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December 8, 2014

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Molly Dillon
Assistant City Attorney
City of Santa Rosa
P.O. Box 1678
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Re: Grants of Excess Property and Vacation of Easement Requested by Episcopal Senior Communities

Dear Molly:

I am writing at the request of Episcopal Senior Communities to present ESC's proposal that the City of Santa Rosa approve two grants of excess property and vacation of an easement in exchange for ESC's agreement to construct a paved pathway for public use in the public right of way. In each case, the property proposed to be conveyed and the easement area proposed to be vacated is not used by the City and not likely to be needed by the City in the future. The properties to be conveyed and easement to be vacated are adjacent to property owned by ESC, and support the existing uses on ESC's properties.

The pedestrian pathway would provide a substantial benefit to the broader community. The pathway would take the form of a sidewalk in the Montgomery Road right of way along the front of parcel APN 031-080-020, it would then transition to a paved pathway on top of a raised berm extending from APN-031-080-020, along Montgomery Road until it curves around the southeasterly end of parcel APN 031-101-033 (the Melita Station Inn property) and terminates in front of the Melita Station Inn.

The proposed pathway would improve safety for all pedestrians along the relevant stretch of Montgomery Drive and it would rectify an existing safety hazard for pedestrians traveling on Melita Road to and from Montgomery Drive. It is difficult for drivers on Melita Road to see pedestrians along the western edge of the roadway at the curve approaching the Melita Road/Montgomery Drive intersection.

The properties proposed to be conveyed and the easement proposed to be vacated are as follows:

Triangle property adjacent to Parcel APN 031-080-020

ESC understands that the City owns a small triangular shaped property between parcel APN 031-080-020 and the Montgomery Drive right-of-way. ESC owns parcel APN 031-080-020 and ESC is acquiring the adjacent parcel APN 031-080-008. A private driveway extends along a private easement on ESC's property in front of parcel APN 031-080-008 and then the driveway passes

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through the triangular shaped property owned by the City, to Montgomery Drive. Parcel APN 031-080-008 has no other vehicular access.

Conveyance of the triangular parcel to ESC would ensure continued access to parcel APN 031-080-008, and it would clean up what currently constitutes an odd shaped notch in ESC's property. (ESC also owns the property adjacent to the western edge of the triangle.) The conveyance is not requested in connection with any proposed development. The current owner of parcel APN 031-080-008 will have a lifetime right to remain on that property, and no development of that property or APN 031-080-020 is likely to occur for a decade or more.

Curved property adjacent to Melita Station Inn

ESC understands that the City owns the curved property between the side of the Melita Station Inn and the Melita Road/ Montgomery Drive intersection. An existing deck at the Melita Station Inn is located on this property.

Conveyance of the curved parcel to ESC would maintain the status quo under which this property is being used as a side yard for the Melita Station Inn. ESC recently acquired the Melita Station Inn and is undertaking repairs to the building. ESC has no plans to develop the property for a new use, rather ESC intends to operate the Melita Station Inn to accommodate guests of residents at Spring Lake Village.

Easement along the front of Melita Station Inn

The City owns a roadway easement that extends beyond the curb at Melita Road, up to the front of the Melita Station Inn. The northernmost corner of the Inn and an existing pedestrian pathway to the Inn are located within the easement.

Vacation of the easement area between the curb and the front of the Melita Station Inn would maintain the status quo under which this property is being used to provide access to Melita Station Inn. As explained above, ESC is undertaking repairs to the Inn and has no plans to develop the property for a new use.

The easement area between the Melita Road Inn and the curb is unnecessary for any present or prospective public use. Melita Road is a rural road, and road widening would be inconsistent with the developed uses along the road. The area between the curb and the Inn is useful as a non-motorized transportation facility. (The proposed pedestrian pathway in the remaining public right-of-way would, by contrast, be used in this manner.)

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Proposed new pedestrian pathway

As explained at the outset of this letter, ESC offers to construct a pedestrian pathway within the public right-of-way from the Melita Station Inn to the western boundary of parcel APN 031-080-020 in exchange for conveying the excess properties and vacating the easement described above. This pathway would be used by Melita Station Inn guests, and by the broader community. The pathway would provide an important public benefit. Before committing to the substantial capital cost of constructing the pathway, however, it is important to ESC that it have long-term assurance of its continued ability to occupy the property adjacent to Melita Station Inn, as well as the triangular parcel needed to access parcel APN 031-080-008.

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ESC would like to hear your thoughts, and to better understand any procedural or legal requirements associated with the City's consideration of this proposal. I understand that representatives from ESC will be meeting with you in the near future. In the meantime, please feel free to call me if you have any questions or concerns.

Thank you for your time and attention.

Very truly yours,



Barbara J. Schussman

BJS