

**RESOLUTION NO. 18-152**

**RESOLUTION OF THE MENDOCINO COUNTY BOARD OF SUPERVISORS APPROVING SUBDIVISION ROAD MAINTENANCE & REPAIR AGREEMENT FOR TRACT 245, VICHY SPRINGS COMMUNITY HOMES SUBDIVISION UNIT 2, PHASE 2, ACCEPTING SUBDIVISION ROADS ARDESCH COURT AND PERRIER COURT WITHIN PHASE 2 OF VICHY SPRINGS COMMUNITY HOMES SUBDIVISION UNIT 2, TRACT 245, INTO THE COUNTY MAINTAINED ROAD SYSTEM AND RELEASING SUBDIVISION IMPROVEMENT AGREEMENT SURETY AND SUBDIVISION MONUMENTATION AGREEMENT SURETY (UKIAH AREA)**

WHEREAS, the Final Map for Vichy Springs Community Homes Subdivision Unit 2, Tract 245, filed for record at Maps, Drawer 72, Pages 8 through 24, at Mendocino County Recorder, contains offers of dedication for public road and public utility purposes applicable to certain roadways, designated on said map as Ardesch Court and Perrier Court; and

WHEREAS all subdivision monumentation has been completed in accordance with the Final Map; and

WHEREAS, all subdivision street improvements within Phase 2 of Tract 245 have been completed in substantial compliance with the Subdivision Improvement Plans for Tract 245; and

WHEREAS, the Mendocino County Department of Transportation (DOT) and an ad hoc committee appointed by the Mendocino County Board of Supervisors inspected said subdivision street improvements and recommend the subdivision roads within Phase 2 of Tract 245 be accepted into the Mendocino County Maintained Road System; and

WHEREAS, the subdivider has executed a 24 month Subdivision Road Maintenance & Repair Agreement, DOT Agreement Number (No.) 180071, secured by surety in the amount of Forty One Thousand Seven Hundred Seventy Eight Dollars (\$41,778); and

WHEREAS, the Risk Manager and County Counsel have reviewed the proposed Subdivision Road Maintenance & Repair Agreement and have approved same as to form.

NOW, THEREFORE, BE IT RESOLVED that the Mendocino County Board of Supervisors hereby:

1. Approves DOT Agreement No. 180071, Subdivision Maintenance & Repair Agreement for Tract 245, Vichy Springs Community Homes Subdivision Unit 2, Phase 2; and
2. Authorizes and directs the Chair of the Board of Supervisors to execute said DOT Agreement No. 180071 on behalf of Mendocino County; and
3. Accepts the following subdivision roads offered for dedication on the Final Map for Vichy Springs Community Homes Subdivision Unit 2, Tract 245, filed for record at Maps, Drawer 72, Pages 8 through 24 at Mendocino County Records, into the County Maintained Road System:

| <u>ROAD NO.</u> | <u>ROAD NAME</u> | <u>LENGTH</u> | <u>(TOTAL LENGTH)</u> |
|-----------------|------------------|---------------|-----------------------|
| 214 B           | ARDESCH COURT    | 0.06 MI       | (0.09 MI)             |
| 214 F           | PERRIER COURT    | 0.13 MI       | (0.13 MI)             |

4. Authorizes and directs the Director of Transportation to release, in accordance with the following schedule, the bonds filed by the original subdivider, Creekbridge Homebuilders, LLC., pursuant to the provisions of Board of Supervisors Agreement No. 04-257/DOT Agreement No. 040084 executed December 14, 2004:

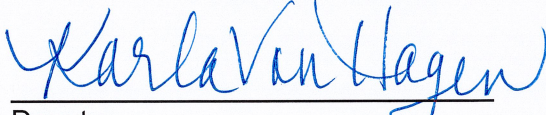
- a. Following the approval of this resolution, the Performance Bond (No. 08719490) in the amount of \$990,000.00 issued by the Fidelity and Deposit Company of Maryland, 560 Mission Street, Suite 2400, San Francisco, CA 94105;
- b. Following the approval of this resolution, the Monumentation Bond (No. 08719491) in the amount of \$29,600.00 issued by the Fidelity and Deposit Company of Maryland, 560 Mission Street, Suite 2400, San Francisco, CA 94105;
- c. One hundred and eighty days after the approval of this resolution, providing no claims or lawsuits have been filed, the Labor and Materials Bond (No. 08719490) in the amount of \$495,000.00 Fidelity and Deposit Company of Maryland, 560 Mission Street, Suite 2400, San Francisco, CA 94105.

The foregoing Resolution introduced by Supervisor Gjerde, seconded by Supervisor Croskey, and carried this 2nd day of October, 2018, by the following vote:

AYES: Supervisors McCowen, Croskey, Gjerde, and Hamburg  
NOES: None  
ABSENT: Supervisor Brown

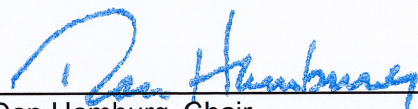
WHEREUPON, the Chair declared said Resolution adopted and SO ORDERED.

ATTEST: CARMEL J. ANGELO  
Clerk of the Board

  
Deputy

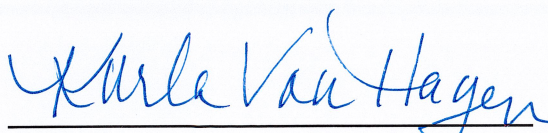
APPROVED AS TO FORM:  
KATHARINE L. ELLIOTT  
County Counsel



  
Dan Hamburg, Chair  
Mendocino County Board of Supervisors

I hereby certify that according to the provisions of Government Code Section 25103, delivery of this document has been made.

BY: CARMEL J. ANGELO  
Clerk of the Board

  
Deputy