

**STAFF REPORT**  
**City of Lancaster**

CC 9
05/26/09
MVB

Date: May 26, 2009

To: Mayor Parris and City Council Members

From: James R. Williams, Director of Public Works

Subject: **Substitution of Subdivision Undertaking Agreement and Securities and Acceptance of Maintenance Agreement and Securities for Tract Map No. 061206, Located on the Southeast Corner of Avenue J and 35<sup>th</sup> Street East**

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**Recommendation:**

Approve substitution of the Subdivision Undertaking Agreement and securities and accept the Maintenance Agreement and security submitted by Forestar Dorado Skies, LLC in place of the Subdivision Undertaking Agreement and securities submitted by Western Pacific Housing, Inc. / D.R. Horton, Inc. for Tract Map No. 061206.

**Background:**

On June 12, 2007, Western Pacific Housing, Inc. / D.R. Horton, entered into a Subdivision Undertaking Agreement and posted securities to complete the required improvements for Tract Map No. 061206.

The subject property subsequently changed hands, the new developer, Forestar Dorado Skies, LLC, has requested that the City allow the substitution of the Subdivision Undertaking Agreement and securities so that property can be developed.

Forestar Dorado Skies, LLC has submitted Subdivision Undertaking and Maintenance Agreements and securities in accordance with City policy.

Staff recommends that the Council approve the Subdivision Undertaking and Maintenance Agreements, accept the securities, and approve the termination of the Subdivision Undertaking Agreement with Western Pacific Housing, Inc. / D.R. Horton, Inc. and release securities posted by Western Pacific Housing, Inc. / D.R. Horton, Inc.

MT:cmm

**Attachments:**

Map  
Undertaking Agreement  
Maintenance Agreement