



January 9, 2007

FROM: NICK P. YOVINO, Director  
Planning and Development Department

BY: RICK SOMMERVILLE, Supervising Engineering Technician  
Building & Safety Services Division *Rich*

SUBJECT: APPROVING THE FINAL MAP OF TRACT NO. 5188

AGENDA ITEM NO.  
COUNCIL MEETING

APPROVED BY

DEPARTMENT DIRECTOR *[Signature]*

CITY MANAGER

### KEY RESULT AREA

One Fresno

### RECOMMENDATIONS

1. ADOPT the attached Resolution:
  - a. Approving the Final Map of Tract No. 5188 and accepting the dedicated public uses therein.
2. AUTHORIZE the Public Works Director to execute the:
  - a. Subdivision Agreement.
  - b. Statement of Covenants Affecting Land Development for Maintenance of Certain Public Improvements.
3. AUTHORIZE the Public Utilities Director to execute the:
  - a. Statement of Covenants Affecting Land Development Providing Special Solid Waste Disposal Services for Certain Lots.
4. AUTHORIZE the Planning and Development Director to execute the:
  - a. Statement of Covenants Affecting Land Development for Acknowledging Right-to-Farm Law.

### EXECUTIVE SUMMARY

The Subdivider, D. R. Horton, Inc. - Fresno, a Delaware Corporation, has filed for approval, the Final Map of Tract No. 5188. The project, a Final Map of Vesting Tentative Map No. 5188/UGM, a 79 lot single-family residential Planned Development subdivision on 17.6 acres, is located on the Southwest corner of East Butler Avenue and South Temperance Avenues. The Final Map is technically correct and conforms to the conditionally approved tentative map, the Subdivision Map Act and local ordinances; it is consistent with, and implements the 2025 General Plan and the Roosevelt Community Plan. The provisions of Sections 66457 and 66474.1 of the Subdivision Map Act require that such final map be approved by the City Council.

**KEY OBJECTIVE BALANCE**

Council action regarding this final map optimizes the three Key Objectives of Customer Satisfaction, Employee Satisfaction, and Financial Management. Affirmative action by the Council will result in timely deliverance of the technical review, processing and filing of the final map as is reasonably expected by the customer. Prudent financial management is demonstrated by the expeditious completion of this final map in as much as the customer has paid to the City a fee for the processing of this final map and that fee is, in turn, funding the operations of the Planning and Development Department. Employee satisfaction is derived from the fact that the staff, who have reviewed and made a recommendation on this final map, have done so in a thorough and professional manner, thereby enhancing the sense of accomplishment in the completion of the final map process.

**PROJECT INFORMATION**

PROJECT	The project, a Final Map of Vesting Tentative Map No. 5188/UGM, a 79 lot single-family residential Planned Development subdivision on 17.6 acres.
LOCATION	Southwest corner of East Butler Avenue and South Temperance Avenues. <i>(Council District 3, Council Member Dages)</i>
SUBDIVIDER	D. R. Horton, Inc. - Fresno, a Delaware Corporation Anthony J. Wyman, Vice President
LAND USE & ZONING	Medium-low density residential; R-1/UGM (single-family residential/Urban Growth Management Area) is effective pursuant to Rezone Application No. R-04-107.
PLAN CONSISTENCY	The project is consistent with the Medium-low density residential land use designation of the Roosevelt Community Plan.
COMPLIANCE WITH SUBDIVISION MAP ACT AND LOCAL ORDINANCES	The Final Map conforms to all requirements of the Subdivision Map Act and local subdivision ordinances applicable to the conditions of approval of Vesting Tentative Map No. 5188/UGM; the completion of all public improvement requirements have been guaranteed and applicable fees paid.

**BACKGROUND**

**Tentative Map Approval:** The Fresno City Planning Commission on September 21, 2005 adopted Resolution No. 12309 and 12310 approving Vesting Tentative Map No. 5188/UGM for a 79 lot single-family residential subdivision, at an overall density of 4.8 units per acre.

The approval of the Vesting Tentative Map remains in effect until September 21, 2007

**Subdivision Agreement, Securities, Fees & Covenants:** The Subdivider has executed the Subdivision Agreement and has posted securities in the amount of \$2,224,000 for performance and \$1,112,000 for labor and materials to guarantee the installation of the required public improvements. The Subdivider has paid cash in the amount of \$365,774.46 for applicable fees. The Subdivider has also entered into covenants providing for Maintenance of Certain Public Improvements, Special Solid Waste Disposal and Right-to-Farm.

The subdivision documents, securities and resolutions have been reviewed and approved by the City Attorney's office.

REPORT TO THE CITY COUNCIL

Final Map of Tract No. 5188

January 9, 2007

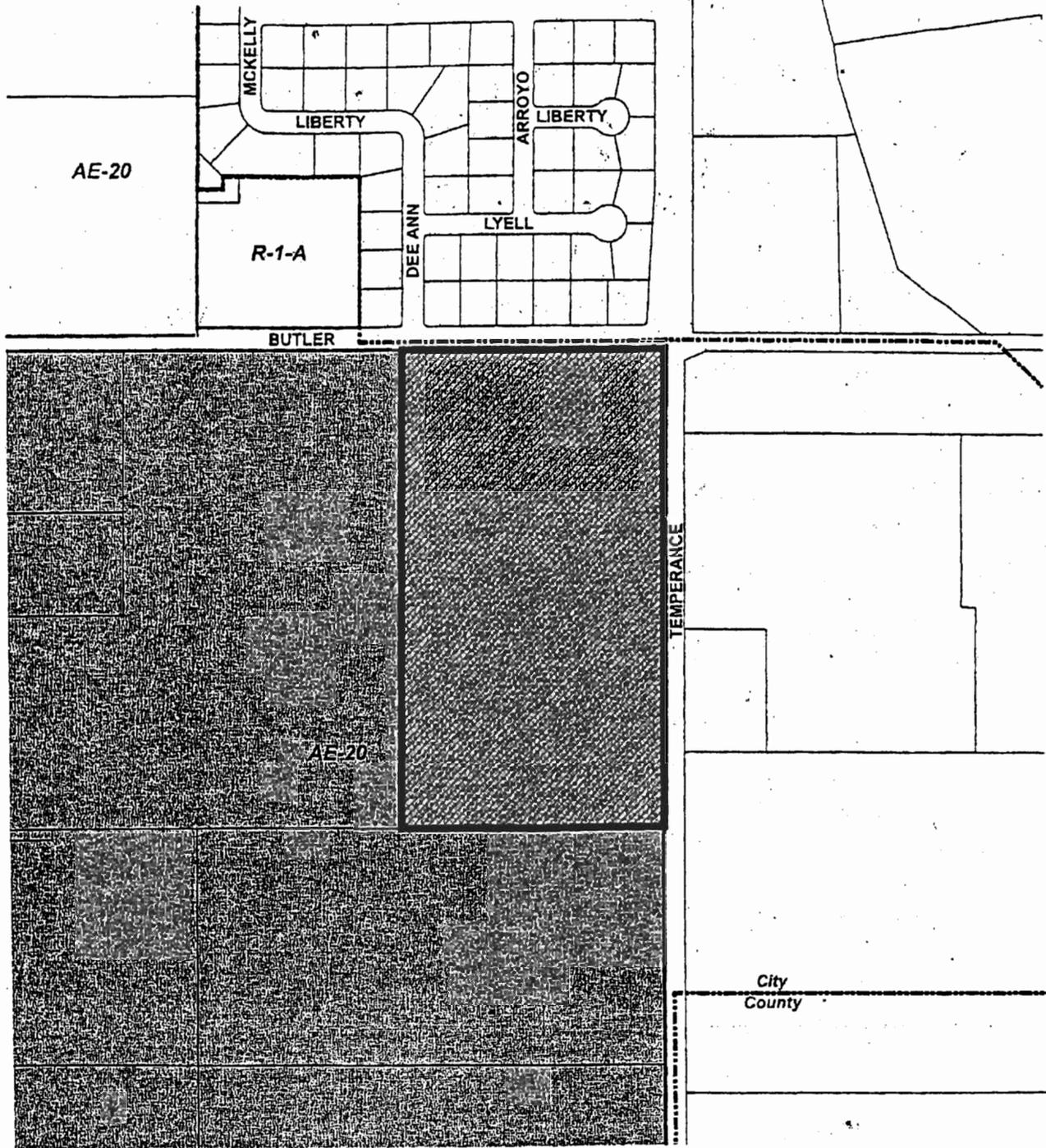
Page 3

**Maintenance District:** A condition of approval of the Tentative Map is to install and maintain the landscaping and irrigation system in the landscape easements on all lots that side-onto or back-onto East Hamilton Avenue and install and maintain the landscaping and irrigation system in the Bicycle/Pedestrian Trail easement on all lots that side-onto or back-onto South Temperance Avenue, within the Subject Subdivision, also including street lights and Open Space Features in accordance with the adopted standards of the City. The Subdivider has elected to satisfy the maintenance requirement by annexing the subdivision into the City's Community Facility District No. 2 (CFD-2). This condition was satisfied with the annexation of the subdivision into CFD-2 on August 22, 2006.

The Subdivider has executed the covenant for Landscape Maintenance and as a condition of the Subdivision Agreement, is required to provide every prospective purchaser of each lot of the subdivision the "Notice of Special Tax", in accordance with the provision of Section 53341.5 of the California Government Code. The maximum annual assessment is \$423.00 per lot with an annual 3% adjustment plus the increase, if any, in the construction cost index for the San Francisco Region.

**Street Improvements:** All interior streets, shall be dedicated in accordance with the 50-foot and 54-foot standards and will be fully improved with standard curb, gutter, street lighting, permanent pavement, and sidewalks on both sides of the streets.

Attachments:      Vicinity Map  
                         Vesting Tentative Map No. 5188  
                         Final Map of Tract No. 5188  
                         Resolution Approving the Final Map of Tract No. 5188



**LEGEND**



Subject Property



U.G.M. Area

**VICINITY MAP**

VESTING TENTATIVE TRACT MAP NO. 5188/UGM  
 REZONE APPLICATION NO. R-04-107  
 From AE-20/UGM to R-1/UGM  
 CONDITIONAL USE PERMIT NO. C-04-323  
 Southwest corner, Butler and Temperance Aves.

**PLANNING & DEVELOPMENT DEPARTMENT**

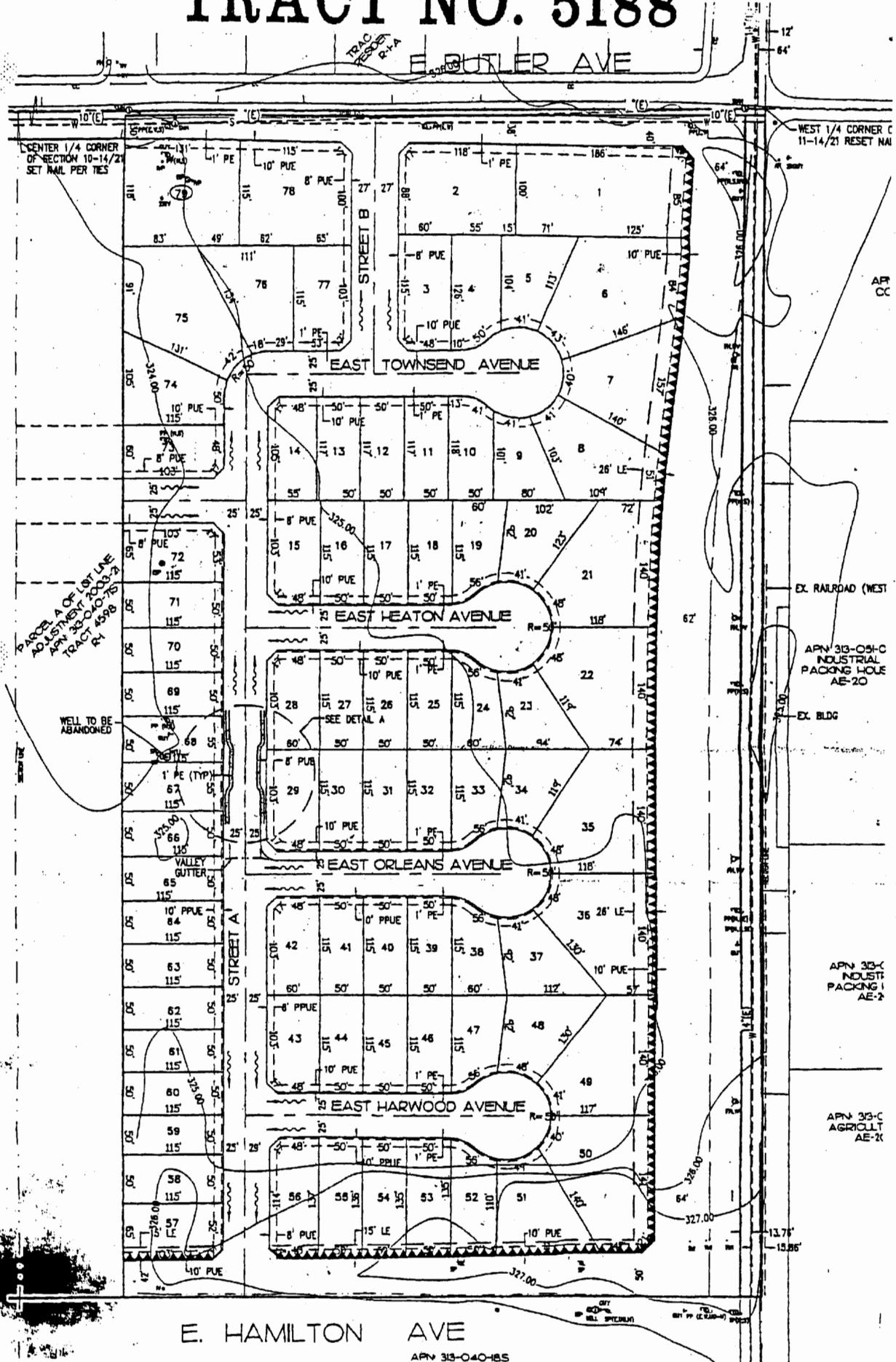


NOT TO SCALE

A.P.N.: 313-040-70S \_\_\_\_\_  
 ZONE MAP: 2556 \_\_\_\_\_  
 BY/DATE: J.S. / 5-3-05 \_\_\_\_\_

VESTING TENTATIVE SUBDIVISION MAP

# TRACT NO. 5188



E. HAMILTON AVE

APN 303-040-185

# FINAL MAP OF TRACT NO. 5188 A PLANNED DEVELOPMENT IN THE CITY OF FRESNO FRESNO COUNTY, CALIFORNIA

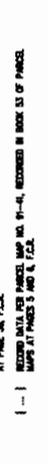
SURVEYED AND PLATTED IN DECEMBER, 2005  
BY INGELS - BRAUN & ASSOCIATES  
CONSISTING OF THREE SHEETS  
SHEET 8 OF 8 SHEETS

**LEGEND**

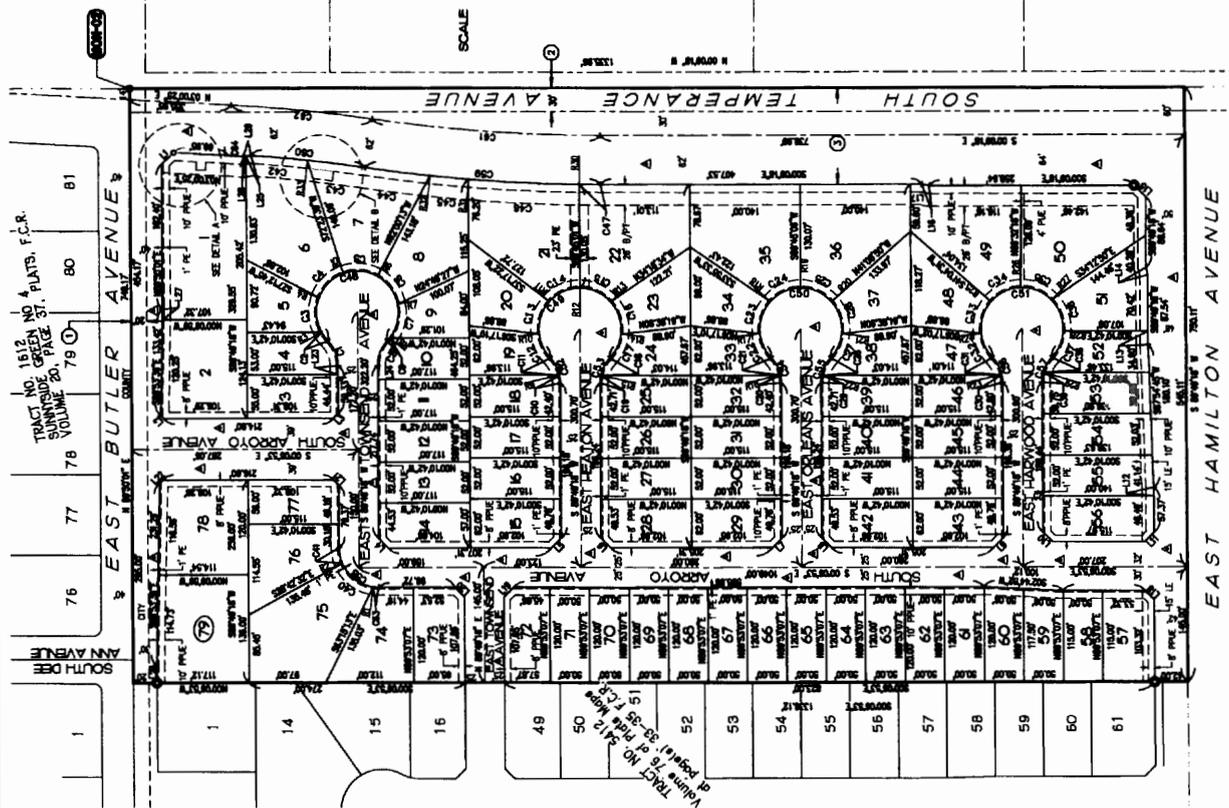
- EXISTING MONUMENT FOUND AND ACCEPTED AS METEOR.
- SET 1" O.D. IRON PIPE 30' LONG, 1 1/2" IN O.D., 3" CONCRETE MONUMENT FOUND AND TAPPED 15' FROM CORNER AS METEOR.
- (---) RECORDED DATA FOR TRACT NO. 4984, RECORDED IN VOLUME 70 OF PLATS AT PAGES 11 AND 12, F.L.S.
- [---] RECORDED DATA FOR TRACT NO. 1794, RECORDED IN VOLUME 30 OF PLATS AT PAGES 30, 31, 32, F.L.S.
- [---] RECORDED DATA FOR TRACT MAP NO. 91-4, RECORDED IN BOOK 33 OF PLATS, MAPS AT PAGES 3 AND 4, F.L.S.
- CA. CORNER RECORD ON FILE WITH FRESNO COUNTY SURVEYOR'S OFFICE.
- F.C.R. FRESNO COUNTY RECORDS.
- LE LANDSCAPE EASEMENT NOW OFFERED FOR DEDICATION FOR PUBLIC USE.
- O.A.F.C. OFFICIAL RECORDS FRESNO COUNTY.
- PE PROCESSION EASEMENT NOW OFFERED FOR DEDICATION FOR PUBLIC USE.
- PU PUBLIC UTILITY EASEMENT NOW OFFERED FOR DEDICATION FOR PUBLIC USE.
- PL PLANNING AND PUBLIC UTILITY EASEMENT NOW OFFERED FOR DEDICATION FOR PUBLIC USE.
- (R) DOTTED BOUNDARY BEARING.
- ① PORTIONS PREVIOUSLY DEDED TO THE COUNTY OF FRESNO FOR RIGHT OF WAY FOR PUBLIC ROAD PURPOSES FOR TRACT DEED RECORDED FEBRUARY 23, 1944, IN BOOK 1794, PAGE 49, O.A.F.C.
- ② PORTIONS PREVIOUSLY DEDED TO THE COUNTY OF FRESNO FOR RIGHT OF WAY FOR PUBLIC ROAD PURPOSES FOR TRACT DEED RECORDED OCTOBER 10, 1947, IN BOOK 91, PAGE 574, O.A.F.C.
- ③ OFFICIAL PLAT USE APPLIED BY THE CITY OF FRESNO, JULY 20, 1944, RECORDED IN VOLUME 1, RECORD OF PRECISE PLATS AT PAGES 13-14, F.L.S.
- △△△ INDICATES REASSIGNMENT OF DIRECT VEHICULAR ACCESS RIGHTS.
- AAAA INDICATES REASSIGNMENT OF DIRECT ACCESS RIGHTS.
- ▲ INDICATES PORTIONS NOW OFFERED FOR DEDICATION FOR PUBLIC STREET AND UTILITY PURPOSES.
- THE SHARDED BLUE NUMBER INDICATES THE LIMITS OF THIS SUBDIVISION.
- 1/4 PT. INCYCLE PROCESSION TRAIL EASEMENT NOW OFFERED FOR DEDICATION FOR PUBLIC USE.
- CITY CITY OF FRESNO BOUNDARY.
- COUNTY COUNTY OF FRESNO BOUNDARY.

**NOTE:**

1" O.D. 30' LONG IRON PIPE TO BE SET AT CORNER AND TAPPED 15' FROM CORNER. ANGULAR POINTS, BEARING OF WHICH TO BE DETERMINED AND RECORDED IN THE APPROPRIATE INSTRUMENT FOR THIS TRACT.



SCALE 1" = 100'



TRACT NO. 1812, NO. 4, PLATS, F.C.R. SURVEYED OCTOBER 20, 1978 VOLUME 79 @ 80 81

TRACT NO. 5188, PLATS, F.C.R. SURVEYED DECEMBER 20, 2005 VOLUME 79 @ 80 81

TRACT NO. 1812, NO. 4, PLATS, F.C.R. SURVEYED OCTOBER 20, 1978 VOLUME 79 @ 80 81

TRACT NO. 5188, PLATS, F.C.R. SURVEYED DECEMBER 20, 2005 VOLUME 79 @ 80 81

TRACT NO. 1812, NO. 4, PLATS, F.C.R. SURVEYED OCTOBER 20, 1978 VOLUME 79 @ 80 81

TRACT NO. 5188, PLATS, F.C.R. SURVEYED DECEMBER 20, 2005 VOLUME 79 @ 80 81

TRACT NO. 1812, NO. 4, PLATS, F.C.R. SURVEYED OCTOBER 20, 1978 VOLUME 79 @ 80 81

TRACT NO. 5188, PLATS, F.C.R. SURVEYED DECEMBER 20, 2005 VOLUME 79 @ 80 81

TRACT NO. 1812, NO. 4, PLATS, F.C.R. SURVEYED OCTOBER 20, 1978 VOLUME 79 @ 80 81

TRACT NO. 5188, PLATS, F.C.R. SURVEYED DECEMBER 20, 2005 VOLUME 79 @ 80 81

TRACT NO. 1812, NO. 4, PLATS, F.C.R. SURVEYED OCTOBER 20, 1978 VOLUME 79 @ 80 81

TRACT NO. 5188, PLATS, F.C.R. SURVEYED DECEMBER 20, 2005 VOLUME 79 @ 80 81

TRACT NO. 1812, NO. 4, PLATS, F.C.R. SURVEYED OCTOBER 20, 1978 VOLUME 79 @ 80 81

TRACT NO. 5188, PLATS, F.C.R. SURVEYED DECEMBER 20, 2005 VOLUME 79 @ 80 81

TRACT NO. 1812, NO. 4, PLATS, F.C.R. SURVEYED OCTOBER 20, 1978 VOLUME 79 @ 80 81

TRACT NO. 5188, PLATS, F.C.R. SURVEYED DECEMBER 20, 2005 VOLUME 79 @ 80 81

TRACT NO. 1812, NO. 4, PLATS, F.C.R. SURVEYED OCTOBER 20, 1978 VOLUME 79 @ 80 81

TRACT NO. 5188, PLATS, F.C.R. SURVEYED DECEMBER 20, 2005 VOLUME 79 @ 80 81

TRACT NO. 1812, NO. 4, PLATS, F.C.R. SURVEYED OCTOBER 20, 1978 VOLUME 79 @ 80 81

TRACT NO. 5188, PLATS, F.C.R. SURVEYED DECEMBER 20, 2005 VOLUME 79 @ 80 81

TRACT NO. 1812, NO. 4, PLATS, F.C.R. SURVEYED OCTOBER 20, 1978 VOLUME 79 @ 80 81

TRACT NO. 5188, PLATS, F.C.R. SURVEYED DECEMBER 20, 2005 VOLUME 79 @ 80 81

TRACT NO. 1812, NO. 4, PLATS, F.C.R. SURVEYED OCTOBER 20, 1978 VOLUME 79 @ 80 81

TRACT NO. 5188, PLATS, F.C.R. SURVEYED DECEMBER 20, 2005 VOLUME 79 @ 80 81

TRACT NO. 1812, NO. 4, PLATS, F.C.R. SURVEYED OCTOBER 20, 1978 VOLUME 79 @ 80 81

TRACT NO. 5188, PLATS, F.C.R. SURVEYED DECEMBER 20, 2005 VOLUME 79 @ 80 81

**LINE TABLE**

LINE	BEARING	LENGTH	AREA
L1	S 45° 00' 00" E	100.00	100.00
L2	S 45° 00' 00" E	100.00	100.00
L3	S 45° 00' 00" E	100.00	100.00
L4	S 45° 00' 00" E	100.00	100.00
L5	S 45° 00' 00" E	100.00	100.00
L6	S 45° 00' 00" E	100.00	100.00
L7	S 45° 00' 00" E	100.00	100.00
L8	S 45° 00' 00" E	100.00	100.00
L9	S 45° 00' 00" E	100.00	100.00
L10	S 45° 00' 00" E	100.00	100.00
L11	S 45° 00' 00" E	100.00	100.00
L12	S 45° 00' 00" E	100.00	100.00
L13	S 45° 00' 00" E	100.00	100.00
L14	S 45° 00' 00" E	100.00	100.00
L15	S 45° 00' 00" E	100.00	100.00
L16	S 45° 00' 00" E	100.00	100.00
L17	S 45° 00' 00" E	100.00	100.00
L18	S 45° 00' 00" E	100.00	100.00
L19	S 45° 00' 00" E	100.00	100.00
L20	S 45° 00' 00" E	100.00	100.00
L21	S 45° 00' 00" E	100.00	100.00
L22	S 45° 00' 00" E	100.00	100.00
L23	S 45° 00' 00" E	100.00	100.00
L24	S 45° 00' 00" E	100.00	100.00
L25	S 45° 00' 00" E	100.00	100.00
L26	S 45° 00' 00" E	100.00	100.00
L27	S 45° 00' 00" E	100.00	100.00
L28	S 45° 00' 00" E	100.00	100.00
L29	S 45° 00' 00" E	100.00	100.00
L30	S 45° 00' 00" E	100.00	100.00
L31	S 45° 00' 00" E	100.00	100.00
L32	S 45° 00' 00" E	100.00	100.00
L33	S 45° 00' 00" E	100.00	100.00
L34	S 45° 00' 00" E	100.00	100.00
L35	S 45° 00' 00" E	100.00	100.00
L36	S 45° 00' 00" E	100.00	100.00
L37	S 45° 00' 00" E	100.00	100.00
L38	S 45° 00' 00" E	100.00	100.00
L39	S 45° 00' 00" E	100.00	100.00
L40	S 45° 00' 00" E	100.00	100.00
L41	S 45° 00' 00" E	100.00	100.00
L42	S 45° 00' 00" E	100.00	100.00
L43	S 45° 00' 00" E	100.00	100.00
L44	S 45° 00' 00" E	100.00	100.00
L45	S 45° 00' 00" E	100.00	100.00
L46	S 45° 00' 00" E	100.00	100.00
L47	S 45° 00' 00" E	100.00	100.00
L48	S 45° 00' 00" E	100.00	100.00
L49	S 45° 00' 00" E	100.00	100.00
L50	S 45° 00' 00" E	100.00	100.00
L51	S 45° 00' 00" E	100.00	100.00
L52	S 45° 00' 00" E	100.00	100.00
L53	S 45° 00' 00" E	100.00	100.00
L54	S 45° 00' 00" E	100.00	100.00
L55	S 45° 00' 00" E	100.00	100.00
L56	S 45° 00' 00" E	100.00	100.00
L57	S 45° 00' 00" E	100.00	100.00
L58	S 45° 00' 00" E	100.00	100.00
L59	S 45° 00' 00" E	100.00	100.00
L60	S 45° 00' 00" E	100.00	100.00
L61	S 45° 00' 00" E	100.00	100.00

**RADIAL TABLE**

BEARING	LENGTH	AREA
R1	S 45° 00' 00" E	100.00
R2	S 45° 00' 00" E	100.00
R3	S 45° 00' 00" E	100.00
R4	S 45° 00' 00" E	100.00
R5	S 45° 00' 00" E	100.00
R6	S 45° 00' 00" E	100.00
R7	S 45° 00' 00" E	100.00
R8	S 45° 00' 00" E	100.00
R9	S 45° 00' 00" E	100.00
R10	S 45° 00' 00" E	100.00
R11	S 45° 00' 00" E	100.00
R12	S 45° 00' 00" E	100.00
R13	S 45° 00' 00" E	100.00
R14	S 45° 00' 00" E	100.00
R15	S 45° 00' 00" E	100.00
R16	S 45° 00' 00" E	100.00
R17	S 45° 00' 00" E	100.00
R18	S 45° 00' 00" E	100.00
R19	S 45° 00' 00" E	100.00
R20	S 45° 00' 00" E	100.00
R21	S 45° 00' 00" E	100.00
R22	S 45° 00' 00" E	100.00
R23	S 45° 00' 00" E	100.00
R24	S 45° 00' 00" E	100.00
R25	S 45° 00' 00" E	100.00
R26	S 45° 00' 00" E	100.00
R27	S 45° 00' 00" E	100.00
R28	S 45° 00' 00" E	100.00
R29	S 45° 00' 00" E	100.00
R30	S 45° 00' 00" E	100.00
R31	S 45° 00' 00" E	100.00
R32	S 45° 00' 00" E	100.00
R33	S 45° 00' 00" E	100.00
R34	S 45° 00' 00" E	100.00
R35	S 45° 00' 00" E	100.00
R36	S 45° 00' 00" E	100.00
R37	S 45° 00' 00" E	100.00
R38	S 45° 00' 00" E	100.00
R39	S 45° 00' 00" E	100.00
R40	S 45° 00' 00" E	100.00
R41	S 45° 00' 00" E	100.00
R42	S 45° 00' 00" E	100.00
R43	S 45° 00' 00" E	100.00
R44	S 45° 00' 00" E	100.00
R45	S 45° 00' 00" E	100.00
R46	S 45° 00' 00" E	100.00
R47	S 45° 00' 00" E	100.00
R48	S 45° 00' 00" E	100.00
R49	S 45° 00' 00" E	100.00
R50	S 45° 00' 00" E	100.00
R51	S 45° 00' 00" E	100.00
R52	S 45° 00' 00" E	100.00
R53	S 45° 00' 00" E	100.00
R54	S 45° 00' 00" E	100.00
R55	S 45° 00' 00" E	100.00
R56	S 45° 00' 00" E	100.00
R57	S 45° 00' 00" E	100.00
R58	S 45° 00' 00" E	100.00
R59	S 45° 00' 00" E	100.00
R60	S 45° 00' 00" E	100.00
R61	S 45° 00' 00" E	100.00
R62	S 45° 00' 00" E	100.00
R63	S 45° 00' 00" E	100.00
R64	S 45° 00' 00" E	100.00
R65	S 45° 00' 00" E	100.00
R66	S 45° 00' 00" E	100.00
R67	S 45° 00' 00" E	100.00
R68	S 45° 00' 00" E	100.00
R69	S 45° 00' 00" E	100.00
R70	S 45° 00' 00" E	100.00
R71	S 45° 00' 00" E	100.00
R72	S 45° 00' 00" E	100.00
R73	S 45° 00' 00" E	100.00
R74	S 45° 00' 00" E	100.00
R75	S 45° 00' 00" E	100.00
R76	S 45° 00' 00" E	100.00
R77	S 45° 00' 00" E	100.00
R78	S 45° 00' 00" E	100.00
R79	S 45° 00' 00" E	100.00
R80	S 45° 00' 00" E	100.00
R81	S 45° 00' 00" E	100.00
R82	S 45° 00' 00" E	100.00
R83	S 45° 00' 00" E	100.00
R84	S 45° 00' 00" E	100.00
R85	S 45° 00' 00" E	100.00
R86	S 45° 00' 00" E	100.00
R87	S 45° 00' 00" E	100.00
R88	S 45° 00' 00" E	100.00
R89	S 45° 00' 00" E	100.00
R90	S 45° 00' 00" E	100.00
R91	S 45° 00' 00" E	100.00
R92	S 45° 00' 00" E	100.00
R93	S 45° 00' 00" E	100.00
R94	S 45° 00' 00" E	100.00
R95	S 45° 00' 00" E	100.00
R96	S 45° 00' 00" E	100.00
R97	S 45° 00' 00" E	100.00
R98	S 45° 00' 00" E	100.00
R99	S 45° 00' 00" E	100.00
R100	S 45° 00' 00" E	100.00

**CHORD TABLE**

BEARING	LENGTH	CHORD	AREA
C1	S 45° 00' 00" E	100.00	100.00
C2	S 45° 00' 00" E	100.00	100.00
C3	S 45° 00' 00" E	100.00	100.00
C4	S 45° 00' 00" E	100.00	100.00
C5	S 45° 00' 00" E	100.00	100.00
C6	S 45° 00' 00" E	100.00	100.00
C7	S 45° 00' 00" E	100.00	100.00
C8	S 45° 00' 00" E	100.00	100.00
C9	S 45° 00' 00" E	100.00	100.00
C10	S 45° 00' 00" E	100.00	100.00
C11	S 45° 00' 00" E	100.00	100.00
C12	S 45° 00' 00" E	100.00	100.00
C13	S 45° 00' 00" E	100.00	100.00
C14	S 45° 00' 00" E	100.00	100.00
C15	S 45° 00' 00" E	100.00	100.00
C16	S 45° 00' 00" E	100.00	100.00
C17	S 45° 00' 00" E	100.00	100.00
C18	S 45° 00' 00" E	100.00	100.00
C19	S 45° 00' 00" E	100.00	100.00
C20	S 45° 00' 00" E	100.00	100.00
C21	S 45° 00' 00" E	100.00	100.00
C22	S 45° 00' 00" E	100.00	10

**RESOLUTION NO. \_\_\_\_\_**

**RESOLUTION OF THE COUNCIL OF THE CITY OF FRESNO,  
CALIFORNIA, APPROVING THE FINAL MAP OF TRACT NO. 5188 AND  
ACCEPTING DEDICATED PUBLIC USES THEREIN**

WHEREAS, D. R. Horton, Inc. - Fresno, a Delaware Corporation, has offered for approval a Final Map designated as Tract No. 5188, ("map"), pursuant to approved Vesting Tentative Map No. 5188 ("tentative map"); and,

WHEREAS, all the certificates which appear on the map (except the approval certificate of the Council of the City of Fresno and the recording certificate of the Recorder of the County of Fresno) have been signed and acknowledged and said map has been filed for approval; and,

WHEREAS, the subdivision lies within the boundaries of the City of Fresno; and,

WHEREAS, the map conforms to all of the requirements of the Subdivision Map Act of the State of California, and City ordinances, resolutions and standards, except that Section 66492 and 66493 of the Subdivision Map Act may not be fully complied with at the time of passage of this resolution and owner having previously filed with the Clerk of the Board of Supervisors of Fresno County a Tax Compliance Certificate Request along with copies of the map considered herewith by the Council; and,

WHEREAS, the Council finds that the proposed subdivision, together with the provisions for its design and improvement, is consistent with all applicable general and specific plans of the City; and,

WHEREAS, the Subdivider and the Owners, whose signatures appear on the map, and others have offered for dedication certain streets, public utility easements, access rights and other public properties and uses as shown and delineated upon said map; and,

WHEREAS, the Planning Commission of the City of Fresno, by formal resolution, approved said tentative map.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Fresno as follows:

1. That the map is hereby approved and all of the streets, public utility easements, access rights and other public properties and uses offered for dedication on the map are hereby accepted, unless it is stated on the Final Map that said dedications are subject to improvement, subject to complete compliance with Sections 66492 and 66493 of the Subdivision Map Act prior to release of the map for recordation.
2. The Council finds that the map is in substantial compliance with said tentative map, any deviations therefrom being deemed to be approved by the Council.

\* \* \* \*

CLERK'S CERTIFICATE

STATE OF CALIFORNIA )  
COUNTY OF FRESNO )  
CITY OF FRESNO )

I, REBECCA E. KLISCH, City Clerk of the City of Fresno, certify that the foregoing Resolution was adopted by the Council of the City of Fresno, California, at a regular meeting held on the \_\_\_\_\_ day of \_\_\_\_\_, 2007.

AYES:  
NOES:  
ABSENT:  
ABSTAIN:

REBECCA E. KLISCH, CMC  
CITY CLERK

By: \_\_\_\_\_  
Deputy

APPROVED AS TO FORM:

JAMES C. SANCHEZ  
City Attorney

By:  \_\_\_\_\_  
Deputy