



✓ (1.4)

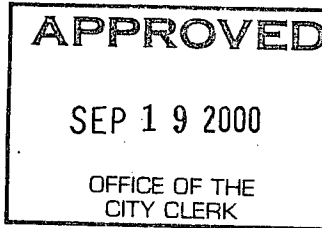
DEPARTMENT OF
PUBLIC WORKS

CITY OF SACRAMENTO
CALIFORNIA

DEVELOPMENT SERVICES
1231 I STREET
ROOM 200
SACRAMENTO, CA
95814
PH 916-264-7995
FAX 916-264-5786

TECHNICAL SERVICES DIVISION

August 7, 2000



City Council
Sacramento, California

Honorable Members In Session:

**SUBJECT: APPROVAL OF TIME EXTENSION FOR THE SUBDIVISION
IMPROVEMENT AGREEMENT ENTITLED "CHARDONNAY UNIT
NO.2" - PUBLIC IMPROVEMENT PROCEEDING NO. P93-086**

LOCATION/COUNCIL DISTRICT:

Jessie Avenue, 310' feet east of Norwood Avenue
Council District 2

RECOMMENDATION:

This report recommends the City Council approve the attached resolution authorizing approval of an amendment granting a time extension for the Subdivision Improvement Agreement for Chardonnay Unit No. 2.

CONTACT PERSON:

Fritz Buchman, Associate Engineer, 264-7493

FOR COUNCIL MEETING OF: September 19, 2000

SUMMARY:

On March 10, 1998, the City Council approved a Subdivision Improvement Agreement by adopting Resolution No. 98-075. The resolution requires that the project be completed by March 10, 2000. The developer was unable to meet the conditions within the specified time-frame and has requested a time extension which will expire on July 27, 2001. Subdivider intends to convey the lands within the subdivision to Beazer Homes Holdings Corp., a Delaware Corporation after the approval of the First Amendment to Subdivision Agreement No. 98-008.

City Council

Time Extension for Subdivision Improvement for Chardonnay Unit No. 2

August 7, 2000

If said conveyance occurs, the First Amendment to Subdivision Agreement stipulates that Beazer Homes shall thereafter be fully responsible for the performance of all obligations imposed on "Subdivider" under the Subdivision Improvement Agreement. This time extension requires approval by City Council. See attached Exhibit "A-1 through A-4" for project location.

COMMITTEE/COMMISSION ACTION:

None.

BACKGROUND INFORMATION:

On March 10, 1998, the City Council approved Subdivision Improvement Agreement No. 98-008 by adopting Resolution No. 98-075. Pursuant to Subdivision Improvement Agreement No. 98-008, the City Council may grant a time extension and not be obligated in any manner to grant further requests for extension. If such extension is granted, it shall in no way release any guarantee given by the Subdivider pursuant to the Agreement. If the extension is not granted, the subdivider will be declared in breach of the above-referenced agreement and Public Works will pursue completion of the required improvements using one or more of the remedies provided for in the Agreement.

The attached resolution authorizes approval of an amendment to the agreement granting a time extension. Since the estimated cost of the improvements has increased since 1998, the amendment also increases the amount of the performance and payment bonds required under the agreement.

FINANCIAL CONSIDERATIONS:

All subdivision costs are being paid by the subdivider, Norwood Avenue Company and Beazer Homes Holdings Corp., a Delaware Corporation.

ENVIRONMENTAL CONSIDERATIONS:

On February 13, 1990, the City Council adopted Resolution No. 90-130 ratifying the Negative Declaration and approving the mitigation monitoring plan for this project.

POLICY CONSIDERATIONS:

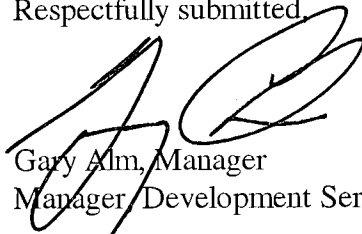
None.

City Council
Time Extension for Subdivision Improvements for Chardonnay Unit No. 2 (P93-086)
August 7, 2000

ESBD CONSIDERATIONS:

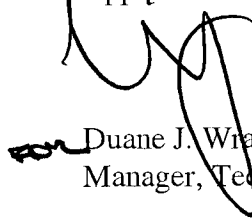
City Council adoption of the attached resolution is not affected by City policy related to the ESBD Program.

Respectfully submitted,



Gary Alm, Manager
Manager, Development Services

Approved:



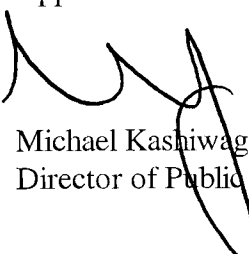
Duane J. Wray
Manager, Technical Services Division

RECOMMENDATION APPROVED:



ROBERT P. THOMAS
City Manager

Approved:



Michael Kashiwagi
Director of Public Works

FB:me
S:/T/WorkGrpDocs/devsvc/council/P93-086 Chardonnay/UnitNo.2ccltextension
07.0500

PLAT OF
CHARDONNAY UNIT NO. 2
 BEING ALL THAT CERTAIN DESIGNATED REMAINDER PARCEL
 AS SHOWN ON THE PLAT OF CHARDONNAY ~ 200 BM 10
 CITY OF SACRAMENTO - COUNTY OF SACRAMENTO - CALIFORNIA
 FEBRUARY, 1998
 MORTON & PITALO, INC.
 SHEET 1 OF 3 SHEETS

DESCRIPTION

ALL THAT CERTAIN REAL PROPERTY SITUATE IN THE CITY OF SACRAMENTO, COUNTY OF SACRAMENTO, STATE OF CALIFORNIA, DESCRIBED AS FOLLOWS:

ALL THAT CERTAIN "REMAINDER" PARCEL OF LAND AS SHOWN AND SO DESIGNATED ON THE PLAT OF CHARDONNAY FILED IN BOOK 209 OF MAPS, MAP NO. 10, OFFICIAL RECORD OF SACRAMENTO COUNTY.

THIS SUBDIVISION CONTAINS 7.141 ACRES, MORE OR LESS.

OWNER'S STATEMENT

THE UNDERSIGNED HEREBY CONSENT TO THE PREPARATION AND RECORDATION OF THIS PLAT OF CHARDONNAY UNIT NO. 2 AND OFFERS FOR DEDICATION AND DO HEREBY DEDICATE TO ANY AND ALL PUBLIC USES COURT AND DRIVE SHOWN HEREON AND ALSO OFFER FOR DEDICATION AND DO HEREBY DEDICATE TO SPECIFIC PURPOSES THE FOLLOWING:

(A) EASEMENTS FOR PLANTING AND MAINTAINING TREES, INSTALLING AND MAINTAINING ELECTROLINERS, TRAFFIC CONTROL DEVICES, GAS PIPES AND FOR OVERHEAD AND UNDERGROUND WIRES AND CONDUITS FOR ELECTRIC, CABLE TELEVISION, AND TELEPHONE SERVICES TOGETHER WITH ANY AND ALL APPURTENANCES PERTAINING THERETO ON, OVER, UNDER AND ACROSS STRIPS OF LAND 12.5 FEET IN WIDTH LYING CONTIGUOUS TO THE COURT, DRIVE AND AVENUE SHOWN HEREON, AND DESIGNATED AS "PUBLIC UTILITY EASEMENT" (P.U.E.).

(B) EASEMENTS FOR CONSTRUCTING AND MAINTAINING CENTRALIZED MAIL DELIVERY BOXES, PEDESTALS, SLABS, TOGETHER WITH ANY AND ALL APPURTENANCES THERETO, INCLUDING PEDESTRIAN ACCESS FOR DELIVERY AND RECEIPT OF MAIL ON, OVER, UNDER, AND ACROSS STRIPS OF LAND FIVE (5) FEET IN WIDTH LYING CONTIGUOUS TO THE PUBLIC COURT, AVENUE AND DRIVE SHOWN HEREON.

(C) LOT 1 IS HEREBY DEDICATED TO THE CITY OF SACRAMENTO IN FEE TITLE.

NORWOOD AVENUE COMPANY, LLC

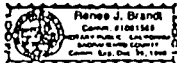
BY: James R. Corbett
 JAMES R. CORBETT, MANAGER

NOTARY'S STATEMENT

STATE OF CALIFORNIA
 COUNTY OF SACRAMENTO

ON 2-10-98 BEFORE ME, Renee J. Brandt, PERSONALLY KNOWN TO ME, PERSONALLY APPEARED JAMES R. CORBETT, WHOSE NAME(S) IS/ARE SUBSCRIBED TO THE WITHIN INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE/SHE/IT/they EXECUTED THE SAME IN HIS/HER/their AUTHORIZED CAPACITIE(S), 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.

WITNES MY HAND AND OFFICIAL SEAL.



Renee J. Brandt
 NOTARY PUBLIC, STATE OF CALIFORNIA
 PRINT NAME: Renee J. Brandt

MY PRINCIPAL PLACE OF BUSINESS IS Sacramento
 MY COMMISSION EXPIRES 12-25-99

SURVEYOR'S STATEMENT

I HEREBY STATE THAT THIS PLAT OF CHARDONNAY UNIT NO. 2 MADE UNDER MY DIRECTION IN JANUARY, 1998, IS TRUE AND COMPLETE AS SHOWN; THAT SAID PLAT IS BASED UPON A FIELD SURVEY IN CONFORMANCE WITH THE REQUIREMENTS OF THE SUBDIVISION MAP ACT AND LOCAL ORDINANCES; THAT THE MONUMENTS WILL BE OF THE CHARACTER AND WILL OCCUPY THE POSITIONS INDICATED AND WILL BE SET UPON COMPLETION OF THE REQUIRED SUBDIVISION IMPROVEMENTS ON OR BEFORE FEBRUARY, 1999; AND THAT SAID MONUMENTS WILL BE SUFFICIENT TO ENABLE THE SURVEY TO BE RETRACED.

DATE 2/10/98

Harland D. Johnson
 HARLAND D. JOHNSON, L.S. 3923



CITY ENGINEER'S STATEMENT

I HEREBY STATE THAT I HAVE EXAMINED THIS PLAT OF CHARDONNAY UNIT NO. 2 AND FIND IT TO BE SUBSTANTIALLY THE SAME AS THE TENTATIVE MAP SUBMITTED TO THE PLANNING COMMISSION OF THE CITY OF SACRAMENTO; THAT ALL PROVISIONS OF THE SUBDIVISION MAP ACT AND ALL APPLICABLE CITY ORDINANCES HAVE BEEN COMPLIED WITH AND THAT I AM SATISFIED THAT SAID MAP IS TECHNICALLY CORRECT.

DATED 3/10/98

Jon Blank
 ASSOCIATE ENGINEER
 TECHNICAL SERVICES DIVISION
 CITY OF SACRAMENTO
 L.S. 7327, EXP. DATE: 12-31-01



CITY CLERK'S STATEMENT

I HEREBY STATE THAT THE CITY COUNCIL OF THE CITY OF SACRAMENTO HAS APPROVED THIS PLAT OF CHARDONNAY UNIT NO. 2 AND HAS ACCEPTED IN BEHALF OF THE PUBLIC, ALL THE LANDS, RIGHTS OF WAY, EASEMENTS AND LOT A HEREOF OFFERED FOR DEDICATION, AND HAS ABANDONED THE EASEMENTS AS NOTED HEREIN.

DATED 3-10-98

Devin P. Sullivan
 CITY CLERK, CITY OF SACRAMENTO

RECORDER'S STATEMENT

ACCEPTED FOR RECORD AND FILED IN THE OFFICE OF THE RECORDER OF SACRAMENTO COUNTY IN BOOK 249 OF MAPS, MAP NO. 16, THIS 11th DAY OF MAY, 1998, 2 HOURS, 2 MINUTES P.M. TITLE TO THIS LAND IS INCLUDED IN THIS SUBDIVISION BEING VESTED AS PER CERTIFICATE NO. 2914 ON FILE IN THIS OFFICE.

DOCUMENT NO. 1910971374

FEE: \$12

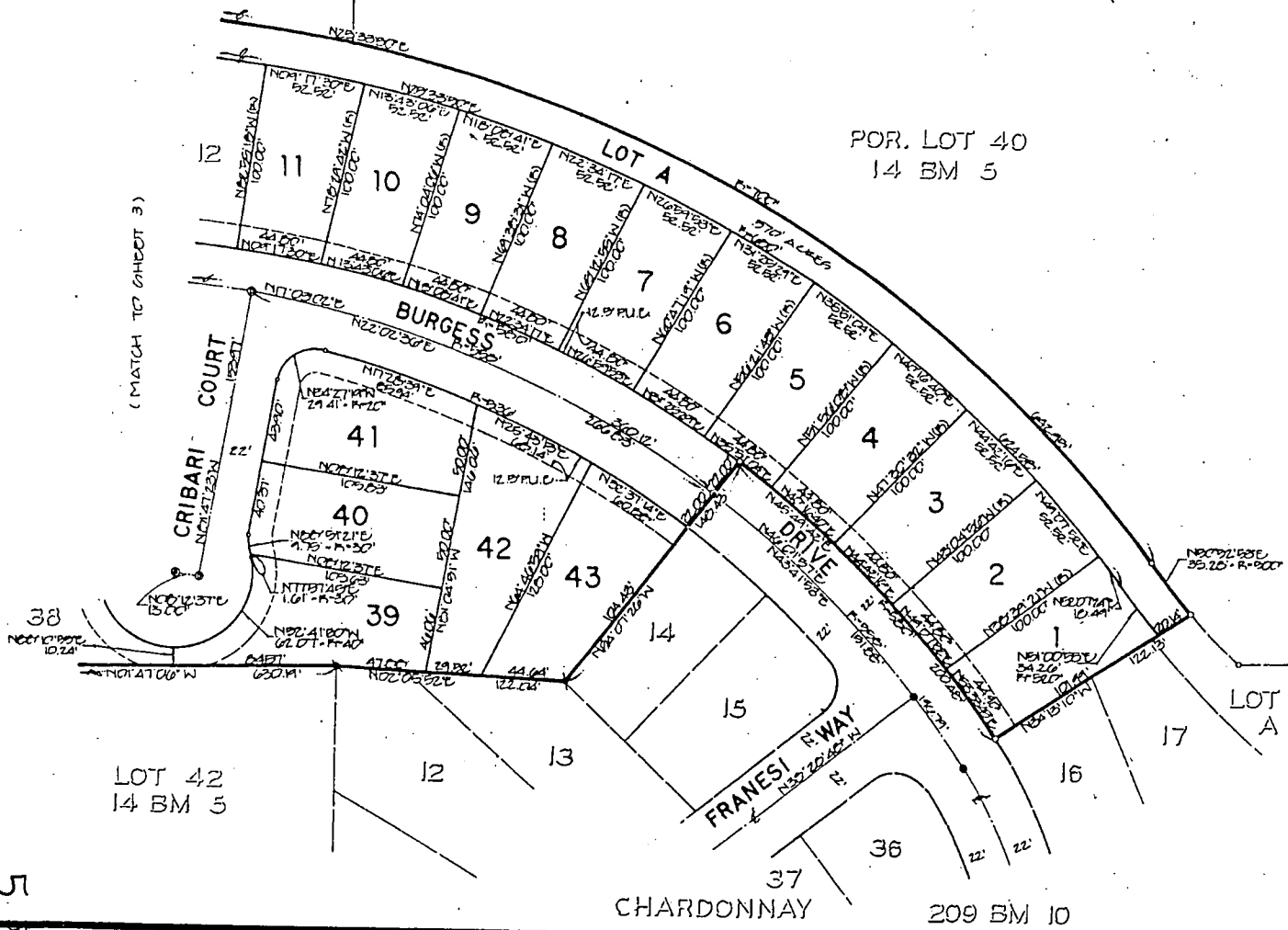
John Park
 SACRAMENTO COUNTY RECORDER
 BY: Metel Deby
 DEPUTY

EXHIBIT "A-1"

PLAT OF
CHARDONNAY UNIT NO. 2
 BEING ALL THAT CERTAIN DESIGNATED REMAINDER PARCEL
 AS SHOWN ON THE PLAT OF CHARDONNAY-209 BM 10,
 CITY OF SACRAMENTO, CALIFORNIA
 FEBRUARY, 1995 SCALE 1"=40'
 MORTON & PITALE, INC.
 SHEET 2 OF 3 SHEETS

POR. LOT
 41
 14 BM 5

POR. LOT 40
 14 BM 5



BASIS OF BEARINGS
 THE BASIS OF BEARINGS FOR THIS SURVEY IS IDENTICAL TO THE CENTERLINE OF JESSIE AVENUE AS SHOWN ON THAT CERTAIN PARCEL MAP FILED IN BOOK 110 OF PARCEL MAPS, PAGE 16 OFFICIAL RECORDS OF SACRAMENTO COUNTY, THE BEARING OF WHICH IS SHOWN AS NORTH 89° 03' 57" EAST AS ESTABLISHED FROM THE MONUMENTS FOUND AND SHOWN ALONG SAID LINE.

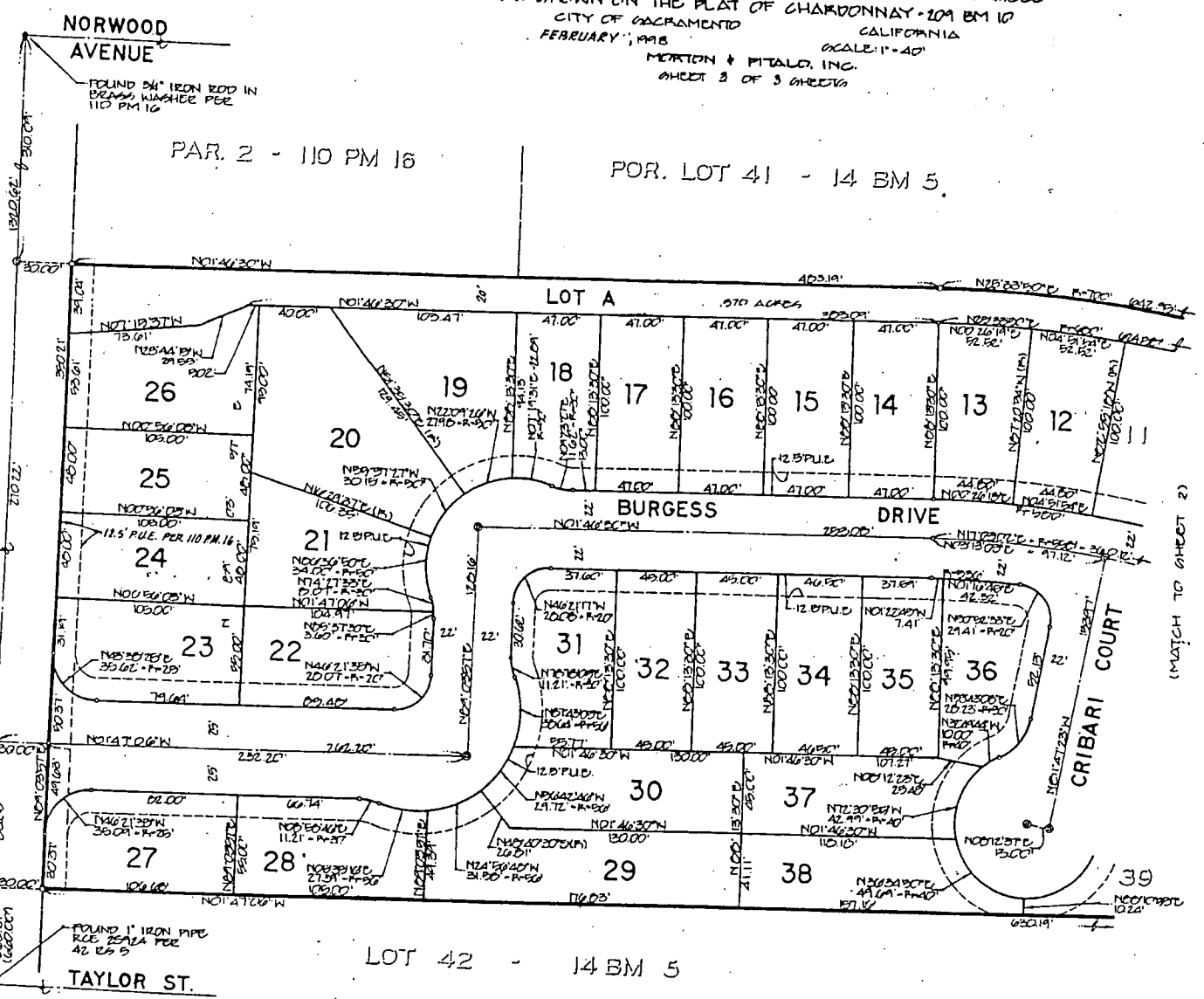
- LEGEND**
-DIMENSION POINT, NOTHING FOUND OR SET
 -FOUND MONUMENT AS SHOWN HEREON
 - ⊙.....SET P.K. NAIL 1/4" DIA. X 1-1/2" LONG IN STREET CENTERLINE
 - P.U.E.....PUBLIC UTILITY EASEMENT
 - (R).....INDICATES RADIAL LINE
 - ().....RECORD PER 14 BM 5
 - ▲.....FOUND 1" I.P.F.D. TAGGED L.G. 5715
 - ⊙.....FOUND P.K. NAIL

- NOTES**
1. DISTANCES ALONG CURVED LINES ARE CHORD MEASUREMENTS.
 2. PURSUANT TO SECTION 14669.20(1/2) OF THE GOVERNMENT CODE PORTIONS OF THOSE CERTAIN DRAINAGE CANAL EASEMENTS DEPICTED IN BOOK 2820, PAGES 90 AND 91, BOOK 2812122, PAGE 216 NOT SHOWN HEREON ARE ABANDONED.
 3. AREA WITHIN THIS SUBDIVISION IS 7.61 ACRES GROSS.
 4. PROPERTY TO BE SUBDIVIDED IN ACCORDANCE WITH THIS MAP MAY BE SUBJECT TO FLOODING. INTERESTED PARTIES SHOULD ASCERTAIN WHETHER AND TO WHAT EXTENT SUCH FLOODING MAY OCCUR. THE APPLICABLE BASE FLOOD ELEVATIONS FOR THE PROPERTY SHOULD BE REVIEWED. BASE FLOOD ELEVATIONS ARE CONTAINED IN THE U.S. ARMY CORPS OF ENGINEERS FLOOD INSURANCE STUDY WORKING MAP FOR THE SACRAMENTO COMMUNITY, DATED JANUARY 1989, AVAILABLE FOR REVIEW AT THE CITY OF SACRAMENTO'S PERMIT ASSISTANCE COUNTER, ROOM 200, 1251 I STREET.

LOT 42
 14 BM 5

CHARDONNAY 209 BM 10

PLAT OF
CHARDONNAY UNIT NO. 2
 BEING ALL THAT CERTAIN DESIGNATED REMAINDER PARCEL
 AS SHOWN ON THE PLAT OF CHARDONNAY - 204 BM 10
 CITY OF SACRAMENTO CALIFORNIA
 FEBRUARY 1, 1998
 MERTON + MITALO, INC.
 SHEET 2 OF 3 SHEETS
 SCALE: 1" = 40'

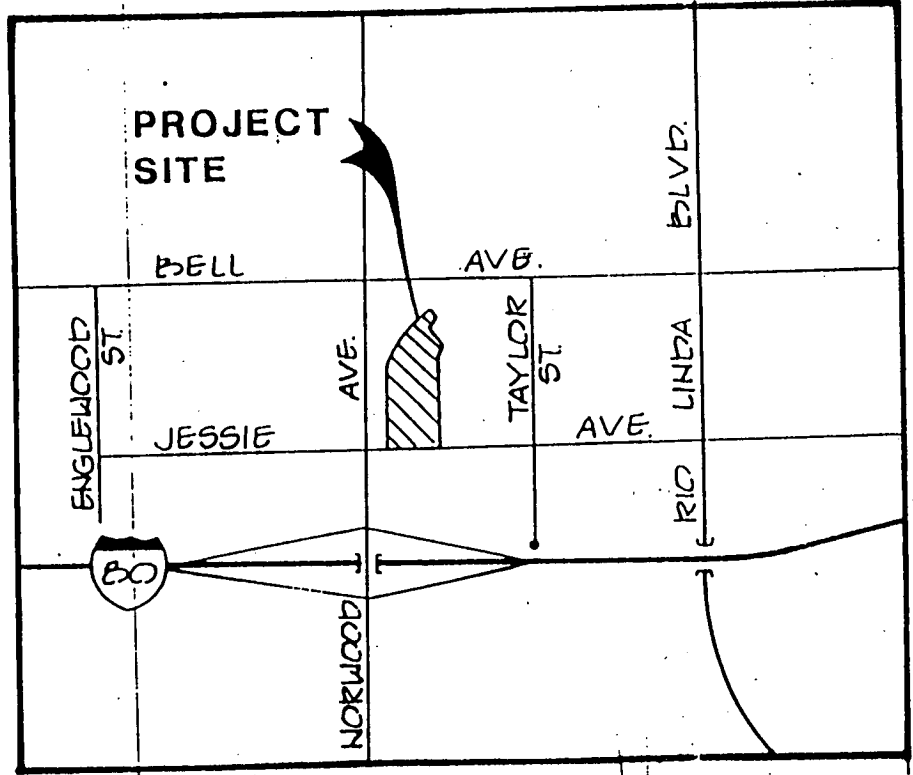


NOTE: SEE SHEET 2 OF 3 FOR BASIS OF BEARING, LEGEND, AND NOTES.

(2) MATCH TO SHEET 1

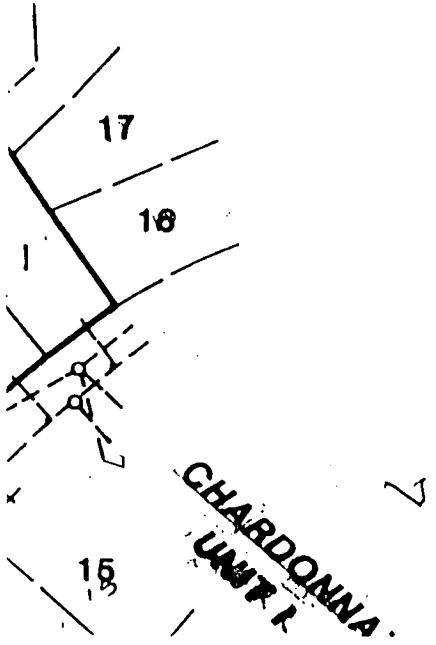
EXHIBIT "A-3"

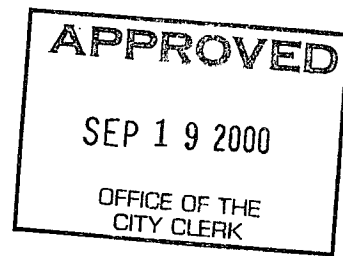
11194L 2/1/98



LOCATION MAP

NO SCALE





RESOLUTION NO. 2000-546

ADOPTED BY THE SACRAMENTO CITY COUNCIL

ON DATE OF _____

**RESOLUTION APPROVING TIME EXTENSION FOR THE
SUBDIVISION IMPROVEMENT AGREEMENT ENTITLED
"CHARDONNAY UNIT NO.2" - PUBLIC IMPROVEMENT
PROCEEDING NO. (P93-086)**

**WHEREAS, THE CITY COUNCIL OF THE CITY OF SACRAMENTO FINDS AND
DETERMINES AS FOLLOWS:**

That a time extension should be granted for the Subdivision Improvement Agreement No. 98-008 for Chardonnay Unit No. 2, located at Jessie Avenue 310' feet east of Norwood Avenue.

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF
SACRAMENTO AS FOLLOWS:**

1. That a time extension for the Subdivision Improvement Agreement No. 98-008, to expire on July 27, 2001, is hereby approved.
2. The City Manager and City Clerk are authorized and directed to execute, on behalf of the City of Sacramento, the attached first amendment to Subdivision Improvement Agreement No. 98-008.

MAYOR

ATTEST:

CITY CLERK

S:\TSWrkGrp\Docs\devsvs\council\P93-086\Chardonnay\UnitNo.2\clt\rextension

07.0500

FOR CITY CLERK USE ONLY

RESOLUTION NO.: _____

DATE ADOPTED: _____