

104  
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RESOLUTION NO. R-307607

DATE OF FINAL PASSAGE JUL 24 2012

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO AUTHORIZING THE RELEASE OF CASH BONDS ASSOCIATED WITH SUBDIVISION MAPS PURSUANT TO SECTION 66497 OF THE GOVERNMENT CODE.

WHEREAS, when a subdivision map is approved by the City of San Diego, the subdivider has the option to delay the setting of the property corners (monuments) until the improvements associated with the subdivision are completed; and

WHEREAS, in order to delay the setting of these monuments, the subdivider is required to post a cash bond with the City to cover the cost of setting the survey monuments at a later date; and

WHEREAS, the City of San Diego Development Services Department is currently holding monument bonds that are associated with various subdivision maps of record; and

WHEREAS, the bond holders have requested that the City release these monument bonds back to them; and

WHEREAS, Government Code Section 66497 of the Subdivision Map Act (SMA) governs how these monumentation bonds are to be released; and

WHEREAS, the SMA states that the legislative body must make the determination as to whom the monument bonds will be released to; and


WHEREAS, City staff has gathered all the documents and evidence necessary for Council to determine whom the bonds should be released to; and

WHEREAS, under Charter section 280(a)(2) this resolution is not subject to veto by the Mayor because this matter requires the City Council to act as a quasi-judicial body and where a public hearing was required by law implicating due process rights of individuals affected by the decision and where the Council was required by law to consider evidence at the hearing and to make legal findings based on the evidence presented; NOW, THEREFORE,

BE IT RESOLVED by the City Council of the City of San Diego as follows: the monuments for the following maps have been set to the satisfaction of the City Engineer and payment of the land surveyor or engineer has been confirmed. Development Services is requesting that the City Council authorize the release of the bonds pursuant to section 66497 of the SMA to the associated depositors listed below:

Depositor	Map Number	Account No.	PTS No.	W.O. No.	Amount
McMillin Land Development	15130	126167	11911	421668	\$11,025.00
Santaluz LLC	14232	105030		991150	\$11,500.00
LPD Development LLC	15796	43895	191512	24000102	\$3,000.00
Sycamore Estates II LLC	14634	114084	3497	420210	\$69,500.00
Brookfield 8 LLC	14707	114474	3531	420234	\$35,000.00
Shea Homes	14063	30189		981202	\$10,000.00
Pardee Homes	15573	114326	52081	423484	\$40,000.00
Jason Dallas	20820	2523	196614	24000353	\$2,000.00
McMillin Companies	15124	110993	8602	421478	\$14,875.00
McMillin Land Development	15127	126167	26510	422362	\$9,000.00
Shea Properties	19001			400888	\$1,200.00
Pardee Homes	15714		149634	430283	\$10,000.00

APPROVED: JAN I. GOLDSMITH, City Attorney

By   
 Corrine L. Neuffer  
 Deputy City Attorney

CLN:js  
 07/06/2012  
 Or. Dept.: DSD  
 R-2013-27  
 Doc #398543