

STAFF REPORT
City of Lancaster

CC 16
02/12/08
MVB

Date: February 12, 2008

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. 53102-01, 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. 53102-01 to August 12, 2008.

Background:

On August 24, 2004, Magnolia, LP ("developer") entered into an agreement and posted securities to complete the required improvements for Tract Map No. 53102-01. The agreement expired August 24, 2006, was extended and expired on September 26, 2007. To date, no improvements have been accepted by the City.

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.

Summary:

On December 17, 2007, the developer was put on notice that the undertaking agreement had expired. On December 26, 2007, the City Engineer received a letter from the developer requesting an extension.