

RESOLUTION NUMBER R- 310002

DATE OF FINAL PASSAGE OCT 06 2015

ITEM #104
SUB-A
10/6/15

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO APPROVING THE RELEASE OF NINE MONUMENT BONDS ASSOCIATED WITH VARIOUS SUBDIVISION MAPS LOCATED THROUGHOUT THE CITY OF SAN DIEGO PURSUANT TO SECTION 66497 OF THE GOVERNMENT CODE.

WHEREAS, this request to release the bonds associated with the setting of property monument markers for projects previously approved by the City of San Diego through final and parcel maps; and

WHEREAS, monuments are used for marking property boundaries and right-of-ways, and typically consists of a lead plug set in the sidewalk, top of curb, or any other solid semi-permanent medium with a 3/4" brass disc; and

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

WHEREAS, these monument bonds will normally be released back to the subdivider if the monument bonds have been set to the satisfaction of the City Engineer, and the land surveyor or engineer of record has been paid; and

WHEREAS, the cash bonds received by the city are held in a non-interest bearing account until the interested party request their release. City staff will then process the requests and confirm the circumstances and release of the bonds; and

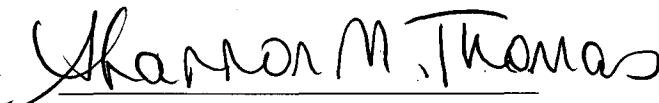
WHEREAS, under Charter section 280(a)(2), this resolution is not subject to veto by the Mayor because this matter requires the City Council to act as a quasi-judicial body and where a public hearing was required by law implicating due process rights of individuals affected by the decision and where the 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, that 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. The City Council authorizes the release of the bonds pursuant to section 66497 of the SMA to the associated depositors listed below:

<u>Depositor</u>	<u>Project Name</u>	<u>Map Number</u>	<u>PTS No.</u>	<u>Work Order No.</u>	<u>Amount</u>
McMillin Land Development	Sycamore Estates Phase II Unit 7	15129	18178	422005	\$19,250.00
McMillin Land Development	Sycamore Estates Phase II Unit 6	15128	10320	23421585	\$5,075.00
Carmel Partners	Carmel Luxury Apts ROW/EMRA/PM	21029	288825	24002839	\$4,500.00
McMillin Land Development	Sycamore Estates Phase II Unit 10	15132	11963	421669	\$6,650.00
THC/13th and Market, LLC	13th & Market – PM	20952	254389	24002098	\$1,500.00
Worsch Way 11, LLC	Worsch Way	15954	322271	24003748	\$6,000.00

Lennar Homes of California	Ziani Grading	15939	307150	24003478	\$1,500.00
EV LLC	Market Street Village PM	20152	47706	421543	\$1,000.00
City Mark Development, LLC	VW Site	19896	69227	424357	\$2,891.00

APPROVED: JAN I. GOLDSMITH, City Attorney

By 
Shannon M. Thomas
Deputy City Attorney

SMT:als
09/22/2015
Or.Dept:DSD
Doc. No.: 1115041

Passed by the Council of The City of San Diego on OCT 06 2015, by the following vote:

Councilmembers	Yeas	Nays	Not Present	Recused
Sherri Lightner	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Lorie Zapf	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Todd Gloria	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Myrtle Cole	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mark Kersey	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Chris Cate	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Scott Sherman	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
David Alvarez	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Marti Emerald	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Date of final passage OCT 06 2015.

(Please note: When a resolution is approved by the Mayor, the date of final passage is the date the approved resolution was returned to the Office of the City Clerk.)

AUTHENTICATED BY:

KEVIN L. FAULCONER
Mayor of The City of San Diego, California.

ELIZABETH S. MALAND
City Clerk of The City of San Diego, California.

(Seal)

By , Deputy

Office of the City Clerk, San Diego, California

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