

Introduced by

OFFICE OF THE CITY CLERK
Approved for Form and Legality

Councilmember

2006 FEB - 8 AM 11: 28

City Attorney

OAKLAND CITY COUNCIL

Resolution No. 79734 C.M.S.

**RESOLUTION APPROVING THE FINAL MAP FOR TRACT 7548 FOR THE
ARTISAN WALK RESIDENTIAL TOWNHOUSE PROJECT AT 6549 SAN PABLO
AVENUE AND ACCEPTING OFFERS OF DEDICATION FOR ON-SITE
PUBLIC UTILITY EASEMENTS**

Whereas, the developer of the Artisan Walk residential townhouse project, Olson 737 Emeryville 1 LLC, a California limited liability company (no. 200226010117), is the Subdivider of previously divided parcels identified as Tract 7548 and bounded on three sides by San Pablo Avenue (state highway 123) and 66th Street in the City of Oakland and Vallejo Street in the City of Emeryville; and

Whereas, the Planning Commission of the City of Oakland approved the Tentative Map and a major conditional use permit for Tract 7548 on December 4, 2004, which proposed a voluntary merger of three existing parcels and their re-subdivision into fourteen developable lots and an additional sixteen lots for use as undevelopable open space, public utility easements, and private access easements (private street); and

Whereas, the Subdivider has acquired by purchase for valuable consideration all real property comprising Tract 7548; and

Whereas, the Subdivider has applied to the City of Emeryville and the City of Oakland to voluntarily merge the existing three parcels, identified as APN 0106-1506-001-02, 016-1506-011-00, 016-1506-010-01, and re-subdivide them into the thirty lots comprising Tract 7548; and

Whereas, the Subdivider has complied with the terms and conditions attached to the Tentative Map for Tract 7548, and the City Engineer has determined that the Final Map for Tract 7548 is substantially the same as the Tentative Map approved by the Planning Commission and that the Final Map is technically correct and accurately delineates the metes and bounds of the thirty proposed lots, the limits of which have been established by field survey and can be re-established from the monuments, property corners, radii, bearings, and distances shown on the Final Map; and

Whereas, the City Engineer has further determined that the Final Map for Tract 7548, attached hereto as Exhibit A, complies in all manners with the provisions of the California Government Code (Section 66400, et seq. - Subdivision Map Act), and the City of Oakland's local ordinance (Municipal Code Title 16 - Subdivisions); and

Whereas, the Subdivider has employed a competent and qualified design professional, who is licensed by the State of California to practice civil engineering, to prepare plans and specifications, attached hereto as Exhibit B, for the construction of required publicly and

privately maintained surface and subsurface improvements within the existing public rights-of-way; and

Whereas, the City Engineer has approved said plans and specifications and has issued infrastructure permit no. PX0400041 for construction of said improvements; and

Whereas, at the time of approval of said Final Map, the Subdivider will not have completed and the City will not have accepted the necessary public infrastructure improvements required by the project; and

Whereas, pursuant to Government Code section 66462 and Municipal Code section 16.20.100, the Subdividers may record a Final Map before completing the public infrastructure improvements by entering into an agreement with the City giving assurance that the required improvements will be completed within a determinate period of time; and

Whereas, pursuant to Government Code section 66462 and Municipal Code section 16.20.100 as a condition precedent to approval of said Final Map by the Council of the City of Oakland, the Subdivider has executed a Subdivision Improvement Agreement assuring the timely construction, unconditional warrantee, and prescribed maintenance of all required publicly and privately maintained infrastructure improvements within the public right-of-way; and

Whereas, pursuant to Government Code section 66499 et seq. and Municipal Code section 16.20.100, the Subdivider has posted securities in the form of surety bonds that are sufficient in estimated amounts to the City Engineer; and

Whereas, said surety bonds are intended to secure the Subdivider's performance under Exhibits B and C guaranteeing the construction of the public infrastructure improvements and the payment of laborers and material and equipment suppliers and warranting the performance and maintenance of the completed work for the period of time prescribe in said Agreement; and

Whereas, that upon City Attorney's approval as to form and legality of the Subdivision Improvement Agreement and the surety bonds, the City Administrator is authorized to execute said Agreement on behalf of the City of Oakland; and

Whereas, the Subdivider has offered the dedication of non-exclusive public easements under, on, and over the on-site private access easements (private street), as identified in said Final Map, to the City of Emeryville and the City Oakland that include, but are not limited to, wires and conduits for gas, electricity, cable television, fiber optics, sanitary sewer mains, and all appurtenances; and

Whereas, the requirements of the California Environmental Quality Act (CEQA) have been complied with and the project was determined to be categorically exempt under Section 15332 of the CEQA Guidelines; now, therefore, be it

Resolved, that the Final Map for Tract 7548 is hereby conditionally approved; and be it

Further Resolved, that the City Engineer is hereby authorized to endorse said Final Map; and be it

Further Resolved, that the City Clerk is authorized to endorse said Final Map and directed to file the endorsed Final Map and the executed Subdivision Improvement Agreement concurrently with the Alameda County Recorder for simultaneous recordation; and be it

Further Resolved, that this Resolution shall become effective upon the recordation of said Final Map and said Agreement; and be it

Further Resolved, that upon recordation of said Final Map, the offers of dedication by the Subdivider of the public utility easements, as identified in said Map, are hereby accepted; and be it

Further Resolved, that maintenance of the sanitary sewer and stormwater drainage mains within said public utility easements shall remain the responsibility in perpetuity of the property owners of Tract 7548 and their homeowners association, both severally and jointly, and their representatives, agents, heirs, successors, and assigns; and be it

Further Resolved, that upon expiration of the warrantee and maintenance period, as identified in said Agreement, following the issuance of a Certificate of Completion by the City Engineer, the maintenance of newly constructed public infrastructure within the public right-of-way is hereby accepted by the City, excepting from said maintenance all of the public sidewalks, curbs and gutters and street trees and further excepting those improvements that are within the corporate limits of the City of Emeryville or are otherwise regulated by the California Public Utilities Commission.

IN COUNCIL, OAKLAND, CALIFORNIA, **FEB 21 2006**, 2006

PASSED BY THE FOLLOWING VOTE:

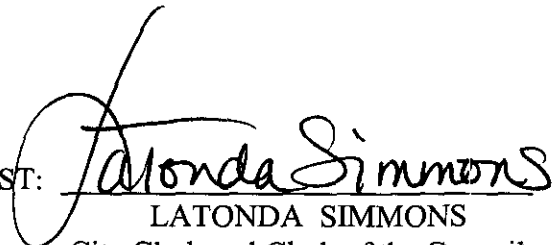
AYES - BROOKS, BRUNNER, CHANG, KERNIGHAN, NADEL, QUAN, REID, and PRESIDENT DE LA FUENTE - 8

NOES - 0

ABSENT - 0

ABSTENTION - 0

ATTEST:


LATONDA SIMMONS

City Clerk and Clerk of the Council
of the City of Oakland, California

TRACT NO. 7548

FOR CONDOMINIUM PURPOSES
CONSISTING OF FOUR (4) SHEETS

BEING ALL OF LOTS 4, 37-53 IN BLOCK 8 AND A PORTION OF LOT 3 IN
BLOCK 6 OF THE MAXWELL TRACT FILED SEPTEMBER 19, 1972 IN BOOK
5, PAGE 21 RECORDS OF ALAMEDA COUNTY, CALIFORNIA, LYING WITHIN
THE CITY OF EMERYVILLE & THE CITY OF OAKLAND COUNTY OF
ALAMEDA, STATE OF CALIFORNIA

DATE: JANUARY 2006



Civil Engineering Associates
Civil Engineers - Planners - Surveyors
435 North First Street - Building A - San Jose, CA 95112



LOCATION MAP
NOT TO SCALE

OWNER'S STATEMENT

THE UNDERSIGNED HEREBY STATES THAT IT IS THE OWNER OF THE LAND DESCRIBED AND EMPRACED WITHIN THE EXTERIOR BOUNDARY LINES OF THE HEREIN
EMBODED MAP ENTITLED "TRACT NO. 7548 FOR CONDOMINIUM PURPOSES, EMERYVILLE & OAKLAND, ALAMEDA COUNTY, CALIFORNIA," CONSISTING OF 4 SHEETS,
THIS CERTIFICATE SHEET BEING SHEET ONE (1) THEREOF; THAT IT IS THE OWNER OF SAID LAND BY VIRTUE OF THE GRANT DEED RECORDED ON SEPTEMBER 24,
2004 UNDER SERIES NUMBER 2004443426, RECORDS OF ALAMEDA COUNTY, CALIFORNIA; AND THAT IT CONSENTS TO THE PREPARATION AND FILING OF THIS MAP.

LOTS 19, 21, 23, 25 & 30-33, HEREIN REFERRED TO AS "PRIVATE STREET", ARE HEREBY RESERVED AS PRIVATE NON-EXCLUSIVE HIGHWAY, EGRESS, AND PUBLIC
UTILITY EASEMENTS (I.E. & P.U.E.) FOR THE OWNERS OF ALL THE LOTS WITHIN THIS SUBDIVISION FOR ACCESS, HIGHWAYS, EGRESS, PRIVATE UTILITIES AND ALL
AMENITIES NECESSARY FOR THE FULL ENJOYMENT OF SAID LOTS. SAID PRIVATE UTILITIES SHALL INCLUDE BUT ARE NOT LIMITED TO THE PRIVATE
STORM SYSTEM, SANITARY SEWER MAIN, AND PRIVATE WATER SYSTEM. THE MAINTENANCE OF SAID PRIVATE STREET AND PRIVATE UTILITIES SHALL BE MUTUALLY
SHARED BY THE OWNERS OF THE LOTS WITHIN THE EXTERIOR BOUNDARIES OF TRACT 7548, IN ACCORDANCE WITH THE C.C.A.'S RECORDED.

THE AREAS DESIGNATED AS "P.U.E." (PUBLIC UTILITY EASEMENT) WITHIN ALL LOTS ARE HEREBY DEDICATED TO THE CITIES OF OAKLAND AND EMERYVILLE AS A NON
EXCLUSIVE EASEMENT FOR PUBLIC UTILITIES UNDER, ON AND OVER THE REAL PROPERTY SHOWN ON THE HEREIN EMBODED TRACT MAP. SAID PUBLIC UTILITIES
SHALL INCLUDE BUT ARE NOT LIMITED TO WIRES AND CABLES FOR GAS, ELECTRICITY, CABLE TV, AND FIBER OPTICS AND ALL APPURTENANCES TO THE ABOVE,
UNDER, UPON OR OVER THOSE CERTAIN STRIPS OF LAND DESIGNATED AS A P.U.E. (PUBLIC UTILITY EASEMENT). THE ABOVE MENTIONED PUBLIC UTILITY EASEMENTS
ARE TO BE KEPT OPEN AND FREE FROM ALL BUILDINGS OF ANY KIND EXCEPT UNIMPROVED ROOF OVERHANGS. IT IS UNDERSTOOD AND AGREED THAT THE CITIES
OF EMERYVILLE AND OAKLAND AND ITS SUCCESSIONS OR AGENTS SHALL INCUR NO LIABILITY WITH RESPECT TO SUCH OFFER OF DEDICATION AND SHALL NOT
ASSUME ANY RESPONSIBILITY FOR THE EASEMENT OR ANY IMPROVEMENTS THEREON OR THEREIN.

LOTS 19-18, 20, 22, 24, 26-28 ARE HEREBY RESERVED AS A COMMON AREA, SIDEWALKS AND HIGHWAY EGRESS FOR THE USE OF THE LATTER OWNERS OF ALL THE
LOTS WITHIN TRACT 7548 IN ACCORDANCE WITH THE SUBDIVISION RESTRICTIONS RECORDED SUBSEQUENT TO THE FILING OF THIS MAP. SAID LOTS ARE NOT
INTENDED FOR NOR SHALL BE USED FOR DEVELOPMENT PURPOSES.

BUILDING 11 OF THIS MAP IS SUBJECT TO THE TERMS OF THE AGREEMENT ON AFFORDABLE UNITS RECORDED ON MAY 11, 2005 UNDER SERIES NUMBER 2005104432
ALAMEDA COUNTY RECORDS.

THIS SUBDIVISION IS SUBJECT TO THE COVENANT TO RESTRICT USE OF PROPERTY, ENVIRONMENTAL PROTECTION, RECORDED ON SEPTEMBER 21, 2004 UNDER
SERIES NUMBER 2004442853M ALAMEDA COUNTY RECORDS.

OLSON 737-EMERYVILLE 1,
I.E., CALIFORNIA
LIMITED LIABILITY COMPANY
BY: *[Signature]*

3130 CROW CANYON PLACE, SUITE 210
SAN RAFAEL, CA 94901
BY: *[Signature]*

OWNER'S ACKNOWLEDGMENT

STATE OF CALIFORNIA §55
COUNTY OF CONTRA COSTA

ON JAN 20 2006 BEFORE ME, Allison L. Davis, PERSONALLY APPEARED Tony Bogosoni and Allison Davis
PERSONALLY KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE WITHIN INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE
EXECUTED THE SAME IN HIS AUTHORIZED CAPACITY, AND THAT BY HIS SIGNATURE ON THE INSTRUMENT THE PERSON OR THE ENTITY UPON
WHOSE BEHALF OF WHICH THE PERSON ACTED, EXECUTED THE INSTRUMENT.

WITNESS MY HAND AND OFFICIAL SEAL
SIGNATURE: *[Signature]*

NOTARY PUBLIC IN AND FOR THE COUNTY OF Contra Costa, STATE OF CALIFORNIA.

MY COMMISSION EXPIRES: JAN 18 2008

NOTARY COMMISSION # 1457346

PRINTED NAME OF NOTARY: Allison L. Davis

COMMISSION # OF NOTARY: 1457346

OWNER'S STATEMENT

PRUAF, INC. AS TRUSTEE FOR THE BENEFIT OF BANK OF AMERICA, NA UNDER DEED OF TRUST RECORDED ON DECEMBER 27th, 2004,
INSTRUMENT NO. 2004-384712, OF OFFICIAL RECORDS, CONSENT TO THE MAKING OF THIS FINAL MAP AND DEDICATION SHOWN HEREON.

BY: *[Signature]* NAME: N/A DATE: JAN 25 2006
NAME: DANIELA K. JONES TITLE: VICE PRESIDENT

OWNER'S ACKNOWLEDGMENT

STATE OF CALIFORNIA §55
COUNTY OF ORANGE

ON JAN 25 2006 BEFORE ME, PHYLIS SALAMONTO, PERSONALLY APPEARED DANA K. JONES, PERSONALLY KNOWN TO ME
(OR PROVIDED TO ME ON THE BASIS OF SATISFACTORY EVIDENCE) TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE WITHIN INSTRUMENT
AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME IN HIS AUTHORIZED CAPACITY, AND THAT BY HIS SIGNATURE ON THE INSTRUMENT
THE PERSON OR THE ENTITY UPON WHOM OF WHICH THE PERSON ACTED, EXECUTED THE INSTRUMENT.

WITNESS MY HAND AND OFFICIAL SEAL
SIGNATURE: *[Signature]*

NOTARY PUBLIC IN AND FOR THE COUNTY OF ORANGE, STATE OF CALIFORNIA.

MY COMMISSION EXPIRES: APRIL 26 2009

NOTARY COMMISSION # 1573204

PRINTED NAME OF NOTARY: PHYLIS SALAMONTO

COMMISSION # OF NOTARY: 1573204

OWNER'S STATEMENT

THIS MAP WAS PREPARED BY ME OR UNDER MY DIRECTION AND IS BASED UPON A FIELD SURVEY IN CONFORMANCE WITH THE
REQUIREMENTS OF THE SUBDIVISION MAP ACT AND LOCAL ORDINANCE AT THE REQUEST OF THE OLSON COMPANY ON JUNE, 2004. I
HEREBY STATE THAT THIS TRACT MAP SUBSTANTIALLY CONFORMS TO THE APPROVED OR CONDITIONALLY APPROVED TENTATIVE MAP, IF
ANY. I FURTHER STATE THAT THE MONUMENTS INDICATED HEREON ARE OF THE CHARACTER AND LOCATION TO BE REPRODUCED
WELL BE INSTALLED BY JANUARY 31, 2007, AND ARE SUFFICIENT TO ENABLE THE MAP TO BE REPRODUCED
IN WITNESS WHEREOF, I HAVE HERETO SET MY HAND THIS 19th DAY
OF CALIFORNIA, 2006.

[Signature]
PETER B. SHANNON, R.C.E. NO. 27828
INTERIM CITY ENGINEER
COMMUNITY AND ECONOMIC DEVELOPMENT AGENCY
CITY OF OAKLAND
LICENSE EXPIRES: MARCH 31, 2008



STATEMENT OF THE PLANNING COMMISSION'S SECRETARIES, OAKLAND

I, DARY V. PATTON, SECRETARY OF THE CITY PLANNING COMMISSION OF THE CITY OF OAKLAND STATE OF CALIFORNIA,
DO HEREBY CERTIFY THAT A TENTATIVE MAP OF "TRACT 7548 FOR CONDOMINIUM PURPOSES, EMERYVILLE & OAKLAND
ALAMEDA COUNTY, CALIFORNIA" WAS PRESENTED TO THE CITY PLANNING COMMISSION AS PROVIDED BY THE
SUBDIVISION MAP ACT; THAT A REGULARLY SCHEDULED MEETING HELD ON DECEMBER 1, 2004, THE SAID
COMMISSION APPROVED SAID TENTATIVE MAP UPON WHICH THIS MAP IS BASED.

DATED: January 26, 2006
[Signature]

DARY V. PATTON
SECRETARY OF THE CITY PLANNING
COMMISSION OF THE CITY OF OAKLAND
ALAMEDA COUNTY, STATE OF CALIFORNIA

CITY CLERK'S STATEMENT, OAKLAND

I, LA TONDA SIMMONS, CITY CLERK AND CLERK OF THE CITY COUNCIL OF THE CITY OF OAKLAND, COUNTY OF
ALAMEDA, STATE OF CALIFORNIA, DO HEREBY CERTIFY THAT THE HEREIN EMBODED MAP ENTITLED, "TRACT NO. 7548
FOR CONDOMINIUM PURPOSES, EMERYVILLE & OAKLAND, ALAMEDA COUNTY, CALIFORNIA," WAS PRESENTED TO THE
COUNCIL OF THE CITY OF OAKLAND AT A REGULAR MEETING THEREOF HELD ON THE 19th DAY OF
2006 AND THAT SAID COUNCIL DID THEREUPON BY RESOLUTION NO. APPROVE SAID MAP.

THE OFFERS OF DEDICATION TENDERED ON THE OWNER'S STATEMENT ON THE HEREIN EMBODED MAP ENTITLED "TRACT
NO. 7548 FOR CONDOMINIUM PURPOSES, EMERYVILLE & OAKLAND, ALAMEDA COUNTY, CALIFORNIA" FOR EASEMENTS
LOCATED WITHIN THE CITY LIMITS OF OAKLAND ARE HEREBY ACCEPTED IN ACCORDANCE WITH SECTION 18.12.080 OF
THE OAKLAND MUNICIPAL CODE.

IN WITNESS WHEREOF, I HAVE HERETO SET MY HAND THIS DAY OF , 2006.

LA TONDA SIMMONS
CITY CLERK AND CLERK OF THE COUNCIL
OF THE CITY OF OAKLAND, COUNTY OF
ALAMEDA, STATE OF CALIFORNIA

CITY ENGINEER'S STATEMENT, OAKLAND

I, RAYMOND W. DEKARNA, INTERIM CITY ENGINEER, 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
REPRODUCING SUBDIVISION MAPS, DO HEREBY STATE THAT I HAVE EXAMINED THE HEREIN EMBODED FINAL MAP ENTITLED
"TRACT NO. 7548 FOR CONDOMINIUM PURPOSES, EMERYVILLE & OAKLAND, ALAMEDA COUNTY, CALIFORNIA," THAT THE
SUBDIVISION SHOWN UPON SAID FINAL MAP IS SUBSTANTIALLY THE SAME AS THAT APPEARING ON THE TENTATIVE
MAP, IF ANY, AND ANY APPROVED ALTERNATIONS THEREOF. THAT SAID FINAL MAP CONFORMS WITH ALL PROVISIONS OF
THE SUBDIVISION MAP ACT OF THE GOVERNMENT CODE AND THE LOCAL ORDINANCES APPLICABLE AT THE TIME OF
APPROVAL OF THE TENTATIVE MAP, AND THAT I AM SATISFIED THAT THE FINAL MAP IS TECHNICALLY CORRECT.
IN WITNESS WHEREOF, I HAVE HERETO SET MY HAND THIS DAY OF , 2006.

RAYMOND W. DEKARNA, R.C.E. NO. 27815
INTERIM CITY ENGINEER
COMMUNITY AND ECONOMIC DEVELOPMENT AGENCY
CITY OF OAKLAND
LICENSE EXPIRES: MARCH 31, 2008

COUNTY RECORDER'S STATEMENT

FILED AT THE REQUEST OF AT O. ON THE DAY OF
 2006 IN BOOK OF MAPS AT PAGES IN THE
OFFICE OF THE COUNTY RECORDER OF THE COUNTY OF ALAMEDA, STATE OF CALIFORNIA.

FILE SERIES NO.
FELIX R. DOMINICK
COUNTY RECORDER, COUNTY OF ALAMEDA
STATE OF CALIFORNIA
BY:
DEPUTY COUNTY RECORDER

CLERK OF THE BOARD OF SUPERVISORS STATEMENT

I, CRYSTAL K. HERNADA, CLERK OF THE BOARD OF SUPERVISORS FOR THE COUNTY OF
ALAMEDA, STATE OF CALIFORNIA, HEREBY CERTIFY, AS CHECKED BELOW THAT:

- AN APPROVED BOND HAS BEEN FILED WITH SAID BOARD IN THE AMOUNT OF \$
CONDITIONS FOR PAYMENT OF ALL TAXES AND SPECIAL ASSESSMENTS IS COLLECTED
AS WHICH ARE NOW A LIEN AGAINST THE LAND OR ANY PART THEREOF, BUT NOT YET
PAYABLE, AND HAS BEEN APPROVED BY SAID 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 DAY
OF , 2006.

CRYSTAL K. HERNADA
CLERK OF THE BOARD OF SUPERVISORS OF
THE COUNTY OF ALAMEDA,
STATE OF CALIFORNIA
BY:
DEPUTY CLERK

CITY ENGINEER'S STATEMENT, EMERYVILLE

I, HENRY VAN DYKE, JR., CITY ENGINEER OF THE CITY OF EMERYVILLE, STATE OF CALIFORNIA,
HEREBY STATE THAT I HAVE EXAMINED TRACT NO. 7548, AND THAT SAID MAP AS IT
APPEARED ON THE TENTATIVE MAP, IF ANY, AND THAT ALL PROVISIONS OF STATE LAWS AND
LOCAL ORDINANCES GOVERNING THE FILING OF SUBDIVISION MAPS HAVE BEEN COMPLIED WITH,
AND I AM SATISFIED THAT THE SAME IS TECHNICALLY CORRECT.

IN WITNESS WHEREOF, I HAVE HERETO SET MY HAND THIS 29th DAY
OF , 2006.

[Signature]
HENRY VAN DYKE, JR.
CITY ENGINEER, CITY OF EMERYVILLE
R.C.E. NO. 17407
REGISTRATION EXPIRES: DECEMBER 31, 2008

PLANNING DIRECTOR'S AND PUBLIC WORKS DIRECTOR'S STATEMENT, EMERYVILLE

I, CHARLES S. WRYANT, PLANNING AND BUILDING DIRECTOR OF THE CITY OF EMERYVILLE AND
HENRY VAN DYKE, JR., PUBLIC WORKS DIRECTOR OF THE CITY OF EMERYVILLE, PURSUANT TO
EMERYVILLE MUNICIPAL CODE SECTION 9-8 B03, HEREBY FIND THAT THE DIVISION OF LAND,
TRACT NO. 7548, COMPLIES WITH THE REQUIREMENTS AS TO LAND AREA, IMPROVEMENTS AND
DESIGN, FLOOD WATER, DRAINAGE CONTROL, APPROPRIATE IMPROVED PUBLIC ROADS, SANITARY
DISPOSAL FACILITIES, WATER SUPPLY AVAILABILITY, ENVIRONMENTAL PROTECTION, THE CITY OF
EMERYVILLE GENERAL PLAN, THE CALIFORNIA SUBDIVISION MAP ACT, AND THE EMERYVILLE
MUNICIPAL CODE. FURTHER, THE DIVISION OF LAND PURSUANT TO TRACT NO. 7548 COMPLIES
WITH ALL THE PROVISIONS OF STATE LAWS AND LOCAL ORDINANCES GOVERNING THE FILING OF
SUBDIVISION MAPS.

[Signature] *[Signature]*
CHARLES S. WRYANT HENRY VAN DYKE, JR.
PLANNING & BUILDING DIRECTOR CITY OF EMERYVILLE
CITY OF EMERYVILLE PUBLIC WORKS DIRECTOR
R.C.E. NO. 17403 R.C.E. NO. 17407
REGISTRATION EXPIRES: DECEMBER 31, 2008

SUBDIVISION NOTE

THIS SUBDIVISION IS A CONDOMINIUM PROJECT AS DEFINED IN SECTION 1330 OF THE CIVIL
CODE OF THE STATE OF CALIFORNIA CONTAINING A MAXIMUM OF 72 RESIDENTIAL CONDOMINIUM
UNITS AND IS FILED PURSUANT TO THE SUBDIVISION MAP ACT.

Exhibit A

LEGEND

- SUBDIVISION BOUNDARY
- - - RIGHT OF WAY
- CENTERLINE
- - - EASEMENT LINE
- - - BOUNDARY THE
- LOT LINE
- MONUMENT LINE
- FOUND BRASS DISC IN CITY MONUMENT WELL (AS NOTED)
- SET STANDARD CITY MONUMENT, A 3 1/2" BRASS DISC STAMPED "102 3184" SET IN CONCRETE, IN WELL WITH ROUND FRAME AND COVER
- SET 3/4" IRON PIPE TAGGED PCE 31864
- M-M MONUMENT TO MONUMENT
- I.E.C. INGRESS AND EGRESS EASEMENT
- P.U.E. PUBLIC UTILITY EASEMENT

NOTES

1. ALL DIMENSIONS SHOWN HEREON ARE IN FEET AND DECIMALS THEREOF.
2. THE AREA WITHIN THE DISTINCTIVE BORDER = 2.90 ACRES

BASIS OF BEARINGS

THE BEARING NORTH 75°23'00" EAST OF THE CENTERLINE OF 65th STREET AS SHOWN ON TRACT NO. 7548 RECORDED IN ALAMEDA COUNTY RECORDS, BK 5 PG 21.

TRACT NO. 7548

FOR CONDOMINIUM PURPOSES
CONSISTING OF FOUR (4) STREETS

BEING ALL OF LOTS 4, 57, 58, 60, 61 AND 62 AND A PORTION OF LOT 3 OF THE MAXWELL TRACT FILED SEPTEMBER 19, 1972 IN BOOK 5, PAGE 23 RECORDS OF ALAMEDA COUNTY, CALIFORNIA, LYING WITHIN THE CITY OF EMERYVILLE & THE CITY OF OAKLAND COUNTY OF ALAMEDA, STATE OF CALIFORNIA

SCALE: 1" = 50'

DATE: JANUARY 2008



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Civil Engineers • Planners • Surveyors
636 North First Street • Building A • San Jose, CA 95112

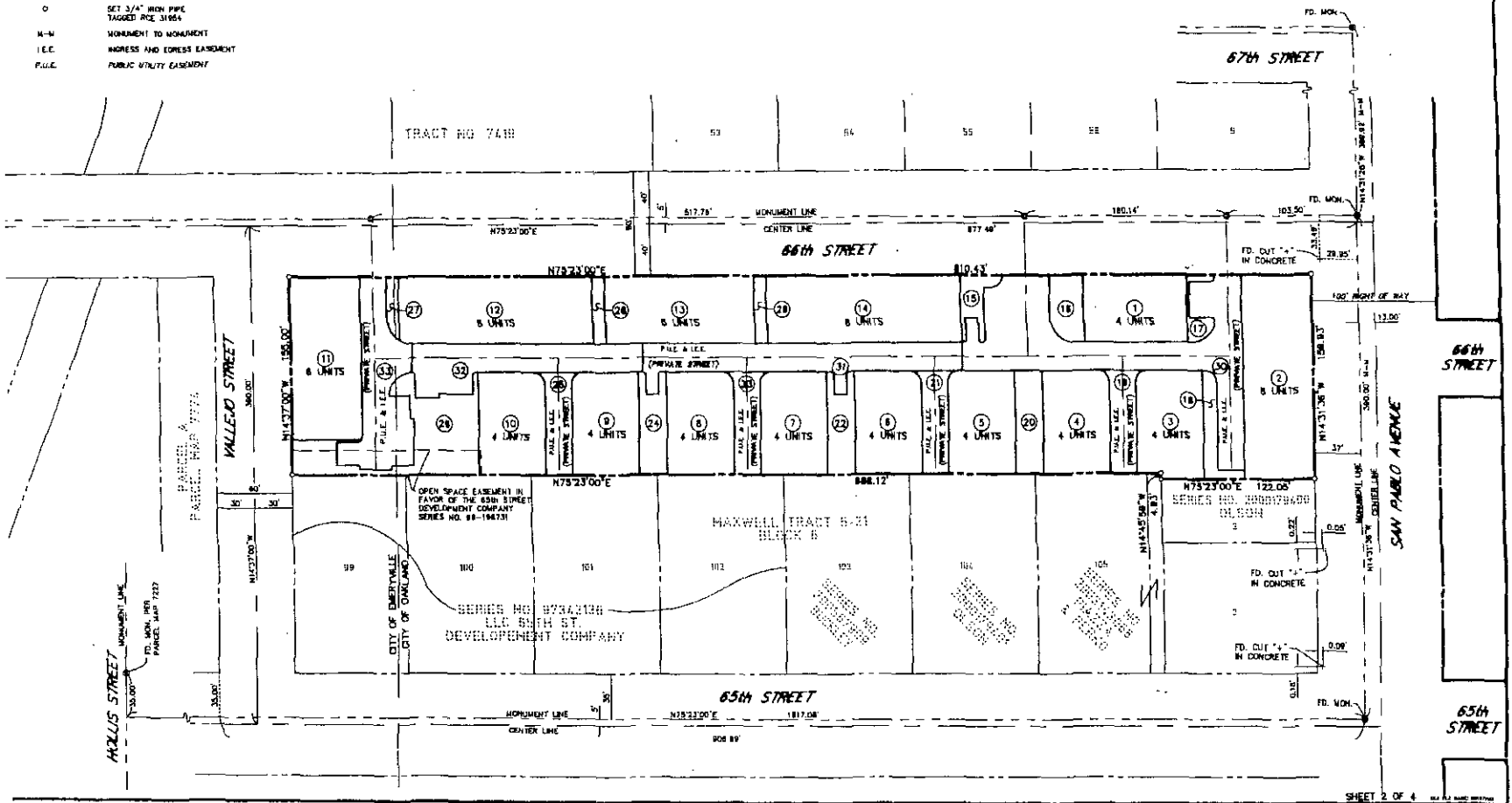
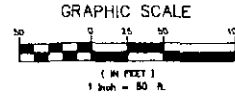


Exhibit A

LEGEND

- SUBDIVISION BOUNDARY
- - - RIGHT OF WAY
- CENTERLINE
- - - EASEMENT LINE
- - - BOUNDARY TR
- - - LOT LINE
- - - MONUMENT LINE

- FOUND BRASS DISC IN CITY MONUMENT WELL (AS NOTED)
- SET STANDARD CITY MONUMENT: 2" x 1/2" BRASS DISC STAMPED "ACE 31854" SET IN CONCRETE, IN
- WELL WITH ROUND FRAME AND COVER SET 3/4" MAIN PIPE TAGGED ACE 31854

- M-W MONUMENT TO MONUMENT
- I.E.E. INCROSS AND EXPRESS EASEMENT
- P.U.E. PUBLIC UTILITY EASEMENT

NOTES

1. ALL DIMENSIONS SHOWN HEREON ARE IN FEET AND DECIMALS THEREOF.
2. THE AREA WITHIN THE DISTINCTIVE BORDER = 2.90 ACRES

BASIS OF BEARINGS

THE BEARING NORTH 75°23'00" EAST OF THE CENTERLINE OF 65th STREET AS SHOWN ON TRACT NO. 7548 RECORDED IN ALAMEDA COUNTY RECORDS BK. 3 PG. 21.

TRACT NO. 7548

FOR CONDOMINIUM PURPOSES
CONSISTING OF FOUR (4) SHEETS

BEING ALL OF LOTS 4, 57, 58, 59, 60, 61 AND 62 AND A PORTION OF LOT 3 OF THE MAXWELL TRACT FILED SEPTEMBER 19, 1972 IN BOOK 5, PAGE 21 RECORDS OF ALAMEDA COUNTY, CALIFORNIA. LYING WITHIN THE CITY OF EMERYVILLE & THE CITY OF OAKLAND COUNTY OF ALAMEDA, STATE OF CALIFORNIA.

SCALE: 1" = 20'

DATE: JANUARY 2008



Civil Engineering Associates
Civil Engineers - Planners - Surveyors
135 Mary First Street - Building A - San Jose, CA 95112

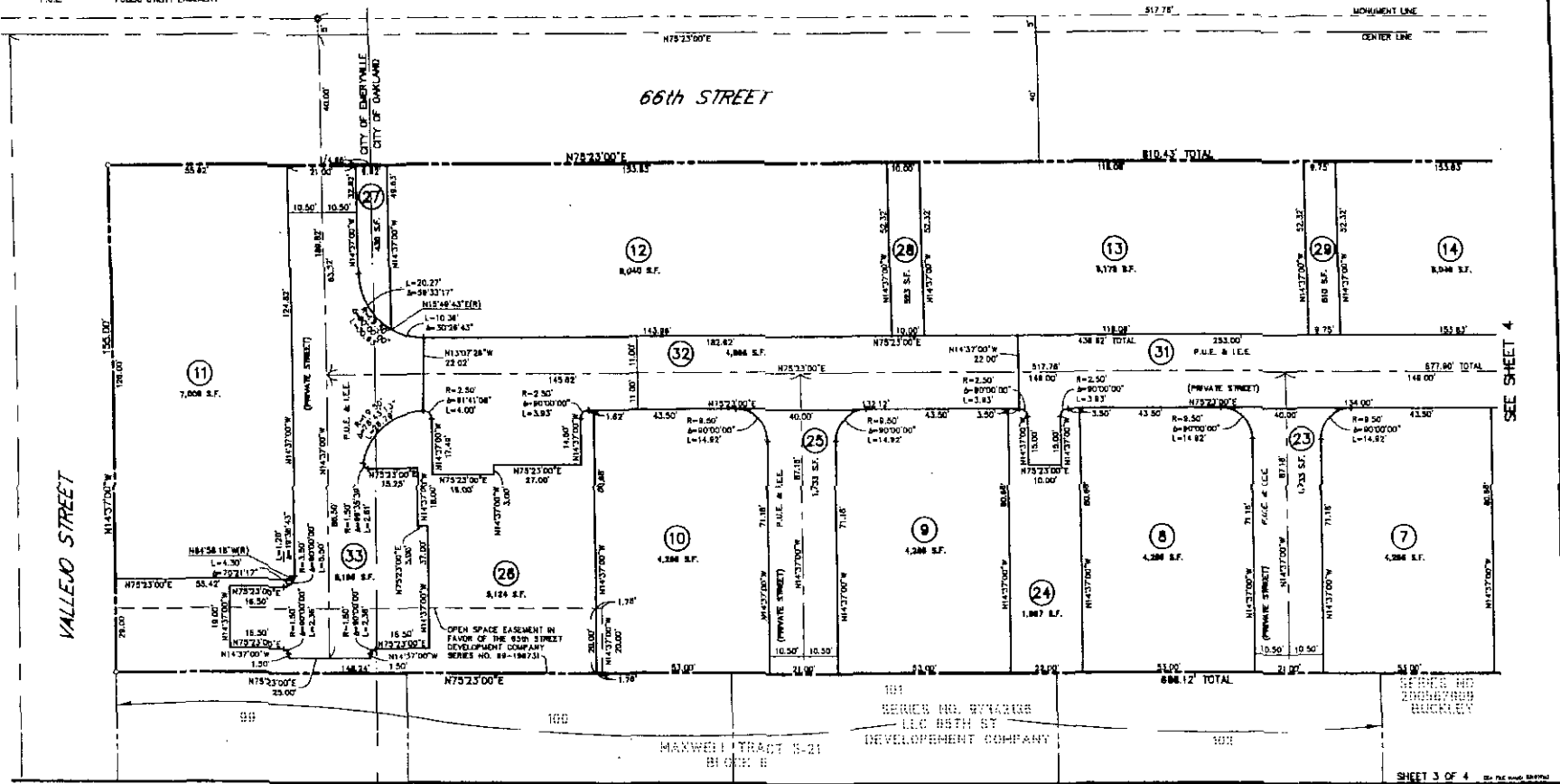
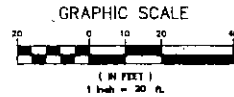


Exhibit A

SEE SHEET 4

MAXWELL TRACT 5-21
BOOK 5

SERIES NO. 574858
LLC 85TH ST
DEVELOPMENT COMPANY

LEGEND

- SUBDIVISION BOUNDARY
- - - RIGHT OF WAY
- CENTERLINE
- - - EASEMENT LINE
- BOUNDARY BE
- LOT LINE
- MONUMENT LINE
- FOUND BRASS DISC IN CITY MONUMENT WELL (AS NOTED)
- SET STANDARD CITY MONUMENT A 3 1/2" BRASS DISC STAMPED "ICE 31854" SET IN CONCRETE IN WELL WITH ROUND FRAME AND COVER
- SET 3/4" IRON PIPE TAPPED ICE 31854
- M-M MONUMENT TO MONUMENT
- I.E.E. INGRESS AND EGRESS EASEMENT
- P.U.E. PUBLIC UTILITY EASEMENT
- MONUMENT LINE
- CENTER LINE

NOTES

1. ALL DIMENSIONS SHOWN HEREON ARE IN FEET AND DECIMALS THEREOF.
2. THE AREA WITHIN THE DISTINCTIVE BORDER = 2.80 ACRES

BASIS OF BEARINGS

THE BEARING NORTH 75°23'00" EAST OF THE CENTERLINE OF 66th STREET AS SHOWN ON TRACT NO. 7548 RECORDED IN ALAMEDA COUNTY RECORDS IN 3 PG 21.

TRACT NO. 7548

FOR CONDOMINIUM PURPOSES
CONSISTING OF FOUR (4) SHEETS

BEING ALL OF LOTS 4, 57, 58, 59, 80, 81 AND 82 AND A PORTION OF LOT 3 OF THE MAXWELL TRACT FILED SEPTEMBER 19, 1872 IN BOOK 5, PAGE 21 RECORDS OF ALAMEDA COUNTY, CALIFORNIA, LYING WITHIN THE CITY OF EMERYVILLE & THE CITY OF OAKLAND COUNTY OF ALAMEDA, STATE OF CALIFORNIA.

SCALE: 1" = 20'

DATE: JANUARY 2008



Civil Engineering Associates
Civil Engineers - Planners - Surveyors
835 North First Street - Building A - San Jose, CA 95112

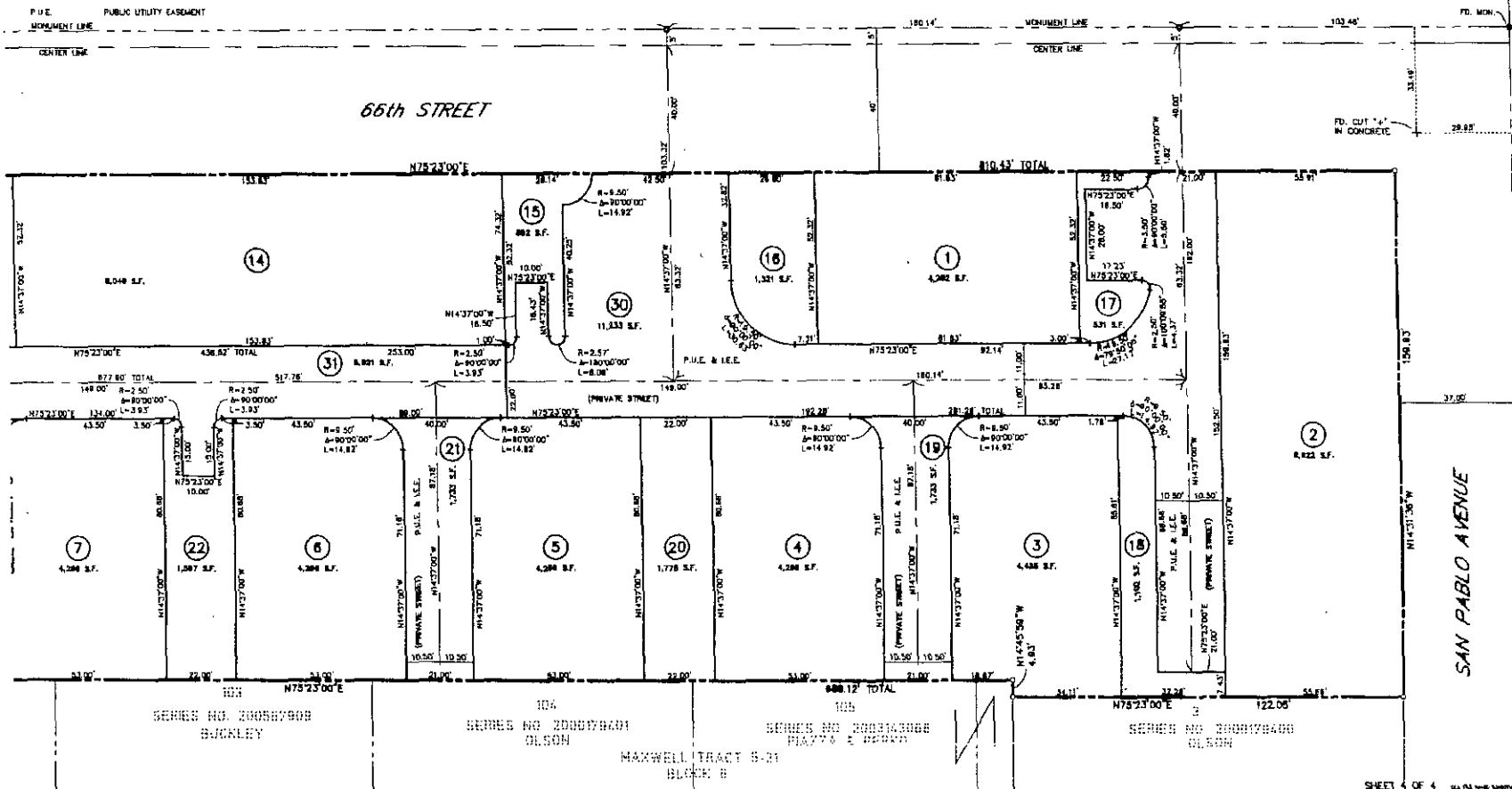
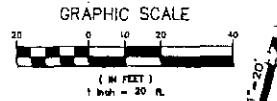


Exhibit A