

DATE SUBMITTED 05/27/2020
 SUBMITTED BY COMMUNITY DEVELOPMENT DIRECTOR
 DATE ACTION REQUIRED 06/03/2020

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

**IMPERIAL CITY COUNCIL
 AGENDA ITEM**

SUBJECT: DISCUSSION/ACTION: VICTORIA RANCH SUBDIVISION UNIT 3B - PHASE 11A PER FM 24/31 & C.O.C. Doc. # 2015015409 1. APPROVAL AND ACCEPTANCE OF OFF-SITE STREET IMPROVEMENTS. 2. AUTHORIZE SUBSTITUTION OF TRUSTEE AND FULL RECONVEYANCE TO IMPERIAL RANCH PARTNERS, LLC WITH A PERSONAL GUARANTY.	
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 on May 14, 2020. At this time, the improvements were found to be completed. See Exhibit "A" attached herewith for details. One-Year warranty for labor and materials will end on May 14, 2021. Now the developer is requesting substitution of Trustee and Full Reconveyance with a personal guaranty for the One-Year warranty period.	
FISCAL IMPACT: NO FISCAL IMPACT	ADMIN SERVICES SIGN INITIALS <u><i>so</i></u>
STAFF RECOMMENDATION: 1. Staff recommends approval and acceptance of off-site street improvements of Victoria Ranch Subdivision Unit 3B - Phase 11A. 2. Staff recommends authorization of the substitution of trustee and full reconveyance to Imperial Ranch Partners, LLC with a personal guaranty.	DEPT. INITIALS <u><i>DM</i></u>
MANAGER'S RECOMMENDATION: <u><i>approve</i></u>	CITY MANAGER'S INITIALS <u><i>DM</i></u>
MOTION: SECONDE D: AYES: NAYES: ABSENT:	
APPROVED ()	REJECTED ()
DISAPPROVED ()	DEFERRED ()
REFERRED TO:	



CITY COUNCIL
Darrell Pechtl – Mayor
Karin Eugenio - Mayor Pro-Tem
Robert Amparano - Council Member
Geoff Dale - Council Member
James Tucker - Council Member

CITY CLERK
Debra Jackson

CITY TREASURER
Stacy Cox

May 14, 2020

**RE: Construction Progress Report - Tuscany at Victoria Ranch
Units 3B & 3B(2) Phase 11A**

City staff conducted a walk through inspection today. At this time, it was found that the construction status of both, the offsite improvements and the eleven (11) houses is as follows:

Phase 11-A (James Ct – North 1/2): See Exhibits 1 and 2 for details.

Houses (90% Complete) / *Offsite Improvements (100% Complete)

Under Construction: Houses (90%)

Complete: Curb & Gutters, Sidewalks, Driveway Approaches, Water/Sewer, Street Light, Asphalt Road, Monumentation

*The final inspection/acceptance of offsite improvements is still pending.

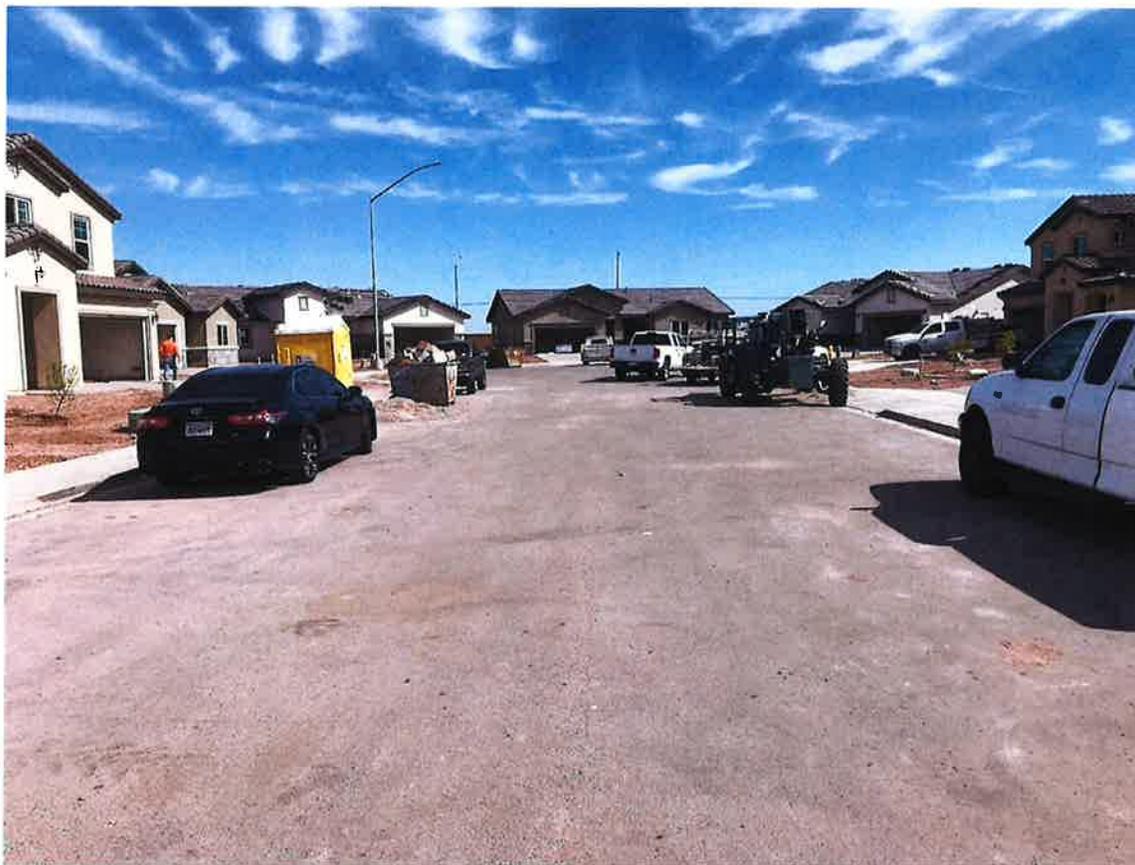
Sincerely,

Jesús Villegas
Project Manager, Engineering Division
Community Development Department

EXHIBIT 2
PHOTO REPORT – CONSTRUCTION PROGRESS REPORT – VR PH 11-A



EXHIBIT 2
PHOTO REPORT – CONSTRUCTION PROGRESS REPORT – VR PH 11-A



RECORDING REQUESTED BY:
Stewart Title of California, Inc.

WHEN RECORDED MAIL TO:

City of Imperial
420 S Imperial Ave
Imperial, CA 92251

SPACE ABOVE THIS LINE FOR RECORDERS USE

PARTIAL RECONVEYANCE

City of Imperial, as Substituted Trustee as per the Substitution of Trustee recorded June 5, 2015 as instrument No. 2015-011310 of official records. Under the Deed of Trust, dated January 14, 2014 executed by Imperial Ranch Partners, LLC, a California Limited Liability Company, as Trustor(s), and recorded on January 15, 2014, as Instrument No. 2014000744 of the Official Records in the Office of the County Recorder of Imperial County, State of California, having received from the Beneficiary under said Deed of Trust a written request to reconvey, do hereby reconvey, in accordance with said request and the provisions of said Deed of Trust, without warranty, to the person or persons legally entitled thereto, all right, title and interest heretofore acquired and now held by said Trustee, in and to the portion of the real property described in said Deed of Trust, located in the County of Imperial, State of California and described as follows:

SEE ATTACHED EXHIBIT "A" LEGAL DESCRIPTION

Dated: May 12, 2020

City of Imperial, a California
A Municipal Corporation, as Trustee

By: _____
Dennis Morita-Interim, City Manager

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 Imperial

On _____ before me _____, Notary Public personally appeared _____, 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 and official seal.

Signature _____

(seal)

EXHIBIT "A"
LEGAL DESCRIPTION

The land referred to herein is situated in the State of California, County of Imperial, City of Imperial and described as follows:

Lots 1-5 of Victoria Ranch Subdivision - Unit No. 3B(2), in the City of Imperial, County of Imperial, State of California, according to map on file in Book 27, Page 1 of Final Maps, Records of Imperial County.

and

Lots 36-41 of Victoria Ranch Subdivision - Unit No. 3B, in the City of Imperial, County of Imperial, State of California, according to map on file in Book 24, Page 31 of Final Maps, Records of Imperial County.