



Council Date: February 24, 2009

SUBJECT: Approval of Final Maps (Tract No's. 10,004 and 10,005, Barranca and Arroyo Terrace) - 16 Unit Townhomes at the Northwest and Southwest Corner of Cortez Drive and South Bernardo Avenue by Two Corners, LLC.

BACKGROUND

Tract No. 10,004 is an 8-unit townhome project. Tract No. 10,005 is an 8-unit townhome project. Both projects are being developed by Two Corners, LLC. The tentative maps were approved by the Planning Commission on December 10, 2007.

Location: 1202-1204 Cortez Drive, 189-191 S. Bernardo Avenue, and 185 S. Bernardo Avenue
Zoning: R-3/P-D (Medium-Density Residential/Planned Development)
Number of Lots: Eight residential lots and one common lot for each project
Area: 17,435 square feet for Tract No. 10,004 and 26,703 square feet for Tract No. 10,005.

DISCUSSION

The final maps for Tract No's. 10,004 and 10,005 have been examined by the Public Works Department staff and found to be in conformance with Sunnyvale Municipal Code Title 18 *Subdivision*, and the State of California "Subdivision Map Act". The public improvement plans and specifications have also been reviewed by the Public Works Department staff and they conform to the subject final maps. The developer will execute the subdivision agreement and provide improvement securities for both final maps (\$49,876 for Tract No. 10,004 and \$50,317 for Tract No. 10,005 for a total of \$100,193 for faithful performance, and \$49,876 for Tract No. 10,004 and \$50,317 for Tract No. 10,005 for a total of \$100,193 for labor and material) to guarantee completion of all public improvements. The developer shall furnish related documentation and fee payments for both projects prior to map recordation.

PUBLIC CONTACT

Public contact was made by posting the Council agenda on the City's official-notice bulletin board outside City Hall, at the Sunnyvale Senior Center, Community Center and Department of Public Safety; and by making the agenda and report available at the Sunnyvale Public Library, the Office of the City Clerk and on the City's Web site.

RECOMMENDATION

City staff recommends that the City Council approve the final maps for Tract No's. 10,004 and 10,005; authorize the Mayor to sign the subdivision agreement upon: developer's signatures, submittal of improvement securities, payment of development fees, and submittal of other documents deemed necessary by the Director of Public Works; direct the City Clerk to sign the City Clerk's Statement; and direct the City Clerk to forward the final maps for recordation.

Reviewed by:

Marvin A. Rose, Director, Public Works
Prepared by: Eric Gonzales, Civil Engineer

Approved by:

Gary M. Luebbers
City Manager

Attachments

Final Maps for Tract No.'s 10,004 and 10,005

OWNERS' 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 UPON THIS MAP; THAT WE ARE THE ONLY PERSONS WHOSE CONSENT IS NECESSARY TO PASS A CLEAR TITLE TO SAID PROPERTY; AND WE HEREBY CONSENT TO THE MAKING AND FILING OF SAID MAP AND SUBDIVISION AS SHOWN WITHIN THE DISTINCTIVE BORDER LINE.

WE ALSO HEREBY DEDICATE TO PUBLIC USE AN EASEMENT OVER LOT "A" DELINEATED HEREON AND DESIGNATED AS "E.V.A.E." (EMERGENCY VEHICLE ACCESS EASEMENT) TO BE USED FOR EMERGENCY VEHICLE INGRESS AND EGRESS PURPOSES ONLY.

WE ALSO HEREBY DEDICATE TO PUBLIC USE EASEMENTS FOR ANY AND ALL PUBLIC SERVICE FACILITIES INCLUDING BUT NOT LIMITED TO POLES, WIRES, CONDUITS, GAS, WATER, STORM DRAIN, SANITARY SEWER, HEAT MAINS AND ALL APPURTENANCES THERETO ABOVE, UNDER, UPON, OR OVER THE LAND DELINEATED HEREON AND DESIGNATED AS "P.U.E." (PUBLIC UTILITY EASEMENT). SAID EASEMENTS ARE TO BE KEPT OPEN AND FREE OF BUILDINGS AND STRUCTURES OF ANY KIND EXCEPT PUBLIC SERVICE STRUCTURES, IRRIGATION SYSTEMS AND APPURTENANCES.

WE ALSO HEREBY RESERVE A PRIVATE STREET, DESIGNATED ON THE HEREIN MAP AS "BARRANCA TERRACE". THE PRIVATE STREET CONTAINED WITH THIS TRACT IS NOT OFFERED, NOR IS IT ACCEPTED FOR DEDICATION FOR PUBLIC STREET PURPOSES.

WE ALSO HEREBY RESERVE FOR THE OWNERS OF ALL LOTS SHOWN ON THE HEREIN MAP AND THEIR LICENSEES, VISITORS, AND TENANTS RECIPROCAL RIGHTS OF INGRESS AND EGRESS PURPOSES UPON AND OVER LOT "A" AS DELINEATED HEREON AND DESIGNATED AS "P.I.E.E." (PRIVATE INGRESS AND EGRESS EASEMENT). THE MAINTENANCE, REPAIR, AND/OR REPLACEMENT OF SAID EASEMENT IMPROVEMENTS SHALL BE THE SOLE RESPONSIBILITY OF THE PROPERTY OWNERS AS DETERMINED BY THE APPROPRIATE COVENANTS, CONDITIONS AND RESTRICTIONS. SAID EASEMENT IS NOT OFFERED, NOR IS IT ACCEPTED FOR DEDICATION BY THE CITY OF SUNNYVALE.

LOT "A", DESIGNATED ON THE HEREIN MAP, IS COMMON AREA FOR THE EXCLUSIVE USE OF THE RESIDENTS AND VISITORS OF TRACT NO. 10,004. IT CONTAINS, BUT NOT LIMITED TO, PRIVATE INGRESS/EGRESS ACCESS, PRIVATE WALKWAYS, PRIVATE PARKING, PRIVATE UTILITIES, EMERGENCY VEHICLE ACCESS AND PUBLIC UTILITIES. LOT "A" WILL BE CONVEYED TO THE HOMEOWNERS' ASSOCIATION.

WE ALSO HEREBY RESERVE FOR THE OWNERS OF ALL LOTS SHOWN ON THE HEREIN MAP AND THEIR LICENSEES, VISITORS, AND TENANTS RECIPROCAL RIGHTS UPON AND OVER LOT "A" FOR THE INSTALLATION AND MAINTENANCE OF PRIVATE WATER, FIRE SERVICE, STORM DRAINAGE AND SANITARY SEWER FACILITIES AS DELINEATED HEREON AND DESIGNATED AS "P.W.E." (PRIVATE WATER EASEMENT), "P.F.S.E." (PRIVATE FIRE SERVICE EASEMENT), "P.S.D.E." (PRIVATE STORM DRAIN EASEMENT), "P.S.S.E." (PRIVATE SANITARY SEWER EASEMENT). THOSE PRIVATE EASEMENTS ARE TO BE KEPT OPEN AND FREE FROM BUILDINGS AND STRUCTURES OF ANY KIND EXCEPT FOR THOSE PRIVATE UTILITY FACILITIES AND APPURTENANCES. THE MAINTENANCE, REPAIR, AND/OR REPLACEMENT OF PRIVATE WATER, FIRE SERVICE, STORM DRAINAGE AND SANITARY SEWER FACILITIES SHALL BE THE SOLE RESPONSIBILITY OF THE PROPERTY OWNERS AS DETERMINED BY THE APPROPRIATE COVENANTS, CONDITIONS AND RESTRICTIONS. SAID EASEMENTS ARE NOT OFFERED, NOR ARE THEY ACCEPTED FOR DEDICATION BY THE CITY OF SUNNYVALE.

ALL OF THE HEREIN DESCRIBED STREETS AND EASEMENTS SHALL BE KEPT OPEN AND FREE FROM BUILDINGS AND STRUCTURES OF ANY KIND THAT IMPAIR THE USE OF OR ARE INCONSISTENT WITH THE PROPOSED STREET OR EASEMENT.

AS OWNERS:

TWO CORNERS LLC, A CALIFORNIA LIMITED LIABILITY COMPANY

BY: _____

AS TRUSTEE:

CHICAGO TITLE COMPANY

BY: _____

OWNERS'S ACKNOWLEDGEMENT

STATE OF CALIFORNIA
COUNTY OF _____

ON _____ 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 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:

SIGNATURE _____

NAME (TYPED OR PRINTED), NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE.

PRINCIPAL COUNTY OF BUSINESS: _____

COMMISSION EXPIRES: _____

COMMISSION # OF NOTARY: _____

TRUSTEE'S ACKNOWLEDGEMENT

STATE OF CALIFORNIA
COUNTY OF _____

ON _____ 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 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:

SIGNATURE _____

NAME (TYPED OR PRINTED), NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE.

PRINCIPAL COUNTY OF BUSINESS: _____

COMMISSION EXPIRES: _____

COMMISSION # OF NOTARY: _____

CITY CLERK'S STATEMENT

I HEREBY STATE THAT THE CITY COUNCIL OF THE CITY OF SUNNYVALE AT ITS REGULAR MEETING HELD ON THE _____ DAY OF _____, 2009, DULY APPROVED THE HEREIN FINAL MAP OF THE TRACT NO. 10,004 AS SHOWN HEREON AND ACCEPTED ON BEHALF OF THE PUBLIC ALL EASEMENTS OFFERED FOR DEDICATION TO PUBLIC USE IN CONFORMITY WITH THE TERMS OF THE OFFER OF DEDICATION.

DATED: _____ BY: _____
GAIL T. BORKOWSKI
CITY CLERK
CITY OF SUNNYVALE, CALIFORNIA

SOILS REPORT NOTE

A SOILS REPORT HAS BEEN PREPARED BY MURRAY ENGINEERS, INC., DATED AUGUST 24, 2007, A COPY OF WHICH HAS BEEN FILED WITH THE CITY OF SUNNYVALE.

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 TIM PROSCHOLD IN JUNE 2007.

I HEREBY STATE THAT ALL THE MONUMENTS ARE OF THE CHARACTER AND OCCUPY THE POSITIONS INDICATED OR THEY WILL BE SET IN THOSE POSITIONS ON OR BEFORE DECEMBER 2009, 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 CONDITIONALLY APPROVED TENTATIVE MAP.

DATED: _____
DANIEL G. MAC LEOD, L.S. #5304
LICENSE EXPIRES DEC. 31, 2009



CITY ENGINEER'S STATEMENT

I HEREBY STATE THAT I HAVE EXAMINED THE HEREON FINAL MAP OF TRACT 10,004; THAT THE SUBDIVISION AS SHOWN HEREON IS SUBSTANTIALLY THE SAME AS IT APPEARED ON THE TENTATIVE MAP, AND ANY APPROVED ALTERATIONS THEREOF; THAT ALL PROVISIONS OF THE SUBDIVISION MAP ACT, AS AMENDED, AND ANY LOCAL ORDINANCE APPLICABLE AT THE TIME OF APPROVAL OF THE TENTATIVE MAP HAVE BEEN COMPLIED WITH; AND I AM SATISFIED THAT SAID MAP IS TECHNICALLY CORRECT.

DATED: _____
MARVIN A. ROSE, CITY ENGINEER
DIRECTOR OF PUBLIC WORKS
R.C.E. NO. 30831, EXP. 3/31/10
CITY OF SUNNYVALE, CALIFORNIA

RECORDER'S STATEMENT

FILED THIS _____ DAY OF _____, 20____, AT _____M IN BOOK _____ OF _____ AT PAGES _____, SANTA CLARA COUNTY RECORDS, AT THE REQUEST OF CHICAGO TITLE COMPANY.

FILE NO.: _____ REGINA ALCOMENDRAS
COUNTY RECORDER
SANTA CLARA COUNTY, CALIFORNIA

BY: _____
DEPUTY

**TRACT NO. 10,004
BARRANCA TERRACE TOWNHOMES**

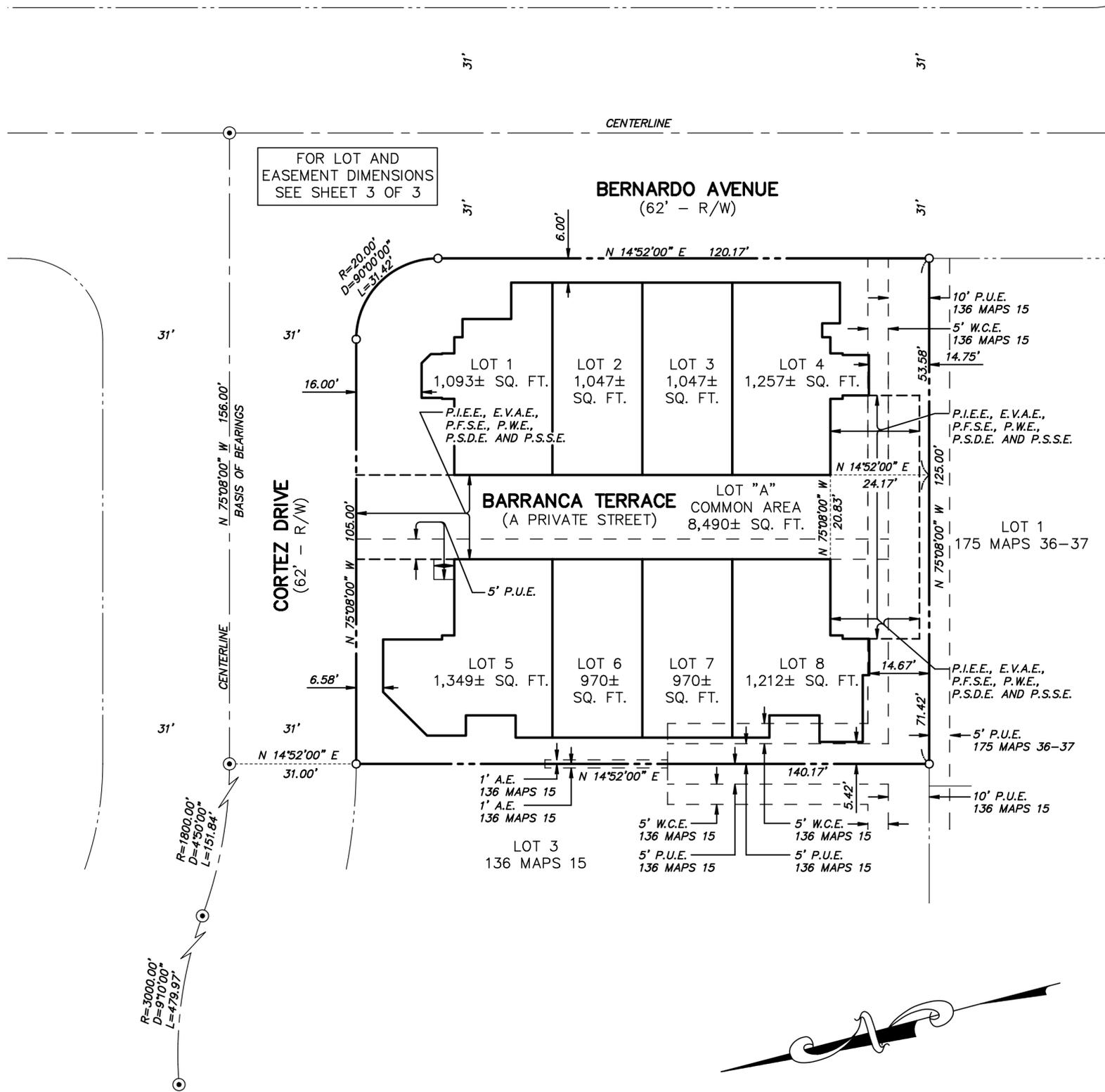
BEING A SUBDIVISION OF LOT 1 AND LOT 2, AS SHOWN UPON THAT CERTAIN MAP ENTITLED "TRACT NO. 2987 RANCHO ARMS", FILED AUGUST 8, 1961, IN BOOK 136 OF MAPS AT PAGE 15, ALSO BEING DESCRIBED IN DOCUMENT NO. 19501905, RECORDED JULY 11, 2007 AND DOCUMENT NO. 19501907, RECORDED JULY 11, 2007, OFFICIAL RECORDS OF SANTA CLARA COUNTY.

CONSISTING OF THREE (3) SHEETS

CITY OF SUNNYVALE SANTA CLARA COUNTY CALIFORNIA
JANUARY 2009

MacLEOD AND ASSOCIATES

CIVIL ENGINEERING • LAND SURVEYING
965 CENTER STREET SAN CARLOS CA 94070 (650) 593-8580



FOR LOT AND EASEMENT DIMENSIONS SEE SHEET 3 OF 3

LEGEND

- DISTINCTIVE BORDER LINE
- LOT LINE
- ⊙ FOUND BRASS DISC WITH PUNCH IN MONUMENT WELL PER 136 MAPS 15
- SET 3/4" IRON PIPE WITH PLASTIC PLUG & TACK, "LS 5304"
- P.U.E. PUBLIC UTILITY EASEMENT
- W.C.E. WIRE CLEARANCE EASEMENT
- A.E. ANCHOR EASEMENT
- P.I.E.E. PRIVATE INGRESS/EGRESS EASEMENT
- E.V.A.E. EMERGENCY VEHICLE ACCESS EASEMENT
- P.F.S.E. PRIVATE FIRE SERVICE EASEMENT
- P.W.E. PRIVATE WATER EASEMENT
- P.S.D.E. PRIVATE STORM DRAIN EASEMENT
- P.S.S.E. PRIVATE SANITARY SEWER EASEMENT

NOTE

1. ALL DISTANCES ARE SHOWN IN FEET AND DECIMALS THEREOF.
2. THE AREA WITHIN THE DISTINCTIVE BORDER IS 17,435 ± SQ. FT.
3. ALL OF THE HEREIN DESCRIBED STREETS AND EASEMENTS SHALL BE KEPT OPEN AND FREE FROM BUILDINGS AND STRUCTURES OF ANY KIND THAT IMPAIR THE USE OF OR ARE INCONSISTENT WITH THE PROPOSED STREET OR EASEMENT.

BASIS OF BEARINGS

THE BEARING OF NORTH 75°08'00" WEST TAKEN ON THE CENTERLINE OF CORTEZ DRIVE AS SAID DRIVE IS SHOWN UPON THAT CERTAIN TRACT MAP FILED IN BOOK 136 OF MAPS AT PAGE 15, OFFICIAL RECORDS OF SANTA CLARA COUNTY, WAS TAKEN AS THE BASIS OF ALL BEARINGS SHOWN HEREON.

**TRACT NO. 10,004
BARRANCA TERRACE TOWNHOMES**

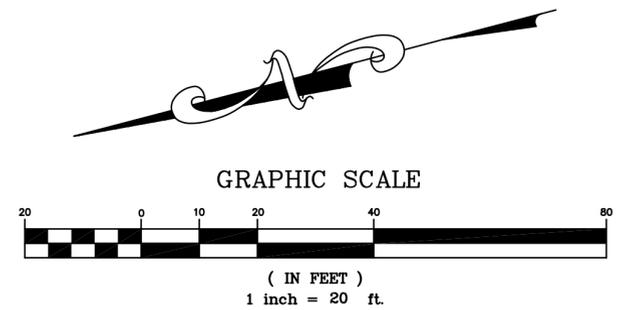
BEING A SUBDIVISION OF LOT 1 AND LOT 2, AS SHOWN UPON THAT CERTAIN MAP ENTITLED "TRACT NO. 2987 RANCHO ARMS", FILED AUGUST 8, 1961, IN BOOK 136 OF MAPS AT PAGE 15, ALSO BEING DESCRIBED IN DOCUMENT NO. 19501905, RECORDED JULY 11, 2007 AND DOCUMENT NO. 19501907, RECORDED JULY 11, 2007, OFFICIAL RECORDS OF SANTA CLARA COUNTY.

CONSISTING OF THREE (3) SHEETS

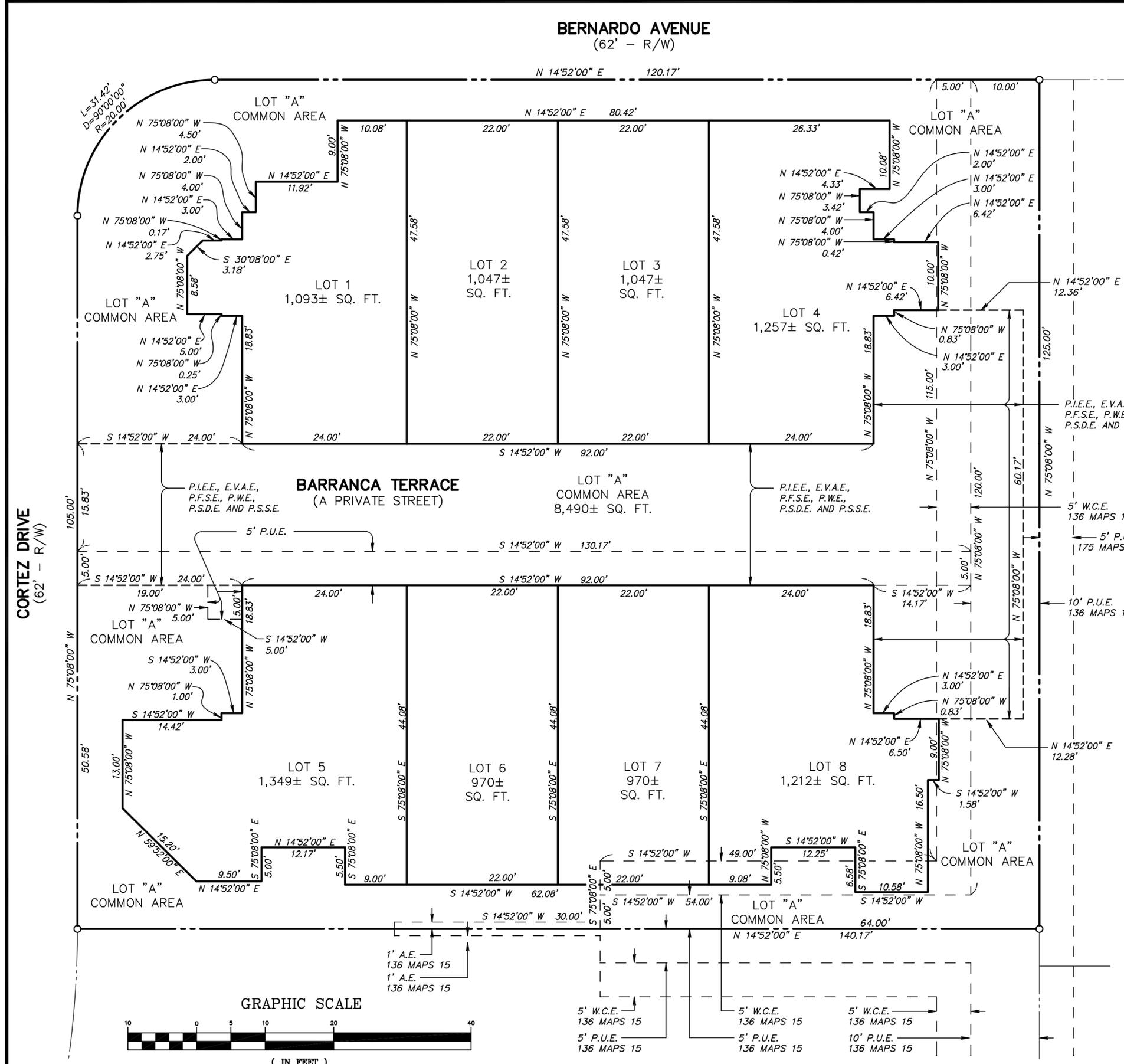
CITY OF SUNNYVALE SANTA CLARA COUNTY CALIFORNIA
SCALE: 1"=20' JANUARY 2009

MacLEOD AND ASSOCIATES

CIVIL ENGINEERING • LAND SURVEYING
965 CENTER STREET SAN CARLOS CA 94070 (650) 593-8580



BERNARDO AVENUE
(62' - R/W)



LEGEND

- DISTINCTIVE BORDER LINE
- LOT LINE
- ⊙ FOUND BRASS DISC WITH PUNCH IN MONUMENT WELL PER 136 MAPS 15
- SET 3/4" IRON PIPE WITH PLASTIC PLUG & TACK, "LS 5304"
- P.U.E. PUBLIC UTILITY EASEMENT
- W.C.E. WIRE CLEARANCE EASEMENT
- A.E. ANCHOR EASEMENT
- P.I.E.E. PRIVATE INGRESS/EGRESS EASEMENT
- E.V.A.E. EMERGENCY VEHICLE ACCESS EASEMENT
- P.F.S.E. PRIVATE FIRE SERVICE EASEMENT
- P.W.E. PRIVATE WATER EASEMENT
- P.S.D.E. PRIVATE STORM DRAIN EASEMENT
- P.S.S.E. PRIVATE SANITARY SEWER EASEMENT

NOTE

1. ALL DISTANCES ARE SHOWN IN FEET AND DECIMALS THEREOF.
2. THE AREA WITHIN THE DISTINCTIVE BORDER IS 17,435 ± SQ. FT.
3. ALL OF THE HEREIN DESCRIBED STREETS AND EASEMENTS SHALL BE KEPT OPEN AND FREE FROM BUILDINGS AND STRUCTURES OF ANY KIND THAT IMPAIR THE USE OF OR ARE INCONSISTENT WITH THE PROPOSED STREET OR EASEMENT.

BASIS OF BEARINGS

THE BEARING OF NORTH 75°08'00" WEST TAKEN ON THE CENTERLINE OF CORTEZ DRIVE AS SAID DRIVE IS SHOWN UPON THAT CERTAIN TRACT MAP FILED IN BOOK 136 OF MAPS AT PAGE 15, OFFICIAL RECORDS OF SANTA CLARA COUNTY, WAS TAKEN AS THE BASIS OF ALL BEARINGS SHOWN HEREON.

TRACT NO. 10,004
BARRANCA TERRACE TOWNHOMES

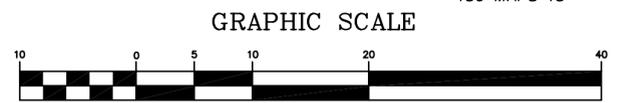
BEING A SUBDIVISION OF LOT 1 AND LOT 2, AS SHOWN UPON THAT CERTAIN MAP ENTITLED "TRACT NO. 2987 RANCHO ARMS", FILED AUGUST 8, 1961, IN BOOK 136 OF MAPS AT PAGE 15, ALSO BEING DESCRIBED IN DOCUMENT NO. 19501905, RECORDED JULY 11, 2007 AND DOCUMENT NO. 19501907, RECORDED JULY 11, 2007, OFFICIAL RECORDS OF SANTA CLARA COUNTY.

CONSISTING OF THREE (3) SHEETS

CITY OF SUNNYVALE SANTA CLARA COUNTY CALIFORNIA
SCALE: 1"=10' JANUARY 2009

MacLEOD AND ASSOCIATES

CIVIL ENGINEERING • LAND SURVEYING
965 CENTER STREET SAN CARLOS CA 94070 (650) 593-8580



OWNERS' 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 UPON THIS MAP; THAT WE ARE THE ONLY PERSONS WHOSE CONSENT IS NECESSARY TO PASS A CLEAR TITLE TO SAID PROPERTY; AND WE HEREBY CONSENT TO THE MAKING AND FILING OF SAID MAP AND SUBDIVISION AS SHOWN WITHIN THE DISTINCTIVE BORDER LINE.

WE HEREBY OFFER FOR DEDICATION TO PUBLIC USE ALL STREETS AND PORTIONS OF STREETS NOT PREVIOUSLY EXISTING AS DELINEATED HEREON AND DESIGNATED AS "STREET HEREIN DEDICATED", AND ALSO DEDICATE TO PUBLIC USE EASEMENTS FOR ANY AND ALL PUBLIC USES UNDER, UPON AND OVER SAID STREETS AND PORTIONS THEREOF.

WE ALSO HEREBY DEDICATE TO PUBLIC USE EASEMENTS FOR ANY AND ALL PUBLIC SERVICE FACILITIES INCLUDING BUT NOT LIMITED TO POLES, WIRES, CONDUITS, GAS, WATER, STORM DRAIN, SANITARY SEWER, HEAT MAINS AND ALL APPURTENANCES THERETO ABOVE, UNDER, UPON, OR OVER THE LAND DELINEATED HEREON AND DESIGNATED AS "P.U.E." (PUBLIC UTILITY EASEMENT). SAID EASEMENTS ARE TO BE KEPT OPEN AND FREE OF BUILDINGS AND STRUCTURES OF ANY KIND EXCEPT PUBLIC SERVICE STRUCTURES, IRRIGATION SYSTEMS AND APPURTENANCES.

WE ALSO HEREBY DEDICATE TO PUBLIC USE AN EASEMENT OVER LOT "A" DELINEATED HEREON AND DESIGNATED AS "E.V.A.E." (EMERGENCY VEHICLE ACCESS EASEMENT) TO BE USED FOR EMERGENCY VEHICLE INGRESS AND EGRESS PURPOSES ONLY.

WE ALSO HEREBY RESERVE A PRIVATE STREET, DESIGNATED ON THE HEREIN MAP AS "ARROYO TERRACE". THE PRIVATE STREET CONTAINED WITH THIS TRACT IS NOT OFFERED, NOR IS IT ACCEPTED FOR DEDICATION FOR PUBLIC STREET PURPOSES.

WE ALSO HEREBY RESERVE FOR THE OWNERS OF ALL LOTS SHOWN ON THE HEREIN MAP AND THEIR LICENSEES, VISITORS, AND TENANTS RECIPROCAL RIGHTS OF INGRESS AND EGRESS PURPOSES UPON AND OVER LOT "A" AS DELINEATED HEREON AND DESIGNATED AS "P.I.E.E." (PRIVATE INGRESS AND EGRESS EASEMENT). THE MAINTENANCE, REPAIR, AND/OR REPLACEMENT OF SAID EASEMENT IMPROVEMENTS SHALL BE THE SOLE RESPONSIBILITY OF THE PROPERTY OWNERS AS DETERMINED BY THE APPROPRIATE COVENANTS, CONDITIONS AND RESTRICTIONS. SAID EASEMENT IS NOT OFFERED, NOR IS IT ACCEPTED FOR DEDICATION BY THE CITY OF SUNNYVALE.

WE ALSO HEREBY RESERVE FOR THE OWNERS OF ALL LOTS SHOWN ON THE HEREIN MAP AND THEIR LICENSEES, VISITORS, AND TENANTS RECIPROCAL RIGHTS UPON AND OVER LOT "A" FOR THE INSTALLATION AND MAINTENANCE OF PRIVATE WATER, FIRE SERVICE, STORM DRAINAGE AND SANITARY SEWER FACILITIES AS DELINEATED HEREON AND DESIGNATED AS "P.W.E." (PRIVATE WATER EASEMENT), "P.F.S.E." (PRIVATE FIRE SERVICE EASMENT), "P.S.D.E." (PRIVATE STORM DRAIN EASEMENT), "P.S.S.E." (PRIVATE SANITARY SEWER EASEMENT). THOSE PRIVATE EASEMENTS ARE TO BE KEPT OPEN AND FREE FROM BUILDINGS AND STRUCTURES OF ANY KIND EXCEPT FOR THOSE PRIVATE UTILITY FACILITIES AND APPURTENANCES. THE MAINTENANCE, REPAIR, AND/OR REPLACEMENT OF PRIVATE WATER, FIRE SERVICE, STORM DRAINAGE AND SANITARY SEWER FACILITIES SHALL BE THE SOLE RESPONSIBILITY OF THE PROPERTY OWNERS AS DETERMINED BY THE APPROPRIATE COVENANTS, CONDITIONS AND RESTRICTIONS. SAID EASEMENTS ARE NOT OFFERED, NOR ARE THEY ACCEPTED FOR DEDICATION BY THE CITY OF SUNNYVALE.

LOT "A", DESIGNATED ON THE HEREIN MAP, IS COMMON AREA FOR THE EXCLUSIVE USE OF THE RESIDENTS AND VISITORS OF TRACT NO. 10,005. IT CONTAINS, BUT NOT LIMITED TO, PRIVATE INGRESS/EGRESS ACCESS, PRIVATE WALKWAYS, PRIVATE PARKING, PRIVATE UTILITIES, EMERGENCY VEHICLE ACCESS AND PUBLIC UTILITIES. LOT "A" WILL BE CONVEYED TO THE HOMEOWNERS' ASSOCIATION.

ALL OF THE HEREIN DESCRIBED STREETS AND EASEMENTS SHALL BE KEPT OPEN AND FREE FROM BUILDINGS AND STRUCTURES OF ANY KIND THAT IMPAIR THE USE OF OR ARE INCONSISTENT WITH THE PROPOSED STREET OR EASEMENT.

AS OWNERS:
TWO CORNERS LLC, A CALIFORNIA LIMITED LIABILITY COMPANY

BY: _____

AS TRUSTEE:
CHICAGO TITLE COMPANY

BY: _____

OWNER'S ACKNOWLEDGEMENT

STATE OF CALIFORNIA
COUNTY OF _____

ON _____ 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 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:

SIGNATURE _____

NAME (TYPED OR PRINTED), NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE.

PRINCIPAL COUNTY OF BUSINESS: _____

COMMISSION EXPIRES: _____

COMMISSION # OF NOTARY: _____

TRUSTEE'S ACKNOWLEDGEMENT

STATE OF CALIFORNIA
COUNTY OF _____

ON _____ 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 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:

SIGNATURE _____

NAME (TYPED OR PRINTED), NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE.

PRINCIPAL COUNTY OF BUSINESS: _____

COMMISSION EXPIRES: _____

COMMISSION # OF NOTARY: _____

CITY CLERK'S STATEMENT

I HEREBY STATE THAT THE CITY COUNCIL OF THE CITY OF SUNNYVALE AT ITS REGULAR MEETING HELD ON THE ____ DAY OF _____, 2009, DULY APPROVED THE HEREIN FINAL MAP OF THE TRACT NO. 10,005 AS SHOWN HEREON AND ACCEPTED ON BEHALF OF THE PUBLIC ALL EASEMENTS OFFERED FOR DEDICATION TO PUBLIC USE IN CONFORMITY WITH THE TERMS OF THE OFFER OF DEDICATION.

DATED: _____ BY: _____
GAIL T. BORKOWSKI
CITY CLERK
CITY OF SUNNYVALE, CALIFORNIA

SOILS REPORT NOTE

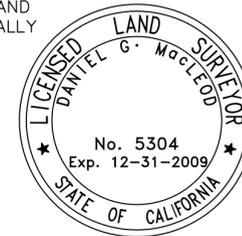
A SOILS REPORT HAS BEEN PREPARED BY MURRAY ENGINEERS, INC., DATED AUGUST 24, 2007, A COPY OF WHICH HAS BEEN FILED WITH THE CITY OF SUNNYVALE.

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 TIM PROSCHOLD IN JUNE 2007.

I HEREBY STATE THAT ALL THE MONUMENTS ARE OF THE CHARACTER AND OCCUPY THE POSITIONS INDICATED OR THEY WILL BE SET IN THOSE POSITIONS ON OR BEFORE DECEMBER 2009, 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 CONDITIONALLY APPROVED TENTATIVE MAP.

DATED: _____
DANIEL G. MAC LEOD, L.S. #5304
LICENSE EXPIRES DEC. 31, 2009



CITY ENGINEER'S STATEMENT

I HEREBY STATE THAT I HAVE EXAMINED THE HEREON FINAL MAP OF TRACT 10,005; THAT THE SUBDIVISION AS SHOWN HEREON IS SUBSTANTIALLY THE SAME AS IT APPEARED ON THE TENTATIVE MAP, AND ANY APPROVED ALTERATIONS THEREOF; THAT ALL PROVISIONS OF THE SUBDIVISION MAP ACT, AS AMENDED, AND ANY LOCAL ORDINANCE APPLICABLE AT THE TIME OF APPROVAL OF THE TENTATIVE MAP HAVE BEEN COMPLIED WITH; AND I AM SATISFIED THAT SAID MAP IS TECHNICALLY CORRECT.

DATED: _____
MARVIN A. ROSE, CITY ENGINEER
DIRECTOR OF PUBLIC WORKS
R.C.E. NO. 30831, EXP. 3/31/10
CITY OF SUNNYVALE, CALIFORNIA

RECORDER'S STATEMENT

FILED THIS _____ DAY OF _____ 20____, AT _____M IN BOOK _____ OF _____ AT PAGES _____, SANTA CLARA COUNTY RECORDS, AT THE REQUEST OF CHICAGO TITLE COMPANY.

FILE NO.: _____ REGINA ALCOMENDRAS
COUNTY RECORDER
SANTA CLARA COUNTY, CALIFORNIA
BY: _____
DEPUTY

**TRACT NO. 10,005
ARROYO TERRACE TOWNHOMES**

BEING A SUBDIVISION OF A PORTION OF LOT 15 , AS SHOWN UPON THAT CERTAIN MAP ENTITLED "MAP OF THE B.D. MURPHY SUBDIVISION NO. 1", FILED DECEMBER 2, 1896, IN BOOK "1" OF MAPS AT PAGE 47, ALSO BEING DESCRIBED IN DOCUMENT NO. 19501906, RECORDED JULY 11, 2007, OFFICIAL RECORDS OF SANTA CLARA COUNTY.

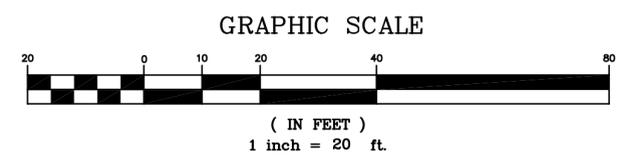
CONSISTING OF THREE (3) SHEETS

CITY OF SUNNYVALE SANTA CLARA COUNTY CALIFORNIA
JANUARY 2009

MacLEOD AND ASSOCIATES

CIVIL ENGINEERING • LAND SURVEYING
965 CENTER STREET SAN CARLOS CA 94070 (650) 593-8580

BERNARDO AVENUE
(62' - R/W)



LEGEND

	DISTINCTIVE BORDER LINE
	LOT LINE
	FOUND BRASS DISC WITH PUNCH IN MONUMENT WELL PER 136 MAPS 15
	SET 3/4" IRON PIPE WITH PLASTIC PLUG & TACK, "LS 5304"
P.I.E.E.	PRIVATE INGRESS/EGRESS EASEMENT
E.V.A.E.	EMERGENCY VEHICLE ACCESS EASEMENT
P.U.E.	PUBLIC UTILITY EASEMENT
P.F.S.E.	PRIVATE FIRE SERVICE EASEMENT
P.W.E.	PRIVATE WATER EASEMENT
P.S.D.E.	PRIVATE STORM DRAIN EASEMENT
P.S.S.E.	PRIVATE SANITARY SEWER EASEMENT

- NOTE**
- ALL DISTANCES ARE SHOWN IN FEET AND DECIMALS THEREOF.
 - THE AREA WITHIN THE DISTINCTIVE BORDER IS 26,703 ± SQ. FT.
 - ALL OF THE HEREIN DESCRIBED STREETS AND EASEMENTS SHALL BE KEPT OPEN AND FREE FROM BUILDINGS AND STRUCTURES OF ANY KIND THAT IMPAIR THE USE OF OR ARE INCONSISTENT WITH THE PROPOSED STREET OR EASEMENT.

BASIS OF BEARINGS

THE BEARING OF NORTH 75°08'00" WEST TAKEN ON THE CENTERLINE OF CORTEZ DRIVE AS SAID DRIVE IS SHOWN UPON THAT CERTAIN TRACT MAP FILED IN BOOK 136 OF MAPS AT PAGE 15, OFFICIAL RECORDS OF SANTA CLARA COUNTY, WAS TAKEN AS THE BASIS OF ALL BEARINGS SHOWN HEREON.

TRACT NO. 10,005
ARROYO TERRACE TOWNHOMES

BEING A SUBDIVISION OF A PORTION OF LOT 15, AS SHOWN UPON THAT CERTAIN MAP ENTITLED "MAP OF THE B.D. MURPHY SUBDIVISION NO. 1", FILED DECEMBER 2, 1896, IN BOOK "1" OF MAPS AT PAGE 47, ALSO BEING DESCRIBED IN DOCUMENT NO. 19501906, RECORDED JULY 11, 2007, OFFICIAL RECORDS OF SANTA CLARA COUNTY.

CONSISTING OF THREE (3) SHEETS

CITY OF SUNNYVALE SANTA CLARA COUNTY CALIFORNIA
SCALE: 1"=10' JANUARY 2009

MacLEOD AND ASSOCIATES
CIVIL ENGINEERING • LAND SURVEYING
965 CENTER STREET SAN CARLOS CA 94070 (650) 593-8580

