



**Resource Management
Agency
COUNTY OF TULARE
AGENDA ITEM**

BOARD OF SUPERVISORS

KUYLER CROCKER
District One
PETE VANDER POEL
District Two
AMY SHUKLIAN
District Three
EDDIE VALERO
District Four
DENNIS TOWNSEND
District Five

AGENDA DATE: June 30, 2020

Public Hearing Required	Yes <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>
Scheduled Public Hearing w/Clerk	Yes <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>
Published Notice Required	Yes <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>
Advertised Published Notice	Yes <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>
Meet & Confer Required	Yes <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>
Electronic file(s) has been sent	Yes <input checked="" type="checkbox"/>	N/A <input type="checkbox"/>
Budget Transfer (Aud 308) attached	Yes <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>
Personnel Resolution attached	Yes <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>
Agreements are attached and signature line for Chairman is marked with tab(s)/flag(s)	Yes <input checked="" type="checkbox"/>	N/A <input type="checkbox"/>
CONTACT PERSON: Celeste Perez PHONE: (559) 624-7010		

SUBJECT: Final Map for Phase III of Subdivision Tract No. 767

REQUEST(S):

That the Board of Supervisors:

1. Approve the Final Map for Phase III of Subdivision Tract No. 767, north of the City of Visalia; and
2. Approve the Agreement with Smee Homes, Inc. to complete all required public improvements for Phase III of Subdivision Tract No. 767 effective upon approval by the Board of Supervisors for the term of 12 months; and
3. Authorize the Chair to sign the Agreement; and
4. Accept the road right of way dedications for Phase III of Subdivision Tract No. 767 as shown on the Final Map.

SUMMARY:

The subdivider of Phase III of Subdivision Tract No. 767 is Smee Homes, Inc., Jason Moyes, President. The tentative map for Subdivision Tract No. 767 was conditionally approved by the Planning Commission on May 17, 2006. The final map for Phases I and II were approved by your Board on April 29, 2008 and December 5, 2017, respectively. Subdivision Tract No. 767 is a division of 16.7 acres into 56 residential lots to be constructed in three phases: Phase I consisting of 22 lots; Phase II consisting of 20 lots; and Phase III consisting of 14 lots. This tentative map is located on the north side of Avenue 320, approximately one-half mile east of State Highway 63, located north of the City of Visalia.

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DATE: June 30, 2020

The required public improvements for the subdivision are subject to plan approval and construction inspection by the Resource Management Agency (RMA) Public Works Branch and California Water Service Company (Cal Water). The improvements include construction of public roads and connection to the Cal Water's water system. These improvements will be completed in accordance with the terms of an improvement agreement between the subdivider and the County. The improvement agreement between the County and the subdivider will be in effect for a period of one year from the Board approval date.

The Planning and Development Director certified that the final map is substantially the same as it appeared on the approved tentative map. The Public Works Director certified that the provisions of the Subdivision Map Act and local ordinances applicable at the time of approval of the tentative map have been complied with. State law requires the local legislative body to approve a final map if it conforms to the requirements of the Subdivision Map Act and local ordinance. Therefore, in the absence of evidence of noncompliance, the County is obligated to approve the Final Map for this subdivision.

Ten percent of the security provided by the subdivider guaranteeing faithful performance will be retained by the County for a period of one year following acceptance of the improvements by your Board, as a guarantee and warranty against defective work or materials furnished pursuant to Section 7-01-2045 of the ordinance code. In addition, the security provided by the subdivider securing payment to the contractors, subcontractors, laborers, materialmen and other persons employed in the performance of the work will be retained by the County for a period of ninety (90) days after acceptance of the improvements by your Board pursuant to requirements of the Subdivision Map Act and California Civil Code.

Assessment District Nos. 16-767-VISALIA and 16-767R-VISALIA were formed prior to this final map to pay for the continuing cost of maintaining the storm drainage system improvements and road and street maintenance located within this Subdivision.

FISCAL IMPACT/FINANCING:

No Net County Cost to General Fund.

Security in the form of a Performance Bond in the amount of \$230,440 and a Labor and Materials Bond in the amount of \$115,220 has been issued by SureTec Insurance Company. These amounts represent one hundred and fifty percent of the total estimated cost of the required public improvements, thus ensuring faithful performance of the improvement agreement between the County and the Subdivider and payment to contractors, subcontractors and persons furnishing labor, materials or equipment for the construction of the required public improvements.

The subdivider has borne the cost of constructing the required public improvements. The County will be responsible for future costs of road maintenance and associated

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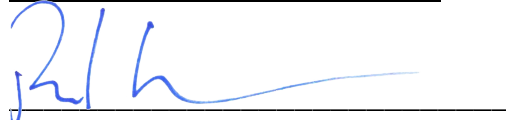
DATE: June 30, 2020

general liability upon acceptance of the public improvements. The two previously formed assessment districts will pay for the continuing costs of maintaining the storm drain system and maintaining the public roads located in the subdivision.

LINKAGE TO THE COUNTY OF TULARE STRATEGIC BUSINESS PLAN:

The County's five-year strategic plan includes the economic well-being initiative to promote economic development opportunities and effective growth management. The acceptance of the public improvements for Tract 767 encourages growth consistent with the County's General Plan.

ADMINISTRATIVE SIGN-OFF:



Reed Schenke, P.E.

Director

cc: County Administrative Office

Attachment(s) Attachment A – Vicinity Map
Attachment B – Tract 767 Phase III Final Map
Attachment C – Improvement Agreement

**BEFORE THE BOARD OF SUPERVISORS
COUNTY OF TULARE, STATE OF CALIFORNIA**

IN THE MATTER OF FINAL MAP FOR)
PHASE III OF SUBDIVISION TRACT) Resolution No. _____
NO. 767) Agreement No. _____

UPON MOTION OF SUPERVISOR _____, SECONDED BY
SUPERVISOR _____, THE FOLLOWING WAS ADOPTED BY THE
BOARD OF SUPERVISORS, AT AN OFFICIAL MEETING HELD JUNE 30, 2020, BY
THE FOLLOWING VOTE:

AYES:
NOES:
ABSTAIN:
ABSENT:

ATTEST: JASON T. BRITT
COUNTY ADMINISTRATIVE OFFICER/
CLERK, BOARD OF SUPERVISORS

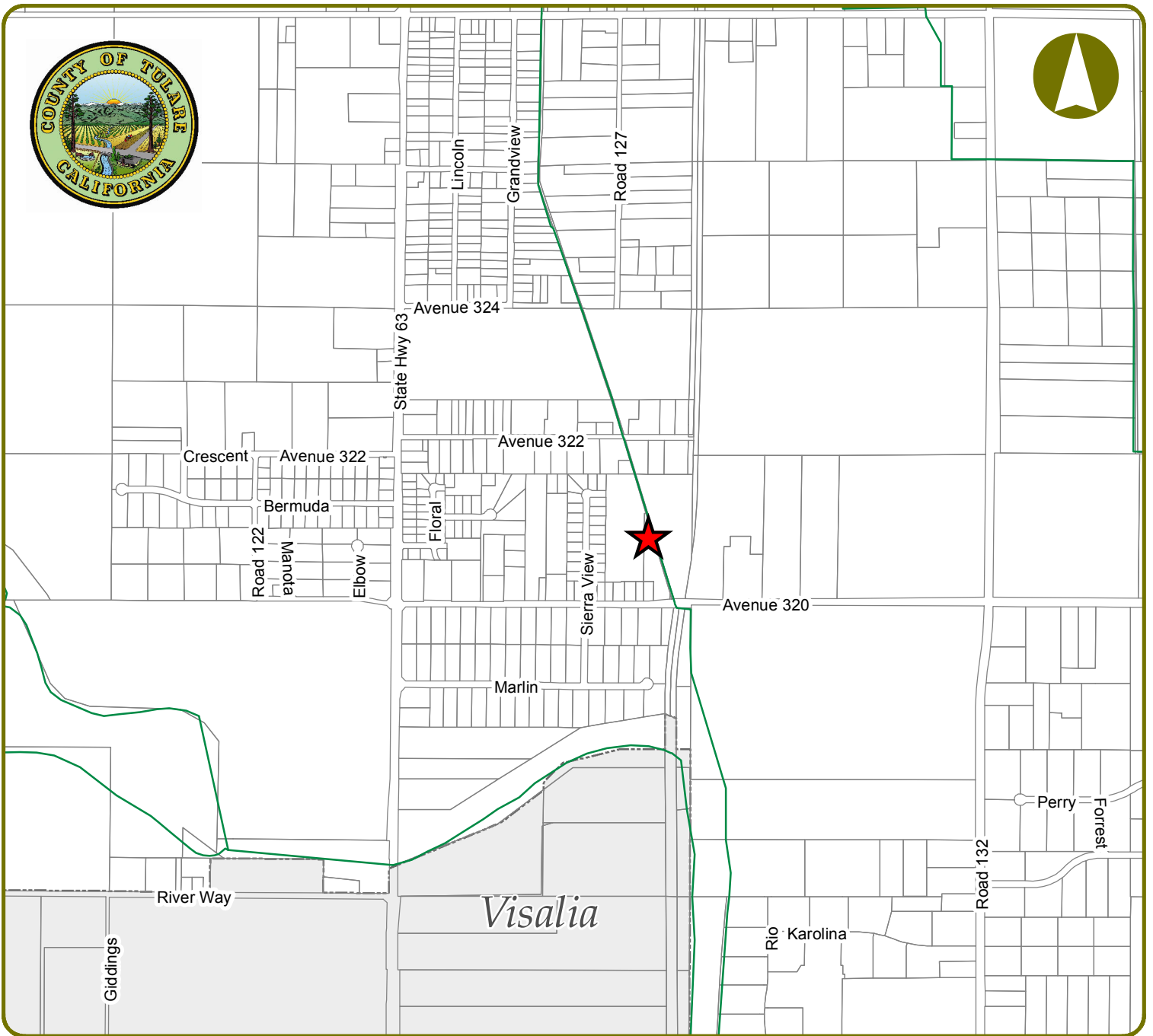
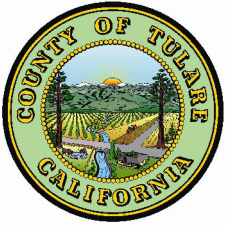
BY: _____
Deputy Clerk

* * * * *

1. Approved the Final Map for Phase III of Subdivision Tract No. 767, north of the City of Visalia; and
2. Approved the Agreement with Smee Homes, Inc. to complete all required public improvements for Phase III of Subdivision Tract No. 767 effective upon approval by the Board of Supervisors for the term of 12 months; and
3. Authorized the Chair to sign the Agreement; and
4. Accepted the road right of way dedications for Phase III of Subdivision Tract No. 767 as shown on the Final Map.

Attachment A

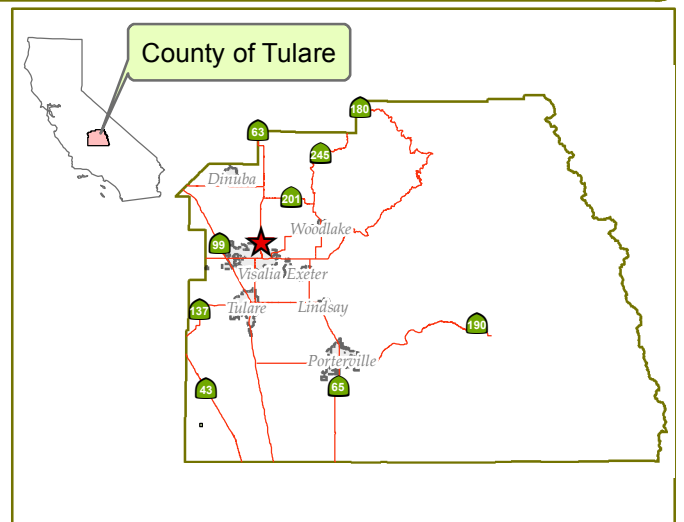
Vicinity Map



Legend

 Tract 767

 Streams



**Subdivision Tract No. 767 - Phase 3
Vicinity Map**

Attachment B
Tract 767 Phase III Final
Map

TRACT NO. 767, PHASE 3

BEING A SUBDIVISION OF THE REMAINDER PARCEL OF TRACT NO. 767 PHASE 2 IN THE COUNTY OF TULARE, STATE OF CALIFORNIA, ACCORDING TO THE MAP THEREOF RECORDED IN BOOK 43, PAGE 97 OF MAPS, TULARE COUNTY RECORDS, SITUATED IN A PORTION OF THE SE 1/4 OF THE SW 1/4 OF SEC. 8 T.18 S., R.25 E., M.D.B.& M.

APRIL 2020

OWNER:
SMEE HOMES, INC.

SURVEYOR:
FORESTER, WEBER & ASSOCIATES, L.L.C.
1620 W. Mineral King, Suite B
Visalia, Ca 93291
(559)732-0102

SURVEYOR'S STATEMENT
This Map was prepared by me or under my direction, is based upon a field survey and that the Surveyor is the true and correct owner of the land shown on the map. I have completed the Ordinance at the time of the Survey and the Ordinance is in full force and effect. I hereby state that all the monuments are of the character and occupy the positions indicated or that they will be set in those positions before July 31, 2020, and that the monuments are, or will be, sufficient to enable the survey to be retraced, and that this Final Map substantially conforms to the conditionally approved tentative map.

Dated 4-21-2020
Dennis R. Forester, P.L.S. 4076

COUNTY SURVEYOR'S STATEMENT
I hereby state that I have examined this map, and I am satisfied that it is technically correct.

Michael R. Bond, County Surveyor
P.L.S. 5852
Date 5-5-2020
Donn W. Dwyer, Land Surveyor III
P.L.S. 8837

BOARD OF SUPERVISOR'S STATEMENT

STATE OF CALIFORNIA
COUNTY OF TULARE
I, Jason T. Britt, County Administrative Officer/Clerk of the Board of Supervisors of the County of Tulare, State of California, hereby certifies to the County Recorder and to whomsoever it may concern, that all of the provisions of Chapter 2, Division 7 of the Government Code of the State of California and any local ordinance pertaining to deposits required at the time of approval by the Board of Supervisors of this map, have been complied with.

Dated this day of , 20 .
Jason T. Britt, Tulare County Administrative Officer/Clerk of the Board of Supervisors.

By: _____
Deputy

STATE OF CALIFORNIA
COUNTY OF TULARE
This is to state that at a regular meeting of the Tulare County Board of Supervisors held on the day of , 20 , an order was duly and regularly made and entered approving this map and subdivision, and accepting, subject to improvement, on behalf of the public, the streets and easements as shown within the boundaries of the subdivision shown upon this map.

Witness my hand and official seal of the County of Tulare on this day of , 20 .

Jason T. Britt, Tulare County Administrative Officer/Clerk of the Board of Supervisors.

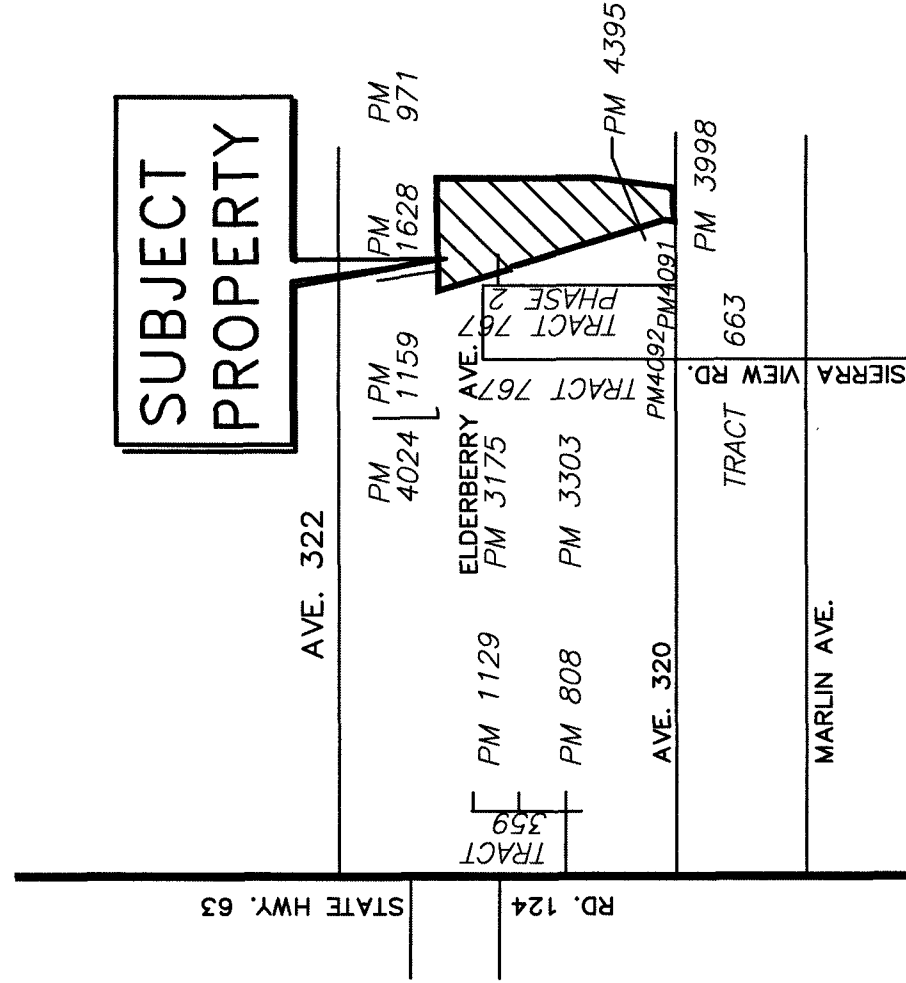
By: _____
Deputy

RECORDER'S STATEMENT
Document No. _____ Fee Paid: _____

Filed this day of , 20 , at M. in Volume _____ of Maps at Page _____, at the request of Forester, Weber & Associates.

Roland P. Hill
Tulare County Assessor/Clerk-Recorder

By: _____
Deputy



Vicinity Map
NO SCALE

PLANNING AND DEVELOPMENT DIRECTOR'S STATEMENT

I hereby state that the subdivision as shown is substantially the same as it appeared on the approved tentative map, if required, and any approved alterations thereof.

Michael Washam, Associate Director
Date 6/18/20

PUBLIC WORKS DIRECTOR'S STATEMENT

I hereby state that all the provisions of Chapter 2 of Division 2 of Title 7 of the Government Code and any ordinances applicable at the time of approval of the tentative map have been complied with.

Reed Schenke, Director
Date 5/19/2020

OWNER'S STATEMENT
I hereby state that I am the owner of or have some right, title or interest in and to the real property included within the boundaries of the subdivision shown upon this map, and that I am the only person whose consent is necessary to pass a clear title to said property, and I consent to the making of said map and subdivision as shown within the blue border lines and hereby dedicate to public use the streets and easements as shown on said map within said subdivision.

Smees Homes, Inc.
Jason Moyes, President & Secretary

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

STATE OF CALIFORNIA
COUNTY OF Tulare
On 4/23/2020 before me, Cynthia R. Lublin, Notary Public
personally appeared Jason Moyes

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s) or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.
WITNESS my hand.

Cynthia R. Lublin Print name
Signature
Tulare County
My commission expires: 10/5/2022
My commission number: 2261225
(No notary seal required Pursuant to Sec. 66436 (c) of the Subdivision Map Act.)

FLOOD HAZARD INFORMATION NOTE

As delineated on the Federal Emergency Management Agency (FEMA) National Flood Rate Map for Community 065066 dated June 16, 2009, Panel No. 835, the property shown on this map lies within Flood Zone Shaded X.

TRACT NO. 767, PHASE 3

BASIS OF BEARINGS

THE SOUTH LINE OF THE SOUTHWEST 1/4 OF SECTION 8, T. 18 S., R. 25 E., M.D.B. & M., TAKEN AS S 89°30'35" W AS PER P.M. 1465 AS RECORDED IN BK. 15 OF PARCEL MAPS AT PG. 66, T.C.R.

LEGEND

SET 1/2" REBAR TAGGED LS 4076 AT ALL LOT CORNERS, EXCEPT THE REAR CORNERS OF LOTS 1-7 INCLUSIVE. THESE ARE SET ON THE DITCH EASEMENT LINE.

FD. & ACCEPTED MONUMENT AS DESCRIBED UNLESS NOTED OTHERWISE

SET TULARE COUNTY STD. STREET MONUMENT STAMPED PLS 4076

FD. 2" I.P., TAGGED LS 4076

SET 2" I.P., TAGGED LS 4076

FD. TULARE COUNTY STD. STREET MONUMENT STAMPED PLS 4076

FD. 1/2" REBAR TAGGED LS 4076 PER TRACT 767, PHASE 2

RECORD DATA PER TRACT 863, AS REC. IN VOL. 34 OF MAPS AT PG. 72, T.C.R.

RECORD DATA PER P.M. 1465 AS REC. IN BK. 15 OF PARCEL MAPS AT PG. 66, T.C.R.

RECORD DATA PER P.M. 3535 AS REC. IN BK. 36 OF PARCEL MAPS AT PG. 36, T.C.R.

RECORD DATA PER P.M. 4091 AS REC. IN BK. 41 OF PARCEL MAPS AT PG. 95, T.C.R.

RECORD DATA PER P.M. 4099 AS REC. IN BK. 41 OF PARCEL MAPS AT PG. 96, T.C.R.

RECORD DATA PER P.M. 4395 AS REC. IN BK. 44 OF PARCEL MAPS AT PG. 100, T.C.R.

RECORD DATA PER TRACT 767 AS REC. IN VOL. 42 OF MAPS AT PG. 87, T.C.R.

RECORD DATA PER DOC. #98-024238 O.R.

EPU EASEMENT FOR PUBLIC UTILITIES

(R) RADIAL BEARING

AREA NOT WITHIN UPHILL DITCH EASEMENT

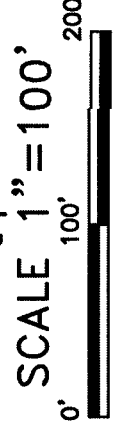
LINE INDICATES SUBDIVISION BOUNDARY

* 40' DRAINAGE EASEMENT PER TRACT 767 BEING ELIMINATED PER THIS MAP

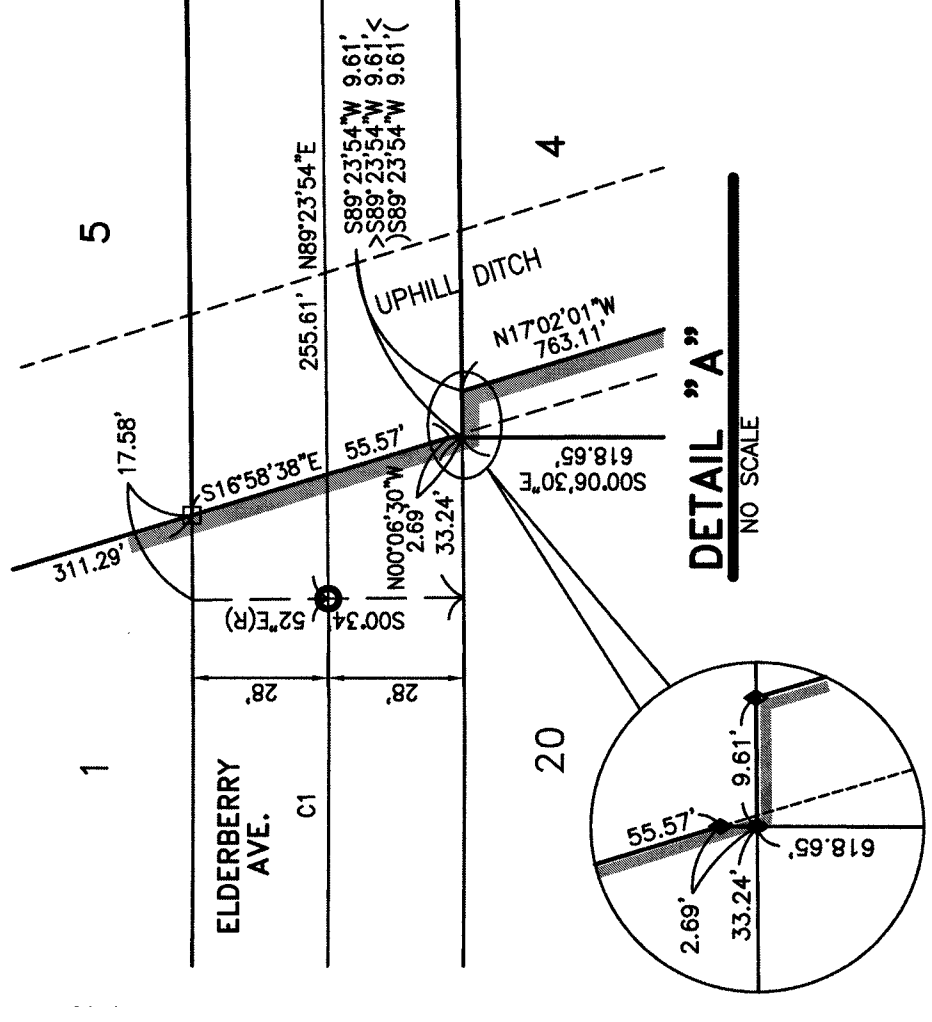
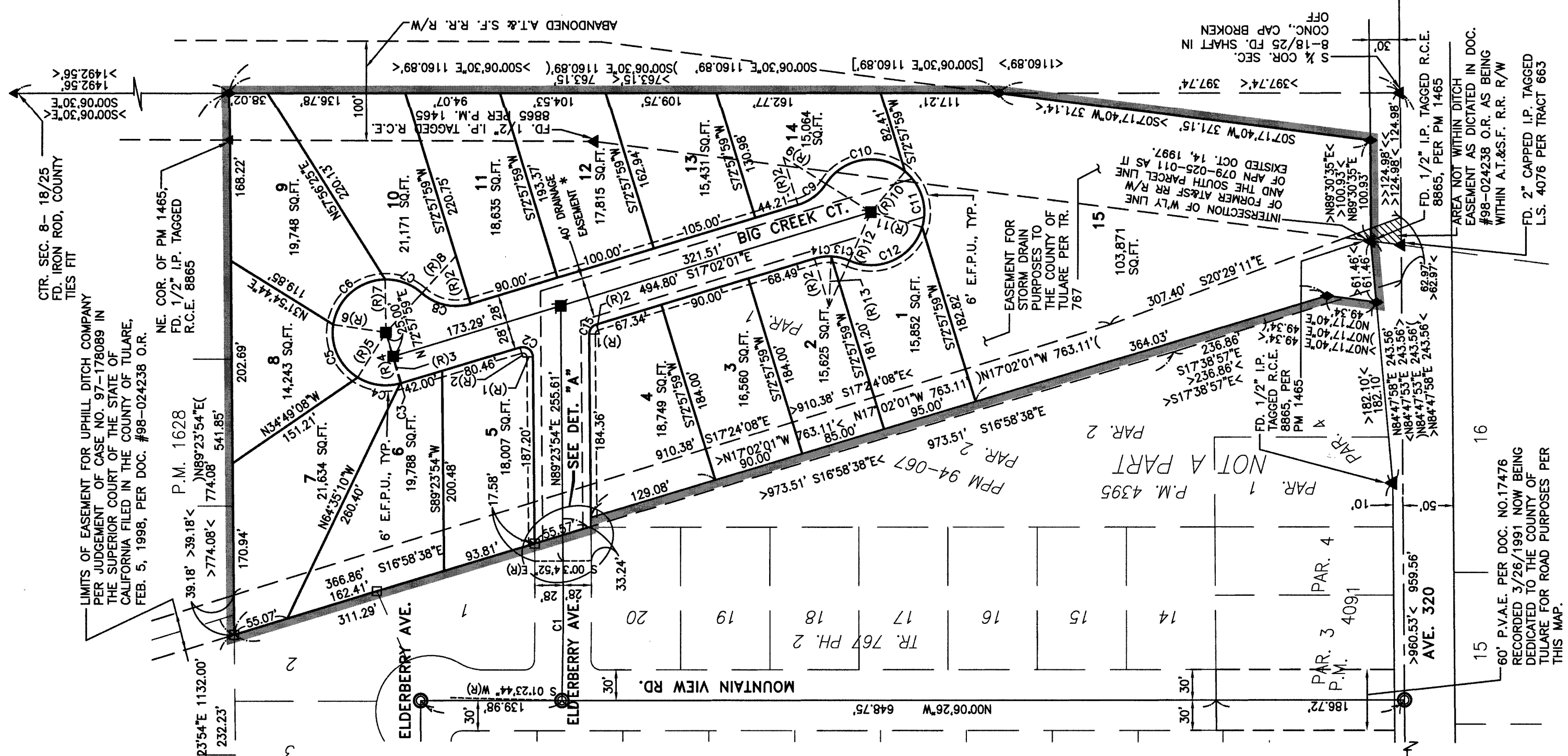
EASEMENTS OF RECORD THAT CANNOT BE PLOTTED:

1. AN EASEMENT FOR DITCH PURPOSES TO JASPER HARRELL AND C. BURRELL PER DOCUMENT REC. NOV. 18, 1886, BOOK 18, PAGE 42, OF DEEDS.

2. AN EASEMENT FOR DITCH PURPOSES TO THE UPHILL DITCH COMPANY PER DOCUMENT REC. DEC. 2, 1901, BOOK 113, PAGE 380, OF DEEDS.



SCALE 1" = 100'



DETAIL "A"
NO SCALE

CURVE DATA TABLE

CURVE	DELTA	RADIUS	LENGTH	TANGENT	CHORD
C1	1°58'36"	4000.00'	138.00'	69.00'	137.99'
C2	10°25'55"	10.00'	18.58'	13.38'	16.02'
C3	1°29'08"	53.00'	1.37'	0.69'	1.37'
C4	47°16'48"	53.00'	43.74'	23.20'	42.50'
C5	66°51'11"	53.00'	61.84'	34.98'	58.39'
C6	80°17'31"	53.00'	74.27'	44.70'	68.34'
C7	43°07'15"	53.00'	39.89'	20.94'	38.95'
C8	59°01'54"	50.00'	51.51'	28.31'	49.27'
C9	40°46'30"	50.00'	35.58'	18.58'	34.84'
C10	97°21'48"	53.00'	90.06'	60.29'	79.61'
C11	66°49'24"	53.00'	61.81'	34.96'	58.37'
C12	97°21'48"	53.00'	90.06'	60.29'	79.61'
C13	21°29'42"	50.00'	18.76'	9.49'	18.65'
C14	19°16'48"	50.00'	16.82'	8.49'	16.75'
C15	73°34'05"	10.00'	12.84'	7.48'	11.98'

RADIAL BEARING TABLE

LINE	BEARING
(R1)	N00°36'06"W
(R2)	S72°57'59"W
(R3)	S72°57'59"W
(R4)	N74°27'08"E
(R5)	N58°16'04"W
(R6)	S08°35'07"W
(R7)	N88°52'38"E
(R8)	N48°00'07"W
(R9)	S32°11'29"E
(R10)	N50°26'43"W
(R11)	S16°22'41"W
(R12)	N66°15'31"W
(R13)	N87°45'13"E

BASIS OF BEARINGS
(2642.07' N89°30'35"E)
(2642.07' N89°30'35"E)
(2642.07' N89°30'35"E)
(2642.08' N89°30'35"E)
(2642.07' N89°30'35"E)

SW COR. SEC. 8-18/25, FD. BRASS CAP IN HWY.
>1510.06' < 1510.06'