SUBJECT: REIMBURSEMENT AGREEMENT FOR LOTAS STREET SEWER MAIN - SHERWOOD HOMES (CLIFF EMERSON)

SOURCE: Engineering and Building Department

COMMENT: The developer, Sherwood Homes, is requesting a reimbursement agreement for costs involved to install a sewer main along Lotas Street, south of Tomah Avenue. Three hundred forty-five (345) lineal feet of eight-inch (8") sewer pipe and related appurtenances have been installed by the developer at a total cost of $15,185.75.

In accordance with City Code Sec. 25-40, a resolution for the reimbursement of improvement costs from benefitting properties has been provided herein. Said resolution describes the conditions under which the reimbursements will be expected. Sewer main installation costs on all affected properties are shown on Exhibit “B”, attached to the resolution.

The total maximum reimbursement amount to be collected is $15,185.75.

These facilities were constructed for the purpose of providing City sewer services to apartments located at 44 and 46 N. Lotas Street. A septic system failure prompted the sewer main installation.

RECOMMENDATION: That City Council, by resolution, establish that before benefitted properties are permitted to connect to the new sewer main, their prorated shares of the reimbursement amount be collected.

ATTACHMENT: Resolution
Exhibit “A” (Locator Map)
Exhibit “B”
RESOLUTION NO. ____________

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PORTERVILLE
FOR THE REIMBURSEMENT OF IMPROVEMENT COSTS
FROM BENEFITTING PROPERTIES FOR THE INSTALLATION
OF A SEWER MAIN

WHEREAS, the developer, Sherwood Homes, hereinafter referred to as "Developer", has an interest in the property known as 44 & 46 N. Lotas Street located between Olive Avenue and Tomah Avenue, in the City of Porterville, County of Tulare, State of California, as indicated on Exhibit "A", which is attached hereto and hereby made a part hereof and has built, erected, installed, and completed 345 lineal feet of eight (8) inch sewer main and related appurtenances as indicated on Exhibit "A"; and

WHEREAS, the developer has paid and discharged the entire cost for the installation, construction, and completion of said sewer main; and

WHEREAS, said sewer main has been erected, constructed, and completed in full conformity with all laws, regulations and ordinances of the City of Porterville and the same has been erected, constructed, and completed in such manner that the same will serve the present and future owners of the property adjacent to said sewer main as indicated on Exhibit "A" in the City of Porterville, County of Tulare, State of California; and

WHEREAS, the owners of the adjacent property have not paid, assumed or discharged any of the costs or expenses in connection with the installation, construction or completion of said sewer main;

NOW, THEREFORE BE IT RESOLVED, that before any of the present owners or occupants, or the future owners or occupants of said adjacent property, shall be permitted or allowed to connect to said sewer main, or to utilize, use or employ the same, that each present or future owner or occupant of said adjacent property shall be required, before making any connection to said sewer main or making any use thereof, to pay or cause to be paid to the City of Porterville for the privilege of connecting with said sewer main their proper and just allocation and proportion of the cost and expense paid or incurred by the aforesaid developer in the installation, construction and completion of said sewer main, which just allocation and proportion of the expense aforesaid is determined by the City Engineer, or his successor, of the City of Porterville to be set forth by Exhibit "B" for properties adjacent to said sewer main as shown in
Exhibit "A".

AND, BE IT FURTHER RESOLVED that upon deposit with the City of Porterville of said connection charge per front foot by said property owners, that when said money is received and paid to the City of Porterville, the same be refunded to the Developer over and during a period of ten years from August 20, 2002, without interest.

BE IT FURTHER RESOLVED that the Director of Finance, on receipt of said monies or funds, is hereby authorized and instructed to reimburse the Developer in the amount of said deposits without interest.

__________________________________
Gordon T. Woods, Mayor

ATTEST:

__________________________________
John Longley, City Clerk
## LOTAS STREET SEWER MAIN EXTENSION
### PROPORTIONAL REIMBURSEMENTS

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<td><strong>TOTAL</strong></td>
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