

CITY ENGINEER Agenda

CORONAVIRUS DISEASE (COVID-19) NOTICE

THIS MEETING WILL BE CONDUCTED PURSUANT TO THE PROVISIONS OF THE GOVERNOR'S EXECUTIVE ORDERS N-25-20 AND N-29-20 WHICH SUSPEND CERTAIN REQUIREMENTS OF THE BROWN ACT AND PURSUANT TO THE ORDERS OF THE HEALTH OFFICER OF SAN MATEO COUNTY. THIS MEETING IS NECESSARY SO THAT THE CITY CAN CONDUCT NECESSARY BUSINESS AND IS PERMITTED UNDER THE ORDERS AS AN ESSENTIAL GOVERNMENTAL FUNCTION.

Consistent with the above-referenced Orders, this City Engineer Meeting will not be physically open to the public and the City Engineer and staff will be video/teleconferencing into the meeting. The meeting will be conducted via Zoom Webinar.

To maximize public safety while still maintaining transparency and public access, members of the public can observe the meeting from home. Below is information on how the public may observe and participate in the meeting.

To Observe the Meeting:

- To access the meeting by computer / smartphone, go to: https://zoom.us/j/94484060131
- To dial-in via phone: +1 (669) 900-6833
 Then enter Webinar ID: 944 8406 0131

To Participate in the Meeting by Providing Public Comment:

- **During the Meeting**: Live verbal public comments may be made by members of the public joining the meeting via Zoom (computer, smartphone/tablet app, or phone). Zoom access information is provided above. Use the "raise hand" feature (for those joining by phone, **press *9 to "raise hand"**) during the public comment period for the agenda item you wish to address. City staff will call on people to speak by name provided or last 4 digits of phone number for dial-in attendees. Please clearly state your full name for the record at the start of your public comment. You will have 3 minutes to speak unless modified by the meeting chair.
- **Before the Meeting**: Written public comments for the record may be submitted in advance by 4:00 p.m. on the meeting date by email to: publiccomment@ci.pacifica.ca.us and will be made part of the written record but will not be read verbally at the meeting. Written public comments submitted by email should adhere to the following:
 - Clearly indicate the Agenda Item No. or specify "Oral Communications" in the Subject Line for items not on the agenda
 - Include the submitter's full name

Written public comments received by 4:00 p.m. on the meeting date will be provided in their entirety to the City Engineer prior to the meeting and will be made part of the written record but will <u>not</u> be read verbally at the meeting. Written public comments will be posted to the City's website for review prior to the meeting.

Note: The methods of observing the meeting or providing public comments may be altered or the meeting may be cancelled, if needed. You may check on the status of the meeting by visiting the City's website at www.cityofpacifica.org for any updates or changes, should they occur.

DATE: April 14, 2021

LOCATION: Zoom Meeting (Online): https://zoom.us/i/94484060131, or Dial (669) 900-6833 and enter Webinar ID: 944 8406 0131

TIME: 6:00 PM

ADMINISTRATIVE BUSINESS:

1. Oral Communications Thi

This portion of the agenda is available to the public to address the City Engineer on any issue within the subject matter jurisdiction of the City Engineer that is not on the agenda. The time allowed for any speaker will be three minutes.

PUBLIC HEARINGS:

2. Amend Final Map

AMENDMENT TO FINAL SUBDIVISION MAP, filed by owner Pacifica Villages, LP pursuant to Government Code Section 66472.1 and Pacifica Municipal Code Section 10-1.1301(g), to amend the final subdivision map entitled "Condominium Map, the Summit at Skyline" (San Mateo County Recorder Book 139, Pages 71 through 77 of Maps, recorded August 22, 2014) in order to remove all references to condominiums, at the Villages at Pacifica apartment complex, formerly known as Marymount Summit/Gateway Apartments, located at 405-439 and 443-467 Gateway Drive in Pacifica (APNs 009-540-110, 009-540-120, 009-540-130, 009-540-140, 009-540-150, 009-540-160, and 009-540-170). Recommended California Environmental Quality Act (CEQA) status: Exempt from CEQA pursuant to CEQA Guidelines Section 15061(b)(3).

<u>Proposed Action</u>: Approve as conditioned.

ADJOURNMENT

Anyone aggrieved by the action of the City Engineer has 10 calendar days to appeal the decision in writing to the Planning Commission. If any of the above actions are challenged in court, issues which may be raised are limited to those raised at the public hearing or in written correspondence delivered to the City at, or prior to, the public hearing. Judicial review of any City administrative decision may be had only if a petition is filed with the court not later than the 90th day following the date upon which the decision becomes final. Judicial review of environmental determinations may be subject to a shorter time period for litigation, in certain cases 30 days following the date of final decision.

The City of Pacifica will provide special assistance for persons with disabilities upon 24 hours advance notice to the City Manager's office at (650) 738-7301, including requests for sign language assistance, written material printed in a larger font, or audio recordings of written material. All meeting rooms are accessible to persons with disabilities.



CITY ENGINEER Staff Report

DATE: April 14, 2021

ITEM: 1

PUBLIC NOTICE: Notice of Public Hearing was published in the San Mateo Daily Journal on April 2, 2021 and mailed to 660 surrounding property owners and occupants.

APPLICANT/OWNER: Pacifica Villages, LP

P.O. Box 1228

Los Angeles, CA 90078

PROJECT LOCATION: Villages at Pacifica Apartment Complex (formerly Marymount Summit/Gateway)

405-439 and 443-467 Gateway Drive in Pacifica (APNs 009-540-110, 009-540-120, 009-540-130, 009-540-140, 009-540-150, 009-540-160, and 009-540-170) —

Westview-Pacific Highlands

PROJECT DESCRIPTION: Amend Final Map entitled "Condominium Map, the Summit at Skyline" (San Mateo County Recorder Book 139, Pages 71 through 77 of Maps, recorded August 22, 2014) to remove all references to condominiums

SITE DESIGNATIONS: General Plan: High Density Residential

Zoning: P-D (Planned Development)

RECOMMENDED CEQA STATUS: Exempt from CEQA pursuant to CEQA Guidelines Section 15061(b)(3)

ADDITIONAL REQUIRED APPROVALS: None. Subject to appeal to the Planning Commission.

RECOMMENDED ACTION: Approve.

PREPARED BY: Christian W. Murdock, AICP, Deputy Director of Planning

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405-439 and 443-467 Gateway Drive – Villages at Pacifica Apartment Complex
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PROJECT SUMMARY, RECOMMENDATION, AND FINDINGS

1. Project Description/Background

On November 23, 2020, the City Council adopted Resolution No. 71-2020 to authorize the City Manager to execute an Affordable Housing Regulatory Agreement, Loan Agreement, and any other documents necessary for the property owner to move forward with the conversion of the Villages at Pacifica apartment complex (formerly Marymount Summit/Gateway Apartments) located at 405-439 and 443-467 Gateway Drive (APNs 009-540-110, 009-540-120, 009-540-130, 009-540-140, 009-540-150, 009-540-160, and 009-540-170) ("Property") into an affordable housing project with 168 dwelling units restricted to occupancy by tenants earning not more than 80 percent of the San Mateo County Area Median Income. The City Manager executed the Regulatory Agreement and Loan Agreement on January 21, 2021, and it was recorded against the Property in the San Mateo County Recorder's Office ("Recorder") on January 26, 2021. On March 8, 2021, the City Council approved the property management agent for the project.

The prior Property owner of the Villages at Pacifica obtained City approval of a condominium conversion in 2008. The prior owner followed the 2008 condominium conversion approval with the creation of condominiums pursuant to filing of a final subdivision map in 2014, recordation of a condominium plan with the Recorder in 2015, and execution of various documents related to creation of condominiums including but not limited to covenants, conditions, and restrictions ("CC&Rs"), a shared use agreement, and declarations of annexation, also in 2015. The prior owner also pursued approval of public reports by the State of California Department of Real Estate in 2015 and 2016 as prerequisites to sale of condominiums. Although condominiums were created at the Property, the prior owner never sold any of the apartment units as condominiums and none of the proposed common areas were ever conveyed to a homeowners association.

In order implement certain provisions in the Regulatory Agreement, the Owner has recorded a Revocation of The Summit at Skyline Condominium Plan ("Revocation") pursuant to California Civil Code 4295. Further, on March 8, 2021, the City Council approved the termination of the following documents:

- Inclusionary Zoning Compliance Agreement (Recorder Instrument No. 2014-077501); August 27, 2014
- Summit at Skyline CC&Rs (Recorder Instrument No. 2015-034434 and Nos. 2015-132500 through 2015-132504); April 9, 2015; December 16, 2015
- Below Market Rate Compliance Agreement (Recorder Instrument No. 2019-064312); August 13, 2019

The Owner has now applied to amend the final subdivision map for the Property entitled "Condominium Map, the Summit at Skyline" which was filed in Recorder Book 139, Pages 71 through 77 of Maps on August 22, 2014 (Attachment B), to remove all references to condominiums. Owner has submitted the necessary documents to the City Engineer to amend the map as provided in the Subdivision Map Act and Title 10 of the Pacifica Municipal Code

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("PMC"). Further, Owner has submitted an amended subdivision map (Attachment C) that meets the form and content requirements of PMC Section 10-1.1302.

2. State Law and Pacifica Municipal Code

The Subdivision Map Act, in Government Code Section 66472.1, provides for the correction and amendment of a final subdivision map or final parcel map after approval (i.e., final map amendment), as follows:

In addition to the amendments authorized by Section 66469, after a final map or parcel map is filed in the office of the county recorder, the recorded final map may be modified by a certificate of correction or an amending map, if authorized by local ordinance, if the local agency finds that there are changes in circumstances that make any or all of the conditions of the map no longer appropriate or necessary and that the modifications do not impose any additional burden on the fee owners of the real property, and if the modifications do not alter any right, title, or interest in the real property reflected on the recorded map, and the local agency finds that the map as modified conforms to Section 66474. Any modification shall be set for public hearing as provided for in Section 66451.3. The local agency shall confine the hearing to consideration of, and action on, the proposed modification.

Section 10-1.1301(g) of the Pacifica Municipal Code ("PMC") authorizes amendment of a final map or parcel map after it has been filed in the office of the Recorder. In the subject case, the City Engineer will conduct a public hearing to consider the requested final map amendment to remove all references to condominiums at the Property.

3. Required Findings

Amended Final Map

In order to approve final map amendment, the City Engineer must make the following findings as provided in Government Code Section 66472.1 and PMC Section 10-1.1301(g). The following discussion supports the City Engineer's findings in this regard:

i. Required Finding: There are changes in circumstances that make any or all of the conditions of the recorded map no longer appropriate or necessary.

<u>Discussion</u>: As discussed in the staff report above, the Project site has been purchased by Owner since recording of the original map to effectuate the development of an affordable housing project and the Owner has filed a Revocation of the Condominium Plan in addition to recording numerous agreements setting forth obligations to maintain the Project as an affordable rental apartment project and terminating the agreement related to the condominiums. Therefore, there is a change in circumstances that makes the recorded map describing condominiums no longer appropriate or necessary because the Property will be operated on a long-term basis as a rental apartment project for the term of the Affordable Housing Regulatory Agreement recorded on the Property.

ii. Required Finding: The modifications do not impose any additional burden on the fee owner(s) of the real property.

<u>Discussion</u>: The modifications do not impose any additional burden on the fee owner(s) of the Property because the modifications to remove the condominium references merely reflect the current status of the Project as a rental apartment project following Owner's filing of a Revocation of the Condominium Plan.

iii. Required Finding: *The modifications do not alter any right, title, or interest in the real property reflected on the recorded map.*

<u>Discussion</u>: The modifications do not alter any right, title or interest in the real property because the Owner has already filed a Revocation of the Condominium Plan and other numerous agreements to ensure the Property remains a rental apartment project and cannot be developed with condominiums. The proposed amended map confirms the rights, title and interest as they already exist.

iv. Required Finding: None of the findings under Government Code Section 66474 for denial of a tentative map or parcel map are present with respect to the amended map.

<u>Discussion</u>: The only changes to the original map being made are to remove references to condominiums, which will allow the Property to operate on a long-term basis as a rental apartment project for the term of the Affordable Housing Regulatory Agreement recorded on the Property. The City of Pacifica General Plan and Zoning Regulations allow rental apartments to operate on the Property and the Property is not required to operate as a condominium project. Therefore, there are no other changes that affect design, density or other map attributes and none of the findings in Section 66474 are applicable.

4. CEQA Recommendation

Staff analysis of the proposed project supports a City Engineer finding that it qualifies for an exemption from the California Environmental Quality Act (CEQA). The Project is exempt under CEQA Guidelines Section 15061(b)(3), as described below, because the Project is covered by the common sense exemption that CEQA applies only to projects which have the potential for causing a significant effect on the environment; where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment.

The Project involves an amendment to a recorded final subdivision map for the sole purpose of removing all references to condominiums. The Project, if approved, would result in an amended final subdivision map that reflects the existing condition of the property. Because the Project would result in an amended final subdivision map that reflects the existing condition of the property, and because the Project does not involve any physical change in the environment, it therefore has no potential to cause a significant direct or indirect effect on the environment, and is not subject to CEQA.

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5. Staff Analysis and Recommendation

Staff recommends that the City Engineer approve the requested final map amendment. An approval would allow the final subdivision map already recorded on the Property to reflect the current and future condition of the Property as a rental apartment project that is not operated as a condominium project. Moreover, approval of the final map amendment would enable the Owner to implement the terms of the Affordable Housing Regulatory Agreement between Owner and the City, which is already recorded on the Property, in a manner consistent with City Council approval of the Agreement.

CITY ENGINEER ACTION

MOTION FOR APPROVAL:

Move that the City Engineer **FINDS** the Project is exempt from the California Environmental Quality Act; **APPROVES** the amended map included as Attachment C to the staff report by adopting the attached resolution, including conditions of approval in Exhibit A; and, incorporates all maps and testimony into the record by reference.

ATTACHMENT LIST:

Attachment A - Draft Resolution and COAs

Attachment B – Original Subdivision Map

Attachment C – Amended Subdivision Map

ATTACHMENT A

RESOLUTION NO. CE-2021-____

A RESOLUTION OF THE CITY ENGINEER OF THE CITY OF PACIFICA APPROVING AN AMENDMENT TO THE FINAL SUBDIVISION MAP ENTITLED "CONDOMINIUM MAP, THE SUMMIT AT SKYLINE" (SAN MATEO COUNTY RECORDER BOOK 139, PAGES 71 THROUGH 77 OF MAPS, RECORDED AUGUST 22, 2014) IN ORDER TO REMOVE ALL REFERENCES TO CONDOMINIUMS, AT THE VILLAGES AT PACIFICA APARTMENT COMPLEX, FORMERLY KNOWN AS MARYMOUNT SUMMIT/GATEWAY APARTMENTS, 405-439 AND 443-467 GATEWAY DRIVE IN PACIFICA (APNS 009-540-110, 009-540-120, 009-540-130, 009-540-140, 009-540-150, 009-540-160, AND 009-540-170), AND FINDING THE PROJECT EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA).

Initiated by: Pacifica Villages, LP ("Applicant").

WHEREAS, the Applicant has taken actions necessary to move forward with the conversion of the Villages at Pacifica apartment complex (formerly Marymount Summit/Gateway Apartments) located at 405-439 and 443-467 Gateway Drive (APNs 009-540-110, 009-540-120, 009-540-130, 009-540-140, 009-540-150, 009-540-160, and 009-540-170) ("Property") into an affordable housing project with 168 dwelling units restricted to occupancy by tenants earning not more than 80 percent of the San Mateo County Area Median Income (the "Project"); and

WHEREAS, the Applicant has applied to amend the final subdivision map for the Property entitled "Condominium Map, the Summit at Skyline" which was filed in Recorder Book 139, Pages 71 through 77 of Maps on August 22, 2014 ("Original Map"), to remove all references to condominiums, consistent with the prior actions to effectuate the Project; and

WHEREAS, Applicant has submitted the necessary documents to the City Engineer to amend the map as provided in the Subdivision Map Act and Title 10 of the Pacifica Municipal Code ("PMC"), including submitting an amending map ("Amended Map", attached hereto as Exhibit B) that meets the form and content requirements of PMC Section 10-1.1302; and

WHEREAS, the City Engineer of the City of Pacifica did hold a duly noticed public hearing on April 14, 2021, at which time he considered all oral and documentary evidence presented, and incorporated all testimony and documents into the record by reference.

NOW, THEREFORE BE IT RESOLVED by the City Engineer of the City of Pacifica as follows:

- 1. The above recitals are true and correct and material to this Resolution.
- 2. In making its findings, the City Engineer relied upon and hereby incorporates by reference all correspondence, staff reports, and other related materials.
- 3. The Project is categorically exempt from the requirements of CEQA pursuant to CEQA Guidelines 15061(b)(3) and therefore directs staff to file a Notice of Exemption for the Project.

Final Map Amendment 405-439 and 443-467 Gateway Drive in Pacifica – Villages at Pacifica Apartment Complex April 14, 2021 Page 2

BE IT FURTHER RESOLVED that the City Engineer of the City of Pacifica does hereby make the finding that the Project qualifies for an exemption under CEQA Guidelines Section 15061(b)(3), because the Project is covered by the common sense exemption that CEQA applies only to projects which have the potential for causing a significant effect on the environment; where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment. The Project involves an amendment to a recorded final subdivision map for the sole purpose of removing all references to condominiums. The Project, if approved, would result in an amended final subdivision map that reflects the existing condition of the Property. Because the Project would result in an amended final subdivision map that reflects the existing condition of the property, and because the Project does not involve any physical change in the environment, it therefore has no potential to cause a significant direct or indirect effect on the environment, and is not subject to CEQA.

BE IT FURTHER RESOLVED that the City Engineer of the City of Pacifica does hereby make the following findings pertaining to the proposed Final Map Amendment as provided in Government Code Section 66472.1 and PMC Section 10-1.1301(g):

1. Required Finding: There are changes in circumstances that make any or all of the conditions of the recorded map no longer appropriate or necessary.

<u>Discussion</u>: As discussed in the staff report, the Project site has been purchased by Applicant since recording of the original map to effectuate the development of an affordable housing project and the Applicant has filed a Revocation of the Condominium Plan in addition to recording numerous agreements setting forth obligations to maintain the Project as an affordable apartment rental project and terminating the agreement related to the condominiums. Therefore, there is a change of circumstances that makes the recorded map (the Original Map) describing condominiums no longer appropriate or necessary because the Property will be operated on a long-term basis as a rental apartment project for the term of the Affordable Housing Regulatory Agreement recorded on the Property.

2. Required Finding: The modifications do not impose any additional burden on the fee owner(s) of the real property.

<u>Discussion</u>: The modifications do not impose any additional burden on the fee owner(s) of the Property because the modifications to remove the condominium references merely reflect the current status of the Project as a rental apartment project following the Applicant's filing of a Revocation of the Condominium Plan.

3. Required Finding: The modifications do not alter any right, title, or interest in the real property reflected on the recorded map.

<u>Discussion</u>: The modifications do not alter any right, title or interest in the real property because the Applicant has already filed a Revocation of the Condominium Plan and other numerous agreements to ensure the Property remains a rental apartment project and cannot be developed with condominiums. The proposed Amended Map confirms the rights, title and interest as they already exist.

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4. Required Finding: None of the findings under Government Code Section 66474 for denial of a tentative or parcel map are present with respect to the amended map.

<u>Discussion</u>: The only changes to the Original Map being made are to remove references to condominiums, which will allow the Property to operate on a long-term basis as a rental apartment project for the term of the Affordable Housing Regulatory Agreement recorded on the Property. The City of Pacifica General Plan and Zoning Regulations allow rental apartments to operate on the Property and the Property is not required to operate as a condominium project. Therefore, there are no other changes that affect design, density or other map attributes and none of the findings in Section 66474 are applicable.

NOW, THEREFORE, BE IT FURTHER RESOLVED that the City Engineer of the City of Pacifica approves the Amended Map attached hereto as Exhibit B to authorize an amendment to the Final Subdivision Map Entitled "Condominium Map, The Summit At Skyline" (San Mateo County Recorder Book 139, Pages 71 Through 77 of Maps, Recorded August 22, 2014) in order to remove all references to condominiums, subject to conditions of approval included as Exhibit A to this resolution.

* * * * *

Passed and adopted at a regular meeting of the City Engineer of the City of Pacifica, California, held on the 14th day of April, 2021.

Segundo S. Bautista, P. E.

Deputy Director of Public Works/City Engineer

Exhibit A

Conditions of Approval: An Amendment to the Final Subdivision Map Entitled "Condominium Map, The Summit At Skyline" (San Mateo County Recorder Book 139, Pages 71 Through 77 of Maps, Recorded August 22, 2014) in Order to Remove all References to Condominiums, at The Villages at Pacifica Apartment Complex, Formerly Known as Marymount Summit/Gateway Apartments (405-439 and 443-467 Gateway Drive In Pacifica (APNs 009-540-110, 009-540-120, 009-540-130, 009-540-140, 009-540-150, 009-540-160, and 009-540-170)

City Engineer Meeting of April 14, 2021

- 1. The Amended Final Map shall be substantially in accord with the map entitled "Amending Map The Villages at Pacifica," dated March 2021, consisting of five sheets, and received by the City of Pacifica on March 1, 2021, except as modified by the following conditions.
- 2. The approval or approvals is/are valid for a period of two years from the date of final determination. If the Amended Map is not recorded in the Office of the Recorder of San Mateo County within such period of time, the approval(s) shall expire unless Applicant submits a written request for an extension and applicable fee prior to the expiration date, and the City Engineer approves the extension request as provided below. The City Engineer may administratively grant a single, one year extension provided, in the City Engineer's sole discretion, the circumstances considered during the initial Project approval have not materially changed. Otherwise, the City Engineer shall consider a request for a single, one year extension.
- 3. The Amended Map shall have no force or effect until all required signatures and/or endorsements on the title sheet of same are obtained, and until the Amended Map is recorded in the Office of the Recorder of San Mateo County.
- 4. The Applicant shall indemnify, defend and hold harmless the City, its Council, Planning Commission, advisory boards, officers, employees, consultants and agents (hereinafter "City") from any claim, action or proceeding (hereinafter "Proceeding") brought against the City to attack, set aside, void or annul the City's actions regarding any development or land use permit, application, license, denial, approval or authorization, including, but not limited to, variances, use permits, developments plans, specific plans, general plan amendments, zoning amendments, approvals and certifications pursuant to the California Environmental Quality Act, and/or any mitigation monitoring program, or brought against the City due to actions or omissions in any way connected to the Applicant's Project ("Challenge"). City may, but is not obligated to, defend such Challenge as City, in its sole discretion, determines appropriate, all at Applicant's sole cost and expense. This indemnification shall include, but not be limited to, damages, fees and/or costs awarded against the City, if any, and costs of suit, attorney's fees and other costs, liabilities and expenses incurred in connection with such proceeding whether incurred by the Applicant, City, and/or parties initiating or bringing such Proceeding. If the Applicant is required to defend the City as set forth above, the City shall retain the right to select the counsel who shall defend the City. Per Government Code Section 66474.9, the City shall promptly notify Applicant of any Proceeding and shall cooperate fully in the defense.

EXHIBIT B

The Amended Map Entitled "Amending Map The Villages at Pacifica," dated March 2021, and received by the City of Pacifica on March 1, 2021.

EXHIBIT B INTENTIONALLY OMITTED FROM THIS DRAFT RESOLUTION

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 INCLUDED WITHIN ALL OF LOT 4 AND EASEMENTS WITHIN PORTIONS OF LOTS 1, 2 & 5 SHOWN UPON THE HEREIN MAP; THAT WE ARE THE ONLY PERSONS WHOSE CONSENT IS NECESSARY TO PASS CLEAR TITLE TO SAID REAL PROPERTY; AND THAT WE CONSENT TO THE PREPARATION AND RECORDATION OF SAID MAP AND SUBDIVISION. SAID OWNERS DECLARE THAT SAID MAP IS FOR CONDOMINIUM PURPOSES.

MARYMOUNT GATEWAY APARTMENTS, LLC A CALIFORNIA (I)MITED LIABILITY COMPANY

JASBIR WALIA, MANAGÉR

yun the ARJUN BHAGAT, MANAGER

OWNER'S ACKNOWLEDGMENT

STATE OF CALIFORNIA

COUNTY OF SAN MATER

, 20 14 , BEFORE ME RENGE VEWIS, NOTARY PUBLIC PERSONALLY APPEARED JASBIR WALL AND ARGUN BHAGAT WHO 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.

I CERTIFY UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF CALIFORNIA THAT THE FOREGOING PARAGRAPH IS TRUE AND CORRECT.

WITNESS MY HAND AND OFFICIAL SEAL.

NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE

RENEE LEWIS PRINTED NAME

MY COMMISSION EXPIRES: MAY 30, 2014

PRINCIPAL PLACE OF BUSINESS (COUNTY): AND MATED COUNTY

COMMISSION NUMBER OF NOTARY: 1891476

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 INCLUDED WITHIN ALL OF LOTS 1, 2, 3 & 5 AND AN EASEMENT WITHIN A PORTION OF LOT 4 SHOWN UPON THE HEREIN MAP; THAT WE ARE THE ONLY PERSONS WHOSE CONSENT IS NECESSARY TO PASS CLEAR TITLE TO SAID REAL PROPERTY; AND THAT WE CONSENT TO THE PREPARATION AND RECORDATION OF SAID MAP AND SUBDIVISION. SAID OWNERS DECLARE THAT SAID MAP IS FOR CONDOMINIUM PURPOSES.

MARYMOUNT SUMMIT, LLC A CALIFORNIA IMITED LIABILITY COMPANY

ASBR WALT, MANAGER AR UN BHAGAT MANAGER

OWNER'S ACKNOWLEDGMENT

STATE OF CALIFORNIA COUNTY OF SAN MATER

_, 20 K4 , BEFORE ME RENCE VEWIS, NOTARY PUBLIC ON MARCH 18 PERSONALLY APPEARED DASBIR WALLA AND ARTUN BHAGAT WHO 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.

I CERTIFY UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF CALIFORNIA THAT THE FOREGOING PARAGRAPH IS TRUE AND CORRECT.

WITNESS MY HAND AND OFFICIAL SEAL.

SIGNATURE:

NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE MY COMMISSION EXPIRES:

RENTE LEWIS

PRINTED NAME MAY 30, 2014

PRINCIPAL PLACE OF BUSINESS (COUNTY): WHITEO COUNTY

COMMISSION NUMBER OF NOTARY: 1891476

BENEFICIARY STATEMENT

THE UNDERSIGNED, AS BENEFICIARY UNDER THE DEED OF TRUST RECORDED ON MARCH 1, 2012 IN OFFICIAL RECORDS UNDER RECORDER'S SERIAL NUMBER 2012-027873 AND THE DEED OF TRUST RECORDED ON MARCH 1. 2012 IN OFFICIAL RECORDS UNDER RECORDER'S SERIAL NUMBER 2012-027874, SAN MATEO COUNTY, CALIFORNIA, DOES HEREBY JOIN IN AND CONSENT TO THE FOREGOING OWNER'S STATEMENT.

BENEFICIARY: JP MORGAN CHASE BANK, N.A.

DATE: 5/27/14

NAME DARREL HURT

TITLE: AUTHORIZED OFFICER

BENEFICIARY'S ACKNOWLEDGMENT

S.S.

COUNTY OF DALLAS

___, 20 14 , BEFORE ME PARAS VALLIANI ON MAY 29 PERSONALLY APPEARED DARREL HURT

WHO 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(HES), 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

WITNESS MY HAND AND OFFICIAL SEAL

SIGNATURE:

NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE

YARAS VALUANI PRINTED NAME

AUGUST 17, 2015 MY COMMISSION EXPIRES:

PRINCIPAL PLACE OF BUSINESS(COUNTY): DALLAS

COMMISSION NUMBER OF NOTARY: 1244/652-3

CITY CLERK'S STATEMENT

I. KATHY O'CONNELL, CITY CLERK OF THE CITY OF PACIFICA, COUNTY OF SAN MATEO, STATE OF CALIFORNIA, DO HEREBY STATE THAT THE HEREIN EMBODIED FINAL MAP ENTITLED "THE SUMMIT AT SKYLINE", CITY OF PACIFICA, SAN MATEO COUNTY, STATE OF CALIFORNIA, CONSISTING OF SEVEN (7) SHEETS, THIS STATEMENT BEING UPON SHEET 1 THEREOF, WAS PRESENTED TO THE COUNCIL OF THE CITY OF PACIFICA AS PROVIDED BY LAW AT A REGULAR MEETING HELD ON THE 244 DAY OF WALL, 2014, AND THAT SAID COUNCIL OF THE CITY OF PACIFICA DID THEREUPON, DULY PASSED AND ADOPTED AT SAID MEETING, APPROVE SAID MAP.

IN WITNESS WHEREOF, I HAVE HEREUNTO SET MY HAND AND SEAL THE 1646 June, 2014.

> Kothy O'Connece KATHY O'CONNELL CITY CLERK, CITY OF PACIFICA COUNTY OF SAN MATEO, STATE OF CALIFORNIA

CITY SURVEYOR'S STATEMENT

AM SATISFIED THAT THE WITHIN PARCEL MAP IS TECHNICALLY CORRECT.

6-12-2014 DATE



LS # 751\$ LIC. EXP. 12/31/15 CITY ENGINEER'S STATEMENT

I HEREBY STATE THAT I HAVE EXAMINED THIS MAP AND THAT THE SUBDIVISION AS SHOWN ON SAID MAP IS SUBSTANTIALLY THE SAME AS SAID SUBDIVISION APPEARED ON THE APPROVED OR CONDITIONALLY APPROVED TENTATIVE MAP AND ANY APPROVED AMENDMENTS THERETO; AND THAT ALL PROVISIONS OF THE SUBDIVISION MAP ACT OF THE STATE OF CALIFORNIA, AND AMENDMENTS THERETO AND ANY LOCAL ORDINANCES APPLICABLE AT THE TIME OF APPROVAL OF THE TENTATIVE MAP HAVE BEEN COMPLIED WITH.

IN WITNESS WHEREOF, I HAVE HEREUNTO SET MY HAND THIS

VAN DOMINIC OCAMPO, R.C.E. 59601 REGISTRATION EXPIRES: 12/31/2015 CITY ENGINEER, CITY OF PACIFICA, COUNTY OF SAN MATEO, STATE OF CALIFORNIA

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 ORDINANCES AT THE REQUEST OF MARYMOUNT GATEWAY APARTMENTS, LLC AND MARYMOUNT SUMMIT, LLC IN MAY 2008. I HEREBY STATE THAT THIS MAP SUBSTANTIALLY CONFORMS TO THE APPROVED OR CONDITIONALLY APPROVED TENTATIVE MAP, IF ANY.



MICHAEL A. SHOUP, PLS #7616 LICENSE EXPIRES: 12/31/2014

COUNTY RECORDER'S STATEMENT

FILED FOR RECORD THIS 22nd DAY OF AUGUST, 20 14 AT 11:21 A.M. IN BOOK ______ OF MAPS AT PAGES ______ AT THE REQUEST OF First American Title Company

FEE: \$ 22.00

SERIES NO. 2014-900116

MARK CHURCH COUNTY RECORDER IN AND FOR THE COUNTY OF SAN MATEO, STATE OF CALIFORNIA

CONDOMINIUM MAP

SHEET INDEX

SHEET NO. DESCRIPTION COVER SHEET 2 & 3 BOUNDARY & EASEMENTS PLAN 4 & 5 CONDO LAYOUT

6 & 7 EASEMENT LAYOUT

THE SUMMIT AT SKYLINE

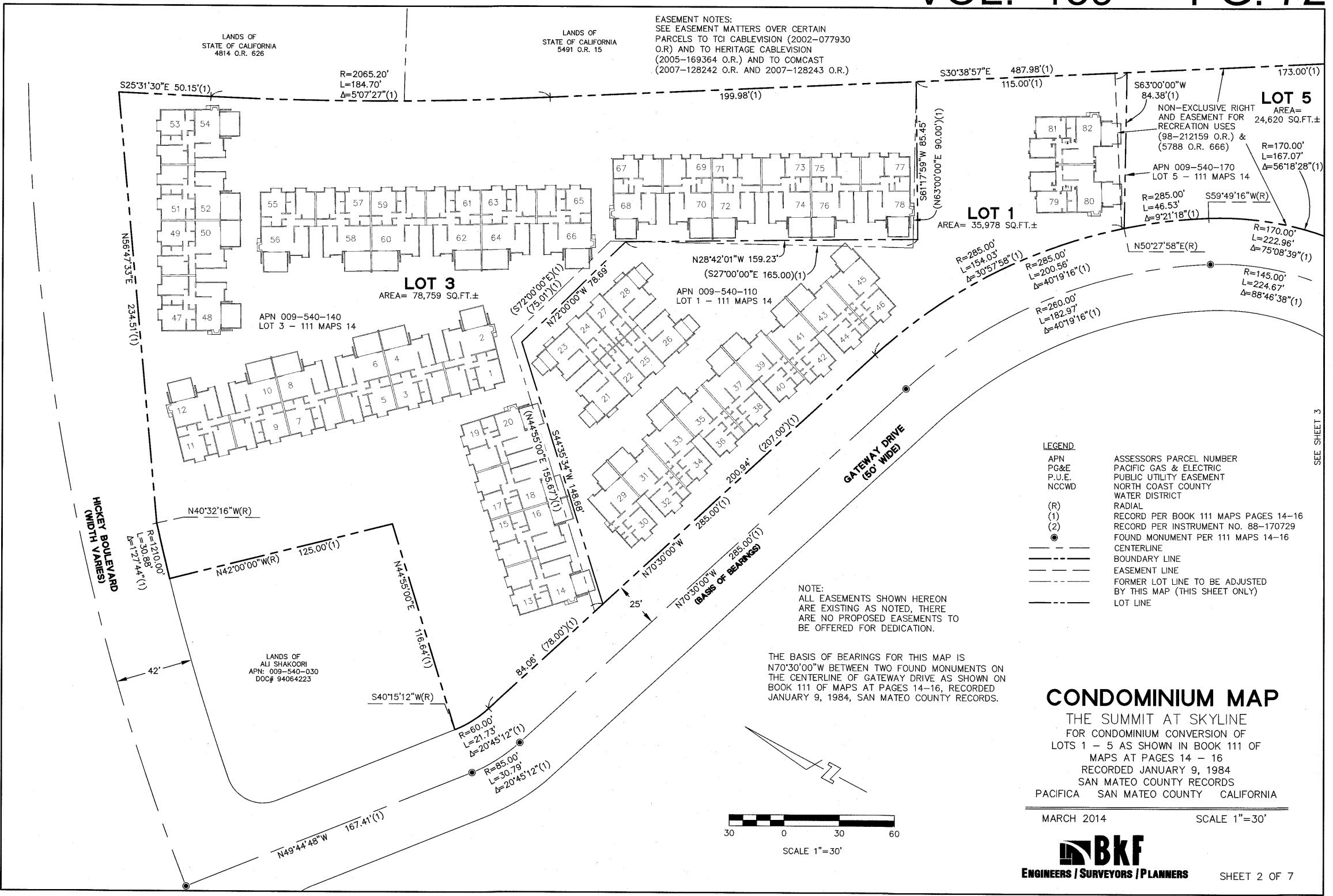
FOR CONDOMINIUM CONVERSION OF LOTS 1 - 5 AS SHOWN IN BOOK 111 OF MAPS AT PAGES 14 - 16 RECORDED JANUARY 9, 1984 SAN MATEO COUNTY RECORDS

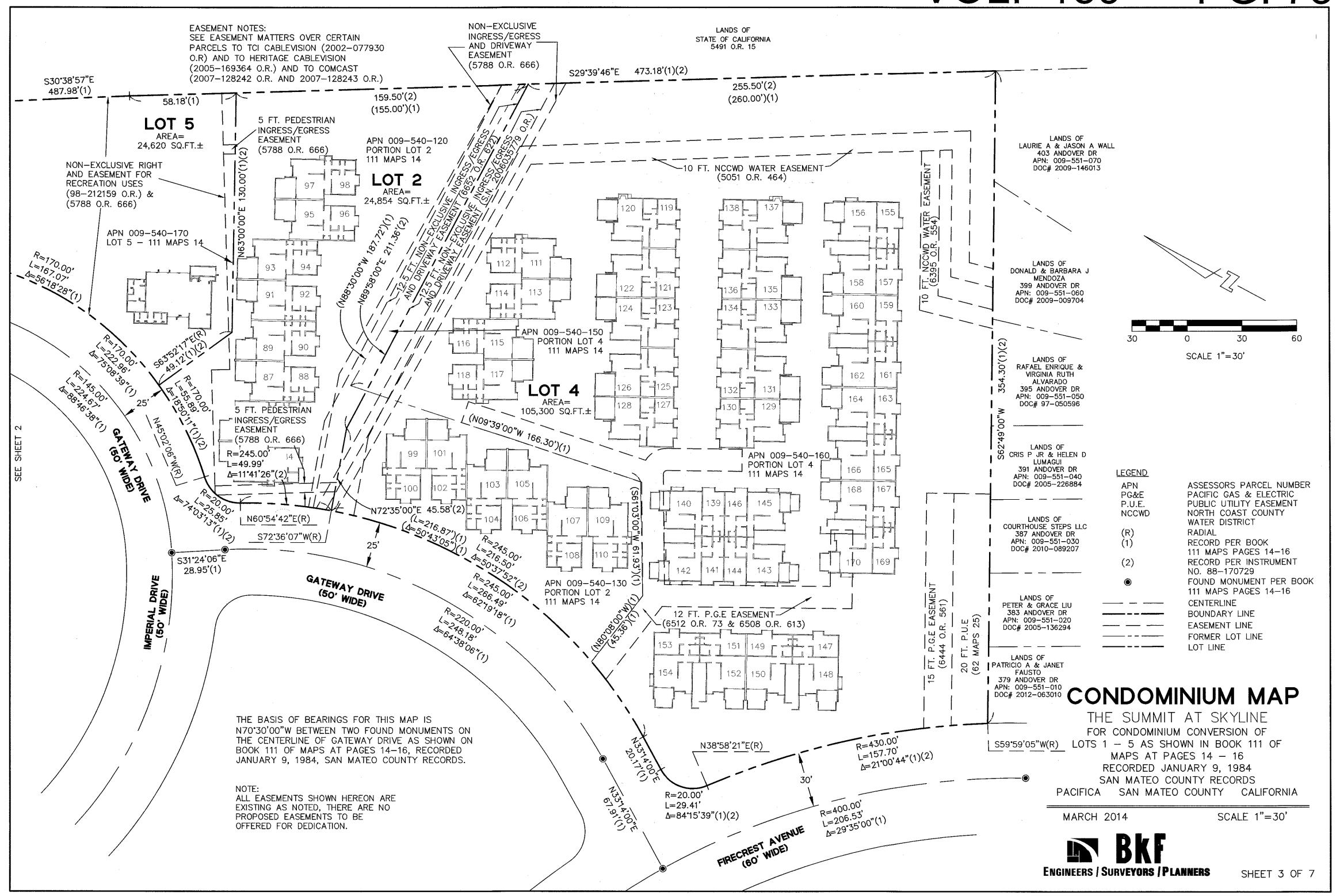
PACIFICA SAN MATEO COUNTY CALIFORNIA

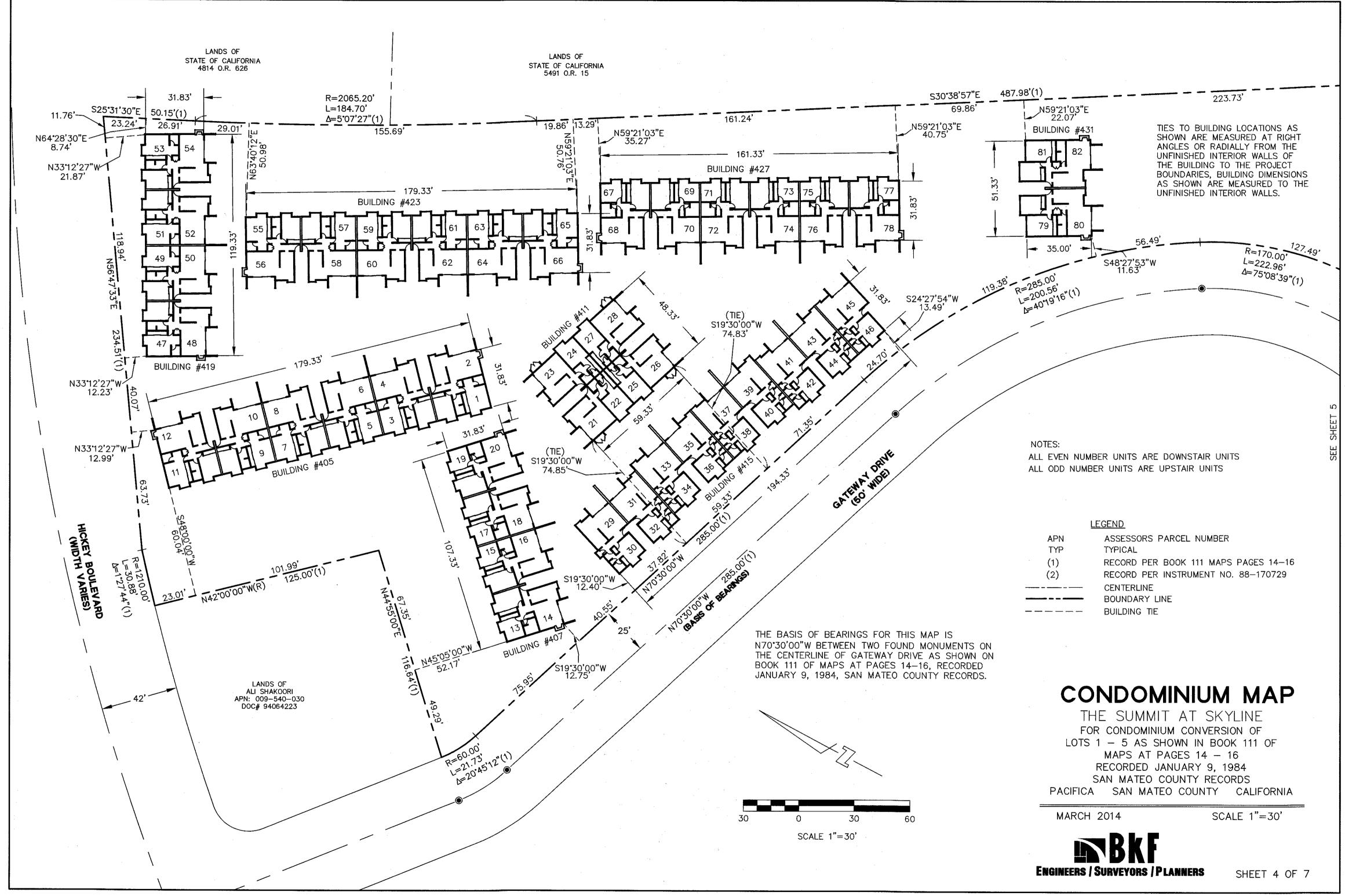
MARCH 2014

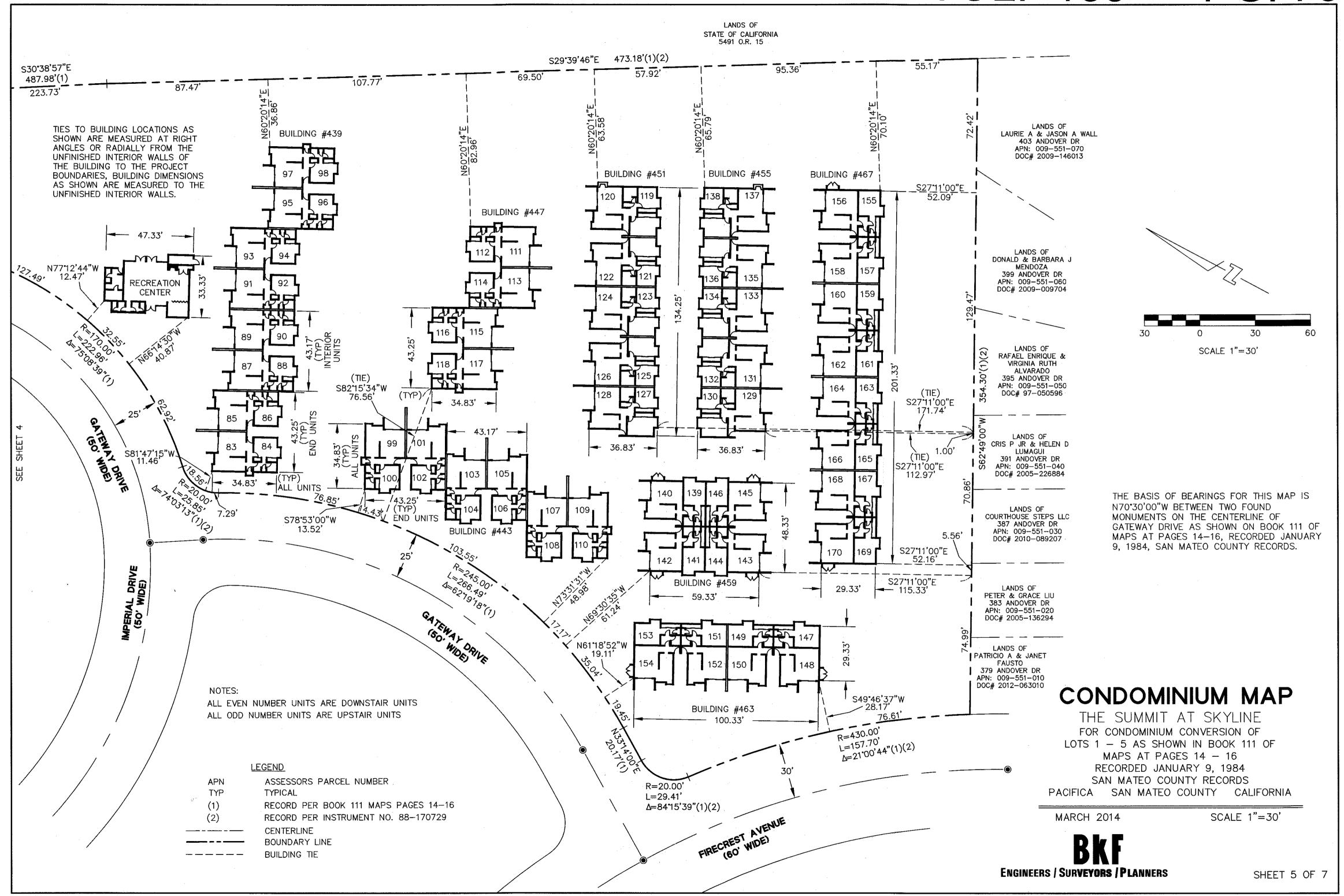


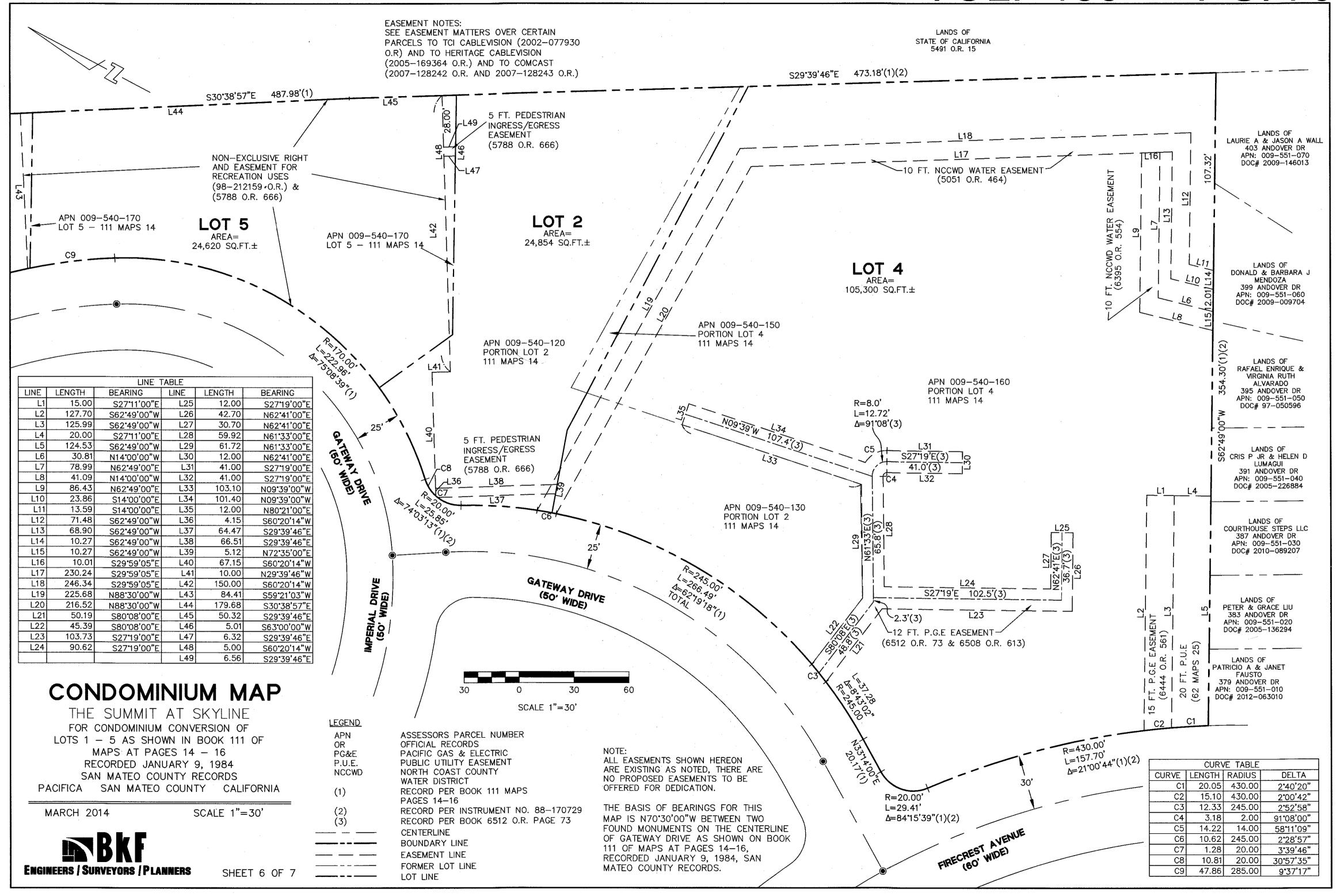
SHEET 1 OF 7

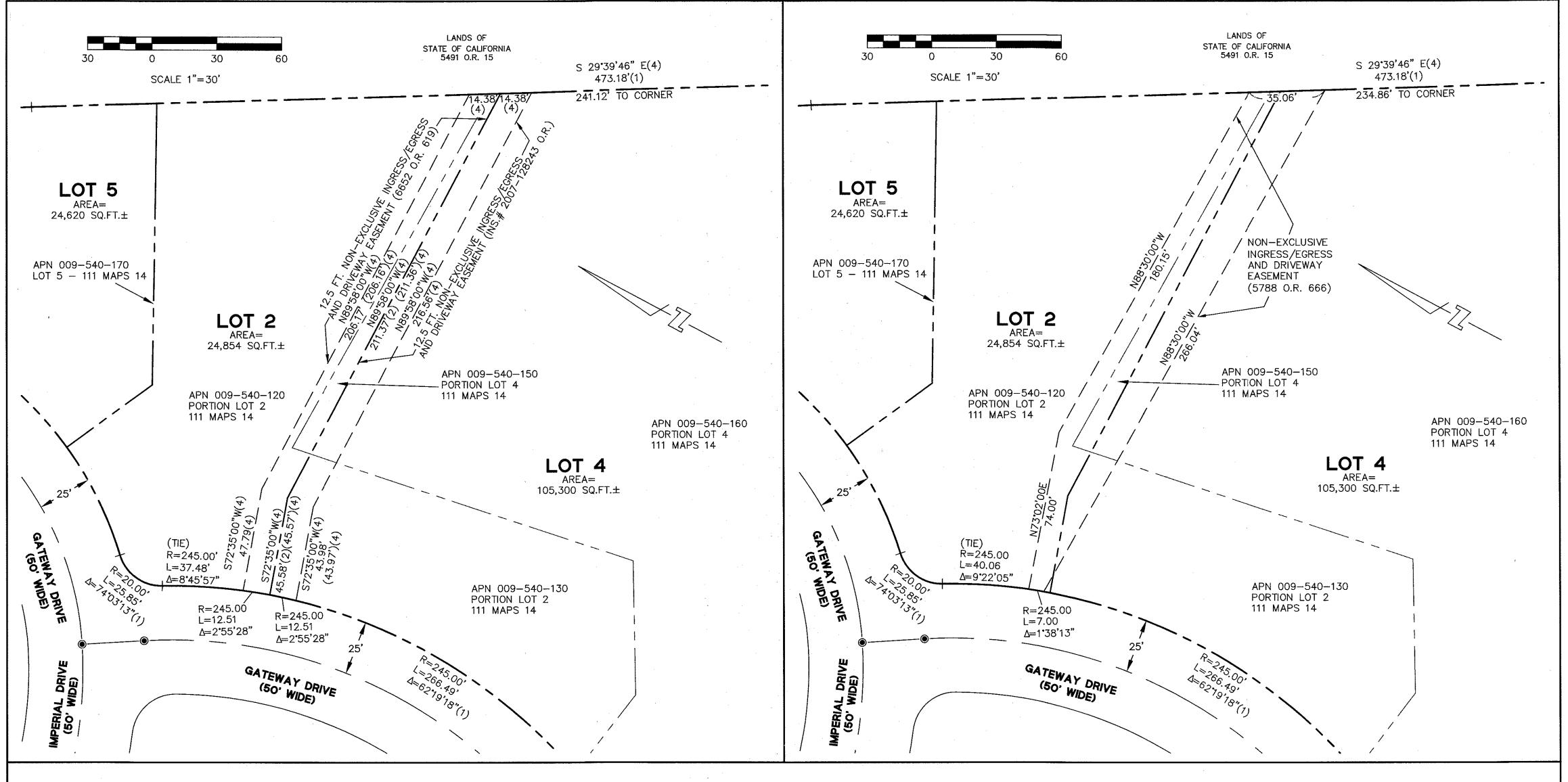












| <u>LEGEND</u> | |
|---------------|---------------------------------------|
| APN | ASSESSORS PARCEL NUMBER |
| OR | OFFICIAL RECORDS |
| (1) | RECORD PER BOOK 111 MAPS PAGES 14-16 |
| (2) | RECORD PER INSTRUMENT NO. 88-170729 |
| (4) | RECORD PER BOOK 25 PARCEL MAPS PAGE 9 |
| | CENTERLINE |
| | BOUNDARY LINE |
| | EASEMENT LINE |
| | FORMER LOT LINE |
| | LOT LINE |
| | |

THE BASIS OF BEARINGS FOR THIS MAP IS N70'30'00"W BETWEEN TWO FOUND MONUMENTS ON THE CENTERLINE OF GATEWAY DRIVE AS SHOWN ON BOOK 111 OF MAPS AT PAGES 14-16, RECORDED JANUARY 9, 1984, SAN MATEO COUNTY RECORDS.

NOTE:
ALL EASEMENTS SHOWN HEREON ARE
EXISTING AS NOTED, THERE ARE NO
PROPOSED EASEMENTS TO BE
OFFERED FOR DEDICATION.

CONDOMINIUM MAP

THE SUMMIT AT SKYLINE

FOR CONDOMINIUM CONVERSION OF

LOTS 1 - 5 AS SHOWN IN BOOK 111 OF

MAPS AT PAGES 14 - 16

RECORDED JANUARY 9, 1984

SAN MATEO COUNTY RECORDS

PACIFICA SAN MATEO COUNTY CALIFORNIA

MARCH 2014

SCALE 1"=30'



PRESENT FEE OWNER:

THE PRESENT FEE OWNER OF THE REAL PROPERTY AFFECTED BY THIS AMENDING MAP:

PACIFICA VILLAGES, LP, A CALIFORNIA LIMITED PARTNERSHIP

NOTE

PURSUANT TO SECTION 66472 OF THE SUBDIVISION MAP ACT, THE NAME OF THE FEE OWNER OF THE REAL PROPERTY REFLECTED ON THE ORIGINAL RECORD MAP IS:

MARYMOUNT GATEWAY APARTMENTS, LLC, A CALIFORNIA LIMITED LIABILITY COMPANY.

AMENDING MAP NOTES

- 1. THIS MAP, "AMENDING MAP, THE VILLAGES AT PACIFICA", SUPERSEDES ALL PREVIOUS RECORDED SUBDIVISION MAPS WITHIN THE DISTINCTIVE BORDERS SHOWN HEREIN.
- 2. THIS MAP, "AMENDING MAP, THE VILLAGES AT PACIFICA", IS MADE IN ACCORDANCE WITH THE TERMS AND CONDITIONS OF THE AFFORDABLE HOUSING REGULATORY AGREEMENT, THE VILLAGES AT PACIFICA, BY AND BETWEEN THE CITY OF PACIFICA AND PACIFICA VILLAGES, LP, RECORDED JANUARY 26, 2021, AS DOCUMENT NUMBER 2021-012385, OFFICIAL RECORDS OF THE COUNTY OF SAN MATEO, PURSUANT TO RESOLUTION NO. 71-2020, PASSED AND ADOPTED AT A REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF PACIFICA, HELD ON NOVEMBER 23, 2020. THIS MAP, "AMENDING MAP, THE VILLAGES AT PACIFICA", REMOVES THE CONDOMINIUM AUTHORIZATIONS OR APPROVALS ASSOCIATED WITH THAT CERTAIN MAP ENTITLED "CONDOMINIUM MAP, THE SUMMIT AT SKYLINE", FILED AUGUST 22, 2014, IN BOOK 139 OF MAPS AT PAGES 71 THROUGH 77, INCLUSIVE, IN THE OFFICE OF THE RECORDER OF SAN MATEO COUNTY, IN ACCORDANCE WITH THE TERMS AND CONDITIONS OF SAID AFFORDABLE HOUSING REGULATORY AGREEMENT.

SURVEYOR'S STATEMENT

THIS IS TO STATE THAT THE MAP ENTITLED "CONDOMINIUM MAP, THE SUMMIT AT SKYLINE", FILED AUGUST, 22, 2014, IN BOOK 139 OF MAPS, AT PAGES 71 THROUGH 77, INCLUSIVE, SAN MATEO COUNTY RECORDS, IS AMENDED IN ACCORDANCE WITH SECTIONS 66472.1 AND 66470 OF THE SUBDIVISION MAP ACT AND CITY ORDINANCE. THIS AMENDING MAP WAS PREPARED BY, OR UNDER THE DIRECTION OF, THE UNDERSIGNED LICENSED LAND SURVEYOR IN CONFORMANCE WITH THE REQUIREMENTS OF THE LAND SURVEYOR'S ACT.

PAUL KITTREDGE, PLS 5790

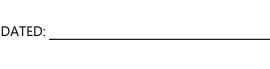


CITY ENGINEER'S STATEMENT

I HEREBY STATE THAT I HAVE EXAMINED THIS AMENDING MAP ENTITLED "AMENDING MAP, VILLAGES AT PACIFICA", AND FIND THAT THE MODIFICATIONS AS SHOWN HEREON AND AS DESCRIBED ON THE "AMENDING MAP NOTE" #2, THIS SHEET, CONFORM WITH THE REQUIREMENTS OF SECTION 66472.1 OF THE CALIFORNIA SUBDIVISION MAP ACT, AND LOCAL ORDINANCES.

AS AUTHORIZED BY LOCAL ORDINANCE, A PUBLIC HEARING WAS HELD IN THE CITY ENGINEER'S OFFICE ON ______ DAY OF _______, 2021. THE HEARING WAS CONFINED TO CONSIDERATION OF, ACTION ON, THE PROPOSED MODIFICATIONS ONLY.

SEGUNDO SAMMY BAUTISTA, R.C.E. 66156 CITY ENGINEER, CITY OF PACIFICA, COUNTY OF SAN MATEO, STATE OF CALIFORNIA

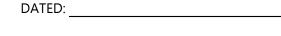




CITY SURVEYOR'S STATEMENT

I, ANNE-SOPHIE TRUONG, CITY SURVEYOR FOR THE CITY OF PACIFICA, HEREBY STATE THAT I HAVE EXAMINED THIS MAP ENTITLED "AMENDING MAP, THE VILLAGES AT PACIFICA" AND I AM SATISFIED THAT THE MAP IS TECHNICALLY CORRECT.

ANNE-SOPHIE TRUONG, PLS NO. 8998 CITY SURVEYOR, CITY OF PACIFICA COUNTY OF SAN MATEO, STATE OF CALIFORNIA





SHEET INDEX

- 1. STATEMENTS AND AMENDING MAP NOTES
- 2. LOTS 1, 3 AND 5, AND EXTERIOR BOUNDARY
- 3. LOTS 2 AND 4, AND EXTERIOR BOUNDARY
- 4. EXISTING EASEMENTS
- EXISTING EASEMENTS

RECORDER'S STATEMENT

| FILED FOR RECORD THIS DAY OF | , 202, AT M. IN BOOK | |
|---|---|--|
| OF MAPS, AT PAGES | THROUGH, INCLUSIVE, IN THE OFFICE OF THE | |
| RECORDER OF THE COUNTY OF SAN MATEO AT THE REQUEST OF PACIFICA VILLAGES, LP, A CALIFORN | | |
| LIMITED PARTNERSHIP AND CHICAGO TITLE COMPANY. | | |
| FEE: | MARK CHURCH COUNTY RECORDER IN AND FOR THE COUNTY OF SAN MATEO, STATE OF CALIFORNIA | |

DEPUTY COUNTY RECORDER

AMENDING MAP

THE VILLAGES AT PACIFICA



1646 N. CALIFORNIA BLVD., SUITE 400 WALNUT CREEK, CA 94596 (925) 940-2200 www.bkf.com

