

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.

COSTS: (X) Not Applicable

A. Budgeted current FY \$ _____

B. Total anticipated costs \$ _____

C. Required additional funding \$ _____

D. Internal transfers \$ _____

SOURCE: () 4/5th Vote Required

A. Unanticipated revenues \$ _____

B. Reserve for contingencies \$ _____

C. Source description: _____

Balance in Reserve Contingencies, if approved: \$ _____

SPECIAL INSTRUCTIONS:

List the attachments and number the pages consecutively:

Final Map of TERRACE VIEW SUBDIVISION (2 pages)

Location Map (1 Page)

CLERK'S USE ONLY

Res. No.: 94-307 J. No. _____

Vote - Ayes: Erickson, Salzman, Buggett Noes: Tuber, Parker

Absent: _____ Abstained: _____

- Approved Denied
- Minute Order Attached 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

ADMINISTRATIVE 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: W

MARIPOSA COUNTY BOARD OF SUPERVISORS

MINUTE ORDER

TO: MIKE EDWARDS, Public Works Director
FROM: JANET BIBBY, Deputy Clerk of the Board *J.B.*
SUBJECT: Resolution Approving the Final Map for
Terrace View Subdivision

THE BOARD OF SUPERVISORS OF MARIPOSA 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
 I, Richard A. Seaman, Clerk of the Board of Supervisors of the County of Mariposa, State of California, do hereby state that the above and foregoing map, prepared and to said Board of Supervisors as provided by law, at a regular meeting of said Board of Supervisors, held on the 15th day of February, 1994, and said Board of Supervisors thereupon, by a motion duly passed and adopted at said meeting, did approve said map, did accept on behalf of the County of Mariposa, State of California, all public utilities shown on said map, did accept for public utilities as shown on the dedication of public road right-of-way, and did not for maintenance, county road known as Terrace View Lane as shown on said map, and marked as offered for dedication.

Acceptance by the County of public utility easements does not in any way abrogate, diminish, or in any way affect the responsibility or liability for the repair and/or maintenance of the public utility easement, the record for the planning and permitting development of utilities as necessary within the public utility easement.

AN ATTENESS WITNESS, I have here to set my hand this 15th day of February, 1994.

 Clerk of the Board of Supervisors
 State of California

BASIS OF BEARINGS
 The meridian of this survey is identical with that of the map entitled "Parcel Map for Rodney J. Strain & Kathleen J. Strain" filed for record in Book 25 of Parcel Maps at Page 117, and in the County Records, and is based on the bearing (N. 89° 34' 48" E) of the line between found monuments as shown hereon.

- LEGEND**
- Found 5/8" dia. steel bar with plastic cap stamped LS 4727, unless otherwise noted.
 - Set 5/8" dia. steel bar with plastic cap stamped LS 5339, unless otherwise noted.
 - (1) Record data per reference listed hereon.
 - ST Gr Square Feet Gross
 - MCR Mariposa County Records
 - O.P. Official Public Utility Records
 - PUE Public Utility Easement
 - (G-2) Calculated per reference data.
 - IP Iron Pipe
 - HTS Not to scale
 - Overhead power lines
 - W.C. Witness Corner
 - ||||| Slope Easement

- REFERENCES**
- (1) Parcel Map Book 25, Page 117, MCR
 - (2) Record of Survey Map 2435, MCR
 - (3) Zone of Non-Protest, Document No. _____ MCR
 - (4) Declaration, Document No. _____ MCR
 - (5) Parcel Map Book 24, Page 18, MCR

Note: This property is subject to the following easements (Specific location not of record) per Inter-County Title Co. Report No. M17273

- a. Book 31 of Deeds, page 395, MCR (San Joaquin Light and Power Corp.)
- b. Vol. 7, D.R., Page 168, MCR (P.G. & E.)
- c. Vol. 7, D.R., Page 396, MCR (P.G. & E.)
- d. Vol. 18, D.R., Page 62, MCR (P.G. & E.)

**MAP OF THE
 TERRACE VIEW SUBDIVISION**

BEING A MAJOR SUBDIVISION OF A PORTION OF PROJECTED SECTION 15, T.5S., R. 9E., M.D.B.&M. MARIPOSA COUNTY CALIFORNIA
 FEBRUARY 1994
 SHEET 1 OF 2
 TOTAL SUBDIVIDED AREA 6.04
 SCALE AS SHOWN

LICENSED LAND SURVEYOR'S STATEMENT
 This map, and the survey thereon, were prepared by me, or under my direct supervision, in accordance with the requirements of the Land Surveying Act of 1937, as amended, at the request of Inter-County Title Co., 1500 J Street, Mariposa, California 95339. This map was prepared in accordance with the Division and was completed on the 15th day of February, 1994. I hereby state, the monuments are of the character shown on this map, occupy the positions indicated and were set on or before February 11, 1994 and that said monuments are sufficient to enable the survey to be retraced.

Richard A. Seaman - S. 5339

COUNTY SURVEYOR'S STATEMENT

I, _____ County Surveyor of Mariposa County, State of California, hereby state that I have examined the map of Terrace View Subdivision and that said subdivision is substantially the same as it appeared on the tentative map, and that all of the State laws and local ordinances governing the filing of subdivisions have been complied with, and that I am satisfied that the same is technically correct.

 County Surveyor
 Date _____ U.S. or R.C.E. No. _____

COUNTY RECORDER'S STATEMENT

Filed this _____ day of _____ 19____ at _____ in the Book of Maps, of Page _____ at the request of Inter-County Title Co., Tuolumne-Mariposa Division.

 County Recorder
 By _____ Deputy

OWNER'S STATEMENT
 I, _____, hereby giving a record title interest in the land as plotted on this map, hereby consent to the preparation and recording of this map, and offers for dedication to Mariposa County, all rights-of-way, non-county roads and all Public Utility Easements, for all streets of this purpose, over, on, across and under the strips of land shown on this map as "P.U.E.", together with the right to trim on this map, any unnecessary trees and vegetation, as shown on this map, to be necessary trees and dedication. These offers of dedication to Mariposa County shall remain open until either accepted or rejected, in writing, by Mariposa County.

 Inter-County Title Co.
 Tuolumne-Mariposa Division

NOTARY STATEMENT

State of California _____ ss.
 County of _____
 On _____ before me,
 personally appeared _____

personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are _____ to me that he/she/they executed the same in his/her/their authorized capacity(ies) and that he/she/they are acting on behalf of which the person(s) acted, executed the instrument.

 Notary Signature
 _____ County of place of business

Commission expiration date _____

TRUSTEE'S STATEMENT

THE ASSIGNED INTER-COUNTY TITLE CO., TUOLUMNE-MARIPOSA DIVISION, COUNTY OF MARIPOSA, TRUSTEES UNDER A TRUST DEED RECORDED JULY 11, 1989, AS INSTRUMENT NO. 893203, MARIPOSA COUNTY RECORDS, AND AFFECTING THE LAND PLATTED WITHIN THE MAP SHOWN ON THIS MAP, DOES HEREBY CONSENT TO THE PREPARATION AND RECONSTRUCTION OF THE SAME.

 Inter-County Title Company,
 Tuolumne-Mariposa Division.

NOTARY STATEMENT

State of California _____ ss.
 County of _____
 On _____ before me,
 personally appeared _____

personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are _____ to me that he/she/they executed the same in his/her/their authorized capacity(ies) and that he/she/they are acting on behalf of which the person(s) acted, executed the instrument.

 Notary Signature
 _____ County of place of business

Commission expiration date _____

MAP OF TERRACE VIEW SUBDIVISION

BEING A MAJOR SUBDIVISION OF A PORTION OF
PROJECTED SECTION 15, T.5S., R.18E., M.D.B.&M.
MARIPOSA COUNTY
CALIFORNIA
FEBRUARY 1994
SHEET 2 OF 2
TOTAL SUBDIVIDED AREA
6.04 ACRES

SOILS REPORT

In accordance with California Government Code, Sections 66480 and 66491 and Mariposa County Ordinance 220, the preliminary soils report was prepared on the 10th day of December, 1991.

by: Twining Laboratories

The report was signed by David S. Lee
R.C.E. No. 44940

ROAD CENTERLINE & RIGHT-OF-WAY TANGENT COURSE DATA

COURSE	BEARING	DISTANCE
1	N77°14'24"W	32.87'
2	S53°40'49"W	37.04'
3	N65°48'17"E	33.60'
4	S65°48'17"E	61.81'
5	S30°00'46"W	3.00'
6	S43°58'13"E	15.10'
7	N44°01'47"E	23.00'

RADIAL BEARINGS

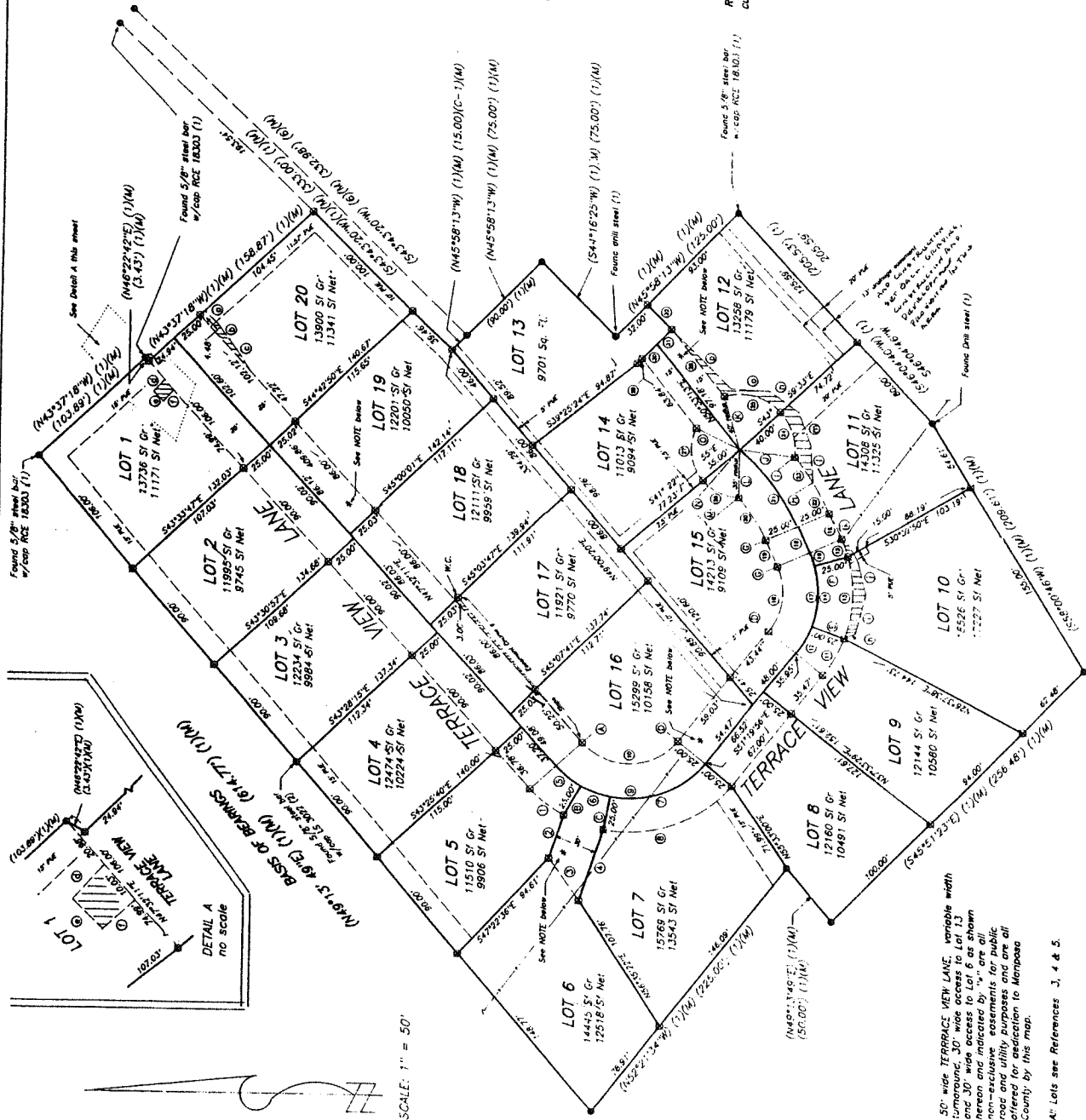
COURSE	BEARING
A	N47°27'48"W
B	N75°19'28"W
C	S30°40'04"W
D	S27°00'46"W
E	S34°58'13"E
F	S34°58'13"E
G	S34°58'13"E
H	S34°58'13"E
I	S34°58'13"E
J	S34°58'13"E
K	S34°58'13"E
L	S34°58'13"E
M	S34°58'13"E
N	S34°58'13"E
O	S34°58'13"E

ROAD CENTERLINE & RIGHT-OF-WAY CURVE DATA

CURVE	RADIUS	TANGENT	LENGTH	DELTA
1	55.00'	15.28'	31.27'	18°51'38"
2	70.00'	11.20'	22.91'	18°51'38"
3	70.00'	41.82'	76.54'	67°48'44"
4	70.00'	81.77'	153.07'	67°48'44"
5	70.00'	52.57'	105.57'	67°48'44"
6	70.00'	30.84'	61.63'	36°08'03"
7	70.00'	22.91'	46.82'	36°08'03"
8	70.00'	4.95'	9.91'	67°48'44"
9	70.00'	18.46'	36.92'	67°48'44"
10	70.00'	18.46'	36.92'	67°48'44"
11	70.00'	18.46'	36.92'	67°48'44"
12	70.00'	18.46'	36.92'	67°48'44"
13	70.00'	18.46'	36.92'	67°48'44"
14	70.00'	18.46'	36.92'	67°48'44"
15	70.00'	18.46'	36.92'	67°48'44"
16	70.00'	18.46'	36.92'	67°48'44"
17	70.00'	18.46'	36.92'	67°48'44"
18	70.00'	18.46'	36.92'	67°48'44"
19	70.00'	18.46'	36.92'	67°48'44"
20	70.00'	18.46'	36.92'	67°48'44"
21	70.00'	18.46'	36.92'	67°48'44"
22	70.00'	18.46'	36.92'	67°48'44"
23	70.00'	18.46'	36.92'	67°48'44"
24	70.00'	18.46'	36.92'	67°48'44"
25	70.00'	18.46'	36.92'	67°48'44"
26	70.00'	18.46'	36.92'	67°48'44"
27	70.00'	18.46'	36.92'	67°48'44"

SLOPE EASEMENT DATA

COURSE	BEARING	DISTANCE
1	S44°01'47"W	74.37'
2	S53°40'49"W	18.25'
3	S53°40'49"W	18.25'
4	S53°40'49"W	18.25'
5	S53°40'49"W	18.25'
6	S53°40'49"W	18.25'
7	S53°40'49"W	18.25'
8	S53°40'49"W	18.25'
9	S53°40'49"W	18.25'
10	S53°40'49"W	18.25'
11	S53°40'49"W	18.25'
12	S53°40'49"W	18.25'
13	S53°40'49"W	18.25'
14	S53°40'49"W	18.25'
15	S53°40'49"W	18.25'
16	S53°40'49"W	18.25'
17	S53°40'49"W	18.25'
18	S53°40'49"W	18.25'
19	S53°40'49"W	18.25'
20	S53°40'49"W	18.25'
21	S53°40'49"W	18.25'
22	S53°40'49"W	18.25'
23	S53°40'49"W	18.25'
24	S53°40'49"W	18.25'
25	S53°40'49"W	18.25'
26	S53°40'49"W	18.25'
27	S53°40'49"W	18.25'



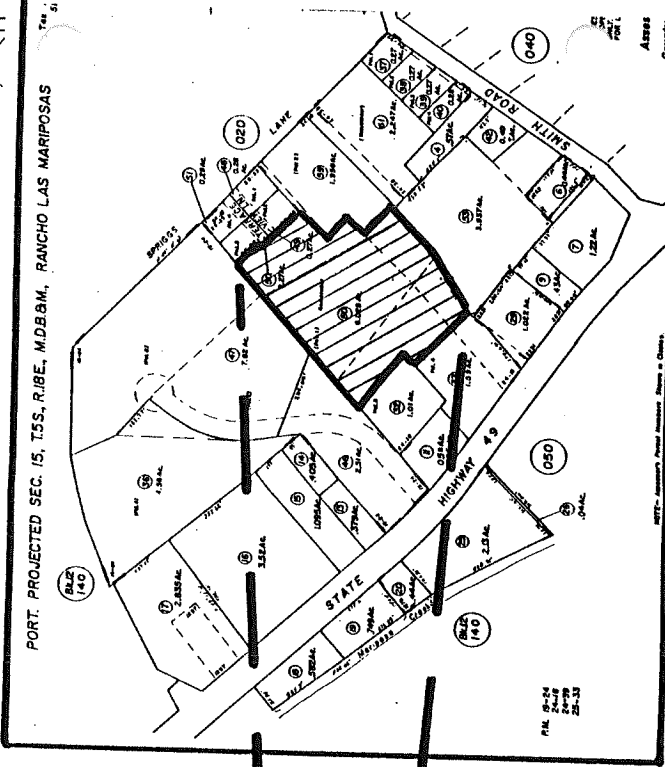
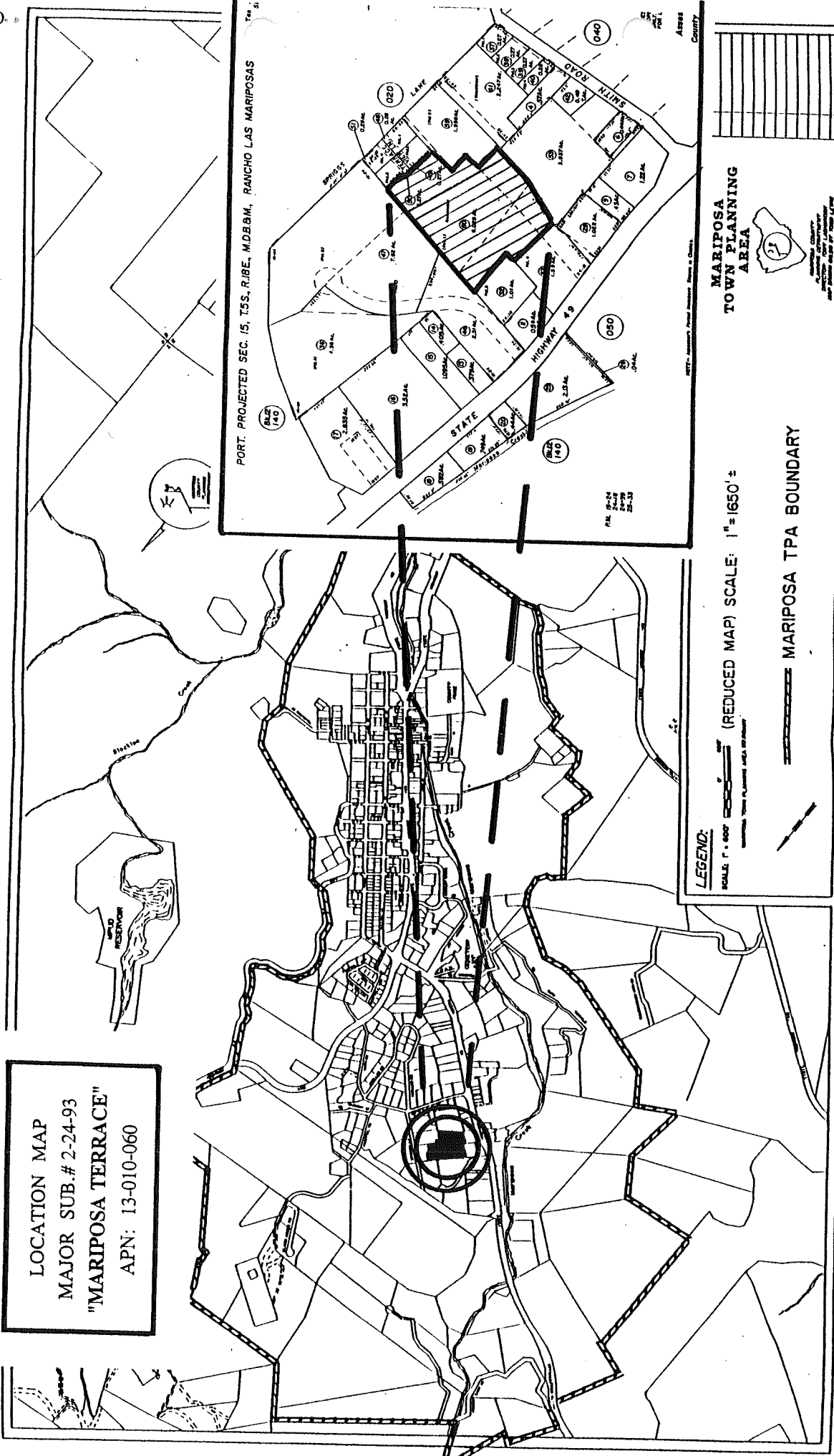
SCALE: 1" = 50'

NOTE: 50' wide TERRACE VIEW LANE, variable width
turnaround, 30' wide access to Lot 1, 3
and 30' wide access to Lot 6 as shown
indicated by dashed lines. All
non-exclusions, easements, utility
road and utility purposes and are all
offered for association to Mariposa
County by this map.

NOTE: All Lots see References 3, 4 & 5.

FREEMAN & SEAMAN LAND SURVEYORS
P.O. Box 1305/5037 Bullion Street,
Mariposa, Ca. 95338 (209)966-3926
9.3x15.7x2 Pl.

LOCATION MAP
 MAJOR SUB.# 2-24-93
 "MARIPOSA TERRACE"
 APN: 13-010-060



LEGEND:
 SCALE: 1" = 600' (REDUCED MAP) SCALE: 1" = 1650' ±

MARIPOSA TPA BOUNDARY

MARIPOSA TOWN PLANNING AREA

APN: 13-010-060

DATE: 10/24/93

BY: [Signature]

FOR: [Signature]