

RESOLUTION NO. 2017-64

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MARINA
RELEASING THE WARRANTY BOND FOR THE FIRST PHASE OF THE
DUNES PHASE 1C (FORMERLY UNIVERSITY VILLAGE) IMPROVEMENT
PLANS AND FINAL MAP, AND AUTHORIZING CITY CLERK TO
RELEASE THE BOND SECURITY

WHEREAS, at the regular meeting of February 3, 2015, City Council adopted Resolution No. 2015-16, approving the Public Improvement Agreement encompassing one phase of the three phases that make up the entirety of the Dunes Residential Phase 1C, and;

WHEREAS, at the regular meeting of February 18, 2015, the City Council adopted Resolution No. 2015-21, approving the Phase 1C Final Map for The Dunes on Monterey Bay Development Project Subdivision. This was the first of 3 final maps that make up the entirety of the Dunes Residential Phase 1C, and;

WHEREAS, the Final Map of Tract No. 1518, recorded in the Monterey County Recorder's Office in Volume 24 of Cities and Towns, at page 40 specifies the dedications for public use as part of the Owner's Statement ("**EXHIBIT A**"), and;

WHEREAS, the Marina Community Partners (SHEA), the subdivider, filed with the City Clerk a Faithful Performance bond and a Labor and Materials bond each in the amount of \$1,594,895, and;

WHEREAS, at the regular meeting of June 21, 2016, the City Council adopted Resolution No. 2016-97, accepting dedication of Public Improvements as shown on approved Dunes Phase 1C improvement plans and final map for residential phase 1, and authorizing City Clerk to release 90% of Bond Securities. On July 7, 2016, the City provided a letter of release ("**EXHIBIT B**") of the Labor & Materials Bond (\$1,594,895) and 90% of the Faithful Performance Bond (\$1,435,405.50) with the retaining of 10% of the Faithful Performance Bond (\$159,489.50) for the Warranty period of one (1) year against any defective work or labor done or defective materials furnished, 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 SHEA to release the warranty bond on July 7, 2017, and;

WHEREAS, the 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. Release the remaining Faithful Performance bond for the first phase of the Dunes Phase 1C (Formerly University Village) Improvement Plans and Final Map, and;
2. Authorize City Clerk to release the bond security.

PASSED AND ADOPTED by the City Council of the City of Marina at a regular meeting duly held on the 5th day of July 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

ATTEST:

David W. Brown, Mayor Pro-Temp

Anita Sharp, Deputy City Clerk

VOL 24 C&T Pg 40

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 THAT WE ARE THE ONLY PERSONS WHOSE CONSENT IS NECESSARY TO PASS A CLEAR TITLE TO SAID PROPERTY, AND 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 10TH STREET, CANVAS WAY, LIGHTHOUSE LANE, SHOREBIRDS PLACE, BOARDWALK AVENUE, TELEGRAPH BOULEVARD AND BUNGALOW DRIVE.

PARCELS A, B, C, D, E AND F ARE "RESERVED AS PRIVATE OPEN SPACE" AND ARE TO BE OWNED AND MAINTAINED BY THE HOMEOWNERS ASSOCIATION.

THERE 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 BY 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, IT'S CITY COUNCIL, PLANNING COMMISSION, AGENTS, OFFICERS AND EMPLOYEES FROM ANY CLAIM, ACTION OR PROCEEDING AGAINST THE CITY OR IT'S CITY COUNCIL, PLANNING COMMISSION, AGENTS, OFFICERS OR EMPLOYEES, TO ATTACK, SET ASIDE, VOID OR ANNUL AN APPROVAL OF THE CITY, 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: [Signature]
LAYNE MARCEAU, AUTHORIZED AGENT
BY: [Signature]
DONALD A. HOFER, AUTHORIZED AGENT

FINAL MAP OF
PHASE 1C, THE DUNES ON
MONTEREY BAY - FIRST PHASE

BEING A SUBDIVISION OF LOT 10 AS SHOWN ON THE PARCEL MAP
FILED IN VOLUME 22 OF PARCEL MAPS AT PAGE 106,
MONTEREY COUNTY RECORDS.
CITY OF MARINA, COUNTY OF MONTEREY, STATE OF CALIFORNIA

FEBRUARY 2015



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)
COUNTY OF Alameda)

ON February 18, 2015 BEFORE ME, KC Martley Notary Public
PERSONALLY APPEARED, Layne Marceau

WHO PROVED TO ME ON THE BASIS 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.

PRINTED NOTARY NAME: KC Martley I CERTIFY UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF CALIFORNIA THAT THE FOREGOING PARAGRAPH IS TRUE AND CORRECT.
PRINCIPLE COUNTY OF BUSINESS: Alameda

COMMISSION EXPIRES: March 17, 2016 WITNESS MY HAND AND OFFICIAL SEAL
COMMISSION # OF NOTARY: 1912330 SIGNATURE: KC Martley

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)
COUNTY OF Alameda)

ON February 18, 2015 BEFORE ME, KC Martley Notary Public
PERSONALLY APPEARED, Donald A. Hofer

WHO PROVED TO ME ON THE BASIS 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.

PRINTED NOTARY NAME: KC Martley I CERTIFY UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF CALIFORNIA THAT THE FOREGOING PARAGRAPH IS TRUE AND CORRECT.
PRINCIPLE COUNTY OF BUSINESS: Alameda

COMMISSION EXPIRES: March 17, 2016 WITNESS MY HAND AND OFFICIAL SEAL
COMMISSION # OF NOTARY: 1912330 SIGNATURE: KC Martley

TRUSTEE'S STATEMENT

FIRST AMERICAN TITLE INSURANCE COMPANY, AS TRUSTEE UNDER DEED OF TRUST RECORDED JUNE 24, 2014, AS RECORDER SERIES NO. 2014029109, OFFICIAL RECORDS OF MONTEREY COUNTY, AGAINST THE LAND SHOWN HEREON CONSENTS TO THE MAKING AND FILING OF THIS MAP.

BY: [Signature]
NAME: Sylvia Erazo
TITLE: U.P. Director of Operations

BENEFICIARY'S STATEMENT

WELLS FARGO BANK, A NATIONAL ASSOCIATION, SOLELY IN ITS CAPACITY AS COLLATERAL AGENT FOR THE PARI-PASSU LIEN SECURED PARTIES AS BENEFICIARY UNDER DEED OF TRUST RECORDED DECEMBER 16, 2014, AS RECORDER SERIES NO. 2014062771 OF OFFICIAL RECORDS.

BY: [Signature]
NAME: Julius A. Zamora
TITLE: Vice President

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)
COUNTY OF Santa Clara)

ON 02/20/15 BEFORE ME, C. Marraquin Notary Public
PERSONALLY APPEARED, Sylvia Erazo

WHO PROVED TO ME ON THE BASIS 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.

PRINTED NOTARY NAME: C. Marraquin I CERTIFY UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF CALIFORNIA THAT THE FOREGOING PARAGRAPH IS TRUE AND CORRECT.
PRINCIPLE COUNTY OF BUSINESS: Santa Clara

COMMISSION EXPIRES: 06/19/17 WITNESS MY HAND AND OFFICIAL SEAL
COMMISSION # OF NOTARY: 2025644 SIGNATURE: [Signature]

Vol 24 C+T Pg 40

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~~ NEW YORK

COUNTY OF NEW YORK

ON FEBRUARY 11, 2015 BEFORE ME, MARISOL LUNA

PERSONALLY APPEARED, JULIUS R. ZAMORA

WHO PROVED TO ME ON THE BASIS 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.

PRINTED NOTARY
NAME: MARISOL LUNA

PRINCIPLE COUNTY
OF BUSINESS: NEW YORK COUNTY

COMMISSION
EXPIRES: 08/08/2015

COMMISSION # OF
NOTARY: 01LU6246322

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]



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



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



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
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 26 DAY OF February, 2015 AND ACCEPTS ON BEHALF OF THE PUBLIC, IN FEE, SUBJECT TO IMPROVEMENTS, THOSE PORTIONS OF SAID LANDS DESIGNATED ON SAID MAP AS 10TH STREET, CANVAS WAY, LIGHTHOUSE LANE, SHOREBIRDS PLACE, BOARDWALK AVENUE, TELEGRAPH BOULEVARD 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
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, MICHAEL E. LONG, 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 47.28 ACRES, MORE OR LESS.

Michael E. Long
MICHAEL E. LONG
P.L.S 6815
EXPIRATION DATE: 09/30/2016



RECORDER'S STATEMENT

FILED THIS 3rd DAY OF March, 2015, 9:04 AM IN VOLUME 24 OF CITIES AND TOWNS, AT PAGE 40 AT THE REQUEST OF FIRST AMERICAN TITLE CO.

SIGNED: Stephen L. Vagnini

COUNTY RECORDER

BY: [Signature]

DEPUTY

SERIAL NUMBER: 2015010191

FEE: \$35.00

FINAL MAP OF Tract No. 1518 PHASE 1C, THE DUNES ON MONTEREY BAY - FIRST PHASE

BEING A SUBDIVISION OF LOT 10 AS SHOWN ON THE PARCEL MAP
FILED IN VOLUME 22 OF PARCEL MAPS AT PAGE 106,
MONTEREY COUNTY RECORDS.

CITY OF MARINA, COUNTY OF MONTEREY, STATE OF CALIFORNIA

FEBRUARY 2015

WOOD RODGERS
DEVELOPING • INNOVATIVE • DESIGN • SOLUTIONS
4301 Hacienda Drive, Suite 100
Pleasanton, CA 94588 Tel 925.847.1556

Sheet 2 of 9

JOB # 3089.002

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 - FIRST PHASE" SUBDIVISION IS 47.28± AC. GROSS, CONSISTING OF 117 RESIDENTIAL DEVELOPMENT LOTS AND 6 PARK/OPEN SPACE LOTS AND 31.74± ACRES DESIGNATED REMAINDER.
5. 5/8" REBAR CAPPED LS 6815 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 6815 AT 1.00 FOOT PROJECTION OF PROPERTY LINE ONTO THE SIDEWALK FOR FRONT CORNERS.

LEGEND

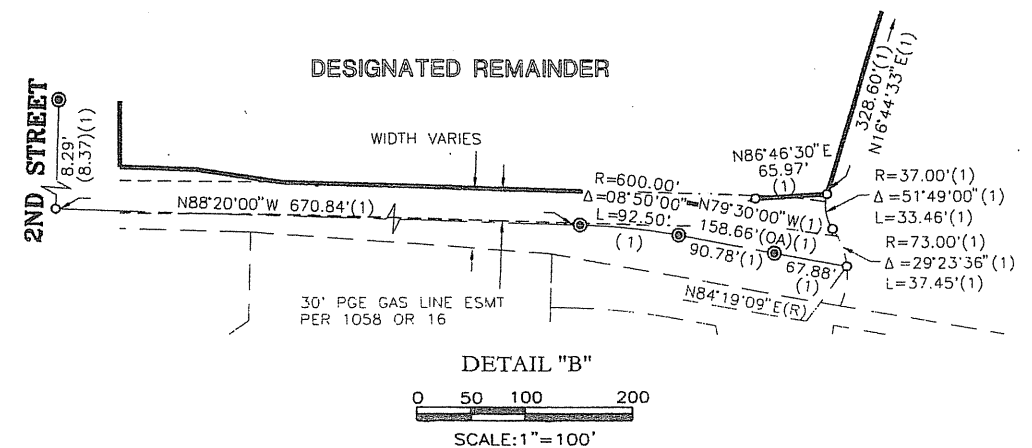
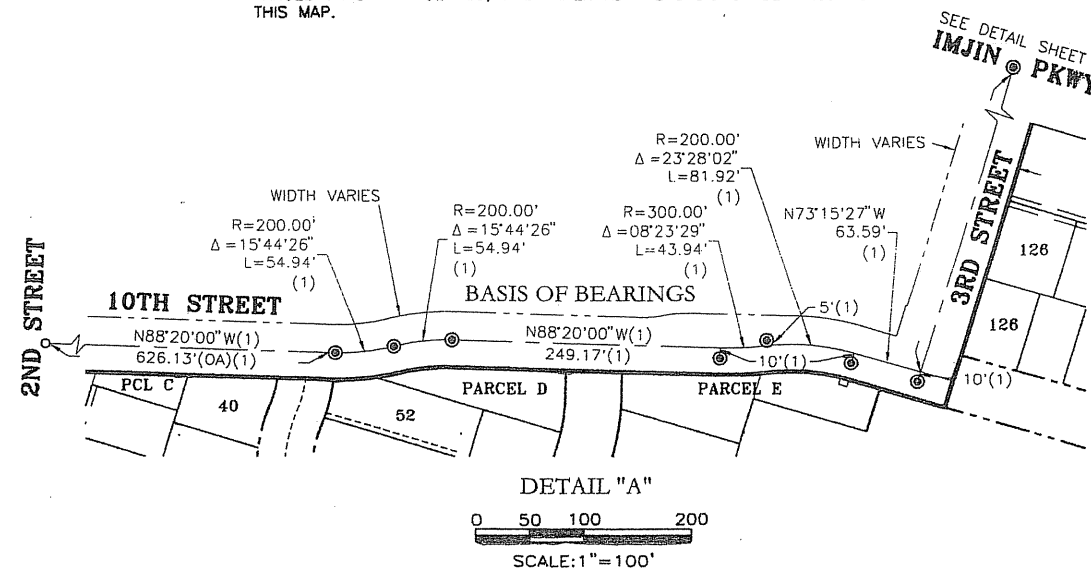
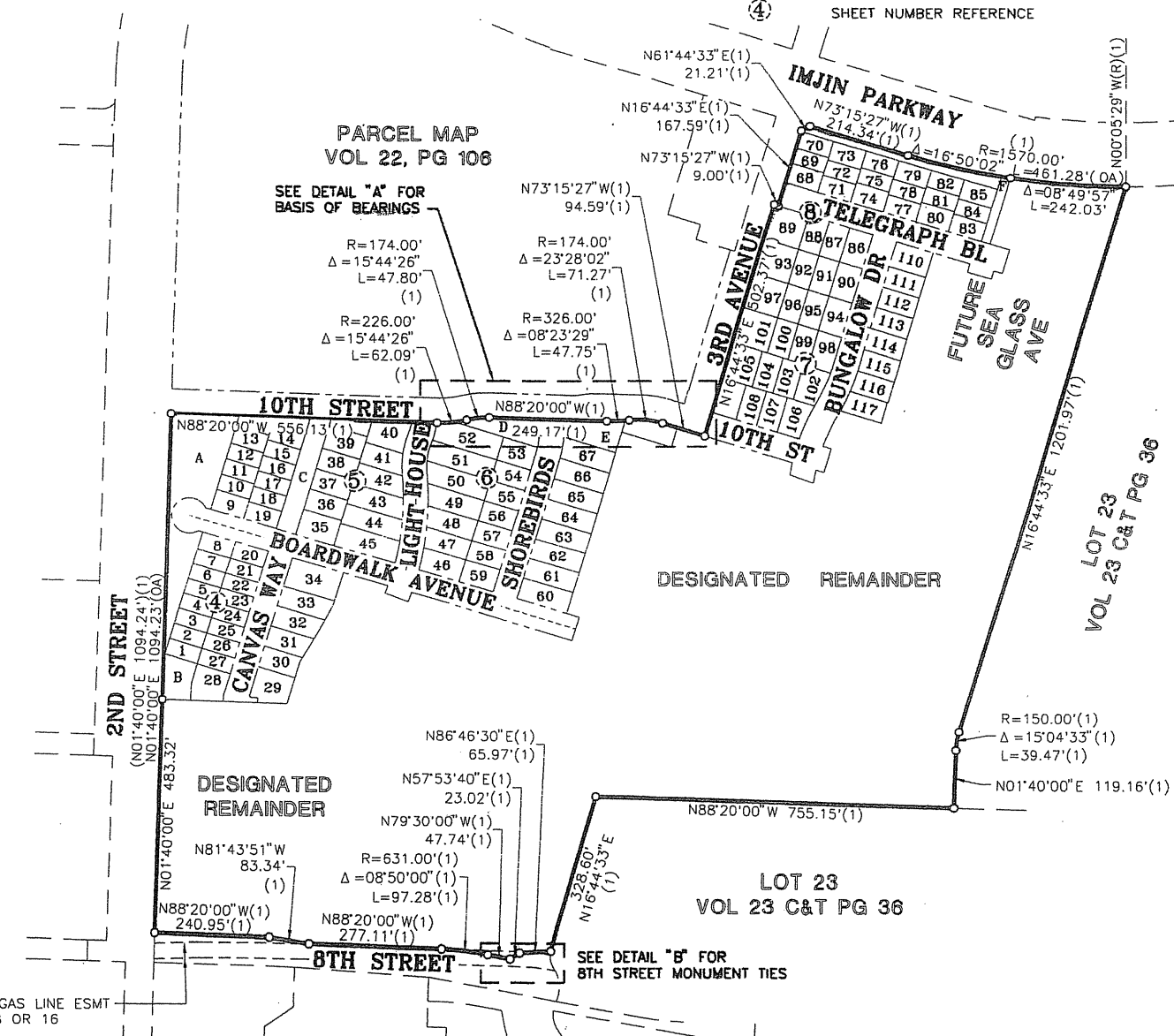
- DIMENSION POINT
- ⊙ SET STANDARD STREET WELL MONUMENT
- ⊙ FOUND STANDARD STREET WELL MONUMENT PER (1)
- AC ACRES
- ADJACENT PROPERTY LINE / EASEMENTS
- CENTERLINE
- EASEMENTS
- RIGHT-OF-WAY LINE
- ESMT EASEMENT
- IEE PRIVATE INGRESS/EGRESS EASEMENT
- IP IRON PIPE
- NTS NOT TO SCALE
- OR OFFICIAL RECORDS
- (OA) OVERALL DISTANCE
- PUE PUBLIC UTILITY EASEMENT
- (R) RADIAL BEARING
- UE PRIVATE UTILITY EASEMENT
- SDE STORM DRAIN EASEMENT
- WE WALKWAY EASEMENT
- SYE SIDEYARD EASEMENT
- (4) SHEET NUMBER REFERENCE

REFERENCES:

- (1) 22 PARCEL MAPS 106 (PARCEL MAP)

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.



FINAL MAP OF **Track # 1518**
PHASE 1C, THE DUNES ON MONTEREY BAY - FIRST PHASE
 BEING A SUBDIVISION OF LOT 10 AS SHOWN ON THE PARCEL MAP FILED IN VOLUME 22 OF PARCEL MAPS AT PAGE 106, MONTEREY COUNTY RECORDS.
 CITY OF MARINA, COUNTY OF MONTEREY, STATE OF CALIFORNIA

FEBRUARY 2015

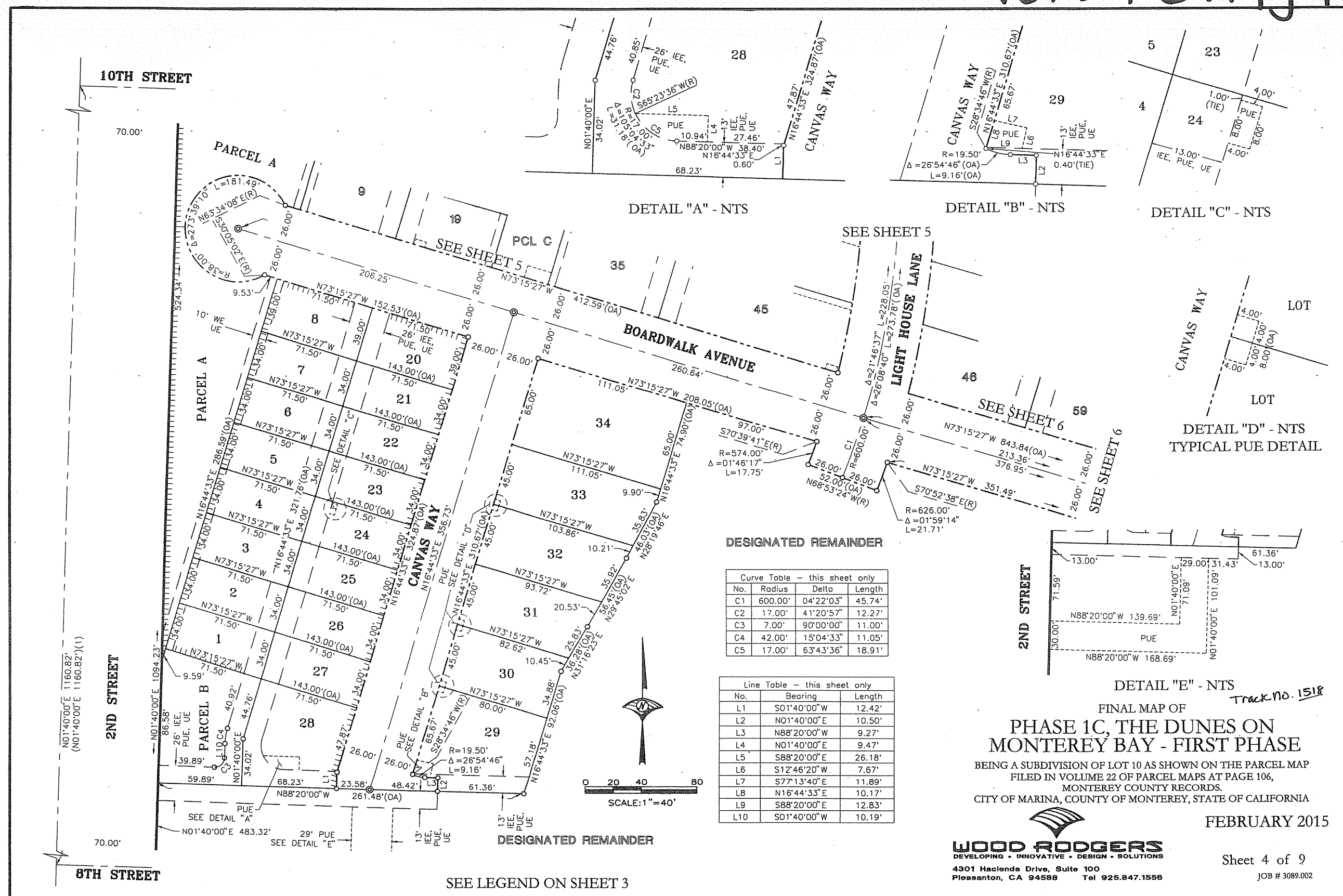
Sheet 3 of 9

JOB # 3089.002

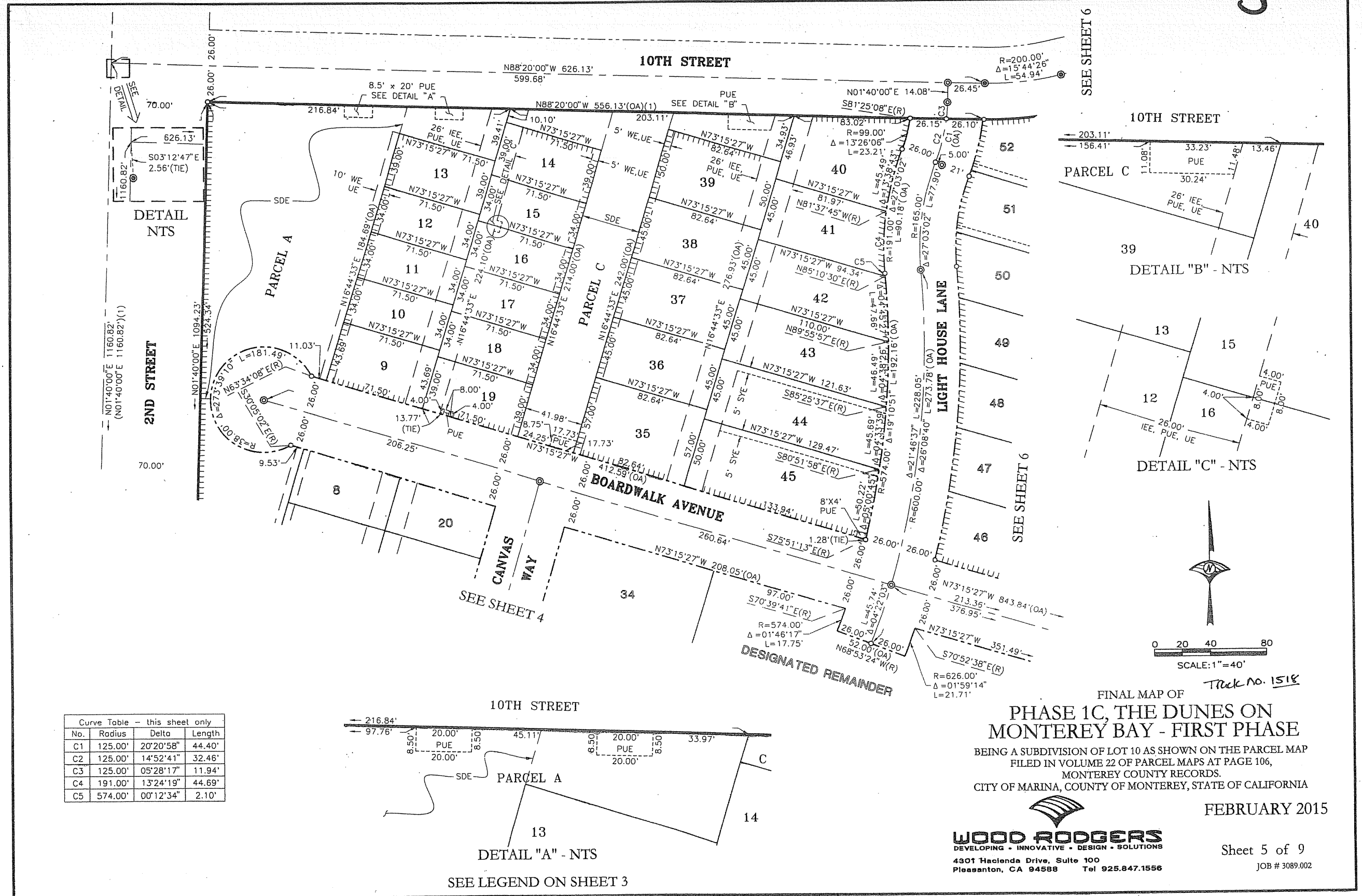
WOOD RODGERS
 DEVELOPING • INNOVATIVE • DESIGN • SOLUTIONS
 4301 Hacienda Drive, Suite 100
 Pleasanton, CA 94588 Tel 925.847.1556

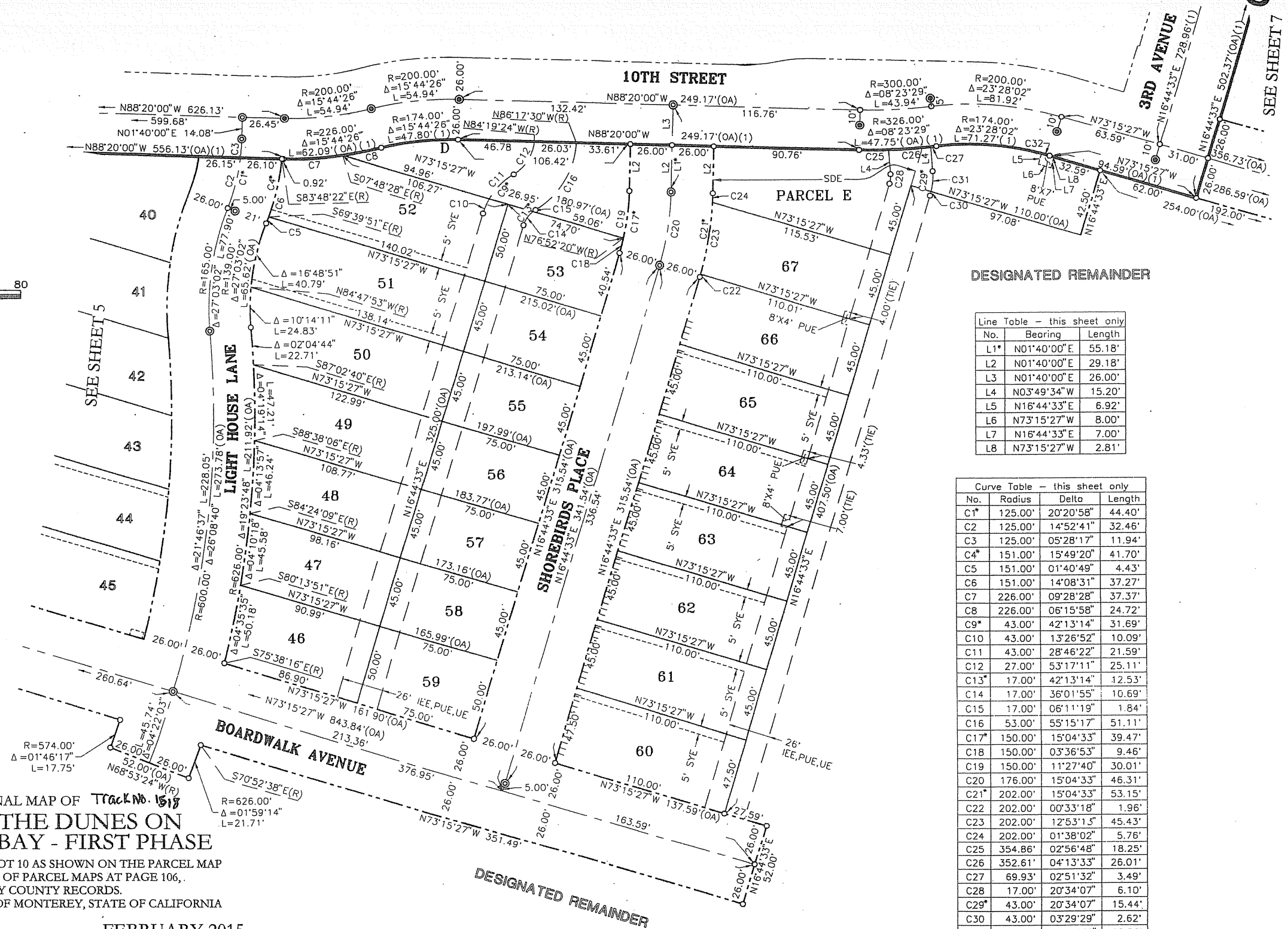
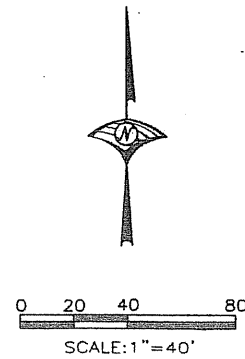
0 100 200 400
 SCALE: 1" = 200'

Vol 24 C&T Pg 40



Vol 24 C+T Pg 40





DESIGNATED REMAINDER

Line Table - this sheet only

No.	Bearing	Length
L1*	N01°40'00"E	55.18'
L2	N01°40'00"E	29.18'
L3	N01°40'00"E	26.00'
L4	N03°49'34"W	15.20'
L5	N16°44'33"E	6.92'
L6	N73°15'27"W	8.00'
L7	N16°44'33"E	7.00'
L8	N73°15'27"W	2.81'

Curve Table - this sheet only

No.	Radius	Delta	Length
C1*	125.00'	20°20'58"	44.40'
C2	125.00'	14°52'41"	32.46'
C3	125.00'	05°28'17"	11.94'
C4*	151.00'	15°49'20"	41.70'
C5	151.00'	01°40'49"	4.43'
C6	151.00'	14°08'31"	37.27'
C7	226.00'	09°28'28"	37.37'
C8	226.00'	06°15'58"	24.72'
C9*	43.00'	42°13'14"	31.69'
C10	43.00'	13°26'52"	10.09'
C11	43.00'	28°46'22"	21.59'
C12	27.00'	53°17'11"	25.11'
C13*	17.00'	42°13'14"	12.53'
C14	17.00'	36°01'55"	10.69'
C15	17.00'	06°11'19"	1.84'
C16	53.00'	55°15'17"	51.11'
C17*	150.00'	15°04'33"	39.47'
C18	150.00'	03°36'53"	9.46'
C19	150.00'	11°27'40"	30.01'
C20	176.00'	15°04'33"	46.31'
C21*	202.00'	15°04'33"	53.15'
C22	202.00'	00°33'18"	1.96'
C23	202.00'	12°53'15"	45.43'
C24	202.00'	01°38'02"	5.76'
C25	354.86'	02°56'48"	18.25'
C26	352.61'	04°13'33"	26.01'
C27	69.93'	02°51'32"	3.49'
C28	17.00'	20°34'07"	6.10'
C29*	43.00'	20°34'07"	15.44'
C30	43.00'	03°29'29"	2.62'
C31	43.00'	17°04'38"	12.82'
C32	174.00'	01°42'34"	5.19'

* DENOTES AN OVERALL MEASUREMENT

FINAL MAP OF **Track No. 1513**
PHASE 1C, THE DUNES ON
MONTEREY BAY - FIRST PHASE
 BEING A SUBDIVISION OF LOT 10 AS SHOWN ON THE PARCEL MAP
 FILED IN VOLUME 22 OF PARCEL MAPS AT PAGE 106,
 MONTEREY COUNTY RECORDS.
 CITY OF MARINA, COUNTY OF MONTEREY, STATE OF CALIFORNIA



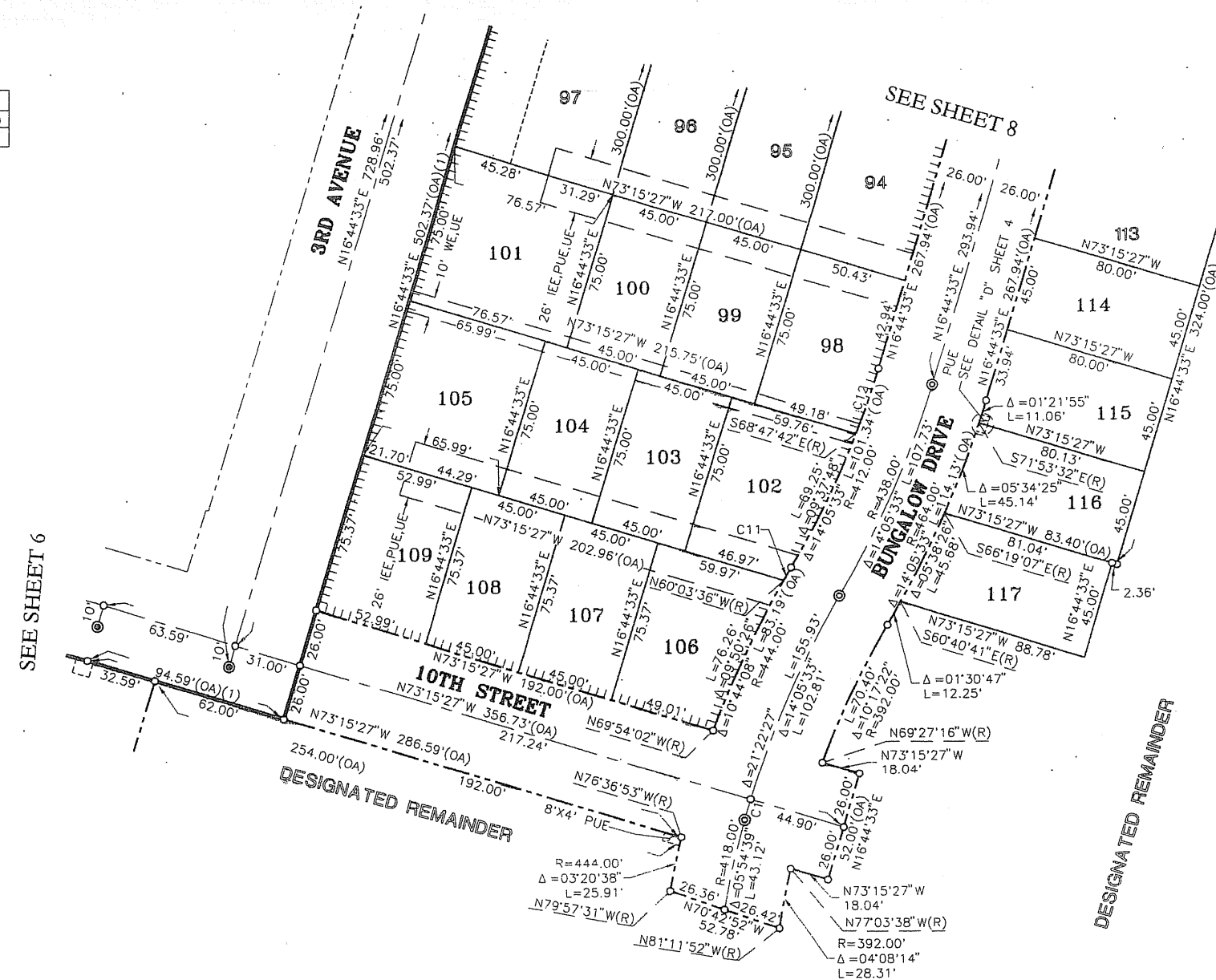
WOOD RODGERS
 DEVELOPING • INNOVATIVE • DESIGN • SOLUTIONS
 4301 Hacienda Drive, Suite 100
 Pleasanton, CA 94588 Tel 925.847.1556

FEBRUARY 2015

Sheet 6 of 9
 JOB # 3089.002

SEE LEGEND ON SHEET 3

Curve Table - this sheet only			
No.	Radius	Delta	Length
C1	418.00'	01°22'15"	10.00'



0 20 40 80
SCALE: 1"=40'

SEE LEGEND ON SHEET 3

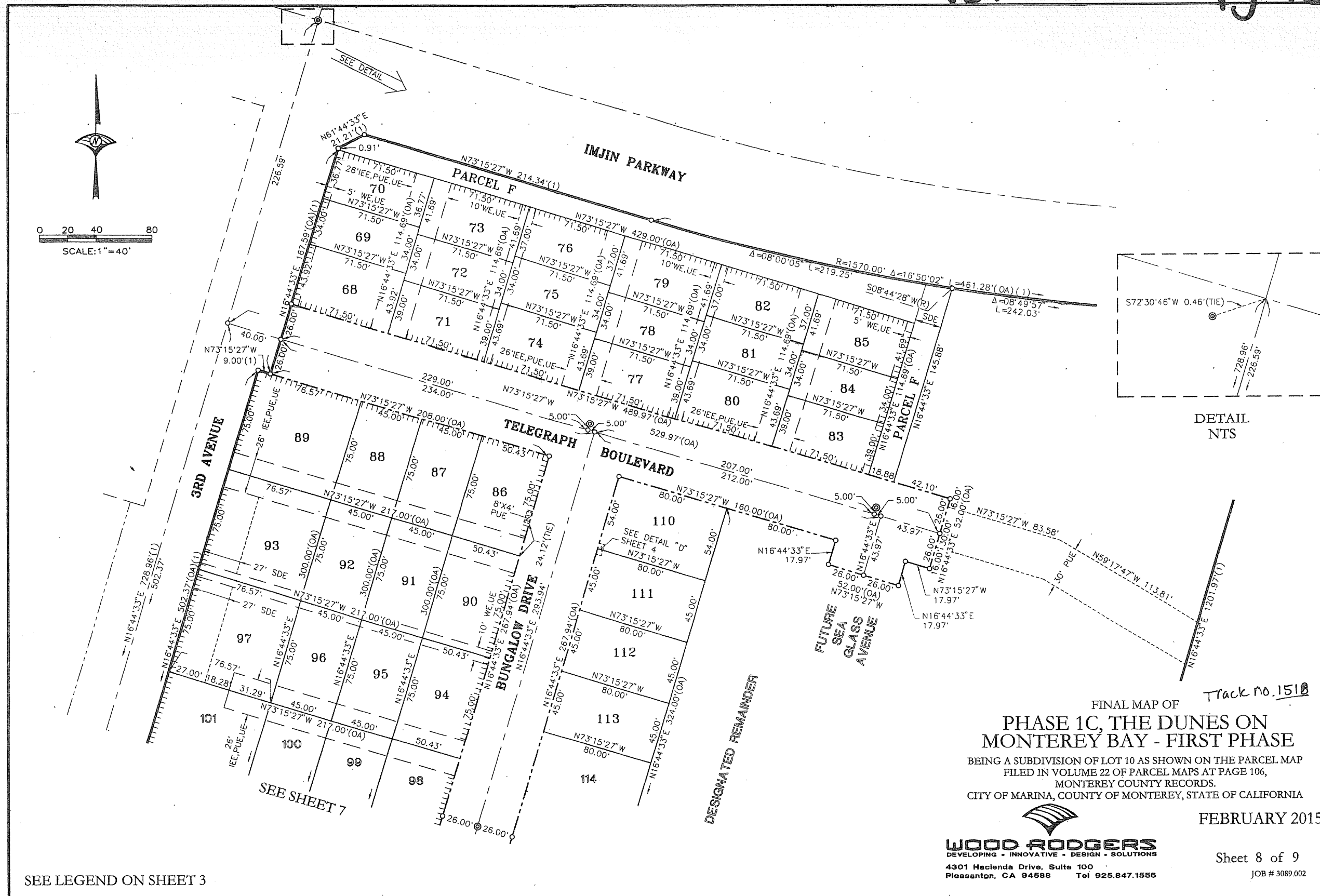
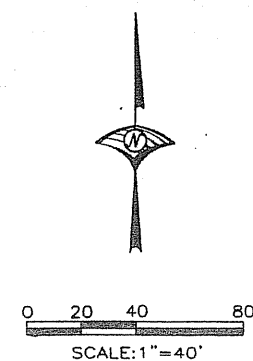
FINAL MAP OF TRAIL NO. 1518
PHASE 1C, THE DUNES ON MONTEREY BAY - FIRST PHASE
 BEING A SUBDIVISION OF LOT 10 AS SHOWN ON THE PARCEL MAP
 FILED IN VOLUME 22 OF PARCEL MAPS AT PAGE 106,
 MONTEREY COUNTY RECORDS.
 CITY OF MARINA, COUNTY OF MONTEREY, STATE OF CALIFORNIA

FEBRUARY 2015

WOOD RODGERS
 DEVELOPING • INNOVATIVE • DESIGN • SOLUTIONS
 4301 Hacienda Drive, Suite 100
 Pleasanton, CA 94588 Tel 925.847.1556

Sheet 7 of 9
 JOB # 3089.002

Vol 24 C+T pg 40



SEE LEGEND ON SHEET 3

Track No. 1518

FINAL MAP OF
**PHASE 1C, THE DUNES ON
 MONTEREY BAY - FIRST PHASE**
 BEING A SUBDIVISION OF LOT 10 AS SHOWN ON THE PARCEL MAP
 FILED IN VOLUME 22 OF PARCEL MAPS AT PAGE 106,
 MONTEREY COUNTY RECORDS.
 CITY OF MARINA, COUNTY OF MONTEREY, STATE OF CALIFORNIA

WOOD RODGERS
 DEVELOPING • INNOVATIVE • DESIGN • SOLUTIONS
 4301 Hacienda Drive, Suite 100
 Pleasanton, CA 94588 Tel 925.847.1556

FEBRUARY 2015

Sheet 8 of 9
 JOB # 3089.002

Vol 24 C+T pg 40

LOT AREAS					
LOT	AREA (SF)	LOT	AREA (SF)	LOT	AREA (SF)
1	2,431	53	3,749	105	4,949
2	2,431	54	3,375	106	4,024
3	2,431	55	3,375	107	3,392
4	2,431	56	3,375	108	3,392
5	2,431	57	3,375	109	3,994
6	2,431	58	3,375	110	4,320
7	2,431	59	3,750	111	3,600
8	2,788	60	5,225	112	3,600
9	3,124	61	4,950	113	3,600
10	2,431	62	4,950	114	3,600
11	2,431	63	4,950	115	3,600
12	2,431	64	4,950	116	3,663
13	2,789	65	4,950	117	3,804
14	2,788	66	4,950		
15	2,431	67	5,036		
16	2,431	68	3,140		
17	2,431	69	2,431		
18	2,431	70	2,629		
19	2,789	71	2,789		
20	2,788	72	2,431		
21	2,431	73	2,981		
22	2,431	74	3,124		
23	2,431	75	2,431		
24	2,431	76	2,645		
25	2,431	77	2,789		
26	2,431	78	2,431		
27	2,431	79	2,981		
28	4,896	80	3,124		
29	5,219	81	2,431		
30	3,613	82	2,645		
31	3,975	83	2,789		
32	4,450	84	2,431		
33	4,871	85	2,981		
34	7,219	86	3,782		
35	4,710	87	3,375		
36	3,719	88	3,375		
37	3,719	89	5,743		
38	3,719	90	3,782		
39	4,132	91	3,375		
40	4,658	92	3,375		
41	3,923	93	5,743		
42	4,613	94	3,782		
43	5,226	95	3,375		
44	5,664	96	3,375		
45	6,604	97	5,743		
46	4,430	98	3,769		
47	4,243	99	3,375		
48	4,643	100	3,375		
49	5,201	101	5,743		
50	5,903	102	4,088		
51	6,311	103	3,375		
52	6,791	104	3,375		

FINAL MAP OF *Track No. 1518*
PHASE 1C, THE DUNES ON
MONTEREY BAY - FIRST PHASE
 BEING A SUBDIVISION OF LOT 10 AS SHOWN ON THE PARCEL MAP
 FILED IN VOLUME 22 OF PARCEL MAPS AT PAGE 106,
 MONTEREY COUNTY RECORDS.
 CITY OF MARINA, COUNTY OF MONTEREY, STATE OF CALIFORNIA

FEBRUARY 2015

WOOD RODGERS
 DEVELOPING • INNOVATIVE • DESIGN • SOLUTIONS
 4301 Hacienda Drive, Suite 100
 Pleasanton, CA 94588 Tel 925.847.1556

Sheet 9 of 9

JOB # 3089.002



July 7, 2016

Chris Stump
Community Development Manager
Shea Homes Limited Partnership
2630 Shea Center Drive
Livermore, CA 94551

RE: Bond Release of Bond No. 0187221 for Phase 1 of Dunes Residential

Dear Chris:

On February 19, 2015, Shea Homes Limited Partnership entered into a Public Improvement Agreement with the City of Marina for the improvements of streets, installation of storm drains and other Public Works Facilities in a portion of Phase 1C (1st Phase) Residential development area. The area under the Public Improvement Agreement is reflected in the Final Map recorded in Volume 24 of City and Towns Page 40 (1st Phase Final Map).

The following associated Bonds were obtained per this agreement:

AMOUNT	BOND NO.	BOND TITLE	SURETY
\$1,594,895.00	0187221	Faithful Performance	Berkley Insurance Company
\$1,594,895.00	0187221	Labor & Materials	

Per the Marina City Council Resolution No. 2016-97, the City does hereby accept for dedication of Public Improvements as shown on the approved Phase 1C Improvement Plans and Final Map for the 1st Phase of Residential Development. The City also authorizes the release of 100% of the Labor & Materials Bond (referred to as "Payment Bond" in the Agreement) and 90% of the Faithful Performance Bond. A warranty of 10% (\$159,489.50) of the Faithful Performance Bond will be retained for a period of one (1) year as a warranty bond against any defective work or labor done or defective materials furnished.

Please do not hesitate to contact me if you have any questions on this matter.

Sincerely,

Nourdin Khayata, PE
Acting City Engineer
City of Marina

June 27, 2017

Item No. **8f(1)**

Honorable Mayor and Members
of the Marina City Council

City Council Meeting
of July 5, 2017

**CITY COUNCIL TO CONSIDER ADOPTING RESOLUTION NO. 2017-,
RELEASING THE WARRANTY BOND FOR THE FIRST PHASE OF
THE DUNES PHASE 1C (FORMERLY UNIVERSITY VILLAGE)
IMPROVEMENT PLANS AND FINAL MAP, AND AUTHORIZING CITY
CLERK TO RELEASE THE BOND SECURITY**

RECOMMENDATION:

It is recommended that the City Council:

1. Consider adopting Resolution No. 2017-, releasing the warranty bond for the first phase of the Dunes Phase 1C (Formerly University Village) Improvement Plans and Final Map, and;
2. Authorize City Clerk to release the bond security.

BACKGROUND:

At the regular meeting of February 3, 2015, City Council adopted Resolution No. 2015-16, approving the Public Improvement Agreement encompassing one phase of the three phases that make up the entirety of the Dunes Residential Phase 1C. The Public Improvement Agreement required Marina Community Partners (SHEA), the subdivider, provide a Faithful Performance Bond and a Labor & Materials Bond as security for the completion of the public improvements.

At the regular meeting of February 18, 2015, the City Council adopted Resolution No. 2015-21, approving the Phase 1C Final Map for The Dunes on Monterey Bay Development Project Subdivision. This was the first of 3 final maps that make up the entirety of the Dunes Residential Phase 1C.

The Final Map of Tract No. 1518, recorded in the Monterey County Records Office in Volume 24 of Cities and Towns, at page 40 specifies the dedications for public use as part of the Owner's Statement ("**EXHIBIT A**").

SHEA filed with the City Clerk a Faithful Performance bond and a Labor and Materials bond each in the amount of \$1,594,895.

At the regular meeting of June 21, 2016, the City Council adopted Resolution No. 2016-97, accepting dedication of Public Improvements as shown on approved Dunes Phase 1C improvement plans and final map for residential phase 1, and authorizing City Clerk to release 90% of Bond Securities. On July 7, 2016, the City provided a letter of release ("**EXHIBIT B**") of the Labor & Materials Bond (\$1,594,895) and 90% of the Faithful Performance Bond (\$1,435,405.50) with the retainer of 10% of the Faithful Performance Bond (\$159,489.50) for the Warranty period of one (1) year against any defective work or defective materials furnished.

ANALYSIS:

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 SHEA to release the warranty bond on July 7, 2017.

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, Engineering Division
Community Development 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