

RESOLUTION NUMBER R- **289911**

ADOPTED ON **MAR 31 1998**

WHEREAS, on January 18, 1994, The City of San Diego entered into a Subdivision Improvement Agreement with Village Properties, a California general partnership, for the construction of public improvements for Carmel Valley Neighborhood 1 Unit 16A-1, which agreement expired on January 18, 1998; and

WHEREAS, the property is now owned by Warmington Del Mar Associates, L.P., who has signed a Subdivision Improvement Agreement to assume all of the obligations of the original subdivider and complete the required work, and has provided a performance bond for the work remaining in the amount of \$378,252; NOW, THEREFORE,

BE IT RESOLVED, by the Council of The City of San Diego, that the City Manager is authorized to execute, for and on behalf of The City of San Diego, a Subdivision Improvement Agreement with Warmington Del Mar Associates, L.P., for installation and completion of certain public improvements in the subdivision to be known as Carmel Valley Neighborhood 1 Unit 16A-1, under the terms and conditions set forth in the agreement, on file in the office of the City Clerk as Document No. RR- **289911**.

BE IT FURTHER RESOLVED, that the City Manager is authorized to release existing Bond No. 111 3309 3135, issued by The American Insurance Company in the amount of \$1,163,851, upon confirmation that all public improvements not covered by the replacement bond have been duly inspected and accepted by the City Engineer and that there are no pending

claims for recovery pursuant to the bond from third parties.

APPROVED: CASEY GWINN, City Attorney

By Prescilla Dugard  
Prescilla Dugard  
Deputy City Attorney

PD:cdk

03/04/98

03/27/98COR.COPY

Or.Dept:Dev.Svcs.

W.O.900766

R-98-954

Form=subir.frm