

RESOLUTION NO. 04-06

TO APPROVE THE FINAL MAP FOR THE SUBDIVISION OF MONTEREY SHORES ESTATES BEING A MERGER AND RESUBDIVISION OF PORTIONS OF BLOCKS G, J & M OF DEL MONTE BEACH MAP NO. 2, VOLUME 3 OF CITIES AND TOWNS AT PAGE 12, MONTEREY COUNTY RECORDS, INTO ELEVEN LOTS AND TWO OPEN SPACE PARCELS, AND TO ACCEPT THE OFFER OF DEDICATION FOR PUBLIC USE, PARCELS A & B, SPRAY AVENUE, PUBLIC UTILITIES EASEMENTS AND PUBLIC DRAINAGE EASEMENTS, AND TO AUTHORIZE THE EXECUTION OF A DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS OVER THE SUBJECT PROPERTY, AND TO EXECUTE A SUBDIVISION IMPROVEMENT AGREEMENT, AND TO AUTHORIZE EXECUTING A QUITCLAIM DEED TO RELINQUISH THE CITY'S INTEREST IN THE NEWLY CREATED PRIVATE LOTS, AND TO AUTHORIZE ACCEPTING A GRANT DEED, WITH RESTRICTIONS, CONVEYING OWNERSHIP TO THE OPEN SPACE PARCELS

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF MONTEREY, that it is found that the Final Map is in substantial conformance with the Tentative Map previously filed upon the property and all conditions of the Subdivision Ordinance have been met, and the Final Map is therefore approved and that the offer to dedicate Parcel A, Parcel B, Spray Avenue, Public Utility Easements and Public Drainage Easements is hereby accepted; **SUBJECT to the following Conditions:**

- 1.) The City finalize the purchase of Grillos' property (APN 011-455-027 & APN 011-455-028).
- 2.) The Declaration of Covenants, Conditions and Restrictions be finalized and approved by the City Attorney and executed by the Mayor.
- 3.) The Developer execute and record an Avigation Easement with the Monterey Peninsula Airport District over the property in favor of the Monterey Peninsula Airport District.
- 4.) The improvement plans and cost estimate for the improvements be finalized by the Developer and approved by the City Engineer and that the Mayor execute a Subdivision Improvement Agreement requiring the developer to construct all public improvements within one year.
- 5.) The developer prepare a deed to quitclaim the City's interest in the newly created private lots. The developer prepare a deed to quitclaim the interest of the Monterey Peninsula Regional Park District in the land. The developer prepare a deed granting to the City of Monterey fee ownership of the open space parcels. The deeds are to be recorded after the final map is recorded.
- 6.) The Developer provide an updated Subdivision Guarantee.

After all of the above conditions have been satisfied, the Mayor is to execute on the Cities behalf the Declaration of Covenants, Conditions and Restrictions; The Subdivision Improvement Agreement; the Quitclaim deed; the Grant Deed and the ownership certificac on the Final Map.

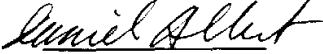
PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF MONTEREY this 6th day of January 2004, the following vote:

AYES: 5 COUNCILMEMBERS: ALBERT, CANEPA, DELLA SALA
ROBERSON, VREELAND

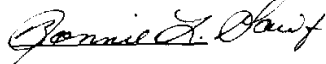
NOES: 0 COUNCILMEMBERS:

ABSENT: 0 COUNCILMEMBERS:

APPROVED:


Mayor of Said City

ATTEST:


City Clerk thereof