

Mayor
Willard Rodarmel
Mayor Pro Tem
John Plourde
Councilmembers
John Gordon
John Murray
William Siegel



**Planning
Department**
210 Fox Street
Lemoore, CA 93245
Phone (559) 924-6740
FAX (559) 924-6743

Item # 3G

To: Lemoore City Council
From: Holly Smyth, Planning Director
Date: July 19, 2011
Subject: Final Subdivision Map, Refuse Collection Agreement, Subdivision Agreement, and Petition for inclusion into the Public Facility Maintenance District for Tract 817 Phase III for Lennar Fresno, Inc. (previously known as The Landing subdivision)

Discussion:

Attached is a Final Subdivision Map, Refuse Collection Agreement, Subdivision Agreement, and letter petitioning inclusion into the Public Facilities Maintenance District (PFMD) Zone 1 for Tract 817 Phase III (previously referred to as the Landing subdivision). The subdivision is located west of Acacia Drive south of Bush Street and consists of 41 single family lots.

The Final Subdivision Map for your approval is in conformance with the requirements of the approved Tentative Map. With the recording of the map, the temporary blanket drainage and access easement will be abandoned. Improvement drawings related to the Final Map have been approved by the City Engineer and the landscape drawings were approved May 9, 2006 by the Planning and Parks and Recreation Departments.

The Refuse Collection Agreement will allow two of the lots in the subdivision to put their trash containers in front of a house on an adjacent lot to minimize access issues inherent with a dead end street per the original conditions of approval.

The Subdivision Agreement and appropriate bonds have been posted to insure that the required infrastructure improvements to Phase III will be installed once approved by the City Council and signed by the City Manager.

A petition for including Tract No. 817 Phase III into the Public Facility Maintenance District (PFMD) is also included at this time. This will allow phase III to be added to the PFMD already created for phases I and II.

Budget Impact:

None.

Recommendation:

1. Approve the Subdivision Agreement for Tract No. 817 Phase 3 and authorize the City Manager to sign.
2. Accept the Final Subdivision Map for Tract No. 817 Phase 3, direct City Clerk to sign cover page and direct Planning Department to record map concurrent with refuse collection agreement
3. Approve Refuse Collection Agreement and direct Planning Department to record map concurrent with Final Subdivision Map
4. Review the letter of petition for inclusion into the PFMD and later hold appropriate elections to add this phase III into the existing PFMD created with Phases I and II of Tract No. 817.

OWNER'S STATEMENT

THE UNDERSIGNED HEREBY CERTIFY THAT THEY ARE THE ONLY PERSONS HAVING ANY RECORD TITLE INTEREST IN THE REAL PROPERTY INCLUDED WITHIN THE BOUNDARIES OF THE SUBDIVISION SHOWN UPON THIS MAP, AND DO HEREBY CONSENT TO THE PREPARATION AND RECORDING OF SAID MAP AND THAT THE CONSENT OF NO OTHER PERSON IS NECESSARY. WE HEREBY OFFER FOR DEDICATION AND DO HEREBY DEDICATE THE FOLLOWING, AS SHOWN WITHIN THE BOUNDARIES OF THE MAP HEREON, FOR THESE SPECIFIC PURPOSES:

1. RIGHT OF WAY FOR AUGUSTA AVENUE, NATIONAL DRIVE, ATLANTIC AVENUE AND SPYGLASS DRIVE IN FEE TO THE CITY OF LEMOORE.
2. LOT "A" IN FEE TO THE CITY OF LEMOORE FOR PARK AND OTHER PUBLIC PURPOSES
3. PUBLIC EASEMENTS FOR THE INSTALLATION AND MAINTENANCE OF GAS LINES AND CONDUITS FOR ELECTRIC, TELEVISION AND TELEPHONE SERVICES, TOGETHER WITH ANY AND ALL APPURTENANCES PERTAINING THERETO, AS SHOWN HEREON AND DESIGNATED AS "PUE" (PUBLIC UTILITY EASEMENT).
4. STORM DRAIN EASEMENT TO THE CITY OF LEMOORE FOR THE INSTALLATION AND MAINTENANCE OF STORM DRAIN PIPELINES AND ALL APPURTENANCES PERTAINING THERETO, AS SHOWN HEREON.
5. SANITARY SEWER EASEMENT TO THE CITY OF LEMOORE FOR THE INSTALLATION AND MAINTENANCE OF SANITARY SEWER PIPELINES AND ALL APPURTENANCES PERTAINING THERETO, AS SHOWN HEREON

FOR: LENNAR FRESNO, INC., A CALIFORNIA CORPORATION

BY: _____
LES PETERSON
VICE PRESIDENT

ACKNOWLEDGMENT

STATE OF CALIFORNIA }
COUNTY OF _____ } s.s.

ON _____, BEFORE ME, _____, NOTARY PUBLIC, PERSONALLY APPEARED, _____

_____ WHO 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 ENTITY UPON BEHALF OF WHICH THE PERSON(S) ACTED, EXECUTED THE INSTRUMENT.

I CERTIFY UNDER THE PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF CALIFORNIA THAT THE FOREGOING PARAGRAPH IS TRUE AND CORRECT.

WITNESS MY HAND.

SIGNATURE _____ PRINT NAME _____

MY COMMISSION EXPIRES _____
MY COMMISSION NO. _____
PRINCIPAL PLACE OF BUSINESS _____ COUNTY _____

CITY CLERK'S STATEMENT

THIS IS TO CERTIFY THAT AT A REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF LEMOORE HELD ON THE _____ DAY OF _____, 20____, AN ORDER WAS DULY AND REGULARLY MADE AND ENTERED APPROVING THIS MAP AND SUBDIVISION AND ACCEPTING, SUBJECT TO IMPROVEMENTS, ON BEHALF OF THE PUBLIC, THE STREETS, THE STORM DRAIN EASEMENT, LOT "A" AND THE PUBLIC UTILITIES EASEMENTS, AND CONSENTING TO THE ABANDONMENT OF THE TEMPORARY BLANKET DRAINAGE AND ACCESS EASEMENT, AS SHOWN AND OR STATED WITHIN THE BOUNDARIES OF THE SUBDIVISION ON THIS MAP.

NANCI C. O. LIMA, CITY CLERK DATE _____

PLANNING COMMISSION STATEMENT

I HEREBY STATE THAT THIS MAP CONFORMS TO THE TENTATIVE SUBDIVISION MAP APPROVED BY THE CITY OF LEMOORE PLANNING COMMISSION IN ACCORDANCE WITH REQUIREMENTS OF LAW IN A DULY AUTHORIZED MEETING HELD SEPTEMBER 7, 2004.

HOLLY SMYTH, PLANNING DIRECTOR DATE _____

NOTE:

THE TEMPORARY BLANKET DRAINAGE AND ACCESS EASEMENT GRANTED OVER THE REMAINDER OF TRACT 817, PHASE 2, AS RECORDED IN VOLUME 22 OF LICENSED SURVEYOR'S PLATS AT PAGE 45 OF KINGS COUNTY RECORDS, IS ABANDONED BY THIS MAP.

SURVEYOR'S STATEMENT

THIS MAP WAS PREPARED BY ME OR UNDER MY DIRECTION AND IS BASED UPON A TRUE AND COMPLETE FIELD SURVEY IN CONFORMANCE WITH THE REQUIREMENTS OF THE SUBDIVISION MAP ACT AND LOCAL ORDINANCE AT THE REQUEST OF LENNAR FRESNO, INC. IN JANUARY 2011. I HEREBY STATE THAT THIS FINAL MAP SUBSTANTIALLY CONFORMS TO THE CONDITIONALLY APPROVED TENTATIVE MAP AND THAT 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 THAT SAID MONUMENTS ARE OR WILL BE SUFFICIENT TO ENABLE THE SURVEY TO BE RETRACED.

John R. Sanders

JOHN R. SANDERS P.L.S. 5812 4-29-11
DATE EXP. 6/30/12



CITY ENGINEER'S STATEMENT

I HEREBY STATE THAT I HAVE EXAMINED THE MAP ENTITLED TRACT 817 PHASE 3, THAT THE SUBDIVISION AS SHOWN HEREON IS SUBSTANTIALLY THE SAME AS IT APPEARED ON THE TENTATIVE MAP AND ANY APPROVED ALTERATIONS THEREOF AND THAT ALL THE PROVISIONS OF THE SUBDIVISION MAP ACT OF THE STATE OF CALIFORNIA AND OF ANY LOCAL ORDINANCES APPLICABLE AT THE TIME OF THE APPROVAL OF THE TENTATIVE MAP HAVE BEEN COMPLIED WITH AND THAT I AM SATISFIED THAT THIS MAP IS TECHNICALLY CORRECT.

DATE: _____

HARRY A. TOW
CITY ENGINEER
CITY OF LEMOORE
R.C.E. 8891

TAX COLLECTORS STATEMENT

THIS IS TO CERTIFY THAT THE PROVISIONS OF ARTICLE 8 OF CHAPTER 4 OF DIVISION 2 OF THE GOVERNMENT CODE HAVE BEEN COMPLIED WITH REGARDING DEPOSITS.

BY: _____
DOIL T. O'STEEN, TAX COLLECTOR/TREASURER DATE _____

RECORDER'S STATEMENT

FILED THIS _____ DAY OF _____, 2011, AT _____, M., IN VOLUME _____ OF LICENSED SURVEYOR'S PLATS AT PAGE _____, KINGS COUNTY RECORDS AT THE REQUEST OF JOHN R. SANDERS.

DOCUMENT NO. _____

FEE: _____

FOR: KEN BAIRD _____ BY: _____
COUNTY RECORDER DEPUTY RECORDER

TRACT 817 PHASE 3

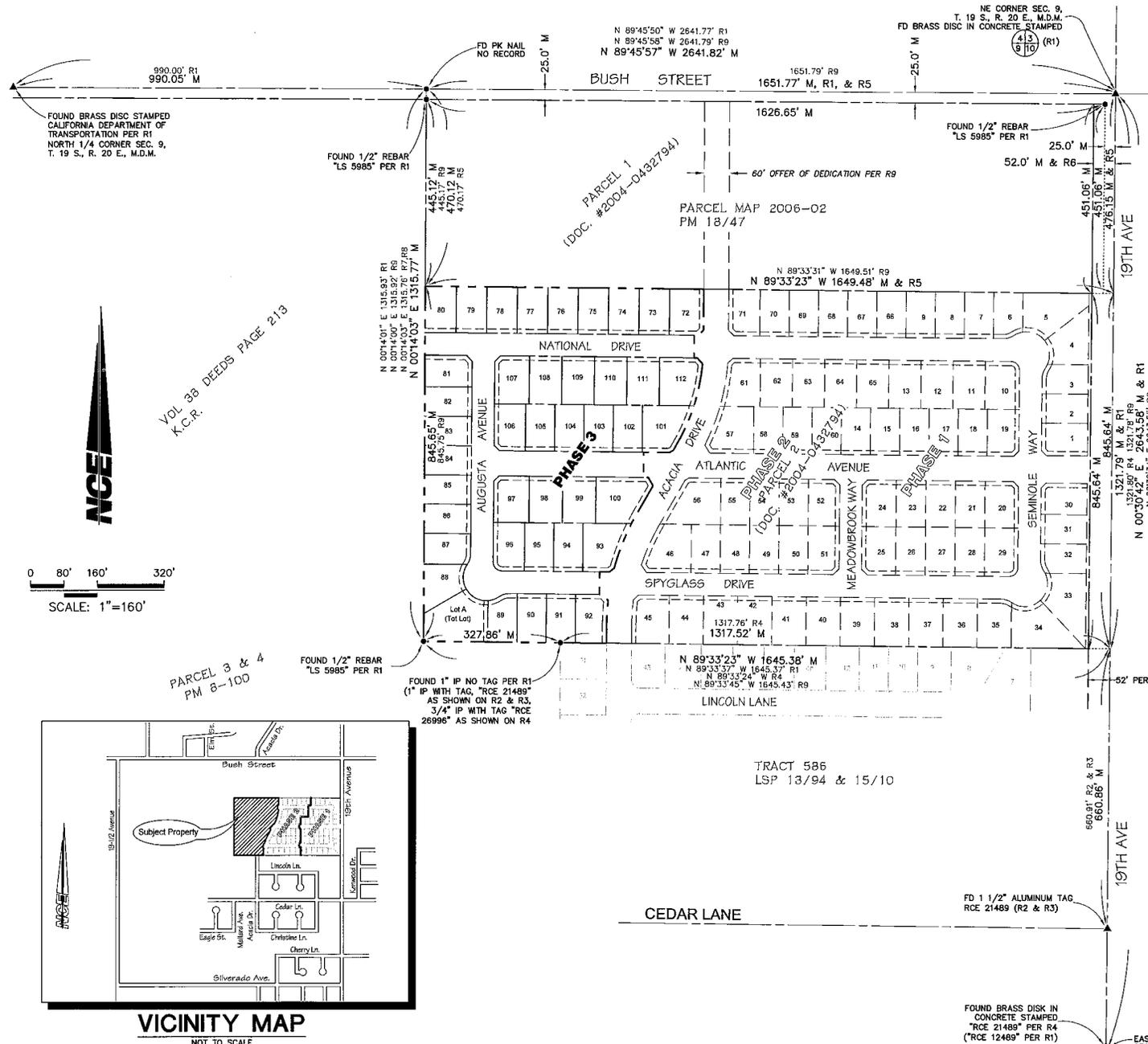
IN THE CITY OF LEMOORE, COUNTY OF KINGS, STATE OF CALIFORNIA

THAT PORTION SHOWN AS THE REMAINDER ON THE MAP OF TRACT 817, PHASE 2, ACCORDING TO THE MAP THEREOF RECORDED IN VOLUME 22 PAGE 45 OF LICENSED SURVEYORS PLATS, KINGS COUNTY RECORDS.

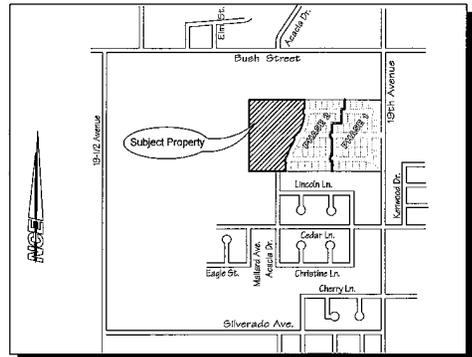
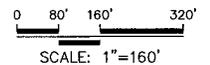


BOUNDARY SHEET TRACT 817 PHASE 3

IN THE CITY OF LEMOORE, COUNTY OF KINGS,
STATE OF CALIFORNIA
THAT PORTION SHOWN AS THE REMAINDER ON THE MAP OF
TRACT 817, PHASE 2, ACCORDING TO THE MAP THEREOF
RECORDED IN VOLUME 22 PAGE 45 OF LICENSED SURVEYORS
PLATS, KINGS COUNTY RECORDS.



VOL 38 DEEDS PAGE 213
K.C.R.



VICINITY MAP
NOT TO SCALE

JOB NO. 04119
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BASIS OF BEARINGS

THE BASIS OF BEARINGS FOR THIS MAP IS BETWEEN FOUND MONUMENTS ALONG 19TH STREET, BEING N 00°30'42" E PER R1.

LEGEND

- FOUND (FD) MONUMENTS PER R8 OR AS NOTED
- SET 5/8" REBAR TAGGED "LS 5812"
- ⊗ FRONT CORNERS TO BE LEAD & TAG "LS 5812" SET IN SIDEWALK AT 2.00' OFFSET TO LOT CORNER AT PROPERTY LINE EXTENDED AND/OR PERPENDICULAR TO THE CENTERLINE AT THE BEGINNING OF CURVE, END OF CURVE AND ANGLE POINTS
- SET 5/8" REBAR TAGGED "LS 5812" AS WITNESS CORNER 5.00' FROM LOT CORNER ON LOT LINE, DISTANCES ARE TO LOT CORNER
- △ SET BRASS DISC STAMPED "LS 5812" FLUSH IN CONCRETE
- ▲ FOUND STANDARD CITY WELL MONUMENT PER R8
- M MEASURED
- IP IRON PIPE
- K.C.R. KINGS COUNTY RECORDS
- (RAD) RADIAL
- TYP TYPICAL
- |- INDICATES BROKEN MEASUREMENT
- - - PHASE BOUNDARY
- P.U.E. PUBLIC UTILITY EASEMENT

REFERENCES

- R1 - VOL 19 LICENSED SURVEYORS' PLATS PAGE 75, K.C.R.
- R2 - VOL 13 LICENSED SURVEYORS' PLATS PAGE 94, K.C.R.
- R3 - VOL 15 LICENSED SURVEYORS' PLATS PAGE 10, K.C.R.
- R4 - BOOK 8 PARCEL MAPS PAGE 100, K.C.R.
- R5 - PARCEL MAP WAIVER FOR LOT LINE ADJUSTMENT NO. 2004-02, RECORDED 11/01/2004, DOCUMENT NO. 432784, K.C.R.
- R6 - DOCUMENT NO. 0319596, K.C.R., RECORDED 7/22/2003
- R7 - VOL 21 LICENSED SURVEYORS' PLATS PAGE 28, K.C.R.
- R8 - VOL 22 LICENSED SURVEYORS' PLATS PAGE 45, K.C.R.
- R9 - BOOK 18 PARCEL MAPS PAGE 47, K.C.R.

NCE NORTH COAST ENGINEERING INC.
725 Creston Rd Suite B, Paso Robles, 239-3127

TRACT 817 PHASE 3

IN THE CITY OF LEMOORE, COUNTY OF KINGS,
STATE OF CALIFORNIA
THAT PORTION SHOWN AS THE REMAINDER ON THE MAP
OF TRACT 817, PHASE 2, ACCORDING TO THE MAP
THEREOF RECORDED IN VOLUME 22 PAGE 45 OF
LICENSED SURVEYORS PLATS, KINGS COUNTY RECORDS.

NOTES

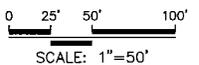
* LOTS 79 & 80 WILL HAVE REFUSE PICK UP SERVICE IN FRONT OF LOT 78 PER THE AGREEMENT RECORDED ON _____ IN DOCUMENT NO. _____

REFERENCES

- R1 - VOL 19 LICENSED SURVEYORS' PLATS PAGE 75, K.C.R.
- R2 - VOL 13 LICENSED SURVEYORS' PLATS PAGE 94, K.C.R.
- R3 - VOL 15 LICENSED SURVEYORS' PLATS PAGE 10, K.C.R.
- R4 - BOOK 8 PARCEL MAPS PAGE 100, K.C.R.
- R5 - PARCEL MAP WAIVER FOR LOT LINE ADJUSTMENT NO. 2004-02, RECORDED 11/01/2004, DOCUMENT NO. 432794, K.C.R.
- R6 - DOCUMENT NO. 3019596, K.C.R., RECORDED 7/22/2003
- R7 - VOL 21 LICENSED SURVEYORS' PLATS PAGE 28, K.C.R.
- R8 - VOL 22 LICENSED SURVEYORS' PLATS PAGE 45, K.C.R.
- R9 - BOOK 18 PARCEL MAPS PAGE 47, K.C.R.

LEGEND

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