MARIPOSA COUNTY RESOLUTION NO. 86-447

A RESOLUTION RESCINDING AND REPLACING RESOLUTION NO. 80-9 IN ITS ENTIRETY REGARDING DEFERRED IMPROVEMENT SECURITY DEPOSITS FOR SUBDIVISIONS

WHEREAS, Title 16 of the Mariposa County Code and the Subdivision Map Act of the State of California require that if the work of improvement required in a subdivision is not completed prior to the acceptance of a final subdivision map thereof, the owner of the subdivision shall enter into an agreement with the Board of Supervisors to complete the work of improvement as required by COUNTY under said ordinance Code, and applicable State and local laws and regulations, in consideration of the acceptance of said final subdivision map by said Board, and

WHEREAS, the Mariposa County Code and the Subdivision Map Act require that said agreement be secured by improvement security in a penal sum, not to exceed the estimated cost of the improvement, for faithful performance of the agreement and for securing payment of labor and material claims, and

WHEREAS, there is a need to determine the estimated costs to be deposited as a secured improvement security in a penal sum, and

WHEREAS, the Road Commissioner is the inspection authority in relation to approval or disapproval of certain improvements required for final approval of subdivision maps, and

WHEREAS, certain required improvements are best effected during certain seasons and weather conditions, and

WHEREAS, it is reasonable that the County Auditor's office is the proper person to impound the said performance security in the County treasury.

NOW THEREFORE, be it resolved that:

1. The County Road Commissioner be and hereby is authorized to defer improvements on encroachments onto County property or rights-of-way under construction due to weather conditions for a maximum period of six (6) months.

2. The County Road Commissioner be and hereby is authorized to determine the amount of cash deposit required for deferred improvements on subdivision agreements and enter into agreement with an applicant for deferred improvement for a period
RESOLUTION No. 86-447

not to exceed six (6) months.

3. The County Auditor be and hereby is authorized to impound in the County Treasury any such security until completion of the said deferred improvement.

BE IT FURTHER RESOLVED, that Resolution No. 80-9 is hereby rescinded and replaced in its entirety by this Resolution.

PASSED AND ADOPTED by the Mariposa County Board of Supervisors this 9th day of December, 1986, by the following vote:

AYES: BARRICK, DALTON, ERICKSON, RADANOVICH, TABER
NOES: NONE
ABSENT: NONE
ABSTAINED: NONE

BEVERLY BARRICK, Chairman
Mariposa County Board of Supervisors

ATTEST:

GERALD MC CARthy, County Clerk and Ex Officio Clerk of the Board

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:

JEFFREY G. GREEN, County Counsel