



Council Meeting: May 24, 2011

SUBJECT: Approval of Final Map (Tract No. 10075) – Twenty-four unit Condominiums at 650-660 East Taylor Avenue by City Ventures Homebuilding LLC.

BACKGROUND

Tract No. 10075 is a 24-unit condominium project. The tentative map was approved by the Planning Commission on December 13, 2010. A Miscellaneous Plan Permit (MPP) to modify the tentative map from townhome ownership to condominium ownership was approved by Community Development Department on February 23, 2011.

DISCUSSION

The final map for Tract No. 10075, consisting of 24-unit condominiums on four residential lots and two common lots, 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 as modified by the MPP. The developer will execute the subdivision agreement and provide improvement securities (\$99,200 for faithful performance and \$99,200 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. 10075; accept the public street dedication; 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. 10075

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 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 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.

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.

WE ALSO HEREBY DEDICATE TO PUBLIC USE AN EASEMENT FOR EMERGENCY ACCESS DELINEATED HEREON AND DESIGNATED AS "E.V.A.E." (EMERGENCY VEHICLE ACCESS EASEMENT) TO BE USED FOR EMERGENCY VEHICLE INGRESS AND EGRESS PURPOSE 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, 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 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 LOTS A AND B, AS DELINEATED HEREON AND DESIGNATED AS "P.I.E.E." (PRIVATE INGRESS AND EGRESS EASEMENT). THE MAINTENANCE, REPAIR, AND/OR REPLACEMENT OF SAID EASEMENT 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 A PRIVATE STREET, DESIGNATED ON THE HEREIN MAP AS "SANTA ELENA TERRACE". THE PRIVATE STREET CONTAINED WITHIN THIS TRACT IS NOT OFFERED, NOR 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 UPON AND OVER "LOTS A AND B" 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) AND "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.

LOTS A AND B, DESIGNATED ON THE HEREIN MAP, IS COMMON AREA FOR THE EXCLUSIVE USE OF THE RESIDENTS AND VISITORS OF TRACT NO. 10075. IT CONTAINS, BUT IS NOT LIMITED TO, PRIVATE INGRESS/EGRESS ACCESS, PRIVATE WALKWAYS, PRIVATE PARKING, PRIVATE UTILITIES, EMERGENCY VEHICLE ACCESS AND PUBLIC UTILITIES. "LOTS A AND B" WILL BE CONVEYED TO THE HOMEOWNERS' ASSOCIATION.

AS OWNER:
CITY VENTURES HOMEBUILDING, LLC, A DELAWARE LIMITED LIABILITY COMPANY.

BY: _____
NAME:

TRACT NO. 10075

SUNNYVALE FAIROAKS COLLECTION

FOR CONDOMINIUM PURPOSES

CONSISTING OF 3 SHEETS

BEING A SUBDIVISION OF THE LANDS OF CITY VENTURES HOMEBUILDING LLC, AS DESCRIBED IN THAT CERTAIN GRANT DEED, RECORDED DECEMBER 27, 2010 AS DOCUMENT NO. 21021878, OFFICIAL RECORDS OF SANTA CLARA COUNTY

AND
DESCRIBED IN THAT CERTAIN GRANT DEED, RECORDED FEBRUARY 15, 2011 AS DOCUMENT 21083156, OFFICIAL RECORDS OF SAID COUNTY

LYING ENTIRELY WITHIN THE
CITY OF SUNNYVALE, SANTA CLARA COUNTY, CALIFORNIA

DATE: APRIL 2011



OWNER ACKNOWLEDGMENT

STATE OF _____)SS.
COUNTY OF _____)

ON _____ 20 __, 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 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: _____
NOTARY'S PRINTED NAME: _____
NOTARY'S PRINCIPAL PLACE OF BUSINESS: _____
NOTARY'S COMMISSION No.: _____
NOTARY'S COMMISSION EXPIRATION DATE: _____

SOILS REPORT NOTE

A SOILS REPORT ON THIS PROPERTY HAS BEEN PREPARED BY GEOCON CONSULTANTS, INC., ENTITLED "GEOTECHNICAL INVESTIGATION, EAST TAYLOR TOWNHOMES, 650 & 660 EAST TAYLOR AVENUE, SUNNYVALE, CALIFORNIA", REPORT NO. E8553-06-01, DATED OCTOBER 27, 2010.

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 CITY VENTURES ON JANUARY 2011. I HEREBY STATE THAT ALL MONUMENTS ARE OF THE CHARACTER AND OCCUPY THE POSITIONS INDICATED OR THEY WILL BE SET IN THOSE POSITIONS BEFORE JANUARY 31, 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 _____ DAVIS THRESH
P.L.S. NO. 6868
LIC. EXP. 09/30/2012

CITY ENGINEER'S STATEMENT

I HEREBY STATE THAT I HAVE EXAMINED THE HEREON FINAL MAP OF THE TRACT NO. 10075; 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
R.C.E. NO. 30831
REG. EXP. 03/31/2012
CITY OF SUNNYVALE
CALIFORNIA

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 THE TRACT NO. 10075 AS SHOWN HEREON AND ACCEPTED ON BEHALF OF THE PUBLIC ALL STREETS AND 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

RECORDER'S STATEMENT

FILED THIS _____ DAY OF _____, 20____, AT _____ M.
IN BOOK _____ OF MAPS AT PAGES _____
SANTA CLARA COUNTY RECORDS, AT THE REQUEST OF BKF ENGINEERS.

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

FEE: \$ _____ PAID
BY: _____
DEPUTY

TRACT NO. 10075

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LYING ENTIRELY WITHIN THE
 CITY OF SUNNYVALE, SANTA CLARA COUNTY, CALIFORNIA

 SCALE: 1" = 40' DATE: APRIL 2011

BASIS OF BEARINGS

THE BEARING N74°13'15"W OF THE MONUMENT LINE OF MONTARA TERRACE, BETWEEN FOUND MONUMENTS, AS SAID BEARING WAS DERIVED BASED ON THE NORTH AMERICAN DATUM OF 1983 (NAD83), CALIFORNIA COORDINATE SYSTEM OF 1983 (CCS83), ZONE 3, EPOCH 2007.00, WAS TAKEN AS THE BASIS OF BEARINGS FOR THIS MAP.

MAP NOTES

1. ALL DISTANCES AND DIMENSIONS ARE IN FEET AND DECIMALS THEREOF.
2. THE DISTINCTIVE BORDER LINE INDICATES THE BOUNDARY OF THE LAND SUBDIVIDED BY THIS MAP AND CONTAINS AN AREA OF 1.381 ACRES (GROSS) AND 1.253 ACRES (NET), MORE OR LESS.
3. ALL PROPOSED EASEMENTS ARE SHOWN ON SHEETS 3 OF 3.
4. ALL EASEMENT LINES WITHOUT BEARINGS ARE PARALLEL WITH AND/OR PERPENDICULAR TO THE BOUNDARY LINE.

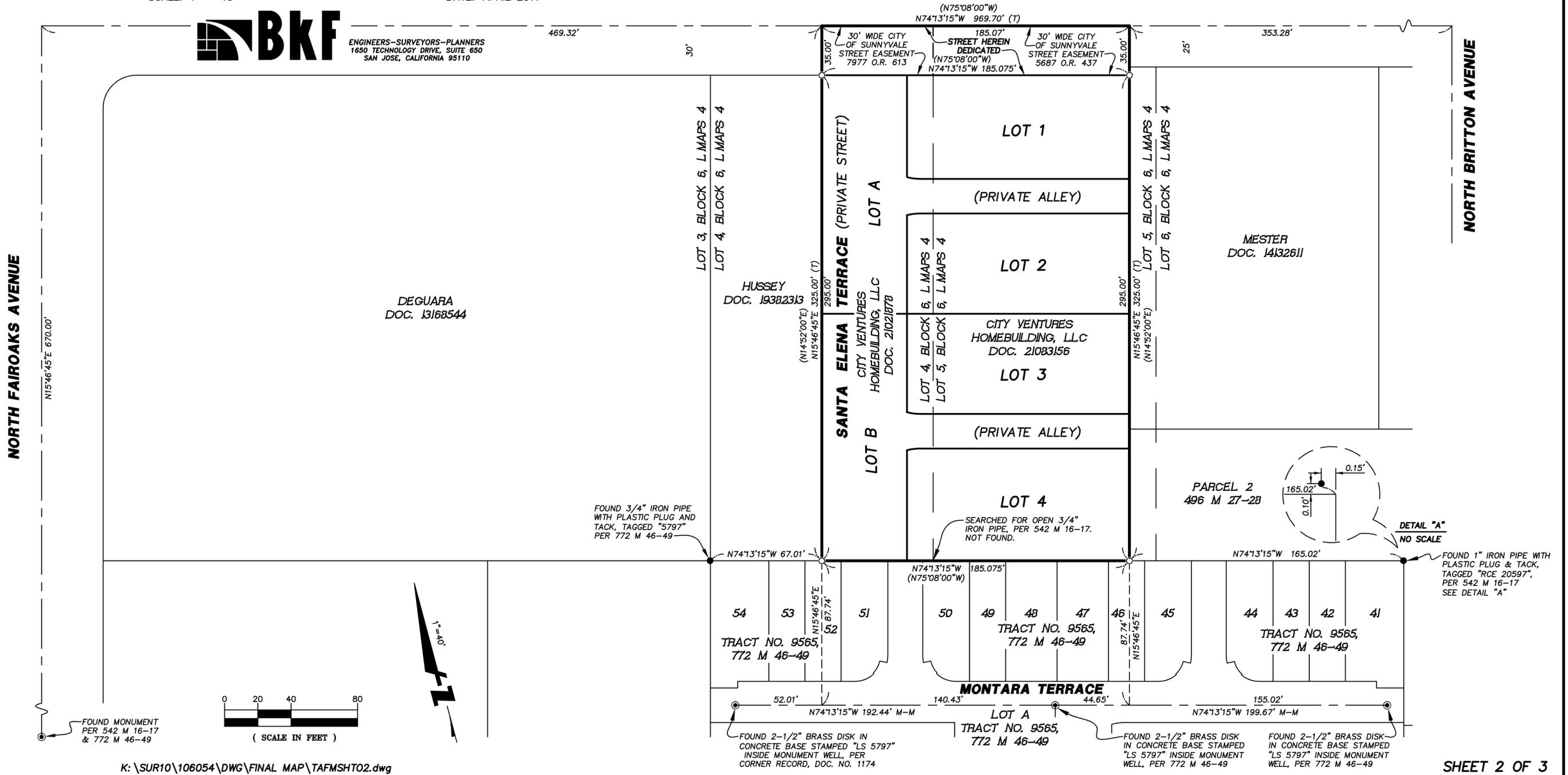
LEGEND

- ⊙ FOUND MONUMENT, AS NOTED ON MAP
- FOUND IRON PIPE, AS NOTED ON MAP
- SET 3/4" IRON PIPE WITH PLASTIC PLUG AND TACK, TAGGED "LS 6868".
- DISTINCTIVE BOUNDARY LINE
- - - CENTER LINE/MONUMENT LINE
- - - EASEMENT LINE
- M-M MONUMENT TO MONUMENT DISTANCE
- IP-IP IRON PIPE TO IRON PIPE DISTANCE
- SF SQUARE FEET
- (R) RADIAL BEARING
- (T) TOTAL DISTANCE
- () RECORD DATA PER "L MAPS 4"



ENGINEERS-SURVEYORS-PLANNERS
 1650 TECHNOLOGY DRIVE, SUITE 650
 SAN JOSE, CALIFORNIA 95110

EAST TAYLOR AVENUE



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BASIS OF BEARINGS

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MAP NOTES

- ALL DISTANCES AND DIMENSIONS ARE IN FEET AND DECIMALS THEREOF.
- THE DISTINCTIVE BORDER LINE INDICATES THE BOUNDARY OF THE LAND SUBDIVIDED BY THIS MAP AND CONTAINS AN AREA OF 1.253 ACRES, MORE OR LESS.
- ALL EXISTING EASEMENTS ARE SHOWN ON SHEETS 2 OF 3.
- ALL EASEMENT LINES WITHOUT BEARINGS ARE PARALLEL WITH AND/OR PERPENDICULAR TO THE BOUNDARY LINE.

LEGEND

- FOUND MONUMENT, AS NOTED ON MAP
- FOUND IRON PIPE, AS NOTED ON MAP
- ⊙ SET 2-1/2" BRASS DISK MONUMENT WITH PUNCH MARK IN CONCRETE, INSIDE MONUMENT WELL, STAMPED "LS 6868"
- SET 3/4" IRON PIPE WITH PLASTIC PLUG AND TACK, TAGGED "LS 6868".
- DISTINCTIVE BOUNDARY LINE
- - - CENTER LINE/MONUMENT LINE
- EASEMENT LINE
- M-M MONUMENT TO MONUMENT DISTANCE
- M-IP MONUMENT TO IRON PIPE DISTANCE
- IP-IP IRON PIPE TO IRON PIPE DISTANCE
- P.U.E. PUBLIC UTILITY EASEMENT
- P.I.E.E. PRIVATE INGRESS, EGRESS EASEMENT
- E.V.A.E. EMERGENCY VEHICLE ACCESS EASEMENT
- 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
- SQ. FT. SQUARE FEET
- (R) RADIAL BEARING
- (T) TOTAL DISTANCE
- () RECORD DATA PER "L MAPS 4"

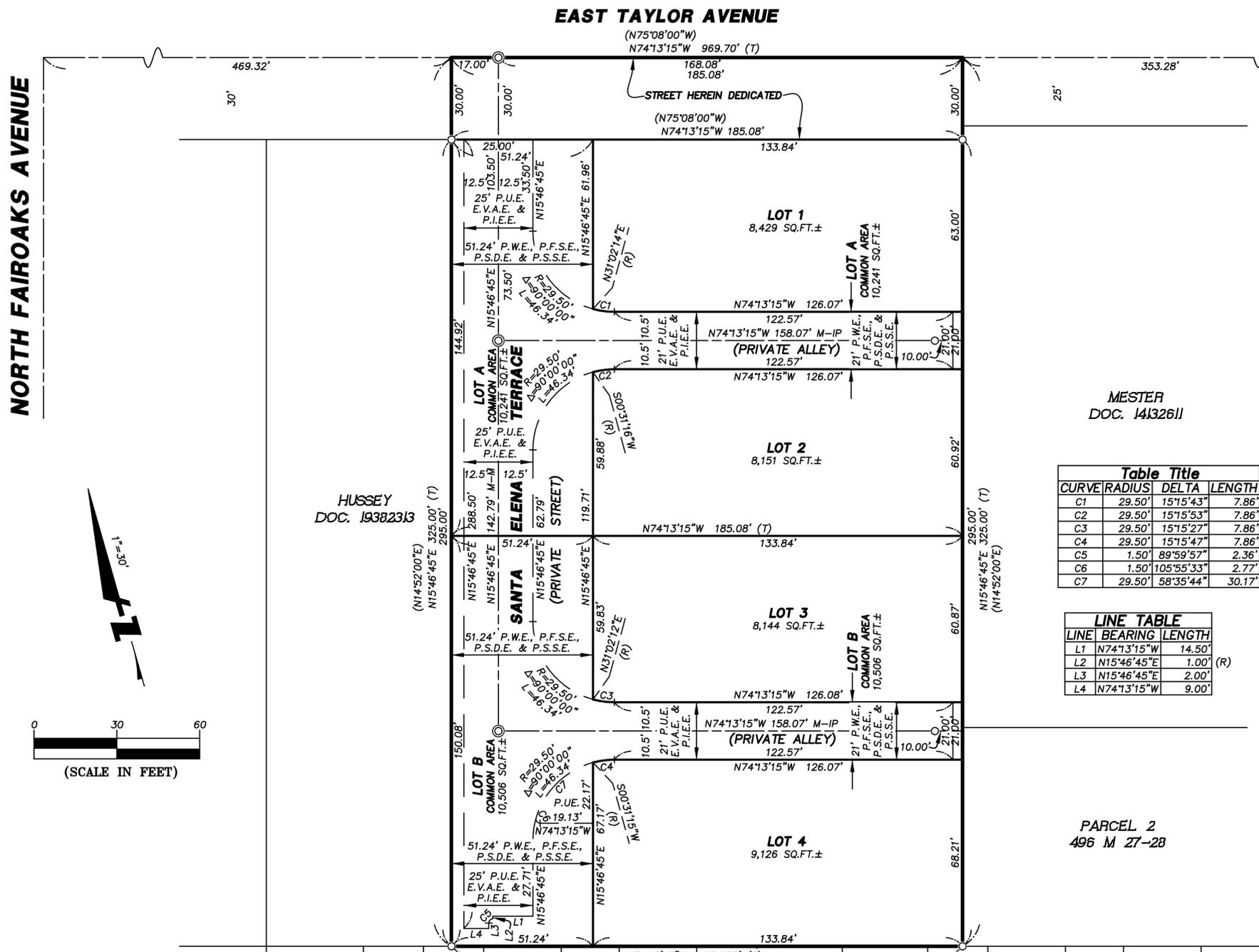


Table Title

CURVE	RADIUS	DELTA	LENGTH
C1	29.50'	15°15'43"	7.86'
C2	29.50'	15°15'53"	7.86'
C3	29.50'	15°15'27"	7.86'
C4	29.50'	15°15'47"	7.86'
C5	1.50'	89°59'57"	2.36'
C6	1.50'	105°55'33"	2.77'
C7	29.50'	58°35'44"	30.17'

LINE TABLE

LINE	BEARING	LENGTH
L1	N74°13'15"W	14.50'
L2	N15°46'45"E	1.00'
L3	N15°46'45"E	2.00'
L4	N74°13'15"W	9.00'

