



Memorandum

TO: PLANNING COMMISSION

FROM: Joseph Horwedel

SUBJECT: SEE BELOW

DATE: August 31, 2011

COUNCIL DISTRICT: 4

SUBJECT: ET11-001. PETITION FOR RELEASE OF A COVENANT OF EASEMENT FOR A NO-BUILD EASEMENT THAT IS NO LONGER NEEDED ON LOT 1 FOR THE BENEFIT OF LOT 5 AT THE NORTHEAST CORNER OF A COMMERCIAL SHOPPING CENTER ON A 9.8 GROSS ACRE SITE ON THE EAST SIDE OF N. FIRST STREET BETWEEN HEADQUARTERS DRIVE AND HOLGER WAY

RECOMMENDATION

Planning Staff recommends that the Planning Commission approve the requested Release of a Covenant of Easement as the no-build easement is no longer necessary.

BACKGROUND

On August 15, 2011, USR at First, LLC applied for a Release of Covenant of Easement to release a private no-build easement on a portion of Parcel 1 adjacent to Parcel 5 of Assessor's Parcel Number 097-14-099. The Zoning Ordinance, pursuant to Section 20.110.040, requires that an easement created for multiple real properties under common ownership be recorded as a Covenant of Easement made by an owner of real properties to the City. Pursuant to Section 20.110.100, the Release of a Covenant of Easement shall be approved by the Planning Commission.

On May 12, 2008, a Site Development Permit (File No. H07-053) was approved to construct a 73,000 square foot shopping center and a 66-room hotel on a 9.8 gross acre site. The proposed building configuration and construction type of the 24,000 square foot "Building 100" on Parcel 5 required that other buildings be separated from it per the California Building Code. The required building separation extended 14 feet into Parcel 1. Parcels 1 and 5 were in common ownership, therefore, a 14-foot no-build Covenant of Easement was created on Parcel 1 to ensure that the building separations would be provided in perpetuity.

On August 1, 2011, a Permit Adjustment (File No. AD11-493) was approved to reconfigure Building 100 and allow site modifications to portions of Parcel 5. Building 100 was reconfigured into two buildings, one (1) 5,000 square foot building and one (1) 18,300 square foot building. Given the new building configurations and smaller building square footages, a no-build easement is no longer necessary for building separation purposes per the Building Code. A copy of the Parcel Map is attached.

ANALYSIS

On December 18, 2008, a Parcel Map was approved to subdivide one parcel into ten lots for commercial uses on an approximately 10 gross acre site. This Parcel Map included a no-build easement on Parcel 1 to benefit Parcel 5 in order to prevent violation of the California Building Code, as adopted by Title 17 of the San Jose Municipal Code.

Building 100 has been approved by to be reconfigured into two smaller buildings. The applicant has applied for Building Permits for the separated, smaller structures, and foundation permits have been issued for work to begin on the revised building configuration. In the manner in which the buildings are being constructed, the Covenant of Easement is no longer required for building separation purposes. Release from the Easement, therefore, will not violate the Building Code and will not affect the existing commercial shopping center, structures, or on-site circulation and access.

General Plan Conformance

This Release of a Covenant of Easement is in conformance with the adopted San José 2020 General Plan Land Use/Transportation Diagram designation of Combined Industrial/Commercial in that the purpose of the Easement in ensuring minimum building separation across the existing shopping center has now been achieved through the reconfiguration of Building 100 into two smaller buildings.

PUBLIC OUTREACH/INTEREST

Per the provisions of City Council Policy 6-30: Public Outreach, notices of the public hearing for this project were sent to all property owners and tenants within 500 feet of the subject site. A sign was posted on-site to notify the public of the proposed development. The Planning Commission Agenda is posted on the City of San José website, which includes a copy of the staff report, and staff has been available to discuss the project with members of the public.

COORDINATION

This analysis was coordinated with the Building Division, Fire Prevention, and Department of Public Works.

CEQA

CEQA: Exempt

A handwritten signature in black ink, appearing to read "Joseph Horwedel". The signature is fluid and cursive, with a large initial "J" and a long, sweeping tail.

Joseph Horwedel, AICP
Director, Planning, Building and Code Enforcement

Attachments:
Resolution
Location Map
Parcel Map

RESOLUTION NO. 11-

A Resolution of the Planning Commission of the City of San José granting a Release of a Covenant of Easement for a no-build easement that is no longer needed on Lot 1 for the benefit of Lot 5 at the northeast corner of a commercial shopping center on a 9.8 gross acre site at the southeast corner of N. First Street and Holger Way (4150 N. First Street).

FILE NO. ET11-001

WHEREAS, pursuant to the provisions of Chapter 20.110.100 of Title 20 of the San José Municipal Code, on August 15, 2011, application (File No. ET11-001) was filed for a Petition to Release a Covenant of Easement for the purpose of releasing a Covenant of Easement for a no-build easement on that certain real property (hereinafter referred to as “subject property”), situate in the CG Commercial General Zoning District, located on an approximately 9.8 gross acre site at the southeast corner of N. First Street and Holger Way (4150 N. First Street), and

WHEREAS, the subject property is all that real property described in Exhibit "A," which is attached hereto and made a part hereof by this reference as if fully set forth herein; and

WHEREAS, pursuant to and in accordance with Chapter 20.110.100 of Title 20 of the San José Municipal Code, this Planning Commission conducted a hearing on said application on September 14, 2011, notice of which was duly given; and

WHEREAS, at said hearing, this Planning Commission gave all persons full opportunity to be heard and to present evidence and testimony respecting said matter; and

WHEREAS, at said hearing this Planning Commission received and considered the reports and recommendation of the Director of Planning, Building and Code Enforcement; and

WHEREAS, at said hearing, this Planning Commission received in evidence a Site and Floor Plan for the subject property entitled, “Parcel Map Being a Subdivision of Parcel 6 as Shown on that Certain Parcel Map Filed for Record on May 5, 2008, in Book 824 of Maps, Pages 39-42, Santa Clara County Records,” dated December, 2008, and said plans are on file in the Department of Planning, Building and Code Enforcement and are available for inspection by anyone interested herein, and said plans are incorporated herein by this reference, the same as if it were fully set forth herein; and

WHEREAS, said hearing was conducted in all respects as required by the San José Municipal Code and the rules of this Planning Commission;

NOW, THEREFORE, BE IT RESOLVED BY THE PLANNING COMMISSION OF
THE CITY OF SAN JOSÉ:

After considering evidence presented at the Public Hearing, the Planning Commission finds that the following are the relevant facts regarding this proposed project:

1. The subject site is located within the CG Commercial General Zoning District.
2. The project site has a General Plan land use designation of Combined Industrial/Commercial. Commercial uses, including the existing commercial shopping center, are consistent with this land use designation.
3. On May 12, 2008, a Site Development Permit (File No. H07-053) was approved to construct a 73,000 square foot commercial shopping center and a 66-room hotel on a 9.8 gross acre site.
4. On December 18, 2008, a Parcel Map (File No. 3-11445) was approved to subdivide one parcel into 10 lots for commercial uses on an approximately 10 gross acre site. A Covenant of Easement for the purposes of a 14-foot no-build easement was created around Building 100 for building separation purposes per the California Building Code.
5. On August 1, 2001, a Permit Adjustment (File No. AD11-493) was approved to reconfigure Building 100 into two buildings – one 5,000 square foot building and one 18,300 square foot building.
6. Given that Building 100 has been reconfigured into two buildings with smaller square footages, the Covenant of Easement is no longer required for building separation between the newly configured structures proposed on Lot 5 (Assessor's Parcel Number 097-14-099) and any structures proposed on Lot 1.
7. On August 15, 2011, USR at First, LLC applied for a Release of Covenant of Easement to release a private no-build easement that was for the purposes of providing separation between buildings.
8. The Zoning Ordinance requires approval by the Planning Commission for a Release of Covenant of Easement.
9. A Release of Covenant of Easement may be approved if the Planning Commission makes the findings required by Section 20.110.150 of the San José Municipal Code.
10. Under the provisions of Section 15305(a), Existing Facilities, of the State Guidelines for Implementation of the California Environmental Quality Act (CEQA), this project is found to be exempt from the environmental review requirements of Title 21 of the San José Municipal Code, implementing the California Environmental Quality Act of 1970, as amended. Approval of the project would not result in any significant effects relating to land use or density.

The Planning Commission concludes and finds, based upon an analysis of the above facts, that:

1. The Covenant of Easement is not necessary for the development of the properties or to achieve the land use goals of the City, and a request for release was properly applied for.

Finally, in accordance with the findings set forth above, the Planning Commission hereby releases the Covenant of Easement for the subject parcels upon recordation of this resolution.

APPROVED on this 14th day of September 2011, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Chairperson

ATTEST:

Joseph Horwedel, Secretary

Deputy

NOTICE TO PARTIES

The time within which judicial review must be sought to review this decision is governed by the provisions of the California Code of Civil Procedure Section 1094.6.

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 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.

WE ALSO HEREBY DEDICATE TO PUBLIC USE EASEMENTS FOR EMERGENCY ACCESS PURPOSES ON OR OVER THOSE CERTAIN STRIPS OF LAND DESIGNATED AND DELINEATED AS "E.A.E." (EMERGENCY ACCESS EASEMENT).

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 OVER PARCELS "A" AND "G" AND DESIGNATED AND DELINEATED AS "C.O.E." (COVENANT OF EASEMENT) FOR PARKING, INGRESS, EGRESS AND LANDSCAPING PURPOSES IS CREATED UPON THE RECORDING OF THIS MAP FOR THE BENEFIT OF PARCELS "B", "C", "D", "E" AND "F", INCLUSIVE. SAID EASEMENT IS NOT INTENDED FOR THE USE OF THE GENERAL PUBLIC BUT IS INTENDED FOR THE EXCLUSIVE USE OF THE LOTS BENEFITED. SAID EASEMENT IS TO BE KEPT FREE AND CLEAR OF SURFACE STRUCTURES OF ANY KIND EXCEPT IRRIGATION SYSTEMS AND APPURTENANCES THERETO, LAWFUL FENCES, LAWFUL SIGNS AND LAWFUL TRASH ENCLOSURES.

THERE IS ALSO SHOWN ON THE HEREON MAP, EASEMENTS FOR STORM DRAINAGE PURPOSES AND SANITARY SEWER PURPOSES DESIGNATED AND DELINEATED AS "P.S.D.E." (PRIVATE STORM DRAINAGE EASEMENT) AND "P.S.S.E." (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, LAWFUL SIGNS, LAWFUL TRASH ENCLOSURES 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.

AS OWNER:
USR AT FIRST, LLC, A DELAWARE LIMITED LIABILITY COMPANY

BY: TECHNOLOGY STATION ASSOCIATES, LLC, A CALIFORNIA LIMITED LIABILITY COMPANY
ITS: SOLE MEMBER

BY: HUNTER/STORM UNIV. STATION, LLC, A CALIFORNIA LIMITED LIABILITY COMPANY
ITS: MANAGING MEMBER

BY: HUNTER/STORM, INC., A DELAWARE CORPORATION
ITS: MANAGER

BY: DEREK K. HUNTER, JR
ITS: PRESIDENT

AS TRUSTEE:
FIRST AMERICAN TITLE INSURANCE COMPANY

BY: MICHAEL D. HICKEY
ITS: ASSISTANT VICE PRESIDENT

SIGNATURE OMISSIONS

THE SIGNATURES OF THE FOLLOWING EASEMENT HOLDERS HAVE BEEN OMITTED PURSUANT TO SECTION 66436 (a)(3)(A)(i) OF THE SUBDIVISION MAP ACT AS THEIR INTEREST ARE SUCH THAT THEY CANNOT RIPEN INTO A FEE TITLE AND SAID SIGNATURES ARE NOT REQUIRED.

FOR LOT 7 OF BOOK 829 OR MAPS, AT PAGES 12-14:
SAN JOSE HOTEL ASSOCIATES, A KANSAS LIMITED PARTNERSHIP

SOILS AND GEOLOGICAL REPORT

A SOILS AND/OR GEOLOGICAL REPORT ON THIS PROPERTY HAS BEEN PREPARED BY BAY AREA GEOTECHNICAL GROUP, DATED JUNE 18, 2007, B.A.G.G. JOB NO. HUNTS-01-00 AND A SUPPLEMENTAL GEOTECHNICAL INFORMATION REPORT BY ADVANCE SOIL TECHNOLOGY, INC., DATED AUGUST 2009, AST FILE NO. 09506-SGIR, A COPY OF WHICH HAVE BEEN FILED WITH THE CITY OF SAN JOSE.

PARCEL MAP

BEING A SUBDIVISION OF LOTS 1, 2, 5, 8 AND 9 AS SHOWN ON THAT CERTAIN PARCEL MAP FILED FOR RECORD ON DECEMBER 18, 2008 IN BOOK 829 OF MAPS, PAGES 12-14, SANTA CLARA COUNTY RECORDS, AND LYING WITHIN THE

CITY OF SAN JOSE
COUNTY OF SANTA CLARA, STATE OF CALIFORNIA
JULY, 2011
CONSISTING OF THREE SHEETS



KIER & WRIGHT
CIVIL ENGINEERS & SURVEYORS, INC.
3350 Scott Boulevard, Building 22
Santa Clara, California 95054

OWNER'S ACKNOWLEDGMENT

STATE OF CALIFORNIA) SS.
COUNTY OF SANTA CLARA)

ON _____, 2011 BEFORE ME, _____,
A NOTARY PUBLIC IN AND FOR SAID STATE, PERSONALLY APPEARED

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

NOTARY'S SIGNATURE _____
PRINTED NOTARY'S NAME _____
NOTARY'S PRINCIPAL PLACE OF BUSINESS _____
NOTARY'S COMMISSION NUMBER _____
EXPIRATION OF NOTARY'S COMMISSION _____

TRUSTEE'S ACKNOWLEDGMENT

STATE OF CALIFORNIA) SS.
COUNTY OF SANTA CLARA)

ON _____, 2011 BEFORE ME, _____,
A NOTARY PUBLIC IN AND FOR SAID STATE, PERSONALLY APPEARED

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

NOTARY'S SIGNATURE _____
PRINTED NOTARY'S NAME _____
NOTARY'S PRINCIPAL PLACE OF BUSINESS _____
NOTARY'S COMMISSION NUMBER _____
EXPIRATION OF NOTARY'S COMMISSION _____

CITY LAND SURVEYOR'S STATEMENT

I HEREBY STATE THAT I HAVE EXAMINED THE HEREON PARCEL MAP AND I AM SATISFIED THAT SAID MAP IS TECHNICALLY CORRECT.

DATE _____ PATRICIA A. CANNON LS 8186
CITY OF SAN JOSE, CALIFORNIA

EASEMENT ACCEPTANCE BY THE DIRECTOR OF PLANNING

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, I HEREBY ACCEPT ON BEHALF OF THE CITY OF SAN JOSE A COVENANT OF EASEMENT SHOWN ON THE HEREIN MAP AND DESCRIBED HEREON. SAID EASEMENT HAS BEEN A CONDITION OF APPROVAL OF TENTATIVE MAP NO. T08-005.

JOSEPH HORWEDEL
DIRECTOR OF PLANNING
OF THE CITY OF SAN JOSE, CALIFORNIA

DATE _____

BY: _____
DEPUTY

CITY ENGINEER'S STATEMENT

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 VESTING 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, IF REQUIRED, HAVE BEEN COMPLIED WITH.

I ALSO HEREBY STATE, THAT I DID (1) ACCEPT, ON BEHALF OF THE CITY OF SAN JOSE, THE DEDICATION OF ALL EASEMENTS OFFERED FOR DEDICATION AS SHOWN ON SAID MAP WITHIN SAID SUBDIVISION; AND (2) APPROVE THE ABANDONMENT OF THE E.A.E. (EMERGENCY ACCESS EASEMENT) NOT SHOWN ON THIS MAP, THAT WAS DEDICATED TO PUBLIC USE ON THE PARCEL MAP FILED FOR RECORD ON DECEMBER 18, 2008 IN BOOK 829 OR MAPS, AT PAGES 12-14, SANTA CLARA COUNTY RECORDS; AND (3) APPROVE THE ABANDONMENT OF THE C.O.E. AS SHOWN ON THAT PARCEL MAP FILED FOR RECORD ON DECEMBER 18, 2008 IN BOOK 829 OR MAPS, AT PAGES 12-14, SANTA CLARA COUNTY RECORDS.

DATE _____ HARRY FREITAS, RCE# 51498
CITY OF SAN JOSE, 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 USR AT FIRST ON JANUARY, 2011. I HEREBY STATE THAT THIS 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; THAT THE MONUMENTS ARE SUFFICIENT TO ENABLE THE SURVEY TO BE RETRACED.

DATE _____ RYAN M. AMAYA L.S. 8134



RECORDER'S STATEMENT

FILE NO. _____ FEE \$ _____ PAID. ACCEPTED FOR RECORD AND FILED THIS _____ DAY OF _____, 2011, AT _____ M. IN BOOK _____ OF MAPS AT PAGE(S) _____, SANTA CLARA COUNTY RECORDS, AT THE REQUEST OF KIER & WRIGHT CIVIL ENGINEERS & SURVEYORS, INC.

REGINA ALCOMENDRAS, COUNTY RECORDER
SANTA CLARA COUNTY, CALIFORNIA

BY: _____
DEPUTY

A06247-47

SHEET 1 OF 3

PARCEL MAP

BEING A SUBDIVISION OF LOTS 1, 2, 5, 8 AND 9 AS SHOWN ON THAT CERTAIN PARCEL MAP FILED FOR RECORD ON DECEMBER 18, 2008 IN BOOK 829 OF MAPS, PAGES 12-14, SANTA CLARA COUNTY RECORDS, AND LYING WITHIN THE

CITY OF SAN JOSE

COUNTY OF SANTA CLARA, STATE OF CALIFORNIA

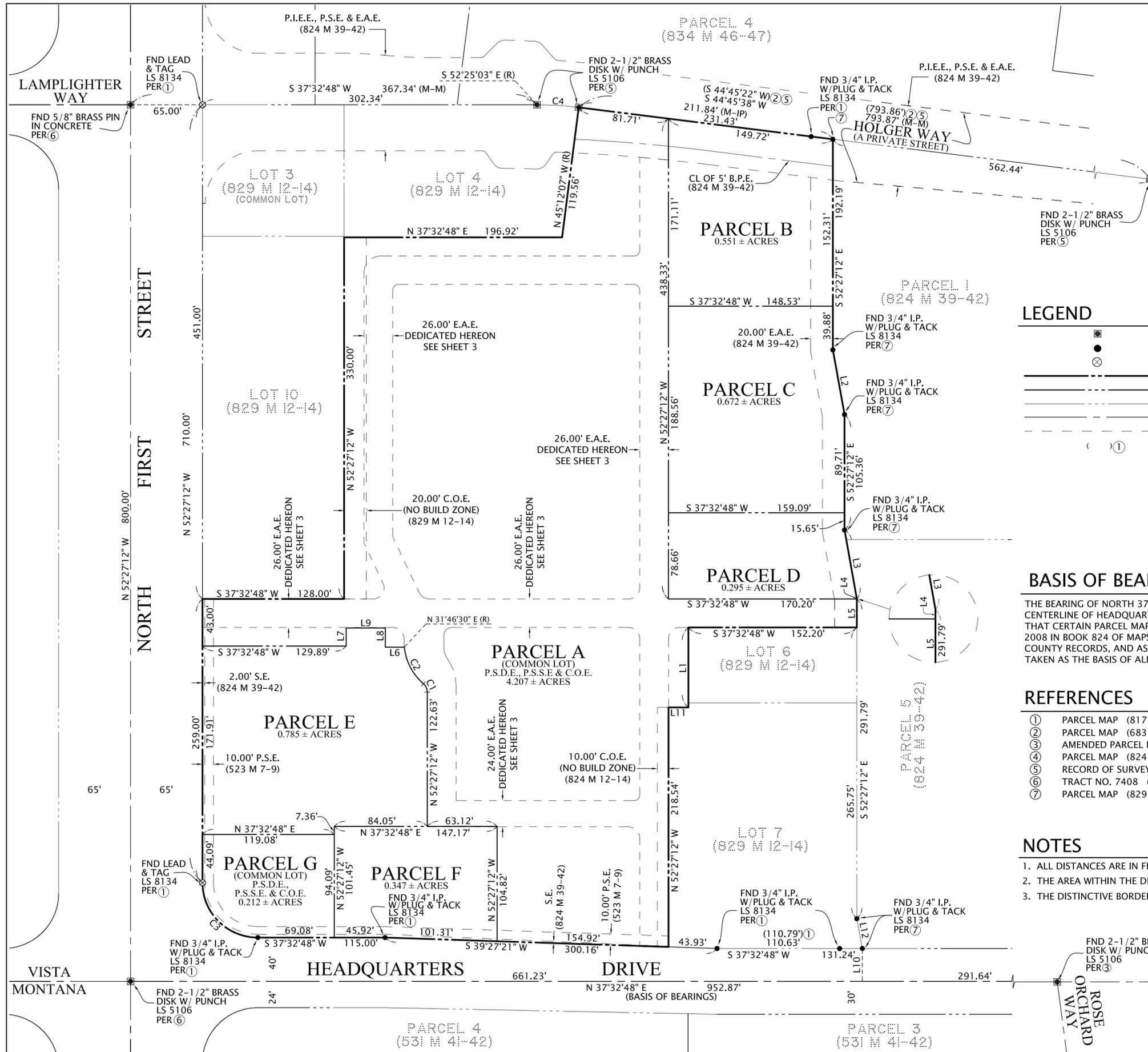
SCALE: 1" = 60' JULY, 2011

CONSISTING OF THREE SHEETS



KIER & WRIGHT
CIVIL ENGINEERS & SURVEYORS, INC.

3350 Scott Boulevard, Building 22
Santa Clara, California 95054



LEGEND

	FOUND MONUMENT AS NOTED
	FOUND IRON PIPE OR AS NOTED
	FOUND LEAD, TAG AND TACK
	DISTINCTIVE BORDER LINE
	NEW LOT LINE
	ADJACENT PROPERTY LINE
	CENTERLINE
	EXISTING EASEMENT LINE
	RECORD INFORMATION W/ REFERENCE

ABBREVIATIONS

B.P.E.	BICYCLE PATH EASEMENT
C.O.E.	COVENANT OF EASEMENT
E.A.E.	EMERGENCY ACCESS EASEMENT
FND	FOUND
I.P.	IRON PIPE
(M-M)	MONUMENT TO MONUMENT
MON	MONUMENT
LS	LAND SURVEYOR
S.D.E.	STORM DRAIN EASEMENT
P.I.E.E.	PRIVATE INGRESS AND EGRESS EASEMENT
P.S.D.E.	PRIVATE STORM DRAIN EASEMENT
P.S.E.	PUBLIC SERVICE EASEMENT
P.S.S.E.	PRIVATE SANITARY SEWER EASEMENT
(R)	RADIAL
S.E.	SIDEWALK EASEMENT

BASIS OF BEARINGS

THE BEARING OF NORTH 37°32'48" EAST TAKEN ON THE CENTERLINE OF HEADQUARTERS DRIVE AS SHOWN ON THAT CERTAIN PARCEL MAP FILED FOR RECORD ON MAY 5, 2008 IN BOOK 824 OF MAPS AT PAGE 39-42, SANTA CLARA COUNTY RECORDS, AND AS FOUND MONUMENTED, WAS TAKEN AS THE BASIS OF ALL BEARINGS SHOWN HEREON.

REFERENCES

- ① PARCEL MAP (817 M 23-24)
- ② PARCEL MAP (683 M 44-45)
- ③ AMENDED PARCEL MAP (523 M 7-9)
- ④ PARCEL MAP (824 M 39-42)
- ⑤ RECORD OF SURVEY (627 M 33-34)
- ⑥ TRACT NO. 7408 (506 M 24-26)
- ⑦ PARCEL MAP (829 M 12-14)

NOTES

1. ALL DISTANCES ARE IN FEET AND DECIMALS THEREOF.
2. THE AREA WITHIN THE DISTINCTIVE BORDER LINE IS 7.069 ± ACRES.
3. THE DISTINCTIVE BORDER DENOTES THE BOUNDARY OF THE SUBDIVISION.

LINE BEARING DISTANCE

L1	N 52°27'12" W	73.00'
L2	S 62°36'32" E	59.91'
L3	S 62°27'12" E	63.94'
L4	N 52°27'12" W	0.04'
L5	N 52°27'12" W	26.00'
L6	S 37°32'48" W	17.17'
L7	S 52°27'12" E	16.50'
L8	N 52°27'12" W	17.50'
L9	S 37°32'48" W	35.33'
L10	S 52°27'12" E	30.00'
L11	S 37°32'48" W	18.00'
L12	N 62°44'39" W	27.70'

CURVE TABLE: (SHEET 2 ONLY)

CURVE	RADIUS	DELTA	LENGTH
C1	10.00'	49°01'28"	8.56'
C2	51.00'	43°15'10"	38.50'
C3	50.00'	90°00'00"	78.54'
C4	300.00'	7°12'56"	37.78'
		(7°12'34")	(37.75)②⑤



Scale 1" = 60 ft

A06247-47

SHEET 2 OF 3

PARCEL MAP

BEING A SUBDIVISION OF LOTS 1, 2, 5, 8 AND 9 AS SHOWN ON THAT CERTAIN PARCEL MAP FILED FOR RECORD ON DECEMBER 18, 2008 IN BOOK 829 OF MAPS, PAGES 12-14, SANTA CLARA COUNTY RECORDS, AND LYING WITHIN THE

CITY OF SAN JOSE

COUNTY OF SANTA CLARA, STATE OF CALIFORNIA

SCALE: 1" = 60' JULY, 2011

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ABBREVIATIONS

B.P.E.	BICYCLE PATH EASEMENT
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FND	FOUND
I.P.	IRON PIPE
(M-M)	MONUMENT TO MONUMENT
MON	MONUMENT
LS	LAND SURVEYOR
S.D.E.	STORM DRAIN EASEMENT
P.I.E.E.	PRIVATE INGRESS AND EGRESS EASEMENT
P.S.D.E.	PRIVATE STORM DRAIN EASEMENT
P.S.E.	PUBLIC SERVICE EASEMENT
P.S.S.E.	PRIVATE SANITARY SEWER EASEMENT
(R)	RADIAL
S.E.	SIDEWALK EASEMENT

LEGEND

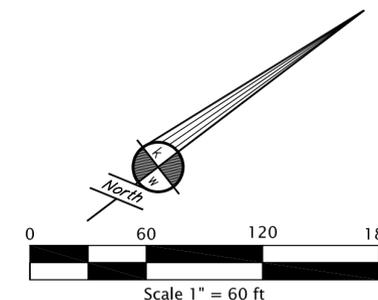
	DISTINCTIVE BORDER LINE
	NEW LOT LINE
	ADJACENT PROPERTY LINE
	CENTERLINE
	EXISTING EASEMENT LINE
	NEW EASEMENT LINE

CURVE TABLE: (SHEET 3 ONLY)

CURVE	RADIUS	DELTA	LENGTH
C1	51.00'	49°01'28"	43.64'
C2	51.00'	5°46'18"	5.14'
C3	10.00'	49°01'28"	8.56'
C4	51.00'	43°15'10"	38.50'
C5	41.00'	30°00'00"	21.47'
C6	15.00'	30°00'00"	7.85'
C7	10.00'	90°00'00"	15.71'
C8	7.00'	90°00'00"	11.00'
C9	10.00'	65°00'00"	11.34'
C10	10.00'	115°00'00"	20.07'
C11	5.00'	90°00'00"	7.85'
C12	15.00'	90°00'00"	23.56'
C13	1590.00'	0°56'28"	26.12'

LINE TABLE: (SHEET 3 ONLY)

LINE	BEARING	DISTANCE
L1	N 52°27'12" W	2.87'
L2	N 37°32'48" E	18.03'
L3	N 77°27'12" W	40.63'
L4	S 77°27'12" E	56.32'
L5	N 82°27'12" W	6.99'
L6	N 52°27'12" W	12.00'
L7	N 39°27'21" E	26.01'
L8	S 52°27'12" E	24.29'
L9	S 62°27'12" E	1.73'
L10	S 52°27'12" E	26.00'



E.A.E. EASEMENT
DETAIL SHEET

