

RESOLUTION NO.3758

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MONTE SERENO
APPROVING THE FINAL MAP FOR THE MONTALVO OAKS SUBDIVISION
LOCATED AT 18840 SARATOGA-LOS GATOS ROAD
(APNS 510-08-018 AND 510-08-019)**

WHEREAS, the City of Monte Sereno (City) approved Vesting Tentative Map No. 18-01 for the Montalvo Oaks Subdivision (the “Subdivision”) on June 12, 2018, by Resolution No. 3697; and

WHEREAS, the City's approval of the Vesting Tentative Map was conditioned upon the satisfaction of certain conditions of approval (“Conditions”), a copy of which are on file with the City Engineer, and are available for review upon request; and

WHEREAS, consistent with the approved Tentative Map, SummerHill Homes LLC has submitted a Final Map for the Subdivision (the “Final Map”); and

WHEREAS, the Final Map includes offers for the dedication of interests in real property to the City, including but not limited to certain public service easements, access easements, water line easements and emergency vehicle access easements as shown in the Vesting Tentative Map No. 18-01; and

WHEREAS, consistent with the Conditions, SummerHill Homes LLC has obtained all design approvals for public improvements and submitted those securities and bonds for the public improvements required; and

WHEREAS, staff has reviewed the proposed Final Map and finds it to be technically correct and consistent with the Tentative Map and that all applicable Conditions have been satisfied; and

WHEREAS, ministerial approval of a the Final Map is statutorily exempt from the California Environmental Quality Act (CEQA) pursuant to Public Resources Code section 21080 and CEQA Guidelines section 15268(b)(3), which cover ministerial approval of final subdivision maps.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Monte Sereno as follows:

1. The City Council of the City of Monte Sereno, pursuant to Government Code Section 66458, hereby approves the Final Map for the Subdivision, a copy of which is hereby attached as Exhibit A and made part of this Resolution; and
2. The approval of the Final Map is categorically exempt from the California Environmental Quality Act (CEQA) pursuant to Public Resources Code section 21080 and CEQA Guidelines section 15268(b)(3); and
3. Offers for the dedication of the public access easement, public service easement, and emergency vehicle access easement to the City identified on the Final Map are accepted by the City.

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4. The City Manager is hereby authorized, on behalf of the City, to sign the agreements identified under the Conditions of the Vesting Tentative Map No. 18-01, specifically the Subdivision Improvement Agreement, the Stormwater Management Facilities and Maintenance Agreement, and the Stormwater Management Facility Easement Agreement, substantially in the form attached to the staff report, subject to minor modifications approved by the City Attorney.

The above and foregoing resolution was duly and regularly adopted by the City Council of the City of Monte Sereno at a regular meeting held on the 3rd day of December, 2019 by the following vote:

AYES: Council Members Ellahie, LaBouve, Leuthold, Mayor Pro Tempore Lawler and Mayor Turner
NOES: None
ABSENT: None
ABSTAIN None



Rowena Turner, MAYOR

ATTEST:



Andrea M. Chelemengos, CITY CLERK

TRACT 10498 MONTALVO OAKS

CONSISTING OF 5 SHEETS
A 29-LOT RESIDENTIAL SUBDIVISION & A 2-LOT RESIDENTIAL
SUBDIVISION FOR CONDOMINIUM PURPOSES (7 UNITS)
BEING A SUBDIVISION OF PARCEL ONE DESCRIBED IN THAT CERTAIN
GRANT DEED RECORDED MAY 10, 2019, AS DOCUMENT NUMBER 24176200,
SANTA CLARA COUNTY RECORDS,
LYING ENTIRELY WITHIN THE CITY OF MONTE SERENO,
SANTA CLARA COUNTY, CALIFORNIA

cbg
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NOVEMBER 2019
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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 SUMMERHILL HOMES, LLC IN JUNE OF 2018. 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 DECEMBER 31, 2021, AND THAT THE MONUMENTS ARE, OR WILL BE, SUFFICIENT TO IDENTIFY THE
APPROVED TENTATIVE MAP, AND THAT THIS FINAL MAP SUBSTANTIALLY CONFORMS TO THE CONDITIONALLY
APPROVED TENTATIVE MAP.

MARK H. WEBER, P.L.S.
L.S. NO. 7860



CITY ENGINEER'S STATEMENT

I HEREBY STATE THAT I HAVE EXAMINED THE WITHIN TRACT MAP ENTITLED "TRACT 10498 MONTALVO OAKS,"
THAT THE SUBDIVISION AS SHOWN THEREON CONFORMS TO THE REQUIREMENTS OF THE SUBDIVISION MAP ACT,
AND I AM SATISFIED THAT SAID MAP IS TECHNICALLY CORRECT. THAT ALL PROVISIONS OF CHAPTER 2 OF THE
SUBDIVISION MAP ACT AND OF ANY LOCAL ORDINANCES APPLICABLE AT THE TIME OF APPROVAL OF THE
EXISTING TENTATIVE MAP HAVE BEEN COMPLIED WITH.

JESSICA KAHN, CITY ENGINEER
CITY OF MONTE SERENO
SANTA CLARA COUNTY, CALIFORNIA



APPROVAL BY THE CITY PLANNER

I STATE THAT THIS TRACT MAP HAS BEEN CHECKED AND COMPLES WITH THE EXISTING
TENTATIVE MAP AND ITS CONDITIONS AS APPROVED ON THE 12TH DAY OF JUNE, 2018.

BY: _____
JEANNE HAMILTON, CITY PLANNER
SANTA CLARA COUNTY, CALIFORNIA
DATE _____

ACTING CITY SURVEYOR'S STATEMENT

I HEREBY STATE THAT I HAVE EXAMINED THE WITHIN TRACT MAP ENTITLED "TRACT 10498 MONTALVO OAKS,"
AND I AM SATISFIED THAT SAID MAP IS TECHNICALLY CORRECT.

ANNE SOPHIE TRUONG, L.S. 8988, ACTING CITY SURVEYOR
CITY OF MONTE SERENO
SANTA CLARA COUNTY, CALIFORNIA
DATE _____



CITY CLERK'S STATEMENT

I, ANDREA CHELEMEGOS, CITY CLERK OF THE CITY OF MONTE SERENO, HEREBY STATE THAT THE
CITY COUNCIL, AT ITS MEETING HELD ON _____, 20____, DID APPROVE THE
WITHIN TRACT MAP, AND DID ACCEPT, ON BEHALF OF THE PUBLIC, ALL EASEMENTS OFFERED FOR
DEDICATION TO PUBLIC USE IN CONFORMITY WITH THE TERMS OF THE OFFER OF DEDICATION.

ANDREA CHELEMEGOS
CITY CLERK, CITY OF MONTE SERENO
SANTA CLARA COUNTY, CALIFORNIA
DATE _____

TITLE NOTES

THE LANDS INCLUDED IN THIS TRACT ARE SUBJECT TO THE FOLLOWING TERMS, PROVISIONS,
AND EASEMENTS:

1. AN UNRECORDED LEASE DATED JULY 10, 1996, EXECUTED BY MOROSIN ENTERPRISES, INC., A CALIFORNIA CORPORATION WITH ROSAMAR, INC., A CALIFORNIA CORPORATION AS LESSOR AND MONTALVO OAKS AS LESSEE, AND A SUBSEQUENT AMENDMENT TO SAID LEASE AS DISCLOSED BY MEMORANDUM OF UNDERSTANDING OF EGS SITE AGREEMENT RECORDED APRIL 18, 1997 AS DOCUMENT NUMBER 13676889 OF OFFICIAL RECORDS.
2. THE LESSOR'S INTEREST UNDER THE LEASE HAS BEEN ASSIGNED TO GLOBAL SIGNAL ACQUISITIONS IV LLC, A DELAWARE LIMITED LIABILITY COMPANY BY ASSIGNMENT RECORDED JULY 14, 2008 AS DOCUMENT NUMBER 1907451 OF OFFICIAL RECORDS. THE TERMS AND PROVISIONS CONTAINED IN THE DOCUMENT ENTITLED "MEMORANDUM OF UNDERSTANDING OF UNDERSTANDING OF EGS SITE AGREEMENT" RECORDED JULY 22, 2010 AS DOCUMENT NUMBER 20790271 OF OFFICIAL RECORDS.
3. AN UNRECORDED LEASE DATED MAY 26, 2006, EXECUTED BY STS ONE LLC, A CALIFORNIA CORPORATION AS LESSOR AND MONTALVO OAKS AS LESSEE, AND GLOBAL SIGNAL ACQUISITIONS II LLC, A DELAWARE LIMITED LIABILITY COMPANY AS LESSEE, AS DISCLOSED BY A SITE DESIGNATION SUPPLEMENT TO MASTER LEASE AND SUBLEASE AGREEMENT RECORDED AUGUST 1, 2005 AS DOCUMENT NUMBER 18502039 OF OFFICIAL RECORDS.
4. THE TERMS AND PROVISIONS CONTAINED IN THE DOCUMENT ENTITLED "AGREEMENT OF ASSIGNMENT AND SUBLEASE" DATED AUGUST 1, 2005, RECORDED AUGUST 30, 2010 AS DOCUMENT NUMBER 24014541 OF OFFICIAL RECORDS.

SOILS / GEOTECHNICAL REPORT NOTE

A GEOTECHNICAL ASSESSMENT WAS PREPARED BY ENGEO, DATED NOVEMBER 15, 2018, PROJECT NO. 146983000.001, SIGNED BY IAN D. MCCREERY, AND HAS BEEN FILED AT THE OFFICE OF THE CITY ENGINEER.

TRACT 10498 MONTALVO OAKS

CONSISTING OF 5 SHEETS
A 29 LOT RESIDENTIAL SUBDIVISION & A 2 LOT RESIDENTIAL
SUBDIVISION FOR CONDOMINIUM PURPOSES (7 UNITS)
BEING A SUBDIVISION OF PARCEL ONE DESCRIBED IN THAT CERTAIN
GRANT DEED RECORDED MAY 10, 2019, AS DOCUMENT NUMBER 24176300,
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SCALE: 1" = 30'
NOVEMBER 2019



BASIS OF BEARINGS:

THE BASIS OF BEARINGS FOR THIS SURVEY IS THE CENTERLINE OF ROBLES DEL ORO
(A PRIVATE ROAD), THE BEARING BEING N15°04'05"W, AS SHOWN ON TRACT NO.
2555, ROBLES DEL ORO (114 M 8).

LEGEND

- SUBDIVISION BOUNDARY LINE
- RIGHT OF WAY LINE
- LOT LINE
- ADJACENT PROPERTY LINE
- CITY LIMIT LINE
- EASEMENT LINE
- MONUMENT LINE
- TIE LINE
- TOTAL
- RADIAL
- MONUMENT TO MONUMENT
- MONUMENT TO PROPERTY LINE
- FOUND MONUMENT WELL WITH RAILROAD SPINE,
- ACCEPTED LOCATION PER (2)
- FOUND MONUMENT AS NOTED
- SET STANDARD STREET MONUMENT
- SET 3" IRON PIPE US 7860 WITNESS CORNER
- SEE DETAIL D
- EMERGENCY VEHICLE ACCESS EASEMENT
- PUBLIC ACCESS EASEMENT
- PUBLIC SANITARY SEWER EASEMENT
- PRIVATE SERVICE EASEMENT
- SEARCHED, NOT FOUND

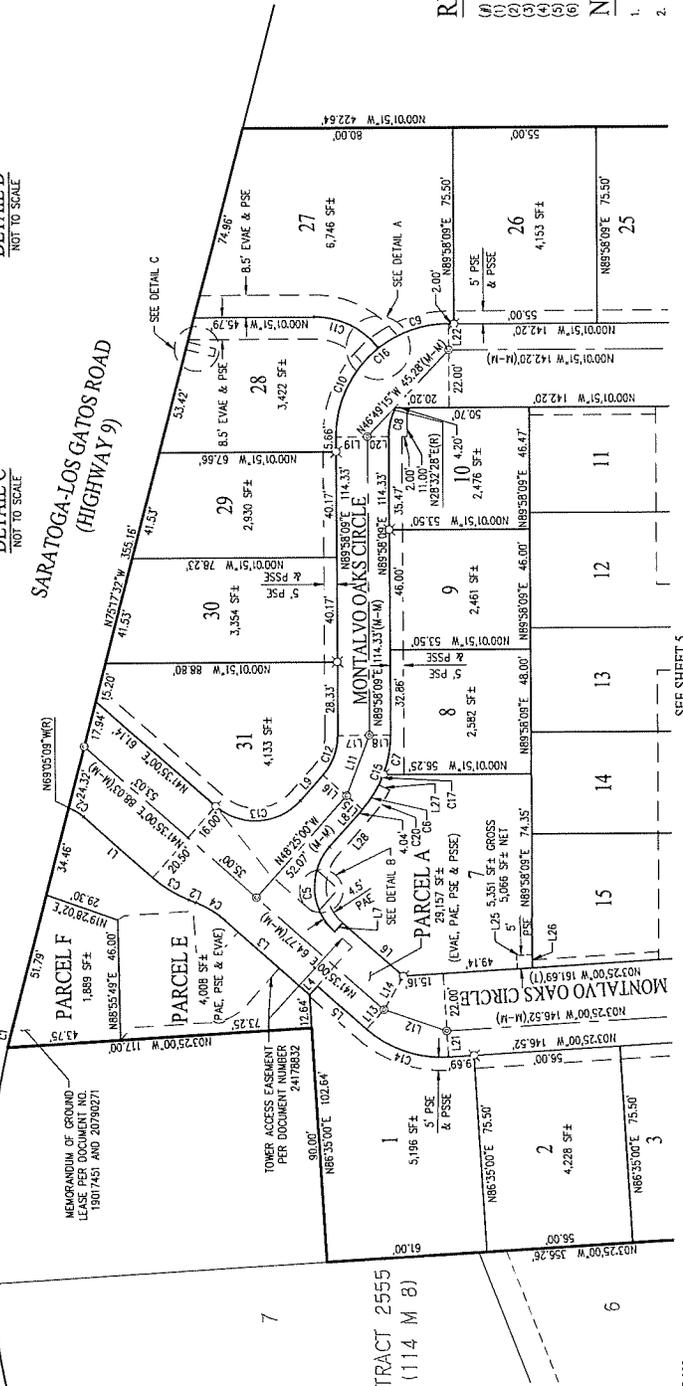
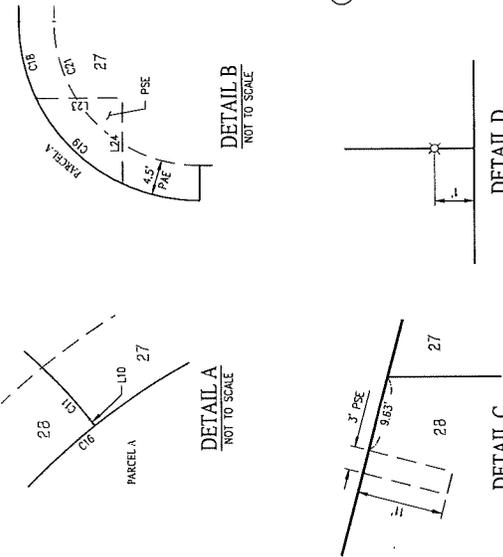
REFERENCES:

- (A) INDICATES REFERENCE NUMBER
- (1) GRANT DEED 24176200
- (2) TRACT NO. 2555 (114 M 8)
- (3) PARCEL MAP (A10 M 3)
- (4) PARCEL MAP (B81 M 8)
- (5) RECORD OF SURVEY (B63 M 36)
- (6) RIGHT-OF-WAY RECORD MAP IV-SD-42-A (R-427)

NOTES:

- 1. DISTANCES SHOWN HEREON ARE FEET AND DECIMALS THEREOF, AND ARE GROUND LEVEL.
- 2. MONUMENT TIES ARE PERPENDICULAR TO MONUMENT LINES UNLESS OTHERWISE NOTED.

LINE TABLE			CURVE TABLE			
NO	BEARING	LENGTH	NO	RADIUS	DELTA	LENGTH
L1	N41°35'00"E	35.51'	C12	23.00'	41°36'54"	16.70'
L2	N21°54'06"E	2.90'	C13	23.00'	90°00'00"	36.13'
L3	N41°35'00"E	43.01'	C14	43.00'	43°00'00"	33.77'
L4	N48°25'00"W	4.50'	C15	43.00'	41°36'51"	31.23'
L5	N41°35'00"E	25.07'	C16	43.00'	90°00'00"	67.54'
L6	N41°35'00"E	30.83'	C17	43.00'	5°35'30"	4.20'
L7	N48°25'00"W	19.07'	C18	23.00'	251°31'3"	10.12'
L8	N48°25'00"W	13.07'	C19	23.00'	39°32'22"	15.87'
L9	N48°25'00"W	13.07'	C20	47.50'	150°54'4"	12.52'
L10	N51°44'35"E	0.51'	C21	18.50'	90°00'00"	26.06'
L11	N69°13'25"W	24.87'				
L12	N19°05'00"E	25.26'				
L13	N48°25'00"W	10.00'				
L14	N59°33'32"W	14.80'				



SEE SHEET 5

TRACT 2555
(114 M 8)

TRACT 10498 MONTALVO OAKS

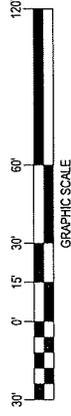
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SCALE: 1" = 30' NOVEMBER 2019



BASIS OF BEARINGS:

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(A PRIVATE ROAD), THE BEARING BEING N15°04'05"W, AS SHOWN ON "TRACT NO.
2555, ROBLES DEL ORO" (114 M 8).

LEGEND

- SUBDIVISION BOUNDARY LINE
- - - RIGHT OF WAY LINE
- LOT LINE
- ADJACENT PROPERTY LINE
- CITY LIMIT LINE
- EASEMENT LINE
- MONUMENT LINE
- THE LINE
- (1) TOTAL
- (R) RADIAL
- (M-M) MONUMENT TO MONUMENT
- (M-PL) MONUMENT TO PROPERTY LINE
- (M-PL) FOUND MONUMENT WELL WITH RAILROAD SPIKE
- ACCEPTED LOCATION PER (2)
- FOUND MONUMENT AS NOTED
- SET STANDARD STREET MONUMENT
- SET 3" IRON PIPE LS 7960 WITNESS CORNER
- SEE DETAIL D
- EMERGENCY VEHICLE ACCESS EASEMENT
- PUBLIC ACCESS EASEMENT
- PRIVATE SANITARY SEWER EASEMENT
- PRIVATE SERVICE EASEMENT
- SEARCHED, NOT FOUND

REFERENCES:

- (1) INDICATES REFERENCE NUMBER
- (1) GRANT DEED 24176200
- (2) TRACT NO. 2555 (114 M 8)
- (3) PARCEL MAP (410 M 3)
- (4) PARCEL MAP (881 M 8)
- (5) RECORD OF SURVEY (883 M 36)
- (6) RIGHT-OF-WAY RECORD MAP IV-SD-42-A (R-427)

NOTES:

1. DISTANCES SHOWN HEREON ARE FEET AND DECIMALS THEREOF, AND ARE GROUND LEVEL DISTANCES.
2. MONUMENT LINES ARE PERPENDICULAR TO MONUMENT LINES UNLESS OTHERWISE NOTED.

LINE TABLE			CURVE TABLE			
NO.	BEARING	LENGTH	NO.	RADIUS	DELTA	LENGTH
L1	N00°01'51"W	20.00'	C6	20.00'	18°50'43"	6.58'
L2	N77°11'08"W	5.15'	C7	20.00'	18°50'43"	6.58'
L3	N71°41'01"E	12.53'	C8	5.00'	117°00'41"	10.21'
L4	N79°18'16"W	28.70'	C9	43.00'	27°00'41"	20.27'
L5	N76°03'42"E	16.66'	C10	43.00'	62°59'19"	47.27'

DETAIL D
NOT TO SCALE

SEE SHEET 4

