



**CITY OF MARTINEZ**

**CITY COUNCIL AGENDA  
July 25, 2012**

**TO:** Mayor and City Council

**FROM:** Tim Tucker, City Engineer

**SUBJECT:** Access easement over Lafayette Street Surplus Property

**DATE:** July 19, 2012

**RECOMMENDATION:**

By motion provide direction to staff regarding the potential granting of a non-exclusive private access easement over a portion of the City's Lafayette Street surplus property.

**BACKGROUND:**

The City has recently received a formal request for a non-exclusive private access easement over a portion of the City's Lafayette Street surplus property. Ms. Diana Patrick owns two steeply sloped lots between Escobar Street and the City surplus parcel. On October 5, 2005 the City Council adopted Resolution 105-05 designating this 50 foot strip of land as surplus. The Council memo regarding the surplus property reported:

*Assessor Parcel Number 373-061-033 near Lafayette Street.* On December 15, 1948 the City Council adopted resolution 1169, recorded in book 1349 of official records page 268, authorizing the purchase of the parcel from the County Tax Assessor. A review of the file indicates the property might be needed for an emergency access easement, passive park or pedestrian access, all of which would likely be privately built and maintained as part of development of the Arana property to the east of the City owned parcel. In addition the property owner (Patrick) has inquired to the feasibility of obtaining a private drive access easement to the parcel just north of the City owned parcel.

Ms. Patrick indicates that fill from realigning Lafayette from Escobar to Miller was placed on this property. She indicates the natural contour can be judged by viewing the slope behind the existing homes. She also indicates accessing the property from Escobar would be expensive and difficult.

Lafayette Street is at significantly higher elevation than Escobar Street. Should an access easement be granted by the City, an additional two or three homes could be built on the Patrick property to use this easement as primary access. Staff anticipates objections from some residents on Lafayette Street to the granting of this easement due to added traffic on a narrow street and possible view issues with new houses built at the top of the slope.

*OPTIONS:*

1. Proceed with an appraisal of the proposed easement over City property with the intent to grant a non-exclusive private easement to the Patricks.
2. Direct staff not to proceed on the request.

**FISCAL IMPACT:**

There are no financial impacts at this time. The property owner will pay for the cost of the appraisal. It is anticipated the value of the easement to be approximately \$7,500.

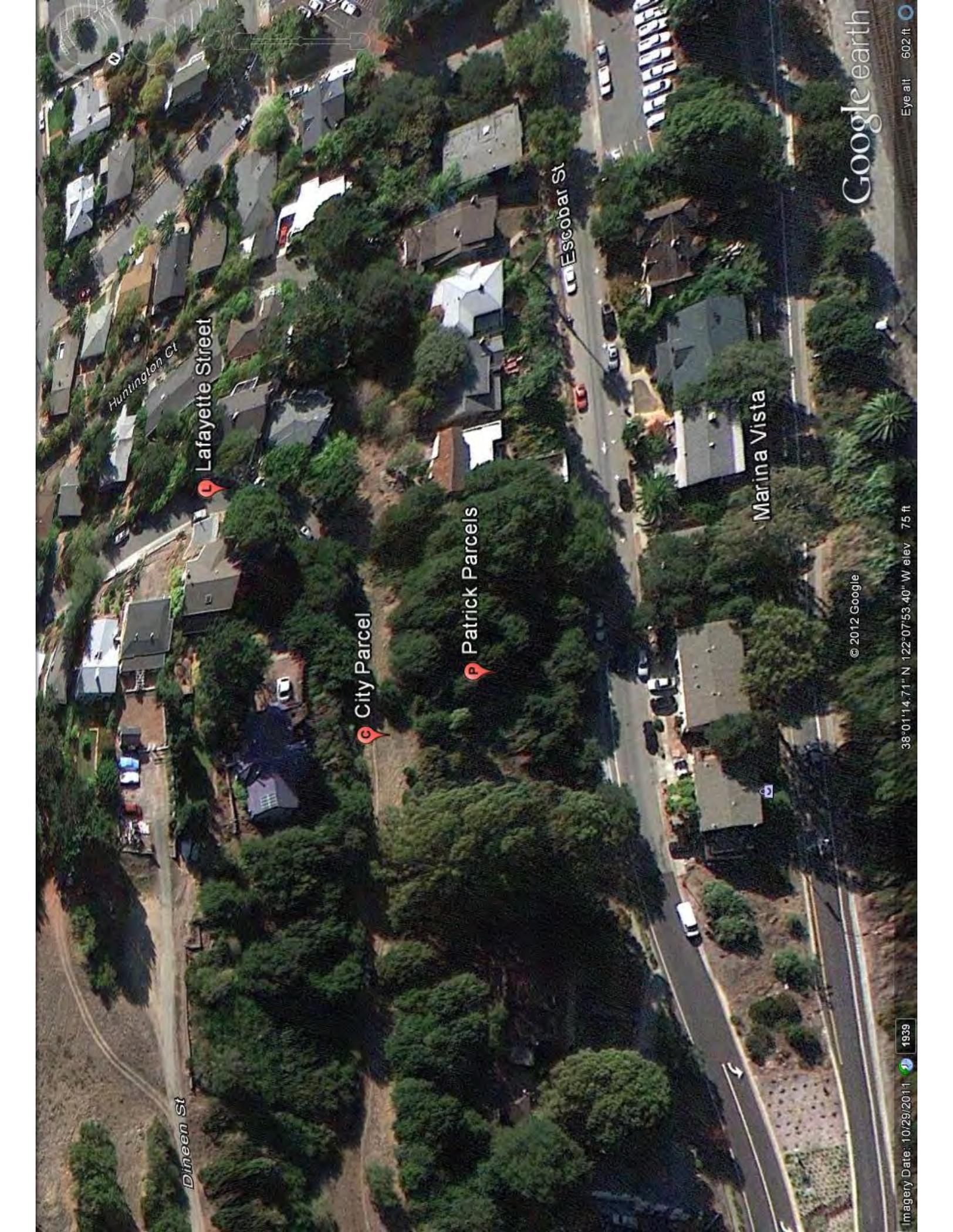
**ACTION:**

By motion provide direction to staff regarding the potential granting of a non-exclusive private access easement over a portion of the City's Lafayette Street surplus property.

**APPROVED BY:**

A handwritten signature in blue ink, consisting of several loops and a long horizontal stroke extending to the right.

Assistant City Manager



Huntington Ct

Lafayette Street

Dineen St

City Parcel

Patrick Parcels

Escobar St

Marina Vista

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Imagery Date: 10/29/2011

38°01'14.71" N 122°07'53.40" W elev 75 ft

Eye alt 602 ft