

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 SHOWN ON THE SUBDIVISION WITHIN THE DISTINCTIVE BORDER LINE ON THE MAP HEREIN; 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 MAKING OF SAID MAP AND SUBDIVISION; AND PORTIONS OF STREETS NOT HERETOFORE EXISTING AS SHOWN WITHIN SAID SUBDIVISION AND DESIGNATED ON SAID MAP AS GOSHAWK COURT AND SENGAL COURT; THAT WE HEREBY OFFER FOR DEDICATION TO PUBLIC USE EASEMENTS FOR ANY AND ALL PUBLIC USES UNDER, UPON AND OVER SAID STREETS AND PORTIONS THEREOF.

WE ALSO HEREBY DEDICATE TO PUBLIC USE:

EASEMENTS FOR ANY AND ALL PUBLIC SERVICE PURPOSES INCLUDING, BUT NOT LIMITED TO, THE CONSTRUCTION AND MAINTENANCE OF POLES, WIRES, AND CONDUITS FOR STORM, SANITARY SEWER, WATER, GAS, ELECTRIC, TELEPHONE, TELEVISION, TRAFFIC SIGNAL FACILITIES, SIDEWALKS, PUBLIC UTILITIES AND APPURTENANCES TO THE ABOVE, UNDER, ON OR OVER THOSE CERTAIN AREAS DESIGNATED "PUE" (PUBLIC USE EASEMENT). THE ABOVE MENTIONED PUBLIC USE EASEMENTS SHALL REMAIN OPEN AND FREE FROM BUILDINGS AND STRUCTURES AND THEIR APPURTENANCES, EXCEPT FOR IRRIGATION SYSTEMS AND THEIR APPURTENANCES, LAWFUL FENCES, AND ALL LAWFUL UNSUPPORTED ROOF OVERHANGS.

WE ALSO HEREBY ESTABLISH A PRIVATE STORM DRAIN FACILITIES AND OVERLAND DRAINAGE AREA OVER THOSE STRIPS OF LAND THREE FEET IN WIDTH AND SHOWN ON SAID MAP AS "PDA" (PRIVATE DRAINAGE AREA) FOR THE PURPOSE OF MAINTAINING SURFACE DRAINAGE AND FOR THE MAINTENANCE OF STORM DRAIN FACILITIES. SAID AREAS SHALL REMAIN FREE AND CLEAR OF ALL OBSTRUCTIONS AND GRAVE ALTERATIONS THAT COULD INHIBIT DRAINAGE, INCLUDING TREES, PERMANENT EXCAVATIONS, OR STRUCTURES OF ANY KIND, EXCEPT LAWFUL UNSUPPORTED ROOF OVERHANGS, MAINTENANCE OF SAID PRIVATE AREAS ARE THE RESPONSIBILITY OF THE RESPECTIVE OWNER(S) AND THEIR SUCCESSORS OF EACH LOT AS SHOWN ON SAID MAP WITHIN SAID SUBDIVISION.

WE HEREBY DEDICATE TO PUBLIC USE: EASEMENT FOR THE PLANTING, MAINTAINING AND REMOVAL OF TREES IN AND UPON THOSE CERTAIN STRIPS OF LAND DESIGNATED AS "TPE" (TREE PLANTING EASEMENT); PROVIDED THAT NO TREES SHALL BE PLANTED THEREON OR REMOVED THEREFROM WITHOUT THE WRITTEN PERMISSION OF THE CITY OF GILROY, AND SUBJECT TO SUCH TERMS AND CONDITIONS AS ARE IMPOSED ON SUCH PERMISSION BY SAID CITY.

SUBDIVIDER SHALL DEFEND, INDEMNIFY, AND HOLD HARMLESS THE CITY, ITS CITY COUNCIL, PLANNING COMMISSION, AGENTS, OFFICERS AND EMPLOYEES FROM ANY CLAIM, ACTION OR PROCEEDING AGAINST THE CITY OR ITS CITY COUNCIL, PLANNING COMMISSION, AGENTS, OFFICERS OR EMPLOYEES TO ATTACK, SET ASIDE, VOID OR ANNUL AN APPROVAL OF THE CITY, CITY COUNCIL, PLANNING COMMISSION, OR OTHER BOARD, ADVISORY AGENCY OR LEGISLATIVE BODY CONCERNING THIS SUBDIVISION. CITY WILL PROMPTLY NOTIFY THE SUBDIVIDER OF ANY CLAIM, ACTION OR PROCEEDING AGAINST IT AND WILL COOPERATE FULLY IN THE DEFENSE. THIS CONDITION IS IMPOSED PURSUANT TO CALIFORNIA GOVERNMENT CODE SECTION 66474.9.

OWNER:

THE OLD ORCHARD COMPANY, A CALIFORNIA CORPORATION

BY: [Signature]

TRUSTEE:

OLD REPUBLIC TITLE COMPANY, A CALIFORNIA CORPORATION

BY: Thomas J. Sudd James R. Barner
Vice President Secretary

ACKNOWLEDGMENT:

STATE OF CA
COUNTY OF Santa Clara

ON April 2, 1998 BEFORE ME Jill M. Johnson
PERSONALLY APPEARED Cliff R. Johnson
☒ PERSONALLY KNOWN TO ME - OR - ☐ PROVED TO ME ON THE BASIS OF SATISFACTORY EVIDENCE TO BE THE PERSONS WHOSE NAMES ARE SUBSCRIBED TO THE INSTRUMENT AND ACKNOWLEDGED TO ME THAT THEY EXECUTED THE SAME IN THEIR AUTHORIZED CAPACITIES, AND THAT BY THEIR SIGNATURES ON THE INSTRUMENT, THE PERSONS OR THE ENTITY UPON BEHALF OF WHICH THE PERSON ACTED, EXECUTED THE INSTRUMENT.

WITNESS MY HAND AND OFFICIAL SEAL.

NOTARY'S SIGNATURE [Signature] Cliff R. Johnson
My Comm. Expires Mar. 13, 2002
ACKNOWLEDGMENT: Gilroy California

STATE OF California
COUNTY OF Santa Clara

ON March 31, 1998 BEFORE ME C. L. Jamieson
PERSONALLY APPEARED Thomas J. Sudd and James R. Barnett
☒ PERSONALLY KNOWN TO ME - OR - ☐ PROVED TO ME ON THE BASIS OF SATISFACTORY EVIDENCE TO BE THE PERSONS WHOSE NAMES ARE SUBSCRIBED TO THE INSTRUMENT AND ACKNOWLEDGED TO ME THAT THEY EXECUTED THE SAME IN THEIR AUTHORIZED CAPACITIES, AND THAT BY THEIR SIGNATURES ON THE INSTRUMENT, THE PERSONS OR THE ENTITY UPON BEHALF OF WHICH THE PERSON ACTED, EXECUTED THE INSTRUMENT.

WITNESS MY HAND AND OFFICIAL SEAL.

NOTARY'S SIGNATURE [Signature] C. L. Jamieson
Santa Clara County, San Jose, California
My Commission Expires Jan. 19, 2002

ENGINEER'S STATEMENT

I, FRANK G. FONG, HEREBY STATE THAT I AM A REGISTERED CIVIL ENGINEER OF THE STATE OF CALIFORNIA; THAT THIS MAP, CONSISTING OF 3 SHEETS, CORRECTLY REPRESENTS A SURVEY MADE UNDER MY SUPERVISION DURING NOVEMBER, 1996, THAT THE SURVEY IS TRUE AND COMPLETE AS SHOWN, AND THE MONUMENTS ARE OF THE CHARACTER AND OCCUPY THE POSITION INDICATED OR WILL BE PLACED ON OR BEFORE DECEMBER 1998, AND THAT SAID MONUMENTS ARE SUFFICIENT TO ENABLE THE SURVEY TO BE RETRACED, AND THAT THE AREA OF THIS SUBDIVISION IS 9.516 ACRES, MORE OR LESS.

DATE: 3/30/98

Frank G. Fong
FRANK G. FONG, RCE 27852
REG. EXPIRES 3-31-2002



CITY ENGINEER'S STATEMENT

I HEREBY STATE THAT I HAVE EXAMINED THE HEREIN FINAL MAP OF TRACT 9035, 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: MARCH 25, 1998

Norman S. Allen
NORMAN S. ALLEN,
DIRECTOR OF COMMUNITY DEVELOPMENT
CITY OF GILROY, CALIFORNIA
RCE NO. 26092
REG. EXPIRES 3-31-2002

STATEMENT OF THE PLANNING COMMISSION

I HEREBY STATE THAT THE MAP OF TRACT 9035, "VENTANA IIA", WAS DULY APPROVED BY THE PLANNING COMMISSION OF THE CITY OF GILROY ON JUNE 8, 1997.

Norman S. Allen
NORMAN S. ALLEN
SECRETARY

CERTIFICATE OF THE CITY CLERK

I HEREBY STATE THAT THIS MAP, DESIGNATED AS TRACT 9035 CONSISTING OF 3 SHEETS WAS APPROVED BY THE CITY COUNCIL OF THE CITY OF GILROY AT A MEETING OF SAID COUNCIL HELD ON 23rd DAY OF MARCH, 1998, AND THAT SAID COUNCIL DID ACCEPT THE DEDICATION OF ALL STREETS AND PORTIONS THEREOF DESIGNATED ON SAID MAP AS GOSHAWK COURT AND SENGAL COURT, AND ALL EASEMENTS OFFERED FOR PUBLIC DEDICATION AND DESIGNATED ON SAID MAP AS "PUE" (PUBLIC USE EASEMENT) AND "TPE" (TREE PLANTING EASEMENT) AS SHOWN ON SAID MAP WITHIN SAID SUBDIVISION.

DATE: MARCH 25, 1998

Rhonda Pellin
RHONDA PELLIN - CITY CLERK
OF THE CITY OF GILROY, CALIFORNIA

RECORDER'S CERTIFICATE

FILE NO. 143/482 FEE \$ 12.00 PAID. ACCEPTED FOR RECORD AND FILED IN BOOK 700 OF MAPS AT PAGES 36-38 SANTA CLARA COUNTY RECORDS, THIS 9 DAY OF April, 1998 AT THE REQUEST OF RUGGERI-JENSEN-AZAR AND ASSOCIATES.

BRENDA DAVIS, RECORDER
SANTA CLARA COUNTY, CALIFORNIA

BY: [Signature]
DEPUTY

TRACT 9035
VENTANA IIA
A SUBDIVISION OF REMAINDER LOT
AS SHOWN ON THE MAP OF TRACT 8995,
FILED FOR RECORD IN BOOK 693 OF MAPS AT
PAGES 48, 49 & 50, OFFICIAL RECORDS OF
SANTA CLARA COUNTY
CALIFORNIA

CITY OF GILROY
SANTA CLARA COUNTY, CALIFORNIA
Prepared By:
RUGGERI-JENSEN-AZAR & ASSOCIATES
100 N. Milpitas Blvd., Suite 160, Milpitas, CA 95035
Phone: (408) 934-1388 Fax: (408) 934-1288