

Attachment A

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**Before the Board of Supervisors in and for the
County of Monterey, State of California**

Resolution No. _____

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.

WHEREAS, 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; and

WHEREAS, 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; and

WHEREAS, 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. 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; and

WHEREAS, On August 18, 2021, the parties reached a settlement agreement between CHAPIN and SEATEC UNDERGROUND UTILITES and SIGNATURE, 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 to the County of Monterey.

WHEREAS, THE COUNTY OF MONTEREY, A POLITICAL SUBDIVISION OF THE STATE OF CALIFORNIA, hereby accepts the Re-Assignment of the previous Partial Assignment of the Deed of Trust and all beneficial interest therein and powers associated therewith and the enforcement powers under the Subdivision Improvement Agreement and hereby gives notice to Trustor, MONTEREY COUNTY BANK, and Trustee, First American Title Company, of the Re-Assignment.

NOW, THEREFORE, BE IT RESOLVED THAT the Board of Supervisors of the County of Monterey hereby:

1. Accepts the Re-Assignment of the previous Partial Assignment of the Deed of Trust and all beneficial interest under the Subdivision Improvement Agreement, Document No. 2012031807; and
2. Authorizes the Chair to execute the Re-Assignment of the previous assignment of the Deed of Trust; and
3. Directs the Clerk of the Board to submit the Re-Assignment to the Recorder for filing.

PASSED AND ADOPTED on this ____ day of _____ 2025, upon motion of Supervisor _____, seconded by Supervisor _____, by the following vote, to-wit:

AYES:

NOES:

ABSENT:

I, Valerie Ralph, Clerk of the Board of Supervisors of the County of Monterey, State of California, hereby certify that the foregoing is a true copy of an original order of said Board of Supervisors duly made and entered in the minutes thereof of Minute Book _____, for the meeting on _____, 2025.

Dated:

Valerie Ralph, Clerk of the Board of Supervisors
County of Monterey, State of California

By _____
, Deputy