

RESOLUTION NO. 3857

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF REDLANDS
AUTHORIZING SEWER IMPROVEMENT AGREEMENT WITH THE
ROBERT P. WARMINGTON COMPANY

WHEREAS, the City of Redlands is the agency that can provide sewer service to a parcel of land owned by the Robert P. Warmington Company located on the north side of Redlands Boulevard between Nevada Street and California Street;

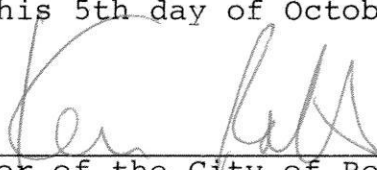
WHEREAS, the Robert P. Warmington Company has requested sewer service for its property from the City of Redlands;

WHEREAS, sewer main construction by the Robert P. Warmington Company within Redlands Boulevard and Nevada Street along street frontage of said parcel is a requirement of the City of Redlands;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Redlands as follows:

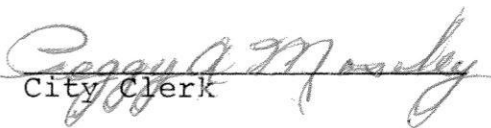
The City of Redlands' requirement for the construction by the Robert P. Warmington Company of the sewer mains along their frontage is suspended in that such action will not adversely affect the health, safety and welfare of the public, subject to the Robert P. Warmington Company's execution of an agreement that will require the Company to construct the said sewer mains at such time in the future the City requires the said construction.

ADOPTED, SIGNED AND APPROVED this 5th day of October, 1982.



Mayor of the City of Redlands

ATTEST:

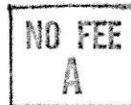


City Clerk

RECORDING REQUESTED BY LAND
WHEN RECORDED, RETURN TO

83-102053

City Clerk
City of Redlands
P. O. Box 280
Redlands CA, 92373



RECORDED IN
OFFICIAL RECORDS
1983 MAY 11 AM 10:15
SAN BERNARDINO
CO., CALIF.

AGREEMENT

The parties to this Agreement, dated this 5th day of October, 1982, are the City of Redlands, a Municipal Corporation, hereinafter "City" and Redlands 55.7 Venture hereinafter "Applicant," including all assignees, heirs, mortgagees, and successors in interest.

RECITAL

WHEREAS, the Planning Commission of the County of San Bernardino, in its approval of Minor Subdivision number E80-04221, has required "Applicant" to make certain arrangements with "City" guaranteeing the installation of an appropriate sanitary sewer system for Applicant's property; and

WHEREAS, the County has determined that the cost of said sanitary sewer system should be distributed in a fair and equitable manner among all four (4) parcels created by the above referenced Minor Subdivision; and

WHEREAS, the City Council of "City" has authority to suspend the requirement for the installation of a sanitary sewer provided that such an action will not adversely affect the health,

83-102053

at such time as the required installation will provide for a completed and usable gravity system.

3. The "Applicant" or his assignees, heirs, mortgagees, and successors in interest, shall comply with all applicable "City" Ordinances and Resolutions and shall operate and maintain said sanitary sewer system and lift station at "Applicant's" expense into perpetuity, unless other mutually agreeable arrangements are made between "Applicant" and "City."

4. This Agreement shall be binding upon and enforceable against "Applicant" and all assignees, heirs, mortgagees, and successors in interest, and shall be recorded in the office of the County Recorder.

5. If "Applicant" or any successor in interest fails to comply with any term of this Agreement or acts contrary to any ordinance of the "City," the "City" may initiate proceedings and file a proper action to enforce this Agreement. "Applicant" and all successors in interest agree to pay all costs of suit and reasonable attorney's fee for such action.

The City hereby covenants as follows:

1. That on the _____ day of _____, 19____ the City Council has determined that the provisions of this agreement do not adversely affect the health, safety, and welfare of the public.

EXHIBIT A

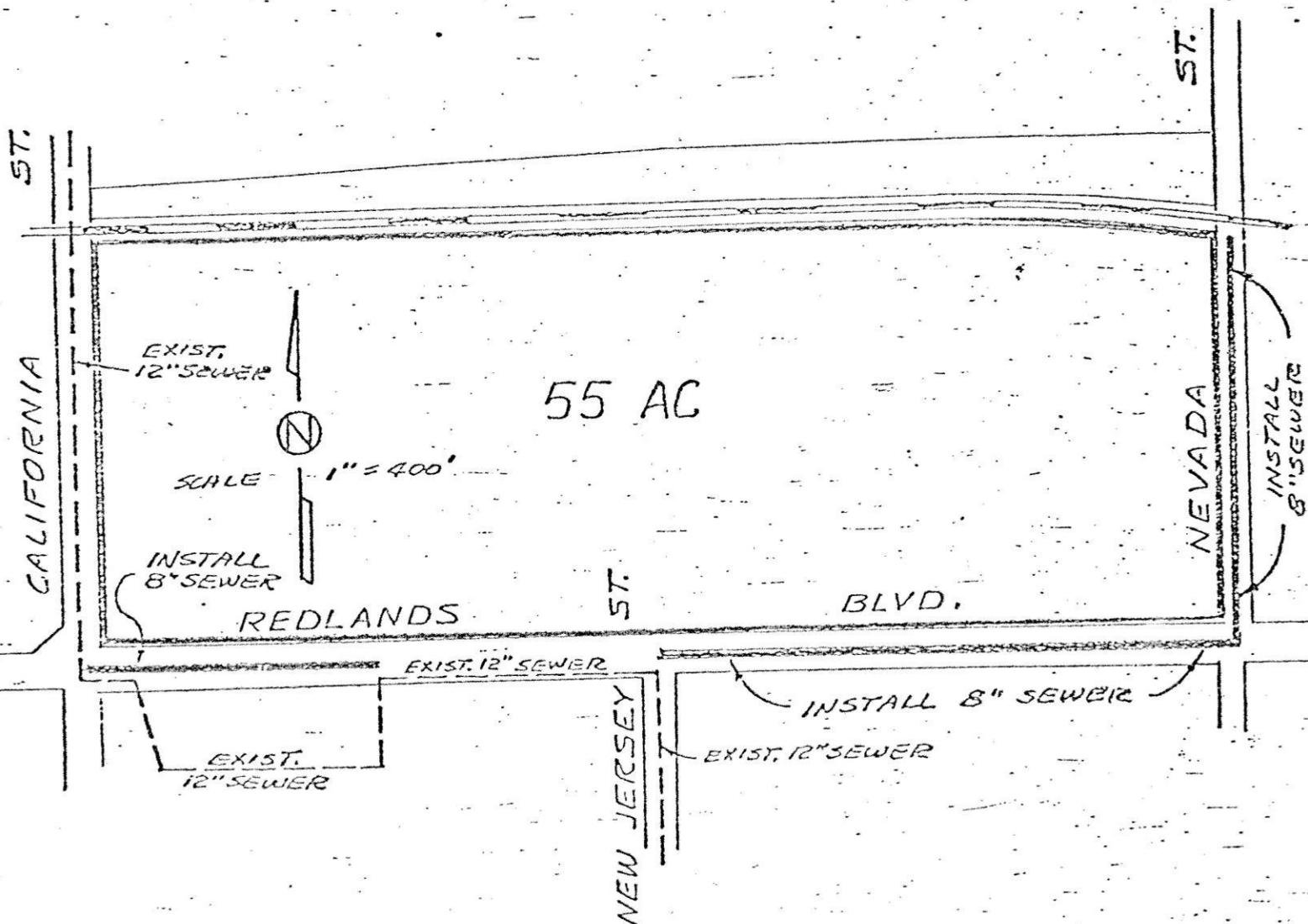
15th CIV 88

OWNER:

REDLANDS 55.7 VENTURE
P.O. Box 578
Orange, CA 92666

LOTS 5 AND 6 OF BLOCK 2
FOR HENRY L. WILLIAMS TRACT
AS RECORDED IN M.B. 11/17
COUNTY OF SAN BERNARDINO
CALIFORNIA.

83-102053



CONSTRUCTION NOTES

- 1.) MANHOLES AND OTHER SEWER LINE APPURTENANCES HORIZONTAL AND VERTICAL LOCATION OF SEWER MAIN SHALL BE DETERMINED BY THE CITY OF REDLANDS AT THE TIME OF CONSTRUCTION.
- 2.) SEWER CONSTRUCTION SHALL BE PER STANDARD CITY OF REDLANDS SPECIFICATION.



The Robert P. Warmington Co.

another generation of caring...

August 30, 1982

Mr. Chris Christensen
City Manager
City of Redlands
30 Cajon Street
Redlands, California 92373

Re: Sewer Agreement - 55 Acre Parcel located north of
Redlands Boulevard, between California Street and Nevada Street

Dear Chris:

I appreciate you taking the time to help me solve my dilemma with the County of San Bernardino on the abovementioned property. As you are aware, the County has required us to develop an agreement with the City of Redlands serving two purposes: guaranteeing the construction of the appropriate sanitary sewer facility; and, the establishment of a mechanism whereby each of the four parcels pay a pro ratis share of the cost of construction of this system.

Enclosed is a draft on the agreement to be executed between the City and our company. As we discussed, it is up to you whether the City Manager or the City Council have approval authority for this agreement. This agreement doesn't have a signature page yet; that will be devised after I get your response to this draft. You will find this agreement is very similar to an agreement between the City and Andrew and Eileen Fakas, executed in May 1982. Mr. Louis Perkins, Asst. Utilities Engineer, transmitted this agreement to the County on May 5, 1982.

Give me a call if you have any comments.

Very truly yours,

THE ROBERT P. WARMINGTON CO.

Mmc

Marc F. McAlpine
Assistant Director, Land Development

MFm:bw

City of Redlands



October 7, 1982

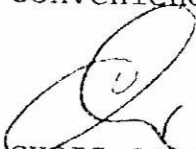
Marc F. McAlpine,
Assistant Director, Land Development
The Robert P. Warmington Co.
3090 Pullman Street
Costa Mesa, CA 92626

Re: SEWER AGREEMENT

The City Council, at their regularly scheduled meeting held on October 5, 1982, unanimously approved the sewer agreement for the 55-acre parcel located north of Redlands Boulevard, between California Street and Nevada Street.

We will obtain the necessary signatures and will then forward the agreement to you for signature and recordation.

If there are any questions, please contact me at your convenience.


CHRIS CHRISTIANSEN
City Manager

ITEM 12. CITY MANAGER (continued)

c) Recoating of Smiley Heights Reservoir Contract

Explanation: Public Works recommends Council authorize a contract with Harper and Associates, Inc. to ascertain the cause and extent of the existing interior coatings failure and implementation of corrective procedures for the Smiley Heights water storage reservoir. Estimated cost is \$1,000.

d) Contract for Design of 20" Water Transmission Main

Explanation: Public Works recommends Council authorize a contract with the firm of Metcalf & Eddy, Inc. for the alignment study and detailed construction design of a 20-inch water transmission main from the Highland Avenue Water Complex to Citrus Avenue. Estimated cost is not to exceed \$15,900.

e) Rees Well - TCE Removal Pilot Study

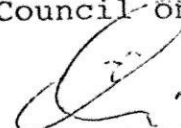
Explanation: Public Works recommends that A.S.L. Consulting Engineers be contracted to perform a TCE removal pilot and feasibility study for the Rees Well. It is estimated that the Phase I study will cost \$11,500 and approximately \$2,000 for the necessary laboratory analysis. The well cannot be utilized for human consumption unless the TCE is reduced to State Health Department standards.

f) Sewer Agreement - The Robert P. Warmington Co.

Explanation: Council is requested to approve a sewer agreement with The Robert P. Warmington Company for a 55 acre parcel located north of Redlands Boulevard, between California Street and Nevada Street. The County of San Bernardino required this agreement which will guarantee the construction of the appropriate sanitary sewer facility and will establish a mechanism whereby each of the four parcels pay a pro ratis share of the cost of construction of the sewer system.

g) Request to Combine Municipal Election with General Election

Explanation: Councilman Gorman requested that this item be placed on the agenda for Council consideration. A memo that was distributed in August is included for review by the Council on this subject.



CHRIS CHRISTIANSEN
City Manager