

**EXHIBIT A
CONDITIONS OF APPROVAL**

**P13-2077 / 4202 Stanley Boulevard
2 Lot Subdivision**

October 24, 2013

PROJECT SPECIFIC CONDITIONS

Planning Division

1. The applicant and/or the responsible party shall enter into a Landscape Maintenance Agreement with the City for Parcel 2. Said Agreement and related materials shall be submitted to the City Attorney for review and approval. Said Agreement shall be required prior to recordation of any minor subdivision map.

Engineering Division

2. The applicant shall pay its pro-rata share of the City's Capital Improvement Project (CIP) to reconstruct Stanley Boulevard along the project frontage, project frontage being the farthest northeastern point of Parcel 1 extending to the farthest northwestern point of Parcel 2, at the rate of \$838.07 per linear foot. The applicant shall be responsible for paying for both Parcels 1 and 2 covered by this approval prior to recordation of the Parcel map. To satisfy this condition, the applicant may submit a bond for the total amount due. The bond shall stay in full force and effect until the City moves forward with the street improvement project (at which time cash payment will be due), or when Final Map 8159 is recorded. Full cash payment, less any credits for improvements that can be incorporated into the street improvement project, will be required prior to recording final map 8159. This shall be restated as a condition on Vesting Tentative Subdivision Map 8159. Based upon property frontage, the total amount is \$167,614.
3. The developer shall dedicate an eight-foot wide public service easement (PSE) along the project's frontage, project frontage being the farthest northeastern point of Parcel 1 extending to the farthest northwestern point of Parcel 2. The easement shall be shown on the final parcel map subject to the satisfaction of the City Engineer.
4. The applicant shall pay its pro-rata share for undergrounding the overhead utility lines along the project frontage, project frontage being the farthest northeastern point of Parcel 1 extending to the farthest northwestern point of Parcel 2, at the rate of \$1,065.34 per linear foot prior to the City Engineer's final approval of the Parcel map. To satisfy this

condition, the applicant may submit a bond for the total amount due. The bond shall stay in full force and effect until the City moves forward with the utility undergrounding (at which time cash payment will be due), or Final Map 8159 is recorded. Full cash payment, less any credits for improvements that can be incorporated into street improvement project, will be required prior to recording Final Map 8159. This will be restated as a condition on Vesting Tentative Subdivision Map 8159. Based upon property frontage, the total amount is \$213,068.

5. The applicant shall record a deed restriction on Parcel 2 that prohibits the owner of Parcel 2 from removing, altering and/or fencing off the stormwater treatment area located on the east side of Parcel 2. Maintenance of the stormwater treatment area on Parcel 2 shall be the responsibility of the Homeowners Association established for Parcel 1. Said deed restriction language shall be reviewed and approved by the City Engineer and City Attorney prior to recording said restriction with Alameda County.

STANDARD CONDITIONS OF APPROVAL

Planning Division

6. Tentative Parcel Map 10180 shall be in substantial conformance to Exhibit B, dated "Received September 3, 2013," on file with the Planning Division, except as modified by these conditions. Minor changes to the plans may be allowed subject to the approval of the Director of Community Development.
7. Tentative Parcel Map 10180 shall lapse two years from the effective date of this approval unless a final subdivision map is recorded or an extension is approved by the City.
8. Tentative Parcel Map 10180 shall incorporate by reference all applicable conditions and requirements of PUD-97, the PUD Development Plan covering this subdivision, as approved by the City Council.
9. The Final Subdivision Map plan check package will be accepted for submittal only after completion of the 15-day appeal period, measured from the date of the resolution unless the project applicant submits a signed statement acknowledging that the plan check fees may be forfeited in the event that the approval is overturned on appeal, or that the design is significantly changed as a result of the appeal.
10. To the extent permitted by law, the project applicant shall defend (with counsel reasonable acceptable to the City), indemnify and hold harmless the City, its City Council, its officers, boards, commissions, employees and

agents from and against any claim (including claims for attorneys fees), action, or proceeding brought by a third party against the indemnified parties and the applicant to attack, set aside, or void the approval of the project or any permit authorized hereby for the project, including (without limitation) reimbursing the City its attorneys fees and costs incurred in defense of the litigation. The City may, in its sole discretion, elect to defend any such action with attorneys of its choice.

Engineering Division

11. A "Conditions of Approval" checklist shall be completed and attached to all plan checks submitted for approval indicating that all conditions have been satisfied.
12. At the time the applicant submits the fee for the consultant map review, the applicant shall also submit the following information to the City Engineer for review and approval:
 - a. Two prints of the final parcel map
 - b. One copy of the preliminary title report
 - c. One set of the computer closures
 - d. One legible copy of the latest recorded deed for the property being subdivided
 - e. One legible copy of the recorded deeds for each of the adjacent properties unless those properties are part of a recorded map which has been recorded within the last seven years; and
 - f. One legible copy of the Recorded Final map, Parcel Map, or Record of Survey used to prepare this Parcel Map.
13. When the map is submitted for the City Engineer's signature, the applicant shall provide the City with an electronic copy of the Parcel Map in AutoCAD format.
14. The project applicant's title company shall record the parcel map, agreement, any grant deeds or easements, and any other required documents concurrently with the Alameda County Recorder's Office. After the recording of these documents the City shall be provided with a legible recorded copy.
15. The Parcel Map submittal shall include the Planning Division number under which the tentative map application was approved and the Assessor's Parcel Number(s) for the original parcel(s) prior to this Subdivision.