FILED
OFFICE OF THE CITY CLERK
OAKLAND

Office of the City Attorney

2017 MAR 20 AKLOND CITY COUNCIL RESOLUTION NO 86686 C.M.S.

RESOLUTION CONDITIONALLY APPROVING A FINAL MAP FOR TRACT NO. 8161, LOCATED AT 5300 AND 5310 SAN PABLO AVENUE FOR AN EIGHT LOT SUBDIVISION FOR 53RD STREET/SAN PABLO AVENUE, LLC

WHEREAS, 53rd Street/San Pablo Avenue, LLC, a California limited liability company ("Subdivider"), is the subdivider of two parcels identified by the Alameda County Assessor as APNs 013-1186-013-02 and 013-1186-013-03, and by the Alameda County Clerk-Recorder as Tract No. 8161, and by the City of Oakland as 5300 and 5310 San Pablo Avenue; and

WHEREAS, the Subdivider has acquired by purchase for valuable consideration the real property comprising Tract No. 8161 through a grant deed, series no. 2006252949, recorded June 30, 2006, by the Alameda County Clerk-Recorder; and

WHEREAS, said two (2) parcels are comprised of Lots 1, 2, and a portion of Lot 3 (Block D) of the Map entitled "Parsons Golden Gate Tract", recorded by the Alameda County Clerk-Recorder on October 3, 1989 in Book 9 of maps, Page 32; and

WHEREAS, the Subdivider applied to the City of Oakland for a Tentative Tract Map (TTM 8161) to subdivide said platted land, which proposed:

- the subdivision of two vacant lots into eight (8) mini-lots accessed by a shared-driveway from 53rd Street; and
- the construction of two rows of three-story buildings that includes 16 residential dwelling units, 4 commercial units, and 16 covered off-street parking spaces; and

WHEREAS, on February 5, 2014, the City Planning Commission approved the Tentative Tract Map for Tract No. 8161 and the land use entitlements (CDV13-267), and affirmed staff's environmental determination that the project is exempt from CEQA pursuant to CEQA Guidelines sections 15183 (projects consistent with a community plan, general plan or zoning) and 15332 (infill project); and

WHEREAS, the Subdivider has presented a Final Map to the City, identified as Tract Map No. 8161, which proposes the subdivision of eight (8) developable parcels, mini-lot development, identified as Lots 1, 2, 3, 4, 5, 6, 7 and 8; and

WHEREAS, the Secretary of the City Planning Commission has certified that the Planning Commission approved the Tentative Map for Tract No. 8161, upon which said Final Map is based; and

WHEREAS, the City Engineer of the City of Oakland has examined the Final Map and determined that:

- the subdivision as shown on the Final Map for Tract No. 8161, delineated diagrammatically in *Exhibit A* attached hereto and incorporated herein, is substantially the same as it appeared on the approved Tentative Map which created developable Parcels Lots 1, 2, 3, 4, 5, 6, 7 and 8; and
- the Final Map for Tract No. 8161 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 eight (8) lots, 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. 8161; 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. PX1500029 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 for the City Administrator 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. 8161, 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, each as a separate and independent basis and when viewed collectively as an overall basis for CEQA clearance; now, therefore, be it

RESOLVED: That the Final Map for Tract No. 8161 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 approval of the Final Map is conditioned upon completion of public infrastructure improvements and private common access roadways and utilities that are required to service the public or the individual parcels, as required by the Subdivision Improvement Agreement; 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 the areas common to parcels for required access and utilities required 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 shall result in reversion to acreage of the original parcels comprising Tract No. 8161; and be it

FURTHER RESOLVED: That the City Engineer is hereby authorized to endorse the Final Map for Tract No. 8161; 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. 8161 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. 8161 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,	APK 1 8 2017
PASSED BY THE FOLLOWING VOTE:	
AYES - BROOKS, CAMPBELL WASHINGTON, GAL KAPLAN WUURKSING MANN — 7	LLO, GIBSON MCELHANEY, GUILLEN, KALB,
NOES - 4	
ABSENT - 7	
ABSTENTION -	
gruned - I Reid	ATTEST: Word DMMON
	LaTonda Simmons City Clerk and Clerk of the Council of the City of Oakland, California

Exhibits

Exhibit A, Final Tract Map No. 8161 (three pages)

Exhibit B, Public Infrastructure Improvements (four pages)

OWNER'S STATEMENT: THE UNDERSIGNED HEREBY STATES THAT IT IS THE OWNER OF THE LAND DELINEATED AND EMBRACED WHEN THE EXTEROR BOUNDARY LINES ON THE HERBIN EMBODED TRACT MAP ENTITLED "TRACT MAP BIGT, OTTY OF OAKLAND, COUNTY OF ALMEDA, STATE OF CALIFORNIA."; THAT SUO OWNER ACQUIRED THE TO SAID LAND BY WRITE OF THE GRANT DEED RECORDED JUNE 30, 2006 UNDER SERES NO. 2006252949 IN THE OFFICIAL RECORDS OF ALMEDA COUNTY, STATE OF CALIFORNIA: THAT IT CONSENTS TO THE PREPARATION AND FILING OF THIS TRACT MAP. NE AREA IN LOTS I THROUGH & DESIGNATIO AS "D.A.U.E." (12" MUE PRIVATE ACCESS & UTILITY EASEMONT) IS A 100H-EXCLUSIVE EASEMONT AND IS REFERRED RESEARCH FOR THE REPORTED OF INCRESS. AND EGRESS OF PEDESTRAINS AND WHICLES, EMERGANCY VEHICLE ACCESS, CONSTRUCTING AND MAINTAINING PRIVATE UTILITIES. SWEVERS, STORM DEVAINS, AND ALL APPURTNANCES DEFERT OF THE BENEFIT OF THE OWNER(S) OF LOTS I THROUGH & THIS AREA SHALL BE KEPT FREE OF PARKED VEHICLES, OGSTRUCTIONS AND AVAILABLE FOR VEHICLIAR ACCESS AT ALL TIMES, CONSTRUCTION AND MAINTENANCE WHEN SAD EASEMENT SHALL BE SHARED EQUALLY AMONG THE OWNER(S) OF LOTS 1 THROUGH 8, THEIR HEIRS, EXECUTORS, ADMINISTRATORS, SUCCESSORS, AND ASSENS. SIRD STREET/SAN PABLO AVENUE LLC, A CALIFORNIA LIMITED LIABILITY COMPANY BY: 3294 LOUISE STREET, LLC, A CALIFORNIA LIMITED LIABILITY COMPANY, MEMBER KATHLEEN KUHNER, MANAGER OF 3294 LOUISE STREET, LLC

OWNER'S	ACKNOWLE	EDGEMENT:
OF THE INDIVIDUAL W	10 SIGNED THE DOCK	MPLETING THIS CERTIFICATE VERIFIES ONLY THE IDENTITY JAMENT TO WHICH THIS CERTIFICATE IS ATTACHED, AND VALIDITY OF THE DOCUMENT.
STATE OF CALIFORNIA		
ON	BEFORE M	ιε,
A NOTARY PUBLIC IN	AND FOR SAID COUN	NTY AND STATE, PERSONALLY APPEARED
NAME IS SUBSCRIBED EXECUTED THE SAME INSTRUMENT, THE PER EXECUTED THE INSTRU- I CERTIFY UNDER PEN THE FORECOING IS TR	TO THE WITHIN INSTI IN HER AUTHORIZED ISON, OR THE ENTITY IMENT, ALTY OF PERJURY UI UE AND CORRECT,	NTSFACTORY EVIDENCE TO BE THE PERSON WHOSE NUMBERT AND ACKNOWNEEDED TO HE THAT SHE CAPACITY, AND THAT BY HER SIGNATAURE ON THE PUPON BEHALF OF WHICH THE PERSON ACTED, NIDER THE LAWS OF THE STATE OF CAUFORNIA THAT
WITNESS MY HAND AN	D OFFICIAL SEAL	NOTARY PURIC
		NAME:
MY COMMISSION EXPIR	ES:	COMMISSION NUMBER:
PRINCIPAL COUNTY OF		

TRUSTEE'S STATEMENT

NAME:

CHICAGO TITLE COMPANY, AS TRUSTEE UNDER TRUST RECORDED SEPTEMBER 2, 2016, UNDER SERIES NUMBER 2016-224084, OFFICIAL RECORDS OF ALAMEDA COUNTY DOES HEREBY CONSENT TO THE PREPARATION AND RECORDATION OF THE HEREIN EMBODIED MAP OF TRACT 8161. IN WITNESS WHEREOF, THE UNDERSIGNED, HAVE/HAS EXECUTED THIS STATEMENT THIS ______ DAY OF _______ 2017. CHICAGO TITLE COMPANY, BY:

TRUSTEE'S ACKNOWLEDGEMENT:

PRINCIPAL COUNTY OF BUSINESS:

STATE OF CALIFORNIA COUNTY OF _ __ BEFORE WE. _ A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, 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(ES), AND THAT BY HIS/HER/ THEIR SIGNATAURE(S) ON THE INSTRUMENT, THE PERSON(S), 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 IS TRUE AND CORRECT. WITNESS MY HAND AND OFFICIAL SEAL NOTARY PUBLIC NAME: MY COMMISSION EXPIRES: __ COMMISSION NUMBER:

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

RECORDER'S STATEMENT:

FILED THIS ___ ____DAY OF____ ___,2017, AT_____ M. IN BOOK OF PARCEL MAPS, AT PAGE . AT THE REQUEST OF CHICAGO TITLE COMPANY

STEVE MANNING COUNTY RECORDER

DEPUTY COUNTY RECORDER

OF THE OIL

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<u></u>

TRACT MAP NO. 8161

A PARCEL MERGER & 8 LOT SUBDIVISION

LOTS 1, 2 AND 3, BLOCK D, MAP OF PARSONS GOLDEN GATE TRACT (9 M 32) CITY OF OAKLAND, ALAMEDA COUNTY, CALIFORNIA JANUARY, 2017

BAY AREA LAND SURVEYING INC.

3065 RICHMOND PARKWAY, SUITE 101 RICHMOND, CA 94806 (510) 223-5167

A.P.N.s 013-1186-013-03 & 02 SHT. 1 OF 3 F.B. #214 /SANPABL01109-FTM JOB NO. 06-1109

SURVEYOR'S STATEMENT:

THIS MAP WAS PREPARED BY WE OR UNDER MY DIRECTION AND IS BASED UPON A FELD SURVEY IN CONFORMANCE WITH THE REQUIREMENTS OF THE SUBDIVISION MAP ACT AND LOCAL ORDINANCE AT THE REQUEST OF KANTY KUMPER IN APRIL OF 2015. I HEREBY STATE THAT THIS TRACE MAP SUBSTANTALLY CONFORMS TO THE APPROVED OR COMDITIONALLY APPROVED TENTATIVE TRACE MAP, I HAVE BY STATE THAT THE MONUMENTS ARE OF THE CHARACTER AND OCCUPY THE POSTIONS INDICATED AND THAT THE MONUMENTS ARE SUFFICIENT TO ENABLE THE SURVEY TO BE RETRACED.



MICHAEL J. FOSTER, L.S. 7170

CITY CLERK'S STATEMENT:

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

IN WITNESS WHEREOF, I HAVE HEREUNTO SET MY HAND THIS _____ DAY OF ______ 2017.

LATONDA SHAMONS, CITY CLERK AND CLERK OF THE COUNCIL OF THE CITY OF GAKLAND, COUNTY OF ALAMEDA, STATE OF CALIFORNIA

CITY ENGINEER'S STATEMENT:

I, MADIMIR WASSOWSKY, OTY ENGINEER, HAVING BEEN AUTHORIZED TO PERFORM THE FUNCTIONS OF THE CITY ENGINEER OF THE CITY OF OAKLAND, DO HERBY CERTEY THAT I HAVE EXAMADED THE HERBOD REBORDED THACT MAP ENTITLED "TRACT WAS BIGI, CITY OF OAKLAND, COUNTY OF ALAMEDA, STATE OF CAUFORNA" THAT THE SUBDIVISION AS SHOWN LEON SAID TRACT WAP SUSSTAINTALLY THE SAME AS THAT APPEARING ON THE TENTATIVE TRACT MAP AND ANY APPROVED ALTERATIONS THEREOF, THAT SAID TRACT WAP COMPLES WITH ALL PROVISIONS OF THE SUBDIVISION MAP ACT O'THE COVERNMENT CODE AND THE LOCAL ORDINARY SAPELARILE AT THE TIME OF THE ENTITIVE TRACT MAP.

WLADNAR WLASSOWSKY, R.C.E. NO. 40013 ACTING CITY ENGINEER CITY OF OAKLAND, ALAMEDA COUNTY STATE OF CALIFORNIA



CITY SURVEYOR'S STATEMENT:

I, GLBERT E. HAYES, CITY SURVEYOR, HAVING BEEN AUTHORIZED TO PERFORM THE FUNCTIONS OF THE CITY SURVEYOR OF THE CITY OF CANLAND, COUNTY OF ALAMEDA, STATE OF CALLFORM, DO HERBEY DERIFY THAT I HAVE EXAMINED THE HERBOY BURGORED TRACT MAP ENTITLED "TRACT MAP 8161, CITY OF CANLAND, COUNTY OF ALAMEDA, STATE OF CALIFORNIA."

I AM SATISFIED THAT THE TRACT MAP IS TECHNICALLY CORRECT.

GLBERT E. HAYES, P.L.S. NO. 4700 CITY SURVEYOR CITY OF OAKLAND, ALAMEDA COUNTY STATE OF CALIFORNIA



CITY PLANNING COMMISSION'S STATEMENT:

EBRUARY 05, 2014, THE TENTATIVE		JPON WHICH THIS FINAL MAP IS BASE
ATED		
	ROBERT MERCA	MAP THE CITY DI ANNUIG COMMISSION

CLERK OF THE BOARD OF SUPERVISORS STATEMENT:

I, ANKA CAMPBELL—BELTON, 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 SECTION 66432 AND 66433 OF THE COVERNMENT CODE OF THE STATE OF CALIFORNIA.

AN	KA CAMPBELL-	-BELTON, C	CLERK OF	THE BOARD
	SUPERVISORS, LIFORNIA	COUNTY	F ALAMED	A, STATE OF

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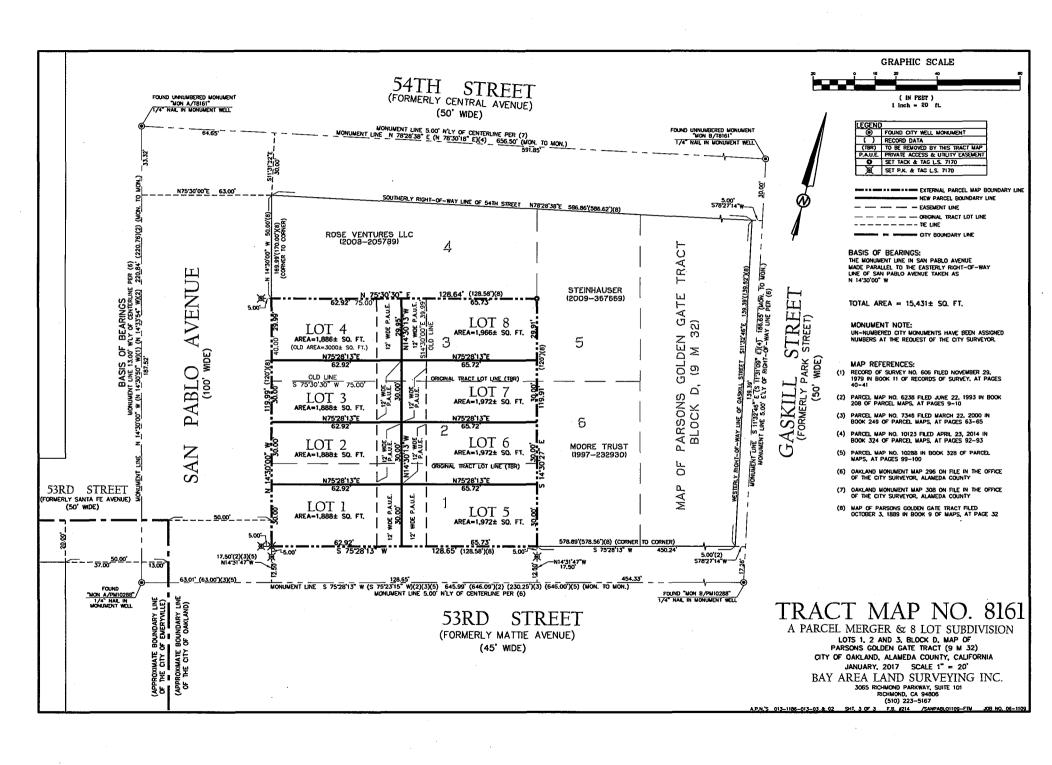
TRACT MAP NO. 8161

A PARCEL MERGER & 8 LOT SUBDIVISION LOTS 1, 2 AND 3, BLOCK D, MAP OF PARSONS GOLDEN GATE TRACT (9 M 32) CITY OF OAKLAND, ALAMEDA COUNTY, CALIFORNIA JANUARY, 2017

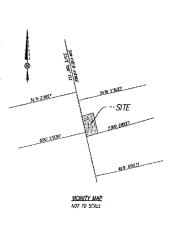
BAY AREA LAND SURVEYING INC.

3065 RICHMOND PARKWAY, SUITE 101 RICHMOND, CA 94806 (510) 223-5167

A.P.N.s 013-1186-013-03 & 02 SHT. 2 OF 3 F.B. #214 /SANPABL01109-FTM JOB NO. 06-1109



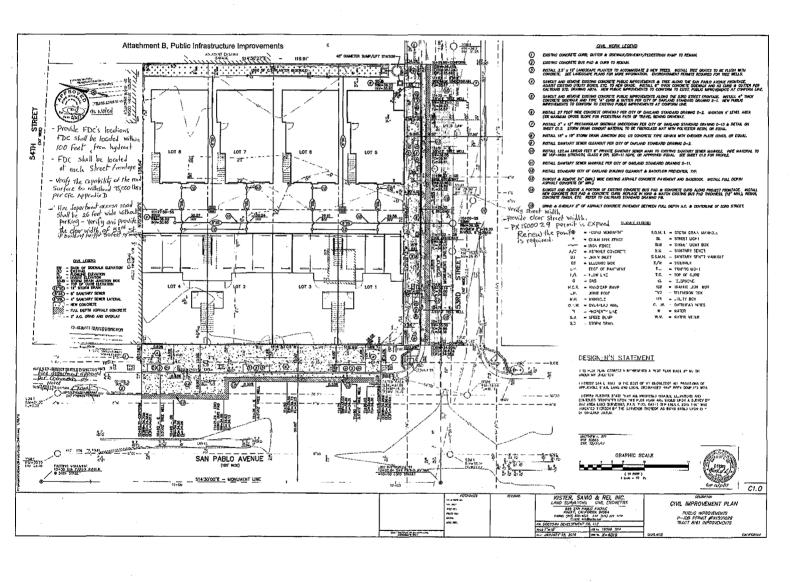
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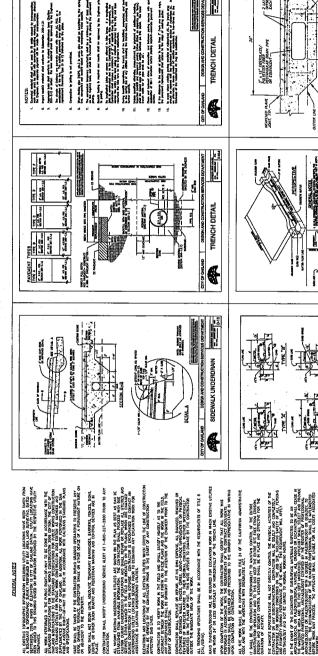


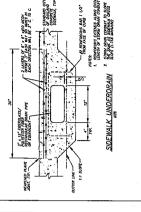
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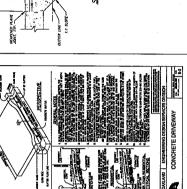












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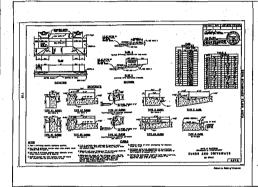
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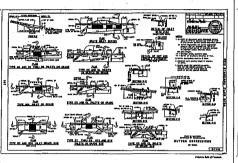
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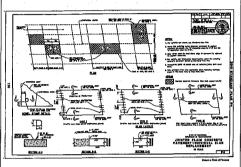
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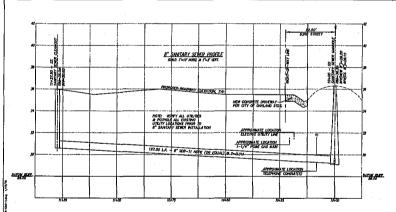
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