

Recording Requested By:

County of Solano

When Recorded Mail To:

Mathew Tuggle, Engineering Manager
County of Solano
Resource Management Department
675 Texas Street, Suite 5500
Fairfield, CA 94533

(Space Above for Recorder's Use)

DEFERRED IMPROVEMENT AGREEMENT

**Middle Green Valley Large Lot Final Subdivision Map
Lots 1-4**

This Agreement made and entered into this ____ day of _____ 2023, by and between Solano County, a municipal corporation ("County"), and Lindemann Family Revocable Trust, Curtis R. Lindemann Irrevocable Trust, Jennifer King, Billy Yarbrough Legacy Trust, Debra A. Yarbrough Russo and Anthony S. Russo Living Trust, Maher Bypass Trust, LeMasters Family 2015 Revocable Trust, Volkhardt Family Trust, and Wiley Family Trust ("Subdivider").

WITNESSETH

WHEREAS, Subdivider is in possession of tracts of land lying in Solano County, known as Middle Green Valley Large Lot Subdivision Lots 1-4;

WHEREAS, a Large Lot Tentative Map including the Subdivision was approved by the Solano County Board of Supervisors through Resolution No. 2022-208, on the 4th day of October, 2022, which was ratified by the Board of Supervisors on the 6th day of December 2022, and the Large Lot Final Map including the Subdivision is consistent with the approved Large Lot Tentative Map;

WHEREAS, the Large Lot Final Map has been filed on the ____ day of _____, 2023 in Book ____ of Maps at Page ____ in the Office of the Solano County Recorder;

WHEREAS, Section 26-113 and 26-114 of the Solano County Code, regulating the subdivision of land in the County, requires that the Subdivider shall execute and file an agreement between itself and the County relating to the improvements to be made in a subdivision, prior to the approval of the Board of Supervisors of a final map;

WHEREAS, the purpose of the Large Lot Final Map is to create legal parcels consistent with the Middle Green Valley Specific Plan; allow the transfer of Lots 1-4 of the Subdivision to a future subdivider; and to identify Resultant Parcels (Parcels 5-27 as shown on the Large Lot Final Map) consistent with the Middle Green Valley Specific Plan; and

WHEREAS, the Large Lot Final Map is not intended to include improvement plans or securities and is for property transfer only; as such, all improvement plans are deferred to future subdivision maps on Lots 1-4.

NOW, THEREFORE, the parties agree as follows:

1. Lots 1-4 are being created solely for purposes of financing and sale and each lot is not intended to be developed prior to further subdivision of that lot.
2. Further subdivision of Lots 1-4 shall be subject to compliance with the Small Lot Tentative Subdivision Map Conditions of Approval (Board of Supervisors Resolution No. 2022-209).
3. Future subdivision of Lots 1-4 shall be subject to compliance with the Master Development Agreement for the Middle Green Valley Specific Plan recorded in the Official Records of Solano County on April 13, 2015, as Document # 201500029542
4. Future subdivision of Lots 1-4 shall be subject to compliance with the Middle Green Valley Specific Plan, adopted August 8, 2017, amended September 28, 2021.
5. Further subdivision of Lots 1-4 shall be subject to compliance with Solano County Code Chapter 26, Subdivision Ordinance Article X, including but not limited to, preparation of Improvement Plans identifying all necessary on-site and off-site infrastructure improvements necessary to serve said future subdivision. It is anticipated that future Improvement Plans associated with the future subdivision of Lots 1-4 may demonstrate the need to acquire right-of-way to construct the roundabouts at the intersections of Mason Road and Green Valley Road and Maher Road and Green Valley Road. The future subdivider shall secure said right-of-way consistent with Middle Green Valley Specific Plan Master Development Agreement Section 4.3.
6. During preparation of the Small Lot Final Map and Improvements Plans, the future subdivider of Lots 1-4 shall coordinate with the County to identify all improvements necessary, determine their timing, costs, securities, and responsibility for construction.
7. The Major Thoroughfare Area of Benefit No. 1 Impact Fee is applicable to lots within this Large Lot Map that have a residential land use designation including Lots 1-4, 13 and 26. The fee is payable in two installments: half of the fee is payable at time of recordation of the Large Lot Map creating Lots 1-4, 13 and 26 and second half of the fee is payable with each residential building permit to be issued in the future following recordation of the Small Lot Map. Payment of the fees shall be subject to reassessment consistent with the County's Development Impact Fee Schedule, County Resolution 80-88, and the Middle Green Valley Specific Plan Master Development Agreement Section 3.10.

8. At this time, the County does not accept any offers of dedication of lands, rights-of-ways, and easements that are offered for dedication on the final map of the Subdivision. All such offers shall, however, remain open, and shall constitute irrevocable offer of dedication in accordance with Government Code Section 66477.2. All such offers may be accepted by County in its sole discretion at a later date.
9. The Large Lot Final Map includes Offers of Dedication for Public Service Easements and Public Road Right of Way along Mason Road. The purpose of these Offers of Dedication is to provide for flexibility in design of the utility improvements along Mason Road. Final design of the roadway and associated utilities will be completed as part of the Improvement Plans that will be approved in connection with the Small Lot Final Map. Following recordation of the Small Lot Map, any and all Offers of Dedication along Mason Road that are not utilized in the final design will be relinquished to the adjacent property owner.
10. If any term, provision, condition or covenant of this Agreement or its application to any party or circumstances shall be held, to any extent, invalid or unenforceable, the remainder of this Agreement, or the application of the term, provision, condition or covenant to persons or circumstances other than those as to whom or which it is held invalid or unenforceable, shall not be affected, and shall be valid and enforceable to the fullest extent permitted by law.

COUNTY:

Approved as to Form by County Counsel

By:

County Counsel
Approved as to Form

Director of Resource Management

By:

Terry Schmidtbauer

SUBDIVIDER:

Frank Raymond Lindemann, Trustee of the Lindemann Family Revocable Trust

By:

Frank Raymond Lindemann

Sarah D. Lindemann, Trustee of the Lindemann Family Revocable Trust

By:

Sarah D. Lindemann

Janine Weber, Trustee of the Curtis R. Lindemann Irrevocable Trust

By:

Janine Weber

Jennifer King

By:

Jennifer King

Debra A. Yarbrough Russo, Trustee of the Billy Yarbrough Legacy Trust

By:

Debra A. Yarbrough Russo

Debra A. Yarbrough Russo, Trustee of the Debra A. Yarbrough Russo and Anthony S. Russo Living Trust

By:

Debra A. Yarbrough Russo

Anthony S. Russo, Trustee of the Debra A. Yarbrough Russo and Anthony S. Russo Living Trust

By:

Anthony S. Russo

Beverly A. LeMasters, Trustee of Maher Bypass Trust

By:

Beverly A. LeMasters

Gerald M. LeMasters, Trustee of LeMasters Family 2015 Revocable Trust

By:

Gerald M. LeMasters

Beverly A. LeMasters, Trustee of LeMasters Family 2015 Revocable Trust

By:

Beverly A. LeMasters

Benjamin A. Volkhardt, III Trustee of Volkhardt Family Trust

By:

Benjamin A. Volkhardt, III

Phyllis Jane Volkhardt, Trustee of Volkhardt Family Trust

By:

Phyllis Jane Volkhardt

James S. Wiley, Trustee of Wiley Family Trust

By:

James S. Wiley

Katherine Wiley, Trustee of Wiley Family Trust

By:

Katherine Wiley