

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 THE SUBDIVISION SHOWN UPON THE HERON 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 HERETOFORE EXISTING AS SHOWN UPON THE HERON MAP WITHIN SAID SUBDIVISION, AND ALSO DEDICATE 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 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 "P.S.E." (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.

THERE IS ALSO SHOWN ON THE HERON MAP EASEMENTS FOR SANITARY SEWER PURPOSES DESIGNATED AND DELINEATED AS "P.S.E." (PRIVATE SANITARY SEWER EASEMENT) FOR THE INSTALLATION AND MAINTENANCE OF PRIVATE SANITARY SEWER FACILITIES. THESE EASEMENTS TO BE KEPT OPEN AND FREE FROM BUILDINGS AND STRUCTURES OF ANY KIND EXCEPT PRIVATE UTILITY STRUCTURES, 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 RESPONSIBILITY OF THE LOT OWNERS WHOSE LOTS THE FACILITIES BENEFIT. SAID EASEMENT IS NOT OFFERED NOR IS IT ACCEPTED FOR DEDICATION BY THE CITY OF SAN JOSE.

THERE IS ALSO SHOWN ON THE HERON MAP EASEMENTS FOR STORM DRAINAGE PURPOSES DESIGNATED AND DELINEATED AS "P.S.D.E." (PRIVATE STORM DRAINAGE EASEMENT) FOR THE INSTALLATION AND MAINTENANCE OF PRIVATE STORM DRAINAGE FACILITIES. THESE EASEMENTS TO BE KEPT OPEN AND FREE FROM BUILDINGS AND STRUCTURES OF ANY KIND EXCEPT PRIVATE UTILITY STRUCTURES, 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 RESPONSIBILITY OF THE LOT OWNERS WHOSE LOTS THE FACILITIES BENEFIT. SAID EASEMENT IS NOT OFFERED NOR IS IT ACCEPTED FOR DEDICATION BY THE CITY OF SAN JOSE.

PURSUANT TO THE CALIFORNIA GOVERNMENT CODE (SECTION 65870-65875) AND PART 5 OF CHAPTER 20 OF THE SAN JOSE MUNICIPAL CODE, WE HEREBY COVENANT TO THE CITY OF SAN JOSE INGRESS AND EGRESS EASEMENTS WHICH ARE CREATED ACROSS LOTS 27 AND 29 AS SHOWN HERON FOR THE BENEFIT OF LOTS 27, 29, AND 30.

ATHENOUR DEVELOPMENT, L.P., A CALIFORNIA LIMITED PARTNERSHIP; OWNER

BY: THE PLMOUTH GROUP, INC., A CALIFORNIA CORPORATION; GENERAL PARTNER

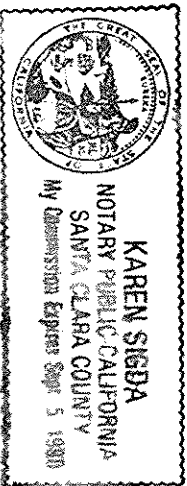
Cate A. Peterson, President

SANTA CLARA COUNTY TITLE COMPANY, A CALIFORNIA CORPORATION; TRUSTEE

Michael J. White  
Notary Public

STATE OF CALIFORNIA  
COUNTY OF Santa Clara

ON THIS 17th DAY OF February, IN THE YEAR 1988 BEFORE ME Karen Sigda A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED Cate A. Peterson PERSONALLY KNOWN TO ME (OR PROVED TO ME ON THE BASIS OF SATISFACTORY EVIDENCE) TO BE THE PRESIDENT AND Michael J. White PERSONALLY KNOWN TO ME (OR PROVED TO ME ON THE BASIS OF SATISFACTORY EVIDENCE) TO BE THE OF THE PLMOUTH GROUP, INC., THE CORPORATION THAT EXECUTED THE WITHIN INSTRUMENT AND PERSONALLY KNOWN TO ME (OR PROVED TO ME ON THE BASIS OF SATISFACTORY EVIDENCE) TO BE THE PERSONS WHO EXECUTED THE WITHIN INSTRUMENT ON BEHALF OF SAID CORPORATION, SAID CORPORATION BEING PERSONALLY KNOWN TO ME TO BE ONE OF THE PARTNERS OF ATHENOUR DEVELOPMENT, L.P., THE PARTNERSHIP THAT EXECUTED THE WITHIN INSTRUMENT, AND ACKNOWLEDGED TO ME THAT SUCH CORPORATION EXECUTED THE SAME AS PARTNER AND THAT SUCH PARTNERSHIP EXECUTED THE SAME.



Karen Sigda  
NOTARY PUBLIC

NAME OF NOTARY (PLEASE PRINT)

NOTARY IN AND FOR Santa Clara COUNTY  
NOTARY EXPIRES: 9-5-90

TRACT No. 8211

CONSISTING OF TWO SHEETS

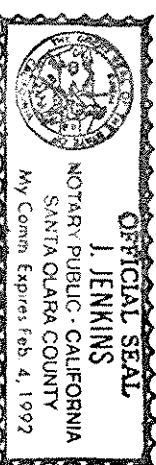
BEING A PORTION OF THE

RANCHO DE LOS CAPITANCILLOS

AND LYING WITHIN THE CITY OF

SAN JOSE, CALIFORNIA

DECEMBER, 1988



STATE OF CALIFORNIA  
COUNTY OF San Jose  
ON THIS 21st DAY OF February, IN THE YEAR 1988 BEFORE ME J. Jenkins A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED Michael J. White AND Cate A. Peterson PERSONALLY KNOWN TO ME (OR PROVED TO ME ON THE BASIS OF SATISFACTORY EVIDENCE) TO BE THE PERSONS WHO EXECUTED THE WITHIN INSTRUMENT AS General Partner AND President RESPECTIVELY, OR ON BEHALF OF THE CORPORATION THEREIN NAMED AND ACKNOWLEDGED TO ME THAT THE CORPORATION EXECUTED.

J. Jenkins  
NOTARY PUBLIC

NAME OF NOTARY (PLEASE PRINT)

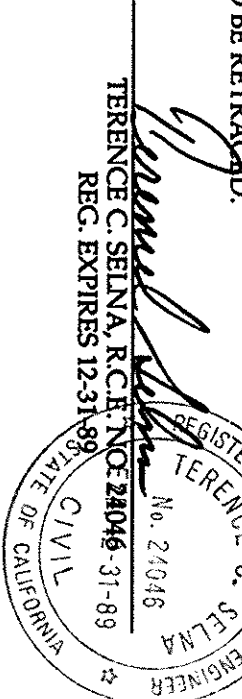
NOTARY IN AND FOR Santa Clara COUNTY  
NOTARY EXPIRES: 2-4-92



**MACKEY & SUMPS**  
CIVIL ENGINEERING • LAND PLANNING • LAND SURVEYING  
SAN JOSE, CA

ENGINEER'S STATEMENT

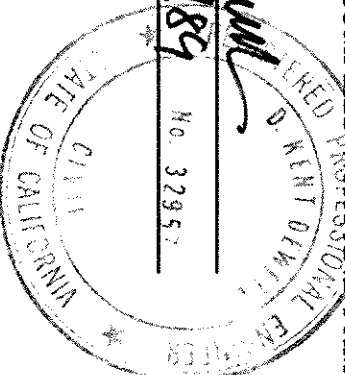
I, TERENCE C. SELINA, HEREBY STATE THAT I AM A REGISTERED CIVIL ENGINEER OF THE STATE OF CALIFORNIA; THAT THIS MAP, CONSISTING OF TWO SHEETS, CORRECTLY REPRESENTS A SURVEY MADE UNDER MY SUPERVISION DURING DECEMBER, 1988; THAT THE SURVEY IS TRUE AND COMPLETE AS SHOWN; THAT ALL MONUMENTS EXIST AS SHOWN OR WILL BE PLACED ON OR BEFORE DECEMBER, 1990, AND THAT SAID MONUMENTS ARE SUFFICIENT TO ENABLE THE SURVEY TO BE RETRACED.



CITY ENGINEER'S STATEMENT

I HEREBY STATE THAT I HAVE EXAMINED THE HERON FINAL MAP OF TRACT NO. 8211; 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.

D. KENT DEWELL, R.C.E. NO. 32957  
CITY ENGINEER OF THE CITY OF  
SAN JOSE, CALIFORNIA  
REG. EXPIRES: 6-30-90



EASEMENT ACCEPTANCE BY THE DIRECTOR OF PLANNING

PURSUANT TO THE CALIFORNIA GOVERNMENT CODE (SECTION 65870-65875) AND PART 5 OF CHAPTER 20.56 OF TITLE 20 OF THE SAN JOSE MUNICIPAL CODE, I HEREBY ACCEPT ON BEHALF OF THE CITY OF SAN JOSE A COVENANT OF INGRESS AND EGRESS EASEMENT SHOWN ON THE HERON MAP AND DESCRIBED HERON. SAID EASEMENT HAS BEEN A CONDITION OF APPROVAL OF TENTATIVE MAP NO. PT 88-8-79.

GARY I. SCHOENNAUER  
DIRECTOR OF PLANNING

DATE: 3/15/89 BY: Kent Dewell DEPUTY

APPROVAL BY THE DIRECTOR OF PLANNING

I STATE THAT THIS FINAL MAP HAS BEEN CHECKED AND COMPLIES WITH THE TENTATIVE MAP AND ITS CONDITIONS AS APPROVED ON THE 4th DAY OF January, 1989.

GARY I. SCHOENNAUER  
DIRECTOR OF PLANNING OF THE  
CITY OF SAN JOSE, CALIFORNIA

BY: Kent Dewell DEPUTY  
DATE: 3/15/89

STATEMENT OF THE CITY CLERK

I HEREBY STATE THAT THIS MAP DESIGNATED AS TRACT NO. 8211, CONSISTING OF TWO SHEETS WAS APPROVED BY THE CITY COUNCIL OF THE CITY OF SAN JOSE AT A MEETING OF SAID COUNCIL HELD ON THE 28th DAY OF MARCH, 1988 AND THAT SAID COUNCIL DID ACCEPT THE DEDICATION OF ALL STREETS AND PORTIONS THEREOF AND ALL EASEMENTS OFFERED FOR DEDICATION AS SHOWN ON SAID MAP WITHIN SAID SUBDIVISION.

ANDREA MEMBRENO, CITY CLERK  
& EX-OFFICIO CLERK OF THE CITY COUNCIL  
OF THE CITY OF SAN JOSE, CALIFORNIA

BY: Andrea Membreno DEPUTY  
DATE: 4-12-89

RECORDER'S STATEMENT

FILE NO. 10072108 FEE \$8.00 PAID, ACCEPTED FOR RECORD AND FILED IN BOOK 598 FILE NO. 16 AND 17 SANTA CLARA COUNTY RECORDS, THIS 22 DAY OF APRIL, 1989 AT 12:19 PM AT THE REQUEST OF MACKEY & SUMPS.

LAURIE KANE, RECORDER  
SANTA CLARA COUNTY, CALIFORNIA

BY: Fay Shubert DEPUTY