



**Council Meeting: December 17, 2013**

**SUBJECT: Approval of the Final Map (Tract No. 10200) – 67 Residential Units at 388-394 East Evelyn Avenue and 151-153 South Bayview Avenue by PREG Evelyn Properties, LP**

**BACKGROUND**

A vesting tentative map was conditionally approved by the City Council on March 19, 2013 as a one-lot subdivision for condominium purposes.

**DISCUSSION**

The final map for Tract No. 10200 was examined by the Public Works staff and found to be in conformance with Sunnyvale Municipal Code Title 18 *Subdivision*, and the State of California "Subdivision Map Act". The developer has executed a subdivision agreement and provided improvement securities (\$369,000 for faithful performance and \$369,000 for labor and materials) to guarantee completion of all public improvements.

**ENVIRONMENTAL REVIEW**

The City Council considered and approved the Mitigated Negative Declaration on March 19, 2013 of which this project is a part.

**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**

Staff recommends that Council approve the final map for Tract No. 10200; authorize the Mayor to sign the subdivision agreement upon submittal of other documents deemed necessary by the Director of Public Works; direct the City Clerk to sign the City Clerk's Statement and forward the final map for recordation.

Reviewed by:

Kent Steffens, Director of Public Works

Prepared by: Eric Gonzales, Civil Engineer

Approved by:

Gary M. Luebbers, City Manager

**Attachment**

A. Final Map for Tract No. 10200

**OWNER'S CERTIFICATE**

**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.

**PUBLIC UTILITY EASEMENT**

WE ALSO HEREBY STATE THAT THE REAL PROPERTY DESCRIBED BELOW IS DEDICATED AS AN EASEMENT FOR PUBLIC PURPOSES: CERTAIN PUBLIC UTILITY FACILITIES INCLUDING BUT NOT LIMITED TO POLES, ELECTRIC, TELEPHONE, AND CABLE CONDUITS AND WIRES, GAS AND ALL APPURTENANCES AS DELINEATED HEREON AND DESIGNATED AS "P.U.E."(PUBLIC UTILITY EASEMENT).

**PUBLIC SIDEWALK EASEMENT**

WE ALSO HEREBY STATE THAT THE REAL PROPERTY DESCRIBED BELOW IS DEDICATED AS AN EASEMENT FOR PUBLIC PURPOSES: THE RIGHT TO CONSTRUCT, INSTALL, USE, REPAIR, AND REPLACE PUBLIC SIDEWALKS OVER THE LAND DESIGNATED AND DELINEATED AS "P.S.W.E." (PUBLIC SIDEWALK EASEMENT).

**KEEP "OPEN AND FREE"**

ALL OF THE HEREIN DESCRIBED EASEMENTS SHALL BE KEPT OPEN AND FREE FROM BUILDINGS AND STRUCTURES OF ANY KIND EXCEPT THOSE APPURTENANCES ASSOCIATED WITH THE DENIED EASEMENTS.

**OWNER**

PREG EVELYN PROPERTIES, A CALIFORNIA LIMITED PARTNERSHIP

BY: \_\_\_\_\_

NAME: \_\_\_\_\_

TITLE: \_\_\_\_\_

**OWNER'S ACKNOWLEDGMENT**

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 WHOSE NAME IS SUBSCRIBED TO THE WITHIN INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME IN HIS AUTHORIZED CAPACITY AND BY HIS SIGNATURE ON THE INSTRUMENT THE PERSON, 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 PARAGRAPH IS TRUE AND CORRECT.

WITNESS MY HAND:

SIGNATURE: \_\_\_\_\_

NAME, NOTARY PUBLIC \_\_\_\_\_  
IN AND FOR SAID COUNTY AND STATE.

PRINCIPAL COUNTY OF BUSINESS: \_\_\_\_\_

COMMISSION EXPIRES: \_\_\_\_\_

COMMISSION # OF NOTARY: \_\_\_\_\_

**CIVIL ENGINEER'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 PROMETHEUS REAL ESTATE GROUP ON APRIL 5, 2012. I HEREBY STATE THAT ALL THE MONUMENTS ARE OF THE CHARACTER AND OCCUPY THE POSITIONS INDICATED OR THAT THEY WILL BE SET IN THOSE POSITIONS BEFORE JULY 1, 2015 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: \_\_\_\_\_



BY: PETER B. McMORROW  
RCE #31954 EXP. 12-31-14

**CITY ENGINEER'S CERTIFICATE**

I HEREBY STATE THAT I HAVE EXAMINED THE HEREON FINAL MAP OF THE TRACT 10200, THAT THE SUBDIVISION AS SHOWN HEREON IS SUBSTANTIALLY THE SAME AS IT APPEARED ON THE PRELIMINARY 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.

DATE: \_\_\_\_\_

BY: MANUEL PINEDA  
CITY ENGINEER  
RCE #60588  
CITY OF SUNNYVALE, CALIFORNIA

I AM SATISFIED THAT SAID MAP IS TECHNICALLY CORRECT.

DATE: \_\_\_\_\_

BY: ROGER HIGDON  
RCE #21755

**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 \_\_\_\_\_, 2013, DULY APPROVED THE HEREIN FINAL MAP OF THE TRACT NO. 10200 AS SHOWN HEREON AND ACCEPTED SUBJECT TO COMPLETION AND ACCEPTANCE OF PUBLIC IMPROVEMENTS ON BEHALF OF THE PUBLIC ALL EASEMENTS OFFERED FOR DEDICATION IN CONFORMITY WITH THE TERMS OF THE OFFER OF DEDICATION.

DATE: \_\_\_\_\_

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

**CERTIFICATE OF ABANDONMENT**

THE EASEMENT AS DELINEATED AND DEDICATED FOR PUBLIC USE ON EASEMENT DEED RECORDED IN BOOK 7738 OF MAPS, PAGE 366, AND NOT SHOWN HEREON IS ABANDONED PURSUANT TO GOVERNMENT SECTIONS 66434.(g) OF THE SUBDIVISION MAP ACT.

DATE: \_\_\_\_\_

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

**TRACT NO. 10200**

**IRONWORKS SOUTH  
FOR CONDOMINIUM PURPOSES**

CONSISTING OF TWO (2) SHEETS

BEING A ONE LOT SUBDIVISION FOR 67 CONDOMINIUM UNITS BEING A PORTION OF LOTS 6 AND 7 IN BLOCK 2, AS SHOWN ON THAT CERTAIN MAP FILED IN THE OFFICE OF THE COUNTY RECORDER OF THE COUNTY OF SANTA CLARA, STATE OF CALIFORNIA ON JANUARY 25, 1898 IN BOOK "1" OF MAPS, AT PAGES 88 AND 89 AND LYING WITHIN THE CITY OF SUNNYVALE, COUNTY OF SANTA CLARA, CALIFORNIA.

DATE: DECEMBER 13



**Civil  
Engineering  
Associates**

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224 Airport Parkway, Suite 525  
San Jose, CA 95110

**SOILS REPORT NOTE**

A SOILS REPORT HAS BEEN PREPARED BY ES ENGINEERING ENTITLED "SOIL ENGINEERING STUDY" (FILE NO. BA-2426-01, DOC. NO. 0801-036), DATED JANUARY 22, 2008, A COPY OF WHICH HAS BEEN FILED WITH THE CITY OF SUNNYVALE.

**RECORDER'S STATEMENT**

FILE NO. \_\_\_\_\_ FEE \$ \_\_\_\_\_ PAID. ACCEPTED FOR RECORD AND FILED IN BOOK \_\_\_\_\_ OF MAPS AT PAGES \_\_\_\_\_ SANTA CLARA COUNTY RECORDS, THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2013, AT \_\_\_\_\_ M. AT THE REQUEST OF CIVIL ENGINEERING ASSOCIATES.

REGINA ALCOMENDRAS, COUNTY RECORDER  
SANTA CLARA COUNTY, CALIFORNIA

BY: \_\_\_\_\_  
DEPUTY

# TRACT NO. 10200

## IRONWORKS SOUTH

FOR CONDOMINIUM PURPOSES  
CONSISTING OF TWO (2) SHEETS

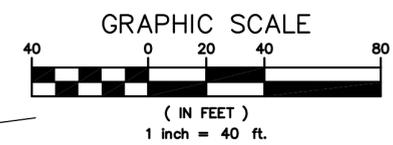
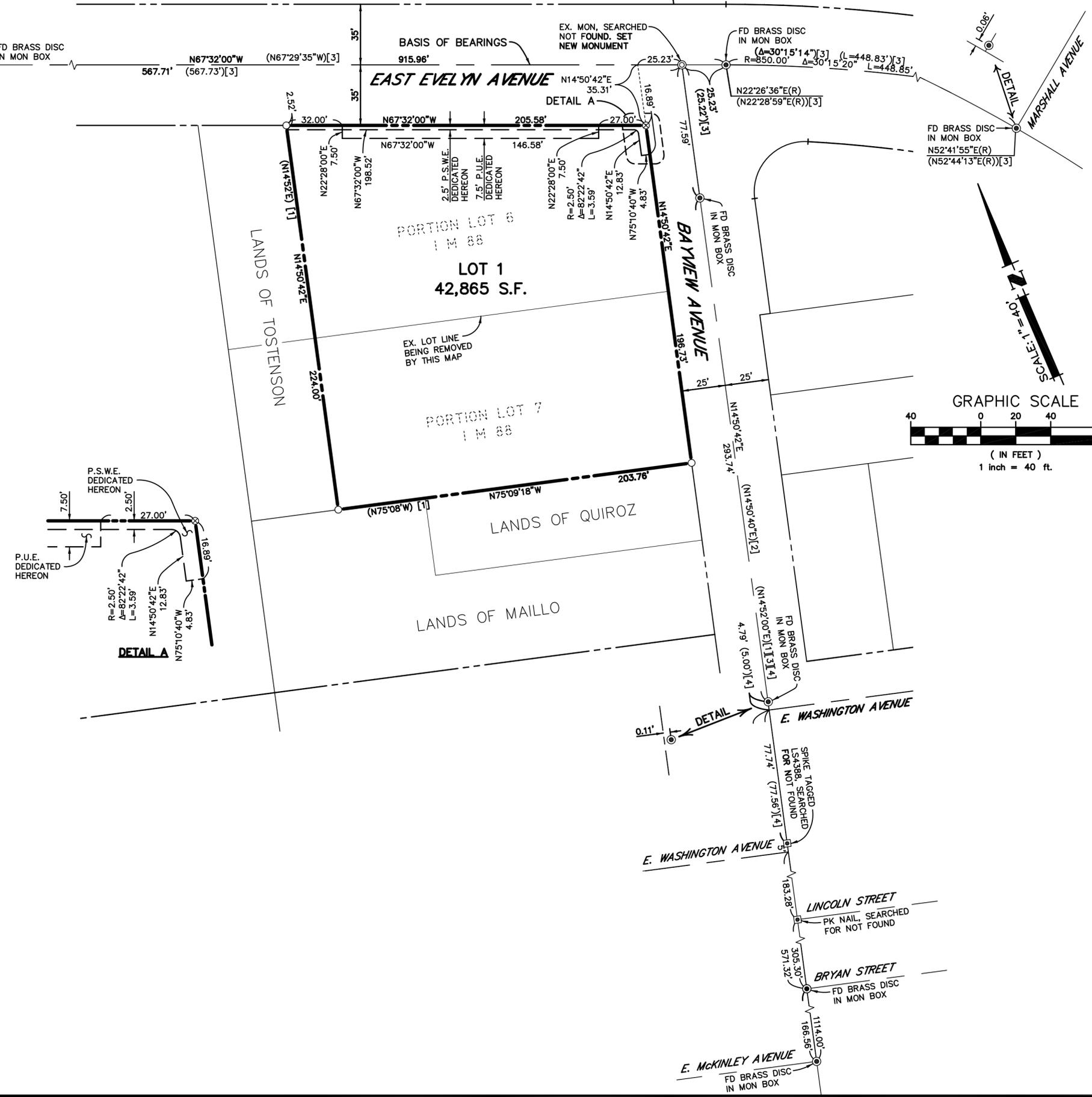
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### LEGEND

- DISTINCTIVE BOUNDARY LINE
- RIGHT OF WAY
- EXISTING LOT LINE
- CENTERLINE
- EASEMENT LINE
- EXISTING EASEMENT LINE
- MONUMENT TIE LINE
- FOUND BRASS DISC IN CITY MONUMENT WELL (AS NOTED)
- MON. SERACHED FOR NOT FOUND
- SET STANDARD CITY PUBLIC STREET MONUMENT A 2 1/2" BRONZE DISC STAMPED R.C.E. 31954 SET IN CONCRETE IN WELL WITH ROUND FRAME AND COVER
- SET 3/4" IRON PIPE TAGGED R.C.E. 31954
- SET NAIL WITH TAG RCE 31954 IN CONCRETE WALK
- RECORD DATA
- EX. EXISTING
- MON. MONUMENT
- P.S.W.E. PUBLIC SIDEWALK EASEMENT
- P.U.E. PUBLIC UTILITY EASEMENT

### BASIS OF BEARINGS

THE BEARING OF THE MONUMENT LINE OF EAST EVELYN AVENUE, NORTH 67°32'00" WEST, AS SHOWN ON THAT CERTAIN MAP ENTITLED "PARCEL MAP" RECORDED IN BOOK 724 OF MAPS AT PAGE 30 SANTA CLARA COUNTY RECORDS WAS TAKEN AS THE BASIS OF BEARINGS FOR THIS MAP.

### NOTES

1. ALL DIMENSIONS SHOWN HEREON ARE IN FEET AND DECIMALS THEREOF.
2. THE AREA WITHIN THE DISTINCTIVE BORDER = 0.98 ACRES GROSS.

### REFERENCES

- [1] MAP BK 1 PG 88
- [2] PARCEL MAP BK 724 PG 30
- [3] TRACT NO. 9532 BK 767 PG 15
- [4] PARCEL MAP BK 708 PG 20