

## INSTRUCTIONS FOR FILING A

# LOT LINE ADJUSTMENT APPLICATION

### INSTRUCTIONS

Please complete the attached application and return it, in person, to the Department of Planning, Building and Code Enforcement, along with:

**Note: A maximum of four adjoining parcels can be considered in an application.**

1. **1 original and 1 copy** of the following: (*Prepared by a Licensed Land Surveyor or Civil Engineer authorized to practice land surveying pursuant to the Professional Land Surveyor's Act*)

- **Plot Plan.** A legible plot plan showing the dimensions of the existing and proposed parcel boundaries, building envelopes and setbacks. Boundaries for all parcels proposed to be reconfigured are to be shown in their entirety. If more than one sheet is needed, a key map showing all subject parcels is required. The plan should be drawn to scale, dated and titled on 8 1/2" x 11" size paper. (See "Example Plat")
- **Legal Description.** A legible description for each of the properties describing the properties and the area to be added and subtracted. Label both the plot plan and the legal description Exhibit "A". The plot plan should state, lot line adjustment for \_\_\_\_\_ (*insert name of owner or other suitable title*). If there is more than one transfer area, then caption each as "Transfer Area 1, Transfer Area 2", etc. (See "Example Legal Description").

2. An Affidavit of Ownership form (included in this application). All signatures must be **notarized**. A notary form must be attached with this application.
3. **Title Report.** Two (2) copies of the preliminary title report for all property subject to this application, dated within 90 days.
4. A brief statement on a separate sheet of paper stating the reason for this application.

5. **Environmental Documentation.** A complete application for the appropriate environmental documentation (an Environmental Exemption is the usual form required).
6. **Fees.** An application fee (see application fee schedule). Recording fees will be collected by the County Recorder following application approval.

**Note: This permit shall be null and void without further act of the City of San Jose in the event that said permit is not recorded with the Grant Deed conveying the real property within 6 months (180 days) of the date of approval of said permit by the Director of Planning.**

If the certified Plot Plan or Legal Description included as a part of the approved Lot Line Adjustment permit is incorrect, the responsibility for refileing a Lot Line Adjustment application or Lot Line Correction and appurtenant fee shall be paid by the applicant. The correction to a certified plot plan or legal description referenced in an approved Lot Line Adjustment (recorded or pending recordation) can be permitted through a Lot Line Correction, if the correction meets the provisions of Section 19.40.120, of Title 19. Otherwise, a Lot Line Adjustment application will need to be submitted. The City will not waive the fee associated with a new Lot Line Adjustment application.

### PROCESSING SCHEDULE

#### Planning Staff:

- Logs in application, assigns File Number (AT xx-yy-zzz) and collects application fees plus appropriate environmental documentation fees.
- Checks application to confirm that each owner who is party to the request has signed the Affidavit of Ownership form.
- Reviews application pursuant to Section 19.08.440, of Title 19 & reviews with other City Departments and obtains any pertinent data.
- Processes environmental document.
- When necessary, makes field inspection.
- Prepares a recommendation to the Director of Planning.

**PLEASE CALL THE APPOINTMENT DESK AT (408) 535-3555 FOR AN APPLICATION APPOINTMENT.**

**Director of Planning:**

- Reviews the recommendations and approves or denies the requested Lot Line Adjustment with the requirement stating as follows:
  - If approved, a letter is sent to the engineer/applicant and property owner(s). The letter is to inform them that their Adjustment was approved and now requires simultaneous recordation by the property owner with the corresponding Grant Deeds within 6 months (180 days). An “endorsed” copy of the

recorded Grant Deed, Lot Line Adjustment Permit with plot plan and legal description are required to be returned by the applicant to the Planning Divisions. After this date, the permit becomes invalid.

- If denied, copies are sent to the engineer/applicant and property owner(s).
- There is no appeal process for a Lot Line Adjustments, however, if the Director denies the request, it may be possible to apply for a Tentative Map to accomplish your request.

**EXAMPLE OF LEGAL DESCRIPTION**

**EXHIBIT "A"**  
**LOT LINE ADJUSTMENT FOR**  
**LANDS OF \_\_\_\_\_**

**PARCEL A**

All that certain real property situate in the City of San Jose, County of Santa Clara, State of California, being more particularly described as follows:

All of Lot 47, Tract No. 2238. Fairglen Addition, Unit No. 1 recorded October 28, 1958 in Book 99 of Maps at page 15, Santa Clara Records.

**and, in addition thereto, the following area:**

Beginning at the most northerly common corner of Lot 47 and Lot 48, as said common corner and lots are shown upon that certain Tract No. 2238, Fairglen Addition, Unit No. 1 recorded October 28, 1958 in book 99 of Maps at page 15, Santa Clara County Records.

Thence, from said Point of Beginning, South 8°57'46" West, 99.20 feet along the common boundary between said Lots 47 and 48.

Thence, North 8°00'19" West, 83.69 feet to a point in the northwesterly line of said Lot 47;

Thence, North 60°49'15" East, 31.05 feet along said northwesterly line to the Point of Beginning.

Containing 11,724.90 square feet of land, more or less.

**PARCEL B**

All that certain real property situate in the City of San Jose, County of Santa Clara, State of California, being more particularly described as follows:

All of Lot 8, Tract No. 2238. Fairglen Addition, Unit No. 1 recorded October 28, 1958 in Book 99 of Maps at page 15, Santa Clara Records.

**and, excepting therefrom, the following area:**

Beginning at the most northerly common corner of Lot 47 and Lot 48, as said common corner and lots are shown upon that certain Tract No. 2238, Fairglen Addition, Unit No. 1 recorded October 28, 1958 in book 99 of Maps at page 15, Santa Clara County Records.

Thence, from said Point of Beginning, South 8°57'46" West, 99.20 feet along the common boundary between said Lots 47 and 48.

Thence, North 8°00'19" West, 83.69 feet to a point in the northwesterly line of said Lot 47;

Thence, North 60°49'15" East, 31.05 feet along said northwesterly line to the Point of Beginning.

Containing 11,724.90 square feet of land, more or less.

## LOT LINE ADJUSTMENT APPLICATION

TO BE COMPLETED BY PLANNING STAFF				
FILE NUMBER <b>AT</b>	COUNCIL DISTRICT	ZONING	QUAD #	RECEIPT #: _____
LOCATION				AMOUNT: _____
				DATE: _____
				BY: _____

TO BE COMPLETED BY APPLICANT (PLEASE PRINT OR TYPE)	
ASSESSOR'S PARCEL NUMBER(S)	EXISTING USE OF PROPERTY:

NET ACREAGE OF EACH PARCEL AS IDENTIFIED ON EXHIBIT "A" PLAT **BEFORE** AND **AFTER** LOT LINE ADJUSTMENT  
 (IF THERE ARE ADDITIONAL PARCELS, ATTACH A SEPARATE SHEET TO PROVIDE THAT INFORMATION.)

PARCEL A: APN _____	PARCEL B: APN _____	PARCEL C: APN _____
ACREAGE before _____	ACREAGE before _____	ACREAGE before _____
ACREAGE after _____	ACREAGE after _____	ACREAGE after _____

The name, address, license number and telephone number of the **Licensed Land Surveyor** or **Civil Engineer** who prepared the attached Exhibit "A" is as follows:

PRINT NAME OF SURVEYOR OR ENGINEER	NAME OF FIRM, IF APPLICABLE	LICENSE #
ADDRESS	CITY	STATE
		ZIP CODE
DAYTIME TELEPHONE # ( )	FAX # ( )	E-MAIL ADDRESS

**CONTACT PERSON (if other than the Engineer or Land Surveyor listed above)**

PRINT NAME OF CONTACT PERSON	NAME OF FIRM, IF APPLICABLE
ADDRESS	CITY
	STATE
	ZIP CODE
DAYTIME TELEPHONE # ( )	FAX # ( )
	E-MAIL ADDRESS

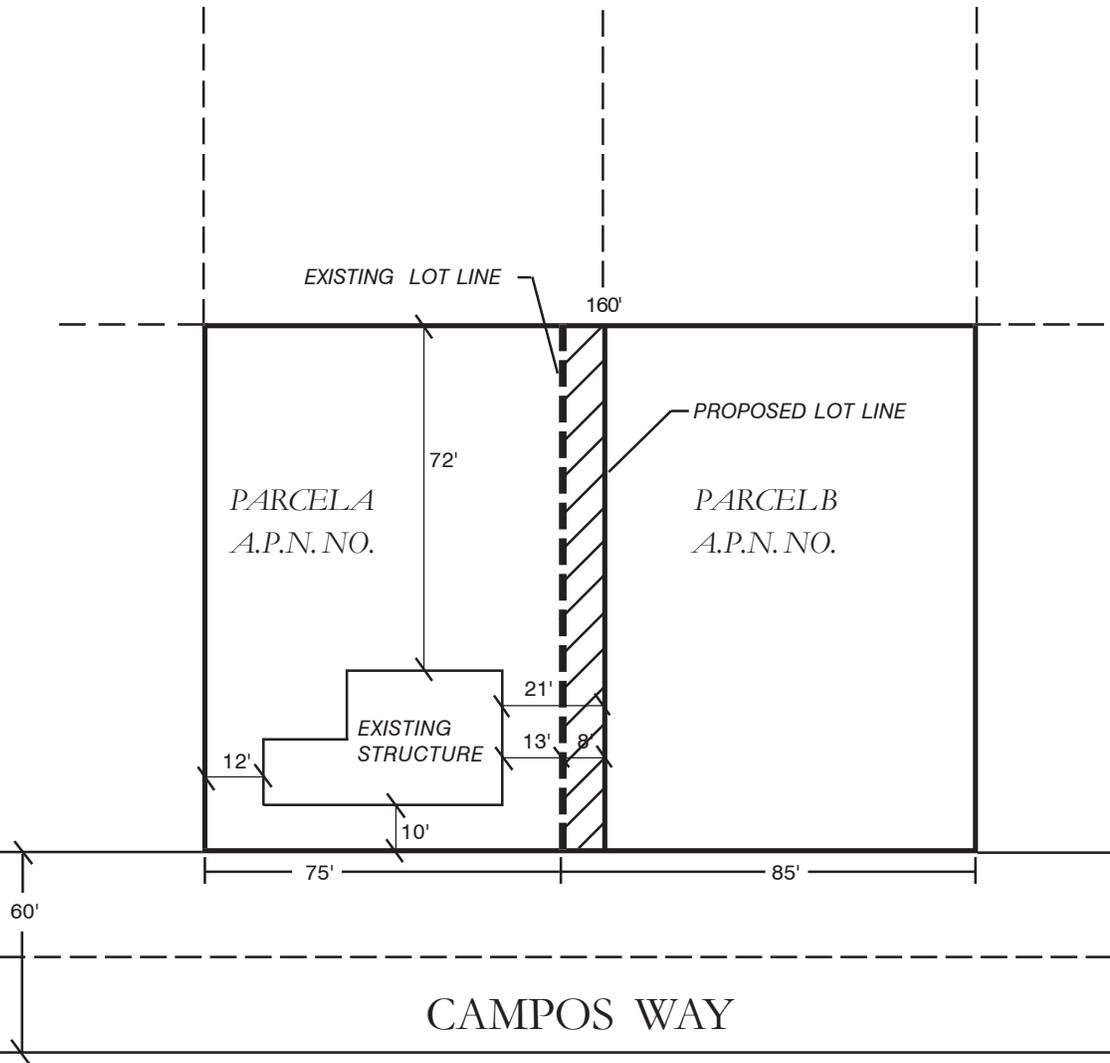
**PLEASE CALL THE APPOINTMENT DESK AT (408) 535-3555 FOR AN APPLICATION APPOINTMENT.**

## AFFIDAVIT OF OWNERSHIP

That I(we) am(are) the owner(s) of the property for which a Lot Line Adjustment approval is sought or have the lawful Power of Attorney therefore. <b>All signatures must be notarized. Please attach the notary form.</b>			
PRINT NAME OF PROPERTY OWNER & APN		DAYTIME TELEPHONE # (    )	
ADDRESS	CITY	STATE	ZIP CODE
SIGNATURE		DATE	
PRINT NAME OF PROPERTY OWNER & APN		DAYTIME TELEPHONE # (    )	
ADDRESS	CITY	STATE	ZIP CODE
SIGNATURE		DATE	
PRINT NAME OF PROPERTY OWNER & APN		DAYTIME TELEPHONE # (    )	
ADDRESS	CITY	STATE	ZIP CODE
SIGNATURE		DATE	
PRINT NAME OF PROPERTY OWNER & APN		DAYTIME TELEPHONE # (    )	
ADDRESS	CITY	STATE	ZIP CODE
SIGNATURE		DATE	
PRINT NAME OF PROPERTY OWNER & APN		DAYTIME TELEPHONE # (    )	
ADDRESS	CITY	STATE	ZIP CODE
SIGNATURE		DATE	
If signing with Power of Attorney, a copy of the document giving you Power of Attorney must be attached to this application. If there are additional property owners, please attach a separate sheet to provide the above information.			

**PLEASE CALL THE APPOINTMENT DESK AT (408) 535-3555 FOR AN APPLICATION APPOINTMENT.**

# EXAMPLE PLAT



LOT SQUARE FOOTAGE	PARCEL A	PARCEL B
<b>EXISTING</b>	8250	9350
<b>PROPOSED</b>	9130	8470



PROPERTY TO BE TRANSFERRED

## LOT LINE ADJUSTMENT PLAT, EXHIBIT "A" LANDS OF CAMPOS, ET AL

TITLE OF PLAT \_\_\_\_\_  
 ENGINEERING COMPANY \_\_\_\_\_  
 ADDRESS \_\_\_\_\_  
 PHONE NUMBER \_\_\_\_\_  
 ENGINEER'S LICENSE NO. SEAL \_\_\_\_\_

DATE \_\_\_\_\_  
 SCALE \_\_\_\_\_  
 PAGE \_\_\_ OF \_\_\_

**PLEASE CALL THE APPOINTMENT DESK AT (408) 535-3555 FOR AN APPLICATION APPOINTMENT.**