

RESOLUTION NO. 4209

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SOLEDAD
RESCINDING A PRIOR ACTION TO ADOPT RESOLUTION NO. 3873 ACCEPTING
THE FINAL SUBDIVISION MAP FOR THE ORCHARD VILLAS SUBDIVISION
PROJECT**

WHEREAS, the City Council of the City of Soledad, by Resolution No. 3630, dated July 20, 2005, approved a vesting tentative subdivision map for the Orchard Villas Subdivision (hereinafter "Subdivision,") subject to certain conditions; and

WHEREAS, Subdivider Award Homes, Inc. (hereinafter "Subdivider") completed the Final Map for the Subdivision in accordance with the provisions of the Subdivision Map Act, Title 16 of the Soledad Municipal Code and relevant conditions of approval established by the Soledad City Council; and

WHEREAS, a Final Map was accepted by the City Council on September 20, 2006, through adoption of Resolution No. 3873; and

WHEREAS, said Final Map was never duly recorded with the County of Monterey in accordance with the Map Act and Title 16 of the Soledad Municipal Code; and

WHEREAS, notwithstanding final map approval, a request for an extension of the Orchard Villas Tentative Subdivision Map TSM 2003-05 was placed on the May 7, 2008 City Council Agenda for consideration in response to a request by David R. Sylva, General Counsel for Award Homes; and

WHEREAS, pursuant to Soledad Municipal Code Section 16.08.080, the City Council has the authority to grant an extension to a tentative subdivision map; and

WHEREAS, Staff is recommending a five-year extension of TSM 2003-05 in expectation of more favorable economic conditions; and

WHEREAS, prior to taking action on any tentative map extension, the Council must rescind Resolution No. 3873 and its previous action approving and accepting the Orchard Villas Final Map.

NOW, THEREFORE, BE IT HEREBY RESOLVED, that the City Council of the City of Soledad hereby rescinds Resolution No. 3873 accepting the Final Map for the Orchard Villas Subdivision.

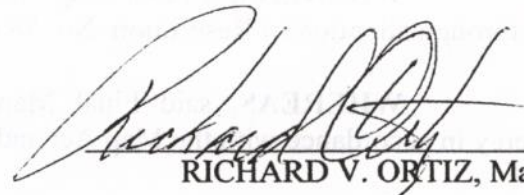
PASSED AND ADOPTED by the City Council of the City of Soledad at a regular meeting duly held on the 7th day of May, 2008, by the following vote:

AYES, and in favor thereof, Councilmembers: Martha Camacho, Juan Saavedra,
Patricia Stephens, Mayor Pro Tem Christopher Bourke, Mayor Richard Ortiz

NOES, Councilmembers: None

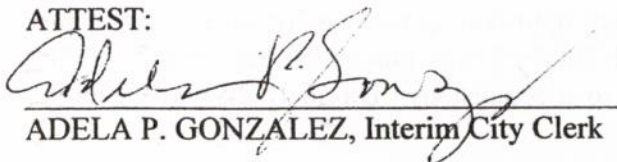
ABSENT, Councilmembers: None

ABSTAIN, Councilmembers: None



RICHARD V. ORTIZ, Mayor

ATTEST:


ADELA P. GONZALEZ, Interim City Clerk