



Council Meeting: January 25, 2011

SUBJECT: Approval of Final Map (Tract No. 10025) for a Mixed-Use Development at 615 Tasman Drive by Essex Property Trust

BACKGROUND

Tract No. 10025 is a mixed-use development with 290 condominium units, a 51,308 square foot (SF) commercial use building, and a 15,000 SF satellite building. The tentative map was approved by the Planning Commission on February 11, 2008 and extended to February 11, 2012 pursuant to Government Code Section 66452.22.

DISCUSSION

The final map for Tract No. 10025 was examined by the Public Works Department staff and found to be in conformance with Sunnyvale Municipal Code Title 18 *Subdivision*, the State of California "Subdivision Map Act" and the tentative map. The developer will execute the subdivision agreement and provide improvement securities (\$348,154 bond for faithful performance and \$348,154 bond for labor and materials) to guarantee completion of public improvements.

RECOMMENDATION

City staff recommends that the City Council approve the final map for Tract No. 10025; accept the sidewalk and public utility easements; 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 map for recordation.

Reviewed by:

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

Approved by:

Gary M. Luebbbers
City Manager

Attachment

Final Map for Tract No. 10025

TRACT No. 10,025

615 TASMAN DRIVE

CONSISTING OF 3 SHEETS

BEING A SUBDIVISION FOR CONDOMINIUM PURPOSES OF THE REAL PROPERTY DESCRIBED IN DOCUMENT NO. 19989510, OFFICIAL RECORDS OF SANTA CLARA COUNTY, AND LYING WITHIN THE CITY OF SUNNYVALE, COUNTY OF SANTA CLARA, STATE OF CALIFORNIA.

NOVEMBER, 2010



OWNER'S 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 THE HEREON MAP; THAT WE ARE THE ONLY PERSONS WHOSE CONSENT IS NECESSARY TO PASS A CLEAR TITLE TO SAID REAL PROPERTY; THAT WE HEREBY CONSENT TO THE PREPARATION AND FILING OF SAID MAP AND SUBDIVISION AS SHOWN WITHIN THE DISTINCTIVE BORDER LINE.

WE ALSO HEREBY DEDICATE TO PUBLIC USE EASEMENTS FOR CERTAIN PUBLIC SERVICE FACILITIES INCLUDING BUT NOT LIMITED TO POLES, CONDUITS, TELEPHONE, CABLE, GAS, 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 HEREBY STATE THAT ALL UTILITIES LOCATED WITHIN THE DISTINCTIVE BORDER LINES SHALL BE PRIVATELY OWNED, EXCEPT THOSE UTILITIES WITHIN THE P.U.E. AS DESCRIBED IN PARAGRAPH #2 ABOVE. THE MAINTENANCE, REPAIR AND/OR REPLACEMENT OF THOSE PRIVATELY-OWNED UTILITIES SHALL BE THE SOLE RESPONSIBILITY OF THE PROPERTY OWNERS AS DETERMINED BY THE APPROPRIATE CONVENANTS, CONDITIONS, AND RESTRICTIONS. THOSE PRIVATELY-OWNED UTILITIES ARE NOT OFFERED, NOR ACCEPTED FOR DEDICATION BY THE CITY OF SUNNYVALE.

WE ALSO HEREBY DEDICATE TO PUBLIC USE AN EASEMENT OVER LOT 1 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 PUBLIC SIDEWALKS OVER THE LAND DESIGNATED AND DELINEATED AS "P.S.W.E." (PUBLIC SIDEWALK EASEMENT).

JAYSAC, LTD, A TEXAS LIMITED PARTNERSHIP

BY: _____

ITS: _____

ACKNOWLEDGMENT

STATE OF _____ SS

COUNTY OF _____

ON _____, 20____, BEFORE ME, _____, 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/HEY EXECUTED THE SAME IN HIS/HER/THEIR AUTHORIZED CAPACITY(IES), AND THAT 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.

NOTARY'S SIGNATURE _____

PRINTED NOTARY'S NAME _____

COUNTY OF NOTARY'S PRINCIPAL PLACE OF BUSINESS _____

EXPIRATION DATE OF NOTARY'S COMMISSION _____

NOTARY COMMISSION NUMBER, IF ANY _____

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 _____, 20____, DULY APPROVED THE HEREIN FINAL MAP OF TRACT NO. 10,025 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.

DATE: _____

BY: _____
KATHLEEN FRANCO SIMMONS
CITY CLERK
CITY OF SUNNYVALE, CALIFORNIA

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 ESSEX PROPERTY TRUST, INC. IN APRIL, 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 BEFORE NOVEMBER, 2013, 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.

DATE: _____

STEVE W. DANNER, L.S.# 5106
LICENSE EXPIRES: 06-30-11

CITY ENGINEER'S STATEMENT

I HEREBY STATE THAT I HAVE EXAMINED THE HEREON FINAL MAP OF TRACT NO. 10,025; 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 OF 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.

DATE: _____

BY: _____
MARVIN A. ROSE
DIRECTOR OF PUBLIC WORKS
RCE# 30831, EXP. 3/31/12
CITY OF SUNNYVALE, CALIFORNIA

SOILS REPORT NOTE

A SOILS REPORT HAS BEEN PREPARED BY ENGeo INCORPORATED, ENTITLED "GEOTECHNICAL EXPLORATION, 615 TASMAN DRIVE MIXED-USE, SUNNYVALE, CALIFORNIA", DATED AUGUST 29, 2008, A COPY OF WHICH HAS BEEN FILED WITH THE CITY OF SUNNYVALE.

RECORDER'S STATEMENT

FILED THIS _____ DAY OF _____, 20____, AT _____M.

IN BOOK _____ OF MAPS, AT PAGES _____ SANTA CLARA COUNTY RECORDS

AT THE REQUEST OF _____

REGINA ALCOMENDRAS, COUNTY RECORDER
SANTA CLARA COUNTY, CALIFORNIA

FILE NO. _____

FEE \$ _____ PAID

BY: _____
DEPUTY

TRACT No. 10,025

615 TASMAN DRIVE

CONSISTING OF 3 SHEETS

BEING A SUBDIVISION FOR CONDOMINIUM PURPOSES OF THE REAL PROPERTY DESCRIBED IN DOCUMENT NO. 19989510, OFFICIAL RECORDS OF SANTA CLARA COUNTY, AND LYING WITHIN THE CITY OF SUNNYVALE, COUNTY OF SANTA CLARA, STATE OF CALIFORNIA.

NOVEMBER, 2010



1570 Oakland Road San Jose, CA 95131

BASIS OF BEARINGS

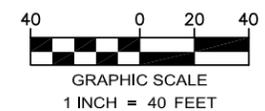
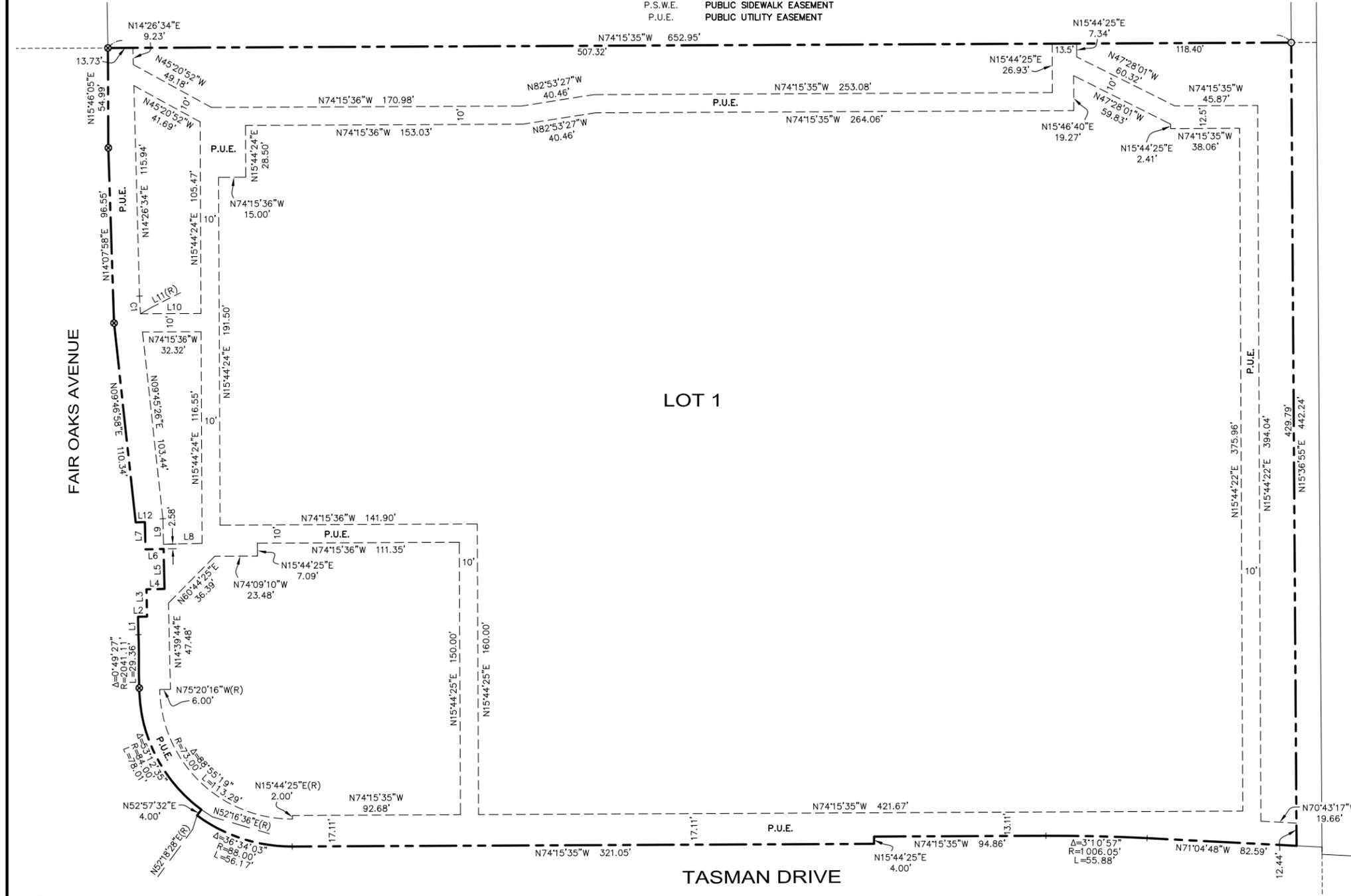
THE BEARING NORTH 74°15'35" WEST OF THE MONUMENT LINE OF TASMAN DRIVE AS SHOWN ON CORNER RECORD 392 FILED IN THE COUNTY SURVEYOR'S OFFICE, COUNTY OF SANTA CLARA, WAS ADOPTED AS THE BASIS OF BEARINGS.

NOTES

1. DISTANCES AND DIMENSIONS ARE SHOWN IN FEET AND DECIMALS THEREOF.
2. THE DISTINCTIVE BORDER DENOTES THE BOUNDARY OF THE SUBDIVISION.
3. THE AREA WITHIN THE DISTINCTIVE BORDER IS 6.45 ACRES, MORE OR LESS.

LEGEND

- DISTINCTIVE BORDER LINE
- - - EASEMENT LINE
- MONUMENT LINE
- - - TIE LINE
- R# RECORD DOCUMENT *R1: CORNER RECORD 392 *R3: 761-M-6 R5: 632-M-41
- REFERENCES: *R2: CORNER RECORD 390 R4: 379-M-48 R6: 389-M-40
- * RECORD DISTANCES ARE GRID, MULTIPLY GRID DISTANCES BY 1.00005417 TO OBTAIN GROUND DISTANCES.
- ⊙ R# 3/4" IRON PIPE FOUND IN MONUMENT WELL, TAGGED "SANTA CLARA COUNTY ROAD COMM.", UNLESS OTHERWISE NOTED (NO KNOWN RECORD UNLESS NOTED R#)
- 3/4" IRON PIPE SET & TAGGED "LS 5106"
- ⊗ NAIL & TAG SET & STAMPED "LS 5106"
- LINE NOT DRAWN TO SCALE
- (R) RADIAL BEARING
- (...R# DIMENSION AS DESCRIBED IN RECORD
- E.E. TRACTION ELECTRIFICATION SYSTEM EASEMENT
- E.V.A.E. EMERGENCY VEHICLE ACCESS EASEMENT
- P.S.E. PUBLIC SERVICE EASEMENT
- P.S.W.E. PUBLIC SIDEWALK EASEMENT
- P.U.E. PUBLIC UTILITY EASEMENT



LINE TABLE		
No.	Bearing	Length
L1	N14°39'44"E	9.88'
L2	N75°20'16"W	5.00'
L3	N14°39'44"E	15.00'
L4	N75°20'16"W	10.00'
L5	N14°39'44"E	22.00'
L6	N75°20'16"W	10.00'
L7	N14°39'44"E	15.00'
L8	N75°20'16"W	21.28'
L9	N14°39'44"E	14.07'
L10	N74°15'36"W	33.35'
L11	N79°10'44"W	154.00'
L12	N75°20'16"W	5.06'

CURVE TABLE			
No.	Radius	Delta	Length
C1	154.00'	03°37'18"	9.73'