

DRAFT

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF SAN JOSE REZONING CERTAIN REAL PROPERTY OF APPROXIMATELY 11.87 GROSS ACRES SITUATED AT THE NORTHWEST CORNER OF RACE STREET AND PARKMOOR AVENUE (550 AND 570 MERIDIAN AVENUE, 1401 PARKMOOR AVENUE, 529, 591, AND 691 RACE STREET/APN: 264-08-060, 264-08-063, 264-08-066, 264-08-067, 264-08-071, 264-08-072, 264-08-077, 264-08-078) FROM THE IP INDUSTRIAL PARK ZONING DISTRICT TO THE CIC COMBINED INDUSTRIAL/COMMERCIAL ZONING DISTRICT

WHEREAS, all rezoning proceedings required under the provisions of Chapter 20.120 of Title 20 of the San José Municipal Code have been duly had and taken with respect to the real property hereinafter described; and

WHEREAS, the approximately 11.87 gross-acre site encompassed by the proposed rezoning was the subject of that certain Final Environmental Impact Report for the Avenues World School Campus Project (File No. CP19-013) ("FEIR"), which evaluated the impact of demolishing existing site buildings totaling 210,426 square feet and the phased construction and operation of a private school (toddler through 12th grade, ages 2 through 18), for up to 2,744 students and 480 faculty and staff at final build-out; and where two existing office buildings and an existing parking structure would be maintained and reused for the private school use and site additions would include a sports field and four new school buildings, which FEIR was certified and for which findings were adopted by the City Council on October 20, 2020; and

WHEREAS, the City Council of the City of San José is the decision-making body for the proposed subject rezoning to the CIC Combined/Industrial Zoning District; and

WHEREAS, this Council of the City of San José has considered, approved, and adopted said FEIR and related Mitigation Monitoring and Reporting Program under separate Council Resolution No. _____ prior to taking any approval actions on this project; and

WHEREAS, the proposed rezoning is consistent with the designation of the site in the applicable General Plan;

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF SAN JOSE:

SECTION 1. The recitals above are incorporated herein.

SECTION 2. All that real property hereinafter described in this section, hereinafter referred to as "subject property," is hereby rezoned to the CIC Combined Industrial/Commercial Zoning District.

The subject property referred to in this section is all that real property situated in the County of Santa Clara, State of California, described in Exhibit "A" and depicted in Exhibit "B" attached hereto and incorporated herein by this reference.

SECTION 3. The district map of the City is hereby amended accordingly.

SECTION 4. Any land development approval that is the subject of City File No. C19-013 is subject to the operation of Part 2.75 of Chapter 15.12 of Title 15 of the San José Municipal Code. The applicant for or recipient of such land use approval hereby acknowledges receipt of notice that the issuance of a building permit to implement such land development approval may be suspended, conditioned or denied where the City Manager has determined that such action is necessary to remain within the aggregate operational capacity of the sanitary sewer system available to the City of San José or to meet the

discharge standards of the sanitary sewer system imposed by the California Regional Water Quality Control Board for the San Francisco Bay Region.

PASSED FOR PUBLICATION of title this ___ day of _____, 2020 by the following vote:

AYES:

NOES:

ABSENT:

DISQUALIFIED:

SAM LICCARDO
Mayor

ATTEST:

TONI J. TABER, CMC
City Clerk

LEGAL DESCRIPTION

Real property in the City of San Jose, County of Santa Clara, State of California, described as follows:

TRACT A:

PARCEL ONE:

COMMENCING AT THE INTERSECTION OF THE NORTHERLY LINE OF MOORPARK AVENUE, FORMERLY SPLIVADO STREET, WITH THE SOUTHWESTERLY CORNER OF THE HAMILTON SUBDIVISION, A MAP OF WHICH WAS FILED FOR RECORD IN THE OFFICE OF THE RECORDER OF THE COUNTY OF SANTA CLARA, STATE OF CALIFORNIA ON APRIL 1, 1890 IN [BOOK D OF MAPS, AT PAGE 177](#); THENCE ALONG THE NORTHERLY LINE OF SAID MOORPARK AVENUE SOUTH 85° 30' WEST 215.00 FEET TO THE TRUE POINT OF BEGINNING OF THIS DESCRIPTION; THENCE FROM SAID POINT OF BEGINNING AND LEAVING LAST SAID LINE AND PARALLEL WITH THE WESTERLY LINE OF SAID HAMILTON SUBDIVISION, NORTH 2° WEST 399.60 FEET TO A POINT OF THE SOUTHERLY LINE OF THAT CERTAIN PARCEL OF LAND DESCRIBED IN THE DEED FROM ANN GAVIN, A WIDOW, TO PETER N. BATINICH, DATED MARCH 14, 1911 AND RECORDED MARCH 18, 1911 IN [BOOK 360 OF DEEDS, AT PAGE 316](#), SANTA CLARA COUNTY RECORDS; THENCE ALONG THE SOUTHERLY LINE OF SAID LAND DEEDED TO PETER N. BATINICH SOUTH 85° 25' WEST 142.24 FEET, MORE OR LESS, TO THE INTERSECTION THEREOF WITH THE NORTHEASTERLY CORNER OF PARCEL NO. 1, AS DESCRIBED IN THE DEED OF RIGHT OF WAY FROM GASPAR G. KRALYEVICH, ET AL, TO THE COUNTY OF SANTA CLARA, STATE OF CALIFORNIA DATED AUGUST 12, 1960 AND RECORDED NOVEMBER 21, 1960 IN BOOK 4987 OF OFFICIAL RECORDS, PAGE 525, SANTA CLARA COUNTY RECORDS; THENCE ALONG THE EASTERLY LINE OF PARCEL NO. 1, PARCEL NO. 2 AND PARCEL NO. 3, AS DESCRIBED IN SAID DEED TO THE COUNTY OF SANTA CLARA, STATE OF CALIFORNIA THE FOUR FOLLOWING COURSES AND DISTANCES: SOUTH 0° 36' EAST 332.66 FEET TO THE BEGINNING OF A TANGENT CURVE TO THE LEFT; THENCE ALONG LAST SAID CURVE, HAVING A RADIUS OF 35.00 FEET, THROUGH A CENTRAL ANGLE OF 84° 55' 18" FOR AN ARC DISTANCE OF 52.15 FEET TO A POINT OF TANGENCY; THENCE SOUTH 85° 31' 18" EAST 106.18 FEET TO A POINT; THENCE SOUTH 4° 30' EAST 15.00 FEET TO A POINT ON THE NORTHERLY LINE OF SAID MOORPARK AVENUE; THENCE ALONG THE NORTHERLY LINE OF SAID MOORPARK AVENUE NORTH 85° 30' EAST 12.65 FEET TO THE TRUE POINT OF BEGINNING, AND BEING A PORTION OF LOT 95 OF THE LOS COCHES RANCHO, SANTA CLARA COUNTY, CALIFORNIA.

EXCEPTING FROM PARCEL ONE ABOVE DESCRIBED, ALL THAT PORTION CONDEMNED TO THE STATE OF CALIFORNIA, BY JUDGMENT IN CONDEMNATION ENTERED IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA, COUNTY OF SANTA CLARA, ON MARCH 7, 1975; A CERTIFIED COPY OF WHICH WAS RECORDED MARCH 12, 1975 IN [BOOK B315, PAGE 719](#), SANTA CLARA COUNTY OFFICIAL RECORDS.

PARCEL TWO:

A PORTION OF THAT PARCEL OF LAND CONVEYED AS PARCEL 1 TO THE STATE OF CALIFORNIA BY DEED RECORDED JULY 16, 1969 IN [BOOK 8607, PAGE 93](#) OF OFFICIAL RECORDS OF SANTA CLARA COUNTY, DESCRIBED AS FOLLOWS:

COMMENCING AT THE INTERSECTION OF THE WESTERLY LINE OF THAT PORTION OF MERIDIAN AVENUE VACATED BY THE CITY OF SAN JOSE, BY RESOLUTION NO. 46345, RECORDED MARCH 24, 1975 IN [VOLUME B330, PAGE 483](#) OF OFFICIAL RECORDS OF SANTA CLARA COUNTY, WITH THE COURSE SHOWN WITH THE LENGTH OF 131.93 FEET ON THE GENERAL EASTERLY LINE OF PARCEL 4, AS SAID PARCEL 4 IS SHOWN ON THAT CERTAIN SET OF MAP OF 11 SHEETS ENTITLED, "RELINQUISHMENT IN THE COUNTY OF SANTA CLARA," FILED JULY 16, 1973 IN STATE HIGHWAY MAP [BOOK NO. 7, PAGES 70 TO 80](#) INCLUSIVE, IN THE OFFICE OF THE RECORDER OF THE COUNTY OF SANTA CLARA; THENCE ALONG SAID GENERAL EASTERLY LINE SOUTH 23° 08' 48" WEST 19.93 FEET

ALONG A TANGENT CURVE TO THE LEFT WITH A RADIUS OF 384.00 FEET, THROUGH AN ANGLE OF 10° 11' 23" AN ARC LENGTH OF 68.29 FEET, AND ALONG A COMPOUND CURVE TO THE LEFT, WITH A RADIUS OF 67.00 FEET, THROUGH AN ANGLE OF 61° 44' 22" AN ARC LENGTH OF 72.20 FEET TO SAID WESTERLY LINE; THENCE ALONG LAST SAID LINE FROM A TANGENT THAT BEARS NORTH 31° 21' 51" EAST ALONG A CURVE TO THE LEFT, WITH A RADIUS OF 45.00 FEET, THROUGH AN ANGLE OF 30° 47' 39" AN ARC LENGTH OF 24.19 FEET AND NORTH 0° 34' 12" EAST 125.63 FEET TO THE POINT OF COMMENCEMENT.

PARCEL THREE:

COMMENCING AT A POINT IN THE EASTERLY LINE OF MERIDIAN AVENUE (86 FEET WIDE) AT THE NORTHEASTERLY CORNER OF THAT CERTAIN PARCEL OF LAND DESIGNATED AS PARCEL NO. 1 AS DESCRIBED IN THAT DEED OF RIGHT OF WAY TO COUNTY OF SANTA CLARA FILED FOR RECORD IN THE OFFICE OF THE COUNTY RECORDER, SANTA CLARA COUNTY, CALIFORNIA ON NOVEMBER 21, 1960 IN BOOK 4987 OF OFFICIAL RECORDS, AT PAGE 525; THENCE LEAVING SAID POINT OF COMMENCEMENT ALONG THE FOLLOWING COURSES: SOUTH 86° 31' 27" WEST 22.66 FEET; SOUTH 12° 57' 12" WEST 95.12 FEET TO A POINT IN THE CENTER LINE OF SAID MERIDIAN AVENUE (86 FEET WIDE) AND THE TRUE POINT OF BEGINNING; THENCE LEAVING SAID TRUE POINT OF BEGINNING ALONG SAID CENTER LINE OF MERIDIAN AVENUE SOUTH 0° 34' 12" WEST 274.76 FEET TO A POINT IN A NON-TANGENT CURVE WITH A RADIUS OF 104.00 FEET; THENCE LEAVING SAID CENTER LINE WESTERLY ALONG SAID NONTANGENT CURVE TO THE RIGHT FROM A TANGENT WHICH BEARS NORTH 79° 54' 12" WEST THROUGH A CENTRAL ANGLE OF 28° 44' 08" FOR AN ARC DISTANT OF 52.16 FEET TO A POINT OF COMPOUND CURVATURE; THENCE WESTERLY ALONG A TANGENT CURVE TO THE RIGHT WITH A RADIUS OF 67.00 FEET, THROUGH A CENTRAL ANGLE OF 2° 23' 04" FOR AN ARC DISTANCE OF 2.78 FEET TO A POINT IN THE WESTERLY LINE OF SAID MERIDIAN AVENUE (86 FEET WIDE); THENCE NORTHERLY ALONG SAID WESTERLY LINE AND ALONG A CURVE TO THE LEFT, FROM A TANGENT WHICH BEARS NORTH 31° 21' 51" EAST WITH A RADIUS OF 45.00 FEET, THROUGH A CENTRAL ANGLE OF 30° 47' 39" FOR AN ARC DISTANCE OF 24.19 FEET; THENCE CONTINUING ALONG SAID WESTERLY LINE NORTH 0° 34' 12" EAST 125.63 FEET TO A POINT IN THE SOUTHEASTERLY LINE OF THE NEW ALIGNMENT OF MERIDIAN AVENUE; THENCE ALONG SAID SOUTHEASTERLY LINE NORTH 23° 08' 48" EAST 112.00 FEET TO THE TRUE POINT OF BEGINNING.

PARCEL FOUR:

THOSE PORTIONS OF MERIDIAN AVENUE AND PARKMOOR AVENUE, FORMERLY MOORPARK AVENUE, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING ON THE EASTERLY LINE OF MERIDIAN AVENUE (86 FEET WIDE) AT THE NORTHEASTERLY CORNER OF PARCEL NO. 1, AS SAID PARCEL IS DESCRIBED IN THE DEED OF RIGHT OF WAY TO THE COUNTY OF SANTA CLARA, RECORDED ON NOVEMBER 21, 1960 IN BOOK 4987, PAGE 525, OFFICIAL RECORDS OF SAID COUNTY; THENCE ALONG THE EASTERLY LINES OF PARCELS NO. 1, NO. 2 AND NO. 3 OF SAID DEED SOUTH 0° 34' 12" WEST 332.40 FEET ALONG A TANGENT CURVE TO THE LEFT, WITH A RADIUS OF 35.00 FEET, THROUGH AN ANGLE OF 84° 57' 48" AN ARC LENGTH OF 51.90 FEET AND SOUTH 84° 23' 36" EAST 96.79 FEET; THENCE SOUTH 87° 26' 09" WEST 17.22 FEET; THENCE ALONG A TANGENT CURVE TO THE RIGHT, WITH A RADIUS OF 752.00 FEET, THROUGH AN ANGLE OF 11° 38' 14" AN ARC LENGTH OF 152.74 FEET TO A POINT OF COMPOUND CURVATURE; THENCE ALONG A TANGENT CURVE TO THE RIGHT WITH A RADIUS OF 104.00 FEET, THROUGH AN ANGLE OF 29° 45' 36" AN ARC LENGTH OF 54.02 FEET TO A POINT OF COMPOUND CURVATURE; THENCE ALONG A TANGENT CURVE TO THE RIGHT, WITH A RADIUS OF 67.00 FEET, THROUGH AN ANGLE OF 2° 23' 04" AN ARC LENGTH OF 2.79 FEET TO THE WESTERLY LINE OF SAID MERIDIAN AVENUE; THENCE ALONG LAST SAID LINE FROM A TANGENT THAT BEARS NORTH 31° 21' 51" EAST ALONG A CURVE TO THE LEFT, WITH A RADIUS OF 45.00 FEET, THROUGH AN ANGLE OF 30° 47' 39" AN ARC LENGTH OF 24.19 FEET AND NORTH 0° 34' 12" EAST 125.63 FEET; THENCE NORTH 23° 08' 48" EAST 112.00 FEET; THENCE NORTH 12° 57' 12" EAST 95.12 FEET; THENCE NORTH 86° 31' 27" EAST 22.66 FEET TO THE POINT OF COMMENCEMENT.

EXCEPTING THEREFROM THAT PORTION THEREOF LYING WITHIN PARCEL THREE ABOVE.

ALSO EXCEPTING THEREFROM ALL THAT PORTION CONDEMNED FOR STATE HIGHWAY PURPOSES, BY THE STATE OF CALIFORNIA BY FINAL ORDER OF CONDEMNATION, A CERTIFIED COPY OF WHICH WAS RECORDED ON APRIL 24, 1983 IN [BOOK H 837, PAGE 57](#) OF OFFICIAL RECORDS.

PARCEL FIVE:

A NON-EXCLUSIVE EASEMENT FOR PASSENGER VEHICULAR AND PEDESTRIAN INGRESS AND EGRESS ACROSS THE FEE PARCEL DESCRIBED THEREIN FOR ACCESS TO A PARKING STRUCTURE FOR PARKING, AND THE NON-EXCLUSIVE RIGHT TO PARK, AS CONVEYED BY EASEMENT AGREEMENT RECORDED MARCH 14, 2001 AS DOCUMENT NO. [15591430](#) OF OFFICIAL RECORDS; AND AS MODIFIED BY AMENDMENT RECORDED DECEMBER 27, 2001 AS DOCUMENT NO. [16031863](#) OF OFFICIAL RECORDS.

PARCEL SIX:

NON-EXCLUSIVE EASEMENT FOR INGRESS, INGRESS AND PARKING, AS SET FORTH IN THAT CERTAIN EASEMENT RECORDED MARCH 14, 2001 AS INSTRUMENT NO. [15591430](#) OF OFFICIAL RECORDS, AS AMENDED BY THAT CERTAIN AMENDMENT TO EASEMENT RECORDED DECEMBER 27, 2001 AS INSTRUMENT NO. [16031863](#) OF OFFICIAL RECORDS AND BY THAT CERTAIN SECOND AMENDMENT TO EASEMENT AGREEMENT RECORDED DECEMBER 28, 2012 AS INSTRUMENT NO. [22028428](#) OF OFFICIAL RECORDS.

PARCEL SEVEN:

NON-EXCLUSIVE EASEMENTS FOR INGRESS AND EGRESS, STORM DRAIN AND LANDSCAPE MAINTENANCE, AS SET FORTH IN THAT CERTAIN "NONEXCLUSIVE RECIPROCAL EASEMENT AGREEMENT" RECORDED DECEMBER 28, 2012 AS INSTRUMENT NO. [22028427](#) OF OFFICIAL RECORDS.

TRACT B:

BEGINNING AT THE MOST NORTHEASTERLY CORNER OF THAT CERTAIN 1.581 ACRE PARCEL, AS SHOWN UPON A RECORD OF SURVEY RECORDED IN [BOOK 212 OF MAPS PAGE 54](#), RECORDS OF SAID SANTA CLARA COUNTY;

THENCE SOUTH 0° 09' 11" EAST ALONG THE EASTERLY LINE OF SAID 1.581 ACRE PARCEL A DISTANCE OF 277.74 FEET TO AN ANGLE POINT THEREIN;

THENCE CONTINUING ALONG THE BOUNDARY LINE OF SAID 1.581 ACRE PARCEL THE FOLLOWING BEARING AND DISTANCES, SOUTH 85° 50' 15" WEST A DISTANCE OF 8.35 FEET;

SOUTH 1° 33' 30" EAST A DISTANCE OF 151.86 FEET TO THE SOUTHEASTERLY CORNER OF SAID 1.581 ACRE PARCEL;

THENCE SOUTH 85° 51' 20" WEST ALONG THE SOUTHERLY LINE OF SAID 1.581 ACRE PARCEL A DISTANCE OF 368.65 FEET TO A POINT IN THE EASTERLY LINE OF MERIDIAN AVENUE;

THENCE NORTH 0° 04' 00" WEST ALONG LAST MENTIONED EASTERLY LINE A DISTANCE OF 389.72 FEET;

THENCE NORTH 86° 06' 00" EAST A DISTANCE OF 10.16 FEET TO A POINT IN A NON TANGENT CURVE TO THE RIGHT HAVING A RADIUS OF 957.00 FEET;

THENCE NORTHERLY ALONG LAST MENTIONED CURVE FROM WHICH A RADIAL BEARS NORTH 89° 05' 55" WEST THROUGH A CENTRAL ANGLE OF 1° 25' 56" AN ARC DISTANCE OF 23.92 FEET TO THE BEGINNING OF A COMPOUND CURVE, HAVING A RADIUS OF 20.00 FEET;

THENCE NORTHERLY AND EASTERLY ALONG LAST MENTIONED CURVE THROUGH A CENTRAL ANGLE OF 83° 46' 05" AN ARC DISTANCE OF 29.24 FEET TO A POINT IN THE SOUTHERLY LINE OF HARMON COURT;

THENCE NORTH 86° 06' 00" EAST ALONG LAST MENTIONED SOUTHERLY LINE A DISTANCE OF 342.96 FEET TO THE POINT OF BEGINNING.

TRACT C:

LOTS 3 AND 4, AS SHOWN ON THAT CERTAIN MAP ENTITLED, "HAMILTON SUB. OF THE E. 1/2 OF LOT 93 OF LOS COCHES", WHICH MAP WAS FILED FOR RECORD IN THE OFFICE OF THE RECORDER OF THE COUNTY OF SANTA CLARA, STATE OF CALIFORNIA ON APRIL 01, 1890, IN BOOK "D" OF MAPS, PAGE(S) 177.

EXCEPTING THEREFROM THAT PORTION GRANTED TO THE SANTA CLARA VALLEY TRANSPORTATION AUTHORITY (VTA), BY GRANT DEED RECORDED JUNE 28, 2001, AS DOCUMENT NO. [15746243](#), OFFICIAL RECORDS, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

ALL THAT REAL PROPERTY SITUATE IN THE CITY OF SAN JOSE, COUNTY OF SANTA CLARA, STATE OF CALIFORNIA, BEING A PORTION OF THE PARCEL DESCRIBED IN THAT CERTAIN DEED RECORDED ON AUGUST 28, 1979 IN [BOOK E 754 OF OFFICIAL RECORDS, AT PAGE 393](#), SANTA CLARA COUNTY RECORDS, MORE PARTICULARLY DESCRIBED AS FOLLOWS;

BEGINNING AT THE INTERSECTION OF THE SOUTHERLY LINE OF SAID PARCEL WITH THE WESTERLY RIGHT OF WAY LINE OF RACE STREET (60 FEET WIDE);

THENCE ALONG SAID SOUTHERLY LINE, SOUTH 86° 28' 57" WEST, 7.280 METERS;

THENCE LEAVING LAST SAID LINE, NORTH 0° 00' 05" EAST, 10.551 METERS;

THENCE NORTH 0° 57' 44" EAST, 37.973 METERS TO THE NORTHERLY LINE OF SAID PARCEL, SAID LINE ALSO BEING THE SOUTHERLY LINE OF THE PARCEL DESCRIBED IN THAT CERTAIN DEED RECORDED ON JANUARY 18, 1994 IN [BOOK N 253 OF OFFICIAL RECORDS, AT PAGE 0563](#), SAID COUNTY RECORDS;

THENCE ALONG LAST SAID LINES, NORTH 86° 28' 57" EAST, 4.722 METERS TO THE NORTHEAST CORNER OF SAID PARCEL DESCRIBED IN [BOOK E 754 OF OFFICIAL RECORDS, AT PAGE 393](#) AND THE SAID WESTERLY RIGHT OF WAY LINE OF RACE STREET;

THENCE ALONG THE EASTERLY LINE OF LAST SAID PARCEL AND THE SAID WESTERLY RIGHT OF WAY LINE, SOUTH 2° 16' 03" EAST, 48.400 METERS TO THE POINT OF BEGINNING.

TRACT D:

PARCEL ONE:

LOT 1, AS SHOWN ON THAT CERTAIN MAP ENTITLED MAP OF THE HAMILTON SUBDIVISION OF THE EAST 1/2 OF LOT 95 OF THE LOS COCHES RANCHO, WHICH MAP WAS FILED FOR RECORD IN THE OFFICE OF THE RECORDER OF THE COUNTY OF SANTA CLARA, STATE OF CALIFORNIA ON APRIL 1, 1890 IN [BOOK D OF MAPS, PAGE 177](#).

PARCEL TWO:

BEGINNING AT A POINT ON THE WESTERLY LINE OF RACE STREET, AT THE INTERSECTION OF SAID WESTERLY LINE OF RACE STREET WITH THE DIVIDING LINE BETWEEN LOTS 1 AND 2 OF THE HAMILTON SUBDIVISION, RUNNING THENCE SOUTHERLY ALONG THE SAID WESTERLY LINE OF RACE STREET, 22 FEET; RUNNING THENCE WESTERLY PARALLEL WITH THE SAID DIVIDING LINE BETWEEN LOTS 1 AND 2, 366 FEET, MORE OR LESS TO THE WESTERLY LINE OF LOT 2; THENCE NORTHERLY ALONG SAID LINE, 22 FEET TO THE NORTHWESTERLY CORNER OF SAID LOT; THENCE EASTERLY ALONG THE DIVIDING LINE BETWEEN LOTS 1 AND 2, 365.90 FEET TO THE POINT OF BEGINNING, BEING THE NORTHERLY 22 FEET OF LOT 2, AS SHOWN UPON THAT CERTAIN MAP ENTITLED, MAP OF HAMILTON SUBDIVISION OF THE EAST 1/2 OF LOT 95 OF THE LOS COCHES RANCHO, WHICH MAP WAS FILED FOR RECORD IN THE OFFICE OF THE RECORDER OF THE COUNTY OF SANTA CLARA, STATE OF CALIFORNIA ON APRIL 1, 1890 IN BOOK D OF MAPS, AT PAGE 177.

PARCEL THREE:

PORTION OF LOT 2, AS SHOWN ON THAT CERTAIN MAP ENTITLED MAP OF THE HAMILTON SUBDIVISION OF THE EAST 1/2 OF LOT 95 OF THE LOS COCHES RANCHO WHICH MAP WAS FILED FOR RECORD IN THE OFFICE OF THE RECORDER OF THE COUNTY OF SANTA CLARA, STATE OF CALIFORNIA ON APRIL 1, 1890 IN BOOK D OF MAPS, PAGE 177 AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE WESTERLY LINE OF RACE STREET, WHERE THE SAME IS INTERSECTED BY THE DIVIDING LINE BETWEEN LOTS 2 AND 3 OF THE HAMILTON SUBDIVISION, AS SHOWN ON THE MAP HEREIN ABOVE REFERRED TO; RUNNING THENCE SOUTH 85 1/2° WEST ALONG SAID DIVIDING LINE, 368.40 FEET TO THE WESTERLY LINE OF SAID LOT 2; THENCE NORTH 1° 50' WEST, ALONG SAID WESTERLY LINE OF SAID LOT 75.25 FEET TO A POINT ON SAID WESTERLY LINE DISTANT 22 FEET SOUTHERLY FROM THE COMMON CORNER FOR LOTS 1 AND 2 OF SAID SUBDIVISION; THENCE NORTH 85 1/2° EAST AND PARALLEL WITH FIRST MENTIONED DIVIDING LINE, 366.38 FEET TO THE WESTERLY LINE OF RACE STREET; THENCE SOUTH 3 1/4° EAST 75.25 FEET TO THE POINT OF BEGINNING.

EXCEPTING THEREFROM A PORTION OF LAND CONVEYED THROUGH "FINAL ORDER OF CONDEMNATION" TO SANTA CLARA VALLEY TRANSPORTATION AUTHORITY RECORDED ON MAY 14, 2003 AS DOCUMENT NO. 17036848 OF OFFICIAL RECORDS AND LATER CONVEYED TO CITY OF SAN JOSE, A MUNICIPAL CORPORATION OF THE STATE OF CALIFORNIA BY DOCUMENT RECORDED ON MARCH 19, 2009 AS DOCUMENT NO. 20175442 OF OFFICIAL RECORDS.

TRACT E:

ALL OF LOTS 5 AND 6, AS SHOWN UPON THAT CERTAIN MAP ENTITLED, "MAP OF THE HAMILTON SUBDIVISION OF THE EAST 1/2 OF LOT 95 OF THE LOS COCHES RANCH", RECORDED IN BOOK "D" OF MAPS, PAGE 177, SANTA CLARA COUNTY RECORDS; BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE WESTERLY LINE OF SAID HAMILTON SUBDIVISION WITH THE NORTHERLY LINE OF MOORPARK AVENUE, SHOWN AS SPLIVALO STREET ON SAID MAP; THENCE FROM SAID POINT OF BEGINNING ALONG SAID WESTERLY LINE OF HAMILTON SUBDIVISION, NORTH 01° 50' 00" WEST 196.32 FEET TO THE NORTHWESTERLY CORNER OF SAID LOT 5; NORTH 85° 30' 00" EAST 372.28 FEET TO THE INTERSECTION THEREOF WITH THE WESTERLY LINE OF RACE STREET, AS SHOWN ON SAID MAP; THENCE ALONG SAID WESTERLY LINE RACE STREET; SOUTH 03° 15' 00" EAST 111.92 FEET TO THE INTERSECTION THEREOF WITH THE NORTHWESTERLY LINE OF THE LANDS OF SOUTHERN PACIFIC RAILROAD COMPANY; THENCE RUNNING ALONG THE LAST-NAMED LINE IN A SOUTHWESTERLY DIRECTION 121 FEET MORE OR LESS TO THE INTERSECTION THEREOF WITH SAID NORTHERLY LINE OF MOORPARK AVENUE; THENCE ALONG THE LAST-NAMED LINE, SOUTH 85° 30' 00"

WEST 291.90 FEET MORE OR LESS TO THE POINT OF BEGINNING.

EXCEPTING THEREFROM THAT CERTAIN PARCEL OF LAND CONVEYED BY LOUIS J. DEVISH, ET AL TO THE STATE OF CALIFORNIA BY DEED DATED AUGUST 06, 1971 AND RECORDED FEBRUARY 08, 1972 IN BOOK 9695 OF OFFICIAL RECORDS, PAGE 294, DESCRIBED AS FOLLOWS:

COMMENCING ON THE NORTHERLY LINE OF MOORPARK AVENUE AT THE SOUTHWESTERN CORNER OF LOT 6, AS SHOWN ON THAT CERTAIN MAP ENTITLED, "MAP OF THE HAMILTON SUBDIVISION IN THE EAST 1/2 OF LOT 95 OF THE LOS COCHES RANCHO", WHICH MAP WAS FILED FOR RECORD IN THE OFFICE OF THE RECORDER OF SANTA CLARA COUNTY ON APRIL 01, 1890 IN BOOK "D" OF MAPS, AT PAGE 177; THENCE ALONG THE WESTERLY LINE OF SAID LOT NORTH 0° 44' 03" WEST 7.87 FEET; THENCE NORTH 87° 26' 09" EAST, 132.55 FEET; THENCE SOUTH 3° 11' 03" EAST, 6.03 FEET TO SAID NORTHERLY LINE OF MOORPARK AVENUE; THENCE ALONG LAST LINE SOUTH 86° 38' 38" WEST, 132.88 FEET TO THE POINT OF COMMENCEMENT.

ALSO EXCEPTING THEREFROM THAT PORTION THEREOF CONDEMNED TO THE SANTA CLARA VALLEY TRANSPORTATION AUTHORITY BY FINAL ORDER OF CONDEMNATION RECORDED APRIL 24, 2003 IN DOCUMENT NO. 16988337, OFFICIAL RECORDS.

TRACT F:

PARCEL ONE:

BEGINNING AT THE INTERSECTION OF THE NORTHERLY LINE OF MOORPARK AVENUE, FORMERLY SPLIVALO STREET WITH THE SOUTHWESTERLY CORNER OF THE HAMILTON SUBDIVISION, A MAP OF WHICH WAS FILED FOR RECORD IN THE OFFICE OF THE RECORDER OF THE COUNTY OF SANTA CLARA, STATE OF CALIFORNIA ON APRIL 01, 1890 IN BOOK "D" OF MAPS, AT PAGE 177; THENCE ALONG THE NORTHERLY LINE OF SAID MOORPARK AVENUE SOUTH 85° 30' WEST 195.00 FEET TO A POINT THEREON; THENCE LEAVING LAST SAID LINE AND PARALLEL WITH THE WESTERLY LINE OF SAID HAMILTON SUBDIVISION NORTH 2° WEST 230.00 FEET TO A POINT; THENCE PARALLEL WITH THE NORTHERLY LINE OF SAID MOORPARK AVENUE NORTH 85° 30' EAST 195.00 FEET TO A POINT ON THE WESTERLY LINE OF SAID HAMILTON SUBDIVISION; THENCE ALONG LAST SAID LINE SOUTH 2° EAST 230.00 FEET TO THE POINT OF BEGINNING AND BEING A PORTION OF LOT 95 OF THE LOS COCHES RANCHO, SANTA CLARA COUNTY, CALIFORNIA.

EXCEPTING THEREFROM ALL THAT PORTION CONDEMNED BY THE STATE OF CALIFORNIA BY FINAL ORDER OF CONDEMNATION, A CERTIFIED COPY OF WHICH WAS RECORDED ON AUGUST 24, 1983 IN BOOK H 837, PAGE 57 OF OFFICIAL RECORDS AND BEING MORE PARTICULARLY DESCRIBED THEREIN AS FOLLOWS:

FOR STATE HIGHWAY PURPOSES, THAT REAL PROPERTY DESCRIBED AS FOLLOWS:

COMMENCING ON THE NORTHERLY LINE OF MOORPARK AVENUE AT THE SOUTHWEST CORNER OF THE HAMILTON SUBDIVISION, A MAP OF WHICH WAS FILED FOR RECORD IN THE OFFICE OF THE RECORDER OF SANTA CLARA COUNTY ON APRIL 01, 1890 IN BOOK "D" OF MAPS, AT PAGE 177; THENCE ALONG THE WESTERLY LINE OF SAID SUBDIVISION NORTH 0° 44' 03" WEST 7.87 FEET; THENCE SOUTH 87° 26' 09" WEST 229.21 FEET TO THE GENERAL EASTERLY LINE OF LAND CONVEYED TO THE COUNTY OF SANTA CLARA BY DEED RECORDED NOVEMBER 21, 1960 IN BOOK 4987, AT PAGE 525, OFFICIAL RECORDS OF SANTA CLARA COUNTY; THENCE ALONG LAST SAID GENERAL EASTERLY LINE SOUTH 3° 21' 22" EAST 11.03 FEET TO SAID NORTHERLY LINE OF MOORPARK AVENUE; THENCE ALONG SAID LAST SAID LINE NORTH 86° 38' 38" EAST 228.83 FEET TO THE POINT OF COMMENCEMENT.

PARCEL TWO:

COMMENCING AT THE INTERSECTION OF THE NORTHERLY LINE OF MOORPARK AVENUE, FORMERLY SPLIVALO STREET WITH THE SOUTHWESTERLY CORNER OF THE HAMILTON SUBDIVISION, A MAP OF WHICH WAS FILED FOR RECORD IN THE OFFICE OF THE RECORDER OF THE COUNTY OF SANTA CLARA, STATE OF CALIFORNIA ON APRIL 01, 1890 IN BOOK "D" OF MAPS, AT PAGE 177; THENCE ALONG THE NORTHERLY LINE OF SAID MOORPARK AVENUE SOUTH 85° 30' WEST 195.00 FEET TO A POINT THEREON; THENCE LEAVING LAST SAID LINE AND PARALLEL WITH THE WESTERLY LINE OF SAID HAMILTON SUBDIVISION NORTH 2° WEST 230.00 FEET TO THE TRUE POINT OF BEGINNING OF THIS DESCRIPTION; THENCE FROM SAID TRUE POINT OF BEGINNING AND CONTINUING ALONG LAST SAID PARALLEL LINE NORTH 2° WEST 169.60 FEET, MORE OR LESS, TO A POINT ON THE SOUTHERLY LINE OF THAT CERTAIN PARCEL OF LAND DESCRIBED IN THE DEED FROM ANN GAVIN, A WIDOW, TO PETER N. BATINICH, DATED MARCH 14, 1911 AND RECORDED MARCH 18, 1911 IN BOOK 360 OF DEEDS, PAGE 316, SANTA CLARA COUNTY RECORDS; THENCE ALONG THE SOUTHERLY LINE OF SAID LAND DEEDED TO PETER N. BATINICH NORTH 84° 25' EAST 195.00 FEET, MORE OR LESS, TO THE SOUTHEASTERLY CORNER THEREOF ON THE WESTERLY LINE OF SAID HAMILTON SUBDIVISION; THENCE ALONG THE WESTERLY LINE OF SAID HAMILTON SUBDIVISION SOUTH 2° EAST 169.60 FEET TO A POINT DISTANT THEREON NORTH 2° WEST 230.00 FEET FROM THE NORTHERLY LINE OF SAID MOORPARK AVENUE; THENCE LEAVING LAST SAID LINE AND PARALLEL WITH THE NORTHERLY LINE OF SAID MOORPARK AVENUE SOUTH 85° 30' WEST 195.00 FEET TO THE TRUE POINT OF BEGINNING, AND BEING A PORTION OF LOT 95 OF THE LOS CONCHES RANCHO, SANTA CLARA COUNTY, CALIFORNIA.

PARCEL THREE:

COMMENCING AT THE INTERSECTION OF THE NORTHERLY LINE OF MOORPARK AVENUE, FORMERLY SPLIVALO STREET WITH THE SOUTHWESTERLY CORNER OF THE HAMILTON SUBDIVISION A MAP OF WHICH WAS FILED FOR RECORD IN THE OFFICE OF THE RECORDER OF THE COUNTY OF SANTA CLARA, STATE OF CALIFORNIA ON APRIL 01, 1890 IN BOOK "D" OF MAPS, AT PAGE 177; THENCE ALONG THE NORTHERLY LINE OF SAID MOORPARK AVENUE SOUTH 85° 30' WEST 195.00 FEET TO THE TRUE POINT OF BEGINNING OF THIS DESCRIPTION; THENCE FROM SAID POINT OF BEGINNING AND CONTINUING ALONG THE NORTHERLY LINE OF SAID MOORPARK AVENUE SOUTH 85° 30' WEST 20.00 FEET TO A POINT THEREON; THENCE LEAVING LAST SAID LINE AND PARALLEL WITH THE WESTERLY LINE OF SAID HAMILTON SUBDIVISION NORTH 2° WEST 399.60 FEET, MORE OR LESS, TO A POINT ON THE SOUTHERLY LINE OF THAT CERTAIN PARCEL OF LAND DESCRIBED IN THE DEED FROM ANN GAVIN, A WIDOW, TO PETER N. BATINICH, DATED MARCH 14, 1911, AND RECORDED MARCH 18, 1911 IN BOOK 360 OF DEEDS, PAGE 316, SANTA CLARA COUNTY RECORDS; THENCE ALONG THE SOUTHERLY LINE OF SAID LAND DEEDED TO PETER N. BATINICH NORTH 85° 25' EAST 20.00 FEET, MORE OR LESS, TO A POINT ON A LINE WHICH IS A PARALLEL WITH THE WESTERLY LINE OF SAID HAMILTON SUBDIVISION AND BEARS NORTH 2° WEST FROM THE TRUE POINT OF BEGINNING; THENCE ALONG LAST SAID PARALLEL LINE SOUTH 2° EAST 399.60 FEET, MORE OR LESS, TO THE POINT OF BEGINNING AND BEING A PORTION OF LOT 95 OF THE LOS COCHES RANCHO, SANTA CLARA COUNTY, CALIFORNIA.

EXCEPTING THEREFROM ALL THAT PORTION CONDEMNED BY THE STATE OF CALIFORNIA BY FINAL ORDER OF CONDEMNATION, A CERTIFIED COPY OF WHICH WAS RECORDED ON AUGUST 24, 1983 IN BOOK H 837, PAGE 57 OF OFFICIAL RECORDS AND BEING MORE PARTICULARLY DESCRIBED THEREIN AS FOLLOW:

FOR STATE HIGHWAY PURPOSES, THAT REAL PROPERTY DESCRIBED AS FOLLOWS:

COMMENCING ON THE NORTHERLY LINE OF MOORPARK AVENUE AT THE SOUTHWEST CORNER OF THE HAMILTON SUBDIVISION, A MAP OF WHICH WAS FILED FOR RECORD IN THE OFFICE OF THE RECORDER OF SANTA CLARA COUNTY ON APRIL 01, 1890 IN BOOK "D" OF MAPS, AT PAGE 177; THENCE ALONG THE WESTERLY LINE OF SAID SUBDIVISION NORTH 0° 44' 03" WEST 7.87 FEET; THENCE SOUTH 87° 26' 09" WEST 229.21 FEET TO THE GENERAL EASTERLY LINE OF LAND CONVEYED TO THE COUNTY OF SANTA CLARA BY DEED RECORDED NOVEMBER 21, 1960 IN BOOK 4987, AT PAGE

525, OFFICIAL RECORDS OF SANTA CLARA COUNTY; THENCE ALONG LAST SAID GENERAL EASTERLY LINE SOUTH 3° 21' 22" EAST 11.03 FEET TO SAID NORTHERLY LINE OF MOORPARK AVENUE; THENCE ALONG LAST SAID LINE NORTH 86° 38' 38" EAST 228.83 FEET TO THE POINT OF COMMENCEMENT.

PARCEL FOUR:

A NON-EXCLUSIVE EASEMENT FOR PASSENGER VEHICULAR AND PEDESTRIAN INGRESS AND EGRESS ACROSS THE FEE PARCEL DESCRIBED THEREIN FOR ACCESS TO A PARKING STRUCTURE FOR PARKING, AND THE NON-EXCLUSIVE RIGHT TO PARK, AS CONVEYED BY EASEMENT AGREEMENT RECORDED MARCH 14, 2001 AS DOCUMENT NO. [15591430](#) OF OFFICIAL RECORDS; AND AS MODIFIED BY AMENDMENT RECORDED DECEMBER 27, 2001 AS DOCUMENT NO. [16031863](#) OF OFFICIAL RECORDS; AND AS MODIFIED BY THAT CERTAIN SECOND AMENDMENT TO EASEMENT AGREEMENT RECORDED DECEMBER 28, 2012 AS INSTRUMENT NO. [22028428](#) OF OFFICIAL RECORDS.

PARCEL FIVE:

NON-EXCLUSIVE EASEMENTS FOR VEHICULAR INGRESS AND EGRESS AND FOR STORM DRAIN PURPOSES, AS SET FORTH IN THAT CERTAIN NONEXCLUSIVE RECIPROCAL EASEMENT AGREEMENT RECORDED DECEMBER 28, 2012 AS INSTRUMENT NO. [22028427](#) OF OFFICIAL RECORDS.

APN: 264-08-060, 264-08-066 AND 264-08-067 (TRACT A), 264-08-071 (TRACT B), 264-08-072 (TRACT C), 264-08-077 (TRACT D), 264-08-078 (TRACT E), AND 264-08-063 (TRACT F)

LEGAL DESCRIPTION

Real property in the City of San Jose, County of Santa Clara, State of California, described as follows:

PARCEL A:

LOT 1, AS SHOWN ON THAT CERTAIN MAP ENTITLED MAP OF THE HAMILTON SUBDIVISION OF THE EAST 1/2 OF LOT 95 OF THE LOS COCHES RANCHO, WHICH MAP WAS FILED FOR RECORD IN THE OFFICE OF THE RECORDER OF THE COUNTY OF SANTA CLARA, STATE OF CALIFORNIA ON APRIL 1, 1890 IN [BOOK D OF MAPS, PAGE 177](#).

PARCEL B:

BEGINNING AT A POINT ON THE WESTERLY LINE OF RACE STREET, AT THE INTERSECTION OF SAID WESTERLY LINE OF RACE STREET WITH THE DIVIDING LINE BETWEEN LOTS 1 AND 2 OF THE HAMILTON SUBDIVISION, RUNNING THENCE SOUTHERLY ALONG THE SAID WESTERLY LINE OF RACE STREET, 22 FEET; RUNNING THENCE WESTERLY PARALLEL WITH THE SAID DIVIDING LINE BETWEEN LOTS 1 AND 2, 366 FEET, MORE OR LESS TO THE WESTERLY LINE OF LOT 2; THENCE NORTHERLY ALONG SAID LINE, 22 FEET TO THE NORTHWESTERLY CORNER OF SAID LOT; THENCE EASTERLY ALONG THE DIVIDING LINE BETWEEN LOTS 1 AND 2, 365.90 FEET TO THE POINT OF BEGINNING, BEING THE NORTHERLY 22 FEET OF LOT 2, AS SHOWN UPON THAT CERTAIN MAP ENTITLED, MAP OF HAMILTON SUBDIVISION OF THE EAST 1/2 OF LOT 95 OF THE LOS COCHES RANCHO, WHICH MAP WAS FILED FOR RECORD IN THE OFFICE OF THE RECORDER OF THE COUNTY OF SANTA CLARA, STATE OF CALIFORNIA ON APRIL 1, 1890 IN [BOOK D OF MAPS, AT PAGE 177](#).

PARCEL C:

PORTION OF LOT 2, AS SHOWN ON THAT CERTAIN MAP ENTITLED MAP OF THE HAMILTON SUBDIVISION OF THE EAST 1/2 OF LOT 95 OF THE LOS COCHES RANCHO WHICH MAP WAS FILED FOR RECORD IN THE OFFICE OF THE RECORDER OF THE COUNTY OF SANTA CLARA, STATE OF CALIFORNIA ON APRIL 1, 1890 IN [BOOK D OF MAPS, PAGE 177](#) AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE WESTERLY LINE OF RACE STREET, WHERE THE SAME IS INTERSECTED BY THE DIVIDING LINE BETWEEN LOTS 2 AND 3 OF THE HAMILTON SUBDIVISION, AS SHOWN ON THE MAP HEREIN ABOVE REFERRED TO; RUNNING THENCE S. 85 1/2° W. ALONG SAID DIVIDING LINE, 368.40 FEET TO THE WESTERLY LINE OF SAID LOT 2; THENCE N. 1° 50' W., ALONG SAID WESTERLY LINE OF SAID LOT 75.25 FEET TO A POINT ON SAID WESTERLY LINE DISTANT 22 FEET SOUTHERLY FROM THE COMMON CORNER FOR LOTS 1 AND 2 OF SAID SUBDIVISION; THENCE N. 85 1/2° E. AND PARALLEL WITH FIRST MENTIONED DIVIDING LINE, 366.38 FEET TO THE WESTERLY LINE OF RACE STREET; THENCE S. 3 1/4° E. 75.25 FEET TO THE POINT OF BEGINNING.

EXCEPTING THEREFROM A PORTION OF LAND CONVEYED THROUGH "FINAL ORDER OF CONDEMNATION" TO SANTA CLARA VALLEY TRANSPORTATION AUTHORITY RECORDED ON MAY 14, 2003 AS DOCUMENT NO. [17036848](#) OF OFFICIAL RECORDS AND LATER CONVEYED TO CITY OF SAN JOSE, A MUNICIPAL CORPORATION OF THE STATE OF CALIFORNIA BY DOCUMENT RECORDED ON MARCH 19, 2009 AS DOCUMENT NO. [20175442](#) OF OFFICIAL RECORDS.

APN: 264-08-077

LEGAL DESCRIPTION

Real property in the City of San Jose, County of Santa Clara, State of California, described as follows:

LOTS 3 AND 4, AS SHOWN ON THAT CERTAIN MAP ENTITLED, "HAMILTON SUB. OF THE E. 1/2 OF LOT 93 OF LOS COCHES", WHICH MAP WAS FILED FOR RECORD IN THE OFFICE OF THE RECORDER OF THE COUNTY OF SANTA CLARA, STATE OF CALIFORNIA ON APRIL 01, 1890, IN BOOK "D" OF MAPS, PAGE(S) 177.

EXCEPTING THEREFROM THAT PORTION GRANTED TO THE SANTA CLARA VALLEY TRANSPORTATION AUTHORITY (VTA), BY GRANT DEED RECORDED JUNE 28, 2001, AS DOCUMENT NO. 15746243, OFFICIAL RECORDS, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

ALL THAT REAL PROPERTY SITUATE IN THE CITY OF SAN JOSE, COUNTY OF SANTA CLARA, STATE OF CALIFORNIA, BEING A PORTION OF THE PARCEL DESCRIBED IN THAT CERTAIN DEED RECORDED ON AUGUST 28, 1979 IN BOOK E 754 OF OFFICIAL RECORDS, AT PAGE 393, SANTA CLARA COUNTY RECORDS, MORE PARTICULARLY DESCRIBED AS FOLLOWS;

BEGINNING AT THE INTERSECTION OF THE SOUTHERLY LINE OF SAID PARCEL WITH THE WESTERLY RIGHT OF WAY LINE OF RACE STREET (60 FEET WIDE);

THENCE ALONG SAID SOUTHERLY LINE, SOUTH 86° 28' 57" WEST, 7.280 METERS;

THENCE LEAVING LAST SAID LINE, NORTH 0° 00' 05" EAST, 10.551 METERS;

THENCE NORTH 0° 57' 44" EAST, 37.973 METERS TO THE NORTHERLY LINE OF SAID PARCEL, SAID LINE ALSO BEING THE SOUTHERLY LINE OF THE PARCEL DESCRIBED IN THAT CERTAIN DEED RECORDED ON JANUARY 18, 1994 IN BOOK N 253 OF OFFICIAL RECORDS, AT PAGE 0563, SAID COUNTY RECORDS;

THENCE ALONG LAST SAID LINES, NORTH 86° 28' 57" EAST, 4.722 METERS TO THE NORTHEAST CORNER OF SAID PARCEL DESCRIBED IN BOOK E 754 OF OFFICIAL RECORDS, AT PAGE 393 AND THE SAID WESTERLY RIGHT OF WAY LINE OF RACE STREET;

THENCE ALONG THE EASTERLY LINE OF LAST SAID PARCEL AND THE SAID WESTERLY RIGHT OF WAY LINE, SOUTH 2° 16' 03" EAST, 48.400 METERS TO THE POINT OF BEGINNING.

APN: 264-08-072

LEGAL DESCRIPTION

Real property in the City of San Jose, County of Santa Clara, State of California, described as follows:

ALL OF LOTS 5 AND 6, AS SHOWN UPON THAT CERTAIN MAP ENTITLED, "MAP OF THE HAMILTON SUBDIVISION OF THE EAST 1/2 OF LOT 95 OF THE LOS COCHES RANCH", RECORDED IN BOOK "D" OF MAPS, PAGE 177, SANTA CLARA COUNTY RECORDS; BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE WESTERLY LINE OF SAID HAMILTON SUBDIVISION WITH THE NORTHERLY LINE OF MOORPARK AVENUE, SHOWN AS SPLIVALO STREET ON SAID MAP; THENCE FROM SAID POINT OF BEGINNING ALONG SAID WESTERLY LINE OF HAMILTON SUBDIVISION, NORTH 01° 50' 00" WEST 196.32 FEET TO THE NORTHWESTERLY CORNER OF SAID LOT 5; NORTH 85° 30' 00" EAST 372.28 FEET TO THE INTERSECTION THEREOF WITH THE WESTERLY LINE OF RACE STREET, AS SHOWN ON SAID MAP; THENCE ALONG SAID WESTERLY LINE RACE STREET; SOUTH 03° 15' 00" EAST 111.92 FEET TO THE INTERSECTION THEREOF WITH THE NORTHWESTERLY LINE OF THE LANDS OF SOUTHERN PACIFIC RAILROAD COMPANY; THENCE RUNNING ALONG THE LAST-NAMED LINE IN A SOUTHWESTERLY DIRECTION 121 FEET MORE OR LESS TO THE INTERSECTION THEREOF WITH SAID NORTHERLY LINE OF MOORPARK AVENUE; THENCE ALONG THE LAST-NAMED LINE, SOUTH 85° 30' 00" WEST 291.90 FEET MORE OR LESS TO THE POINT OF BEGINNING.

EXCEPTING THEREFROM THAT CERTAIN PARCEL OF LAND CONVEYED BY LOUIS J. DEVISH, ET AL TO THE STATE OF CALIFORNIA BY DEED DATED AUGUST 06, 1971 AND RECORDED FEBRUARY 08, 1972 IN BOOK 9695 OF OFFICIAL RECORDS, PAGE 294, DESCRIBED AS FOLLOWS:

COMMENCING ON THE NORTHERLY LINE OF MOORPARK AVENUE AT THE SOUTHWESTERN CORNER OF LOT 6, AS SHOWN ON THAT CERTAIN MAP ENTITLED, "MAP OF THE HAMILTON SUBDIVISION IN THE EAST 1/2 OF LOT 95 OF THE LOS COCHES RANCHO", WHICH MAP WAS FILED FOR RECORD IN THE OFFICE OF THE RECORDER OF SANTA CLARA COUNTY ON APRIL 01, 1890 IN BOOK "D" OF MAPS, AT PAGE 177; THENCE ALONG THE WESTERLY LINE OF SAID LOT N. 0° 44' 03" W. 7.87 FEET; THENCE N. 87° 26' 09" E., 132.55 FEET; THENCE S. 3° 11' 03" E., 6.03 FEET TO SAID NORTHERLY LINE OF MOORPARK AVENUE; THENCE ALONG LAST LINE S. 86° 38' 38" W., 132.88 FEET TO THE POINT OF COMMENCEMENT.

ALSO EXCEPTING THEREFROM THAT PORTION THEREOF CONDEMNED TO THE SANTA CLARA VALLEY TRANSPORTATION AUTHORITY BY FINAL ORDER OF CONDEMNATION RECORDED APRIL 24, 2003 IN DOCUMENT NO. 16988337, OFFICIAL RECORDS.

APN: 264-08-078

EXHIBIT B

Kimley»Horn

100 W SAN FERNANDO STREET, SUITE 250, SAN JOSE, CA 95113





PHONE: 619-234-9411

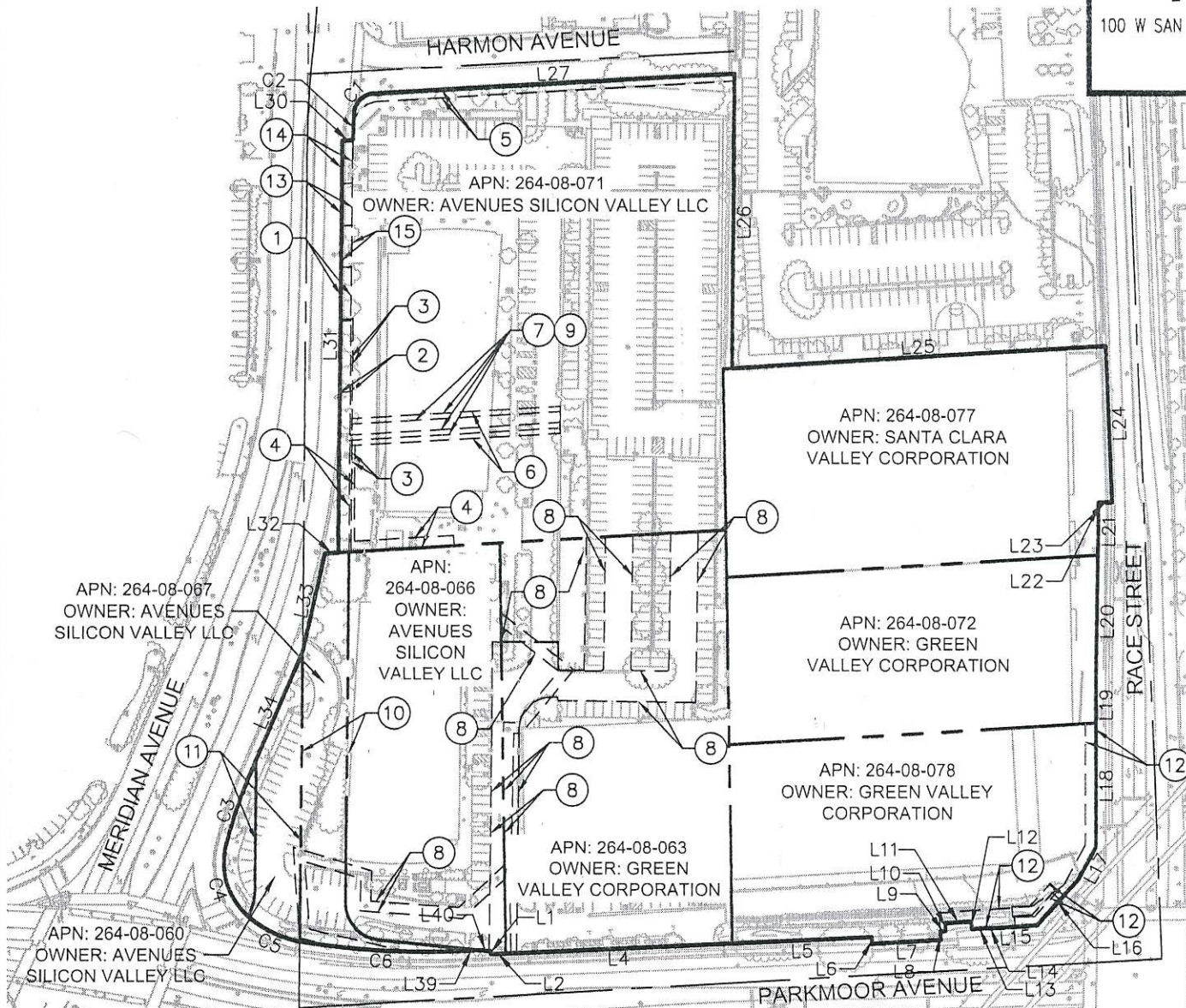
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NOTES

THE PROPERTY LINE AND BOUNDARY INFORMATION SHOWN ON THIS MAP IS PER ALTA/NPSP LAND TITLE SURVEY PREPARED BY BOCK AND CLARK DATED AUGUST 8, 9 AND 14, 2018. KIMLEY-HORN DOES NOT ACCEPT RESPONSIBILITY FOR THE ACCURACY OF THE PROPERTY LINE/BOUNDARY INFORMATION. THE INFORMATION SHALL NOT BE USED FOR RECORDATION PURPOSES UNTIL VERIFIED BY A LICENSED CALIFORNIA SURVEYOR PER THE REQUIREMENTS OF THE CALIFORNIA PROFESSIONAL LAND SURVEYORS ACT.

LEGEND

-  PROPERTY LINE
-  SUBJECT PROPERTY
-  EASEMENT LINE
-  EASEMENT NOTES SEE SHEET 3



AVENUES - SILICON VALLEY
550/570 MERIDIAN AVENUE

DATED: 04/02/2019



GRAPHIC SCALE IN FEET



CITY OF SAN JOSE

SHEET 1 OF 3

EXHIBIT "B"

(File Nos. C19-013; CP19-013; T20-015)

EXHIBIT B

Kimley»Horn

100 W SAN FERNANDO STREET, SUITE 250, SAN JOSE, CA 95113

PHONE: 619-234-9411

WWW.KIMLEY-HORN.COM

LINE TABLE

LINE	LENGTH	BEARING
L1	2.78	S3°21'04"E
L2	14.31	N87°26'27"E
L4	214.89	N87°26'27"E
L5	132.64	N87°26'26"E
L6	6.03	S3°10'45"E
L7	65.21	N86°38'56"E
L8	7.63	N3°27'09"W
L9	5.00	N86°32'51"E
L10	7.49	N3°27'09"W
L11	25.00	N86°32'51"E
L12	6.99	S3°27'09"E
L13	15.00	N86°32'51"E
L14	4.95	S87°44'58"E
L15	42.21	N86°01'16"E
L16	58.17	N42°10'48"E
L17	35.21	N27°56'56"E
L18	118.17	N0°00'05"E
L19	34.62	N0°00'05"E
L20	124.54	N0°57'48"E
L21	43.58	N0°57'40"E

LINE TABLE

LINE	LENGTH	BEARING
L22	5.90	N2°14'47"W
L23	13.03	N87°43'57"E
L24	147.52	N2°16'05"W
L25	355.19	S86°28'58"W
L26	277.74	N0°33'16"E
L27	343.04	S86°48'27"W
L30	10.16	S86°48'27"W
L31	389.69	S0°34'37"W
L32	12.63	S86°33'47"W
L33	95.15	S12°57'37"W
L34	131.92	S23°09'13"W
L39	17.22	N87°26'34"E
L40	9.81	S84°23'11"E

CURVE TABLE

CURVE	RADIUS	LENGTH	CHORD BEARING	CHORD	DELTA
C1	20.00'	29.24'	S44°55'31"W	26.71'	83°46'05"
C2	957.00'	23.92'	S2°19'30"W	23.92'	1°25'56"
C3	384.00'	68.29'	S18°03'31"W	68.20'	10°11'23"
C4	67.00'	74.98'	S19°05'53"E	71.13'	64°07'26"
C5	104.00'	54.02'	S66°02'24"E	53.41'	29°45'36"
C6	752.00'	152.74'	S86°44'19"E	152.47'	11°38'14"



AVENUES - SILICON VALLEY
550/570 MERIDIAN AVENUE

DATED: 04/02/2019

CITY OF SAN JOSE

SHEET 2 OF 3

EXHIBIT "B"

(File No. C10-010; C10-010; T00-010)

EXHIBIT B

Kimley»Horn

100 W SAN FERNANDO STREET, SUITE 250, SAN JOSE, CA 95113

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EASEMENT NOTES

- ① EASEMENT FOR PUBLIC STREET/ROAD PER DOCUMENT RECORDED APRIL 07, 1960 IN BOOK 4755, PAGE 275 OF OFFICIAL RECORDS.
- ② EASEMENT FOR PUBLIC STREET/ROAD PER DOCUMENT RECORDED SEPTEMBER 08, 1959 AS BOOK 4537, PAGE 492 OF OFFICIAL RECORDS.
- ③ EASEMENT FOR PUBLIC STREET/ROAD PER DOCUMENT RECORDED NOVEMBER 17, 1982 AS BOOK H150, PAGE 48 OF OFFICIAL RECORDS.
- ④ EASEMENT FOR INGRESS AND EGRESS AND UNDERGROUND CONDUITS RECORDED JUNE 14, 1982 AS BOOK G841, PAGE 198 OF OFFICIAL RECORDS.
- ⑤ EASEMENT FOR STREET PER DOCUMENT RECORDED OCTOBER 27, 200 AS INSTRUMENT NO. 15437233 OF OFFICIAL RECORDS.
- ⑥ EASEMENT FOR POLE LINE PER DOCUMENT RECORDED JANUARY 22, 1965 AS BOOK 6823, PAGE 393 OF OFFICIAL RECORDS.
- ⑦ EASEMENT FOR INGRESS AND EGRESS, AND SANITARY SEWER DEDICATED ON THE MAP OF RECORD OF SURVEY PER DOCUMENT RECORDED OCTOBER 08, 1964 IN BOOK 186, PAGE 13 OF RECORD MAPS.
- ⑧ NONEXCLUSIVE RECIPROCAL EASEMENT AGREEMENT PER DOCUMENT RECORDED DECEMBER 28, 2012 AS INSTRUMENT NO. 22028427 OF OFFICIAL RECORDS.
- ⑨ EASEMENT FOR INGRESS AND EGRESS, SANITARY SEWER PER DOCUMENT RECORDED OCTOBER 08, 1964 AND ON FILE IN BOOK 186, PAGE 13, OF RECORD MAPS.
- ⑩ EASEMENT FOR PUBLIC UTILITIES PER DOCUMENT RECORDED MARCH 03, 1975 IN BOOK B302, PAGE 688 OF OFFICIAL RECORDS.
- ⑪ EASEMENT FOR PUBLIC UTILITIES PER DOCUMENT RECORDED MARCH 24, 1975 IN BOOK B330, PAGE 483 OF OFFICIAL RECORDS.
- ⑫ EASEMENT FOR TEMPORARY CONSTRUCTION PER DOCUMENT RECORDED APRIL 24, 2003 AS DOCUMENT NO. 16988337 OF OFFICIAL RECORDS.
- ⑬ EASEMENT FOR PUBLIC STREET/ROAD PER DOCUMENT RECORDED JULY 13, 1959 IN BOOK 4479, PAGE 324 OF OFFICIAL RECORDS.
- ⑭ EASEMENT FOR PUBLIC STREET/ROAD PER DOCUMENT RECORDED JULY 13, 1959 IN BOOK 4479, PAGE 377 OF OFFICIAL RECORDS.
- ⑮ EASEMENT FOR PUBLIC STREET/ROAD PER DOCUMENT RECORDED DECEMBER 15, 1959 IN BOOK 4637, PAGE 562 OF OFFICIAL RECORDS.



AVENUES - SILICON VALLEY
550/570 MERIDIAN AVENUE

CITY OF SAN JOSE

DATED: 04/02/2019

SHEET 3 OF 3

EXHIBIT "B"

(File Nos. C18 012; CB18 012; T20 015)