

RESOLUTION NO. 2022-21

A RESOLUTION OF CITY COUNCIL OF THE CITY OF MARINA
RECEIVING AND FILING THE UNANIMOUS APPROVAL OF
ANNEXATION OF PROPERTY INTO THE CITY OF MARINA
COMMUNITY FACILITIES DISTRICT NO. 2015-1 (THE DUNES)

WHEREAS, at the regular meeting of June 2, 2015, the City Council adopted Resolution 2015-63, approving the formation of The Dunes Community Facilities District No. 2015-1, and;

WHEREAS, Community Facilities District No. 2015-1 (the “CFD”) was formed in order to provide a source of financing for the public services required to maintain infrastructure to be owned by the City at The Dunes Development, which will include streets, sidewalks, curbs & gutters, decorative lighting and storm drains; and

WHEREAS, at the regular meeting of June 21, 2016, the City Council adopted Resolution 2016-96, receiving and filing the unanimous approval of annexation of property into the City’s Community Facilities District No. 2015-1 (The Dunes). The area of annexation consisted of phase 2 of the Dunes Residential Development (Phase 1C); and

WHEREAS, at the regular meeting of April 4, 2017, the City Council adopted Resolution 2017-35, receiving and filing the unanimous approval of annexation of property into the City’s Community Facilities District No. 2015-1 (The Dunes). The area of annexation consisted of the final phase of the Dunes Residential Development (Phase 1C); and

WHEREAS, at the regular meeting of February 2, 2021, the City Council adopted Resolution 2021-06, approving the Phase 2 East/Residential Final Map for the Dunes on Monterey Bay development project subdivision (“Exhibit A”); and

WHEREAS, the City has received a request from Shea Homes to annex the Phase 2 East/Residential Final Map additional property into the CFD pursuant to the simplified process for annexations established when the CFD was originally formed, under which additional parcels can be annexed into the CFD if all owners of the parcels being annexed execute a unanimous consent to annexation; and

WHEREAS, Shea Homes Limited Partnership has submitted a unanimous consent to annexation of 219 parcels into the CFD (“Exhibit B”), consisting of Phase 2 East. Following this meeting, staff will prepare an amendment to the Notice of Special Tax Lien for the CFD and record it with the County recorder’s office; and

WHEREAS, there is no direct impact to the City’s General Fund connected with the annexation of property into the CFD. Funding generated through the CFD provides for the maintenance of infrastructure that would need funding from alternate sources, possibly including the General Fund, in the absence of the CFD.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Marina does hereby receive and file the Unanimous Approval of Annexation of property into the City's Community Facilities District No. 2015-1 (The Dunes).

PASSED AND ADOPTED by the City Council of the City of Marina at a regular meeting duly held on the 15th day of February 2022, by the following vote:

AYES: COUNCIL MEMBERS: Medina Dirksen, Burnett, Berkley, Biala, Delgado

NOES: COUNCIL MEMBERS: None

ABSENT: COUNCIL MEMBERS: None

ABSTAIN: COUNCIL MEMBERS: None

Bruce C. Delgado, Mayor

ATTEST:

Anita Sharp, Deputy City Clerk

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OWNER'S STATEMENT

WE HEREBY CERTIFY THAT WE ARE THE OWNERS OF, OR HAVE SOME RIGHT, TITLE OR INTEREST IN AND TO THE REAL PROPERTY INCLUDED WITHIN THE SUBDIVISION SHOWN UPON THIS MAP, AND WE ARE THE ONLY PERSONS WHOSE CONSENT IS NECESSARY TO PASS A CLEAR TITLE TO SAID PROPERTY, AND WE CONSENT TO PREPARATION AND RECORDATION OF SAID MAP AND SUBDIVISION AS SHOWN WITHIN THE SUBDIVISION BOUNDARY LINES.

THE REAL PROPERTY DESCRIBED BELOW IS DEDICATED IN FEE FOR PUBLIC PURPOSES:

- FOR ROAD AND UTILITY PURPOSES, THOSE PORTIONS OF LAND DESIGNATED HEREON AS BEACON COURT, BEACON DRIVE, BUNGALOW COURT, CALIFORNIA AVENUE, CATWALK COURT, KITETAIL LANE, SANDY GULCH DRIVE, SKYVIEW DRIVE, TELEGRAPH BOULEVARD, TIDEPOL LANE, WHARF TERRACE, 4TH AVENUE, 8TH STREET, AND 9TH STREET WITHIN THE SUBDIVISION. THIS OFFER OF DEDICATION TO THE CITY OF MARINA IS IRREVOCABLE; SUBJECT TO THE RESERVATION OF THE RIGHT TO MAINTAIN LANDSCAPING, IRRIGATION AND STORM DRAIN WITHIN SAID STREETS.
- FOR OPEN SPACE PURPOSES, THOSE PORTIONS OF SAID LAND DESIGNATED HEREON AS PARCELS OS-2.2, OS-2.4, AND OS-2.5.

THE REAL PROPERTY DESCRIBED BELOW IS DEDICATED AS AN EASEMENT FOR PUBLIC PURPOSES:

- PUBLIC UTILITY EASEMENTS (PUE), WHERE DESIGNATED WITHIN THE SUBDIVISION SHOWN ON THIS MAP FOR THE CONSTRUCTION, MAINTENANCE, USE, REPLACEMENT, IMPROVEMENT, AND OPERATION OF, SANITARY SEWERS, STORM DRAINS AND WATER PIPELINES, GAS AND ELECTRICITY TRANSMISSION LINES, AND TELEPHONE LINES, AND ALL THE NECESSARY APPURTENANCES THERETO, TOGETHER WITH THE RIGHT OF INGRESS TO AND EGRESS FROM SAID EASEMENT.
- FOR INGRESS AND EGRESS OF EMERGENCY VEHICLES (EMERGENCY VEHICLE ACCESS EASEMENT, OR EVAE), THE AREAS DESIGNATED HEREON AS PARCELS L2.1 THROUGH L2.10, INCLUSIVE.
- PUBLIC UTILITY EASEMENTS (PUE) OVER, UNDER, AND UPON THE PRIVATE STREETS DESIGNATED HEREON AS PARCELS L2.1 THROUGH L2.10, INCLUSIVE, FOR THE CONSTRUCTION, MAINTENANCE, USE AND OPERATION OF SANITARY SEWER, STORM DRAINS AND WATER PIPELINES, GAS AND ELECTRICITY TRANSMISSION LINES, AND TELEPHONE LINES, AND ALL THE NECESSARY APPURTENANCES THERETO, TOGETHER WITH THE RIGHT OF INGRESS TO AND EGRESS FROM SAID EASEMENT.
- STORM DRAIN EASEMENT (SDE) OVER, UNDER, AND ACROSS THE DESIGNATED AREAS AS SHOWN HEREON, FOR PUBLIC STORM DRAINAGE PURPOSES, TOGETHER WITH THE RIGHT OF INGRESS AND EGRESS FOR THE PURPOSES OF REPAIR, REPLACEMENT, AND MAINTENANCE OF STORM DRAINAGE FACILITIES. UNDERGROUND PIPING ARE TO BE MAINTAINED BY THE CITY OF MARINA. SAID AREAS OF LAND ARE TO BE KEPT OPEN AND FREE FROM BUILDINGS AND STRUCTURES NOT SERVING THE PURPOSE OF THE EASEMENT.

THE ABOVE PUBLIC USE EASEMENT DEDICATIONS SHALL INCLUDE REASONABLE RIGHT OF INGRESS AND EGRESS OVER ADJOINING LANDS WITHIN THIS SUBDIVISION.

THE AREAS DESIGNATED AS PARCELS L2.1 THROUGH L2.10, INCLUSIVE, ARE PRIVATE STREETS RETAINED BY OWNER FOR FUTURE TRANSFER TO AN OWNERS ASSOCIATION, SUBJECT TO THE HEREINABOVE DEDICATION OF EASEMENTS FOR PUBLIC PURPOSES.

PARCELS OS-2.1, OS-2.6, OS-2.7, OS-2.8, OS-2.9, OS-2.10, OS-2.11, AND OS-2.12 ARE "RESERVED AS PRIVATE OPEN SPACE" AND ARE TO BE OWNED AND MAINTAINED BY THE OWNERS ASSOCIATION.

PARCEL OS-2.3 IS TO BE RETAINED BY THE OWNER FOR FUTURE DEVELOPMENT OR TRANSFER.

WE ALSO HEREBY CREATE A PRIVATE WALKWAY EASEMENT (WE) OVER AND ACROSS THE DESIGNATED AREAS AS SHOWN HEREON, WHICH WILL REMAIN PRIVATE AND WILL BE TRANSFERRED TO THE OWNERS ASSOCIATION AT A FUTURE DATE. THE DESIGNATED USE AND MAINTENANCE OF THESE EASEMENTS SHALL BE AS PROVIDED BY THE PROJECT COVENANTS, CONDITIONS, AND RESTRICTIONS.

WE ALSO HEREBY RELINQUISH ANY AND ALL RIGHTS OF INGRESS AND EGRESS TO VEHICULAR TRAFFIC (ABUTTER'S RIGHTS) ACROSS THE LINES AS SHOWN ON HEREON MAP AND DEPICTED AS ||||||

SUBDIVIDER SHALL DEFEND, INDEMNIFY, AND HOLD HARMLESS THE CITY, ITS CITY COUNCIL, PLANNING COMMISSION, AGENTS, OFFICERS AND EMPLOYEES FROM ANY CLAIM, ACTION OR PROCEEDING AGAINST THE CITY OR ITS CITY COUNCIL, PLANNING COMMISSION, AGENTS, OFFICERS OR EMPLOYEES, TO ATTACK, SET ASIDE, VOID OR ANNUL AN APPROVAL OF THE CITY, ITS CITY COUNCIL, PLANNING COMMISSION, OR OTHER BOARD, ADVISORY AGENCY OR LEGISLATIVE BODY CONCERNING THIS SUBDIVISION. CITY WILL PROMPTLY NOTIFY THE SUBDIVIDER OF ANY CLAIM, ACTION OR PROCEEDING AGAINST IT AND WILL COOPERATE FULLY IN THE DEFENSE. THIS CONDITION IS IMPOSED PURSUANT TO CALIFORNIA GOVERNMENT CODE SECTION 66474.9.

OWNER: SHEA HOMES LIMITED PARTNERSHIP, A CALIFORNIA LIMITED PARTNERSHIP

BY: Layne Marceau, AUTHORIZED AGENT

BY: Donald A. Hofer, AUTHORIZED AGENT

OWNER'S ACKNOWLEDGEMENT

A NOTARY PUBLIC OR OTHER OFFICER COMPLETING THIS CERTIFICATE VERIFIES ONLY THE IDENTITY OF THE INDIVIDUAL WHO SIGNED THE DOCUMENT TO WHICH THIS CERTIFICATE IS ATTACHED, AND NOT TO THE TRUTHFULNESS, ACCURACY, OR VALIDITY OF THAT DOCUMENT.

STATE OF California

COUNTY OF Alameda

ON March 23, 2021

BEFORE ME, Kathy Lynn Barlow, NOTARY PUBLIC

PERSONALLY APPEARED Layne Marceau, 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 THE ENTITY UPON BEHALF OF WHICH THE PERSON(S) ACTED, EXECUTED THE INSTRUMENT.

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

WITNESS MY HAND, AND OFFICIAL SEAL.

SIGNATURE [Signature]

NOTARY PUBLIC'S NAME: Kathy Lynn Barlow

COUNTY OF BUSINESS: Alameda

COMMISSION EXPIRATION DATE: March 2, 2022

COMMISSION NUMBER: 2230180

OWNER'S ACKNOWLEDGEMENT

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STATE OF California

COUNTY OF Alameda

ON March 23, 2021

BEFORE ME, Kathy Lynn Barlow, NOTARY PUBLIC

PERSONALLY APPEARED Donald A. Hofer, 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 THE ENTITY UPON BEHALF OF WHICH THE PERSON(S) ACTED, EXECUTED THE INSTRUMENT.

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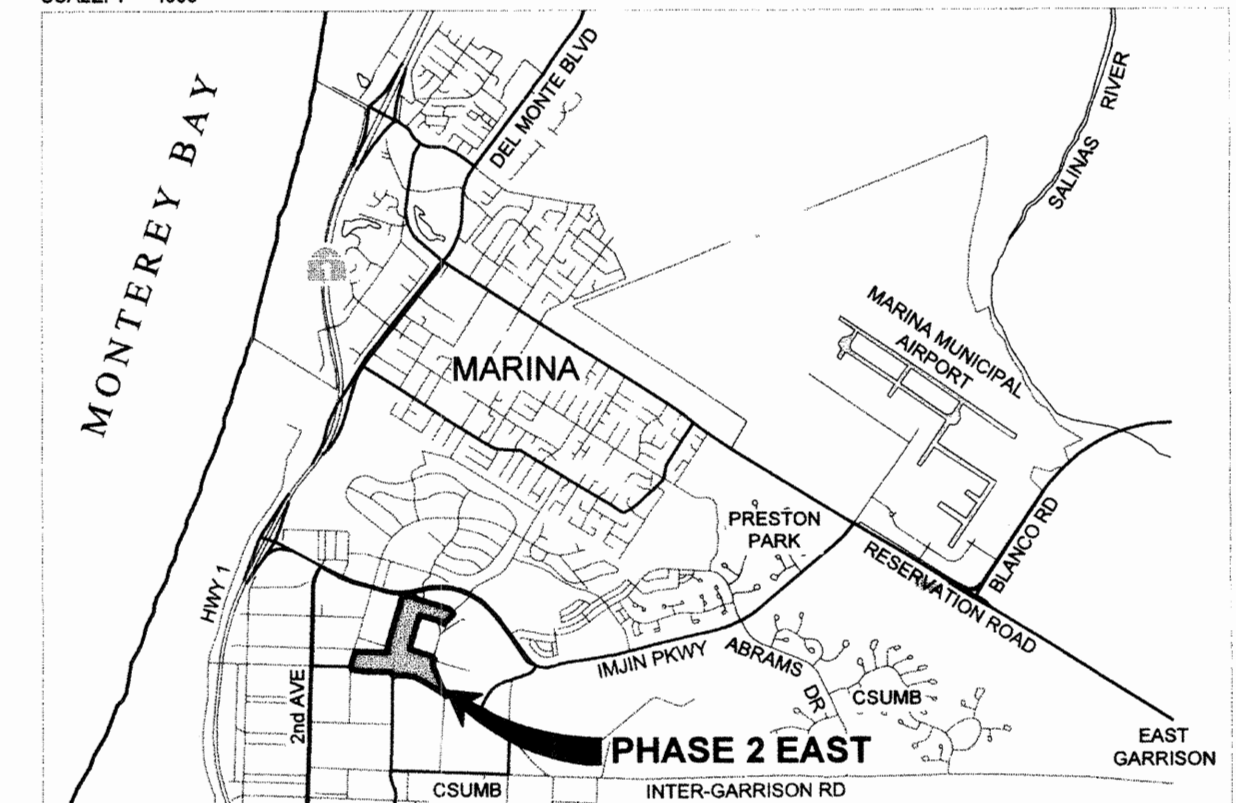
DEDICATION CERTIFICATE

THE CITY OF MARINA SHALL, AS REQUIRED BY CALIFORNIA GOVERNMENT CODE SECTION 66477.5 IN ITS PRESENT FORM OR AS IT MAY FROM TIME TO TIME BE AMENDED, RECONVEY THOSE PORTIONS OF LAND DESIGNATED HEREON AS BEACON COURT, BEACON DRIVE, BUNGALOW COURT, CALIFORNIA AVENUE, CATWALK COURT, KITETAIL LANE, SANDY GULCH DRIVE, SKYVIEW DRIVE, TELEGRAPH BOULEVARD, TIDEPOL LANE, WHARF TERRACE, 4TH AVENUE, 8TH STREET, AND 9TH STREET WITHIN THE SUBDIVISION IN FEE FOR PUBLIC USE, TO THE SUBDIVIDER NAMED BELOW, THEIR SUCCESSORS, HEIRS OR ASSIGNEES, IF THE CITY COUNCIL OF THE CITY OF MARINA SHOULD DETERMINE THAT THE SAME PUBLIC PURPOSE FOR WHICH SAID PARCELS WERE DEDICATED NO LONGER EXISTS OR THAT SAID PARCELS OR ANY PORTION THEREOF IS NOT NEEDED FOR PUBLIC UTILITIES, EXCEPT FOR ALL OR ANY PORTIONS OF THE PROPERTY THAT IS STILL REQUIRED FOR THAT SAME PUBLIC PURPOSE OR FOR PUBLIC UTILITIES.

SUBDIVIDERS: SHEA HOMES LIMITED PARTNERSHIP
2630 SHEA CENTER DRIVE
LIVERMORE, CA 94551

VICINITY MAP

SCALE: 1" = 400'

**COUNTY RECORDER'S STATEMENT**

FILED THIS 9th DAY OF June, 2021, AT 8:10 A.M., IN VOLUME 24 OF CITIES AND TOWNS, AT PAGE 73, AT THE REQUEST OF FIRST AMERICAN TITLE COMPANY.
TRACT #1550

STEPHEN L. VAGNINI
RECORDER
MONTEREY COUNTY, CALIFORNIA

BY: [Signature]
DEPUTY RECORDER

FEE: \$ 107.00

DOC NO. 2021040377

TRACT NO. 1550

THE DUNES ON MONTEREY BAY

PHASE 2 EAST

A SUBDIVISION OF LOT 23 AS SHOWN ON "TRACT No. 1472, "NORTH AND WEST MARINA VILLAGE", FILED IN VOLUME 23 CITIES & TOWNS, PAGE 36, OFFICIAL RECORDS OF MONTEREY COUNTY, CALIFORNIA AND CONTAINING 45.998 ACRES

PREPARED BY:
WHITSON ENGINEERS
6 HARRIS COURT, MONTEREY CALIFORNIA

JOB NO. 3140.14 NOVEMBER 9, 2020 SHEET 1 OF 13

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SIGNATURE OMISSIONS

PURSUANT TO THE PROVISIONS OF SECTION 66436 OF THE SUBDIVISION MAP ACT THE FOLLOWING SIGNATURES HAVE BEEN OMITTED SINCE THEIR INTEREST CANNOT RIPEN INTO A FEE.

1. THE UNITED STATES OF AMERICA, HOLDER OF MINERAL RIGHTS AND RIGHT OF SURFACE ENTRY AS RESERVED IN THE QUITCLAIM DEED FROM THE UNITED STATES OF AMERICA TO THE FORT ORD REUSE AUTHORITY RECORDED MARCH 15, 2004, INSTRUMENT NO. 2004023330, OFFICIAL RECORDS OF MONTEREY COUNTY AND AMENDED AND RE-RECORDED JULY 9, 2004, INSTRUMENT NO. 2004072094, OFFICIAL RECORDS OF MONTEREY COUNTY.
2. PACIFIC GAS AND ELECTRIC, EASEMENT HOLDER UNDER DOCUMENT RECORDED APRIL 17, 1997 IN REEL 3506, PAGE 1533, OFFICIAL RECORDS OF MONTEREY COUNTY.

SOILS REPORT STATEMENT

A SOILS REPORT DATED MARCH 23, 2020 PREPARED BY BERLOGAR STEVENS & ASSOCIATES HAS BEEN SPECIFICALLY PREPARED FOR THIS SUBDIVISION AND IS ON FILE WITH THE CITY OF MARINA'S PUBLIC WORKS DEPARTMENT.

PLANNING COMMISSION STATEMENT

I, FRED AEGERTER, COMMUNITY DEVELOPMENT DEPARTMENT DIRECTOR, CITY OF MARINA, HEREBY STATE THAT I HAVE EXAMINED THIS MAP; THAT THE SUBDIVISION SHOWN HEREON IS SUBSTANTIALLY THE SAME AS IT APPEARED ON THE TENTATIVE MAP, AND ANY APPROVED ALTERATIONS THEREOF, AS APPROVED BY THE CITY COUNCIL OF THE CITY OF MARINA ON MAY 31, 2005, AND SUBSEQUENT AMENDMENTS APPROVED OCTOBER 2, 2008 AND MAY 19, 2020, THAT ALL THE PROVISIONS OF THE CALIFORNIA "SUBDIVISION MAP ACT", AS AMENDED, AND THE CITY OF MARINA SUBDIVISION ORDINANCE, TITLE 16 OF THE MARINA MUNICIPAL CODE, HAVE BEEN COMPLIED WITH.

Fred Aegarter
 FRED AEGERTER, AICP
 COMMUNITY DEVELOPMENT DEPARTMENT DIRECTOR
 CITY OF MARINA

CITY CLERK'S STATEMENT

I, ANITA SHEPHERD-SHARP, DEPUTY CITY CLERK OF THE CITY OF MARINA, HEREBY CERTIFY THAT THE CITY COUNCIL OF SAID CITY OF MARINA APPROVED THE HEREIN MAP ON THE 2nd DAY OF February, 2021, AND ACCEPTS ON BEHALF OF THE PUBLIC, IN FEE, SUBJECT TO IMPROVEMENTS, THOSE PORTIONS OF SAID LANDS DESIGNATED ON SAID MAP BY RESOLUTION NO. 2021-06 AND ACCEPTS ON BEHALF OF THE PUBLIC ALL PARCELS OFFERED FOR DEDICATION, IN CONFORMITY WITH THE TERMS OF THE OFFER OF DEDICATION, AND ACCEPTS ALL PUBLIC EASEMENTS OFFERED FOR DEDICATION.

I FURTHER STATE THAT THE FILING OF THIS MAP SHALL CONSTITUTE THE ABANDONMENT OF THE EASEMENT FOR PUBLIC UTILITIES PER INSTRUMENT NO. 2020017975, OFFICIAL RECORDS OF SAID COUNTY, IN ACCORDANCE WITH PROVISION NO. 6 OF SAID INSTRUMENT AND SECTION 66434(g) OF THE SUBDIVISION MAP ACT.

BY: *Anita Shepherd-Sharp*
 ANITA SHEPHERD-SHARP
 DEPUTY CITY CLERK OF MARINA

CITY ENGINEER & SURVEYOR'S STATEMENT

I, BRIAN McMINN, CITY ENGINEER AND CITY SURVEYOR OF THE CITY OF MARINA, HEREBY STATE THAT I HAVE EXAMINED THIS MAP AND AM SATISFIED THAT IT IS TECHNICALLY CORRECT; THAT THE SUBDIVISION SHOWN HEREON IS SUBSTANTIALLY THE SAME AS IT APPEARED ON THE APPROVED TENTATIVE MAP AND ANY APPROVED ALTERATIONS THEREOF, AND THAT ALL PROVISIONS OF THE CALIFORNIA "SUBDIVISION MAP ACT", AS AMENDED, AND THE CITY OF MARINA SUBDIVISION ORDINANCE, TITLE 16 OF THE MARINA MUNICIPAL CODE HAVE BEEN COMPLIED WITH.

Brian McMinn
 BRIAN McMINN, PE 64143, PLS 8116
 CITY ENGINEER, CITY SURVEYOR
 CITY OF MARINA, CALIFORNIA

DATE: APRIL 12, 2021

SURVEYOR'S STATEMENT

THIS MAP WAS PREPARED BY ME OR UNDER MY DIRECTION IN JULY 2020, AND IS BASED UPON A FIELD SURVEY IN CONFORMANCE WITH THE REQUIREMENTS OF THE SUBDIVISION MAP ACT AND LOCAL ORDINANCE AT THE REQUEST OF SHEA HOMES LIMITED PARTNERSHIP, A CALIFORNIA LIMITED PARTNERSHIP, IN MAY 2020. I HEREBY STATE THAT ALL THE MONUMENTS ARE OF THE CHARACTER AND OCCUPY THE POSITIONS INDICATED, OR THAT THEY WILL BE SET IN THOSE POSITIONS ON OR BEFORE DECEMBER, 2022 AND THAT THE MONUMENTS WILL BE SUFFICIENT TO ENABLE THE SURVEY TO BE RETRACED, AND THAT THIS FINAL MAP SUBSTANTIALLY CONFORMS TO THE CONDITIONALLY APPROVED TENTATIVE MAP.

Richard P. Weber
 RICHARD P. WEBER
 P.L.S. No. 8002
 DATE: April 9, 2021

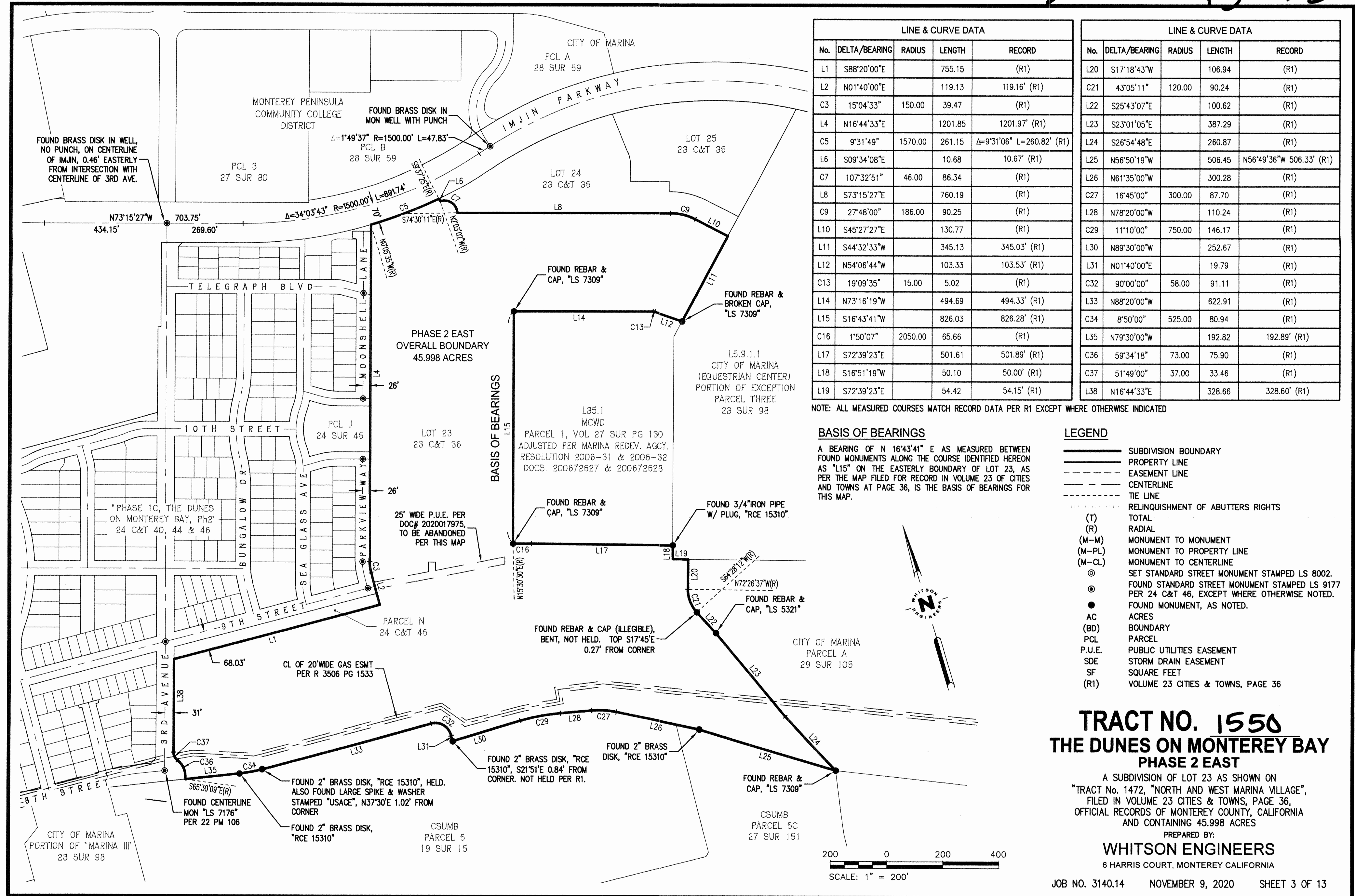


TRACT NO. 1550
THE DUNES ON MONTEREY BAY
PHASE 2 EAST

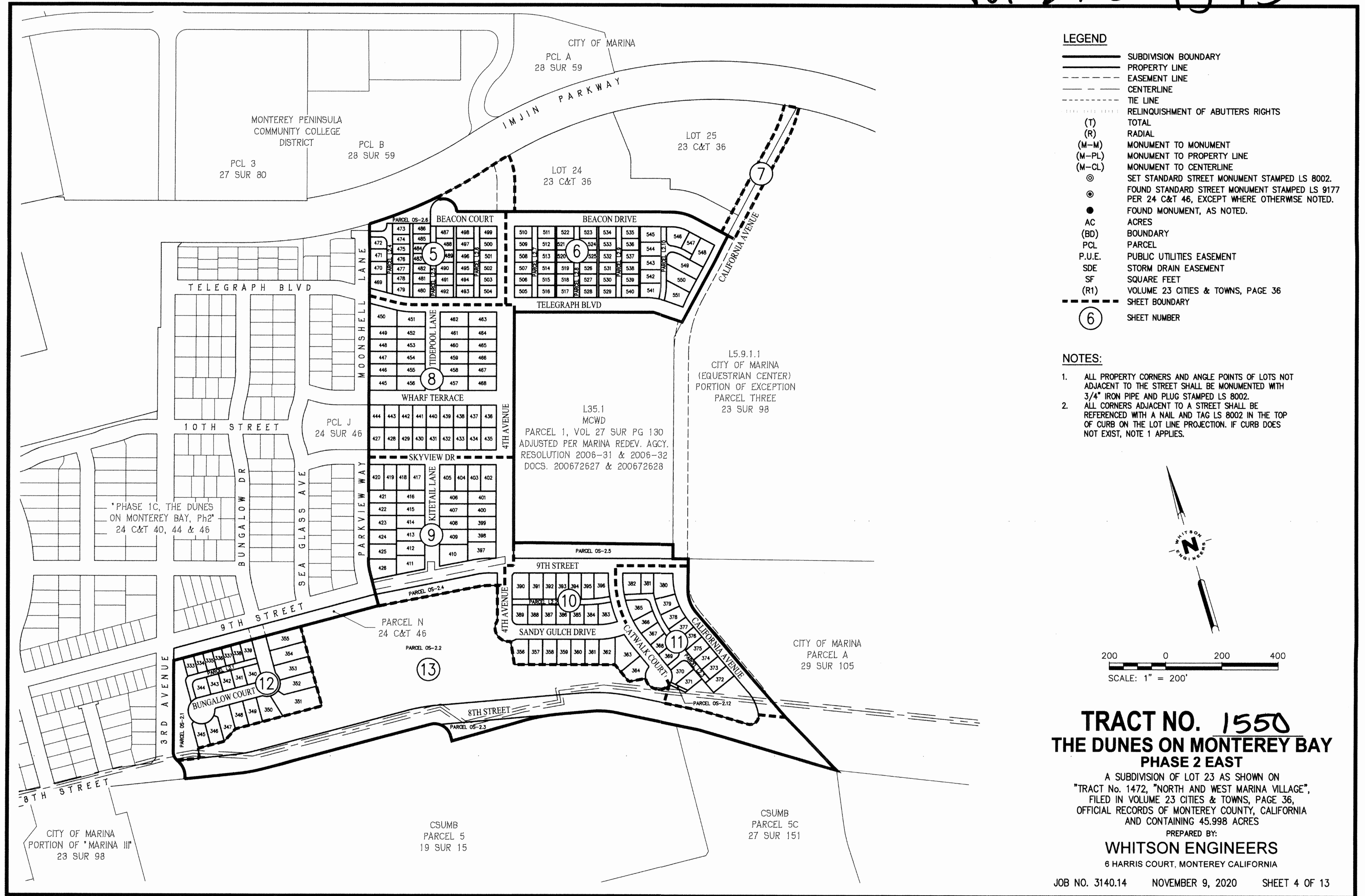
A SUBDIVISION OF LOT 23 AS SHOWN ON
 "TRACT No. 1472, "NORTH AND WEST MARINA VILLAGE",
 FILED IN VOLUME 23 CITIES & TOWNS, PAGE 36,
 OFFICIAL RECORDS OF MONTEREY COUNTY, CALIFORNIA
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PREPARED BY:
WHITSON ENGINEERS
 6 HARRIS COURT, MONTEREY CALIFORNIA

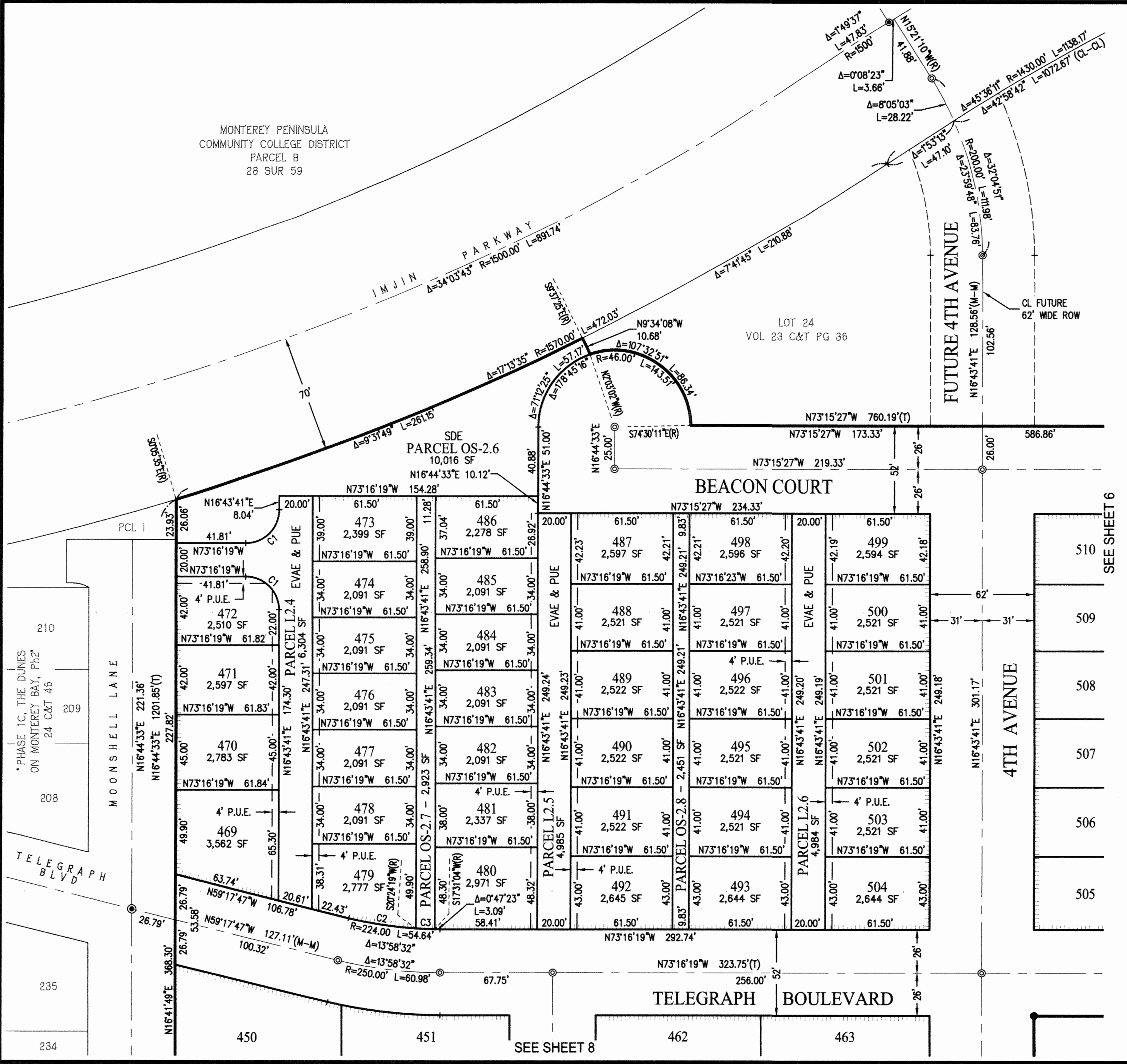
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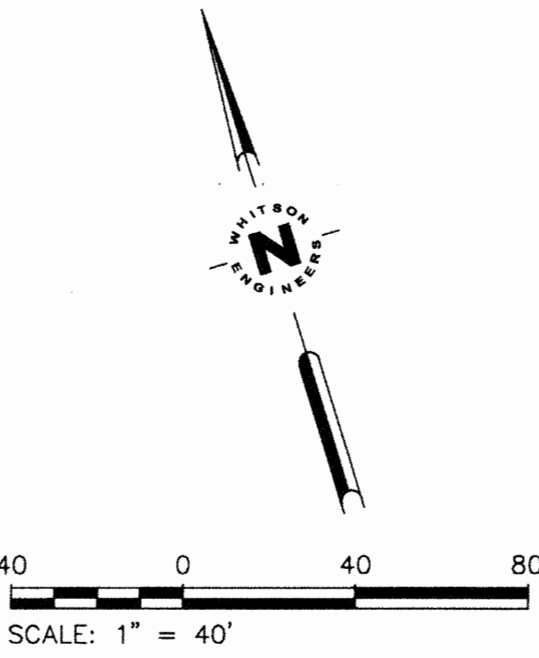


LEGEND

- SUBDIVISION BOUNDARY
- PROPERTY LINE
- EASEMENT LINE
- CENTERLINE
- TIE LINE
- RELINQUISHMENT OF ABUTTERS RIGHTS
- (T) TOTAL
- (R) RADIAL
- (M-M) MONUMENT TO MONUMENT
- (M-PL) MONUMENT TO PROPERTY LINE
- (M-CL) MONUMENT TO CENTERLINE
- SET STANDARD STREET MONUMENT STAMPED LS 8002.
- FOUND STANDARD STREET MONUMENT STAMPED LS 9177
- PER 24 C&T 46, EXCEPT WHERE OTHERWISE NOTED.
- FOUND MONUMENT, AS NOTED.
- AC ACRES
- (BD) BOUNDARY
- EVAE EMERGENCY VEHICLE ACCESS EASEMENT
- PCL PARCEL
- P.U.E. PUBLIC UTILITIES EASEMENT
- SDE STORM DRAIN EASEMENT
- SF SQUARE FEET
- WE WALKWAY EASEMENT
- (R1) VOLUME 23 CITIES & TOWNS, PAGE 36

CURVE TABLE			
NO.	DELTA	RADIUS	LENGTH
C1	90°00'00"	20.00'	31.42'
C2	101°17'53"	224.00'	40.26'
C3	2°53'15"	224.00'	11.29'

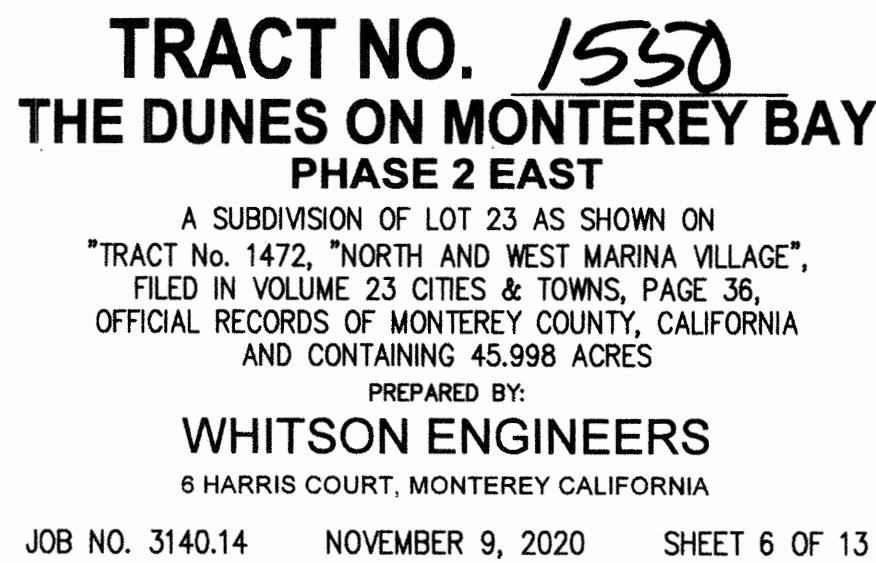
NOTE: SEE SHEET 3 OF 13 FOR OVERALL PERIMETER BOUNDARY INFORMATION.



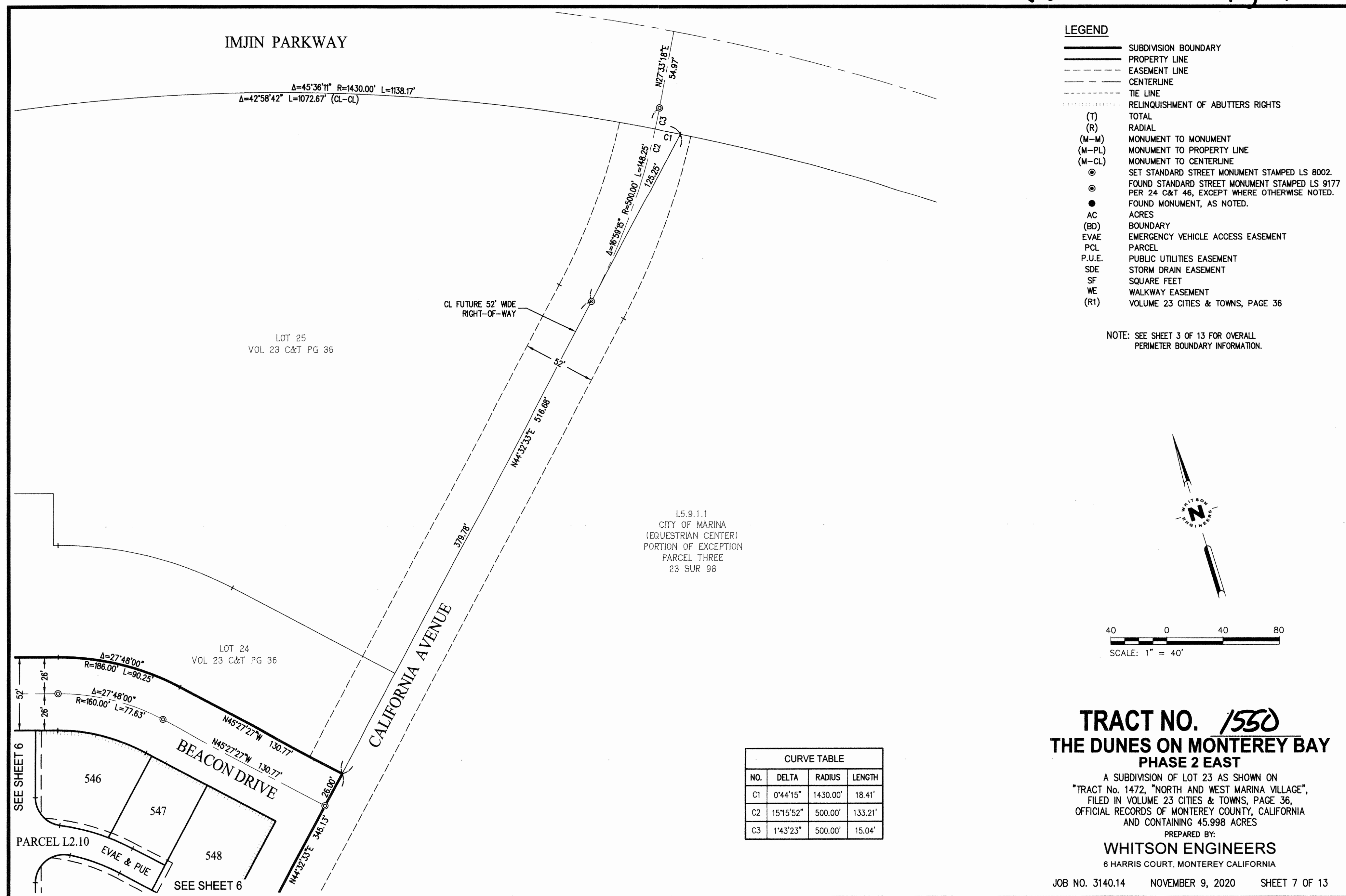
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THE DUNES ON MONTEREY BAY
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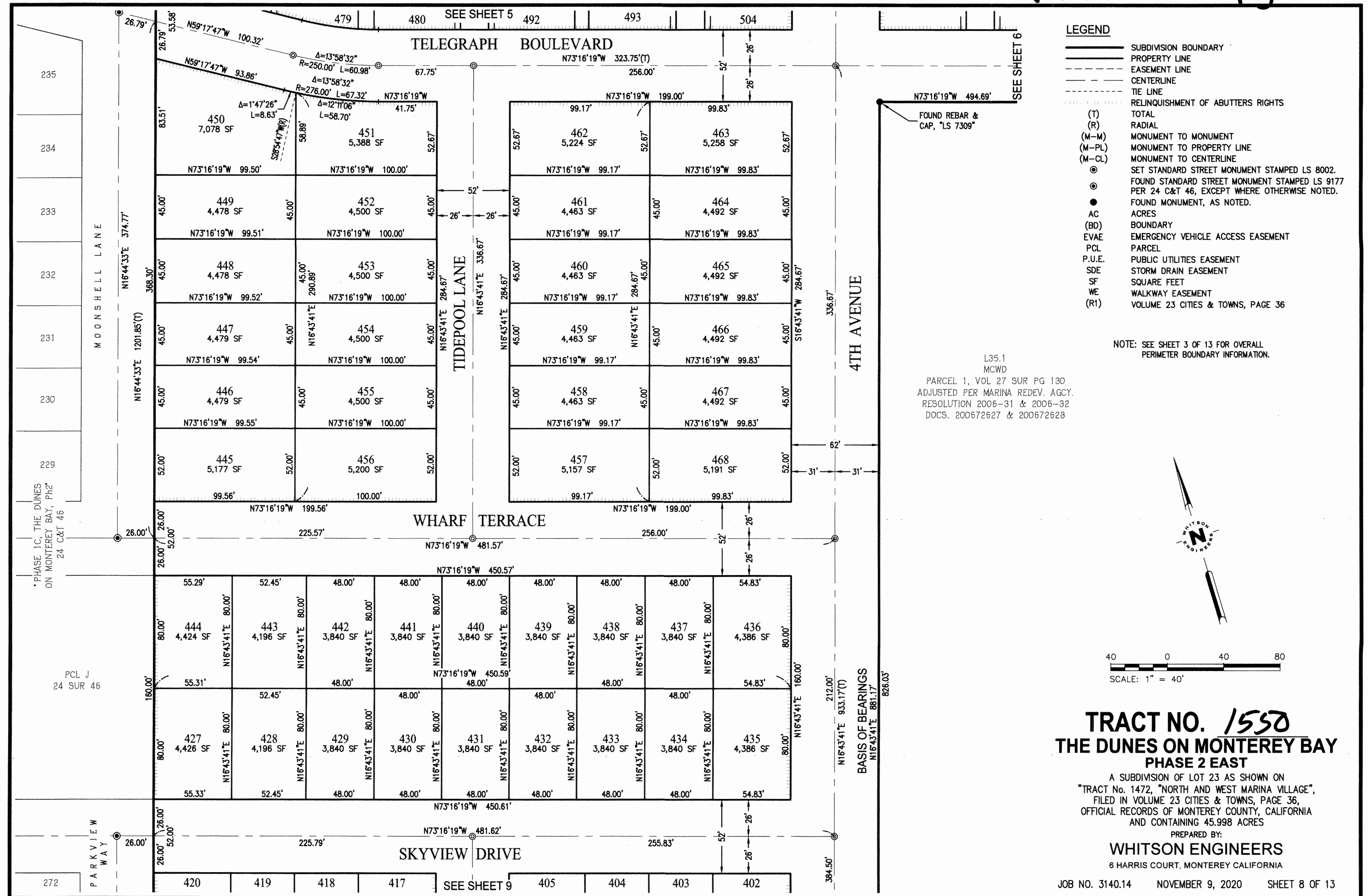
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6 HARRIS COURT, MONTEREY CALIFORNIA



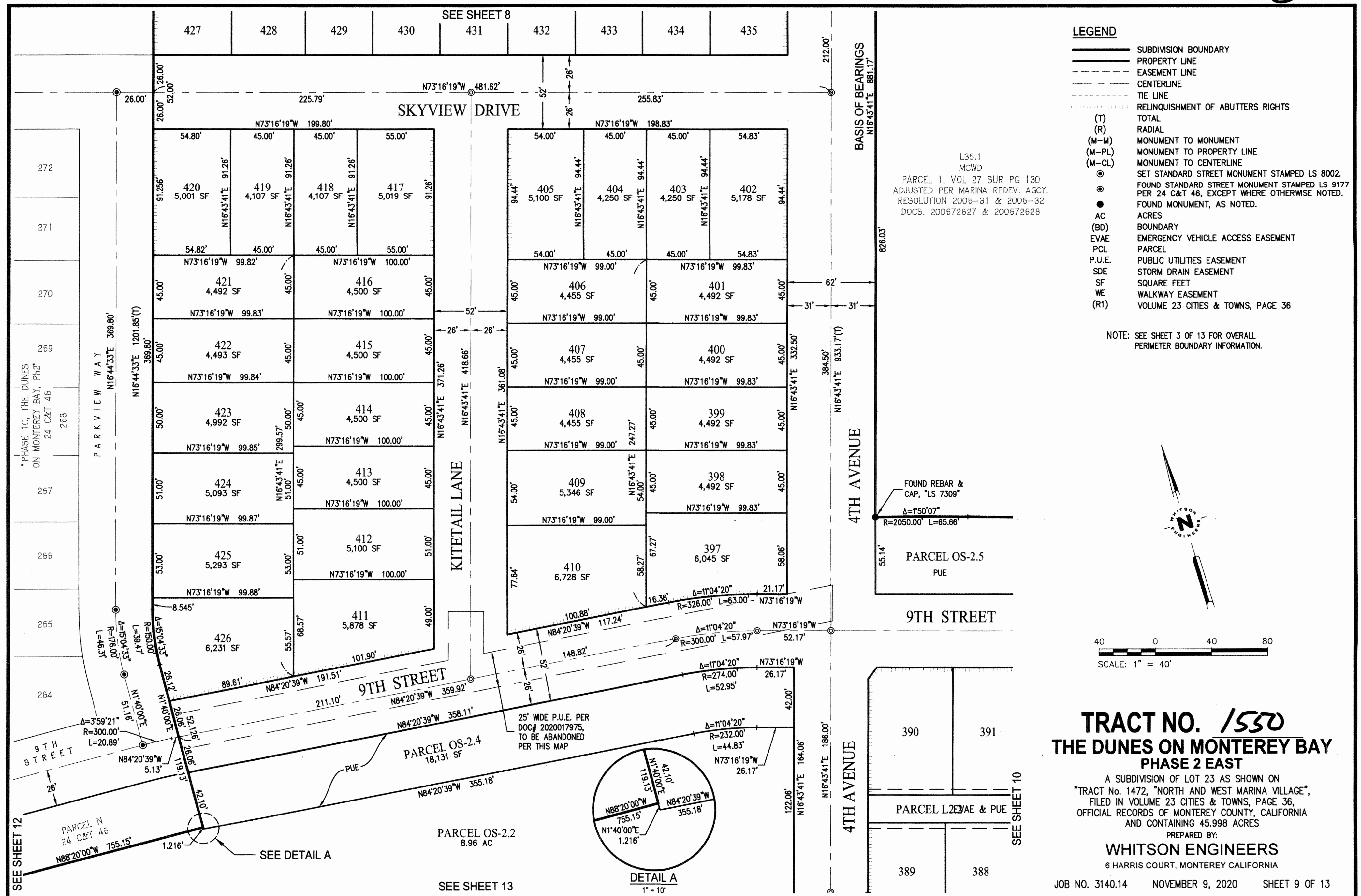
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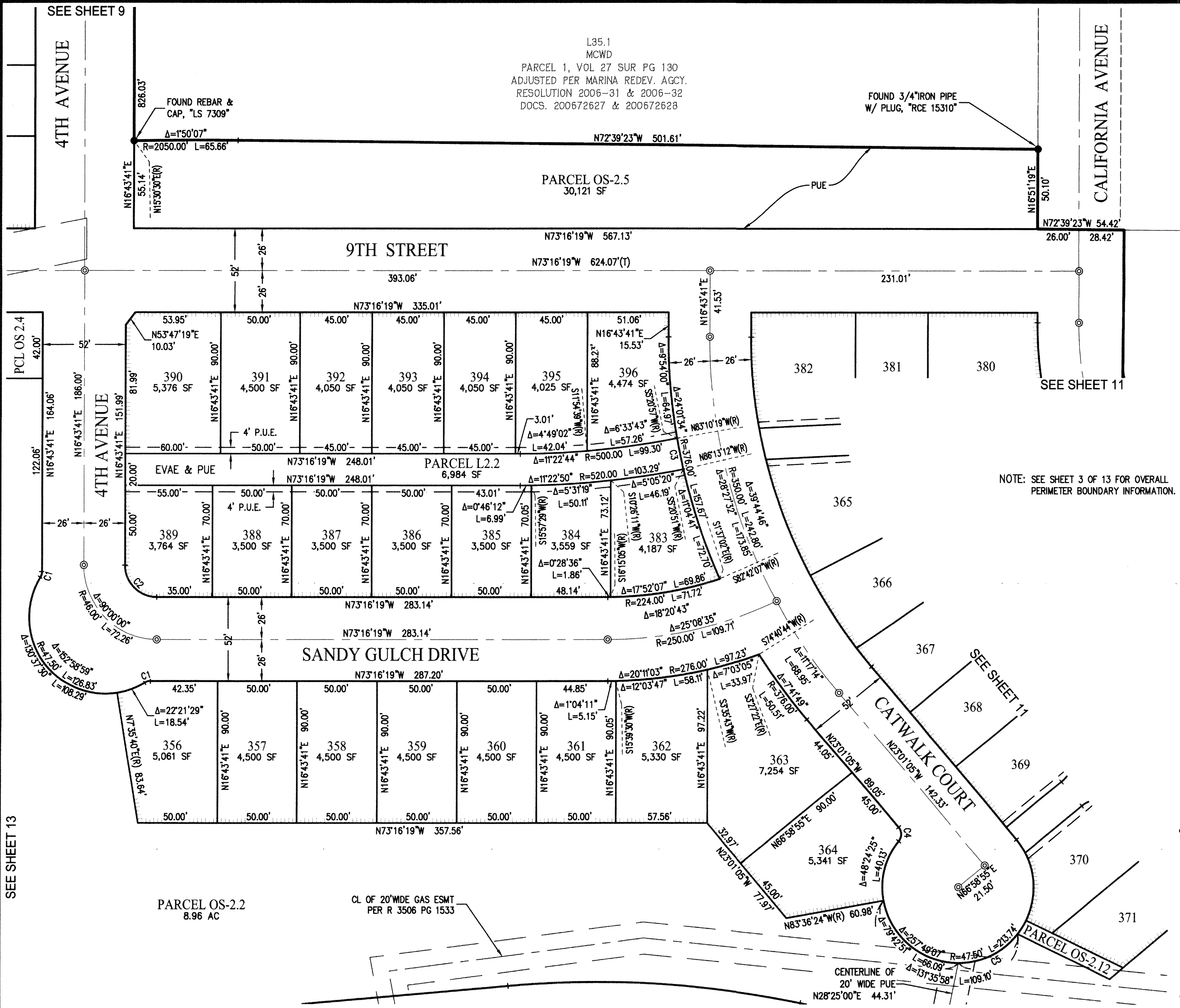
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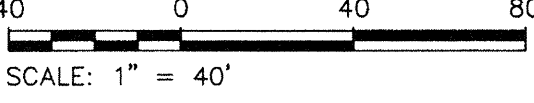
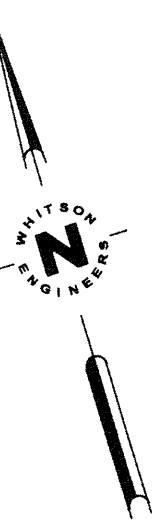
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- PUBLIC UTILITIES EASEMENT
- STORM DRAIN EASEMENT
- SQUARE FEET
- WALKWAY EASEMENT
- VOLUME 23 CITIES & TOWNS, PAGE 36

CURVE TABLE			
NO.	DELTA	RADIUS	LENGTH
C1	31°29'30"	7.00'	3.85'
C2	90°00'00"	20.00'	31.42'
C3	3°02'53"	376.00'	20.00'
C4	77°49'07"	7.00'	9.51'
C5	51°53'07"	47.50'	43.01'



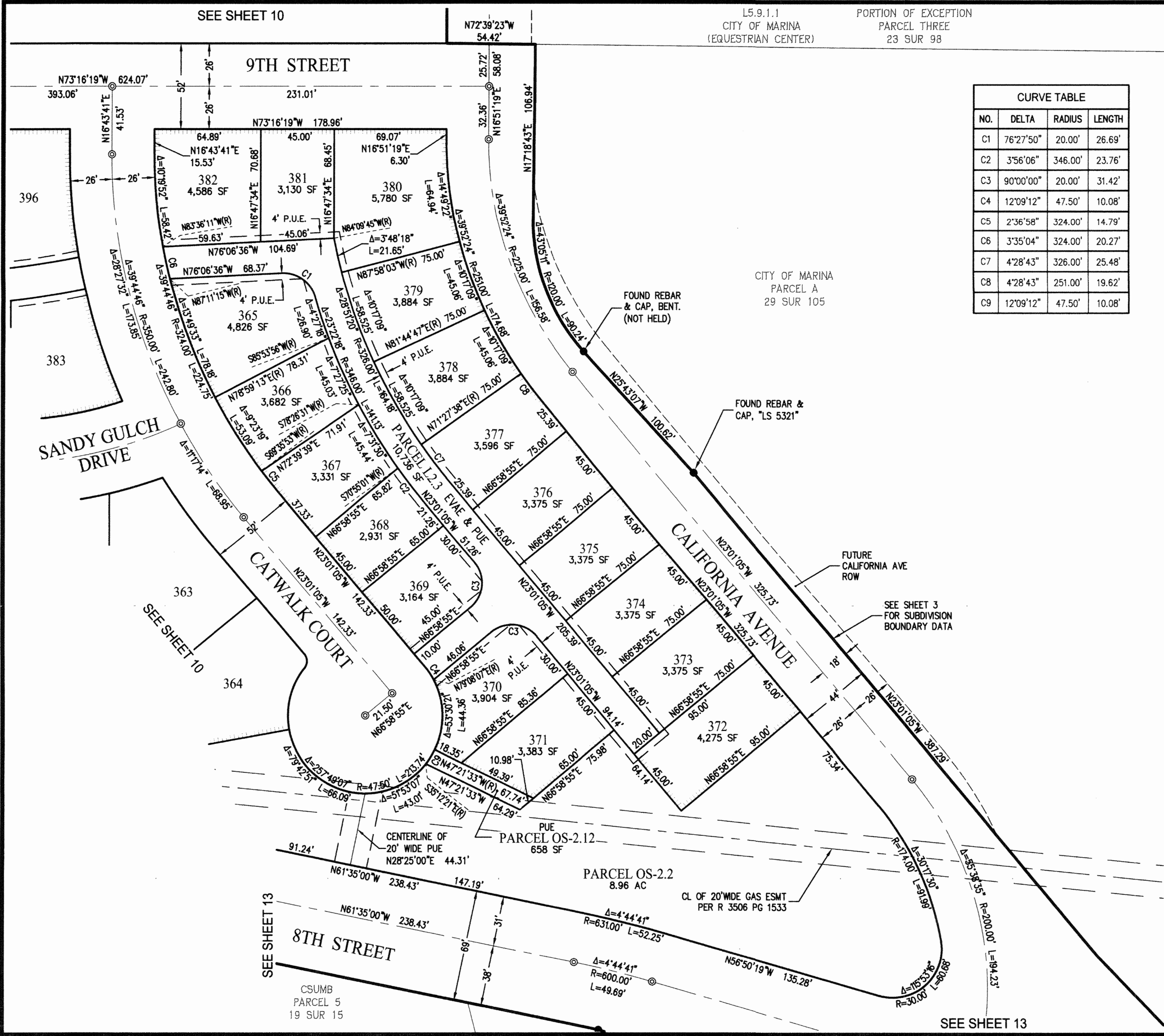
TRACT NO. 1530
THE DUNES ON MONTEREY BAY
PHASE 2 EAST

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6 HARRIS COURT, MONTEREY CALIFORNIA

JOB NO. 3140.14 NOVEMBER 9, 2020 SHEET 10 OF 13

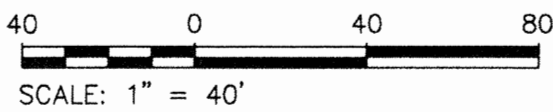
Vol 24 C&T ps 73



CURVE TABLE			
NO.	DELTA	RADIUS	LENGTH
C1	76°27'50"	20.00'	26.69'
C2	3°56'06"	346.00'	23.76'
C3	90°00'00"	20.00'	31.42'
C4	12°09'12"	47.50'	10.08'
C5	2°36'58"	324.00'	14.79'
C6	3°35'04"	324.00'	20.27'
C7	4°28'43"	326.00'	25.48'
C8	4°28'43"	251.00'	19.62'
C9	12°09'12"	47.50'	10.08'

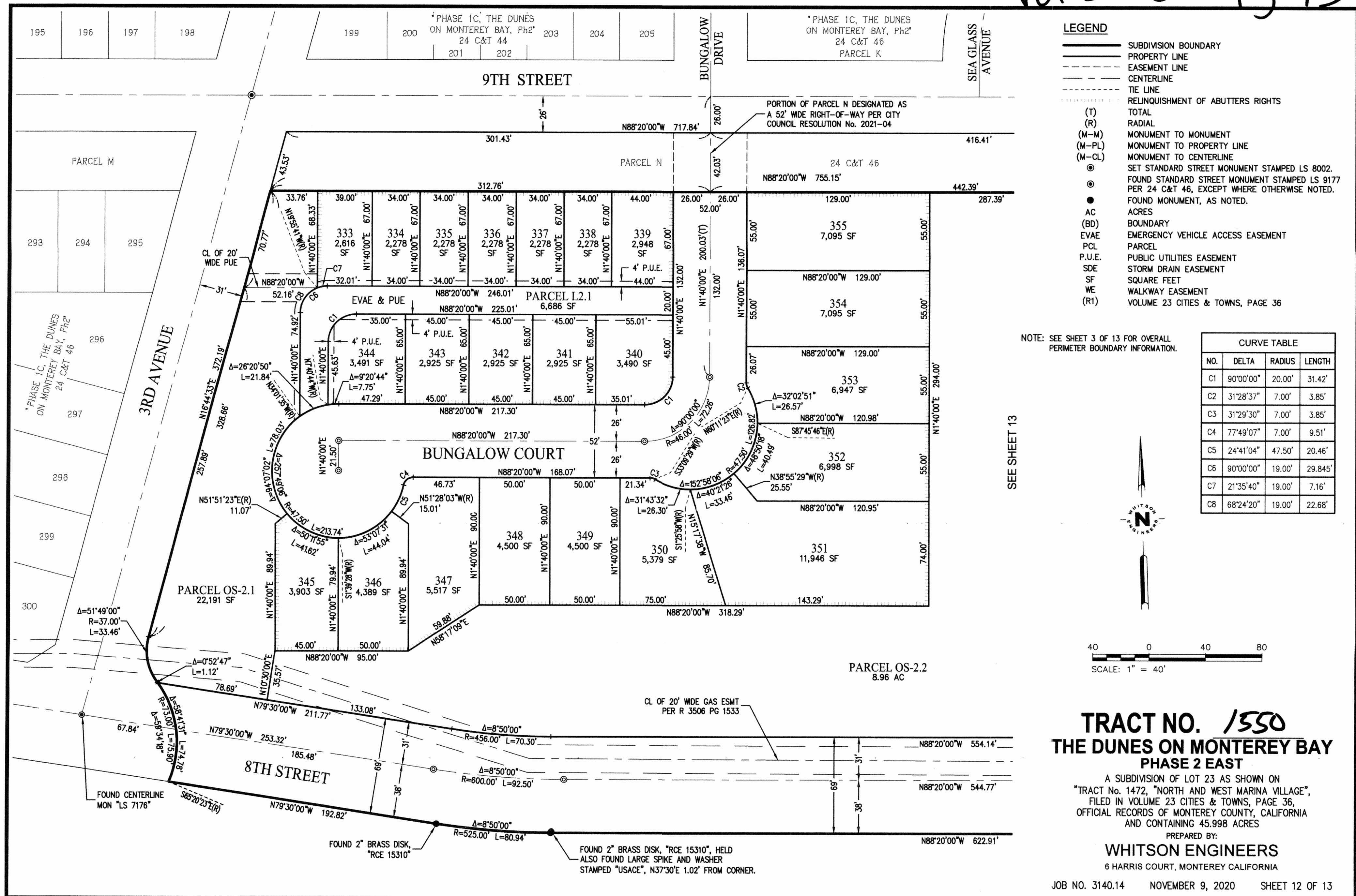
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 - (M-PL) MONUMENT TO PROPERTY LINE
 - (M-CL) MONUMENT TO CENTERLINE
 - SET STANDARD STREET MONUMENT STAMPED LS 8002.
 - FOUND STANDARD STREET MONUMENT STAMPED LS 9177
 - PER 24 C&T 46, EXCEPT WHERE OTHERWISE NOTED.
 - FOUND MONUMENT, AS NOTED.
 - AC ACRES
 - (BD) BOUNDARY
 - EVAE EMERGENCY VEHICLE ACCESS EASEMENT
 - PCL PARCEL
 - P.U.E. PUBLIC UTILITIES EASEMENT
 - SDE STORM DRAIN EASEMENT
 - SF SQUARE FEET
 - WE WALKWAY EASEMENT
 - (R1) VOLUME 23 CITIES & TOWNS, PAGE 36

NOTE: SEE SHEET 3 OF 13 FOR OVERALL PERIMETER BOUNDARY INFORMATION.

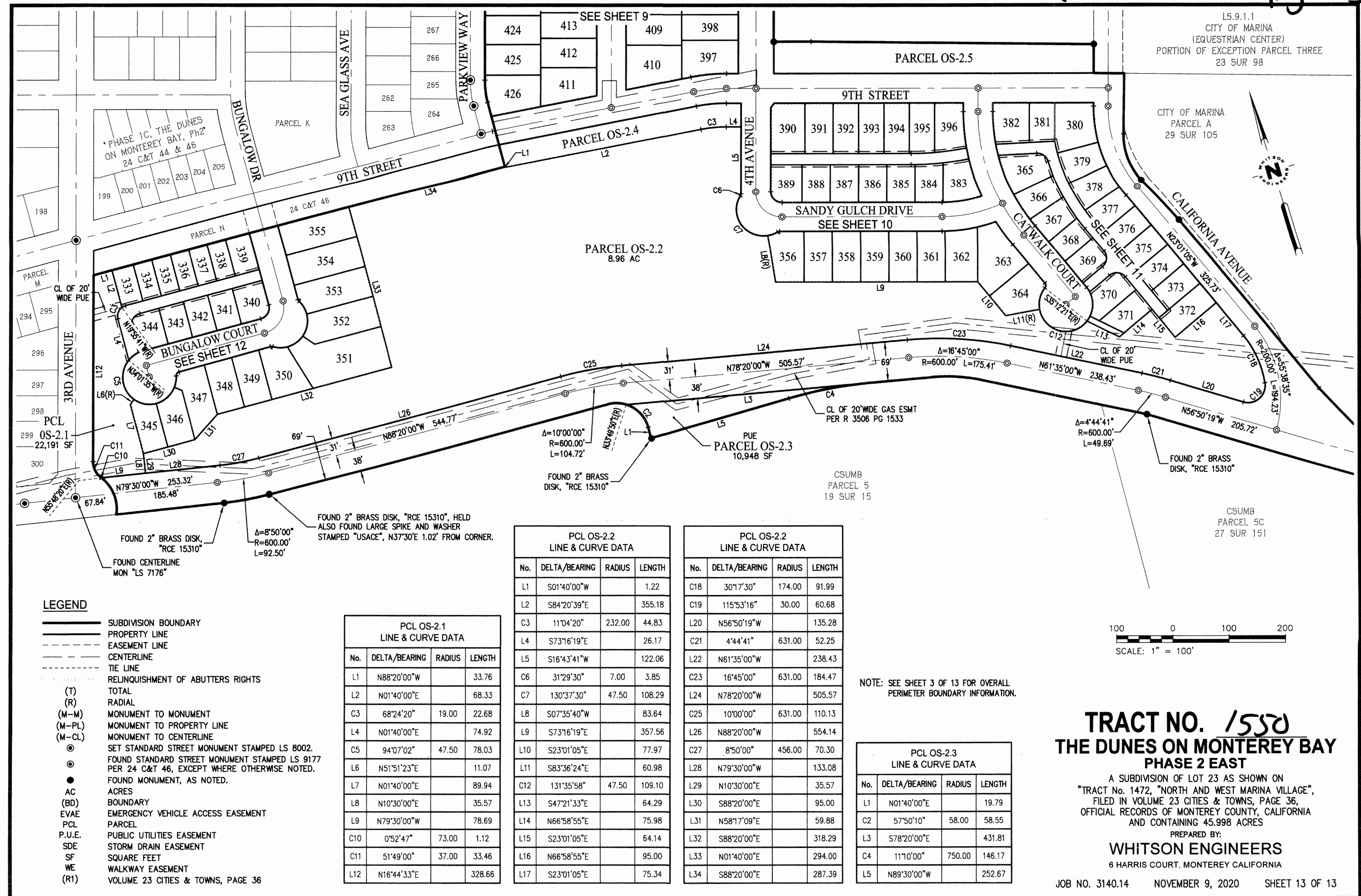


TRACT NO. 1550
THE DUNES ON MONTEREY BAY
PHASE 2 EAST
A SUBDIVISION OF LOT 23 AS SHOWN ON
"TRACT No. 1472, "NORTH AND WEST MARINA VILLAGE",
FILED IN VOLUME 23 CITIES & TOWNS, PAGE 36,
OFFICIAL RECORDS OF MONTEREY COUNTY, CALIFORNIA
AND CONTAINING 45.998 ACRES
PREPARED BY:
WHITSON ENGINEERS
6 HARRIS COURT, MONTEREY CALIFORNIA
JOB NO. 3140.14 NOVEMBER 9, 2020 SHEET 11 OF 13

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**EXHIBIT B
TO STAFF REPORT**

**UNANIMOUS APPROVAL
of Annexation to a Community Facilities District
and Related Matters**

**CITY OF MARINA
Community Facilities District No. 2015-1
(The Dunes)**

TAX ZONE 1

(date)

To the Honorable City Council,
City of Marina
Marina, CA

Members of the City Council:

This constitutes the Unanimous Approval (the "Unanimous Approval") of the record owner(s) (the "Property Owner") of the fee title to the real property identified below (the "Property") contemplated by Section 53339.3 et seq. of the Mello-Roos Community Facilities Act of 1982, as amended (the "Act") to annexation of the Property to the "City of Marina Community Facilities District No. 2015-1 (The Dunes)" (the "CFD"), and it states as follows:

1. Property Owner. This Unanimous Approval is submitted by the Property Owner as the record owner(s) of fee title to the Property. The Property Owner has supplied to the City current evidence of its ownership of fee title to the Property.

2. Approval of Annexation. This Unanimous Approval constitutes the unanimous approval and unanimous vote by the Property Owner in favor of the annexation of the Property to the CFD. The CFD was formed to finance the municipal services (the "Services") described in Exhibit A hereto and made a part hereof.

3. Approval of Special Tax and the Services. This Unanimous Approval constitutes the unanimous approval and unanimous vote by the Property Owner in favor of the levy of special taxes (the "Special Taxes") on the Property to finance the services described in Exhibit B hereto and made a part hereof (the "Services"), according to the Rate and Method of Apportionment of Special Taxes for the CFD attached hereto as Exhibit C and made a part hereof (the "Rate and Method"). Exhibit B includes the cost

estimate for the Services. The City will create a special account into which the Special Taxes will be deposited, when collected. The City will prepare the annual report required by Government Code Section 50075.3.

4. Approval of the Appropriations Limit. This Unanimous Approval constitutes the unanimous approval and unanimous vote by the Property Owner in favor of the appropriations limit established for the CFD, as adjusted to date.

5. Waivers and Vote. The Property Owner hereby confirms that this Unanimous Approval constitutes its approval and unanimous vote as described herein and as contemplated by Section 53339.3 et seq. of the Act and Article XIII A of the California Constitution. The Property Owner hereby waives all other rights with respect to the annexation of the Property, the levy of the Special Taxes on the Property and the other matters covered in this Unanimous Approval.

6. Recordation of Amendment to Notice of Special Tax Lien. The Notice of Special Tax Lien for the CFD was recorded in the Office of the County Recorder of the County of Monterey, State of California on June 16, 2015, at the hour of 2:51 p.m. as Document No. 2015032072. The Property Owner hereby authorizes and directs the City Clerk to execute and cause to be recorded in the office of the County Recorder of the County of Monterey an amendment to the Notice of Special Tax Lien for the CFD as required by Section 3117.5 of the California Streets and Highways Code. The amendment to the Notice of Special Tax Lien shall include the Rate and Method as an exhibit thereto.

7. Authority Warranted. The Property Owner warrants to the City that the presentation of this Unanimous Approval, any votes, consents or waivers contained herein, and other actions mandated by the City for the annexation of the Property to the CFD shall not constitute or be construed as events of default or delinquencies under any existing or proposed financing documents entered into or to be entered into by the Property Owner for the Property, including any "due-on-encumbrance" clauses under any existing security instruments secured by the Property.

8. Due Diligence and Disclosures. The Property Owner agrees to cooperate with the City and its attorneys and consultants and to provide all information and disclosures required by the City about the Special Taxes to purchasers of the Property or any part of it.

9. Agreements. The Property Owner further agrees to execute such additional or supplemental agreements as may be required by the City to provide for any of the actions and conditions described in this Unanimous Approval, including any cash deposit required to pay for the City's costs in annexing the Property to the CFD.

10. The Property. The Property is identified as follows:
Lot Numbers, Property Addresses and Assessor's Parcel Nos.

Lot	Address #	Street Name	APN
333	248	9th Street	031-257-001
334	250	9th Street	031-257-002
335	252	9th Street	031-257-003
336	254	9th Street	031-257-004
337	256	9th Street	031-257-005
338	258	9th Street	031-257-006
339	260	9th Street	031-257-007
340	239	Bungalow Court	031-257-008
341	237	Bungalow Court	031-257-009
342	235	Bungalow Court	031-257-010
343	233	Bungalow Court	031-257-011
344	231	Bungalow Court	031-257-012
345	230	Bungalow Court	031-257-013
346	232	Bungalow Court	031-257-014
347	234	Bungalow Court	031-257-015
348	236	Bungalow Court	031-257-016
349	238	Bungalow Court	031-257-017
350	240	Bungalow Court	031-257-018
351	242	Bungalow Court	031-257-019
352	244	Bungalow Court	031-257-020
353	246	Bungalow Court	031-257-021
354	248	Bungalow Court	031-257-022
355	250	Bungalow Court	031-257-023
356	262	Sandy Gulch Drive	031-257-024
357	264	Sandy Gulch Drive	031-257-025
358	266	Sandy Gulch Drive	031-257-026
359	268	Sandy Gulch Drive	031-257-027
360	270	Sandy Gulch Drive	031-257-028
361	272	Sandy Gulch Drive	031-257-029
362	274	Sandy Gulch Drive	031-257-030
363	2607	Catwalk Court	031-257-031
364	2605	Catwalk Court	031-257-032
365	2614	Catwalk Court	031-257-033
366	2612	Catwalk Court	031-257-034
367	2610	Catwalk Court	031-257-035
368	2608	Catwalk Court	031-257-036
369	2606	Catwalk Court	031-257-037
370	2604	Catwalk Court	031-257-038
371	2602	Catwalk Court	031-257-039
372	2601	California Avenue	031-257-040
373	2603	California Avenue	031-257-041

374	2605	California Avenue	031-257-042
375	2607	California Avenue	031-257-043
376	2609	California Avenue	031-257-044
377	2611	California Avenue	031-257-045
378	2613	California Avenue	031-257-046
379	2615	California Avenue	031-257-047
380	284	9th Street	031-257-048
381	282	9th Street	031-257-049
382	280	9th Street	031-257-050
383	273	Sandy Gulch Drive	031-257-051
384	271	Sandy Gulch Drive	031-257-052
385	269	Sandy Gulch Drive	031-257-053
386	267	Sandy Gulch Drive	031-257-054
387	265	Sandy Gulch Drive	031-257-055
388	263	Sandy Gulch Drive	031-257-056
389	261	Sandy Gulch Drive	031-257-057
390	266	9th Street	031-257-058
391	268	9th Street	031-257-059
392	270	9th Street	031-257-060
393	272	9th Street	031-257-061
394	274	9th Street	031-257-062
395	276	9th Street	031-257-063
396	278	9th Street	031-257-064
397	2711	4th Avenue	031-258-001
398	2713	4th Avenue	031-258-002
399	2715	4th Avenue	031-258-003
400	2717	4th Avenue	031-258-004
401	2719	4th Avenue	031-258-005
402	284	Skyview Drive	031-258-006
403	282	Skyview Drive	031-258-007
404	280	Skyview Drive	031-258-008
405	278	Skyview Drive	031-258-009
406	2720	Kitetail Lane	031-258-010
407	2718	Kitetail Lane	031-258-011
408	2716	Kitetail Lane	031-258-012
409	2714	Kitetail Lane	031-258-013
410	2712	Kitetail Lane	031-258-014
411	2711	Kitetail Lane	031-258-015
412	2713	Kitetail Lane	031-258-016
413	2715	Kitetail Lane	031-258-017
414	2717	Kitetail Lane	031-258-018
415	2719	Kitetail Lane	031-258-019
416	2721	Kitetail Lane	031-258-020
417	276	Skyview Drive	031-258-021
418	274	Skyview Drive	031-258-022

419	272	Skyview Drive	031-258-023
420	270	Skyview Drive	031-258-024
421	2722	Parkview Way	031-258-025
422	2720	Parkview Way	031-258-026
423	2718	Parkview Way	031-258-027
424	2716	Parkview Way	031-258-028
425	2714	Parkview Way	031-258-029
426	2712	Parkview Way	031-258-030
427	271	Skyview Drive	031-258-031
428	273	Skyview Drive	031-258-032
429	275	Skyview Drive	031-258-033
430	277	Skyview Drive	031-258-034
431	279	Skyview Drive	031-258-035
432	281	Skyview Drive	031-258-036
433	283	Skyview Drive	031-258-037
434	285	Skyview Drive	031-258-038
435	287	Skyview Drive	031-258-039
436	286	Wharf Terrace	031-258-040
437	284	Wharf Terrace	031-258-041
438	282	Wharf Terrace	031-258-042
439	280	Wharf Terrace	031-258-043
440	278	Wharf Terrace	031-258-044
441	276	Wharf Terrace	031-258-045
442	274	Wharf Terrace	031-258-046
443	272	Wharf Terrace	031-258-047
444	270	Wharf Terrace	031-258-048
445	2750	Moonshell Lane	031-258-049
446	2752	Moonshell Lane	031-258-050
447	2754	Moonshell Lane	031-258-051
448	2756	Moonshell Lane	031-258-052
449	2758	Moonshell Lane	031-258-053
450	2760	Moonshell Lane	031-258-054
451	2761	Tidepool Lane	031-258-055
452	2759	Tidepool Lane	031-258-056
453	2757	Tidepool Lane	031-258-057
454	2755	Tidepool Lane	031-258-058
455	2753	Tidepool Lane	031-258-059
456	2751	Tidepool Lane	031-258-060
457	2750	Tidepool Lane	031-258-061
458	2752	Tidepool Lane	031-258-062
459	2754	Tidepool Lane	031-258-063
460	2756	Tidepool Lane	031-258-064
461	2758	Tidepool Lane	031-258-065
462	2760	Tidepool Lane	031-258-066
463	2761	4th Avenue	031-258-067

464	2759	4th Avenue	031-258-068
465	2757	4th Avenue	031-258-069
466	2755	4th Avenue	031-258-070
467	2753	4th Avenue	031-258-071
468	2751	4th Avenue	031-258-072
469	2764	Moonshell Lane	031-259-001
470	2766	Moonshell Lane	031-259-002
471	2768	Moonshell Lane	031-259-003
472	2770	Moonshell Lane	031-259-004
473	2763	Telegraph Boulevard	031-259-005
474	2761	Telegraph Boulevard	031-259-006
475	2759	Telegraph Boulevard	031-259-007
476	2757	Telegraph Boulevard	031-259-008
477	2755	Telegraph Boulevard	031-259-009
478	2753	Telegraph Boulevard	031-259-010
479	2751	Telegraph Boulevard	031-259-011
480	2752	Telegraph Boulevard	031-259-012
481	2754	Telegraph Boulevard	031-259-013
482	2756	Telegraph Boulevard	031-259-014
483	2758	Telegraph Boulevard	031-259-015
484	2760	Telegraph Boulevard	031-259-016
485	2762	Telegraph Boulevard	031-259-017
486	2764	Telegraph Boulevard	031-259-018
487	2775	Telegraph Boulevard	031-259-019
488	2773	Telegraph Boulevard	031-259-020
489	2771	Telegraph Boulevard	031-259-021
490	2769	Telegraph Boulevard	031-259-022
491	2767	Telegraph Boulevard	031-259-023
492	2765	Telegraph Boulevard	031-259-024
493	2766	Telegraph Boulevard	031-259-025
494	2768	Telegraph Boulevard	031-259-026
495	2770	Telegraph Boulevard	031-259-027
496	2772	Telegraph Boulevard	031-259-028
497	2774	Telegraph Boulevard	031-259-029
498	2776	Telegraph Boulevard	031-259-030
499	2773	4th Avenue	031-259-031
500	2771	4th Avenue	031-259-032
501	2769	4th Avenue	031-259-033
502	2767	4th Avenue	031-259-034
503	2765	4th Avenue	031-259-035
504	2763	4th Avenue	031-259-036
505	2764	4th Avenue	031-259-037
506	2766	4th Avenue	031-259-038
507	2768	4th Avenue	031-259-039
508	2770	4th Avenue	031-259-040

509	2772	4th Avenue	031-259-041
510	2774	4th Avenue	031-259-042
511	2787	Telegraph Boulevard	031-259-043
512	2785	Telegraph Boulevard	031-259-044
513	2783	Telegraph Boulevard	031-259-045
514	2781	Telegraph Boulevard	031-259-046
515	2779	Telegraph Boulevard	031-259-047
516	2777	Telegraph Boulevard	031-259-048
517	2778	Telegraph Boulevard	031-259-049
518	2780	Telegraph Boulevard	031-259-050
519	2782	Telegraph Boulevard	031-259-051
520	2784	Telegraph Boulevard	031-259-052
521	2786	Telegraph Boulevard	031-259-053
522	2788	Telegraph Boulevard	031-259-054
523	2799	Telegraph Boulevard	031-259-055
524	2797	Telegraph Boulevard	031-259-056
525	2795	Telegraph Boulevard	031-259-057
526	2793	Telegraph Boulevard	031-259-058
527	2791	Telegraph Boulevard	031-259-059
528	2789	Telegraph Boulevard	031-259-060
529	2790	Telegraph Boulevard	031-259-061
530	2792	Telegraph Boulevard	031-259-062
531	2794	Telegraph Boulevard	031-259-063
532	2796	Telegraph Boulevard	031-259-064
533	2798	Telegraph Boulevard	031-259-065
534	2800	Telegraph Boulevard	031-259-066
535	2811	Telegraph Boulevard	031-259-067
536	2809	Telegraph Boulevard	031-259-068
537	2807	Telegraph Boulevard	031-259-069
538	2805	Telegraph Boulevard	031-259-070
539	2803	Telegraph Boulevard	031-259-071
540	2801	Telegraph Boulevard	031-259-072
541	2802	Telegraph Boulevard	031-259-073
542	2804	Telegraph Boulevard	031-259-074
543	2806	Telegraph Boulevard	031-259-075
544	2808	Telegraph Boulevard	031-259-076
545	2810	Telegraph Boulevard	031-259-077
546	286	Beacon Drive	031-259-078
547	288	Beacon Drive	031-259-079
548	290	Beacon Drive	031-259-080
549	2817	California Avenue	031-259-081
550	2815	California Avenue	031-259-082
551	2813	California Avenue	031-259-083

Acres: 54.2619.10 +/-

By executing this Unanimous Approval, the Property Owner agrees to all of the above.

Tax Zone No.: 1

Property Owner

By: _____

Name: _____

Title: _____

By: _____

Name: _____

Title: _____

Notice Address: _____

(attach acknowledgment)

EXHIBIT A

CITY OF MARINA Community Facilities District No. 2015-1 (The Dunes)

DESCRIPTION OF SERVICES AUTHORIZED IN THE CFD

The Community Facilities District will fund, in whole or in part, the following services ("services" shall have the meaning given that term in the Mello-Roos Community Facilities Act of 1982), including all related administrative costs, expenses and related reserves:

- Street Maintenance
- Sidewalk Maintenance
- Curb & Gutter Maintenance
- Decorative Lighting Maintenance
- Storm Drain Maintenance

EXHIBIT B

**CITY OF MARINA
Community Facilities District No. 2015-1
(The Dunes)**

TAX ZONE 1

**DESCRIPTION OF SERVICES TO BE FINANCED
AND COST ESTIMATE**

Description of Services (if different from those listed in Exhibit A):

Cost Estimate (Fiscal Year 2015-2016):

<u>Cost Item</u>	<u>Annual Costs</u>
Street Maintenance	\$39,400.20
Sidewalk Maintenance	\$12,943.42
Curb & Gutter Maintenance	\$22,588.53
Decorative Lighting	\$9,367
Storm Drain Maintenance	\$56,474.66
Administrative Costs	\$4,407.55
Total Annual Costs:	\$145,161.36

EXHIBIT C

**CITY OF MARINA
Community Facilities District No. 2015-1
(The Dunes)**

RATE AND METHOD OF APPORTIONMENT OF SPECIAL TAX

February 8, 2022

Item No. **8j(2)**

Honorable Mayor and Members
of the Marina City Council

City Council Meeting of
February 15, 2022

**CITY COUNCIL CONSIDER ADOPTING RESOLUTION NO. 2022-,
RECEIVING AND FILING THE UNANIMOUS APPROVAL OF
ANNEXATION OF PROPERTY INTO THE CITY OF MARINA
COMMUNITY FACILITIES DISTRICT NO. 2015-1 (THE DUNES)**

REQUEST:

It is recommended that the City Council:

1. Adopting Resolution No. 2022-, Receive and file the Unanimous Approval of Annexation of property into the City's Community Facilities District No. 2015-1 (The Dunes).

BACKGROUND:

At the regular meeting of June 2, 2015, the City Council adopted Resolution 2015-63, approving the formation of The Dunes Community Facilities District No. 2015-1.

Community Facilities District No. 2015-1 (the "CFD") was formed in order to provide a source of financing for the public services required to maintain infrastructure to be owned by the City at The Dunes Development, which will include streets, sidewalks, curbs & gutters, decorative lighting and storm drains.

At the regular meeting of June 21, 2016, the City Council adopted Resolution 2016-96, receiving and filing the unanimous approval of annexation of property into the City's Community Facilities District No. 2015-1 (The Dunes). The area of annexation consisted of phase 2 of the Dunes Residential Development (Phase 1C).

At the regular meeting of April 4, 2017, the City Council adopted Resolution 2017-35, receiving and filing the unanimous approval of annexation of property into the City's Community Facilities District No. 2015-1 (The Dunes). The area of annexation consisted of the final phase of the Dunes Residential Development (Phase 1C).

At the regular meeting of February 2, 2021, the City Council adopted Resolution 2021-06, approving the Phase 2 East/Residential Final Map for the Dunes on Monterey Bay development project subdivision ("**EXHIBIT A**").

ANALYSIS:

The City has received a request from Shea Homes to annex the Phase 2 East/Residential Final Map additional property into the CFD pursuant to the simplified process for annexations established when the CFD was originally formed, under which additional parcels can be annexed into the CFD if all owners of the parcels being annexed execute a unanimous consent to annexation.

Shea Homes Limited Partnership has submitted a unanimous consent to annexation of 219 parcels into the CFD ("**EXHIBIT B**"), consisting of Phase 2 East. Following this meeting, staff will prepare an amendment to the Notice of Special Tax Lien for the CFD and record it with the County recorder's office.

FISCAL IMPACT:

There is a no direct impact to the City's General Fund connected with the annexation of property into the CFD. Funding generated through the CFD provides for the maintenance of infrastructure that would need funding from alternate sources, possibly including the General Fund, in the absence of the CFD.

CONCLUSION:

This request is submitted for City Council consideration and possible action.

Edrie Delos Santos, P.E.
Senior Engineer
Public Works Department
City of Marina

REVIEWED/CONCUR:

Brian McMinn, P.E., P.L.S.
Public Works Director/City Engineer
City of Marina

Layne P. Long
City Manager
City of Marina