June 22, 2004

TO: Mayor and City Council

FROM: Public Works Department

SUBJECT: **RESOLUTION: NINFATINO ESTATES – TRACT NO. 3309**

**RECOMMENDATION**

It is recommended that a resolution be adopted authorizing the City Manager to execute the subdivision agreement, accepting on behalf of the public all offers of dedication, and authorizing recordation of the map.

**DISCUSSION**

Ninfatino Estates is located south of Ralph Avenue, west of "B" Street, and north of Carpenter Road. Ninfatino Estates contains 5.00 acres divided into 29-residential lots. The developer for Ninfatino Estates is American-USA Homes, LLC.

The subject resolution authorizes the City Manager to execute the subdivision agreement. The subdivision agreement is a binding contract between the subdivider and the City where the subdivider agrees to construct all streets, street lights, fire hydrants, water pipes, sanitary sewer pipes, storm drain pipes, traffic signals, and other on-site and off-site improvements in accordance with plans approved by the City Engineer.

The resolution also accepts on behalf of the public all offers of dedication and authorizes recordation of the map. As a condition of approval of a final subdivision map, the subdivider dedicates or makes an irrevocable offer of dedication of all parcels of land within the subdivision that are needed for streets, including access rights, public utility easements, and other public easements. After the final subdivision map is approved by the City Council, the City transmits the map to the County Recorder for recordation.

The subdivider has paid $23,892.04 in various development fees which include plan checking and inspection. All other fees will be assessed at the time building permits are issued.

There is no City participation in this development at this time.

**PREPARED BY:** Rosa Guerrero, Assistant Engineer

Respectfully submitted,

**GREGG S. MEISSNER**
DEVELOPMENT SERVICES MANAGER

**APPROVED BY CITY MANAGER**

Attachment

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**AGENDA ITEM** 6.04
RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE A SUBDIVISION AGREEMENT AND ACCEPTING ON BEHALF OF THE PUBLIC ALL OFFERS OF DEDICATION AND AUTHORIZING RECORDATION OF THE MAP FOR NINFATINO ESTATES - TRACT NO. 3309

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF STOCKTON, AS FOLLOWS:

1. The City Manager is hereby authorized to approve and execute on behalf of the City of Stockton a subdivision agreement outlining conditions for the approval of a final map for NINFATINO ESTATES - TRACT NO. 3309.

2. The Public Works Department has determined that the public improvements for NINFATINO ESTATES - TRACT NO. 3309 will be completed in accordance with the approved plans and specifications.

3. The certain map or plat, consisting of two pages, entitled NINFATINO ESTATES - TRACT NO. 3309, filed with this City Council on June 22, 2004, is hereby approved as and for the final map of that certain subdivision known as NINFATINO ESTATES - TRACT NO. 3309, Stockton, California.

4. This City Council hereby accepts on behalf of the public all offers of dedication for the purposes designated and authorizes recordation of the map.

5. The approval and acceptance by the City on behalf of the public of TRACT NO. 3309, Subdivisions of San Joaquin County, NINFATINO ESTATES, is subject to the owner or owners constructing all public improvements required by the Department of Public Works and the payment of all fees required under Chapter 16, Part I, of the Stockton Municipal Code, and subject to the owner or owners submitting to the City of Stockton the final map of the subdivision approved by the County Surveyor indicating conformance to the Subdivision Map Act of the State of California.
6. The City Clerk is hereby authorized and directed to sign and have recorded said subdivision map when same is submitted to the City bearing said approval of the County Surveyor and is approved by the City Engineer.

PASSED, APPROVED and ADOPTED ________________

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GARY A. PODESTO
Mayor of the City of Stockton

ATTEST:

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KATHERINE GONG MEISSNER
City Clerk of the City of Stockton

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