

CITY OF SEBASTOPOL CITY COUNCIL

AGENDA ITEM REPORT FOR MEETING OF: October 7, 2025

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To: Honorable Mayor and City Councilmembers
From: Toni Bertolero, Public Works Engineer
Subject: Quitclaim Deed for Landscape Easement at 6921 and 6941 Bodega Avenue

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RECOMMENDATION:

That the City Council adopt a resolution approving the Quitclaim Deed for a Landscape Easement located at 6921 and 6941 Bodega Avenue.

EXECUTIVE SUMMARY:

The City holds a landscape easement over portions of two parcels, APN 004-054-011 and -019 (see site map, Attachment 4) for the Westamerica bank drive-through building located at 6921 Bodega Avenue. The second parcel, located at 6941 Bodega Avenue is vacant. The landscape easement was established in 1993. There is some landscaping at this location, presumably installed by the owner at that time. The landscaping is also maintained by the property owner.

The owner has recently processed a Lot Line Adjustment (see Attachment 4) that modifies the property lines for the two parcels to better accommodate future development. The unique and challenging vehicular site ingress and egress coupled with the easement, create a situation with an unworkably small potential building envelope. The use of the two parcels will remain as they do currently until such time future development/redevelopment is proposed by the owner.

BACKGROUND AND DISCUSSION:

An easement exists, held by the City of Sebastopol, over portions of two parcels for the purpose of construction, improvement, maintenance and repairs of landscaping (see Attachment 2) for the Westamerica Bank building located at 6921 Bodega Avenue. This easement was established in 1993 and has never been acted on by the City. This easement does not establish a right-of-way, a view corridor, or any type of public access; it is solely for landscaping improvements that have never been installed. In order to allow the property owner the ability to potentially improve the parcels, a request was made for the City to relinquish and abandon this easement.

A Quitclaim Deed (Attachment 2) has been requested by the owner, for the City to quitclaim its interest in the landscape easement. The Owner is processing a lot line adjustment (LLA) to realign two existing parcels in order to facilitate future improvement and development and relinquishment of the landscape easement will better accommodate the owner's (potential) future development.

STAFF ANALYSIS:

The LLA is entirely contained within the bounds of two parcels with shared ownership and shall have no impact to adjacent or nearby parcels. Acknowledging the unique and challenging existing access and egress circumstances, the proposed new alignment will create two Zoning Ordinance area-compliant parcels while allowing for potential future development of the vacant parcel. The use of the parcels will remain as they do currently; one will be vacant and the other will continue as a bank. The existing vegetation in the easement will also remain until such time future development occurs on this site (see Letter from owner's representative, Attachment 5).

The existence of the easement disallows the orderly development of the parcel and will allow potential improvements that comply with current City downtown zoning and development standards. The unique and challenging vehicular site ingress and egress coupled with the easement, create a situation with an unworkably small potential building envelope.

CITY COUNCIL GOALS/PRIORITIES/ AND OR GENERAL PLAN CONSISTENCY:

This agenda item represents the City Council goals/priorities as follows: None.

This agenda item represents the City Council General Plan Consistency:

Government Code section 65402 states in relevant part that the disposition of real property must go to the planning agency to making a finding about conformity with the general plan. Since an easement is literally an interest in another's property, it is likely that a landscape easement would be considered real property. However, vacating a landscape easement does not qualify as a disposition of property because a right to landscape does not constitute a right to control property, therefore this finding does not need Planning Commission action.

FISCAL IMPACT:

There is no fiscal impact with this approval.

COMMUNITY OUTREACH:

This item has been noticed in accordance with the Ralph M. Brown Act and was available for public viewing and review at least 72 hours prior to the scheduled meeting date. The City has also used social media to promote and advertise the City Council Meeting Agenda Items.

As of the writing of this agenda item report, the City has not received any public comment. However, if staff receives public comment from interested parties following the publication and distribution of this agenda item report, such comments will be provided to the City Council as supplemental materials before or at the meeting.

RESTATED RECOMMENDATION:

That the City Council adopt a resolution approving the Quitclaim Deed for a Landscape Easement located at 6921 and 6941 Bodega Avenue.

CITY COUNCIL OPTION(S):

City Council could choose not to adopt the Resolution approving the Quitclaim Deed and give further direction to staff.

ATTACHMENTS:

- 1-Resolution
- 2-Quitclaim Deed (proposed)
- 3 -Existing Landscape Easement
- 4-Site Map and LLA

APPROVALS:

Department Head Responsible for Agenda Item: Approval Date: 9/29/25

CEQA Determination (Community Development/Planning): Approval Date: 9/23/25

The proposed action is Exempt from CEQA pursuant to §15061(3) under the “common sense” exemption.

Administrative Services (Financial): Approval Date: N/A

Costs authorized in City Approved Budget: ☐ Yes ☐ No ☒ N/A

City Attorney Approval Approval Date: 9/29/25

City Manager Approval: Approval Date: 9/29/25

RESOLUTION NO. ####-2025

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SEBASTOPOL
APPROVING QUITCLAIM DEED FOR LANDSCAPE EASEMENT AT 6921 and 6941 BODEGA AVENUE

WHEREAS, the City Council is considering a Quitclaim Deed for a landscape easement as described in Easement Deed recorded under Document Number 1993-0161096; and

WHEREAS, if the Quitclaim Deed is executed, the City would extinguish all rights and interests in a landscaping easement at 6921 and 6941 Bodega Avenue.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Sebastopol does hereby:

1. Finds and determines that the above recitals are true and correct and incorporated herein by reference.
2. Finds that executing a Quitclaim Deed to extinguish easement rights for 6921 and 6941 Bodega Avenue conforms with the City's adopted General Plan.
3. Approves the Quitclaim Deed for 6921 and 6941 Bodega Avenue, attached as Exhibit A; and
4. Authorizes the Interim City Manager to execute the Quitclaim Deed, subject to approval as to form by the City Attorney and subject to minor revisions and clarifications of the City Attorney that do not otherwise modify the City's obligations; and
5. Authorizes the Interim City Manager to take any other related actions consistent with the intent of the resolution on behalf of the City.

The above and foregoing Resolution was duly passed, approved, and adopted at a meeting by the City Council on the 7th day of October 2025.

I, the undersigned, hereby certify that the foregoing Resolution was duly adopted by the City of Sebastopol City Council by the following vote:

VOTE:

Ayes:

Noes:

Abstain:

Absent:

APPROVED: _____
Mayor Stephen Zollman

ATTEST: _____
Mary Gourley, Interim City Manager/City Clerk, MMC

APPROVED AS TO FORM: _____
Alex Mog, City Attorney

Attachment: Exhibit A-Quitclaim Deed

WHEN RECORDED MAIL TO:

City of Sebastopol
7120 Bodega Avenue
Sebastopol, Ca. 95472

Quitclaim Deed

City of Sebastopol

Affecting Assessor Parcel Nos. 004-054-011; 004-054-019

[X] Recording of this document is exempt from SB2 filing fee under Government Code Section 27388.1(a)(1).

THE UNDERSIGNED DOES HERBY DECLARE:

FOR NO CONSIDERATION, The City Of Sebastopol, a Municipal Corporation, hereby Quitclaims any and all rights and interest in its entirety the Easement as described under that Document titled Easement Deed and recorded under Document Number 1993-0161096, Sonoma County Records. See said document for more particulars and description of easement area.

Certificate of Acceptance

This is to certify that the interest in real property conveyed above is hereby accepted by order of the Council of the City of Sebastopol pursuant to Council Resolution/Ordinance No. _____, Dated _____, 2025, and consents to recordation thereof by its duly authorized officer.

City of Sebastopol, A Municipal Corporation

By: _____
City Manager

Dated: _____

2

WHEN RECORDED RETURN TO:

City of Sebastopol
7120 Bodgea Avenue
Sebastopol, CA 95472



1993 0161096

OFFICIAL RECORDS OF
SONOMA COUNTY
BERNICE A. PETERSON

AT REQUEST OF

12/15/1993

FEES: \$
TT: \$

08:51:32
PGS: 2
PAID

EASEMENT DEED

BANK OF SONOMA COUNTY

GRANT(S) TO

THE CITY OF SEBASTOPOL, A MUNICIPAL CORPORATION

Lying in the City of Sebastopol, County of Sonoma, State of California, within a portion of the Lands of West America Bank (formerly Bank of Sonoma County) as described in Deeds recorded in Book 1969, Page 203 and in Book 2780, Page 72, both of Official Records of Sonoma County, being an easement with right of immediate entry and continued possession for the construction, improvement, maintenance, and repairs of landscaping over that portion of said lands more particularly described as follows:

Being an irregular shaped parcel in the northeast corner of said Land of West America Bank beginning at the "True Point of Beginning" of that parcel described in the Deed to the City of Sebastopol recorded as Document Number 83-004974 of Official Records of Sonoma County; thence at right angles to the northerly line of the aforesaid Lands of West America Bank South 23° 07' East, 85.00 feet; thence northeasterly to a point on the westerly line of Petaluma Avenue which is 70.00 feet southerly of the northeast corner of said Lands of West America Bank (2780 Official Records, Page 72 Sonoma County Records); thence along said westerly line North 23° West to the most easterly corner of the aforesaid parcel (City of Sebastopol Document No. 83-004974, Sonoma County Records); thence northwesterly and westerly along the southerly line of said parcel to the Point of Beginning.

A.P. 004-054-11 & 19 (portion)

Legal Description Prepared by:

[Signature] RCE 14332 Exp 3/7/97
(Responsible Land Surveyor or Engineer)

REFERENCE: R-

By: *[Signature]* 11/18/93
Senior Vice President

A P N. 004 . 054 . 19 & 11

Dated _____ 19__

By: _____

CERTIFICATE OF ACCEPTANCE

This is to certify that the interest in real property conveyed above is hereby accepted by order of the Council of the City of Sebastopol pursuant to Council Resolution/Ordinance No. R-1596 dated May 15, 1967, and grantee consents to recordation thereof by its duly authorized officer.

CITY OF SEBASTOPOL
A Municipal Corporation

By: *[Signature]*
City Manager

Dated: 12/13/93

ATTACH NOTARY PUBLIC ACKNOWLEDGEMENT

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

No. 5193

State of California
 County of Marin
 On 12/3/94 before me, Janet Christine Barbour, Notary Public
DATE NAME, TITLE OF OFFICER - E.G., "JANE DOE, NOTARY PUBLIC"
 personally appeared Dennis Hansen
NAME(S) OF SIGNER(S)

☒ personally known to me - OR - ☐ proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.



WITNESS my hand and official seal.

Janet Christine Barbour
SIGNATURE OF NOTARY

OPTIONAL SECTION

CAPACITY CLAIMED BY SIGNER

Though statute does not require the Notary to fill in the data below, doing so may prove invaluable to persons relying on the document.

- ☐ INDIVIDUAL
☒ CORPORATE OFFICER(S)
TITLE(S) Sanjiv's President
☐ PARTNER(S) ☐ LIMITED
☐ ATTORNEY-IN-FACT ☐ GENERAL
☐ TRUSTEE(S)
☐ GUARDIAN/CONSERVATOR
☐ OTHER: _____

SIGNER IS REPRESENTING:

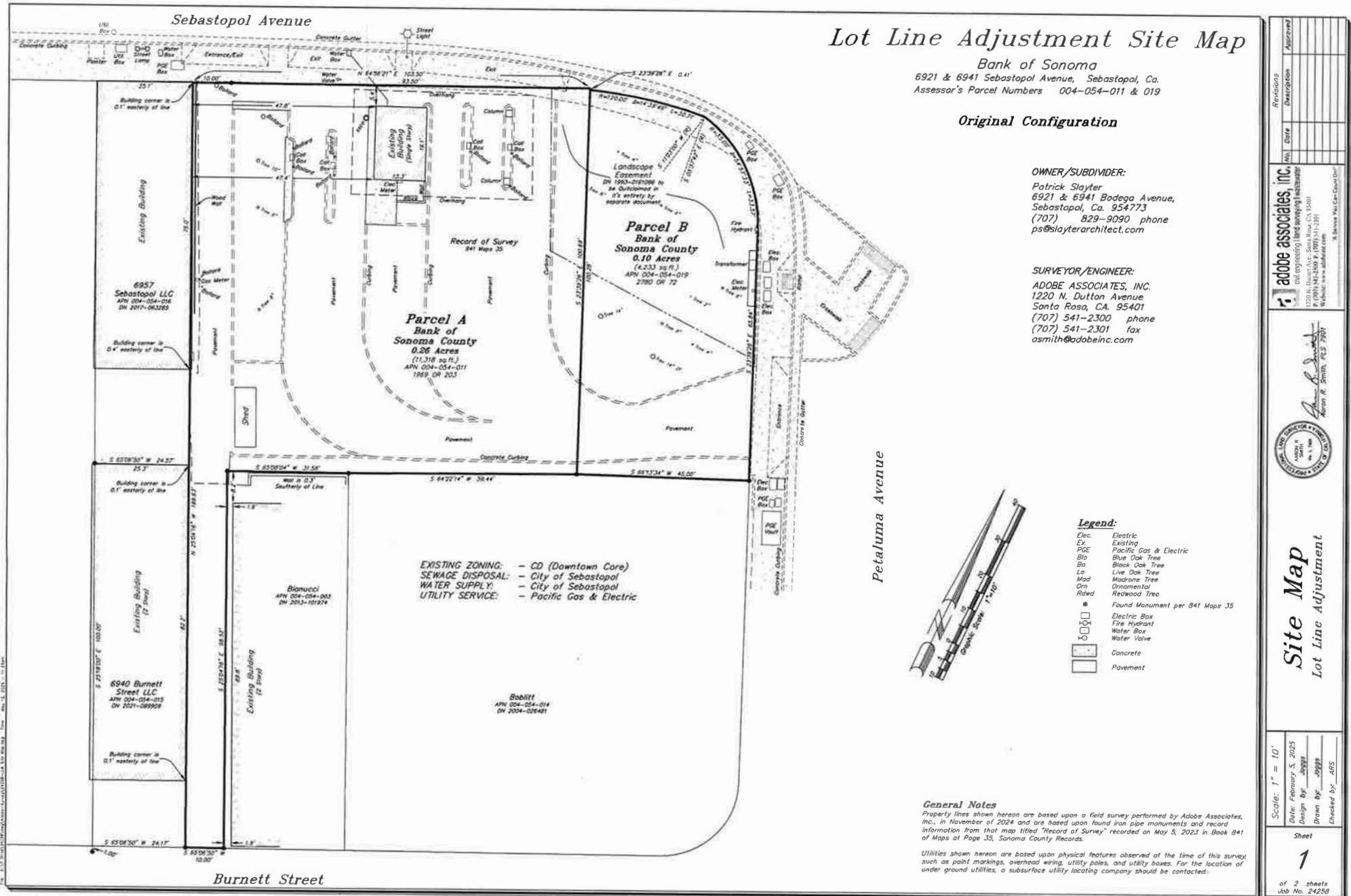
NAME OF PERSON(S) OR ENTITY(IES)
Sanjiv's, Inc.

THIS CERTIFICATE MUST BE ATTACHED TO THE DOCUMENT DESCRIBED AT RIGHT:

Though the data requested here is not required by law, it could prevent fraudulent reattachment of this form

OPTIONAL SECTION

TITLE OR TYPE OF DOCUMENT Easement deed
 NUMBER OF PAGES 1 DATE OF DOCUMENT 11/18/93
 SIGNER(S) OTHER THAN NAMED ABOVE _____





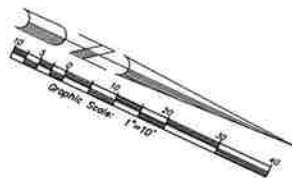
Bank of Sonoma
6921 & 6941 Sebastopol Avenue, Sebastopol, Ca.
Assessor's Parcel Numbers 004-054-011 & 019

OWNER/SUBDIVIDER:
Patrick Sloyter
6921 & 6941 Bodega Avenue,
Sebastopol, Ca. 954773
(707) 829-9090 phone
ps@sloyterarchitect.com

SURVEYOR/ENGINEER:
ADOBE ASSOCIATES, INC.
1220 N. Dutton Avenue
Santa Rosa, CA. 95401
(707) 541-2300 phone
(707) 541-2301 fax
asmith@adobeinc.com

Overhang Note:
Existing Building Overh

Existing Building Overhang is clear of New Property lines



Legend:

- | | |
|----|-------------------------------------|
| Ex | Electric |
| En | Enriching |
| Pd | Pacific Dog & Electric |
| Bo | Black Oak Tree |
| Lo | Lime Oak Tree |
| Md | Madroñe Tree |
| Or | Ornamental |
| Ad | Arched Tree |
| ● | Painted Manicure for \$4.10 Mugs 35 |
| ○ | Electric Box |
| □ | Fire Hydrant |
| ○ | Water Box |
| ○ | Water Valve |
| □ | Concrete |
| □ | Pavement |

General Notes

GENERAL NOTES: Property lines shown herein are based upon a field survey performed by Adobe Associates, Inc. on December 14, 2021. The survey was conducted in accordance with the standards set forth in the Ohio Revised Code, Chapter 6303, and the Ohio Board of Survey recorded on May 5, 2022 in Book 841 of Maps at Page 35, Seneca County Record.

Utilities shown herein are based upon physical features observed at the time of this survey such as point markers, overhead wiring, utility poles, and utility boxes. For the location of underground utilities, a subsurface utility locating company should be contacted.

Revisions			
No.	Date	Description	Approved

Item Number 2

adobe associates, inc.
civil engineering | land surveying | water control
1220 N. Dutton Ave., Santa Rosa, CA 95401
P: (707) 541-2300 F: (707) 541-2301
Website: www.adobeinc.com

A Service You Can Count On

Aaron R. Smith
Aaron R. Smith, PLS 79011

Site Map

Lot Line Adjustment

Scale: 1" = 10'

Date: February 5, 2025

Design by: Jggjs

Drawn by: Jggjs

Checked by: ARS

of 2 sheets
Job No. 24258

PATRICK SLAYTER ARCHITECT
CALIFORNIA REGISTRATION NUMBER C30700
POST OFFICE BOX 941
SEBASTOPOL CALIFORNIA 95473
707.829.9090
PS at SLAYTERARCHITECT.COM

September 24, 2025

Project 22.01

Project Owner

Westamerica Bank

Project Address

6921/6941 Bodega Avenue
Sebastopol, CA
Assessor Parcel Numbers: 004 - 054 - 019 / 004 - 054 - 011

RE: 2025-017
Easement Vacation

Dear City Officials,

Regarding our request for the City to vacate the existing landscape easement over the properties located at 6921 and 6941 Bodega Avenue, we felt providing a brief history and clarifying the owner's intent would be a positive action.

During initial fact finding and study of the properties, a never-acted-upon easement for the right of entry, possession, improvement, maintenance, and repairs of landscaping was discovered (Easement Deed 1993 0161096). This discovery was unexpected; both the owners and City staff were unaware of its existence, and the reason for the establishment of this easement is lost to time. This easement is limited to these purposes and does not establish public access, right-of-way, view corridor, or any other type of public use; it is simply for landscaping improvements that have never been installed.

The eastern portion of the site features existing vegetation, a low maintenance mix of ground cover and a variety of small trees. This vegetation was installed many years ago by the owner, not the City, and continues to be maintained by the owner, not the City. The owners acknowledge the existing vegetation on the site can be viewed as a public amenity; a pocket of green in Sebastopol's downtown.

To potentially improve the parcels in accordance with current City documents (principally, siting buildings at the back of sidewalks, and locating vehicular circulation and parking behind buildings) the removal of the existing landscape easement is requested. The removal of this encumbrance will allow a reasonable and appropriate building envelope while providing logical site circulation in an area of unique vehicular movement challenges.

The owners intend to maintain the existing vegetation in its prevailing form until such time when improvement plans are developed. There is no current intent, or desire, to change the existing situation absent a future improvement application.

Please contact my office should additional questions arise regarding this application.

A handwritten signature in black ink, appearing to read 'P. Slayter'.

Patrick Slayter, Architect C30700

2

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A.P. 004-054-11 & 19 (portion)

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[Signature] RCE 14332 Exp 3/7/97
(Responsible Land Surveyor or Engineer)

REFERENCE: R-

By: *[Signature]* 11/18/93
Senior Vice President

A P N. 004 . 054 . 19 & 11

Dated _____ 19__

By: _____

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CITY OF SEBASTOPOL
A Municipal Corporation

By: *[Signature]*
City Manager

Dated: 12/13/93

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CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

No. 5193

State of California
 County of Marin
 On 12/3/94 before me, Janet Christine Barbour, Notary Public
DATE NAME, TITLE OF OFFICER - E.G., "JANE DOE, NOTARY PUBLIC"
 personally appeared Dennis Hansen
NAME(S) OF SIGNER(S)

☒ personally known to me - OR - ☐ proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.



WITNESS my hand and official seal.

Janet Christine Barbour
SIGNATURE OF NOTARY

OPTIONAL SECTION

CAPACITY CLAIMED BY SIGNER

Though statute does not require the Notary to fill in the data below, doing so may prove invaluable to persons relying on the document.

- ☐ INDIVIDUAL
☒ CORPORATE OFFICER(S)
TITLE(S) Sanjiv's President
☐ PARTNER(S) ☐ LIMITED
☐ ATTORNEY-IN-FACT ☐ GENERAL
☐ TRUSTEE(S)
☐ GUARDIAN/CONSERVATOR
☐ OTHER: _____

SIGNER IS REPRESENTING:

NAME OF PERSON(S) OR ENTITY(IES)
Sanjiv's, Inc.

THIS CERTIFICATE MUST BE ATTACHED TO THE DOCUMENT DESCRIBED AT RIGHT:

Though the data requested here is not required by law, it could prevent fraudulent reattachment of this form

OPTIONAL SECTION

TITLE OR TYPE OF DOCUMENT Easement deed
 NUMBER OF PAGES 1 DATE OF DOCUMENT 11/18/93
 SIGNER(S) OTHER THAN NAMED ABOVE _____