

RESOLUTION NO. 14-119

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CARSON, CALIFORNIA, APPROVING TENTATIVE TRACT MAP NO. 071206 FOR THE CONVERSION TO RESIDENT OWNERSHIP OF IMPERIAL AVALON MOBILE HOME PARK, LOCATED AT 21207 S. AVALON BOULEVARD

**THE CITY COUNCIL OF THE CITY OF CARSON, CALIFORNIA,
HEREBY RESOLVES AS FOLLOWS:**

Section 1. An application was duly filed by the applicant, Imperial Avalon Mobile Estates, LLC (the “applicant”), with respect to real property located at 21207 S. Avalon Boulevard, Carson, California, and described in Exhibit "A" attached hereto. The application requests approval of Tentative Tract Map No. 071206 to convert an existing 225-unit rental mobile home park to resident ownership in the RM-8-D (Residential, Multi-family — 8 units per acre — Design Overlay) and CA (Commercial, Automotive) zones (“application”).

Section 2. The City of Carson Planning Commission approved the application on February 23, 2010. The City Manager appealed the Planning Commission’s decision. On May 26, 2010, the City Council adopted Resolution No. 10-053 granting the City Manager’s appeal and thereby denying the application. The City Council found the application was not “bona fide” because, based on the evidence in the record, the park owner could not expect to sell a significant percentage of the lots. The City Council also found the park owner had not included sufficient information on the impact of the conversion in the application’s Tenant Impact Report.

Section 3. The applicant sued the City on April 6, 2011. After years of litigation in the trial and appellate courts, the Court of Appeal issued an opinion on May 14, 2014 holding that the evidence in the record did not support the City Council’s finding that the conversion is not bona fide, and that the City Council improperly found the Tenant Impact Report inadequate. (*218 Properties, LLC, et al. v. City of Carson, et al.* (2014) 226 Cal. App. 4th 182.) Accordingly, on October 15, 2014, the Los Angeles County Superior Court issued a writ of mandate ordering the City Council to approve the application. The City filed an extraordinary writ petition to the Court of Appeal, which was denied on November 26, 2014.

Section 4. Accordingly, the City Council has been ordered to approve the application and all appeals have been exhausted.

Section 5. The City Council held a public hearing on December 10, 2014. Notice of the time, place and purpose of the aforesaid meeting was duly given

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pursuant to applicable law. Evidence, both written and oral, was duly presented to and considered by the City Council at the aforesaid public hearing.

Section 6. The City Council finds that:

- a) The General Plan Land Use Map designates the area for low-density residential use and Regional Commercial. The zoning is RM-8-D (Residential, Multi-family-8 dwelling units per acre-Design-Overlay-Review) and CA (Commercial, Automotive).
- b) Special Use Permit No. 92-73 was approved on April 24, 1973, by way of Planning Commission Resolution No. 73-245, which allowed Imperial. Avalon Mobile Estates, a 225-unit mobile home park, to be constructed on the site.

Section 7. The City Council further finds that in a sworn declaration presented at the City Council hearing in May 2010, and in the Tenant Impact Report, the park owner, Edward Jong, promised (1) to allow Carson rent control to remain in effect for non-low-income households until 45 lots are sold, (2) to require new residents to buy a lot, and (3) to offer a 15% discount from fair market value as determined by an MAI appraiser to current residents who buy within the first 90 days after lots are available for sale, and a 10% discount to current residents who buy within the second 90 days. The Court of Appeal relied on these promises as evidence the conversion is bona fide, and as evidence that Mr. Jong truly expects that “a gradual purchase of plots would enable the residents to own a majority of the park within a reasonable time, and that the park eventually and inevitably would be entirely resident owned.”

Section 8. In addition, the Court of Appeal focused on sales to “residents” as evidence of bona fides, noting Mr. Jong’s declaration “showed that a gradual purchase of plots would enable the residents to own a majority of the park within a reasonable time, and that the park eventually and inevitably would be entirely resident owned.” (Emphasis added.) The City Council therefore feels it is appropriate to exclude lot purchases by the park owner or by park-owner-controlled entities from counting toward the 45 lot sales before which Carson rent control will remain in effect, as promised in Mr. Jong’s declaration.

Section 9. Based on the Court of Appeal’s description of Mr. Jong’s declaration and its reliance on the same to rule in Mr. Jong’s favor, the City Council hereby finds and determines that the conditions attached to this resolution should be made conditions of approval on the application.

Section 10. Pursuant to CEQA Guidelines section 15301 (Existing Facilities), the project is exempt from CEQA because it involves negligible or no expansion of an existing use. In addition, the project is exempt from CEQA pursuant to CEQA Guidelines section 15061(b)(3) because it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment.

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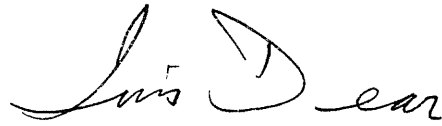
Section 11. In compliance with the order from the Los Angeles County Superior Court issued October 15, 2014, and based on the aforementioned findings, the City Council hereby vacates Resolution No. 10-053 adopted on May 26, 2010.

Section 12. In compliance with the order from the Los Angeles County Superior Court issued October 15, 2014, and based on the aforementioned findings, the City Council hereby approves Tentative Tract Map 071206 subject to the conditions of approval attached hereto as Exhibit "B".

Section 13. The City Clerk shall certify to the adoption of this resolution and shall transmit copies of the same to the applicant.

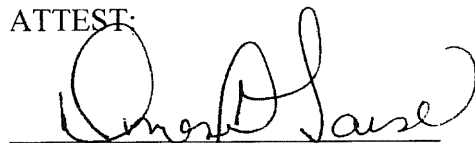
Section 14. The City Attorney is hereby directed to transmit a certified copy of this resolution to the Los Angeles County Superior Court in compliance with the October 15, 2014 writ of mandate issued by that court.

PASSED, APPROVED AND ADOPTED THIS 10th DAY OF DECEMBER, 2014.



MAYOR JIM DEAR

ATTEST:


City Clerk Donesia L. Gause, CMC

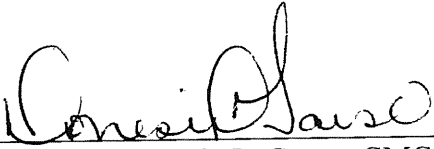
APPROVED AS TO FORM:


Sunny K. Soltani
City Attorney

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) ss.
CITY OF CARSON)

I, Donesia L. Gause, City Clerk of the City of Carson, California, do hereby certify that the whole number of members of the City Council is five; that the foregoing resolution, being Resolution No. 14-119 was duly and regularly adopted by said Council at a regular meeting duly and regularly held on the 10th of December, 2014, and that the same was passed and adopted by the following vote:

AYES: COUNCIL MEMBERS: Mayor Dear, Davis-Holmes, and Robles
NOES: COUNCIL MEMBERS: None
ABSTAIN: COUNCIL MEMBERS: Santarina
ABSENT: COUNCIL MEMBERS: None



City Clerk Donesia L. Gause, CMC

Exhibit A
Exhibit A

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PARCEL 1

THAT PORTION OF LOT 45 OF TRACT 3848, IN THE CITY OF CARSON, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 42 PAGES 68 AND 69 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF SAID LOT; THENCE NORTHERLY ALONG THE EASTERLY LINE OF SAID LOT, 197.41 FEET TO THE SOUTHEAST CORNER OF LAND DESCRIBED IN THE DEED TO MARY ELBERT RECORDED ON JANUARY 2, 1925 INSTRUMENT NO 1085, IN BOOK 4236 PAGE 313 OF OFFICIAL RECORDS; THENCE WESTERLY ALONG THE SOUTHERLY LINE OF SAID LAND OF ELBERT 635 FEET TO THE SOUTHWEST CORNER OF SAID LAND; THENCE SOUTHERLY ALONG THE WESTERLY LINE OF SAID LAND 198.285 FEET TO THE SOUTHWEST CORNER OF SAID LOT; THENCE EASTERLY ALONG THE SOUTHERLY LINE OF SAID LOT 635 FEET TO THE POINT OF BEGINNING

PARCEL 2

THAT PORTION OF LOT 45 OF TRACT NO 3848, IN THE CITY OF CARSON, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 42 PAGES 68 AND 69 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT IN THE EASTERLY LINE OF SAID LOT DISTANT NORTHERLY THEREON 197.41 FEET FROM THE SOUTHEAST CORNER OF SAID LOT; THENCE CONTINUING NORTHERLY ALONG SAID EASTERLY LINE 66 FEET; THENCE WESTERLY IN A DIRECT LINE TO A POINT IN THE WESTERLY LINE OF SAID LOT, DISTANT NORTHERLY THEREON 264.285 FEET FROM THE SOUTHWEST CORNER OF SAID LOT; THENCE SOUTHERLY ALONG SAID WESTERLY LINE 66 FEET; THENCE EASTERLY IN A DIRECT LINE TO THE POINT OF BEGINNING

PARCEL 3

THAT PORTION OF LOT 45 OF TRACT 3848, IN THE CITY OF CARSON, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 42 PAGES 68 AND 69 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEASTERLY CORNER OF SAID LOT 45; THENCE WESTERLY ALONG THE NORTHERLY LINE OF SAID LOT 45, 317.5 FEET; THENCE SOUTHERLY PARALLEL WITH THE WESTERLY LINE OF SAID LOT 45, 131.85 FEET TO THE NORTHERLY LINE OF THE LAND DESCRIBED IN THE DEED TO MARY ELBERT, RECORDED IN BOOK 4236 PAGE 313 OFFICIAL RECORDS; THENCE EASTERLY ALONG SAID NORTHERLY LINE 317.5 FEET TO A POINT IN THE EASTERLY LINE OF SAID LOT 45, DISTANT SOUTHERLY FROM THE NORTHEASTERLY CORNER THEREOF, 131.41 FEET; THENCE NORTHERLY ALONG THE EASTERLY LINE OF SAID LOT 45 TO THE POINT OF BEGINNING

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PARCEL 4

THAT PORTION OF LOT 45 OF TRACT NO 3848, IN THE CITY OF CARSON, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 42, PAGES 68 AND 69 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID LOT; THENCE EASTERLY ALONG THE NORTHERLY LINE OF SAID LOT 317.5 FEET TO A POINT DISTANT WESTERLY THEREON 317.5 FEET FROM THE NORTHEAST CORNER OF SAID LOT; THENCE SOUTHERLY PARALLEL WITH THE EASTERLY LINE OF SAID LOT, 131.5 FEET TO THE NORTHERLY LINE OF THE LAND DESCRIBED IN THE DEED TO MARY ELBERT RECORDED ON JANUARY 2, 1925 INSTRUMENT NO 1085 IN BOOK 4236, PAGE 313 OF OFFICIAL RECORDS; THENCE WESTERLY ALONG THE NORTHERLY LINE OF SAID LAND OF ELBERT 317.5 FEET TO THE WESTERLY LINE OF SAID LOT; THENCE NORTHERLY ALONG SAID WESTERLY LINE 131.85 FEET TO THE POINT OF BEGINNING.

PARCEL 5

LOTS 43 AND 44 OF TRACT NO 3848, IN THE CITY OF CARSON, IN THE COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 42, PAGES 68 AND 69 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

EXCEPT FROM SAID LOT 43, THE SOUTHERLY 81.00 FEET OF THE WESTERLY 126.00 FEET THEREOF.

PARCEL 6

THOSE PORTIONS OF LOTS 46 AND 47 OF TRACT NO 3848, IN THE COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 42, PAGES 68 AND 69 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWESTERLY CORNER OF THE SOUTHERLY 66.00 FEET OF SAID LOT 46; THENCE ALONG THE NORTHERLY LINE OF SAID SOUTHERLY 66.00 FEET, NORTH 89 DEGREES 44' 53" EAST 610.22 FEET, TO THE TRUE POINT OF BEGINNING OF THIS DESCRIPTION; THENCE NORTH 03 DEGREES 38' 07" WEST, 10.39 FEET TO A NON-TANGENT CURVE CONCAVE SOUTHWESTERLY AND HAVING A RADIUS OF 106.00 FEET; THENCE FROM A TANGENT BEARING NORTH 02 DEGREES 58' 48" EAST, NORTHERLY, NORTHWESTERLY, AND WESTERLY ALONG SAID CURVE THROUGH AN ANGLE OF 90 DEGREES 43' 52" AND ARC DISTANCE OF 167.86 FEET; THENCE NORTH 86 DEGREES 30' 38" WEST, 119.08 FEET TO A NON-TANGENT CURVE CONCAVE NORTHEASTERLY AND HAVING A RADIUS OF 260.00 FEET; THENCE FROM A TANGENT BEARING NORTH 87 DEGREES 18' 37" WEST, NORTHWESTERLY, ALONG SAID CURVE THROUGH AN ANGLE OF 64 DEGREES 04' 32" AN ARC DISTANCE OF 290.77 FEET; THENCE WESTERLY IN A DIRECT LINE TO A POINT IN THE WESTERLY LINE OF SAID LOT 46, DISTANT NORTHERLY THEREON 290.22 FEET FROM SAID NORTHWESTERLY CORNER OF THE SOUTHERLY 66 FEET OF LOT 46; THENCE SOUTHERLY ALONG SAID WESTERLY LINE AND THE WESTERLY LINE OF SAID LOT 47, 686.22 FEET, MORE OR LESS, TO THE SOUTHWESTERLY

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CORNER OF SAID LOT 47; THENCE EASTERLY ALONG THE SOUTHERLY LINE OF SAID LOT 47, 635.00 FEET TO THE SOUTHEASTERLY CORNER OF SAID LOT 47; THENCE NORTHERLY ALONG THE EASTERLY LINES OF SAID LOTS 47 AND 46 TO SAID NORTHERLY LINE OF THE SOUTHERLY 66.00 FEET OF SAID LOT 46; THENCE WESTERLY, ALONG SAID NORTHERLY LINE TO THE TRUE LINE OF BEGINNING.

EXCEPT THEREFROM, THAT PORTION THEREOF DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT IN THE NORTHERLY LINE OF THE SOUTHERLY 66.00 FEET OF SAID LOT 46 DISTANT NORTH 89 DEGREES 44' 53" EAST THEREON 610.22 FEET FROM THE WESTERLY LINE OF SAID LOT 46 SAID POINT BEING ALSO THE SOUTHEAST CORNER OF THE LAND DESCRIBED IN THE DEED TO NEW HORIZON LAND COMPANY, INC, RECORDED FEBRUARY 2, 1966 IN BOOK D-3196 PAGE 110 OFFICIAL RECORDS; THENCE ALONG THE EASTERLY LINE OF SAID LAND OF NEW HORIZON LAND COMPANY, INC, NORTH 0 DEGREES 38' 07" WEST 1039 FEET TO A NON-TANGENT CURVE CONCAVE SOUTHWESTERLY AND HAVING A RADIUS OF 106.00 FEET, A RADIAL TO SAID CURVE BEARS SOUTH 87 DEGREES 01' 12" EAST; THENCE NORTHERLY, NORTHEASTERLY AND WESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 90 DEGREES 43' 52" AN ARC DISTANCE OF 167.86 FEET; THENCE NORTH 86 DEGREES 30' 38" WEST 18.35 FEET MORE OR LESS, TO THE WESTERLY LINE OF THE EASTERLY 145.00 FEET OF SAID LOTS; THENCE SOUTH 0 DEGREES 12' 34" EAST ALONG LAST MENTIONED WESTERLY LINE, 273.44 FEET, MORE OR LESS, TO A LINE PARALLEL WITH AND DISTANT SOUTHERLY 84.00 FEET, MEASURED ALONG THE EASTERLY LINE OF SAID LOTS FROM THE NORTHERLY LINE OF SAID LOT 47; THENCE NORTH 89 DEGREES 44' 53" EAST ALONG SAID PARALLEL LINE 145.00 FEET MORE OR LESS, TO THE EASTERLY LINE OF SAID LOTS; THENCE NORTH 0 DEGREE 12' 34" WEST ALONG SAID EASTERLY LINE 150.00 FEET, MORE OR LESS, TO SAID NORTHERLY LINE OF THE SOUTHERLY 66.00 FEET OF SAID LOT 46; THENCE SOUTH 89 DEGREES 44' 53" WEST ALONG LAST MENTIONED NORTHERLY LINE 24.78 FEET, MORE OR LESS, TO THE POINT OF BEGINNING

ALSO EXCEPTING THEREFROM ALL OIL, OIL RIGHT, MINERALS, MINERAL RIGHTS, NATURAL GAS, NATURAL GAS RIGHTS, AND OTHER HYDROCARBONS BY WHATSOEVER NAME KNOWN THAT MAY BE WITHIN OR UNDER LOT 46, EXCEPT THE SOUTH 66 FEET TOGETHER WITH THE PERPETUAL RIGHT OF DRILLING, MINING, EXPLORING AND OPERATING THEREFOR AND REMOVING THE SAME FROM SAID LAND OR ANY OTHER LAND, INCLUDING THE RIGHT TO WHIPSTOCK OR DIRECTIONALLY DRILL AND MINE FROM LANDS OTHER THAN THOSE HEREINABOVE DESCRIBED, OIL OR GAS WELLS, TUNNELS AND SHAFTS INTO, THROUGH OR ACROSS THE SUBSURFACE OF THE LAND HEREINABOVE DESCRIBED, AND TO BOTTOM SUCH WHIPSTOCKED OR DIRECTIONALLY DRILLED WELLS, TUNNELS AND SHAFTS UNDER AND BENEATH OR BEYOND THE EXTERIOR LIMITS THEREOF, AND TO REDRILL, RETUNNEL, EQUIP, MAINTAIN, REPAIR, DEEPEN, AND OPERATE ANY SUCH WELLS OR MINES, WITHOUT, HOWEVER, THE RIGHT TO DRILL MINE, EXPLORE AND OPERATE THROUGH THE SURFACE OR THE UPPER 100 FEET OF THE SUBSURFACE OF THE LAND HEREINABOVE DESCRIBED OR OTHERWISE IN SUCH MANNER AS TO ENDANGER THE SAFETY OF ANY HIGHWAY THAT MAY BE CONSTRUCTED BY SAID LANDS, AS EXCEPTED BY TAKAKO MORI, A MARRIED WOMAN, PRESENTLY KNOWN AS TAKAKO HAMACHI, WHO ACQUIRED TITLE AS TAKAKO MORI, A SINGLE WOMAN, ET AL, IN DEED RECORDED DECEMBER 8, 1960 AS INSTRUMENT NO 1520 IN BOOK D-1038 PAGE 734, OFFICIAL RECORDS,

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ALSO EXCEPTING ALL OIL, GAS AND OTHER HYDROCARBON SUBSTANCES ~~OR~~ UNDER AND/OR THAT MAY BE PRODUCED FROM A DEPTH BELOW 500 FEET FROM THE SURFACE OF LOT 47, PROVIDED, THAT SUCH RESERVATION SHALL NOT ENTITLE THE GRANTORS, THEIR SUCCESSORS OR ASSIGNS, TO ANY USE OF OR RIGHTS IN OR TO ANY PORTION OF THE SURFACE OF SAID PROPERTY TO A DEPTH OF 500 FEET BELOW THE SURFACE THEREOF AND FURTHER RESERVING TO GRANTORS, AS JOINT TENANTS, WITH RIGHT OF SURVIVORSHIP, THEIR SUCCESSORS AND ASSIGNS, THE RIGHT TO DRILL INTO THROUGH AND ACROSS AND TO PRODUCE, HAVE AND TAKE OIL, GAS, AND OTHER HYDROCARBON SUBSTANCES, FROM, THROUGH AND ACROSS THAT PORTION OF SAID PROPERTY FROM WELLS LOCATED IN THAT PORTION OF SAID PROPERTY WHICH LIES AT A DEPTH BELOW 500 FEET FROM THE SURFACE OF SAID PROPERTY AND/OR FROM WELLS LOCATED IN OR ON PROPERTY OUTSIDE THE BOUNDARIES OF SAID LAND AS RESERVED BY I. B. HOUSE AND ANNAH L. HOUSE, HUSBAND AND WIFE, IN DEED RECORDED MAY 18, 1959 AS INSTRUMENT NO 590 IN BOOK D469 PAGE 610, OFFICIAL RECORDS.

PARCEL 6A:

A NON-EXCLUSIVE EASEMENT FOR INGRESS AND EGRESS FOR DRIVEWAY PURPOSES OVER THAT PORTION OF LOT 47 OF TRACT NO 3848, IN THE CITY OF CARSON, IN THE COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 42 PAGES 68 AND 69 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE EASTERLY LINE OF SAID LOT WITH THE SOUTHERLY LINE OF THE NORTHERLY 84.00 FEET OF SAID LOT, MEASURED ALONG THE EASTERLY LINE OF SAID LOT; THENCE NORTH 0 DEGREES 12' 34" WEST ALONG THE EASTERLY LINE 25.00 FEET, THENCE SOUTH 89 DEGREES 44' 53" WEST PARALLEL WITH THE NORTHERLY LINE OF SAID LOT, 25.00 FEET TO THE WESTERLY LINE OF THE EASTERLY 25.00 FEET OF SAID LOT; THENCE SOUTH 44 DEGREES 46' 10" WEST 35.27 FEET, MORE OR LESS, IN A DIRECT LINE TO A POINT ON THE AFOREMENTIONED SOUTHERLY LINE DISTANT SOUTH 89 DEGREES 44' 53" WEST THEREON 50.00 FEET FROM SAID EASTERLY LINE OF SAID LOT; THENCE NORTH 89 DEGREES 44' 53" EAST ALONG SAID AFOREMENTIONED SOUTHERLY LINE 50.00 FEET TO THE POINT OF BEGINNING

PARCEL 7:

LOT 48 OF TRACT NO 3848, IN THE CITY OF CARSON, IN THE COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 42, PAGES 68 AND 69 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

EXCEPT THE SOUTH 66 FEET THEREOF

PARCEL 8:

THE SOUTH 66 FEET LOT 48 OF TRACT NO 3848, IN THE CITY OF CARSON, IN THE COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 42, PAGES 68 AND 69 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

END OF LEGAL DESCRIPTION

EXHIBIT “B”

CITY OF CARSON

ECONOMIC DEVELOPMENT SERVICES

PLANNING DIVISION

CONDITIONS OF APPROVAL

TENTATIVE TRACT MAP NO. 071206

GENERAL CONDITIONS

1. The applicant, Imperial Avalon Mobile Estates, LLC (“applicant” or “subdivider”), shall comply with all city, county, state and federal regulations applicable to this project.
2. Unless otherwise indicated herein, the proposed development is subject to all applicable provisions of the California Subdivision Map Act, including but not limited to, applicable provisions of Government Code Sections 66427.1 and 66427.5, and evidence of compliance therewith shall be submitted to the city Department of Development Services, as required by law.
3. Unless otherwise indicated herein, the subdivider shall comply with California Government Code Sections 66427.5(f)(1) and (f)(2).
4. The subdivider shall adhere to and comply with the representations made in the Tenant Impact Report(s) submitted with the application and the Tenant Impact Report distributed to the park residents in September 2014, which is attached to the City Council staff report for this item as Exhibit No. 6.
5. The purchase price for lots shall be set at fair market value as determined by a neutral and unbiased certified general licensed MAI appraiser, the cost of which will be paid by the park owner.
6. The park owner shall provide a 15% discount from fair market value as determined by the MAI appraiser to existing residents who open escrow within the first 90 days after lots are available for sale, and a 10% discount to existing residents who open escrow within the second 90 days after lots are available for sale.
7. Notwithstanding any other provision of law, the City of Carson Mobilehome Space Rent Control Ordinance (Carson Municipal Code section 4700 et seq) shall remain in effect for households that are not lower income, as defined in section 50079.5 of the California Health & Safety Code, until escrow has closed on forty-five (45) lots in the park. For purposes of this condition #7, lots sales or transfers to the park owner or to an entity owned or controlled by the park owner do not count toward the 45 lot threshold.

8. Once lot sales begin, all new coach owners will be required to purchase the lot in addition to the mobilehome they purchase from the existing resident.
9. Conditions not required to be fulfilled prior to, or shown on, the final map shall be stated on a separate document to be recorded with the final map.
10. The recorded map shall conform to the approved tentative tract map and to the conditions of approval. Two copies of the final recorded map shall be submitted to the Planning Division.
11. Except for claims, damages, actions, or proceedings between the subdivider and the City, the subdivider shall defend, indemnify, and hold harmless the City of Carson, its agents, officers, or employees from any claims, damages, action, or proceeding against the City or its agents, officers, or employees to attack, set aside, void, or annul, any approval of the City, its advisory agencies, appeal boards, or legislative body concerning Tentative Tract Map No. 071206. The City will promptly notify the subdivider of any such claim, action, or proceeding against the City, and the subdivider will either undertake defense of the matter and pay the City's associated legal costs or will advance funds to pay for defense of the matter by the City Attorney. The City will cooperate fully in the defense. Notwithstanding the foregoing, the City retains the right to settle or abandon the matter without the subdivider's consent but should it do so, the City shall waive the indemnification herein, except the City's decision to settle or abandon a matter following an adverse judgment or failure to appeal shall not cause a waiver of the indemnification rights herein.

ENGINEERING SERVICES DIVISION – CITY OF CARSON

12. A construction permit is required for any work to be done in the public right of way.
13. Any improvements damaged during any construction shall be removed and reconstructed per City Standards and to the satisfaction of the City Engineer.
14. All infrastructure necessary to serve the proposed development (water, sewer, storm drain, and street improvements) shall be in operation prior to recordation of the Final Map.

COUNTY OF LOS ANGELES

Geology/Soils

15. If required, a geology/soils report shall be submitted to the County of Los Angeles for review and approval prior to the recordation of the Final Map.

Road

16. The subdivider shall label all interior access streets as private driveway and fire lane.

Subdivision

17. The subdivider shall place a note on the final map, to the satisfaction of the City Engineer, indicating that this map is approved as a mobile home park conversion project for 225 units.

18. The subdivider shall label driveways and multiple access strips as a private driveway and fire lane and delineate on the final map to the satisfaction of the City Engineer.

19. The subdivider shall provide, if required, suitable turnaround and label the driveway private driveway and fire lane on the final map to the satisfaction of the City Engineer.

20. The subdivider shall provide reciprocal easements for adjoining properties for drainage, ingress/egress, sewer, water, utilities, and maintenance purposes, etc.. over the common driveway in the document to the satisfaction of the City Engineer.

21. The subdivider shall provide for the continual maintenance of the common areas until a homeowner's association responsible for the maintenance of the common areas is formed.

22. The subdivider shall provide a numeric reference for all tracts to the satisfaction of the City Engineer.

23. The subdivider shall provide addressing information in Microsoft Excel format to the satisfaction of the City Engineer.

24. The subdivider shall not grant or record private easements within areas proposed to be granted, dedicated, or offered for dedication until after the final map is filed with the Registrar-Recorder/County Clerk's office. If easements are granted after the date of tentative approval, a subordination must be executed by the easement holder prior to the filing of the final map.

25. A final guarantee will be required at the time of the filing of the final map with the Registrar-Recorder/County Clerk's office.

26. A final map prepared by, or under the direction of, a pre-1982 registered Civil Engineer or licensed Land Surveyor must be processed through the City Engineer prior to being filed with the Registrar-Recorder/County Clerk's office.