma County.

The City Property is not used by the City or necessary for the public roads known as Melita Road or Montgomery Drive. Granting the City Property to Landowner will in no way impair the use or function of Melita Road or Montgomery Drive, but will serve to clear encroachments and to generate additional tax revenues for the City.

The building encroachments within the City Property have been in place for many years and are an integral part of the building improvements located at the Landowner Property. To remove said encroachments would be expensive and destructive to the functionality and aesthetics of the Landowner Property.

CONCLUSION:

Landowner respectfully requests that the City grant this Petition to grant and convey the City Property to Landowner as excess property and cause the same to become a part of the Landowner Property at 5850 Melita Road.

GRANT OF EXCESS PROPERTY

CITY OF SANTA ROSA
Santa Rosa, CA

JAN 27 2016

DEPARTMENT OF
COMMUNITY DEVELOPMENT

Legal Description:

A Portion of Montgomery Drive

Acquired by Quit Claim from the Sonoma County Water Agency recorded July 17, 1984 under Official Records Document Number 840048480, Sonoma County Records
Adjacent to 5850 Melita Road, APN 031-101-033

All that real property situated in the City of Santa Rosa, Count of Sonoma, State of California being a portion of property acquired by Quit Claim deed from the Sonoma County Water Agency recorded July 17, 1984 under Official Records Document Number 84-0048480, Sonoma County Records, and shown on "Record of Survey" filed June 29, 1989 in Book 437 of Maps, Pages 26-31, Sonoma County Records, said portion being particularly described as follows:

Beginning at a $\frac{3}{4}$ inch iron pipe with plastic plug stamped "SCWA" marking the most southerly corner of the lands of Episcopal Senior Communities, a California nonprofit public benefit corporation as described by deed recorded July 25, 2014 under Official Records Document Number 2014-051050, Sonoma County Records, and as shown on "Record of Survey" recorded July 17, 2014 in Book 765 of Maps, Pages 13-15, Sonoma County Records; thence from said point of beginning and along the southeasterly line of said lands of Episcopal Senior Communities, N $46^{\circ}24'35''$ E, 35.32 feet, to a $\frac{3}{4}$ inch iron pipe with plastic plug stamped "LS 5087", as shown on said "Record of Survey"; thence along the southwesterly line of Melita Road as shown on said "Record of Survey", S $43^{\circ}51'27''$ E, 12.25 feet; thence along the arc of a curve to the right, from a tangent that bears S $02^{\circ}03'21''$ E, with a radius of 27.050 feet, through a central angle of $68^{\circ}53'59''$, an arc length of 33.07 feet; thence S $66^{\circ}50'39''$ W, 5.54 feet; thence N $43^{\circ}35'25''$ W, 17.85 feet, to the point of beginning. Containing an area of 683 square feet, more or less.

Basis of Bearings for the above legal description is S $84^{\circ}07'26''$ E, being the bearing of monumented easterly end of Montgomery Drive as shown on "Record of Survey" filed July 5, 1989 in Book 437 of Maps, Pages 26-31, Sonoma County Records.

Date: 1-21-16

Prepared by: 
Paul M. Brown, PLS 5087
My license expires 06/30/17



Scale: 1" = 20'

Sonoma County Flood Control
and Conservation District
2096 OR 574 & 2172 OR 247
APN 031-101-038

This exhibit is for graphic
purposes only. Any errors or
omissions on this exhibit shall
not affect the deed description.



1-21-16
Paul M. Brown, PLS 5087
my license expires 06/30/17

"Easement Agreement"
DN 2006-095587

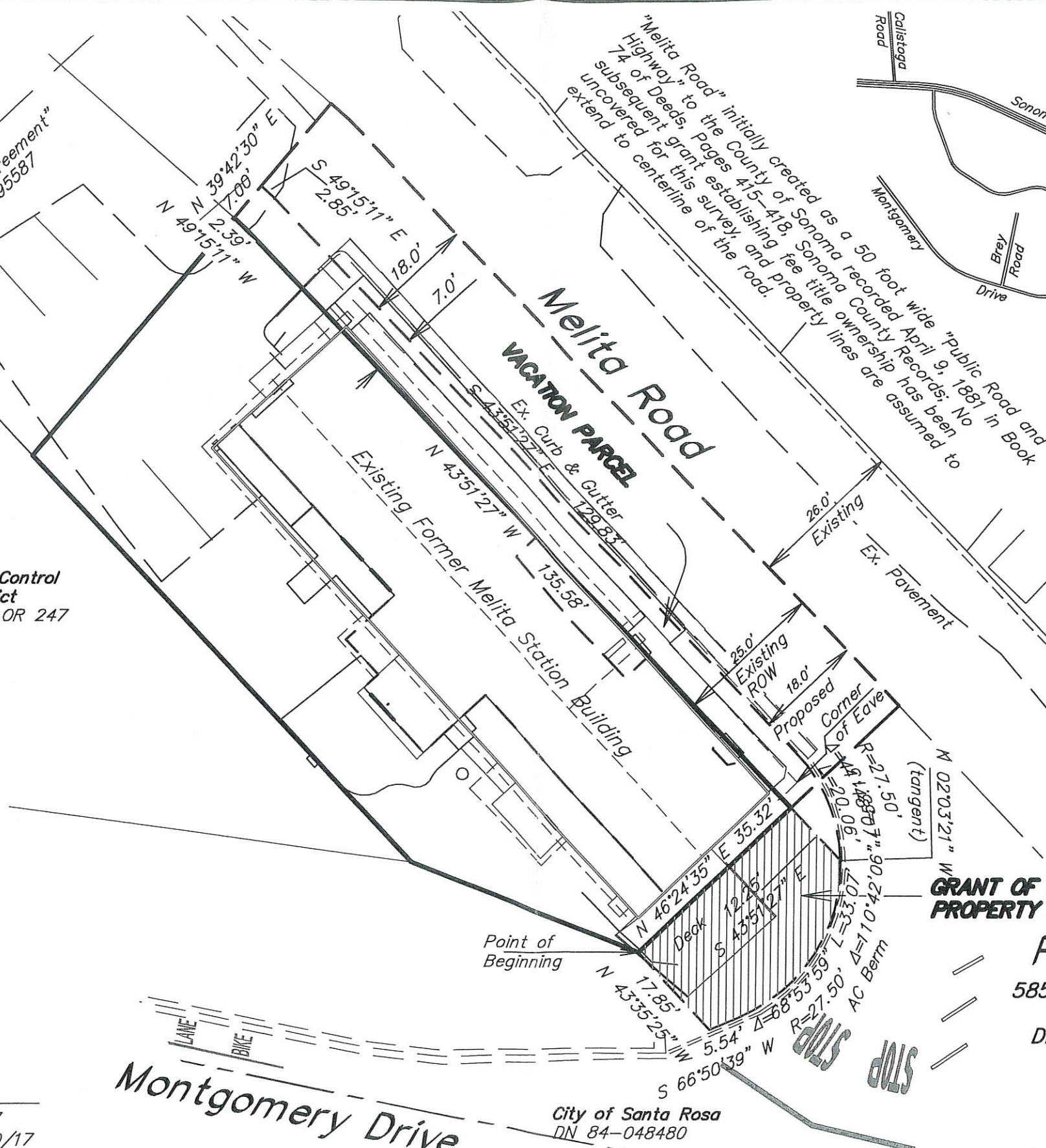
Montgomery Drive

City of Santa Rosa
DN 84-048480

Job No. 14048

APN 031-101-033

Januray 2016



Location Map
not to scale

PROPOSED GRANT OF EXCESS
PROPERTY

Criteria: 0.5' feet from bck of
existing asphalt berm

PARCEL
Point of Beginning;
N 46°24'35" E 35.32';
S 43°51'27" E 12.25';
R=27.50' Δ=68°53'59" L=33.07';
S 66°50'39" W 5.54';
N 43°35'25" W 17.85';
to the point of beginning
683 square feet

GRANT OF EXCESS
PROPERTY PARCEL

Proposed Grant

5850 Melita Road, Santa Rosa, California
EPISCOPAL SENIOR COMMUNITIES
DN 2014-051050, APN 031-101-033

adobe associates, inc.
civil engineering | land surveying | wastewater
1220 N. Dutton, Ave., Santa Rosa, Ca. 95401
P (707) 541-2300; F (707) 541-2301

CITY OF SANTA ROSA
Santa Rosa, CA
JAN 27 2016
DEPARTMENT OF
COMMUNITY DEVELOPMENT

PROJECT PROPOSAL STATEMENT
IN SUPPORT OF
EPISCOPAL SENIOR COMMUNITIES
PETITION FOR VACATION OF PUBLIC RIGHT OF WAY/EASEMENT

THIS PROJECT PROPOSAL STATEMENT is submitted by EPISCOPAL SENIOR COMMUNITIES, a California nonprofit corporation ("**Landowner**"), in support of the attached Petition For Vacation of Public Right of Way/Easement ("**Petition**") concerning property in Sonoma County adjacent to 5850 Melita Road, Santa Rosa, California.

SUMMARY REQUEST:

The City of Santa Rosa (the "**City**") currently holds a right of way easement for Melita Road in Santa Rosa, California ("**Right of Way**"). Landowner currently owns that certain property in Sonoma County known as 5850 Melita Road, Santa Rosa, CA, and bearing Assessor's Parcel No. 031-101-033 (the "**Property**"). The subject Property has historically been operated as the Melitta Station Inn.

For many years, portions of the building improvements at the Property have technically encroached into portions of the City's right of way, including a roof overhang, landscaping, and brick walkway. All such encroachments are outside of the public road portion of the Right of Way. The City presently makes no use of the encroachment areas.

In order to clear said encroachments, project applicant petitions the City to vacate that portion of Right of Way consisting of a seven foot (7.0') wide strip on the southwesterly side of Melita Road adjacent to 5850 Melita Road (APN 031-101-033) containing 1,014 square feet, more or less, as more particularly described in Exhibit A-1 attached hereto and depicted in Exhibit A-2 attached hereto (the "**Vacation Area**").

BACKGROUND:

Melita Road was initially created by Grant Deed recorded April 9, 1881 in Book 74 of Deeds, Pages 415-418, Sonoma County Records as a "Public Road and Highway" 50 feet wide. This portion of Melita Road was annexed in to the City of Santa Rosa by Rincon Valley Annexation No. 489, the map of which was recorded August 17, 1971 in Book 160 of Maps, Page 9, Sonoma County Records. A "Record of Survey" of 5850 Melita Road was prepared and filed July 17, 2014 in Book 765 of Maps, Pages 13-15, Sonoma County Records.

Landowner acquired the Property by Grant Deed recorded with the Official Records of Sonoma County, California on July 25, 2014, as Instrument No. 2014-051050.

The Vacation Area is not used by the City or necessary for the public road known as Melita Road. Vacating said portion of the Right of Way will in no way impair the use or function of Melita Road.

The building encroachments with the Vacation Area have been in place for many years and are an integral part of the building improvements located at the Property. To remove said encroachments would be expensive and destructive to the functionality and aesthetics of the Property.

CONCLUSION:

Landowner respectfully requests that the City grant this Petition to vacate that portion of its Right of Way included with in the Vacation Area.

PROPOSED RIGHT OF WAY VACATION

CITY OF SANTA ROSA
Santa Rosa, CA

JAN 27 2018

DEPARTMENT OF
COMMUNITY DEVELOPMENT

Legal Description:

A Portion of Melita Road

Adjacent to 5850 Melita Road, APN 031-101-033

(a 50 foot wide "Public Road and Highway" by document recorded April 9, 1881 in Book 74 of Deeds, Page 415-418, Sonoma County Records)

All that real property situated in the City of Santa Rosa, Count of Sonoma, State of California being particularly described as follows:

Beginning at a $\frac{3}{4}$ inch iron pipe with plastic plug stamped "LS 5087" marking the intersection of the southeasterly line of the lands of Episcopal Senior Communities, a California nonprofit public benefit corporation as described by deed recorded July 25, 2014 under Official Records Document Number 2014-051050, Sonoma County Records, and the southwesterly line of Melita Road as shown on "Record of Survey" recorded July 17, 2014 in Book 765 of Maps, Pages 13-15, Sonoma County Records; thence from said point of beginning and along the southwesterly line of Melita Road as shown on said "Record of Survey", N $43^{\circ}51'27''$ W, 135.58 feet; thence continuing along said southwesterly line, N $49^{\circ}15'11''$ W, 2.39 feet, to a $\frac{3}{4}$ inch iron pipe with plastic plug stamped "LS 5087", as shown on said "Record of Survey"; thence along the northwesterly line extended of said lands of Episcopal Senior Communities, N $39^{\circ}42'30''$ E, 7.00 feet; thence leaving said northwesterly line extended, along a line lying 7.00 feet easterly, at right angles to the southwesterly right of way of Melita Road as shown on said "Record of Survey", S $49^{\circ}15'11''$ E, 2.85 feet; thence continuing along said parallel line, S $43^{\circ}51'27''$ E, 129.83 feet; thence along the arc of a curve to the right, tangent with the last preceding course, with a radius of 27.50 feet, through a central angle of $41^{\circ}48'07''$, an arc length of 20.06 feet, to a point on the southwesterly line of said Melita Road; thence along said southwesterly line, N $43^{\circ}51'27''$ W, 12.25 feet, to the point of beginning. Containing an area of 1,014 square feet, more or less.

Basis of Bearings for the above legal description is S $84^{\circ}07'26''$ E, being the bearing of monumented easterly end of Montgomery Drive as shown on "Record of Survey" filed July 5, 1989 in Book 437 of Maps, Pages 26-31, Sonoma County Records.

Date: 1-21-18

Prepared by



Paul M. Brown, PLS 5087

My license expires 06/30/17



Scale: 1" = 20'

Sonoma County Flood Control
and Conservation District
2096 OR 574 & 2172 OR 247
APN 031-101-038

This exhibit is for graphic
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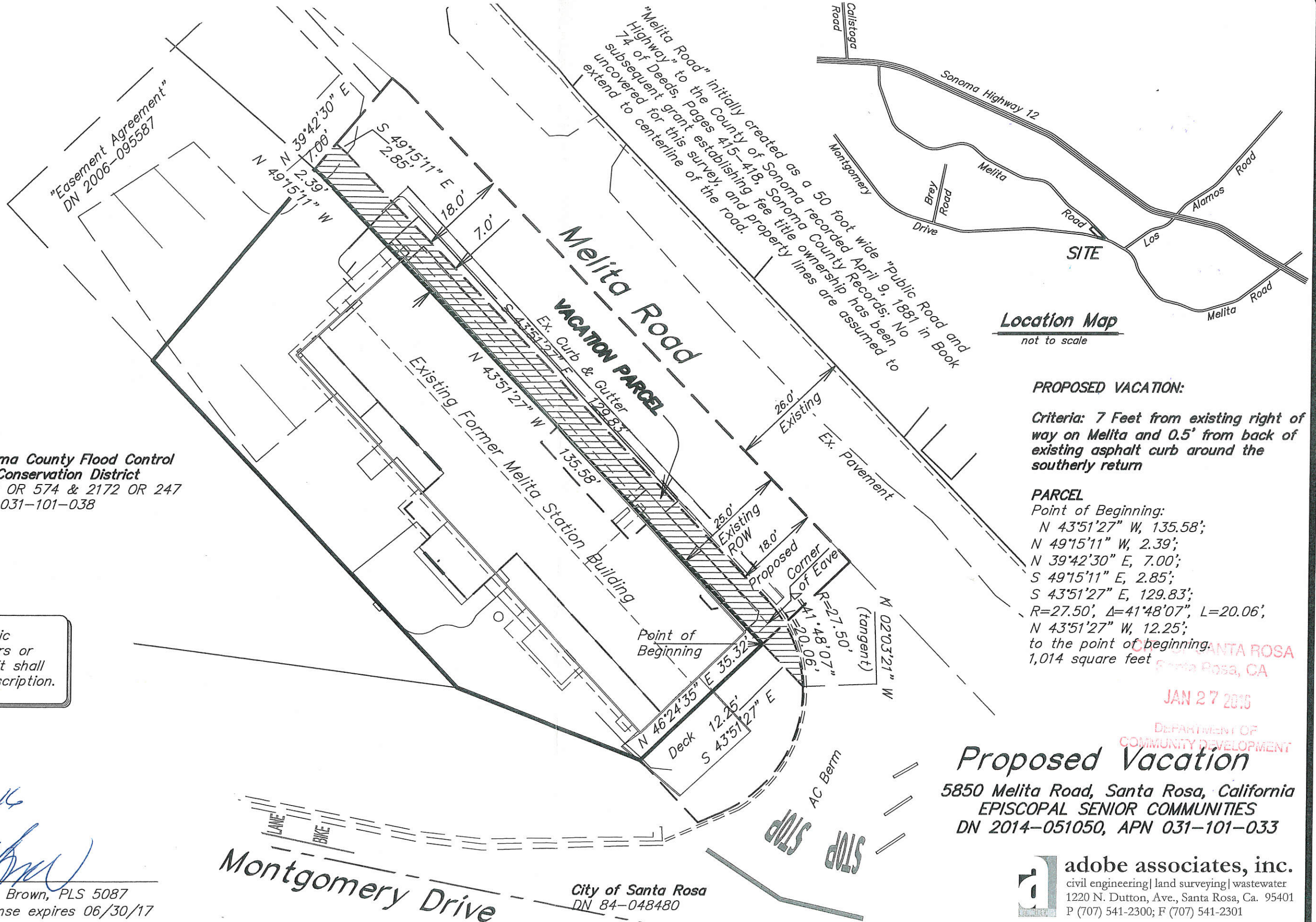
Montgomery Drive

City of Santa Rosa
DN 84-048480

Job No. 14048

APN 031-101-033

January 2016



Location Map
not to scale

PROPOSED VACATION:

Criteria: 7 Feet from existing right of
way on Melita and 0.5' from back of
existing asphalt curb around the
southerly return

PARCEL

Point of Beginning:

N 43°51'27" W, 135.58';
N 49°15'11" W, 2.39';
N 39°42'30" E, 7.00';
S 49°15'11" E, 2.85';
S 43°51'27" E, 129.83';
R=27.50', Δ=41°48'07", L=20.06';
N 43°51'27" W, 12.25';
to the point of beginning.
1,014 square feet

Proposed Vacation

5850 Melita Road, Santa Rosa, California
EPISCOPAL SENIOR COMMUNITIES
DN 2014-051050, APN 031-101-033



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DEPARTMENT OF
COMMUNITY DEVELOPMENT

JAN 27 2016

SANTA ROSA
Santa Rosa, CA