

MARIPOSA COUNTY RESOLUTION NO. 88-400

A RESOLUTION RESCINDING AND REPLACING  
RESOLUTION NO. 86-447 IN ITS ENTIRETY  
REGARDING DEFERRED IMPROVEMENT SECURITY  
DEPOSITS FOR SUBDIVISIONS

WHEREAS, Title 16 of the Mariposa County Code and the Subdivision Map Act of the State of California require in a subdivision is not completed prior to the acceptance of a final subdivision map thereof, the owner of the subdivision shall enter into an agreement with the Board of Supervisors to complete the work of improvement as required by COUNTY under said ordinance Code, and applicable State and local laws and regulation, in consideration of the acceptance of said final subdivision map by said Board, and

WHEREAS, the Mariposa County Code and the Subdivision Map Act require that said agreement be secured by improvement security in a penal sum, not to exceed the estimated cost of the improvement, for faithful performance of the agreement and for securing payment of labor and material claims, and

WHEREAS, there is a need to determine the estimated costs to be deposited as a secured improvement security in a penal sum, and

WHEREAS, the Director of Public Works is the inspection authority in relation to approval or disapproval of certain improvements required for final approval of subdivision maps, and

WHEREAS, certain required improvements are best effected during certain seasons and weather conditions, and

WHEREAS, it is reasonable that the County Auditor's office is the proper person to impound the said performance security in the County treasury.

NOW, THEREFORE, be it resolved that:

1. The Director of Public Works be and hereby is authorized to defer improvements on encroachments onto County property or rights-of-way under construction due to weather conditions for a maximum period of six (6) months.

2. The Director of Public Works be and hereby is authorized to defer improvements on fuel modification and soil conservation/re-vegetation requirements along new road construction due to weather conditions for a maximum period of six (6) months.

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3. The Director of Public Works be and hereby is authorized to determine the amount of cash deposit required for deferred improvements on subdivision agreements and enter into agreement with an applicant for deferred improvement for a period not to exceed six (6) months.

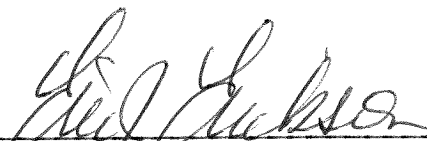
4. The County Auditor be and hereby is authorized to impound in the County Treasury any such security until completion of the said deferred improvement.

5. The Director of Public of Works shall notify the Board of each such occurrence.

BE IT FURTHER RESOLVED, that Resolution No. 86-447 is hereby rescinded and replaced in its entirety by this Resolution.

PASSED AND ADOPTED by the Mariposa County Board of Supervisors this 26th day of July, 1988, by the following vote:


AYES:	BAGGETT, DALTON, ERICKSON, RADANOVICH, TABER
NOES:	NONE
ABSENT:	NONE
ABSTAINED:	NONE

  
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ERIC J. ERICKSON, Chairman  
Mariposa County Board of Supervisors

ATTEST:

  
\_\_\_\_\_  
MARGIE WILLIAMS, Clerk of the Board

APPROVED AS TO FORM AND  
LEGAL SUFFICIENCY:

  
\_\_\_\_\_  
JEFFREY C. GREEN, County Counsel