

*Alena Chen*  
Office of the City Attorney

FILED  
OFFICE OF THE CITY CLERK  
OAKLAND

2017 MAR -2 PM 7:00:00

OAKLAND CITY COUNCIL

**RESOLUTION NO. 86650 C.M.S.**

**RESOLUTION ACCEPTING PUBLIC IMPROVEMENTS IN THE RIGHT OF WAY AT 2847 PERALTA STREET PER SUBDIVISION IMPROVEMENT AGREEMENT DATED OCTOBER 16, 2012 AND DIRECTING THE FILING OF THE UNCONDITIONAL CERTIFICATE OF COMPLETION FOR THE SUBDIVISION**

**WHEREAS**, on October 16, 2012, Peralta Street, LLC, a California limited liability company ("Subdivider") and the City of Oakland, a California municipal corporation, entered into a Subdivision Improvement Agreement (SIA) for 2847 Peralta Street (Parcel Map 10032); and

**WHEREAS**, the Subdivider obtained construction permit PX1200074 for the public infrastructure work identified in the SIA; and

**WHEREAS**, the public improvements required by the SIA for 2847 Peralta Street (Parcel Map 10032) were completed, inspected and approved by the City on October 11, 2013, and are ready for acceptance; and

**WHEREAS**, on October 25, 2013, the City released the Performance Bond in the amount of \$224,472 and the Labor and Materials Bond in the amount of \$112,236 that were posted for the construction of public infrastructure under permit PX1200074; and

**WHEREAS**, the SIA specifies that the public improvements shall not be deemed complete until the public infrastructure permit has been finalized and an unconditional Certificate of Completion has been issued by the City Engineer; and

**WHEREAS**, the SIA further requires that the one (1) year maintenance period commences on the date the unconditional Certificate of Completion is issued; and be it

**RESOLVED:** That the public improvements required by the SIA for 2847 Peralta Street (Parcel Map 10032) are hereby accepted as complete; and be it

**FURTHER RESOLVED:** That the one (1) year warranty period for all public improvements shall start on the date of the adoption of this Resolution, and that same date shall be the date that the unconditional Certificate of Completion is issued; and be it

**FURTHER RESOLVED:** That the Subdivider shall submit a maintenance bond, or alternate approved security, in the amount of \$56,118 to the Office of the City Engineer prior to filing the unconditional Certificate of Completion; 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 upon receipt of the maintenance surety for the one (1) year maintenance period, the City Engineer is hereby authorized to execute the unconditional Certificate of Completion, and directed to file the completed unconditional Certificate of Completion with the Alameda County Recorder.

IN COUNCIL, OAKLAND, CALIFORNIA, MAR 21 2017

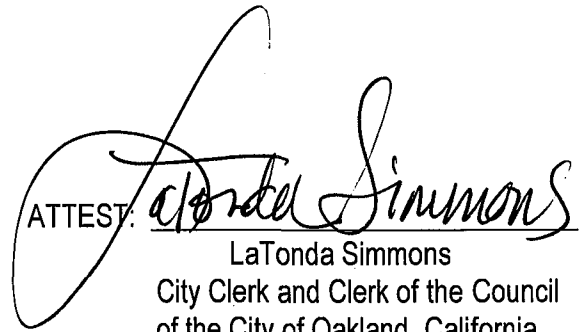
PASSED BY THE FOLLOWING VOTE:

AYES - BROOKS, CAMPBELL WASHINGTON, GALLO, GIBSON McELHANEY, GUILLÉN, KALB, KAPLAN AND PRESIDENT REID - 8

NOES - 0

ABSENT - 0

ABSTENTION - 0

ATTEST:   
LaTonda Simmons  
City Clerk and Clerk of the Council  
of the City of Oakland, California

Attachment A: Unconditional Certificate of Completion (sample)

Attachment B: Subdivision Improvement Agreement (SIA)

**Attachment A**  
**Unconditional Certificate of Completion (sample)**

No Fee Document Pursuant To Government Code Section 6103

Recording requested by:

**CITY OF OAKLAND**

When recorded mail to:

City of Oakland  
Department of Transportation  
Engineering Services  
Dalziel Admin. Building  
250 Ogawa Plaza – 4<sup>th</sup> Floor  
Oakland, CA 94612  
Attn: City Engineer

----- space above for Recorder's use only -----

City of Oakland Department of Transportation  
Engineering Services  
250 Frank H. Ogawa Plaza – 4th floor  
Oakland, California 94612

**UNCONDITIONAL CERTIFICATE OF COMPLETION**

NOTICE IS HEREBY GIVEN THAT:

1. The undersigned is an owner of an interest of estate in the hereinafter described real property, the nature of which interest or estate is: **fee simple.**
2. On October 25, 2013, there was completed upon the hereinafter described real property a work of improvement as a whole and described as follows: **2847 Peralta Street Subdivision Public Improvements**
3. The real property herein referred to is situated in the City of Oakland, County of Alameda, State of California, and described as follows: **Peralta Street, Helen Street and Hannah Street**
4. The street address of the property is: **2847 Peralta Street, Oakland, CA**

By: \_\_\_\_\_  
*Owner's Authorized Agent's Signature – Sign Before Notary*

By: \_\_\_\_\_  
*City of Oakland Interim Assistant Director, Wladimir Wlassowsky*

**Attachment B**  
**Subdivision Improvement Agreement (SIA)**

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