



## Staff Report

**TO:** City Council  
**FROM:** Robert Vestal, Assistant Public Works Director  
**DATE:** September 6, 2022  
**SUBJECT:** Lien Release for Tract Map Nos. 27971-7, 27971-9, 27971-10, 27971-11, and 27971-12

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### Background and Analysis:

On December 16, 2016, the City entered into lien contracts with RSI-Communities-Heartland (RSI) for Tract Map Nos. 27971-7, 27971-9, 27971-10, 27971-11, and 27971-12, (Tracts). Pursuant to the lien contract and Government Code Section 66499(a)(4), a lien was attached to the properties in an amount necessary to secure and discharge all obligations contained in the respective lien contracts.

Per Government Code Section 66499, “the local agency may at any time release all or any portion of the property subject to any lien or security interest created by this subdivision or subordinate the lien or security interest to other liens or encumbrances if it determines that security for performance is sufficiently secured by a lien on other property or that the release or subordination of the lien will not jeopardize the completion of agreed upon improvements.”

RSI Communities – Heartland LLC (RSI) is requesting the release of the liens associated with the Tracts. RSI provided alternative security in the form of bonds and Subdivision Improvement Agreements for each of the improvements with the respective Tracts. The bonds and agreements for street, sewer, and storm drain improvements were previously accepted by City Council. RSI has provided Subdivision Improvement Agreements and performance and payment bonds for survey monuments as part of the lien release package for the respective Tracts. The agreements have been reviewed by staff and found to be consistent with the Beaumont Municipal Code. Table 1 provides a summary of the liens to be released, the previously accepted bonds, and the proposed bonds.

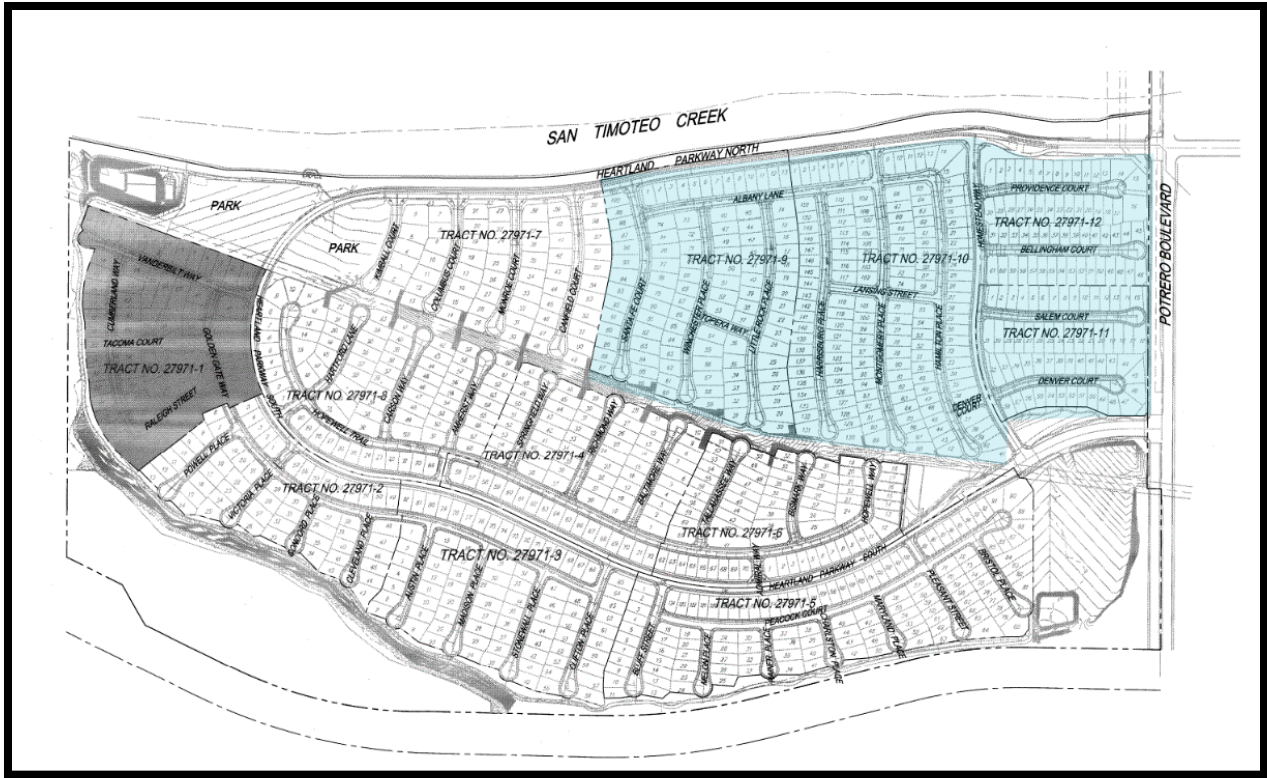


Figure 1 – Tract Map Nos. 27971-7, 27971-9, 27971-10, 27971-11, & 27971-12; located in the Olivewood Specific Plan

Table 1 Lien and Bond Summary			
Tract	Improvement	Lien Instrument Number	Bond Number
27971-7	Street	2017-0076561	PB03010407421
27971-7	Sewer	2017-0076561	1154352
27971-7	Survey Monuments	2017-0076561	CMS0348853
27971-9	Street	2017-0076563	CMS0346632
27971-9	Sewer	2017-0076563	1154354
27971-9	Survey Monuments	2017-0076563	CMS0348854
27971-10	Street	2017-0076564	CMS0345709
27971-10	Sewer	2017-0076564	1154355
27971-10	Survey Monuments	2017-0076564	CMS0348855
27971-11	Street	2017-0076565	PB03010407119
27971-11	Sewer	2017-0076565	1154356
27971-11	Survey Monuments	2017-0076565	CMS0348856

Table 1 Lien and Bond Summary			
Tract	Improvement	Lien Instrument Number	Bond Number
27971-12	Street	2017-0076566	PB03010407120
27971-12	Sewer	2017-0076566	1154357
27971-12	Survey Monuments	2017-0076566	CMS0348857

**Fiscal Impact:**

The cost of preparing the staff report is estimated to be \$350. The developer maintains all associated improvements during the construction and maintenance period. The City is not liable for public improvement maintenance until the public improvements are accepted into the publicly maintained system.

**Recommended Action:**

Approve Lien Release for Tract Map Nos. 27971-7, 27971-9, 27971-10, 27971-11, and 27971-12 and accept Security Agreement and Performance and Payment Bonds for (Project / Bond number / Improvement):

- Tract Map No. 27971-7 / CMS0348853 / Survey Monuments
- Tract Map No. 27971-9 / CMS0348854 / Survey Monuments
- Tract Map No. 27971-10 / CMS0348855 / Survey Monuments
- Tract Map No. 27971-11 / CMS0348856 / Survey Monuments
- Tract Map No. 27971-12 / CMS0348857 / Survey Monuments

**Attachments:**

- A. PW2022-0900 – Tract 27971-7 Release of Lien Package
- B. PW2022-0901 – Tract 27971-9 Release of Lien Package
- C. PW2022-0902 – Tract 27971-10 Release of Lien Package
- D. PW2022-0903 – Tract 27971-11 Release of Lien Package
- E. PW2022-0904 – Tract 27971-12 Release of Lien Package