

RESOLUTION NUMBER R 294267

ADOPTED ON NOV 21 2000

WHEREAS, Carmel Valley 18 LLC, a California Limited Liability Company [Subdivider] has presented to the Council of The City of San Diego [Council], for approval and recordation, a final subdivision map of a proposed subdivision to be known as "Del Mar Estates Unit No. 2"; and

WHEREAS, in conjunction with the approval of the final map, Subdivider has requested that certain required public improvements be installed after recordation of the final map; and

WHEREAS, the Subdivision Map Act section 66499, authorizes the City to enter into a Subdivision Improvement Agreement [Lien Agreement] to provide for the later installation of public improvements by providing for a lien on the subdivided property, if the City finds that it would not be in the public interest to require the improvements sooner than two years after recordation of the map; and

WHEREAS, Subdivider seeks Council approval of a Lien Agreement and if conditions change, will provide a surety acceptable to the City to insure installation of the required improvements before the expiration of the Lien Agreement; and

WHEREAS, the improvements required in the Lien Agreement are not needed by the City nor necessary to serve adjacent development or the general public within the term of the Lien Agreement; and

WHEREAS, the Subdivider agrees not to sell any of the individual lots within the subdivision during the period of the Lien Agreement; and

WHEREAS, any prior lien holders to the property within the subdivision have agreed to subordinate their lien and abide by the City's Deferred Subdivision Improvement Agreement;

NOW, THEREFORE,

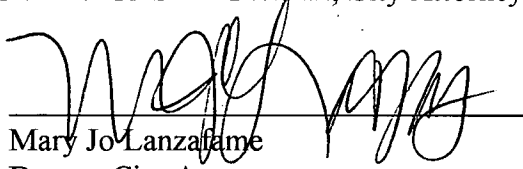
BE IT RESOLVED, by the Council of the City of San Diego, as follows:

1. That based upon the information set forth above and provided in the record on this matter, pursuant to Subdivision Map Act section 66499(a)(4) that it is not in the public interest to require the public improvements sooner than two years after the recordation of the final map.

2. That the City Manager is authorized to execute, for and on behalf of The City of San Diego, a Deferred Subdivision Improvement Agreement with Carmel Valley 18 LLC, a California Limited Liability Company, for the installation and completion of certain public improvements in the subdivision to be known as Del Mar Estates Unit No. 2, under the terms and conditions set forth in the agreement, on file in the office of the City Clerk as Document No. RR- 294267

APPROVED: CASEY GWINN, City Attorney

By

  
Mary Jo Lanzafame  
Deputy City Attorney

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