The Board of Supervisors of the County of Solano, State of California, does ordain as follows:

SECTION I.

Chapter 26, Section 26-207 of the Solano County Code, "Improvement Security (Tentative Parcel Map)" is amended to read as follows:

SECTION 26-207. IMPROVEMENT SECURITY (Tentative Parcel Map)

A. If construction or repairs are required as a condition of approval of the tentative parcel map, said construction or repairs shall be completed at the time of, and as a prerequisite to, issuance of any zoning-building permit or at such other time as may be determined by the Subdivision Review Committee. The parcel map shall be endorsed to the effect that said construction or repairs shall be completed as provided above, unless, at the time of filing of the parcel map, the subdivider shall be required by the Subdivision Review Committee to complete said construction or repairs because the same are necessary for reasons of public health and safety, or are required as a necessary prerequisite to the orderly development of the surrounding area.

B. When construction or repairs are allowed at a time other than at issuance of the Zoning-Building Permit, the Subdivision Review Committee shall require either the subdivider, owner of record, or applicant for said Zoning-Building Permit to enter into one of the following agreements as specified by the County:

1. An agreement with the County upon mutually agreeable terms to thereafter complete such improvements at the applicant's expense; or

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2. An agreement with the County to thereafter initiate and consummate proceedings under an appropriate special assessment act for the financing and completion of all such improvements; or, if not completed under such special assessment act, to complete such improvements at the applicant's expense.

C. The County, upon entering into an agreement pursuant to this Section, shall require that performance of such agreement be guaranteed by any of the following security:

1. Bond or bonds by one or more duly authorized corporate sureties.

2. A deposit, either with the local agency or a responsible escrow agent or trust company, at the option of the local agency, of money or negotiable bonds of the kind approved for securing deposits of public moneys.

3. An instrument of credit from one or more financial institutions subject to regulation by the state or federal government and pledging that the funds necessary to carry out the act or agreement are on deposit and guaranteed for payment.

4. A lien upon the property to be divided, created by contract between the owner and the local agency, if the local agency finds that it would not be in the public interest to require the installation of the required improvement sooner than two years after the recordation of the map.

5. Any form of security, including security interests in real property, which has been reviewed and approved by the Planning Department, Department of Public Works, and Office of the County Counsel.

D. Any written contract or security interest in real property entered into as security for performance pursuant to subdivision (C) shall be recorded with the County Recorder. From the time of recordation of the written contract or document
creating a security interest, a lien shall attach to the real
property particularly described therein, and shall have the
priority of a judgment lien in an amount necessary to complete
the agreed to improvements. The recorded contract or security
document shall be indexed in the Grantor Index to the names of
all record owners of the real property as specified on the map
and in the Grantee Index to the County of Solano.

The County 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 is determined
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.

E. The form, contents, procedures for release of security
required herein, and the amount of security required, shall be
substantially as set forth in Government Code Sections 66499.1
through 66499.10, inclusive.

SECTION II.

Chapter 26, Section 26-502 of the Solano County Code,
"Security Required – Form," is amended to read as follows:

SECTION 26-502. SECURITY REQUIRED – FORM.

A. If, at the time of approval of the final map by the
Board of Supervisors, any public improvements required by the
County pursuant to the provisions of this Chapter have not been
completed and accepted in accordance with standards established
by the County, by resolution applicable at the time of the
approval or conditional approval of the final map, the sub-
divider shall enter into one of the following agreements speci-
fied by the County:

1. An agreement with the County upon mutually
agreeable terms to thereafter complete such improvements at the
subdivider's expense; or

2. An agreement with the County to thereafter initiate
and consummate proceedings under an appropriate special assess-
ment act for the financing and completion of all such improve-
ments, or if not completed under such special assessment act,
to complete such improvements at the subdivider's expense.

B. The County, upon entering into an agreement pursuant
to this Section, shall require that performance of such agree-
ment be guaranteed by any of the following security:

1. Bond or bonds by one or more duly authorized
corporate sureties.

2. A deposit, either with the local agency or a
responsible escrow agent or trust company, at the option of
the local agency, of money or negotiable bonds of the kind
approved for securing deposits of public moneys.

3. An instrument of credit from one or more financial
institutions subject to regulation by the state or federal
government and pledging that the funds necessary to carry out
the act or agreement are on deposit and guaranteed for payment.

4. A lien upon the property to be divided, created
by contract between the owner and the local agency, if the
local agency finds that it would not be in the public interest
to require the installation of the required improvement sooner
than two years after the recordation of the map.

5. Any form of security, including security interests
in real property, which has been reviewed and approved by the
Planning Department, Department of Public Works, and Office of
the County Counsel.

C. Any written contract or security interest in real
property entered into as security for performance pursuant to
subdivision (B) shall be recorded with the County Recorder.
From the time of recordation of the written contract or document creating a security interest, a lien shall attach to the real property particularly described therein, and shall have the priority of a judgment lien in an amount necessary to complete the agreed to improvements. The recorded contract or security document shall be indexed in the Grantor Index to the names of all record owners of the real property as specified on the map and in the Grantee Index to the County of Solano.

The County 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 is determined 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.

D. The form, contents, procedures for release of security required herein, and the amount of security required, shall be substantially as set forth in Government Code Sections 66499.1 through 66499.10, inclusive.

SECTION III.

This Ordinance shall be published once before the expiration of FIFTEEN (15) DAYS after its final passage in the [Newspaper Name], a newspaper of general circulation, printed and published in the County of Solano, State of California, and shall be in full force and effect THIRTY (30) DAYS after its passage.

ATTEST: [Signature]  
NEIL CRAWFORD, County Clerk  
and ex officio Clerk of the Board of Supervisors,  

By [Signature]  
Deputy Clerk  

LARRY L. ASERA  
Chairman, Board of Supervisors  

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I, NEIL CRAWFORD, County Clerk and ex officio Clerk of the Board of Supervisors of the County of Solano, State of California, do hereby certify that the above and foregoing Ordinance was introduced at a regular meeting thereof held this 8th day of May, 1979.

On the motion of Supervisor Hewitt and the second of Supervisor Assar, this Ordinance was adopted at a regular meeting of said Board on the 15th day of May, 1979, by the following vote:

AYES: SUPERVISORS:𨬠Hewitt & Assar

NOES: SUPERVISORS: None

ABSTAINED: SUPERVISORS: None

ABSENT: SUPERVISORS: None

WITNESS my hand and the Seal of said Board this 15th day of May, 1979.

NEIL CRAWFORD, County Clerk
By ______________ Deputy Clerk