

RESOLUTION NO. 3623-20

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF WINDSOR APPROVING THE FINAL MAP FOR THE OVERLOOK SUBDIVISION, AND AUTHORIZING THE MAYOR TO SIGN A SUBDIVISION IMPROVEMENT AGREEMENT AND THE TOWN MANAGER TO SIGN A PUBLIC ACCESS EASEMENT AGREEMENT, ACCEPTING CERTAIN OFFERS OF DEDICATION SUBJECT TO IMPROVEMENTS, AND MAKING FINDINGS IN ACCORDANCE WITH THE SUBDIVISION MAP ACT (UP/MJS 98-42)

WHEREAS, the Tentative Map for the Overlook Subdivision located at 7700 Windsor Road was approved by Resolution No. 571-09 by the Town of Windsor Planning Commission; and

WHEREAS, the decision of the Planning Commission was appealed to the Town Council by Valerie Hirsch; and

WHEREAS, the Town Council denied the appeal and upheld the decision of the Planning Commission to approve the tentative map per Resolution 2542-09 on September 16, 2009; and

WHEREAS, the project consists of approximately 5.9 acres to be divided into 12 residential lots and one common area; and

WHEREAS, the developer has executed a Subdivision Improvement Agreement and a Public Access Easement and the Final Map; and

WHEREAS, the Final map has been examined and found to be in conformance with the approved Tentative Map and all provisions of the Subdivision Map Act and local ordinances; and

WHEREAS, the map is technically correct and ready for approval; and

WHEREAS, offered on the map subject to improvements is Mitchell Lane as an easement for road right of way, public utility and Windsor Water District facilities purposes as well as easements for public access, public utility, public pedestrian access, public slope access and maintenance, recycled water and Windsor Water District facilities purposes; and

WHEREAS, the improvement plans have been approved for construction of the improvements; and

WHEREAS, to guarantee the completion of the improvements, the developer has provided the Subdivision Improvement Agreement and supplied surety in the form of bonds in the following amounts:

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|-------------------------|-------------|
| Performance Bond | \$2,183,321 |
| Labor and Material Bond | \$2,183,321 |
| Maintenance Bond | \$ 218,332 |
| Monumentation Bond | \$ 4,200 |

NOW, THEREFORE BE IT RESOLVED that said Final Map for the Overlook Subdivision is hereby approved; and

BE IT FURTHER RESOLVED that the Town Council hereby accepts as shown on said map subject to improvement, Mitchell Lane as an easement for road right of way, public utility and Windsor Water District facilities purposes as well as easements for public access, public utility, public pedestrian access, public slope access and maintenance, recycled water and Windsor Water District facilities purposes; and

BE IT FURTHER RESOLVED that the Town Council authorizes the Town Manager, Community Development Director and/or Public Works Director to approve modifications to public improvements if/as determined to be necessary during the course of construction; and

BE IT FURTHER RESOLVED that the Town Council of the Town of Windsor hereby approves the Final Map and authorizes the Mayor to sign a Subdivision Improvement agreement and the Town Manager to sign a Public Access Easement Agreement; and

BE IT FURTHER RESOLVED that the Town Council directs the Town Clerk to take the necessary steps to assure that said map and agreements are recorded with the County Recorder.

PASSED, APPROVED AND ADOPTED this 16th day of September 2020, by the following vote:

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|-----------------|-----------------------------------------------------------------------------|
| AYES: | COUNCILMEMBERS FUDGE, SALMON, VICE MAYOR LEMUS AND MAYOR FOPPOLI |
| NOES: | NONE |
| ABSTAIN: | COUNCILMEMBER OKREPKIE |
| ABSENT: | NONE |


DOMINIC FOPPOLI, MAYOR

ATTEST:


MARIA DE LA O, TOWN CLERK