

STAFF REPORT
City of Lancaster

CC 13
10/23/07
RSL

Date: October 23, 2007

To: Mayor Hearn and City Council Members

From: James R. Williams, Public Works Director

Subject: **Extend Undertaking Agreement and Improvement Securities for Tract Map No. 53102 Located on the Southwest Corner of Avenue J-8 and 45th Street West**

Recommendation:

Extend the Undertaking Agreement and Improvement securities for Tract Map No. 53102 to October 23, 2009.

Background:

In the undertaking agreement, the developer agrees to complete the improvements under which the subdivision was conditioned. These improvements usually consist of curbs, gutters, sidewalks, asphalt pavement, drainage basins, storm drains, water and sewer systems, landscaping, and street lighting systems. The improvement securities posted with the undertaking agreement secure the completion of the conditioned improvements. If the developer fails to complete these improvements, the City may use the posted securities to pay for completion of the improvements.

On September 23, 2003, Magnolia, LP ("developer") entered into an agreement and posted securities to complete the required improvements for Tract Map No. 53102. The agreement will expire on October 25, 2007 and will be extended to October 23, 2009. To date, only 25 percent of required improvements have been completed and 0 of the 106 homes have been occupied.

Summary:

On June 18, 2007, the developer was put on notice that the undertaking agreement was due to expire. On July 2, 2007, the City Engineer received a letter from the developer requesting an extension. The developer has agreed to complete the improvements by October 23, 2009.