

Joint Public Hearing

April 6, 2010

Exhibit 3

Affidavit of Publication

PROOF OF PUBLICATION
(2015.5 C.C.P.)
STATE OF CALIFORNIA
COUNTY OF SANTA CLARA

This space is for the County Clerk's Filing Stamp

City of Milpitas
PROOF OF PUBLICATION

7643

I am a citizen of the United States and a resident of the County aforesaid. I am over the age of eighteen years, and not a party to or interested in the above-entitled matter. I am the Principal clerk of the printer of the

FILE NO.

page 1 of 3

MILPITAS POST

59 Marylinn Drive, Milpitas, California, a newspaper of general circulation printed every Thursday, in the City of Milpitas, California, County of Santa Clara, and published in the City of Milpitas, California, County of Santa Clara; and which newspaper as been adjudged a newspaper of general circulation by the Superior Court of the Santa Clara, State of California, Case Number 97379; that the notice of which the annexed is a printed copy (set in type or not smaller than nonparallel), has been published in each regular and entire issue of said newspaper and not in any supplement thereof on the following dates, to wit:

see attached

03/04, 03/11, 03/18, 03/25 and
04/01

all in the year 2010 _____

I declare that all information in this statement is true and correct. (A registrant who declares as true information which he or she knows to be false is guilty of a crime.)

March 4 2010 _____

[Signature]

Signature

PUBLIC NOTICES

PUBLIC NOTICES



CITY OF MILPITAS NOTICE OF A JOINT PUBLIC HEARING OF THE CITY COUNCIL OF THE CITY OF MILPITAS AND THE MILPITAS REDEVELOPMENT AGENCY ON THE PROPOSED THIRTEENTH AMENDMENT TO THE REDEVELOPMENT PLAN FOR MILPITAS REDEVELOPMENT PROJECT AREA NO. 1 AND THE PROPOSED SIXTH AMENDMENT TO THE REDEVELOPMENT PLAN FOR THE GREAT MALL REDEVELOPMENT PROJECT AND CONSENTING TO AND CALLING A JOINT PUBLIC HEARING WITH THE AGENCY AND THE ENVIRONMENTAL IMPACT REPORT THEREFOR

NOTICE IS HEREBY GIVEN that a joint public hearing will be held by the City Council of the City of Milpitas ("City Council") and the Milpitas Redevelopment Agency ("Agency") to consider and act upon the proposed Thirteenth Amendment to the Redevelopment Plan for Milpitas Redevelopment Project Area No. 1 and the proposed Sixth Amendment to the Redevelopment Plan for the Great Mall Redevelopment Project (collectively, the "Amendments") and to consider all evidence and testimony for or against the approval and adoption of the proposed Amendments.

DATE OF HEARING: April 6, 2010

TIME OF HEARING: 7:00 p.m. or soon thereafter

PLACE OF HEARING: City Council Chambers

Milpitas City Hall, 2nd floor 455 E. Calaveras Boulevard Milpitas, CA 95035

At any time not later than the hour set forth above for the hearing of comments on or objections to the proposed Amendments, any person may file in writing with the Milpitas City Clerk a statement of objections to the proposed Amendments. At the day, hour, and place of the hearing, any and all persons having any comments on or objections to the proposed Amendments, or who deny the existence of blight in the Milpitas Redevelopment Project Area No. 1 or the area proposed to be added to Project Area No. 1 or who question the regularity of any

of the prior proceedings, may appear before the City Council and the Agency and show cause why the proposed Amendments should not be adopted.

The purposes for amending the Project Area No. 1 Redevelopment Plan are to: 1) extend by 10 years the effectiveness time limit and time period to repay debt/collect tax increment for the original project area adopted in 1976 and areas added in 1979 and 1982 (the "Amendment Areas"); 2) repeal the debt establishment limit for the Amendment Areas; 3) increase the tax increment limit and bonded indebtedness limit and exclude the Midtown Added Area from the tax increment limit; 4) add projects and facilities to the list of eligible projects and facilities the Agency may fund; 5) reinstate eminent domain over non-residential uses in the Amendment Areas; 6) add territory totaling approximately 600 acres ("Thirteenth Amendment Added Area" or "Added Area"); and 7) make certain technical corrections, revise and update the various text provisions within the Redevelopment Plan to conform to the requirements of the California Community Redevelopment Law ("CRL").

The purpose for amending the Redevelopment Plan for the Great Mall Redevelopment Project ("Great Mall Project") is to delete a non-contiguous area developed with a freeway sign ("Sixth Amendment Deleted Area"). The area identified for deletion is within the area proposed to be added to Project Area No. 1. Collectively, the Milpitas Project Area No. 1 and the Great Mall Project are referred to as the "Project Areas."

The proposed Amendments will provide the Agency with the tools and financing necessary to permit it to undertake long-term redevelopment activities intended to help upgrade public facilities and infrastructure, promote and facilitate economic development and job growth, and provide additional affordable housing opportunities for qualifying persons/families in the Project Areas and Added Area.

NOTICE IS HEREBY FURTHER GIVEN that the City Council and the Agency will, at the same time and place, hold a joint public hearing on the Environmental Impact Report ("EIR") prepared for the proposed Amendments. All evidence and testimony for or against the certification of the EIR will be heard. At the day, hour and place of said hearing, any and all persons desiring to

comment on, or having objections to, the content or adequacy of the EIR may appear before the City Council and the Agency and be heard.

NOTICE IS HEREBY FURTHER GIVEN that the Agency will, at the same time and place, hold a public hearing on the proposed amendment to the Implementation Plan for the Project Areas. The amendment to the Implementation Plan is contained in the Agency's Report to City Council on the Amendments and has been drafted to be consistent with the proposed Amendments and up-to-date with current planning for the Project Areas. All evidence and testimony for or against the amendment of the Implementation Plan will be heard. At the day, hour and place of said hearing, any and all persons desiring to comment on, or having objections to, the amendment to the Implementation Plan may appear before the Agency and be heard.

NOTICE IS HEREBY FURTHER GIVEN to any person or organization who desires to present objections to the proposed Amendments, EIR, or Implementation Plan amendment or to present allegations of non-compliance with the California Community Redevelopment Law (CRL; Health and Safety Code Section 33000 et seq.), the California Environmental Quality Act (CEQA; Public Resources Code Section 21000 et seq.), or other applicable laws, that such person or organization may be precluded from raising such issue(s) in a subsequent legal action or proceeding challenging the Amendments, EIR or Implementation Plan amendment unless the objections or alleged grounds for non-compliance were presented by the person or organization in writing prior to the joint public hearing, or were presented orally or in writing at the joint public hearing.

The legal descriptions of the land within the existing Milpitas Redevelopment Project Area No. 1 are described in Document No. 5522848, recorded January 12, 1977, Document No. 6544045, recorded October 29, 1979, Document No. 8250942, recorded November 15, 1984, Document No. 16299664, recorded June 5, 2002, and Document No. 17119592 recorded on June 18, 2003, of the Official Records of Santa Clara County. The legal descriptions for the Great Mall Redevelopment Project described in Document No. 13489203, recorded on October 18, 1996,

and in Document No. 16299665 recorded on June 15, 2002, of the Official Records of Santa Clara County. The legal description for the proposed Added Area is attached to this notice. Copies of the legal descriptions for the Project Areas and Added Area are available upon request, free of charge, in the City Clerk's office at City Hall, 455 East Calaveras Boulevard, Milpitas, California. For informational purposes, a map showing the boundaries of the Project Areas and proposed Added Area is attached hereto and made a part hereof. Interested persons may also inspect the Agency's adopted Rules Governing Participation by Property Owners and the Extension of Reasonable Preferences to Business Occupants, the Agency's Report to the City Council, the Thirteenth Amendment as incorporated in the Amended and Restated Redevelopment Plan for Milpitas Redevelopment Project Area No. 1, the Sixth Amendment, the EIR, the Implementation Plan amendment and other available documents and information pertaining to the proposed Amendments in the City Clerk's office, City Hall, 455 E. Calaveras Boulevard, Milpitas.

NOTICE IS HEREBY FURTHER GIVEN that a community information meeting regarding the proposed Amendments will also be held as follows:

DATE OF MEETING: Thursday, March 25, 2010

TIME OF MEETING: 6:30 p.m.

PLACE OF MEETING: Milpitas Public Library Community Meeting Room 160 North Main Street Milpitas, CA 95035

Anyone having specific questions regarding the proposed Plan may contact Diana Barnhart, Economic Development Manager, at (408) 586-3059.

Mary Lavelle City Clerk City of Milpitas Date: 02/25/2010

MAP OF THE PROJECT AREAS

Legal Description of Added Area (October 27, 2009)

LEGAL DESCRIPTION FOR THE THIRTEENTH AMENDMENT ADDED AREA

REAL PROPERTY in the City of Milpitas, County of Santa Clara, State of California, being a portion of the Milpitas and Tularcitos Ranchos, described as follows:

BEGINNING at an angle point in the existing Redevelopment Project Area No. 1 boundary line, at the northwesterly corner of Parcel 2 as shown on that certain Record of Survey filed for

record on October 28, 1975, in Book 363 of Maps, page 33, Santa Clara County Records, also being the intersection of the northerly line of Calaveras Boulevard and the northeasterly right-of-way line of W.P.R.R. as shown on said Record of Survey;

Thence along said Redevelopment boundary line and the northerly line of Calaveras Boulevard, the following eighteen courses:

- 1. Thence North 87°24'47" East, 304.88 feet;
2. Thence South 73°16'49" East, 53.49 feet;
3. Thence North 89°20'24" East, 401.80 feet;
4. Thence South 85°49'13" East, 112.22 feet;
5. Thence easterly, along a non-

tangent curve to the left, having a radius of 390.00 feet, whose center bears North 06°05'13" West, through a central angle of 12°54'53" for an arc length of 87.91 feet;

6. Thence along a compound curve to the left, having a radius of 30.00 feet, through a central angle of 74°38'47" for an arc length of 39.08 feet;

7. Thence along a compound curve to the left, having a radius of 390.00 feet, through a central angle of 10°16'16" for an arc length of 69.91 feet;

8. Thence North 13°55'09" West, 11.00 feet;

9. Thence North 75°07'21" East, 119.08 feet;

10. Thence southerly, along a non-tangent curve to the left, having a radius of 390.00 feet, whose center bears North 74°49'18" East, through a central angle of 13°19'36" for an arc length of 90.71 feet;

11. Thence along a compound curve to the left, having a radius of 40.00 feet, through a central angle of 58°36'50" for an arc length of 40.92 feet;

12. Thence along a compound curve to the left, having a radius of 390.00 feet, through a central angle of 13°25'35" for an arc length of 91.39 feet;

13. Thence along a compound curve to the left, having a radius of 1,938.00 feet, through a central angle of 03°49'22" for an arc length of 129.30 feet;

14. Thence North 75°37'56" East, 781.33 feet;

15. Thence North 75°33'18" East, 679.35 feet;

16. Thence North 74°42'09" East, 136.33 feet;

17. Thence North 74°35'18" East, 571.36 feet;

18. Thence along a tangent curve to the left, having a radius of 350.00 feet, through a central angle of 60°00'51" for an arc length of 366.60 feet, to the general westerly line of Interstate 680;

Thence continuing along said Redevelopment boundary line and said general westerly line, the following four courses:

19. Thence North 14°34'27" East, 553.12 feet;

20. Thence along a tangent curve to the left, having a radius of 950.00 feet, through a central angle of 18°48'43" for an arc length of 311.91 feet;

21. Thence North 04°14'16" West, 248.53 feet;

22. Thence North 03°04'03" West, 93.98 feet;

23. Thence North 81°19'53" East, 363.48 feet, to the general easterly line of Interstate 680;

Thence along said general easterly line, the following four courses:

24. Thence South 13°43'59" East, 682.08 feet;

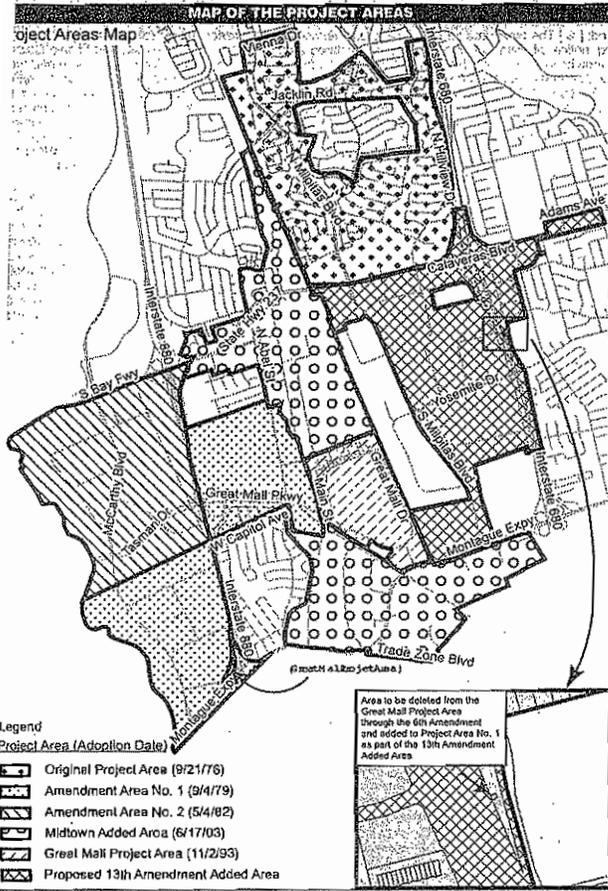
25. Thence along a tangent curve to the left, having a radius of 340.02 feet, through a central angle of 41°42'02" for an arc length of 247.47 feet;

26. Thence South 55°26'01" East, 310.98 feet;

27. Thence easterly, along a non-tangent curve to the left, having a radius of 300.00 feet, whose center bears North 34°44'10" East, through a central angle of 36°54'53" for an arc length of 193.29 feet, to the

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PUBLIC NOTICE



northerly line of Calaveras Boulevard;

Thence along said northerly line, the following three courses:

28. Thence North 76°20'19" East, 605.09 feet;

29. Thence southeasterly, along a non-tangent curve to the left, having a radius of 20.00 feet, whose center bears North 69°09'58" East, through a central angle of 83°40'28" for an arc length of 29.21 feet;

30. Thence North 75°28'30" East, 916.54 feet, to the southwesterly corner of Lot 15, as shown on Map of Tract 2764 filed for record on August 24, 1960, in Book 124 of Maps, pages 34 through 38, Santa Clara County Records;

Thence along the westerly and northerly lines of said Lot 15, the following two courses:

31. Thence North 13°38'09" West, 326.26 feet;

32. Thence North 76°21'51" East, 104.19 feet;

33. Thence North 59°49'28" East, 94.14 feet, to the northerly line of Adams Avenue;

34. Thence along said northerly line, North 75°28'30" East, 1,325.87 feet, to the easterly line of N. Temple Drive;

Thence along said easterly line, the following two courses:

35. Thence South 18°46'37" East, 346.74 feet;

36. Thence South 16°45'57" East, 119.32 feet, to the southerly line of Calaveras Boulevard;

Thence along said southerly line, the following six courses:

37. Thence North 89°09'02" West, 63.00 feet;

38. Thence South 75°22'00" West, 959.69 feet;

39. Thence South 78°11'48" West, 101.62 feet;

40. Thence South 75°28'30" West, 550.06 feet;

41. Thence South 74°19'45" West, 100.01 feet;

42. Thence South 75°28'30" West, 99.99 feet, to the westerly line of Tract 935, which map was filed for record on September 30, 1954, in Book 51 of Maps, pages 50 and 51, Santa Clara County Records;

43. Thence along said westerly line, South 14°29'54" East, 371.72 feet, to the southerly line of Lot 7, as shown on said Map of Tract 935;

44. Thence along said southerly line, North 75°27'07" East, 119.90 feet, to the westerly line of Carnegie Drive;

45. Thence along said westerly line, South 14°29'01" East, 30.10 feet, to the northerly line of Lot 8 as shown on said Map of Tract

935;

46. Thence along said northerly line, South 75°29'59" West, 119.21 feet, to the northeasterly corner of Tract 3781, which map was filed for record on October 14, 1965, in Book 200 of Maps, pages 54 and 55, Santa Clara County Records;

Thence along the general northerly and westerly lines of said Tract 3781, the following five courses:

47. Thence along a tangent curve to the left, having a radius of 150.00 feet, through a central angle of 59°30'50" for an arc length of 155.81 feet;

48. Thence along a reverse curve to the right, having a radius of 370.00 feet, through a central angle of 59°20'21" for an arc length of 383.20 feet;

49. Thence South 75°19'29" West, 244.41 feet;

50. Thence South 62°01'27" West, 109.86 feet;

51. Thence South 14°24'11" East, 698.25 feet, to the northeasterly corner of Tract 2440, which map was filed for record on September 12, 1962, in Book 152 of Maps, page 1, Santa Clara County Records;

Thence along the easterly and southerly lines of said Tract 2440, the following two courses:

52. Thence South 14°24'11"

East, 630.89 feet;

53. Thence South 75°39'20" West, 561.71 feet, to the easterly line of Dempsey Road;

Thence along said easterly line, the following eleven courses:

54. Thence South 14°25'21" East, 114.23 feet;

55. Thence along a tangent curve to the right, having a radius of 600.00 feet, through a central angle of 13°28'05" for an arc length of 141.04 feet;

56. Thence along a reverse curve to the left, having a radius of 800.00 feet, through a central angle of 13°28'05" for an arc length of 141.04 feet;

57. Thence South 14°25'21" East, 289.40 feet;

58. Thence South 22°46'24" East, 119.90 feet;

59. Thence South 21°53'29" East, 188.71 feet;

60. Thence South 28°30'06" East, 74.24 feet;

61. Thence South 33°20'54" East, 294.67 feet;

62. Thence South 23°14'53" East, 176.25 feet;

63. Thence South 09°25'37" East, 337.05 feet;

64. Thence South 12°17'02" East, 1,804.92 feet;

65. Thence South 77°42'58" West, 321.52 feet, to the right-of-way line of Sinclair Frontage Road, also being the easterly line of the boundary shown on that certain Parcel Map filed for record on December 29, 1999, in Book 723 of Maps, pages 38 through 40, Santa Clara County Records;

Thence along said right-of-way line, the following two courses:

66. Thence northwesterly, along a non-tangent curve to the right, having a radius of 66.00 feet, whose center bears South 79°13'04" West, through a central angle of 251°29'26" for an arc length of 289.64 feet;

67. Thence along a reverse curve to the left, having a radius of 54.00 feet, through a central angle of 73°39'10" for an arc length of 69.42 feet, to the northerly line of said boundary;

Thence along the northerly and westerly lines of the boundary of said Parcel Map, the following three courses:

68. Thence South 69°46'24" West, 1,526.11 feet;

69. Thence South 11°53'21" East, 892.87 feet;

70. Thence South 16°56'32" East, 1,224.89 feet;

71. Thence South 14°16'13" East, 144.33 feet, to a point in the existing Redevelopment Project Area No. 1 boundary line;

Thence along said Redevelopment boundary line and the southerly line of Montague Expressway, the following ten courses:

72. Thence South 69°09'51" West, 148.57 feet;

73. Thence South 74°29'27" West, 245.09 feet;

74. Thence South 65°42'41" West, 200.92 feet;

75. Thence South 69°00'00" West, 300.32 feet;

76. Thence along a tangent curve to the left, having a radius of 40.00 feet, through a central angle of 99°00'00" for an arc length of 62.83 feet;

77. Thence South 69°00'00" West, 60.00 feet;

78. Thence northwesterly, along a non-tangent curve to the left, having a radius of 40.00 feet, whose center bears South 69°00'00" West, through a central angle of 90°00'00" for an arc length of 62.83 feet;

79. Thence South 89°00'00" West, 589.07 feet;

80. Thence along a tangent curve to the right, having a radius of 1,067.00 feet, through a central angle of 05°53'52" for an arc length of 109.83 feet;

81. Thence South 74°53'21" West, 145.85 feet;

82. Thence leaving said southerly line and continuing along said Redevelopment boundary line, North 20°07'04" West, 138.64 feet, to the existing Great Mall Redevelopment Project Area boundary line;

83. Thence along said Redevelopment boundary line and the southwesterly line of VTA Parcel 14 as shown on that certain Record of Survey filed for record on December 7, 2007, in Book 821 of Maps, pages 1 through 51, Santa Clara County Records, North 23°00'30" West, 1,550.13 feet, to the northerly line of said VTA Parcel 14;

84. Thence along said northerly line and the northerly line of the 63.063 acre parcel of land as shown on that certain Record of Survey filed for record on September 4, 1953, in Book 45 of Maps, page 19, Santa Clara County Records, North 78°49'02" East, 1,745.99 feet, to the general westerly line of S. Milpitas Boulevard;

Thence along said general westerly line, the following twelve courses:

85. Thence North 11°36'46" West, 13.96 feet;

86. Thence along a tangent curve to the left, having a radius of 1,160.00 feet, through a central angle of 26°06'36" for an arc length of 528.62 feet;

87. Thence North 37°43'22" West, 1,724.33 feet;

88. Thence along a tangent curve to the right, having a radius of 1,040.00 feet, through a central angle of 13°42'13" for an arc length of 248.74 feet;

89. Thence North 24°01'10" West, 297.15 feet;

90. Thence North 23°02'04" West, 159.78 feet;

91. Thence North 23°01'41" West, 1,612.04 feet;

92. Thence North 23°24'42" West, 160.36 feet;

93. Thence North 22°53'48" West, 741.97 feet;

94. Thence along a tangent curve to the left, having a radius of 960.00 feet, through a central angle of 31°24'08" for an arc length of 361.72 feet;

95. Thence North 54°17'53" West, 40.78 feet;

96. Thence along a tangent curve to the left, having a radius of 50.00 feet, through a central angle of 83°32'52" for an arc length of 72.91 feet, to the general southerly line of Los Coches Street;

Thence along said general southerly line, the following three courses:

97. Thence along a reverse curve to the right, having a radius of 280.00 feet, through a central angle of 33°03'39" for an arc length of 181.57 feet;

98. Thence South 75°12'54" West, 335.68 feet;

99. Thence along a tangent curve to the left, having a radius of 70.00 feet, through a central angle of 88°14'44" for an arc length of 120.03 feet, to the northeasterly line of Topaz Street;

100. Thence along said northeasterly line, South 23°01'50" East, 69.57 feet, to the northeasterly prolongation of the southeasterly line of Parcel 3 as shown on that certain Parcel Map filed for record on April 3, 1980, in Book 461 of Maps, pages 36 and 37, Santa Clara County Records;

101. Thence along said southeasterly line and its northeasterly prolongation, South 67°11'09" West, 340.70 feet, to the existing Redevelopment Project Area No. 1 boundary line;

Thence along said Redevelopment boundary line and the general northeasterly line of VTA Parcel 14 as shown on that certain Record of Survey filed for record in Book 821 of Maps, pages 1 through 51, the following three courses:

102. Thence North 23°07'36" West, 493.00 feet;

103. Thence North 76°22'05" East, 99.44 feet;

104. Thence North 23°59'40" West, 746.20 feet, to the southerly line of Parcel 2 as shown on said Record of Survey filed for record in Book 303 of Maps, page 33;

Thence continuing along said Redevelopment boundary line and the southerly and southwesterly lines of said Parcel 2, the following two courses:

105. Thence South 75°28'42" West, 153.86 feet;

106. Thence North 23°01'01" West, 321.75 feet, to the POINT OF BEGINNING.

EXCEPTING THEREFROM:

REAL PROPERTY in the City of Milpitas, County of Santa Clara, State of California, being all c Tract 9018, which map was filed for record on May 15, 1988, in Book 702 of Maps, pages 2 through 25, Santa Clara County Records, described as follows:

BEGINNING at the intersection of the centerlines of Los Coches Street and Horizon Drive;

107. Thence along the centerline of Horizon Drive, South 14°07'07" East, 78.72 feet, to the northerly line of said Tract 9018 being the TRUE POINT OF BEGINNING;

Thence along the northerly northeasterly, southerly or westerly lines of said Tract 9018 the following nine courses:

108. Thence North 75°52'50" East, 659.19 feet;

109. Thence southeasterly, along a non-tangent curve to the right having a radius of 268.00 feet whose center bears S. 20°59'18" West, through a central angle of 41°03'49" for an arc length of 192.07 feet;

110. Thence South 28°14'27" East, 240.04 feet;

111. Thence South 31°05'13" East, 44.53 feet;

112. Thence South 27°16'57" East, 70.29 feet;

113. Thence South 75°52'50" West, 1,176.52 feet;

114. Thence North 12°13'29" West, 52.16 feet;

115. Thence North 09°57'24" West, 448.06 feet;

116. Thence North 75°52'50"

East, 289.42 feet, to the TRUE POINT OF BEGINNING.

Containing 595.95 acres, more or less.

For assessment purposes only. This description of land is not a legal property description as defined in the Subdivision Map Act and may not be used as the basis for an offer for sale of the land described.

Pub: 03/04; 03/11; 03/18; 03/25; 04/01; 2010

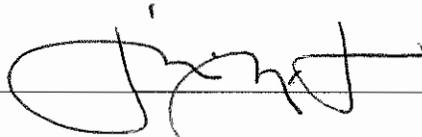
7843

CERTIFICATE OF MAILING

(Notice to Property Owners)

I, Oliver Bayot, employed by Olympic Mailing Inc. (name of mailing house), whose business address is 467 N. Cecil St. San Jose (mailing house address), California, do hereby certify that I mailed a copy of the attached notice of joint public hearing and cover letter to the property owners within the Milpitas Redevelopment Project Area No. 1, the area proposed to be added to Project Area No. 1, and the Great Mall Redevelopment Project Area, according to the list of such property owners attached to this certificate; and that I personally mailed such notice and cover letter by depositing a copy of same, addressed to each such property owner, first class mail, postage prepaid, in the United States mail at San Jose, California, on March 5, 2010.

I certify under penalty of perjury that the foregoing is true and correct.


Name

03-05-10
Date

ATTACHMENTS

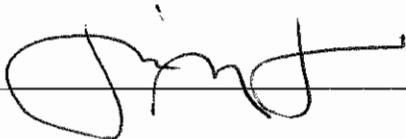
- (1) Notice of Joint Public Hearing
- (2) Cover Letter
- (3) List of Property Owners and Addresses

CERTIFICATE OF MAILING

(Notice to Business Owners and Residential Tenants [Occupants])

I, Oliver Bayot, employed by Olympic Mailing Inc (name of mailing house), whose business address is 467 Niles St. Santa Clara Ca (mailing house address), California, do hereby certify that I mailed a copy of the attached notice of joint public hearing and cover letter to the occupants within the Milpitas Redevelopment Project Area No. 1, the area proposed to be added to Project Area No. 1, and the Great Mall Redevelopment Project Area, according to the list of addresses attached to this certificate; and that I personally mailed such notice and cover letter by depositing a copy of same, addressed to each occupant, first class mail, postage prepaid, in the United States mail at San Jose, California, on March 5, 2010.

I certify under penalty of perjury that the foregoing is true and correct.

Name 

Date 03-05-10

ATTACHMENTS

- (1) Notice of Joint Public Hearing
- (2) Cover Letter
- (3) List of Addresses

CERTIFICATE OF MAILING

(Notice to Taxing Agencies)

I, Diana Barnhart, whose business address is 445 East Calaveras Boulevard, Milpitas, California, do hereby certify that I mailed a copy of the attached notice of joint public hearing, Report to City Council for the Thirteenth Amendment to the Redevelopment Plan for the Milpitas Redevelopment Project Area No. 1 and the Sixth Amendment to the Redevelopment Plan for the Great Mall Redevelopment Project (“Report to City Council”), and cover letter to the governing body of each taxing agency which levies taxes upon the property within the Milpitas Redevelopment Project Area No. 1, the area proposed to be added to Project Area No. 1, and the Great Mall Project Area, according to the list of such taxing agencies attached to this certificate; and that I personally mailed such notice, Report to City Council and cover letter by depositing a copy of same, addressed to each such taxing agency, certified mail, return receipt requested, postage prepaid, in the United States mail at Milpitas, California, on February 17, 2010.

Copies of all returned receipts are on file in the office of the City Clerk.

I certify under penalty of perjury that the foregoing is true and correct.

Diana Barnhart

Name

2-18-10

Date

Milpitas, California

ATTACHMENTS

- (1) Notice of Joint Public Hearing
- (2) Report to City Council
- (3) Cover Letter
- (4) List of Taxing Agencies and Addresses

TAXING ENTITIES

Board of Supervisors
Santa Clara County
c/o Mr. Jeffrey V. Smith, County Executive
70 West Hedding Street, 11th Floor
San Jose, California 95110

Santa Clara County Library District
c/o Ms. Melinda Cervantes, County Librarian
14600 Winchester Boulevard
Los Gatos, California 95032-1817
(408) 293-2326, ext. 3001

Board of Education
Milpitas Unified School District
c/o Dr. Karl Black, Superintendent
1331 East Calaveras Boulevard
Milpitas, California 95035
(408) 635-2600

Board of Trustees
San Jose/Evergreen Community College District
c/o Ms. Rosa Pérez, Chancellor
4750 San Felipe Road
San José, California 95135-1599
(408) 288-3136

Board of Education
Santa Clara County Office of Education
c/o Dr. Charles Weis, Superintendent
Santa Clara County Office of Education
1290 Ridder Park Drive
San Jose, California 95131
(408) 453-6500

Board of Directors
Santa Clara Valley Water District
c/o Mr. Beau Goldie, Chief Executive Officer
Re: East Zone 1, West Zone 4
5750 Almaden Expwy.
San Jose, California 95118-3686

Board of Directors
Bay Area Air Quality Management District
c/o Mr. Jack Broadbent, Chief Executive Officer
939 Ellis Street
San Francisco, California 94109
(415) 771-6000

Board of Trustees
Berryessa Union School District
c/o Mr. Marc Liebman, Superintendent
1376 Piedmont Road
San Jose, California 95132
(408) 923-1800

Board of Trustees
East Side Union High School District
c/o Mr. Dan Moser, Acting Superintendent
830 N. Capitol Avenue
San Jose, California 95133
(408) 347-5000

CERTIFICATE OF MAILING

(Notice to Department of Finance and Department of Housing and Community Development)

I, Diana Barnhart, whose business address is 445 East Calaveras Boulevard, Milpitas, California, do hereby certify that I mailed a copy of the attached notice of joint public hearing, Report to City Council for the Thirteenth Amendment to the Redevelopment Plan for the Milpitas Redevelopment Project Area No. 1 and the Sixth Amendment to the Redevelopment Plan for the Great Mall Redevelopment Project ("Report to City Council") including the Draft Environmental Impact Report provided under a separate cover, and cover letter to the Director of the Department of Finance ("DOF") and to the Director of the Department of Housing and Community Development ("HCD") according to the mailing list attached to this certificate; and that I personally mailed such notice, Report to City Council, and cover letter by depositing a copy of same, addressed to each of the DOF and HCD, certified mail, return receipt requested, postage prepaid, in the United States mail at San Jose, California, on February 17, 2010.

Copies of all returned receipts are on file in the office of the City Clerk.

I certify under penalty of perjury that the foregoing is true and correct.

Diana Barnhart

2-18-10

Name

Date

Milpitas, California

ATTACHMENTS

- (1) Notice of Joint Public Hearing
- (2) Report to City Council
- (3) Draft Environmental Impact Report
- (4) Cover Letter
- (5) Address list for the DOF and HCD

**ADDRESSES FOR THE
DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT
AND
THE DEPARTMENT OF FINANCE**

Mr. Michael C. Genest, Finance Director
California Department of Finance
915 L Street
Sacramento, California 95814
(916) 445-3878

Ms. Lynn L. Jacobs, Director
California Department of Housing and
Community Development
1800 Third Street
Sacramento, California 95814
(916) 445-4782

CERTIFICATE OF POSTING

(Hearing on Implementation Plan Amendment)

I, Diana Barnhart, whose business address is 445 East Calaveras Boulevard, Milpitas, California, do hereby certify that on March 4, 2010, I posted a copy of the attached notice of joint public hearing for the Thirteenth Amendment to the Redevelopment Plan for the Milpitas Redevelopment Project Area No. 1 and the Sixth Amendment to the Redevelopment Plan for the Great Mall Redevelopment Project which includes notice of an Agency hearing on an amendment to the Implementation Plan for the Project Areas in four permanent locations within the Milpitas Project Area No. 1, the area proposed to be added to Project Area No. 1 and the Great Mall Project Area, as such locations are described in the list attached to this Certificate, and that on the following dates I visited each of the described locations to verify that the notice was still posted and, if not, I again posted the notice:

- March 11, 2010
- March 18, 2010
- March 25, 2010 (last day of posting period)

I certify under penalty of perjury that the foregoing is true and correct.

Diana Barnhart

3-26-10

Name

Date

Milpitas, California

ATTACHMENT

(1) Notice of Joint Public Hearing

**CERTIFICATION OF CERTAIN OFFICIAL ACTIONS
IN CONNECTION WITH THE PREPARATION OF
THE THIRTEENTH AMENDMENT TO THE REDEVELOPMENT PLAN FOR
MILPITAS REDEVELOPMENT PROJECT AREA NO. 1 AND THE SIXTH
AMENDMENT TO THE REDEVELOPMENT PLAN FOR THE GREAT MALL
REDEVELOPMENT PROJECT**

I, Thomas C. Williams, Executive Director of the Milpitas Redevelopment Agency, do hereby certify that pursuant to the provisions of the California Community Redevelopment Law (Health and Safety Code Section 33000 *et seq.*), the following official actions have been taken by the City Council of the City of Milpitas (the “Council”), the Planning Commission of the City of Milpitas (the “Planning Commission”), and the Milpitas Redevelopment Agency (the “Agency”), in connection with the preparation of the Thirteenth Amendment to the Redevelopment Plan for the Milpitas Redevelopment Project Area No. 1 (the “Thirteenth Amendment”) and the Sixth Amendment to the Redevelopment Plan for the Great Mall Redevelopment Project (the Sixth Amendment”).

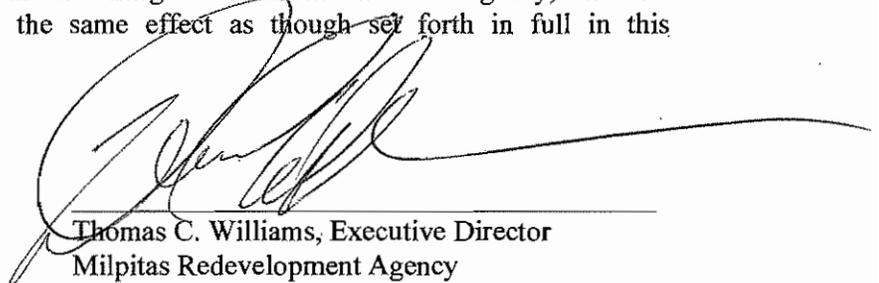
1. Council Resolution No. 7909, adopted on August 4, 2009. A Resolution of the City Council designating a redevelopment survey area for the proposed area to be added by the Thirteenth Amendment (the “Added Area”) and directing the Planning Commission to select the boundaries of the Added Area from within the boundaries of the redevelopment survey area and formulate a preliminary plan for the redevelopment of the proposed Added Area.
2. Planning Commission Resolution No. 09-043, adopted on September 9, 2009. A Resolution of the Planning Commission selecting and designating the boundaries of the Added Area, approving a Preliminary Plan for the Added Area and submitting the Preliminary Plan to the Agency.
3. The Agency filed a Notice of Preparation (NOP) of the Draft EIR with the Governors’ Office of Planning and Research – State Clearinghouse on September 9, 2009, establishing a 30 day review and comment period on the probable effects of the proposed Project ending on October 9, 2009.
4. The Agency sent a Statement of Preparation, dated September 11, 2009, containing: (a) legal description and map of boundaries of the Added Area; (b) statement that Redevelopment Plan Amendment is being prepared; (c) State Board of Equalization (SBE) filing fee; and (d) indication of the last equalized assessment roll proposed to be used for tax allocations, to the County Finance Director, to the County Assessor, to the SBE and to the governing bodies of all taxing agencies in the existing Project Areas and proposed Added Area with an offer to consult with each taxing entity.
5. Agency Resolution No. RA 346, adopted on October 6, 2009. A Resolution of the Agency accepting the Preliminary Plan and directing preparation of the Preliminary Report for the Thirteenth Amendment and the transmittal of certain information to taxing officials.

6. The Agency transmitted on October 19, 2009, to the Department of Finance (DOF) a report which included the following: (1) a projection of the change in the number of residents within the Added Area including school age children for the effective term of the Added Area; and (2) a projection prepared by the Milpitas Unified School District of the change in the need for school district facilities within the Added Area for the effectiveness term of the Added Area.
7. Agency Resolution No. RA349, adopted on December 1, 2009. A Resolution of the Agency approving the Preliminary Report for the Thirteenth Amendment to the Redevelopment Plan for Milpitas Redevelopment Project Area No. 1 and the Sixth Amendment to the Redevelopment Plan for the Great Mall Redevelopment Project (collectively the “Amendments”) and authorizing transmittal of the report to the affected taxing agencies, the DOF, the Department of Housing and Community Development (“HCD”) and other interested persons and organizations.
8. Agency Resolution No. RA350, adopted on December 1, 2009. A Resolution of the Agency receiving the Amendments and authorizing the transmittal of the Amendments to the Planning Commission for its report and recommendation and to the affected taxing agencies and other interested persons and organizations.
9. Agency Resolution No. RA351, adopted on December 1, 2009. A Resolution of the Agency accepting and authorizing the circulation of the Draft Environmental Impact Report prepared for the Amendments.
10. City Council Resolution No. 7942, adopted on December 1, 2009. A Resolution of the City Council determining that a Project Area Committee need not be formed in the preparation of the Amendments and directing the Amendments be provided to and the Agency consult with residents, property owners, business owners, and existing civic and business organizations.
11. A Notice of Completion (NOC) and copies of the Draft EIR were filed by the Agency with the Office of Planning and Research – State Clearinghouse on December 3, 2009, and sent by the Agency to the affected taxing agencies.
12. The Agency published a Notice of Availability (NOA) of the Draft EIR in the *Milpitas Post* on December 3, 2009.
13. The Agency transmitted, on December 3, 2009, by certified mail, the Preliminary Report to the DOF and HCD.
14. The Agency transmitted, on December 3, 2009, the Preliminary Report and proposed Amendments to the affected taxing agencies.
15. Planning Commission Resolution No. 09-056, adopted on December 9, 2009. A Resolution of the Planning Commission determining the Amendments to be consistent with the City of Milpitas General Plan and recommending that the Agency and City Council approve and adopt the Amendments.

16. Agency Resolution No. RA362, adopted on February 16, 2010. A Resolution of the Agency approving and adopting the Agency's Report to City Council on the proposed Amendments, submitting said Report and proposed Amendments to the City Council and consenting to a joint public hearing with the City Council on the Amendments.
17. City Council Resolution No. 7961, adopted on February 16, 2010. A Resolution of the City acknowledging receipt of the Report to City Council and the Amendments from the Agency and consenting to and calling for a joint public hearing with the Agency on the Amendments.
18. The Agency transmitted, on February 17, 2009, copies of the notice of the joint public hearing and the Report to the City Council, by certified mail, to HCD, DOF and the affected taxing agencies.
19. Agency Resolution No. RA366, adopted on March 2, 2010. A Resolution of the Agency amending the Rules Governing Participation by Property Owners and the Extension of Reasonable Preferences to Business Occupants in Milpitas Redevelopment Project Area No. 1.
20. The Agency transmitted on March 3, 2010, copies of the Final EIR responses to comments to all agencies and persons that commented on the Draft EIR.

The documents reflecting the official actions referred to herein are contained in the official records of the City Council, the Planning Commission and the Agency, and are incorporated herein by reference with the same effect as though set forth in full in this Certification.

Dated: 3-29-10



Thomas C. Williams, Executive Director
Milpitas Redevelopment Agency