

Introduced by

Approved for Form and Legality

Councilmember



City Attorney

OAKLAND CITY COUNCIL

Resolution No. 81061 C.M.S.

RESOLUTION CONDITIONALLY APPROVING A FINAL MAP FOR TRACT 7781 TO CONVERT RENTAL HOUSING UNITS AT 828, 832, AND 834 59th STREET TO SIX RESIDENTIAL CONDOMINIUMS

WHEREAS, the property owner, Mariposa Grove CLT Homes, LLC, a California limited liability company (no. 200434810018), is the Subdivider of two (2) adjoining parcels identified by the Alameda County Assessor as APN 015-1353-012-00 and 015-1353-013-00, and by the Alameda County Recorder as Tract 7781; and

WHEREAS, the Subdivider has acquired the fee simple interest in the real property comprising Tract 7781; and

WHEREAS, said parcels have three (3) existing multiple-family dwellings constructed thereon, which are identified by the City of Oakland as 828 59th Street (APN 015-1353-012-00), 832 59th Street (APN 015-1353-013-00), and 834 59th Street (APN 015-1353-013-00); and

WHEREAS, said parcels have a three (3) residential units within 828 59th Street, two (2) residential units within 832 59th Street, and two (2) residential units within 834 59th Street; and

WHEREAS, the Subdivider has previously applied to the City of Oakland to merge the two (2) platted lots and subdivide the merged parcel into residential condominium ownership comprising Tract 7781; and

WHEREAS, the Planning Commission of the City of Oakland approved the environmental determination (categorically exempted – section 15315) and the Tentative Map for Tract 7781 on June 27, 2006, which proposed the merger of said parcels and the subdivision of said apartments in said buildings to six (6) residential condominiums; and

WHEREAS, the Secretary of the Planning Commission has certified to the Council of the City of Oakland that the Planning Commission approved the Tentative Map for Tract 7781, upon which the Final Map for Tract 7781 is based; and

WHEREAS, pursuant to Chapter 16.36 of the Oakland Municipal Code, the City shall make specific determinations before approving a final subdivision to convert residential real property to condominium ownership; and

WHEREAS, the Subdivider has certified that each tenant was given written notice of intent to convert at least sixty (60) days before filing the Tentative Map for Tract 7781; as evidence by the affidavit signed by the applicant; and

WHEREAS, the Subdivider has certified each tenant received all applicable notices and rights acquired under Chapter 2 or 3 of the Map Act (Government Code Sections 66425-66472.1), dealing with requirements and procedures; and

WHEREAS, the Subdivider has certified that each tenant received ten (10) days written notice that an application was or will be submitted to the Department of Real Estate for a public report, pursuant to Government Code section 66427.1(a); and

WHEREAS, the Subdivider has certified that each tenant has been or will be given written notice within ten (10) days after approval of the final map, pursuant to Government Code section 66427.1(c); and

WHEREAS, the Subdivider has certified that each tenant has been or will be given one-hundred eighty (180) days written notice of the intent to convert before termination of the tenancy owing to the conversion. This provision does not alter any right or obligation under the rental agreement or under Civil Code sections 1941-1941.2; and

WHEREAS, the Subdivider has certified that each tenant has been or will be given notice of an exclusive right to purchase his or her unit on the same or more favorable terms and conditions than the unit will be offered to the general public. This right of first refusal must run for at least ninety (90) days after the date of issuance of the public report by the Department of Real Estate, unless the tenant gives prior written notice of intent not to exercise the right, pursuant to Government Code Section 66427.1(d); and

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

- the Final Map for Tract 7781, attached hereto as Exhibit *A*, is substantially the same as the Tentative Map approved by the Planning Commission, and
- the Final Map 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 City Engineer has further determined that the Final Map is technically correct and accurately delineates the metes and bounds of the lot, 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 for Tract 7781; and

WHEREAS, the Subdivider is not required to construct any surface or subsurface public infrastructure improvements within the existing public right-of-way of 59th Street; and

WHEREAS, the provisions of Government Code section 66462 and Oakland Municipal Code Section 16.20.100 governing construction of required public infrastructure improvements before the recording of a Final Map are not applicable to Tract 7781; and

WHEREAS, pursuant to Oakland Municipal Code Section 16.36.130, the Subdivider has not yet installed methods and mechanisms to limit the transmission of interior sound and is required to do so with applicable permits before a unit is offered for sale; and

WHEREAS, pursuant to Oakland Municipal Code Sections 16.36.050 and 16.36.060, the Planning Commission has found that the Subdivider complied with the requirements of part one and part two of the Preliminary Tenant Assistance Program (PTAP) to minimize tenant displacement and provide tenant relocation assistance; and

WHEREAS, pursuant to Oakland Municipal Code Section 16.36.080, the Director of City Planning has determined that the Subdividers have complied with the requirements for a Final Tenant Assistance Program (FTAP) to minimize tenant displacement and provide tenant relocation assistance; and

WHEREAS, pursuant to Oakland Municipal Code Sections 16.36.080, no appeal of the FTAP to the City Council from any of the tenants residing at 828, 832, and 834 59th Street was received by the Clerk of the City of Oakland within fifteen (15) days following approval of the Tentative Map for Tract 7753 by the Planning Commission of the City of Oakland; and

WHEREAS, pursuant to Oakland Municipal Code Sections 16.36.090 and 16.36.120, the Director of City Planning of the City of Oakland has determined that the Subdivider has provided copies of a structural pest report and a property report prepared by contractors or engineers licensed by the State of California and a building systems report describing utility meters and valves, storage space, and laundry facilities; and

WHEREAS, the Planning Commission has found that the Subdivider has complied with Oakland Municipal Code Sections 16.36.050 and 16.36.060 for obtaining “conversion rights” for six (6) units by encumbering the property title with a restriction requiring the sale of said units to prospective buyers as affordable housing; and

WHEREAS, pursuant to Oakland Municipal Code Section 16.36.110, the Director of City Planning has determined that the Subdivider has provided written notification to the City of Oakland and all tenants in the building with five (5) days of receipt from the State of California indicating that the final subdivision public report described in California Business and Professions Code Section 11018 was issued by the Real Estate Commissioner; and

WHEREAS, pursuant to Oakland Municipal Code Section 16.36.110, the Director of City Planning has determined that the Subdivider has provided additional written notification to the City of Oakland and all tenants in the building of the restrictions on the remodeling of occupied units and the rights of the tenants to occupy and purchase units; and

WHEREAS, pursuant to Oakland Municipal Code Sections 16.36.090 (Subdivisions) and 15.08.150 (Oakland Building Maintenance Code), the Subdivider has obtained three (3) renewal Certificates of Occupancy (nos. 82-07H, 83-07H, and 84-07H) issued by the Building Official of the City of Oakland for said multiple family dwellings; now, therefore, be it

RESOLVED: That the Final Map for Tract 7781 is hereby conditionally approved; and be it

FURTHER RESOLVED: That pursuant to Oakland Municipal Code Section 16.36.120, the approval of the Final Map for Tract 7781 for the merger of two (2) adjoining lots and the subdivision of the combined parcel into six (6) residential units for condominium ownership is hereby conditioned upon the performance by the Subdivider of its obligations to provide written notices to all prospective buyers of converted units advising the following:

- the existence of a seventy-two (72) hour period following an agreement to purchase, during which period a prospective buyer may withdraw from the agreement to purchase without penalty or cost, and
- the availability of the property report, structural pest report, and building systems report, and
- the availability of a statement signed by person experienced in the field of acoustical testing and engineering certifying that the converted unit conforms to the noise insulation standards of the 2002 edition of the California Building Code; and be it

FURTHER RESOLVED: That pursuant to Oakland Municipal Code Section 16.36.140, the approval of the Final Map for Tract 7781 is hereby conditioned upon submittal by the Subdivider and receipt by the Director of City Planning within thirty (30) days following the issuance of the final subdivision public report and annually thereafter an informational report pertaining to tenants displaced since the filing of the Tentative Map for Tract 7781 and to buyers of the units being converted; and be it

FURTHER RESOLVED: That pursuant to Oakland Municipal Code Section 16.36.130, the approval of the Final Map for Tract 7781 is hereby conditioned upon the installation with applicable permits of methods and mechanisms to limit the transmission of interior sound before each unit is offered for sale; and be it

FURTHER RESOLVED: That the City Engineer is hereby authorized to endorse the Final Map for Tract 7781; and be it

FURTHER RESOLVED: That the City Clerk of the City of Oakland is hereby authorized to endorse the Final Map for Tract 7781, upon its execution by the City Engineer, and to file the Final Map with the Alameda County Clerk-Recorder for simultaneous recordation; and be it

FURTHER RESOLVED: That the approval of Final Map 7781 is hereby conditioned upon the sale of units as affordable housing in conformance with the encumbrances recorded on the property title; and be it

FURTHER RESOLVED: That this Resolution shall become effective upon the recordation of the Final Map for Tract 7781 by the Alameda County Clerk-Recorder.

IN COUNCIL, OAKLAND, CALIFORNIA, **FEB 19 2008** , 2008

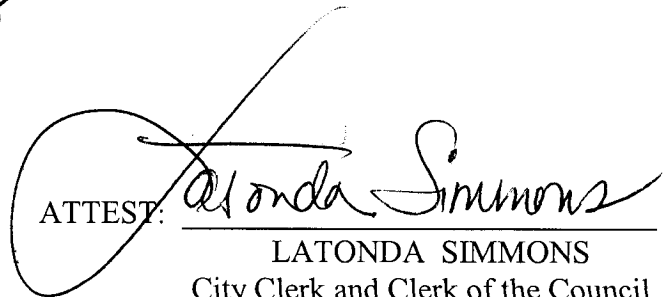
PASSED BY THE FOLLOWING VOTE:

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

OWNER'S STATEMENT:

THE UNDERSIGNED HEREBY STATES THAT IT IS THE OWNER OF THE LAND DELINEATED AND EMBRACED WITHIN THE EXTERIOR BOUNDARY LINES ON THE HEREIN ENTITLED "TRACT MAP 7781, CITY OF OAKLAND, COUNTY OF ALAMEDA, STATE OF CALIFORNIA"; THAT SAID OWNER ACQUIRED TITLE TO SAID LAND BY WRITING OF THE GRANT DEED RECORDED JANUARY 31, 2005 UNDER SERIES NO. 2005037502 IN THE OFFICIAL RECORDS OF ALAMEDA COUNTY, STATE OF CALIFORNIA. THAT IT CONSENTS TO THE PREPARATION AND FILING OF THIS MAP.

THE UNDERSIGNED ALSO STATES THAT:

A) EACH OF THE TENANTS OF THE PROPOSED CONDOMINIUM UNITS HAS RECEIVED, PURSUANT TO SECTION 41452.9 OF THE SUBDIVISION MAP ACT OF THE GOVERNMENT CODE, WRITTEN NOTIFICATION OF INTENTION TO CONVERT AT LEAST 60 DAYS PRIOR TO THE FILING OF A TENTATIVE MAP PURSUANT TO SECTION 41452 OF SAID SUBDIVISION MAP ACT. EACH OF THE TENANTS OF THE PROPOSED CONDOMINIUM UNITS, AND EACH PERSON APPLYING FOR THE RENTAL OF A UNIT IN SUCH RESIDENTIAL REAL PROPERTY, HAS, OR WILL HAVE, RECEIVED ALL APPLICABLE NOTICES AND RIGHTS NOW OR HEREFTER REQUIRED BY CHAPTER 2 OR CHAPTER 3 OF SAID SUBDIVISION MAP ACT.

B) THE DIRECTOR OF THE PLANNING DEPARTMENT OF THE CITY OF OAKLAND AND EACH OF THE TENANTS OF THE PROPOSED CONDOMINIUM UNITS, HAS, OR WILL HAVE, RECEIVED ALL APPLICABLE NOTICES NOW OR HEREFTER REQUIRED BY SECTION 18.36.040 OF THE OAKLAND MUNICIPAL CODE. EACH OF THE TENANTS OF THE PROPOSED CONDOMINIUM UNITS HAS, OR WILL HAVE, RECEIVED WRITTEN NOTIFICATION WITHIN 10 DAYS OF APPROVAL OF THIS FINAL MAP.

C) EACH OF THE TENANTS OF THE PROPOSED CONDOMINIUM UNITS HAS BEEN, OR WILL BE, GIVEN 60 DAYS WRITTEN NOTICE OF THE INTENTION TO CONVERT PRIOR TO TERMINATION OF TENANCY DUE TO THE CONVERSION OR PROPOSED CONVERSION. THE PROVISIONS OF THIS SUBDIVISION SHALL NOT ALTER OR ABROGATE THE RIGHTS OR OBLIGATIONS, INCLUDING, BUT NOT LIMITED TO, THE PROVISIONS OF SERVICES, PAYMENTS OF RENT OR THE OBLIGATIONS IMPOSED BY SECTION 1941, 1941.1, AND 1941.2 OF THE CIVIL CODE.

D) EACH OF THE TENANTS OF THE PROPOSED CONDOMINIUM UNITS HAS BEEN, OR WILL BE, GIVEN NOTICE OF AN EXCLUSIVE RIGHT TO CONTRACT FOR THE PURCHASE OF HIS OR HER RESPECTIVE UNIT UPON THE SAME TERMS AND CONDITIONS THAT SUCH UNIT WILL BE INITIALLY OFFERED TO THE GENERAL PUBLIC OR TERMS MORE FAVORABLE TO THE TENANT. THE RIGHT SHALL RUN FOR A PERIOD OF NOT LESS THAN 90 DAYS FROM THE DATE OF THE ISSUANCE OF THE SUBDIVISION PUBLIC REPORT PURSUANT TO SECTION 11016.2 OF THE BUSINESS AND PROFESSIONS CODE, UNLESS THE TENANT GIVES PRIOR WRITTEN NOTICE OF HIS OR HER INTENTION NOT TO EXERCISE THE RIGHT.

E) THE DIRECTOR OF THE PLANNING DEPARTMENT OF THE CITY OF OAKLAND HAS, OR WILL HAVE, RECEIVED COPIES OF THE PROPERTY REPORT, STRUCTURAL PEST REPORT, AND UTILITIES/STORAGE SPACE/LAUNDRY FACILITIES REPORT, ALL MORE FULLY DESCRIBED IN SECTION 18.36.120 OF THE OAKLAND MUNICIPAL CODE, ALONG WITH THE OWNER'S REQUEST FOR A CERTIFICATE OF OCCUPANCY INSPECTION. EACH OF THE PROSPECTIVE BUYERS OF THE CONVERTED UNITS HAS, OR WILL HAVE, RECEIVED SAID REPORTS PLUS A COPY OF A WRITTEN NOTICE, MORE FULLY DESCRIBED IN SECTION 18.36.120 OF THE OAKLAND MUNICIPAL CODE. THE UNDERSIGNED FURTHER CERTIFIES THAT SAID REPORTS AND SAID WRITTEN NOTICE HAVE BEEN, OR WILL BE, FILED WITH CALIFORNIA DEPARTMENT OF REAL ESTATE IN THE OWNER'S APPLICATION FOR A PUBLIC REPORT, AND THE OWNER(S) HAS/HAVE REQUESTED OR SHALL REQUEST THAT SAID NOTICES TO PROSPECTIVE BUYERS BE INCLUDED IN THE SUBDIVISION PUBLIC REPORT.

F) THE DIRECTOR OF THE PLANNING DEPARTMENT OF THE CITY OF OAKLAND AND EACH OF THE TENANTS OF THE PROPOSED CONDOMINIUM UNITS, HAS, OR WILL HAVE, RECEIVED ALL APPLICABLE NOTICES NOW OR HEREFTER REQUIRED BY SECTION 18.36.040 OF THE OAKLAND MUNICIPAL CODE. EACH OF THE TENANTS OF THE PROPOSED CONDOMINIUM UNITS, HAS, OR WILL HAVE, RECEIVED WRITTEN NOTIFICATION WITHIN 10 DAYS OF APPROVAL OF THIS FINAL MAP.

G) THE DIRECTOR OF THE PLANNING DEPARTMENT OF THE CITY OF OAKLAND AND EACH TENANT OF THE PROPOSED CONDOMINIUM OR CONDOMINIUM APARTMENT HOUSE PROJECT WILL RECEIVE THE NOTICE OF THE SUBDIVISION PUBLIC REPORT, MORE FULLY DESCRIBED IN SECTION 18.36.110 OF THE OAKLAND MUNICIPAL CODE.

H) WITHIN 30 DAYS OF THE DATE OF ISSUANCE OF THE FINAL SUBDIVISION PUBLIC REPORT, THE OWNER(S) WILL BEGIN SUBMITTING ANNUAL REPORTS TO THE DIRECTOR OF THE PLANNING DEPARTMENT OF THE CITY OF OAKLAND, ON FORMS PROVIDED BY THE PLANNING DEPARTMENT, CONTAINING INFORMATION ON TENANTS BEING DISPLACED AND ON BUYERS OF THE CONDOMINIUM UNITS. THE FORESAID ANNUAL REPORTS WILL BE SUBMITTED UNTIL ALL CONVERTED CONDOMINIUM UNITS HAVE BEEN SOLD.

I) NO UNIT IN CONVERSION WILL BE OFFERED FOR SALE UNTIL THE UNIT CONFORMS TO NOISE REGULATION STANDARDS PRELATERATED IN TITLE 23 OF THE CALIFORNIA ADMINISTRATIVE CODE, SECTION 108A, ON ITS SUCCESSOR.

MANROSA GROVE CLT HOMES, LLC

[Signature]
IAN WRITERS, EXECUTIVE DIRECTOR

OWNER'S ACKNOWLEDGEMENT:

STATE OF CALIFORNIA
COUNTY OF Alameda
ON March 27, 2007 BEFORE ME, Erica Oyle,
A NOTARY PUBLIC AND FEEL PERSONALLY APPEARED
PERSONALLY KNOWN TO ME (OR PROVED 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/SHE EXECUTED THE SAME IN HIS/HER 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.

WITNESS MY HAND AND OFFICIAL SEAL
NOTARY PUBLIC
NAME Erica Oyle

MY COMMISSION EXPIRES: May 19, 2010 COMMISSION NUMBER: #1668006

PRINCIPAL COUNTY OF BUSINESS: Alameda

TRUSTEE'S STATEMENT:

THE UNDERSIGNED, COMMUNITY BANK OF THE BAY, AS TRUSTEE UNDER THE DEED OF TRUST RECORDED ON JANUARY 31, 2005 UNDER RECORDER SERIES NO. 2005-037503, IN THE OFFICIAL RECORDS OF ALAMEDA COUNTY, STATE OF CALIFORNIA, DOES HEREBY CONSENT TO THE PREPARATION AND RECORDATION OF THIS MAP AND ALL DEEDING AND DEDICATIONS THEREON.

IN WITNESS WHEREOF, THE UNDERSIGNED, COMMUNITY BANK OF THE BAY, HAVING EXECUTED THIS STATEMENT THIS 28 DAY OF MARCH, 2007.

BY: *[Signature]*
NAME: VICE PRESIDENT
TITLE: VICE PRESIDENT

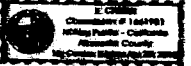
TRUSTEE'S ACKNOWLEDGEMENT

STATE OF CALIFORNIA
COUNTY OF Alameda
ON MARCH 28, 2007 BEFORE ME, E. CRIBLIN, NOTARY PUBLIC
A NOTARY PUBLIC IN AND FOR SAID STATE, PERSONALLY APPEARED STEVE Y SMITH
VICE PRESIDENT COMMUNITY BANK OF THE BAY
PERSONALLY KNOWN TO ME (OR PROVED 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/SHE EXECUTED THE SAME IN HIS/HER AUTHORIZED CAPACITY
AND THAT BY HIS/HER SIGNATURE ON THE INSTRUMENT THE PERSON OR THE ENTITY UPON
BEHALF OF WHICH THE PERSON ACTED, EXECUTED THE INSTRUMENT.

WITNESS MY HAND AND OFFICIAL SEAL
NOTARY PUBLIC
NAME: E. CRIBLIN

MY COMMISSION EXPIRES: APRIL 29, 2010 COMMISSION NUMBER: 1661921

PRINCIPAL COUNTY OF BUSINESS: ALAMEDA



TRUSTEE'S STATEMENT:

THE UNDERSIGNED, OLD REPUBLIC TITLE COMPANY, AS TRUSTEE UNDER THE DEEDS OF TRUST RECORDED ON NOVEMBER 30, 2005 UNDER RECORDER'S SERIES NO. 2005-311295, NOVEMBER 30, 2005 UNDER RECORDER'S SERIES NO. 2005-311297, AND JANUARY 31, 2006 UNDER RECORDER'S SERIES NO. 2005-037502 IN THE OFFICIAL RECORDS OF ALAMEDA COUNTY, STATE OF CALIFORNIA, DOES HEREBY CONSENT TO THE PREPARATION AND RECORDATION OF THIS MAP AND ALL DEEDING AND DEDICATIONS THEREON.

IN WITNESS WHEREOF, THE UNDERSIGNED, OLD REPUBLIC TITLE COMPANY, HAVING EXECUTED THIS STATEMENT THIS 28 DAY OF MARCH, 2007.

BY: *[Signature]*
TITLE: VICE PRESIDENT

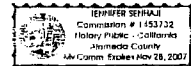
TRUSTEE'S ACKNOWLEDGEMENT

STATE OF CALIFORNIA
COUNTY OF Alameda
ON 3/28/07 BEFORE ME, Jennifer Senhaji,
A NOTARY PUBLIC IN AND FOR SAID STATE, PERSONALLY APPEARED
Julie
PERSONALLY KNOWN TO ME (OR PROVED 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/SHE EXECUTED THE SAME IN HIS/HER AUTHORIZED CAPACITY
AND THAT BY HIS/HER SIGNATURE ON THE INSTRUMENT THE PERSON OR THE ENTITY UPON
BEHALF OF WHICH THE PERSON ACTED, EXECUTED THE INSTRUMENT.

WITNESS MY HAND AND OFFICIAL SEAL
NOTARY PUBLIC
NAME: Jennifer Senhaji

MY COMMISSION EXPIRES: 11/29/07 COMMISSION NUMBER: 1453732

PRINCIPAL COUNTY OF BUSINESS: Alameda



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 IAN WRITERS IN SEPTEMBER OF 2006. I HEREBY STATE THAT THIS TRACT MAP SUBSTANTIALLY CONFORMS TO THE APPROVED OR CONDITIONALLY APPROVED TENTATIVE TRACT MAP, IF ANY. I HEREBY STATE THAT THE MONUMENTS ARE OF THE CHARACTER AND OCCUPY THE POSITIONS INDICATED, AND THAT THE MONUMENTS ARE SUFFICIENT TO ENABLE THE SURVEY TO BE RETRACED.



[Signature]
MICHAEL J. FOSTER, L.S. 7170
EXPIRATION DATE: DECEMBER 31, 2007
DATE: 3-22-07

CITY ENGINEER'S STATEMENT:

I, RAYMOND M. DERANA, 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 REVIEWING SUBDIVISION MAPS, DO HEREBY CERTIFY THAT I HAVE EXAMINED THE HEREIN ENCLOSED TRACT MAP ENTITLED "TRACT MAP 7781, CITY OF OAKLAND, COUNTY OF ALAMEDA, STATE OF CALIFORNIA," THAT THE SUBDIVISION AS SHOWN UPON SAID TRACT MAP IS SUBSTANTIALLY THE SAME AS THAT APPEARING ON THE TENTATIVE TRACT MAP AND ANY APPROVED ALTERNATIONS THEREOF; THAT SAID TRACT MAP COMPLES WITH ALL PROVISIONS OF THE SUBDIVISION MAP ACT OF THE GOVERNMENT CODE AND THE LOCAL ORDINANCES APPLICABLE AT THE TIME OF THE TENTATIVE TRACT MAP; AND THAT I AM SATISFIED THAT THE TRACT MAP IS TECHNICALLY CORRECT.

IN WITNESS WHEREOF, I HAVE HERETO SET MY HAND THIS 28 DAY OF MARCH, 2007.

RAYMOND M. DERANA, R.C.E. NO. 27815
INTERIM CITY ENGINEER
CITY OF OAKLAND, ALAMEDA COUNTY
STATE OF CALIFORNIA
LICENSE EXPIRES 3/31/08

CITY CLERK'S STATEMENT:

I, THE UNDERSIGNED, LATONIA SIMMONS, CITY CLERK AND CLERK OF THE CITY COUNCIL OF THE CITY OF OAKLAND, COUNTY OF ALAMEDA, STATE OF CALIFORNIA, DO HEREBY STATE THAT THIS MAP, CONSISTING OF 2 SHEETS AND ENTITLED "TRACT MAP 7781" WAS PRESENTED TO SAID COUNCIL AS PROVIDED BY LAW AT A REGULAR MEETING HELD ON THIS 28 DAY OF MARCH, 2007 AND THAT SAID COUNCIL DID THEREUPON APPROVE SAID MAP.

I FURTHER STATE THAT ALL AGREEMENTS AND SURETY AS REQUIRED BY LAW TO ACCOMPANY THE MAP HAVE BEEN APPROVED BY THE CITY COUNCIL OF THE CITY OF OAKLAND AND ARE FILED IN MY OFFICE.

IN WITNESS WHEREOF, I HAVE HERETO SET MY HAND THIS 28 DAY OF MARCH, 2007.

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

CITY PLANNING COMMISSION'S STATEMENT:

I HEREBY STATE THAT THE PLANNING COMMISSION OF THE CITY OF OAKLAND APPROVED UPON WHICH THIS FINAL MAP IS BASED.

DATED: _____

GARY K. PATTON
SECRETARY OF THE PLANNING COMMISSION

CLERK OF THE BOARD OF SUPERVISORS STATEMENT:

I, CRYSTAL HISHIDA GRAFF, CLERK OF THE BOARD OF SUPERVISORS OF THE COUNTY OF ALAMEDA, STATE OF CALIFORNIA, DO HEREBY STATE THAT CERTIFICATES HAVE BEEN FILED AND DEPOSITS HAVE BEEN MADE IN CONFORMANCE WITH THE REQUIREMENTS OF SECTIONS 65492 AND 65493 OF THE GOVERNMENT CODE OF THE STATE OF CALIFORNIA.

DATED: _____

CRYSTAL K. HISHIDA GRAFF, CLERK OF THE BOARD OF SUPERVISORS, COUNTY OF ALAMEDA, STATE OF CALIFORNIA.

BY: _____
DEPUTY CLERK

RECORDER'S STATEMENT:

FILED THIS 28 DAY OF MARCH, 2007, AT OAKLAND M. IN BOOK _____ OF PARCEL MAPS, AT PAGE _____, AT THE REQUEST OF _____

PATRICK O'CONNELL
COUNTY RECORDER

BY: _____
DEPUTY COUNTY RECORDER

EXHIBIT A

TRACT MAP 7781

A ONE LOT SUBDIVISION FOR
A LOT MERGER AND SIX
CONDOMINIUM UNITS

LOT 9, AND A PORTION OF LOT 10, BLOCK 2,
MAP OF THE McKEE TRACT
(8 M. 54),
CITY OF OAKLAND, COUNTY OF ALAMEDA,
STATE OF CALIFORNIA,
MARCH, 2007

BAY AREA LAND SURVEYING INC.

1828 BONITA ROAD
RICHMOND, CALIFORNIA
94806
(510) 232-3095



GENOA STREET
(60' WIDE)

MARTIN LUTHER KING JR. WAY
(R.O.W. VARIES)

60TH. STREET
(60' WIDE)

59TH. STREET
(60' WIDE)

MAP OF THE MCKEE TRACT
BLOCK 2
(8 M. 54)

LOT 1
NEW AREA = 10,124± SQ. FT.

APN 015-1353-013
OLD AREA = 5804± SQ. FT.

APN 015-1353-012
OLD AREA = 4320± SQ. FT.

OWNERS:
MARIPOSA GROVE CLT HOMES, LLC
C/O NORTHERN CALIFORNIA LAND TRUST
3126 SHATTUCK AVENUE
OAKLAND, CA 94705

BASIS OF BEARINGS:
EASTERLY RIGHT-OF-WAY LINE
OF MARTIN LUTHER KING JR. WAY
TAKEN AS N 09°31'00" E AS SHOWN ON
THE MAP OF THE SANTA FE TRACT NO. 5
(20 M. 21).

LEGEND	
⊙	FOUND CITY MONUMENT
○	SET TAG, L.S. 7170
■	SET NAIL & TAG, L.S. 7170
()	RECORD DATA
---	EXTENSION OR SUBDIVISION BOUNDARY LINE
---	OLD PARCEL LINE
---	THE LINE
---	ORIGINAL SUBDIVISION LOT LINE
---	RIGHT-OF-WAY LINE

SEISMIC HAZARD NOTE:
THIS REAL PROPERTY LIES WITHIN THE FOLLOWING HAZARDOUS AREA: A SEISMIC HAZARD ZONE—LIQUEFACTION ZONE PURSUANT TO SECTION 2806 OF THE PUBLIC RESOURCES CODE. THESE HAZARDS MAY LIMIT YOUR ABILITY TO DEVELOP THE REAL PROPERTY, TO OBTAIN INSURANCE, OR RECEIVE ASSISTANCE AFTER A DISASTER. THE MAPS ON WHICH THESE DISCLOSURES ARE BASED ESTIMATE WHERE NATURAL DISASTERS EXIST. THEY ARE NOT DEFINITIVE INDICATORS OF WHETHER OR NOT A PROPERTY WILL BE AFFECTED BY A NATURAL DISASTER. TRANSFERREES AND TRANSFERORS MAY WISH TO OBTAIN PROFESSIONAL ADVICE REGARDING THOSE HAZARDS AND OTHER HAZARDS THAT MAY AFFECT THE PROPERTY.

TRACT MAP 7781

A ONE LOT SUBDIVISION FOR
A LOT MERGER AND SIX
CONDOMINIUM UNITS
LOT 9, AND A PORTION OF LOT 10, BLOCK 2,
MAP OF THE MCKEE TRACT
(8 M. 54).

CITY OF OAKLAND, COUNTY OF ALAMEDA,
STATE OF CALIFORNIA.

MARCH, 2007 SCALE: 1" = 16'

BAY AREA LAND
SURVEYING INC.

1828 BONITA ROAD
RICHMOND, CALIFORNIA
94806

(510) 232-3093

COORDINATED
MON. #85222
AT GENOA
& 60TH. ST.

UN-NUMBERED MON.
AT M.L.K. J. W.
& 60TH. ST.

MONUMENT LINE - S 09°22'54" E - 329.87' MON. TO MON.

MONUMENT LINE - N 09°31'00" W - 330.15' MON. TO MON.

MONUMENT LINE - S 80°28'27" W - 804.05' MON. TO MON.

SOUTHERLY RIGHT-OF-WAY LINE OF 60TH STREET - S80°28'27" W - 487.79' CORNER TO CORNER

WESTERLY RIGHT-OF-WAY LINE OF MCKEE WAY - N09°31'00" W - 270.15' CORNER TO CORNER

EASTERLY RIGHT-OF-WAY LINE OF GENOA STREET - S09°22'54" E - 289.87' CORNER TO CORNER

COORDINATED
MON. #85222
AT GENOA
& 59TH. ST.

UN-NUMBERED MON.
AT M.L.K. J. W.
& 59TH. ST.

MONUMENT LINE - N 80°30'24" E - 503.87' MON. TO MON.

GRAPHIC SCALE

(IN FEET)
1 inch = 16 ft.