



COUNTY OF PLACER
Community Development Resource Agency

John Marin, Agency Director

**ENGINEERING
&
SURVEYING**

Wes Zicker
Director of Engineering & Surveying

MEMORANDUM

TO: Honorable Board of Supervisors
FROM: Wes Zicker, Director
Department of Engineering and Surveying, Community Development Resource Agency
DATE: April 15, 2008
SUBJECT: TIMILICK TAHOE (aka EAGLEWOOD) PHASES 1A & 1B, PSCP-T20040186
PROJECT NO. DPN 8327, TRACTS NO. 941 & 942

ACTION REQUESTED:

This department has inspected construction of all improvements within the Timilick Tahoe Phases 1A and 1B project and found the work to be in accordance with approved standards. Therefore, it is requested that the Board take the following actions:

1. Accept the Timilick Tahoe Phases 1A and 1B improvements as complete.
2. Authorize the following reduction to the Timilick Tahoe Phases 1A and 1B Faithful Performance and Labor/Materials sureties:
Bond No. K07467965 issued for \$4,095,785.43:
 - a). Reduce only that amount of the Faithful Performance bond in excess of the Mechanics Lien to 25% resulting in a bond amount of \$3,010,829.85 .
 - b). Reduce only that portion of the Labor/Materials bond in excess of the Mechanics Lien 50% resulting in a bond amount of \$3,372,481.72, for six months or longer if claims exist.Bond No. K07467977 issued for \$4,180,000:
 - a). Reduce the amount of the Faithful Performance bond to 25% resulting in a bond amount of \$1,045,000.
 - b). Reduce the amount of the Labor/Materials bond to 50% resulting in a bond amount of \$2,090,000, for six months or longer if claims exist.
3. Approve the attached Resolution authorizing the Director of Facility Services, or his designee, to execute all documents and take such other actions as may be necessary or appropriate to implement the acquisition of Parcel 1 of Book 31 of Parcel Maps, Page 147 for County park site and open space use; grant sites to the Placer County Water Agency for a well and service facility on said property; and, record grant deeds and necessary easements associated to these property transactions.
4. Approve the addition of the Parcel 1 of Book 31 of Parcel Maps, Page 147 to the Master Fixed Asset List.

BACKGROUND:

The Timilick Tahoe subdivision, originally entitled as "Eaglewood", was approved to create 462 residential units, 5 open space lots, and 9 open space / recreation lots that include an 18 hole golf course. The project is divided into 9 phases. Phase 1A created 47 single-family residential lots with an

average lot size of 13,000 square feet. Phase 1B created 40 townhome lots with an average size of 6,000 square feet. The subdivision is located at the end of Schaffer Mill Road off Highway 267 in Martis Valley area of Tahoe.

Phases 1A (Tract 941) and 1B (Tract 942) are the two "subphases" comprising Phase 1 in its entirety, and were separated to differentiate the two differing uses, single family versus townhomes, for purposes of distinct CC&R's. Maps of Phase 1A and 1B are shown on attached Exhibits "A-1" and "A-2" respectively. The Phase 1 Improvement Plans were approved in May 2006. The Phase 1A and 1B Final Maps recorded in October 2006.

The improvements constructed with these two subdivisions consist of subdivision streets and related underground infrastructure, drainage, multi-purpose trails, survey monumentation and miscellaneous items. Streets within Phases 1A and 1B are private with maintenance provided by the property owners. Security sufficient to cover Faithful Performance and Labor/Materials has been posted with Placer County.

Some minor infrastructure components are not fully complete as of this date due to Tahoe's seasonal grading restriction. The outstanding incomplete improvements have been inventoried and secured by separate instrument. The incomplete improvements are slated to be constructed in May of this year when grading restrictions for Tahoe projects are lifted. All incomplete components are ancillary and have no detrimental effect on fire/life/safety issues.

Two bonds, as noted in the Action Requested were taken by the County as security for the improvements. Bond No. K07467965 was supplied as security for the general subdivision improvements. A lien has been filed by the contractor on the project in an amount of approximately \$2.6 million. The developer and contractor have negotiated a settlement agreement for the lien, but an actual lien release is not expected until May 7, 2008. In order to provide coverage for the potential claim represented by the lien, staff recommends that the security held be reduced to the amounts noted above. Upon receipt of the lien release, the Board is requested to authorize the Director to reduce the security in accordance with the County's standard practice.

Bond No. K07467977 was taken by the County as security for the water supply infrastructure required by PCWA in order to serve the project. PCWA has indicated in writing that the improvements secured by No. K07467977 are complete or they have security for any incomplete facilities. Therefore staff recommends that this bond be released under the counties normal procedure.

Under the conditions of approval for the project there is a requirement to pay the County's normal park fees. In lieu of the actual payment of fees, the Facilities Services Department has agreed to accept title to a tract of land (Parcel 1 of Book 31 of Parcel Maps, Page 147) within the boundary of the subdivision for park and open space purposes. That parcel is identified on the attached Exhibit A-1. In order to comply with the conditions of approval, the deed granting that parcel to the County will be recorded after your Board's action on this item. Staff requests your Board's approval of the attached Resolution authorizing the Director of Facilities Services to record the deed thereby transferring the title to the property from the developer to the County and further providing authority to the Director to grant to PCWA, in fee, the existing well site (along with necessary water line easements), and an approximately one-acre service facility site, as contemplated in the conditions of approval.

Access to the Timilick project and the park site parcel noted above is via Schaeffer Mill Road, a private road. That road is subject to Irrevocable Offers of Dedication (IOD) of a highway easement (Documents 96-0055822-00, 96-0055821, and 96-035182). In order to provide public access to the park site the IOD from Highway 267 to the entrance to the park site will be accepted by the County Right of Way agent prior to the recordation of the deed to the park site. It is recommended that the road remain privately maintained because there is no CSA funding available to offset the cost of maintenance and snow plowing. Maintenance is currently provided by the Homeowners Association of the Lahontan subdivision, although it is possible that other developments, including Timilick, will be asked to pay their fair share of the cost under a private agreement between property owners.

It should be noted that at the time that this Memorandum was prepared, Placer County Water Agency, the water purveyor, had not provided the necessary notice of acceptance of the water supply facilities. The County will need to receive this acceptance to assure domestic water supply and fire protection service to the lots within Timilick Tahoe Phases 1A and 1B. Based on the developer's performance in meeting that agency's criteria, water service may not be available at the proposed hearing date. Staff will advise your Board of the status of the project upon the opening of the public hearing on the item.

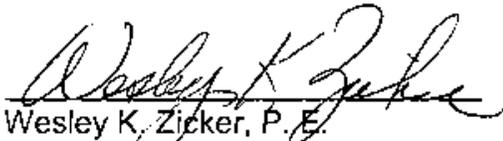
ENVIRONMENTAL CLEARANCE:

An Environmental Impact Report (EIR) was prepared for this project pursuant to the provisions of CEQA. The Final EIR was certified by the Planning Commission on June 24, 2004.

FISCAL IMPACT:

None.

Respectfully submitted,

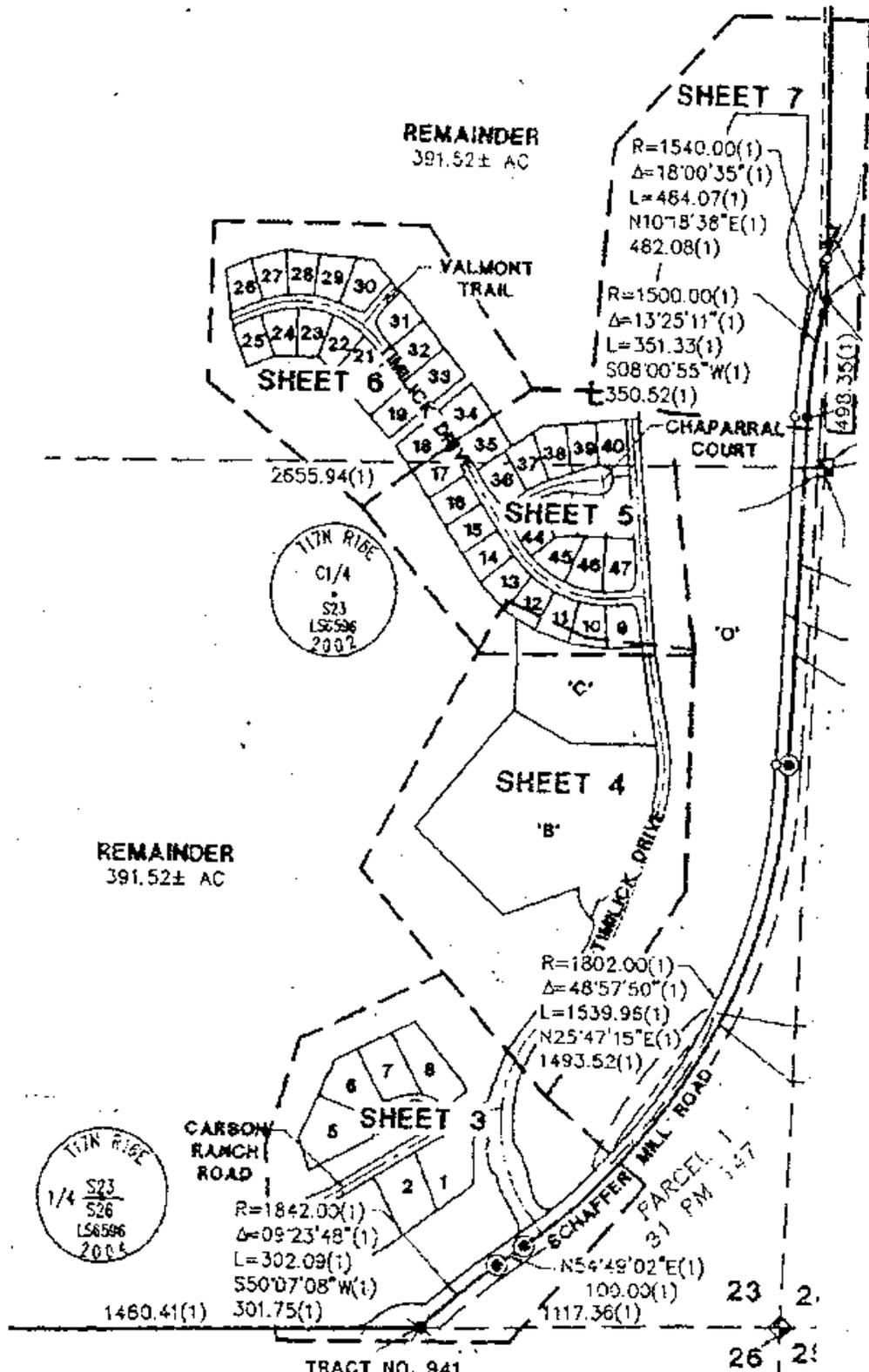


Wesley K. Zicker, P.E.
Director Engineering and Survey Department

Attached to this report for the Board's information/consideration are:

Attachments: Exhibit "A-1" – Map of Phase 1A Subdivision
Exhibit "A-2" – Map of Phase 1B Subdivision
Resolution
Exhibit "B" - Parcel 1 of Book 31 of Parcel Maps, Page 147

EXHIBIT "A-1"



TRACT NO. 941
TIMITLICK TAHOE PHASE 1A

A SUBDIVISION OF PARCEL 2
BOOK 31 OF PARCEL MAPS, PAGE 147, P.C.R.
A PORTION OF SEC. 23, T. 17 N., R. 16 E., M.D.M.
PLACER COUNTY, CALIFORNIA
SCALE: 1"=400' SEPTEMBER 22, 2006

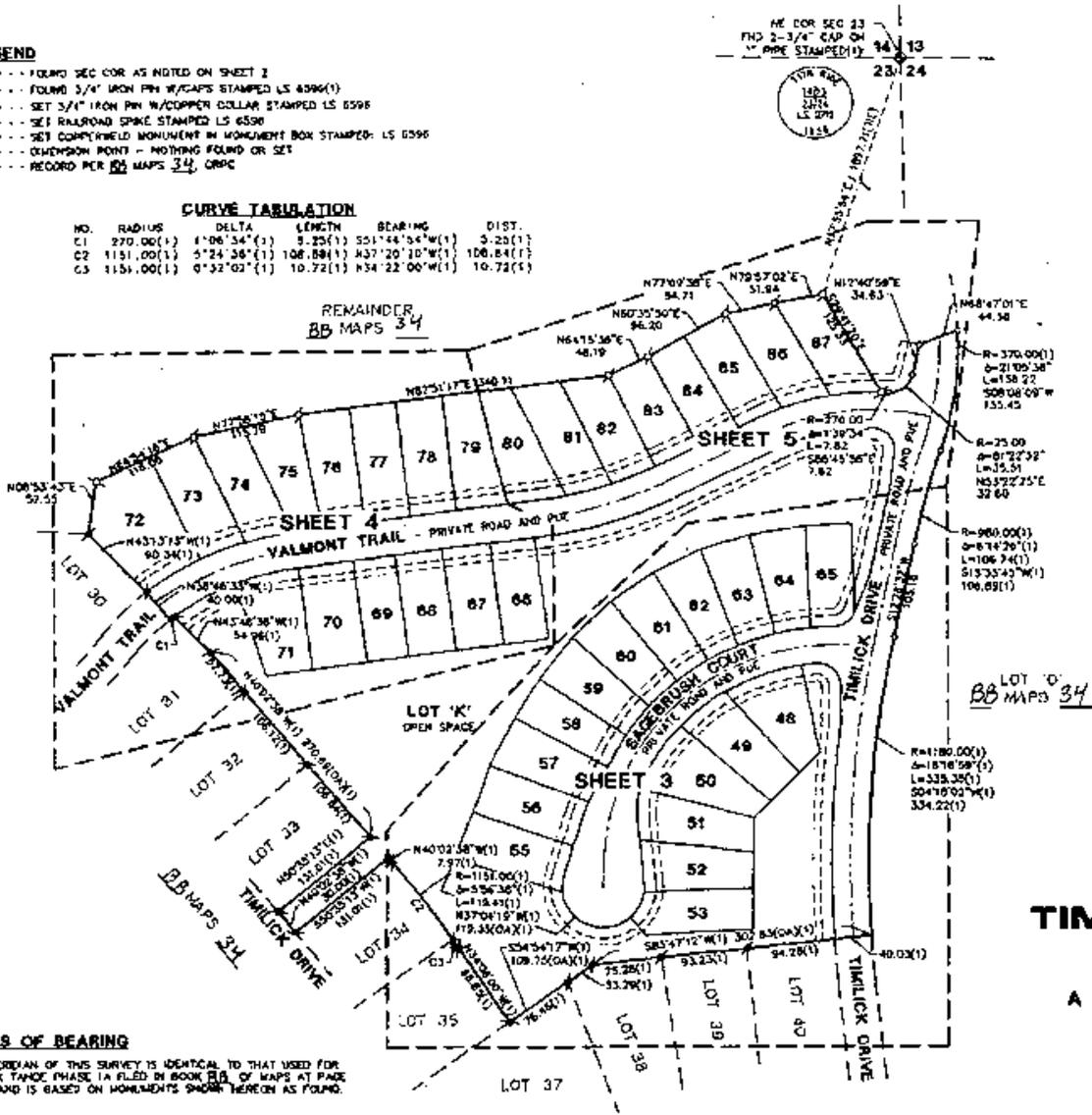
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LEGEND

- ⊙ FOUND SEC COR AS NOTED ON SHEET 2
- ⊙ FOUND 3/4" IRON PIN W/CAPS STAMPED LS 4396(1)
- ⊙ SET 3/4" IRON PIN W/COPPER COLLAR STAMPED LS 6596
- ⊙ SET RAILROAD SPIKE STAMPED LS 6596
- ⊙ SET CORNER MONUMENT IN MONUMENT BOX STAMPED LS 6596
- ⊙ DIMENSION POINT - NOTHING FOUND OR SET
- (1) RECORD PER **BB** MAPS 34, ORPC

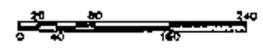
CURVE TABULATION

NO.	RADIUS	DELTA	LENGTH	BEARING	DIST.
C1	270.00(1)	4°06'34"(1)	5.25(1)	S51°44'34"W(1)	3.23(1)
C2	1151.00(1)	5°24'36"(1)	106.88(1)	N37°20'30"W(1)	106.84(1)
C3	1151.00(1)	0°52'02"(1)	10.72(1)	N34°22'00"W(1)	10.72(1)



NOTES:

1. SOURCE OF NOTES AND BOUNDS INST. NO. 1998-081283, ORPC AND EAGLEWOOD PHASE 1A FILED IN BOOK **BB** OF MAPS, PAGE 34, P.C.R.
2. THE ENTIRE PROPERTY SHOWN HEREON IS AFFECTED BY THE AIRSPACE EASEMENT TO PLACER COUNTY RECORDED IN VOLUME 1969 AT PAGE 115, ORPC.
3. EASEMENTS OVER ADJOINING LOTS AND COMMON AREA FOR ENCROACHMENTS DUE TO ROOF OVERHANGS, FENCES, WALLS AND FOR THE MAINTENANCE OF SAID ENCROACHMENTS HAVE BEEN REQUIRED BY ARTICLE 19 "EASEMENTS", SECTION 9.01 OF THE SUPPLEMENTAL DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR EAGLEWOOD TOWNHOMES FILED FOR RECORD ON 2008 IN DOCUMENT NUMBER 2008-20017247 OFFICIAL RECORDS OF PLACER COUNTY.
4. LEGAL ACCESS TO THE LOTS SHOWN HEREON TO STATE HIGHWAY 257 IS PROVIDED BY THE GRANT OF RECIPROCAL ACCESS EASEMENT DEED RECORDED IN INSTRUMENT NO. 2004-0040978, ORPC, AND IS GUARANTEED BY PLACER TITLE COMPANY'S PRELIMINARY TITLE REPORT NO. 1502-7899 ON FILE WITH THE PLACER COUNTY SURVEYOR.
5. THE LOTS SHOWN HEREON ARE WITHIN ZONE 201 OF COUNTY SERVICE AREA NO. 28 WHICH WAS CREATED TO FUND TIMILICK WATER QUALITY MONITORING.
6. THE LOTS SHOWN HEREON ARE WITHIN ZONE 202 OF COUNTY SERVICE AREA NO. 28 WHICH WAS CREATED TO FUND TIMILICK TRAFFIC.
7. THIS MAP DESIGNATES A REMAINDER PARCEL. PRIOR TO THIS REMAINDER RECEIVING COUNTY APPROVAL FOR SALE, LEASE OR FINANCING OR DEVELOPMENT, APPROPRIATE APPLICATIONS MUST BE PROCESSED THROUGH THE COUNTY. THIS PROCESS MAY INCLUDE CONDITIONS FOR MAJOR OR MINOR SUBDIVISION IMPROVEMENTS BASED ON ORDINANCES IN EFFECT AT THE TIME OF THIS REMAINDER'S TENTATIVE MAP APPROVAL (Pursuant to GOVERNMENT CODE SECTION 66424.6)



TRACT NO. 942
TIMILICK TAHOE PHASE 1B
 A SUBDIVISION OF REMAINDER
 BOOK **BB** OF MAPS, PAGE 34, P.C.R.
 A PORTION OF SEC. 23, T. 17 N., R. 16 E., M.D.M.
 PLACER COUNTY, CALIFORNIA
 SCALE: 1"=80' SEPTEMBER 22, 2006

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EXHIBIT "A-2"

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Before the Board of Supervisors County of Placer, State of California

Resol. No: _____

In the matter of: A Resolution authorizing the Director of Facility Services to take various actions regarding acquisition of real property known as Parcel 1 of Book 31 of Parcel Maps, Page 147, located at the end of Schaffer Mill Road off Highway 267 in the Martis Valley area of eastern Placer County.

RESOLUTION was duly passed by the Board of Supervisors of the County of Placer at a regular meeting held _____, by the following vote on roll call:

Ayes:

Noes:

Absent:

Signed and approved by me after its passage.

Chairman, Board of Supervisors

Attest: Clerk of said Board

WHEREAS, Martis Valley Associates LLC, is the owner of Parcel 1 of Book 31 of Parcel Maps, Page 147, located at the end of Schaffer Mill Road off Highway 267 in the Martis Valley area of eastern Placer County (hereinafter the "Property"); and,

WHEREAS, pursuant to the Major Subdivision/Conditional Use Permit for the Timilick Tahoe subdivision, originally entitled as "Eaglewood," there is a requirement to pay the County's normal park and recreation fees; and,

WHEREAS, in lieu of the actual payment of the park and recreation fees, the Department of Facility Services has agreed to accept title to the Property within the boundary of the subdivision for park and open space purposes; and,

WHEREAS, in order to comply with the conditions of approval associated with said Major Subdivision/Conditional Use Permit, the deed granting the Property to the County will be recorded after the Board of Supervisors accepts the Timilick Tahoe Phase 1A and 1B improvements as complete; and,

WHEREAS, an existing well site located on said Property, as shown on Exhibit B, must be granted to the Placer County Water Agency (PCWA) in order to provide public water service to the Timilick Tahoe subdivision; and,

WHEREAS, in accordance with the conditions of approval, an one-acre ± site is to be located on said Property, in the proposed location as shown on Exhibit B, for a PCWA maintenance/service site and granted in fee to PCWA.

NOW THEREFORE, BE IT RESOLVED, that the Placer County Board of Supervisors does hereby authorize the Director of Facility Services, or his designee, to execute on behalf of the County, all documentation and take such other actions necessary or appropriate to acquire the Property; does hereby authorize the payment of funds necessary to complete the close of escrow for this transaction; and does hereby consent to the acceptance and recordation of the grant deeds to PCWA for a well site and maintenance/service site on said Property together with the grant and recordation of water line easements to PCWA.

