

**REPORT/RECOMMENDATION TO THE BOARD OF SUPERVISORS  
OF SAN BERNARDINO COUNTY  
AND RECORD OF ACTION**

August 20, 2024

**FROM**

**NOEL CASTILLO, Director, Department of Public Works - Surveyor**

**SUBJECT**

Final Reversion to Acreage Map, Securities, Agreements, and Bonds for Tract in the Lake Arrowhead Area

**RECOMMENDATION(S)**

1. Accept and approve Final Map for Tract No. 20563, as certified by the County Surveyor, reverting Tract Nos. 10608, 10608-2, 10608-3, 10608-4, 10608-5, 10608-6, 10608-7, and 10608-8 to their pre-tract conditions.
2. Release the Water, Sewer, and Road and Drainage Agreements, and Performance Sureties for Tract Nos. 10608, 10608-2, 10608-3, 10608-4, 10608-5, 10608-6, 10608-7, and 10608-8, in their entireties, in the amounts set forth in the Financial Impact section.
3. Release and reimburse the Cash Monumentation Bonds totaling \$62,500 for Tract Nos. 10608, 10608-2, 10608-3, 10608-4, 10608-5, 10608-6, 10608-7, and 10608-8, as set forth in the Financial Impact section.

(Presenter: Noel Castillo, Director, 387-7906)

**COUNTY AND CHIEF EXECUTIVE OFFICER GOALS & OBJECTIVES**

**Ensure Development of a Well-Planned, Balanced, and Sustainable County.**

**FINANCIAL IMPACT**

Approval of this item will not result in the use of Discretionary General Funding (Net County Cost). A tax bond is not required for a reversion to an acreage map, in compliance with section 66499.20 of the Subdivision Map Act. All costs associated with this reversion to acreage are owner funded. Sufficient appropriation and revenue are included in the Department of Public Works (Department) - Surveyor 2024-25 budget. The release of the agreements and construction sureties (Agreements and Sureties) listed below will not have a financial impact on the County as they are legal documents intended to guarantee the proper construction, completion, and payment for Tract improvements. No money or obligations will be due to or from the County by virtue of the release of said Agreements and Sureties.

<b>Agreements and Construction Sureties</b>	<b>Type</b>	<b>Amount</b>
Property Tax Bond	N/A	\$ 0
Monumentation Bond (Property Corners) - Total Amount	Cash	\$ 62,500
Construction and Maintenance Bond and Agreement (Road and Drainage)	Surety	\$1,275,000
Labor and Material Bond and Agreement (Road and Drainage)	Surety	\$ 637,500
Sewer Improvements	Surety	\$ 2,354,000

**Final Reversion to Acreage Map, Securities, Agreements, and Bonds for Tract in the Lake Arrowhead Area  
August 20, 2024**

<b>Agreements and Construction Sureties</b>	<b>Type</b>	<b>Amount</b>
Property Tax Bond	N/A	\$ 0
Sewer - Labor & Material	Surety	\$ 1,177,000
Water Improvements	Surety	\$ 2,265,000
Water – Labor & Material	Surety	\$ 1,132,500

**BACKGROUND INFORMATION**

The property owner wishes to conclude the development obligations represented by the existing Agreements and Sureties by reverting Tract Nos. 10608, 10608-2, 10608-3, 10608-4, 10608-5, 10608-6, 10608-7, and 10608-8 (Phases) within Tract No. 20563 to their pre-tract conditions, as authorized by section 66499.11, Reversion to Acreage, of the Subdivision Map Act.

All conditions of local ordinance and state law for Tract No. 20563 have been met. Upon Board of Supervisors (Board) approval and recordation of Tract No. 20563, this action will revert dissolving all eight phases, consisting of 107 residential lots and two lettered lots, (lot A for future utilities purposes per Tract No. 10608-2 and lot B for Open Space preservation per Tract No. 10608-2), along with the public streets of Woodridge Court, Merced Lane, Amador Lane, Twinleaf Court, Alder Leaf Lane, Black Oaks Court, Vista Court, Almond Lane, Black Oaks Drive, and Fremont Court, back to acreage creating a single lot. No physical construction work for sewer, water, or road and drainage work that is covered by the Sureties and Agreements was ever started or completed.

Upon Board approval of the Tract No. 20563 Final Map, the Department recommends that the water, sewer, road and drainage improvements agreements and securities be released for all eight Phases. In addition, it will allow for the release and reimbursement of, to the owner of record, the unused cash deposits for the guarantee of setting of monuments (i.e. Monumentation Bond).

Historically, the Tentative Map, as defined in Sections 66426 and 66428 of the Subdivision Map Act, for Tract No. 10608 was initially approved as merely one phase. Subsequently, that Tentative Map was divided into nine phases for mapping and development. One of those nine phases, Tract No. 10608-1, was recorded in October 1985, constructed, and the lots sold to individual purchasers and is therefore not being reverted to acreage and is not a part of this Final Map for Tract No. 20563.

On July 2, 2002 (Item No. 23), the Board accepted Tract No. 10608-2 located north of Amador Lane, west of Black Oaks Drive and east of Trinity Drive, in the Lake Arrowhead area. The Board also accepted the sewer, water and road and drainage performance agreements and securities, in the amounts of \$2,354,000 (Surety), \$2,265,000 (Surety) and \$1,275,000 (Surety), respectively, to guarantee the required construction of the sewer, water and road and drainage facilities for Tract No. 10608-2 (as well as the other seven of the named phases).

In addition, the Board also accepted the sewer, water and road and drainage labor and material securities, in the amounts of \$1,177,000 (Surety), \$1,132,500 (Surety) and \$637,500 (Surety), respectively, to secure payment to the contractor, the subcontractors, and the persons furnishing labor, materials, or equipment to them for the construction of the sewer, water and road and drainage improvements for Tract No. 10608-2 (and the other seven named phases). The specified improvements for Tract No. 10608-2 also satisfied the required improvements for the other seven of the named phases.

**Final Reversion to Acreage Map, Securities, Agreements, and Bonds for  
Tract in the Lake Arrowhead Area  
August 20, 2024**

On June 3, 2003, the Board accepted Tract No. 10608-3 (Item No. 15) and Tract No. 10608-4 (Item No. 16), with the required sewer, water and road and drainage securities having been provided and accepted by the Board on July 2, 2002, with the approval of Tract No. 10608-2.

On October 26, 2004, the Board accepted Tract Nos. 10608 (Item No. 17), 10608-5 (Item No. 18), 10608-6 (Item No. 19), 10608-7 (Item No. 20), and 10608-8 (Item No. 21), with the required sewer, water and road and drainage securities having been provided and accepted by the Board on July 2, 2002, with the approval of Tract No. 10608-2.

The owner originally agreed to complete the required sewer, water and road and drainage improvements by July 2, 2004. The Board previously approved the time extensions listed below:

1. On October 19, 2004 (Item No. 27), the Board extended the completion time from July 2, 2004, to July 2, 2005, citing delays in recordation of additional phases as the reason for requesting an extension of time.
2. On September 20, 2005 (Item No. 23), the Board extended the completion time from July 2, 2005, to July 2, 2006 requesting additional time to complete the sewer, water, road and drainage improvements required.
3. On October 17, 2006 (Item No. 40), the Board extended the completion time from July 2, 2006, to July 2, 2007, citing the pending sale of the tracts as the reason for requesting an extension of time.

On March 22, 2011 (Item No. 31), the Board approved a 60 month extension of time from July 2, 2007, to July 2, 2012, to complete the sewer, water and road and drainage improvements required for Tract No. 10608-2.

The owner at that time stated that the proposed time extension was necessary due to the project being for sale and that they were in the process of selecting a potential buyer. Therefore, the owner had requested an extension of time to complete the required sewer, water and road & drainage improvements. The owner paid the required time extension processing fee.

On June 14, 2016 (Item No. 72), the Board authorized County Counsel to enter into Tolling Agreement No. ATT-LUS-06-14-16 (Tolling Agreement), suspending the statute of limitations for a period of time, with the original subdivider, Oakridge Estates Grand Finale, LLC, and the surety, Travelers Casualty and Surety Company, for Tract No. 10608-2 from July 2, 2016, to July 2, 2017. The purpose of the agreement was to provide additional time for the new developer, Rancho Mirage Tourism, to update improvement plans with Lake Arrowhead Community Services District and post replacement improvement agreements and securities acceptable to the County.

On June 13, 2017 (Item No. 55), the Board approved Amendment No. 1 to the Tolling Agreement with the project subdivider, Oakridge Estates Grand Finale, LLC, and the surety, Travelers Casualty and Surety Company, for Tract No. 10608-2 and extended the terms of the Tolling Agreement by one year, from July 2, 2017, to July 2, 2018. The Tolling Agreement was amended six times, extending the deadline up to July 2, 2023.

The Board subsequently approved the Tentative Map for the reversion of the Phases on April 25, 2023 (Item No. 79).

**Final Reversion to Acreage Map, Securities, Agreements, and Bonds for  
Tract in the Lake Arrowhead Area  
August 20, 2024**

**PROCUREMENT**

Not applicable.

**REVIEW BY OTHERS**

This item has been reviewed by County Counsel (Aaron Gest, Deputy County Counsel, (387-5455) on August 5, 2024; Finance (Jessical Trillo, Administrative Analyst, 387-4222) on July 30, 2024; and County Finance and Administration (Paloma Hernandez-Barker, Deputy Executive Officer, 387-5423) on August 5, 2024.

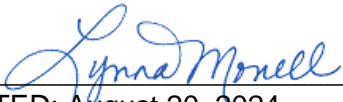
**Final Reversion to Acreage Map, Securities, Agreements, and Bonds for  
Tract in the Lake Arrowhead Area  
August 20, 2024**

Record of Action of the Board of Supervisors  
San Bernardino County

**APPROVED (CONSENT CALENDAR)**

Moved: Curt Hagman    Seconded: Joe Baca, Jr.  
Ayes: Col. Paul Cook (Ret.), Jesse Armendarez, Dawn Rowe, Curt Hagman, Joe Baca, Jr.

Lynna Monell, CLERK OF THE BOARD

BY  \_\_\_\_\_  
DATED: August 20, 2024



cc:     File - Tract No. 20563  
JLL    08/20/2024