

**STAFF REPORT****COUNCIL MEETING OF JUNE 8, 2010****CONSENT ITEM**

**TO: HONORABLE MAYOR AND MEMBERS OF THE TOWN COUNCIL**  
**FROM: BRIAN FRAGIAO, DIRECTOR OF PUBLIC WORKS /TOWN ENGINEER**  
**DATE: MAY 28, 2010**  
**SUBJECT: HUNTER OAKS SUBDIVISION – HOMEOWNERS ASSOCIATION OPEN SPACE NON-DEVELOPMENT EASEMENT DONATION**

**RECOMMENDATION:**

Town Council direct staff to work with the Hunter Oaks Subdivision Homeowners Association (HOA) representatives to process the disbanding of the HOA and preparing the dedication easement documents for Town Council Approval and recordation.

**ISSUE STATEMENT AND DISCUSSION:**

As mentioned at the May 11, 2010 Council meeting, the representatives of the Hunters Oaks Subdivision HOA requested that the Town take over the Open Space Non-Development Easement (Lot A) located on the south end of the subdivision adjacent to Interstate 80. Council directed staff to present this information to the Planning Commission and Parks, Recreation and Open Space Committee for their input. On May 25, 2010, a joint meeting was held and the information was presented. The group of 13 voted unanimously to move forward with the donation of the property. Staff advised the group that should unforeseen issues arise during the process, the issue(s) would be presented to the Council for further action and direction.

Currently, the HOA pays \$        a year on property tax. If the Town accepts the property, the Town would be exempt from any property tax.

In order to disband the HOA and eliminate the monthly charge of \$20 to the property owners to cover the liability insurance of the easement, the property owners in the subdivision will need to vote out the HOA and the enforcement it does for the CC&R's, and dedicate the Open Space and Non-development designated property over to the Town. The Town's acceptance of the property would save each homeowner \$240 a year. The property owners currently pay an additional \$556 a year for the subdivision assessment district maintenance. Total annual assessment for each homeowner is \$796 a year.

**FINANCIAL AND/OR POLICY IMPLICATIONS:**

The cost to prepare the dedication document for recording is estimated at \$1,140. The HOA will pay for the preparation. The annual insurance premium to cover the easement property would not increase the Town's budget. The maintenance of the landscape and open space area within the easement is currently covered under the Subdivision's Assessment District Maintenance Account managed by the Town.

The HOA currently has an account balance that could pay for the document preparation and the first few years of the liability insurance. The balance amount has not been given to staff at this time.

**HUNTER OAKS**

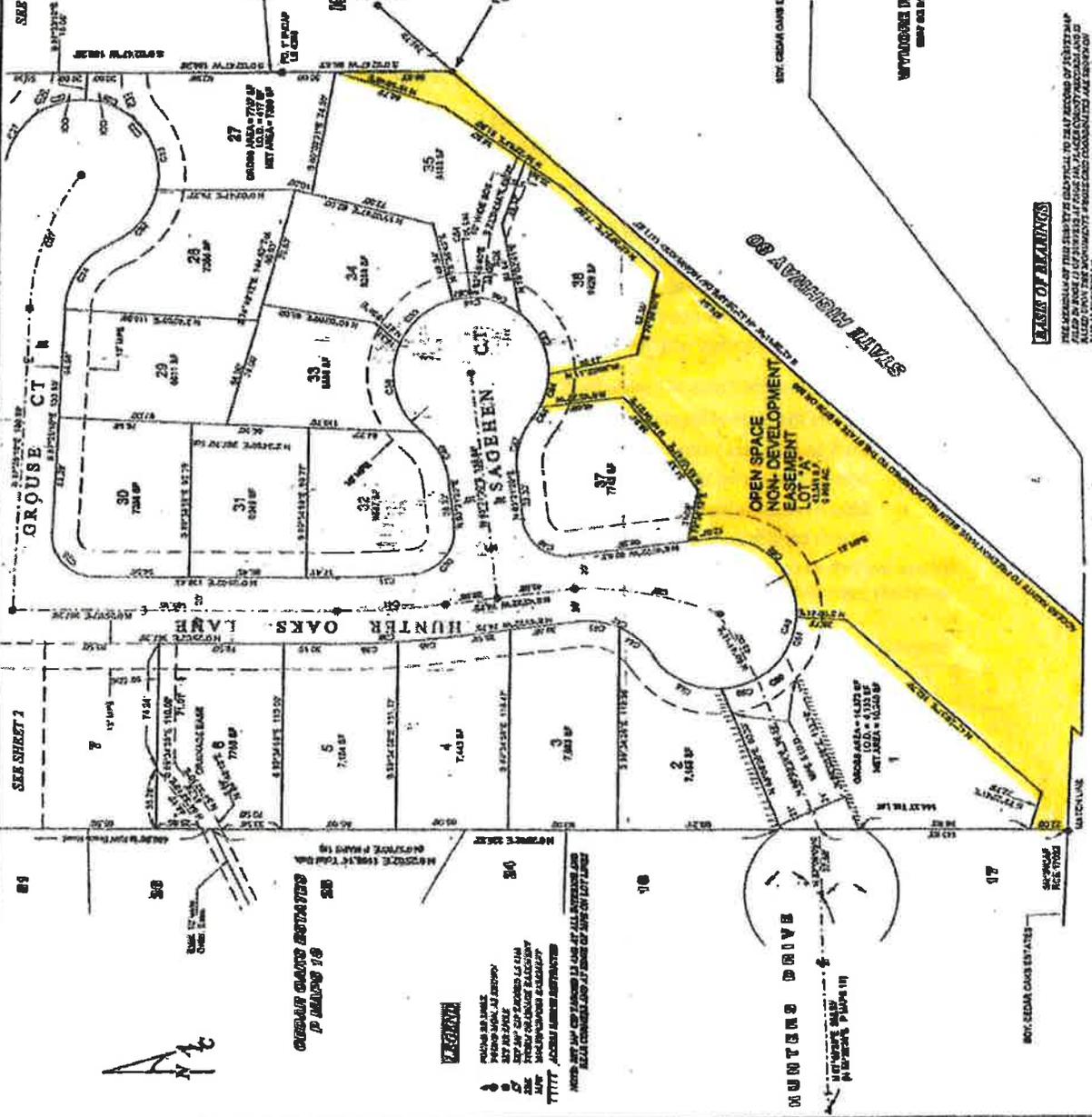
A SUBDIVISION OF A PORTION OF LOTS 9 AND 11 OF "MAP OF THREE TRACTS FILED IN BOOK 7 OF MAPS, AT PAGE 18, PLACER COUNTY OFFICIAL RECORDS, BEING A PORTION OF THE NORTHEAST 1/4 OF SECTION 14, T.13 N., R.7 E., M.13 E., CALIFORNIA POLYMER LAND CONSULTANTS FOLIO AND GRANITE MAP SCALE: 1"=40'

SEE SHEET 2

SEE SHEET 1

**CURVE DATA SCHEDULE**

Curve No.	Stationing	Radius	Chord	Angle	Area
1	1+00.00 to 1+100.00	100.00	100.00	90.00	7853.98
2	1+100.00 to 1+200.00	100.00	100.00	90.00	7853.98
3	1+200.00 to 1+300.00	100.00	100.00	90.00	7853.98
4	1+300.00 to 1+400.00	100.00	100.00	90.00	7853.98
5	1+400.00 to 1+500.00	100.00	100.00	90.00	7853.98
6	1+500.00 to 1+600.00	100.00	100.00	90.00	7853.98
7	1+600.00 to 1+700.00	100.00	100.00	90.00	7853.98
8	1+700.00 to 1+800.00	100.00	100.00	90.00	7853.98
9	1+800.00 to 1+900.00	100.00	100.00	90.00	7853.98
10	1+900.00 to 2+000.00	100.00	100.00	90.00	7853.98



**OWNER'S RIGHTS**  
 P. 1000 1/8

**NOTICE**

THIS MAP IS THE PROPERTY OF THE PLACER COUNTY OFFICIAL RECORDS. IT IS NOT TO BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE EXPRESS WRITTEN PERMISSION OF THE PLACER COUNTY OFFICIAL RECORDS.

**WILDLIFE EASEMENT**

THE LOCATION OF THIS EASEMENT IS SHOWN ON THE MAP. IT IS NOT TO BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE EXPRESS WRITTEN PERMISSION OF THE PLACER COUNTY OFFICIAL RECORDS.

**Dave Smith**  
President  
Hunter Oaks Homeowners Association  
Loomis, CA 95650

April 29, 2010

**Town of Loomis**  
3665 Taylor Road  
Loomis, CA 95650

Dear Town of Loomis:

On behalf of the Hunter Oaks Home Owners Association, the Hunter Oaks Board of Directors would like to make the proposal to dedicate to the Town of Loomis as a regional Neighborhood Park, the real property situated in the Town of Loomis, County of Placer, State of California described as :

(See Exhibit "A", attached hereto and incorporated herein by reference)

Exhibit "A" is referred to as Lot A contained within the PLAT of Hunter Oaks Subdivision described by Assessor's Map Book 45 Page 29 County of Placer, California. A copy of which is attached as:

(See Exhibit "B", attached hereto and incorporated herein by reference)

This Offer of Dedication is subject to the Town of Loomis being open to the idea of accepting this dedication, and the approval of the Hunter Homeowners Association and the Hunter Oaks Board of Directors. Preliminary approval by the Hunter Oaks Board of Directors has resulted in the resolution seeking to dedicate Exhibit "A" to the Town of Loomis. Should the Town of Loomis be open to the acceptance of the Offer of Dedication of Exhibit "A", the Hunter Oaks Board of Directors can proceed with the following plan.

- Obtain from the Town of Loomis the Town's requirements for acceptance.
- Explore the costs of meeting the Town's requirements.
- Draft an HOA resolution to dedicate to the Town of Loomis Lot A as described in Exhibit "A" and subsequently bring to a full vote of the Homeowners Association.
- After a successful vote, present a formal Offer of Dedication of Exhibit "A" to the Town of Loomis for the Town's consideration.

Please feel free to contact me directly at 916-652-7242 or via email at [dbsmith192@sbcglobal.net](mailto:dbsmith192@sbcglobal.net) if there are any questions regarding this matter.

Sincerely,



**Dave Smith**  
President  
Hunter Oaks Homeowners Association

ENCLOSURE

**“EXHIBIT A”**

**LEGAL DESCRIPTION**

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**All that real property located in the Town of Loomis, County of Placer, and State of California more particularly described as follows;**

**That portion of the North 1/2 of Section 16, T.11N., R.7E., M.D.B.&M. more particularly described as follows;**

**Being Lot “A” of Hunter Oaks Subdivision on file in the Office of the Placer County Recorder in Book Y of Maps of Record at Page 51.**

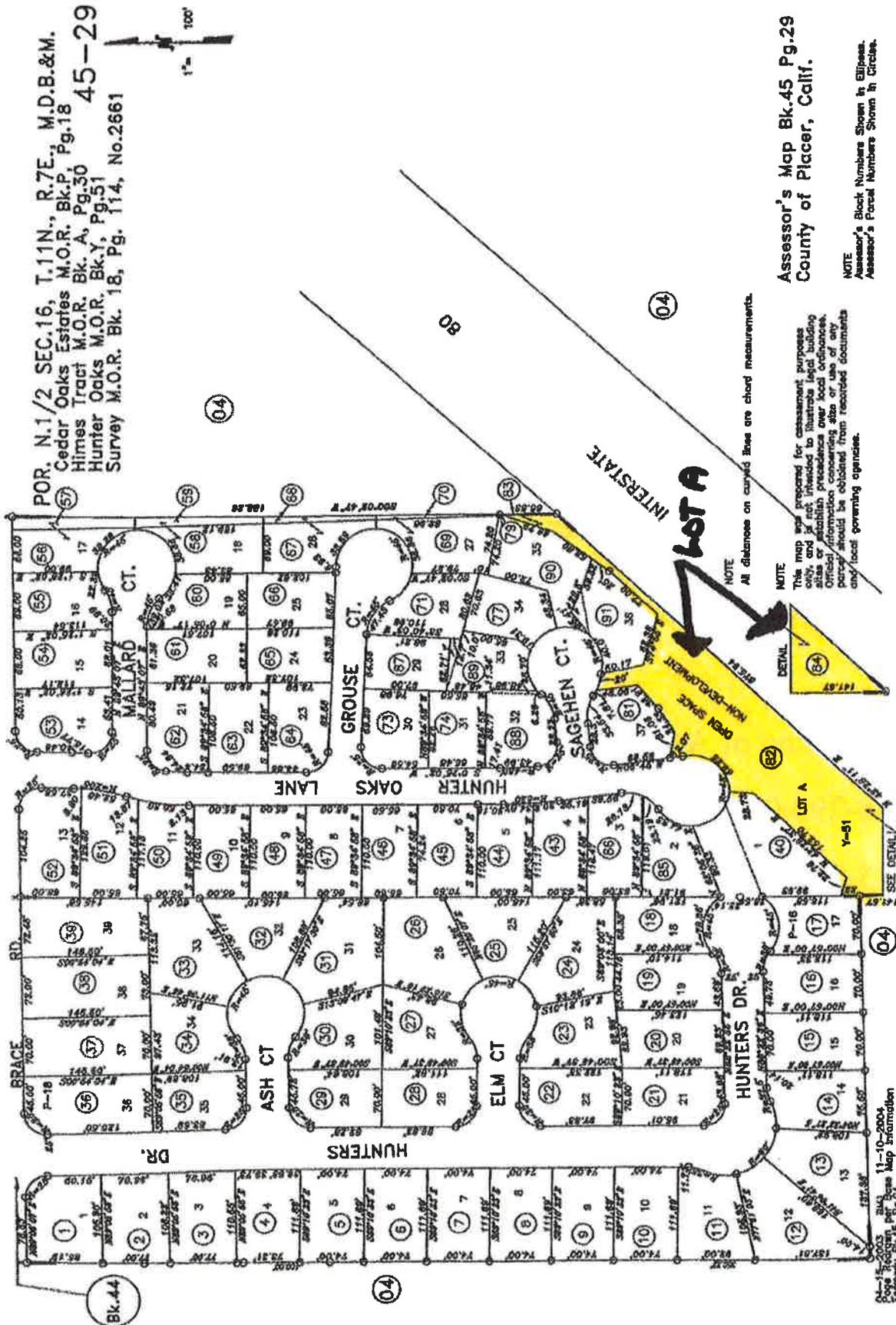
**Consisting of Assessor’s Parcel Numbers;**

**045-290-082 (36,307 square feet) and**

**045-290-084 (6,982 square feet)**

**End Description**

# Exhibit "B"



POR. N.1/2 SEC.16, T.11N., R.7E., M.D.B.&M.  
 Cedar Oaks Estates M.O.R. Bk.P. Pg.18  
 Himes Tract M.O.R. Bk. A, Pg.30  
 Hunter Oaks M.O.R. Bk.Y, Pg.51  
 Survey M.O.R. Bk. 18, Pg. 114, No.2661

Assessor's Map Bk.45 Pg.29  
 County of Placer, Calif.

NOTE  
 Assessor's Block Numbers Shown in Ellipse.  
 Assessor's Parcel Numbers Shown in Circle.

NOTE  
 All distances on curved lines are chord measurements.

NOTE  
 This map was prepared for assessment purposes only and is intended to illustrate legal building setbacks and setbacks, other local ordinances, Official Information concerning other local government parcels should be obtained from recorded documents and local governing agencies.