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City Manager's Report
August 12, 2025 City Council Meeting
Prepared By: Melissa Savage, City Engineer
Item#: 7.6

Subject: Consider approving property and right of way exchange in support of current and future public improvements in conjunction with the development of the Middletown Apartments project.

Recommendation: Adopt a Resolution:

1. Accepting an Irrevocable Offer of Dedication from Middletown Apartments, LP for 468 Square Feet (SF) of public street right of way along Middletown Rd. adjacent to APN 323-570-001; and
2. Declaring surplus City owned property of 318 SF located along Middletown Road adjacent to APN 323-570-001; and
3. Approving the relinquishment of said 318 SF of City owned property to Middletown Apartments, LP for their use and maintenance, and authorizing the City Manager to execute a grant deed for said relinquishment; and
4. Directing the City Engineer to sign a Certificate of Acceptance and authorizing the recording of said Irrevocable Offer of Dedication and said Grant with the Office of the El Dorado County Recorder.

Purpose: The purpose of the proposed action is to accept an Irrevocable Offer of Dedication (IOD) for street right of way while concurrently relinquishing surplus City owned right of way along Middletown Rd. to the adjacent Middletown Apartments.

Strategic Plan Strategy:

- Infrastructure – Update and Maintain City Owned Infrastructure
- Economic Development – Support smart housing through Mixed Use Development and other housing types to meet the needs of all.

Background: The Middletown Apartments project construction is well underway. At the City Council meeting of August 22, 2023, the Council approved Resolution No. 9226 transferring right of way between the developer and the City, which action included acceptance of an Irrevocable Offer of Dedication (IOD) for Middletown Road frontage improvements. During the subsequent design process, it was determined that the driveway should be relocated approximately 30 feet west of that original planned location to align better with the street across from the driveway. This design improvement modified the right of way needs from those already approved and accepted. This driveway change results in a need for 468 additional square feet of right of way dedication and

results in 318 square feet of surplus City right of way which can be returned to the development. This surplus area is part of the landscaped area behind the new frontage sidewalk and now falls outside the area that the City normally accepts as City right of way. Staff requested the developer prepare the attached documents to provide a 468 SF IOD to the City and to allow the city to declare 381 square feet as surplus property and relinquish it back to the developer through a Grant Deed.

Discussion: The Middletown Apartments project team has prepared the attached legal descriptions for the area to be irrevocably offered for dedication and for the area to be relinquished. Attachment B provides an exhibit of the land transfer that is proposed for Council approval. This exchange will allow the City to have proper ownership of the road right of way on Middletown Road while relinquishing the surplus right of way back to the development project.

Options:

1. Accept the IOD, declare the City owned parcel as surplus, and approve relinquishment to Middletown Apartments, LP.
2. Direct staff to take other action.

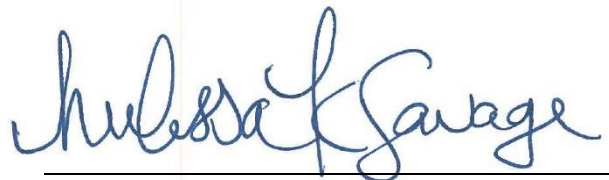
Environmental: Not applicable to this IOD and relinquishment. A Mitigated Negative Declaration for the project and subject parcel was prepared in 2016 and approved in 2017.

Cost: There is no cost associated with this item.

Budget Impact: None.



M. Cleve Morris, City Manager



Melissa Savage, City Engineer

Attachment:

- A. Resolution
- B. Land Transfer Exhibit
- C. Offer of Dedication
- D. Grant Deed