**RESOLUTION NO. 3996-25**

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF WINDSOR APPROVING A SUBDIVISION IMPROVEMENT AGREEMENT FOR HEMBREE LANE OAKS SUBDIVISION AND DIRECTING ITS EXECUTION BY THE MAYOR, APPROVING THE FINAL MAP THEREFORE, ACCEPTING CERTAIN OFFERS OF DEDICATION SUBJECT TO IMPROVEMENT, AND MAKING FINDINGS IN ACCORDANCE WITH THE STATE SUBDIVISION MAP ACT AND THE TOWN OF WINDSOR SUBDIVISION ORDINANCE AND AUTHORIZING THE TOWN MANAGER TO EXECUTE A LANDSCAPING AND LIGHTING ASSESSMENT DISTRICTS AND 1982 ACT BENEFIT ASSESSMENT DISTRICT AGREEMENT (APN 163-080-047- FILE NO. 21-18)**

**WHEREAS,** a final map of that certain subdivision entitled "Hembree Lane Oaks" has been presented to the Town Council for approval and acceptance; and

**WHEREAS,** Town staff has reported that said map conforms to the requirements of the State Subdivision Map Act and the Town of Windsor Subdivision Ordinance; and

**WHEREAS,** said map shows and names as irrevocably dedicated in fee, subject to improvements, Cornell Drive, Country Meadow Way, Meadowlark Way, and Parcel A and irrevocably dedicates as easements, subject to improvements, the Public Utility Easements and Windsor Water District Facilities Easements (as shown on said map); and

**WHEREAS,** the project conditions of approval state that the owner shall execute a Subdivision Improvement agreement and execute an agreement to annex their property into the Landscaping and Lighting Assessment Districts and 1982 Act Benefit Assessment District; and

**WHEREAS,** per Resolution No. 3855-23, the Town Council adopted a Mitigated Negative Declaration and Mitigation Monitoring and Reporting Plan; and

**WHEREAS,** said final map has been duly acknowledged and executed, and is ready for approval and recordation; and

**WHEREAS,** the installation of the required public improvements have not been completed to the satisfaction of the Town Engineer; and

**WHEREAS,** the developer has provided Surety bonds in the following amounts:

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| Subdivision Performance Bond | $3,461,787.00 |
| Labor and Materials Bond | $3,461,787.00 |
| Maintenance Bond | $346,179.00 |
| Monumentation Bond | $10,000.00 |

to guarantee the completion of the required improvements within the subdivision; and

**WHEREAS,** the owner has executed a Subdivision Improvement Agreement and a Landscaping and Lighting Assessment Districts and 1982 Act Benefit Assessment District Agreement fulfilling the condition of their project.

**NOW, THEREFORE BE IT RESOLVED** that said Subdivision Improvement Agreement is approved, and the Mayor is directed to execute it; and

**BE IT FURTHER RESOLVED** that the Landscaping and Lighting Assessment Districts and 1982 Act Benefit Assessment Agreement is hereby approved and accepted, and the Town Council authorizes the Town Manager to execute said agreement; and

**BE IT FURTHER RESOLVED** that the Town Council finds that the final map entitled "Hembree Lane Oaks" is in substantial compliance with the previously approved tentative map, as conditioned, and with the provisions of the State Subdivision Map Act and the Town of Windsor Subdivision Ordinance, is hereby accepted and approved; and

**BE IT FURTHER RESOLVED** that the Town Council finds that said map shows and names as irrevocably dedicated in fee, subject to improvements, for public use, Cornell Drive, Country Meadow Way, Meadowlark Way, and irrevocably dedicates as easements, subject to improvements, the Public Utility Easements and Windsor Water District Facilities Easements (as shown on said map); and

**BE IT FURTHER RESOLVED** that the Town will accept in fee **Parcel A**, upon the Mitigation Monitoring Period for Habitat Restoration on Parcel A being deemed complete; and

**BE IT FURTHER RESOLVED** that the Town Council directs the Town Clerk to take the necessary steps to ensure that said map and agreements are recorded with the County Recorder.

**PASSED, APPROVED AND ADOPTED this 15th day of January 2025, by the following vote:**

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| **AYES:** | **COUNCILMEMBERS LEEP, SALMON, VICE MAYOR POTTER AND MAYOR REYNOZA** |
| **NOES:** | **NONE** |
| **ABSTAIN:** | **NONE** |
| **ABSENT:** | **COUNCILMEMBER WALL** |

**ROSA REYNOZA, MAYOR**

**ATTEST:**

**IRENE CAMACHO-WERBY, TOWN CLERK**