

RESOLUTION NO. 38-2017

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PACIFICA AUTHORIZING THE CITY MANAGER TO EXECUTE A BI-LATERAL ACKNOWLEDGEMENT AND EASEMENT WITH AFG INVESTMENT GROUP, LLC FOR THE PURPOSE OF FORMALLY GRANTING AN EASEMENT ACROSS THE SHARP PARK LIBRARY SITE TO THE OWNER OF THE ADJACENT PROPERTY, 122 HILTON WAY, AND RESERVING THE CITY'S RIGHT TO CHANGE THE EASEMENT

WHEREAS, the City of Pacifica owns the two parcels that contain the Sharp Park Library and associated parking lot and other improvements; AFG Investment Group, LLC owns 122 Hilton Way which has vehicular access through the Sharp Park Library site; and

WHEREAS, the City and the owner of the apartment complex would like to formalize vehicular access to 122 Hilton Way; and

WHEREAS, the Bi-Lateral Acknowledgment and Easement, attached as Exhibit A to this resolution, has been drafted by City's staff and counsel and approved by the grantee; and

WHEREAS, this Bi-lateral Acknowledgment and Easement will formalize vehicular access to 122 Hilton Way and ensures that the City has the right to move or change the easement in the future.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Pacifica that it does hereby approve the Bi-lateral Acknowledgment and Easement attached hereto as Exhibit A.

BE IT FURTHER RESOLVED that the City Manager is hereby authorized and directed to take all actions to effectuate the Bi-lateral Acknowledgment and Easement for and on behalf of the City of Pacifica, including execution and recordation, if necessary, in substantially similar form to the Bi-lateral Acknowledgment and Easement attached hereto as Exhibit "A", and incorporated herein by this reference, subject to minor modifications by the City Manager or City Attorney.

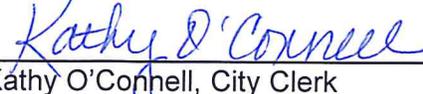
PASSED AND ADOPTED at a regular meeting of the City Council of the City of Pacifica, California, held on the 24th day of July 2017.

AYES, Councilmember:
NOES, Councilmember:
ABSENT, Councilmember:
ABSTAIN, Councilmember:



Mike O'Neill, Mayor

ATTEST:



Kathy O'Connell, City Clerk

APPROVED AS TO FORM:



Michelle Kenyon, City Attorney
Cheryl Herrington, Deputy City Attorney