

TO: James L. App, City Manger
FROM: Ron Whisenand, Community Development Director
SUBJECT: Acceptance of Public Improvement – Tract 2350-4 (Lots 138-175)
(Weyrich Development Company)
DATE: September 19, 2006

Needs: That the City Council authorize the acceptance of public improvements resulting from the development of Tract 2350-4 into the City's maintenance system.

Facts:

1. On July 19, 2005, the City Council accepted Tract 2350-4 for recordation and executed a Subdivision Improvement Agreement with the Developer of this subdivision.
2. This subdivision is located along Vista Cerro Drive west of Golden Hill Road and south and east of Rolling Hills Road, see attached Vicinity Map.
3. The public improvements in Tract 2350-4 have been constructed to the satisfaction of City staff.
4. The Subdivider has constructed the following streets in Tract 2350-4 in accordance with the Subdivision Improvement Agreement and in compliance with the improvement plans and all applicable City standards:

<u>STREET NAME</u>	<u>FROM</u>	<u>TO</u>	<u>MILES</u>
Vista Cerro Drive	1050 n/o Vista Colina	450 feet s/o Vista Colina	0.28
Vista Colina	Vista Cerro Drive	Golden Hill Road	0.02

5. The Subdivider, Weyrich Development Company, has posted bonds that guarantee completion of improvements in Tract 2350-4.

**Analysis
And**

Conclusion: The public improvements, which the developer was required to install for this subdivision, have been completed. Further, the City will, at a minimum, retain a Maintenance Bond for a period of one year as warranty for the improvements installed.

Policy

Reference: Paso Robles Municipal Code, Section 22, Subdivision Map Act

Fiscal

Impact: The Contractor is obligated to maintain all public improvements for a one-year period following acceptance by the City Council. Once the one-year period has been completed, and the Contractor has completed all correction items, the City will assume additional street, sewer and drainage maintenance costs.

Parkway landscaping and street lighting costs will be financed by the benefiting property owners through the Landscape and Lighting District.

Options: Based upon completion of construction of all required public improvements to the satisfaction of the City:

- a. Adopt Resolution No. 06-xxx accepting the public improvements of Tract 2350-4 into the City's maintenance system.
- b. Amend, modify or reject the above option.

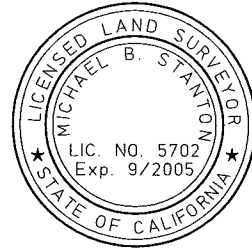
Attachments: (2)

1. Vicinity Map
2. Resolution

SURVEYOR'S STATEMENT

THIS MAP WAS PREPARED BY ME OR UNDER MY DIRECTION AND IS BASED UPON A FIELD SURVEY IN CONFORMANCE WITH THE REQUIREMENTS OF THE SUBDIVISION MAP ACT AND LOCAL ORDINANCE AT THE REQUEST OF WEYRICH DEVELOPMENT COMPANY ON DECEMBER 10, 2001. I HEREBY STATE THAT THIS FINAL MAP SUBSTANTIALLY CONFORMS TO THE CONDITIONALLY APPROVED TENTATIVE MAP. ALL THE MONUMENTS SHOWN HEREON ARE OF THE CHARACTER AND OCCUPY THE POSITIONS INDICATED, OR WILL BE SET IN SUCH POSITIONS WITHIN ONE YEAR OF THE APPROVAL OF THIS MAP AND ARE SUFFICIENT TO ENABLE THE SURVEY TO BE RETRACED.

MICHAEL B. STANTON, L.S. 5702 (exp. 9/2005) DATE



CITY ENGINEER'S STATEMENT

I HEREBY STATE THAT I HAVE EXAMINED THE ANNEXED MAP ENTITLED TRACT 2350 (PHASE 4), THAT THE SUBDIVISION AS SHOWN IS SUBSTANTIALLY THE SAME AS IT APPEARED ON THE TENTATIVE MAP, IF REQUIRED, AND ANY APPROVED ALTERATIONS THEREOF, THAT ALL PROVISIONS OF THE SUBDIVISION MAP ACT OF THE STATE OF CALIFORNIA AND OF ANY LOCAL ORDINANCES APPLICABLE AT THE TIME OF APPROVAL OF THE TENTATIVE MAP, IF REQUIRED, HAVE BEEN COMPLIED WITH.

JOHN R. FALKENSTEIN, R.C.E. 33760 (exp. 6/30/06) DATE
CITY ENGINEER, CITY OF PASO ROBLES

PLANNING COMMISSION'S STATEMENT

I HEREBY STATE THAT I HAVE EXAMINED THE MAP FOR TRACT 2350 (PHASE 4) AND I AM SATISFIED THAT SAID MAP CONFORMS WITH THE ACTION TAKEN BY THE CITY OF PASO ROBLES TAKEN ON _____ 2004.

ROBERT A LATA DATE
COMMUNITY DEVELOPMENT DIRECTOR

CITY CLERK'S STATEMENT

I, DENNIS FANSLER, CITY CLERK OF THE CITY OF PASO ROBLES, CALIFORNIA HEREBY STATE THAT THE CITY COUNCIL OF THE SAID CITY DID ON THE _____ DAY OF _____, 2004, APPROVE THE MAP OF TRACT 2350 (PHASE 4) SHOWN HEREON AND ACCEPTED ON BEHALF OF THE PUBLIC, VISTA COLINA, VISTA CERRO DRIVE, EASEMENTS FOR STREET TREE PURPOSES TO TERMS OF OFFER OF DEDICATION BY THE PARTIES HAVING A RECORD TITLE INTEREST IN SAID LAND.

WITNESS MY HAND AND SEAL THIS _____ DAY OF _____, 2004.

DENNIS FANSLER DATE
CITY CLERK OF THE CITY OF PASO ROBLES

COUNTY RECORDER'S STATEMENT

FILED THIS _____ DAY OF _____, 2004 AT _____ A.M. IN BOOK _____ OF MAPS, AT PAGE _____, AT THE REQUEST OF MICHAEL B. STANTON.

DOCUMENT NO: _____
FEE: _____

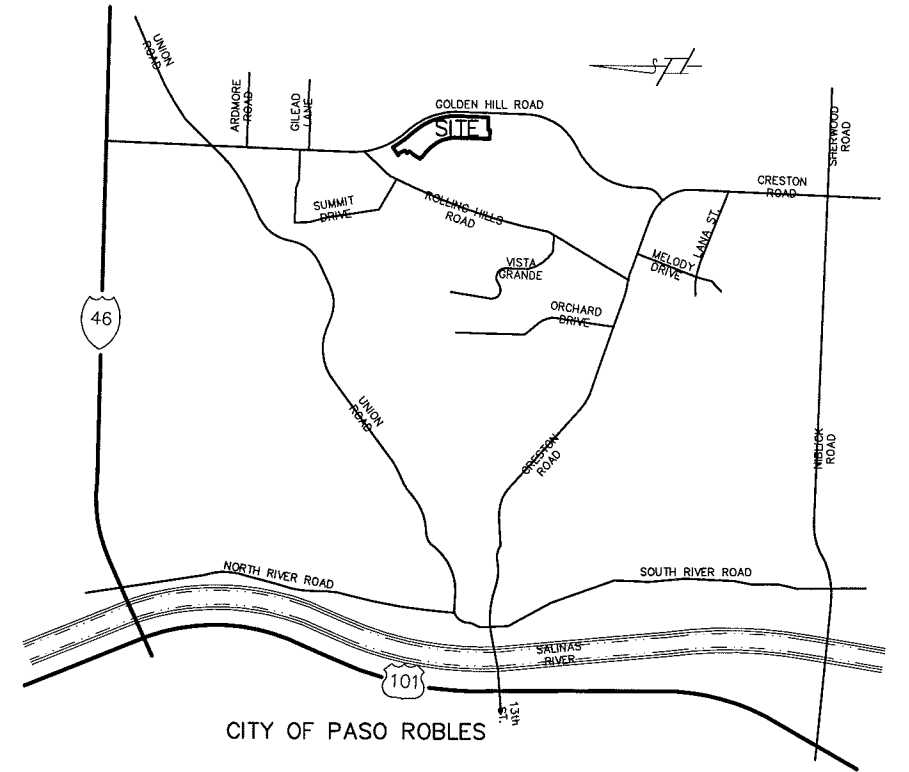
BY: _____
COUNTY RECORDER DEPUTY

NOTE: THE FOLLOWING DOCUMENTS AFFECTING THE PROPERTY DENOTED HEREON ARE BEING RECORDED CONCURRENTLY HEREWITH:

1. _____

RECORDER'S DISCLAIMER

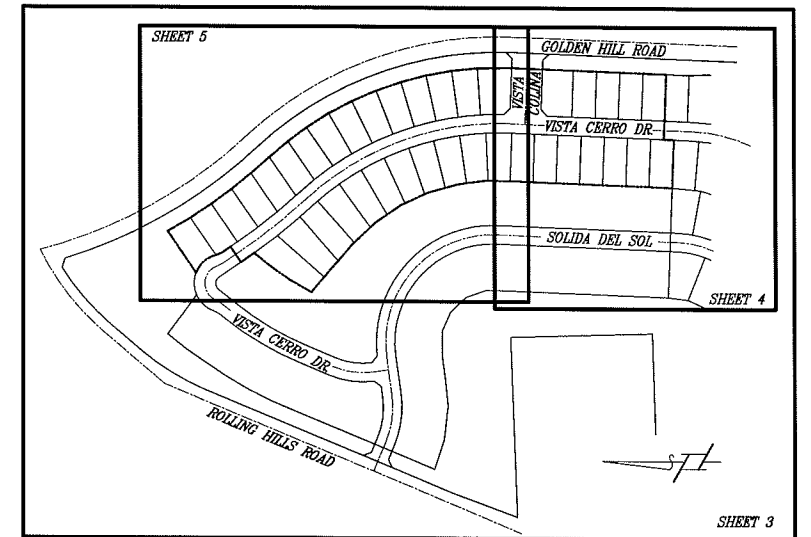
THE TABULATION, LISTING AND NUMBERING OF ANY SEPARATE DOCUMENTS AUTHORIZED TO BE RECORDED CONCURRENTLY WITH THIS MAP HAVE BEEN PROVIDED BY THE SUBDIVIDER OR BY THE LOCAL AGENCY APPROVING THE MAP. THE COUNTY RECORDER MAKES NO REPRESENTATIONS REGARDING THE ACCURACY OF THE TABULATION, LISTING AND NUMBERING OF ANY SEPARATE DOCUMENTS REFERRED TO ON THE MAP.



CITY OF PASO ROBLES

VICINITY MAP

N.T.S.



INDEX MAP

N.T.S.

TRACT 2350

(PHASE 4)

REMAINDER LOT OF TRACT 2350 (PHASE 3) IN THE CITY OF PASO ROBLES AS SHOWN IN BOOK 23 OF MAPS, PAGES 27 THROUGH 32 IN THE OFFICE OF THE COUNTY RECORDER OF THE COUNTY OF SAN LUIS OBISPO, STATE OF CALIFORNIA.



RESOLUTION NO. 06-xxx-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PASO ROBLES
ACCEPTING PUBLIC IMPROVEMENTS FOR TRACT 2350-4(WEYRICH
DEVELOPMENT COMPANY - LOTS 138-175) CONSTRUCTED PURSUANT TO THE
SUBDIVISION IMPROVEMENT AGREEMENT

WHEREAS, Tract 2350-4 was accepted July 19, 2005, for recordation, and a Subdivision Improvement Agreement was entered into; and

WHEREAS, all public improvements required as Conditions of Approval for Tract 2350-4 have been constructed in compliance with the improvement plans and all applicable City Standards, and the City Engineer has certified to the Council the completion of such public improvements; and

WHEREAS, the Subdivider has constructed, installed or completed the following streets in Tract 2350-4 in accordance with the Subdivision Improvement Agreement, the improvement plans and all applicable City Standards:

<u>STREET NAME</u>	<u>FROM</u>	<u>TO</u>	<u>MILES</u>
Vista Cerro Drive	1050 feet n/o Vista Colina	450 feet s/o Vista Colina	0.28
Vista Colina	Vista Cerro Drive	Golden Hill Road	0.02

WHEREAS, Subdivider has requested that the City accept said public improvements in Tract 2350-4. The Subdivider has posted improvement securities for Tract 2350-4. Therefore, in accordance with the Subdivision Agreement in place for Tract 2350-4, the Subdivider has requested that the City accept said public improvements and authorize the release of improvement securities furnished by the Subdivider.

THEREFORE, BE IT RESOLVED AS FOLLOWS:

SECTION 1. Upon completion of all public improvements to the satisfaction of the City Engineer, that the public improvements constructed as required for Tract 2350-4 be accepted into the City's maintenance system, approximately 0.30 miles in length, upon the release of maintenance securities, and the City shall then assume responsibility for their future maintenance and repair. The Subdivider shall be obligated for maintenance of all public improvements for a period of at least one year from date of acceptance by the City Council. After one year, maintenance securities may be released by the City Engineer upon completion of all correction items to the satisfaction of City staff.

SECTION 2. That upon receipt of a maintenance bond in the amount of \$79,802; the payment bond \$399,008 and the performance bond \$798,015 guaranteeing construction of these public improvements may be released in accordance with the terms of the Subdivision Improvement Agreement for Tract 2350-4.

PASSED AND ADOPTED by the City Council of the City of Paso Robles this 19th day of September 2006 by the following vote:

- AYES:
- NOES:
- ABSTAIN:
- ABSENT:

Frank R. Mecham, Mayor

ATTEST:

Deborah D. Robinson, Deputy City Clerk