



FILED
OFFICE OF THE CITY CLERK
OAKLAND

CITY OF OAKLAND 2015 APR -1 AM 12:51

AGENDA REPORT

TO: JOHN A. FLORES
INTERIM CITY ADMINISTRATOR

FROM: Rachel Flynn

SUBJECT: Tract No. 7621, Phase 1, Subdivision Map,
845 Embarcadero

DATE: March 30, 2015

City Administrator
Approval

Date 4/1/15

COUNCIL DISTRICT: 2

RECOMMENDATION

Staff recommends that the City Council adopt:

Resolution Conditionally Approving A Final Map For Tract No. 7621, Phase 1 Located At 845 Embarcadero For A Seven Lot Subdivision For Zarsion-OHP I LLC; And

Resolution Authorizing The City Administrator Or His Designee To Enter Into A Subdivision Improvement Agreement With Zarsion-OHP I LLC For Deferred Construction Of Public Infrastructure Improvements As A Condition To Final Map Approval For Tract No. 7621 Phase 1 Located At 845 Embarcadero

OUTCOME

Adopting the two resolutions will:

- Authorize the City Administrator to enter into a Subdivision Improvement Agreement (SIA) with Zarsion-OHP I LLC for deferred construction of public infrastructure improvements associated with this Phase 1 development; and
- Accept the dedication of public right-of-way easements, conditioned on completion of the public infrastructure improvements; and
- Accept the dedication of open space easements, conditioned on completion of the public infrastructure improvements; and
- Authorize the City Engineer and City Clerk to execute the Final Subdivision Map (Phase 1) for recording with the Alameda County Clerk-Recorder.

Item: _____
Public Works Committee
April 14, 2015

BACKGROUND/ LEGISLATIVE HISTORY

Zarsion-OHP I LLC (“Subdivider”) is the owner in fee title and subdivider of the lots comprising approved Tentative Tract Map No. 7621.

On June 20, 2006, the City Council adopted Resolution No. 79983 C.M.S. approving Vesting Tentative Tract Map No. 7621 for the Oak to Ninth Mixed Use Development Project (Oak to Ninth). The Development Agreement for Oak to Ninth, now known as the Brooklyn Basin project, was authorized by Ordinance No. 12760 C.M.S. on July 18, 2006 and transferred and assigned to the Subdivider by Resolution No. 84934 C.M.S. on April 22, 2014. The Development Agreement, as amended by the First Administrative Amendment to the Development Agreement, provides that the project will be constructed in phases and that multiple Final Maps may be filed for the associated subdivision. The Subdivider now seeks approval of the Final Map for Phase 1 of the development.

Government Code section 66462 authorizes the City to enter into a Subdivision Improvement Agreement with the Subdivider as a condition precedent to the approval of the final map if, at the time of approval of the final map, any required public improvements have not been completed and accepted. The Subdivision Improvement Agreement (SIA) will guarantee construction of public infrastructure improvements, including roads, sanitary sewer mains, storm drain lines, street lights, curb, gutter and sidewalk. Following acceptance of the improvements, the Subdivider will be responsible for maintaining, in perpetuity, certain public right-of-way improvements in accordance with the conditions of approval. The SIA includes the following terms:

- Requires the construction of surface and subsurface infrastructure improvements (permit PX1400059) after the Final Subdivision Map for Phase 1 is recorded; and
- Requires the completion of the infrastructure construction within one (1) year of the Effective Date of the SIA; and
- Requires that adequate security (150% of construction cost) be posted prior to execution of the SIA as security to assure completion of the infrastructure construction; and
- Requires the Subdivider to procure and maintain required minimum limits of insurance, and to indemnify the City to the maximum extent permitted by law;
- Requires a two (2) year warrantee period following completion of the infrastructure construction; and
- Requires adequate security (25% of construction cost) to maintain the infrastructure during the warrantee period.

The Subdivider has presented a Final Map (Phase 1) to the City that proposes subdivision of seven (7) existing parcels into seven (7) parcels. The seven (7) parcels include three (3)

developable parcels identified as Parcels A, B, and C; two (2) parcels for public right-of-way purposes identified as Parcels X1 and X4; and, two (2) parcels as public open-space easements identified as Parcels X2 and X3. The City Engineer has determined that this Phase 1 Final Subdivision Map is in substantial compliance with the approved tentative subdivision map along with Parcel Map Waiver PLN14151 approved June 11, 2014 which created developable Parcels F and G; and Parcel T for public right-of-way purposes. Approval of the Final Subdivision Map will be a ministerial action by the City Council, and approval of the SIA will be a discretionary action.

ANALYSIS

As set forth in California Government Code section 664474.1 (Subdivision Map Act), approval of a Final Subdivision Map is an administrative, ministerial, and mandatory action by the City Council once the City Engineer has determined that the Final Subdivision Map conforms substantially with the previously approved Tentative Subdivision Map and is technically correct (correct map size and medium, correct metes and bounds, required signatures, required statements, required licensures, etc.).

The controlling discretionary action to be taken by the City relating to a subdivision map is at the Tentative Subdivision Map stage. The purpose of submitting the Final Subdivision Map to the City Council is to ensure that the Council and the public remain informed about development in the City.

Approval of the SIA will enable the City to enter into a binding legal agreement with the Subdivider to ensure that the Subdivider complies with City-imposed conditions of approval and other legal requirements.

PUBLIC OUTREACH/ INTEREST

The adjoining property owners were notified of the project as part of the Tentative Subdivision Map approval process.

COORDINATION

The Office of the City Attorney has reviewed the resolutions for form and legality, and the Budget Office has reviewed this agenda report.

COST SUMMARY/ IMPLICATIONS

Staff costs for processing the Final Subdivision Map and the infrastructure permit have been covered by previously collected fees set by the Master Fee Schedule and paid by the developer. The revenue has been deposited in the Development Service Fund (2415), Engineering: Project Coordination (84432), Public Works Fee: Miscellaneous (45119), Engineering and Architectural Plan Approval (PS30).

SUSTAINABLE OPPORTUNITIES

Economic: The subdivision will provide opportunities for home ownership for the Oakland community.

Environmental: Land use approvals and construction permits for new buildings require that the permittee comply with City ordinances and regional Best Management Practices for reducing nuisance noise, fugitive dust, construction debris disposal, and storm drainage pollutant runoff.

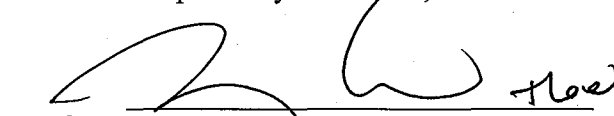
Social Equity: The proposed development will provide housing opportunities and assist the economic revitalization of the City.


CEQA

Approval of the final subdivision map is exempt from CEQA pursuant to Public Resources Code section 21080(b)(1) (ministerial projects) and CEQA Guidelines section 15268 (ministerial projects). Approval of the SIA does not require further environmental review beyond the previously certified Environmental Impact Report as revised, as none of the circumstances necessitating further environmental review under CEQA Guidelines section 15162 are present. As a separate and independent basis, approval of the SIA is also exempt from CEQA pursuant to CEQA Guidelines section 15183 (consistency with an adopted General Plan).

For questions regarding this report, please contact Shahram Aghamir, Civil Engineer, at 510-238-3975.

Respectfully submitted,


for RACHEL FLYNN, Director
Planning and Building Department

Reviewed by: Deborah Sandercock, City Engineer 

Prepared by: Shahram Aghamir, Civil Engineer

Item: _____
Public Works Committee
April 14, 2015

Introduced by

FILED
OFFICE OF THE CITY CLERK
OAKLAND

Approved as to Form and Legality



2015 APR -1 AM 12: 51

Councilmember

Office of the City Attorney

OAKLAND CITY COUNCIL

Resolution No. _____ C.M.S.

RESOLUTION CONDITIONALLY APPROVING A FINAL MAP FOR TRACT NO. 7621 PHASE 1 LOCATED AT 845 EMBARCADERO FOR A SEVEN LOT SUBDIVISION FOR ZARSION-OHP I LLC

WHEREAS, ZARSION-OHP I LLC, a California limited liability company (no. 201309910387, "Subdivider"), is the subdivider of seven (7) parcels identified by the Alameda County Assessor as APNs 018-0465-002-07, 018-0465-002-11, 018-0465-002-08, 018-0470-002-05, 018-0460-004-13, 018-0465-002-13, 018-0460-004-014, 018-0465-002-14, 018-0465-002-16, 018-0470-002-07, 018-0470-002-17 and 018-0470-002-08, and by the Alameda County Clerk-Recorder as Tract No. 7621, Phase 1, and by the City of Oakland as 845 Embarcadero; and

WHEREAS, the Subdivider has acquired by purchase for valuable consideration the real property comprising Tract No. 7621, Phase 1 through State of California Patent and Trust Termination, series no. 20133203239, recorded June 10, 2013, a State of California Patent and Reservation of Public Trust, series no. 20133203243, recorded June 10, 2013 and two grant deeds, series no. 2013203240, recorded June 10, 2013, and series no. 2013203242, recorded June 10, 2013, by the Alameda County Clerk-Recorder; and

WHEREAS, said seven (7) parcels are comprised of a portion of Parcel 3 (S/B2) and all of Parcel 4 (S/A) as said parcels are described in State of California Patent and Trust Termination, series number 2013203239, recorded on June 10, 2013, a portion of Parcel 4 (P/B1) as said parcel is described in grant deed, series number 2013203240, recorded on June 10, 2013, a portion of parcel 1 (P/R1) and all of Parcel 2 (P/T1) as said Parcels are described in grant deed, series number 2013203242, recorded on June 10, 2013, and a portion of Parcel 1 (T/R2) and a portion of Parcel 2 (T/T2) as said Parcels are described in the State of California Patent and Reservation of Public Trust Easement, series number 20133203243, recorded on June 10, 2013; and

WHEREAS, Oakland Harbor Partners, LLC applied to the City of Oakland for a Vesting Tentative Tract Map (VTTM 7621) to subdivide said platted land; and

WHEREAS, on March 15, 2006, the Planning Commission approved Vesting Tentative Tract Map No. 7621 and related land use entitlements, and certified the Environmental Impact Report (EIR) for the Oak to Ninth Mixed Use Development Project (Oak to Ninth); and

WHEREAS, on June 20, 2006, the City Council adopted Resolution No. 79983 C.M.S. approving Vesting Tentative Tract Map No. 7621 for Oak to Ninth; and

WHEREAS, on July 18, 2006, the City Council authorized a number of actions to approve Oak to Ninth, including adoption of Resolution No. 79981 C.M.S. to certify the EIR; and

WHEREAS, the Development Agreement for Oak to Ninth, now known as the Brooklyn Basin project, was authorized by Ordinance No. 12760 C.M.S. on July 18, 2006, and transferred and assigned to the Subdivider by Resolution No. 84934 C.M.S. on April 22, 2014; and

WHEREAS, the Development Agreement, as amended by the First Administrative Amendment to the Development Agreement, provides that the Brooklyn Basin project will be constructed in phases and that multiple Final Maps may be filed for the associated subdivision; and

WHEREAS, on January 20, 2009, the City Council adopted Resolution No. 81769 C.M.S. to, among other things, recertify the Oak to Ninth Project EIR as revised; and

WHEREAS, the Subdivider now seeks approval of the Final Map for Phase 1 of the development; and

WHEREAS, the Subdivider has presented a proposed Final Map for Phase 1 of the development to the City, identified as Final Map No. 7621 (Phase 1), which proposes the subdivision of three (3) developable parcels identified as Parcels A, B, and C, two (2) parcels for public right-of-way purposes identified as Parcels X1 and X4, and two (2) parcels as public open-space easements identified as Parcels X2 and X3, and the irrevocable offer of dedication to the City of Oakland of new open space easements and new public right of way easements; and

WHEREAS, the City Engineer of the City of Oakland has determined that:

- the Final Map for Tract No. 7621, Phase 1, delineated diagrammatically in *Exhibit A* attached hereto and incorporated herein, is in substantial compliance with the approved Vesting Tentative Map along with Parcel Map Waiver PLN14151 approved June 11, 2014 which created developable Parcels F and G, and Parcel T for public right-of-way purposes; and
- the Final Map for Tract No. 7621, Phase 1, complies in all manners with the provisions of California Government Code sections 66410 et seq. (Subdivision Map Act) and the City of Oakland's local subdivision ordinance (Oakland Municipal Code, Title 16 - Subdivisions); and

WHEREAS, pursuant to California Business and Professions Code section 6731, the City Engineer has further determined that the Final Map is technically correct and accurately delineates the proposed metes and bounds of the property boundaries separating the proposed seven (7) lots and the proposed dedicated easements, the limits of which have been established by a field boundary survey performed by a competent Land Surveyor, who is licensed by the

State of California to practice land surveying, and can be re-established from the monuments, property corners, radii, bearings, and distances shown on the Final Map for Tract No. 7621, Phase 1; and

WHEREAS, the Subdivider has employed a competent design professional, who is licensed by the State of California to practice civil engineering, to prepare plans and specifications for the construction of required surface and subsurface public infrastructure improvements in the public right of way; and

WHEREAS, the City Engineer has approved infrastructure permit no. PX1400059 and the Subdivider's plans and specifications for construction of the required public infrastructure improvements, attached hereto as *Exhibit B* and incorporated herein; and

WHEREAS, through a separate companion Resolution, staff is seeking authorization to enter into a Subdivision Improvement Agreement with the Subdivider pursuant to Government Code section 66462 and Oakland Municipal Code section 16.20.100, as a condition precedent to approval of the Final Map for Tract No. 7621, Phase 1, to assure the timely construction, unconditional warrantee, and prescribed maintenance of all required public infrastructure improvements; and

WHEREAS, pursuant to Government Code section 66499 et seq. and Oakland Municipal Code section 16.20.100, the Subdivider has deposited adequate security in the form of surety bonds to secure the Subdivider's performance of the required public infrastructure improvements identified in the Subdivision Improvement Agreement; and

WHEREAS, the City's approval of a final subdivision map is a ministerial action that is exempt from the requirements of CEQA pursuant to Public Resources Code section 21080(b)(1) and CEQA Guidelines section 15268; now, therefore, be it

RESOLVED: That the Final Map for Tract No. 7621, Phase 1, conforms to all the requirements in Government Code sections 66410 et seq. (Subdivision Map Act), Title 16 of the Oakland Municipal Code, and CEQA, and is hereby conditionally approved; and be it

FURTHER RESOLVED: That the dedication of two parcels for public right of way purposes and two parcels as public open space easements as delineated on the Final Map is hereby conditionally accepted; and be it

FURTHER RESOLVED: That the approval of the Final Map and the acceptance of said dedications are conditioned upon completion to the satisfaction of the City Engineer of public infrastructure improvements, as required by the Subdivision Improvement Agreement; and be it

FURTHER RESOLVED: That the Subdivider shall be responsible until the expiration of the warrantee period for the installation, maintenance, repair, and removal of all infrastructure improvements within said easements as delineated on the Final Map, including but not limited to roadway pavement, sidewalks, curbs, gutters, trees and landscaping, irrigation, electrical lighting, sanitary sewer piping, and storm water piping, but excepting from said responsibility

infrastructure improvements that are otherwise regulated by California Public Utilities Commission; and be it

FURTHER RESOLVED: That the hereinabove conditions shall be binding upon the Subdivider and its successors or assigns, affiliated companies or corporations, parent companies or corporations, or partners; and be it

FURTHER RESOLVED: That the successive owners, both individually as purchasers of real property and collectively as a homeowners association, of said lots as delineated on the Final Map shall be responsible for the maintenance in perpetuity of all infrastructure improvements within said easements, excepting from said responsibility infrastructure improvements that are otherwise regulated by California Public Utilities Commission; and be it

FURTHER RESOLVED: That failure by the Subdivider to comply in all aspects with the Agreement for construction of public infrastructure shall void approval of the Final Map and void acceptance of said dedications and shall revert the original parcels comprising Tract No. 7621, Phase 1, to acreage; and be it

FURTHER RESOLVED: That the City Engineer is hereby authorized to endorse the Final Map for Tract No. 7621, Phase 1; and be it

FURTHER RESOLVED: That the City Clerk of the City of Oakland is hereby authorized to endorse the Final Map for Tract No. 7621, Phase 1, upon its execution by the City Engineer; and be it

FURTHER RESOLVED: That the City Engineer is hereby authorized to cause the fully executed Final Map for Tract No. 7621, Phase 1, to be filed with the Alameda County Clerk-Recorder for recordation; and be it

FURTHER RESOLVED: That this Resolution shall be effective upon its adoption by a sufficient affirmative votes of the elected members of Council of the City of Oakland, as provided in the Charter of the City of Oakland.

IN COUNCIL, OAKLAND, CALIFORNIA, _____

PASSED BY THE FOLLOWING VOTE:

AYES - BROOKS; CAMPBELL WASHINGTON, GALLO, GUILLEN, KALB, KAPLAN, REID AND
PRESIDENT GIBSON MCELHANEY

NOES -

ABSENT -

ABSTENTION -

ATTEST: _____

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

OWNER'S STATEMENT

WE HEREBY STATE THAT WE ARE THE OWNERS OF, OR HAVE SOME RIGHT, TITLE OR INTEREST IN AND TO THE REAL PROPERTY INCLUDED WITHIN THE SUBDIVISION SHOWN ON THE MAP. SEE TABLE "A" BELOW. THAT WE ARE THE ONLY PERSONS WHOSE CONSENT IS NECESSARY TO PASS A CLEAR TITLE TO SAID REAL PROPERTY; THAT WE HEREBY CONSENT TO THE MAKING OF SAID MAP AND SUBDIVISION AS SHOWN WITHIN THE DISTINCTIVE BORDER LINE.
TRACT 7621 PHASE 1, CITY OF OAKLAND, COUNTY OF ALAMEDA, CALIFORNIA.

THE REAL PROPERTY DESCRIBED BELOW IS DEDICATED AS AN EASEMENT FOR PUBLIC PURPOSES AS SHOWN ON THIS MAP.

WE HEREBY DEDICATE TO PUBLIC USE AND OFFER TO DEDICATE TO THE CITY OF OAKLAND ALL STREETS AND PORTIONS OF STREETS NOT HERETOFORE EXISTING AND DESIGNATED AS PARCEL X1 AND PARCEL X4 AS SHOWN UPON THIS MAP; SAID DEDICATIONS AND OFFERS OF DEDICATION ARE FOR ANY AND ALL PUBLIC USES, INCLUDING UTILITIES, UNDER, UPON, AND OVER SAID STREETS AND PORTIONS THEREOF.

WE HEREBY DEDICATE IN PERPETUITY TO THE CITY OF OAKLAND, CALIFORNIA, PURSUANT TO THE OPEN SPACE EASEMENT ACT OF 1974 (CALIFORNIA GOVERNMENT CODE SECTION 51070 ET SEQ.) AN OPEN SPACE EASEMENT OVER PARCELS X2 AND X3 SHOWN ON SHEETS 3 THROUGH 6 OF THIS MAP. SAID OPEN-SPACE EASEMENT IS OFFERED FOR USE BY THE GENERAL PUBLIC. NO STRUCTURE OR IMPROVEMENT SHALL BE CONSTRUCTED OR ERECTED WITHIN THE FOREGOING OPEN-SPACE EASEMENT, AND NO ACTIVITY OF USE SHALL BE CONSTRUCTED OR ERECTED WITHIN THE FOREGOING OPEN-SPACE EASEMENT, AND NO ACTIVITY OR USE SHALL BE CONDUCTED THERE WHICH IS NOT COMPATIBLE WITH MAINTAINING AND PRESERVING THE NATURAL OR SCENIC CHARACTER OF THE LAND.

TABLE "A"

TITLE WAS ACQUIRED BY:
STATE OF CALIFORNIA PATENT AND TRUST TERMINATION, RECORDED ON JUNE 10, 2013 AS DOCUMENT NUMBER 2013203239, OFFICIAL RECORDS OF ALAMEDA COUNTY.

GRANT DEED, RECORDED ON JUNE 10, 2013 AS DOCUMENT NUMBER 2013203240, OFFICIAL RECORDS OF ALAMEDA COUNTY.

GRANT DEED, RECORDED ON JUNE 10, 2013 AS DOCUMENT NUMBER 2013203242, OFFICIAL RECORDS OF ALAMEDA COUNTY.

STATE OF CALIFORNIA PATENT AND RESERVATION OF PUBLIC TRUST EASEMENT, RECORDED ON JUNE 10, 2013 AS DOCUMENT NUMBER 2013203243, OFFICIAL RECORDS OF ALAMEDA COUNTY.

AS OWNER:

ZARSON-OHP I, LLC, A CALIFORNIA LIMITED LIABILITY COMPANY

BY: _____

BY: MICHAEL GHIELMETTI

ITS: AUTHORIZED INDIVIDUAL

DATE: _____

CITY SURVEYOR'S STATEMENT

I, GILBERT E. HAYES, CITY SURVEYOR, HAVING BEEN AUTHORIZED TO PERFORM THE FUNCTIONS OF THE CITY SURVEYOR OF THE CITY OF OAKLAND, COUNTY OF ALAMEDA, STATE OF CALIFORNIA, DO HEREBY CERTIFY THAT I HAVE EXAMINED THE HEREIN EMBODIED FINAL MAP ENTITLED "TRACT MAP NO. 7621, CITY OF OAKLAND, COUNTY OF ALAMEDA, STATE OF CALIFORNIA", I AM SATISFIED THAT THIS FINAL MAP IS TECHNICALLY CORRECT.

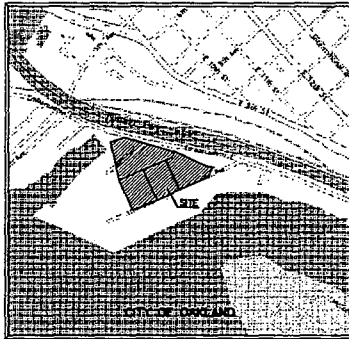
IT WITNESS WHEREOF, I HAVE HEREUNTO SET MY HAND THIS _____

DAY OF _____, 2015.



GILBERT HAYES, PLS 4700
CITY SURVEYOR, CITY OF OAKLAND

DATE _____



CITY CLERK'S STATEMENT

STATE OF CALIFORNIA
COUNTY OF ALAMEDA

I, LATONDA D. SIMMONS, CITY CLERK AND CLERK OF THE CITY COUNCIL OF THE CITY OF OAKLAND, STATE OF CALIFORNIA, DO HEREBY CERTIFY THAT THE HEREIN EMBODIED MAP ENTITLED "TRACT MAP NO. 7621, PHASE 1, CITY OF OAKLAND, COUNTY OF ALAMEDA, CALIFORNIA" WAS PRESENTED TO THE COUNCIL OF THE CITY OF

OAKLAND AT A REGULAR MEETING HELD ON THE _____ OF _____, 2015 AND

THAT SAID COUNCIL DID THEREUPON BY RESOLUTION NO. _____ APPROVE SAID MAP.

I HEREBY ACCEPT ON BEHALF OF THE CITY OF OAKLAND, THE AREAS DESIGNATED AS PARCEL X1, PARCEL X2, PARCEL X3, AND PARCEL X4 HEREIN DEDICATED IN ACCORDANCE WITH SECTION OF 16.12.080 OF THE OAKLAND MUNICIPAL CODE.

I FURTHER CERTIFY THAT ALL BONDS AS REQUIRED BY LAW TO ACCOMPANY THE WITHIN MAP HAVE BEEN APPROVED BY THE CITY COUNCIL OF OAKLAND AND FILED IN MY OFFICE.

IN WITNESS WHEREOF I HAVE HEREUNTO SET MY HAND THIS _____ DAY OF _____, 2015.

LATONDA D. SIMMONS
CITY CLERK AND CLERK OF THE CITY
COUNCIL, CITY OF OAKLAND, COUNTY
OF ALAMEDA, STATE OF CALIFORNIA

CLERK OF THE BOARD OF SUPERVISORS STATEMENT

STATE OF CALIFORNIA
COUNTY OF ALAMEDA

I, ANIKA CAMPBELL-BELTON, CLERK OF THE BOARD OF SUPERVISORS FOR THE COUNTY OF ALAMEDA, STATE OF CALIFORNIA, DO HEREBY STATE, AS CHECKED BELOW, THAT:

- () AN APPROVED BOND HAS BEEN FILED WITH THE SUPERVISORS OF SAID COUNTY AND STATE IN THE AMOUNT OF \$ _____, CONDITIONED FOR THE PAYMENT OF ALL TAXES, AND SPECIAL ASSESSMENTS COLLECTED AS TAXES, 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 HEREUNTO SET MY HAND THIS _____ DAY OF _____, 2015.

ANIKA CAMPBELL-BELTON
CLERK OF THE BOARD OF SUPERVISORS
COUNTY OF ALAMEDA, STATE OF CALIFORNIA

BY: _____
DEPUTY COUNTY CLERK

CITY ENGINEER'S STATEMENT

I, MICHAEL J. NEARY, CITY ENGINEER, HAVING BEEN AUTHORIZED TO PERFORM THE FUNCTION OF THE CITY ENGINEER OF THE CITY OF OAKLAND, ALAMEDA COUNTY, CALIFORNIA, DO HEREBY CERTIFY THAT I HAVE EXAMINED THE HEREON EMBODIED FINAL MAP OF "TRACT MAP NO. 7621, CITY OF OAKLAND, COUNTY OF ALAMEDA, STATE OF CALIFORNIA" THAT THE SUBDIVISION SHOWN UPON SAID FINAL MAP IS SUBSTANTIALLY THE SAME AS THAT APPEARING ON THE TENTATIVE MAP AND ANY APPROVED ALTERATIONS THEREOF, THAT SAID FINAL MAP OF "TRACT MAP NO. 7621" COMPLIES WITH ALL PROVISIONS OF THE SUBDIVISION MAP ACT OF THE GOVERNMENT CODE AND THE LOCAL ORDINANCES APPLICABLE AT THE TIME OF THE TENTATIVE FINAL MAP.

IN WITNESS WHEREOF, I HAVE HEREUNTO SET MY HAND THIS _____

DAY OF _____, 2015.

MICHAEL J. NEARY, RCE No. 38547
CITY ENGINEER
CITY OF OAKLAND, ALAMEDA COUNTY
STATE OF CALIFORNIA
LICENSE EXPIRES 03/31/2017



DATE _____

STATEMENT OF THE SECRETARY OF THE PLANNING COMMISSION

I, ROBERT MERKAMP, SECRETARY OF THE CITY PLANNING COMMISSION OF THE CITY OF OAKLAND, COUNTY OF ALAMEDA, STATE OF CALIFORNIA, DO HEREBY CERTIFY THAT A TENTATIVE MAP OF TRACT 7621, PHASE 1, CITY OF OAKLAND, ALAMEDA COUNTY, CALIFORNIA, WAS PRESENTED TO THE CITY PLANNING COMMISSION AS PROVIDED BY THE SUBDIVISION MAP ACT OF THE GOVERNMENT CODE, THAT AT A MEETING OF SAID CITY PLANNING COMMISSION, HELD ON JUNE 20, 2006, THE SAID COMMISSION APPROVED SAID TENTATIVE MAP UPON WHICH THIS MAP IS BASED.

IN WITNESS WHEREOF, I HAVE HEREUNTO SET MY HAND THIS _____ DAY OF _____

ROBERT D. MERKAMP
SECRETARY OF THE CITY PLANNING COMMISSION OF
THE CITY OF OAKLAND, CALIFORNIA

TRACT MAP NO. 7621

PHASE 01 - FOR CONDOMINIUM PURPOSES

BEING A SUBDIVISION OF A PORTION OF PARCEL 3 (S/B2) AND ALL OF PARCEL 4 (S/A) AS SAID PARCELS ARE DESCRIBED IN THAT CERTAIN STATE OF CALIFORNIA PATENT AND TRUST TERMINATION RECORDED ON JUNE 10, 2013 AS DOCUMENT NUMBER 2013203239, OFFICIAL RECORDS OF ALAMEDA COUNTY, A PORTION OF PARCEL 4 (P/B1) AS SAID PARCEL IS DESCRIBED IN THAT CERTAIN GRANT DEED RECORDED ON JUNE 10, 2013 AS DOCUMENT NUMBER 2013203240, OFFICIAL RECORDS OF ALAMEDA COUNTY, A PORTION OF PARCEL 1 (P/R1) AND A PORTION OF PARCEL 2 (P/T1) AS SAID PARCELS ARE DESCRIBED IN THAT CERTAIN GRANT DEED RECORDED ON JUNE 10, 2013 AS DOCUMENT NUMBER 2013203242, OFFICIAL RECORDS OF ALAMEDA COUNTY AND ALL OF PARCEL 1 (T/R2) AND A PORTION OF PARCEL 2 (T/T2) AS SAID PARCELS ARE DESCRIBED IN THAT CERTAIN STATE OF CALIFORNIA PATENT AND RESERVATION OF PUBLIC TRUST EASEMENT RECORDED ON JUNE 10, 2013 AS DOCUMENT NUMBER 2013203243, OFFICIAL RECORDS OF ALAMEDA COUNTY.

CITY OF OAKLAND ALAMEDA COUNTY CALIFORNIA

MARCH 2015



EXHIBIT A

OWNER'S ACKNOWLEDGMENT

A NOTARY PUBLIC OR OTHER OFFICER COMPLETING THIS CERTIFICATE VERIFIES ONLY THE IDENTITY OF THE INDIVIDUAL WHO SIGNED THE DOCUMENT TO WHICH THIS CERTIFICATE IS ATTACHED, AND NOT THE TRUTHFULNESS, ACCURACY, OR VALIDITY OF THAT DOCUMENT

STATE OF _____)SS.

COUNTY OF _____)

ON _____ 20 ___ BEFORE ME, _____ A NOTARY PUBLIC,

PERSONALLY APPEARED, MICHAEL GHIEMETTI, WHO PROVED TO ME ON THE BASIS OF SATISFACTORY EVIDENCE TO BE THE PERSON(S) 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 BEHALF OF WHICH THE PERSON ACTED, EXECUTED THE INSTRUMENT.

I CERTIFY UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF CALIFORNIA THAT THE FOREGOING PARAGRAPH IS TRUE AND CORRECT.

WITNESS MY HAND:

NOTARY'S SIGNATURE: _____

PRINTED NAME: _____

PRINCIPAL PLACE OF BUSINESS: _____

COMMISSION No.: _____

COMMISSION EXPIRATION DATE: _____

SURVEYOR'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 ZARSON-OHP I, LLC, A CALIFORNIA LIMITED LIABILITY COMPANY IN OCTOBER 2013. I HEREBY STATE THAT ALL THE MONUMENTS ARE OF THE CHARACTER AND OCCUPY THE POSITIONS INDICATED OR THAT THEY WILL BE SET IN THOSE POSITIONS BEFORE JULY 2016, AND THAT THE MONUMENTS ARE, OR WILL BE, SUFFICIENT TO ENABLE THE SURVEY TO BE RETRACED, AND THAT THIS FINAL MAP SUBSTANTIALLY CONFORMS TO THE APPROVED OR CONDITIONALLY APPROVED TENTATIVE MAP.

ALEX CALDER, PLS 8863



DATE _____

EXISTING EASEMENT NOTE

EASEMENT DESCRIBED IN THE DOCUMENT RECORDED ON FEBRUARY 28, 2005, AS INSTRUMENT NUMBER 2005077956 IS OUTSIDE SUBDIVISION AND THEREFORE NOT PLOTTED.

PUBLIC TRUST EASEMENT RIGHTS ARE ALSO DESCRIBED IN DOCUMENT NUMBER 2013203241, OFFICIAL RECORDS, ALAMEDA COUNTY, DESCRIBES SAME PARCELS AS DOCUMENT NUMBER 2013203243.

BENEFICIARY'S STATEMENT

WE THE CITY OF OAKLAND, A MUNICIPAL CORPORATION, ACTING BY AND THROUGH ITS BOARD OF PORT COMMISSIONERS, (TOGETHER WITH ITS SUCCESSORS AND ASSIGNS), AS BENEFICIARY UNDER THOSE CERTAIN DEED OF TRUST, RECORDED JUNE 10, 2013, AS DOCUMENT NUMBER 2013203243, OFFICIAL RECORDS OF ALAMEDA COUNTY, ENCUMBERING THE LAND HEREIN SHOWN, CONSENT TO THE OWNER'S STATEMENT, MAKING AND FILING OF THIS MAP.

BY: _____

BY: _____

ITS: _____

DATE: _____

BENEFICIARY'S ACKNOWLEDGMENT

A NOTARY PUBLIC OR OTHER OFFICER COMPLETING THIS CERTIFICATE VERIFIES ONLY THE IDENTITY OF THE INDIVIDUAL WHO SIGNED THE DOCUMENT TO WHICH THIS CERTIFICATE IS ATTACHED, AND NOT THE TRUTHFULNESS, ACCURACY, OR VALIDITY OF THAT DOCUMENT

STATE OF _____)SS.

COUNTY OF _____)

ON _____ 20 ___ BEFORE ME, _____ A NOTARY PUBLIC,

PERSONALLY APPEARED _____ WHO 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 THE ENTITY UPON BEHALF OF WHICH THE PERSON(S) ACTED, EXECUTED THE INSTRUMENT.

I CERTIFY UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF CALIFORNIA THAT THE FOREGOING PARAGRAPH IS TRUE AND CORRECT.

WITNESS MY HAND:

NOTARY'S SIGNATURE: _____

PRINTED NAME: _____

PRINCIPAL PLACE OF BUSINESS: _____

COMMISSION No.: _____

COMMISSION EXPIRATION DATE: _____

RECORDER'S STATEMENT

FILE NO. _____ FEE \$ _____ PAID. ACCEPTED FOR RECORD

AND FILED THIS _____ DAY OF _____ 2015, AT _____ M. IN

BOOK _____ OF MAPS, AT PAGES _____, ALAMEDA COUNTY RECORDS.

AT THE REQUEST OF FIRST AMERICAN TITLE.

STEVE MANNING, COUNTY RECORDER,
ALAMEDA COUNTY, CALIFORNIA

BY: _____
DEPUTY COUNTY RECORDER

FEE _____ SERIES# _____

TRACT MAP NO. 7621

PHASE 01 - FOR CONDOMINIUM PURPOSES

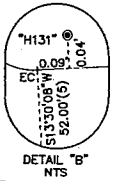
BEING A SUBDIVISION OF A PORTION OF PARCEL 3 (S/B2) AND ALL OF PARCEL 4 (S/A) AS SAID PARCELS ARE DESCRIBED IN THAT CERTAIN STATE OF CALIFORNIA PATENT AND TRUST TERMINATION RECORDED ON JUNE 10, 2013 AS DOCUMENT NUMBER 2013203239, OFFICIAL RECORDS OF ALAMEDA COUNTY, A PORTION OF PARCEL 4 (P/B1) AS SAID PARCEL IS DESCRIBED IN THAT CERTAIN GRANT DEED RECORDED ON JUNE 10, 2013 AS DOCUMENT NUMBER 2013203240, OFFICIAL RECORDS OF ALAMEDA COUNTY, A PORTION OF PARCEL 1 (P/R1) AND A PORTION OF PARCEL 2 (P/T1) AS SAID PARCELS ARE DESCRIBED IN THAT CERTAIN GRANT DEED RECORDED ON JUNE 10, 2013 AS DOCUMENT NUMBER 2013203242, OFFICIAL RECORDS OF ALAMEDA COUNTY AND ALL OF PARCEL 1 (T/R2) AND A PORTION OF PARCEL 2 (T/T2) AS SAID PARCELS ARE DESCRIBED IN THAT CERTAIN STATE OF CALIFORNIA PATENT AND RESERVATION OF PUBLIC TRUST EASEMENT RECORDED ON JUNE 10, 2013 AS DOCUMENT NUMBER 2013203243, OFFICIAL RECORDS OF ALAMEDA COUNTY.

CITY OF OAKLAND ALAMEDA COUNTY CALIFORNIA

MARCH 2015



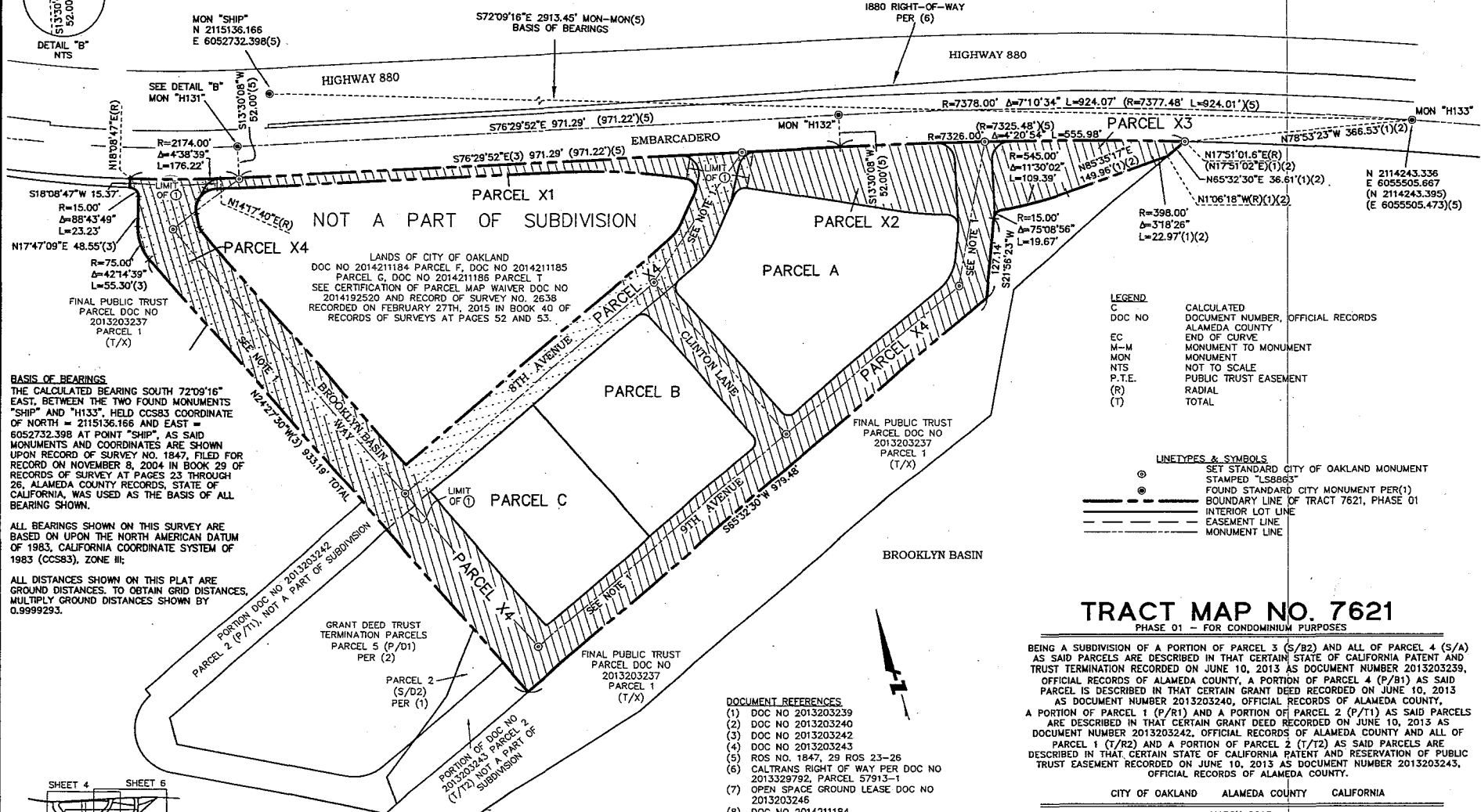
BKF ENGINEERS
300 FRANK OGAWA PLAZA, SUITE 380
OAKLAND, CA 94612



NOTE 1.
PARCEL X4, BROOKLYN BASIN WAY, 8TH AVENUE, 9TH AVENUE AND CLINTON LANE SHOWN ON THIS MAP ARE OFFERED FOR DEDICATION TO THE CITY FOR PUBLIC USE. SEE OWNERS STATEMENT.

① TEMPORARY EASEMENTS FOR ACCESS AND UTILITIES EXISTS FOR BENEFIT OF AND ADJACENT TO PARCELS F, G AND T OVER PORTIONS OF BROOKLYN BASIN WAY AND 8TH AVENUES PER THE FOLLOWING DOCUMENTS
DOC NO 2014211184, DOC NO 2014211185 AND DOC NO 2014211186;

PUBLIC TRUST EASEMENT PER REFERENCES (3)&(4)



BASIS OF BEARINGS.
THE CALCULATED BEARING SOUTH 72°09'16" EAST, BETWEEN THE TWO FOUND MONUMENTS "SHIP" AND "H133", HELD CCSI COORDINATE OF NORTH = 2115136.166 AND EAST = 6052732.398 AT POINT "SHIP", AS SAID MONUMENTS AND COORDINATES ARE SHOWN UPON RECORD OF SURVEY NO. 1847, FILED FOR RECORD ON NOVEMBER 8, 2004 IN BOOK 29 OF RECORDS OF SURVEY AT PAGES 23 THROUGH 26, ALAMEDA COUNTY RECORDS, STATE OF CALIFORNIA, WAS USED AS THE BASIS OF ALL BEARING SHOWN.

ALL BEARINGS SHOWN ON THIS SURVEY ARE BASED ON UPON THE NORTH AMERICAN DATUM OF 1983, CALIFORNIA COORDINATE SYSTEM OF 1983 (CCS83), ZONE III;

ALL DISTANCES SHOWN ON THIS PLAT ARE GROUND DISTANCES. TO OBTAIN GRID DISTANCES, MULTIPLY GROUND DISTANCES SHOWN BY 0.9999293.

LANDS OF CITY OF OAKLAND
DOC NO 2014211184 PARCEL F, DOC NO 2014211185 PARCEL C, DOC NO 2014211186 PARCEL T
SEE CERTIFICATION OF PARCEL MAP WAIVER DOC NO 2014192520 AND RECORD OF SURVEY NO. 2638 RECORDED ON FEBRUARY 27TH, 2015 IN BOOK 40 OF RECORDS OF SURVEYS AT PAGES 52 AND 53.

LEGEND

C	CALCULATED DOCUMENT NUMBER, OFFICIAL RECORDS
EC	ALAMEDA COUNTY END OF CURVE
M-M	MONUMENT TO MONUMENT
MON	MONUMENT
NTS	NOT TO SCALE
P.T.E.	PUBLIC TRUST EASEMENT
(R)	RADIAL
(T)	TOTAL

LINE TYPES & SYMBOLS

⊙	SET STANDARD CITY OF OAKLAND MONUMENT
⊙	STAMPED "LS8863"
⊙	FOUND STANDARD CITY MONUMENT PER(1)
---	BOUNDARY LINE OF TRACT 7621, PHASE 01
---	EASEMENT LINE
---	INTERIOR LOT LINE
---	MONUMENT LINE

TRACT MAP NO. 7621
PHASE 01 - FOR CONDOMINIUM PURPOSES

BEING A SUBDIVISION OF A PORTION OF PARCEL 3 (S/B2) AND ALL OF PARCEL 4 (S/A) AS SAID PARCELS ARE DESCRIBED IN THAT CERTAIN STATE OF CALIFORNIA PATENT AND TRUST TERMINATION RECORDED ON JUNE 10, 2013 AS DOCUMENT NUMBER 2013203239, OFFICIAL RECORDS OF ALAMEDA COUNTY, A PORTION OF PARCEL 4 (P/B1) AS SAID PARCEL IS DESCRIBED IN THAT CERTAIN GRANT DEED RECORDED ON JUNE 10, 2013 AS DOCUMENT NUMBER 2013203240, OFFICIAL RECORDS OF ALAMEDA COUNTY, A PORTION OF PARCEL 1 (P/R1) AND A PORTION OF PARCEL 2 (P/T1) AS SAID PARCELS ARE DESCRIBED IN THAT CERTAIN GRANT DEED RECORDED ON JUNE 10, 2013 AS DOCUMENT NUMBER 2013203242, OFFICIAL RECORDS OF ALAMEDA COUNTY AND ALL OF PARCEL 1 (T/R2) AND A PORTION OF PARCEL 2 (T/T2) AS SAID PARCELS ARE DESCRIBED IN THAT CERTAIN STATE OF CALIFORNIA PATENT AND RESERVATION OF PUBLIC TRUST EASEMENT RECORDED ON JUNE 10, 2013 AS DOCUMENT NUMBER 2013203243, OFFICIAL RECORDS OF ALAMEDA COUNTY.

CITY OF OAKLAND ALAMEDA COUNTY CALIFORNIA

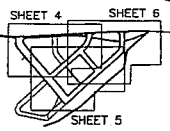
MARCH 2015

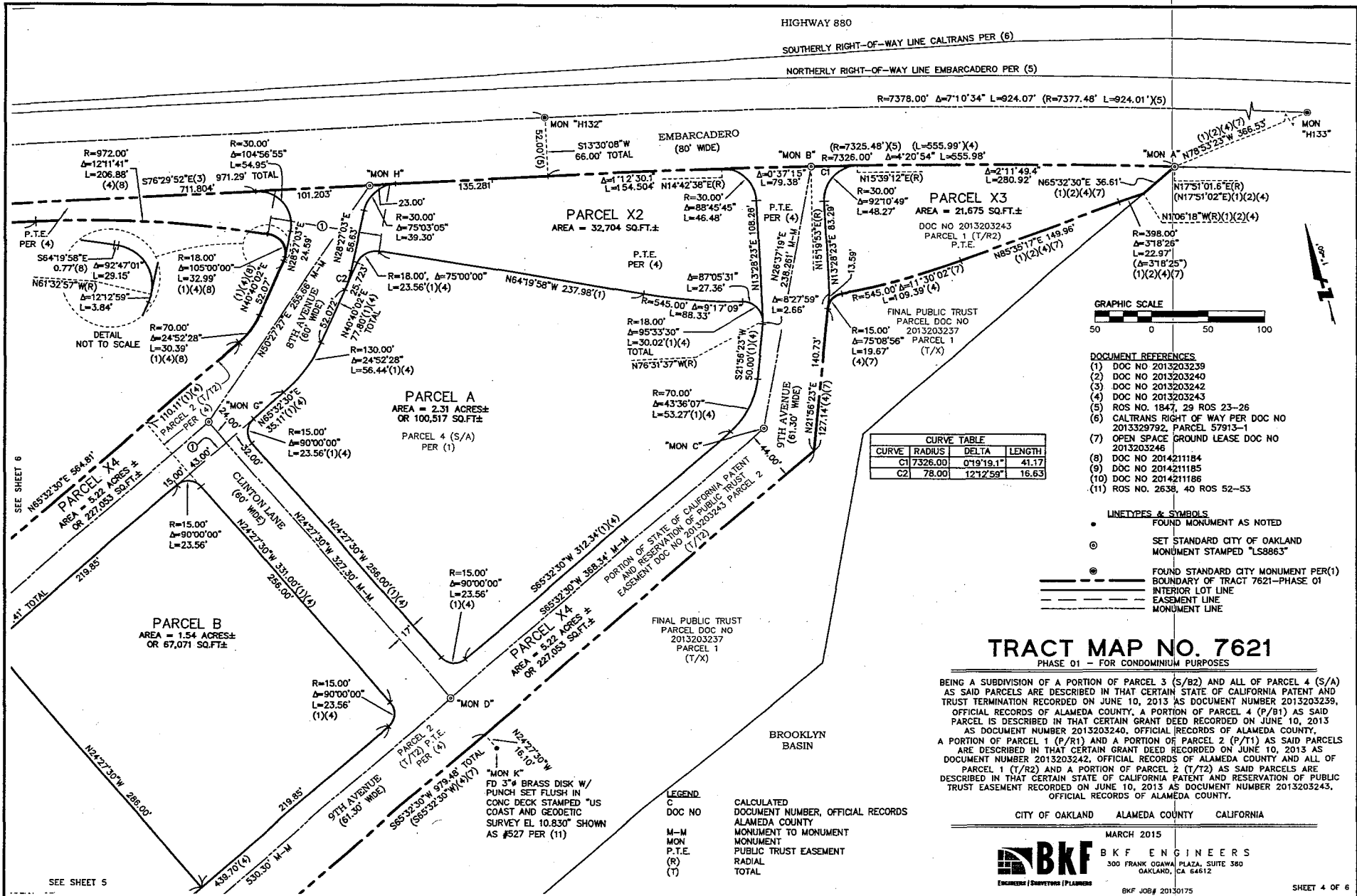


BKF JOB# 20130175

- DOCUMENT REFERENCES**
- (1) DOC NO 2013203239
 - (2) DOC NO 2013203240
 - (3) DOC NO 2013203242
 - (4) DOC NO 2013203243
 - (5) ROS NO. 1847, 29 ROS 23-26
 - (6) CALTRANS RIGHT OF WAY PER DOC NO 2013329792, PARCEL 57913-1
 - (7) OPEN SPACE GROUND LEASE DOC NO 2013203246
 - (8) DOC NO 2014211184
 - (9) DOC NO 2014211185
 - (10) DOC NO 2014211186

SEE EASEMENT NOTE ON SHEET 2





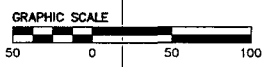
HIGHWAY 880
 SOUTHERLY RIGHT-OF-WAY LINE CALTRANS PER (6)
 NORTHERLY RIGHT-OF-WAY LINE EMBARCADERO PER (5)

R=7378.00' Δ=7°10'34" L=924.07' (R=7377.48' L=924.01')(5)

MON "H132" EMBARCADERO (80' WIDE)
 S13°30'08"W 66.00' TOTAL
 MON "B" (R=7325.48')(5) (L=555.99')(4)
 R=7326.00' Δ=4°20'54" L=655.98'
 MON "A" N78°53'25"W 366.55'
 MON "H133"

R=972.00' Δ=121°11'41" L=206.88' (4)(8)
 S76°29'52"E(3) 971.29' TOTAL
 711.804'

PARCEL X3
 AREA = 21,675 SQ.FT.±
 DOC NO 2013203243
 PARCEL 1 (T/R2)
 P.T.E.
 R=30.00' Δ=92°10'49" L=48.27'
 N15°39'12"E(R)
 Δ=2°11'49.4" L=280.92'
 N65°32'30"E 36.61' (1)(2)(4)(7)
 N17°51'01.6"E(R) (N17°51'02"E)(1)(2)(4)
 N106°18'W(R)(1)(2)(4)
 R=398.00' Δ=378°26" L=22.97' (Δ=318°25')(1)(2)(4)(7)



- DOCUMENT REFERENCES
- (1) DOC NO 2013203239
 - (2) DOC NO 2013203240
 - (3) DOC NO 2013203242
 - (4) DOC NO 2013203243
 - (5) ROS NO. 1847, 29 ROS 23-26
 - (6) CALTRANS RIGHT OF WAY PER DOC NO 2013329792, PARCEL 57913-1
 - (7) OPEN SPACE GROUND LEASE DOC NO 2013203246
 - (8) DOC NO 201421184
 - (9) DOC NO 201421185
 - (10) DOC NO 201421186
 - (11) ROS NO. 2638, 40 ROS 52-53

CURVE TABLE

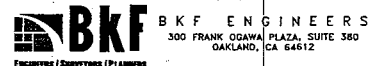
CURVE	RADIUS	DELTA	LENGTH
C1	7326.00'	0°19'19.1"	41.17'
C2	78.00'	12°12'59"	16.63'

- LINETYPES & SYMBOLS
- FOUND MONUMENT AS NOTED
 - ⊙ SET STANDARD CITY OF OAKLAND MONUMENT STAMPED "LS8863"
 - ⊙ FOUND STANDARD CITY MONUMENT PER(1)
 - BOUNDARY OF TRACT 7621-PHASE 01
 - - - INTERIOR LOT LINE
 - - - EASEMENT LINE
 - MONUMENT LINE

TRACT MAP NO. 7621
 PHASE 01 - FOR CONDOMINIUM PURPOSES

BEING A SUBDIVISION OF A PORTION OF PARCEL 3 (S/B2) AND ALL OF PARCEL 4 (S/A) AS SAID PARCELS ARE DESCRIBED IN THAT CERTAIN STATE OF CALIFORNIA PATENT AND TRUST TERMINATION RECORDED ON JUNE 10, 2013 AS DOCUMENT NUMBER 2013203239, OFFICIAL RECORDS OF ALAMEDA COUNTY, A PORTION OF PARCEL 4 (P/B1) AS SAID PARCEL IS DESCRIBED IN THAT CERTAIN GRANT DEED RECORDED ON JUNE 10, 2013 AS DOCUMENT NUMBER 2013203240, OFFICIAL RECORDS OF ALAMEDA COUNTY, A PORTION OF PARCEL 1 (P/R1) AND A PORTION OF PARCEL 2 (P/T1) AS SAID PARCELS ARE DESCRIBED IN THAT CERTAIN GRANT DEED RECORDED ON JUNE 10, 2013 AS DOCUMENT NUMBER 2013203242, OFFICIAL RECORDS OF ALAMEDA COUNTY AND ALL OF PARCEL 1 (T/R2) AND A PORTION OF PARCEL 2 (T/R2) AS SAID PARCELS ARE DESCRIBED IN THAT CERTAIN STATE OF CALIFORNIA PATENT AND RESERVATION OF PUBLIC TRUST EASEMENT RECORDED ON JUNE 10, 2013 AS DOCUMENT NUMBER 2013203243, OFFICIAL RECORDS OF ALAMEDA COUNTY.

CITY OF OAKLAND ALAMEDA COUNTY CALIFORNIA



MARCH 2015

- LEGEND
- DOC NO
 - M-M MONUMENT TO MONUMENT
 - MON MONUMENT
 - P.T.E. PUBLIC TRUST EASEMENT
 - (R) RADIAL
 - (T) TOTAL

MON "K"
 FD 3" BRASS DISK W/
 PUNCH SET FLUSH IN
 CONC DECK STAMPED "US
 COAST AND GEODETIC
 SURVEY EL 10.830" SHOWN
 AS #527 PER (11)

SEE SHEET 6

SEE SHEET 5

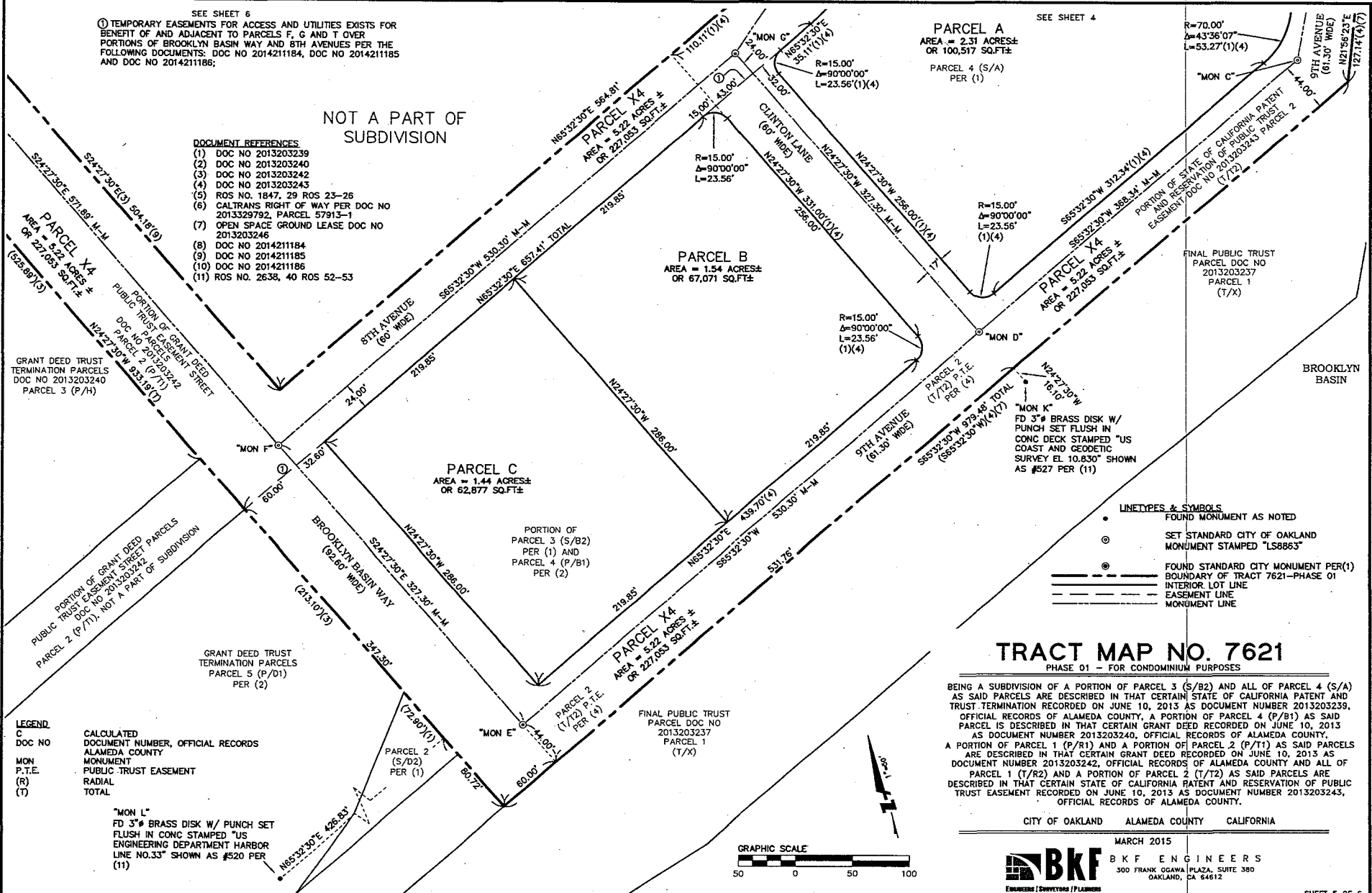
SEE SHEET 6
 (1) TEMPORARY EASEMENTS FOR ACCESS AND UTILITIES EXISTS FOR BENEFIT OF AND ADJACENT TO PARCELS F, G AND T OVER PORTIONS OF BROOKLYN BASIN WAY AND 8TH AVENUES PER THE FOLLOWING DOCUMENTS: DOC NO 201421184, DOC NO 201421185 AND DOC NO 201421186;

SEE SHEET 4

NOT A PART OF SUBDIVISION

DOCUMENT REFERENCES

- (1) DOC NO 2013203239
- (2) DOC NO 2013203240
- (3) DOC NO 2013203242
- (4) DOC NO 2013203243
- (5) ROS NO. 1847, 29 ROS 23-26
- (6) CALTRANS RIGHT OF WAY PER DOC NO 2013329792, PARCEL 57913-1
- (7) OPEN SPACE GROUND LEASE DOC NO 2013203246
- (8) DOC NO 201421184
- (9) DOC NO 201421185
- (10) DOC NO 201421186
- (11) ROS NO. 2638, 40 ROS 52-53



- LINE TYPES & SYMBOLS**
- FOUND MONUMENT AS NOTED
 - ⊙ SET STANDARD CITY OF ALAMEDA MONUMENT STAMPED "LS8863"
 - ⊙ FOUND STANDARD CITY MONUMENT PER (1)
 - BOUNDARY OF TRACT 7621-PHASE 01
 - INTERIOR LOT LINE
 - EASEMENT LINE
 - MONUMENT LINE

TRACT MAP NO. 7621

PHASE 01 - FOR CONDOMINIUM PURPOSES

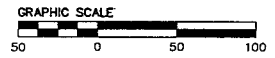
BEING A SUBDIVISION OF A PORTION OF PARCEL 3 (S/B2) AND ALL OF PARCEL 4 (S/A) AS SAID PARCELS ARE DESCRIBED IN THAT CERTAIN STATE OF CALIFORNIA PATENT AND TRUST TERMINATION RECORDED ON JUNE 10, 2013 AS DOCUMENT NUMBER 2013203239, OFFICIAL RECORDS OF ALAMEDA COUNTY, A PORTION OF PARCEL 4 (P/B1) AS SAID PARCEL IS DESCRIBED IN THAT CERTAIN GRANT DEED RECORDED ON JUNE 10, 2013 AS DOCUMENT NUMBER 2013203240, OFFICIAL RECORDS OF ALAMEDA COUNTY, A PORTION OF PARCEL 1 (P/R1) AND A PORTION OF PARCEL 2 (P/T1) AS SAID PARCELS ARE DESCRIBED IN THAT CERTAIN GRANT DEED RECORDED ON JUNE 10, 2013 AS DOCUMENT NUMBER 2013203242, OFFICIAL RECORDS OF ALAMEDA COUNTY AND ALL OF PARCEL 1 (T/R2) AND A PORTION OF PARCEL 2 (T/T2) AS SAID PARCELS ARE DESCRIBED IN THAT CERTAIN STATE OF CALIFORNIA PATENT AND RESERVATION OF PUBLIC TRUST EASEMENT RECORDED ON JUNE 10, 2013 AS DOCUMENT NUMBER 2013203243, OFFICIAL RECORDS OF ALAMEDA COUNTY.

CITY OF OAKLAND ALAMEDA COUNTY CALIFORNIA

MARCH 2015

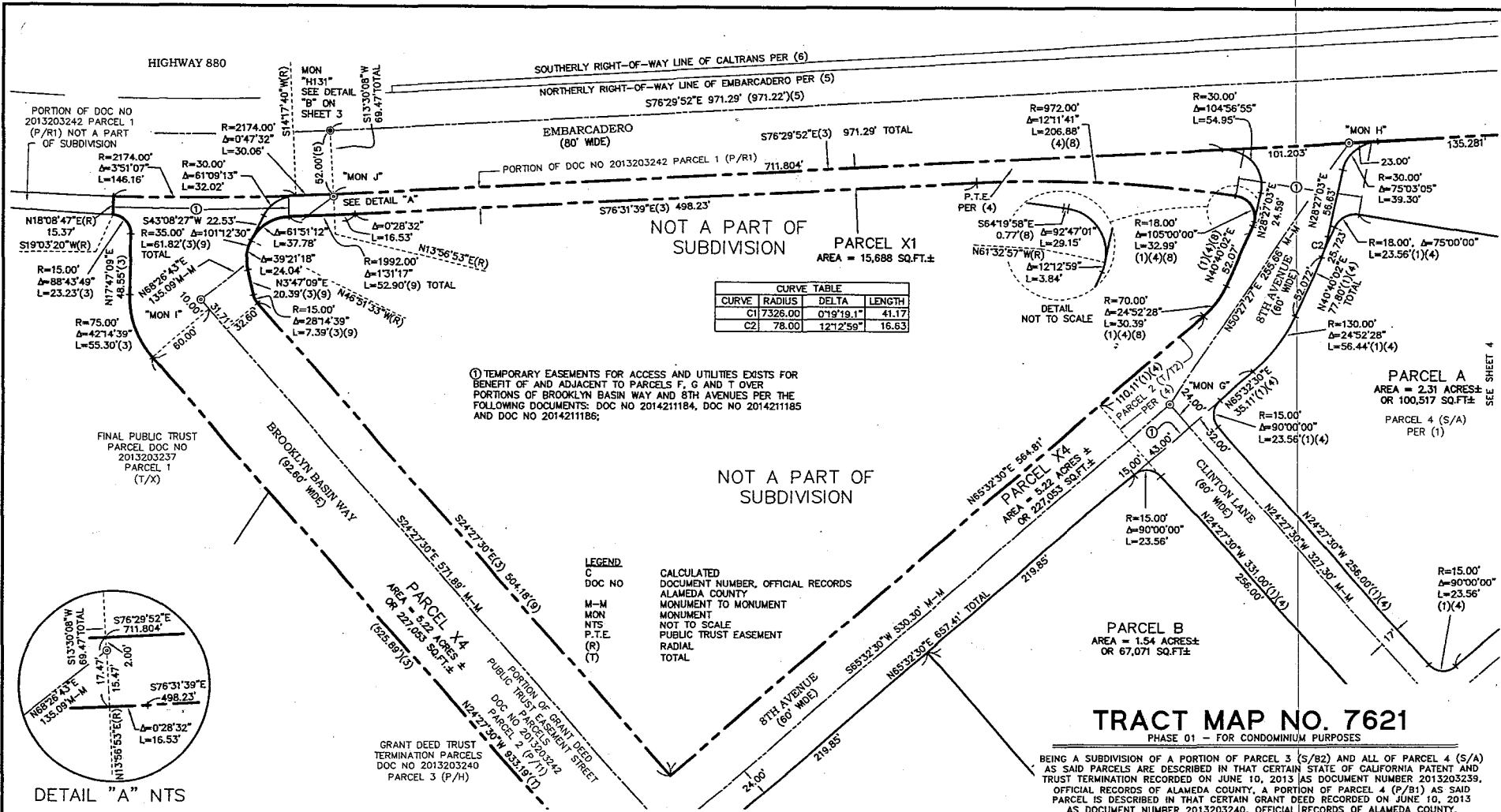


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 300 FRANK OGAWA PLAZA, SUITE 380
 OAKLAND, CA 94612



- LEGEND**
- C DOC NO
 - MON
 - F.T.E.
 - (R)
 - (T)
- CALCULATED DOCUMENT NUMBER, OFFICIAL RECORDS ALAMEDA COUNTY MONUMENT PUBLIC TRUST EASEMENT RADIAL TOTAL

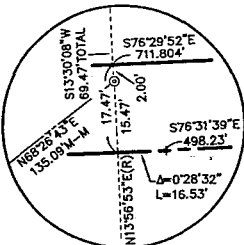
"MON L"
 FD 3" # BRASS DISK W/ PUNCH SET FLUSH IN CONC STAMPED "US ENGINEERING DEPARTMENT HARBOR LINE NO.33" SHOWN AS #520 PER (11)



CURVE TABLE

CURVE	RADIUS	DELTA	LENGTH
C1	7326.00	0°19'19.1"	41.17
C2	78.00	12°12'59"	16.63

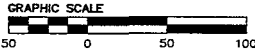
① TEMPORARY EASEMENTS FOR ACCESS AND UTILITIES EXISTS FOR BENEFIT OF AND ADJACENT TO PARCELS F, G AND T OVER PORTIONS OF BROOKLYN BASIN WAY AND 8TH AVENUES PER THE FOLLOWING DOCUMENTS: DOC NO 2014211184, DOC NO 2014211185 AND DOC NO 2014211186;



DETAIL "A" NTS

- DOCUMENT REFERENCES**
- (1) STATE OF CALIFORNIA PATENT AND TRUST TERMINATION PARCELS DOC NO 2013203239
 - (2) GRANT DEED TRUST TERMINATION PARCELS DOC NO 2013203240
 - (3) STATE OF CALIFORNIA PATENT AND RESERVATION OF PUBLIC TRUST EASEMENT DOC NO 2013203242
 - (4) STATE OF CALIFORNIA PATENT AND RESERVATION OF PUBLIC TRUST EASEMENT DOC NO 2013203243
 - (5) ROS NO 1847, 29 ROS 23-26
 - (6) CALTRANS RIGHT OF WAY PER DOC NO 2013329792, PARCEL 57913-1
 - (7) OPEN SPACE GROUND LEASE DOC NO 2013203246
 - (8) DOC NO 2014211184
 - (9) DOC NO 2014211185
 - (10) DOC NO 2014211186

- LINE TYPES & SYMBOLS**
- ⊙ SET STANDARD CITY OF OAKLAND MONUMENT STAMPED "LS9863"
 - ⊕ FOUND STANDARD CITY MONUMENT PER(5)
 - BOUNDARY OF TRACT 7621-PHASE 01
 - - - INTERIOR LOT LINE
 - · - · - EASEMENT LINE
 - MONUMENT LINE



TRACT MAP NO. 7621
 PHASE 01 - FOR CONDOMINIUM PURPOSES

BEING A SUBDIVISION OF A PORTION OF PARCEL 3 (S/B2) AND ALL OF PARCEL 4 (S/A) AS SAID PARCELS ARE DESCRIBED IN THAT CERTAIN STATE OF CALIFORNIA PATENT AND TRUST TERMINATION RECORDED ON JUNE 10, 2013 AS DOCUMENT NUMBER 2013203239, OFFICIAL RECORDS OF ALAMEDA COUNTY, A PORTION OF PARCEL 4 (P/B1) AS SAID PARCEL IS DESCRIBED IN THAT CERTAIN GRANT DEED RECORDED ON JUNE 10, 2013 AS DOCUMENT NUMBER 2013203240, OFFICIAL RECORDS OF ALAMEDA COUNTY, A PORTION OF PARCEL 1 (P/R1) AND A PORTION OF PARCEL 2 (P/T1) AS SAID PARCELS ARE DESCRIBED IN THAT CERTAIN GRANT DEED RECORDED ON JUNE 10, 2013 AS DOCUMENT NUMBER 2013203242, OFFICIAL RECORDS OF ALAMEDA COUNTY AND ALL OF PARCEL 1 (T/R2) AND A PORTION OF PARCEL 2 (T/T2) AS SAID PARCELS ARE DESCRIBED IN THAT CERTAIN STATE OF CALIFORNIA PATENT AND RESERVATION OF PUBLIC TRUST EASEMENT RECORDED ON JUNE 10, 2013 AS DOCUMENT NUMBER 2013203243, OFFICIAL RECORDS OF ALAMEDA COUNTY.

CITY OF OAKLAND ALAMEDA COUNTY CALIFORNIA

MARCH 2015

BKF BKF ENGINEERS
 300 FRANK OGAWA PLAZA, SUITE 380
 OAKLAND, CA 94612

ENGINEERS / SURVEYORS / PLANNERS

BKF JOB# 20130175

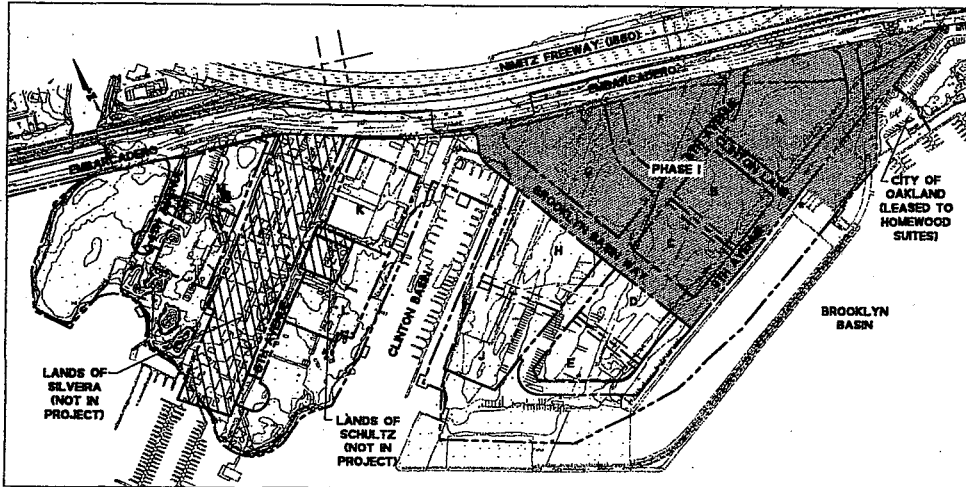
SHEET 6 OF 6

BROOKLYN BASIN

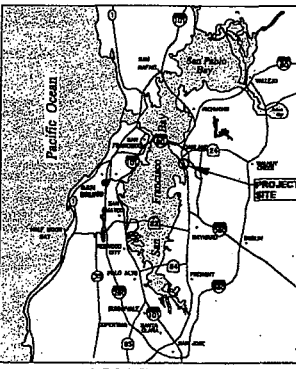
CITY OF OAKLAND, ALAMEDA COUNTY, CALIFORNIA

TRACT MAP NO. 7621

ET NO.	DESCRIPTION
1	ET INDEX
2	NOTES, ABBREVIATIONS AND LEGEND
3	BOUNDARY AND EASEMENTS
4	BOUNDARY AND EASEMENTS-FOR REFERENCE ONLY
5	SITE PLAN
6	FIRE ACCESS PLAN
7	CONTROL PLAN
8	MONUMENT PLAN
9	EXISTING CONDITIONS
10	EXISTING CONDITIONS
11	EXISTING CONDITIONS
12	EXISTING CONDITIONS
13	EXISTING CONDITIONS
14	EXISTING CONDITIONS
15	EXISTING CONDITIONS
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95	EXISTING CONDITIONS
96	EXISTING CONDITIONS
97	EXISTING CONDITIONS
98	EXISTING CONDITIONS
99	EXISTING CONDITIONS
100	EXISTING CONDITIONS



SITE PLAN
1"=200'



LOCATION MAP
1"=1 MILE

- PROJECT DATA**
- DEVELOPER:**
ZARSON GROUP, LLC
C/O SIGNATURE PROPERTIES
2335 BROADWAY, SUITE 200
OAKLAND, CA 94612
PHONE: (510) 231-9272
CONTACT: PATRICK VAN NESS
- ENGINEER:**
BKf ENGINEERS
300 FRANK OSGANA PLAZA, SUITE 300
OAKLAND, CA 94612
PHONE: (850) 485-8377
CONTACT: SIMON NORTH
- LANDSCAPE ARCHITECT:**
GOLDEN ASSOCIATES
4400 MARKET STREET
OAKLAND, CA 94608
PHONE: (510) 485-4030
CONTACT: LESLIE GOLDEN
- GEOTECHNICAL ENGINEER:**
ENGD
2010 CROW CANYON PLACE, SUITE 250
SAN RAMON, CA 94583
PHONE: (925) 888-9000
CONTACT: JEFF FRPNN
- SHORELINE ENGINEER:**
MORFATT & MICHAL
2185 K. CALIFORNIA BLVD., SUITE 500
WALNUT CREEK, CA 94598-3000
PHONE: (925) 944-2811
CONTACT: MEL MICHALS

- REVISIONS**
1. JOINT TRENCH INTENT-TITLE SHEET
2. JOINT TRENCH INTENT
3. JOINT TRENCH INTENT
4. JOINT TRENCH INTENT
- MEASUREMENTS**
1. NOTES, LEGEND, LISTS
2. PLANTING NOTES AND SCHEDULE
3. PLANTING NOTES AND SCHEDULE
4. LAYOUT IDENTIFICATION PLAN
5. LAYOUT IDENTIFICATION PLAN
6. LAYOUT IDENTIFICATION PLAN
7. LIGHTING PHOTOMETRICS
8. PLANTING PLAN
9. PLANTING PLAN
10. BROADCASTING PLANTING PLAN
11. LANDSCAPE DETAILS
12. LANDSCAPE DETAILS
13. LANDSCAPE DETAILS
14. FUNDING SITES
15. IRRIGATION PLAN
16. IRRIGATION PLAN
17. IRRIGATION PLAN
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29. IRRIGATION PLAN
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ENGINEER'S STATEMENT

THESE CONSTRUCTION DOCUMENTS HAVE BEEN PREPARED BY ME OR UNDER MY DIRECTION IN ACCORDANCE WITH STANDARD ENGINEERING PRACTICE.

Todd M. Adair
TODD M. ADAIR, P.E.
PRINCIPAL/VICE PRESIDENT
BKf ENGINEERS



12/3/2014
DATE

Simon R. North
SIMON R. NORTH, P.E.
PROJECT MANAGER
BKf ENGINEERS



12/3/2014
DATE

GEOTECHNICAL ENGINEER'S STATEMENT

THESE IMPROVEMENT PLANS HAVE BEEN REVIEWED AND APPROVED FOR CONFORMANCE WITH THE GEOTECHNICAL REPORT, TITLED "BROOKLYN BASIN PHASE I INFRASTRUCTURE IMPROVEMENTS - OAKLAND, CA," DATED NOVEMBER 12, 2013, AND ALL GEOTECHNICAL MEMORANDUMS BY ENGD.

Jeff Fernald
JEFF FERNALD, G.E.
GEOTECHNICAL ENGINEER
ENGD



12/3/2014
DATE

CITY OF OAKLAND

APPROVED: CITY OF OAKLAND FIRE DEPARTMENT (FOR STREET NAMES, FIRE HYDRANT SPACING AND FIRE SERVICE LOCATION AND CONSTRUCTION DETAILS.)

BY: _____ DATE: _____

APPROVED: CITY OF OAKLAND TRAFFIC ENGINEERING DEPARTMENT

BY: _____ DATE: _____

APPROVED: CITY OF OAKLAND ELECTRICAL SERVICES

BY: _____ DATE: _____

APPROVED: CITY OF OAKLAND ENGINEERING DEPARTMENT

BY: _____ DATE: _____



CALIFORNIA

BROOKLYN BASIN
ON-SITE IMPROVEMENT PLANS
TITLE SHEET
ALAMEDA COUNTY

CITY OF OAKLAND

Drawn	12/02/14	No.	
Scale	AS NOTED		
Design			
Check			
Approved			
Job No.	20130718		
Sheet Number			

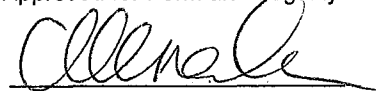
EXHIBIT B

CITY SUBMITTAL 12/3/14

Introduced by

FILED
OFFICE OF THE CITY CLERK
OAKLAND

Approved for Form and Legality


Office of the City Attorney

Councilmember

2015 APR -1 AM 12:51

OAKLAND CITY COUNCIL

Resolution No. _____ C.M.S.

**RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR OR HIS
DESIGNEE TO ENTER INTO A SUBDIVISION IMPROVEMENT
AGREEMENT WITH ZARSION-OHP I LLC FOR DEFERRED
CONSTRUCTION OF PUBLIC INFRASTRUCTURE IMPROVEMENTS
AS A CONDITION TO FINAL MAP APPROVAL FOR TRACT NO. 7621
PHASE 1 LOCATED AT 845 EMBARCADERO**

WHEREAS, ZARSION-OHP I LLC, a California limited liability company (no. 201309910387 (“Subdivider”), is the subdivider of seven (7) parcels identified by the Alameda County Assessor as APNs 018-0465-002-07, 018-0465-002-11, 018-0465-002-08, 018-0470-002-05, 018-0460-004-13, 018-0465-002-13, 018-0460-004-014, 018-0465-002-14, 018-0465-002-16, 018-0470-002-07, 018-0470-002-17 and 018-0470-002-08, and by the Alameda County Clerk-Recorder as Tract No. 7621, Phase 1, and by the City of Oakland as 845 Embarcadero; and

WHEREAS, the Subdivider has acquired by purchase for valuable consideration the real property comprising Tract No. 762, Phase 1 through State of California Patent and Trust Termination, series no. 20133203239, recorded June 10, 2013, a State of California Patent and Reservation of Public Trust, series no. 20133203243, recorded June 10, 2013 and two grant deeds, series no. 2013203240, recorded June 10, 2013, and series no. 2013203242 recorded June 10, 2013, by the Alameda County Clerk-Recorder; and

WHEREAS, said seven (7) parcels are comprised of a portion of Parcel 3 (S/B2) and all of Parcel 4 (S/A) as said parcels are described in State of California Patent and Trust Termination, series number 2013203239, recorded on June 10, 2013, a portion of Parcel 4 (P/B1) as said parcel is described in grant deed, series number 2013203240, recorded on June 10, 2013, a portion of parcel 1 (P/R1) and all of Parcel 2 (P/T1) as said Parcels are described in grant deed, series number 2013203242, recorded on June 10, 2013, and a portion of Parcel 1 (T/R2) and a portion of Parcel 2 (T/T2) as said Parcels are described in the State of California Patent and Reservation of Public Trust Easement, series number 20133203243, recorded on June 10, 2013; and

WHEREAS, Oakland Harbor Partners, LLC applied to the City for a Vesting Tentative Tract Map (VTTM 7621); and

WHEREAS, on March 15, 2006, the Planning Commission approved Vesting Tentative Tract Map No. 7621 and the land use entitlements, and certified the Environmental Impact Report (EIR) for the Oak to Ninth Mixed Use Development Project (Oak to Ninth); and

WHEREAS, on June 20, 2006, the City Council adopted Resolution No. 79983 C.M.S. approving Vesting Tentative Tract Map No. 7621 for Oak to Ninth; and

WHEREAS, on July 18, 2006, the City Council authorized a number of actions to approve Oak to Ninth, including adoption of Resolution No. 79981 C.M.S. to certify the EIR; and

WHEREAS, the Development Agreement for Oak to Ninth, now known as the Brooklyn Basin project, was authorized by Ordinance No. 12760 C.M.S. on July 18, 2006, and transferred and assigned to the Subdivider by Resolution No. 84934 C.M.S.; and

WHEREAS, the Development Agreement, as amended by the First Administrative Amendment to the Development Agreement, provides that the Brooklyn Basin project will be constructed in phases and that multiple Final Maps may be filed for the associated subdivision; and

WHEREAS, on January 20, 2009, the City Council adopted Resolution No. 81769 to, among other things, recertify the Oak to Ninth Project EIR as revised; and

WHEREAS, the Subdivider has presented a proposed Final Map for Phase 1 of the development to the City, identified as Final Map No. 7621 (Phase 1), which proposes the subdivision of three (3) developable parcels identified as Parcels A, B, and C, two (2) parcels for public right-of-way purposes identified as Parcels X1 and X4, and two (2) parcels as public open-space easements identified as Parcels X2 and X3, and the irrevocable offer of dedication to the City of Oakland of new open space easements and new public right of way easements; and

WHEREAS, through a separate companion Resolution, staff is seeking conditional approval of Final Map No. 7621; and

WHEREAS, pursuant to Government Code section 66462 and Oakland Municipal Code section 16.20.100, as a condition precedent to approval of the Final Map for Tract No. 7621, Phase 1, the Subdivider has executed a Subdivision Improvement Agreement, attached hereto as *Exhibit A* and incorporated herein, assuring the timely construction, unconditional warrantee, and prescribed maintenance of all required public infrastructure improvements; and

WHEREAS, pursuant to Government Code section 66499 et seq. and Oakland Municipal Code section 16.20.100, and as required by the Subdivision Improvement Agreement, the Subdivider has deposited adequate security in the form of surety bonds to secure the Subdivider's performance of the deferred public infrastructure improvements identified in the Subdivision Improvement Agreement; and

WHEREAS, approval of the Subdivision Improvement Agreement does not require further environmental review beyond the previously certified Environmental Impact Report as revised, as none of the circumstances necessitating further environmental review under CEQA Guidelines section 15162 are present; and

WHEREAS, as a separate and independent basis, approval of the Subdivision Improvement Agreement is also exempt from CEQA pursuant to CEQA Guidelines section 15183; now, therefore, be it

RESOLVED: That City Administrator or his designee is hereby authorized to enter into a Subdivision Improvement Agreement with ZARSION-OHP I LLC for deferred construction of public infrastructure improvements as a condition to final map approval for Tract No.7621, Phase 1; and be it

FURTHER RESOLVED: That all documents related to this Resolution shall be reviewed and approved by the City Attorney's prior to execution; and be it

FURTHER RESOLVED: That the City Engineer is authorized to cause the fully executed Subdivision Improvement Agreement to be filed concurrently with the fully endorsed Final Map for Tract No. 7621, Phase 1, for recordation by the Alameda County Clerk-Recorder; and be it

FURTHER RESOLVED: That this Resolution shall be effective upon its adoption by a sufficient affirmative votes of the elected members of Council of the City of Oakland, as provided in the Charter of the City of Oakland.

IN COUNCIL, OAKLAND, CALIFORNIA, _____

PASSED BY THE FOLLOWING VOTE:

AYES - BROOKS, CAMPBELL WASHINGTON, GALLO, GUILLEN, KALB, KAPLAN, REID AND PRESIDENT GIBSON MCELHANEY

NOES -

ABSENT -

ABSTENTION -

ATTEST: _____

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

EXHIBIT A

**RECORDING REQUESTED BY AND
WHEN RECORDED MAIL TO:**

**City of Oakland
Planning and Building Department
Dalziel Administration Building
250 Frank H. Ogawa Plaza – 2nd Floor
Oakland, CA 94612
Attention: City Engineer**

DRAFT

This document is exempt from payment
of a recording fee pursuant to California
Government Code section 27383.

SPACE ABOVE FOR RECORDER'S USE

SUBDIVISION IMPROVEMENT AGREEMENT

Deferred Construction of Public Infrastructure Improvements

845 EMBARCADERO

Final Map No. 7621 (Phase 1)

This SUBDIVISION IMPROVEMENT AGREEMENT ("**Agreement**"), dated as of _____, 2015 ("**Effective Date**"), is entered into by and between the City of Oakland, a California municipal corporation ("**CITY**"), and Zarsion-OHP I, LLC, a California limited liability company ("**SUBDIVIDER**"), with reference to the following facts and circumstances:

RECITALS

- A. The SUBDIVIDER is the owner in fee title and subdivider of three (3) developable lots and four (4) additional parcels located within the corporate limits of the CITY, which are identified by the Alameda County Assessor as parcel numbers 018-0465-002-07, 018-0465-002-11, 018-0465-002-08, 018-0470-002-05, 018-0460-004-13, 018-0465-002-13, 018-0460-004-014, 018-0465-002-14, 018-0465-002-16, 018-0470-002-07, 018-0470-002-17 and 018-0470-002-08, and by the Alameda County Clerk-Recorder as Tract No. 7621, Phase 1, and by the City of Oakland as 845 Embarcadero.
- B. On June 20, 2006, the City Council adopted Resolution No. 79983 C.M.S. approving Vesting Tentative Tract Map No. 7621 for the Oak to Ninth Mixed Use Development Project (Oak to Ninth).
- C. On July 18, 2006, the City Council adopted Ordinance No. 12760 C.M.S. authorizing the execution of a Development Agreement with Oakland Harbor Partners, LLC, the project sponsors of the Oak to Ninth project. The City and Oakland Harbor Partners,