

DATE SUBMITTED 08/09/2023
 SUBMITTED BY COMMUNITY DEVELOPMENT DIRECTOR
 DATE ACTION REQUIRED 08/16/2023

COUNCIL ACTION (x)
 PUBLIC HEARING REQUIRED ()
 RESOLUTION ()
 ORDINANCE 1ST READING ()
 ORDINANCE 2ND READING ()
 CITY CLERK'S INITIALS ()

**IMPERIAL CITY COUNCIL
 AGENDA ITEM**

SUBJECT: DISCUSSION/ACTION: MONTERREY PARK SUBDIVISION NO. 2 – UNIT 4B <ul style="list-style-type: none"> • LOTS 356-393 (PHASES 37-42) PER FM 27/83-85 • LOTS 418-455 (PHASES 43-48) PER FM 27/83-85 • LOTS 576-583 (PHASES 36) PER FM 27/83-85 1. AUTHORIZE SUBSTITUTION OF TRUSTEE AND FULL RECONVEYANCE TO JUPITER VENTURES I, LP.	
DEPARTMENT INVOLVED: COMMUNITY DEVELOPMENT	
BACKGROUND/SUMMARY: City staff conducted regular field inspections during the construction of the off-site street improvements for the subject project and a final walk through was completed. At this time, the improvements were found to be completed. See Exhibit “A” attached herewith for details. Now the developer is requesting substitution of Trustee and Full Reconveyance.	
FISCAL IMPACT: NO FISCAL IMPACT	ADMIN SERVICES SIGN INITIALS _____
STAFF RECOMMENDATION: 1. Staff recommends approval and acceptance of off-site street improvements of Monterrey Park Subdivision No. 2 – Unit 4B: <ul style="list-style-type: none"> • Lots 356-393 – Phases 37-42 Per FM 27/83-85 • Lots 418-455-Phases 43-48 Per FM 27/83-85 • Lots 576-583 – Phases 36 P FM 27/83-85 2. Staff recommends authorization of the substitution of trustee and full reconveyance to Jupiter Ventures I, LP.	DEPT. INITIALS <u>OM</u>
MANAGER’S RECOMMENDATION: <u>approve</u>	CITY MANAGER’S INITIALS <u>JAN</u>
MOTION: SECONDE D: AYES: APPROVED () REJECTED () NAYES: DISAPPROVED () DEFERRED () ABSENT: REFERRED TO:	

MONTERREY PARK SUBDIVISION NO. 2 - UNIT 4B

A PORTION OF TRACT 46, T.15 S., R.13 E., S.B.M., IN THE CITY OF IMPERIAL, COUNTY OF IMPERIAL, STATE OF CALIFORNIA

SURVEYOR'S STATEMENT:

I, MATTHEW W. SPIRO, HEREBY CERTIFY THAT I AM A LICENSED LAND SURVEYOR OF THE STATE OF CALIFORNIA; THAT THIS MAP CONSISTING OF THREE (3) SHEETS CORRECTLY REPRESENTS A SURVEY MADE UNDER MY DIRECTION ON JANUARY 26, 2019; THAT THE SURVEY IS TRUE AND COMPLETE AS SHOWN; THAT THE MONUMENTS ARE OF THE CHARACTER AND OCCUPY THE POSITIONS INDICATED (OR THAT THEY WILL BE SET IN SUCH POSITIONS WITHIN SUCH TIME AS IS INDICATED ON THE ATTACHED SHEETS) AND THAT SAID MONUMENTS ARE OR WILL BE SUFFICIENT TO ENABLE THE SURVEY TO BE RETRACED.



M. Spiro
 MATTHEW W. SPIRO, L.S. 8461
 LICENSE EXPIRES 12-31-2020

SURVEYOR'S STATEMENT:

THIS MAP WAS PREPARED BY ME OR UNDER MY DIRECTION AND IS BASED ON A FIELD SURVEY IN CONFORMANCE WITH THE REQUIREMENTS OF THE SUBDIVISION MAP ACT AND LOCAL ORDINANCE AT THE REQUEST OF PACIFIC WEST DEVELOPMENT ON JANUARY 26, 2019. I HEREBY STATE THAT THIS FINAL MAP SUBSTANTIALLY CONFORMS TO THE CONDITIONALLY APPROVED TENTATIVE MAP.



M. Spiro
 MATTHEW W. SPIRO, L.S. 8461
 LICENSE EXPIRES 12-31-2020

ACTING CITY SURVEYOR'S STATEMENT:

I, DAVID BELTRAN, ACTING CITY SURVEYOR FOR THE CITY OF IMPERIAL, HEREBY STATE THAT I HAVE EXAMINED THIS MAP CONSISTING OF THREE (3) SHEETS, THAT THE SUBDIVISION SHOWN HEREWITH IS SUBSTANTIALLY AS IT APPEARED ON THE TENTATIVE MAP AS APPROVED ON JUNE 15, 2005; THAT ALL OF THE PROVISIONS OF LOCAL ORDINANCES AND REQUIREMENTS OF CHAPTER 2, ARTICLE 2 OF THE SUBDIVISION MAP ACT AS AMENDED JANUARY 1, 2016, HAVE BEEN COMPLIED WITH AND THAT I AM SATISFIED THAT THIS MAPS MAP IS TECHNICALLY CORRECT.

DATED THIS: 19th DAY OF SEPTEMBER, 2019

D. Beltran
 DAVID BELTRAN, PLS 8482
 ACTING CITY SURVEYOR
 LICENSE EXPIRES 12-31-2020

CITY CLERK'S CERTIFICATE:

I, HEREBY CERTIFY THAT THE CITY COUNCIL OF THE CITY OF IMPERIAL, BY RESOLUTION ADOPTED October 2, 2019, HAS APPROVED THIS MAP AND ACCEPTED ON BEHALF OF THE PUBLIC ALL STREETS AND PUBLIC UTILITIES EASEMENTS OFFERED FOR DEDICATION AS SHOWN HEREWITH.

Debra Jackson
 DEBRA JACKSON
 CLERK OF THE CITY COUNCIL

SIGNATURE OMISSIONS STATEMENT:

PURSUANT TO SECTION 66436 OF THE SUBDIVISION MAP ACT, THE SIGNATURES OF THE FOLLOWING OWNERS OF EASEMENTS AND/OR OTHER INTEREST HAVE BEEN OMITTED, AND THAT THEIR INTEREST CANNOT RIPEN INTO FEE TITLE.

- (A) IMPERIAL LAND COMPANY, AN EASEMENT FOR A RIGHT OF WAY TO CONSTRUCT AND OPERATE IRRIGATION DITCHES, TELEPHONE AND TELEGRAPH LINES, A RAILROAD AND INCIDENTAL PURPOSES AS SET FORTH IN A DOCUMENT RECORDED AUGUST 25, 1909, IN BOOK 27, PAGE 307 OF DEEDS. THE EXACT EXTENT AND LOCATION OF SAID EASEMENT IS NOT DISCLOSED OR RECORDED. (NOT PLOTTED)
- (B) IMPERIAL LAND COMPANY, AN EASEMENT FOR A RIGHT OF WAY TO CONSTRUCT AND OPERATE IRRIGATION DITCHES, TELEPHONE LINES, A RAILROAD AND INCIDENTAL PURPOSES AS SET FORTH IN A DOCUMENT RECORDED AUGUST 25, 1909, IN BOOK 27, PAGE 308 OF DEEDS. THE EXACT EXTENT AND LOCATION OF SAID EASEMENT IS NOT DISCLOSED OR RECORDED. (NOT PLOTTED)
- (C) IMPERIAL IRRIGATION DISTRICT, AN EASEMENT FOR POWER LINES AND INCIDENTAL PURPOSES, AS SET FORTH IN A DOCUMENT RECORDED JANUARY 28, 1938, IN BOOK 478, PAGE 547 OF OFFICIAL RECORDS. THE EXACT EXTENT AND LOCATION OF SAID EASEMENT IS NOT DISCLOSED OR RECORDED. (NOT PLOTTED)
- (D) IMPERIAL IRRIGATION DISTRICT, AN EASEMENT FOR ELECTRICAL POWER, DRAINAGE AND/OR CANAL(S) FACILITIES AND INCIDENTAL PURPOSES, AS DEDICATED ON MAP OF MONTERREY PARK SUBDIVISION NO. 1, RECORDED IN BOOK 24, PAGE 63 OF FINAL MAPS. (PLOTTED HEREON)
- (E) COUNTY OF IMPERIAL, AN OVERFLIGHT EASEMENT AS SHOWN ON MAP OF MONTERREY PARK SUBDIVISION NO. 1, RECORDED IN BOOK 24, PAGE 63 OF FINAL MAPS. (BLANKET EASEMENT- NOT PLOTTED)
- (F) COUNTY OF IMPERIAL, AN EASEMENT FOR AVIGATION AND INCIDENTAL PURPOSES, RECORDED MAY 5, 2006 AS INST. NO. 2006-022403 OF OFFICIAL RECORDS. (BLANKET EASEMENT- NOT PLOTTED)
- (G) UNKNOWN ENTITY(IES) RIGHTS OF THE PUBLIC IN AND TO THAT PORTION OF LAND LYING WITHIN ANY ROAD, STREET, ALLEY OR HIGHWAY. (PLOTTED HEREON)
- (H) UNKNOWN ENTITY(IES) WATER RIGHTS, CLAIMS OR TITLE TO WATER, WHETHER OR NOT SHOWN BY THE PUBLIC RECORDS. (NOT PLOTTED)

OVERFLIGHT EASEMENT:

THIS PROPERTY IS IN THE AREA SUBJECT TO OVERFLIGHTS BY AIRCRAFT USING IMPERIAL COUNTY AIRPORT, AND AS A RESULT, RESIDENTS MAY EXPERIENCE INCONVENIENCE, ANNOYANCE OR DISCOMFORT ARISING FROM THE NOISE OF SUCH OPERATIONS. STATE LAW (PUBLIC UTILITIES CODE SECTION 21670 ET. SEQ.) ESTABLISHES THE IMPORTANCE OF PUBLIC USE AIRPORTS TO PROTECTION OF THE PUBLIC INTEREST OF THE PEOPLE OF THE STATE OF CALIFORNIA. RESIDENTS OF PROPERTY NEAR A PUBLIC USE AIRPORT SHOULD THEREFORE BE PREPARED TO ACCEPT SUCH INCONVENIENCE, ANNOYANCE OR DISCOMFORT FROM NORMAL AIRCRAFT OPERATIONS. ANY SUBSEQUENT DEED CONVEYING PARCELS OR LOTS SHALL CONTAIN A STATEMENT IN SUBSTANTIALLY THIS FORM.

SOILS REPORT:

A SOILS REPORT APPLICABLE TO THE LAND INCLUDED WITHIN THIS MAP WAS PREPARED BY LANDMARK CONSULTANTS INC., DATED APRIL 1, 2004, UNDER THE DIRECTION OF JEFFREY D. LYON, REGISTERED CIVIL ENGINEER 31921 AS REPORT LE04066. SAID REPORT WAS UPDATED ON SEPTEMBER 16, 2010 AS REPORT UPDATE NO. LE10243, A COPY OF SAID REPORT AND UPDATE IS ON FILE IN THE DEPARTMENT OF PUBLIC WORKS.

SUPPORTING DOCUMENTS:

THE FOLLOWING DOCUMENTS WERE RECORDED AS OFFICIAL RECORDS OF THE COUNTY OF IMPERIAL IN SUPPORT OF THIS FINAL MAP.

TITLE: <u>SUBDIVISION GUARANTEE</u>	INSTRUMENT NO. <u>2019026645</u>
TITLE: <u>TAX CERTIFICATION</u>	INSTRUMENT NO. <u>2019026644</u>
TITLE: <u>RESOLUTION</u>	INSTRUMENT NO. _____
TITLE: <u>Minutes 1 Affid of Minutes</u>	INSTRUMENT NO. <u>2019026646</u>
TITLE: <u>Subdivision Agreement</u>	INSTRUMENT NO. <u>2019026647</u>
TITLE: <u>Beneficiary's Certificate</u>	INSTRUMENT NO. <u>2019026649</u>
TITLE: <u>Short Form Deed of Trust & Assignment of Rents</u>	INSTRUMENT NO. <u>2019026648</u>

LEGAL DESCRIPTION

BEING A SUBDIVISION OF A PORTION OF REMAINDER PARCEL "A" OF MONTERREY PARK SUBDIVISION NO. 2- UNIT 4A IN THE CITY OF IMPERIAL, AS PER MAP RECORDED IN BOOK 27, PAGE 54 OF FINAL MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF IMPERIAL COUNTY, CALIFORNIA.

OWNER'S CERTIFICATE:

I, HEREBY CERTIFY THAT I AM THE ONLY PARTY HAVING ANY RECORD TITLE INTEREST IN THE LAND SUBDIVIDED AS SHOWN ON THIS MAP, AND WE CONSENT TO THE PREPARATION AND RECORDATION OF THIS FINAL MAP; THAT WE OFFER FOR DEDICATION TO PUBLIC USE ANY STREET AND OTHER PUBLIC EASEMENTS SHOWN UPON SAID MAP AND BEING WITHIN SAID SUBDIVISION.

JUPITER VENTURES I, LP, A CALIFORNIA LIMITED PARTNERSHIP

BY: *Daniel Dobron* DATE: 08/09/19
 DANIEL DOBRON

TITLE: Imperial Signatory

NOTARY ACKNOWLEDGEMENT

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 Riverside

ON 08/09/19 BEFORE ME Leah D. Thomas
 PERSONALLY APPEARED Daniel Dobron
 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/HEY 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 THE FOREGOING PARAGRAPH IS TRUE AND CORRECT.

WITNESS MY HAND AND OFFICIAL SEAL:

Heath O'Kromax
 SIGNATURE OF NOTARY PUBLIC

MY PRINCIPLE PLACE OF BUSINESS IS IN Riverside COUNTY.

MY COMMISSION NUMBER: 2288790

MY COMMISSION EXPIRES ON: May 17, 2023

TITLE COMPANY CERTIFICATE:

I, HEREBY CERTIFY THAT THE PERSON(S) SPECIFIED IN THE CERTIFICATES HEREON ARE THE OWNERS, AND THE ONLY ONES WHOSE CONSENT IS NECESSARY TO PASS CLEAR TITLE.

FIRST AMERICAN TITLE COMPANY

Deanne Livingston
 TITLE OFFICER

COUNTY RECORDER'S CERTIFICATE:

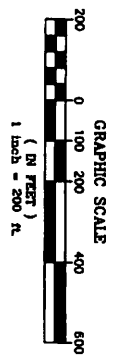
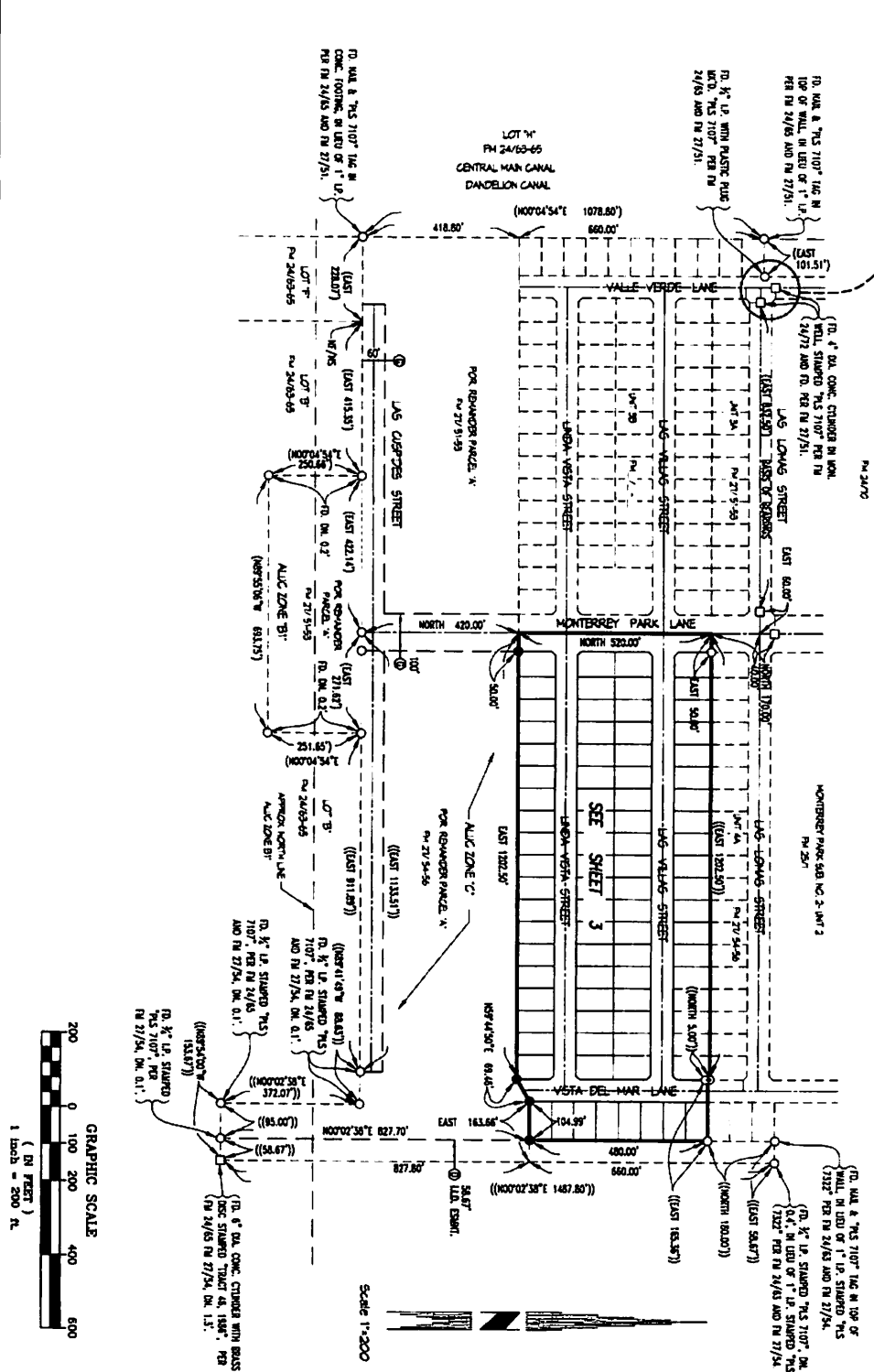
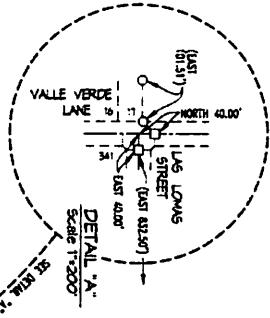
FILED THIS 31st DAY OF December, 2019, AT 2:44
 O'CLOCK P.M. IN BOOK 27 AT PAGES 73, AT THE REQUEST
 OF RDS AND ASSOCIATES.
 DOC. NO. 2019026643
 FEE: \$29.00

Chuck Storey
 CHUCK STOREY
 COUNTY RECORDER

MONTEREY PARK SUBDIVISION NO. 2 - UNIT 4B

A PORTION OF TRACT 46, T.15 S., R.19 E., S.B.M., IN THE CITY OF IMPERIAL, COUNTY OF IMPERIAL, STATE OF CALIFORNIA

INDEX SHEET



SURVEYOR'S NOTES:

1. UNLESS SHOWN OTHERWISE ON THIS MAP ALL LOT CORNERS WILL BE MONUMENTED WITH A 1" BORE PINE TAPPED "S 6441" WITHIN 30 DAYS OF THE COMPLETION OF PUBLIC IMPROVEMENTS. IF SAID CORNERS FALL IN AREAS OF CONCRETE, A LEAD AND WASS THE STAMPED "S 6441" SHALL BE PLACED INSTEAD OF THE INTENDED PINE.
2. SOME NEIGHBORLY DISTANCES INDICATED ON THIS MAP MAY NOT SHOW TO BE EXACT. ALL DISTANCES INDICATED ARE TO BE ACCORD-TO-CASE IN THE NEIGHBORING JURISDICTIONS.
3. THE REAL LOT CORNER MONUMENTS FOR LOTS 309 THROUGH 327, INCLUDING MONTEREY PARK SUBDIVISION NO. 2 - UNIT 4A, ARE ALL 1/2" DIA'S WITH PLASTIC PULS WAIRED "S 7107" AND ARE IN THE CORRECT POSITIONS PER FM 27/54-56.

LEGEND:

- INDICATES SET 1" BORE PINE TAPPED "S 6441" PULS, UNLESS NOTED.
- INDICATES 1/2" BORE PINE WITH PLASTIC PULS STAMPED "S 7107" PULS, PER FM 27/54-56, UNLESS NOTED. SEE SURVEYOR'S NO. 3 ABOVE.
- INDICATES 1/2" DIA. CONC. CHANGES STAMPED "S 7107" IN MON.
- WELL BORN, PER FM 27/51-53, UNLESS NOTED.
- ① INDICATES EVIDENCE IS NOTED UNDER SEPARATE OATHSWORN STATEMENT ON SHEET 1.
- () INDICATES RECORDED AND RECORD DATA PER FINAL MAP OF MONTEREY PARK SUBDIVISION NO. 2, UNIT 3A, AS RECORDED IN BOOK 27 OF FINAL MAPS, PAGES 51-53, IN THE OFFICE OF THE IMPERIAL COUNTY RECORDER.
- () INDICATES RECORDED AND RECORD DATA PER FINAL MAP OF MONTEREY PARK SUBDIVISION NO. 2, UNIT 4A, AS RECORDED IN BOOK 27 OF FINAL MAPS, PAGES 54-56, IN THE OFFICE OF THE IMPERIAL COUNTY RECORDER.
- (AUG) INDICATES APPROX LIND USE COMPENSATORY PLAN WITH 1994 RESPONSE
- INDICATES SUBDIVISION BOUNDARY LINE

BASIS OF BEARINGS

THE BASIS OF BEARINGS FOR THIS SURVEY IS BASED ON THE CONTINENTAL OF US UNITS STARTING APPROXIMATE TO FINAL MAP FOR MONTEREY PARK SUBDIVISION NO. 2, UNIT 3A, AS RECORDED IN BOOK 27 OF FINAL MAPS, PAGES 51-53, IN THE OFFICE OF THE IMPERIAL COUNTY RECORDER, BEING TRUE.

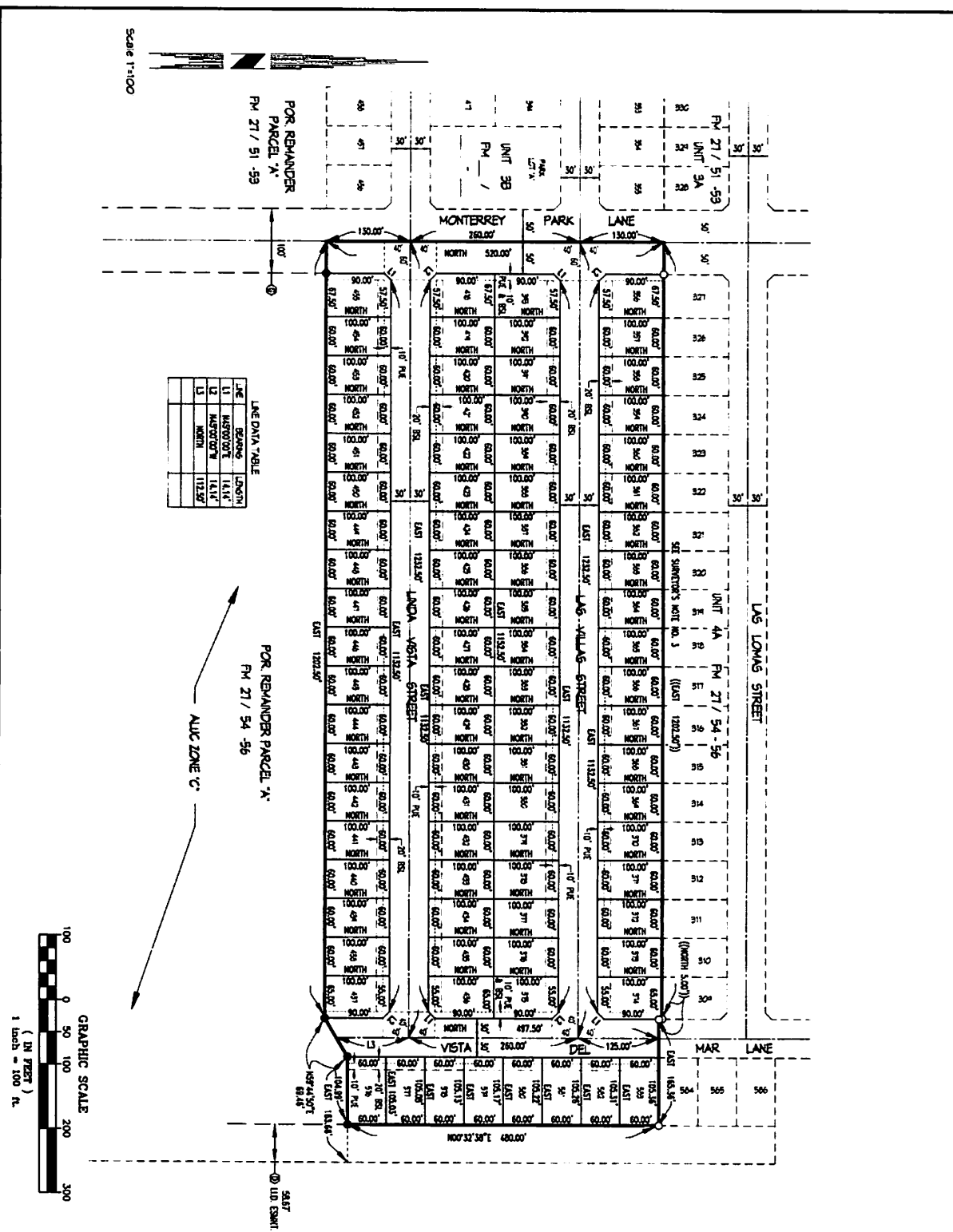
RDS AND ASSOCIATES

MONTEREY PARK SUBDIVISION NO. 2 - UNIT 4B

A PORTION OF TRACT 46, T.15 S., R.13 E., S.B.M., IN THE CITY OF IMPERIAL, COUNTY OF IMPERIAL, STATE OF CALIFORNIA

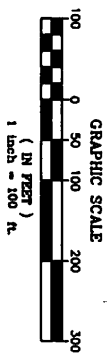
PM B27 P85

SHEET 3 OF 3 SHEETS



LINE DATA TABLE

LINE	BEARING	LENGTH
L1	N45°00'00"W	14.11'
L2	N45°00'00"W	14.11'
L3	N00°00'00"W	112.50'



Scale 1"=100'

SURVEYOR'S NOTES:

- UNLESS SHOWN OTHERWISE ON THIS MAP, ALL LOT CORNERS WILL BE MARKED WITH A 1" IRON PIPE LAGGED 1/2 INCH WITHIN 90 DAYS OF THE COMPLETION OF PUBLIC IMPROVEMENTS. IF SAID CORNERS FALL IN AREAS OF CONFLICT, A LID AND MARK THE SHOWN 1/2 INCH SHALL BE PLACED INSTEAD OF THE IRON PIPE.
- THE ORIGINAL BEARINGS REPORTED ON THIS MAP MAY NOT SHOW TO THE ORIGINAL INSTRUMENTS RECORDED BUT TO CORNER-ONLY BEARS IN THE NEIGHBORHOOD INSTRUMENTS.
- THE REAL LOT CORNER MONUMENTS FOR LOTS 309 THROUGH 327, INCLUDING MONTEREY PARK SUBDIVISION NO. 2, UNIT 4A, ARE ALL 1/2" I.P.'S WITH PLASTER RINGS MARKED "S 7107" AND ARE IN THE CORRECT POSITIONS PER THE 2/24-54.

LEGEND:

- INDICATES SET 1" IRON PIPE LAGGED 1/2 INCH, FLUSH, UNLESS NOTED.
- INDICATES 1/2" IRON PIPE WITH PLASTER RING MARKED "S 7107", FLUSH PER THE 2/24-54, UNLESS NOTED. SEE SURVEYOR'S NO. 3 ABOVE.
- INDICATES 1/2" DIA. CONC. CINDER STAMPED "S 7107" IN CONC. RING PER THE 2/24-54, UNLESS NOTED.
- ⑦ INDICATES EVIDENCE AS NOTED UNDER SIGNATURE OR CROSS STATEMENT ON SHEET 1.
- () INDICATES MEASURED AND RECORD DATA PER THIS MAP OF MONTEREY PARK SUBDIVISION NO. 2, UNIT 3A, AS RECORDED IN BOOK 27 OF REAL BOOKS PAGES 51-53, IN THE OFFICE OF THE IMPERIAL COUNTY RECORDER.
- ([]) INDICATES MEASURED AND RECORD DATA PER THIS MAP OF MONTEREY PARK SUBDIVISION NO. 2, UNIT 4A, AS RECORDED IN BOOK 27 OF REAL BOOKS PAGES 54-56, IN THE OFFICE OF THE IMPERIAL COUNTY RECORDER.
- ([]) INDICATES APPROX. LID USE CORRELATION PLAN WITH 1984 AIRPHOTOS PER INDICATES PUBLIC UTILITY EVIDENCE DETECTED HEREON.
- RS INDICATES RELATIVE STRIKE LINE SHOWN HEREON.
- THE TOTAL AREA WITHIN THE DASHED BOUNDARY LINE IS 14.20 ACRES.
- INDICATES SURVEYOR BOUNDARY LINE.

BASIS OF BEARINGS

THE BASIS OF BEARINGS FOR THIS SURVEY IS BASED ON THE CENTERLINE OF LAGUNA STREET, AS SHOWN ON THE 2/24-54, AS RECORDED IN BOOK 27 OF REAL BOOKS PAGES 51-53, IN THE OFFICE OF THE IMPERIAL COUNTY RECORDER, BEING "S 151°.

RDS AND ASSOCIATES