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.

\[\text{Signature}\]
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

[Signature]
Rowena Turner, MAYOR

ATTEST:

[Signature]
Andrea M. Chelemengos, CITY CLERK
OWNER'S STATEMENT

We hereby state that we are the owners of the property described below, and that we are the only persons who consent to the dedication as non-exclusive easements for public purposes.

1. The area designated "public access easement" (P.A.E.) are offered for dedication to the public for the purpose of public pedestrian and vehicular ingress and egress.

2. The area described as "public service easement" (P.S.E.) are offered for dedication to the public for the purpose of constructing, installing, operating, maintaining, repairing, and replacing underground public utilities including electric, gas, cable television, communication, storm drain, water, sewer, and other public service facilities. The maintenance, repair, and replacement of such facilities shall be the sole responsibility of the property owner or subsequent homeowners' association as determined by the appropriate covenants, conditions, and restrictions.

3. The area designated "emergency vehicle access easement" (E.V.A.E.) are offered for dedication to the public for the purpose of emergency vehicle ingress and egress. The above-mentioned easements are to be kept open and free from buildings, structures, or any kind except public service structures, irrigation systems and appurtenances thereon, lampposts, poles and all lamppost, unsupported poles, ditches, and trees or other objects.

We hereby reserve an easement for private sanitary sewer facilities as dedicated herein, and designated as "T.P.E." The purpose of the maintenance, repair and replacement of private sanitary sewer facilities shall be the sole responsibility of the property owner or subsequent homeowners' association as determined by the appropriate covenants, conditions, and restrictions.

The area designated parcel A, parcel E, and parcel F are not offered for dedication for use by the general public, but are reserved for the purpose of private sewer, utilities, drainage, and pedestrian and vehicular ingress and egress in accordance with the subdivision restrictions for this map. Said parcels are to be used by the homeowners' association by separate instrument subsequent to the filing of this map.

The area designated parcel A, parcel E, and parcel F is not offered for dedication for use by the general public, but is reserved for the purpose of private sewer, utilities, drainage, and pedestrian and vehicular ingress and egress in accordance with the subdivision restrictions for this map. Said parcels are to be used by the homeowners' association by separate instrument subsequent to the filing of this map.

The area designated parcel A, parcel E, and parcel F is not offered for dedication for use by the general public, but is reserved for the purpose of private sewer, utilities, drainage, and pedestrian and vehicular ingress and egress in accordance with the subdivision restrictions for this map. Said parcels are to be used by the homeowners' association by separate instrument subsequent to the filing of this map.

TRACT 10498
MONVALTO OAKS
CONSTITUTED OF 3 PARCELS
A 3 LOTS RESIDENTIAL SUBDIVISION & A 2 LOT RESIDENTIAL
SUBDIVISION FOR CONDOMINIUM PURPOSES
BEING A SUBDIVISION OF PARCELS, ONE DESIGNED IN CERTAIN
GRANT DEED RECORDED MAY 12, 1993, AS DOCUMENT NUMBER 241489,
SANTA CLARA COUNTY RECORDS
LYING ENTIRELY WITHIN THE CITY OF MONTAIRE, SANTA CLARA COUNTY, CALIFORNIA

OWNER'S STATEMENT (CONTINUED)

The area designated as parcel B is not offered for dedication for use by the general public, but is to be conveyed to the homeowners' association by separate instrument subsequent to the filing of this map. Use and maintenance as determined by the appropriate covenants, conditions, and restrictions.

AS OWNER:
SUMMITO, MONVALTO OAKS LLC
A CALIFORNIA LIMITED LIABILITY COMPANY
BY: SUMMITO MONTALVO OAKS LLC
BY: SUMMITO MONTALVO OAKS LLC

OWNERS' ACKNOWLEDGMENT

A notary public or other officer completing this certificate certifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

STATE OF ____________

COUNTY OF ____________

ON ____________ Before me, ____________, a notary public personally appeared ____________, who proved to be the person whose name(s) was/were subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity, and that he/she/they executed the same at my office, or that the execution was acknowledged by ____________, the person(s) on the instrument to the person(s) on the instrument, or the deed being acknowledged by the person(s) act(s) 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.

OWNERS HAND

Signature:

Name (Print):

Principal County of Business:

My Commission Number:

My Commission Expires:

RECORDED BY ____________, ____________ RECORDS, COUNTY RECORDER

YEAR: ____________

RECORDED AT ____________ OF ____________ APPOINTED AMERICAN TITLE COMPANY.

FILE NO.: ____________

RECORDED AT ____________ OF ____________ APPOINTED AMERICAN TITLE COMPANY.

FILE NO.: ____________

RECORDED AT ____________ OF ____________ APPOINTED AMERICAN TITLE COMPANY.

FILE NO.: ____________

RECORDED AT ____________ OF ____________ APPOINTED AMERICAN TITLE COMPANY.

FILE NO.: ____________

RECORDED AT ____________ OF ____________ APPOINTED AMERICAN TITLE COMPANY.
TRACT 10498
MONTALVO OAKS
CONSISTING OF 1 SHEET
A 29-LOT RESIDENTIAL SUBDIVISION & A 1-LOT RESIDENTIAL
SUBDIVISION FOR CONDOMINIUM PURPOSES (S.F. 10498)
BEING A SUBDIVISION OF PARCEL ONE DESCRIBED IN CERTAIN
GRANT DEED FILED MAY 19, 1963, AT DOCUMENT NUMBER 24,628,
SANTA CLARA COUNTY RECORDS
LYING ENTIRELY WITHIN THE CITY OF MONTA SERENO,
SANTA CLARA COUNTY, CALIFORNIA

CIVIL ENGINEERS • SURVEYORS • PLANNERS
NOVEMBER 2019

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
REQUISITE OF SANTA CLARA COUNTY,יעה Erected in June 2019. I hereby state that all the monuments are of
THE CONSTRUCTION AND OCCUPY THE POSITIONS INDICATED TO ME THAT THEY WILL BE SET IN THE PROPER
BEFORE DECEMBER 19, 2019, AND THAT THE MONUMENTS ARE OR WILL BE SUITABLE TO ENABLE THE
SURVEY TO BE RECHECKED, AND THAT THIS FINAL MAP SUBSTANTIALLY CONFORMS TO THE CONDITIONALLY
APPROVED TENTATIVE MAP.
MARK R. WEBER, PLS.
L.S. NO. 7800

CITY ENGINEER'S STATEMENT
I HEREBY DECLARE THAT I HAVE EXAMINED THE FINAL TRACT MAP ENTITLED "TRACT 10498 MONTALVO OAKS,"
THAT THE SUBDIVISION AS SHOWN HEREOF IS SUBSTANTIALLY THE SAME AS IT APPEARS IN THE VESTING
TENTATIVE MAP AND ANY APPROVED ALTERATIONS THEREOF, THAT ALL PROVISIONS OF CHAPTER 1 OF THE
SUBDIVISION MAP ACT AND ANY LOCAL ORDINANCE APPLICABLE AT THE TIME OF APPROVAL OF THE
VESTING TENTATIVE MAP HAVE BEEN COMPLIED WITH.
JENNA W. LOSCALZO, C.E.
CITY OF MONTA SERENO
SANTA CLARA COUNTY, CALIFORNIA

APPROVAL BY THE CITY PLANNER
I DECLARE THAT THIS TRACT MAP HAS BEEN CHECKED AND COMPLIES WITH THE VESTING
TENTATIVE MAP AND ITS CONDITIONS AS APPROVED ON THE 12TH DAY OF JUNE, 2018.

JEANNE MARTEL, CITY PLANNER
CITY OF MONTA SERENO
SANTA CLARA COUNTY, CALIFORNIA

ACTING CITY SURVEYOR'S STATEMENT
I HEREBY DECLARE THAT I HAVE EXAMINED THE FINAL TRACT MAP ENTITLED "TRACT 10498 MONTALVO OAKS,"
AND I HEREBY STATE THAT THIS MAP IS TECHNICALLY CORRECT.

JENNIFER TRAXLER, PLS.
CITY OF MONTA SERENO
SANTA CLARA COUNTY, CALIFORNIA

SOILS / GEOTECHNICAL REPORT
A GEOTECHNICAL ASSESSMENT WAS PREPARED BY TRAXLER DATED NOVEMBER 13, 2018.
PROJECT NO. 21856151-8, SIGNED BY H & H, INC., AND HAS BEEN FILED AT THE
OFFICE OF THE CITY ENGINEER.