

400 Provision  
of Record

RECORDING REQUESTED AND  
WHEN RECORDED RETURN TO:  
Candy Aschle, City Clerk's Office  
P.O. Box 307  
Paso Robles, CA 93447

RESOLUTION NO. 92-159

**A RESOLUTION OF THE CITY COUNCIL OF THE  
CITY OF EL PASO DE ROBLES ACCEPTING CERTAIN IMPROVEMENTS  
CONSTRUCTED PURSUANT TO THE SUBDIVISION IMPROVEMENT  
AGREEMENT FOR PARCEL MAP PR 89-418 (HALFERTY DEVELOPMENT),  
AND AUTHORIZING THE CITY ENGINEER TO EXECUTE NOTICES OF  
COMPLETION THEREFORE AND TO PARTIALLY RELEASE CERTAIN  
IMPROVEMENT SECURITIES.**

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**WHEREAS,** the City of El Paso de Robles and Halferty Development, as Subdivider, entered into that certain Subdivision Improvement Agreement dated June 19, 1992, relating to public improvement work for Parcel Map PR 89-418, in the City of El Paso de Robles; and

**WHEREAS,** the public improvements specifically identified in Exhibit "A" attached hereto have been constructed, installed and completed by the Subdivider in accordance with the Subdivision Improvement Agreement and in compliance with the improvement plans and all applicable City Standards, and the City Engineer has certified to the Council the completion of such public improvements; and

**WHEREAS,** the Subdivider has requested that the City accept said public improvements and authorize the partial release of improvement securities (Performance Bond) furnished by Subdivider pursuant to the terms and conditions of the Subdivision Improvement Agreement;

**WHEREAS,** the sub-contractor A & J Sanchez Co., Inc. has filed a Mechanic's Lien against the project and Subdivider, in the amount of \$234,630.94, and has requested that the City withhold this amount from the Maintenance Securities (Payment Bond) to satisfy the lien. Said lien was recorded in the office of the County Recorder on August 2, 1991 in Book 3733, Page 199 of Official Records.

**NOW, THEREFORE,** the City Council of the City of El Paso de Robles hereby finds, determines, orders and resolves as follows:

**Section 1.** The public improvements, as specifically identified in Exhibit "A" attached hereto, have been constructed, installed and completed in accordance with the Subdivision Improvement Agreement and in compliance with the improvement plans and all applicable City Standards, and the City Engineer is hereby authorized, on behalf of the City, to prepare and file a **Notice of Completion** relating to such public improvements.

**Section 2.** The City Engineer is hereby authorized to partially release the **Performance Bond** furnished by the **Subdivider** to secure the public improvements, in the percentages specified in the Subdivision Improvement Agreement; and upon satisfactory completion of a one-year maintenance period the City Engineer is hereby authorized to release this **Maintenance Bond**.

**Section 3.** The City Engineer is hereby authorized to partially release the labor and materials securities (**Payment Bond**), **thirty-five (35) days from recordation of the Notice of Completion**, furnished by **Subdivider**; and is authorized to retain a portion of the Labor and Materials Bond (**Payment Bond**), in the amount of **\$234,630.94**, to satisfy the **Mechanic's Lien** filed by sub-contractor **A & J Sanchez Co., Inc.**

**Section 4.** The City Clerk shall certify to the passage and adoption of this Resolution.

**PASSED, APPROVED and ADOPTED** this 15th day of September, 1992 by the following vote:

**AYES:** Heggarty, Macklin, Martin, Picanco, and Iversen


**NOES:** None

**ABSENT:** None      **ABSTAIN:** None

**CITY OF EL PASO DE ROBLES:**

  
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**Christian E. Iversen, Mayor**

**ATTEST:**

  
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**Richard J. Ramirez, City Clerk**

**EXHIBIT "A"**

**PUBLIC IMPROVEMENTS CONSTRUCTED, INSTALLED  
AND COMPLETED FOR PARCEL MAP PR 89-418 PURSUANT TO  
SUBDIVISION IMPROVEMENT AGREEMENT DATED AS OF JUNE 19, 1990,  
BETWEEN THE CITY OF EL PASO DE ROBLES AND HALFERTY DEVELOPMENT  
AS SUBDIVIDER**

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- I. Street Improvements
- II. Sewer Improvements
- III. Drainage Improvements
- IV. Water System
- V. Landscaping
- VI. Grading
- VII. Monumentation