



CITY OF SACRAMENTO

January 18th, 1983

DEPARTMENT OF ENGINEERING

915 I STREET
CITY HALL ROOM 207

SACRAMENTO, CALIFORNIA 95814
TELEPHONE (916) 449-5281

J.F. VAROZZA
CITY ENGINEER
M.H. JOHNSON
ASSISTANT CITY ENGINEER

City Council
Sacramento, California

Honorable Members In Session:

SUBJECT: Fowler Estates (Item No. 23, January 18th, 1983)

The Council has before it a recommendation to file a Notice of Violation on Fowler Estates because the developer, Mark III Development, did not have the subdivision grading completed according to the grading plan.

The developer was notified of this problem and informed that if the work was not completed prior to January 18th, 1983, a Notice of Intention to File a Notice of Violation would be recorded on the subdivision.

I have been informed by our Construction Superintendent that the grading has been completed according to the plans on file in my office and am therefore recommending that no action be taken by the Council at this hearing and further recommend that the matter be closed.

Very truly yours,

John F. Varozza
John F. Varozza
City Engineer

JFV:IEM:bb

FILED
By the City Council
Office of the City Clerk

JAN 18 1983

January 18th, 1983
DISTRICT NO. 6

3 10 19



CITY OF SACRAMENTO

January 18th, 1983

23

DEPARTMENT OF ENGINEERING

915 I STREET
CITY HALL ROOM 207

SACRAMENTO, CALIFORNIA 95814
TELEPHONE (916) 449-5281

City Council
Sacramento, California

CITY MANAGER'S OFFICE
RECEIVED
JAN 11 1983

J.F. VAROZZA
CITY ENGINEER
M.H. JOHNSON
ASSISTANT CITY ENGINEER

Honorable Members In Session:

SUBJECT: Hearing on Notice of Intention to File a Notice of Violation of the Subdivision Map Act for Fowler Estates Subdivision (Fowler Ave. & Stockton Blvd.)

SUMMARY

Pursuant to Government Code Section 66499.36, the City has filed with the County Recorder a Notice of Intention to File a Notice of Violation of The Subdivision Map Act (see copy attached) because of the subdivision not being graded in conformance with the submitted grading plans thus creating areas of standing water.

The purpose of this hearing is to allow the owners of the property an opportunity to present evidence why a Notice of Violation should not be filed with the County Recorder.

BACKGROUND INFORMATION

The City Engineer has received complaints from adjoining property owners that the grading on portions of Fowler Estates Subdivision has not yet been completed. A field inspection and a review of the grading plans indicates that the construction of the necessary retaining walls is not complete. A letter was sent to Mark III Development Co. on October 28th, 1982 informing them of the problem and informing them that a Notice of Violation would be recorded unless the retaining walls were constructed and provided according to paragraph 28 of the Subdivision Agreement.

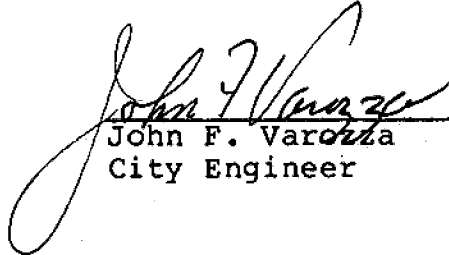
CONCLUSIONS AND RECOMMENDATIONS

Upon presentation of the facts in this matter, it is recommended that the City Council approve a motion which makes the following determinations:

1. A violation of the Subdivision Map Act provisions requiring proper grading now exists in the Fowler Estates Subdivision.


- 2. Direct the City Engineer to file a Notice of Violation with the County Recorder if the subject grading and deficiencies are not corrected within 60 days.

Respectfully submitted,



 John F. Varozza
 City Engineer

Recommendation Approved



 Walter J. Slife
 City Manager

JFV:IEM:bb
Attachment

January 18th, 1983
DISTRICT NO. 6

THE UNIVERSITY OF CHICAGO
DEPARTMENT OF CHEMISTRY
5800 S. UNIVERSITY AVENUE
CHICAGO, ILLINOIS 60637

RECEIVED

NOV 15 1964

DEPARTMENT OF CHEMISTRY

5800 S. UNIVERSITY AVENUE
CHICAGO, ILLINOIS 60637

NOV 15 1964

City of Sacramento

When recorded return to:

Real Estate Supervisor
City Hall, Room 207
915 I Street
Sacramento, CA 95814

No Fee (City of Sacramento Recordation)

NOTICE OF INTENTION TO FILE
A
NOTICE OF VIOLATION OF
THE SUBDIVISION MAP ACT
(Government Code Sec.66499.36)

Notice is hereby given pursuant to Government Code Section 66499.36 and Sacramento City Code Chapter 40, Article III, Sec. 40.329 that the City of Sacramento intends to file a Notice of Violation of the Subdivision Map Act concerning the following property:

That certain property located in the City of Sacramento, County of Sacramento, State of California, filed in the Office of the County Recorder of Sacramento County in Book 148 of Maps, Map No. 22 (Fowler Estates).

The owners of said real property as of the date this notice is filed in the Office of the County Recorder of Sacramento County are:

Mark III Development Co.
425 University Ave., Ste 102
Sacramento, CA 95825

James & Patricia Geisick
15382 Willow Drive
Los Gatos, CA 95030

Kent & Peggy Foster
1029 Lochness Court
Sunnyvale, CA 94087

Roger & Sandra Smith
8707 Wickiew Court
Dublin, CA 94568

Clair & Patricia James
1503 Wendy Drive
San Jose, CA 95152

Anthony & Carolyn Ersepke
5024 Maitland Drive
San Jose, CA 95124

Joseph & Eleanore Buttell
713 Scott Boulevard
Santa Clara, CA 95050

Anton & Helen Seidl
10711 Wonderlich Drive
Cupertino, CA

Eduardo & Roerta Galvan
3693 Carlysle Avenue
Santa Clara, CA 95051

