



County of Monterey

Item No.53

Board Report

Board of Supervisors
Chambers
168 W. Alisal St., 1st Floor
Salinas, CA 93901

Legistar File Number: A 25-175

June 10, 2025

Introduced: 5/13/2025

Current Status: Housing & Community
Development - Consent

Version: 1

Matter Type: BoS Agreement

Consider Adopting a resolution to:

- a. Accept the Re-Assignment of the previous Partial Assignment of the Deed of Trust Document No. 2021017449 and all beneficial interests under the Subdivision Improvement Agreement, Document No. 2012031807.
- b. Authorize the Chair to execute the Re-Assignment of the previous assignment of the Deed of Trust and
- c. Direct the Clerk of the Board to submit the Re-Assignment to the Recorder for filing. Located south of the intersection of Highway 68 at Post Mile marker 8 and York Road (Attachment H)

RECOMMENDATION:

It is recommended that the Board of Supervisors adopt a resolution to:

- a. Accept the Re-Assignment of the previous Partial Assignment of the Deed of Trust Document No. 2021017449 and all beneficial interests under the Subdivision Improvement Agreement, Document No. 2012031807.
- b. Authorize the Chair to execute the Re-Assignment of the previous assignment of the Deed of Trust and
- c. Direct the Clerk of the Board to submit the Re-Assignment to the Recorder for filing.

SUMMARY/DISCUSSION:

On October 18, 2011, the Board of Supervisors approved a Combined Development Permit (PLN100020) for York Highlands Resubdivision, which included a Vesting Tentative Map for the re-subdivision of Monterra Ranch Final Map Phases 6, 8 & 10 consisting of the reconfiguration of 24 residential lots together with a subdivision improvement agreement (Attachment B).

The owners United Security Bank, Monterey County Bank and Signature York Highlands, LLC referred to herein as "SIGNATURE", had not remitted payment to Don Chapin Construction company "CHAPIN" for the construction of certain subdivision improvements. Therefore, under the subdivision improvement provisions, SIGNATURE was liable to CHAPIN for payment related to the construction of these improvements.

On March 9, 2021, CHAPIN, SEATEC UNDERGROUND UTILITIES (sub-contractor to CHAPIN) and COUNTY OF MONTEREY executed an agreement to assign a deed of trust and the benefits and rights related therein to CHAPIN (Attachment E). This partial assignment was intended to collateralize the balance due to CHAPIN. The partial assignment of the deed of trust was recorded

on March 09, 2021 in the County of Monterey Recorder's Office as Official Document number 202107449 (Attachment D).

On August 18, 2021, the parties reached a settlement agreement between CHAPIN and SEATEC UNDERGROUND UTILITES and SIGNATURE (Attachment F), which resolved the unpaid debt. The agreement provided that once Chapin received full payment, it would reconvey this deed of trust back to the County "to be held by the County under the terms of the SIA for York Highlands." That payment is complete. Consequently, CHAPIN is required to re-assign the previous partial assignment of deed of trust (Attachment G) to the County of Monterey.

Therefore, it is recommended that the Board of Supervisors accepts the Re-Assignment of the previously issued Partial Assignment of the Deed of Trust (Document No. 2021017449).

OTHER AGENCY INVOLVEMENT:

The Office of the County Counsel has reviewed the Re-Assignment of a Previous Partial Assignment of Deed of Trust as to form.

FINANCING:

Staff costs to prepare this report are included in the FY2024- 25 Adopted Budget for Housing and Community Development Department (HCD) Appropriation Unit HCD002, Unit 8543.

BOARD OF SUPERVISORS STRATEGIC INITIATIVES:

The recommended action supports the Board of Supervisors' Strategic Initiative for Economic Development and Public Safety.

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Reviewed by: Joshua Bowling, CBO, CCEO, Chief of Building Services, HCD

Approved by: Craig Spencer, ACIP, Director of Housing and Community Development

Attachment A - Draft Resolution

Attachment B - Subdivision Improvement Agreement

Attachment C - First Deed of Trust

Attachment D - Partial Assignment of Deed of Trust

Attachment E - Agreement to Assign

Attachment F - Settlement Agreement

Attachment G - Re-assignment of Deed of Trust

Attachment H - Vicinity Map