DEPARTMENT: Public Works  By: Michael Edwards  Phone: 966-5356

RECOMMENDED ACTION AND JUSTIFICATION: (Policy Item: Yes No X) Public Works recommends that the County Board of Supervisors adopt this resolution:

1) Approving the final map of TERRACE VIEW SUBDIVISION, major subdivision no. 2/24/93,
2) Accepting on behalf of the public the dedications of public utility easements as shown on said map,
3) Accepting on behalf of the public, for public use but not for maintenance the dedications of road right-of-way along Terrace View Lane, and
4) Authorizing the Clerk of the Board to sign the map

At the applicant's request, this action is occurring prior to the Public Hearing and Adoption of the Zone of Benefit. This is contrary to past practice by Public Works. However, the applicant has agreed to pay all necessary fees (including zone formation fees) prior to recordation; and Zone Formation appears imminent. Therefore, Public Works requests that the Board consider this situation in their decision.

BACKGROUND AND HISTORY OF BOARD ACTIONS:
The preceding Board action was to approve a Resolution of Intention to form a Zone of Benefit to maintain the road within this subdivision.

The applicant appealed the conditions of approval for this subdivision. On August 10, 1993, the Board acted to partially deny and partially uphold the appeal. The applicant has met the conditions set by the Board at that time.

State Law and County Code require approval of final maps by the BOARD. The Mariposa County Road Improvement and Circulation Policy spells out the criteria for acceptance or rejection of dedications, the recommendations contained herein conform to those policies.

LIST ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:
ALTERNATIVES: 1) State Law requires that the Board approve a final map if it conforms to the approved tentative map. The final map of TERRACE VIEW SUBDIVISION conforms to the tentative map approved by the Mariposa County Planning Commission on June 4, 1993. or 2) The Board could delay approval of the final map until the Zone of Benefit formation is complete

NEGATIVE ACTION 1) The Board could reject the road right-of-way along Terrace View Lane, which would be contrary to current policy. 2) The Board could reject the public utility easements, if so, no public utility easement would be created for existing facilities constructed to serve these lots.

<table>
<thead>
<tr>
<th>COSTS:</th>
<th>SPECIAL INSTRUCTIONS:</th>
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<tbody>
<tr>
<td>(X) Not Applicable</td>
<td>List the attachments and number the pages consecutively:</td>
</tr>
<tr>
<td>A. Budgeted current FY</td>
<td>Final Map of TERRACE VIEW SUBDIVISION (2 pages)</td>
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<tr>
<td>B. Total anticipated costs</td>
<td>Location Map (1 Page)</td>
</tr>
<tr>
<td>C. Required additional funding</td>
<td></td>
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<tr>
<td>D. Internal transfers</td>
<td></td>
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SOURCE: (X) 4/5th Vote Required
A. Unanticipated revenues $______
B. Reserve for contingencies $______
C. Source description:
Balance in Reserve Contingencies, if approved: $______
CLERK'S USE ONLY
Res. No.: 94-357
Vote - Ayes 7, Nays 0, Present 7, Absent: 2
Minutes Attached: Yes
Vote: No Action Necessary

The foregoing instrument is a correct copy of
the original on file in this office.

Date:

ATTEST: MARGIE WILLIAMS, Clerk of the Board
County of Mariposa, State of California

By: Deputy

OFFICER'S RECOMMENDATION:

This item on agenda as:

_____ Recommended
_____ Not Recommended
_____ For Policy Determination
_____ Submitted with Comment
_____ Returned for Further Action

Comment:

A.O. Initials:

Action Form Revised 5/92
MARIPOSA COUNTY BOARD OF SUPERVISORS

MINUTE ORDER

TO: MIKE EDWARDS, Public Works Director

FROM: JANET BIBBY, Deputy Clerk of the Board

SUBJECT: Resolution Approving the Final Map for Terrace View Subdivision

THE BOARD OF SUPERVISORS OF MARIPSOA COUNTY, CALIFORNIA,

ADOPTED THIS Order on July 19, 1994

ACTION AND VOTE:

10:45 a.m. Mike Edwards, Public Works Director;

B) Resolution Approving Final Map for Terrace View Subdivision, Major Subdivision Application Number 2-24-93, Inter-County Title Company, Applicant

BOARD ACTION: Mike Edwards, Public Works Director, informed the Board that this item was requested for final map approval and recording at this time by applicant. Public Works Director explained that this process varies from the routine process, in that it is a request by the applicant to approve the final map prior to the zone of benefit public hearing (8/23/94). County Counsel provided input concerning risks and the application process. (M) Erickson, (S) Balmain, with discussion. Following discussion, Supervisor Erickson amended motion to include direction for staff to develop a policy for future requests. Res. 94-307 adopted/Ayes: Erickson, Balmain, Baggett; Opposed: Taber, Parker.

cc: Ed Johnson, Planning & Building Director

File
CLERK OF THE BOARD'S STATEMENT

Mary M. Williams, Clerk of the Board of Supervisors of the County of Mariposa, State of California, on behalf of the Board of Supervisors, hereby states that the map and adjoining report, entitled "Map of the Terraceview Subdivision," was presented to said Board of Supervisors at a regular meeting held at the Board of Supervisors Chambers and Court House, 305 State Street, Mariposa, on July 13, 1994, and said Board of Supervisors, by a majority duly present and desirous of acting on the same, approved said map and report under the condition that the same should be revised and resubmitted for certification to the County Surveyor, who would determine the property boundaries and ascertain the accuracy of the map and report. The said Board of Supervisors has approved said map and report under the condition that the map and report be revised and resubmitted for certification to the County Surveyor, who would determine the property boundaries and ascertain the accuracy of the map and report.

BASE OF THE BOARD OF SUPERVISORS OF THE COUNTY OF MARIPOSA, STATE OF CALIFORNIA

NOTARY STATEMENT

State of California

COUNTY OF MARIPOSA

County of Mariposa, State of California, do hereby certify that the subscriber, known to me personally, did sign and subscribe the above and foregoing instrument, and did acknowledge the same to be the act and deed of the person or persons therein mentioned.

Philippine County

COUNTY SURVEYOR'S STATEMENT

County Surveyor of Mariposa County, State of California, hereby states that I have examined the work of Terraceview Subdivision and the map and report of the same is substantially the same as defined in the foregoing documents and that the land described and located therein is divided as shown by said map and report.

COUNTY RECORDER'S STATEMENT

Freeman & Seaman Land Surveyors

P.O. Box 1305/0317 Bullock Street

Mariposa, CA 95338 (209) 966-1926

930519 P.L.