

OWNER'S STATEMENT

WE HEREBY STATE THAT WE ARE ALL THE PARTIES HAVING A RECORD TITLE INTEREST IN THE REAL PROPERTY BEING SUBDIVIDED BY THIS MAP. WHOSE SIGNATURES ARE REQUIRED BY THE SUBDIVISION MAP ACT THAT WE ARE THE ONLY PERSONS WHOSE CONSENT IS NECESSARY TO PASS CLEAR TITLE TO SAID REAL PROPERTY AND WE HEREBY CONSENT TO THE PREPARATION AND RECORDATION OF THIS MAP AND SUBDIVISION INDICATED HEREON WITHIN THE DISTINCTIVE BORDER LINE.

WE HEREBY DEDICATE TO PUBLIC USE EASEMENTS FOR PUBLIC UTILITY PURPOSES UNDER, ON, ACROSS, AND OVER THOSE CERTAIN AREAS OF LAND DESIGNATED AS "P.U.E." (PUBLIC UTILITY EASEMENT) SAID EASEMENTS TO BE KEPT OPEN AND FREE FROM BUILDINGS AND STRUCTURES OF ANY KIND EXCEPT PUBLIC UTILITY STRUCTURES AND APPURTENANCES THERETO, IRRIGATION SYSTEMS AND APPURTENANCES THERETO, AND LAWFUL FENCES. ADDITIONALLY, THE PRIVATE STORM DRAIN SYSTEM, PRIVATE SANITARY SEWER SYSTEM AND THE PRIVATE ELECTRICAL SYSTEM AS SHOWN ON THE PLANS REVIEWED AND APPROVED BY THE CITY OF SANTA CLARA IN CONJUNCTION WITH THE SUBDIVISION SHALL ALSO BE PERMITTED IN SAID P.U.E. THE PUBLIC UTILITIES SHALL HAVE RIGHT OF ACCESS ACROSS AND ALONG THE ADJOINING PROPERTY FOR THE PURPOSE OF MAINTAINING, REPLACING, ADDING TO OR REMOVAL OF ITS FACILITIES.

THE PRIVATE DRIVES AS SHOWN HEREON ARE NOT OFFERED TO PUBLIC USE FOR PUBLIC STREET PURPOSES.

CONTAINED WITHIN THE PRIVATE DRIVE AND P.U.E. ARE PRIVATE STORM AND SANITARY SEWER FACILITIES. MAINTENANCE LIABILITY FOR THE PRIVATE ON-SITE STORM WATER DRAINAGE, PRIVATE SANITARY SEWER SYSTEM, PRIVATE ELECTRICAL FACILITIES, GAS, TELEPHONE AND TELEVISION FACILITIES WILL REMAIN WITH THE OWNERS, THEIR SUCCESSORS, HEIRS AND ASSIGNS, THEIR RESPONSIBILITIES SHALL BE ADDRESSED AND STIPULATED IN THE DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR THE HEREIN RECORDED SUBDIVISION.

WE FURTHER DEDICATE TO THE CITY OF SANTA CLARA EXCLUSIVE EASEMENTS IN, ON, UNDER, ALONG AND ACROSS THOSE CERTAIN STRIPS OF LAND DESIGNATED AND DELINEATED HEREON AS "U.G.E." (UNDERGROUND ELECTRICAL EASEMENT) FOR THE PURPOSE OF CONSTRUCTING AND RECONSTRUCTING, INSTALLING, OPERATING, MAINTAINING, REPAIRING, AND/OR REPLACING UNDERGROUND ELECTRICAL DISTRIBUTION AND/OR COMMUNICATION SYSTEMS, AND APPURTENANCES. THE UNDERGROUND SYSTEM WILL CONSIST OF CONDUITS, CABLES, VAULTS AND SPICE BOXES INSTALLED FLUSH WITH OR BELOW GRADE AND OTHER NECESSARY APPURTENANCES. TRANSFORMER AND SWITCHES WILL BE MOUNTED ABOVE GRADE ON A CONCRETE PAD. THE ABOVE MENTIONED UNDERGROUND ELECTRICAL EASEMENT TO BE KEPT OPEN AND FREE FROM BUILDINGS AND STRUCTURES OF ANY KIND EXCEPT IRRIGATION SYSTEMS, APPURTENANCES THERETO, AND LAWFUL FENCES. NO PRIVATE OR OTHER PUBLIC UTILITIES SHALL BE PLACED IN THE "U.G.E." EXCEPT FOR PURPOSE OF CROSSING. THE CITY SHALL HAVE THE RIGHT OF ACCESS ACROSS AND/OR ALONG THE ADJOINING PROPERTY FOR THE PURPOSE OF MAINTAINING, REPLACING, ADDING TO, OR REMOVAL OF ITS FACILITIES.

OWNER: BAY COLONY INVESTORS III, INC., A CALIFORNIA CORPORATION

BY: Alan R. Pinn
ALAN R. PINN
PRESIDENT

TRUSTEE: FIRST AMERICAN TITLE GUARANTY COMPANY, A CALIFORNIA CORPORATION

BY: Freemont DeArmond
NAME Freemont DeArmond
TITLE Vice President

TRACT NO. 9339
A CONDOMINIUM DEVELOPMENT

CONSISTING OF TWO SHEETS
BEING ALL OF PARCEL A
AS SHOWN ON THAT CERTAIN
RECORD OF SURVEY FILED FOR RECORD
IN BOOK 193 OF MAPS AT PAGE 34,
SANTA CLARA COUNTY RECORDS,
AND LYING WITHIN THE CITY OF
SANTA CLARA, CALIFORNIA
FEBRUARY, 2001

STATE OF CALIFORNIA
COUNTY OF Santa Clara } ss

ON 6-26-01 BEFORE ME, Romeo N. Castro
(A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE), PERSONALLY APPEARED Alan R. Pinn AND Freemont DeArmond PERSONALLY KNOWN TO ME (OR 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.

Romeo N. Castro
NOTARY PUBLIC

Romeo N. Castro
NAME OF NOTARY (PLEASE PRINT)
NOTARY IN AND FOR Santa Clara COUNTY
NOTARY EXPIRES: December 26, 2001

STATE OF CALIFORNIA
COUNTY OF Santa Clara } ss

ON 6-26-2001 BEFORE ME, T. Clomes
(A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE), PERSONALLY APPEARED Freemont DeArmond PERSONALLY KNOWN TO ME (OR 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.

T. Clomes
NOTARY PUBLIC

T. Clomes
NAME OF NOTARY (PLEASE PRINT)
NOTARY IN AND FOR Santa Clara COUNTY
NOTARY EXPIRES: 1-25-2005

SURVEYOR'S STATEMENT

I, GARY ZARETZKA, HEREBY STATE THAT I AM A LICENSED LAND SURVEYOR OF THE STATE OF CALIFORNIA; THAT THIS MAP, CONSISTING OF TWO SHEETS, CORRECTLY REPRESENTS A SURVEY MADE UNDER MY SUPERVISION DURING SEPTEMBER, 2000; THAT THE SURVEY IS TRUE AND COMPLETE AS SHOWN; THAT ALL MONUMENTS ARE OF THE CHARACTER AND OCCUPY THE POSITIONS INDICATED OR WILL BE PLACED ON OR BEFORE SEPTEMBER, 2003 AND THAT SAID MONUMENTS ARE, OR WILL BE, SUFFICIENT TO ENABLE THE SURVEY TO BE RETRACED.



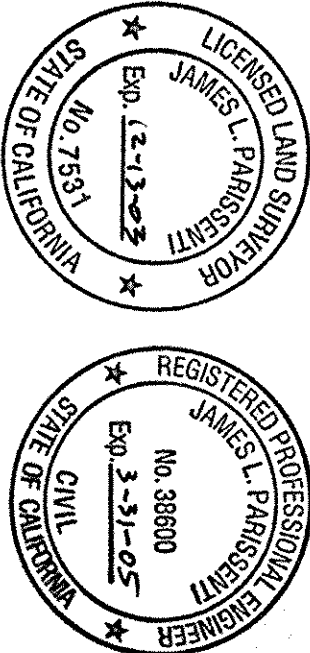
Gary Zaretska
GARY ZARETZKA, L.L.S. NO. 6739
LICENSE EXPIRES 9-30-04

CITY ENGINEER'S STATEMENT

I HEREBY STATE THAT I HAVE EXAMINED THE HEREON FINAL MAP OF TRACT NO. 9339; THAT THE SUBDIVISION AS SHOWN 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 Nov. 20, 2001

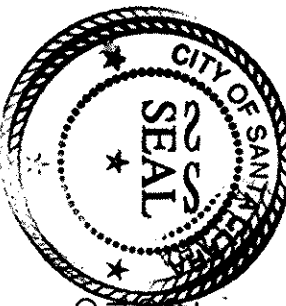
James L. Parisse
JAMES L. PARISSSENTI
ACTING CITY ENGINEER
CITY OF SANTA CLARA, CALIFORNIA
L.S. NO. 1531, EXPIRES 12-15-03
RCE NO. 38,600, EXPIRES 03-31-05



STATEMENT OF THE CITY CLERK

I HEREBY STATE THAT ON THE 5th day of December, 2000 THE CITY COUNCIL OF THE CITY OF SANTA CLARA, CALIFORNIA, DID APPROVE THE TENTATIVE OF THIS MAP AND ON the 13th day of November, 2001, DID APPROVE THIS MAP AND ACCEPT ON BEHALF OF THE PUBLIC ALL EASEMENTS OFFERED FOR DEDICATION FOR PUBLIC USE IN CONFORMITY WITH THE TERMS OF THE OFFER OF DEDICATION MADE HEREON.

11-20-01
DATE



B. Bocchino
B. BOCCINO
CITY CLERK AND EX-OFFICIO CLERK OF
THE CITY COUNCIL OF THE
CITY OF SANTA CLARA, CALIFORNIA

RECORDER'S CERTIFICATE

FILE NO. 15983686 FEE \$ 10.00 PAID, ACCEPTED FOR RECORD AND FILED IN BOOK 143 OF MAPS AT PAGES 26 AND 27; SANTA CLARA COUNTY RECORDS, THIS 29th DAY OF November, 2001 AT 2:15 P M, AT THE REQUEST OF MACKAY & SOMPS.

BRENDA DAVIS, RECORDER
SANTA CLARA COUNTY, CALIFORNIA

BY Brenda Davis
BRENDA DAVIS
DEPUTY

MACKAY & SOMPS
CIVIL ENGINEERING/LAND PLANNING/LAND SURVEYING
SAN JOSE, CA