RESOLUTION NO. 2017-13

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MARINA ACCEPTING DEDICATION OF PUBLIC IMPROVEMENTS AS SHOWN ON APPROVED DUNES PHASE 1C (FORMERLY UNIVERSITY VILLAGE) IMPROVEMENT PLANS AND FINAL MAP FOR RESIDENTIAL PHASE 1, AUTHORIZING CITY CLERK TO RELEASE BOND SECURITIES, ACCEPTING A WARRANTY BOND, AND RECORD ACCEPTANCE WITH MONTEREY COUNTY RECORDER'S OFFICE

WHEREAS, at the regular meeting of February 18, 2015, the City Council adopted Resolution No. 2015-129, approving the Phase 1C Final Map for The Dunes on Monterey Bay Development Project Subdivision. This was the second of three final maps that make up the entirety of the Dunes Residential Phase 1C, and;

WHEREAS, at the same meeting, City Council adopted Resolution No. 2015-130, approving the Public Improvement Agreement encompassing the second phase of the three phases that make up the entirety of the Dunes Residential Phase 1C, and;

WHEREAS, the Final Map of Tract No. 1522, recorded in the Monterey County Recorders Office in Volume 24 of Cities and Towns, at page 44 specifies the dedications for public use as part of the Owner's Statement ("**EXHIBIT A**"), and;

WHEREAS, the Marina Community Partners (MCP), the subdivider, has filed with the City Clerk a Faithful Performance bond and a Labor and Materials bond each in the amount of $1,585,100, and;

WHEREAS, the Improvements required by the improvement plans entitled "Street Improvement Plans for The Dunes on Monterey Bay Phase 2" ("**Improvement Plans**"), and approved by the City Engineer on June 6, 2014, were completed by MCP in substantial conformance with the approved Improvement Plans for the project, and;

WHEREAS, the Public Improvement Agreement states that a Guarantee and Warranty period will remain for one year after acceptance of the Improvements by the City Council.
Therefore, a request is being made by MCP to release all of the Faithful Performance bond. A new bond of 10% of original Performance bond ($158,510) for public improvements in Phase 2 will remain with the City Clerk as the Guarantee and Warranty Security for one (1) year after acceptance. Any repairs required during the Guarantee and Warranty period will be made by MCP, or the costs will be recovered from said bond, and;

WHEREAS, he fiscal impacts for maintenance of these improvements after the warranty period have been captured in the Community Facilities District, Dunes 2015-01.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Marina does hereby:

1. Accept dedication of Public Improvements as shown on the approved Dunes Phase 1C (Formerly University Village) Improvement Plans and Final Map for Residential Phase 2;
2. Authorize the City Clerk to release Performance, and Labor and Materials bond securities;

3. Authorize the City Clerk to accept a warranty bond, and;
4. Authorize the City Clerk to record acceptance with Monterey County Recorder's Office.

PASSED AND ADOPTED by the City Council of the City of Marina at a regular meeting duly held on the 7th day of February 2017 by the following vote:

AYES: COUNCIL MEMBERS: Amadeo, Morton, O'Connell, Brown, Delgado
NOES: COUNCIL MEMBERS: None
ABSENT: COUNCIL MEMBERS: None
ABSTAIN: COUNCIL MEMBERS: None

_____
Bruce Delgado, Mayor

ATTEST:

_____
Anita Sharp, Deputy City Clerk

Description: Monterey, CA Tract Map - Book.Page 24.44 Page: 1 of 6
Order: sc Comment:

EXHIBIT A

Vol 24 C+T Pg 44

FINAL MAP OF
TRACT NO. 1522
PHASE 1C, THE DUNES ON MONTEREY BAY - SECOND PHASE
BEING A SUBDIVISION OF DESIGNATED REMAINDER
AS SHOWN ON THE FINAL MAP
FILED IN VOLUME 24 OF CITIES AND TOWNS AT PAGE 40, TRACT 1518
MONTEREY COUNTY RECORDS.
CITY OF MARINA, COUNTY OF MONTEREY, STATE OF CALIFORNIA

NOVEMBER 2015

Sheet 1 of 6

WOOD RODGERS
DEVELOPING • INNOVATIVE • DESIGN • SOLUTIONS
4670 Willow Road, Suite 125
Pleasanton, CA 94588 Tel 925.847.1556

JOB # 3089.002

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, THAT WE ARE THE ONLY PERSONS WHOSE CONSENT IS NECESSARY TO PASS CLEAR TITLE TO SAID PROPERTY, THAT WE CONSENT TO THE PREPARATION AND RECORDATION OF SAID MAP AND SUBDIVISION AS SHOWN WITHIN THE SUBDIVISION BOUNDARY LINES; AND DO HEREBY DEDICATE TO THE CITY OF MARINA FOR PUBLIC USE, IN FEE, THOSE PORTIONS OF SAID LANDS DESIGNATED ON SAID MAP AS 3RD AVENUE, 9TH STREET, LIGHTHOUSE LANE, BOARDWALK AVENUE, AND BUNGALOW DRIVE.

PARCELS G AND H ARE "RESERVED AS PRIVATE OPEN SPACE" AND ARE TO BE OWNED AND MAINTAINED BY THE HOMEOWNERS ASSOCIATION.

THERE ARE ALSO SHOWN ON THIS MAP AREAS OF LAND DESIGNATED AND DELINEATED AS "IEE" (PRIVATE INGRESS AND EGRESS EASEMENT) TO BE RESERVED AS PRIVATE ACCESS EASEMENTS FOR THE PRIVATE USE OF THE OWNERS OF THOSE LOTS ADJOINING EACH SUCH EASEMENT, THEIR LICENSEES, VISITORS, AND TENANTS. THESE EASEMENTS ARE NOT OFFERED, NOR ARE THEY ACCEPTED FOR DEDICATION BY THE CITY OF MARINA.

THERE ARE ALSO AREAS OF LAND SHOWN ON THIS MAP DESIGNATED AND DELINEATED AS "WE" (PRIVATE WALKWAY EASEMENT). THE DESIGNATED USE AND MAINTENANCE OF THESE EASEMENTS SHALL BE AS PROVIDED BY THE PROJECT COVENANTS, CONDITIONS AND RESTRICTIONS. THESE EASEMENTS ARE NOT OFFERED, NOR ARE THEY ACCEPTED FOR DEDICATION BY THE CITY OF MARINA. THERE ARE ALSO SHOWN ON THE HEREON MAP EASEMENTS FOR PRIVATE UTILITY PURPOSES DESIGNATED AND DELINEATED AS "UE" (PRIVATE UTILITY EASEMENT) FOR THE INSTALLATION AND MAINTENANCE OF PRIVATE UTILITY FACILITIES. THESE EASEMENTS ARE TO BE KEPT OPEN AND FREE FROM ALL BUILDINGS AND STRUCTURES OF ANY KIND, EXCEPT LAWFUL FENCES, AND ALL LAWFUL UNSUPPORTED ROOF OVERHANGS. THE MAINTENANCE, REPAIR, AND/OR REPLACEMENT OF PRIVATE UTILITY FACILITIES SHALL BE THE SOLE RESPONSIBILITY OF THE LOT OWNERS, AS DETERMINED BY THE APPROPRIATE COVENANTS, CONDITIONS, AND RESTRICTIONS. SAID EASEMENT IS NOT OFFERED, NOR IS IT ACCEPTED FOR DEDICATION BY THE CITY OF MARINA.

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 |||||||||

WE ALSO HEREBY DEDICATE FOR PUBLIC USE THOSE EASEMENTS LABELED "PUE"(PUBLIC UTILITY EASEMENT) TOGETHER WITH THE RIGHT OF INGRESS AND EGRESS FOR THE PURPOSE OF REPAIR, REPLACEMENT AND MAINTENANCE OF PUBLIC UTILITIES. SAID STRIPS ARE TO BE KEPT OPEN AND FREE FROM BUILDINGS AND STRUCTURES NOT SERVING THE PURPOSE OF THIS EASEMENT.

WE ALSO HEREBY DEDICATE FOR PUBLIC USE THOSE EASEMENTS LABELED "SDE" (STORM DRAIN EASEMENT) 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 IS TO BE MAINTAINED BY THE CITY OF MARINA. SAID STRIPS OF LAND ARE TO BE KEPT OPEN AND FREE FROM BUILDINGS AND STRUCTURES NOT SERVING THE PURPOSE OF THE EASEMENT.

THERE ARE ALSO AREAS OF LAND SHOWN ON THIS MAP DESIGNATED AND DELINEATED AS "SYE" (SIDEYARD EASEMENT). THESE 5.00 FOOT STRIPS OF LAND, SHOWN HEREON, ARE IN FAVOR OF THE ADJACENT LOTS FOR SIDE YARD PURPOSES. THE DESIGNATED USE AND MAINTENANCE OF THESE EASEMENTS SHALL BE AS PROVIDED BY THE PROJECT COVENANTS, CONDITIONS AND RESTRICTIONS. THESE EASEMENTS ARE NOT OFFERED, FOR DEDICATION TO THE CITY OF MARINA.

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

SUBDIVIDER SHALL DEFEND, INDEMNIFY, AND HOLD HARMLESS THE CITY, THE CITY COUNCIL, PLANNING COMMISSION, AGENTS, OFFICERS AND EMPLOYEES FROM ANY CLAIM, ACTION OR PROCEEDING AGAINST THE CITY OR THE CITY COUNCIL, PLANNING COMMISSION, AGENTS, OFFICERS OR EMPLOYEES, TO ATTACK, SET ASIDE, VOID OR ANNUL AN APPROVAL OF THE CITY, THE 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.

OWNERS: SHEA HOMES LIMITED PARTNERSHIP, A CALIFORNIA LIMITED PARTNERSHIP, ITS MANAGING MEMBER

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 THE TRUTHFULNESS, ACCURACY, OR VALIDITY OF THAT DOCUMENT.

STATE OF California)
) SS
COUNTY OF Alameda)

ON THE 5th DAY OF Nov 2015, BEFORE ME, Kathy Lynn Barlow
A NOTARY PUBLIC ~~IN AND FOR SAID COUNTY AND STATE~~, PERSONALLY APPEARED, Layne Marceau
WHO PROVED TO ME ON THE BASIS OF SATISFACTORY EVIDENCE TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE WITHIN INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE/~~SHE~~ EXECUTED THE SAME IN HIS/~~HER~~ AUTHORIZED CAPACITY, AND THAT BY HIS/~~HER~~ SIGNATURE ON THE INSTRUMENT THE PERSON, OR THE ENTITY UPON BEHALF OF WHICH THE PERSON 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: _____
PRINTED NAME: Kathy Lynn Barlow
MY PRINCIPAL PLACE OF BUSINESS IS THE COUNTY OF: Alameda
MY COMMISSION EXPIRES: March 2, 2018
MY COMMISSION NO.: 2059879

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 THE TRUTHFULNESS, ACCURACY, OR VALIDITY OF THAT DOCUMENT.

STATE OF California)
) SS
COUNTY OF Alameda)

ON THE 5th DAY OF Nov 2015, BEFORE ME, Kathy Lynn Barlow
A NOTARY PUBLIC ~~IN AND FOR SAID COUNTY AND STATE~~, PERSONALLY APPEARED, Donald A. Hofer
WHO PROVED TO ME ON THE BASIS OF SATISFACTORY EVIDENCE TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE WITHIN INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE/~~SHE~~ EXECUTED THE SAME IN HIS/~~HER~~ AUTHORIZED CAPACITY, AND THAT BY HIS/~~HER~~ SIGNATURE ON THE INSTRUMENT THE PERSON, OR THE ENTITY UPON BEHALF OF WHICH THE PERSON 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: _____
PRINTED NAME: Kathy Lynn Barlow
MY PRINCIPAL PLACE OF BUSINESS IS THE COUNTY OF: Alameda
MY COMMISSION EXPIRES: March 2, 2018
MY COMMISSION NO.: 2059879

TRUSTEE'S STATEMENTS

A DEED OF TRUST TO SECURE THE PERFORMANCE OF AN AGREEMENT OR OTHER OBLIGATION, RECORDED JUNE 24, 2014 AS RECORDER SERIES NO. 2014029109 OF OFFICIAL RECORDS.

DATED: JUNE 24, 2014
TRUSTOR: SHEA HOMES LIMITED PARTNERSHIP, A CALIFORNIA LIMITED PARTNERSHIP
TRUSTEE: FIRST AMERICAN TITLE INSURANCE COMPANY

BY: _____
NAME: SYLVIA ERAZO
TITLE: VP, DIRECTOR OF OPERATIONS

BENEFICIARY'S STATEMENTS

A DEED OF TRUST TO SECURE THE PERFORMANCE OF AN AGREEMENT OR OTHER OBLIGATION, RECORDED JUNE 24, 2014 AS RECORDER SERIES NO. 2014029109 OF OFFICIAL RECORDS.

DATED: JUNE 24, 2014
BENEFICIARY: MARINA COMMUNITY PARTNERS, LLC, A DELAWARE LIMITED LIABILITY COMPANY

BY: _____
NAME: Layne Marceau
TITLE: Authorized Agent

Wendy Elliott
Wendy Elliott
Authorized Agent

Description: Monterey,CA Tract Map - Book.Page 24.44 Page: 2 of 6
Order: sc Comment:

Vol 24 C&T Pg 44

TRUSTEE'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 THE TRUTHFULNESS, ACCURACY, OR VALIDITY OF THAT DOCUMENT.

STATE OF California)
) SS
COUNTY OF Santa Clara)

ON THE 5th DAY OF NOV, 2015, BEFORE ME, C. Marroquin
A NOTARY PUBLIC ~~IN AND FOR SAID COUNTY AND STATE~~, PERSONALLY APPEARED,
Sylvia Perez WHO PROVED TO ME ON THE BASIS OF SATISFACTORY EVIDENCE TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE WITHIN INSTRUMENT AND ACKNOWLEDGED TO ME THAT ~~HE~~/SHE EXECUTED THE SAME IN ~~HIS~~/HER AUTHORIZED CAPACITY, AND THAT BY ~~HIS~~/HER SIGNATURE ON THE INSTRUMENT THE PERSON, OR THE ENTITY UPON BEHALF OF WHICH THE PERSON 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: C. Marroquin
PRINTED NAME: C. Marroquin
MY PRINCIPAL PLACE OF BUSINESS IS THE COUNTY OF: Santa Clara
MY COMMISSION EXPIRES: 6/19/17
MY COMMISSION NO.: 2025644

BENEFICIARY'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 THE TRUTHFULNESS, ACCURACY, OR VALIDITY OF THAT DOCUMENT.

STATE OF California)
) SS
COUNTY OF Alameda)

ON THE 5th DAY OF Nov, 2015, BEFORE ME, Kathy Lynn Barlow
A NOTARY PUBLIC ~~IN AND FOR SAID COUNTY AND STATE~~, PERSONALLY APPEARED,
Lynne Pearson & Wendy Elliott WHO PROVED TO ME ON THE BASIS OF SATISFACTORY EVIDENCE TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE WITHIN INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE/SHE EXECUTED THE SAME IN HIS/HER AUTHORIZED CAPACITY, AND THAT BY HIS/HER SIGNATURE ON THE INSTRUMENT THE PERSON, OR THE ENTITY UPON BEHALF OF WHICH THE PERSON 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:
PRINTED NAME: Kathy Lynn Barlow
MY PRINCIPAL PLACE OF BUSINESS IS THE COUNTY OF: Alameda
MY COMMISSION EXPIRES: March 2, 2018
MY COMMISSION NO.: 2059879

CITY ENGINEER'S STATEMENT

I, NOURDIN KHAYATA, ACTING CITY ENGINEER OF THE 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, THAT ALL THE PROVISIONS OF THE CALIFORNIA "SUBDIVISION MAP ACT" AS AMENDED, AND OF MARINA CITY ORDINANCES APPLICABLE AT THE TIME OF APPROVAL OF SAID TENTATIVE MAP, HAVE BEEN COMPLIED WITH.

NOURDIN KHAYATA
ACTING CITY ENGINEER, CITY OF MARINA
R.C.E. 52446 EXPIRATION DATE: 12-31-16

REGISTERED PROFESSIONAL ENGINEER — NOURDIN KHAYATA — No. 52446 — CIVIL — STATE OF CALIFORNIA

CITY SURVEYOR'S STATEMENT

I, CYRUS KIANPOUR, ACTING CITY SURVEYOR OF THE CITY OF MARINA, HEREBY STATE THAT I HAVE EXAMINED THIS MAP AND IT IS TECHNICALLY CORRECT.

CYRUS KIANPOUR
ACTING CITY SURVEYOR, CITY OF MARINA
L.S. 7515 EXPIRATION DATE: 12-31-15

PROFESSIONAL LAND SURVEYOR — CYRUS KIANPOUR — No. 7515 — 12-31-15 — STATE OF CALIFORNIA

PLANNING STATEMENT

I, THERESA SZYMANIS, ACTING COMMUNITY DEVELOPMENT DIRECTOR, CITY OF MARINA, HEREBY CERTIFY THAT THE MAP SHOWN HEREON IS SUBSTANTIALLY THE SAME AS IT APPEARED ON THE TENTATIVE MAP, AS APPROVED BY THE CITY COUNCIL OF MARINA ON THE 31ST DAY OF MAY 2005, AND SUBSEQUENT AMENDMENT APPROVED OCTOBER 2, 2008.

THERESA SZYMANIS, ACTING COMMUNITY DEVELOPMENT DIRECTOR
CITY OF MARINA

CITY CLERK'S STATEMENT

I, ANITA 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 ____ DAY OF _____, 2015 AND ACCEPTS ON BEHALF OF THE PUBLIC, IN FEE, SUBJECT TO IMPROVEMENTS, THOSE PORTIONS OF SAID LANDS DESIGNATED ON SAID MAP AS 3RD AVENUE, 9TH STREET, LIGHTHOUSE LANE, BOARDWALK AVENUE, AND BUNGALOW DRIVE OFFERED FOR DEDICATION, IN CONFORMITY WITH THE TERMS OF THE OFFER OF DEDICATION, AND ACCEPTS PUBLIC EASEMENTS OFFERED FOR DEDICATION.

ANITA SHARP
DEPUTY CITY CLERK OF MARINA

SOILS REPORT STATEMENT

A SOILS REPORT DATED JULY 1, 2005 PREPARED BY BERLOGAR GEOTECHNICAL CONSULTANTS HAS BEEN SPECIFICALLY PREPARED FOR THIS SUBDIVISION AND IS ON FILE AT THE CITY OF MARINA ENGINEERING DEPARTMENT.

SURVEYOR'S STATEMENT

I, RYAN M. SEXTON, HEREBY STATE THAT THIS MAP WAS PREPARED BY ME OR UNDER MY DIRECTION, AND IS BASED UPON A FIELD SURVEY MADE DURING THE MONTH OF APRIL 2014 IN CONFORMANCE WITH THE REQUIREMENTS OF THE SUBDIVISION MAP ACT AND LOCAL ORDINANCE, AT THE REQUEST OF MARINA COMMUNITY PARTNERS, LLC. I HEREBY STATE THAT THE SURVEY IS TRUE AND COMPLETE AS SHOWN, THAT ALL MONUMENTS ARE OF THE CHARACTER AND OCCUPY THE POSITIONS INDICATED, OR WILL BE SET IN THOSE POSITIONS ON OR BEFORE DECEMBER 31, 2016, AND THAT SAID MONUMENTS WILL BE SUFFICIENT TO ENABLE THE SURVEY TO BE RETRACED, AND THAT THIS FINAL MAP SUBSTANTIALLY CONFORMS TO THE CONDITIONALLY APPROVED TENTATIVE MAP. THE AREA OF THIS SUBDIVISION IS 31.74 ACRES, MORE OR LESS.

RYAN M. SEXTON
P.L.S 9177
EXPIRATION DATE: 03/21/2017

PROFESSIONAL LAND SURVEYOR — RYAN M. SEXTON — EXP. 3-31-17 — No. 9177 — STATE OF CALIFORNIA

RECORDER'S STATEMENT

FILED THIS 13th DAY OF Nov, 2015, AT 10:14 A M IN VOLUME 24 OF CITIES AND TOWNS, AT PAGE 44 AT THE REQUEST OF FIRST AMERICAN TITLE CO.

SIGNED: Stephen L. Vagnini
COUNTY RECORDER
BY:
DEPUTY Angelique Villarreal
SERIAL NUMBER: 2015065255 FEE: $29.00

FINAL MAP OF
TRACT NO. 1522

PHASE 1C, THE DUNES ON MONTEREY BAY - SECOND PHASE

BEING A SUBDIVISION OF DESIGNATED REMAINDER
AS SHOWN ON THE FINAL MAP
FILED IN VOLUME 24 OF CITIES AND TOWNS AT PAGE 40, TRACT 1518
MONTEREY COUNTY RECORDS.
CITY OF MARINA, COUNTY OF MONTEREY, STATE OF CALIFORNIA

NOVEMBER 2015

WOOD RODGERS
DEVELOPING • INNOVATIVE • DESIGN • SOLUTIONS
4670 Willow Road, Suite 125
Pleasanton, CA 94588 Tel 925.847.1566

JOB # 3089.002

Description: Monterey,CA Tract Map - Book.Page 24.44 Page: 3 of 6
Order: sc Comment:

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NOTES

1. ALL CURVES DIMENSIONED WITH RADIUS, DELTA, ARC LENGTH, CHORD BEARING AND CHORD LENGTH. CHORD LENGTHS MAY CONTAIN SOME ROUNDING ERROR.
2. ALL DISTANCES SHOWN HEREON ARE EXPRESSED IN FEET AND DECIMALS THEREOF.
3. DUE TO ROUNDING THE SUM OF THE INDIVIDUAL DIMENSIONS MAY NOT EQUAL THE OVERALL DIMENSION.
4. TOTAL AREA FOR THIS "PHASE 1C, THE DUNES ON MONTEREY BAY - SECOND PHASE" SUBDIVISION IS 31.74± AC. GROSS, CONSISTING OF 88 RESIDENTIAL DEVELOPMENT LOTS, 2 PARK/OPEN SPACE LOTS AND 19.45± ACRES DESIGNATED REMAINDER.
5. 5/8" REBAR CAPPED LS 9177 WILL BE SET AT ALL FRONT AND REAR LOT CORNERS, ALONG WITH ALL LOT LINE ANGLE POINTS, OR AT 1.00 FOOT PROJECTION BEHIND LOT LINES ADJACENT TO SIDEWALKS; AT 2.00 FOOT PROJECTION ALONG LOT LINES ADJACENT TO SOUNDWALLS OR 1" BRASS DISK LS 9177 AT 1.00 FOOT PROJECTION OF PROPERTY LINE ONTO THE SIDEWALK FOR FRONT CORNERS.

REFERENCES:

(1) 22 PARCEL MAPS 106 (PARCEL MAP)
(2) 24 CITIES AND TOWNS 40 (FINAL MAP)

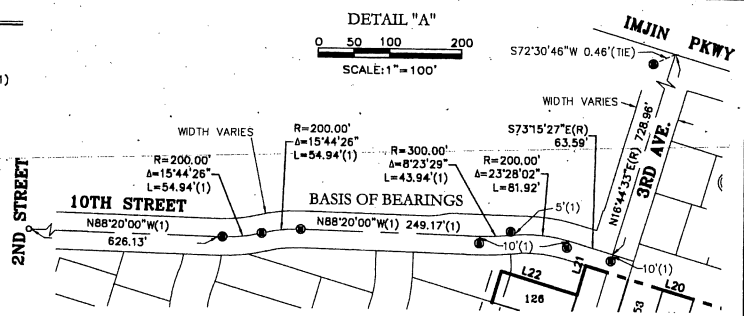
LEGEND

- DIMENSION POINT
- SET STANDARD STREET WELL MONUMENT
- FOUND STANDARD STREET WELL MONUMENT PER (1)
- AC — ACRES
- BOUNDARY LINE
- ADJACENT PROPERTY LINE / EASEMENTS
- CENTERLINE
- EASEMENTS
- RIGHT-OF-WAY LINE
- ESMT — EASEMENT
- IEE — PRIVATE INGRESS/EGRESS EASEMENT
- OR — OFFICIAL RECORDS
- (OA) — OVERALL DISTANCE
- PUE — PUBLIC UTILITY EASEMENT
- (R) — RADIAL BEARING
- UE — PRIVATE UTILITY EASEMENT
- SYE — SIDE YARD EASEMENT
- (4) — SHEET NUMBER REFERENCE

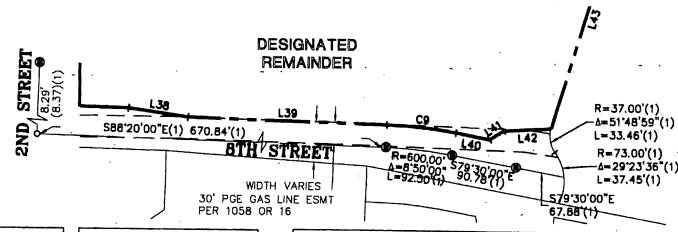
BASIS OF BEARINGS

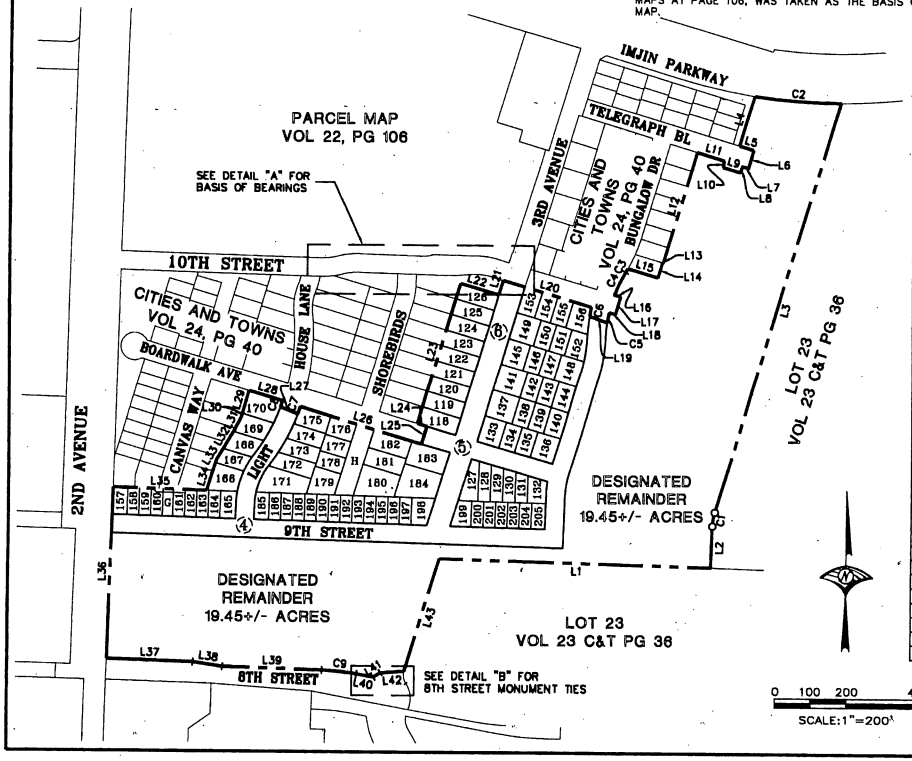
THE BEARING OF N88°20'00"W BETWEEN FOUND STREET MONUMENTS IN 10TH STREET, AS SHOWN ON THE PARCEL MAP FILED IN VOLUME 22 OF PARCEL MAPS AT PAGE 106, WAS TAKEN AS THE BASIS OF BEARINGS FOR THIS MAP.

DETAIL "A"



DETAIL "B"





Line Table – This Sheet Only		
No.	Bearing	Length
L1	N88°20'00"W	755.15'
L2	N1°40'00"E	119.16'
L3	N16°44'33"E	1201.97'
L4	N16°44'33"E	145.88'
L5	N73°15'27"W	42.10'
L6	N16°44'33"E	52.00'
L7	N73°15'27"W	17.97'
L8	N16°44'33"E	17.97'
L9	N73°15'27"W	52.00'
L10	N16°44'33"E	17.97'
L11	N73°15'27"W	80.00'
L12	N16°44'33"E	324.00'
L13	N73°15'27"W	2.36'
L14	N16°44'33"E	45.00'
L15	N73°15'27"W	88.78'
L17	N16°44'33"E	52.00'
L18	N73°15'27"W	18.04'
L19	N70°42'52"W	52.78'
L20	N73°15'27"W	254.00'
L21	N16°44'33"E	42.50'
L22	N73°15'27"W	110.00'
L23	N16°44'33"E	407.50'
L24	N73°15'27"W	27.59'
L25	N16°44'33"E	52.00'
L26	N73°15'27"W	351.49'
L27	N68°53'24"W	52.00'
L28	N73°15'27"W	97.00'

Line Table – This Sheet Only		
No.	Bearing	Length
L29	N16°44'33"E	65.00'
L30	N16°44'33"E	9.90'
L31	N28°19'46"E	46.03'
L32	N29°45'02"E	56.45'
L33	N31°16'23"E	36.28'
L34	N16°44'33"E	92.06'
L35	N88°20'00"W	261.48'
L36	N1°40'00"E	483.32'
L37	N88°20'00"W	240.95'
L38	N81°43'51"W	83.34'
L39	N88°20'00"W	277.11'
L40	N79°30'00"W	47.74'
L41	N57°53'40"E	23.02'
L42	N86°46'30"E	65.97'
L43	N16°44'33"E	328.60'

Curve Table – This Sheet Only			
No.	Radius	Delta	Length
C1	150.00'	15°04'33"	39.47'
C2	1570.00'	8°49'57"	242.02'
C3	464.01'	1°30'46"	12.25'
C4	392.00'	10°17'22"	70.40'
C5	392.00'	4°08'14"	28.31'
C6	444.00'	3°20'38"	25.91'
C7	626.00'	1°59'14"	21.71'
C8	574.00'	1°46'17"	17.75'
C9	631.00'	8°50'00"	97.28'

FINAL MAP OF
TRACT NO. 1522

PHASE 1C, THE DUNES ON MONTEREY BAY - SECOND PHASE

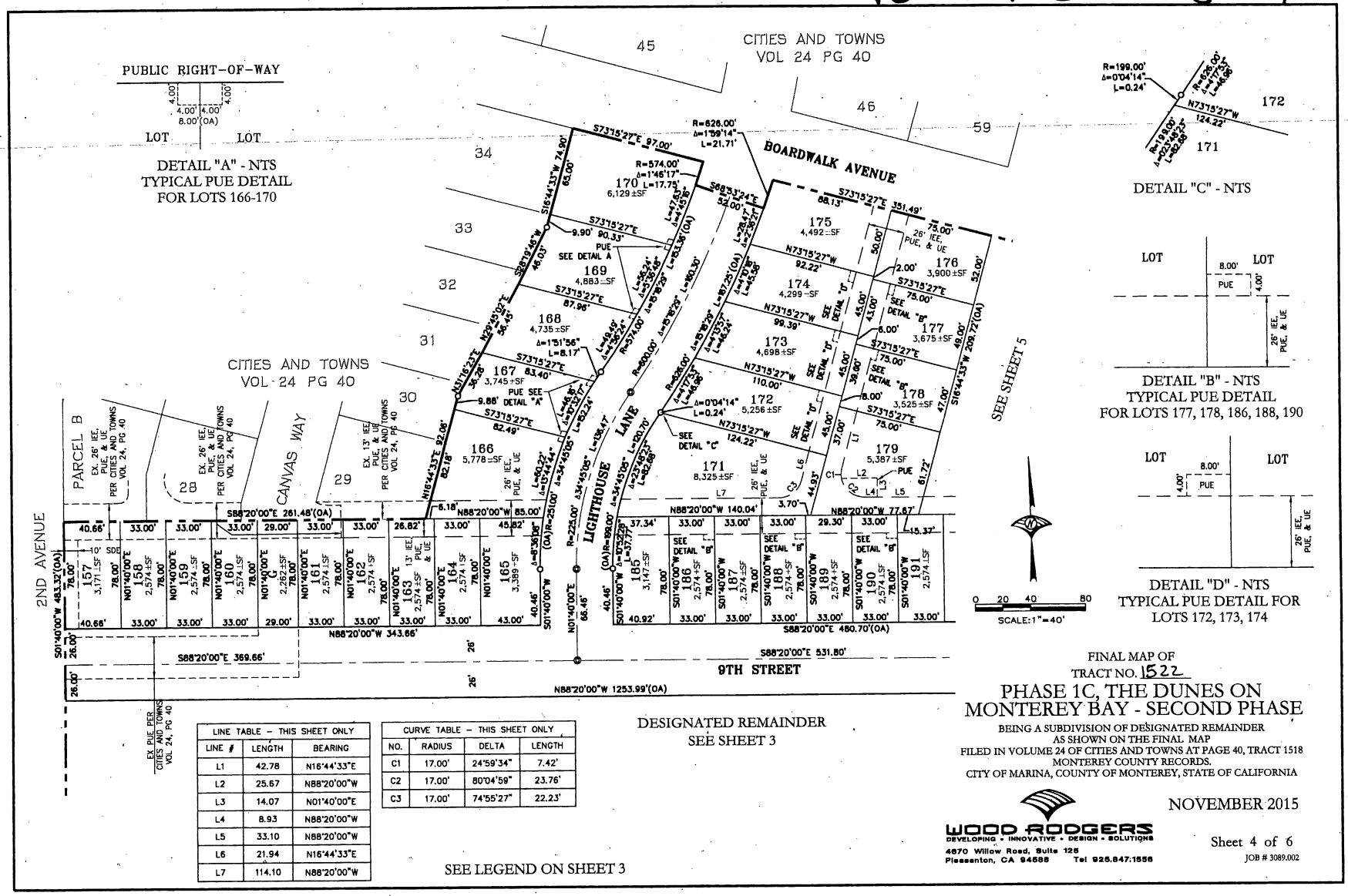
BEING A SUBDIVISION OF DESIGNATED REMAINDER AS SHOWN ON THE FINAL MAP FILED IN VOLUME 24 OF CITIES AND TOWNS AT PAGE 40, TRACT 1518 MONTEREY COUNTY RECORDS.
CITY OF MARINA, COUNTY OF MONTEREY, STATE OF CALIFORNIA

NOVEMBER 2015

WOOD RODGERS
DEVELOPING • INNOVATIVE • DESIGN • SOLUTIONS
4670 Willow Road, Suite 125
Pleasanton, CA 94588 Tel 925.847.1556

Description: Monterey,CA Tract Map - Book.Page 24.44 Page: 4 of 6
Order: sc Comment:

Vol 24 C+T Pg 44



LINE TABLE – THIS SHEET ONLY		
LINE #	LENGTH	BEARING
L1	42.78	N16°44'33"E
L2	25.67	N88°20'00"W
L3	14.07	N01°40'00"E
L4	8.93	N88°20'00"W
L5	33.10	N88°20'00"W
L6	21.94	N16°44'33"E
L7	114.10	N88°20'00"W

CURVE TABLE – THIS SHEET ONLY			
NO.	RADIUS	DELTA	LENGTH
C1	17.00'	24°59'34"	7.42'
C2	17.00'	80°04'59"	23.76'
C3	17.00'	74°55'27"	22.23'

FINAL MAP OF
TRACT NO. 1522

PHASE 1C, THE DUNES ON MONTEREY BAY - SECOND PHASE

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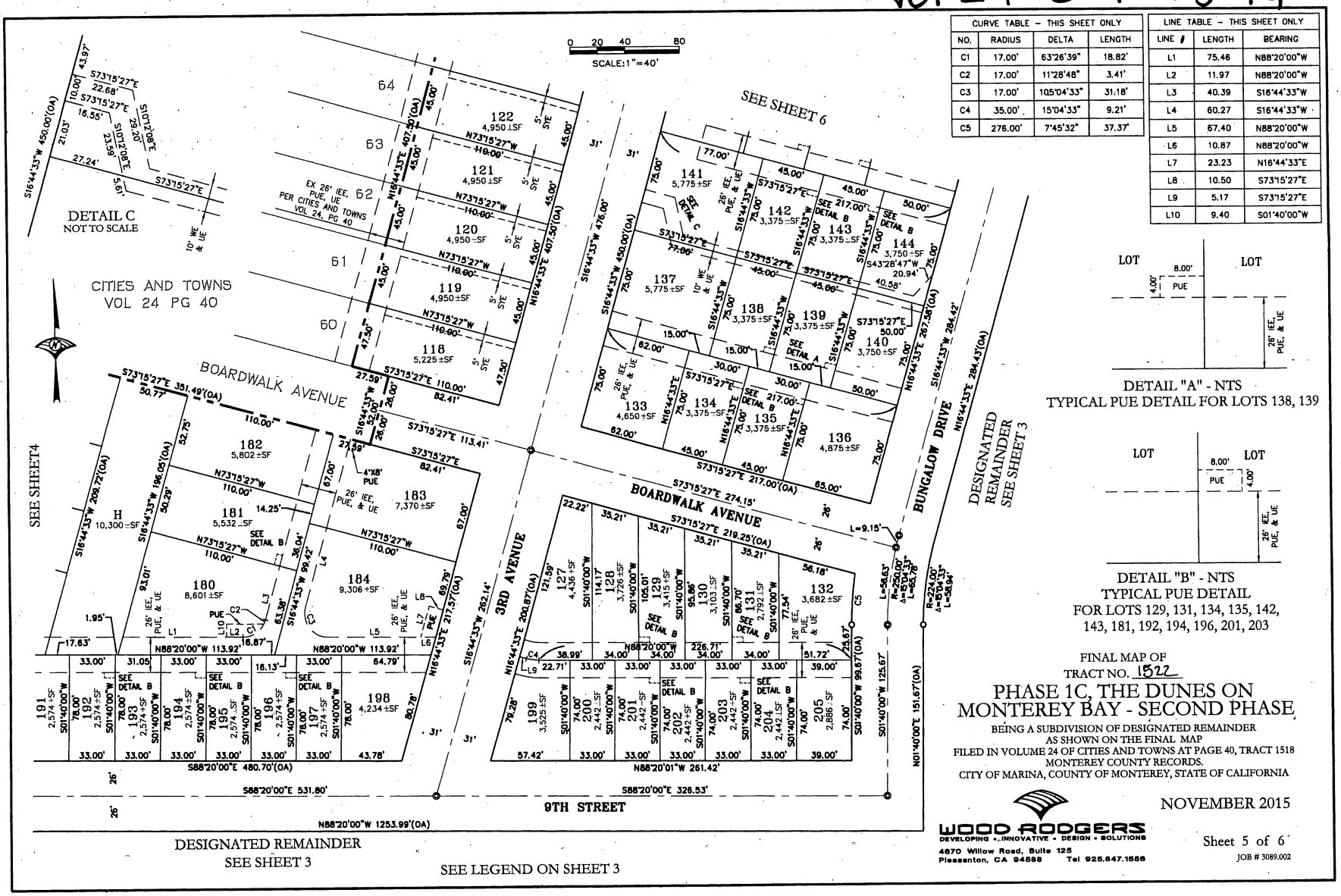

CURVE TABLE – THIS SHEET ONLY			
NO.	RADIUS	DELTA	LENGTH
C1	17.00'	63°26'39"	18.82'
C2	17.00'	11°28'48"	3.41'
C3	17.00'	105°04'33"	31.18'
C4	35.00'	15°04'33"	9.21'
C5	276.00'	7°45'32"	37.37'

LINE TABLE – THIS SHEET ONLY		
LINE #	LENGTH	BEARING
L1	75.46	N88°20'00"W
L2	11.97	N88°20'00"W
L3	40.39	S16°44'33"W
L4	60.27	S16°44'33"W
L5	67.40	N88°20'00"W
L6	10.87	N88°20'00"W
L7	23.23	N16°44'33"E
L8	10.50	S73°15'27"E
L9	5.17	S73°15'27"E
L10	9.40	S01°40'00"W

DETAIL "A" - NTS
TYPICAL PUE DETAIL FOR LOTS 138, 139

DETAIL "B" - NTS
TYPICAL PUE DETAIL
FOR LOTS 129, 131, 134, 135, 142, 143, 181, 192, 194, 196, 201, 203

FINAL MAP OF
TRACT NO. 1522

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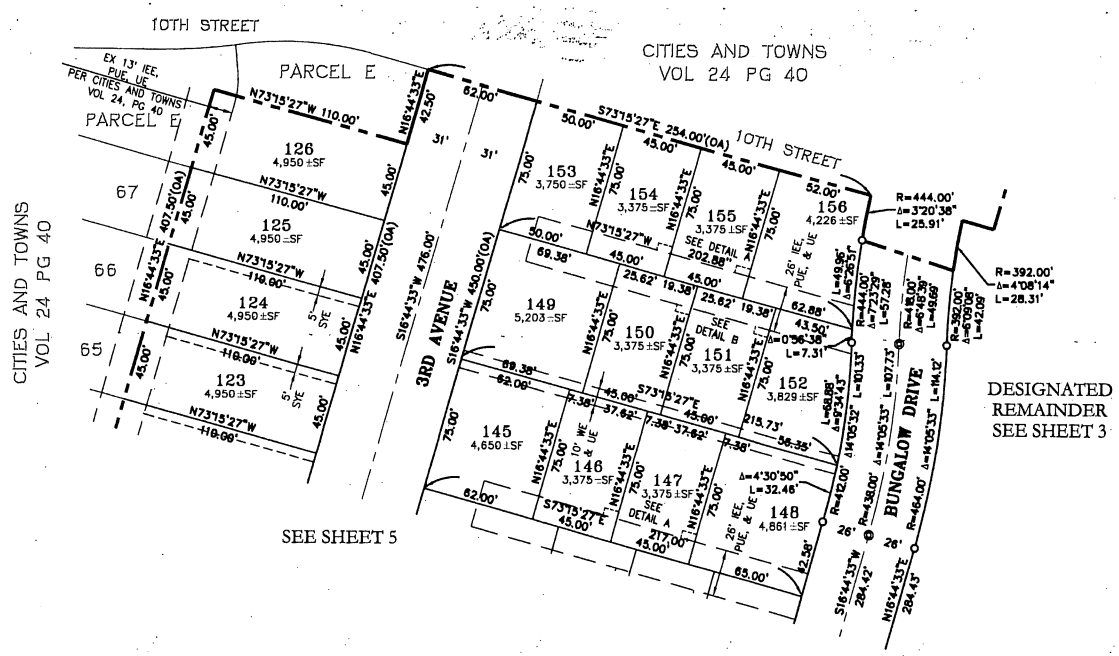
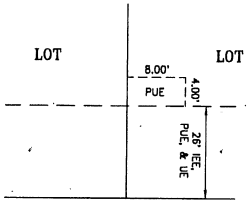
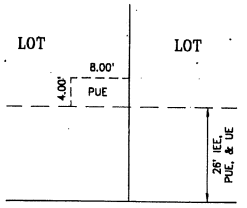
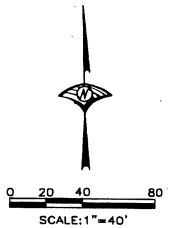




DETAIL "B" - NTS
TYPICAL PUE DETAIL
FOR LOTS 150, 151



DETAIL "A" - NTS
TYPICAL PUE DETAIL
FOR LOTS 146, 147, 154, 155



SEE LEGEND ON SHEET 3

FINAL MAP OF
TRACT NO. 1522

PHASE 1C, THE DUNES ON MONTEREY BAY - SECOND PHASE

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January 13, 2017 Item No. **8h(1)**

Honorable Mayor and Members
of the Marina City Council

City Council Meeting
of February 7, 2017

RECOMMENDATION TO CONSIDER ADOPTING RESOLUTION NO. 2017-, ACCEPTING DEDICATION OF PUBLIC IMPROVEMENTS AS SHOWN ON APPROVED DUNES PHASE 1C (FORMERLY UNIVERSITY VILLAGE) IMPROVEMENT PLANS AND FINAL MAP FOR RESIDENTIAL PHASE 2, AUTHORIZING CITY CLERK TO RELEASE BOND SECURITIES, ACCEPTING A WARRANTY BOND, AND RECORD ACCEPTANCE WITH MONTEREY COUNTY RECORDER'S OFFICE

RECOMMENDATION:

It is recommended that the City Council:

1. Consider adopting Resolution No. 2017-, accepting dedication of Public Improvements as shown on the approved Dunes Phase 1C (Formerly University Village) Improvement Plans and Final Map for Residential Phase 2;
2. Authorize City Clerk to release bond securities, accepting a warranty bond, and;
3. Authorize City Clerk to record acceptance with Monterey County Recorder's Office.

BACKGROUND:

At the regular meeting of February 18, 2015, the City Council adopted Resolution No. 2015-129, approving the Phase 1C Final Map for The Dunes on Monterey Bay Development Project Subdivision. This was the second of three final maps that make up the entirety of the Dunes Residential Phase 1C.

At the same meeting, City Council adopted Resolution No. 2015-130, approving the Public Improvement Agreement encompassing the second phase of the three phases that make up the entirety of the Dunes Residential Phase 1C.

The Final Map of Tract No. 1522, recorded in the Monterey County Recorders Office in Volume 24 of Cities and Towns, at page 44 specifies the dedications for public use as part of the Owner's Statement ("**EXHIBIT A**"). Streets dedicated to the City on this map include portions of 3rd Avenue, 9th Street, Lighthouse Lane, Boardwalk Avenue and Bungalow Drive.

The Marina Community Partners (MCP), the subdivider, has filed with the City Clerk a Faithful Performance bond and a Labor and Materials bond each in the amount of $1,585,100.

ANALYSIS:

The Improvements required by the improvement plans entitled "Street Improvement Plans for The Dunes on Monterey Bay Phase 2" ("**Improvement Plans**"), and approved by the City Engineer on June 6, 2014, were completed by MCP in substantial conformance with the approved Improvement Plans for the project.

The Public Improvement Agreement states that a Guarantee and Warranty period will remain for one year after acceptance of the Improvements by the City Council.

Therefore, a request is being made by MCP to release all of the Faithful Performance bond. A new bond of 10% of the original Performance bond ($158,510) for public improvements in Phase 2 will remain with the City Clerk as the Guarantee and Warranty Security for one (1) year after acceptance. Any repairs required during the Guarantee and Warranty period will be made by MCP, or the costs will be recovered from said bond.

FISCAL IMPACT:

The fiscal impacts for maintenance of these improvements after the warranty period have been captured in the Community Facilities District, Dunes 2015-01.

CONCLUSION:

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

Respectfully submitted,

_____

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