



CITY OF OAKLAND

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2016 DEC -8 PM 1:45

AGENDA REPORT

TO: Sabrina B. Landreth
City Administrator

FROM: Jeff Tumlin
Interim Director
Department of Transportation

SUBJECT: Supplemental Report for
Tract No. 7877 Subdivision Map 466 37th Street

DATE: December 6, 2016

City Administrator Approval

Christina SBL

Date:

12/8/16

RECOMMENDATION

Accept This Supplemental Report For Tract No. 7877 Located At 466 37th Street For Conversion Of Eight Rental Housing Units To Condominium Ownership For Mosswood Builders, LLC, a California limited liability company.

REASON FOR SUPPLEMENTAL

At the December 6, 2016 Public Works Committee, Members requested confirmation that the project is fully compliant with conditions of approval set by the Planning Commission for the approval of the Tract Map 7877, and specifically meeting OMC16.36.090 for Condominium Conversions.

The condominium conversion application for this 8-unit project was submitted in 2006 and the tentative map was approved by the Planning Commission in 2007. The two-year tentative map approval was preserved during the period of dormancy as a result of four emergency state legislative acts extending the validity of previously approved tentative maps by at least seven years.

The applicant complied with the unit replacement requirement under OMC 16.36.070. The owner elected to obtain "conversion rights" through the purchase thereof from the private owner of a multi-unit rental property located at 3015 Martin Luther King Jr. Way and subsequently was approved by the Planning Commission. The recorded "Declaration of Restriction on Sale of Condominium Conversion Rights" dated September 4, 2007, meets OMC16.36.070 and is attached as Exhibit "A".

The 60 day tenant notice requirements under OMC 16.36.020 and 16.36.030 was complied with beginning in 2006 when the 60-day notices to convert were delivered to the tenants. Most of the units have remained occupied by the same tenants and several units have turned over their tenancies and are vacant today. All current tenants were informed in writing about the pending conversion to condominiums at the time they entered into their leases. The tenant's right to

purchase their units at least a 5% reduction from market rate and tenant assistance for any move-outs necessitated by the sale of units are required and in effect for the current tenants.

ACTION REQUESTED OF THE CITY COUNCIL

Staff recommends that the Council accept this Supplemental Report For Tract No. 7877 Located At 466 37th Street For Conversion Of Eight Rental Housing Units To Condominium Ownership For Mosswood Builders, LLC, a California limited liability company and approve Tract Map No.7877.

For questions regarding this report, please contact, B. Mohamed Alaoui, Acting Principal Engineer, Public Works Engineering Services, at 510-238-3469.

Respectfully submitted,

fw 
JEFF TUMLIN, Interim Director
Department of Transportation

Reviewed by:
Michael J. Neary, P.E., Assistant Director
OPW, Bureau of Engineering and Construction

Prepared by:
Mohamed Alaoui, Acting Principal Civil
Engineer
Public Works Engineering Services



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OFFICIAL RECORDS OF ALAMEDA COUNTY
PATRICK O'CONNELL
RECORDING FEE: 14.00

Recording Request By
And When Recorded Mail To:

Katherine Bettis Sommers
887 61st Street
Oakland, CA 94608



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cc

DECLARATION OF RESTRICTION ON SALE OF CONDOMINIUM CONVERSION RIGHTS

I, Linda K. Hannawalt, the undersigned, the sole record owner of the real property commonly known as 3015 Martin Luther King, Jr. Way, Oakland, CA 94609-2926 from October 28, 2005 through August 24, 2007, as more completely described on Exhibit A attached hereto and made a part hereof (the "Source Property"), in accordance with Oakland Municipal Code section 16.36, for herself and her successors and assigns, hereby declares that as of the date set forth below:

1. The Source Property comprises seven (7) units used primarily for residential dwelling purposes.
2. I contracted to sell and on November, 16, 2006 sold seven (7) Conversion Rights to Mosswood Builders, LLC, a California limited liability company, ("Mosswood").
3. The Conversion Rights sold by the undersigned to Mosswood may not be resold by the undersigned.
6. The Source Property may not be converted to condominium ownership by the undersigned, or her successors and assigns, without the prior acquisition of valid Conversion Rights.
7. The Source Property may not generate additional Conversion Rights without the prior approval of the City of Oakland.

I declare under the penalty of perjury under the laws of the State of California that the foregoing is true and correct, and that this Declaration was executed at Oakland, California this 4th day of September 2007.

Linda K. Hannawalt
Linda K. Hannawalt

W No.: 05-12500004-JM
Locate No.: CAFNT0901-0901-0025-0012500004
Title No.: 05-12500004-SK

EXHIBIT "A"

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE CITY OF OAKLAND, COUNTY OF ALAMEDA, STATE OF CALIFORNIA AND IS DESCRIBED AS FOLLOWS:

Beginning at a point on the Westerly line of Grove Street, distant thereon Northerly 90 feet from the point of intersection thereof, with the Northern line of 30th Street, as said streets are shown on the Map hereinafter referred to; running thence Northerly along said line of Grove Street, 30 feet; thence at right angle Westerly 80 feet; thence at a right angle Southerly 30 feet; and thence at a right angle Easterly 80 feet to the point of beginning.

Being a portion of Lot 3 in Block 2034, as said lot and block are shown upon that certain Map entitled, "Map of the Rowland Tract, Oakland", filed February 16, 1878 in the office of the County Recorder of Alameda County.

State of California)

County of Alameda)

On September 4th, 2007 before me, Hiten Patel
_____, a Notary Public of and for the State of California, personally appeared Linda K. Hannawalt, ~~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 capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.



