

Control No. E-LL07-0001

***15**

**Recording Requested by
and when Recorded, return to:**

CITY OF MILPITAS
455 E. CALAVERAS BOULEVARD
MILPITAS, CA 95035-5479
Attn: City Clerk

EXEMPT FROM RECORDING FEES PER GOVERNMENT
CODE §§6103, 27383

(SPACE ABOVE THIS LINE RESERVED FOR RECORDER'S USE)

Document Transfer Tax is \$0.00

() Computed on full value of property conveyed

() Computed on full value less value of liens and encumbrances remaining

City transfer tax is \$0.00

APN: 86-34-018

86-34-019 (Portion)

86-34-020 (Portion)

RESOLUTION NO. _____

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MILPITAS
AUTHORIZING THE LOT LINE ADJUSTMENT**

WHEREAS, there has been submitted to the City Council of the City of Milpitas, a legal description and plat describing proposed adjustments to the lot line between Lot A as said lot is shown on that certain map entitled "Tract 9775, for Condominium Purposes, The Paragon", filed March 27, 2007, in Book 812 of Maps at Pages 21 through 26, inclusive, and Parcel 1 as said parcel is shown on that certain Parcel Map filed May 7, 1992, in Book 636 of Maps at Pages 39 and 40, in the Office of Recorder of the County of Santa Clara, State of California; and

WHEREAS, pursuant to Government Code section 66412 (d), the California Subdivision Map Act does not apply to lot line adjustments between four or fewer adjoining parcels where the land taken from one parcel is added to an adjoining parcel and where no greater number of parcels is created than originally existed; and

WHEREAS, the property line adjustment set forth in Exhibit "A" attached hereto and incorporated herein by this reference to adjust the common lot line between the subject parcels, is in conformance with the provisions of Government Code section 66412 (d) and complies with Title II and Title XI of the Milpitas Municipal Code.

WHEREAS, The parcels resulting from the lot line adjustment will conform to the City's general plan, and applicable zoning and building ordinances.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Milpitas California, that the lot line adjustment described on Exhibit "A" attached hereto this Resolution be approved; subject to the following conditions:

1. The lot line adjustment is not valid until the property owner records a deed reflecting the lot line adjustment as shown on Exhibit "A". A copy of the recorded deed with the authorizing resolution shall be submitted to the City by the owner.
2. Reference is made to Sections 8762 and 8762.5 of the Land Surveyor's Act. Recordation of a record of survey maybe required in accordance with the above act.

BE IT FURTHER RESOLVED, that the City Clerk is directed to cause a certified copy of this resolution, attested under seal of the City of Milpitas to be recorded in the office of the County Recorder of Santa Clara County.

PASSED AND ADOPTED this _____ day of _____, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST:

APPROVED:

Mary Lavelle, City Clerk

Jose Esteves, Mayor

APPROVED AS TO FORM:

Steven T. Mattas, City Attorney



June 5, 2007
BKF Job No: 20055142-11

EXHIBIT "A"
PROPERTY DESCRIPTION FOR:
LOT LINE ADJUSTMENT
BEFORE LOT LINE ADJUSTMENT

All that certain real property situate in the City of Milpitas, County of Santa Clara, State of California, and described as follows:

EXISTING LOT A: (APN 086-34-019)(Portion)
(APN 086-34-020)(Portion)

Lot A as said lot is shown on that certain map entitled "Tract 9775, for Condominium Purposes, The Paragon", filed March 27, 2007, in Book 812 of Maps at Pages 21 through 26, inclusive, in the Office of the Recorder of Santa Clara County.

Containing an area of 17,252 square feet, more or less

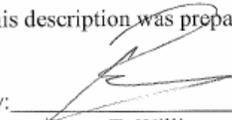
EXISTING PARCEL ONE: (APN 086-34-018)

Parcel 1 as said parcel is shown on that certain Parcel Map filed May 7, 1992, in Book 636 of Maps at Pages 39 and 40, in the Office of the Recorder of Santa Clara County.

Containing an area of 25,921 square feet, more or less

A plat showing the above described property is attached hereto and made a part hereof as Exhibit "A", Page 4 of 4.

This description was prepared from record information for BKF Engineers.

By: 
Barry T. Williams, P.L.S No.6711
License Expires: 06/30/08

Dated: 6/5/07



K:\MAIN\2005\20055142-50 Main and Montague\Legal Descriptions\LLA BEFORE.doc



June 5, 2007
BKF Job No: 20055142-11

EXHIBIT "A"
PROPERTY DESCRIPTION FOR:
LOT LINE ADJUSTMENT
AFTER LOT LINE ADJUSTMENT
(LOT A) (APN 086-34-018)(PORTION),
(APN 086-34-019)(PORTION), AND (APN 086-34-020)(PORTION)

All that certain real property situate in the City of Milpitas, County of Santa Clara, State of California, and described as follows:

BEING all of Lot A as said lot is shown on that certain map entitled "Tract 9775, for Condominium Purposes, The Paragon", filed March, 2007, in Book 812 of Maps at Pages 21 through 26, inclusive, in the Office of the Recorder of Santa Clara County Records and a portion of Parcel 1 as said parcel is shown on that certain Parcel Map filed May 7, 1992, in Book 636 of Maps at Pages 39 and 40 (636 M 39), in the Office of the Recorder of Santa Clara County Records, and described as follows:

COMMENCING at the northwesterly corner of said Parcel 1 on the easterly right of way line of South Main Street (right of way varies) as shown on said map (636 M 39); **THENCE** easterly along the northerly line of said Parcel 1 South 89°44'05" East 225.00 feet to the **POINT OF BEGINNING**;

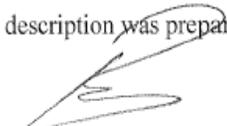
THENCE the following nine (9) courses: 1) South 89°44'05" East 47.24 feet; 2) South 02°30'00" East 254.59 feet; 3) North 89°44'05" West 84.90 feet; 4) North 00°15'55" East 72.84 feet; 5) North 89°44'05" West 44.12 feet; 6) North 00°15'55" East 61.00 feet; 7) South 89°44'05" East 89.49 feet; 8) North 00°15'55" East 100.46 feet; 9) North 44°44'05" West 28.28 feet to the **POINT OF BEGINNING**.

Containing an area of 17,452 square feet, more or less

A plat showing the above described property is attached hereto and made a part hereof as Exhibit "A", Page 4 of 4.

Subject to any easements of record.

This description was prepared from record information for BKF Engineers.

By: 
Barry T. Williams, P.L.S No.6711
License Expires: 06/30/08

Dated: 6/5/07



K:\MAIN\2005\20055142-50 Main and Montague\Legal Descriptions\LLA LOT A - APN



June 5, 2007
BKF Job No: 20055142-11

EXHIBIT "A"
PROPERTY DESCRIPTION FOR:
LOT LINE ADJUSTMENT
AFTER LOT LINE ADJUSTMENT
(PARCEL 1) (APN 086-34-018)(PORTION)

All that certain real property situate in the City of Milpitas, County of Santa Clara, State of California, and described as follows:

BEING a potion of Parcel 1 as said parcel is shown on that certain Parcel Map filed May 7, 1992, in Book 636 of Maps at Pages 39 and 40 (636 M 39), Santa Clara County Records, described as follows:

BEGINNING at the northwesterly corner of said Parcel 1 on the easterly right of way line of South Main Street (right of way varies) as shown on said map (636 M 39); **THENCE** the following seven (7) courses:

- 1) easterly along the northerly line of said Parcel 1 South 89°44'05" East 225.00 feet;
- 2) leaving said northerly line South 44°44'05" East 28.28 feet;
- 3) South 00°15'55" West 73.46 feet;
- 4) North 89°44'05" West 36.50 feet;
- 5) South 00°15'55" West 14.50 feet;
- 6) North 89°44'05" West 208.50 feet to said easterly right of way line;
- 7) along said easterly right of way line North 00°15'55" East 107.96 feet to the **POINT OF BEGINNING.**

Containing an area of 25,721 square feet, more or less

A plat showing the above described property is attached hereto and made a part hereof as Exhibit "A", Page 4 of 4.

Subject to any easements of record.

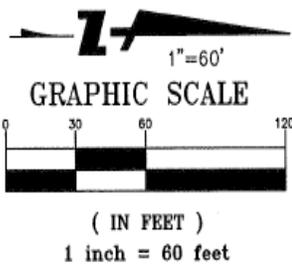
This description was prepared from record information for BKF Engineers.

By: 
Barry T. Williams, P.L.S No.6711
License Expires: 06/30/08

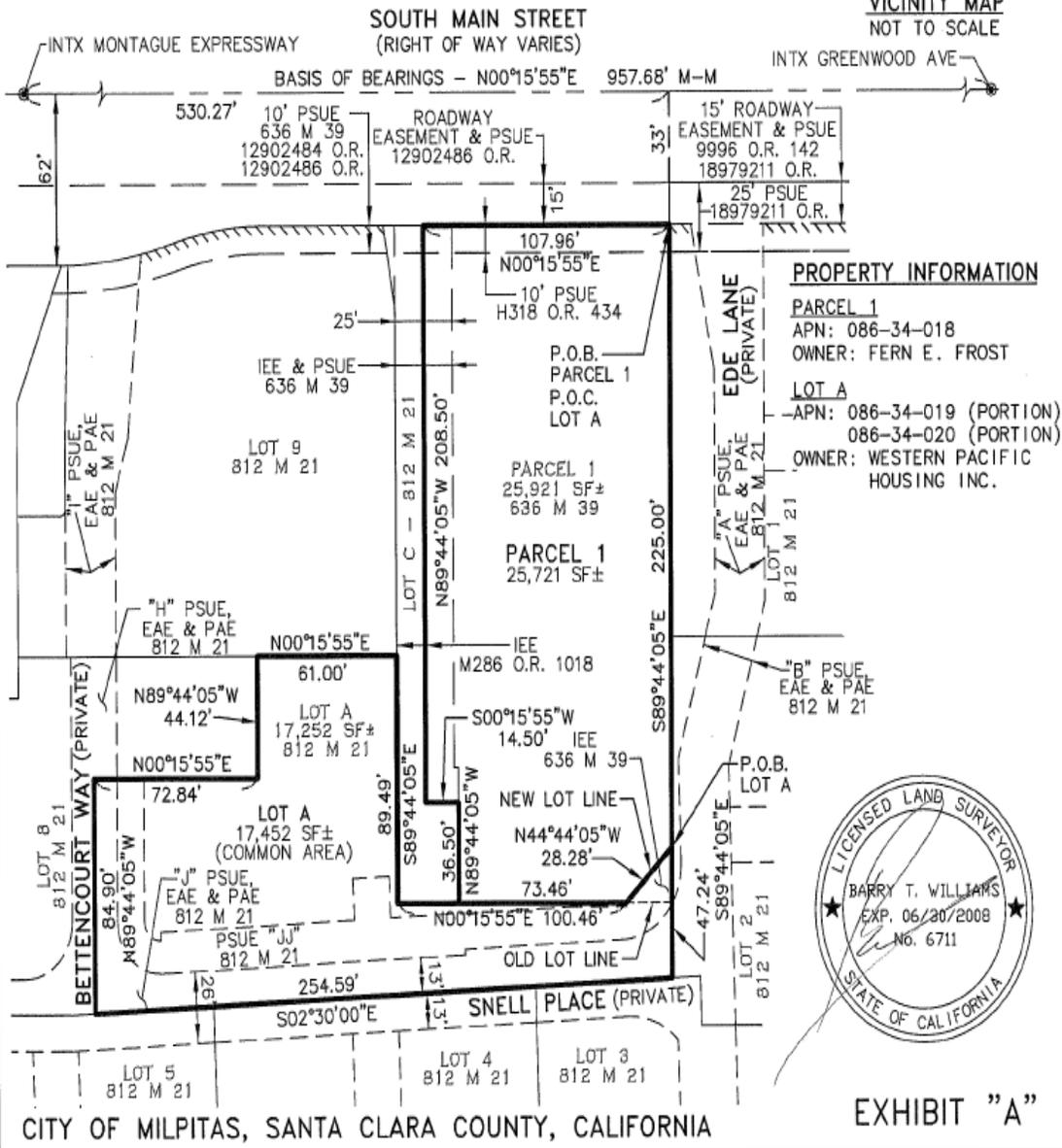


Dated: 6/5/07

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- LEGEND:**
- EAE EMERGENCY ACCESS EASEMENT
 - IEE INGRESS/EGRESS EASEMENT
 - INTX INTERSECTION
 - M MAPS
 - M-M MONUMENT TO MONUMENT
 - O.R. OFFICIAL RECORDS
 - PAE PRIVATE ACCESS EASEMENT
 - PSUE PUBLIC SERVICE UTILITY EASEMENT
 - P.O.B. POINT OF BEGINNING
 - P.O.C. POINT OF COMMENCEMENT
 - SF SQUARE FOOT



2737 NORTH MAIN STREET
SUITE 200
WALNUT CREEK, CA 94596
925-940-2200
925-940-2299 (FAX)

Subject PLAT TO ACCOMPANY
LOT LINE ADJUSTMENT
Job No. 20055142-11
By JJM Date 06/05/07 Chkd. BTW
SHEET 4 OF 4