

**TOWN OF  
APPLE VALLEY, CALIFORNIA**

**AGENDA MATTER**

**Subject Item:**

**ACCEPT THE FINAL MAP FOR PARCEL MAP NO. 18360**

**Applicant: HPT Properties**

**Location: Southwest Corner of Apple Valley and Muni Roads**

**Summary Statement:**

The applicant has complied with all conditions placed on Tentative Parcel Map No. 18360 that are required prior to final map approval. The subject site is located on the southwest corner of Apple Valley Road and Muni Road. This proposed subdivision will subdivide approximately 3.7 acres into 4 commercial parcels. The Planning Commission reviewed and approved Tentative Parcel Map No. 18360 on April 4, 2007.

Staff recommends the Town Council accept the Final Map for Parcel Map No. 18360.

**Recommended Action:**

Move to accept the Final Map for Parcel Map No. 18360.

**Proposed by:** Engineering Division **Item Number** \_\_\_\_\_

**T. M. Approval:** \_\_\_\_\_ **Budgeted Item**  Yes  No  N/A

IN THE TOWN OF APPLE VALLEY  
**PARCEL MAP NO. 18360**  
BEING OF SUBDIVISION OF PARCEL NO. 4 OF PARCEL MAP NO. 981, AS RECORDED IN PARCEL MAP BOOK B, PAGE 8,  
RECORDS OF SAN BERNARDINO COUNTY, STATE OF CALIFORNIA,  
J.E. MILLER & ASSOCIATES  
AUGUST, 2007

**OWNER'S STATEMENT**  
WE HEREBY CERTIFY THAT WE ARE THE ONLY AND SOLE OWNERS OF THE LAND SHOWN ON THIS MAP, AND WE CONSENT TO THE PREPARATION AND RECORDATION OF THIS PARCEL MAP.  
WE HEREBY AFFIRMATIVELY STATE TO BECOME TO THE TOWN OF APPLE VALLEY ALL RIGHTS OF WHATEVER NATURE TO OR CLAIM FROM PARCELS 1, 2 AND 3, AND WE HEREBY WARRANT THAT THE CURRENT LINES OF SAID LOTS BOUNDING APPLE VALLEY ROAD TO SAID TOWN.  
WE ALSO HEREBY AFFIRMATIVELY OFFER TO BE BOUND TO THE TOWN OF APPLE VALLEY AS TO THE EXTENT OF THE PUBLIC IN RIGHT, AND TO THE GENERAL PUBLIC UTILITY COMPANY (MFL), WE AND SAID TOWN HEREBY TO THE SUPERIOR INTEREST OF THE TOWN OF APPLE VALLEY.  
WE HEREBY WARRANT AN EASEMENT INTEREST FOR WATER AND SEWERAGE TO BE CONVEYED TO THE TOWN OF APPLE VALLEY AND TO THE OWNERS OF PARCELS 1 THROUGH 3, INCLUDING, IN ALL PARCELS 1, 2 AND 3, AND TO THE TOWN OF APPLE VALLEY, THESE ARE TO BE LOCATED FROM THE TO THE TOWN.

**HPT FINTECH, INC., A CALIFORNIA LIMITED LIABILITY COMPANY**  
DATE: \_\_\_\_\_ BY: \_\_\_\_\_  
TITLE: \_\_\_\_\_

**BOUNDARY**  
I HEREBY CERTIFY THAT THE BOUNDARY LINES SHOWN ON THIS MAP WERE DETERMINED BY ME OR BY AN AUTHORIZED SURVEYOR AND THAT I AM AWARE OF THE BOUNDARY LINES SHOWN ON THIS MAP AND THAT I AM WILLING TO BE BOUND BY THEM.

**TOWN COUNCIL CERTIFICATE**  
I HEREBY CERTIFY THAT THE TOWN COUNCIL OF THE TOWN OF APPLE VALLEY HAS REVIEWED THIS PARCEL MAP AND HAS ADOPTED AND ACCEPTS THE PARCEL MAP AND THE BOUNDARY LINES SHOWN THEREON AND HEREBY ACCEPTS THE BOUNDARY LINES SHOWN ON THIS MAP AS SHOWN THEREON AND HEREBY ACCEPTS THE BOUNDARY LINES SHOWN ON THIS MAP AS SHOWN THEREON.

DATE: \_\_\_\_\_ BY: \_\_\_\_\_  
TITLE: \_\_\_\_\_

**SIGNATURE COMMISSION**  
I HEREBY CERTIFY THAT I AM THE SIGNATURE COMMISSIONER OF THE TOWN OF APPLE VALLEY AND THAT I AM AWARE OF THE BOUNDARY LINES SHOWN ON THIS MAP AND THAT I AM WILLING TO BE BOUND BY THEM.  
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**ALLOTTEE'S CERTIFICATE**  
I HEREBY CERTIFY THAT I AM THE ALLOTTEE OF THE LAND SHOWN ON THIS MAP AND THAT I AM AWARE OF THE BOUNDARY LINES SHOWN ON THIS MAP AND THAT I AM WILLING TO BE BOUND BY THEM.  
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**SURVEYOR'S STATEMENT**  
I HEREBY CERTIFY THAT I AM THE SURVEYOR OF THE LAND SHOWN ON THIS MAP AND THAT I AM AWARE OF THE BOUNDARY LINES SHOWN ON THIS MAP AND THAT I AM WILLING TO BE BOUND BY THEM.  
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**TOWN ENGINEER'S STATEMENT**  
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**SAN BERNARDINO COUNTY RECORDER'S CERTIFICATE**  
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*A Better Way of Life*

# Town of Apple Valley

14955 Dale Evans Parkway • Apple Valley, California 92307

April 5, 2007

Ms. Janis Miller  
J.E. Miller and Associates  
15402 W. Sage Street, # 201  
Victorville, CA 92392

Re: Tentative Parcel Map No. 18360  
(APNs 0473-441-07 and 0473-451-07)

Dear Ms. Miller:

At the April 4, 2007 regularly scheduled meeting, the Planning Commission reviewed and approved the above referenced project. Tentative Parcel Map No. 18360 is a request to subdivide approximately 3.7 acres into four (4) commercial parcels. The development of the property was previously reviewed and approved under Development Permit No. 2004-010. The project is located at the southwest corner of Apple Valley and Muni Roads, located within the General Commercial (C-G) zoning designation.

If you or anyone are dissatisfied with this decision, you or they may appeal it within ten (10) days from the date of the decision pursuant to the Town's Development Code. Caution should be exercised in making any expenditures or commitments based upon this approval until the expiration of the appeal period and disposition of any appeals which may be filed.

This approval shall expire three (3) years from the date of action (on **April 4, 2010**), unless the map is recorded or extended in accordance with that provision in the Development Code addressing time extensions. Any application for a time extension, and the appropriate fees, must be submitted to the Town of Apple Valley a minimum of thirty (30) days prior to the expiration date.

Enclosed you will find the conditions as modified and approved by the Planning Commission and as accepted by you at the Public Hearing. If you have any questions on this matter, please contact Ms. Pam Cupp, the case planner who processed your request, at the Town's Planning Division at (760) 240-7000, ext. 7200. Town offices are open Monday through Thursday between 7:30 a.m. and 5:30 p.m., and alternating Fridays between 7:30 a.m. and 4:30 p.m. (**closed the subsequent Fridays**).

Respectfully,

Lori Lamson  
Assistant Director of Community Development

c: file

Council Meeting Date: 1/27/2009

**6-4**

## FINAL CONDITIONS OF APPROVAL

Case No. Tentative Parcel Map No. 18360

**Please note:** *Many of the suggested Conditions of Approval presented herewith are provided for informational purposes and are otherwise required by the Municipal Code. Failure to provide a Condition of Approval herein that reflects a requirement of the Municipal Code does not relieve or alleviate the applicant and/or property owner from full conformance and adherence to all requirements of the Municipal Code.*

### Planning Division Conditions of Approval

- P1. This tentative subdivision shall comply with the provisions of the State Subdivision Map Act and the Town Development Code. This tentative approval shall expire three (3) years from the date of approval by the Planning Commission/Town Council. A time extension may be approved in accordance with the State Map Act and Town Ordinance, if an extension application is filed and the appropriate fees are paid thirty (30) days prior to the expiration date. The Tentative Parcel Map becomes effective ten (10) days from the date of the decision unless an appeal is filed as stated in the Town's Development Code.
- P2. Prior to approval of the Final Map, the following agencies shall provide written verification to the Planning Division that all pertinent conditions of approval and applicable regulations have been met:
- Apple Valley Fire Protection District  
Apple Valley Ranchos Water Company  
Apple Valley Public Services Division  
Apple Valley Engineering Division  
Apple Valley Planning Division
- P3. Upon approval of the Tentative Parcel Map No. 18360 the applicant shall be responsible for the payment of all CEQA mandated environmental review and filing fees to the Department of Fish and Game and/or the San Bernardino County Clerk of the Board of Supervisors.
- P4. Tentative Parcel Map No. 18360 shall adhere to all requirements of the Development Code.
- P5. The applicant shall agree to defend at his sole expense (with attorneys approved by the Town), and indemnify the Town against any action brought against the Town, its agents, officers or employees resulting from or relating to this approval. The applicant shall reimburse the Town, its agents, officers or employees for any judgment, court costs and attorney's fees which the Town, its agents, officers or employees may be required to pay as a result of such action. The Town

may, at its sole discretion, participate at its own expense in the defense of any such action, but such participation shall not relieve the applicant of these obligations under this condition.

- P6. Approval of the Tentative Parcel Map No. 18360 by the Planning Commission is understood as acknowledgement of Conditions of Approval by the applicant, unless an appeal is filed in accordance with Section 9.12.250, Appeals, of the Town of Apple Valley Development Code.
- P7. All slopes over three (3) feet in height shall be landscaped and irrigated according to Town standards.
- P8. Prior to recordation the applicant shall provide the Planning Division with a copy of the subdivision in an electronic format compatible with the Town's current technology.
- P9. Any future development shall be in accordance with the Town of Apple Valley Development Code.
- P10. An agreement to grant reciprocal parking with reciprocal vehicular and pedestrian access easements shall be submitted to extend over and across those areas designated as driveways, driving lanes, parking areas and pedestrian walkways of the respective parcel. This agreement shall be submitted prior to, or in conjunction with, the recordation of Tentative Parcel Map No. 18360.

### **Public Works Division Conditions of Approval**

#### *Prior to Recordation:*

- ~~PW1. The subject property is located within the boundaries of Assessment District No. 3A, which currently has an active assessment bond issue. The applicant must substantiate bond reapportionment. The bond reapportionment will divide the bond assessment among the subdivided parcels. (Deleted by PC 4/4/07)~~
- PW1. *Construct the sewer collector lines and laterals to each lot to connect to the trunk sewer system or other system as approved in advance by the Town.*
- PW2. Sewage disposal shall be by connection to the Town of Apple Valley sewer system. Financial arrangements, plans and improvement agreements must be approved by the Town of Apple Valley Public Works Department.

**End of Conditions**