

## **RESOLUTION NO. 20-149**

**RESOLUTION OF THE MENDOCINO COUNTY BOARD OF SUPERVISORS APPROVING THE SUBDIVISION IMPROVEMENT AGREEMENT AND APPROVING AND ACCEPTING THE FINAL MAP FOR GARDENS GATE SUBDIVISION UNIT ONE, TRACT 261, CREATING FOUR LOTS AND A REMAINDER PARCEL ON THE WEST SIDE OF SOUTH STATE STREET, COUNTY ROAD 104A, ON THE SOUTH SIDE OF OAK KNOLL ROAD, COUNTY ROAD 252, AND ON THE SOUTH SIDE OF OAK COURT ROAD, COUNTY ROAD 252A; ASSESSOR'S PARCEL NUMBERS 184-033-15, 184-120-01 AND 184-110-29 (UKIAH AREA)**

WHEREAS, on October 6, 2009, the Board of Supervisors conditionally approved Vesting Tentative Map Number (No.) S 3-2005, making findings with respect to the adopted General Plan and specific plans as required by Section 66473.5 of the Subdivision Map Act, and determining that none of the findings in Section 17-41(K) of the Mendocino County Code are applicable; and

WHEREAS, the Director of Planning and Building Services for the County of Mendocino has executed a statement on the Final Map verifying that the map substantially conforms to the approved vesting tentative map and the conditions of approval thereof; and

WHEREAS, the Mendocino County Surveyor has executed a statement on the Final Map verifying that the map conforms with the requirements of the Subdivision Map Act and local ordinances and that the map is technically correct; and

WHEREAS, to insure completion of required subdivision improvements, Subdivider has submitted a Subdivision Improvement Agreement (DOT Agreement No. 200011) between County and Subdivider, secured by performance surety in the form of bond in the amount of \$442,035, with accompanying labor and material surety in the form of a bond in the amount of \$221,017; and

WHEREAS, County Counsel has reviewed the proposed Subdivision Improvement Agreement together with the prescribed sureties and has approved same as to form; and

WHEREAS, the Subdivider has paid the Final Map Checking Fee (\$3,550), the Improvement Plan Specification Checking and Construction Inspection Fee (\$8,080), and the Subdivision Improvement Agreement Processing Fee (\$700); and

WHEREAS, the Mendocino Redemption Officer has determined that there are no liens against the real property defined by this subdivision or any part thereof, for unpaid State, County, Municipal or Local taxes or special assessments collected as taxes, except taxes or special assessments not yet payable; and

WHEREAS, the Mendocino County Assessor has estimated the amount of taxes and assessments, which are a lien against the real property contained within the subdivision for taxes or special assessments not yet payable, to be Four Thousand Three Hundred Thirty Dollars (\$4,330.00). Said amount having been deposited with the County Treasurer as surety in accordance with applicable provisions of the State Subdivision Map Act; and

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

1. Approves DOT Agreement No. 200011 (a subdivision improvement agreement) and authorizes and directs the Chair of this Board to sign said Agreement; and

2. Approves the Final Subdivision Map for Gardens Gate Subdivision Unit One, Tract 261; and
3. Authorizes and directs the Clerk of the Board to sign the Final Map authorizing the filing of said map and accepting on behalf of the public certain public utility easements offered for the purposes specified on the map; and
4. Authorizes and directs the Clerk of the Board, upon execution of the statutory statements on the map, to deliver said map to the Recorder's Office for further processing and recording.

The foregoing Resolution introduced by Supervisor Brown, seconded by Supervisor McCowen, and carried this 20<sup>th</sup> day of October, 2020, by the following vote:

AYES: Supervisors Brown, McCowen, Haschak, Gjerde, and Williams  
NOES: None  
ABSENT: None

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

ATTEST: CARMEL J. ANGELO  
Clerk of the Board

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JOHN HASCHAK, Chair  
Mendocino County Board of Supervisors

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Deputy

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

*APPROVED AS TO FORM:*  
CHRISTIAN M. CURTIS  
County Counsel

BY: CARMEL J. ANGELO  
Clerk of the Board

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Deputy