

CITY OF OAKLAND

AGENDA REPORT

FILED
OFFICE OF THE CITY CLERK
OAKLAND

2009 APR 16 AM 8:52

TO: Office of the City Administrator
ATTN: Dan Lindheim
FROM: Community and Economic Development Agency
DATE: April 28, 2009

RE: **A Resolution Adopting Findings And Setting A Hearing To Receive Supporting Evidence And Public Testimony On A Proposed Vacation Of Skyline Circle To The Abutting Property Owners Without Cost And Reserving Public Easements For Utilities and Emergency Vehicle Access**

SUMMARY

A resolution has been prepared which will complete the process begun in 1997 to convert the privately maintained public street to a private road ("street vacation"). Skyline Circle is a circular street (similar to a cul-de-sac) which is located near the intersection of Skyline Boulevard and Keller Avenue. The street was originally designed only to serve the forty-five (45) abutting homes in the single family dwelling subdivision. The Oakland Police Department and Fire Department have concurred with the proposed vacation. The HOA has maintained the street since it was constructed in 1997 by the original developer. The City will retain public easements over the vacated right-of-way for maintaining utilities (gas, water, sewer, etc.) and emergency vehicle access.

The California Streets and Highways Code requires two (2) sequential public meetings to complete the vacation process. This resolution will adopt findings required by the Streets and Highways Code, the Public Resources Code, and the Government Code. The companion ordinance will transfer ownership of the street without cost to the abutting property owners.

FISCAL IMPACT

Staff costs for processing the proposed street vacation will be covered by fees set by the Master Fee Schedule and will be deposited in the General Purpose Fund (1010), Engineering Services organization (88432), Encroachment Permits account (42314), Engineering and Architectural Approval (PS30).

BACKGROUND

Original Street Construction

The original subdivider, Kaufman and Broad Homes, completed construction of Skyline Circle in 1997. The street circulation pattern (similar to a cul-de-sac) was designed to serve only the

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residents of the subdivision. As a condition of approval by the City for accepting the completed public street, the Skyline Homeowners Association was required to maintain the public infrastructure, except for buried public utilities (gas, water, electric, sewer, telecommunications). Effectively, the street has been a private road for the past twelve (12) years. The proposed vacation would bring the street into conformance with the statutory requirements of the California Streets and Highways Code and Vehicle Code for a private roadway.

Public Easements

Easements for public utilities (gas, water, sewer, etc.) and emergency vehicle access will be reserved over the full width of the vacated right-of-way.

Transfer of Right-Of-Way Ownership

For public streets which were dedicated after 1949, the California Civil Code presumes that abutting property owners own the underlying fee interest in the right-of-way. Consequently, title to the land beneath Skyline Circle will revert to the forty-five (45) homeowners without cost.

KEY ISSUES AND IMPACTS

The California Streets and Highways Code requires that a local jurisdiction make the following determinations for a proposed vacation of right-of-way:

- the vacation will conform with an adopted General Plan, as has been determined by the Zoning Division; and that
- public easements are retained as necessary for utility, as has been requested by Pacific Gas and Electric and the East Bay Municipal Utility District; and that
- the public was notified by site postings and newspaper publications of two sequential public meetings, one adopting findings and setting the date to receive public testimony and the second receiving public testimony and approving the vacation; and that
- the vacation will not impact current or future access for non-motorized transportation, as evidenced by the City's adopted General Plan; and
- the vacation will not increase traffic and pedestrian inconvenience nor decrease traffic and pedestrian safety, as evidenced by the City's adopted General Plan;

The California Public Resources Code requires that a local jurisdiction determine that a project complies with the requirements of the California Environmental Quality Act (CEQA) under CEQA Guidelines Section 15301 (existing facilities). Vacations of public right-of-way and

public easements are categorically exempted by the California Environmental Quality Act (CEQA).

The California Government Code requires that a City determine whether the City or the abutting property owner retain the underlying fee interest in the right-of-way. The California Civil Code presumes that the abutting homeowners own the vacated right-of-way.

Staff has also determined that the vacation of the circular street will not impact or eliminate any future traffic circulation or access modifications that may be considered for adjoining development projects.

SUSTAINABLE OPPORTUNITIES

Economic

The proposed vacation of Skyline Circle will increase the assessment of unimproved land area to the general levy of property taxes, a portion of which will accrue to the City of Oakland.

Environmental

The transfer of ownership of the right-of-way will not have a direct impact on the environment.

Social Equity

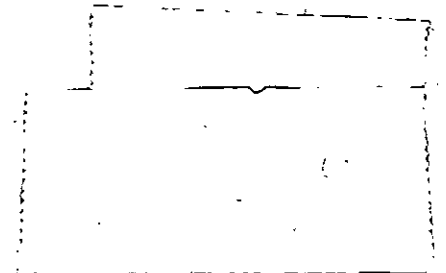
The transfer of ownership of the right-of-way will not have a direct impact on social equity.

DISABILITY AND SENIOR CITIZEN ACCESS

The street was constructed to State and City requirements for accessibility in 1997.

RECOMMENDATIONS

Staff recommends the Committee accept this report and forward it with the companion vacation ordinance to the City Council for their scheduled meeting on May 5, 2009.

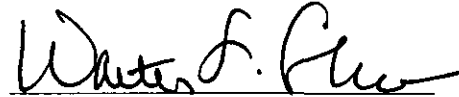


ACTION REQUESTED OF THE CITY COUNCIL

Staff recommends that the City Council accept this report and

- adopt the proposed resolution adopting findings for the proposed vacation of Skyline Circle, and
- adopt the proposed ordinance vacating Skyline Circle without cost to the abutting property owners and reserving public easements for utilities and emergency vehicle access.

Respectfully submitted,

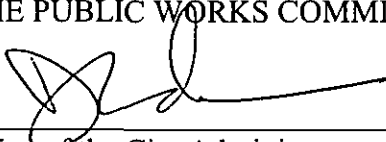


Walter S. Cohen, Director
Community and Economic Development Agency

Prepared by:

Raymond M. Derania
City Engineer
Building Services Division

APPROVED AND FORWARDED TO
THE PUBLIC WORKS COMMITTEE:



Office of the City Administrator

Item: _____
Public Works Committee
April 28, 2009

Introduced by

FILED
OFFICE OF THE CITY CLERK
OAKLAND

Approved for Form and Legality

Councilmember

2009 APR 16 PM 12: 59



City Attorney

OAKLAND CITY COUNCIL

Resolution No. _____ C.M.S.

**RESOLUTION ADOPTING FINDINGS AND SETTING A HEARING TO
RECEIVE SUPPORTING EVIDENCE AND PUBLIC TESTIMONY FOR A
PROPOSED VACATION OF THE PUBLIC RIGHT-OF-WAY OF SKYLINE
CIRCLE TO THE ABUTTING PROPERTY OWNERS WITHOUT COST
AND RESERVING PUBLIC SERVICE EASEMENTS**

WHEREAS, pursuant to California Streets and Highways Code Section 8320 et seq., a public meeting was held in the Chamber of the Council of the City of Oakland, on the Third Floor of City Hall, at One Frank H. Ogawa Plaza, in Oakland, California, on May 5, 2009, beginning at 7:01 p.m. local time to adopt findings for a proposed ordinance vacating the public right-of-way to the owners of the forty-five (45) developed lots abutting Skyline Circle; and

WHEREAS, said meeting also set a hearing beginning at 7:02 p.m. local time in the Chamber of the Council of the City of Oakland, on the Third Floor of City Hall, at One Frank H. Ogawa Plaza, in Oakland, California, on May 5, 2009, to receive supporting evidence and public testimony on said proposed ordinance vacating the full width and length of Skyline Circle and reserving public service easements; and

WHEREAS, the City Clerk and Clerk of the Council of the City of Oakland accepted the dedication of Skyline Circle as public right-of-way without conditions in 1996, as shown on the Final Map for Tract No. 6249, recorded January 16, 1996, in book 222 of maps, on pages 85 through 88, inclusive, series no. 96-009902, by the Alameda County Recorder, and in Resolution No. 72405 C.M.S. approving said Final Map, as adopted by the Council of the City of Oakland on January 9, 1996; and

WHEREAS, pursuant to California Streets and Highways Code Sections 8312 and 8355, the Skyline Homeowners Association, on behalf of the owners of said forty-five (45) lots, has previously filed an application (PPE 09052) with the City Engineer of the City of Oakland requesting that Skyline Circle be vacated without valuable compensation to the City; and

WHEREAS, pursuant to California Civil Code section 831, each of the owners of said forty-five (45) lots are presumed to own their individual underlying fee simple interests in the public right-of-way proposed to be vacated to the center of the right-of-way; and

WHEREAS, pursuant to Resolution No. 73654 C.M.S., the Council of the City of Oakland approved the "Agreement Regarding The Bayview (Oak Knoll Vista) Subdivision Tract

6249” with the original developer of the subdivision, Kaufman and Broad Homes, on July 9, 1997, which established that the owners of said forty-five (45) lots, rather than the City of Oakland, have been responsible for maintaining Skyline Circle at their sole expense since the completion of its construction in 1997; and

WHEREAS, the metes and bounds establishing the length and width of Skyline Circle proposed for vacation is delineated on the Final Map for Tract No. 6249 and on the Amended Final Map for Tract No. 6249, recorded March 29, 2001, series no. 2001-107696, in book 257 of maps, on pages 39 and 40, inclusive, by the Alameda County Clerk-Recorder, which was adopted by the Council of the City of Oakland on December 5, 2000, in Resolution No. 77165 C.M.S, as shown on *Exhibits A1* and *A2* attached hereto; and

WHEREAS, the owners of said forty-five (45) lots acquired title individually to said properties for valuable consideration through the following grant deeds:

LOT No.	PARCEL No.	ADDRESS	SERIES No.	RECORDED
1	043A-4761-001-00	8201	2007-034561	01-22-2007
2	043A-4761-002-00	8205	2007-283607	07-31-2007
3	043A-4761-003-00	8209	2002-325487	07-31-2002
4	043A-4761-004-00	8211	2006-369942	09-29-2006
5	043A-4761-005-00	8215	2007-001351	01-02-2007
6	043A-4761-006-00	8219	2003-040360	01-23-2003
7	043A-4761-007-00	8221	2006-208506	05-26-2006
8	043A-4761-008-00	8223	2003-554564	09-18-2003
9	043A-4761-009-00	8227	2005-537832	12-19-2005
10	043A-4761-010-00	8231	2007-240126	06-28-2007
11	043A-4761-011-00	8233	2004-133593	03-30-2004
12	043A-4761-012-00	8237	2006-440511	11-30-2006
13	043A-4761-013-00	8239	2003-477862	08-14-2003
14	043A-4761-014-00	8241	2005-287502	07-11-2005
15	043A-4761-015-00	8245	2008-090324	03-12-2008
16	043A-4761-016-00	8247	2007-125382	03-30-2007
17	043A-4761-017-00	8249	2009-056769	02-24-2009
18	043A-4761-018-00	8253	2004-450870	10-05-2004
19	043A-4761-019-00	8255	2008-300168	10-15-2008
20	043A-4761-020-00	8257	2007-144839	04-17-2007
21	043A-4761-021-00	8259	1999-320152	08-20-1999

LOT No.	PARCEL No.	ADDRESS	SERIES No.	RECORDED
22	043A-4761-022-00	8261	2002-124625	03-20-2002
23	043A-4761-023-00	8263	1999-082033	02-26-1999
24	043A-4761-024-00	8265	2007-358202	10-12-2007
25	043A-4761-025-00	8267	2007-227821	07-25-2007
26	043A-4761-026-00	8271	98-021453	01-22-1998
27	043A-4761-027-00	8273	2007-194878	05-22-2007
28	043A-4761-028-00	8275	2002-533525	11-15-2002
29	043A-4761-029-00	8277	2006-052993	02-10-2006
30	043A-4761-030-00	8281	99-262263	07-16-1999
31	043A-4761-031-00	8285	2009-002160	01-06-2009
32	043A-4761-032-00	8289	2002-489382	10-29-2002
33	043A-4761-033-00	8293	2004-433477	09-24-2004
34	043A-4761-034-00	8295	2008-185641	06-11-2008
35	043A-4761-035-00	8288	2007-294891	08-09-2007
36	043A-4761-036-00	8282	99-342432	09-07-1999
37	043A-4761-037-00	8278	2004-398567	09-02-2004
38	043A-4761-038-00	8268	2004-347147	07-29-2004
39	043A-4761-039-00	8260	2004-205163	05-10-2004
40	043A-4761-040-00	8252	2004-104691	03-11-2004
41	043A-4761-041-00	8248	99-227976	06-18-1999
42	043A-4761-042-00	8246	2002-350248	08-13-2002
43	043A-4761-043-00	8240	2004-565381	12-23-2004
44	043A-4761-044-00	8230	2005-263906	06-28-2005
45	043A-4761-045-00	8290	97-143364	06-11-1997

as recorded by the Alameda County Clerk-Recorder; and

WHEREAS, as evident by a cursory examination of said Final Map and Amended Final Map, the reentrant horizontal alignment of Skyline Circle was intended to provide vehicular and pedestrian access solely to the forty-five (45) abutting lots within the original subdivision and cannot be modified, extended, or expanded to accommodate through-traffic for the public; and

WHEREAS, the proposed vacation of Skyline Circle will not adversely impact existing public and private easements delineated on said Final Map for storm water drainage, sanitary sewer, emergency vehicle access, and open-space conservation areas; and

WHEREAS, said land area comprising the whole of the section of Skyline Circle proposed for vacation will be added by the Alameda County Assessor to the general levy of property taxes, a portion of which will accrue to the City of Oakland; and

WHEREAS, pursuant to California Streets and Highways Code Sections 8317, 8322, and 8323, facsimiles of the newspaper publication and public posting, attached hereto as *Exhibit B*, and an affidavit, attached as *Exhibit C*, confirming that the City Engineer completed the statutory requirements for notifying the public of the City's intention to vacate Skyline Circle and of the locate, date, and time of the hearing to receive supporting evidence and public testimony for the proposed vacation; and

WHEREAS, pursuant to California Streets and Highways Code Section 8313 and Government Code Section 65402, the Secretary of the Planning Commission of the City of Oakland has determined that there is no map or diagram nor any expressed policies or provisions preventing the vacation of these portions of public rights-of-way and that the location, purpose, and extent of the vacation therefore conforms with the City's adopted General Plan; and

WHEREAS, pursuant to California Streets and Highways Code Section 8348, the City Engineer has notified the serving public utilities his intention to recommend to the City Council that Skyline Circle be vacated and that the dedication of a public service easement in the vacated public right-of-way to maintain, operate, replace, remove or renew the existing works is required for public convenience and necessity; and

WHEREAS, pursuant to California Streets and Highways Code Section 892, the City Engineer has further determined that the proposed vacation of Skyline Circle will not limit public use of or impede public access for non-motorized transportation; and

WHEREAS, pursuant to California Streets and Highways Code Section 8320, maps delineating the metes and bounds may be used to establish the extent and location of the public right-of-way to be vacated, as shown in *Exhibits A1* and *A2* attached hereto; and

WHEREAS, pursuant to Resolution No. 78999 C.M.S., the Council of the City of Oakland established Underground Utility District No. 236S for Skyline Circle on January 4, 2005; and

WHEREAS, said utilities were previously undergrounded by the developer as part of the original construction of Skyline Circle; and

WHEREAS, pursuant to California Streets and Highways Code Section 8324, the Council of the City of Oakland may apply conditions for the vacation of public right-of-way and may instruct the City Clerk not to record a vacation until the conditions have been satisfied; and

WHEREAS, the Council of the City of Oakland approved an Environmental Impact Report on December 17, 1991, for the division of real property comprising Tract No, 6249 into forty-five

(45) lots and the construction of publicly and privately maintained infrastructure, including Skyline Circle; now, therefore, be it

RESOLVED: That pursuant to the California Streets and Highways Code, the California Government Code, and the California Public Resources Code, the Council of the City of Oakland hereby makes the following determinations:

- that the proposed vacation conforms with the City of Oakland’s adopted General Plan; and
- that the statutory requirements for properly noticing the public through conspicuous site posting and newspaper publication of the location and extent of the proposed vacation and the public hearing to receive supporting evidence and public comments were completed; and
- that owners of the forty-five (45) lots abutting Skyline Circle own the underlying fee interest in the public right-of-way proposed to be vacated; and
- the proposed vacation is categorically exempted from the California Environmental Quality Act (CEQA) under CEQA Guidelines Section 15301 (existing facilities); and
- the proposed vacation requires a reservation of a public service easements for existing or future utilities owned and maintained either by companies regulated by the California Public Utilities Commission or by the City of Oakland or by the East Bay Municipal Utility; and
- the proposed vacation requires a reservation of a public service easements for access by emergency vehicles; and
- the proposed vacation does not limit public use or impede public access for non-motorized transportation; and
- the proposed vacation will not increase traffic and pedestrian inconvenience nor decrease traffic and pedestrian safety; and
- the proposed vacation will benefit the public and the citizens of Oakland fiscally by decreasing the cost of police services for nuisance and criminal activities and increasing the revenue derived from the general levy of property taxes; and be it

FURTHER RESOLVED: That the maps attached hereto as *Exhibits A1* and *A2* do fully delineate the metes and bounds of the section of public right-of-way proposed for vacation; and be it

FURTHER RESOLVED: That Council of the City of Oakland will vacate Skyline Circle to the abutting property owners without valuable compensation to the City Of Oakland by terms set forth in an ordinance of vacation; and be it

FURTHER RESOLVED: That a hearing to receive supporting evidence and public testimony for a proposed ordinance that will vacate Skyline Circle will occur in the Chamber of the City Council, Third Floor of City Hall, at One Frank Ogawa Plaza, in Oakland, California, on May 5, 2009, at 7:02 p.m. local time.

IN COUNCIL, OAKLAND, CALIFORNIA, _____, 2009

PASSED BY THE FOLLOWING VOTE:

AYES - BROOKS, DE LA FUENTE, KAPLAN, KERNIGHAN, NADEL, QUAN, REID, and
PRESIDENT BRUNNER

NOES -

ABSENT -

ABSTENTION -

ATTEST: _____
LATONDA SIMMONS
City Clerk and Clerk of the Council
of the City of Oakland, California

Proposed Vacation Of The Public Right-Of-Way Of Skyline Circle Without Cost To The Abutting Property Owners And Reservation Of Public Service Easements

EXHIBIT A1

Tract 6249
Map 84 112
PP 85-88

OWNER'S STATEMENT

THE UNDERSIGNED, ALAN B. MILLER hereafter referred to as "OWNER" DOES HEREBY STATE THAT HE IS THE OWNER OF ALL THE LANDS DELINEATED AND EMBODIED WITHIN THE EXTERIOR BOUNDARY SHOWN UPON THE HEREIN EMBODIED FINAL MAP ENTITLED "TRACT 6249, CITY OF OAKLAND, ALAMEDA COUNTY, CALIFORNIA", CONSISTING OF FOUR SHEETS, THIS STATEMENT BEING ON SHEET ONE THEREOF; THAT HE IS THE OWNER OF SAID LAND BY VIRTUE OF THE GRANT DEED RECORDED OCTOBER 2, 1992, UNDER RECORDER'S SERIES NUMBER 85-20046, AND THE SUBSEQUENT GRANT DEED RECORDED DECEMBER 20, 1993, UNDER RECORDER'S SERIES NUMBER 85-20483, OFFICIAL RECORDS OF ALAMEDA COUNTY, CALIFORNIA; THAT HE HAS CAUSED SAID MAP TO BE PREPARED FOR RECORD AND CONSENTS TO THE PREPARATION AND RECONDUCTION OF SAID MAP; THAT SAID MAP PARTICULARLY SETS FORTH AND DESCRIBES ALL THE LOTS INTENDED FOR SALE BY THEIR NUMBER AND PRECISE WIDTH AND LENGTH; THAT SAID MAP PARTICULARLY SETS FORTH AND DESCRIBES THE PARCEL OF GROUND RESERVED FOR PUBLIC PURPOSES BY THEIR BOUNDARIES, COURSES, AND EXTENT.

I DO HEREBY OFFER FOR DEDICATION TO THE CITY OF OAKLAND THE AREA SHOWN AND DESIGNATED HEREON AS "SKYLINE CIRCLE" FOR THE USES AND PURPOSES OF A PUBLIC STREET.

I DO HEREBY OFFER FOR DEDICATION TO THE CITY OF OAKLAND THE AREA SHOWN AND DESIGNATED HEREON AS "20' WIDE EMERGENCY VEHICLE ACCESS EASEMENT" FOR ACCESS FOR EMERGENCY VEHICLES.

I DO HEREBY OFFER FOR DEDICATION TO THE CITY OF OAKLAND THE AREAS SHOWN AND DESIGNATED HEREON AS "15' RSV" (RESERVE) AND "10' RSV" FOR THE PURPOSES OF CONSTRUCTING, RECONSTRUCTING AND MAINTAINING PUBLIC STORM DRAIN AND SANITARY SEWER FACILITIES AND APPURTENANCES UNDER, ON AND OVER THESE AREAS.

I DO HEREBY RESERVE THE AREAS SHOWN AND DESIGNATED HEREON AS "CONSERVATION EASEMENT" TO REMAIN AS PROTECTED OPEN SPACE FOR THE PRESERVATION OF THE AREA AND ITS VEGETATION IN ITS PRESENT NATURAL CONDITION.

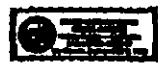
I DO HEREBY RESERVE A PRIVATE STORM DRAIN EASEMENT DESIGNATED AND SHOWN HEREON AS "PDS" FOR THE USE OF THE OWNERS OF TRACT 6249 INCLUDING THE RIGHT TO CONSTRUCT, MAINTAIN, AND REPAIR A PRIVATE STORM DRAIN LINE.

BY: Alan B. Miller
ALAN B. MILLER
ADDRESS
4 BRIDLE LANE
WOODSIDE, CA

OWNER'S ACKNOWLEDGMENT

STATE OF California 1992.
COUNTY OF Alameda
ON December 21, 1992, BEFORE ME, Debra A. Johnson,
NOTARY PUBLIC IN AND FOR SAID STATE, PERSONALLY APPEARED
Alan B. Miller,
PERSONALLY KNOWN TO ME (OR
PROVED TO ME, ON THE BASIS OF SATISFACTORY EVIDENCE) TO BE THE
PERSON(S) WHOSE NAME(S) IS/ARE SUBSCRIBED TO THE WITHIN INSTRUMENT
AND ACKNOWLEDGED TO ME THAT HE/SHE/THEY EXECUTED THE SAME IN HIS/HER/
THEIR AUTHORIZED CAPACITIES, AND THAT BY HIS/HER/THEIR SIGNATURE(S) ON
THE INSTRUMENT, THE PERSON(S) OR THE ENTITY UPON BEHALF OF WHICH THE
PERSON(S) ACTED, EXECUTED THE INSTRUMENT.

WITNESS MY HAND AND OFFICIAL SEAL
SIGNATURE: Debra A. Johnson
NOTARY PUBLIC IN AND FOR
SAID COUNTY AND STATE
MY COMMISSION EXPIRES: December 9, 1992
JOB NO. 930074-20 PB 258/1



CERTIFICATE OF THE CLERK OF THE BOARD OF SUPERVISORS

I, DARLENE J. BLOOM, ACTING CLERK OF THE BOARD OF SUPERVISORS OF THE COUNTY OF ALAMEDA, STATE OF CALIFORNIA, HEREBY CERTIFY, AS CHECKED BELOW THAT:
 AN APPROVED BOND HAS BEEN FILED WITH THE BOARD OF SUPERVISORS OF THE SAID COUNTY AND STATE IN THE AMOUNT OF \$ 10,000.00 CONDITIONED FOR THE PAYMENT OF ALL TAXES AND SPECIAL ASSESSMENTS COLLECTED AS TAXES WHICH ARE NOW A LIEN AGAINST SAID LAND OR ANY PART THEREOF BUT NOT YET PAYABLE AND WAS DULY APPROVED BY SAID LOCAL BOARD IN SAID AMOUNT.
 ALL TAXES AND SPECIAL ASSESSMENTS COLLECTED AS TAXES HAVE BEEN PAID, AS CERTIFIED BY THE TREASURER-TAX COLLECTOR OF THE COUNTY OF ALAMEDA.

IN WITNESS WHEREOF, I HAVE HERETO SET MY HAND THIS 21st DAY OF January, 1992.
Darlene J. Bloom
DARLENE J. BLOOM, ACTING CLERK OF THE BOARD OF SUPERVISORS OF THE COUNTY OF ALAMEDA, CALIFORNIA
DEPUTY CLERK

SURVEYOR'S STATEMENT

I, BILLY MARTIN, HEREBY CERTIFY THAT THIS FINAL MAP WAS PREPARED BY ME OR UNDER MY DIRECTION, AND WAS BASED UPON A TRUE AND COMPLETE SURVEY MADE BY ME OR UNDER MY DIRECTION IN JANUARY 1992; THAT SAID SURVEY IS TRUE AND COMPLETE AS SHOWN; THAT THE MONUMENTS ARE OF THE CHARACTER AS SHOWN HEREON AND OCCUPY THE POSITIONS INDICATED OR WILL BE SET IN SUCH POSITIONS WITHIN ONE (1) YEAR OF THE FILING OF THIS MAP; AND SAID MONUMENTS WILL BE SUFFICIENT TO ENABLE THE SURVEY TO BE RETRACED.

DATED: Dec 14 1992
Billy Martin
BILLY MARTIN
P.L.S. NO. 8787
EXPIRES 8-30-1998



SUBDIVIDER
KAUFMAN AND BROAD
OF NORTHERN CALIFORNIA
3130 ERDMAN PLACE, SUITE 300
SAN RAMON, CA

TRACT 6249

CITY OF OAKLAND
ALAMEDA COUNTY, CALIFORNIA
BEING A RESUBDIVISION OF A PORTION OF THE LANDS OF RAFAEL MARTINEZ, ET AL AS DESCRIBED IN THE DEED RECORDED OCTOBER 7, 1971 IN BOOK 89 OF DEEDS AT PAGE 486 OF ALAMEDA COUNTY RECORDS.
Brian Kansas Faulk
CONSULTING ENGINEERS - PLANNERS - SURVEYORS
REDWOOD CITY, CALIFORNIA
JULY 1995

STATEMENT OF THE SECRETARY OF THE PLANNING COMMISSION

I, CHARLES S. BRYANT, SECRETARY OF THE CITY PLANNING COMMISSION OF THE CITY OF OAKLAND, STATE OF CALIFORNIA, DO HEREBY CERTIFY THAT THE TENTATIVE MAP OF THE HEREIN EMBODIED "TRACT 6249, CITY OF OAKLAND, ALAMEDA COUNTY, CALIFORNIA", WAS PRESENTED TO THE CITY PLANNING COMMISSION AS PROVIDED BY SUBDIVISION MAP ACT AT A REGULARLY SCHEDULED MEETING ON THE 26TH DAY OF JUNE, 1991 AND THAT SAID COMMISSION APPROVED SAID TENTATIVE MAP UPON WHICH THIS MAP IS BASED, AND THAT ON APPEAL, THE CITY COUNCIL APPROVED SAID TENTATIVE MAP BY MOTION AT A REGULARLY SCHEDULED MEETING ON THE 17TH DAY OF DECEMBER, 1991.

IN WITNESS WHEREOF, I HAVE HERETO SET MY HAND THIS 30th DAY OF JANUARY, 1992

Charles S. Bryant
CHARLES S. BRYANT
SECRETARY OF CITY PLANNING
COMMISSION OF THE CITY OF
OAKLAND, STATE OF CALIFORNIA

RECORDER'S STATEMENT

FILED THIS 21st DAY OF January, 1992, AT 11:30 P.M.,
RECORDER'S SERIES NO. 85-20046 IN BOOK 22 OF MAPS AT
PAGES 115-118 AT THE REQUEST OF Brian Kansas Faulk, THE SUBDIVIDER,
IN THE OFFICE OF THE COUNTY RECORDER OF THE COUNTY OF ALAMEDA, STATE
OF CALIFORNIA. Fee P.L. #1443

BY: Brian Kansas Faulk
DEPUTY COUNTY RECORDER



RAFAEL D. ENRIQUEL, COUNTY
RECORDER IN AND FOR THE
COUNTY OF ALAMEDA, STATE
OF CALIFORNIA

EXHIBIT A1

Proposed Vacation Of The Public Right-Of-Way Of Skyline Circle Without Cost To The Abutting Property Owners And Reservation Of Public Service Easements

Tract 6249

Map BK 222

PG 06

TRACT 6249

CITY OF OAKLAND

ALAMEDA COUNTY, CALIFORNIA

BEING THE VACATION OF THE PUBLIC RIGHT-OF-WAY OF SKYLINE CIRCLE, PART OF THE ALAMEDA COUNTY ACCOUNT, MAP NO. 1071 IN BOOK 18 OF DEEDS, PAGE 181 OF ALAMEDA COUNTY RECORDS.

Brian Kangas Frank

CONSULTING ENGINEERS • PLANNERS • SURVEYORS
REDWOOD CITY, CALIFORNIA
JULY 1983

CONDITION

STRUCTURES ON LOTS 12-20 SHALL BE SET BACK NOT MORE THAN 5 FEET FROM THE PROPOSED RIGHT-OF-WAY LINE. THIS CONDITION SHALL BE REFLECTED ON THE GRANT DEEDS FOR THE SUBJECT LOTS.

CITY CLERK'S STATEMENT

I, CELIA FLOTT, CITY CLERK AND CLERK OF THE CITY OF OAKLAND, STATE OF CALIFORNIA, DO HEREBY CERTIFY THAT THE CITY OF OAKLAND HAS ENTERED INTO A GRANT DEED FOR TRACT 6249, CITY OF OAKLAND, ALAMEDA COUNTY, CALIFORNIA, AS DESCRIBED HEREIN, HELD ON THE 21ST DAY OF JULY 1983, AT A REGULAR MEETING THEREOF HELD ON THE 21ST DAY OF JULY 1983, IN ACCORDANCE WITH THE PROVISIONS OF THE GOVERNMENT CODE AND LOCAL ORDINANCES APPLICABLE AT THE TIME OF THE FOREGOING. I HEREBY AGREE ON BEHALF OF THE CITY OF OAKLAND, THE ANGELS DESIGNATED AS "RESERVE" (S), CONTRACT VEHICLES AND TRUCKS SECTION 2.2.12 OF THE ZONING AND ORDINANCES HEREIN IN ACCORDANCE WITH SECTION 21500 OF THE GOVERNMENT CODE.

IN WITNESS WHEREOF, I HAVE HERETO SET MY HAND THIS 21ST DAY OF JULY 1983.

Celia Flott
CELIA FLOTT
CITY CLERK AND CLERK OF THE CITY OF OAKLAND, STATE OF CALIFORNIA

CITY ENGINEER'S STATEMENT

I, CALVIN N. WONG, DEPUTY DIRECTOR OF PLANNING AND BUILDING, DO HEREBY CERTIFY TO THE FUNCTIONS OF THE CITY ENGINEER OF THE CITY OF OAKLAND, STATE OF CALIFORNIA, FOR THE PURPOSE OF REVIEWING SUBDIVISION MAPS OF TRACT 6249, CITY OF OAKLAND, ALAMEDA COUNTY, CALIFORNIA, THAT THE SUBDIVISION MAP, MAP NO. 1071, IS SUBSTANTIALLY THE SAME AS THE SUBDIVISION MAP, MAP NO. 1071, AS APPROVED AT THE PLANNING COMMISSION MEETING HELD ON JULY 19, 1983, AND THAT THE PRESENTATION OF THE MAP IS IN ACCORDANCE WITH ALL LOCAL ORDINANCES APPLICABLE AT THE TIME OF THE FOREGOING. I HEREBY CERTIFY THAT I AM SATISFIED THAT THE FINAL MAP IS TECHNICALLY CORRECT.

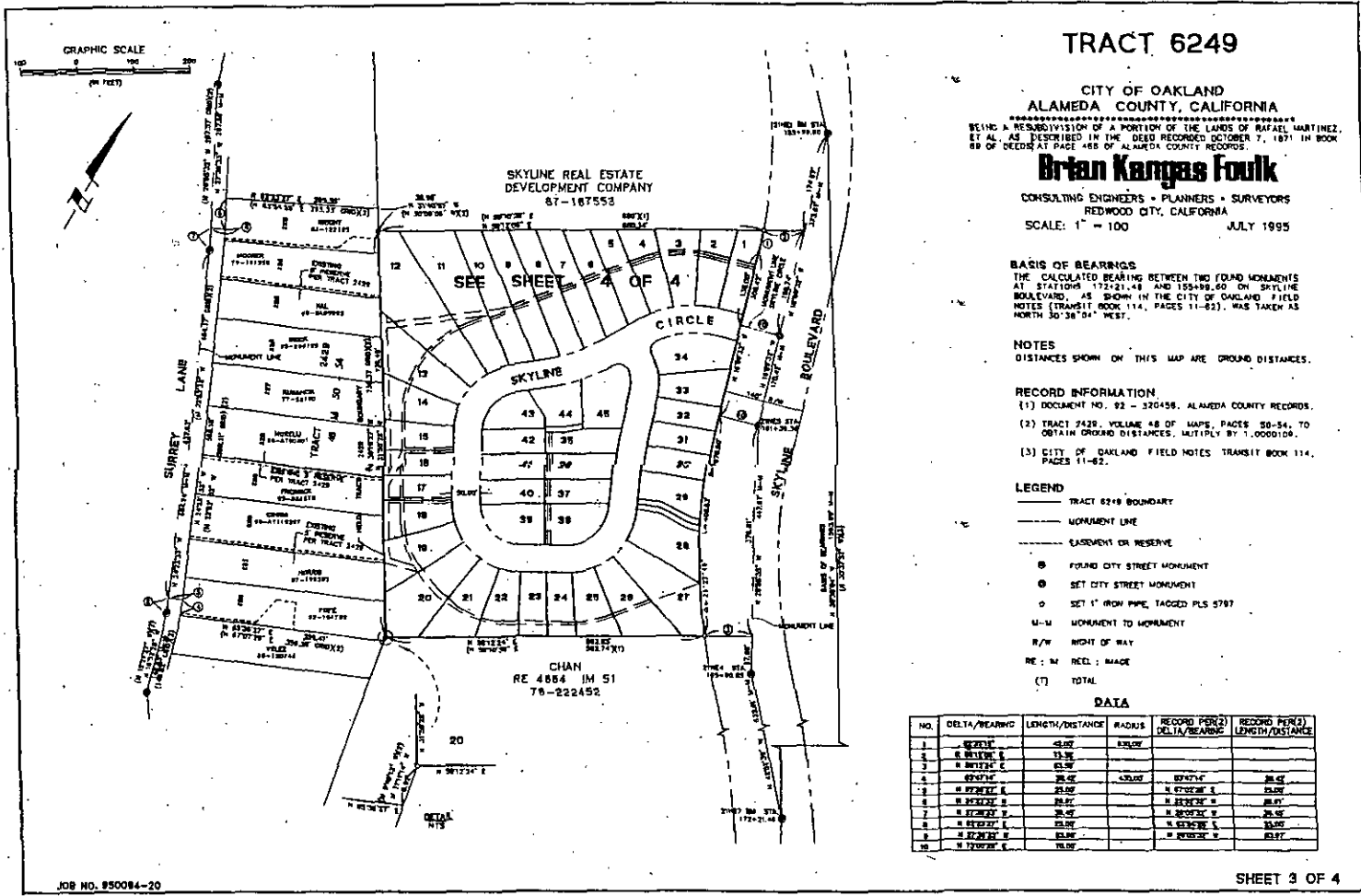
IN WITNESS WHEREOF, I HAVE HERETO SET MY HAND THIS 21ST DAY OF JULY 1983.

Calvin N. Wong
CALVIN N. WONG, P.E., 25733 BUILDING
11000 UNIVERSITY AVENUE, SUITE 100
CITY OF OAKLAND, ALAMEDA COUNTY,
STATE OF CALIFORNIA
LICENSE ENGINEER 12371/99

EXHIBIT A1

Proposed Vacation Of The Public Right-Of-Way Of Skyline Circle Without Cost
To The Abutting Property Owners And Reservation Of Public Service Easements

Tract 6249 Map Bk 222 Pt B7



TRACT 6249

CITY OF OAKLAND
ALAMEDA COUNTY, CALIFORNIA

BEING A RESUBDIVISION OF A PORTION OF THE LANDS OF RAFAEL MARTINEZ, ET AL, AS DESCRIBED IN THE DEED RECORDED OCTOBER 7, 1871 IN BOOK 18 OF DEEDS AT PAGE 486 OF ALAMEDA COUNTY RECORDS.

Brian Kangas Fouk

CONSULTING ENGINEERS • PLANNERS • SURVEYORS
REDWOOD CITY, CALIFORNIA
SCALE: 1" = 100 JULY 1995

BASIS OF BEARINGS
THE CALCULATED BEARING BETWEEN TWO FOUND MONUMENTS AT STATIONS 172+21.48 AND 155+88.60 ON SKYLINE BOULEVARD, AS SHOWN IN THE CITY OF OAKLAND FIELD NOTES (TRANSIT BOOK 114, PAGES 11-62), WAS TAKEN AS NORTH 30°38'04" WEST.

NOTES
DISTANCES SHOWN ON THIS MAP ARE GROUND DISTANCES.

RECORD INFORMATION
(1) DOCUMENT NO. 92 - 320458, ALAMEDA COUNTY RECORDS.
(2) TRACT 6249, VOLUME 48 OF MAPS, PAGES 50-54, TO OBTAIN GROUND DISTANCES, MULTIPLY BY 1.0000109.
(3) CITY OF OAKLAND FIELD NOTES TRANSIT BOOK 114, PAGES 11-62.

- LEGEND**
- TRACT 6249 BOUNDARY
 - MONUMENT LINE
 - EASEMENT OR RESERVE
 - ⊙ FOUND CITY STREET MONUMENT
 - ⊙ SET CITY STREET MONUMENT
 - SET 1" IRON PIPE, TAGGED PLS 5787
 - M-M MONUMENT TO MONUMENT
 - R/W RIGHT OF WAY
 - RE : M REEL : MADE
 - (7) TOTAL

DATA

NO.	DELTA/BEARING	LENGTH/DISTANCE	RADIUS	RECORD PER(2) DELTA/BEARING	RECORD PER(2) LENGTH/DISTANCE
1	S 89°17' E	45.00	50.00		
2	N 89°17' E	45.00	50.00		
3	S 89°17' E	45.00	50.00		
4	S 89°17' E	45.00	50.00		
5	N 89°17' E	45.00	50.00		
6	N 89°17' E	45.00	50.00		
7	N 89°17' E	45.00	50.00		
8	N 89°17' E	45.00	50.00		
9	N 89°17' E	45.00	50.00		
10	N 89°17' E	45.00	50.00		

SHEET 3 OF 4

Bk 222 Pt B7

Proposed Vacation Of The Public Right-Of-Way Of Skyline Circle Without Cost
 To The Abutting Property Owners And Reservation Of Public Service Easements

EXHIBIT A1

Tract 6249

Map BL 222

PL 88

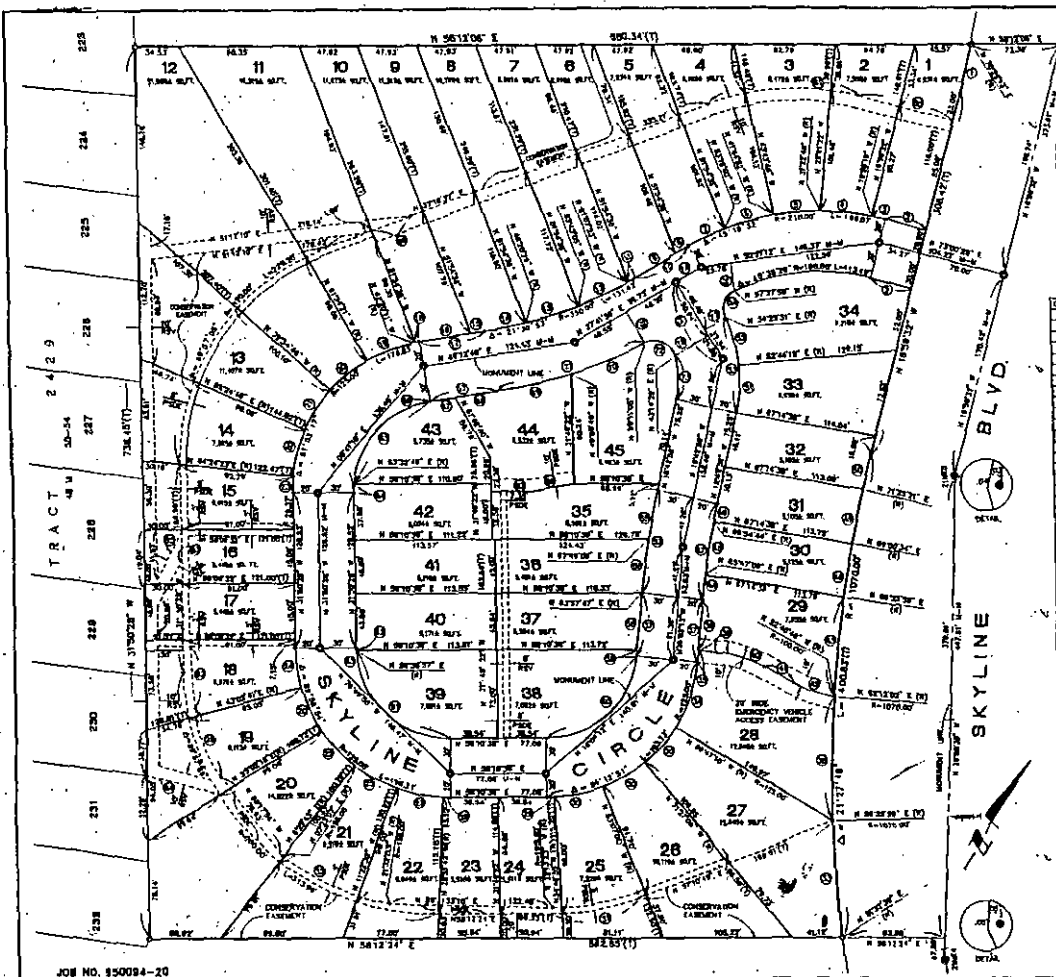
TRACT 6249

CITY OF OAKLAND
 ALAMEDA COUNTY, CALIFORNIA

BEING A REVISION OF A PORTION OF THE LANDS OF RAFAEL MARTINEZ, ET AL. AS DESCRIBED IN THE DEED RECORDED OCTOBER 7, 1971 IN BOOK 89 OF DEEDS AT PAGE 486 OF ALAMEDA COUNTY RECORDS.

Brian Kangas Fouk
 CONSULTING ENGINEERS • PLANNERS • SURVEYORS
 REDWOOD CITY, CALIFORNIA

SCALE: 1" = 50' JULY 1995



CURVE DATA

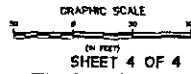
CURVE	RADIUS	LENGTH	DELTA
1	836.00	45.00	03:24:17"
2	810.00	15.74	07:22:47"
3	210.00	45.00	11:21:28"
4	210.00	45.00	07:21:28"
5	210.00	45.00	07:21:28"
6	210.00	45.00	07:21:28"
7	210.00	45.00	07:21:28"
8	210.00	45.00	07:21:28"
9	210.00	45.00	07:21:28"
10	210.00	45.00	07:21:28"
11	210.00	45.00	07:21:28"
12	210.00	45.00	07:21:28"
13	210.00	45.00	07:21:28"
14	210.00	45.00	07:21:28"
15	210.00	45.00	07:21:28"
16	210.00	45.00	07:21:28"
17	210.00	45.00	07:21:28"
18	210.00	45.00	07:21:28"
19	210.00	45.00	07:21:28"
20	210.00	45.00	07:21:28"
21	210.00	45.00	07:21:28"
22	210.00	45.00	07:21:28"
23	210.00	45.00	07:21:28"
24	210.00	45.00	07:21:28"
25	210.00	45.00	07:21:28"
26	210.00	45.00	07:21:28"
27	210.00	45.00	07:21:28"
28	210.00	45.00	07:21:28"
29	210.00	45.00	07:21:28"
30	210.00	45.00	07:21:28"
31	210.00	45.00	07:21:28"
32	210.00	45.00	07:21:28"
33	210.00	45.00	07:21:28"
34	210.00	45.00	07:21:28"
35	210.00	45.00	07:21:28"
36	210.00	45.00	07:21:28"
37	210.00	45.00	07:21:28"
38	210.00	45.00	07:21:28"
39	210.00	45.00	07:21:28"
40	210.00	45.00	07:21:28"
41	210.00	45.00	07:21:28"
42	210.00	45.00	07:21:28"
43	210.00	45.00	07:21:28"
44	210.00	45.00	07:21:28"
45	210.00	45.00	07:21:28"
46	210.00	45.00	07:21:28"
47	210.00	45.00	07:21:28"
48	210.00	45.00	07:21:28"
49	210.00	45.00	07:21:28"
50	210.00	45.00	07:21:28"
51	210.00	45.00	07:21:28"
52	210.00	45.00	07:21:28"
53	210.00	45.00	07:21:28"
54	210.00	45.00	07:21:28"

LINE DATA

LINE	BEARING	DISTANCE
1	N 75:00:00" E	34.17
2	N 75:00:00" E	18.29
3	N 75:00:00" E	26.84
4	N 75:00:00" E	26.84
5	N 75:00:00" E	26.84
6	N 75:00:00" E	26.84
7	N 75:00:00" E	26.84
8	N 75:00:00" E	26.84
9	N 75:00:00" E	26.84
10	N 75:00:00" E	26.84
11	N 75:00:00" E	26.84
12	N 75:00:00" E	26.84
13	N 75:00:00" E	26.84
14	N 75:00:00" E	26.84
15	N 75:00:00" E	26.84
16	N 75:00:00" E	26.84
17	N 75:00:00" E	26.84
18	N 75:00:00" E	26.84
19	N 75:00:00" E	26.84
20	N 75:00:00" E	26.84
21	N 75:00:00" E	26.84
22	N 75:00:00" E	26.84
23	N 75:00:00" E	26.84
24	N 75:00:00" E	26.84
25	N 75:00:00" E	26.84
26	N 75:00:00" E	26.84
27	N 75:00:00" E	26.84
28	N 75:00:00" E	26.84
29	N 75:00:00" E	26.84
30	N 75:00:00" E	26.84
31	N 75:00:00" E	26.84
32	N 75:00:00" E	26.84
33	N 75:00:00" E	26.84
34	N 75:00:00" E	26.84
35	N 75:00:00" E	26.84
36	N 75:00:00" E	26.84
37	N 75:00:00" E	26.84
38	N 75:00:00" E	26.84
39	N 75:00:00" E	26.84
40	N 75:00:00" E	26.84
41	N 75:00:00" E	26.84
42	N 75:00:00" E	26.84
43	N 75:00:00" E	26.84
44	N 75:00:00" E	26.84
45	N 75:00:00" E	26.84
46	N 75:00:00" E	26.84
47	N 75:00:00" E	26.84
48	N 75:00:00" E	26.84
49	N 75:00:00" E	26.84
50	N 75:00:00" E	26.84
51	N 75:00:00" E	26.84
52	N 75:00:00" E	26.84
53	N 75:00:00" E	26.84
54	N 75:00:00" E	26.84

NOTES
 DISTANCES SHOWN ON THIS MAP ARE GROUND DISTANCES.
 STRUCTURES ON LOTS 12-30 SHALL BE SET BACK NOT MORE THAN 5 FEET FROM THE FRONT PROPERTY LINE.

- LEGEND**
- LOT LINE
 - PROPERTY LINE
 - CONSERVATION EASEMENT
 - NEGATIVE OR EASEMENT
 - EASEMENT LINE
 - CITY STREET MONUMENT
 - CITY STREET MONUMENT
 - 10' BENCH MARK, TAGGED PLS STOP
 - MONUMENT BY INSTRUMENT
 - U-L-1
 - (N) MAGN. BEARING
 - REV. RECEIVED
 - PLS PRIVATE STORM DRAIN EASEMENT
 - (T) TOTAL



SHEET 4 OF 4

EXHIBIT A, 17

JOB NO. 150084-20

Proposed Vacation Of The Public Right-Of-Way Of Skyline Circle Without Cost To The Abutting Property Owners And Reservation Of Public Service Easements

EXHIBIT A2

Original Book 6249 Map 251 2001 2001 2001 2001

AMENDING TRACT 6249

BEING AN AMENDMENT TO TRACT 6249 RECORDED IN BOOK 222 OF MAPS AT PAGES 85 THROUGH 88, INCLUSIVE, ALAMEDA COUNTY RECORDS, AMENDING THE LOCATION OF THE PRIVATE STORM DRAIN EASEMENT, THE CONSERVATION EASEMENT, THE 10' WIDE PUBLIC RESERVE AND ADDING A 5' WIDE PUBLIC UTILITY EASEMENT WITHIN LOTS 1 THROUGH 20

CONSISTING OF 2 SHEETS CITY OF OAKLAND ALAMEDA COUNTY CALIFORNIA

DATED: DECEMBER, 2000

Brian Kangas Faulk

CONSULTING ENGINEER 1700 CHERRY AVE., SUITE 104 PLEASANTON, CA 94588

OWNER'S STATEMENT

THE UNDERSIGNED, PROTEA PROPERTIES, INC., A CALIFORNIA CORPORATION, DOES HEREBY STATE THAT IT IS THE OWNER OF, OR HAS SOME RIGHT, TITLE OR INTEREST IN THE REAL PROPERTY INCLUDED WITHIN LOTS 1-20 OF THE SUBDIVISION SHOWN UPON THIS MAP, AND THAT IT IS THE ONLY ONE WHOSE CONSENT IS NECESSARY TO PASS CLEAR TITLE TO SAID PROPERTY, AND HEREBY CONSENTS TO THE MAKING AND FILING OF THIS AMENDING MAP AS SHOWN WITHIN THE DISTINCTIVE BORDER LINE.

SAID OWNER DOES HEREBY RESERVE THE AREA SHOWN AND DESIGNATED HEREON AS "10' RSV" (RESERVE) FOR THE PURPOSES OF STORM DRAIN FACILITIES AND APPURTENANCES.

SAID OWNER DOES HEREBY RESERVE THE AREA SHOWN AND DESIGNATED HEREON AS "5' PUE" (PUBLIC UTILITY EASEMENT) FOR THE PURPOSES OF PUBLIC UTILITIES AND THEIR APPURTENANCES.

SAID OWNER DOES HEREBY RESERVE THE AREA SHOWN AND DESIGNATED HEREON AS "CONSERVATION EASEMENT" TO REMAIN AS PROTECTED OPEN SPACE FOR THE PRESERVATION OF THE AREA AND ITS VEGETATION IN ITS PRESENT NATURAL CONDITION.

SAID OWNER DOES HEREBY RESERVE A PRIVATE STORM DRAIN EASEMENT SHOWN AND DESIGNATED HEREON AS "PSDE" FOR THE USE OF THE OWNERS OF LOTS 1 THROUGH 20 OF AMENDING TRACT 6249.

CURRENT VESTING OWNER: PROTEA PROPERTIES, INC. ONE HANSEN PLAZA, SUITE 1775 OAKLAND, CA. 94612

BY: Albert Fong, President

BENEFICIARY: KAUFMAN AND BROAD OF NORTHERN CALIFORNIA, INC. 2501 WALNUT AVE., SUITE 150 FREMONT, CA. 94538

BY: Robert F. Ford, President

OWNER'S ACKNOWLEDGMENT

STATE OF CALIFORNIA } S.S. COUNTY OF ALAMEDA } I, Alan Kalam, PERSONALLY APPEARED ON Jan 12, 2001 BEFORE ME Alan Kalam PERSONALLY KNOWN TO ME (OR PROVED TO ME ON THE BASIS OF SATISFACTORY EVIDENCE) TO BE THE PERSON(S) WHOSE NAME(S) IS/ARE SUBSCRIBED TO THE WITHIN INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE/SHE/IT/ THEY EXECUTED THE SAME IN HIS/HER/ THEIR AUTHORIZED CAPACITY(IES) AND THAT BY HIS/HER/HE/SHE/ THEY/ THEIR SIGNATURE(S) ON THE INSTRUMENT, THE PERSON(S) OR THE ENTITY UPON BEHALF OF WHICH THE PERSON(S) ACTED, EXECUTED THE INSTRUMENT.

WITNESS MY HAND: NOTARY'S SIGNATURE: Alan Kalam PRINTED NAME: Alan Kalam PLACE OF BUSINESS: Alameda Cooperative Oakland, CA EXPIRATION DATE: March 3, 2001 County - Alameda Commission No. 1253657



BENEFICIARY'S ACKNOWLEDGMENT

STATE OF CALIFORNIA } S.S. COUNTY OF ALAMEDA } I, Robert F. Ford PERSONALLY APPEARED ON 12/15/00 BEFORE ME Carole Ferguson PERSONALLY KNOWN TO ME (OR PROVED TO ME ON THE BASIS OF SATISFACTORY EVIDENCE) TO BE THE PERSON(S) WHOSE NAME(S) IS/ARE SUBSCRIBED TO THE WITHIN INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE/SHE/IT/ THEY EXECUTED THE SAME IN HIS/HER/ THEIR AUTHORIZED CAPACITY(IES) AND THAT BY HIS/HER/HE/SHE/ THEY/ THEIR SIGNATURE(S) ON THE INSTRUMENT, THE PERSON(S) OR THE ENTITY UPON BEHALF OF WHICH THE PERSON(S) ACTED, EXECUTED THE INSTRUMENT.

WITNESS MY HAND: NOTARY'S SIGNATURE: Carole Ferguson PRINTED NAME: Carole Ferguson PLACE OF BUSINESS: Alameda, CA EXPIRATION DATE: 11/27/02 County - Alameda Commission No. 1243273

AMENDMENT NOTES

THIS MAP AMENDS SHEETS 1 AND 4 OF THE ORIGINAL TRACT MAP 6249 RECORDED IN BOOK 222 OF MAPS AT PAGES 85 THROUGH 88, ALAMEDA COUNTY RECORDS. THE PURPOSE OF THE AMENDMENT IS TO AMEND THE LOCATION OF THE PRIVATE STORM DRAIN EASEMENT (P.S.D.E.), THE CONSERVATION EASEMENT AND THE 10' RESERVE (RSV), AND ADD A 5' PUBLIC UTILITY EASEMENT (P.U.E.) ON LOTS 1 THROUGH 20. Recorded on 11-16-00 # 96-009902

COUNTY RECORDER'S STATEMENT

FILED FOR RECORD THIS 20th DAY OF March, 2001, AT 1:00 P.M., IN BOOK 222 OF MAPS AT PAGES 85 THROUGH 88 AT THE REQUEST OF FIRST AMERICAN TITLE INSURANCE COMPANY IN THE OFFICE OF THE COUNTY RECORDER OF THE COUNTY OF ALAMEDA, STATE OF CALIFORNIA. PATRICK O'CONNELL, COUNTY RECORDER IN AND FOR THE COUNTY OF ALAMEDA, STATE OF CALIFORNIA BY: William J. ... DEPUTY COUNTY RECORDER

SURVEYOR'S STATEMENT

I HEREBY STATE THAT THIS SURVEY AND FINAL MAP WAS MADE BY ME OR UNDER MY DIRECT SUPERVISION IN CONFORMANCE WITH THE REQUIREMENTS OF THE "SUBDIVISION MAP ACT" AND LOCAL ORDINANCE; THAT THE SURVEY WAS MADE AT THE TIME INDICATED ON THE ORIGINAL MAP AND IS TRUE AND COMPLETE AS SHOWN, THAT ALL THE MONUMENTS ARE OF A CHARACTER AND OCCUPY THE POSITIONS INDICATED; THAT THE EXTERIOR PROPERTY LINE MONUMENTS AND THE INTERIOR AND EXTERIOR STREET MONUMENTS HAVE BEEN SET AS STATED ON THE ORIGINAL MAP (BOOK 222 OF MAPS AT PAGES 85 THROUGH 88, INCLUSIVE) AND THAT SUCH MONUMENTS ARE SUFFICIENT TO ENABLE THE SURVEY TO BE RETRACED. THIS AMENDING MAP IS BEING FILED PURSUANT TO SECTION 88489 OF THE SUBDIVISION MAP ACT OF THE STATE OF CALIFORNIA TO AMEND THE LOCATION OF THE PRIVATE STORM DRAIN EASEMENT (P.S.D.E.), THE CONSERVATION EASEMENT AND THE 10' RESERVE (RSV) AND ADD THE 5' PUBLIC UTILITY EASEMENT (P.U.E.) ON LOTS 1-20.

DATED: Dec 13, 2000 BY: Billy Martin, P.L.S. #5787 EXPIRES: 06/30/2004



CITY ENGINEER'S STATEMENT

I, CALVIN N. WONG, DIRECTOR OF BUILDING SERVICES, HAVING BEEN AUTHORIZED TO PERFORM THE FUNCTIONS OF THE CITY ENGINEER OF THE CITY OF OAKLAND, COUNTY OF ALAMEDA, STATE OF CALIFORNIA, FOR THE PURPOSE OF REVIEWING SUBDIVISION MAPS, DO HEREBY CERTIFY THAT I HAVE EXAMINED THE HEREON EMBODED MAP ENTITLED "AMENDING TRACT 6249"; THAT THE SUBDIVISION SHOWN UPON SAID MAP IS SUBSTANTIALLY THE SAME AS THAT APPEARING ON THE TENTATIVE MAP AND ANY ALTERATIONS THEREOF, THAT SAID MAP COMPLIES WITH ALL PROVISIONS OF THE SUBDIVISION MAP ACT OF THE GOVERNMENT CODE AND LOCAL ORDINANCES APPLICABLE AT THE TIME OF APPROVAL OF THE TENTATIVE MAP, AND THAT I AM SATISFIED THAT THE MAP IS TECHNICALLY CORRECT.

IN WITNESS WHEREOF, I HAVE HEREUNTO SET MY HAND AND SEAL THIS 20th DAY OF March, 2001.

BY: Calvin N. Wong CALVIN N. WONG, R.C.E. #3773 (Reg. Exp. Date: 12-31-2001) Director of Building Services, City of Oakland Alameda County, Ca.

CITY CLERK'S STATEMENT

I, CEDA FLOYD, CITY CLERK AND CLERK OF THE COUNCIL OF THE CITY OF OAKLAND, STATE OF CALIFORNIA, HEREBY STATE THAT SAID COUNCIL BY RESOLUTION ADOPTED AT A REGULAR MEETING ON THE 23rd DAY OF DECEMBER, 2000, DID ONLY APPROVE THE WITHIN MAP

IN WITNESS WHEREOF, I HAVE HEREUNTO SET MY HAND THIS 27th DAY OF February, 2001

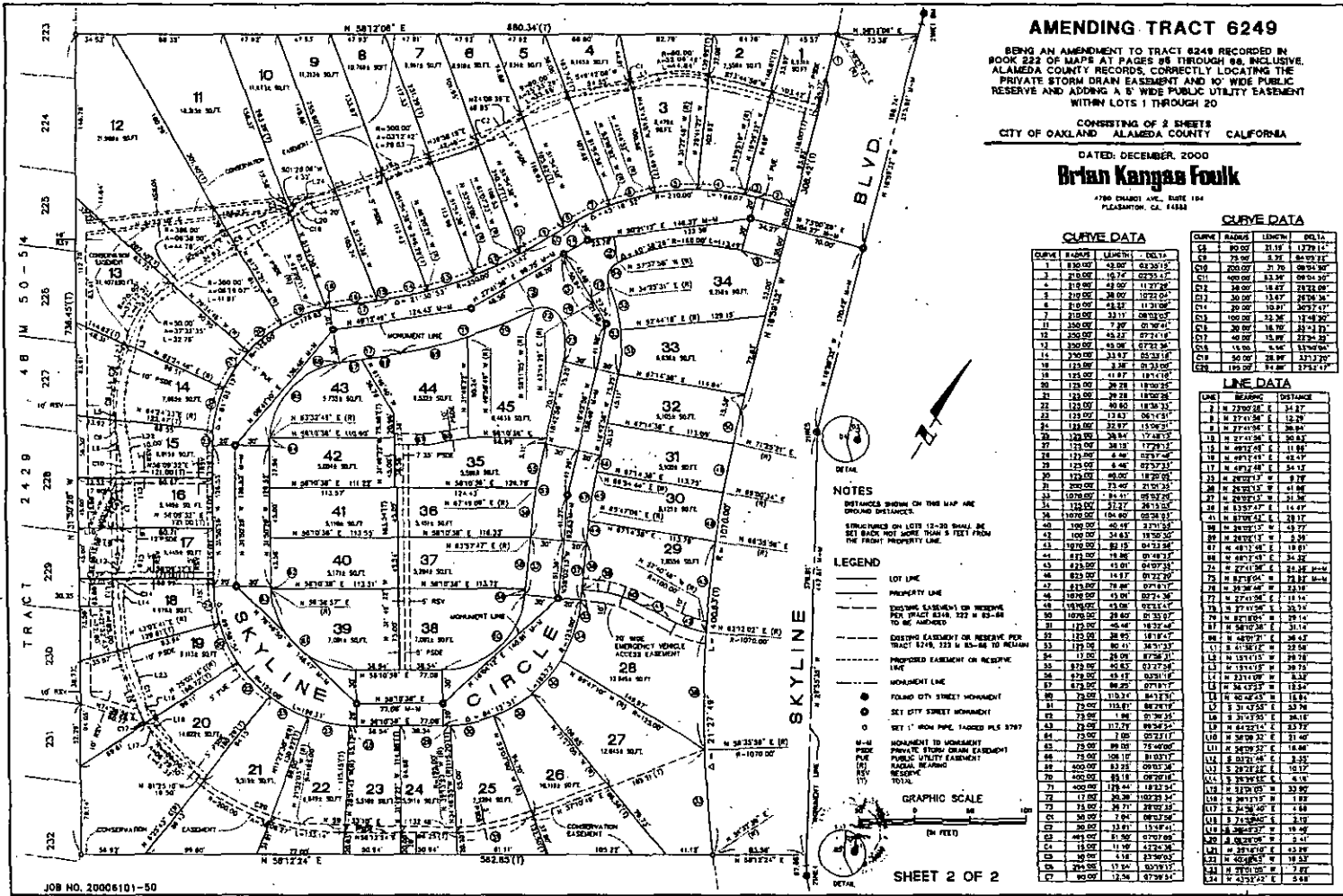
DATED: 2-27-01 BY: Ceda Floyd CEDA FLOYD, CITY CLERK OF THE CITY COUNCIL OF THE CITY OF OAKLAND, CALIFORNIA

SHEET 1 OF 2 20008101-50

OK 257 PL 37

Proposed Vacation Of The Public Right-Of-Way Of Skyline Circle Without Cost
 To The Abutting Property Owners And Reservation Of Public Service Easements

EXHIBIT A2

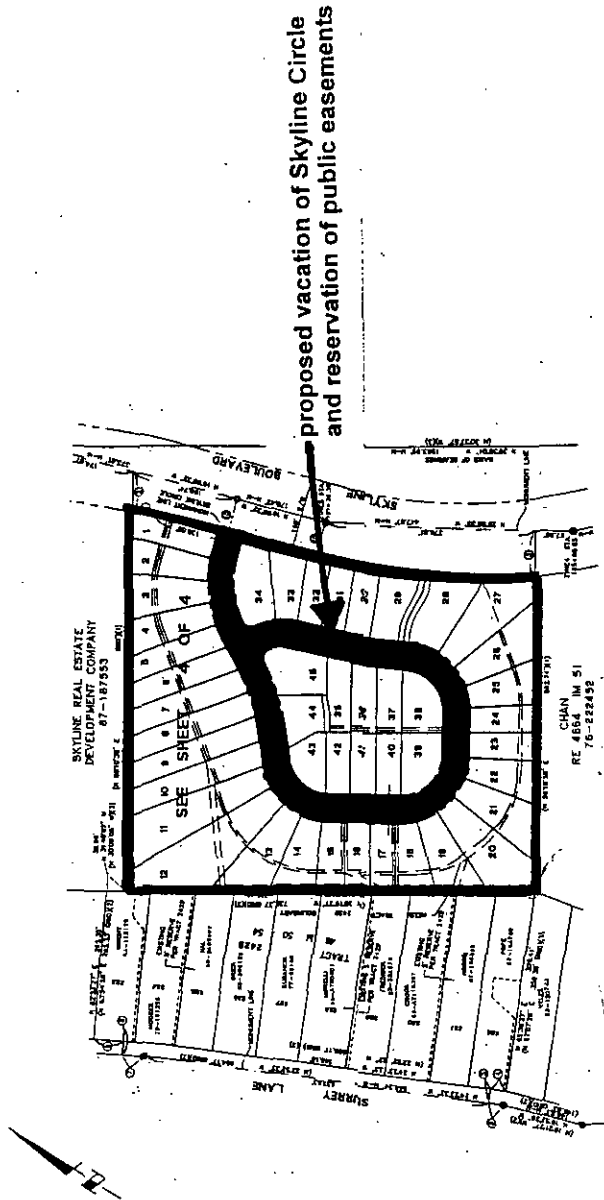


Dr 251 A 40

EXHIBIT B

Notification Of A Meeting To Receive Supporting Evidence And Public Testimony
For A Proposed Vacation Of The Public Right-Of-Way Of Skyline Circle Without
Cost To The Abutting Property Owners And Reservation Of Public Service Easements

PUBLIC NOTICE



proposed vacation of Skyline Circle
and reservation of public easements

Pursuant to California Streets and Highways Code Section 8320 et seq., notice is given to the public that the Council of the City of Oakland intends to vacate the public right-of-way for Skyline Circle without cost to the abutting property owners and reserve public easements for utilities and emergency vehicle access.

Notice is also given to the public that the Council of the City of Oakland will hold a public meeting to receive supporting evidence and public testimony for the proposed vacation in the Chamber of the City Council, on the Third Floor of City Hall, at One Frank H. Ogawa Plaza, in Oakland, California, on May 5, 2009, beginning at 7:01 p.m. local time.

*It is a misdemeanor to deface or to remove this posting.
Violators are subject to a fine of \$1,000 and a jail sentence of 6 months.*

EXHIBIT B

Notification Of A Meeting To Receive Supporting Evidence And Public Testimony For A Proposed Vacation Of The Public Right-Of-Way Of Skyline Circle Without Cost To The Abutting Property Owners And Reservation Of Public Service Easements

PUBLIC NOTICE

Public Meeting For Abandoning A Public Street

Pursuant to California Streets and Highways Code section 8320 et seq., the Council of the City of Oakland will hold a meeting in the Chamber of the City Council, Third Floor of City Hall, at One Frank H. Ogawa Plaza, in Oakland, California, on May 5, 2009, beginning at 7:01 p.m., local time, to receive supporting evidence and public testimony for an ordinance which will abandon (vacate) the public right-of-way for Skyline Circle (located north of the intersection of Skyline Boulevard and Keller Avenue) without cost to the abutting property owners and reserve public easements over the private road for utilities and emergency vehicle access. A map fully delineating the proposed abandonment is available at the City of Oakland, Building Services Division, Dalziel Administration Building, Second Floor, 250 Frank H. Ogawa Plaza, Oakland, CA 94612.

**published in the Oakland Tribune
on April 14, 2009, and April 21, 2009**

EXHIBIT C

Affidavit Certifying Notifications Of A Public Meeting To Receive Supporting Evidence And Public Testimony For A Proposed Vacation Of The Public Right-Of-Way Of Skyline Circle Without Cost To The Abutting Property Owners And Reservation Of Public Service Easements

Pursuant to California Streets and Highways Code Section 8322, I hereby certify that the following public notifications did occur on the dates and times and at the locations and for the durations indicated below:

Site Posting

Facsimiles of the attached placard were affixed before May 5, 2009, to City street light poles in the public sidewalk at intervals not exceeding three hundred (300) feet along Skyline Circle, and have remained in place since then advising the public of a meeting on May 5, 2009, at 7:01 p.m. local time, in the Chambers of the Council of the City of Oakland, on the Third Floor of City Hall, at One Frank H. Ogawa Plaza, to receive supporting evidence and public testimony for the proposed vacation of the public right-of-way and reservation of public easements delineated on the placard.

Newspaper Publication

The attached notice was published in the *Oakland Tribune* on April 14, 2009, and April 21, 2009, advising the public of a hearing on May 5, 2009, at 7:01 p.m. local time in the Chambers of the Council of the City of Oakland, on the Third Floor of City Hall, at One Frank H. Ogawa Plaza to receive supporting evidence and public testimony for the proposed vacation of Skyline Circle (located north of the intersection Skyline Boulevard and Keller Avenue) without cost to the abutting property owners and reserving public service easements further advising the public that a map delineating the limits of the public right-of-way proposed for vacation and the public easements proposed for reservation is available at the Building Services counter on the Second Floor of the Dalziel Administration Building at 250 Frank H. Ogawa Plaza, Oakland, CA 94612.

by _____
RAYMOND M. DERANIA
Deputy Director - City Engineer
Community and Economic Development Agency