

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MILPITAS AUTHORIZING THE RECORDATION OF THE LOT LINE ADJUSTMENT FOR THE MILPITAS STATION, LLC PROJECT (PJ 3216)

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 lines between Parcels A, B and C as said parcels are shown on that certain Parcel Map recorded November 20, 1987, in Book 580 of Maps at Pages 49 and 50, in the office of the Recorder of Santa Clara; 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, as 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, the City Council hereby finds, determines, and resolves as follows:

1. The City Council has considered the full record before it, which may include but is not limited to such things as the staff report, testimony by staff and the public, and other materials and evidence submitted or provided to it. Furthermore, the recitals set forth above are found to be true and correct and are incorporated herein by reference.
2. The lot line adjustment described in Exhibit "A" attached to this Resolution is approved, subject to the following conditions:
 - a. 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.
 - b. 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.
3. 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

Robert Livengood, Mayor

APPROVED AS TO FORM:

Michael J. Ogaz, City Attorney



September 16, 2008
BKF Job No.: 20055049-51

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 PARCEL A: (APN 086-32-036)

Parcel A as said parcel is shown on that certain Parcel Map recorded November 20, 1987, in Book 580 of Maps at Pages 49 and 50, in the Office of the Recorder of Santa Clara County.

EXISTING PARCEL B: (APN 086-32-035)

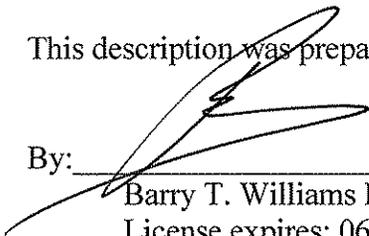
Parcel B as said parcel is shown on that certain Parcel Map recorded November 20, 1987, in Book 580 of Maps at Pages 49 and 50, in the Office of the Recorder of Santa Clara County.

EXISTING PARCEL C: (APN 086-32-034)

Parcel C as said parcel is shown on that certain Parcel Map recorded November 20, 1987, in Book 580 of Maps at Pages 49 and 50, in the Office of the Recorder of Santa Clara County.

A plat showing the above described property is attached hereto and made a part hereof as Exhibit "A", Pages 5 through 8 of 8.

This description was prepared from record information for BKF Engineers.

By: 

Barry T. Williams P.L.S. No. 6711
License expires: 06/30/10

Dated: 9/16/08





September 16, 2008
BKF Job No.: 20055049-51

EXHIBIT "A"
PROPERTY DESCRIPTION FOR:
LOT LINE ADJUSTMENT
AFTER LOT LINE ADJUSTMENT
(APN 086-32-036)(PORTION) and (APN 086-32-034)(PORTION)

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

PARCEL ONE:

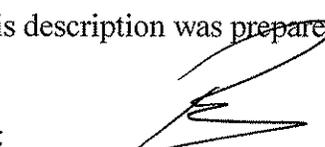
BEING a portion of Parcels A and C as said parcels are shown on that certain Parcel Map recorded November 20, 1987, in Book 580 of Maps at Pages 49 and 50 (580 M 49), in the Office of the Recorder of Santa Clara County, being more particularly described as follows:

BEGINNING at the most southerly corner of said Parcel A on the northeasterly right of way line of Piper Drive (right of way varies) as said drive is shown on said map (580 M 49); THENCE along said northeasterly right of way line the following three (3) courses: 1) North 23°47'00" West 180.36 feet; 2) South 66°13'00" West 16.00 feet; 3) North 23°47'00" West 84.37 feet to the northerly line of said Parcel A; THENCE leaving said northeasterly right of way line easterly along said northerly line and the northerly line of said Parcel C North 78°19'00" East 589.22 feet; THENCE leaving said northerly line South 11°41'00" East 170.50 feet to the southerly line of said Parcel A; THENCE westerly along said southerly line South 69°00'00" West 525.00 feet to the **POINT OF BEGINNING**.

Containing an area of 2.724 acres, more or less.

A plat showing the above described property is attached hereto and made a part hereof as Exhibit "A", Pages 5 through 8 of 8.

This description was prepared from record information for BKF Engineers.

By: 
Barry T. Williams P.L.S. No. 6711
License expires: 06/30/10

Dated: 9/16/08



K:\MAIN\2005\20055049 Piper Ave Condos\20055049-50\51 lot line adjustment\Legal Descriptions\MS-LLA-DESC.doc



September 16, 2008
BKF Job No.: 20055049-51

EXHIBIT "A"
PROPERTY DESCRIPTION FOR:
LOT LINE ADJUSTMENT
AFTER LOT LINE ADJUSTMENT
(APN 086-32-035)(PORTION)

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

PARCEL TWO:

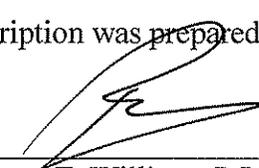
BEING a portion of Parcel B as said parcel is shown on that certain Parcel Map recorded November 20, 1987, in Book 580 of Maps at Pages 49 and 50 (580 M 49), in the Office of the Recorder of Santa Clara County, being more particularly described as follows:

BEGINNING at the most westerly corner of said Parcel B on the northerly line thereof, being also on the northeasterly right of way line of Piper Drive (right of way varies) as said drive is shown on said map (580 M 49); **THENCE** easterly along said northerly line North 69°00'00" East 525.00 feet; **THENCE** leaving said northerly line South 11°41'00" East 63.52 feet; **THENCE** South 21°00'00" East 233.62 feet to the southerly line of said Parcel B; **THENCE** along said southerly line the following two (2) courses: 1) South 69°00'00" West 169.00 feet; 2) along a curve to the right having a radius of 372.25 feet through a central angle of 66°51'36", an arc distance of 434.39 feet to said northeasterly right of way line of Piper Drive; **THENCE** along said northeasterly right of way line North 23°47'00" West 70.42 feet to the **POINT OF BEGINNING**.

Containing an area of 2.994 acres, more or less.

A plat showing the above described property is attached hereto and made a part hereof as Exhibit "A", Pages 5 through 8 of 8.

This description was prepared from record information for BKF Engineers.

By: 
Barry T. Williams P.L.S. No. 6711
License expires: 06/30/10

Dated: 9/16/08





September 16, 2008
BKF Job No.: 20055049-51

EXHIBIT "A"
PROPERTY DESCRIPTION FOR:
LOT LINE ADJUSTMENT
AFTER LOT LINE ADJUSTMENT
(APN 086-32-034)(PORTION), (APN 086-32-035)(PORTION),
and (APN 086-32-036)(PORTION)

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

PARCEL THREE:

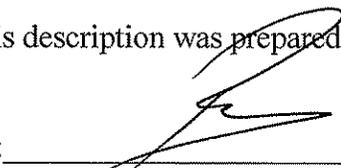
BEING a portion of Parcels A, B, and C as said parcels are shown on that certain Parcel Map recorded November 20, 1987, in Book 580 of Maps at Pages 49 and 50 (580 M 49), in the Office of the Recorder of Santa Clara County, being more particularly described as follows:

BEGINNING on the most easterly corner of said Parcel C on the southerly line thereof; **THENCE** westerly along said southerly line and the southerly line of said Parcel B South 69°00'00" West 623.05 feet; **THENCE** leaving said southerly line North 21°00'00" West 233.62 feet; **THENCE** North 11°41'00" West 234.02 feet to the northerly line of said Parcel C; **THENCE** along said northerly line North 78°19'00" East 443.47 feet to the easterly line of said Parcel C; **THENCE** along the general easterly line of said Parcel C the following four (4) courses: 1) South 11°41'00" East 86.52 feet; 2) South 21°00'00" East 117.02 feet; 3) North 78°19'00" East 190.24 feet; 4) South 11°41'00" East 161.69 feet to the **POINT OF BEGINNING**.

Containing an area of 5.204 acres, more or less.

A plat showing the above described property is attached hereto and made a part hereof as Exhibit "A", Pages 5 through 8 of 8.

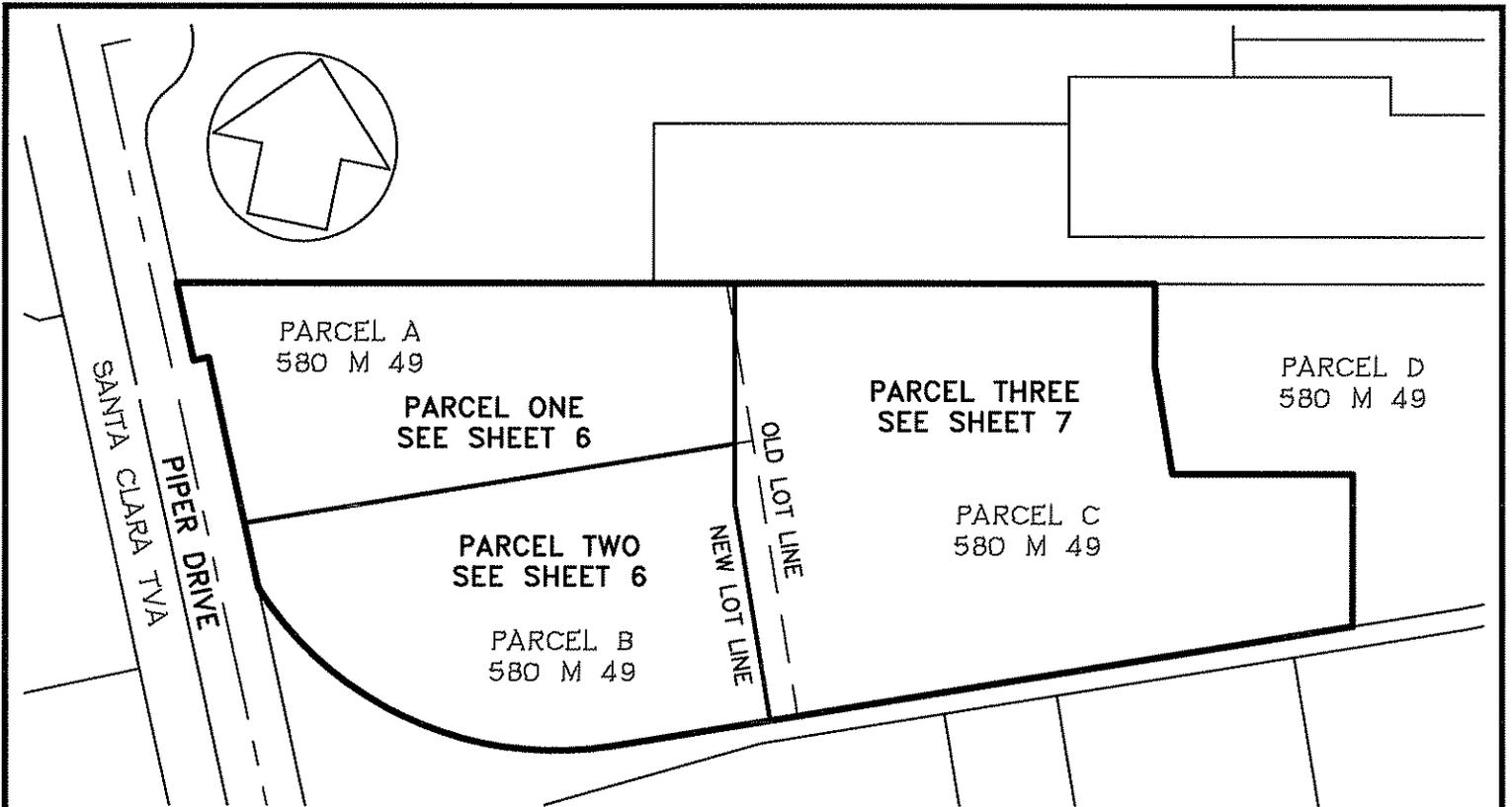
This description was prepared from record information for BKF Engineers.

By: 
Barry T. Williams P.L.S. No. 6711
License expires: 06/30/10

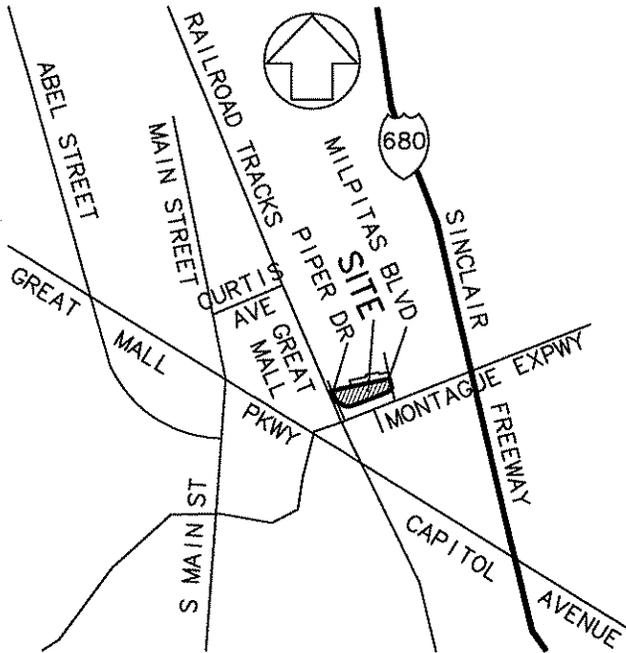
Dated: 9/16/08



K:\MAIN\2005\20055049 Piper Ave Condos\20055049-50\51 lot line adjustment\Legal Descriptions\MS-LLA-DESC.doc



SCALE: 1" = 200'



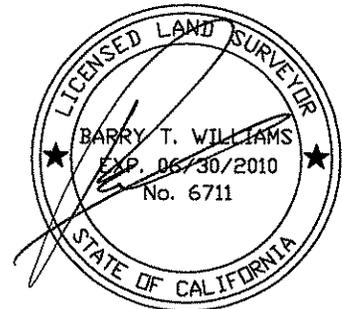
VICINITY MAP
NOT TO SCALE

PROPERTY INFORMATION:

PARCEL A: APN 086-32-036
 PARCEL B: APN 086-32-035
 PARCEL C: APN 086-32-034

PROPERTY OWNER:

MILPITAS STATION, LLC



SEE SHEET 8
 FOR LEGEND AND
 EASEMENT LIST

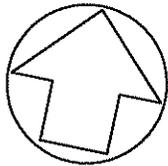
CITY OF MILPITAS, SANTA CLARA COUNTY, CALIFORNIA

EXHIBIT "A"



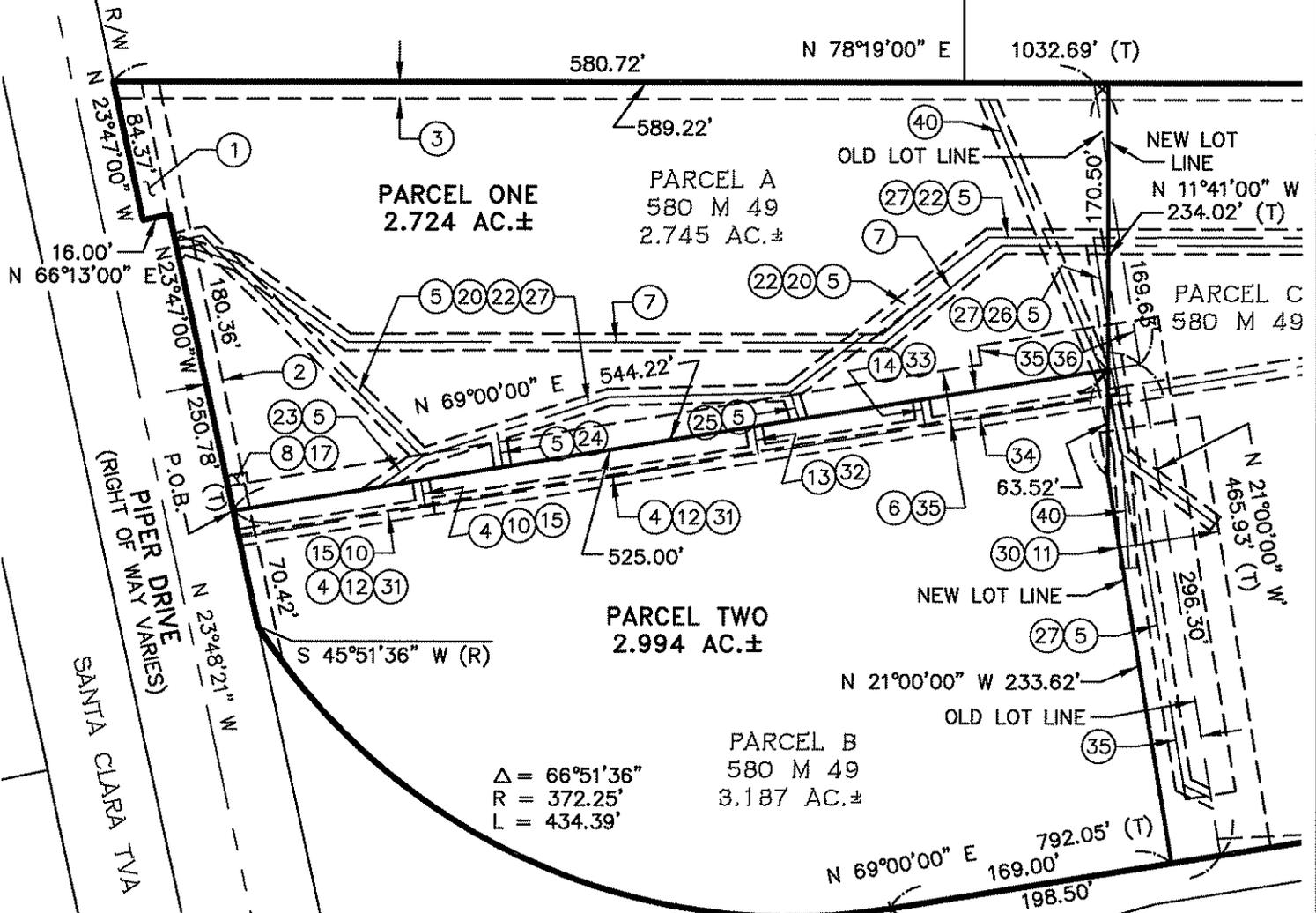
2737 NORTH MAIN STREET
 SUITE 200
 WALNUT CREEK, CA 94596
 925-940-2200
 925-940-2299 (FAX)

Subject PLAT TO ACCOMPANY DESCRIPTION
FOR LOT LINE ADJUSTMENT
 Job No. 20055049-51
 By MLM Date 09/16/08 Chkd. BTW
 SHEET 5 OF 8



SCS DEVELOPMENT CO
PARCEL ONE
18592170 O.R.

SOUTHSIDE INDUSTRIAL
PARK GENERAL
PARTNERSHIP
PARCEL TWO
15613794 O.R.



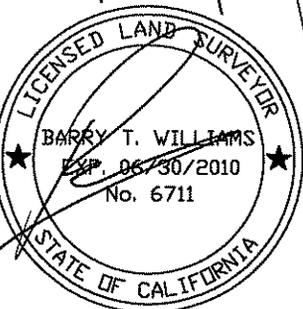
$\Delta = 66^{\circ}51'36''$
R = 372.25'
L = 434.39'

UNION PACIFIC CORP

SEE SHEET 8
FOR LEGEND AND
EASEMENT LIST

FIRST AMERICAN TITLE
INSURANCE COMPANY
PARCEL ONE
18569453 O.R.

GRAPHIC SCALE 1" = 100'



CITY OF MILPITAS, SANTA CLARA COUNTY, CALIFORNIA

EXHIBIT "A"



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

Subject PLAT TO ACCOMPANY DESCRIPTION
FOR LOT LINE ADJUSTMENT

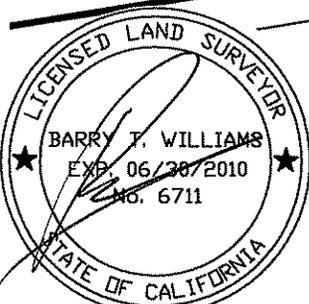
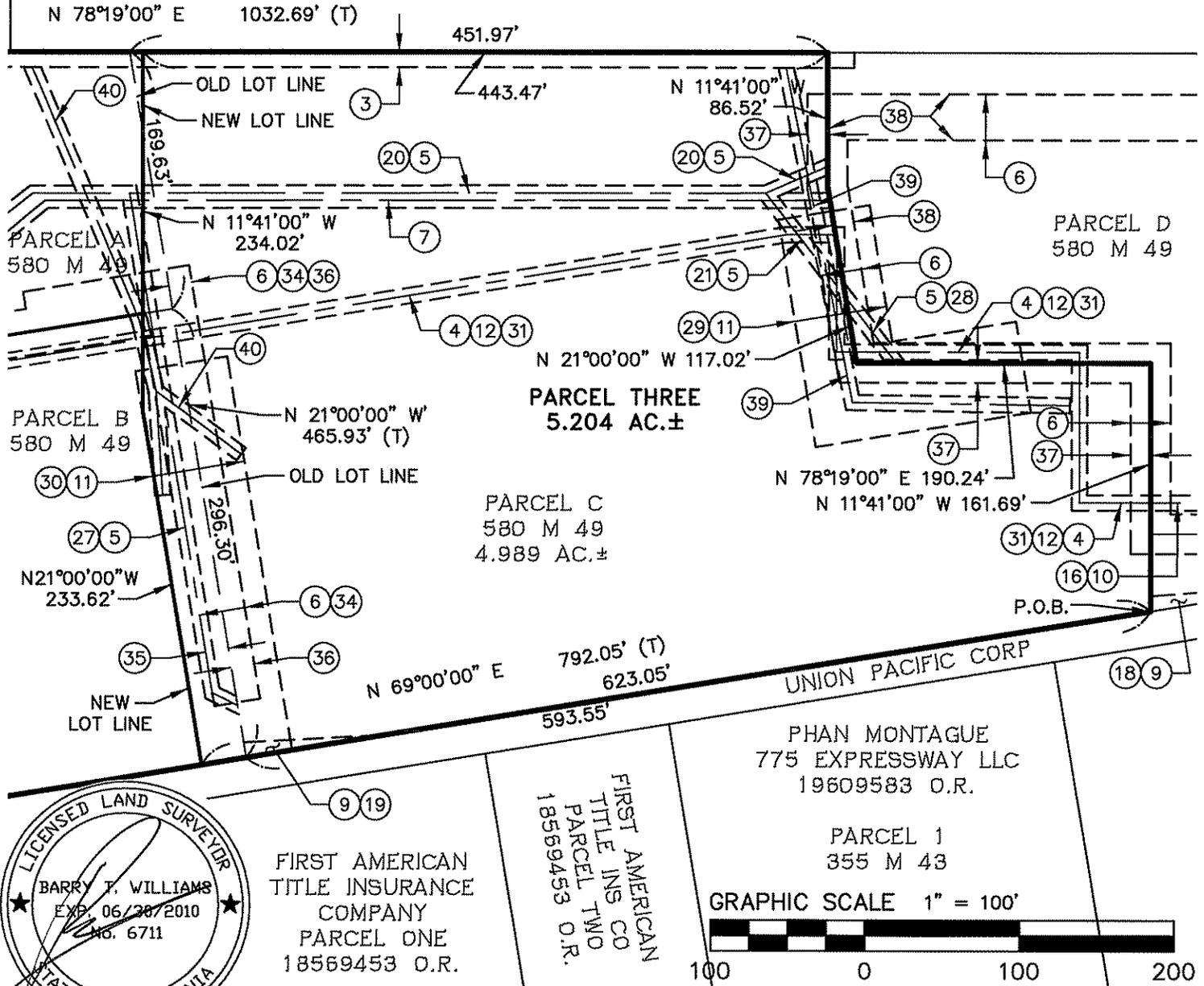
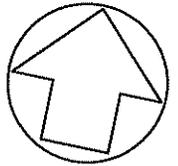
Job No. 20055049-51

By MLM Date 09/16/08 Chkd. BTW

SHEET 6 OF 8

SOUTHSIDE INDUSTRIAL PARK
GENERAL PARTNERSHIP
PARCEL TWO
15613794 O.R.

SOUTHSIDE INDUSTRIAL
PARK GENERAL
PARTNERSHIP
PARCEL THREE
15613794 O.R.

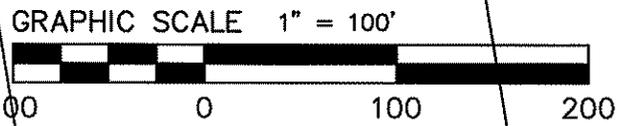


FIRST AMERICAN
TITLE INSURANCE
COMPANY
PARCEL ONE
18569453 O.R.

FIRST AMERICAN
TITLE INS CO
PARCEL TWO
18569453 O.R.

PHAN MONTAGUE
775 EXPRESSWAY LLC
19609583 O.R.

PARCEL 1
355 M 43



SEE SHEET 8 FOR LEGEND AND EASEMENT LIST

CITY OF MILPITAS, SANTA CLARA COUNTY, CALIFORNIA

EXHIBIT "A"



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

Subject PLAT TO ACCOMPANY DESCRIPTION
FOR LOT LINE ADJUSTMENT
Job No. 20055049-51
By MLM Date 09/16/08 Chkd. BTW
SHEET 7 OF 8

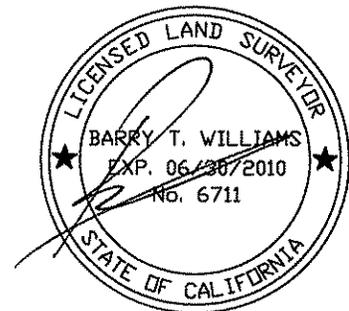
LEGEND:



- SUBJECT PROPERTY LINE
- OLD LOT LINE
- NEW LOT LINE
- EASEMENT LINE
- EASEMENT CENTER LINE
- MONUMENT LINE
- AC. ACRES
- C/L CENTER LINE
- DWE DOMESTIC WATER LINE EASEMENT
- IEE INGRESS, EGRESS EASEMENT
- M MAP
- M-M MONUMENT TO MONUMENT
- NBA NON-BUILDABLE AREA
- PG&E PACIFIC GAS AND ELECTRIC COMPANY
- P.O.B. POINT OF BEGINNING
- PMFLE PRIVATE MAINTAINED FIRE LINE EASEMENT
- PMSDE PRIVATE MAINTAINED STORM DRAIN EASEMENT
- O.R. OFFICIAL RECORDS
- R/W RIGHT OF WAY
- SWE SIDEWALK EASEMENT
- SSE SANITARY SEWER EASEMENT
- (T) TOTAL DISTANCE
- (1) EASEMENT NUMBER, SEE LIST

EASEMENT LIST:

- 1 PG&E EASEMENT, PARCEL "A", J221 O.R. 352
- 2 10' PG&E EASEMENT, STRIP 1, J221 O.R. 352
- 3 10' PG&E EASEMENT, STRIP 2, J221 O.R. 352
- 4 C/L 10' PMFLE, 580 M 49
- 5 C/L 10' PMSDE, 580 M 49
- 6 IEE, 580 M 49
- 7 C/L 10' SSE, 580 M 49
- 8 SIGN MONUMENT EASEMENT, 580 M 49
- 9 RAILROAD SPUR EASEMENT, 580 M 49
- 10 C/L 10' DWE, 580 M 49
- 11 60' NBA, 580 M 49
- 12 C/L 10' PMFLE, PARCEL 1, K366 O.R. 1606
- 13 C/L 10' PMFLE, PARCEL 2, K366 O.R. 1606
- 14 C/L 10' PMFLE, PARCEL 3, K366 O.R. 1606
- 15 C/L 10' DWE, K366 O.R. 1644
- 16 C/L 10' DWE, K366 O.R. 1655
- 17 SIGN MONUMENT EASEMENT, K366 O.R. 1666
- 18 RAILROAD SPUR EASEMENT, K366 O.R. 1688
- 19 RAILROAD SPUR EASEMENT, K366 O.R. 1699
- 20 C/L 10' PMSDE, PARCEL 1, K366 O.R. 1710
- 21 C/L 10' PMSDE, PARCEL 2, K366 O.R. 1710
- 22 C/L 10' PMSDE, PARCEL 1, K366 O.R. 1722
- 23 C/L 10' PMSDE, PARCEL 2, K366 O.R. 1722
- 24 C/L 10' PMSDE, PARCEL 3, K366 O.R. 1722
- 25 C/L 10' PMSDE, PARCEL 4, K366 O.R. 1722
- 26 C/L 10' PMSDE, PARCEL 5, K366 O.R. 1722
- 27 C/L 10' PMSDE, K366 O.R. 1734
- 28 C/L 10' PMSDE, K366 O.R. 1746
- 29 60' NBA, K366 O.R. 1758
- 30 60' NBA, K366 O.R. 1768
- 31 C/L 10' PMFLE, PARCEL 1, K366 O.R. 1778
- 32 C/L 10' PMFLE, PARCEL 2, K366 O.R. 1778
- 33 C/L 10' PMFLE, PARCEL 3, K366 O.R. 1778
- 34 IEE, K366 O.R. 1789
- 35 IEE, K366 O.R. 1801
- 36 IEE, K366 O.R. 1813
- 37 IEE, K366 O.R. 1825
- 38 IEE, K366 O.R. 1836
- 39 10' PG&E EASEMENT, STRIP A, J221 O.R. 352
- 40 10' PG&E EASEMENT, STRIP B, J221 O.R. 352



CITY OF MILPITAS, SANTA CLARA COUNTY, CALIFORNIA

EXHIBIT "A"



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

Subject PLAT TO ACCOMPANY DESCRIPTION
FOR LOT LINE ADJUSTMENT
 Job No. 20055049-51
 By MLM Date 09/16/08 Chkd. BTW
 SHEET 8 OF 8