



LAND DIVISION SUPPLEMENT

Community Development Department · Planning Division
1715 Chester Avenue · Bakersfield, CA 93301
PH (661) 326-3733 · FAX (661) 852-2135
www.BakersfieldCity.us

File No. _____
(office use only)

Check application type (all maps are tentative):

Both this Land Division Supplement and the Planning Application must be completed and submitted for any type of application listed below.

- | | |
|--|---|
| <input type="radio"/> Tract Map | <input type="radio"/> Lot Line Adjustment |
| <input type="radio"/> Revised Tract Map | <input type="radio"/> Parcel Merger |
| <input type="radio"/> Parcel Map | <input type="radio"/> Certificate of Correction/Amend Final Map |
| <input type="radio"/> Revised Parcel Map | <input type="radio"/> Substantial Conformance Review |
| <input type="radio"/> Parcel Map Waiver | |

GENERAL REQUIREMENTS/DEFINITIONS FOR CHANGING, CREATING OR COMBINING PARCELS

Tract Map (includes revised map):

- Required when creating 5 or more parcels (except commercial or industrial zoned property)
- Requires tentative and final map
- Requires approval from Planning Commission
- Map and legal description(s) must be prepared by, or under the direction of, a licensed land surveyor or registered civil engineer

Parcel Map (includes revised map):

- Required when creating fewer than 5 parcels (except commercial or industrial zoned property)
- Requires tentative and final map
- Requires approval from Planning Commission
- Map and legal description(s) must be prepared by, or under the direction of, a licensed land surveyor or registered civil engineer

Lot Line Adjustment:

- Alters lot lines between adjacent parcels
- Cannot increase or decrease the number of parcels nor create substandard parcels
- Does not require a tentative or final map
- Requires approval from the City Engineer
- Map and legal description(s) must be prepared by, or under the direction of, a licensed land surveyor or registered civil engineer

Parcel Map Waiver:

- Allows parceling if all improvements exist (ie. curb, gutter, sidewalk, streets)
- Used to merge parcels as re-division provided at least 2 parcels remain
- Must meet the requirements of a parcel map
- Does not require a tentative or final map
- Requires approval from the City Engineer
- Map and legal description(s) must be prepared by, or under the direction of, a licensed land surveyor or registered civil engineer

Parcel Merger:

- Allows for joining together 2 or more contiguous parcels of land under the same ownership
- Does not require a tentative or final map
- Requires approval from the City Engineer
- Map and legal description(s) must be prepared by, or under the direction of, a licensed land surveyor or registered civil engineer

TENTATIVE TRACT MAP • TENTATIVE PARCEL MAP Map Preparation Checklist

Tract / Parcel Map No. _____

- | | |
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| <ul style="list-style-type: none"> <input type="checkbox"/> The tentative map and legal description(s) must be prepared by, or under the direction of, a licensed land surveyor or registered civil engineer. <input type="checkbox"/> The tentative map and all required information shall be clearly drawn and legibly written. The Planning Director may reject an application if the required information is not shown. <input type="checkbox"/> The size of each sheet shall be at least 18" by 26" but not larger than 24" by 36" inches. <input type="checkbox"/> The scale of the map shall be large enough to show clearly all required information (<i>no smaller than 1" = 100'</i>). If more than one sheet is used, the number of the sheet and the total number of sheets comprising the tentative map shall be stated on each of the sheets and its relation to each adjoining sheet shall be clearly shown. Each parcel or lot shall be numbered or otherwise designated. The exterior boundary of the parcels or lots being created shall be indicated by shaded border. The map shall show the definite location of the parcels or lots and the map's relation to surrounding surveys. <input type="checkbox"/> Ten (10) folded copies of the map
<i>(Note: After the application is reviewed and accepted by staff, you will be notified to submit 35 folded copies of the map and 1 copy reduced to 8½" x 11")</i> <input type="checkbox"/> Two (2) copies of the preliminary title report
<i>(must be dated within 60 days of submitting the application)</i> <input type="checkbox"/> Letter requesting phasing, if applicable <input type="checkbox"/> Letter requesting modification of standards or optional design, if applicable
<i>(include justification and site/ floor plans of homes)</i> | <ul style="list-style-type: none"> <input type="checkbox"/> The total number of lots, total number of buildable lots, net density of the subdivision (<i>i.e. number of dwelling units per net acre</i>), and boundaries of the entire portion of land being subdivided (<i>the boundaries of the entire land subdivided may be shown on a separate sheet</i>) <input type="checkbox"/> Boundaries of areas subject to inundation or storm water overflow; the location, width and direction of flow of all watercourses, existing drainage structures and channels <input type="checkbox"/> Existing topographic contours to 100 feet outside of the subdivision boundary (<i>unless a lesser distance is approved by the City Engineer</i>) and proposed direction of drainage flows in the streets <input type="checkbox"/> A preliminary grading plan whenever a subdivision has: <ul style="list-style-type: none"> • Any excavation two feet or more in vertical depth and/or any cut slope five feet or more in vertical height • Any embankment placed on natural grade greater than three feet in depth with slope steeper than five feet horizontal to one foot vertical. No such embankment shall obstruct a drainage course • Any portion with an elevation differential of 1.5 feet or more from adjacent property <input type="checkbox"/> All existing buildings, structures or uses, including but not limited to trees, fences, utility towers, pole lines, pipelines and their purpose or function, existing oil wells and petroleum related operations, and idle and abandoned wells, all accurately located on the property being divided together with their dimensions; the distance between buildings and structures, the number of stories of each building, and their locations in relation to existing or proposed streets and lot or parcel lines |
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The tentative map shall show the following information:

- | | |
|--|---|
| <ul style="list-style-type: none"> <input type="checkbox"/> The number of the subdivision as secured from the Kern County Surveyor, and date of map preparation <input type="checkbox"/> Name/address of the record owner or owners <input type="checkbox"/> Name/address of the registered engineer or licensed land surveyor showing license expiration date, signature and seal <input type="checkbox"/> Name/address of the subdivider <input type="checkbox"/> Partial legal description (<i>¼ section, township/range</i>) <input type="checkbox"/> Vicinity map <input type="checkbox"/> 4" x 4" clean area for stamps <input type="checkbox"/> Sufficient description to define the location and boundaries of the proposed subdivision and its relationship to existing, adjacent subdivisions, and surroundings <input type="checkbox"/> North arrow, numerical scale, and bar scale <input type="checkbox"/> The locations, names and widths of adjacent, existing and proposed streets, rights-of-way, pedestrian ways, easements, and appurtenant utilities on site and within 200 feet of the exterior subdivision boundaries; approximate grades of existing or proposed streets or access easements (<i>proposed street names shall not exceed 3 words nor 20 characters, and shall be easily pronounceable in English</i>) <input type="checkbox"/> Radius of each curve (<i>in accordance with the City's "Subdivision and Engineering Design Manual"</i>) <input type="checkbox"/> Label private streets and show their cross sections <input type="checkbox"/> Lot or parcel layout, dimensions, area in square feet for each lot or parcel, and area in acreage for the entire tract | <ul style="list-style-type: none"> <input type="checkbox"/> The distance of existing buildings or structures to the boundary lines of parcels <input type="checkbox"/> Location of all obstructions within existing or proposed (future) rights-of-way <input type="checkbox"/> Proposed use or uses of the property including drilling islands for oil wells and/or production operations, and easements for pipelines and access; if the land is to be reserved for future petroleum related uses, the applicant shall submit a plan depicting the ultimate use of the land if petroleum operations cease or are unneeded <input type="checkbox"/> Proposed method of water supply, sewage disposal and other utility supplies <input type="checkbox"/> Present and proposed zone district(s), including acreage of each, general plan land use and circulation designations, and if applicable, the specific plan name and designations <input type="checkbox"/> Proposed public areas and facilities, if any <input type="checkbox"/> Specific plan freeway alignment, if any <input type="checkbox"/> For any residential subdivision, the school district and schools serving the subdivision <input type="checkbox"/> All dedications and irrevocable offers of dedication on the tentative map or show on separate instrument <input type="checkbox"/> Secondary access to each phase of development <input type="checkbox"/> Existing improvements on the opposite sides of streets, such as street intersections, drive approaches, median islands (<i>and turn openings, if any</i>), streetlights, and drainage structures |
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PARCEL MAP WAIVER • PARCEL MERGER • LOT LINE ADJUSTMENT Map Preparation Checklist

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|--|--|
| <ul style="list-style-type: none"> <input type="checkbox"/> Two (2) copies of the application signed by all property owners, incl. trustees or beneficiaries under deeds of trust <input type="checkbox"/> Legal description (<i>metes and bounds</i>) of each parcel proposed and referenced Exhibit "A." Provide the original plus one (1) copy <input type="checkbox"/> Two (2) copies of the surveyor's calculations <input type="checkbox"/> Two (2) copies of a preliminary title report covering the parcels affected (<i>must be dated within 60 days of submitting the application</i>) <input type="checkbox"/> Three (3) copies of the map referenced Exhibit "B". The map shall be 18" x 26" maximum, drawn to a scale sufficient in size to show all necessary details <input type="checkbox"/> Letter requesting deferral of improvements, if applicable | <ul style="list-style-type: none"> <input type="checkbox"/> The distance from the structures to the boundary lines of the new parcels on which the structures are located (<i>such distances shall be established by a registered civil engineer's or licensed land surveyor's survey as required by the Advisory Agency</i>) <input type="checkbox"/> The names and widths of abutting and intersecting streets, with curb to property line distances shown <input type="checkbox"/> The locations, purposes, widths of all existing and proposed easements, streets, and appurtenant utilities <input type="checkbox"/> The location of existing water systems or proposed method of water supply (<i>sufficiency & availability of the water supply to be verified by the surveyor, if required by the Advisory Agency</i>) <input type="checkbox"/> The location of all watercourses, drainage channels, and existing drainage structures <input type="checkbox"/> All existing improvements shown, i.e., curb breaks, curbs and gutters, sidewalks, sewer lines, storm drains, etc <input type="checkbox"/> North arrow and scale (<i>scale must be large enough to clearly show all lettering & numbers when the map is reduced for recording</i>) <input type="checkbox"/> Vicinity map <input type="checkbox"/> Contour lines covering the area within the project boundary and up to 100 feet beyond the boundaries (<i>the Advisory Agency may require at any time prior to approval of the parcel map waiver, additional contour lines covering areas within the neighborhood of the project as it deems necessary for its proper consideration of the waiver request - this condition shall not apply to waivers for property line adjustments unless requested by the Advisory Agency</i>) <input type="checkbox"/> If all or any part of the mapped area lies within any Special Studies Zone, as delineated by the State Geologist pursuant to Alquist-Priolo Special Zones Act, it shall be identified and the boundary of such zone shown |
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The map shall show the following information:

- The boundary lines of the original parcel(s) with dimensions based on survey data or information of record deemed to be adequate by the Advisory Agency *
- The proposed adjusted, merged, or division lines with accurate dimensions, and the area of each parcel created by such adjustment, merger, or division *
*** These maps should be separate drawings**
- If access is other than a public street, clearly show
- Engineer's or surveyor's stamp and signature on each page or sheet of the map
- A caption showing a description of the action being taken, a legal description of the property being acted upon, the property location as to ¼ section, township, and range, and the current Assessor's parcel number
- Names of all property owners, as shown on the title report
- All existing structures accurately located on the original parcel together with their dimensions, the distance between them, and the number of stories or height of each structure

Certificate of Compliance / Certificate of Merger - Preparation and Recording

Prior to recording the Certificate of Compliance for a parcel map waiver or lot line adjustment, or Certificate of Merger for a parcel merger, you must provide recordable maps which shall be labeled as Exhibit "B" of both the existing lots or parcels, and of the new, adjusted or merged lots or parcels. The preferred dimensions of the maps are 8½" x 11" with a maximum allowable size of 8½" x 14". The maps, including verification of compliance with Section 66412(d) of the Subdivision Map Act (*lot line adjustment only*), shall be submitted to the City Engineer along with a check, made payable to the Kern County Recorder, for the recording of the Certificate and any accompanying documents. Your title company may be allowed to record the final documents subject to prior approval by the City Engineer.

Note: *If common facilities exist (i.e. driveways, parking areas, private streets, sewer lines, etc.), then provisions shall be made for their common use and maintenance. This may be accomplished through CC&R's, deed restrictions, covenants, etc., which will be required to be recorded concurrently with the Certificate of Compliance or Certificate of Merger.*

SUBSTANTIAL CONFORMANCE REVIEW Map Preparation Checklist

Tract / Parcel Map No. _____

The following are general parameters for considering whether differences between a tentative and final map supports the statement that the final map is in substantial compliance with previously approved tentative map in accordance with Section 66474.1 of the Subdivision Map Act:

1. The changes are necessary to satisfy conditions of approval of the tentative map.
2. The changes reflect new or updated survey data in preparation of the final map that affects the tract's design.
3. Amendments to conditions of approval or increases to the number of lots/phases are not permitted through this process (a new map application would be required). In all instances, the tentative map shall remain consistent with all General Plan and zoning regulations that were in effect when it was approved, or if a vesting map, deemed complete. Except as allowed in items 1 and 2 above, any revisions must not alter the design parameters approved by the Planning Commission.

In addition to the Planning Application and Land Division Supplement forms, the following items must be included:

- Two (2) copies of the approved tentative map
- Five (5) copies of the map showing the proposed revisions
(this map must be at the same scale as the approved tentative map and all revisions need to be clearly highlighted).
- One (1) copy of the revised map reduced to 8½" x 11".
- List of conditions of approval affected by or necessitating the proposed change(s).
- Letter addressed to the Planning Director providing written justification for the change(s).

NOTE: The Planning Director reserves the right to request any additional information as deemed necessary for this review.

CERTIFICATE OF CORRECTION • AMEND FINAL MAP Map Preparation Checklist

Tract / Parcel Map No. _____

A recorded final tract or parcel map may be modified by a certificate of correction or an amending map for reasons other than those set forth in Section 66469 of the Map Act, if after a noticed public hearing, the Planning Commission finds as follows:

1. There are changes in circumstances that make any or all of the conditions of the map no longer appropriate or necessary; and
2. The modifications do not impose any additional burden on the present fee owner of the property; and
3. The modifications do not alter any right, title, or interest in the real property reflected on the recorded map; and
4. The map, as modified, conforms to the provisions of Section 66474 of the Map Act.

The public hearing shall be noticed pursuant to Section 66451.3 of the Map Act and Section 16.16.060 and shall be confined to consideration of and action on the proposed modification.

In addition to the Planning Application and Land Division Supplement forms, the following items must be included:

- Five (5) copies of the approved tentative map
- Five (5) copies of the map showing the proposed corrections/amendments
(this map must be at the same scale as the approved tentative map and all revisions need to be clearly highlighted).
- One (1) copy of the revised map reduced to 8½" x 11".
- List of conditions of approval affected by or necessitating the proposed change(s).
- Letter addressed to the Planning Director providing written justification for the correction(s) or amendment(s) based on the findings as noted in 1-4 above.

NOTE: The Planning Director reserves the right to request any additional information as deemed necessary for this review.

MINERAL RIGHTS

(tract and parcel maps only)

In accordance with Bakersfield Municipal Code Title 16, the applicant for any tract or parcel map must complete the following information regarding mineral rights interest. Failure to provide this information as part of your subdivision application will result in delays and a notice of an incomplete subdivision application. All applicants for tract and parcel maps must complete items 1 - 5.

1. Tract/Parcel Map No. _____ Date: _____
2. Submit with the application, a letter from you, the applicant, listing the "Operators of Record," and mailing address. The "Operators of Record" information may be obtained on-line from the Division of Oil Gas and Geothermal Resources website (<http://www.conservation.ca.gov/dog/Pages/Index.aspx>) or the Bakersfield office at 4800 Stockdale Highway #417, Bakersfield, CA 93309, (661) 322-4031. The letter must state that the information in the letter has been obtained within 30 days of application submittal.
3. Preliminary title reports required as part of the subdivision application **must include** owners of mineral rights, including but not limited to, oil, gas, or other hydrocarbon substances and lessees of record. (Sec. 16.16.010 D)
4. Submit with the application two (2) sets of postage prepaid, unsealed envelopes addressed to all mineral owners and lessees of record appearing in the title report, and the "Operators of Record" as listed in letter from DOGGR as required by item #2 above. (Sec. 16.16.010 E)
5. Check one of the boxes below (A - F) indicating how you intend to satisfy the mineral rights interest requirements of Title 16. Please follow the instructions as noted:
 - A. The final map will have the signatures of each party owning a recorded interest in, or right to minerals, and the nature of the respective interest, not including lessees of such rights. (Secs. 16.20.060 A. and 16.20.050)

If you checked this box, you do not need to continue any further concerning mineral rights.

***Note:** If not all mineral right owners sign the final map, the final map shall not be recorded until a public hearing before the Planning Commission is held to address mineral rights in accordance with Sec. 16.20.060. The applicant shall pay any additional processing fees for this hearing.*

- B. The party's right of surface entry has been expressly waived by a recorded document, including, but not limited to, quitclaim deed and/or reservation. Therefore, the final map shall have a statement indicating the mineral owner's name and nature of his or her interest. (Sec. 16.20.060 A.1)

If you checked this box, submit with your application evidence of surface waiver (eg. preliminary title report or copy of grant deed).

***Note:** Prior to recordation of a final map, waivers of surface entry from all mineral rights owners shall be verified. If all waivers are not obtained, the final map shall not be recorded until a public hearing before the Planning Commission for a revised tentative map is held to address mineral rights in accordance with Sec. 16.20.060. The applicant shall pay additional processing fees for this hearing.*

- C. The party's interest that has not provided signatures or waiver of right of surface entry is less than 20% of the mineral interest estate, and signatures or waivers of right of surface entry have been obtained from more than 50% of mineral interest estate. (Sec. 16.20.060 A.2)

- D. The subdivider intends to reserve a drill island or islands as defined in Section 15.66.080 C. of the Bakersfield Municipal Code on or within a practical distance of the subdivision map as shown on the tentative subdivision map. (Sec. 16.20.060 A.3)
- E. The subdivider intends to present competent, technical evidence for consideration at the public hearing establishing to the satisfaction of the advisory agency that production of minerals from beneath the subdivision is improbable. (Sec. 16.20.060 A.4)

Note: *This evidence must be submitted to the Planning Department with the Land Division Application for staff review and report to the Advisory Agency, including advertisement, as necessary.*

- F. Waivers of surface entry **have not been obtained as of the date of this subdivision application**, but subdivider intends to obtain waiver of surface entry from all parties prior to recording the final map. If you check this box, the following apply:
 - a. *A minimum 2-acre drill site reservation must be shown on the tentative map pursuant to Sec. 16.20.060 A.3. The drill site shall show how it will be subdivided for future use. These lots shall be included in the overall number of lots proposed for the subdivision, and these lots may be allowed to record only if proof is verified by the City that waivers of surface entry from all mineral rights owners are obtained prior to recording a final map.*
 - b. *If you do not obtain waivers of surface entry from all mineral rights owners prior to recording a final map, the drill site reservation as approved by the Planning Commission shall be recorded with the final map.*
 - c. *If after recordation of a drill site reservation, waivers of surface entry from all mineral rights owners are obtained and verified by the City, and the drill site is located within an un-expired portion of the tentative map, the lots shown within the drill site on the tentative map may record as part of a final map. The drill site reservation shall be released by a recorded instrument approved by the City. If the drill site is on a lot within a recorded final map, a new tentative map or parcel map waiver is required to subdivide the drill site lot. The applicant shall pay the processing fees for the application.*

IF YOU CHECKED BOX C, D, E, or F:

- **Complete and submit the "Notice of Request for Waiver" (included in this packet).**
- **Include a copy of the "Notice of Request for Waiver" and map showing the location of the subdivision in each of the envelopes required for item 4. (Sec. 16.16.010. E)**
- **At least 30 days prior to the tentative hearing date, the applicant must provide a copy of the "Notice of Request for Waiver" with a map to each mineral right owner and lessee of record as listed in the preliminary title report and the "Operators of Record" in the letter from DOGGR. (Sec. 16.20.060 A.3 & 4)**
- **Submit a copy of the "Notice of Request for Waiver" and proof of mailing to the City Planning Director within 10 days of the mailing date for confirmation that the notice was provided at least 30 days prior to the hearing. (Sec. 16.20.060 A.3 & 4)**

NOTICE OF REQUEST FOR WAIVER

Signatures of Mineral Rights Owners, Lessees, and Operators of Record for Subdivision of Land

(In accordance with Bakersfield Municipal Code Section 16.20.060)

TO: City of Bakersfield Planning Department
1715 Chester Avenue
Bakersfield, CA 93301 (Ph: 661/326-3733)

and Mineral Rights Interests
and Lessees/Operators of Record

FROM: ENGINEER: _____

SUBDIVIDER: _____

Address: _____

Address: _____

Phone #: _____

Phone #: _____

Proposed Tract / Parcel Map No. _____

An application has been submitted to the City of Bakersfield to subdivide _____ acres into _____
lots/parcels located _____.

Section _____ Township _____ Range _____ (M.D.B.& M.)

In accordance with Bakersfield Municipal Code Section 16.20.060, the ENGINEER (*noted above*), on behalf of the SUBDIVIDER (*noted above*), is requesting waiver of some or all the signatures of parties owning a recorded interest in, or right to minerals, including but not limited to oil, gas, or other hydrocarbon substances for purposes of subdividing property in the City of Bakersfield.

The following ordinance section pertains to this request: (*please check one*)

- Section 16.20.060 A.2 - The party's interest that has not provided signatures or waiver of right of surface entry is less than 20% of the mineral interest estate, and signatures or waivers of right of surface entry have been obtained from more than 50% of mineral interest estate.
- Section 16.20.060 A.3 - The SUBDIVIDER intends to reserve a drill island(s) as defined in Section 15.66.080 C. of the Bakersfield Municipal Code on or within a practical distance of the subdivision map as shown on the tentative subdivision map.
- Section 16.20.060 A.4 - The SUBDIVIDER intends to present competent, technical evidence at the hearing establishing to the satisfaction of the advisory agency that production of minerals from beneath the subdivision is improbable.
- Waivers of surface entry or signatures **have not been obtained as of the date of subdivision application**, but the SUBDIVIDER intends to obtain waiver of surface entry or signatures from all parties prior to the final map being recorded. If the SUBDIVIDER does not obtain a surface waiver or signatures, another hearing before the Planning Commission may be required and another notice will be sent to the affected parties.

The tentative hearing date before the Planning Commission for this map is _____,
Please note that this hearing date may change; however, the City of Bakersfield will provide you official notice of this hearing. The attached map shows the project location. For more information, please contact the ENGINEER (*see phone number above*) or the City of Bakersfield Planning Department at 661/326-3733.

INCLUSION OF A SUBDIVISION IN A CONSOLIDATED MAINTENANCE DISTRICT (CMD)

Chapter 13.04 of the Bakersfield Municipal Code requires that your proposed development (*ie. tentative tract map, tentative parcel map or parcel map waiver*) be included in a maintenance district to provide for the future maintenance of any landscaping in the public right-of-way and/or public park.

At the time of an application for a tentative tract map, tentative parcel map, or parcel map waiver, you are required to request that the property be included within the Consolidated Maintenance District (CMD) and pay appropriate fees. An example of the request letter is included in this supplemental packet. The CMD application fee is \$871 (*payment of this fee is in accordance with Municipal Code Section 16.12.070*). This fee is in addition to any other fees that may be required, such as the subdivision application fee or plan checking fee.

If the proposed subdivision is already within the boundaries of a CMD, then only an apportionment fee will apply. No additional fees are due, but you must update your Proposition 218 ballot and covenant to the most current format, the forms of which are included in this supplemental packet.

Please submit your CMD letter of application, covenant, original Proposition 218 ballot(s), and the appropriate fee to Marian Shaw or Daniel Padilla in the Public Works Department (1501 Truxtun Avenue; Ph 661/326-3724). You need to submit this paperwork to them at the same time you turn in your subdivision application to the Planning Department. The Public Works Department will only accept complete packages that contain all of the required documents and fees.

Adding your subdivision to a CMD may run concurrently with the processing of the subdivision application. However, the property must be within the CMD before recordation of a final map. The process to include your property into a district requires two (2) City Council meetings, including a public hearing over a 2-3 month period. This period may be reduced if the property owner(s) waive their right to the public hearing. For more information concerning this process, please contact Manny Behl in the Public Works Department (location/phone above).

(Note: All fees noted above are subject to change at any time.)

SAMPLE LETTER
for inclusion of a subdivision into the Consolidated Maintenance District

(LETTERHEAD)

(Date)

City of Bakersfield - Public Works Department
Attn: Daniel Padilla
1600 Truxtun Avenue
Bakersfield, California 93301

RE: **Inclusion of** *(choose one of the following)* **Tract Map • Parcel Map • Parcel Map**
Waiver No. _____ in a Consolidated Maintenance District (CMD)

Dear Mr. Padilla:

We, the undersigned, as owners of the property included within *(choose one of the following)* Tract Map • Parcel Map • Parcel Map Waiver • No. _____ hereby request that the property be included within the CMD. This request is in accordance with the requirements of Bakersfield Municipal Code Section 13.04.021. Enclosed is a check for \$ _____ as required by the City to cover the costs of this inclusion into the CMD. If requested, our engineer will supply you with a computer disk copy of the map for your use.

We understand that under Proposition 218 and Government Code section 53753 ("applicable law"), a City Council hearing will be held for purposes of including the above property within the CMD and determining the amount of assessments. We hereby waive our right to have a hearing within the time parameters set forth in the applicable law. We further understand that the hearing is scheduled for _____, 20__ at 5:15 in the Council Chambers located at 1501 Truxtun Ave., Bakersfield, CA 93301. We hereby waive our right to further notice of that hearing.

Respectfully,

(Name)
(Title)

Recording requested by
and for the benefit of
the City of Bakersfield.
When recorded mail to:

City of Bakersfield
City Clerk's Office
1600 Truxtun Avenue
Bakersfield, CA 93301



THIS SPACE FOR RECORDER'S USE ONLY

Existing Legal: _____
Map or Project Number: _____
ATN(s): _____

COVENANT DISCLOSING INCLUSION IN MAINTENANCE DISTRICT

THIS COVENANT is executed on _____ by _____, in Bakersfield, herein after referred to as ("Owner"), in connection with the Consolidated Maintenance District, located in the City of Bakersfield, CA.

The real property herein described is located within the Consolidated Maintenance District and may be assessed on an ongoing, yearly basis for maintenance of a public park and landscaping on public rights-of way within the district. The appropriate Street and Park Tiers will be assigned by the Parks and Recreation Department. Assessment is imposed in accordance with California Proposition 218 with the Consent of the Majority Property Owner(s) as can be seen on the ballot cast and attached as Exhibit 'A'.

Although this property may have been assessed a lesser amount in the present tax year, the ultimate estimated annual assessment for maintenance of a public park and public landscaping based on full build out of this district, is \$204.46 per equivalent dwelling unit, based on fiscal year 2016-2017 dollars and labor costs of the district. In each subsequent year, annual assessments may increase by the cost of living reflected in the Los Angeles - Riverside - Orange County / All Urban Consumers Consumer Price Index. (See Bakersfield City Council Resolution No. 019-05.) This covenant may not be amended or modified without the prior approval of the City of Bakersfield. This covenant shall run with the land.

Dated this _____

Owner(s)/Developer(s):

City of Bakersfield:

(Title)

Nick Fidler, Public Works Director

NOTE: All owner(s)/developer(s) signatures must be notarized.

