

SAMPLE STATEMENTS FOR PARCEL & FINAL MAPS

(Use paragraphs that are applicable to your project)

Owner's Statement

I (We) hereby state that we are the owners of or have some right, title or interest in and to the real property included within the subdivision shown on the map; 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 as shown within the distinctive border line; and that we hereby offer for dedication to public use all streets and portions of streets not previously existing as shown on the map within said subdivision, and also dedicate to public use easements for any and all public uses under, upon and over said streets and said portions thereof.

(Public Service Easement)

I (We) also hereby dedicate to public use easements for any and all public service facilities including poles, wires, conduits, gas, water, heat mains and all appurtenances to the above, under, upon, or over those certain strips of land lying between the front and/or side lines of lots and the dashed lines and/or those certain areas lying between dashed lines each designated as "PSE" (Public Service Easement). The above mentioned public service easements to be kept open and free from buildings and structures of any kind except public service structures, irrigation systems and appurtenances thereto, lawful fences and all lawful unsupported roof overhangs.

(Sanitary Sewer Easement)

I (We) also hereby dedicate to public use easements for sanitary sewer purposes under, on, or over those certain strips of land designated and delineated as "SSE" (Sanitary Sewer Easement) said easements to be kept open and free from all buildings and structures of any kind except irrigation systems and appurtenances thereto, lawful fences and all lawful unsupported roof overhangs.

(Storm Drainage Easement)

I (We) also hereby dedicate to public use easements for storm drainage purposes under, on, or over those certain strips of land designated and delineated as "SDE" (Storm Drainage Easement) said easements to be kept open and free from all buildings and structures of any kind except irrigation systems and appurtenances thereto, lawful fences and all lawful unsupported roof overhangs.

(On Maps that have both Storm Drainage and Sanitary Sewer Easements)

I (We) also hereby dedicate to public use easements for storm drainage purposes and sanitary sewer purposes under, on, or over those certain strips of land designated and delineated as "SDE" (Storm Drainage Easement) and "SSE" Sanitary Sewer Easement). Said easements to be kept open and free from all buildings and structures of any kind except irrigation systems and appurtenances thereto, lawful fences and all lawful unsupported roof overhangs.

(Seismic Setback Easement)

I (We) also hereby dedicate easements for seismic setback purposes over those certain strips of land designated as "Seismic Setback" Easement. Said strips of land are to be kept open and free of habitable structures.

SAMPLE STATEMENTS FOR PARCEL & FINAL MAPS

(Surface Drainage Release Easement)

I (We) also hereby dedicate to public use an easement for surface flow of storm water on or over that certain strip of land which lies within lot _____ and being designated and delineated as "SDRE" (Surface Drainage Release Easement). Said easement shall be kept open and free of any obstructions, including, but not limited to, berms, trees, permanent excavations, shrubs, buildings, or permanent structures of any kind except lawful unsupported roof overhangs. Further, the surface elevations of said easement shall not be altered without the written consent of the Director of Public Works of the City of San Jose.

(Landscape Easement)

I (We) also hereby dedicate to public use easements for landscape purposes over those certain strips of land designated and delineated as "LE" (Landscape Easement). These easements to be kept open and free from all buildings and structures of any kind except irrigation systems and appurtenances thereto, lawful fences and all lawful unsupported roof overhangs.

(Emergency Access)

I (We) also hereby dedicate to public use easements for emergency access purposes on or over those certain strips of land designated and delineated as "EAE" (Emergency Access Easement)

(Tree Easement)

I (We) also hereby dedicate to public use easements for the planting, maintaining and removal of trees in and upon those certain strips of lands designated at "TE" (Tree Easement); provided that no trees shall be planted thereon or removed therefrom without the written permission of the City of San Jose, and subject to such terms and conditions as are imposed on such permission by the said City.

(Building Setback Line)(Determined By Zoning)

I (We) also hereby dedicate to public use easements for light and air on and over those certain strips of land lying between the lines of streets and dashed lines each designated as "BSL" (Building Setback Line), as shown on the map of said subdivision; said strips of land to be kept open and free from buildings and structures of any kind except public service structures, irrigation systems and appurtenances thereto.

(Pathway Easement)

I (We) also hereby dedicate to public use easements for pathway purposes over those certain strips of land designated and delineated as "PE" (Pathway Easement).

(Anchor Easement)

I (We) also hereby dedicate easements for pole anchor purposes only under, on, or over those certain strips of land delineated and designated as "AE" (Anchor Easement).

SAMPLE STATEMENTS FOR PARCEL & FINAL MAPS

(Bicycle Path)

I (We) also hereby dedicate to public use easements for bicycle path purposes over those certain strips of land designated and delineated as "BPE" (Bicycle Path Easement).

(Relinquish Access)

I (We) also hereby dedicate and relinquish to the City of San Jose any and all rights of ingress and egress to vehicular traffic across the _____ line of lot(s) _____ as shown on the map and designated (No Access ///////////////).

(Wire Clearance Easement)

I (We) also hereby dedicate to public use easements for wire clearance purposes over those certain strips of land designated and delineated as "WCE" (Wire Clearance Easement). Wire clearance easements are to be limited to buildings, structures, or appurtenances which have a maximum height of _____ feet (____) above the grade at the ground line of poles.

(Sidewalk Easement)

I (We) also hereby dedicate to public use easements for sidewalk purposes and appurtenances thereto and the right to construct, install, use, repair, replace and maintain a public sidewalk on or over those certain strips of land designated and delineated as "SE" (Sidewalk Easement).

(Water Line Easements)

I (We) also hereby dedicate to public use easements for water line purposes under, on, or over those certain strips of land designated and delineated as "WLE" (Water Line Easement). Said easements to be kept open and free from all buildings and structures of any kind except irrigation systems and appurtenances thereto, lawful fences and all lawful unsupported roof overhangs.

(Slope Easements)

I (We) also hereby dedicate to public use and offer to dedicate to the City of San Jose slope easements designated as _____ for the purpose of constructing and maintaining cut or fill slopes or retaining walls.

(Common Driveway)

I (We) also hereby reserve for the owners of lots or parcels _____ and _____, their licensees, visitors, and tenants reciprocal rights of ingress and egress upon and over those certain strips of land designated and delineated as "PIEE" (Private Ingress and Egress Easement).

Deed Restriction for Very Low and Low Income Housing:

To be determined by the City Attorney for each map as a condition of approval.

SAMPLE STATEMENTS FOR PARCEL & FINAL MAPS

(PD) (1 lot map with buildings shown as "Exception to PSE")

I (We) also hereby dedicate to public use easements for any and all public service facilities including poles, wires, conduits, gas, water, heat mains and all appurtenances thereto above, under, upon, or over lot (Common Lot) which is hereby designated and delineated a "PSE" (Public Service Easement) excepting therefrom those areas delineated as "ETPSE" (Exception to PSE). Said easement to be kept open and free of buildings and structures of any kind except public service structures, irrigation systems and appurtenances thereto, lawful fences and all lawful unsupported roof overhangs. Said lot _____ is not offered for use to the general public but is intended for the exclusive use of the owners of lot _____ their successors and assigns for recreation, utilities, drainage, ingress, egress and emergency access.

(PD)(1 Lot Condominium)

I (We) hereby state that we are the owners of, or have some right, title or interest in and to the real property included within the subdivision shown within the distinctive border line on this map; that we are the only persons whose consent is necessary to pass a clear title to said real property; and we hereby consent to the making of said map and subdivision. I (We) hereby dedicate to public use easements for all public service facilities including poles, wires, conduits, gas, water and heat mains and all public utilities and all appurtenances, under, upon, or over those certain areas of land designated as "PSE" (Public Service Easement). Areas designated "PSE" are to be kept clear of buildings and structures of any kind except utility company structures, lawful fences, and lawful roof overhangs. Areas designated "PSE" may be paved, planted, or improved by the construction of private roads, sidewalks, patio slabs, or fences. Such areas shall be kept clear of buildings of any kind excepting those buildings subsequently designated upon a recorded condominium plan.

(Note: Regarding Private Sewer Facilities to be added to PD's and Condos)

Contained within the PSE are private storm drainage and private sanitary sewer facilities. The maintenance, repair, and/or replacement of private storm drainage and private sanitary sewer facilities shall be the sole responsibility of the property owners as determined by the appropriate covenants, conditions and restrictions.

(Private Drives)

The private drive(s) contained within this tract are not offered nor accepted for dedication for public street purposes.

Covenant of Easement (Owner's Statement)

I (We) also hereby covenant to the City of San Jose pursuant to the California Government Code (Sections 65870 - 65875) and Part 1 of Chapter 20.110 of Title 20 of the San Jose Municipal Code that an easement for *parking, ingress, egress, emergency access, light and air access, landscaping, open-space, or access to and/or operation and maintenance of a storm water treatment measure* purpose(s) is created upon the recording of this map, for the benefit of _____. Said easement is not intended for the use of the general public but is intended for the exclusive use of the parcel benefited. Said easement is to be kept open and free of surface structures of any kind.

SAMPLE STATEMENTS FOR PARCEL & FINAL MAPS

Covenant of Easement (Owner's Statement) – for No Build Easement purposes only

I (We) also hereby covenant to the City of San Jose pursuant to the California Government Code (Sections 65870 - 65875) and Part 1 of Chapter 20.110 of Title 20 of the San Jose Municipal Code that an easement for *light and air access (No Build Zone)* purposes is created upon the recording of this map. Said easement is not intended for the use of the general public, but is intended to be kept open and free from buildings and surface structures of any kind, except irrigation systems and appurtenances thereto, and lawful fences. Exceptions to the restrictions of these “No Build Zone” easements may be granted by the combined expressed, written consent of the Fee Title Owner(s) and the City of San Jose’s Director of Planning when consistent with all applicable land use approvals and maintains the easement for the intended purposes.

Covenant of Easement (Owner's Statement) – for No Build Easement & other purposes

I (We) also hereby covenant to the City of San Jose pursuant to the California Government Code (Sections 65870 - 65875) and Part 1 of Chapter 20.110 of Title 20 of the San Jose Municipal Code that an easement for *ingress, egress, parking, emergency access, landscaping, light and air access (No Build Zone), open space, or access to and/or operation and maintenance of a storm water treatment measure* purposes is created upon the recording of this map. Parking, landscaping, and/or ingress and egress (*pick one or all that are applicable*) is/are for the benefit of Parcels ___ through _____. Said easement is not intended for the use of the general public, but is intended to be kept open and free from buildings and surface structures of any kind, except irrigation systems and appurtenances thereto, and lawful fences. Exceptions to the restrictions of the light and air access (No Build Zone) may be granted by the combined expressed, written consent of the Fee Title Owners and the City of San Jose’s Director of Planning when consistent with all applicable land use approvals and maintains the easement for the intended purposes.

(Private Sanitary Sewer Easement)

There are also shown on the hereon map easements for sanitary sewer purposes designated and delineated as “PSSE” (Private Sanitary Sewer Easement) for the installation and maintenance of private sanitary sewer facilities. These easements are to be kept open and free from all buildings and structures of any kind, except irrigation systems and appurtenances thereto, lawful fences, and all lawful unsupported roof overhangs. The maintenance, repair, and /or replacement of private sanitary sewer facilities shall be the sole responsibility of the lot owners benefited, as determined by the appropriate covenants, conditions, and restrictions. Said easement is not offered, nor is it accepted for dedication by the City of San Jose.

(Private Storm Drainage Easement)

There is also shown on the hereon map, easements for storm drainage purposes, designated and delineated as “PSDE” (Private Storm Drainage Easement) for the installation and maintenance of private storm drainage facilities. These easements are to be kept open and free from buildings and structures of any kind, except irrigation systems and appurtenances thereto, lawful fences and all lawful unsupported roof overhangs. The maintenance, repair, and/or replacement of private storm drainage facilities shall be the sole responsibility of the lot owners benefited, as determined by the appropriate covenants, conditions, and restrictions. Said easement is not offered, nor is it accepted for dedication by the City of San Jose.

SAMPLE STATEMENTS FOR PARCEL & FINAL MAPS

(Private Surface Drainage Release Easement)

There is also shown on the hereon map, an easement for surface drainage release purposes, designated and delineated as "PSDRE" (Private Surface Drainage Release Easement) for surface flow of storm water on or over that certain strip of land which lies within Parcel 1 for the benefit of Parcel 2. This easement is to be kept open and free from buildings and structures of any kind, except irrigation systems and appurtenances thereto, lawful fences and all lawful unsupported roof overhangs. Further, the surface elevations of said easement shall not be altered without the written consent of parcel owner benefited. The maintenance, repair, and/or replacement of private surface drainage release facilities shall be the sole responsibility of the parcel owner benefited, as determined by the appropriate covenants, conditions, and restrictions. Said easement is not offered, nor is it accepted for dedication by the City of San Jose.

(On Maps that have both Private Storm Drainage Easements and Private Sanitary Sewer Easements)

There is also shown on the hereon map, easements for storm drainage purposes and sanitary sewer purposes designated and delineated as "PSDE" (Private Storm Drainage Easement) and "PSSE" (Private Sanitary Sewer Easement) for the installation and maintenance of private storm and private sanitary sewer facilities. These easements are to be kept open and free from all buildings and structures of any kind, except irrigation systems and appurtenances thereto, lawful fences and all lawful unsupported roof overhangs. The maintenance, repair and/or replacement of private storm drainage and private sanitary sewer facilities shall be the sole responsibility of the property owners benefited, as determined by the appropriate covenants, conditions, and restrictions. Said easements are not offered, nor are they accepted, for dedication by the City of San Jose.

Map Restriction for "Qualified Neighborhood Recreational Purposes (Required for all Final and Parcel Maps which receive Parkland Fee Credit for Developer Constructed Common Open Space and Recreation facilities

Pursuant to San Jose Municipal Code Section 19.38.130 (E) (4) _____
_____ ("Owner") covenant that the private open space and recreation improvements as more particularly described as the (swimming pool, spa and restroom building- specify all facilities to be constructed) in the approved plan set for Planned Development Permit No. _____, and which have been set aside for private open space and recreational purposes under that certain agreement entitled "Parkland Agreement for Payment of Fees for Tentative Map No. _____," are and shall remain restricted for "Qualified Neighborhood Recreational Purposes." Under San Jose Municipal Code Section 19.38.130 (E), and for the purposes of this Restrictive Covenant, "Qualified Recreational Purposes" means usable by an individual or group of people to seek recreative, competitive, physical or mental activity of a voluntary nature. This Restrictive Covenant shall be appurtenant to the land described in this final map (The "Property") and shall be binding on the owner(s) of the property, their successors and heirs and assigns. Further, this Restrictive Covenant shall remain in force and effect unless and until the City of San Jose consents to the elimination of this covenant, and shall not be defeated or eliminated without the consent of the City of San Jose.

SAMPLE STATEMENTS FOR PARCEL & FINAL MAPS

Engineer's (Surveyor's) Statement (Parcel Map from record data)

This map was prepared by me or under my direction (and was compiled from record data) in conformance with the requirements of the Subdivision Map Act and local ordinance at the request of (name of person authorizing map) on (date). I hereby state that this parcel map substantially conforms to the approved or conditionally approved tentative map, if any; and that all monuments are of the character and occupy the positions indicated

DATE: _____

Signed _____
RCE (LLS) # _____
RCE Expires _____

Engineer's (Surveyor's) Statement (Final Map or Parcel Map, with survey performed)

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 request of (name of person authorizing map) on (date). I hereby state that this (final or parcel) map substantially conforms to the approved or conditionally approved tentative map, if any; that the survey is true and complete as shown; that all monuments are of the character and occupy the positions indicated, or that they will be set in those positions on or before (insert date); that the monuments are, or will be, sufficient to enable the survey to be retraced.

DATE: _____

Signed _____
RCE (LLS) # _____
RCE Expires _____

City Engineer's And City Clerk's Statement (Final Map)

I hereby state that I have examined the hereon final map of Tract XXXX; that the subdivision as shown hereon 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.

I also hereby state that in conformance with the delegation set forth in Ordinance No. 26386, I approve this Map designated as Tract XXXX, consisting of X sheets, on the _____ day of _____, 2002. And that I did accept, on behalf of the City of San Jose, the dedication of all streets and portions thereof and all easements offered for dedication as shown on said Map within said subdivision.

DATE: _____

TIMM BORDEN, RCE# 45512
CITY OF SAN JOSE, CALIFORNIA
RCE EXPIRES: 12-31-10

SAMPLE STATEMENTS FOR PARCEL & FINAL MAPS

City Engineer's And City Clerk's Statement (Final Map with street/easement vacation)

I hereby state that I have examined the hereon final map of Tract XXXX; that the subdivision as shown hereon 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.

I also hereby state that in conformance with the delegation set forth in Ordinance No. 26386, I approve this Map designated as Tract XXXX, consisting of X sheets, on the _____ day of _____, 2002.

I also hereby state, that I did (1) accept, on behalf of the City of San Jose, the dedication of all streets and portions thereof and all easements offered for dedication as shown on said Map within said subdivision; and (2) approve the abandonment of portions of the Public Utility Easement (PUE) not shown on this map, that were dedicated to public use by _____ recorded in Book No. _____ of Official Records/Maps at Page(s) _____.

DATE: _____

TIMM BORDEN, RCE# 45512
CITY OF SAN JOSE, CALIFORNIA
RCE EXPIRES: 12-31-10

City Engineer's Statement (Parcel Map)

I hereby state that I have examined the hereon parcel map; that the subdivision as shown hereon is substantially the same as it appeared on the tentative map, if any, 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, if required, have been complied with.

Add this paragraph if dedicating streets or easements

I also hereby accept for the City of San Jose the dedication of all streets and portions thereof and all easements offered for dedication as shown on said map within the distinctive border line.

Add this paragraph if getting an irrevocable offer of dedication with map

I also hereby reject, on behalf of the City of San Jose, the offer of dedication of "Oakland Road." And also reject the dedication of Public Use Easements for any and all Public Uses under, upon and over that same portion of "Oakland Road." Said offer of dedication shall remain open until accepted or vacated.

DATE: _____

TIMM BORDEN, RCE# 45512
CITY OF SAN JOSE, CALIFORNIA
RCE EXPIRES: 12-31-10

SAMPLE STATEMENTS FOR PARCEL & FINAL MAPS

City Land Surveyor's Statement (To Be Used On All Maps)

I hereby state that I have examined the hereon subdivision map and I am satisfied that said map is technically correct.

DATE: _____

PATRICIA A. CANNON, LS 8186
CITY OF SAN JOSE, CALIFORNIA
LICENSE EXPIRES 12-31-10

County Surveyor's Statement (To be used on Joint Jurisdiction Maps;
require both City Engineer and County Surveyor's signatures)

This map conforms with the requirements of the Subdivision Map Act and local ordinance.

DATE: _____

_____, County Surveyor

Signed: _____

Recorder's Statement

File No. _____ Fee \$ _____ Paid. Accepted for record and filed in Book _____ of Maps at Page(s) _____, Santa Clara County Records, this _____ day of _____, 20____, at _____ M. at the request of _____

Regina Alcomendras, County Recorder
Santa Clara County, California

By: _____
Deputy

(Exemption Note:)(to be noted on parcels if previously approved on tentative map).

"Parcel (or parcels) No.(s) _____ (insert the appropriate lot number or numbers of exempted parcel or parcels) is (are) subject to future dedication and improvement requirements under Site Development Permit(s), PD Permit(s), Conditional Use Permit(s), or similar regulations and payment of applicable sanitary sewer connection fees and storm drainage fees and other applicable fees before development.

Note: Soils and Geological Report

A soils report and/or geological report on this property has been prepared by _____ dated _____, a copy of which has been filed with the City of San Jose.

SAMPLE STATEMENTS FOR PARCEL & FINAL MAPS

Basis of Bearings (Sample)

The bearing N89 5'33"W of the centerline of Caramel Drive as shown on that certain map of Tract No. 3388 recorded in Book 158 of Maps at Page 44, Santa Clara County Records, and as found monumented, was taken as basis of bearings for this map.

Note:

1. All distances and dimensions shown hereon are in feet and decimals thereof.
2. The area within the Distinctive Border Line is X acres, more or less.
3. The Distinctive Border Line denotes the boundary of the Subdivision.

On the final/parcel map check print submitted for review with the required set of electronic machine computations the following certificate shall be stamped or printed:

MAP CERTIFICATE

I HEREBY VERIFY THAT THIS IS THE UNREVISED MAP USED TO PRODUCE THE ACCOMPANYING ELECTRONIC MACHINE COMPUTATIONS AND IS ACCURATE AND COMPLETE.

DATE: _____

SIGNATURE: _____

On the electronic machine computations submitted for review with the required final/parcel map check print, the following certificate shall be stamped or printed:

CALCULATION CERTIFICATE

I HEREBY CERTIFY THAT THESE ELECTRONIC MACHINE COMPUTATIONS WERE PRODUCED ENTIRELY FROM INFORMATION SHOWN ON THE ATTACHED MAP AND THEY ARE TRUE AND ACCURATE AND WITHOUT OMISSION.

DATE: _____

SIGNATURE: _____