

STAFF REPORT
City of Lancaster

CC 12
04/14/09
MVB

Date: April 14, 2009

To: Mayor Parris and City Council Members

From: James R. Williams, Director of Public Works

Subject: **Amendment to the Subdivision Undertaking Agreement, Maintenance Agreement and Phase Acceptance for Tract Map No. 53102-02 - Located on the Northwest Corner of Avenue J-12 and 45th Street West**

Recommendation:

Approve and accept the Amendment to the existing Subdivision Undertaking Agreement, approve the Maintenance Agreement and Maintenance Security submitted by Magnolia, L.P. (“Subdivider”), for Tract Map No. 53102-02 and approve the creation of Phases 1 and 2 of the subject map.

Background:

On September 23, 2003, the Subdivider entered into a Subdivision Undertaking Agreement and posted securities to complete the required improvements for Tract Map No. 53102-02. The Subdivider has completed a portion of the work required by the Agreement and intends to request that the City accept the completed portion of work on a phased basis.

The purpose of this amendment is to exclude from the agreement that certain portion of work relative to the Phase 1 property and to clarify the completion date of the work for the Phase 2 property. Phase 2 shall be completed on or before April 14, 2010. Magnolia L.P. retained the ownership of both phases identified as Phase 1 on Exhibit “A” and Phase 2 on Exhibit “B”.

Staff recommends that the Council approve the Amendment to the existing Subdivision Undertaking Agreement, approve the Maintenance Agreement, accept the Maintenance Security and approve the creation of Phases 1 and 2 of Tract Map No. 53102-02.

MT:lcs

Attachments:

Amendment to Undertaking Agreement
Exhibits “A” and “B”
Maintenance Agreement