



FINAL MAP NOTIFICATION AGREEMENT CITY OF IMPERIAL BEACH

WHEREAS, SUBDIVIDER is applying for, or has applied for, a subdivision map to convert property into a condominium project, a community apartment project, or a stock cooperative project; and

WHEREAS, SUBDIVIDER acknowledges that the legislative body must make certain findings prior to the approval of a final map pursuant to California Government Code/Map Act Section 66427.1; and

WHEREAS, SUBDIVIDER acknowledges that SUBDIVIDER would be in a better position to provide the required notifications so that these findings can be made.

NOW, THEREFORE, SUBDIVIDER AGREES and/or certifies to the following:

- (a) Each of the tenants of the proposed condominium, community apartment project or stock cooperative project has received, pursuant to Section 66452.9, written notification of intention to convert at least 60 days prior to the filing of a tentative map pursuant to Section 66452.
- (b) Each such tenant, and each person applying for the rental of a unit in such residential real property, has, or will have, received all applicable notices and rights now or hereafter required by this chapter or Chapter 3 (commencing with Section 66451).
- (c) Each tenant has received 10 days' written notification that an application for a public report will be, or has been, submitted to the Department of Real Estate, and that such report will be available on request. The written notices to tenants required by this subdivision shall be deemed satisfied if such notices comply with the legal requirements for service by mail.
- (d) Each of the tenants of the proposed condominium, community apartment project, or stock cooperative project has been, or will be, given written notification within 10 days of approval of a final map for the proposed conversion.
- (e) Each of the tenants of the proposed condominium, community apartment project, or stock cooperative project has been, or will be, given 180 days' written notice of intention to convert prior to termination of tenancy due to the conversion or proposed conversion. The provisions of this subdivision shall not alter or abridge the rights or obligations of the parties in performance of their covenants, including, but not limited to, the provision of services, payment of rent or the obligations imposed by Sections 1941, 1941.1, and 1941.2 of the Civil Code.
- (f) Each of the tenants of the proposed condominium, community apartment project, or stock cooperative project has been, or will be, given notice of an exclusive right to contract for the purchase of his or her respective unit upon the same terms and conditions that such unit will be initially offered to the general public or terms more favorable to the tenant. The right shall run for a period of not less than 90 days from the date of issuance of the subdivision public report pursuant to Section 11018.2 of the Business and Professions Code, unless the tenant gives prior written notice of his or her intention not to exercise the right.

- (g) Save and hold the City harmless from and indemnify the City against, any and all claims, suits and liabilities of or to any person for any failure by the SUBDIVIDER to provide the requisite notifications. Said Subdivider/Property Owner, his successors, heirs, assigns, and transferees, acknowledge that such failure may result in the invalidation of the approval of the tentative map and/or the final map for this property and further agrees to protect said City and the officers and employees thereof from all liability or claim because of or arising out of, the failure by the SUBDIVIDER to provide the requisite notifications.
- (h) This agreement shall be binding upon and inure to the benefit of the successors, heirs, assigns, and transferees of Subdivider/Property Owner; and Subdivider/Property Owner shall disclose this agreement to his successors, heirs, assigns, and transferees.

A description of the property referred to herein and upon which said agreement is imposed is described as follows:

Assessor's Parcel Number: _____ - _____ - _____ - _____

Address: _____

Legal Description: _____

In the City of Imperial Beach, County of San Diego, State of California.

In WITNESS WHEREOF, the parties hereto have executed this agreement on the ____ day of _____, 2006.

Subdivider/Property Owner

Subdivider/Property Owner

State of California }
County of San Diego } SS

On _____, 2006, before me, _____, personally appeared _____, _____, 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.

WITNESS my hand and official seal:

Signature _____ (Seal)