

## ITEM 4.24

### **CITY MANAGER'S REPORT SEPTEMBER 9, 2024 CITY COUNCIL REGULAR MEETING**

**ITEM: APPROVE QUITCLAIM DEEDS TO TRANSFER OPEN SPACE PARCELS TO RIVER ISLANDS PUBLIC FINANCING AUTHORITY**

**RECOMMENDATION: Adopt Resolution Approving Quitclaim Deeds to Transfer Open Space Parcels to River Islands Public Financing Authority**

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#### **SUMMARY:**

River Islands Development Area 1, LLC (River Islands) inadvertently dedicated parcels of open space to the City of Lathrop (City) with the approval of the final map for Tract 4155 West Village Unit 1 on September 11, 2023. Typically, a park is dedicated to the City as part of the Quimby Act, which requires developers to provide land or funding for park development. However, these particular open space parcels are an exception to the Quimby Act because River Islands has already satisfied the Quimby Act requirements for Vesting Tentative Map (VTM) 6716 and therefore, the open space parcels should not have been dedicated to the City. Instead, it should have been dedicated to the River Islands Public Financing Authority (RIPFA) as most of the open space parcels along the lakes in River Islands are owned by RIPFA. Letters from RIPFA and River Islands, requesting the transfer of the parcels, are included as Attachment "B".

Staff recommends that Council approve the proposed Quitclaim Deeds to RIPFA, included as Attachment "C". A Vicinity Map is also included as Attachment "D".

#### **BACKGROUND:**

On September 11, 2023, City Council approved the final map for Tract 4155 Unit 1 within the West Village District of River Islands, which created 105 residential lots. The final map also dedicated certain parcels to the City for the purposes of open space, landscaping, public utilities, fence maintenance, and appurtenances (Parcels). Typically, an open space parcel is dedicated to the City as part of the Quimby Act, which requires developers to provide land or funds for park development, however, these Parcels are an exception to the Quimby Act because River Islands satisfied the Quimby Act requirements for Vesting Tentative Map (VTM) 6716 and therefore, the Parcels should not have been dedicated to the City. All non-Quimby Act open spaces in the River Islands Development are owned and maintained by Island Reclamation District (RD) 2062, RIPFA, or an HOA.

The Parcels should have been dedicated to RIPFA as most of the open space parcels along the lakes in River Islands are owned by RIPFA. Staff recommends Council approve the proposed Quitclaim Deeds to RIPFA and authorize the transfer of the open spaces to RIPFA pursuant to their request.

**REASON FOR RECOMMENDATION:**

River Islands and RIPFA submitted letters to the City requesting that the City transfer the Parcels to RIPFA, as originally intended. Staff recognizes that the Parcels should not have been dedicated to the City pursuant to VTM 6716 and therefore, supports RIPFA's and River Islands' requests to transfer the Parcels to RIPFA.

**FISCAL IMPACT:**

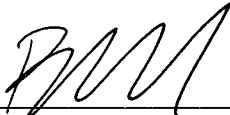
There is no cost to the City to execute the deeds. All costs for City staff time have been paid by River Islands.

**ATTACHMENTS:**

- A. Resolution Approving Quitclaim Deeds to Transfer Open Space Parcels to River Islands Public Financing Authority
- B. Letters from River Islands Public Financing Authority and River Islands Development Area 1, LLC requesting City to transfer open space parcels to River Islands Public Financing Authority
- C. Proposed Quitclaim Deeds from City to River Islands Public Financing Authority
- D. Vicinity Map of Open Space – Tract 4155

**CITY MANAGER'S REPORT** **PAGE 3**  
**SEPTEMBER 9, 2024 CITY COUNCIL REGULAR MEETING**  
**APPROVE QUITCLAIM DEEDS TO TRANSFER OPEN SPACE PARCELS TO RIPFA**

**APPROVALS:**

  
\_\_\_\_\_  
Bellal Nabizadah  
Assistant Engineer

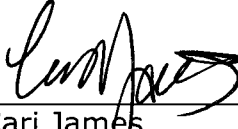
9/3/24  
Date

  
\_\_\_\_\_  
Todd Sebastian  
Parks and Recreation Director

9/4/24  
Date

  
\_\_\_\_\_  
Brad Taylor  
City Engineer

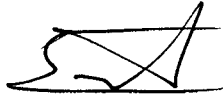
9/3/2024  
Date

  
\_\_\_\_\_  
Cari James  
Finance Director

9/3/2024  
Date

  
\_\_\_\_\_  
Michael King  
Assistant City Manager

9/3/2024  
Date

  
\_\_\_\_\_  
Salvador Navarrete  
City Attorney

9.3.2024  
Date

  
\_\_\_\_\_  
Stephen J. Salvatore  
City Manager

9.4.24  
Date

**RESOLUTION NO. 24-**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LATHROP APPROVING QUITCLAIM DEEDS TO TRANSFER OPEN SPACE PARCELS TO RIVER ISLANDS PUBLIC FINANCING AUTHORITY**

**WHEREAS**, on September 11, 2023, Council approved the final map for Tract 4155 Unit 1 within the West Village District of River Islands, which created 105 residential lots. The final map also dedicated certain parcels to the City for the purposes of open space, landscaping, public utilities, fence maintenance, and appurtenances (Parcels); and

**WHEREAS**, typically, an open space parcel is dedicated to the City as part of the Quimby Act, which requires developers to provide land or funds for park development, however, the Parcels are an exception to the Quimby Act because River Islands satisfied the Quimby Act requirements for Vesting Tentative Map (VTM) 6716 and therefore, the Parcels should not have been dedicated to the City; and

**WHEREAS**, all non-Quimby Act open spaces in the River Islands Development are owned and maintained by Island Reclamation District 2062, RIPFA, or an HOA

**WHEREAS**, the Parcels should have been dedicated to River Islands Public Financing Authority (RIPFA) as most of the open space parcels along the lakes in River Islands are owned by RIPFA.; and

**WHEREAS**, the request letters from River Islands Development Area 1, LLC (River Islands) and RIPFA, requesting the transfer of the parcels to RIPFA, are included as Attachment "B" and the proposed Quitclaim Deeds to RIPFA are included as Attachment "C" to the City Manager's Report that accompanied this resolution; and

**WHEREAS**, there is no cost to the City to execute the deeds. All costs for City staff time have been paid by River Islands; and

**WHEREAS**, staff recognizes that the Parcels should not have been dedicated to the City and therefore, supports RIPFA's and River Islands' requests to transfer the Parcels to RIPFA; and

**WHEREAS**, staff recommends that the Council approve the Quitclaim Deeds to RIPFA and authorize the transfer of the open space parcels to RIPFA as requested.

**NOW, BE IT RESOLVED**, by the City Council of the City of Lathrop that the City Manager or their designee is authorized to execute the Quitclaim Deeds to RIPFA and transfer the Parcels to RIPFA as requested; and

**BE IT FURTHER RESOLVED**, City Council of the City of Lathrop finds that the Parcels were dedicated to the City of Lathrop erroneously and should have been dedicated to RIPFA; and

**BE IT FURTHER RESOLVED**, to correct the error, City Council hereby transfers the Parcels to RIPFA by Quitclaim Deeds.

**PASSED AND ADOPTED** by the City Council of the City of Lathrop this 9<sup>th</sup> day of September 2024 by the following vote:

AYES:

NOES:

ABSTAIN:

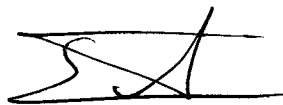
ABSENT:

\_\_\_\_\_  
Sonny Dhaliwal, Mayor

**ATTEST:**

\_\_\_\_\_  
Teresa Vargas  
City Clerk

**APPROVED AS TO FORM:**

  
\_\_\_\_\_  
Salvador Navarrete  
City Attorney

**RIVER ISLANDS PUBLIC FINANCING AUTHORITY**

73 W. Stewart Road  
LATHROP, CALIFORNIA 95330

TEL: (209) 879-7900

August 27, 2024

Brad Taylor, City Engineer  
City of Lathrop  
390 Towne Centre Drive  
Lathrop, CA 95330  
Email: [btaylor@ci.lathrop.ca.us](mailto:btaylor@ci.lathrop.ca.us)

Subject: Transfer of Pocket Parks from Tract 4155 Near Lake 23 and Callerton Avenue

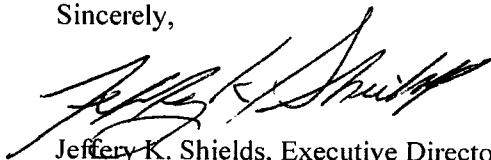
Dear Brad:

As discussed with you and your staff, the Authority should have reserved the pocket parks adjacent to Lake 23 and Callerton Avenue with the approval of the Tract 4155 final map. The parcels were erroneously dedicated to the City and consistent with the conditions of approval with Phase 2 River Islands approvals, these properties should be owned/controlled by either the Authority or Reclamation District No. 2062 ("RD 2062"). The Authority may transfer these parcels to RD 2062 in the future, but the initial transfer from the City should be to the Authority.

We have provided quitclaim deeds and legal descriptions to the City for the transfer and I have signed a Certificate of Acceptance for each quitclaim deed. Once approved by the City Council, these deeds may be recorded by the City.

If you have any questions regarding this letter, please feel free to contact Ramon Batista at (209) 879-7900.

Sincerely,



Jeffery K. Shields, Executive Director  
River Islands Public Financing Authority

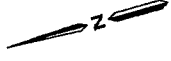
cc: Stephen J. Salvatore, City Manager  
Salvador Navarrete, City Attorney  
Rick Caguiat, City of Lathrop Community Development Director  
Todd Sebastian, City of Lathrop Parks and Recreation Director  
Bellal Nabizadah, Assistant Engineer  
Jordan Bulger, Contract Specialist  
Debbie Belmar, Legal Department Manager

# EXHIBIT "A"

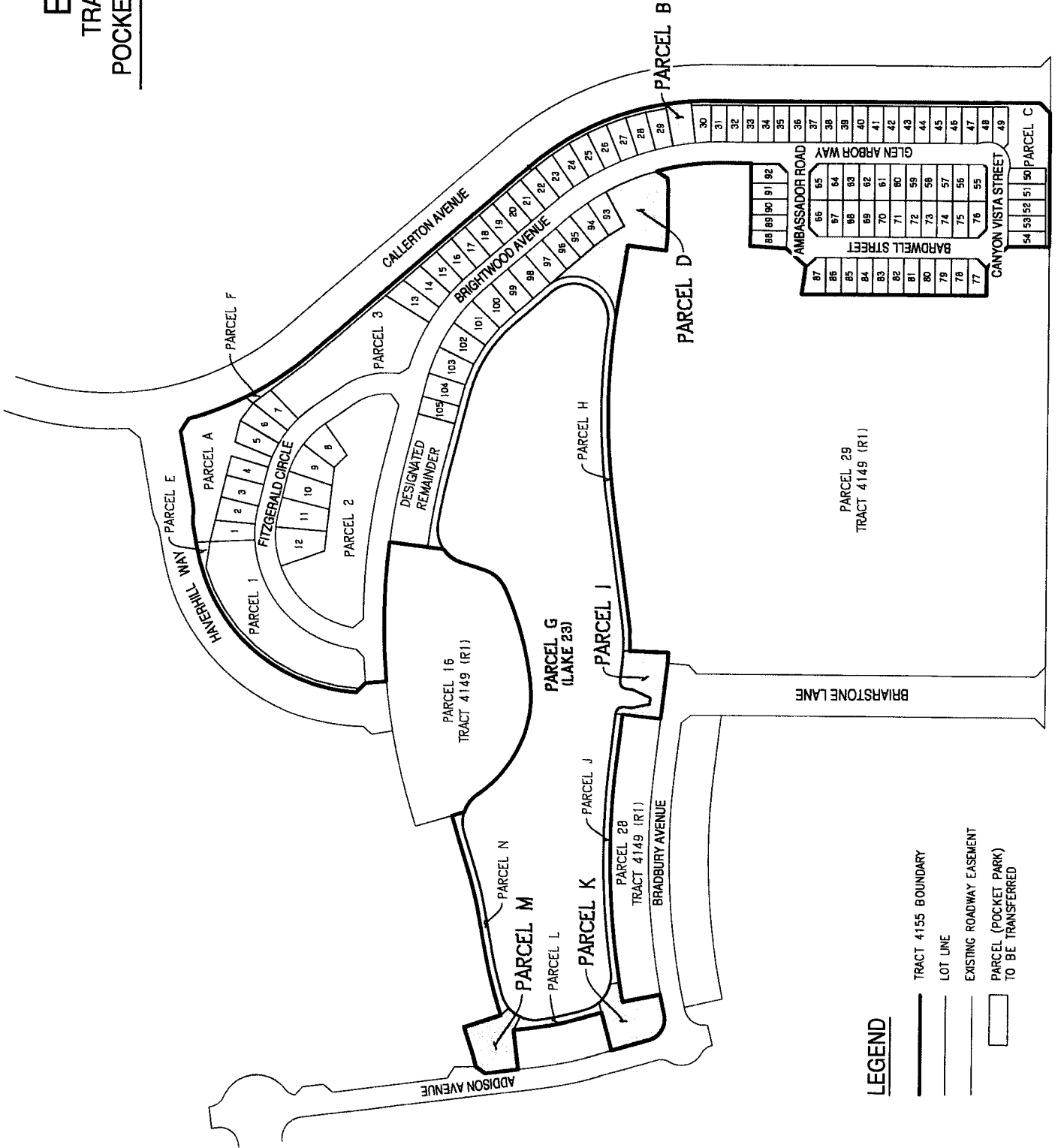
## TRACT 4155 UNIT 1

### POCKET PARK TRANSFER

AUGUST 2024



SCALE: 1" = 400'





August 28, 2024

Mr. Brad Taylor, City Engineer  
City of Lathrop  
390 Towne Centre Drive  
Lathrop, CA 95330

Subject: Transfer of Pocket Parks from Tract 4155 Near Lake 23 and Callerton Avenue

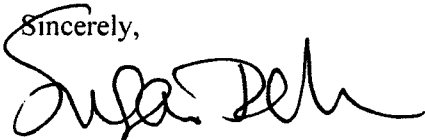
Dear Brad:

As discussed previously with you and your staff, the approval and subsequent recording of the Tract 4155 final map in the West Village District should have reserved certain pocket parks adjacent and/or near Lake 23 to the River Islands Public Financing Authority ("RIPFA"); see attached exhibit. Instead, they were dedicated to the City erroneously, which is not consistent with the conditions of approval for the Phase 2 River Islands approvals. As indicated by the Executive Director of RIPFA, Jeff Shields, in his August 27, 2024 correspondence to you, the pocket park parcels should be owned/controlled by either the Authority or Reclamation District No. 2062 ("RD 2062"). RIPFA may transfer these parcels to RD 2062 in the future, but the initial transfer from the City should be to RIPFA.

Also indicated by Mr. Shields correspondence, quitclaim deeds and legal descriptions, as well as Certificates of Acceptance for each quitclaim deed have already been provided to you. Once approved by the City Council, these deeds may be recorded by the City with our acknowledgement and agreement.

If you have any questions regarding this letter, please feel free to contact me at (209) 879-7900.

Sincerely,



Susan Dell'Osso, President  
River Islands Development Area 1, LLC

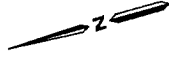
cc: Jeff Shields, Executive Director, RIPFA  
Stephen J. Salvatore, City Manager  
Salvador Navarrete, City Attorney  
Rick Caguiat, City of Lathrop Community Development Director  
Todd Sebastian, City of Lathrop Parks and Recreation Director  
Bellal Nabizadah, Assistant Engineer  
Jordan Bulger, Contract Specialist  
Debbie Belmar, Legal Department Manager

# EXHIBIT "A"

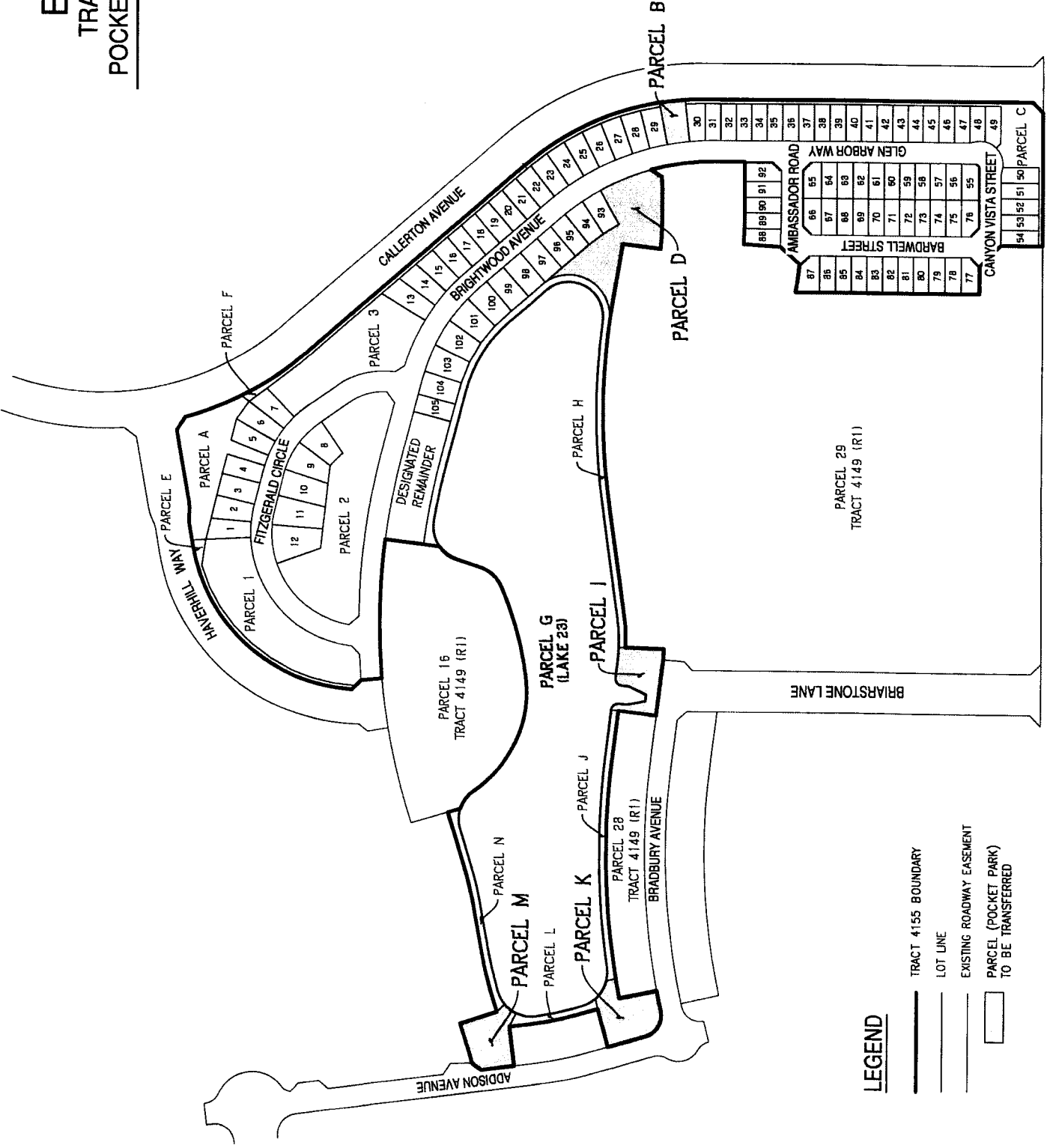
## TRACT 4155 UNIT 1

### POCKET PARK TRANSFER

AUGUST 2024



SCALE: 1" = 400'



- LEGEND**
- TRACT 4155 BOUNDARY
  - LOT LINE
  - EXISTING ROADWAY EASEMENT
  - PARCEL (POCKET PARK) TO BE TRANSFERRED

**RECORDING REQUESTED BY, AND**  
WHEN RECORDED MAIL TO:

CITY OF LATHROP  
ATTN: CITY CLERK  
390 TOWNE CENTRE DRIVE  
LATHROP, CA 95330  
*Exempt from payment of recording fees (GC 27383)*

SPACE ABOVE THIS LINE FOR RECORDER'S USE

APN: 213-700-09

**QUITCLAIM DEED**

FOR VALUABLE CONSIDERATION, the receipt and legal sufficiency of which is hereby acknowledged, THE CITY OF LATHROP, a municipal corporation ("Grantor"), does hereby remise, release and forever quitclaim to RIVER ISLANDS PUBLIC FINANCING AUTHORITY, a joint exercise of powers authority organized and existing under the laws of the State of California ("Grantee"), its successors and assigns, any and all right, title and interest in and to the real property in the City of Lathrop, County of San Joaquin, State of California, described on Exhibit A attached hereto and incorporated herein by this reference.

IN WITNESS WHEREOF, Grantor has executed this Quitclaim Deed as of August \_\_\_\_, 2024.

GRANTOR:

**CITY OF LATHROP, a California municipal  
corporation**

By: \_\_\_\_\_  
Stephen J. Salvatore, City Manager

**[ATTACH NOTARY ACKNOWLEDGMENT]**

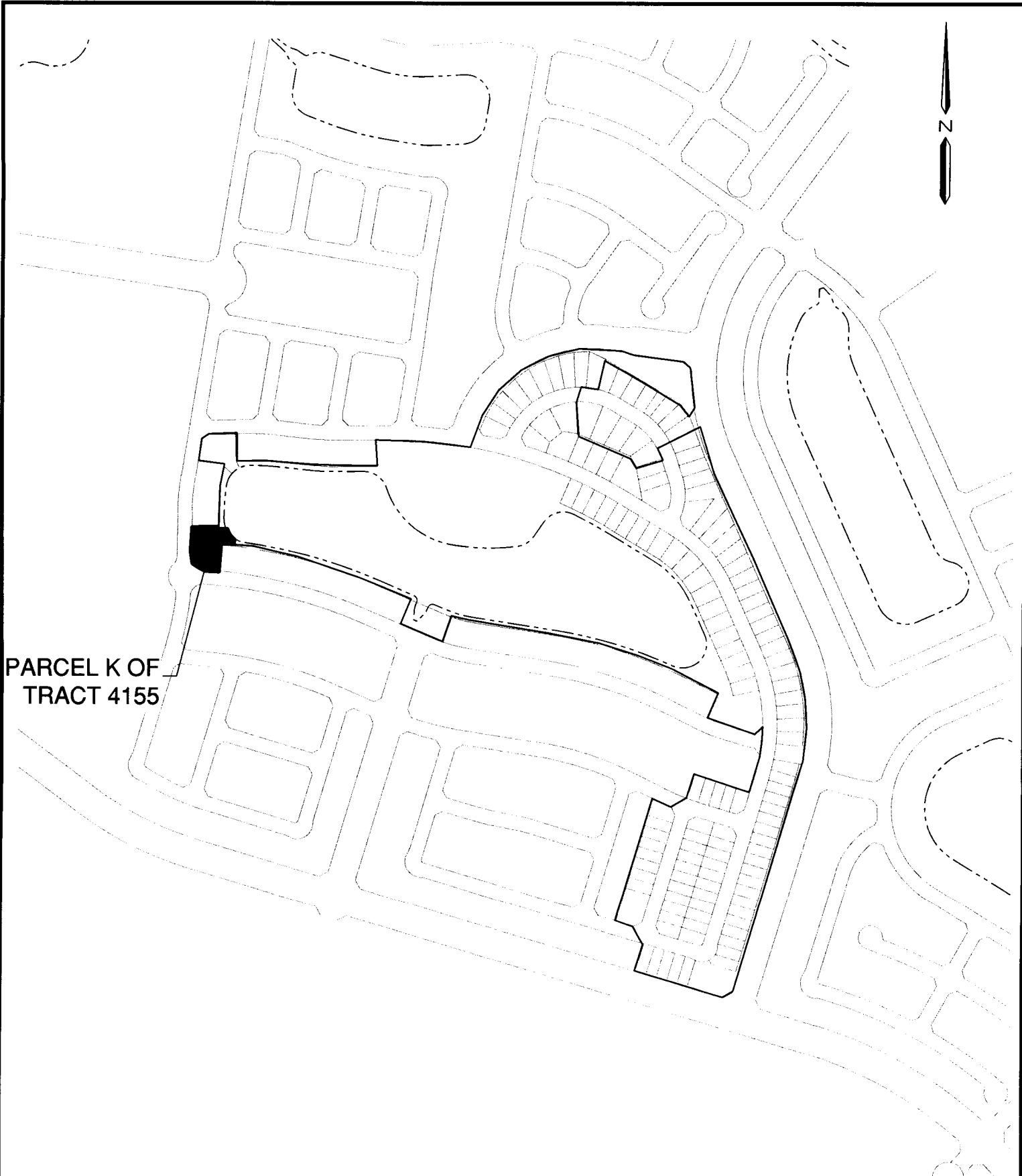
## **EXHIBIT A**

### **Legal Description of Land**

The land referred to is situated in City of Lathrop, County of San Joaquin, State of California, described as follows:

Parcel K as shown on the map entitled "Tract 4155, River Islands – Phase 2, West Village Unit 1," filed for record on March 29, 2024, in Book 44 of Maps and Plats, at Page 87, San Joaquin County Records.

APN: 213-700-09



PARCEL K OF  
TRACT 4155

**EXHIBIT A**

|                                     |       |                 |
|-------------------------------------|-------|-----------------|
| RIVER ISLANDS TRACT 4155 (DEL WEBB) |       |                 |
| PARCEL K QUITCLAIM                  |       |                 |
| SCALE:                              | NONE  | DATE: 2024-8-12 |
| JOB NO.:                            | 25501 |                 |

1  
OF  
1



**RECORDING REQUESTED BY, AND**  
WHEN RECORDED MAIL TO:

CITY OF LATHROP  
ATTN: CITY CLERK  
390 TOWNE CENTRE DRIVE  
LATHROP, CA 95330  
*Exempt from payment of recording fees (GC 27383)*

SPACE ABOVE THIS LINE FOR RECORDER'S USE

APN: 213-700-11

**QUITCLAIM DEED**

. FOR VALUABLE CONSIDERATION, the receipt and legal sufficiency of which is hereby acknowledged, THE CITY OF LATHROP, a municipal corporation ("Grantor"), does hereby remise, release and forever quitclaim to RIVER ISLANDS PUBLIC FINANCING AUTHORITY, a joint exercise of powers authority organized and existing under the laws of the State of California ("Grantee"), its successors and assigns, any and all right, title and interest in and to the real property in the City of Lathrop, County of San Joaquin, State of California, described on Exhibit A attached hereto and incorporated herein by this reference.

IN WITNESS WHEREOF, Grantor has executed this Quitclaim Deed as of August \_\_\_\_, 2024.

GRANTOR:

**CITY OF LATHROP, a California municipal  
corporation**

By: \_\_\_\_\_  
Stephen J. Salvatore, City Manager

**[ATTACH NOTARY ACKNOWLEDGMENT]**

## **EXHIBIT A**

### **Legal Description of Land**

The land referred to is situated in City of Lathrop, County of San Joaquin, State of California, described as follows:

Parcel M as shown on the map entitled "Tract 4155, River Islands – Phase 2, West Village Unit 1," filed for record on March 29, 2024, in Book 44 of Maps and Plats, at Page 87, San Joaquin County Records.

APN: 213-700-11

PARCEL M OF  
TRACT 4155



| EXHIBIT A                           |       |                 |
|-------------------------------------|-------|-----------------|
| RIVER ISLANDS TRACT 4155 (DEL WEBB) |       |                 |
| PARCEL M QUITCLAIM                  |       |                 |
| SCALE:                              | NONE  | DATE: 2024-8-12 |
| JOB NO.:                            | 25501 |                 |



**RECORDING REQUESTED BY, AND**  
WHEN RECORDED MAIL TO:

CITY OF LATHROP  
ATTN: CITY CLERK  
390 TOWNE CENTRE DRIVE  
LATHROP, CA 95330  
*Exempt from payment of recording fees (GC 27383)*

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SPACE ABOVE THIS LINE FOR RECORDER'S USE

APN: 213-730-70

**QUITCLAIM DEED**

FOR VALUABLE CONSIDERATION, the receipt and legal sufficiency of which is hereby acknowledged, THE CITY OF LATHROP, a municipal corporation ("Grantor"), does hereby remise, release and forever quitclaim to RIVER ISLANDS PUBLIC FINANCING AUTHORITY, a joint exercise of powers authority organized and existing under the laws of the State of California ("Grantee"), its successors and assigns, any and all right, title and interest in and to the real property in the City of Lathrop, County of San Joaquin, State of California, described on Exhibit A attached hereto and incorporated herein by this reference.

IN WITNESS WHEREOF, Grantor has executed this Quitclaim Deed as of August \_\_\_\_, 2024.

GRANTOR:

**CITY OF LATHROP, a California municipal  
corporation**

By: \_\_\_\_\_  
Stephen J. Salvatore, City Manager

**[ATTACH NOTARY ACKNOWLEDGMENT]**

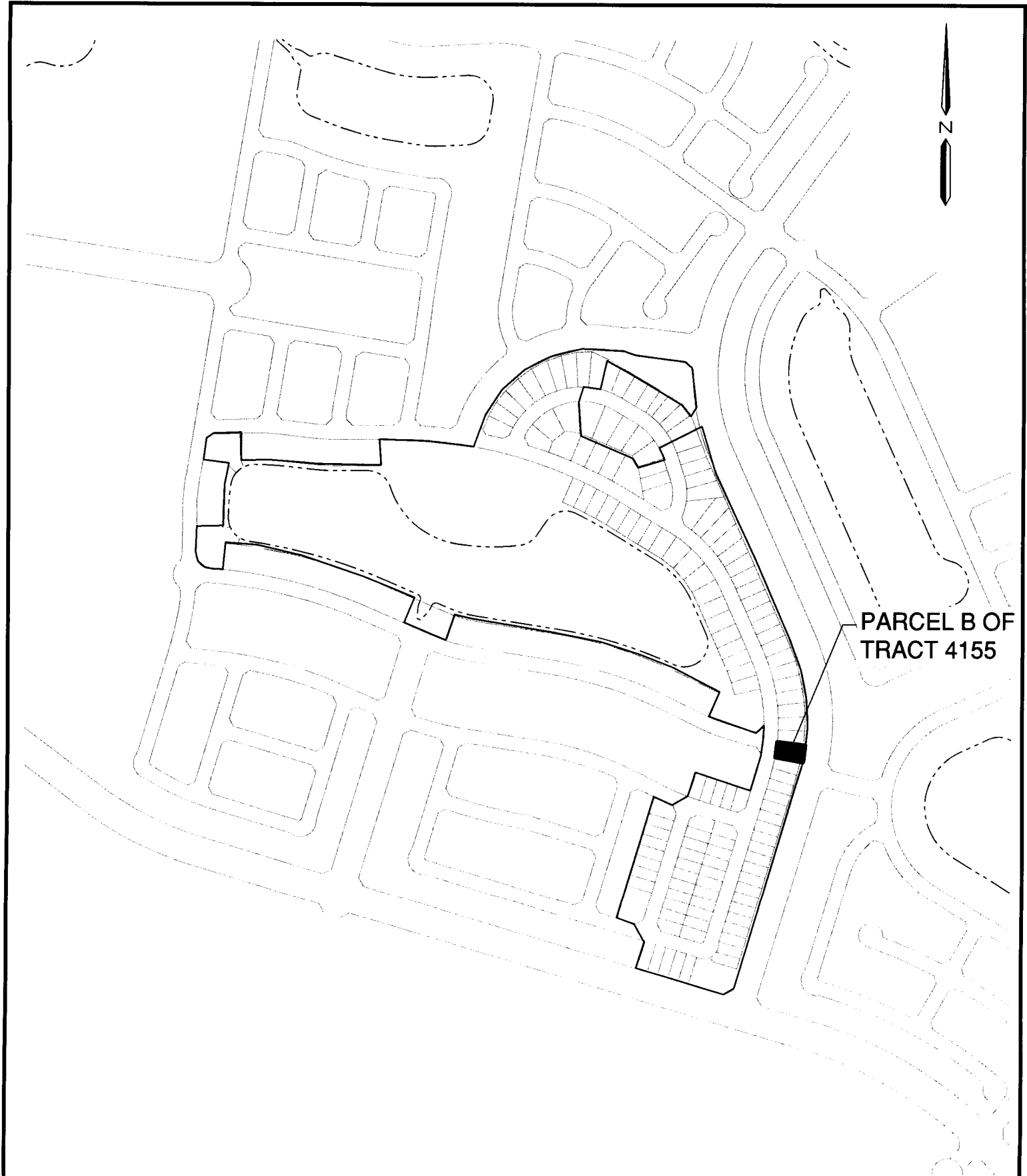
## **EXHIBIT A**

### **Legal Description of Land**

The land referred to is situated in City of Lathrop, County of San Joaquin, State of California, described as follows:

Parcel B as shown on the map entitled "Tract 4155, River Islands – Phase 2, West Village Unit 1," filed for record on March 29, 2024, in Book 44 of Maps and Plats, at Page 87, San Joaquin County Records.

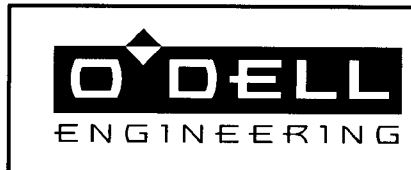
APN: 213-730-70



PARCEL B OF TRACT 4155

**EXHIBIT A**

|                                     |       |                 |              |
|-------------------------------------|-------|-----------------|--------------|
| RIVER ISLANDS TRACT 4155 (DEL WEBB) |       |                 | 1<br>OF<br>1 |
| PARCEL B QUITCLAIM                  |       |                 |              |
| SCALE:                              | NONE  | DATE: 2024-8-12 |              |
| JOB NO.:                            | 25501 |                 |              |



**RECORDING REQUESTED BY, AND**  
WHEN RECORDED MAIL TO:

CITY OF LATHROP  
ATTN: CITY CLERK  
390 TOWNE CENTRE DRIVE  
LATHROP, CA 95330  
*Exempt from payment of recording fees (GC 27383)*

SPACE ABOVE THIS LINE FOR RECORDER'S USE

APN: 213-700-02

**QUITCLAIM DEED**

FOR VALUABLE CONSIDERATION, the receipt and legal sufficiency of which is hereby acknowledged, THE CITY OF LATHROP, a municipal corporation ("Grantor"), does hereby remise, release and forever quitclaim to RIVER ISLANDS PUBLIC FINANCING AUTHORITY, a joint exercise of powers authority organized and existing under the laws of the State of California ("Grantee"), its successors and assigns, any and all right, title and interest in and to the real property in the City of Lathrop, County of San Joaquin, State of California, described on Exhibit A attached hereto and incorporated herein by this reference.

IN WITNESS WHEREOF, Grantor has executed this Quitclaim Deed as of August \_\_\_\_, 2024.

GRANTOR:

**CITY OF LATHROP, a California municipal  
corporation**

By: \_\_\_\_\_  
Stephen J. Salvatore, City Manager

**[ATTACH NOTARY ACKNOWLEDGMENT]**

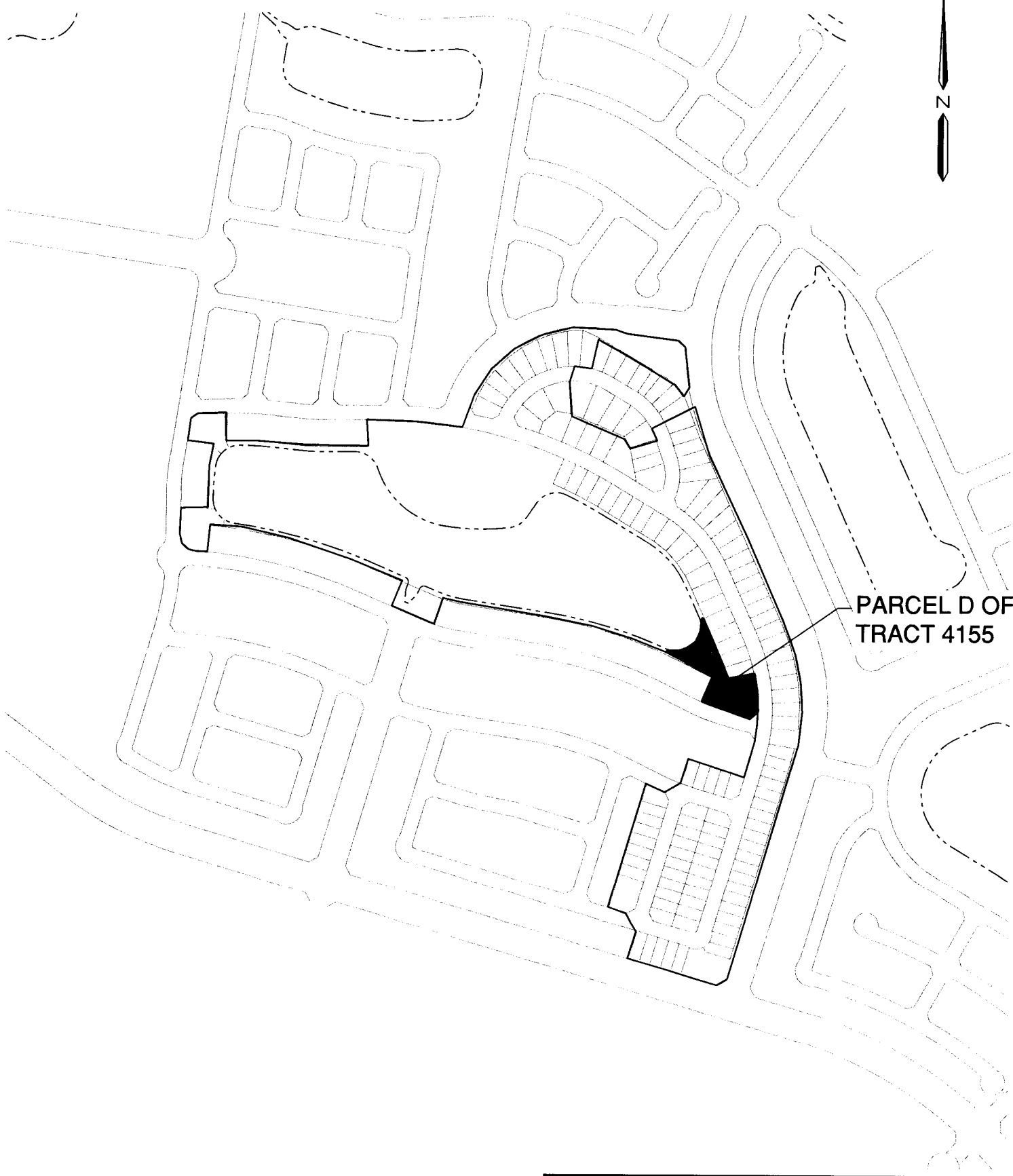
## **EXHIBIT A**

### **Legal Description of Land**

The land referred to is situated in City of Lathrop, County of San Joaquin, State of California, described as follows:

Parcel D as shown on the map entitled "Tract 4155, River Islands – Phase 2, West Village Unit 1," filed for record on March 29, 2024, in Book 44 of Maps and Plats, at Page 87, San Joaquin County Records.

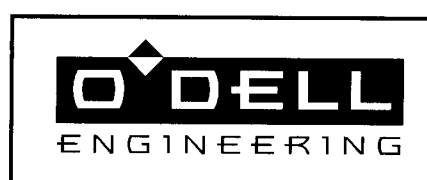
APN: 213-700-02



PARCEL D OF TRACT 4155

**EXHIBIT A**

|                                     |       |                 |              |
|-------------------------------------|-------|-----------------|--------------|
| RIVER ISLANDS TRACT 4155 (DEL WEBB) |       |                 | 1<br>OF<br>1 |
| PARCEL D QUITCLAIM                  |       |                 |              |
| SCALE:                              | NONE  | DATE: 2024-8-12 |              |
| JOB NO.:                            | 25501 |                 |              |



**RECORDING REQUESTED BY, AND**  
WHEN RECORDED MAIL TO:

CITY OF LATHROP  
ATTN: CITY CLERK  
390 TOWNE CENTRE DRIVE  
LATHROP, CA 95330  
*Exempt from payment of recording fees (GC 27383)*

SPACE ABOVE THIS LINE FOR RECORDER'S USE

APN: 213-700-07

**QUITCLAIM DEED**

FOR VALUABLE CONSIDERATION, the receipt and legal sufficiency of which is hereby acknowledged, THE CITY OF LATHROP, a municipal corporation ("Grantor"), does hereby remise, release and forever quitclaim to RIVER ISLANDS PUBLIC FINANCING AUTHORITY, a joint exercise of powers authority organized and existing under the laws of the State of California ("Grantee"), its successors and assigns, any and all right, title and interest in and to the real property in the City of Lathrop, County of San Joaquin, State of California, described on Exhibit A attached hereto and incorporated herein by this reference.

IN WITNESS WHEREOF, Grantor has executed this Quitclaim Deed as of August \_\_\_\_, 2024.

GRANTOR:

**CITY OF LATHROP, a California municipal  
corporation**

By: \_\_\_\_\_  
Stephen J. Salvatore, City Manager

**[ATTACH NOTARY ACKNOWLEDGMENT]**

## **EXHIBIT A**

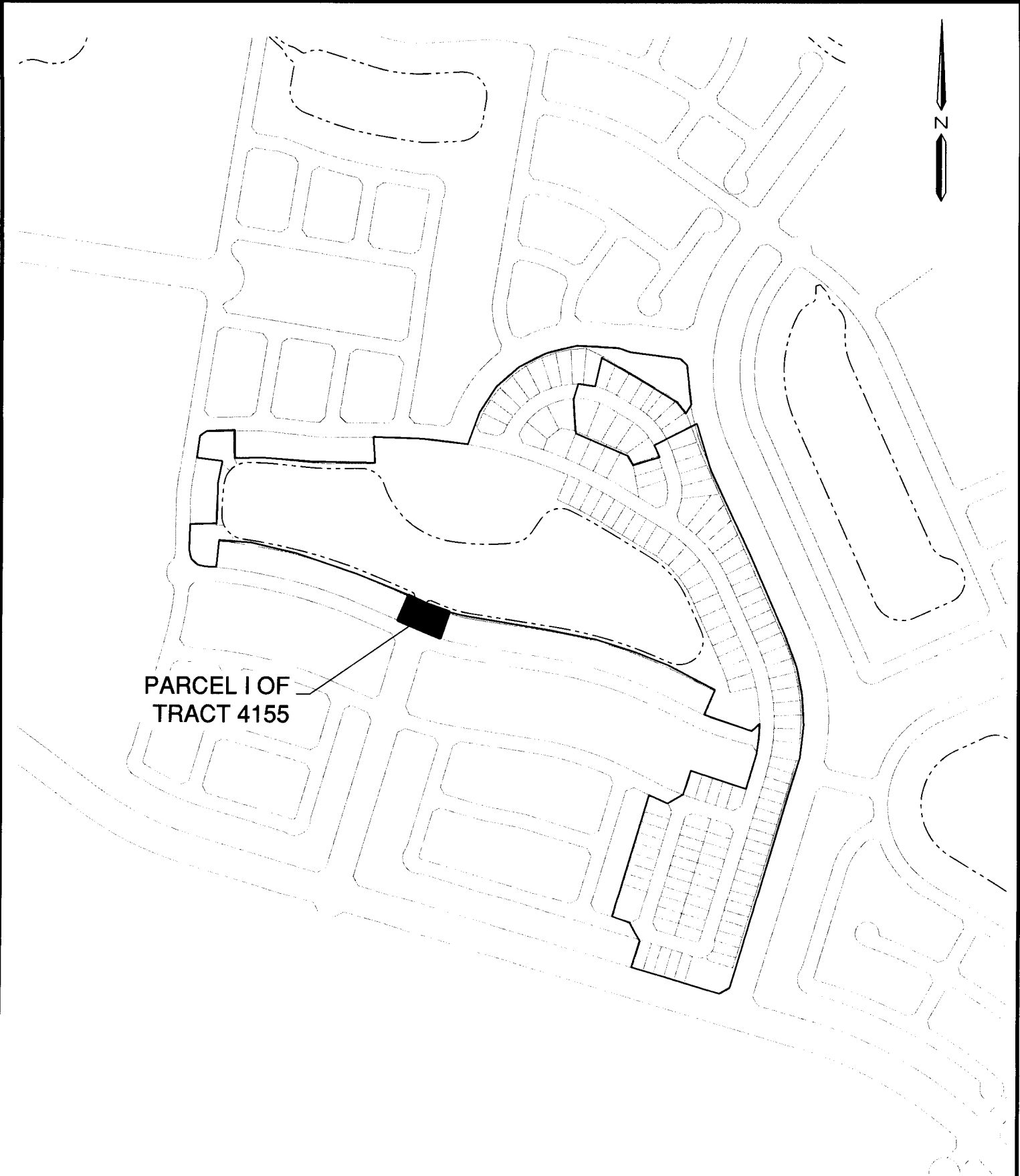
### **Legal Description of Land**

The land referred to is situated in City of Lathrop, County of San Joaquin, State of California, described as follows:

Parcel I as shown on the map entitled "Tract 4155, River Islands – Phase 2, West Village Unit 1," filed for record on March 29, 2024, in Book 44 of Maps and Plats, at Page 87, San Joaquin County Records.

APN: 213-700-07



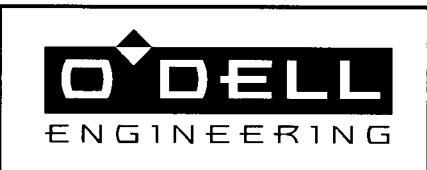


PARCEL I OF  
TRACT 4155

**EXHIBIT A**

|                                     |       |                 |
|-------------------------------------|-------|-----------------|
| RIVER ISLANDS TRACT 4155 (DEL WEBB) |       |                 |
| PARCEL I QUITCLAIM                  |       |                 |
| SCALE:                              | NONE  | DATE: 2024-8-12 |
| JOB NO.:                            | 25501 |                 |

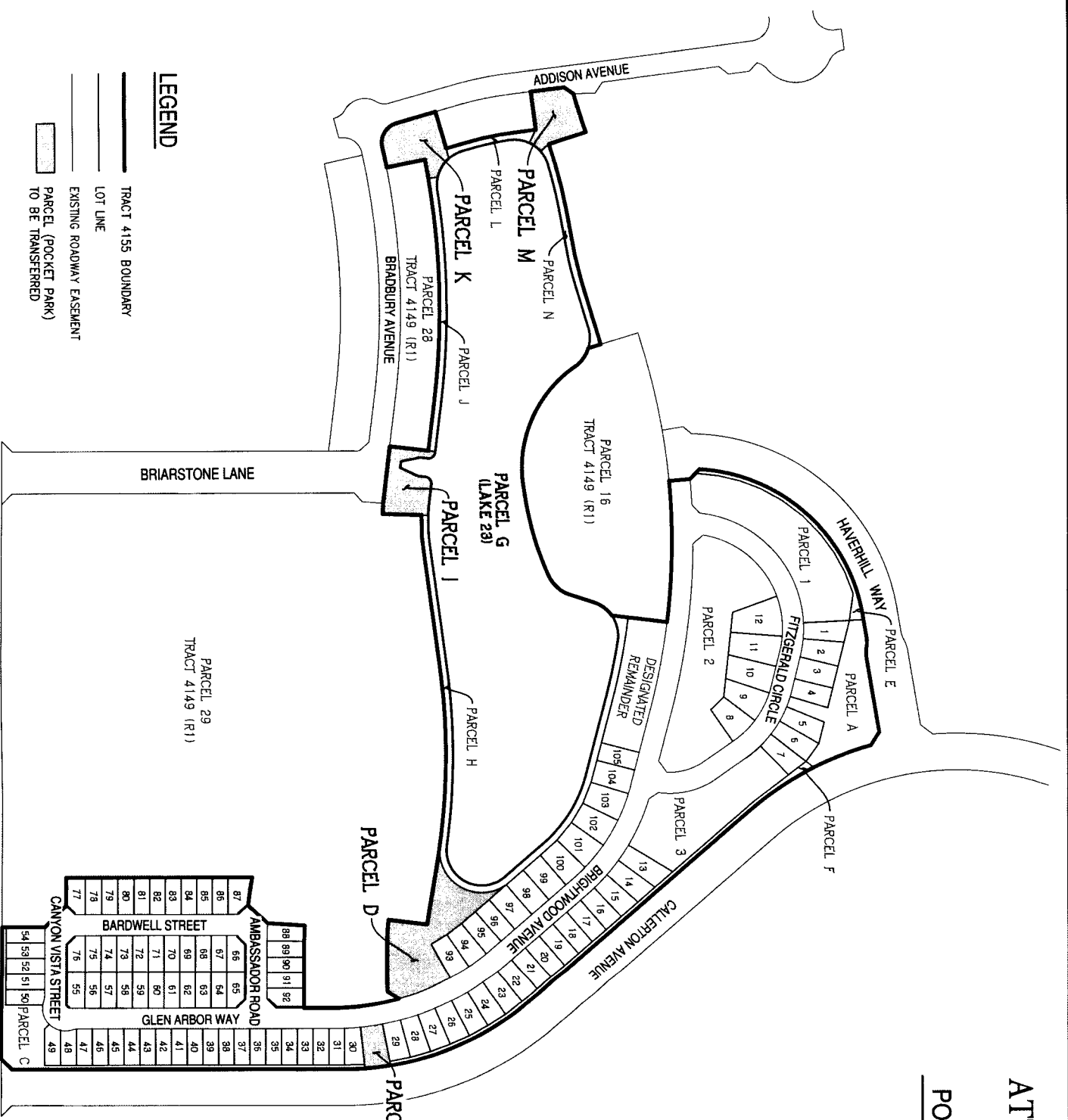
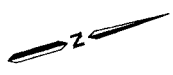
1  
OF  
1



ATTACHMENT "D"  
 TRACT 4155 UNIT 1  
 POCKET PARK TRANSFER

AUGUST 2024

SCALE: 1" = 400'



- LEGEND**
- TRACT 4155 BOUNDARY
  - LOT LINE
  - EXISTING ROADWAY EASEMENT
  - ▭ PARCEL (POCKET PARK) TO BE TRANSFERRED