OFFICE OF THE CITY CLERK

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2015 JUL -9 PM 1: 37

Approved as to Form and Legality

Councilmember

Introduced by

Office of the City Attorney

OAKLAND CITY COUNCIL

Resolution No. 85695 C.M.S.

RESOLUTION CONDITIONALLY APPROVING A FINAL MAP FOR TRACT NO. 8217 LOCATED AT 3235 LOUISE STREET FOR A SIX LOT SUBDIVISION FOR SEBCO PROPERTIES LLC

WHEREAS, Sebco Properties, LLC, a California limited liability company (no. 199724510076) ("Subdivider") is the subdivider of a single parcel identified by the Alameda County Assessor as APN 007-0595-015, and by the Alameda County Clerk-Recorder as Tract No. 8217, and by the City of Oakland as 3235 Louise Street; and

WHEREAS, the Subdivider has acquired by purchase for valuable consideration the real property comprising Tract No. 8217 through a grant deed, series no. 2005351644, recorded August 17, 2005, by the Alameda County Clerk-Recorder; and

WHEREAS, said single parcel is comprised of Subdivision A, B and C, Lot 10, in Block 792, of Map No. 2 of Watts Tract, Oakland, recorded by the Alameda County Clerk-Recorder on November 17, 1876 in Book 6 of maps, Page 13; and

WHEREAS, the Subdivider applied to the City of Oakland for a Tentative Tract Map (TTM 8217) to subdivide said platted land, which proposed:

- the re-subdivision of the site into six (6) mini-lots for future construction of single family dwellings and appurtenant infrastructure; and
- the irrevocable offer of dedication to the City of Oakland of a new emergency vehicle access easement; and

WHEREAS, on April 1, 2015, the City Planning Commission approved the Tentative Tract Map for Tract No. 8217 and the land use entitlements (PLN14294), and affirmed staff's environmental determination that the project is exempt from CEQA pursuant to Sections 15183 (projects consistent with a community plan, general plan, or zoning), 15315 (minor land division), and 15303 (small structures) of the CEQA Guidelines; and

WHEREAS, the Secretary of the Planning Commission of the City of Oakland has certified that the Planning Commission approved the Tentative Map for Tract No. 8217, upon which said Final Map is based; and

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

- the Final Map for Tract No. 8217, delineated diagrammatically in *Exhibit A* attached hereto and incorporated herein, is substantially the same as the Tentative Map approved by the Planning Commission; and
- the Final Map for Tract No. 8217 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 six (6) lots and the proposed dedicated emergency vehicle access easement, 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. 8217; 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 within the proposed on-site emergency vehicle access easement; and

WHEREAS, the City Engineer has approved infrastructure permit no. PX1500015 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. 8217, 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 certificates of deposit 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. 8217 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 a new emergency vehicle access easement 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 dedication 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 emergency vehicle access easement 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 emergency vehicle access easement, 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 Subdivision Improvement Agreement shall void approval of the Final Map and void acceptance of said dedications and shall revert the original parcels comprising Tract No. 8217 to acreage; and be it

FURTHER RESOLVED: That the City Engineer is hereby authorized to endorse the Final Map for Tract No. 8217; 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. 8217 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. 8217 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 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, _

JUL 21 2015

PASSED BY THE FOLLOWING VOTE:

AYES - RECOKS, CAMPBELL WASHINGTON, GALLO, GUILLEN, KALB, KAPLAN, REID AND PRESIDENT GIBSON McELHANEY — 7

NOES -

ABSENT - Ø

ABSTENTION-&
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ATTEST:

LATONDA SIMMONS

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

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SEBCO PROPERTIES, LLC, A CALIFORNIA UNITED LIABILITY COMPANY

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STATE OF CALFORNIA COUNTY OF ___

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A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED. TODO SEVERSON

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MY COMMISSION EXPIRES: PRINCIPAL COUNTY OF BUSINESS: _

TRUSTEE'S STATEMENT

FIRST AMERICAN TITLE INSURANCE COMPANY AS TRUSTEE UNDER THE DEED OF TRUST RECORDED JULY 27, 2001, UNDER SERIES NUMBER 2001270015, OF OFFICIAL RECORDS. OF ALAMEDA COUNTY DOES HEREBY CONSENT TO THE PREPARATION AND RECORDATION OF THE HEREIN EMBODIED MAP OF TRACT 8217.

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HAVE THAS EXECUTED THIS STATEMENT THIS DAY OF

HAME: TITLE

TRUSTEE'S ACKNOWLEDGEMENT:

A MOTARY PUBLIC OR OTHER OFFICER COMPLETING THIS CERTIFICATE VERFES ONLY THE IDENTITY OF THE MOMENTAL WHO SOMED THE DOCUMENT TO WHICH THIS CERTIFICATE IS ATTACHED, AND NOT THE TRUTHFULNESS, ACCURACY, OF VALUED TO THE DOCUMENT.

COUNTY OF ____ ____ BEFORE ME. A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED

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SURVEYOR'S STATEMENT:

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MICHAEL & FOSTER, L.S. 7170

CITY CLERK'S STATEMENT:

I, THE UNDERSIGNED, LATONDA SIMILIONS, CITY CLERK AND CLERK OF THE CITY COUNCIL OF THE

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

IN MITNESS WHEREOF, I HAVE HEREUNIO SET MY HAND THIS _____ DAY OF ______ 2015.

LATONDA SIMMONS, CITY CLERK AND CLERK OF THE COUNCIL OF THE CITY OF GARLAND, COUNTY OF ALAMEDA, STATE OF CAUFORMA

CITY SURVEYOR'S STATEMENT:

I, QUEST E, MAYES, CITY SURFEYOR, MAINNE BEEN AUTHORIZED TO PERFORM THE FUNCTIONS OF THE CITY SURFEYOR OF THE CITY OF CALCUMD, COUNTY OF ALAMEDA, STATE OF CALCIFORM, ON HEESEY CERTIFY THAT I HAVE FAMILED THE MERGEN DIBBOODE TRACT MAY ENTITLED "TRACT MAP 8217, CITY OF CANGLAND, COUNTY OF ALAMEDA, STATE OF CAUCHORIA"

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CILBERT E. HAYES, P.L.S. NO. 4700 CITY OF CANLAND, ALAMEDA COUNTY STATE OF CALIFORNIA



CITY ENGINEER'S STATEMENT:

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MICHAEL J. NEARY, R.C.E. NO. 38547 CITY ENGINEER CITY OF CAXLAND ALAMEDA CONNTY



CITY PLANNING COMMISSION'S STATEMENT:

I HEREBY STATE THAT THE PLAYING COMMISSION OF THE CITY OF DAY, AND APPROVED ON APRIL 1, 2015, THE TENTATIVE WAP OF "TRACT NO. 8217, UPON WHICH THIS FINAL MAP IS BASED.

| DATED | |
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SECRETARY OF THE CITY PLANNING COMMISSION

CLERK OF THE BOARD OF SUPERVISORS STATEMENT:

I, MAKA CAMPRELL-BELTON, CLERK OF THE BOARD OF SUPERMISORS OF THE COUNTY OF IA MEDA, STATE OF CAUFORMA, DO HORBEY STATE THAT CERTIFICATES HAVE BEEN RED AND DEPOSTS HAVE BEEN MADE IN CONFORMANCE WITH THE REQUIREMENTS OF SECTION 66452 AND 66433 OF THE GOVERNMENT CODE OF THE STATE OF CAUFORNIA

| 1 | ANIKA CAMPBELL-BELTON, CLERK OF THE BOARD |
|---|---|
| | OF SUPERVISORS, COUNTY OF ALAMEDA, STATE OF |
| | CALIFORNIA |

| RECORDER'S STATEMENT: |
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| FILED THISDAY OF |
| OF PARCEL MAPS, AT PAGE, AT THE REQUEST |
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COLINTY RECORDER

DEPUTY COUNTY RECORDER

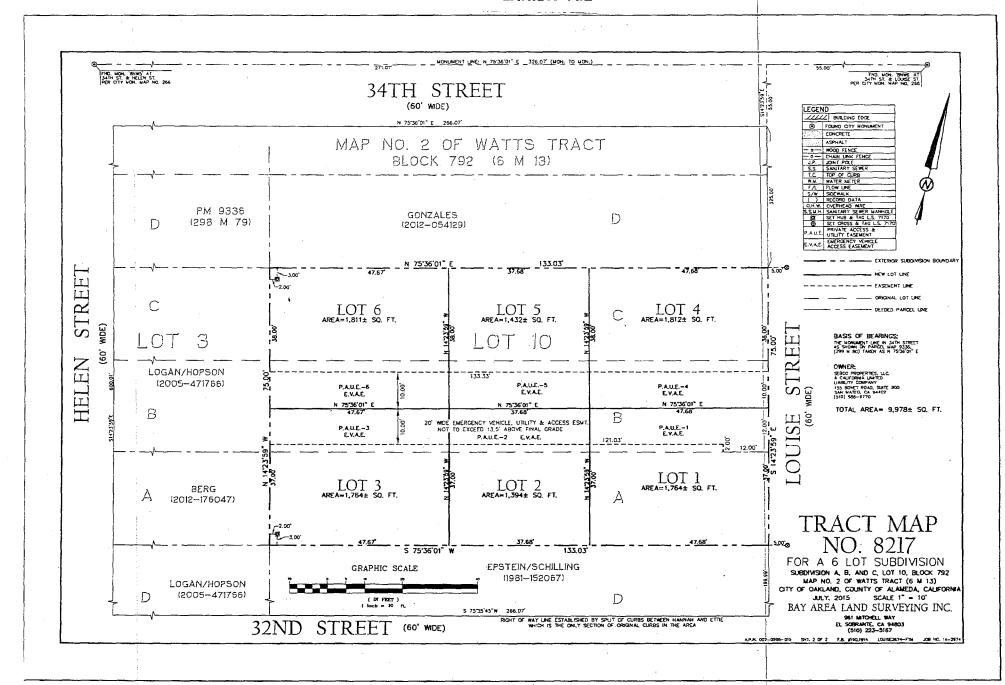
TRACT MAP NO. 8217

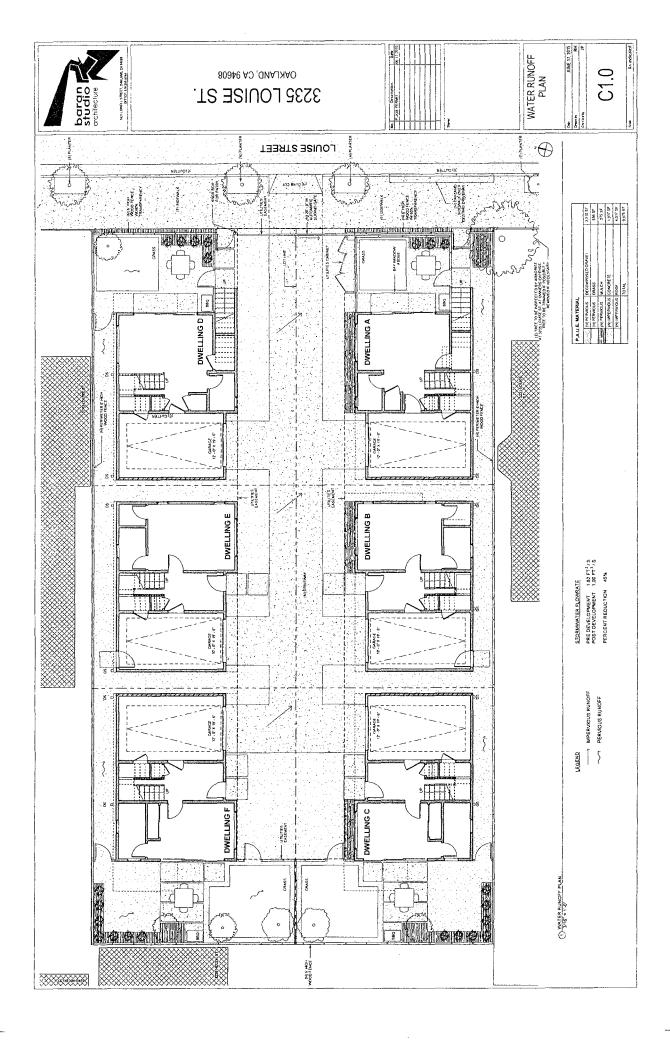
FOR A 6 LOT SUBDIVISION SUBDIVISION A, B, AND C, LOT 10, BLOCK 792 MAP NO. 2 OF WATTS TRACT (6 M 13) CITY OF OAKLAND, ALAMEDA COUNTY, CALIFORNIA JULY, 2015

BAY AREA LAND SURVEYING INC.

961 MITCHELL WAY EL SOBRANTE, CA 94803 (510) 223-5167

APJL 007-0595-015 SHT. 1 OF 2 F.B. (190,191A LOUISE2674-FTM JOB NO. 14-2674





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