

**From:** [Phan, Johnny](#)  
**To:** [Downtown West Project](#)  
**Subject:** FW: Google - DW - DA Exhibits B and B1  
**Date:** Tuesday, May 18, 2021 11:45:08 AM  
**Attachments:** [Google - DW - Exhibit B1-c \(City Surveyor"s Comments pg 26\).pdf](#)

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**From:** Phan, Johnny  
**Sent:** Monday, May 10, 2021 3:51 PM  
**To:** Miller, J. Gregg <[gmler@coblenzlaw.com](mailto:gmler@coblenzlaw.com)>; Straka, Stephanie <[sstraka@coblenzlaw.com](mailto:sstraka@coblenzlaw.com)>  
**Subject:** Google - DW - DA Exhibits B and B1

See below from City Surveyor on Exhibit B1. Thanks. Johnny

"The map of **Exhibit B – Project Boundaries** (*Google - DW - DA Exhibit B-c.pdf*) is correct and I have no comments or redlines.

The legal descriptions are of each individual parcel (*Google - DW - Exhibit B1-c.pdf*) within the development area. I reviewed against the map and it is complete. However, there seems to be some duplication of a few parcel descriptions that should be reviewed and possibly deleted by the Google Team:

PARCEL ONE (page 26) is a duplicate of PARCEL FOURTEEN (page 66)  
PARCEL TWO (page 26) is a duplicate of PARCEL FIFTEEN (page 66)  
PARCEL THREE (page 27) is a duplicate of PARCEL SIXTEEN (page 66)  
PARCEL FOUR (page 28) is a duplicate of PARCEL SEVENTEEN (page 66)

I recommend deleting the grouping of Pages 26 to 28 as the latter group is part of a larger set of descriptions."

## Johnny V. Phan

**Chief Deputy City Attorney**  
**Office of the City Attorney**  
**City of San Jose**  
**200 East Santa Clara Street**  
**San Jose, CA 95113-1905**  
**Main Ph: (408) 535-1900**  
**Direct No.: (408) 535-1981**  
**Fax No. (408) 998-3131**

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**From:** Choy, Steve <[steve.choy@sanjoseca.gov](mailto:steve.choy@sanjoseca.gov)>  
**Sent:** Monday, May 10, 2021 3:39 PM  
**To:** Phan, Johnny <[Johnny.Phan@sanjoseca.gov](mailto:Johnny.Phan@sanjoseca.gov)>  
**Subject:** RE: Attorney-Client Communications: Google - DW - DA Exhibits B and B1

Hi Johnny –

Sorry for the delay in responding. I was going to review over the weekend but I forgot that it was Mother's Day weekend and there was family plans I could not miss.

The map of **Exhibit B – Project Boundaries** (*Google - DW - DA Exhibit B-c.pdf*) is correct and I have no comments or redlines.

The legal descriptions are of each individual parcel (*Google - DW - Exhibit B1-c.pdf*) within the development area. I reviewed against the map and it is complete. However, there seems to be some duplication of a few parcel descriptions that should be reviewed and possibly deleted by the Google Team:

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I recommend deleting the grouping of Pages 26 to 28 as the latter group is part of a larger set of descriptions.

Please let me know if you have any questions or comments.

**Steve Choy, PLS**  
City of San José, Dept. of Public Works  
408-793-6986 vm | 408-375-3206 cell



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**From:** Phan, Johnny <[Johnny.Phan@sanjoseca.gov](mailto:Johnny.Phan@sanjoseca.gov)>  
**Sent:** Thursday, May 6, 2021 4:27 PM  
**To:** Choy, Steve <[steve.choy@sanjoseca.gov](mailto:steve.choy@sanjoseca.gov)>  
**Subject:** Re: Attorney-Client Communications: Google - DW - DA Exhibits B and B1

Yes. That works. Thanks

**Johnny V. Phan**

**Chief Deputy City Attorney**  
**Office of the City Attorney**  
**City of San Jose**  
[200 East Santa Clara Street](#)  
[San Jose, CA 95113-1905](#)  
**Main Ph:** [\(408\) 535-1900](#)  
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On May 6, 2021, at 4:23 PM, Choy, Steve <[steve.choy@sanjoseca.gov](mailto:steve.choy@sanjoseca.gov)> wrote:

Hi Johnny –

It's taking me longer than I expected to review the legal description as I need to puzzle piece together the APNs to ensure it's correct. I might have to work on it this weekend and reply early Monday. Would that be okay? (I'm also reviewing the Street Vacation exhibits for Ryan).

**Steve Choy, PLS**  
City of San José, Dept. of Public Works  
408-793-6986 vm | 408-375-3206 cell



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**From:** Phan, Johnny <[Johnny.Phan@sanjoseca.gov](mailto:Johnny.Phan@sanjoseca.gov)>  
**Sent:** Thursday, May 6, 2021 10:14 AM  
**To:** Choy, Steve <[steve.choy@sanjoseca.gov](mailto:steve.choy@sanjoseca.gov)>  
**Subject:** Attorney-Client Communications: Google - DW - DA Exhibits B and B1

Hi Steve – Please review the legal description for the Google project Development Agreement. Thanks. Johnny

## **Johnny V. Phan**

**Chief Deputy City Attorney**  
**Office of the City Attorney**  
**City of San Jose**  
**200 East Santa Clara Street**  
**San Jose, CA 95113-1905**  
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**From:** Straka, Stephanie <[SStraka@coblentzlaw.com](mailto:SStraka@coblentzlaw.com)>

**Sent:** Thursday, May 6, 2021 9:04 AM

**To:** Phan, Johnny <[Johnny.Phan@sanjoseca.gov](mailto:Johnny.Phan@sanjoseca.gov)>

**Cc:** Miller, Gregg <[gmler@coblentzlaw.com](mailto:gmler@coblentzlaw.com)>

**Subject:** Google - DW - DA Exhibits B and B1

[External Email]

Johnny, Please see attached exhibits B and B1 (site plan and legal descriptions). Thanks.

**Stephanie R. Straka** | Special Counsel

**Coblentz Patch Duffy & Bass LLP**

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### **LEGAL DESCRIPTION OF THE LAND**

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

BEGINNING AT A POINT IN THE EASTERLY LINE OF AUTUMN STREET, AS SAID LINE WAS ESTABLISHED BY DEED FROM MARION J. SMITH TO THE CITY OF SAN JOSE, RECORDED JANUARY 24, 1969 IN BOOK 8412 OF OFFICIAL RECORDS, PAGE 329, AT THE INTERSECTION THEREOF WITH THE NORTHERLY LINE OF THAT CERTAIN PARCEL DESCRIBED IN THE DEED TO MARGARET F. SMITHEY, ET VIR., RECORDED APRIL 13, 1944 IN BOOK 1188 OF OFFICIAL RECORDS, PAGE 365; THENCE NORTH 3° 13' 38" WEST, ALONG SAID LINE OF AUTUMN STREET 100.00 FEET TO THE INTERSECTION THEREOF WITH THE SOUTHERLY LINE OF THAT CERTAIN PARCEL DESCRIBED IN THE DEED TO MILTON FOX CORPORATION, RECORDED APRIL 24, 1959 IN BOOK 4395 OF OFFICIAL RECORDS, PAGE 36; THENCE NORTH 86° 46' 22" EAST, ALONG LAST SAID LINE 153.09 FEET TO THE NORTHWESTERLY CORNER OF THAT CERTAIN PARCEL DESCRIBED AS PARCEL 2 IN THE DEED TO SANTA CLARA VALLEY FLOOD CONTROL AND WATER DISTRICT, RECORDED AUGUST 23, 1973, IN BOOK 0532 OF OFFICIAL RECORDS, PAGE 480; THENCE SOUTH 16° 39' 47" WEST, ALONG A WESTERLY LINE OF SAID PARCEL 2, 47.05 FEET TO THE NORTHERLY CORNER OF THE PARCEL DESCRIBED IN THE QUITCLAIM DEED TO EDMOND C. MCNAMARA, ET UX, RECORDED AUGUST 23, 1973 IN BOOK 0532 OF OFFICIAL RECORDS, PAGE 485; THENCE ALONG THE WESTERLY LINES OF SAID LAST MENTIONED PARCEL SOUTH 16° 41' 11" WEST, 18.99 FEET; THENCE SOUTH 5° 07' 31" WEST, 38.30 FEET TO THE SOUTHWESTERLY CORNER OF SAID PARCEL 2, IN THE NORTHERLY LINE OF THE PARCEL DESCRIBED IN THE DEED TO SMITHEY, ET VIR; THENCE SOUTH 86° 46' 22" WEST, ALONG SAID NORTHERLY LINE, 125.04 FEET TO THE POINT OF BEGINNING.

APN: 259-38-121|

### **LEGAL DESCRIPTION OF THE LAND**

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

#### **PARCEL ONE:**

BEGINNING AT A ONE INCH IRON PIPE SET ON THE EASTERLY LINE OF AUTUMN STREET (FORMERLY ST. MARY'S STREET), DISTANT THEREON SOUTHERLY 350.00 FEET FROM THE POINT OF INTERSECTION THEREOF WITH THE SOUTHERLY LINE OF THE ALAMEDA; RUNNING THENCE SOUTHERLY ALONG SAID EASTERLY LINE OF AUTUMN STREET, 50.00 FEET TO A CROSS CHISELED IN CONCRETE; THENCE AT RIGHT ANGLES EASTERLY 202.65 FEET TO A POINT IN THE CENTER LINE OF THE CHANNEL OF THE ARROYO DE LOS GATOS (BACK 52.97 FEET ON SAID LAST NAMED COURSE A ONE INCH IRON PIPE SET ON THE WESTERLY BANK OF SAID ARROYO DE LOS GATOS); RUNNING THENCE AT RIGHT ANGLES NORTHERLY ALONG THE SAID CENTER LINE OF THE CHANNEL OF THE ARROYO DE LOS GATOS, 50.00 FEET TO A POINT ON A LINE WHICH IS DRAWN FROM THE POINT OF BEGINNING AT RIGHT ANGLES TO SAID EASTERLY LINE OF AUTUMN STREET; RUNNING THENCE AT RIGHT ANGLES WESTERLY 202.65 FEET TO THE POINT OF BEGINNING, (BACK 139.68 FEET ON SAID LAST NAMED COURSE, A ONE INCH IRON PIPE SET IN THE WESTERLY BANK OF SAID ARROYO DE LOS GATOS) AS SURVEYED AND MONUMENTED IN MARCH, 1955, BY MARK THOMAS & CO.

EXCEPTING THEREFROM, THE WEST 27.5 FEET LYING WITHIN S. AUTUMN STREET, AS GRANTED TO THE CITY OF SAN JOSE BY INSTRUMENT RECORDED JUNE 26, 1969 IN [BOOK 8582, PAGE 543](#) OF OFFICIAL RECORDS.

ALSO EXCEPTING THEREFROM, PARCELS 32 AND 61 AS SHOWN ON RECORD OF SURVEY FILED MARCH 30, 1972 IN [BOOK 298 OF MAPS, AT PAGES 38-45](#), SANTA CLARA COUNTY RECORDS.

ALSO EXCEPTING THEREFROM, THAT PORTION LYING WITHIN THE HEREINAFTER DESCRIBED PARCEL FOUR.

#### **PARCEL TWO:**

BEGINNING AT A POINT ON THE EASTERLY LINE OF AUTUMN STREET, FORMERLY KNOWN AS ST. MARY'S STREET, DISTANT THEREON 300 FEET SOUTHERLY FROM THE POINT OF INTERSECTION OF SAID EASTERLY LINE OF AUTUMN STREET WITH THE SOUTHERLY LINE THE ALAMEDA; THENCE EASTERLY ON A LINE AT RIGHT ANGLES TO SAID EASTERLY LINE OF AUTUMN STREET TO THE CENTER OF LOS GATOS CREEK; THENCE UP THE CHANNEL OF SAID STREAM 50 FEET; THENCE WESTERLY ON A LINE PARALLEL WITH THE FIRST COURSE TO SAID EASTERLY LINE OF AUTUMN STREET; THENCE NORTHERLY ALONG SAID EASTERLY LINE OF AUTUMN STREET 50 FEET, MORE OR LESS, TO THE POINT OF BEGINNING, BEING A PORTION OF LOT 20 OF THE SUBDIVISION OF THE LOS COCHES RANCHO.

EXCEPTING THEREFROM, THE WEST 27.5 FEET LYING WITHIN S. AUTUMN STREET, AS GRANTED TO THE CITY OF SAN JOSE, BY INSTRUMENT RECORDED JUNE 26, 1969 IN [BOOK](#)

[8582, PAGE 543](#) OF OFFICIAL RECORDS.

ALSO EXCEPTING THEREFROM, PARCELS 61 AND 69, AS SHOWN ON RECORD OF SURVEY FILED MARCH 30, 1972 IN [BOOK 298 OF MAPS, AT PAGES 38-45](#), SANTA CLARA COUNTY RECORDS.

ALSO EXCEPTING THEREFROM, THAT PORTION LYING WITHIN THE HEREINAFTER DESCRIBED PARCEL FOUR.

PARCEL THREE:

COMMENCING AT A POINT IN THE EAST SIDE OF AUTUMN STREET, FORMERLY ST. MARY'S STREET 300 FEET SOUTH OF THE SOUTH LINE OF THE ALAMEDA, AS FORMERLY EXISTED; AND RUNNING THENCE EASTERLY AND PARALLEL WITH THE ALAMEDA 130 FEET, MORE OR LESS TO THE CENTER OF LOS GATOS CREEK; THENCE ALONG THE CENTER OF SAID CREEK DOWN STREAM TO THE SOUTHERLY LINE OF LANDS NOW OR FORMERLY OF JOSEPH MAURICE; THENCE WESTERLY AND PARALLEL WITH THE ALAMEDA 130 FEET, MORE OR LESS, TO THE EASTERLY LINE OF ST. MARY'S STREET; THENCE AT RIGHT ANGLES SOUTHERLY AND ALONG SAID EASTERLY LINE OF ST. MARY'S STREET 49 FEET TO THE PLACE OF BEGINNING.

EXCEPTING THEREFROM THE WEST 27.5 FEET LYING WITHIN S. AUTUMN STREET, AS CONVEYED TO THE CITY OF SAN JOSE, BY INSTRUMENT RECORDED NOVEMBER 16, 1970 IN [BOOK 9122, PAGE 239](#) OF OFFICIAL RECORDS.

ALSO EXCEPTING THEREFROM, PARCELS 61 AND 69, AS SHOWN ON RECORD OF SURVEY FILED MARCH 30, 1972 IN [BOOK 298 OF MAPS, AT PAGES 38-45](#), SANTA CLARA COUNTY RECORDS.

ALSO EXCEPTING THEREFROM, THAT PORTION LYING WITHIN THE HEREINAFTER DESCRIBED PARCEL FOUR.

PARCEL FOUR:

ALL OF PARCELS 61.11, 61.12 AND 61.13, AS SHOWN ON THAT CERTAIN MAP OF THE RECORD OF SURVEY FILED FOR RECORD IN [BOOK 298 OF MAPS, AT PAGE 38](#), IN THE OFFICE OF THE RECORDER, COUNTY OF SANTA CLARA, STATE OF CALIFORNIA.

EXCEPTING THEREFROM, THE FOLLOWING DESCRIBED PARCEL:

BEGINNING AT THE NORTHEASTERLY CORNER OF SAID PARCEL 61.11;  
THENCE ALONG THE EASTERLY LINE OF SAID PARCEL ALONG A CURVE TO THE LEFT FROM A TANGENT WHICH BEARS S. 02° 20' 49" W. HAVING A RADIUS OF 1556.00 FEET THROUGH A CENTRAL ANGLE OF 04° 34' 27" FOR AN ARC DISTANCE OF 124.22 FEET;  
THENCE LEAVING SAID LINE N. 10° 47' 45" W. 94.07 FEET;  
THENCE N. 05° 07' 31" E. 31.06 FEET TO THE NORTHEASTERLY LINE OF THE AFORESAID PARCEL 61.11;  
THENCE ALONG SAID LINE N. 86° 46' 22" E. 15.00 FEET TO THE POINT OF BEGINNING.

APN: 259-38-122 (Affects Parcel One and a portion of Parcel Four)  
259-38-123 (Affects Parcel Two and a portion of Parcel Four)  
259-38-124 (Affects Parcel Three and a portion of Parcel Four)

ARB: 259-38-98, 99, 102, 103.02, 103.03 and 103.4

### **LEGAL DESCRIPTION OF THE LAND**

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

Beginning at a point on the Westerly line of St. Mary Street, 310 feet Southerly from the Southerly line of Alameda Road, leading from the City of San Jose to the Town of Santa Clara, in the County of Santa Clara, State of California; and running thence Southerly along the Westerly line of St. Mary Street, 50 feet; thence at right angles Westerly 113 feet; thence at right angles Northerly 50 feet; thence at right angles Easterly 113 feet to the place of beginning.

APN: 259-38-009

### **LEGAL DESCRIPTION OF THE LAND**

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

BEGINNING AT A POINT ON THE EASTERLY LINE OF MONTGOMERY STREET, FORMERLY EAST STREET, DISTANT THEREON 423.50 FEET SOUTHERLY FROM THE POINT OF INTERSECTION OF THE SAID EASTERLY LINE OF MONTGOMERY STREET WITH THE SOUTHERLY LINE OF SANTA CLARA STREET, RUNNING THENCE SOUTHERLY ALONG THE SAID EASTERLY LINE OF MONTGOMERY STREET, 64 FEET; THENCE LEAVING SAID LAST NAMED LINE AND RUNNING AT RIGHT ANGLES EASTERLY 113 FEET; THENCE AT RIGHT ANGLES NORTHERLY 64 FEET; THENCE AT RIGHT ANGLES WESTERLY 113 FEET TO THE POINT OF BEGINNING.

APN: 259-38-027

**LEGAL DESCRIPTION OF THE LAND**

The following described real property in the City of San Jose, County of Santa Clara, State of California:

BEGINNING at a point on the Easterly line of Autumn Street, (formerly St. Mary's Street), distant thereon Southerly 500 feet from the point of intersection thereof with the Southerly line of the Alameda; thence from said point of beginning Northerly along said Easterly line of Autumn Street, 100.00 feet to a cross chiseled in concrete; thence at right angles Easterly 202.65 feet to a point in the center line of the channel of the Arroyo de Los Gatos (back 52.97 feet on said last named course a 1 inch iron pipe set on the Westerly bank of said Arroyo de Los Gatos); thence Southerly along said center line of the channel of the Arroyo de Los Gatos, 100 feet, more or less, to a point on a line which is drawn from the point of beginning at right angles to said Easterly line of Autumn Street; thence Westerly to the point of beginning, and being a portion of the Rancho de Los Coches.

Assessor's Parcel No. 259-38-119

## LEGAL DESCRIPTION OF THE LAND

### 55 S. Autumn

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

#### PARCEL A:

COMMENCING AT A POINT ON THE WESTERLY LINE OF AUTUMN STREET, FORMERLY ST. MARY'S STREET, DISTANT THEREON 360 FEET SOUTHERLY FROM THE POINT OF INTERSECTION OF THE SAID WESTERLY LINE OF AUTUMN STREET WITH THE SOUTHERLY LINE OF THE ALAMEDA AND RUNNING THENCE SOUTHERLY ALONG THE SAID WESTERLY LINE OF AUTUMN STREET 50 FEET; THENCE AT RIGHT ANGLES WESTERLY 113 FEET; THENCE AT RIGHT ANGLES NORTHERLY 50 FEET, AND THENCE AT RIGHT ANGLES EASTERLY 113 FEET TO THE PLACE OF COMMENCEMENT, BEING A PART OF LOT 20 OF THE LOS COCHES RANCHO.

#### PARCEL B:

BEGINNING AT A POINT ON THE WESTERLY LINE OF AUTUMN STREET, FORMERLY ST. MARY'S STREET, DISTANT SOUTH 3°15' EAST 410 FEET FROM THE POINT OF INTERSECTION OF SAID WESTERLY LINE OF AUTUMN STREET WITH THE SOUTHERLY LINE OF THE ALAMEDA; AND RUNNING THENCE ALONG SAID WESTERLY LINE OF AUTUMN STREET SOUTH 3° 15' EAST 47 FEET 8 INCHES AS TO A STAKE; THENCE AT RIGHT ANGLES AND ALONG THE FENCE SOUTH 86°45' WEST 113 FEET TO A POINT; THENCE AT A RIGHT ANGLE AND PARALLEL TO AUTUMN STREET, NORTH 3°15' WEST 47.8 INCHES TO A STAKE; AND THENCE AT RIGHT ANGLES NORTH 86°45' EAST 113 TO THE POINT OF BEGINNING AND BEING A PART OF LOT 20 OF THE LOS COCHES RANCHO.

APN: 259-38-010

### 57 S. Autumn

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

BEGINNING AT A POINT ON THE WESTERLY LINE OF AUTUMN STREET, FORMERLY ST. MARY'S STREET, DISTANT THEREON 457 FEET, 8 INCHES SOUTHERLY FROM THE INTERSECTION OF THE SAID WESTERLY LINE OF AUTUMN STREET WITH THE SOUTHERLY LINE OF THE ALAMEDA; THENCE SOUTHERLY ALONG SAID WESTERLY LINE OF AUTUMN STREET 50 FEET; THENCE AT RIGHT ANGLES WESTERLY 113 FEET; THENCE AT RIGHT ANGLES NORTHERLY 50 FEET, THENCE AT RIGHT ANGLES EASTERLY 113 FEET TO THE POINT OF BEGINNING, BEING A PORTION OF THE LOS COCHES RANCHO.

APN: 259-38-011

**40 S. Montgomery**

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

**PARCEL 1:**

BEGINNING AT A POINT ON THE EASTERLY LINE OF MONTGOMERY STREET, FORMERLY KNOWN AS AND CALLED EAST STREET, DISTANT THEREON SOUTHERLY 310 FEET FROM THE INTERSECTION OF SAID LINE OF MONTGOMERY STREET WITH THE SOUTHERLY LINE OF SANTA CLARA STREET; THENCE SOUTHERLY ALONG SAID LINE OF MONTGOMERY STREET 50.0 FEET; THENCE AT A RIGHT ANGLE EASTERLY 113.0 FEET; THENCE AT A RIGHT ANGLE NORTHERLY 50.0 FEET, AND THENCE AT A RIGHT ANGLE WESTERLY 113.0 FEET TO THE PLACE OF BEGINNING, AND BEING A PORTION OF THE RANCHO LOS COCHES.

**PARCEL 2:**

COMMENCING AT A POINT ON THE EASTERLY LINE OF EAST STREET, DISTANT 360 FEET SOUTHERLY FROM THE POINT OF INTERSECTION OF SAID EASTERLY LINE OF EAST STREET WITH THE SOUTHERLY LINE OF ALAMEDA ROAD; RUNNING THENCE SOUTHERLY AND ALONG SAID EASTERLY LINE OF EAST STREET 63.50 FEET; THENCE AT RIGHT ANGLES EASTERLY 113 FEET; THENCE AT RIGHT ANGLES NORTHERLY 63.50 FEET, THENCE AT RIGHT ANGLES WESTERLY 113 FEET TO THE POINT OF COMMENCEMENT, AND BEING A PORTION OF LOT 20 OF THE SUBDIVISION OF THE RANCHO LOS COCHES, AS SHOWN UPON A MAP OF SAID SUBDIVISION FILED IN THE OFFICE OF THE COUNTY RECORDER OF THE COUNTY OF SANTA CLARA, STATE OF CALIFORNIA, NO NOVEMBER 6TH, 1867 AND WHICH MAP WAS COPIED INTO BOOK "A" OF MAPS, AT PAGE 47, RECORDS OF SAID COUNTY.

APN: 259-38-029 (Affects Parcel 1) and 259-38-028 (Affects Parcel 2)



## **LEGAL DESCRIPTION OF THE LAND**

APN: 259-38-117 , 259-38-116 and 259-38-135

### **PARCEL TWO:**

BEGINNING AT THE INTERSECTION OF A LINE PARALLEL WITH AND 27.50 FEET EASTERLY FROM THE EASTERLY LINE OF AUTUMN STREET WITH THE NORTHERLY LINE OF THAT CERTAIN PARCEL OF LAND CONVEYED TO PETER RAMONDA ET UX BY DEED RECORDED IN OFFICE OF THE COUNTY RECORDER, SANTA CLARA COUNTY, CALIFORNIA, OCTOBER 04, 1 IN BOOK 739 OF OFFICIAL RECORDS, PAGE 582; THENCE ALONG THE NORTHERLY LINE OF SAID PARCEL 1 NORTH 86° 46' 22" EAST TO THE CENTER LINE OF THE LOS GATOS CREEK; THENCE SOUTHERLY UP THE CENTER LINE OF SAID CREEK TO THE SOUTHERLY LINE OF SAID PARCEL; THENCE SOUTH 86° 46' 22" WEST TO THE INTERSECTION THEREOF WITH SAID PARALLEL LINE; THENCE NORTH 3° 13' 38" WEST 50 FEET ALONG SAID PARALLEL LINE TO POINT OF BEGINNING.

### **PARCEL TWO-A:**

PARCEL 61.15 AS SHOWN ON THAT CERTAIN RECORD OF SURVEY FILED FOR RECORD ON MARCH 30, 1972 IN BOOK 298 OF MAPS, PAGES 38 TO 45 INCLUSIVE.

### **PARCEL NO. THREE:**

BEGINNING AT A POINT ON THE EASTERLY LINE OF AUTUMN STREET, FORMERLY CALLED MARY'S STREET, DISTANT THEREON 550 FEET SOUTHERLY FROM THE POINT OF INTERSECTION THEREOF WITH THE SOUTHERLY LINE OF SANTA CLARA STREET, FORMERLY CALLED THE ALAMEDA ROAD; THENCE RUNNING EASTERLY AT RIGHT ANGLES TO AUTUMN STREET, 186 FEET, MORE OR LESS, TO THE CENTER OF THE CHANNEL OF LOS GATOS CREEK AS THE SAME EXISTED IN 1860, BEING THE EASTERLY LINE OF LANDS FORMERLY OF PATRICK KELLY; THENCE SOUTHERLY UP THE SAID CHANNEL OF LOS GATOS CREEK, FOLLOWING THE BOUNDARY OF SAID LAND OF PATRICK KELLY, 50 FEET; THENCE WESTERLY AND PARALLEL WITH THE FIRST NAMED LINE; 186 FEET, MORE OR LESS, TO A POST ON THE EASTERLY LINE OF AUTUMN STREET; THENCE NORTHERLY ALONG THE EASTERLY LINE OF AUTUMN STREET 50 FEET TO THE POINT OF BEGINNING.

### **PARCEL THREE A:**

PARCEL 61.16 AS SHOWN ON THAT CERTAIN RECORD OF SURVEY FILED FOR RECORD ON MARCH 30, 1972 IN BOOK 298, PAGES 38 TO 45 INCLUSIVE.

EXCEPTING FROM PARCEL THREE AND THREE-A THAT PORTION OF LAND DESCRIBED AS PARCEL A IN THAT CERTAIN GRANT DEED RECORDED 8493, PAGE 359, SANTA CLARA COUNTY OFFICIAL RECORDS.

ALSO EXCEPTING THEREFROM PARCEL 61 AS SHOWN ON RECORD OF SURVEY FILED MARCH 30, 1972 IN BOOK 298 OF MAPS, PAGES 38-45, SANTA CLARA COUNTY RECORDS.

ALSO EXCEPTING FROM PARCEL THREE ANY PORTION LYING WITHIN PARCEL THREE-A.

**PARCEL NO. FOUR:**

BEGINNING AT A POINT ON THE EASTERLY LINE OF AUTUMN STREET, FORMERLY ST. MARY'S STREET, DISTANT THEREON SIX HUNDRED FEET SOUTHERLY FROM THE POINT OF INTERSECTION OF THE EASTERLY LINE OF AUTUMN STREET WITH THE SOUTHERLY LINE OF THE ALAMEDA; THENCE EASTERLY AT RIGHT ANGLES ONE HUNDRED EIGHTY-FIVE FEET, MORE OR LESS, TO A POINT IN THE CENTER OF THE CHANNEL OF THE ARROYO DE LOS GATOS, THENCE SOUTHERLY ALONG THE CENTER OF SAID ARROYO, FIFTY FEET, MORE OR LESS, TO THE NORTHERLY LINE OF THAT CERTAIN PARCEL OF LAND CONVEYED BY PATRICK KELLY AND MARY KELLY, HIS WIFE, TO PATRICK CAHILL, BY DEED DATED JANUARY 31, 1864 AND RECORDED APRIL 02, 1864, IN VOLUME "S" OF DEEDS, PAGE 294; THENCE WESTERLY ON AND ALONG THE NORTHERLY LINE OF LAND SO CONVEYED TO CAHILL, ONE HUNDRED EIGHTY-FIVE FEET, MORE OR LESS, TO A POINT IN THE EASTERLY LINE OF AUTUMN STREET, THENCE NORTHERLY ALONG THE SAID EASTERLY LINE OF AUTUMN STREET, FIFTY FEET TO THE POINT OF BEGINNING AND BEING A PORTION OF LOT 20, OF THE LOS COCHES RANCHO.

**PARCEL FOUR-A:**

PARCEL 61.17 AS SHOWN ON THAT CERTAIN RECORD OF SURVEY FILED FOR RECORD ON MARCH 30, 1972 IN BOOK 298, PAGES 38 TO 45 INCLUSIVE.

EXCEPTING FROM PARCEL FOUR AND FOUR-A THAT PORTION OF LAND DESCRIBED AS PARCEL B IN THAT CERTAIN GRANT DEED RECORDED 8493, PAGE 359, SANTA CLARA COUNTY OFFICIAL RECORDS.

ALSO EXCEPTING FROM PARCELS FOUR AND FOUR-A THAT PORTION OF LAND DESCRIBED IN THAT CERTAIN "FINAL ORDER OF CONDEMNATION" RECORDED APRIL 09, 2003 AS INSTRUMENT NO. 16948944, SANTA CLARA COUNTY OFFICIAL RECORDS.

APN(S): 259-38-117 (AFFECTS PARCEL TWO AND TWO-A); 259-38-116 (AFFECTS PARCEL THREE AND THREE-A) AND 259-38-135 (AFFECTS PARCEL FOUR AND FOUR-A)

### **LEGAL DESCRIPTION OF THE LAND**

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

BEGINNING AT THE INTERSECTION OF THE WESTERLY LINE OF AUTUMN STREET (72 FOOT WIDE RIGHT OF WAY) AND THE SOUTHERLY LINE OF WEST SANTA CLARA STREET) FORMERLY KNOWN AS THE ALAMEDA), THENCE RUNNING SOUTHERLY ALONG THE WESTERLY LINE OF AUTUMN STREET 507.67 FEET TO THE TRUE POINT OF BEGINNING, THENCE RUNNING SOUTHERLY ALONG THE WESTERLY LINE OF AUTUMN STREET, 127.24 FEET TO A POINT, SAID POINT BEING THE NORTHEASTERLY CORNER OF THE LANDS OF SANTA CLARA VALLEY TRANSPORTATION AUTHORITY AS DESCRIBED IN DOCUMENT NUMBER 16434322, SANTA CLARA COUNTY RECORDS, THENCE RUNNING SOUTH 87 DEG 47'55" WEST 113.01 FEET TO A POINT ON THE EASTERLY LINE OF THE LANDS OF THE SANTA CLARA VALLEY TRANSPORTATION AUTHORITY AS DESCRIBED IN DOCUMENT NUMBER 15633018, SANTA CLARA COUNTY RECORDS, THENCE RUNNING NORTHERLY AND PARALLEL WITH THE WESTERLY LINE OF AUTUMN STREET 126.72 FEET TO A POINT, THENCE RUNNING EASTERLY AT RIGHT ANGLES TO THE WESTERLY LINE OF AUTUMN STREET 113 FEET TO THE TRUE POINT OF BEGINNING.

THIS LEGAL IS MADE PURSUANT TO THAT CERTAIN CERTIFICATE APPROVING A LOT LINE ADJUSTMENT FILE NO. AT 03-005, RECORDED MARCH 03, 2003 AS INSTRUMENT NO. 16855173 OF OFFICIAL RECORDS,

APN: 259-38-141

**LEGAL DESCRIPTION OF THE LAND**

APN: 259-38-113

**PARCEL ONE:**

COMMENCING AT A POINT ON THE EASTERLY SIDE OF AUTUMN STREET FORMERLY ST. MARYS STREET, DISTANT THEREON 700 FEET SOUTHERLY FROM THE INTERSECTION OF SAID LINE OF AUTUMN STREET WITH THE SOUTHERLY LINE OF THE ALAMEDA, AND RUNNING THENCE EASTERLY AT A RIGHT ANGLE TO AUTUMN STREET TO THE CENTER LINE OF THE CHANNEL OF THE ARROYO DE LOS GATOS, AND THE EASTERLY LINE OF THE LAND FORMERLY OF PATRICK KELLY AS SAME EXISTED IN 1863; THENCE UP THE CHANNEL OF SAID STREAM FOLLOWING THE BOUNDARIES OF LAND FORMERLY OF SAID PATRICK KELLY, 50 FEET; THENCE WESTERLY AND PARALLEL WITH THE FIRST NAMED LINE TO THE EASTERLY LINE OF AUTUMN STREET; THENCE AT RIGHT ANGLE NORTHERLY ALONG THE SAID LINE OF AUTUMN STREET 50 FEET TO THE PLACE OF COMMENCEMENT, BEING A PORTION OF LOT 20 OF THE LOS COCHES RANCHO, AND BEING THE SAME LAND AS CONVEYED BY PATRICK KELLY, ET UX, TO GEORGE A. SHURTLEFF, BY DEED DATED JUNE 02, 1864, RECORDED JUNE 16, 1864 IN BOOK S OF DEEDS, PAGE 481.

EXCEPTING THEREFROM THAT PORTION OF LAND DESCRIBED IN THE DEED TO THE SANTA CLARA COUNTY FLOOD CONTROL AND WATER DISTRICT, FILED FOR RECORD IN THE OFFICE OF THE RECORDER OF THE COUNTY OF SANTA CLARA ON JULY 23, 1973 IN BOOK 480, PAGE 699 OF OFFICIAL RECORDS, AND BEING ALL OF PARCEL 34B AS SHOWN UPON THAT CERTAIN RECORD OF SURVEY MAP, FILED FOR RECORD MARCH 30, 1972 IN BOOK 298 OF MAPS, PAGES 38 TO 45 INCLUSIVE, OFFICIAL RECORDS OF SANTA CLARA COUNTY.

ALSO EXCEPTING THEREFROM THAT PORTION OF LAND DESCRIBED IN THE DEED TO THE CITY OF SAN JOSE, FILED FOR RECORD IN THE OFFICE OF THE RECORDER OF THE COUNTY OF SANTA CLARA ON MAY 13, 1969 IN BOOK 8531, PAGE 149 OF OFFICIAL RECORDS, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWESTERLY CORNER OF THAT CERTAIN PARCEL OF LAND DESCRIBED IN THE DEED FROM ALVA H. MORGAN, ET UX, TO GEORGE L. MORGAN DATED MAY 20, 1935 AND RECORDED MAY 29, 1935 IN BOOK 730 OF OFFICIAL RECORDS, PAGE 325, SANTA CLARA COUNTY RECORDS, SAID POINT OF BEGINNING BEING THE EASTERLY LINE OF AUTUMN STREET, 44.50 FEET WIDE; THENCE ALONG SAID EASTERLY LINE OF AUTUMN STREET NORTH 3° 13' 38" WEST 50.00 FEET TO THE SOUTHWESTERLY CORNER OF THAT CERTAIN PARCEL OF LAND CONVEYED TO EULOGIA SANTIAGO IN THAT CERTAIN JUDGMENT OF FINAL DISTRIBUTION DATED JANUARY 26, 1966 AND RECORDED JANUARY 27, 1966 IN BOOK 7264 OF OFFICIAL RECORDS, PAGE 527, SANTA CLARA COUNTY RECORDS; THENCE ALONG THE SOUTHERLY LINE OF THE PARCEL OF LAND LAST REFERRED TO NORTH 86° 46' 22" EAST 27.51 FEET TO A POINT ON A CURVE CONCAVE EASTERLY, A RADIAL LINE OF SAID CURVE TO SAID POINT BEARS NORTH 83° 40' 33" EAST; THENCE ALONG THE ARC OF SAID CURVE WITH A RADIUS OF 1000.00 FEET, THROUGH A CENTRAL ANGLE OF 2° 51' 58" A DISTANCE OF 50.02 FEET TO THE NORTHERLY LINE OF THE PARCEL FIRST HEREINABOVE REFERRED TO; THENCE ALONG SAID NORTHERLY LINE SOUTH 86° 46' 22" WEST 28.96 FEET TO THE POINT OF BEGINNING.

AND FURTHER EXCEPTING THEREFROM THAT PORTION THEREOF CONDEMNED BY COUNTY OF

SANTA CLARA BY DECREE MADE MAY 11, 1875 IN THE DISTRICT COURT OF THE 20TH JUDICIAL DISTRICT OF THE STATE OF CALIFORNIA IN AND FOR THE COUNTY OF SANTA CLARA IN ACTION ENTITLED, "COUNTY OF SANTA CLARA, PLAINTIFF, VS. S. W. DELACY, ET AL, DEFENDANTS", CASE NO. 3899, A CERTIFIED COPY OF WHICH DECREE WAS RECORDED FEBRUARY 07, 1949 IN BOOK 1742 OFFICIAL RECORDS, PAGE 349, AND SUBSEQUENTLY CONVEYED BY COUNTY OF SANTA CLARE TO SANTA CLARA COUNTY FLOOD CONTROL AND WATER DISTRICT BY DEED RECORDED JULY 07, 1971 IN BOOK 9407 OFFICIAL RECORDS, PAGE 678.

**LEGAL DESCRIPTION OF THE LAND**

Real property in the City of San Jose, County of Santa Clara, State of California, described as follows:  
BEGINNING AT A 2"X3" STAKE IN THE WEST LINE OF AUTUMN STREET, DISTANT THEREON SOUTH 3° 29' EAST 708.17 FEET FROM THE POINT OF INTERSECTION OF THE WEST LINE OF AUTUMN STREET, WITH THE SOUTH LINE OF THE ALAMEDA; AND RUNNING THENCE, ALONG THE WEST LINE OF AUTUMN STREET SOUTH 3° 29' EAST 35.04 FEET TO A ¾ INCH IRON BAR; THENCE SOUTH 86° 28' WEST 113.62 FEET TO A 2"X3" STAKE; THENCE, NORTH 3° 29' WEST 35.04 FEET TO A ¾ INCH PIPE; AND THENCE, NORTH 86° 38' EAST 113.62 FEET TO THE PLACE OF BEGINNING.

APN: 259-38-015

## LEGAL DESCRIPTION OF THE LAND

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

### PARCEL ONE:

BEGINNING AT A 3/4 INCH IRON BAR AT THE WEST LINE OF AUTUMN STREET, DISTANT THEREON S. 3° 39' E. 743.21 FEET FROM THE POINT OF INTERSECTION OF THE WEST LINE OF AUTUMN STREET WITH THE SOUTH LINE OF THE ALAMEDA; AND RUNNING THENCE ALONG WITH THE WEST LINE OF AUTUMN STREET, S. 3° 39' E. 42.28 FEET TO A 3/4 INCH IRON BAR AT THE POINT OF INTERSECTION OF SAID WEST LINE OF AUTUMN STREET WITH THE NORTH LINE OF FRISBIE STREET; THENCE ALONG SAID NORTH LINE S. 86° 38' W. 113.62 FEET TO 5/8 INCH PIPE; THENCE N. 3° 39' W. 42.28 FEET TO A 2 INCH X 3 INCH STAKE; THENCE N. 86° 38' 113.62 FEET TO THE PLACE OF BEGINNING.

### PARCEL TWO:

BEGINNING AT THE POINT OF INTERSECTION OF THE WESTERLY LINE OF AUTUMN STREET, FORMERLY ST. MARY'S STREET WITH THE SOUTHERLY LINE OF FRISBIE STREET, SAID POINT OF INTERSECTION BEING ON THE WESTERLY LINE OF AUTUMN STREET DISTANT THEREON 810 FEET SOUTHERLY FROM THE POINT OF INTERSECTION OF THE WESTERLY LINE OF AUTUMN STREET WITH THE SOUTHERLY LINE OF THE ALAMEDA; THENCE RUNNING SOUTHERLY AND ALONG THE WESTERLY LINE OF AUTUMN STREET, 50 FEET; THENCE RUNNING AT RIGHT ANGLES WESTERLY AND PARALLEL WITH THE SOUTHERLY LINE OF FRISBIE STREET, 113 FEET; THENCE RUNNING AT RIGHT ANGLES NORTHERLY AND PARALLEL WITH THE WESTERLY LINE OF AUTUMN STREET, 50 FEET TO A POINT ON THE SOUTHERLY LINE OF FRISBIE STREET; THENCE RUNNING AT RIGHT ANGLES EASTERLY AND ALONG THE SOUTHERLY LINE OF FRISBIE STREET 113 FEET TO THE POINT OF BEGINNING, AND BEING A PORTION OF LOT 20 OF THE RANCHO DE LOS COCHES, WHICH MAP WAS RECORDED IN THE OFFICE OF THE COUNTY RECORDER, COUNTY OF SANTA CLARA, STATE OF CALIFORNIA, ON NOVEMBER 6, 1867 IN BOOK "A" OF MAPS, PAGE 47.

### PARCEL THREE:

A PORTION OF LOT 20 OF THE LOS COCHES RANCHO, AND BEING A PORTION OF FRISBIE STREET, NOW ABANDONED, AND DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE WESTERLY LINE OF AUTUMN STREET WITH THE SOUTHERLY LINE OF FRISBIE STREET, AS IT EXISTED PRIOR TO ABANDONMENT; THENCE NORTHERLY ALONG THE PROLONGED WESTERLY LINE OF AUTUMN STREET, 25 FEET TO THE NORTHERLY LINE OF SAID FRISBIE STREET; THENCE WESTERLY ALONG THE NORTHERLY LINE OF SAID FRISBIE STREET, 113 FEET; THENCE SOUTHERLY AND PARALLEL WITH SAID PROLONGED WESTERLY LINE OF AUTUMN STREET, 25 FEET TO THE SOUTHERLY LINE OF SAID FRISBIE STREET; THENCE EASTERLY ALONG THE SOUTHERLY LINE OF SAID FRISBIE STREET, 113 FEET TO THE POINT OF BEGINNING.

### PARCEL FOUR:

BEGINNING AT A POINT ON THE EASTERLY LINE OF MONTGOMERY STREET, FORMERLY EAST STREET, DISTANT THEREON 742.50 FEET SOUTHERLY FROM THE POINT OF INTERSECTION OF

THE EASTERLY LINE OF MONTGOMERY STREET WITH THE SOUTHERLY LINE OF THE ALAMEDA; THENCE RUNNING SOUTHERLY AND ALONG THE EASTERLY LINE OF MONTGOMERY STREET, 42.50 FEET TO THE NORTHERLY LINE OF FRISBIE STREET, SO-CALLED; THENCE RUNNING AT RIGHT ANGLES EASTERLY AND ALONG THE NORTHERLY LINE OF FRISBIE STREET, 113 FEET; THENCE RUNNING AT RIGHT ANGLES NORTHERLY AND PARALLEL WITH THE EASTERLY LINE OF MONTGOMERY STREET, 42.50 FEET; THENCE RUNNING AT RIGHT ANGLES WESTERLY AND PARALLEL WITH THE NORTHERLY LINE OF FRISBIE STREET, SO-CALLED, 113 FEET TO THE POINT OF BEGINNING AND BEING A PORTION OF LOT 20 AS DESIGNATED ON MAP ENTITLED "MAP SHOWING THE SUBDIVISION OF THE RANCHO DE LOS COCHES, ADJOINING THE CITY OF SAN JOSE, SANTA CLARA COUNTY", AND WHICH SAID MAP WAS RECORDED IN THE OFFICE OF THE COUNTY RECORDER OF THE COUNTY OF SANTA CLARA, STATE OF CALIFORNIA, ON NOVEMBER 6, 1867, IN BOOK "A" OF MAPS, PAGE 47.

PARCEL FIVE:

BEGINNING AT THE POINT OF INTERSECTION OF THE EASTERLY LINE OF MONTGOMERY STREET, FORMERLY EAST STREET, WITH THE SOUTHERLY LINE OF FRISBIE STREET, SAID POINT OF INTERSECTION BEING AT A POINT ON THE EASTERLY LINE OF MONTGOMERY STREET, DISTANT THEREON 810 FEET SOUTHERLY FROM THE POINT OF INTERSECTION OF THE EASTERLY LINE OF MONTGOMERY STREET WITH THE SOUTHERLY LINE OF SANTA CLARA STREET; THENCE RUNNING SOUTHERLY AND ALONG THE EASTERLY LINE OF MONTGOMERY STREET 60 FEET; THENCE RUNNING AT RIGHT ANGLES EASTERLY AND PARALLEL WITH THE SOUTHERLY LINE OF FRISBIE STREET 113 FEET; THENCE RUNNING AT RIGHT ANGLES NORTHERLY AND PARALLEL WITH THE EASTERLY LINE OF MONTGOMERY STREET, 60 FEET TO A POINT ON THE SOUTHERLY LINE OF FRISBIE STREET, THENCE RUNNING AT RIGHT ANGLES WESTERLY AND ALONG THE SOUTHERLY LINE OF FRISBIE STREET 113 FEET TO THE POINT OF BEGINNING AND BEING A PORTION OF LOT 20 OF THE LOS COCHES RANCHO.

PARCEL SIX:

A PORTION OF LOT 20 OF THE LOS COCHES RANCHO AND BEING A PORTION OF FRISBIE STREET, NOW ABANDONED, AND DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE EASTERLY LINE OF MONTGOMERY STREET WITH THE SOUTHERLY LINE OF FRISBIE STREET AS IT EXISTED PRIOR TO ABANDONMENT; THENCE NORTHERLY ALONG THE PROLONGED EASTERLY LINE OF MONTGOMERY STREET, 25 FEET TO THE NORTHERLY LINE OF SAID FRISBIE STREET; THENCE EASTERLY ALONG SAID NORTHERLY LINE OF SAID FRISBIE STREET, 113 FEET; THENCE SOUTHERLY AND PARALLEL WITH THE PROLONGED EASTERLY LINE OF MONTGOMERY STREET, 25 FEET TO THE SOUTHERLY LINE OF SAID FRISBIE STREET; THENCE WESTERLY ALONG THE SOUTHERLY LINE OF FRISBIE STREET, 113 FEET TO THE POINT OF BEGINNING.

APN: 259-38-087 (Affects Parcel One and portion of Parcel Three)

259-38-088 (Affects Parcel Two and portion of Parcel Three)

259-38-089 (Affects Parcel Five and portion of Parcel Six)

259-38-090 (Affects Parcel Four and portion of Parcel Six)



### **LEGAL DESCRIPTION**

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

PORTION OF LOT 25, PLAT OF A BLOCK OF LAND PART OF THE RANCHO POTRERO DE SANTA CLARA, AS SOLD IN SUBDIVISION BY F.S. BRADLEE, FILED DECEMBER 15, 1870 IN [BOOK A OF MAPS, PAGE 52](#), SANTA CLARA COUNTY RECORDS AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A 2" X 3" STAKE IN THE SOUTHWESTERLY LINE OF MONTGOMERY STREET, WHICH BEARS NORTHWESTERLY FOR A DISTANCE OF 103.29 FEET FROM THE POINT OF INTERSECTION OF THE SOUTHWESTERLY LINE OF MONTGOMERY STREET WITH THE NORTHWESTERLY LINE OF JULIAN STREET; THENCE NORTHWESTERLY ALONG THE SOUTHWESTERLY LINE OF MONTGOMERY STREET, FOR A DISTANCE OF 56.71 FEET TO A ONE INCH IRON BAR AT THE MOST NORTHERLY CORNER OF LOT 25 OF THE F.S. BRADLEE SUBDIVISION ABOVE REFERRED TO; THENCE SOUTHWESTERLY ALONG THE NORTHWESTERLY LINE OF SAID LOT 25, AND FOR A DISTANCE OF 53 FEET TO THE MOST WESTERLY CORNER OF SAID LOT 25; THENCE ALONG THE LINE BETWEEN LOTS 25 AND 26, OF THE F.S. BRADLEE SUBDIVISION, SOUTHEASTERLY FOR A DISTANCE OF 56.71 FEET TO A 3/4" IRON PIPE; THENCE NORTHEASTERLY AND PARALLEL WITH THE NORTHWESTERLY LINE OF JULIAN STREET FOR A DISTANCE OF 53 FEET TO THE POINT OF BEGINNING.

APN: 259-27-007

### **LEGAL DESCRIPTION OF THE LAND**

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

PORTION OF LOTS 20 AND 29, AS SHOWN UPON THAT CERTAIN MAP ENTITLED, "MAP SHOWING SUBDIVISION OF THE RANCHO DE LOS COCHES, ADJOINING THE CITY OF SAN JOSE, SANTA CLARA COUNTY", WHICH MAP WAS FILED FOR RECORD IN THE OFFICE OF THE RECORDER OF THE COUNTY OF SANTA CLARA, STATE OF CALIFORNIA, ON NOVEMBER 06, 1867 IN BOOK A OF MAPS, PAGE 47, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE POINT OF INTERSECTION OF THE NORTHERLY LINE OF SAN FERNANDO STREET, WITH THE EASTERLY LINE OF MONTGOMERY STREET; THENCE RUNNING NORTHERLY AND ALONG THE EASTERLY LINE OF MONTGOMERY STREET, 60 FEET TO THE SOUTHWEST CORNER OF THAT CERTAIN PARCEL OF LAND CONVEYED BY JOHN VONGREY, ET UX, TO CLEMENS BECK AND ANNA K. BECK, HUSBAND AND WIFE, AS JOINT TENANTS, BY DEED DATED FEBRUARY 03, 1923, RECORDED FEBRUARY 03, 1923 IN VOLUME 4 OF OFFICIAL RECORDS, PAGE 502; THENCE RUNNING EASTERLY AND ALONG THE SOUTHERLY LINE OF LAND SO CONVEYED TO CLEMENS BECK, ET UX, AND PARALLEL WITH THE NORTHERLY LINE OF SAN FERNANDO STREET, 113 FEET TO THE SOUTHEAST CORNER THEREOF; THENCE RUNNING SOUTHERLY AND PARALLEL WITH THE EASTERLY LINE OF MONTGOMERY STREET, 60 FEET TO THE NORTHERLY LINE OF SAN FERNANDO STREET; THENCE RUNNING WESTERLY AND ALONG THE NORTHERLY LINE OF SAN FERNANDO STREET, 113 FEET TO THE POINT OF BEGINNING.

APN: 259-38-019

### LEGAL DESCRIPTION OF THE LAND

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

BEGINNING AT A POINT ON THE WESTERLY LINE OF AUTUMN STREET, FORMERLY ST. MARY'S STREET, DISTANT THEREON 860 FEET 8 INCHES SOUTHERLY OF THE POINT OF INTERSECTION OF SAID LINE OF AUTUMN STREET, WITH THE SOUTHERLY LINE OF SANTA CLARA STREET, FORMERLY THE ALAMEDA; THENCE WESTERLY AT RIGHT ANGLES 113 FEET; THENCE SOUTHERLY AT RIGHT ANGLES 77.70 FEET, MORE OR LESS, TO THE NORTHERLY LINE OF SAN FERNANDO STREET; THENCE EASTERLY ALONG SAID LINE OF SAN FERNANDO STREET 113 FEET; THENCE NORTHERLY ALONG SAID LINE OF AUTUMN STREET 77.70 FEET, MORE OR LESS, TO THE POINT OF BEGINNING, AND BEING A PORTION OF LOTS 20 AND 29 OF THE LOS COCHES RANCHO.

APN: 259-38-018

## LEGAL DESCRIPTION

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

### PARCEL ONE:

ALL OF LOTS 12 AND 13, IN BLOCK 1, AS SHOWN UPON THAT CERTAIN MAP ENTITLED, "MAP OF THE KEISER TRACT", WHICH MAP WAS FILED FOR RECORD IN THE OFFICE OF THE RECORDER OF THE COUNTY OF SANTA CLARA, STATE OF CALIFORNIA, ON MAY 7, 1914 IN [BOOK "O" OF MAPS, AT PAGE 49.](#)

APN: 259-47-040

### PARCEL TWO:

BEGINNING AT THE POINT OF INTERSECTION OF THE NORTHEASTERLY LINE OF LORRAINE AVENUE (60 FEET WIDE) WITH THE NORTHWESTERLY LINE OF SAN CARLOS STREET (60 FEET WIDE) AS SAID AVENUE AND STREET ARE SHOWN UPON THAT CERTAIN MAP ENTITLED "MAP OF THE KEISER TRACT, BEING A SUBDIVISION OF LOTS 7 AND 12 OF SUNOL PARTITION WHICH MAP WAS FILED FOR RECORD ON MAY 7, 1914 IN [BOOK "O" OF MAPS, AT PAGE 49](#), RECORDS OF SANTA CLARA COUNTY, CALIFORNIA, SAID POINT OF BEGINNING BEING ALSO THE MOST SOUTHERLY CORNER OF LOT 11 AS SAID LOT 11 IS SHOWN UPON SAID MAP; THENCE ALONG SAID NORTHEASTERLY LINE OF LORRAINE AVENUE NORTH 35 DEG. 55 MIN. 54 SEC. WEST 240.00 FEET TO THE POINT OF INTERSECTION OF SAID NORTHEASTERLY LINE WITH THE SOUTHEASTERLY LINE OF LORRAINE AVENUE, LAST SAID POINT BEING THE MOST WESTERLY CORNER OF LOT 12 AS SAID LOT 12 IS SHOWN UPON SAID MAP AND THE TRUE POINT OF BEGINNING; THENCE ALONG THE SOUTHWESTERLY EXTENSION OF SAID SOUTHEASTERLY LINE OF LORRAINE AVENUE SOUTH 54 DEG. 01 MIN. 47 SEC. WEST 30.00 FEET TO A POINT IN A LINE THAT IS PARALLEL WITH AND DISTANT 30.00 FEET, MEASURED AT RIGHT ANGLES, SOUTHWESTERLY FROM SAID NORTHEASTERLY LINE OF LORRAINE AVENUE; THENCE ALONG SAID PARALLEL LINE SOUTH 35 DEG. 55 MIN. 54 SEC. EAST 120.00 FEET; THENCE AT RIGHT ANGLES NORTH 54 DEG. 04 MIN. 06 SEC. EAST 30.00 FEET TO SAID NORTHEASTERLY LINE OF LORRAINE AVENUE, THENCE ALONG SAID NORTHEASTERLY LINE OF LORRAINE AVENUE NORTH 35 DEG. 55 MIN. 54 SEC. WEST 120.00 FEET TO THE TRUE POINT OF BEGINNING.

APN: 259-47-079

### PARCEL THREE:

LOTS 10 AND 11 IN BLOCK 1, AS SHOWN UPON THAT CERTAIN MAP ENTITLED, "MAP OF THE KEISER TRACT, BEING A SUBDIVISION OF LOTS 7 AND 12 OF SUNOL PARTITION, SAN JOSE, CALIF.", WHICH MAP WAS FILED FOR RECORD IN THE OFFICE OF THE RECORDER OF THE COUNTY OF SANTA CLARA, STATE OF CALIFORNIA, MAY 7, 1914 IN [VOL. "O" OF MAPS, PAGE 49.](#)

APN: 259-47-038

PARCEL TEN:

ALL THAT CERTAIN REAL PROPERTY SITUATE IN THE CITY OF SAN JOSE, COUNTY OF SANTA CLARA, STATE OF CALIFORNIA, BEING A PORTION OF PARCEL SIX OF THAT CERTAIN CORPORATION GRANT DEED RECORDED ON FEBRUARY 21, 1964 IN [BOOK 6396, PAGE 42](#) OF OFFICIAL RECORDS, SANTA CLARA COUNTY, A PORTION OF THAT LAND DESCRIBED IN THAT CERTAIN GRANT DEED RECORDED ON MAY 26, 1969 IN [BOOK 8546, PAGE 208](#) OF OFFICIAL RECORDS, SANTA CLARA COUNTY, A PORTION OF LAND AS DESCRIBED IN THAT CERTAIN INDENTURE RECORDED DECEMBER 1, 1936 IN [BOOK 796, PAGE 459](#) OF OFFICIAL RECORDS, SANTA CLARA COUNTY, SAID ABOVE DESCRIBED PROPERTY BEING SHOWN ON THAT CERTAIN RECORD OF SURVEY FILED FOR RECORD ON NOVEMBER 14, 2018 IN [BOOK 919 OF MAPS AT PAGES 4 AND 5](#), SANTA CLARA COUNTY RECORDS, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE EASTERLY CORNER OF SAID LAND AS DESCRIBED IN SAID INDENTURE;

THENCE ALONG THE NORTHEASTERLY LINE OF SAID INDENTURE NORTH 35° 56' 56" WEST, 2.03 FEET TO THE POINT OF BEGINNING, SAID POINT BEING ON THE NORTHERLY RIGHT OF WAY LINE OF SAN CARLOS STREET AS SHOWN ON SAID RECORD OF SURVEY;

THENCE ALONG SAID NORTHERLY RIGHT OF WAY LINE ALONG A NON-TANGENT CURVE TO THE RIGHT HAVING A RADIUS OF 323.50 FEET, TO WHICH POINT A RADIAL LINE BEARS SOUTH 25° 20' 10" EAST, THROUGH A CENTRAL ANGLE OF 22° 17' 14" FOR AN ARC DISTANCE OF 125.84 FEET;

THENCE LEAVING SAID NORTHERLY RIGHT OF WAY LINE ALONG THE EXTERIOR BOUNDARY AS SHOWN ON SAID RECORD OF SURVEY THE FOLLOWING SIX (6) COURSES AND DISTANCES:

1. NORTH 36° 53' 20" EAST, 43.68 FEET;
2. ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 30.00 FEET, THROUGH A CENTRAL ANGLE OF 72° 50' 16" FOR AN ARC DISTANCE OF 38.14 FEET;
3. NORTH 35° 56' 56" WEST, 36.08 FEET;
4. ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 20.00 FEET, THROUGH A CENTRAL ANGLE OF 72° 50' 16" FOR AN ARC DISTANCE OF 25.43 FEET;
5. NORTH 36° 53' 20" EAST, 40.98 FEET;
6. SOUTH 35° 56' 56" EAST, 155.19 FEET TO THE POINT OF BEGINNING.

EXCEPTING THEREFROM, ALL OF THE MINERALS AND MINERAL ORES OF EVERY KIND AND CHARACTER NOW KNOWN TO EXIST OR HEREAFTER DISCOVERED UPON, WITHIN OR UNDERLYING SAID REAL PROPERTY, AS RESERVED BY SOUTHERN PACIFIC COMPANY, A CORPORATION, IN THAT CERTAIN DEED RECORDED MARCH 23, 1960, IN [BOOK 4736 OF OFFICIAL RECORDS, PAGE 639](#), SANTA CLARA COUNTY RECORDS.

APN: 261-37-030

### LEGAL DESCRIPTION OF THE LAND

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

**PARCEL ONE:**

BEGINNING AT THE POINT OF INTERSECTION OF THE SOUTHERLY LINE OF SANTA CLARA STREET, FORMERLY THE ALAMEDA, WITH THE WESTERLY LINE OF AUTUMN STREET, FORMERLY ST. MARY'S STREET; THENCE WESTERLY ALONG THE SOUTHERLY LINE OF SAID SANTA CLARA STREET, 60 FEET; THENCE SOUTHERLY AND PARALLEL WITH THE WESTERLY LINE OF AUTUMN STREET 120 FEET; THENCE EASTERLY AND PARALLEL WITH SANTA CLARA STREET, 60 FEET TO THE WESTERLY LINE OF AUTUMN STREET; THENCE NORTHERLY AND ALONG THE WESTERLY LINE OF AUTUMN STREET 120 FEET TO THE POINT OF BEGINNING AND BEING A PORTION OF LOT 20 OF LOS COCHES RANCHO.

**PARCEL TWO:**

BEGINNING AT A POINT ON THE WESTERLY LINE OF AUTUMN STREET, FORMERLY ST. MARY'S STREET, DISTANT THEREON SOUTHERLY 120 FEET FROM THE POINT OF INTERSECTION OF THE SOUTHERLY LINE OF SANTA CLARA STREET, FORMERLY THE ALAMEDA, WITH THE WESTERLY LINE OF AUTUMN STREET; THENCE WESTERLY AND PARALLEL WITH SAID SANTA CLARA STREET, 88 FEET AND 11 INCHES TO THE EASTERLY LINE OF LAND DESCRIBED IN THE DEED FROM JOS. H. RUCKER, ADMINISTRATOR TO A. D. GUIDOTTI, RECORDED ON JUNE 21, 1909 IN BOOK 340 OF DEEDS, PAGE 574; THENCE SOUTHERLY AND ALONG SAID EASTERLY LINE, 45 FEET TO THE NORTHWESTERLY CORNER OF LAND DESCRIBED IN THE DEED FROM JOS. H. RUCKER, ADMINISTRATOR TO HUGH MACDONALD, BY DEED RECORDED ON SEPTEMBER 07, 1898 IN BOOK 210 OF DEEDS, PAGE 522, SANTA CLARA COUNTY RECORDS; THENCE EASTERLY AND ALONG THE NORTHERLY LINE OF LAND DESCRIBED IN THE DEED TO SAID MACDONALD, 88 FEET AND 11 INCHES TO THE WESTERLY LINE OF AUTUMN STREET; THENCE NORTHERLY 45 FEET TO THE POINT OF BEGINNING, AND BEING A PORTION OF LOT 20 LOS COCHES RANCHO.

**PARCEL THREE:**

COMMENCING AT THE POINT ON THE EASTERLY LINE OF SOUTH MONTGOMERY STREET (FORMERLY EAST STREET) DISTANT THEREON SOUTHERLY 120 FEET FROM THE POINT OF INTERSECTION OF THE SOUTHERLY LINE OF SANTA CLARA STREET, FORMERLY THE ALAMEDA, WITH THE EASTERLY LINE OF SOUTH MONTGOMERY STREET, SAID POINT OF COMMENCEMENT BEING THE SOUTHWESTERLY CORNER OF THAT CERTAIN PARCEL OF LAND CONVEYED BY PATRICK KELLY AND WIFE TO CHARLES MCDONALD, BY DEED DATED AND RECORDED FEBRUARY 25, 1868 IN BOOK I OF DEEDS, PAGE 368; THENCE SOUTHERLY ALONG SAID EASTERLY LINE OF SOUTH MONTGOMERY STREET, 80, FEET TO THE NORTHWESTERLY CORNER OF THAT CERTAIN PARCEL OF LAND CONVEYED BY PATRICK KELLY AND WIFE TO FRANK M. MCKENNA, BY DEED RECORDED FEBRUARY 16, 1862 IN BOOK Q OF DEEDS, PAGE 293; THENCE EASTERLY AND PARALLEL WITH THE SOUTHERLY LINE OF THE ALAMEDA AND ALONE THE NORTHERLY LINE OF THE LAND SO CONVEYED TO SAID MCKENNA, 113 FEET; THENCE SOUTHERLY AND PARALLEL WITH SOUTH MONTGOMERY STREET, 10 FEET; THENCE EASTERLY AND PARALLEL WITH SANTA CLARA STREET; 24 FEET 1 INCH TO THE WESTERLY LINE OF LAND CONVEYED BY JOE H. RUCKER, ADMINISTRATOR OF THE ESTATE OF SUSAN RUCKER, DECEASED, TO HUGH MACDONALD BY DEED RECORDED ON SEPTEMBER 07, 1898 IN BOOK 210 OF DEEDS, PAGE 522; THENCE NORTHERLY AND PARALLEL WITH THE WESTERLY

LINE OF AUTUMN STREET, FORMERLY ST. MARY'S STREET AND ALONG THE WESTERLY LINE OF PROPERTY CONVEYED TO HUGH MACDONALD AND ALONG THE WESTERLY LINE OF LAND CONVEYED BY JOE H. RUCKER, ADMINISTRATOR OF THE ESTATE OF SUSAN RUCKER, DECEASED TO H. H. KOOSER, BY DEED RECORDED MARCH 02, 1901 IN BOOK 240 OF DEEDS, PAGE 52, 90 FEET; THENCE WESTERLY AND PARALLEL WITH THE SOUTHERLY LINE OF SANTA CLARA STREET, 137 FEET AND 1 INCH TO THE EASTERLY LINE OF SOUTH MONTGOMERY STREET AND POINT OF COMMENCEMENT, BEING A PORTION OF LOT 20 OF THE LOS COCHES RANCHO ACCORDING TO THE MAP RECORDED IN BOOK A OF MAPS, PAGE 47.

PARCEL FOUR:

COMMENCING AT A POINT ON THE SOUTHERLY LINE OF SANTA CLARA STREET, FORMERLY THE ALAMEDA, DISTANT THEREON 50 FEET EASTERLY FROM THE POINT OF INTERSECTION OF THE EASTERLY LINE OF SOUTH MONTGOMERY STREET, FORMERLY CALLED EAST STREET WITH THE SOUTHERLY LINE OF SANTA CLARA STREET, FORMERLY THE ALAMEDA; RUNNING THENCE SOUTHERLY ALONG THE LINE OF LAND NOW OR FORMERLY OF CHARLOTTE H. SMITH, 100 FEET TO A POST; THENCE WESTERLY AT RIGHT ANGLES AND ALONG THE SOUTHERLY LINE OF THE LANDS NOW OR FORMERLY OF CHARLOTTE H. SMITH, 50 FEET TO A POINT ON THE EASTERLY LINE OF SOUTH MONTGOMERY STREET; THENCE SOUTHERLY ALONG SAID LINE OF SOUTH MONTGOMERY STREET, 20 FEET; THENCE AT RIGHT ANGLES, EASTERLY 108 FEET TO A POINT; THENCE AT RIGHT ANGLES NORTHERLY 120 FEET TO A POINT ON THE SOUTHERLY LINE OF SANTA CLARA STREET; THENCE WESTERLY ALONG THE SOUTHERLY LINE OF SANTA CLARA STREET, 58 FEET TO THE POINT OF COMMENCEMENT, BEING A PORTION OF LOT 20 OF THE RANCHO DE LOS COCHES, ACCORDING TO A MAP OF THE SAME OF RECORD IN BOOK "A" OF MAPS, PAGE 47.

PARCEL FIVE:

PORTION OF LOT 20 OF THE LOS COCHES RANCHO, ACCORDING TO A MAP IN BOOK "A" OF MAPS, PAGE 47, RECORDS OF SANTA CLARA COUNTY, WHICH MAP IS ENTITLED, "MAP SHOWING THE SUBDIVISION OF THE RANCHO DE LOS COCHES, ADJOINING THE CITY OF SAN JOSE, SANTA CLARA COUNTY", AND MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT A POINT ON THE WESTERLY LINE OF AUTUMN STREET, FORMERLY ST. MARY'S STREET, DISTANT THEREON 210 FEET SOUTHERLY FROM THE POINT OF INTERSECTION THEREOF, WITH THE SOUTHERLY LINE OF SANTA CLARA STREET, FORMERLY THE ALAMEDA, SAID POINT OF COMMENCEMENT BEING THE SOUTHEAST CORNER OF THAT CERTAIN PARCEL OF LAND CONVEYED BY PATRICK KELLY AND WIFE TO S. W. EASTERDAY, BY DEED RECORDED ON NOVEMBER 07, 1866 IN VOLUME "V" OF DEEDS, PAGE 555; THENCE AT RIGHT ANGLES WESTERLY ON AND ALONG THE SOUTHERLY LINE OF THE LAND SO CONVEYED TO SAID EASTERDAY, 113 FEET TO THE EASTERLY LINE OF THAT CERTAIN PARCEL OF LAND CONVEYED BY PATRICK KELLY AND WIFE TO FRANK M. MCKENNA, BY DEED RECORDED ON DECEMBER 16, 1862 IN VOLUME "Q" OF DEEDS, PAGE 293; THENCE SOUTHERLY ON AND ALONG THE EASTERLY LINE OF THE LAND SO CONVEYED TO SAID MCKENNA AND THE EASTERLY LINE OF THAT CERTAIN PARCEL OF LAND CONVEYED BY PATRICK KELLY AND WIFE TO, JAMES B. MARTIN, BY DEED RECORDED MARCH 09, 1863 IN VOLUME "Q" OF DEEDS, PAGE 556, 40 FEET TO A POINT DISTANT ON SAID LINE 10 FEET NORTHERLY FROM THE NORTHWESTERLY CORNER OF THAT CERTAIN PARCEL OF LAND CONVEYED BY PATRICK KELLY AND WIFE TO MICHAEL CORBIT, BY DEED RECORDED ON OCTOBER 06, 1864 IN VOLUME "S" OF DEEDS, PAGE 781; THENCE EASTERLY AND PARALLEL WITH AND DISTANT 10 FEET, NORTHERLY OF THE LAND SO CONVEYED TO SAID MICHAEL CORBIT, 113 FEET TO THE WESTERLY LINE OF AUTUMN STREET; THENCE NORTHERLY ALONG THE WESTERLY LINE OF SAID AUTUMN STREET, 40 FEET TO THE POINT OF COMMENCEMENT.

PARCEL SIX:

COMMENCING AT A POINT ON THE EASTERLY LINE OF EAST STREET (NOW MONTGOMERY STREET) 200 FEET SOUTHERLY FROM THE INTERSECTION OF SAID EASTERLY LINE OF MONTGOMERY STREET, WITH THE SOUTHERLY LINE OF THE ALAMEDA, AND RUNNING THENCE SOUTHERLY ALONG THE SAID EAST LINE OF MONTGOMERY STREET, 50 FEET TO A POST; THENCE AT RIGHT ANGLES EASTERLY 113 FEET; THENCE AT RIGHT ANGLES NORTHERLY 50 FEET; THENCE AT RIGHT ANGLES WESTERLY 113 FEET TO THE POINT OF COMMENCEMENT.

PARCEL SEVEN:

COMMENCING AT THE INTERSECTION OF THE SOUTHERLY LINE OF THE ALAMEDA ROAD WITH THE EASTERLY LINE OF MONTGOMERY STREET, FORMERLY EAST STREET (AS THE SAME EXISTED ON MARCH 03, 1866) AND RUNNING THENCE SOUTHERLY AND ALONG THE EASTERLY LINE OF MONTGOMERY STREET (FORMERLY EAST STREET) 100 FEET TO A STAKE; THENCE AT RIGHT ANGLES EASTERLY 50 FEET; THENCE AT RIGHT ANGLES NORTHERLY PARALLEL WITH MONTGOMERY (FORMERLY EAST) STREET, 100 FEET TO THE SOUTHERLY LINE OF THE ALAMEDA ROAD AND THENCE WESTERLY AND ALONG THE SOUTHERLY LINE OF SAID ALAMEDA ROAD, 50 FEET TO THE POINT OF COMMENCEMENT, BEING A PART OF KELLY'S SUBDIVISION OF LOT 20 OF THE SUBDIVISION OF THE LOS COCHES RANCHO.

PARCEL EIGHT:

BEGINNING AT A POINT ON THE WESTERLY LINE OF AUTUMN STREET, FORMERLY ST. MARY'S STREET, DISTANT THEREON 210 FEET SOUTHERLY FROM THE INTERSECTION THEREOF WITH THE SOUTHERLY LINE OF SANTA CLARA STREET, ALSO CALLED THE ALAMEDA; THENCE RUNNING AT RIGHT ANGLES TO AUTUMN STREET, WESTERLY 88 FEET AND 11 INCHES; THENCE AT RIGHT ANGLES NORTHERLY 45 FEET; THENCE AT RIGHT ANGLES EASTERLY 88 FEET AND 11 INCHES TO THE WESTERLY LINE OF AUTUMN STREET; THENCE SOUTHERLY ALONG THE WESTERLY LINE OF AUTUMN STREET, 45 FEET TO THE POINT OF BEGINNING AND BEING A PORTION OF THE LOS COCHES RANCHO.

PARCEL NINE:

COMMENCING AT A POINT ON THE EASTERLY LINE OF SOUTH MONTGOMERY STREET, FORMERLY EAST STREET, DISTANT THEREON 250 FEET SOUTHERLY FROM THE POINT OF INTERSECTION THEREOF WITH THE SOUTHERLY LINE OF SANTA CLARA STREET, FORMERLY CALLED THE ALAMEDA; SAID POINT OF COMMENCEMENT BEING THE SOUTHWESTERLY CORNER OF THAT CERTAIN PARCEL OF LAND AS DESCRIBED IN THE DEED FROM PATRICK KELLY AND WIFE TO FRANK M. MCKENNA, RECORDED DECEMBER 16, 1862 IN BOOK "Q" OF DEEDS, PAGE 293; THENCE AT A RIGHT ANGLE EASTERLY ON AND ALONG THE SOUTHERLY LINE OF THE LAND SO DESCRIBED IN THE DEED TO MCKENNA, 113 FEET TO THE WESTERLY LINE OF THAT CERTAIN PARCEL OF LAND AS DESCRIBED IN THE DEED FROM PATRICK KELLY AND WIFE TO MICHAEL QUIGLEY, RECORDED FEBRUARY 08, 1968 IN BOOK 8 OF DEEDS, PAGE 284; THENCE SOUTHERLY ON AND ALONG THE WESTERLY LINE OF LANDS SO DESCRIBED IN THE DEED TO SAID QUIGLEY AND THE WESTERLY LINE OF THAT CERTAIN PARCEL OF LAND SO DESCRIBED IN THE DEED FROM PATRICK KELLY AND WIFE TO MICHAEL CORBIT, RECORDED OCTOBER 06, 1864 IN BOOK "S" OF DEEDS, PAGE 781, 60 FEET; THENCE AT RIGHT ANGLES WESTERLY 113 FEET TO THE EASTERLY LINE OF SOUTH MONTGOMERY STREET; THENCE NORTHERLY ON AND ALONG SAID EASTERLY LINE OF SAID SOUTH MONTGOMERY STREET, 60 FEET TO THE POINT OF COMMENCEMENT, BEING A PORTION OF LOT 20 OF THE LOS COCHES RANCHO, ACCORDING TO A MAP OF SAME RECORDED IN BOOK "A" OF MAPS, PAGE 47 IN THE OFFICE OF THE RECORDER OF THE COUNTY OF SANTA CLARA, STATE OF CALIFORNIA.

PARCEL TEN:



COMMENCING AT A POINT ON THE WESTERLY LINE OF AUTUMN STREET (FORMERLY ST. MARY'S STREET) DISTANT THEREON 250 FEET SOUTHERLY FROM THE POINT OF INTERSECTION THEREOF WITH THE SOUTHERLY LINE OF SANTA CLARA STREET (FORMERLY THE ALAMEDA), SAID POINT OF COMMENCEMENT BEING THE SOUTHEASTERLY CORNER OF THAT CERTAIN PARCEL OF LAND AS DESCRIBED IN THE DEED FROM WESTERN WELL WORKS, INC., A CORPORATION TO GEORGE E. WOODS AND WIFE, DATED APRIL 01, 1927, RECORDED APRIL 16, 1927 IN BOOK 316 OF OFFICIAL RECORDS, PAGE 114; THENCE AT RIGHT ANGLES WESTERLY ON AND ALONG THE SOUTHERLY LINE OF LAND SO DESCRIBED IN THE DEED TO SAID WOODS, 113 FEET; THENCE AT RIGHT ANGLES SOUTHERLY 60 FEET; THENCE AT RIGHT ANGLES EASTERLY 113 FEET TO THE WESTERLY LINE OF AUTUMN STREET; THENCE NORTHERLY ON AND ALONG THE WESTERLY LINE OF AUTUMN STREET, 60 FEET TO THE POINT OF COMMENCEMENT.

PARCEL ELEVEN:

BEGINNING AT A POINT ON THE SOUTHERLY LINE OF SANTA CLARA STREET, FORMERLY THE ALAMEDA ROAD, 60 FEET WESTERLY FROM THE SOUTHWESTERLY CORNER OF SAID SANTA CLARA STREET, FORMERLY ALAMEDA ROAD, AND THE STREET KNOWN AS AUTUMN STREET, FORMERLY ST. MARY'S STREET; THENCE SOUTHERLY AND PARALLEL WITH AUTUMN STREET, FORMERLY ST. MARY'S STREET 120 FEET; THENCE WESTERLY AND PARALLEL WITH SAID SANTA CLARA STREET, FORMERLY ALAMEDA ROAD, 58 FEET; THENCE NORTHERLY AND PARALLEL WITH AUTUMN STREET, FORMERLY ST. MARY'S STREET, 120 FEET TO THE SOUTHERLY LINE OF SANTA CLARA STREET, FORMERLY ALAMEDA ROAD; AND THENCE EASTERLY AND ALONG SAID SOUTHERLY LINE OF SAID SANTA CLARA STREET, FORMERLY ALAMEDA ROAD, 58 FEET TO THE PLACE OF BEGINNING. THE SAME BEING A PART OF KELLY'S SUBDIVISION OF LOS COCHES RANCHO.

APN: 259-38-130

## LEGAL DESCRIPTION

Real property in the City of San Jose, County of Santa Clara

### PARCEL ONE:

ALL OF LOTS 2, 3 AND 4, AS SHOWN UPON THAT CERTAIN MAP ENTITLED, "MAP OF THE OTTERSON LOTS", WHICH MAP WAS FILED FOR RECORD IN THE OFFICE OF THE RECORDER OF THE COUNTY OF SANTA CLARA, STATE OF CALIFORNIA, ON JUNE 23, 1886 IN [BOOK B OF MAPS, AT PAGE 35](#) AND PORTION OF LOT 28, AS SHOWN UPON THAT CERTAIN MAP ENTITLED, "MAP SHOWING THE SUBDIVISION OF THE RANCHO DE LOS COCHES ADJOINING THE CITY OF SAN JOSE", WHICH MAP WAS FILED FOR RECORD IN THE OFFICE OF THE RECORDER OF THE COUNTY OF SANTA CLARA, STATE OF CALIFORNIA ON NOVEMBER 6, 1867 IN [BOOK A OF MAPS, AT PAGE 47](#), AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE SOUTHERLY LINE OF SAN FERNANDO STREET, DISTANT THEREON SOUTH 87° 05' WEST 135 FEET FROM THE POINT OF INTERSECTION OF SAID SOUTHERLY LINE OF SAN FERNANDO STREET WITH THE WESTERLY LINE OF MONTGOMERY STREET; THENCE FROM SAID POINT OF BEGINNING AND RUNNING ALONG THE SOUTHERLY LINE OF SAN FERNANDO STREET, SOUTH 87° 05' WEST 95.20 FEET TO A 1/2 INCH IRON PIPE; THENCE LEAVING SAID LINE OF SAN FERNANDO STREET AND RUNNING AT RIGHT ANGLES SOUTH 2° 55' EAST 204.24 FEET TO A 1 1/2 INCH IRON PIPE; THENCE AT RIGHT ANGLES AND PARALLEL WITH THE SOUTHERLY LINE OF SAN FERNANDO STREET, SOUTH 87° 05' WEST 69.50 FEET TO A 1 INCH IRON PIPE SET ON THE PROLONGATION NORTHERLY OF THE DIVIDING LINE BETWEEN LOTS 4 AND 5 OF THE "OTTERSON LOTS" HEREINABOVE REFERRED TO; THENCE ALONG SAID PROLONGATION AND ALONG THE DIVIDING LINE BETWEEN SAID LOTS 4 AND 5, SOUTH 3° 01' EAST 110.70 FEET TO A 2" X 3" HUB AT THE SOUTHERLY COMMON CORNER FOR SAID LOTS 4 AND 5 ON THE NORTHERLY LINE OF OTTERSON STREET, AS SAID STREET IS SHOWN UPON THE "MAP OF THE OTTERSON LOTS", ABOVE REFERRED TO, THENCE ALONG THE NORTHERLY LINE OF OTTERSON STREET NORTH 87°22'30" EAST 150.03 FEET TO 1 INCH IRON PIPE AT THE SOUTHERLY COMMON CORNER FOR LOTS 1 AND 2 OF SAID "OTTERSON LOTS"; THENCE RUNNING PARALLEL WITH THE WESTERLY LINE OF MONTGOMERY STREET AND ALONG THE DIVIDING LINE BETWEEN SAID LOTS 1 AND 2 NORTH 3° 01' WEST 81.49 FEET TO A 1 INCH IRON PIPE AT THE NORTHERLY COMMON CORNER THEREOF; THENCE RUNNING NORTH 87° 17' 40" EAST ALONG THE NORTHERLY LINE OF SAID LOT 1 FOR A DISTANCE OF 15.03 FEET TO A 1 INCH IRON PIPE; THENCE RUNNING PARALLEL WITH THE WESTERLY LINE OF MONTGOMERY STREET N. 3° 01' WEST 234.27 FEET TO THE POINT OF BEGINNING.

### PARCEL TWO:

ALL OF LOTS 6, 7 AND 8 AND A, PORTION OF LOT 9, AS SHOWN UPON THAT CERTAIN MAP ENTITLED, "MAP OF THE OTTERSON LOTS", RECORDED IN BOOK "B" OF MAPS, PAGE 35, SANTA CLARA COUNTY RECORDS, ALL OF PEARL STREET (NOW ABANDONED) AND PORTIONS OF LOT 28, AS SHOWN UPON MAP ENTITLED, "MAP SHOWING THE SUBDIVISIONS OF THE RANCHO DE LOS CACHES ADJOINING THE CITY OF SAN JOSE", RECORDED IN [BOOK "A" OF MAPS, PAGE 47](#), SANTA CLARA COUNTY RECORDS, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT IN THE WESTERLY LINE OF MONTGOMERY STREET DISTANT THEREON NORTH 3° 01' WEST 174.16 FEET FROM THE NORTHERLY LINE OF PARK AVENUE, AS SAID STREET AND AVENUE ARE SHOWN UPON THAT CERTAIN MAP ENTITLED, "RECORD OF SURVEY OF A PORTION OF LOT 28, LOS COCHES RANCHO, FOR SUN LITE BAKERY", RECORDED IN [BOOK 27 OF MAPS, PAGE 46](#), SANTA CLARA COUNTY RECORDS; THENCE ALONG SAID WESTERLY LINE OF MONTGOMERY STREET, NORTH 3° 01' WEST 386.03 FEET TO THE SOUTHERLY LINE OF OTTERSON STREET; THENCE ALONG SAID SOUTHERLY LINE OF OTTERSON STREET, SOUTH 87° 22' 30" WEST 322.65 FEET; THENCE

Parcels One through Four (pages 26 to 28) appear to be a duplicate of Parcels Fourteen through Seventeen (pages 66 to 69).

Please review and confirm.

I recommend deleting pages 26 to 28 as the latter group is part of a larger set of descriptions.

PARALLEL WITH SAID WESTERLY LINE OF MONTGOMERY STREET, SOUTH 3° 01' EAST 206.87 FEET TO THE NORTHERLY LINE OF PEARL STREET (NOW ABANDONED) THENCE ALONG SAID NORTHERLY LINE OF PEARL STREET AND THE WESTERLY PROLONGATION THEREOF, SOUTH 86° 59' 15" WEST 108.33 FEET; THENCE SOUTH 3° 00' 45" EAST 183.31 FEET TO A POINT IN A LINE PARALLEL WITH AND DISTANT SOUTHERLY 2.00 FEET, MEASURED AT RIGHT ANGLES FROM THE SOUTH FACE OF SOUTH WALL OF THE EXISTING SUNLITE BAKERY BUILDING; THENCE ALONG SAID PARALLEL LINE, NORTH 86° 59' EAST 94.59 FEET; THENCE ALONG THE BOUNDARIES OF THE EXISTING TRANSFORMER CAGE, SOUTH 3° 01' EAST 8.00 FEET, NORTH 86° 59' EAST 18.00 FEET AND NORTH 3° 01' WEST 8.00 FEET TO A POINT IN LAST MENTIONED PARALLEL LINE; THENCE ALONG SAID PARALLEL LINE, NORTH 86° 59' EAST 18.00 FEET; THENCE ALONG THE BOUNDARIES OF THE EXISTING EVAPORATOR, SOUTH 3° 01' EAST 13.90 FEET, NORTH 86° 59' EAST 10.00 FEET AND NORTH 3° 01' WEST 13.90 FEET TO A POINT IN LAST MENTIONED PARALLEL LINE; THENCE ALONG SAID PARALLEL LINE, NORTH 86° 59' EAST 94.60 FEET; THENCE, ALONG THE BOUNDARIES OF AN EXISTING SUMP, SOUTH 3° 01' EAST 1.00 FEET, NORTH 86° 59' EAST 6.00 FEET, AND NORTH 3° 01' WEST 1.00 FEET TO A POINT IN LAST MENTIONED PARALLEL LINE; THENCE ALONG SAID PARALLEL LINE, NORTH 86° 59' EAST 132.09 FEET TO THE BACK OF THE EXISTING DRIVEWAY CURT; THENCE ALONG SAID BACK OF SAID EXISTING DRIVEWAY CURB, SOUTH 3° 01' EAST 16.12 FEET AND EASTERLY ALONG A CURVE TO THE LEFT, TANGENT TO LAST DESCRIBED COURSE HAVING A RADIUS OF 7.50 FEET A CENTRAL ANGLE OF 90° 00' AN ARC DISTANCE OF 11.78 FEET; THENCE NORTH 86° 59' EAST 40.22 FEET TO A POINT IN A LINE PARALLEL WITH AND DISTANT 10 FEET WESTERLY, MEASURED AT RIGHT ANGLES, FROM THE HEREINBEFORE DESCRIBED WESTERLY LINE OF MONTGOMERY STREET; THENCE ALONG LAST MENTIONED PARALLEL LINE, NORTH 3° 01', WEST 25.62 FEET; THENCE NORTH 86° 59' EAST 10.00 FEET TO THE POINT OF BEGINNING.

PARCEL THREE:

BEGINNING AT THE INTERSECTION OF THE NORTHERLY LINE OF PARK AVENUE WITH THE EASTERLY LINE OF THAT CERTAIN PARCEL OF LAND DESCRIBED SIXTH IN THE DEED FROM A. C. MILLER TO SOUTHERN PACIFIC COMPANY RECORDED MAY 19, 1913 IN [BOOK 404 OF DEEDS PAGE 26](#) SANTA CLARA COUNTY RECORDS;

THENCE FROM SAID POINT OF BEGINNING ALONG THE NORTHERLY LINE OF PARK AVENUE SOUTH 86° 59' 08" WEST 110.00 FEET TO THE WESTERLY LINE OF SAID PARCEL DESCRIBED SIXTH IN THE DEED FROM A.C. MILLER TO SOUTHERN PACIFIC COMPANY;

THENCE ALONG SAID LINE NORTH 3° 00' 52" WEST 458.53 FEET TO THE SOUTHERLY LINE OF THE LAND FORMERLY OF AGNES OTTERSON AS SAID LAND IS SHOWN ON THAT CERTAIN MAP ENTITLED "MAP OF THE OTTERSON LOTS" FILED IN [BOOK B OF MAPS AT PAGE 35](#) SANTA CLARA COUNTY RECORDS;

THENCE ALONG SAID SOUTHERLY LINE NORTH 87° 21' 04" EAST 110.00 FEET TO THE EASTERLY LINE OF SAID PARCEL DESCRIBED SIXTH IN THE DEED FROM A. C. MILLER TO SOUTHERN PACIFIC COMPANY;

THENCE ALONG SAID LINE SOUTH 3° 00' 52" EAST 102.22 FEET TO THE NORTHERLY LINE OF THAT CERTAIN PARCEL OF LAND DESCRIBED IN THE DEED FROM SOUTHERN PACIFIC COMPANY TO SUN LITE BAKERY RECORDED NOVEMBER 24, 1951 IN [BOOK 2310 OF OFFICIAL RECORDS AT PAGE 282](#);

THENCE ALONG SAID LINE SOUTH 86° 59' 15" WEST 50.00 FEET TO THE WESTERLY LINE OF SAID LANDS OF SUN LITE BAKERY;

THENCE ALONG SAID LINE SOUTH 3° 00' 52" EAST 345.62 FEET TO THE SOUTHERLY LINE OF SAID LANDS OF SUN LITE BAKERY;

THENCE ALONG SAID LINE NORTH 86° 59' 08" EAST 50.00 FEET TO SAID EASTERLY LINE OF SAID

PARCEL DESCRIBED SIXTH IN THE DEED FROM A.C. MILLER TO SOUTHERN PACIFIC COMPANY.

THENCE ALONG SAID LINE SOUTH 3° 00' 52" EAST 10.00 FEET TO THE POINT OF BEGINNING.

EXCEPTING THEREFROM ALL THAT CERTAIN REAL PROPERTY SITUATE IN THE CITY OF SAN JOSE, COUNTY OF SANTA CLARA, STATE OF CALIFORNIA BEING A PORTION OF THE LOS COCHES RANCHO DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE NORTHERLY LINE OF PARK AVENUE WITH THE EASTERLY LINE OF THAT CERTAIN PARCEL OF LAND DESCRIBED SIXTH IN THE DEED FROM A.C. MILLER TO SOUTHERN PACIFIC COMPANY RECORDED MAY 19, 1913 IN [BOOK 404 OF DEEDS PAGE 26](#) SANTA CLARA COUNTY RECORDS;

THENCE FROM SAID POINT OF BEGINNING ALONG THE NORTHERLY LINE OF PARK AVENUE SOUTH 86° 59' 08" WEST 118.71 FEET;

THENCE NORTH 2° 20' 34" EAST 93.33 FEET TO THE WESTERLY LINE OF THE LANDS DESCRIBED SIXTH IN SAID DEED FROM A. C. MILLER TO SOUTHERN PACIFIC COMPANY AND THE TRUE POINT OF BEGINNING:

THENCE CONTINUING THE FOLLOWING FOUR COURSES AND DISTANCES:

NORTH 2° 20' 34" EAST 82.37 FEET;

NORTH 0° 30' 36" EAST 158.85 FEET;

NORTH 2° 32' 11" WEST 63.18 FEET;

AND NORTH 3° 26' 40" WEST 61.77 FEET TO SOUTHERLY LINE OF THE LAND FORMERLY OF AGNES OTTERSON AS SAID LAND IS SHOWN ON THAT CERTAIN MAP ENTITLED "MAP OF THE OTTERSON LOTS" FILED IN [BOOK B OF MAPS AT PAGE 35](#) SANTA CLARA COUNTY RECORDS;

THENCE ALONG SAID LINE SOUTH 87° 21' 04" WEST 17.52 FEET TO SAID WESTERLY LINE OF SOUTHERN PACIFIC COMPANY:

THENCE ALONG SAID LINE SOUTH 3° 00' 52" EAST 365.61 FEET TO THE TRUE POINT OF BEGINNING.

PARCEL FOUR:

BEGINNING AT THE INTERSECTION OF THE NORTHERLY LINE OF PARK AVENUE WITH THE EASTERLY LINE OF THAT CERTAIN PARCEL OF LAND DESCRIBED SIXTH IN THE DEED FROM A. C. MILLER TO SOUTHERN PACIFIC COMPANY RECORDED MAY 19, 1913 IN [BOOK 404 OF DEEDS PAGE 26](#) SANTA CLARA COUNTY RECORDS;

THENCE FROM SAID POINT OF BEGINNING ALONG THE NORTHERLY LINE OF PARK AVENUE SOUTH 86° 59' 08" WEST 118.71 FEET TO THE TRUE POINT OF BEGINNING:

THENCE FROM SAID TRUE POINT OF BEGINNING NORTH 2° 20' 34" EAST 93.33 FEET TO THE WESTERLY LINE OF THE LANDS DESCRIBED SIXTH IN SAID DEED FROM A.C. MILLER TO SOUTHERN PACIFIC COMPANY:

THENCE ALONG SAID LINE SOUTH 3° 00' 52" EAST 92.93 FEET TO THE NORTHERLY LINE OF PARK AVENUE;

THENCE ALONG SAID LINE SOUTH 86° 59' 08" WEST 8.71 FEET TO THE TRUE POINT OF BEGINNING.

## LEGAL DESCRIPTION

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

### PARCEL ONE:

ALL THAT CERTAIN REAL PROPERTY SITUATE IN THE CITY OF SAN JOSE, COUNTY OF SANTA CLARA, STATE OF CALIFORNIA, BEING ALL OF PARCELS TWO AND FOUR, AND A PORTION OF PARCELS ONE, THREE, FIVE, SIX AND SEVEN OF THAT CERTAIN CORPORATION GRANT DEED RECORDED ON FEBRUARY 21, 1964 IN [BOOK 6396, PAGE 42](#) OF OFFICIAL RECORDS, SANTA CLARA COUNTY, A PORTION OF THAT LAND DESCRIBED IN THAT CERTAIN GRANT DEED RECORDED ON MAY 26, 1969 IN [BOOK 8546, PAGE 208](#) OF OFFICIAL RECORDS, SANTA CLARA COUNTY, AND THAT PORTION OF VACATED KEARNY STREET AS DESCRIBED IN THAT CERTAIN RESOLUTION NO. 78882 RECORDED ON DECEMBER 11, 2018 AS DOCUMENT NO. [24079423](#), OF OFFICIAL RECORDS, SANTA CLARA COUNTY, ALSO BEING SHOWN ON THAT CERTAIN RECORD OF SURVEY FILED FOR RECORD ON NOVEMBER 14, 2018 IN [BOOK 919 OF MAPS, PAGES 4 AND 5](#), SANTA CLARA COUNTY RECORDS, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEASTERLY CORNER OF SAID PARCEL SEVEN;

THENCE ALONG THE EASTERLY LINE OF SAID PARCEL SEVEN SOUTH 3° 11' 44" EAST, 191.21 FEET;

THENCE SOUTH 29° 26' 11" WEST, 40.53 FEET TO THE POINT OF BEGINNING, SAID POINT BEING ON THE WESTERLY RIGHT OF WAY LINE OF SOUTH MONTGOMERY STREET AS SHOWN ON SAID RECORD OF SURVEY:

THENCE ALONG THE EXTERIOR BOUNDARY AS SHOWN ON SAID RECORD OF SURVEY FOR THE FOLLOWING SIXTEEN (16) COURSES AND DISTANCES:

1. SOUTH 29° 26' 11" WEST, 44.75 FEET;
2. SOUTH 38° 38' 11" WEST, 66.33 FEET;
3. ALONG A NON-TANGENT CURVE TO THE LEFT HAVING A RADIUS OF 80.00 FEET, TO WHICH POINT A RADIAL LINE BEARS NORTH 39° 53' 04" WEST, THROUGH A CENTRAL ANGLE OF 21° 13' 36" FOR AN ARC DISTANCE OF 29.64 FEET;
4. SOUTH 28° 53' 20" WEST, 2.63 FEET;
5. SOUTH 38° 38' 11" WEST, 163.64 FEET;
6. NORTH 86° 44' 08" EAST, 22.98 FEET;
7. SOUTH 36° 53' 20" WEST, 199.56 FEET;
8. ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 20.00 FEET, THROUGH A CENTRAL ANGLE OF 80° 24' 15" FOR AN ARC DISTANCE OF 28.07 FEET;
9. ALONG A REVERSE CURVE HAVING A RADIUS OF 40.00 FEET, THROUGH A CENTRAL ANGLE OF 80° 24' 15" FOR AN ARC DISTANCE OF 56.13 FEET;
10. SOUTH 36° 53' 20" WEST, 29.98 FEET;
11. SOUTH 53° 06' 40" EAST, 29.94 FEET;
12. SOUTH 29° 23' 20" WEST, 79.72 FEET;
13. NORTH 3° 59' 22" WEST, 554.12 FEET;
14. NORTH 0° 37' 22" WEST, 22.80 FEET;
15. SOUTH 86° 44' 08" WEST, 58.79 FEET;
16. NORTH 3° 15' 52" WEST, 65.50 FEET TO A POINT ON THE SOUTHERLY RIGHT OF WAY LINE OF PARK AVENUE AS SHOWN ON SAID RECORD OF SURVEY;

THENCE ALONG SAID SOUTHERLY LINE THE FOLLOWING THREE (3) COURSES AND DISTANCES:

1. ALONG A NON-TANGENT CURVE TO THE LEFT HAVING A RADIUS OF 1257.50 FEET, TO WHICH

POINT A RADIAL LINE BEARS SOUTH 3° 24' 43" EAST, THROUGH A CENTRAL ANGLE OF 2° 58' 19" FOR AN ARC DISTANCE OF 65.23 FEET;  
2. NORTH 83° 36' 53" EAST, 376.11 FEET;  
3. ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 50.00 FEET, THROUGH A CENTRAL ANGLE OF 97° 23' 17" FOR AN ARC DISTANCE OF 84.99 FEET TO A POINT ON SAID WESTERLY RIGHT OF WAY LINE OF SOUTH MONTGOMERY STREET;

THENCE ALONG SAID WESTERLY LINE SOUTH 1° 00' 15" WEST, 103.30 FEET TO THE POINT OF BEGINNING.

EXCEPTING THEREFROM, ALL OF THE MINERALS AND MINERAL ORES OF EVERY KIND AND CHARACTER NOW KNOWN TO EXIST OR HEREAFTER DISCOVERED UPON, WITHIN OR UNDERLYING SAID REAL PROPERTY, AS RESERVED BY SOUTHERN PACIFIC COMPANY, A CORPORATION, IN THAT CERTAIN DEED RECORDED MARCH 23, 1960, IN BOOK 4236 OF OFFICIAL RECORDS, PAGE 639, SANTA CLARA COUNTY RECORDS.

APN: 261-37-031

### **LEGAL DESCRIPTION OF THE LAND**

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

PORTION OF LOTS 2 thru 7, Block 3 and portion of Lorraine Avenue (vacated by Resolution recorded in Book 0643 of Official Records, Page 469), Map of Keiser Tract, filed May 7, 1914 in Book "O" of Maps, Page 49, Santa Clara County Records, as follows:

BEGINNING at the East corner of said Lot 5, being the intersection of the Southwest line of Lorraine Avenue and Northwest line of San Carlos Street, as shown on said map; thence along said Northwest line, S.  $54^{\circ} 02' 20''$  W. 38.13 feet to the most Southeast corner of land conveyed to City of San Jose, by Deed recorded in Book 0655 of Official Records, Page 35; thence along the generally North and East line of said land, along the arc of a curve concave Northerly with a radius of 50.00 feet, through a central angle of  $107^{\circ} 20' 06''$ , a distance of 93.67 feet to a point of compound curvature; thence along the arc of a curve concave Easterly with a radius of 550.00 feet, through a central angle of  $19^{\circ} 37' 49''$  a distance of 188.44 feet and N.  $1^{\circ} 00' 15''$  W. 0.68 feet to a point in the Southwest line of said Lorraine Avenue, distant thereon S.  $35^{\circ} 55' 54''$  E. 7.71 feet from the North corner of said Lot 2, being the West corner of land conveyed to John J. Schiro, et ux. by Deed recorded in Book 0655 of Official Records, Page 39; thence along the Northwest, Northeast and Southeast line thereof, along a tangent curve to the right with a radius of 18.26 feet, through a central angle of  $55^{\circ} 02' 02''$ , for an arc distance of 17.54 feet, N.  $54^{\circ} 01' 47''$  E. 14.30 feet to the centerline of said Lorraine Avenue, S.  $35^{\circ} 55' 54''$  E. 240 feet along said centerline to the Northwest line of said San Carlos Street and S.  $54^{\circ} 02' 20''$  W. 30 feet along said line to the point of beginning.

APN: 259-47-080

### LEGAL DESCRIPTION OF THE PROPERTY

The land referred to herein is situated in the State of California, County of Santa Clara, City of San Jose, described as follows:

REAL PROPERTY in the City of San Jose, County of Santa Clara, State of California, a part Rancho Potrero de Santa Clara, the so-called "Stockton Rancho" in the so-called Polhemus Addition to the City of San Jose, comprised of parts of Lots 12, 13, 14, 15, 16, 17, 18, 19, 20, 22, 23, 30, 31, and 32, so designated on the Map of the Subdivision of the E.S. Bradlee Block recorded December 15, 1870 in Book "A" of Maps, page 52, Santa Clara County Records, title to which was conveyed by Edwin B. Pray et ux to Richard Levin and Emily Louise Levin, by deed recorded April 14, 1969 in Book 8497, page 311, Official Records, described as follows:

ALL OF LOTS 13, 16, 17, and 20, so designated and delineated on said Map of the E.S. Bradlee Subdivision.

#### AND ALSO

Beginning at the intersection of the Northwestern line of Julian Street with the Southwesterly line of Montgomery Street; thence North  $41^{\circ} 46' 01''$  West along said line of Montgomery Street 183 feet to the Northwestern line of Cottage Lane; thence South  $48^{\circ} 06' 59''$  West along said line of Cottage Lane 223.56 to the most Easterly corner of said Lot 23, the true point of beginning; thence North  $41^{\circ} 46' 01''$  West along the Northeasterly lines of said Lots 23, 22, 19, 18, 15, and 14, 258.63 feet to a point distant radially 40 feet Easterly from the center line of the main track of the Southern Pacific Railroad Company's San Jose to Niles line; thence Southerly along the arc of a curve to the left, concentric with said main track center line, having a radius of 533.14 feet, tangent to a line which bears South  $03^{\circ} 10' 10''$  West, a distance of 198.67 feet; thence South  $29^{\circ} 13' 11''$  East 31.31 feet; thence South  $41^{\circ} 46' 01''$  East 65.06 feet to the Southeasterly line of said Lot 23, in the Northerly line of Cottage Lane; thence, along said Northerly line, North  $48^{\circ} 06' 59''$  East 118.00 feet to the true point of beginning.

So described in the deed by Southern Pacific Company to Edwin B. Pray et ux recorded August 24, 1942 in Book 1105, page 560, Official Records.

#### AND ALSO

Beginning at the most Easterly corner of the parcel of land described in the deed by Roy Elliott to Southern Pacific Company recorded June 17, 1913 in Book 403 of Deeds, page 598, Santa Clara County Records; thence North  $41^{\circ} 46' 01''$  West along the Northeasterly line thereof 160.00 feet to the southeasterly line of Cottage Lane, as it formerly existed; thence South  $48^{\circ} 06' 59''$  West along said Southeasterly line, 60.00 feet; thence South  $34^{\circ} 38' 37''$  East 161.28 feet to the Northwestern line of Julian Street; thence North  $48^{\circ} 06' 59''$  East along said line, 80.00 feet to the point of beginning.



Beginning at the most Northerly corner of the above described parcel of land; thence North 41° 46' 01" West 23.00 feet to the Northwesterly line of Cottage Lane, as it formerly existed; thence South 48° 06' 59" West along said line, 35.38 feet; thence South 41° 46' 01" East 23.00 feet to the Southeasterly line thereof; thence North 48° 06' 59" East along said line, 35.38 feet to the point of beginning. Being a portion of Cottage Lane closed and abandoned by Ordinance No. 2520 of the City Council of the City of San Jose adopted July 24, 1936.

So described in the deed by Southern Pacific Company to Edwin B. Pray et ux recorded October 18, 1943 in Book 1162, page 407, Official Records.

AND ALSO

Beginning at a point on the Northerly line of Julian Street, distant thereon 256 feet Westerly from the point of intersection thereof with the Westerly line of Montgomery Street; thence along the Northerly line of Julian Street South 49 1/4° West 50 feet; thence at right angles, North 40° 45' West 160 feet; thence at right angles, North 49 1/4° East 50 feet; thence at right angles, South 40° 45' East 160 feet to the point of beginning.

So described in the deed by Melzina L. Pray to Edwin B. Pray et ux recorded July 13, 1944 in Book 1202 page 568, Official Records.

AND ALSO

Commencing at a 2" iron pipe set flush in the Westerly line of Montgomery Street, distant thereon South 41° 42' 36" East 110.11 feet from a 2 inch iron pipe set flush at the point of intersection thereof with the Southerly line of Cinnabar Street; thence South 41° 42' 36" East along said Westerly line, 59.98 feet to the true point of beginning; thence South 14° 46' 06" West along a line parallel with and distant at right angles 35.00 feet Easterly from the center line of a track known as the "Oakland Lead", 171.62 feet to a point distant South 75° 13' 54" East 50.00 feet from a 2 inch iron pipe set 5 inches below the surface of the ground; thence along the arc of a curve to the left, concentric with said center line, having a radius of 538.14 feet (the chord of said arc bears South 11° 49' 40 1/2" West 55.21 feet), a distance of 55.22 feet to a point in the line common to said Lots 12 and 13; thence North 48° 09' 47" East along said common line, 187.48 feet to said Westerly line of Montgomery Street; thence North 41° 42' 36" West along said line, 127.17 feet to the point of beginning.

So described in the deed by Southern Pacific Company to Edwin B. Pray et ux recorded October 17, 1944 in Book 1202 page 568, Official Records.

EXCEPTING THEREFROM that portion thereof described in the deed by Edwin B. Pray et ux to Ignatius N. Puccio et ux recorded November 27, 1945 in Book 1310, page 194, Official Records.

APN: 259-27-011, 014, 015

ARB: 259-27-11, 14, 15

### LEGAL DESCRIPTION OF THE LAND

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

COMMENCING AT A POINT ON THE SOUTHWESTERLY LINE OF MONTGOMERY STREET, DISTANT THEREON S. 41° 42' 36" E. 170.09 FEET FROM THE POINT OF INTERSECTION OF THE SOUTHWESTERLY LINE OF MONTGOMERY STREET WITH THE SOUTHEASTERLY LINE OF CINNABAR STREET; AND FROM WHICH POINT OF BEGINNING A 2" IRON PIPE SET FLUSH IN THE SOUTHWESTERLY LINE OF MONTGOMERY STREET BEARS N. 41° 42' 36" W. 59.98 FEET DISTANT; THENCE S. 14° 46' 06" W. 59.98 FEET DISTANT; THENCE S. 14° 46' 06" W. ALONG A LINE PARALLEL WITH AND DISTANT 35 FEET MEASURED AT RIGHT ANGLES EASTERLY FROM THE CENTER LINE OF A TRACT KNOWN AS THE "OAKLAND LEAD," 150 FEET, MORE OR LESS, TO A POINT IN THE LINE COMMON TO LOTS 10 AND 12 OF THE BRADLEE BLOCK ACCORDING TO THE MAP THEREOF HEREINAFTER REFERRED TO; THENCE N. 48 ° 09' 47" E. ALONG THE LINE DIVIDING SAID LOTS 10 AND 12, 125 FEET, MORE OR LESS, TO THE SOUTHWESTERLY LINE OF MONTGOMERY STREET; THENCE ALONG SAID LAST NAMED LINE, N. 41° 42' 36" W. 77.17 FEET TO THE POINT OF BEGINNING, BEING A PORTION OF LOTS 8 AND 10 AS LAID DOWN, DESIGNATED AND DELINEATED UPON THAT CERTAIN MAP ENTITLED, "PLAT OF A BLOCK PART OF THE RANCHO POTRERO DE SANTA CLARA, SOLD IN SUBDIVISION BY E. S. BRADLEE," AND WHICH SAID MAP WAS FILED FOR RECORD IN THE OFFICE OF THE COUNTY RECORDER OF THE COUNTY OF SANTA CLARA, STATE OF CALIFORNIA, ON DECEMBER 15, 1870 IN BOOK "A" OF MAPS, AT PAGE 52.

APN: 259-27-003

## LEGAL DESCRIPTION

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

### PARCEL ONE:

PARCEL A AS SHOWN ON LOT LINE ADJUSTMENT PERMIT FILE NO. AT13-027, AS EVIDENCED BY DOCUMENT RECORDED MARCH 24, 2014 AS INSTRUMENT NO. [22550314](#) OF OFFICIAL RECORDS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEING ALL OF PARCEL 1, AS SHOWN UPON THAT CERTAIN MAP ENTITLED, "PARCEL MAP BEING A PORTION OF THE 'RANCHO LOS COCHES,' AS FILED IN [BOOK 'A' OF MAPS, AT PAGE 47](#)", WHICH MAP WAS FILED FOR RECORD IN THE OFFICE OF THE RECORDER OF THE COUNTY OF SANTA CLARA, STATE OF CALIFORNIA, ON AUGUST 22, 1980 IN [BOOK 469 OF MAPS, AT PAGE 28](#), TOGETHER WITH ALL OF PARCELS ONE, TWO AND FOUR AS DESCRIBED IN THE GRANT DEED FROM OSH PROPERTIES, LLC TO NATIONAL RETAIL PROPERTIES, LP RECORDED AUGUST 17, 2012 AS INSTRUMENT NO. [21798592](#), OFFICIAL RECORDS OF SANTA CLARA COUNTY, ALL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE NORTHWESTERLY LINE OF AUZERAIS AVENUE, FORMERLY SAN SALVADOR STREET, SAID POINT BEING THE EASTERN MOST CORNER OF PARCEL 1 OF SAID PARCEL MAP (469 MAPS 28); THENCE FROM SAID POINT, ALONG SAID LINE OF AUZERAIS AVENUE, SOUTH 53°49'55" WEST, 75.00 FEET;

THENCE LEAVING SAID LINE, ALONG THE SOUTHWESTERLY AND NORTHWESTERLY LINES OF SAID PARCEL 1 (469 MAPS 28) THE FOLLOWING FIVE (5) COURSES:

1. ALONG A NON-TANGENT CURVE TO THE RIGHT HAVING A RADIUS OF 1395.47 FEET, SAID CURVE HAVING A RADIAL BEARING NORTH 50°08'46" EAST FROM SAID CURVE, THROUGH A CENTRAL ANGLE OF 14°26'43", AN ARC LENGTH OF 351.82 FEET.

2. NORTH 45°24'00" EAST 15.00 FEET;

3. NORTH 42°53'00" WEST 44.50 FEET;

4. ALONG A NON-TANGENT CURVE TO THE RIGHT HAVING A RADIUS OF 1395.47 FEET, SAID CURVE HAVING A RADIAL BEARING NORTH 66°32'12" EAST FROM SAID CURVE, THROUGH A CENTRAL ANGLE OF 5°07'56", AN ARC LENGTH OF 125.00 FEET;

5. ALONG A NON-TANGENT CURVE TO THE RIGHT HAVING A RADIUS OF 240.00 FEET, SAID CURVE HAVING A RADIAL BEARING NORTH 85°13'15" EAST FROM SAID CURVE, THROUGH A CENTRAL ANGLE OF 30°18'30", AN ARC LENGTH OF 126.96 FEET TO THE MOST NORTHERLY CORNER OF SAID PARCEL 1 (469 MAPS 28);

THENCE ALONG THE NORTHEASTERLY LINE OF SAID PARCEL 1 (469 MAPS 28), SOUTH 21°29'09" EAST 19.21 FEET TO THE WESTERLY LINE OF SAID PARCEL TWO;

THENCE, LEAVING SAID NORTHEASTERLY LINE OF SAID PARCEL 1 (469 MAPS 28), ALONG THE WESTERLY LINE OF SAID PARCEL TWO, NORTH 15°57'17" EAST 64.61 FEET TO THE NORTHWESTERLY LINE OF SAID PARCEL FOUR;

THENCE ALONG SAID NORTHWESTERLY LINE OF SAID PARCEL FOUR, NORTH 27°35'25" EAST 18.65 FEET TO AN ANGLE POINT IN SAID NORTHWESTERLY LINE OF SAID PARCEL FOUR, SAID ANGLE POINT

BEING ON THE SOUTHERLY RIGHT OF WAY LINE FOR WEST SAN CARLOS STREET AS SHOWN ON THAT CERTAIN RECORD OF SURVEY FILED IN [BOOK 561 OF MAPS AT PAGE 32](#), SANTA CLARA COUNTY RECORDS;

THENCE CONTINUING ALONG SAID NORTHWESTERLY LINE OF PARCEL FOUR, ALONG SAID SOUTHERLY RIGHT OF WAY LINE, NORTH 86°41'17" EAST 215.47 FEET TO THE MOST NORTHERLY POINT OF SAID PARCEL FOUR;

THENCE ALONG THE SOUTHEASTERLY LINE OF SAID PARCEL FOUR, SOUTH 53°48'21" WEST 53.37 FEET TO THE MOST NORTHERLY POINT OF SAID PARCEL ONE (INST. [21798592](#));

THENCE SOUTHERLY ALONG THE NORTHEASTERLY LINE OF SAID PARCEL ONE (INST. [21798592](#)), ALSO BEING THE SOUTHWESTERLY LINE OF WRIGHTS SUBDIVISION AS SHOWN ON THAT CERTAIN MAP ENTITLED "MAP OF WRIGHTS SUBDIVISION IN SUNOL ADDITION", WHICH MAP WAS FILED FOR RECORD IN THE OFFICE OF THE RECORDER OF THE COUNTY OF SANTA CLARA, STATE OF CALIFORNIA, IN [BOOK G OF MAPS AT PAGE 49](#), SOUTH 36°09'00" EAST 495.87 FEET TO THE MOST NORTHERLY LINE OF THE PROPERTY DESCRIBED IN THE GRANT DEED TO THE CITY OF SAN JOSE RECORDED APRIL 16, 1968 IN [BOOK 8090, PAGE 716](#), OFFICIAL RECORDS OF SANTA CLARA COUNTY, SAID POINT BEING ON THE NORTHWESTERLY RIGHT OF WAY LINE OF AUZERAIS STREET, AS SHOWN ON SAID RECORD OF SURVEY;

THENCE ALONG THE NORTHWESTERLY LINE OF SAID GRANT DEED (8090 O.R. 716), ALSO BEING SAID RIGHT OF WAY LINE FOR AUZERAIS STREET AS SHOWN ON SAID RECORD OF SURVEY, SOUTH 53°49'55" WEST 270.61 FEET TO THE NORTHEASTERLY LINE OF SAID PARCEL 1 (469 MAPS 28);

THENCE ALONG SAID NORTHEASTERLY LINE OF SAID PARCEL 1 (469 MAPS 28), SOUTH 36°10'05" EAST 20.00 FEET TO THE POINT OF BEGINNING FOR THIS DESCRIPTION.

EXCEPTING THEREFROM, AS TO A PORTION OF THE ABOVE DESCRIBED LANDS, ALL THAT PORTION THEREOF THAT LIES BELOW A DEPTH OF 500 FEET, MEASURED VERTICALLY, FROM THE CONTOUR OF THE SURFACE OF SAID PROPERTY; HOWEVER, GRANTOR OR ITS SUCCESSORS AND/OR ASSIGNS SHALL NOT HAVE THE RIGHT FOR ANY PURPOSE WHATSOEVER TO ENTER UPON, INTO OR THROUGH THE SURFACE OF SAID PROPERTY OR ANY PART THEREOF LYING BETWEEN SAID SURFACE AND 500 FEET BELOW SAID SURFACE, AS EXCEPTED IN THE DEED FROM SOUTHERN PACIFIC TRANSPORTATION COMPANY, A DELAWARE CORPORATION, RECORDED DECEMBER 31, 1980 IN [BOOK F819, PAGE 451](#), OFFICIAL RECORDS.

#### PARCEL TWO:

COMMENCING AT A POINT ON THE NORTHWESTERLY LINE FOR AUZERAIS AVENUE, FORMERLY SAN SALVADOR STREET, SAID POINT BEING THE MOST EASTERLY CORNER OF PARCEL ONE AS DESCRIBED IN THE GRANT DEED FROM OSH PROPERTIES, LLC TO NATIONAL RETAIL PROPERTIES, LP, RECORDED AUGUST 17, 2012 AS INSTRUMENT NO. [21798592](#), OFFICIAL RECORDS OF SANTA CLARA COUNTY; THENCE FROM SAID POINT OF BEGINNING ALONG THE NORTHEASTERLY BOUNDARY OF SAID PARCEL ONE NORTH 36° 09' 00" WEST 5.00 FEET TO THE TRUE POINT OF BEGINNING FOR THIS DESCRIPTION; THENCE, FROM SAID TRUE POINT OF BEGINNING, LEAVING THE NORTHEASTERLY LINE OF SAID PARCEL ONE ALONG A LINE PARALLEL WITH, AND DISTANT NORTHWESTERLY 5.00 FEET, MEASURED AT RIGHT ANGLES, FROM SAID NORTHWESTERLY LINE OF AUZERAIS STREET SOUTH 53° 50' 20" WEST 270.60 FEET TO THE SOUTHWESTERLY BOUNDARY OF SAID PARCEL ONE; THENCE, ALONG THE SOUTHWESTERLY BOUNDARY OF SAID PARCEL ONE NORTH 36° 09' 40" WEST 15.00 FEET; THENCE LEAVING SAID SOUTHWESTERLY LINE OF SAID PARCEL ONE ALONG A LINE PARALLEL WITH, AND DISTANT NORTHWESTERLY 20.00 FEET, MEASURED AT RIGHT ANGLES, FROM THE NORTHWESTERLY LINE OF AUZERAIS STREET NORTH 53° 50' 20" EAST 270.61 FEET TO THE NORTHEASTERLY BOUNDARY OF SAID PARCEL ONE; THENCE ALONG NORTHEASTERLY BOUNDARY OF SAID PARCEL ONE SOUTH 36° 09' 00" EAST 15.00 FEET TO THE TRUE POINT OF BEGINNING OF THIS

DESCRIPTION.

PARCEL THREE:

PORTION OF LOTS 36, 37, 38 AND 39, AS SHOWN UPON THAT CERTAIN MAP ENTITLED, "MAP OF WRIGHT'S SUBDIVISION IN SUNOL ADDITION", WHICH MAP WAS FILED FOR RECORD IN THE OFFICE OF THE RECORDER OF THE COUNTY OF SANTA CLARA, STATE OF CALIFORNIA, ON FEBRUARY 25, 1893 IN BOOK "G" OF MAPS, AT PAGE 49, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE SOUTHWESTERLY LINE OF LOT 39 DISTANT THEREON SOUTH 36° 09' EAST, 34.00 FEET FROM THE WESTERNMOST CORNER THEREOF IN THE SOUTHEASTERLY LINE OF SAN CARLOS STREET, AS SAID LOT AND STREET ARE SHOWN UPON THE MAP ABOVE REFERRED TO; THENCE FROM SAID POINT OF BEGINNING NORTH 53° 50' EAST AND PARALLEL WITH THE SAID SOUTHEASTERLY LINE OF SAN CARLOS STREET, 110.00 FEET TO A POINT IN A LINE WHICH IS PARALLEL WITH AND DISTANT SOUTHWESTERLY 10.00 FEET AT RIGHT ANGLES FROM THE SOUTHWESTERLY LINE OF ROYAL STREET, AS SAID STREET IS SHOWN UPON THE MAP ABOVE REFERRED TO; THENCE SOUTH 36° 09' EAST AND ALONG SAID PARALLEL LINE, 141.00 FEET TO THE POINT OF INTERSECTION THEREOF WITH THE SOUTHEASTERLY LINE OF LOT 36, AS SAID LOT IS SHOWN UPON THE MAP ABOVE REFERRED TO; THENCE SOUTH 53° 51' WEST ALONG SAID SOUTHEASTERLY LINE OF LOT 36 FOR A DISTANCE OF 110.00 FEET TO THE SOUTHERNMOST CORNER THEREOF; THENCE NORTH 36° 09' WEST AND ALONG THE SOUTHWESTERLY LINE OF SAID LOTS 36 AND 39 FOR A DISTANCE OF 141.00 FEET TO THE POINT OF BEGINNING.

PARCEL FOUR:

ALL OF LOTS 32, 33, 34 AND 35, AS SHOWN UPON THAT CERTAIN MAP ENTITLED, "MAP OF WRIGHT'S SUBDIVISION", WHICH MAP WAS FILED FOR RECORD IN THE OFFICE OF THE RECORDER OF THE COUNTY OF SANTA CLARA, STATE OF CALIFORNIA, ON FEBRUARY 25, 1893 IN BOOK "G" OF MAPS, AT PAGE 49.

PARCEL FIVE:

ALL OF LOT 28, AS SHOWN UPON THAT CERTAIN MAP ENTITLED, "MAP OF WRIGHT'S SUBDIVISION", WHICH MAP WAS FILED ON FEBRUARY 25, 1893 IN BOOK "G" OF MAPS, AT PAGE 49.

PARCEL SIX:

ALL OF LOTS 27, 29, 30, AND 31, AS SHOWN UPON THAT CERTAIN MAP ENTITLED, "MAP OF WRIGHT'S SUBDIVISION", WHICH MAP WAS FILED FOR RECORD IN THE OFFICE OF THE RECORDER OF THE COUNTY OF SANTA CLARA, STATE OF CALIFORNIA, ON FEBRUARY 25, 1893 IN BOOK "G" OF MAPS, AT PAGE 49.

APN: 264-15-064 (Affects Parcel One);  
264-15-063 (Affects Parcel Two);  
264-15-065 (Affects Parcels Three and Four);  
264-15-018 (Affects Parcel Five);  
264-15-015 (Affects Lot 31 of Parcel Six);  
264-15-016 (Affects Lot 30 of Parcel Six);  
264-15-017 (Affects Lot 27 of Parcel Six)  
and 264-15-019 (Affects Lot 29 of Parcel Six)

### **LEGAL DESCRIPTION OF LAND**

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

#### **PARCEL ONE:**

PORTION OF SUBDIVISION 1 OF LOT VIII, AS SHOWN ON MAP ENTITLED "A PLAN OF THE FRENCH GARDENS" FILED DECEMBER 23, 1885 IN BOOK B OF MAPS, AT PAGE 31, SANTA CLARA COUNTY RECORDS, AND A PORTION OF THE LOS COCHES RANCHO, AS FOLLOWS:

BEGINNING AT AN IRON PIPE AT THE POINT OF INTERSECTION OF THE SOUTHWESTERLY LINE OF DELMAS AVENUE (50.00 FEET IN WIDTH) WITH THE SOUTHEASTERLY LINE OF SANTA CLARA STREET;

THENCE SOUTH 30° 51' EAST ALONG SAID SOUTHWESTERLY LINE OF DELMAS AVENUE 150.00 FEET TO THE NORTHWESTERLY LINE OF LAND DESCRIBED IN THE DEED TO MARION B. WEHNER, RECORDED IN BOOK 682 OF OFFICIAL RECORDS, PAGE 562;

THENCE SOUTH 59° 09' WEST, ALONG THE NORTHWESTERLY LINE THEREOF 148.00 FEET TO A 2" X 3" STAKE ON THE EASTERLY BANK OF THE LOS GATOS CREEK;

THENCE ALONG SAID EASTERLY BANK NORTH 6° 40' EAST 51.95 FEET TO A 2" X 3" STAKE AND NORTH 1° 40' EAST, 95 FEET, MORE OR LESS, TO A POINT ON THE SOUTHWESTERLY LINE OF SUBDIVISION 1 OF LOT VIII, AS SHOWN UPON THE MAP ABOVE REFERRED TO;

THENCE NORTH 30° 40' WEST ALONG THE SOUTHWESTERLY LINE OF SAID LOT 1, 30 FEET, MORE OR LESS, TO THE WESTERNMOST CORNER THEREOF;

THENCE NORTH 59° 20' EAST, ALONG THE NORTHWESTERLY LINE THEREOF 26.80 FEET TO A 2" X 3" STAKE ON SAID SOUTHEASTERLY LINE OF SANTA CLARA STREET;

THENCE NORTH 59° 20' EAST ALONG SAID SOUTHEASTERLY LINE 39.45 FEET TO THE POINT OF BEGINNING.

#### **PARCEL TWO:**

BEGINNING AT A POINT ON THE WESTERLY LINE OF DELMAS AVENUE, DISTANT THEREON SOUTH 30° 18' EAST 150 FEET FROM THE POINT OF INTERSECTION THEREOF WITH THE SOUTHERLY LINE OF SANTA CLARA STREET;

THENCE AT RIGHT ANGLES TO SAID WESTERLY LINE SOUTH 59° 41' WEST 148 FEET TO A POINT ON THE EASTERLY BANK OF THE LOS GATOS CREEK;

THENCE ALONG SAID EASTERLY BANK SOUTH 2° 20' WEST 71.3 FEET;

THENCE NORTH 59° 42' EAST 186.9 FEET TO A POINT ON THE WESTERLY LINE OF DELMAS AVENUE;

THENCE ALONG SAID WESTERLY LINE NORTH 30° 18' WEST 60 FEET TO THE POINT OF BEGINNING, BEING A PORTION OF LOT 2 OF LOT 8 AS SHOWN ON MAP ENTITLED "A PLAN OF THE FRENCH GARDENS" FILED DECEMBER 23, 1885 IN BOOK B OF MAPS, AT PAGE 31, SANTA CLARA COUNTY RECORDS.

EXCEPTING PARCEL 30A, AS SHOWN ON RECORD OF SURVEY FILED IN MAP BOOK 298, PAGE 38, AND AS CONVEYED TO SANTA CLARA COUNTY FLOOD CONTROL & WATER DISTRICT, BY DEED RECORDED IN BOOK 0158 OF OFFICIAL RECORDS, PAGE 101.

PARCEL THREE:

PORTION OF LOTS 2 AND 4, OF LOT 8, AS SHOWN ON MAP ENTITLED "A PLAN OF THE FRENCH GARDENS" FILED DECEMBER 23, 1885 IN BOOK B OF MAPS, AT PAGE 31, AS FOLLOWS:

BEGINNING AT THE POINT IN THE SOUTHWESTERLY LINE OF DELMAS AVENUE, DISTANT THEREON SOUTH 30° 40' EAST 210 FEET FROM THE POINT OF INTERSECTION THEREOF WITH THE SOUTHEASTERLY LINE OF SANTA CLARA STREET, SAID POINT OF BEGINNING BEING THE SOUTHEASTERLY CORNER OF LAND CONVEYED TO EMILY A. MASSEY BY DEED RECORDED IN BOOK 337 OF DEEDS, PAGE 264;

THENCE SOUTH 59° 20' WEST AND ALONG THE SOUTHEASTERLY LINE OF SAID LAND AS CONVEYED TO EMILY A. MASSEY, 186.90 FEET TO THE SOUTHWESTERLY CORNER THEREOF ON THE EASTERLY BULKHEAD TO THE LOS GATOS CREEK;

THENCE SOUTHERLY AND ALONG SAID BULKHEAD 114.50 FEET, MORE OR LESS, TO THE SOUTHWESTERLY CORNER OF LAND CONVEYED TO T.B. HUBBARD, ET AL, BY DEED RECORDED IN BOOK 395 OF DEEDS, PAGE 227; SAID CORNER BEING ALSO THE NORTHWESTERLY CORNER OF LAND CONVEYED TO HUBBARD & CARMICHAEL BROS., A CORPORATION, BY DEED RECORDED IN BOOK 497 OF DEEDS, PAGE 452;

THENCE ALONG A FENCE AND BULKHEAD ON THE WESTERLY LINE OF SAID LAND SO CONVEYED TO SAID HUBBARD & CARMICHAEL BROS., SOUTH 2° 11' EAST 122.40 FEET TO A FENCE POST AND SOUTH 7° 6' EAST 56.20 FEET TO A FENCE CORNER AT THE NORTHWESTERLY CORNER OF LAND CONVEYED TO THOMAS GILLESPIE, BY DEED RECORDED IN BOOK 328 OF DEEDS, PAGE 310;

THENCE ALONG THE NORTHERLY LINE OF SAID LAND SO CONVEYED TO THOMAS J. GILLESPIE NORTH 59° 20' EAST 73.33 FEET, MORE OR LESS, TO COMMON CORNER FOR LOTS 8 AND 9 OF THE FRENCH GARDENS, HEREINABOVE REFERRED TO, SAID CORNER BEING THE SOUTHWESTERLY CORNER OF LAND CONVEYED TO FRANK W. WILCOX, BY DEED RECORDED IN BOOK 85 OF DEEDS, PAGE 238;

THENCE NORTHERLY AND ALONG THE WESTERLY LINE OF SAID LOT 8 OF THE FRENCH GARDENS AND THE WESTERLY LINE OF SAID LAND SO CONVEYED TO FRANK W. WILCOX 57 FEET, MORE OR LESS, TO THE NORTHWESTERLY CORNER THEREOF;

THENCE ALONG THE NORTHERLY LINE OF SAID LAND SO CONVEYED TO FRANK W. WILCOX NORTH 59° 20' EAST 28 FEET, MORE OR LESS, TO AN IRON PIPE AT THE SOUTHWESTERLY CORNER OF LAND CONVEYED TO MATILDA DOLEN, BY DEED RECORDED IN BOOK 417 OF DEEDS, PAGE 413;

THENCE ALONG THE WESTERLY LINE OF SAID LAND AS CONVEYED TO MATILDA DOLEN NORTH 29° 32' WEST 50.10 FEET TO THE NORTHWESTERLY CORNER THEREOF, SAID CORNER BEING ALSO THE SOUTHWESTERLY CORNER OF LAND CONVEYED TO D. DELLAMAGGIORE BY DEED RECORDED IN BOOK 489 OF DEEDS, PAGE 441;

THENCE ALONG THE WESTERLY LINE OF SAID LAND SO CONVEYED TO D. DELLAMAGGIORE NORTH 30° 40' WEST 55 FEET TO THE NORTHWESTERLY CORNER THEREOF;

THENCE ALONG THE NORTHERLY LINE THEREOF NORTH 59° 20' EAST 195.10 FEET TO A POINT ON THE SOUTHWESTERLY LINE OF DELMAS AVENUE;

THENCE ALONG SAID LINE NORTH 30° 40' WEST 100 FEET TO THE POINT OF BEGINNING.

EXCEPTING PARCEL 30B, AS SHOWN ON RECORD OF SURVEY FILED IN MAP BOOK 298, PAGE 38, AND AS CONVEYED TO SANTA CLARA COUNTY FLOOD CONTROL & WATER DISTRICT, BY DEED RECORDED IN BOOK 0158 OF OFFICIAL RECORDS, PAGE 101.

PARCEL FOUR:

PORTION OF LOT 8, AS SHOWN ON MAP ENTITLED "A PLAN OF THE FRENCH GARDENS" FILED DECEMBER 23, 1885 IN BOOK B OF MAPS, AT PAGE 31, SANTA



CLARA COUNTY RECORDS AND A PORTION OF A TRACT ADJOINING ABOVE SUBDIVISION ON THE WEST, AS FOLLOWS:

COMMENCING AT A POINT ON THE WESTERLY LINE OF DELMAS AVENUE (50 FEET WIDE) DISTANT THEREON, 310 FEET, SOUTH 30° 40' EAST FROM THE INTERSECTION THEREOF WITH THE SOUTHERLY LINE OF SANTA CLARA STREET;

THENCE AT RIGHT ANGLES TO DELMAS AVENUE, SOUTH 59° 20' WEST 150 FEET TO THE TRUE POINT OF BEGINNING;

THENCE CONTINUING ON SAME COURSE, 45.10 FEET;

THENCE AT RIGHT ANGLES SOUTHERLY AND PARALLEL WITH THE WESTERLY LINE OF DELMAS

AVENUE, 55 FEET TO AN IRON PIPE AT THE NORTHWESTERLY CORNER OF LAND FORMERLY OF MATILDA DOLEN;

THENCE EASTERLY ON THE NORTHERLY LINE OF SAID LAND OF DOLEN NORTH 59° 20' EAST, 45.10 FEET;

THENCE NORTHERLY PARALLEL TO THE WESTERLY LINE OF DELMAS AVENUE 55 FEET TO THE TRUE POINT OF BEGINNING.

PARCEL FIVE:

PORTION OF LOTS 3 AND 4, OF LOT 8, AS SHOWN ON MAP ENTITLED "A PLAN OF THE FRENCH GARDENS" FILED DECEMBER 23, 1885 IN BOOK B OF MAPS, AT PAGE 31, AS FOLLOWS:

COMMENCING AT A POINT ON THE SOUTHWESTERLY LINE OF DELMAS AVENUE, 50 FEET WIDE DISTANT THEREON SOUTH 30° 40' EAST 365 FEET FROM THE POINT OF INTERSECTION THEREOF WITH THE SOUTHEASTERLY LINE OF SANTA CLARA STREET, SAID POINT OF BEGINNING ALSO BEING THE EASTERNMOST CORNER OF LAND DESCRIBED IN THE DEED TO D. DELLAMAGGIORE, RECORDED IN BOOK 489 OF DEEDS, PAGE 441;

THENCE SOUTH 59° 20' WEST ALONG THE SOUTHEASTERLY LINE OF SAID LAND 150 FEET TO THE TRUE POINT OF BEGINNING;

THENCE CONTINUE SOUTH 59° 20' WEST 45.10 FEET TO THE SOUTHERNMOST CORNER THEREOF ON A NORTHEASTERLY LINE OF LAND DESCRIBED AS PARCEL 2 IN THE DEED TO WESLEY L. HUBBARD, TRUSTEE, RECORDED IN BOOK 1232 OFFICIAL RECORDS, PAGE 501; THENCE SOUTH 29° 32' EAST ALONG A NORTHEASTERLY LINE OF LAND OF SAID HUBBARD, 50.10 FEET TO THE NORTHWESTERLY LINE OF LAND DESCRIBED IN THE DEED TO ITALO BARONI, RECORDED IN BOOK 1329 OF OFFICIAL RECORDS, PAGE 219;

THENCE NORTH 59° 20' EAST ALONG THE NORTHWESTERLY LINE OF LAND OF SAID BARONI, 44.10 FEET TO A POINT DISTANT THEREON 150 FEET FROM THE SOUTHWESTERLY LINE OF DELMAS AVENUE;

THENCE NORTH 30° 40' WEST 50 FEET TO THE TRUE POINT OF BEGINNING.

PARCEL SIX:

PORTION OF LOT 8, AS SHOWN ON MAP ENTITLED "A PLAN OF THE FRENCH GARDENS" FILED DECEMBER 23, 1885 IN BOOK B OF MAPS, AT PAGE 31, SANTA CLARA COUNTY RECORDS, AND A PORTION OF A TRACT OF LAND ADJOINING ABOVE SUBDIVISION ON THE WEST, AS FOLLOWS:

COMMENCING AT A POINT ON THE WESTERLY LINE OF DELMAS AVENUE (50 FEET WIDE) DISTANT THEREON 310 FEET, SOUTH 30° 40' EAST FROM THE INTERSECTION THEREOF WITH THE SOUTHERLY LINE OF SANTA CLARA STREET;

THENCE AT RIGHT ANGLES TO DELMAS AVENUE, SOUTH 59° 20' WEST 195.10 FEET;

THENCE AT RIGHT ANGLES SOUTHERLY AND PARALLEL WITH THE WESTERLY LINE OF DELMAS AVENUE, 55 FEET TO AN IRON PIPE AT THE NORTHWESTERLY CORNER OF LAND FORMERLY OF MATILDA DOLEN;

THENCE EASTERLY ON THE NORTHERLY LINE OF SAID LAND OF DOLEN, NORTH 59° 20' EAST 195.10 FEET TO WESTERLY LINE OF DELMAS AVENUE,

THENCE NORTHERLY ALONG SAID WESTERLY LINE 55 FEET TO THE POINT OF COMMENCEMENT.

EXCEPTING THE SOUTHWEST 45.10 FEET CONVEYED TO VICTOR BRUNI, ET AL, BY DEED RECORDED IN BOOK 3579 OF OFFICIAL RECORDS, PAGE 108.

PARCEL SEVEN:

PORTION OF LOTS 3 AND 4, OF LOT 8, AS SHOWN ON MAP ENTITLED "A PLAN OF THE FRENCH GARDENS" FILED DECEMBER 23, 1885 IN BOOK B OF MAPS, AT PAGE 31, SANTA CLARA COUNTY RECORDS, AS FOLLOWS:

BEGINNING AT A POINT ON THE SOUTHWESTERLY LINE OF DELMAS AVENUE, 50.00 FEET WIDE DISTANT THEREON SOUTH 30° 40' EAST, 365 FEET FROM THE POINT OF INTERSECTION THEREOF WITH THE SOUTHEASTERLY LINE OF SANTA CLARA STREET; SAID POINT OF BEGINNING ALSO BEING THE EASTERNMOST CORNER OF LAND DESCRIBED IN THE DEED TO D. DELLAMAGGIORE, RECORDED IN BOOK 489 OF DEEDS, PAGE 441;

THENCE SOUTH 59° 20' WEST ALONG THE SOUTHEASTERLY LINE THEREOF, 195.10 FEET TO SOUTHERNMOST CORNER THEREOF ON A NORTHEASTERLY LINE OF

LAND DESCRIBED AS PARCEL 2 IN THE DEED TO WESLEY L. HUBBARD, TRUSTEE, RECORDED IN BOOK 1232 OFFICIAL RECORDS, PAGE 501;

THENCE SOUTH 29° 32' EAST ALONG SAID NORTHEASTERLY LINE, 50.10 FEET TO THE NORTHWESTERLY LINE OF LAND DESCRIBED IN THE DEED TO ITALO BARONI, RECORDED IN BOOK 1329 OF OFFICIAL RECORDS, PAGE 219;

THENCE NORTH 59° 20' EAST ALONG SAID NORTHWESTERLY LINE, 194.10 FEET TO SAID SOUTHWESTERLY LINE OF DELMAS AVENUE;

THENCE NORTH 30° 40' WEST ALONG SAID LINE 50 FEET TO THE TRUE POINT OF BEGINNING.

EXCEPTING THAT PORTION THEREOF CONVEYED TO VICTOR BRUNI, ET AL, BY DEED RECORDED IN BOOK 3579 OF OFFICIAL RECORDS, PAGE 109, AS FOLLOWS:

BEGINNING AT A POINT ON THE SOUTHWESTERLY LINE OF DELMAS AVENUE 50.00 FEET WIDE DISTANT THEREON SOUTH 30° 40' EAST, 365 FEET FROM THE POINT OF INTERSECTION THEREOF WITH THE SOUTHEASTERLY LINE OF SANTA CLARA STREET; SAID POINT OF BEGINNING ALSO BEING THE EASTERNMOST CORNER OF LAND DESCRIBED IN THE DEED TO D. DELLAMAGGIORE, RECORDED IN BOOK 489 OF DEEDS, PAGE 441;

THENCE SOUTH 59° 20' WEST ALONG THE SOUTHEASTERLY LINE OF SAID LAND 150 FEET TO THE TRUE POINT OF BEGINNING;

THENCE CONTINUING SOUTH 59° 20' WEST, 45.10 FEET TO THE SOUTHERNMOST CORNER THEREOF ON A NORTHEASTERLY LINE OF LAND DESCRIBED AS PARCEL 2 IN THE DEED TO WESLEY L. HUBBARD, TRUSTEE, RECORDED IN BOOK 1232 OFFICIAL RECORDS, PAGE 501; THENCE SOUTH 29° 32' EAST, ALONG A NORTHEASTERLY LINE 50.10 FEET TO THE NORTHWESTERLY LINE OF LAND DESCRIBED IN THE DEED TO ITALO BARONI, RECORDED IN BOOK 1329 OF OFFICIAL RECORDS, PAGE 219;

THENCE NORTH 59° 20' EAST, ALONG SAID NORTHWESTERLY LINE, 44.10 FEET TO A POINT DISTANT THEREON 150 FEET FROM THE SOUTHWESTERLY LINE OF DELMAS AVENUE;

THENCE NORTH 30° 40' WEST ALONG SAID LINE 50 FEET TO THE TRUE POINT OF BEGINNING.

ALSO EXCEPTING THEREFROM ALL WATER RIGHTS AS RESERVED BY THAT CERTAIN "QUITCLAIM DEED WITH RESERVATION OF RIGHTS" RECORDED SEPTEMBER 23, 2015 AS INSTRUMENT NO. 23088052 OF OFFICIAL RECORDS, AND DESCRIBED AS FOLLOWS:

"THERE ARE HEREBY RESERVED TO GRANTOR, ITS SUCCESSORS AND ASSIGNS AS AGAINST GRANTEE, ITS MEMBERS, MANAGERS AND PRINCIPALS, AND THEIR

RESPECTIVE SUCCESSORS AND ASSIGNS, ALL WATER RIGHTS ON AND WITH RESPECT TO THE PROPERTY, INCLUDING, WITHOUT LIMITATION, THE CONTINUING AND PERPETUAL RIGHT TO COLLECT WATER FROM THE PROPERTY, AND THE RIGHT TO USE, DEVELOP, TAKE AND CONDUCT WATER FROM THE PROPERTY TO OR THROUGH SUCH FACILITIES AS GRANTOR MAY CURRENTLY OPERATE AND MAINTAIN, OR MAY HEREAFTER CONSTRUCT, OPERATE AND MAINTAIN, FOR THE PURPOSE OF TRANSPORTING SUCH WATER TO STORAGE, TRANSMISSION AND DISTRIBUTION FACILITIES NOW OR HEREAFTER MAINTAINED BY OR FOR THE BENEFIT OF GRANTOR IN CONNECTION WITH THE SUPPLYING, FURNISHING AND SELLING OF SUCH WATER BY GRANTOR TO ITS CUSTOMERS. THE RESERVED RIGHTS FURTHER INCLUDE, WITHOUT LIMITATION, ALL OVERLYING APPROPRIATIVE AND PRESCRIPTIVE RIGHTS IN AND TO UNDERGROUND WATERS ON THE PROPERTY, TO THE END THAT GRANTOR MAY USE, ENJOY AND TRANSFER THE RIGHTS HEREIN RESERVED WITHOUT LET OR HINDRANCE BY OR FROM GRANTEE, OR BY ANY PERSON CLAIMING BY OR THROUGH GRANTEE OF ITS SUCCESSORS AND ASSIGNS. EXCLUDED FROM THE ABOVE DESCRIBED RESERVED RIGHTS ARE ALL RIPARIAN, APPROPRIATIVE AND PRESCRIPTIVE RIGHTS IN SURFACE WATER ON THE PROPERTY, EXCEPT TO THE EXTENT SUCH SURFACE WATER PERCOLATES UNDERGROUND, THE OCCURRENCE OF WHICH SHALL NOT BE INTERFERED WITH BY GRANTEE, PROVIDED THAT FUTURE DEVELOPMENT OF THE PROPERTY IN ACCORDANCE WITH FINAL AND NON APPEALABLE APPROVALS FROM THE CITY OF SAN JOSE, AND ANY APPLICABLE REVIEWING JURISDICTION, INCLUDING COMPLIANCE WITH DRAINAGE PLANS TO THE EXTENT APPLICABLE, SHALL NOT CONSTITUTE AN INTERFERENCE WITH THE PERCOLATION OF SURFACE WATER.

GRANTOR HEREBY RELINQUISHES ANY EXPRESS OR IMPLIED RIGHT OF ACCESS TO THE SURFACE OF THE PROPERTY FOR THE PURPOSE OF CONSTRUCTING NEW FACILITIES AND ACCESSING GROUNDWATER AND EXISTING FACILITIES, EXCEPT TO THE EXTENT GRANTOR IN THE PERFORMANCE OF ITS DUTIES AS A WATER PURVEYOR MUST ACCESS THE SURFACE OF THE PROPERTY FOR REPAIR OR REPLACEMENT OF EXISTING UNDERGROUND FACILITIES. THE SPECIFIC POINTS OF ACCESS SHALL BE DETERMINED BETWEEN GRANTOR AND GRANTEE OR ITS SUCCESSORS AND ASSIGNS AT THE REQUEST OF GRANTOR. GRANTEE AND ITS SUCCESSORS AND ASSIGNS SHALL IN GOOD FAITH PROVIDE TO GRANTOR ALL REASONABLE AND TIMELY ACCESS REQUESTED BY GRANTOR FOR SUCH PURPOSES. FROM THE DATE OF THIS QUITCLAIM DEED FORWARD, GRANTEE AND ITS SUCCESSORS OR ASSIGNEES SHALL BE SOLELY RESPONSIBLE FOR ANY AND ALL OF GRANTOR'S FACILITIES LOCATED WITHIN THE PROPERTY THAT HAVE BEEN RETIRED OR ABANDONED BY GRANTOR, INCLUDING BUT NOT LIMITED TO ALL GROUNDWATER WELLS, WATER PUMPING FACILITIES AND EQUIPMENT, WATER LINES AND ALL RELATED APPURTENANCES. GRANTOR AND GRANTEE SHALL EXECUTE ANY AND ALL FURTHER DOCUMENTS AS MAY BE NEEDED OR REQUIRED TO EFFECTUATE THE RIGHTS AND RESERVATIONS CONTAINED HEREIN. THE PROVISIONS CONTAINED HEREIN SHALL BE BINDING ON GRANTOR, GRANTEE, THEIR MEMBERS, MANAGERS AND PRINCIPALS, AND EACH OF THEIR RESPECTIVE SUCCESSORS AND ASSIGNS".

PARCEL EIGHT:

BEGINNING AT A POINT ON THE WESTERLY LINE OF DELMAS AVENUE, AS SAID AVENUE NOW EXISTS, WHERE THE DIVIDING LINE BETWEEN BLOCKS 8 AND 9, ON MAP HEREINAFTER REFERRED TO, INTERSECTS SAID WESTERLY LINE; SAID POINT OF BEGINNING ALSO BEING THE NORTHEASTERLY CORNER OF BLOCK 9;

THENCE NORTHWESTERLY ALONG THE WESTERLY LINE OF DELMAS AVENUE 50 FEET; THENCE AT RIGHT ANGLES SOUTHWESTERLY AND PARALLEL WITH THE LINE DIVIDING BLOCKS 8 AND 9, 200 FEET, MORE OR LESS, TO THE WESTERLY LINE OF BLOCK 8;

THENCE SOUTHERLY AND ALONG THE WESTERLY LINE OF BLOCK 8, 50 FEET, MORE OR LESS, TO THE NORTHWESTERLY CORNER OF BLOCK 9;

THENCE NORTHEASTERLY AND ALONG THE DIVIDING LINE BETWEEN BLOCKS 8 AND 9, 200 FEET, MORE OR LESS, TO THE POINT OF BEGINNING, AND BEING A PORTION OF LOTS 3 AND 4 IN BLOCK 8, AS SHOWN ON MAP ENTITLED "A PLAN OF THE FRENCH GARDENS" FILED DECEMBER 23, 1885 IN BOOK B OF MAPS, AT PAGE 31, SANTA CLARA COUNTY RECORDS.

PARCEL NINE:

BEGINNING AT A POINT ON THE WESTERLY LINE OF DELMAS AVENUE, DISTANT THEREON 224 FEET NORTHERLY FROM THE INTERSECTION OF THE NORTHERLY LINE OF SAN FERNANDO STREET WITH THE WESTERLY LINE OF DELMAS AVENUE;

THENCE SOUTH  $59^{\circ} 20'$  WEST, 152.23 FEET;

THENCE SOUTH  $59^{\circ} 09'$  WEST, 170.83 FEET;

THENCE ALONG A CURVE TO THE RIGHT FROM A TANGENT BEARING SOUTH  $06^{\circ} 44' 07''$  EAST

WITH A RADIUS OF 486 FEET, THROUGH A CENTRAL ANGLE OF  $12^{\circ} 07' 19''$  FOR AN ARC DISTANCE OF 102.82 FEET;

THENCE SOUTH  $01^{\circ} 37' 26''$  EAST, 82.81 FEET;

THENCE SOUTH  $11^{\circ} 25' 21''$  WEST, 11.18 FEET;

THENCE ALONG A CURVE TO THE RIGHT FROM A TANGENT BEARING SOUTH  $05^{\circ} 37' 29''$  EAST WITH A RADIUS OF 155 FEET, THROUGH A CENTRAL ANGLE OF  $19^{\circ} 11' 44''$  FOR AN ARC DISTANCE OF 51.93 FEET;

THENCE SOUTH  $30^{\circ} 37' 23''$  EAST, 11.25 FEET;

THENCE NORTH 59° 20' EAST, 105.06 FEET;  
THENCE NORTH 29° 43' WEST, 130.41 FEET;  
THENCE NORTH 60° 27' EAST, 91.96 FEET;  
THENCE SOUTH 29° 43' EAST, 1.60 FEET;  
THENCE NORTH 59° 20' EAST, 42.96 FEET;  
THENCE NORTH 30° 40' WEST, 9.50 FEET;  
THENCE NORTH 59° 29' EAST, 56.50 FEET;  
THENCE NORTH 30° 40' WEST, 2.05 FEET;  
THENCE NORTH 59° 20' EAST, 152.51 FEET;  
THENCE NORTH 30° 51' WEST, 87 FEET TO THE POINT OF BEGINNING.

EXCEPTING THEREFROM THAT PORTION OF SAID LAND AS CONDEMNED TO THE SANTA CLARA VALLEY TRANSPORTATION AUTHORITY BY FINAL ORDER OF CONDEMNATION, CASE NO. CV816174, RECORDED IN THE OFFICE OF THE COUNTY RECORDER OF SANTA CLARA COUNTY ON JANUARY 04, 2005, UNDER RECORDER'S SERIES NO. 18173554 OF OFFICIAL RECORDS.

ALSO EXCEPTING THEREFROM ALL WATER RIGHTS AS RESERVED BY THAT CERTAIN "QUITCLAIM DEED WITH RESERVATION OF RIGHTS" RECORDED SEPTEMBER 23, 2015 AS INSTRUMENT NO. 23088052 OF OFFICIAL RECORDS, AND DESCRIBED AS FOLLOWS:

"THERE ARE HEREBY RESERVED TO GRANTOR, ITS SUCCESSORS AND ASSIGNS AS AGAINST GRANTEE, ITS MEMBERS, MANAGERS AND PRINCIPALS, AND THEIR RESPECTIVE SUCCESSORS AND ASSIGNS, ALL WATER RIGHTS ON AND WITH RESPECT TO THE PROPERTY, INCLUDING, WITHOUT LIMITATION, THE CONTINUING AND PERPETUAL RIGHT TO COLLECT WATER FROM THE PROPERTY, AND THE RIGHT TO USE, DEVELOP, TAKE AND CONDUCT WATER FROM THE PROPERTY TO OR THROUGH SUCH FACILITIES AS GRANTOR MAY CURRENTLY OPERATE AND MAINTAIN, OR MAY HEREAFTER CONSTRUCT, OPERATE AND MAINTAIN, FOR THE PURPOSE OF TRANSPORTING SUCH WATER TO STORAGE, TRANSMISSION AND DISTRIBUTION FACILITIES NOW OR HEREAFTER MAINTAINED BY OR FOR THE BENEFIT OF GRANTOR IN CONNECTION WITH THE SUPPLYING, FURNISHING AND SELLING OF SUCH WATER BY GRANTOR TO ITS CUSTOMERS. THE RESERVED RIGHTS FURTHER INCLUDE, WITHOUT LIMITATION, ALL OVERLYING APPROPRIATIVE AND PRESCRIPTIVE RIGHTS IN AND TO UNDERGROUND WATERS ON THE PROPERTY, TO THE END THAT GRANTOR MAY USE, ENJOY AND TRANSFER THE RIGHTS HEREIN RESERVED WITHOUT LET OR HINDRANCE BY OR FROM GRANTEE, OR BY ANY PERSON CLAIMING BY OR

THROUGH GRANTEE OF ITS SUCCESSORS AND ASSIGNS. EXCLUDED FROM THE ABOVE DESCRIBED RESERVED RIGHTS ARE ALL RIPARIAN, APPROPRIATIVE AND PRESCRIPTIVE RIGHTS IN SURFACE WATER ON THE PROPERTY, EXCEPT TO THE EXTENT SUCH SURFACE WATER PERCOLATES UNDERGROUND, THE OCCURRENCE OF WHICH SHALL NOT BE INTERFERED WITH BY GRANTEE, PROVIDED THAT FUTURE DEVELOPMENT OF THE PROPERTY IN ACCORDANCE WITH FINAL AND NON APPEALABLE APPROVALS FROM THE CITY OF SAN JOSE, AND ANY APPLICABLE REVIEWING JURISDICTION, INCLUDING COMPLIANCE WITH DRAINAGE PLANS TO THE EXTENT APPLICABLE, SHALL NOT CONSTITUTE AN INTERFERENCE WITH THE PERCOLATION OF SURFACE WATER.

GRANTOR HEREBY RELINQUISHES ANY EXPRESS OR IMPLIED RIGHT OF ACCESS TO THE SURFACE OF THE PROPERTY FOR THE PURPOSE OF CONSTRUCTING NEW FACILITIES AND ACCESSING GROUNDWATER AND EXISTING FACILITIES, EXCEPT TO THE EXTENT GRANTOR IN THE PERFORMANCE OF ITS DUTIES AS A WATER PURVEYOR MUST ACCESS THE SURFACE OF THE PROPERTY FOR REPAIR OR REPLACEMENT OF EXISTING UNDERGROUND FACILITIES. THE SPECIFIC POINTS OF ACCESS SHALL BE DETERMINED BETWEEN GRANTOR AND GRANTEE OR ITS SUCCESSORS AND ASSIGNS AT THE REQUEST OF GRANTOR. GRANTEE AND ITS SUCCESSORS AND ASSIGNS SHALL IN GOOD FAITH PROVIDE TO GRANTOR ALL REASONABLE AND TIMELY ACCESS REQUESTED BY GRANTOR FOR SUCH PURPOSES. FROM THE DATE OF THIS QUITCLAIM DEED FORWARD, GRANTEE AND ITS SUCCESSORS OR ASSIGNEES SHALL BE SOLELY RESPONSIBLE FOR ANY AND ALL OF GRANTOR'S FACILITIES LOCATED WITHIN THE PROPERTY THAT HAVE BEEN RETIRED OR ABANDONED BY GRANTOR, INCLUDING BUT NOT LIMITED TO ALL GROUNDWATER WELLS, WATER PUMPING FACILITIES AND EQUIPMENT, WATER LINES AND ALL RELATED APPURTENANCES. GRANTOR AND GRANTEE SHALL EXECUTE ANY AND ALL FURTHER DOCUMENTS AS MAY BE NEEDED OR REQUIRED TO EFFECTUATE THE RIGHTS AND RESERVATIONS CONTAINED HEREIN. THE PROVISIONS CONTAINED HEREIN SHALL BE BINDING ON GRANTOR, GRANTEE, THEIR MEMBERS, MANAGERS AND PRINCIPALS, AND EACH OF THEIR RESPECTIVE SUCCESSORS AND ASSIGNS".

PARCEL TEN:

PORTION OF LOTS 9 AND 10, AS SHOWN ON MAP ENTITLED "A PLAN OF THE FRENCH GARDENS" FILED DECEMBER 23, 1885 IN BOOK B OF MAPS, AT PAGE 31, AND PROPERTY ADJOINING SAID SUBDIVISION OF THE WEST, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE POINT IN THE NORTHERLY LINE OF SAN FERNANDO STREET, AT A POINT WESTERLY 177.95 FEET FROM THE POINT OF INTERSECTION OF SAID NORTHERLY LINE OF SAN FERNANDO STREET WITH THE CENTER LINE OF DELMAS AVENUE, AND FROM WHICH POINT OF BEGINNING A CROSS OF 5 NAILS IN AND 8" X 8" FENCE POST BEARS NORTH 30° 40' WEST 2 FEET; AND

RUNNING THENCE ALONG SAID NORTHERLY LINE OF SAN FERNANDO STREET SOUTH 59° 20' WEST 56.50 FEET TO A POINT AT EASTERNMOST CORNER OF LANDS FORMERLY OF MARY E. BEIGHEL FROM WHICH A CROSS CHISELED INTO THE CEMENT FENCE BEARS NORTH 30° 40' WEST 2.00 FEET;

THENCE LEAVING SAID NORTHERLY LINE OF SAN FERNANDO STREET AND RUNNING AT RIGHT ANGLES NORTHERLY AND ALONG THE EASTERLY LINE OF SAID LAND FORMERLY OF SAID BEIGHEL AND ITS PROLONGATION NORTHERLY NORTH 30° 40' WEST 136.50 FEET;

THENCE AT RIGHT ANGLES NORTH 59° 20' EAST 56.50 FEET;

THENCE AT RIGHT ANGLES SOUTH 30° 40' EAST 136.50 FEET TO THE POINT OF BEGINNING.

EXCEPTING THEREFROM THAT PORTION OF SAID LAND AS CONDEMNED TO THE SANTA CLARA VALLEY TRANSPORTATION AUTHORITY BY FINAL ORDER OF CONDEMNATION, CASE NO. CV816174, RECORDED IN THE OFFICE OF THE COUNTY RECORDER OF SANTA CLARA COUNTY ON JANUARY 04, 2005, UNDER RECORDER'S SERIES NO. 18173554 OF OFFICIAL RECORDS.

PARCEL ELEVEN:

PORTION OF LOTS 9 AND 10, AS SHOWN ON MAP ENTITLED "A PLAN OF THE FRENCH GARDENS" FILED DECEMBER 23, 1885 IN BOOK B OF MAPS, AT PAGE 31, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A POINT ON THE NORTHERLY LINE OF SAN FERNANDO STREET, DISTANT 69.50 FEET WESTERLY FROM THE POINT OF INTERSECTION OF THE WESTERLY LINE OF DELMAS AVENUE (AS SUCH LINE OF DELMAS AVENUE EXISTED ON THE 12TH DAY OF MAY 1867) WITH THE NORTHERLY LINE OF SAN FERNANDO STREET, SAID POINT OF COMMENCEMENT BEING THE SOUTHWEST CORNER OF THE RESIDENCE LOT OF VALENTINE KOCH;

THENCE NORTHERLY AND PARALLEL WITH DELMAS AVENUE AND ALONG THE LINE OF A FENCE, 138 FEET TO THE FENCE LINE OF AND NOW OR FORMERLY OF HORNER;

THENCE WESTERLY AND PARALLEL WITH SAN FERNANDO STREET, AND ALONG THE LINE OF LAND NOW OR FORMERLY OF HORNER 47.50 FEET TO THE LANDS NOW OR FORMERLY OF DENIKE;

THENCE SOUTHERLY ALONG LANDS NOW OR FORMERLY OF DENIKE, 138 FEET TO SAN FERNANDO STREET;

THENCE EASTERLY ALONG THE SAID LINE OF SAN FERNANDO STREET, 47.50 FEET TO THE POINT OF BEGINNING.



EXCEPTING THEREFROM THAT PORTION OF SAID LAND AS CONDEMNED TO THE SANTA CLARA VALLEY TRANSPORTATION AUTHORITY BY FINAL ORDER OF CONDEMNATION, CASE NO. CV816174, RECORDED IN THE OFFICE OF THE COUNTY RECORDER OF SANTA CLARA COUNTY ON JANUARY 04, 2005, UNDER RECORDER'S SERIES NO. 18173554 OF OFFICIAL RECORDS.

PARCEL TWELVE:

BEGINNING AT THE POINT OF INTERSECTION OF THE NORTHERLY LINE OF SAN FERNANDO STREET, DISTANT THEREON WESTERLY 154 FEET FROM THE INTERSECTION OF SAID LINE OF SAN FERNANDO STREET WITH THE WESTERLY LINE OF DELMAS AVENUE, AND SAID POINT OF BEGINNING BEING THE SOUTHEASTERLY CORNER OF THE PARCEL OF LAND CONVEYED BY PETER KEISER, ET AL, TO T.J. GILLESPIE, BY DEED DATED JANUARY 21, 1884 AND RECORDED JANUARY 21, 1884 IN BOOK 71 OF DEEDS, PAGE 636;

THENCE NORTHERLY AND ALONG THE EASTERLY LINE OF LAND CONVEYED TO SAID T.J. GILLESPIE, 139.0 FEET, MORE OR LESS, TO A POINT IN THE SOUTHERLY LINE OF LAND CONVEYED BY PETER KEISER, ET AL, TO JOSEPH HORNER, BY DEED DATED JANUARY 03, 1884 AND RECORDED JANUARY 03, 1884 IN BOOK 70 OF DEEDS, PAGE 538;

THENCE EASTERLY AND ALONG THE SOUTHERLY LINE OF LAND CONVEYED TO SAID JOSEPH HORNER, 42 FEET, MORE OR LESS, TO THE NORTHWESTERLY CORNER OF THE PARCEL OF LAND CONVEYED BY VALENTINE KOCH TO MIRIAM E. HARRIS BY DEED DATED MAY 12, 1887 AND RECORDED MAY 12, 1887 IN BOOK 90 OF DEEDS, PAGE 487;

THENCE SOUTHERLY AND ALONG THE WESTERLY LINE OF LAND CONVEYED TO SAID MIRIAM E. HARRIS, 139 FEET, MORE OR LESS, TO A POINT IN THE NORTHERLY LINE OF SAN FERNANDO STREET;

THENCE WESTERLY ALONG SAID LINE OF SAN FERNANDO STREET, 42 FEET TO THE PLACE OF BEGINNING, AND BEING A PART OF BLOCKS 9 AND 10, AS SHOWN ON MAP ENTITLED "A PLAN OF THE FRENCH GARDENS" FILED DECEMBER 23, 1885 IN BOOK B OF MAPS, AT PAGE 31.

EXCEPTING THEREFROM THAT PORTION OF SAID LAND AS CONDEMNED TO THE SANTA CLARA VALLEY TRANSPORTATION AUTHORITY BY FINAL ORDER OF CONDEMNATION, CASE NO. CV816174, RECORDED IN THE OFFICE OF THE COUNTY RECORDER OF SANTA CLARA COUNTY ON JANUARY 04, 2005, UNDER RECORDER'S SERIES NO. 18173554 OF OFFICIAL RECORDS.

PARCEL THIRTEEN:

BEING A PORTION OF THE PARCEL DESCRIBED IN THAT CERTAIN FINAL ORDER OF CONDEMNATION RECORDED ON APRIL 09, 2003, IN DOCUMENT NO. 16948942,

SANTA CLARA COUNTY RECORDS, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID PARCEL:

THENCE ALONG THE NORTHWESTERLY LINE OF SAID PARCEL, NORTH 60° 06' 36" EAST 19.659 METERS TO THE NORTHEASTERLY LINE OF SAID PARCEL, ALSO BEING THE SOUTHWESTERLY RIGHT-OF-WAY LINE OF DELMAS AVENUE, A 50 FOOT WIDE RIGHT-OF-WAY, AS SHOWN ON THAT CERTAIN MAP ENTITLED "RECORD OF SURVEY OF PROPOSED LOS GATOS CREEK RIGHT-OF-WAY BETWEEN SANTA CLARA STREET AND SAN CARLOS STREET IN THE CITY OF SAN JOSE, COUNTY OF SANTA CLARA, CALIFORNIA" FILED FOR RECORD ON MARCH 30, 1972 IN BOOK 298 OF MAPS AT PAGE 38, SAID COUNTY RECORDS;

THENCE LEAVING SAID NORTHWESTERLY LINE AND ALONG SAID NORTHEASTERLY LINE, AND ALONG SAID RIGHT-OF-WAY LINE, SOUTH 30° 03' 55" EAST 17.940 METERS;

THENCE LEAVING SAID LINES, SOUTH 74° 55' 29" WEST 20.351 METERS TO THE SOUTHWESTERLY LINE OF SAID PARCEL;

THENCE ALONG LAST SAID LINE NORTH 30° 03' 55" WEST 12.736 METERS TO THE POINT OF BEGINNING.

PARCEL FOURTEEN:

PARCEL B, AS SHOWN ON THAT PARCEL MAP FILED FOR RECORD IN THE OFFICE OF THE RECORDER OF THE COUNTY OF SANTA CLARA, STATE OF CALIFORNIA ON DECEMBER 03, 1986 IN BOOK 567 OF MAPS, PAGE 46.

AND EXCEPTING THEREFROM THAT PORTION OF LAND GRANTED TO THE CITY OF SAN JOSE, A MUNICIPAL CORPORATION OF THE STATE OF CALIFORNIA BY DEED FILED FOR RECORD DECEMBER 10, 1993 IN BOOK N185 AT PAGE 1952 OFFICIAL RECORDS SANTA CLARA COUNTY, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

ALL THAT CERTAIN PROPERTY SITUATE IN THE CITY OF SAN JOSE, COUNTY OF SANTA CLARA, STATE OF CALIFORNIA, BEING DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE SOUTHEASTERLY LINE OF WEST SANTA CLARA STREET AND THE NORTHEASTERLY LINE OF DELMAS AVENUE AS SHOWN ON THAT CERTAIN MAP ENTITLED, "PARCEL MAP", FILED IN BOOK 567 OF MAPS AT PAGE 46, AND RECORDED ON DECEMBER 03, 1986, SANTA CLARA COUNTY RECORDS;

THENCE FROM SAID POINT OF BEGINNING, AND COINCIDENT WITH THE NORTHEASTERLY LINE OF DELMAS AVENUE, SOUTH 30° 04' 27" EAST, 20.06 FEET TO A POINT OF CUSP; THENCE LEAVING SAID NORTHEASTERLY LINE OF DELMAS

AVENUE FROM A RADIAL BEARING OF SOUTH 59° 55' 33" WEST, ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 20.00 FEET, THROUGH A CENTRAL ANGLE OF 90° 09' 58", FOR AN ARC LENGTH OF 31.47 FEET TO A POINT OF CUSP BEING IN SAID SOUTHEASTERLY LINE OF WEST SANTA CLARA STREET; THENCE FROM SAID POINT OF CUSP, COINCIDENT WITH THE SOUTHEASTERLY LINE OF WEST SANTA CLARA STREET, AS SHOWN ON THE ABOVE REFERENCED PARCEL MAP, SOUTH 60° 05' 31" WEST, 20.06 FEET TO THE TRUE POINT OF BEGINNING.

ALSO EXCEPTING THEREFROM THAT PORTION OF LAND GRANTED TO THE CITY OF SAN JOSE, A MUNICIPAL CORPORATION OF THE STATE OF CALIFORNIA BY DEED FILED FOR RECORD DECEMBER 10, 1993 IN BOOK N185 AT PAGE 1957 OFFICIAL RECORDS SANTA CLARA COUNTY, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

ALL THAT CERTAIN REAL PROPERTY SITUATE IN THE CITY OF SAN JOSE, COUNTY OF SANTA CLARA, STATE OF CALIFORNIA, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT IN THE NORTHWESTERLY LINE OF SAN FERNANDO STREET AND THE NORTHEASTERLY LINE OF DELMAS AVENUE AS SHOWN ON THAT CERTAIN MAP ENTITLED, "PARCEL MAP" FILED IN BOOK 567 OF MAPS AT PAGE 46, AND RECORDED ON DECEMBER 03, 1986, SANTA CLARA COUNTY RECORDS;

THENCE FROM SAID POINT OF BEGINNING, COINCIDENT WITH THE NORTHWESTERLY LINE OF SAN FERNANDO STREET, NORTH 60° 05' 22" EAST, 19.94 FEET TO A POINT OF CUSP; THENCE LEAVING SAID NORTHWESTERLY LINE FROM A RADIAL BEARING OF SOUTH 29° 54' 38" EAST, ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 20.00 FEET, THROUGH A CENTRAL ANGLE OF 89° 50' 11", FOR AN ARC LENGTH OF 31.36 FEET TO A POINT OF CUSP BEING IN THE NORTHEASTERLY LINE OF DELMAS AVENUE;

THENCE FROM SAID POINT OF CUSP, AND COINCIDENT WITH THE NORTHEASTERLY LINE OF DELMAS AVENUE, AS SHOWN ON THE ABOVE REFERENCED PARCEL MAP, SOUTH 30° 04' 27" EAST, 19.94 FEET TO THE TRUE POINT OF BEGINNING.

ALSO EXCEPTING THEREFROM THAT PORTION OF SAID LAND AS CONDEMNED TO THE SANTA CLARA VALLEY TRANSPORTATION AUTHORITY BY FINAL ORDER OF CONDEMNATION, CASE NO. CV816174, RECORDED IN THE OFFICE OF THE COUNTY RECORDER OF SANTA CLARA COUNTY ON JANUARY 04, 2005, UNDER RECORDER'S SERIES NO. 18173554 OF OFFICIAL RECORDS.

ALSO EXCEPTING THEREFROM ALL WATER RIGHTS AS RESERVED BY THAT CERTAIN "QUITCLAIM DEED WITH RESERVATION OF RIGHTS" RECORDED SEPTEMBER 23, 2015 AS INSTRUMENT NO. 23088052 OF OFFICIAL RECORDS, AND DESCRIBED AS FOLLOWS:

"THERE ARE HEREBY RESERVED TO GRANTOR, ITS SUCCESSORS AND ASSIGNS AS AGAINST GRANTEE, ITS MEMBERS, MANAGERS AND PRINCIPALS, AND THEIR RESPECTIVE SUCCESSORS AND ASSIGNS, ALL WATER RIGHTS ON AND WITH RESPECT TO THE PROPERTY, INCLUDING, WITHOUT LIMITATION, THE CONTINUING AND PERPETUAL RIGHT TO COLLECT WATER FROM THE PROPERTY, AND THE RIGHT TO USE, DEVELOP, TAKE AND CONDUCT WATER FROM THE PROPERTY TO OR THROUGH SUCH FACILITIES AS GRANTOR MAY CURRENTLY OPERATE AND MAINTAIN, OR MAY HEREAFTER CONSTRUCT, OPERATE AND MAINTAIN, FOR THE PURPOSE OF TRANSPORTING SUCH WATER TO STORAGE, TRANSMISSION AND DISTRIBUTION FACILITIES NOW OR HEREAFTER MAINTAINED BY OR FOR THE BENEFIT OF GRANTOR IN CONNECTION WITH THE SUPPLYING, FURNISHING AND SELLING OF SUCH WATER BY GRANTOR TO ITS CUSTOMERS. THE RESERVED RIGHTS FURTHER INCLUDE, WITHOUT LIMITATION, ALL OVERLYING APPROPRIATIVE AND PRESCRIPTIVE RIGHTS IN AND TO UNDERGROUND WATERS ON THE PROPERTY, TO THE END THAT GRANTOR MAY USE, ENJOY AND TRANSFER THE RIGHTS HEREIN RESERVED WITHOUT LET OR HINDRANCE BY OR FROM GRANTEE, OR BY ANY PERSON CLAIMING BY OR THROUGH GRANTEE OF ITS SUCCESSORS AND ASSIGNS. EXCLUDED FROM THE ABOVE DESCRIBED RESERVED RIGHTS ARE ALL RIPARIAN, APPROPRIATIVE AND PRESCRIPTIVE RIGHTS IN SURFACE WATER ON THE PROPERTY, EXCEPT TO THE EXTENT SUCH SURFACE WATER PERCOLATES UNDERGROUND, THE OCCURRENCE OF WHICH SHALL NOT BE INTERFERED WITH BY GRANTEE, PROVIDED THAT FUTURE DEVELOPMENT OF THE PROPERTY IN ACCORDANCE WITH FINAL AND NON APPEALABLE APPROVALS FROM THE CITY OF SAN JOSE, AND ANY APPLICABLE REVIEWING JURISDICTION, INCLUDING COMPLIANCE WITH DRAINAGE PLANS TO THE EXTENT APPLICABLE, SHALL NOT CONSTITUTE AN INTERFERENCE WITH THE PERCOLATION OF SURFACE WATER.

GRANTOR HEREBY RELINQUISHES ANY EXPRESS OR IMPLIED RIGHT OF ACCESS TO THE SURFACE OF THE PROPERTY FOR THE PURPOSE OF CONSTRUCTING NEW FACILITIES AND ACCESSING GROUNDWATER AND EXISTING FACILITIES, EXCEPT TO THE EXTENT GRANTOR IN THE PERFORMANCE OF ITS DUTIES AS A WATER PURVEYOR MUST ACCESS THE SURFACE OF THE PROPERTY FOR REPAIR OR REPLACEMENT OF EXISTING UNDERGROUND FACILITIES. THE SPECIFIC POINTS OF ACCESS SHALL BE DETERMINED BETWEEN GRANTOR AND GRANTEE OR ITS SUCCESSORS AND ASSIGNS AT THE REQUEST OF GRANTOR. GRANTEE AND ITS SUCCESSORS AND ASSIGNS SHALL IN GOOD FAITH PROVIDE TO GRANTOR ALL REASONABLE AND TIMELY ACCESS REQUESTED BY GRANTOR FOR SUCH PURPOSES. FROM THE DATE OF THIS QUITCLAIM DEED FORWARD, GRANTEE AND ITS SUCCESSORS OR ASSIGNEES SHALL BE SOLELY RESPONSIBLE FOR ANY AND ALL OF GRANTOR'S FACILITIES LOCATED WITHIN THE PROPERTY THAT HAVE BEEN RETIRED OR ABANDONED BY GRANTOR, INCLUDING BUT NOT LIMITED TO ALL GROUNDWATER WELLS, WATER PUMPING FACILITIES AND EQUIPMENT, WATER LINES AND ALL RELATED APPURTENANCES. GRANTOR AND GRANTEE SHALL EXECUTE ANY AND ALL FURTHER DOCUMENTS AS MAY BE NEEDED OR REQUIRED TO EFFECTUATE THE RIGHTS AND RESERVATIONS CONTAINED HEREIN. THE PROVISIONS CONTAINED HEREIN SHALL BE BINDING

ON GRANTOR, GRANTEE, THEIR MEMBERS, MANAGERS AND PRINCIPALS, AND EACH OF THEIR RESPECTIVE SUCCESSORS AND ASSIGNS".

PARCEL FIFTEEN:

PARCEL A, AS SHOWN ON THAT PARCEL MAP FILED FOR RECORD IN THE OFFICE OF THE RECORDER OF THE COUNTY OF SANTA CLARA, STATE OF CALIFORNIA ON DECEMBER 03, 1986 IN BOOK 567 OF MAPS, PAGE(S) 46.

PARCEL SIXTEEN:

THAT PORTION OF DELMAS AVENUE LYING SOUTHEASTERLY OF THE SOUTHEASTERN LINE OF WEST SANTA CLARA STREET AND NORTHWESTERLY OF A LINE WHICH EXTENDS FROM THE NORTHWESTERLY CORNER OF THAT CERTAIN PARCEL OF LAND DESCRIBED AS PARCEL "V007-01" CONDEMNED TO THE SANTA CLARA VALLEY TRANSPORTATION AUTHORITY IN THAT CERTAIN FINAL ORDER OF CONDEMNATION RECORDED JANUARY 4, 2005 AS INSTRUMENT NO. 18173554 OF OFFICIAL RECORDS TO THE SOUTHEASTERLY CORNER OF THAT CERTAIN PARCEL CONVEYED IN THE DEED FROM THE SANTA CLARA VALLEY TRANSPORTATION AUTHORITY TO SJW LAND COMPANY, A CALIFORNIA CORPORATION, RECORDED NOVEMBER 18, 2005 AS INSTRUMENT NO. 18684618 OF OFFICIAL RECORDS.

PARCEL SEVENTEEN:

BEGINNING AT THE POINT ON THE PRESENT NORTHERLY LINE OF SAN FERNANDO STREET, DISTANT THEREON ONE HUNDRED FIFTY-FIVE (155) FEET EASTERLY FROM THE POINT OF INTERSECTION OF THE PRESENT EASTERLY LINE OF DELMAS AVENUE WITH THE PRESENT NORTHERLY LINE OF SAN FERNANDO STREET (THE PRESENT NORTHERLY LINE OF SAN FERNANDO STREET HAVING ESTABLISHED BY A JUDGMENT OF THE DISTRICT COURT OF THE THIRD JUDICIAL DISTRICT OF THE STATE OF CALIFORNIA, IN AND FOR THE COUNTY OF SANTA CLARA, IN THE ACTION OF THE CITY OF SAN JOSE, VS. J.H. PIEPER, ET AL, NUMBERED 5470 UPON THE REGISTER OF SAID COURT); AND THE PRESENT EASTERLY LINE OF DELMAS AVENUE HAVING BEEN ESTABLISHED BY A JUDGMENT OF THE SUPERIOR COURT OF THE STATE OF CALIFORNIA, IN AND FOR THE COUNTY OF SANTA CLARA, IN THE ACTION OF THE CITY OF SAN JOSE, VS. A.J. KOCH, ET AL, NUMBERED 7806 UPON THE REGISTER OF SAID COURT;

RUNNING THENCE EASTERLY ALONG THE NORTHERLY LINE OF SAN FERNANDO STREET FORTY-THREE (43) FEET;

THENCE AT RIGHT ANGLES NORTHERLY ONE HUNDRED EIGHTY-TWO AND 10/100 (182.10) FEET TO THE SOUTHERLY LINE OF THE LANDS OF THE SAN JOSE WATER WORKS;

THENCE WESTERLY ALONG THE SOUTHERLY LINE OF SAID SAN JOSE WATER WORKS LANDS FORTY-THREE (43) FEET TO THE NORTHEASTERLY CORNER OF

THAT PARTICULAR TRACT OF LAND CONVEYED BY CATHERINE GARAT TO JOHN TUROUNET BY DEED DATED SEPTEMBER 18, 1896 AND RECORDED SEPTEMBER 19, 1896 IN THE OFFICE OF THE COUNTY RECORDER OF THE COUNTY OF SANTA CLARA, STATE OF CALIFORNIA, IN BOOK 194 OF DEEDS, AT PAGE 136, ET SEQ.;

THENCE RUNNING SOUTHERLY ALONG THE EASTERLY LINE OF SAID TRACT OF LAND CONVEYED TO JOHN TUROUNET BY DEED DATED SEPTEMBER 18, 1896 AND RECORDED SEPTEMBER 19, 1896 IN THE OFFICE OF THE COUNTY RECORDER OF THE COUNTY OF SANTA CLARA, STATE OF CALIFORNIA, IN BOOK 194 OF DEEDS, AT PAGE 136, ET SEQ.;

THENCE RUNNING SOUTHERLY ALONG THE EASTERLY LINE OF SAID TRACT OF LAND CONVEYED TO JOHN TUROUNET AS AFORESAID AND THE EASTERLY LINE OF THE LAND OF CATHERINE GARAT (HAVING BEEN CONVEYED TO HER BY DEED DATED APRIL 08, 1885 AND RECORDED APRIL 08, 1885 IN THE OFFICE OF THE COUNTY RECORDER OF THE COUNTY OF SANTA CLARA, STATE OF CALIFORNIA IN BOOK 79 OF DEEDS, AT PAGE 220 ET SEQ., FROM JOSEPH JACQUELIN) ONE-HUNDRED EIGHTY-THREE AND 60/100 (183.60) FEET TO THE POINT OF BEGINNING AND BEING A PORTION OF SUBDIVISION NO. IV (4) IN BLOCK NO. FOUR (4) AND OF SUBDIVISION NO. IV (4) IN BLOCK NO. THREE (3) AS SHOWN ON THAT CERTAIN MAP ENTITLED, "A PLAN OF THE FRENCH GARDENS SAN JOSE", RECORDED DECEMBER 23, 1885 IN THE OFFICE OF THE COUNTY RECORDER OF THE COUNTY OF SANTA CLARA, STATE OF CALIFORNIA, IN BOOK B OF MAPS, PAGE 31, RECORDS OF SAID COUNTY.

EXCEPTING THEREFROM THAT PORTION OF LAND LYING WITHIN THE BOUNDS OF PARCEL B, AS SHOWN UPON THAT CERTAIN PARCEL MAP FILED FOR RECORD IN THE OFFICE OF THE RECORDER OF THE COUNTY OF SANTA CLARA ON DECEMBER 03, 1986 IN BOOK 567 OF MAPS AT PAGE 46, OFFICIAL RECORDS.

ALSO EXCEPTING THEREFROM THAT PORTION OF SAID LAND AS CONDEMNED TO THE SANTA CLARA VALLEY TRANSPORTATION AUTHORITY BY FINAL ORDER OF CONDEMNATION, CASE NO. CV816174, RECORDED IN THE OFFICE OF THE COUNTY RECORDER OF SANTA CLARA COUNTY ON JANUARY 04, 2005, UNDER RECORDER'S SERIES NO. 18173554 OF OFFICIAL RECORDS.

**PARCEL EIGHTEEN:**

BEGINNING AT THE POINT IN THE NORTHERLY LINE OF SAN FERNANDO STREET, DISTANT THEREON NORTH 59° 20' EAST TWO HUNDRED FORTY AND 36/100 (240.36) FEET FROM THE POINT OF INTERSECTION OF THE SAID NORTHERLY LINE OF SAN FERNANDO STREET WITH THE EASTERLY LINE OF DELMAS AVENUE, AS SAID STREET EXISTED ON OCTOBER 23, 1899 SAID POINT OF BEGINNING BEING ALSO THE EASTERNMOST CORNER OF THE LOT NOW OR FORMERLY OWNED BY JOS JACQUELIN;

RUNNING THENCE ALONG THE NORTHEASTERLY LINE OF SAID LOT NORTH 31° 1' WEST ONE HUNDRED SEVENTY-NINE AND 65/100 (179.65) FEET TO THE NORTHERNMOST CORNER OF SAID JACQUELIN'S LOT IN THE SOUTHEASTERLY LINE OF LAND NOW OR FORMERLY OWNED BY SAN JOSE WATER COMPANY;

THENCE ALONG SAID SOUTHEASTERLY LINE OF SAID LAST MENTIONED LINE NORTH 61° 3' EAST FIFTY-ONE AND 22/100 (51.22) FEET TO THE NORTHWESTERLY CORNER OF THAT CERTAIN PARCEL OF LAND CONVEYED BY GEORGE W. SEIFERT TO P.S. HIRSCH BY DEED DATED SEPTEMBER 08, 1899 AND RECORDED SEPTEMBER 08, 1899 IN BOOK 223 OF DEEDS, PAGE 116;

THENCE ALONG THE SOUTHWESTERLY LINE OF LAND SO CONVEYED TO HIRSCH SOUTH 30° 40' EAST ONE HUNDRED SEVENTY-EIGHT AND 13/100 (178.13) FEET TO THE NORTHERLY LINE OF SAN FERNANDO STREET, AND

THENCE ALONG SAID NORTHERLY LINE OF SAN FERNANDO STREET SOUTH 59° 20' WEST FIFTY AND 13/100 (50.13) FEET TO THE POINT OF BEGINNING AND BEING A PART OF THAT PART OF THE DELMAS SURVEY OR FRENCH GARDENS, CONVEYED BY JOSEPH JACQUELIN TO CATHERINE E. PENCHARD BY DEED DATED FEBRUARY 19, 1889 IN BOOK 111 OF DEEDS, PAGE 467 COURSES TRUE, VAR. 17° EAST.

EXCEPTING THEREFROM THAT PORTION OF LAND LYING WITHIN THE BOUNDS OF PARCEL B, AS SHOWN UPON THAT CERTAIN PARCEL MAP FILED FOR RECORD IN THE OFFICE OF THE RECORDER OF THE COUNTY OF SANTA CLARA ON DECEMBER 03, 1986 IN BOOK 567 OF MAPS AT PAGE 46, OFFICIAL RECORDS.

ALSO EXCEPTING THEREFROM THAT PORTION OF SAID LAND AS CONDEMNED TO THE SANTA CLARA VALLEY TRANSPORTATION AUTHORITY BY FINAL ORDER OF CONDEMNATION, CASE NO. CV816174, RECORDED IN THE OFFICE OF THE COUNTY RECORDER OF SANTA CLARA COUNTY ON JANUARY 04, 2005, UNDER RECORDER'S SERIES NO. 18173554 OF OFFICIAL RECORDS.

PARCEL NINETEEN:

BEGINNING AT A POINT ON THE NORTHWESTERLY LINE OF SAN FERNANDO STREET, DISTANT THEREON NORTH 59° 20' EAST 198.00 FEET FROM THE POINT OF INTERSECTION THEREOF WITH THE NORTHEASTERLY LINE OF DELMAS AVENUE, SAID POINT OF BEGINNING BEING THE EASTERLY CORNER OF ASSESSMENT LOT NO. 113 SAN JOSE WATER WORKS LANDS AS SHOWN ON THE MAP THEREOF ON FILE IN BOOK "T" OF MAPS, AT PAGE 26, SANTA CLARA COUNTY RECORDS;

THENCE ALONG THE NORTHWESTERLY LINE OF SAN FERNANDO STREET, NORTH 59° 20' EAST 42.36 FEET TO THE SOUTHERLY CORNER OF ASSESSMENT LOT NO. 123 SAN JOSE WATER WORKS LANDS AS SHOWN ON THE MAP THEREOF ON FILE IN BOOK "T" OF MAPS, AT PAGE 25, SANTA CLARA COUNTY RECORDS;

THENCE LEAVING SAN FERNANDO STREET AND RUNNING ALONG THE SOUTHWESTERLY LINE OF SAID ASSESSMENT LOT NO. 123 NORTH 31° 01' WEST 180.36 FEET TO THE WESTERLY CORNER THEREOF IN THE SOUTHEASTERLY LINE OF ASSESSMENT LOT NO. 53 SAN JOSE WATER WORKS LANDS AS SHOWN ON THE MAP THEREOF ON FILE IN BOOK "Z" OF MAPS, AT PAGE 24;

THENCE ALONG THE SOUTHEASTERLY LINE OF SAID ASSESSMENT LOT NO. 53, SOUTH 62° 03' 30" WEST 42 FEET, MORE OR LESS, TO THE NORTHERLY CORNER OF SAID ASSESSMENT LOT NO. 113 ABOVE REFERRED TO;

THENCE ALONG THE NORTHEASTERLY LINE OF SAID ASSESSMENT LOT NO. 123, SOUTH 30° 40' EAST 182.32 FEET TO THE POINT OF BEGINNING, AND BEING PORTIONS OF SUBDIVISION NOS. 4 AND 5 OF LOT IV AND SUBDIVISION NOS. 4 AND 5 OF LOT III AS SHOWN ON MAP ENTITLED "A PLAN OF THE FRENCH GARDENS" FILED DECEMBER 23, 1885 IN BOOK B OF MAPS, AT PAGE 31.

EXCEPTING THEREFROM THAT PORTION OF LAND LYING WITHIN THE BOUNDS OF PARCEL B, AS SHOWN UPON THAT CERTAIN PARCEL MAP FILED FOR RECORD IN THE OFFICE OF THE RECORDER OF THE COUNTY OF SANTA CLARA ON DECEMBER 03, 1986 IN BOOK 567 OF MAPS AT PAGE 46, OFFICIAL RECORDS.

ALSO EXCEPTING THEREFROM THAT PORTION OF SAID LAND AS CONDEMNED TO THE SANTA CLARA VALLEY TRANSPORTATION AUTHORITY BY FINAL ORDER OF CONDEMNATION, CASE NO. CV816174, RECORDED IN THE OFFICE OF THE COUNTY RECORDER OF SANTA CLARA COUNTY ON JANUARY 04, 2005, UNDER RECORDER'S SERIES NO. 18173554 OF OFFICIAL RECORDS.

APN: 259-38-036 (Affects Parcel One)  
259-38-109 (Affects Parcel Two)  
259-38-110 (Affects Parcels Three, Four and Five)  
259-38-039 (Affects Parcel Six)  
259-38-040 (Affects Parcel Seven)  
259-38-041 (Affects Parcel Eight)  
259-38-042 (Affects portion of Parcel Nine)  
259-38-146 (Affects portion of Parcel Nine)  
259-38-147 (Affects portion of Parcel Nine)  
259-38-145 (Affects Parcels Ten, Eleven and Twelve)  
259-38-148 (Affects Parcel Thirteen)  
259-38-142 (Affects Parcel Fourteen)  
259-38-128 (Affects Parcel Fifteen)  
259-38-129 (Affects Parcels Seventeen, Eighteen and Nineteen)



## **LEGAL DESCRIPTION OF THE LAND**

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

PARCEL ONE:

ALL OF PARCEL 3 AS SHOWN ON THE ATTACHED PLAT AND DESCRIBED AS:

COMMENCING AT A GRAIN MONUMENT FOUND AT THE INTERSECTION OF THE CENTERLINE OF AUTUMN STREET (44.5 FEET IN WIDTH) WITH THE CENTERLINE OF SANTA CLARA STREET BEING A 57.50 FOOT HALF STREET;

THENCE ALONG THE CENTERLINE OF SANTA CLARA STREET, NORTH 86° 53' 11" EAST, 99.85 FEET;

THENCE SOUTH 3° 13' 38" EAST, 57.50 FEET TO THE TRUE POINT OF BEGINNING OF THE FOLLOWING DESCRIPTION;

THENCE NORTH 86° 53' 11" EAST, 46.45 FEET;

THENCE SOUTH 3° 13' 38" EAST, 150.76 FEET;

THENCE SOUTH 86° 46' 22" WEST, 96.55 FEET;

THENCE NORTH 3° 13' 38" WEST, 100.85 FEET;

THENCE FROM A TANGENT BEARING NORTH 3° 13' 38" WEST, ALONG A CURVE TO THE RIGHT, CONCAVE TO THE SOUTHEAST, HAVING A RADIUS OF 50 FEET, THROUGH A CENTRAL ANGLE OF 90° 06' 49" AN ARC DISTANCE OF 78.64 FEET TO THE TRUE POINT OF BEGINNING;

AND IN ADDITION THERETO, THE FOLLOWING AREA:

BEGINNING AT A POINT IN THE SOUTHERLY LINE OF SANTA CLARA STREET, DISTANT THEREON, NORTH 86° 31' EAST, 124.05 FEET FROM THE POINT OF INTERSECTION THEREOF WITH THE EASTERLY LINE OF AUTUMN STREET, AND FROM WHICH POINT OF BEGINNING A CROSS CHISELED INTO THE CONCRETE SIDEWALK BEARS NORTH 3° 35' WEST, 5 FEET;

THENCE FROM SAID POINT OF BEGINNING EASTERLY ALONG SAID SOUTHERLY LINE OF SANTA CLARA STREET, NORTH 86° 31' EAST, 25 FEET TO A POINT FROM WHICH A CROSS CHISELED INTO THE CONCRETE SIDEWALK BEARS NORTH 3° 35' WEST, 5 FEET;

THENCE LEAVING SAID SANTA CLARA STREET, SOUTHERLY AND PARALLEL WITH SAID EASTERLY LINE OF AUTUMN STREET, SOUTH 3° 35' EAST, 100.74 FEET TO AN IRON PIPE SET FLUSH IN THE NORTHERLY LINE OF THE TRACT OF LAND CONVEYED TO O. BUBNICK, BY DEED RECORDED JULY 01, 1924, [BOOK 92 OFFICIAL RECORDS, PAGE 538](#);

THENCE EASTERLY ALONG SAID NORTHERLY LINE OF SAID LANDS OF BUBNICK, NORTH 86° 25' EAST 81.65 FEET TO AN IRON PIPE SET IN THE CENTERLINE OF THE LOS GATOS CREEK AT THE NORTHEAST CORNER OF SAID LANDS OF BUBNICK;

THENCE SOUTHERLY ALONG SAID CENTERLINE OF SAID LOS GATOS CREEK AND ALONG THE EASTERLY LINE OF SAID LANDS OF BUBNICK, SOUTH 7° 27' WEST, 50.92 FEET TO AN IRON PIPE SET AT THE SOUTHEAST CORNER OF SAID LANDS OF BUBNICK;

THENCE LEAVING SAID CREEK AND RUNNING WESTERLY ALONG THE SOUTHERLY LINE OF SAID LANDS OF BUBNICK, SOUTH 86° 25' WEST, 96.89 FEET TO A NAIL AND TIN SET IN THE MIDDLE SILL OF A FENCE AT A POINT BEARING SOUTH 3° 35' EAST, FROM THE POINT OF BEGINNING OF THIS DESCRIPTION;

THENCE NORTH 3° 35' WEST, 150.78 FEET TO THE POINT OF BEGINNING.

EXCEPTING THEREFROM THAT PORTION OF SAID LAND CONVEYED TO THE SANTA CLARA COUNTY FLOOD CONTROL AND WATER DISTRICT IN THE DEED RECORDED JANUARY 16, 1973 IN [BOOK 0196 OFFICIAL RECORDS, PAGE 305](#), MORE PARTICULARLY DESCRIBED AS FOLLOWS:

SAID PARCEL BEING PARCEL 28 AS SHOWN ON THAT CERTAIN RECORDS OF SURVEY FILED ON MARCH 30, 1972 IN [BOOK 298 OF MAPS AT PAGES 38 TO 45](#) INCLUSIVE, IN THE OFFICE OF THE RECORDER, COUNTY OF SANTA CLARA, STATE OF CALIFORNIA.

AND IN ADDITION THERETO, THE FOLLOWING AREA:

BEGINNING AT A POINT ON THE SOUTHERLY LINE OF SANTA CLARA STREET, DISTANT THEREON NORTH 86° 31' EAST, 149.05 FEET FROM THE POINT OF INTERSECTION THEREOF WITH THE EASTERLY LINE OF AUTUMN STREET (FORMERLY ST. MARY'S STREET) AND FROM WHICH POINT OF BEGINNING A CROSS CHISELED IN CONCRETE SIDEWALK BEARS NORTH 3° 35' WEST, 5.00 FEET; SAID POINT OF BEGINNING BEING ALSO A NORTHEASTERLY CORNER OF THAT CERTAIN PARCEL OF LAND DESCRIBED IN THE DEED FROM O. BUBNICK, ET UX, TO HENRY ROSE, ET AL, DATED FEBRUARY 01, 1950 AND RECORDED FEBRUARY 02, 1950 IN [BOOK 1920 OF OFFICIAL RECORDS, PAGE 498](#), SANTA CLARA COUNTY RECORDS;

THENCE FROM SAID POINT OF BEGINNING SOUTH 3° 35' EAST ALONG AN EASTERLY LINE OF LAND SO DESCRIBED IN THE DEED TO SAID ROSE, 100.74 FEET, TO AN IRON PIPE SET FLUSH AT AN ANGLE CORNER THEREIN;

THENCE NORTH 86° 25' EAST ALONG A NORTHERLY LINE OF LAND SO DESCRIBED IN THE DEED TO SAID ROSE 81.65 FEET TO AN IRON PIPE SET AT A NORTHEASTERLY CORNER THEREOF IN THE CENTERLINE OF LOS GATOS CREEK;

THENCE NORTHERLY ALONG THE SAID CENTERLINE OF LOS GATOS CREEK; 101 FEET, MORE OR LESS, TO THE POINT OF INTERSECTION THEREOF WITH SAID SOUTHERLY LINE OF SANTA CLARA STREET;

THENCE SOUTH 86° 31' WEST ALONG SAID SOUTHERLY LINE OF SANTA CLARA STREET TO THE POINT OF BEGINNING.

EXCEPTING THEREFROM ALL THAT PORTION THEREOF LYING WITHIN THE CHANNEL OF THE LOS GATOS CREEK.

FURTHER EXCEPTING THEREFROM THAT PORTION OF SAID LAND LYING EASTERLY OF THE WESTERLY LINE OF PARCEL 61 AS SHOWN ON THE RECORD OF SURVEY FILED FOR RECORD MARCH 30, 1972 IN BOOK 298 OF MAPS, PAGE 38.

AS SAID PARCEL IS DESCRIBED IN THAT CERTAIN LOT LINE ADJUSTMENT PERMIT, FILE NO. 99-07-09 RECORDED SEPTEMBER 24, 1999 AS DOCUMENT NO. [14997462](#) OF OFFICIAL

RECORDS, SANTA CLARA COUNTY, CALIFORNIA.

PARCEL TWO:

EASEMENTS AND RIGHTS AS SET FORTH IN DOCUMENT ENTITLED "EASEMENT AND COVENANT AGREEMENT", RECORDED APRIL 26, 2001 AS DOCUMENT NO. [15652714](#), OFFICIAL RECORDS OF SANTA CLARA COUNTY.

PARCEL THREE:

COMMENCING AT THE INTERSECTION OF THE CENTERLINE OF SOUTH AUTUMN STREET, FORMERLY 44.50 FEET IN WIDTH, WITH THE CENTERLINE OF WEST SANTA CLARA STREET, BEING 57.50 FEET IN HALF-WIDTH, THENCE ALONG THE CENTERLINE OF SAID WEST SANTA CLARA STREET, N 86° 53' 11" EAST, A DISTANCE OF 99.85 FEET TO A POINT;

THENCE AT RIGHT ANGLES, SOUTH 03° 13' 38" EAST, A DISTANCE OF 57.50 FEET TO A POINT ON THE SOUTHERLY LINE OF THE RIGHT-OF-WAY FOR WEST SANTA CLARA STREET, SAID POINT ALSO BEING THE TRUE POINT OF BEGINNING;

THENCE FROM SAID TRUE POINT OF BEGINNING, ALONG A CURVE CONCAVE TO THE SOUTHEAST, WITH A RADIUS OF 50.00 FEET, THROUGH A CENTRAL ANGLE OF 90° 06' 49", FOR AN ARC DISTANCE OF 78.64 FEET, TO A POINT ON THE EASTERLY RIGHT-OF-WAY OF SOUTH AUTUMN STREET AS SAID RIGHT-OF-WAY NOW EXISTS PURSUANT TO THE DEED BETWEEN THE CITY OF SAN JOSE, A MUNICIPAL CORPORATION, AND MANUAL A. PARISE, PER DOCUMENT NO. [5051893](#), RECORDED JULY 21, 1975;

THENCE NORTHERLY ALONG SAID EASTERLY LINE OF SOUTH AUTUMN STREET, A DISTANCE OF 35.07 FEET TO A POINT OF CURVATURE;

THENCE ALONG A TANGENTIAL CURVE CONCAVE TO THE SOUTHEAST WITH A RADIUS OF 15.00 FEET, THROUGH A CENTRAL ANGLE OF 90° 06' 49", FOR AN ARC DISTANCE OF 23.59 FEET, TO A POINT ON THE SOUTHERLY LINE OF WEST SANTA CLARA STREET (A PUBLIC STREET BEING A 57.50 FOOT HALF-WIDTH);

THENCE ALONG SAID SOUTHERLY LINE OF WEST SANTA CLARA STREET, NORTH 86° 53' 11" EAST, A DISTANCE OF 35.07 FEET TO THE TRUE POINT OF BEGINNING.

AS SAID PARCEL IS DESCRIBED IN THAT CERTAIN QUITCLAIM DEED FROM THE CITY OF SAN JOSE, A MUNICIPAL CORPORATION TO 444 WEST SANTA CLARA STREET, A CALIFORNIA LIMITED PARTNERSHIP, RECORDED OCTOBER 5, 1999 AS DOCUMENT NO. [15008094](#) OF OFFICIAL RECORDS.

APN: 259-38-132

## LEGAL DESCRIPTION

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

### PARCEL ONE:

COMMENCING AT A POINT ON THE WESTERLY LINE OF AUTUMN STREET (FORMERLY GILLESPIE AVENUE) DISTANT THEREON SOUTH 3° 16' EAST 159.17 FEET FROM THE INTERSECTION THEREOF WITH THE SOUTHERLY LINE OF SAN FERNANDO STREET;

RUNNING THENCE ALONG SAID WESTERLY LINE OF GILLESPIE AVENUE SOUTH 3° 16' EAST 60 FEET;

THENCE SOUTH 86° 49' WEST 116.80 FEET;

THENCE NORTH 3° 16' WEST 60.00 FEET, MORE OR LESS, TO A POINT DISTANT SOUTHERLY 15 FEET FROM THE NORTHERLY LINE OF LOT 15 HEREINAFTER MENTIONED;

THENCE NORTH 87° 46' EAST AND DISTANT SOUTHERLY 15 FEET FROM THE NORTHERLY LINE OF SAID LOT 15, 116.80 FEET MORE OR LESS, TO THE WESTERLY LINE OF GILLESPIE AVENUE AND THE POINT OF BEGINNING.

BEING PORTIONS OF LOTS 12 AND 15 AS DESIGNATED AND DELINEATED UPON THAT CERTAIN MAP ENTITLED, "MAP OF THE GILLESPIE SUBDIVISION BEING PART OF LOT 29 OF THE LOS COCHES RANCHO", AND WHICH MAP WAS FILED FOR RECORD IN THE OFFICE OF THE RECORDER OF THE COUNTY OF SANTA CLARA, STATE OF CALIFORNIA, ON APRIL 18, 1911 IN [BOOK "N" OF MAPS, AT PAGE 48.](#)

### PARCEL TWO:

ALL OF LOTS 16 AND 17, AND A PORTION OF LOTS 14 AND 15, AS SHOWN UPON THAT CERTAIN MAP ENTITLED, "MAP OF THE GILLESPIE SUBDIVISION", WHICH MAP WAS FILED FOR RECORD IN THE OFFICE OF THE RECORDER OF THE COUNTY OF SANTA CLARA, STATE OF CALIFORNIA ON APRIL 18, 1911 IN [BOOK N OF MAPS, AT PAGE 48](#) AND A PORTION OF THE LOS COCHES RANCHO, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE SOUTHERLY LINE OF SAN FERNANDO STREET DISTANT THEREON NORTH 86° 49' EAST 86.00 FEET FROM THE POINT OF INTERSECTION THEREOF WITH THE EASTERLY LINE OF MONTGOMERY STREET (FORMERLY EAST STREET), AS SAID STREETS ARE SHOWN UPON THE MAP ABOVE REFERRED TO;

RUNNING THENCE FROM SAID POINT OF BEGINNING, SOUTH 3° 16' EAST AND PARALLEL WITH THE SAID EASTERLY LINE OF MONTGOMERY STREET, FOR A DISTANCE OF 73.50 FEET TO A POINT ON THE NORTHERLY LINE OF LOT 17, AS SAID LOT IS SHOWN UPON THE MAP ABOVE REFERRED TO;

RUNNING THENCE SOUTH 86° 49' WEST ALONG SAID LAST NAMED LINE, FOR A DISTANCE OF 86.00 FEET TO THE NORTHWESTERLY CORNER THEREOF ON THE SAID EASTERLY LINE OF MONTGOMERY STREET;

RUNNING THENCE SOUTH 3° 10' EAST ALONG THE SAID EASTERLY LINE OF MONTGOMERY STREET, FOR A DISTANCE OF 86.00 FEET TO THE NORTHWESTERLY CORNER OF THAT CERTAIN PARCEL OF LAND DESCRIBED IN THE DEED FROM T. J. GILLESPIE HARDWOOD PLANING MILL COMPANY, A CORPORATION, TO LENA BENNETT, DATED DECEMBER 20, 1935, RECORDED DECEMBER 24, 1935 IN [BOOK 755 OF OFFICIAL RECORDS, PAGE 222](#), SANTA CLARA COUNTY RECORDS,

THENCE LEAVING THE SAID EASTERLY LINE OF MONTGOMERY STREET AND RUNNING NORTH 86° 49' EAST ALONG THE NORTHERLY LINE OF LAND SO DESCRIBED IN THE DEED TO SAID BENNETT, FOR A DISTANCE OF 116.80 FEET TO THE NORTHEASTERLY CORNER THEREOF ON THE EASTERLY LINE OF LOT 14, AS SAID LOT IS SHOWN UPON THE MAP ABOVE REFERRED TO;

RUNNING THENCE NORTH 3° 16' WEST ALONG SAID LAST NAMED LINE, FOR A DISTANCE OF 1.825 FEET, MORE OR LESS TO THE NORTHWESTERLY CORNER OF THAT CERTAIN PARCEL OF LAND DESCRIBED IN THE DEED FROM T. J. GILLESPIE HARDWOOD PLANNING MILL COMPANY, A CORPORATION, TO GEORGE SCHLOSSER, DATED MARCH 23, 1925, RECORDED MARCH 26, 1925 IN [BOOK 145 OF OFFICIAL RECORDS, PAGE 279](#), SANTA CLARA COUNTY RECORDS;

RUNNING THENCE NORTH 87° 40' EAST ALONG THE NORTHERLY LINE OF LAND SO DESCRIBED IN THE DEED TO SAID SCHLOSSER, FOR A DISTANCE OF 116.80 FEET TO THE NORTHEASTERLY CORNER THEREOF ON THE WESTERLY LINE OF GILLESPIE AVENUE, AS SAID AVENUE IS SHOWN UPON THE MAP ABOVE REFERRED TO;

RUNNING THENCE NORTH 3° 16' WEST ALONG THE SAID WESTERLY LINE OF GILLESPIE AVENUE, FOR A DISTANCE OF 159.17 FEET TO THE POINT OF INTERSECTION THEREOF WITH THE SAID SOUTHERLY LINE OF SAN FERNANDO STREET;

RUNNING THENCE SOUTH 86° 49' WEST ALONG THE SAID SOUTHERLY LINE OF SAN FERNANDO STREET, FOR A DISTANCE OF 147.60 FEET TO THE POINT OF BEGINNING.

#### PARCEL THREE:

PORTION OF LOTS 13 AND 14, AS SHOWN UPON THAT CERTAIN MAP ENTITLED, "MAP OF THE GILLESPIE SUBDIVISION BEING PART OF LOT 29 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 18, 1911 IN VOLUME "N" OF MAPS, AT PAGE 48, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE EASTERLY LINE OF MONTGOMERY STREET (FORMERLY EAST STREET) DISTANT THEREON 159.50 FEET SOUTHERLY FROM THE INTERSECTION THEREOF WITH THE SOUTHERLY LINE OF SAN FERNANDO STREET;

AND RUNNING THENCE EASTERLY AND PARALLEL WITH THE DIVIDING LINE BETWEEN SAID LOTS 13 AND 14, 116.80 FEET TO A POINT IN THE EASTERLY LINE OF LOT 14;

THENCE SOUTHERLY AND ALONG THE EASTERLY LINE OF LOTS 14 AND 13, 50 FEET TO A POINT;

THENCE WESTERLY AND PARALLEL WITH THE DIVIDING LINE BETWEEN LOTS 13 AND 14, 116.80 FEET TO A POINT ON THE EASTERLY LINE OF MONTGOMERY STREET;

THENCE NORTHERLY AND ALONG THE SAID EASTERLY LINE OF MONTGOMERY STREET 50 FEET TO THE POINT OF BEGINNING.

#### PARCEL FOUR:

BEGINNING AT A POINT ON THE EASTERLY LINE OF MONTGOMERY STREET, FORMERLY EAST STREET, DISTANT HEREON SOUTH 3°16' EAST 209.50 FEET FROM THE POINT OF INTERSECTION OF THE EASTERLY LINE OF MONTGOMERY STREET WITH THE SOUTHERLY LINE OF SAN FERNANDO STREET, SAID POINT OF BEGINNING, BEING ALSO THE SOUTHWESTERLY CORNER OF THAT CERTAIN TRACT OF LAND CONVEYED BY T. J. GILLESPIE HARDWOOD PLANING, MILL COMPANY, A CORPORATION TO LENA BENNETT BY DEED RECORDED DECEMBER 24, 1935 IN [BOOK 755 OF OFFICIAL RECORDS, PAGE 222](#),

RECORDS OF SANTA CLARA COUNTY, CALIFORNIA; THENCE RUNNING SOUTH 3°16' EAST AND ALONG THE EASTERLY LINE OF MONTGOMERY STREET 119.53 FEET TO THE POINT OF INTERSECTION THEREOF WITH THE SOUTHERLY LINE OF LOT 9, AS SHOWN UPON THE MAP HEREINAFTER REFERRED TO; RUNNING THENCE ALONG THE SOUTHERLY LINES OF LOTS 9 AND 8, AS SHOWN UPON SAID MAP NORTH 86°49' EAST 233.60 FEET TO A POINT IN THE WESTERLY LINE OF GILLESPIE AVENUE; RUNNING THENCE ALONG SAID LAST NAMED LINE NORTH 3° 16' WEST 112.24 FEET TO THE SOUTHEASTERLY CORNER OF THAT CERTAIN PARCEL OF LAND CONVEYED BY T. J. GILLESPIE HARWOOD PLANING MILL COMPANY, A CORPORATION TO GEORGE SCHLOSSER, BY DEED RECORDED MARCH 26, 1925 IN [BOOK 145 OF OFFICIAL RECORDS, PAGE 279](#), SANTA CLARA COUNTY RECORDS; THENCE RUNNING SOUTH 86° 49' WEST AND ALONG THE SOUTHERLY LINE OF SAID LAND SO CONVEYED TO GEORGE SCHLOSSER, 116.60 FEET TO THE SOUTHWESTERLY CORNER THEREOF, ON THE DIVIDING LINE BETWEEN LOTS 12 AND 13 OF SAID GILLESPIE SUBDIVISION; THENCE RUNNING NORTH 3° 16' WEST AND ALONG THE DIVIDING LINE BETWEEN SAID LOTS 12 AND 13, 9.67 FEET TO THE SOUTHEASTERLY CORNER OF LAND CONVEYED TO LENA BENNETT, BY DEED HEREINABOVE REFERRED TO; THENCE RUNNING SOUTH 86°49' WEST AND ALONG THE SOUTHERLY LINE OF SAID LAND 116.80 FEET TO THE POINT OF BEGINNING, AND BEING ALL OF LOTS 8, 9, 10 AND 11 AND THE SOUTHERLY 15.10 FEET OF LOT 12 AND THE SOUTHERLY 24.77 FEET OF LOT 13 AS SHOWN ON THE MAP ENTITLED, "MAP OF THE GILLESPIE SUBDIVISION BEING PART OF THE LOS COCHES RANCH", FILED FOR RECORD ON APRIL 18, 1911 IN [BOOK "N" OF MAPS, PAGE 48](#), SANTA CLARA COUNTY RECORDS.

EXCEPTING THEREFROM ALL THAT PORTION THEREOF DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEASTERLY CORNER OF LOT 8, AS SAID LOT 8 IS SHOWN ON THAT CERTAIN MAP ENTITLED, "MAP OF THE GILLESPIE SUBDIVISION BEING A PART OF LOT 29 OF THE LOS COCHES RANCHO", FILED FOR RECORD ON APRIL 18, 1911 IN [BOOK "N" OF MAPS, PAGE 48](#), SANTA CLARA COUNTY RECORDS; THENCE FROM THE POINT OF BEGINNING WESTERLY ALONG THE SOUTHERLY BOUNDARY OF SAID GILLESPIE SUBDIVISION, SOUTH 87° 24' 00" WEST 12.54 FEET TO A POINT ON A NON-TANGENT CURVE CONCAVE WESTERLY, A RADIAL LINE TO SAID POINT BEARS SOUTH 80° 24' 40" EAST; THENCE ALONG SAID CURVE HAVING A RADIUS OF 500 FEET THROUGH A CENTRAL ANGLE OF 12° 51' 33" 112.22 FEET TO A POINT OF CUSP, SAID POINT LYING ON THE WESTERLY LINE OF GILLESPIE AVENUE AS SAID AVENUE IS SHOWN ON THE AFOREMENTIONED MAP OF THE GILLESPIE SUBDIVISION; THENCE SOUTHERLY ALONG THE WESTERLY LINE OF GILLESPIE AVENUE SOUTH 03° 16' 13" EAST 111.42 FEET TO THE POINT OF BEGINNING.

PARCEL FIVE:

BEGINNING AT A POINT IN THE EASTERLY LINE OF MONTGOMERY STREET (60.00 FEET IN WIDTH), AT THE SOUTHWESTERLY CORNER OF THE GILLESPIE 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 18, 1911 IN [BOOK N OF MAPS, PAGE 48](#), SAID POINT OF BEGINNING BEING DISTANT SOUTH 3° 16' 00" EAST 329.03 FEET FROM THE POINT OF INTERSECTION THEREOF WITH THE SOUTHERLY LINE OF SAN FERNANDO STREET (60.00 FEET IN WIDTH); THENCE FROM SAID POINT OF BEGINNING NORTH 87° 24' 00" EAST ALONG THE SOUTHERLY LINE OF SAID GILLESPIE SUBDIVISION ABOVE REFERRED TO FOR A DISTANCE OF 221.44 FEET TO A POINT IN THE WESTERLY LINE OF A PROPOSED 72 FOOT STREET; THENCE SOUTHERLY ALONG SAID LAST MENTIONED LINE, ALONG AN ARC OF A CURVE TO THE RIGHT, FROM A TANGENT BEARING SOUTH 9° 35' 20" WEST, WITH A RADIUS OF 500.00 FEET, THROUGH A CENTRAL ANGLE OF 30° 42' 51", FOR AN ARC DISTANCE OF 268.03 FEET; THENCE WESTERLY ON A COMPOUND CURVE TO THE RIGHT, WITH A RADIUS OF 50.00 FEET, THROUGH A CENTRAL ANGLE OF 123° 12' 55", FOR AN ARC DISTANCE OF 107.53 FEET; THENCE SOUTH 87° 05' 00" WEST, 10.00 FEET TO A POINT IN THE SAID EASTERLY LINE OF MONTGOMERY STREET; THENCE NORTH 3° 16' 00" WEST ALONG SAID LAST MENTIONED LINE FOR A DISTANCE OF 212.84 FEET TO THE POINT OF BEGINNING.

PARCEL SIX:



BEGINNING AT THE POINT OF INTERSECTION OF THE EASTERLY LINE OF MONTGOMERY STREET, FORMERLY EAST STREET, WITH THE SOUTHERLY LINE OF SAN FERNANDO STREET;

THENCE RUNNING SOUTHERLY AND ALONG THE EASTERLY LINE OF MONTGOMERY STREET, 73.50 FEET;

THENCE AT RIGHT ANGLES EASTERLY AND PARALLEL WITH THE SOUTHERLY LINE OF SAN FERNANDO STREET, 86 FEET;

THENCE AT RIGHT ANGLES NORTHERLY AND PARALLEL WITH THE EASTERLY LINE OF MONTGOMERY STREET 73.50 FEET TO A POINT ON THE SOUTHERLY LINE OF SAN FERNANDO STREET;

THENCE RUNNING WESTERLY AND ALONG THE SOUTHERLY LINE OF SAN FERNANDO STREET, 86 FEET TO THE POINT OF BEGINNING, AND BEING A PORTION OF THE LOS COCHES RANCHO.

PARCEL SEVEN:

A PORTION OF LOTS 27 AND 28, AS SAID LOTS ARE SHOWN UPON THAT CERTAIN MAP ENTITLED, "MAP SHOWING THE SUBDIVISION OF THE RANCHO DE LOS COCHES ADJOINING THE CITY OF SAN JOSE", WHICH MAP WAS FILED FOR RECORD ON NOVEMBER 6, 1867 IN [BOOK "A" OF MAPS AT PAGE 47](#), AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF THE PARCEL OF LAND CONVEYED TO THE CITY OF SAN JOSE, A MUNICIPAL CORPORATION, BY GRANT DEED RECORDED SEPTEMBER 21, 1965 IN [BOOK 7111 AT PAGE 130](#) OF OFFICIAL RECORDS;

THENCE SOUTH 86° 59' 15" WEST ALONG THE NORTHERLY LINE OF PARK AVENUE A DISTANCE OF 331.00 FEET TO A CHISELED "X" IN THE SIDEWALK;

THENCE LEAVING SAID LAST NAMED LINE AND RUNNING NORTH 3° 00' 45" WEST AT A RIGHT ANGLE THERETO A DISTANCE OF 10 FEET;

THENCE SOUTH 86° 59' 15" WEST AT A RIGHT ANGLE TO AND PARALLEL WITH SAID NORTHERLY LINE OF PARK AVENUE A DISTANCE OF 50.00 FEET;

THENCE NORTH 3° 00' 45" WEST AT A RIGHT ANGLE THERETO, A DISTANCE OF 162.19 FEET, MORE OR LESS, TO THE SOUTHWESTERLY CORNER OF PARCEL 2, AS SAID PARCEL 2 IS DESCRIBED IN THAT CERTAIN MEMORANDUM OF LEASE FROM GILL INDUSTRIES, A CALIFORNIA CORPORATION, TO THE PACIFIC TELEPHONE AND TELEGRAPH COMPANY, A CORPORATION, RECORDED AUGUST 14, 1973 IN [BOOK 0516 AT PAGE 402](#) OF OFFICIAL RECORDS, SAID SOUTHWESTERLY CORNER BEING AT A POINT IN LINE PARALLEL WITH AND DISTANT SOUTHERLY 2.00 FEET, MEASURED AT RIGHT ANGLES, FROM THE SOUTH FACE OF THE SOUTH WALL OF THE THEN EXISTING SUNLITE BAKERY BUILDING;

THENCE ALONG THE SOUTHERLY LINE OF PARCEL 2 AS DESCRIBED IN SAID MEMORANDUM OF LEASE NORTH 86° 59' EAST 94.59 FEET;

THENCE, ALONG THE BOUNDARIES OF THE EXISTING TRANSFORMER CAGE, SOUTH 3° 01' EAST 8.00 FEET,

NORTH 86° 59' EAST 18.00 FEET AND

NORTH 3° 01' WEST 8.00 FEET TO A POINT IN THE LAST MENTIONED PARALLEL LINE;

THENCE, ALONG SAID PARALLEL LINE, NORTH 86° 59' EAST 18.00 FEET;

THENCE, ALONG THE BOUNDARIES OF THE EXISTING EVAPORATOR, SOUTH 3° 01' EAST 13.90 FEET,  
NORTH 86° 59' EAST 10.00 FEET,

AND NORTH 3° 01' WEST 13.90 FEET TO A POINT IN LAST MENTIONED PARALLEL LINE;

THENCE, ALONG SAID PARALLEL LINE, NORTH 86° 59' EAST 94.60 FEET;

THENCE, ALONG THE BOUNDARIES OF AN EXISTING SUMP, SOUTH 3° 01' EAST 1.00 FEET,  
NORTH 86° 59' EAST 6.00 FEET, AND

NORTH 3° 01' WEST 1.00 FEET TO A POINT IN LAST MENTIONED PARALLEL LINE;

THENCE ALONG SAID PARALLEL LINE, NORTH 86° 59' EAST 132.09 FEET TO THE BACK OF THE  
EXISTING DRIVEWAY CURB;

THENCE ALONG SAID BACK OF SAID EXISTING DRIVEWAY CURB, SOUTH 3° 01' EAST 16.12 FEET,  
AND EASTERLY ALONG A CURVE TO THE LEFT, TANGENT TO LAST DESCRIBED COURSE HAVING A  
RADIUS OF 7.50 FEET, A CENTRAL ANGLE OF 90° 00', AN ARC DISTANCE OF 11.78 FEET;

THENCE NORTH 86° 59' EAST 40.22 FEET TO A POINT IN A LINE PARALLEL WITH AND DISTANT 10.00  
FEET WESTERLY, MEASURED AT RIGHT ANGLES, FROM THE WESTERLY LINE OF MONTGOMERY  
STREET;

THENCE SOUTH 3° 01' 00" EAST ALONG THE WESTERLY LINE OF SOUTH MONTGOMERY STREET AS  
ESTABLISHED BY THE ABOVE REFERRED TO GRANT DEED TO THE CITY OF SAN JOSE A DISTANCE OF  
108.54 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT;

THENCE ALONG A TANGENT CURVE CONCAVE SOUTHEASTERLY WITH A RADIUS OF 40 FEET THROUGH  
AN ANGLE OF 89° 59' 40" FOR AN ARC LENGTH OF 52.83 FEET TO THE POINT OF BEGINNING.

#### PARCEL EIGHT:

BEGINNING AT A POINT ON THE WESTERLY LINE OF MONTGOMERY STREET, FORMERLY KNOWN AS  
EAST STREET, DISTANT THEREON SOUTHERLY 111.50 FEET FROM THE POINT OF INTERSECTION OF  
SAID LINE OF MONTGOMERY STREET WITH THE SOUTHERLY LINE OF SAN FERNANDO STREET,  
FORMERLY KNOWN AS NORTH STREET, AND SAID POINT OF BEGINNING BEING THE SOUTHEASTERLY  
CORNER OF THE PARCEL OF LAND DESCRIBED IN THE DEED FROM CHARLES J. RYLANDER ET UX TO  
W.A. RISSLAND ET UX, DATED SEPTEMBER 19, 1914 AND RECORDED SEPTEMBER 19, 1914 IN [BOOK  
419 OF DEEDS, PAGE 587](#);

THENCE SOUTHERLY AND ALONG SAID LINE OF MONTGOMERY STREET, 42.0 FEET TO THE  
NORTHEASTERLY CORNER OF THE PARCEL OF LAND DESCRIBED IN THE DEED FROM GEORGE  
EDWARD RAMER TO BERTHA CAROLINE BRADLEY DATED AUGUST 18, 1903 AND RECORDED JULY 26,  
1904 IN [BOOK 281 OF DEEDS, PAGE 121](#);

THENCE WESTERLY AND PARALLEL WITH SAID LINE OF SAN FERNANDO STREET, AND ALONG THE  
NORTHERLY LINE OF LAND DESCRIBED IN THE DEED TO SAID BERTHA CAROLINE BRADLEY, 135.0  
FEET TO THE NORTHWESTERLY CORNER THEREOF, AND IN THE EASTERLY LINE OF THE PARCEL OF  
LAND DISTRIBUTED IN THE ESTATE OF DELIA BRYANT, ALSO KNOWN AS DELIA A. BRYANT,  
DECEASED, TO HARRIETTE FRANCES BOWMAN AND PRINCE WARREN GODFREY, BY DECREE OF  
DISTRIBUTION DATED MARCH 31, 1916, A CERTIFIED COPY OF WHICH DECREE WAS FILED FOR



RECORD IN THE OFFICE OF THE RECORDER OF THE COUNTY OF SANTA CLARA, STATE OF CALIFORNIA, ON APRIL 03, 1916 IN [BOOK 440 OF DEEDS, AT PAGE 265](#);

THENCE NORTHERLY AND ALONG SAID LAST REFERRED TO EASTERLY LINE 42.0 FEET TO THE SOUTHWESTERLY CORNER OF THE PARCEL OF LAND DESCRIBED IN THE DEED FROM H.H. MADSEN ET UX TO F.B. GILGER, DATED AUGUST 24, 1922 AND RECORDED AUGUST 30, 1922 IN [BOOK 561 OF DEEDS, PAGE 143](#);

THENCE EASTERLY AND PARALLEL WITH THE SAID LINE OF SAN FERNANDO STREET, AND ALONG THE SOUTHERLY LINE OF LAND DESCRIBED IN THE DEED TO SAID F.B. GILGER AND THE PROLONGATION OF SAID LINE EASTERLY 135.0 FEET TO THE WESTERLY LINE OF MONTGOMERY STREET TO THE POINT OF BEGINNING, AND BEING A PORTION OF LOT 28 OF THE LOS COCHES RANCHO.

PARCEL NINE:

BEGINNING AT A POINT ON THE WESTERLY LINE OF MONTGOMERY STREET, FORMERLY EAST STREET, DISTANT THEREON 153.50 FEET SOUTHERLY FROM THE POINT OF INTERSECTION OF THE WESTERLY LINE OF MONTGOMERY STREET WITH THE SOUTHERLY LINE OF SAN FERNANDO STREET, FORMERLY NORTH STREET, SAID POINT OF BEGINNING BEING THE SOUTHEASTERLY CORNER OF THAT CERTAIN PARCEL OF LAND CONVEYED BY AMANDA J. GODFREY, A WIDOW, TO MATTIE E. HOFFMAN, BY DEED DATED APRIL 19, 1898 AND RECORDED APRIL 19, 1898 IN [BOOK 208 OF DEEDS, PAGE 176](#), RECORDS OF SANTA CLARA COUNTY CALIFORNIA;

THENCE RUNNING SOUTHERLY AND ALONG THE WESTERLY LINE OF MONTGOMERY STREET, 80 FEET TO THE NORTHEASTERLY CORNER OF THE LANDS SHOWN AND DESIGNATED UPON MAP ENTITLED, "MAP OF THE OTTERSON LOTS IN THE LOS COCHES RANCHO", AND WHICH SAID MAP WAS RECORDED IN THE OFFICE OF THE COUNTY RECORDER OF THE COUNTY OF SANTA CLARA, STATE OF CALIFORNIA, ON JUNE 23, 1886 IN [BOOK B OF MAPS, AT PAGE 35](#);

THENCE RUNNING WESTERLY AND ALONG THE NORTHERLY LINE OF SAID OTTERSON LOTS, 135.00 FEET TO A POINT ON THE EASTERLY LINE OF THAT CERTAIN PARCEL OF LAND DISTRIBUTED IN THE ESTATE OF DELIA BRYANT, ALSO KNOWN AS DELIA A. BRYANT, DECEASED, TO HARRIETTE FRANCES BOWMAN AND PRINCE WARREN GODFREY, BY DECREE OF DISTRIBUTION ENTERED IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA, IN AND FOR THE COUNTY OF SANTA CLARA ON MARCH 31, 1916, A CERTIFIED COPY OF WHICH WAS RECORDED ON APRIL 03, 1916 IN [BOOK 440 OF DEEDS, PAGE 265](#), RECORDS OF SAID COUNTY OF SANTA CLARA;

RUNNING THENCE NORTHERLY AND ALONG LAST SAID LINE, 80 FEET TO THE SOUTHWESTERLY CORNER OF THAT CERTAIN PARCEL OF LAND DESCRIBED IN THE DEED TO MATTIE E. HOFFMAN, AS HEREINABOVE REFERRED TO;

THENCE RUNNING EASTERLY AND ALONG THE SOUTHERLY LINE OF SAID LAND SO DESCRIBED IN THE DEED TO MATTIE E. HOFFMAN, 135 FEET TO THE POINT OF BEGINNING, AND BEING A PORTION OF LOT 28 OF THE LOS COCHES RANCHO.

PARCEL TEN:

BEGINNING AT THE INTERSECTION OF THE SOUTHERLY LINE OF SAN FERNANDO STREET (FORMERLY KNOWN AS AND CALLED NORTH STREET) WITH THE WESTERLY LINE OF MONTGOMERY STREET, (FORMERLY KNOWN AS AND CALLED EAST STREET);

RUNNING THENCE SOUTHERLY ALONG THE WESTERLY LINE OF MONTGOMERY STREET 111.50 FEET;

THENCE WESTERLY AND PARALLEL WITH SAN FERNANDO STREET 77.50 FEET;

THENCE NORTHERLY AND PARALLEL WITH MONTGOMERY STREET 111.501 FEET TO THE SOUTHERLY LINE OF SAN FERNANDO STREET;

AND THENCE EASTERLY ALONG SAID LAST NAMED LINE 77.50 FEET TO THE POINT OF BEGINNING, AND BEING LOT 28 OF THE LOS COCHES RANCHO.

PARCEL ELEVEN:

BEGINNING AT A POINT ON THE SOUTHERLY LINE OF SAN FERNANDO STREET; DISTANT THEREON 77 FEET AND 6 INCHES WESTERLY FROM THE POINT OF INTERSECTION OF THE SOUTHERLY LINE OF SAN FERNANDO STREET WITH THE WESTERLY LINE OF MONTGOMERY STREET, FORMERLY KNOWN AS AND CALLED EAST STREET;

RUNNING THENCE WESTERLY ALONG THE SOUTHERLY LINE OF SAN FERNANDO STREET 5 FEET 4 INCHES;

THENCE SOUTHERLY AND PARALLEL WITH MONTGOMERY STREET 111 FEET AND 6 INCHES;

THENCE EASTERLY AND PARALLEL WITH SAN FERNANDO STREET 5 FEET AND 4 INCHES;

THENCE NORTHERLY AND PARALLEL WITH MONTGOMERY STREET, 111 FEET AND 6 INCHES TO THE POINT OF BEGINNING, AND BEING A PART OF LOT 28 OF THE LOS COCHES RANCHO.

PARCEL TWELVE:

BEGINNING AT A POINT ON THE SOUTHERLY LINE OF SAN FERNANDO STREET DISTANT THEREON 82 FEET 10 INCHES WESTERLY FROM THE INTERSECTION OF SAID LINE OF SAN FERNANDO STREET WITH THE WESTERLY LINE OF MONTGOMERY STREET, FORMERLY EAST STREET, AS SAID LINE EXISTED ON MAY 26, 1891;

THENCE WESTERLY ALONG SAID LINE OF SAN FERNANDO STREET 52 FEET;

THENCE AT RIGHT ANGLES SOUTHERLY ON A LINE PARALLEL WITH SAID WESTERLY LINE OF MONTGOMERY STREET 111 FEET 6 INCHES;

THENCE AT RIGHT ANGLES EASTERLY ON A LINE PARALLEL WITH SAID LINE OF SAN FERNANDO STREET 52 FEET;

THENCE AT RIGHT ANGLES NORTHERLY ON A LINE PARALLEL WITH SAID WESTERLY LINE OF MONTGOMERY STREET 111 FEET 6 INCHES TO THE POINT OF BEGINNING, AND BEING A PORTION OF LOT 28 OF THE SUBDIVISION OF LOS COCHES RANCHO.

PARCEL THIRTEEN:

LOT 1 AS DELINEATED AND SO DESIGNATED UPON MAP ENTITLED, "MAP OF THE OTTERSON LOTS, IN THE LOS COCHES RANCHO", IN WHICH SAID MAP WAS RECORDED OF JUNE 23, 1896 IN THE OFFICE OF THE COUNTY OF RECORDER OF THE COUNTY OF SANTA CLARA, STATE OF CALIFORNIA, IN VOLUME "B" OF MAPS, AT PAGE 35.

PARCEL FOURTEEN:

ALL OF LOTS 2, 3 AND 4, AS SHOWN UPON THAT CERTAIN MAP ENTITLED, "MAP OF THE OTTERSON LOTS", WHICH MAP WAS FILED FOR RECORD IN THE OFFICE OF THE RECORDER OF THE COUNTY OF SANTA CLARA, STATE OF CALIFORNIA, ON JUNE 23, 1886 IN [BOOK B OF MAPS, AT PAGE 35](#) AND PORTION OF LOT 28, AS SHOWN UPON THAT CERTAIN MAP ENTITLED, "MAP SHOWING THE

SUBDIVISION OF THE RANCHO DE LOS COCHES ADJOINING THE CITY OF SAN JOSE", WHICH MAP WAS FILED FOR RECORD IN THE OFFICE OF THE RECORDER OF THE COUNTY OF SANTA CLARA, STATE OF CALIFORNIA ON NOVEMBER 6, 1867 IN [BOOK A OF MAPS, AT PAGE 47](#), AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE SOUTHERLY LINE OF SAN FERNANDO STREET, DISTANT THEREON SOUTH 87° 05' WEST 135 FEET FROM THE POINT OF INTERSECTION OF SAID SOUTHERLY LINE OF SAN FERNANDO STREET WITH THE WESTERLY LINE OF MONTGOMERY STREET; THENCE FROM SAID POINT OF BEGINNING AND RUNNING ALONG THE SOUTHERLY LINE OF SAN FERNANDO STREET, SOUTH 87° 05' WEST 95.20 FEET TO A 1/2 INCH IRON PIPE; THENCE LEAVING SAID LINE OF SAN FERNANDO STREET AND RUNNING AT RIGHT ANGLES SOUTH 2° 55' EAST 204.24 FEET TO A 1 1/2 INCH IRON PIPE; THENCE AT RIGHT ANGLES AND PARALLEL WITH THE SOUTHERLY LINE OF SAN FERNANDO STREET, SOUTH 87° 05' WEST 69.50 FEET TO A 1 INCH IRON PIPE SET ON THE PROLONGATION NORTHERLY OF THE DIVIDING LINE BETWEEN LOTS 4 AND 5 OF THE "OTTERSON LOTS" HEREINABOVE REFERRED TO; THENCE ALONG SAID PROLONGATION AND ALONG THE DIVIDING LINE BETWEEN SAID LOTS 4 AND 5, SOUTH 3° 01' EAST 110.70 FEET TO A 2" X 3" HUB AT THE SOUTHERLY COMMON CORNER FOR SAID LOTS 4 AND 5 ON THE NORTHERLY LINE OF OTTERSON STREET, AS SAID STREET IS SHOWN UPON THE "MAP OF THE OTTERSON LOTS", ABOVE REFERRED TO, THENCE ALONG THE NORTHERLY LINE OF OTTERSON STREET NORTH 87°22'30" EAST 150.03 FEET TO 1 INCH IRON PIPE AT THE SOUTHERLY COMMON CORNER FOR LOTS 1 AND 2 OF SAID "OTTERSON LOTS"; THENCE RUNNING PARALLEL WITH THE WESTERLY LINE OF MONTGOMERY STREET AND ALONG THE DIVIDING LINE BETWEEN SAID LOTS 1 AND 2 NORTH 3° 01' WEST 81.49 FEET TO A 1 INCH IRON PIPE AT THE NORTHERLY COMMON CORNER THEREOF; THENCE RUNNING NORTH 87° 17' 40" EAST ALONG THE NORTHERLY LINE OF SAID LOT 1 FOR A DISTANCE OF 15.03 FEET TO A 1 INCH IRON PIPE; THENCE RUNNING PARALLEL WITH THE WESTERLY LINE OF MONTGOMERY STREET NORTH 3° 01' WEST 234.27 FEET TO THE POINT OF BEGINNING.

PARCEL FIFTEEN:

ALL OF LOTS 6, 7 AND 8 AND A, PORTION OF LOT 9, AS SHOWN UPON THAT CERTAIN MAP ENTITLED, "MAP OF THE OTTERSON LOTS", RECORDED IN [BOOK "B" OF MAPS, PAGE 35](#), SANTA CLARA COUNTY RECORDS, ALL OF PEARL STREET (NOW ABANDONED) AND PORTIONS OF LOT 28, AS SHOWN UPON MAP ENTITLED, "MAP SHOWING THE SUBDIVISIONS OF THE RANCHO DE LOS CACHES ADJOINING THE CITY OF SAN JOSE", RECORDED IN [BOOK "A" OF MAPS, PAGE 47](#), SANTA CLARA COUNTY RECORDS, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT IN THE WESTERLY LINE OF MONTGOMERY STREET DISTANT THEREON NORTH 3° 01' WEST 174.16 FEET FROM THE NORTHERLY LINE OF PARK AVENUE, AS SAID STREET AND AVENUE ARE SHOWN UPON THAT CERTAIN MAP ENTITLED, "RECORD OF SURVEY OF A PORTION OF LOT 28, LOS COCHES RANCHO, FOR SUN LITE BAKERY", RECORDED IN [BOOK 27 OF MAPS, PAGE 46](#), SANTA CLARA COUNTY RECORDS; THENCE ALONG SAID WESTERLY LINE OF MONTGOMERY STREET, NORTH 3° 01' WEST 386.03 FEET TO THE SOUTHERLY LINE OF OTTERSON STREET; THENCE ALONG SAID SOUTHERLY LINE OF OTTERSON STREET, SOUTH 87° 22' 30" WEST 322.65 FEET; THENCE PARALLEL WITH SAID WESTERLY LINE OF MONTGOMERY STREET, SOUTH 3° 01' EAST 206.87 FEET TO THE NORTHERLY LINE OF PEARL STREET (NOW ABANDONED) THENCE ALONG SAID NORTHERLY LINE OF PEARL STREET AND THE WESTERLY PROLONGATION THEREOF, SOUTH 86° 59' 15" WEST 108.33 FEET; THENCE SOUTH 3° 00' 45" EAST 183.31 FEET TO A POINT IN A LINE PARALLEL WITH AND DISTANT SOUTHERLY 2.00 FEET, MEASURED AT RIGHT ANGLES FROM THE SOUTH FACE OF SOUTH WALL OF THE EXISTING SUNLITE BAKERY BUILDING; THENCE ALONG SAID PARALLEL LINE, NORTH 86° 59' EAST 94.59 FEET; THENCE ALONG THE BOUNDARIES OF THE EXISTING TRANSFORMER CAGE, SOUTH 3° 01' EAST 8.00 FEET, NORTH 86° 59' EAST 18.00 FEET AND NORTH 3° 01' WEST 8.00 FEET TO A POINT IN LAST MENTIONED PARALLEL LINE; THENCE ALONG SAID PARALLEL LINE, NORTH 86° 59' EAST 18.00 FEET; THENCE ALONG THE BOUNDARIES OF THE EXISTING EVAPORATOR, SOUTH 3° 01' EAST 13.90 FEET, NORTH 86° 59' EAST 10.00 FEET AND NORTH 3° 01' WEST 13.90 FEET TO A POINT IN LAST MENTIONED PARALLEL LINE; THENCE ALONG SAID PARALLEL LINE, NORTH 86° 59'

EAST 94.60 FEET; THENCE, ALONG THE BOUNDARIES OF AN EXISTING SUMP, SOUTH 3° 01' EAST 1.00 FEET, NORTH 86° 59' EAST 6.00 FEET, AND NORTH 3° 01' WEST 1.00 FEET TO A POINT IN LAST MENTIONED PARALLEL LINE; THENCE ALONG SAID PARALLEL LINE, NORTH 86° 59' EAST 132.09 FEET TO THE BACK OF THE EXISTING DRIVEWAY CURT; THENCE ALONG SAID BACK OF SAID EXISTING DRIVEWAY CURB, SOUTH 3° 01' EAST 16.12 FEET AND EASTERLY ALONG A CURVE TO THE LEFT, TANGENT TO LAST DESCRIBED COURSE HAVING A RADIUS OF 7.50 FEET A CENTRAL ANGLE OF 90° 00' AN ARC DISTANCE OF 11.78 FEET; THENCE NORTH 86° 59' EAST 40.22 FEET TO A POINT IN A LINE PARALLEL WITH AND DISTANT 10 FEET WESTERLY, MEASURED AT RIGHT ANGLES, FROM THE HEREINBEFORE DESCRIBED WESTERLY LINE OF MONTGOMERY STREET; THENCE ALONG LAST MENTIONED PARALLEL LINE, NORTH 3° 01', WEST 25.62 FEET; THENCE NORTH 86° 59' EAST 10.00 FEET TO THE POINT OF BEGINNING.

PARCEL SIXTEEN:

BEGINNING AT THE INTERSECTION OF THE NORTHERLY LINE OF PARK AVENUE WITH THE EASTERLY LINE OF THAT CERTAIN PARCEL OF LAND DESCRIBED SIXTH IN THE DEED FROM A. C. MILLER TO SOUTHERN PACIFIC COMPANY RECORDED MAY 19, 1913 IN [BOOK 404 OF DEEDS PAGE 26](#) SANTA CLARA COUNTY RECORDS;

THENCE FROM SAID POINT OF BEGINNING ALONG THE NORTHERLY LINE OF PARK AVENUE SOUTH 86° 59' 08" WEST 110.00 FEET TO THE WESTERLY LINE OF SAID PARCEL DESCRIBED SIXTH IN THE DEED FROM A.C. MILLER TO SOUTHERN PACIFIC COMPANY;

THENCE ALONG SAID LINE NORTH 3° 00' 52" WEST 458.53 FEET TO THE SOUTHERLY LINE OF THE LAND FORMERLY OF AGNES OTTERSON AS SAID LAND IS SHOWN ON THAT CERTAIN MAP ENTITLED "MAP OF THE OTTERSON LOTS" FILED IN [BOOK B OF MAPS AT PAGE 35](#) SANTA CLARA COUNTY RECORDS;

THENCE ALONG SAID SOUTHERLY LINE NORTH 87° 21' 04" EAST 110.00 FEET TO THE EASTERLY LINE OF SAID PARCEL DESCRIBED SIXTH IN THE DEED FROM A. C. MILLER TO SOUTHERN PACIFIC COMPANY;

THENCE ALONG SAID LINE SOUTH 3° 00' 52" EAST 102.22 FEET TO THE NORTHERLY LINE OF THAT CERTAIN PARCEL OF LAND DESCRIBED IN THE DEED FROM SOUTHERN PACIFIC COMPANY TO SUN LITE BAKERY RECORDED NOVEMBER 24, 1951 IN BOOK 2310 OF OFFICIAL RECORDS AT PAGE 282;

THENCE ALONG SAID LINE SOUTH 86° 59' 15" WEST 50.00 FEET TO THE WESTERLY LINE OF SAID LANDS OF SUN LITE BAKERY;

THENCE ALONG SAID LINE SOUTH 3° 00' 52" EAST 345.62 FEET TO THE SOUTHERLY LINE OF SAID LANDS OF SUN LITE BAKERY;

THENCE ALONG SAID LINE NORTH 86° 59' 08" EAST 50.00 FEET TO SAID EASTERLY LINE OF SAID PARCEL DESCRIBED SIXTH IN THE DEED FROM A.C. MILLER TO SOUTHERN PACIFIC COMPANY.

THENCE ALONG SAID LINE SOUTH 3° 00' 52" EAST 10.00 FEET TO THE POINT OF BEGINNING.

EXCEPTING THEREFROM ALL THAT CERTAIN REAL PROPERTY SITUATE IN THE CITY OF SAN JOSE, COUNTY OF SANTA CLARA, STATE OF CALIFORNIA BEING A PORTION OF THE LOS COCHES RANCHO DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE NORTHERLY LINE OF PARK AVENUE WITH THE EASTERLY LINE OF THAT CERTAIN PARCEL OF LAND DESCRIBED SIXTH IN THE DEED FROM A.C. MILLER TO SOUTHERN PACIFIC COMPANY RECORDED MAY 19, 1913 IN [BOOK 404 OF DEEDS PAGE 26](#) SANTA CLARA COUNTY RECORDS;

THENCE FROM SAID POINT OF BEGINNING ALONG THE NORTHERLY LINE OF PARK AVENUE SOUTH 86° 59' 08" WEST 118.71 FEET;

THENCE NORTH 2° 20' 34" EAST 93.33 FEET TO THE WESTERLY LINE OF THE LANDS DESCRIBED SIXTH IN SAID DEED FROM A. C. MILLER TO SOUTHERN PACIFIC COMPANY AND THE TRUE POINT OF BEGINNING:

THENCE CONTINUING THE FOLLOWING FOUR COURSES AND DISTANCES:

NORTH 2° 20' 34" EAST 82.37 FEET;

NORTH 0° 30' 36" EAST 158.85 FEET;

NORTH 2° 32' 11" WEST 63.18 FEET;

AND NORTH 3° 26' 40" WEST 61.77 FEET TO SOUTHERLY LINE OF THE LAND FORMERLY OF AGNES OTTERSON AS SAID LAND IS SHOWN ON THAT CERTAIN MAP ENTITLED "MAP OF THE OTTERSON LOTS" FILED IN [BOOK B OF MAPS AT PAGE 35](#) SANTA CLARA COUNTY RECORDS;

THENCE ALONG SAID LINE SOUTH 87° 21' 04" WEST 17.52 FEET TO SAID WESTERLY LINE OF SOUTHERN PACIFIC COMPANY:

THENCE ALONG SAID LINE SOUTH 3° 00' 52" EAST 365.61 FEET TO THE TRUE POINT OF BEGINNING.

PARCEL SEVENTEEN:

BEGINNING AT THE INTERSECTION OF THE NORTHERLY LINE OF PARK AVENUE WITH THE EASTERLY LINE OF THAT CERTAIN PARCEL OF LAND DESCRIBED SIXTH IN THE DEED FROM A. C. MILLER TO SOUTHERN PACIFIC COMPANY RECORDED MAY 19, 1913 IN [BOOK 404 OF DEEDS PAGE 26](#) SANTA CLARA COUNTY RECORDS;

THENCE FROM SAID POINT OF BEGINNING ALONG THE NORTHERLY LINE OF PARK AVENUE SOUTH 86° 59' 08" WEST 118.71 FEET TO THE TRUE POINT OF BEGINNING:

THENCE FROM SAID TRUE POINT OF BEGINNING NORTH 2° 20' 34" EAST 93.33 FEET TO THE WESTERLY LINE OF THE LANDS DESCRIBED SIXTH IN SAID DEED FROM A.C. MILLER TO SOUTHERN PACIFIC COMPANY:

THENCE ALONG SAID LINE SOUTH 3° 00' 52" EAST 92.93 FEET TO THE NORTHERLY LINE OF PARK AVENUE;

THENCE ALONG SAID LINE SOUTH 86° 59' 08" WEST 8.71 FEET TO THE TRUE POINT OF BEGINNING.

APN: 259-48-013 (Affects Parcel One); 259-48-011 (Affects Parcels Two and Three); 259-48-052 (Affects Parcel Four); 259-48-053 (Affects Parcel Five); 259-48-012 (Affects Parcel Six); 261-35-014 (Affects Parcel Seven); 261-35-003 (Affects Parcel Ten, Eleven and Twelve); 261-35-006 (Affects Parcel Thirteen); 261-35-010 (Affects Parcels Eight and Nine); 261-35-007 (Affects Parcel Fourteen); 261-35-027 (Affects Parcel Fifteen, Sixteen and Seventeen)

## LEGAL DESCRIPTION

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

### PARCEL 1:

BEGINNING AT A STAKE ON THE WESTERLY LINE OF MONTGOMERY STREET DISTANT 183 FEET NORTHERLY FROM THE INTERSECTION OF THE NORTHERLY LINE OF JULIAN STREET WITH THE WESTERLY LINE OF MONTGOMERY STREET AND RUNNING THENCE WESTERLY ALONG THE NORTHERLY LINE OF AN ALLEYWAY (NOW CALLED COTTAGE LANE) 200 FEET TO A STAKE AND AN ALLEYWAY; THENCE NORTHERLY ALONG THE EASTERLY SIDE OF SAID ALLEYWAY 100 FEET TO A STAKE; THENCE AT A RIGHT ANGLE EASTERLY 95 FEET; THENCE AT A RIGHT ANGLE SOUTHERLY AND PARALLEL TO THE WESTERLY LINE OF MONTGOMERY STREET 33 1/3 FEET; THENCE AT A RIGHT ANGLE EASTERLY 105 FEET TO THE SAID WESTERLY LINE OF MONTGOMERY STREET; THENCE AT A RIGHT ANGLE SOUTHERLY AND ALONG SAID WESTERLY LINE OF MONTGOMERY STREET 66 2/3 FEET TO THE PLACE OF BEGINNING.

BEING LOT 24 AND PART OF LOT 21 OF BRADLEE'S BLOCK IN POLHEMUS ADDITION TO SAN JOSE, AS SHOWN ON THAT CERTAIN MAP ENTITLED, "PLAT OF A BLOCK OF LAND, PART OF THE RANCHO POTRERO DE SANTA CLARA, AS SOLD IN SUBDIVISION BY E.S. BRADLEE," SURVEYED AUGUST 1869 BY A.T. HERRMANN, SURVEYOR AND C.E. FILED IN THE COUNTY RECORDER'S OFFICE DECEMBER 15, 1870 AND RECORDED IN [BOOK A OF MAPS, AT PAGE 52](#).

BEING A PARCEL OF LAND FOURTHLY DESCRIBED IN DEED FROM W.W. DIXON, ET UX, TO SOUTHERN PACIFIC COMPANY, DATED FEBRUARY 6, 1907, AND RECORDED IN [BOOK 404 OF DEEDS, AT PAGE 458](#), RECORDS OF SANTA CLARA COUNTY.

### PARCEL 2:

PORTION OF LOT 21, AS SHOWN ON THAT CERTAIN MAP ENTITLED, "PLAT OF A BLOCK OF LAND, PART OF THE RANCHO POTRERO DE SANTA CLARA, AS SOLD IN SUBDIVISION BY E.S. BRADLEE," SURVEYED AUGUST 1869 BY A.T. HERRMANN, SURVEYOR AND C.E. FILED IN THE COUNTY RECORDER'S OFFICE DECEMBER 15, 1870 AND RECORDED IN [BOOK A OF MAPS, AT PAGE 52](#), AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE SOUTHWESTERLY LINE OF MONTGOMERY STREET, DISTANT THEREON NORTHWESTERLY 283 FEET FROM THE POINT OF INTERSECTION OF THE SOUTHWESTERLY LINE OF MONTGOMERY STREET WITH THE NORTHWESTERLY LINE OF JULIAN STREET; THENCE AT RIGHT ANGLES SOUTHWESTERLY 105 FEET; THENCE AT RIGHT ANGLES SOUTHEASTERLY 33 1/3 FEET; THENCE AT RIGHT ANGLES NORTHEASTERLY 105 FEET TO THE SOUTHWESTERLY LINE OF MONTGOMERY STREET; THENCE NORTHWESTERLY 33 1/3 FEET TO A POINT OF BEGINNING.

APN: 259-27-016

### **LEGAL DESCRIPTION OF REAL PROPERTY**

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

#### **PARCEL ONE:**

BEGINNING AT A 2 INCH IRON PIPE SET FLUSH AT THE POINT OF INTERSECTION OF THE SOUTHERLY LINE OF CINNABAR STREET WITH THE EASTERLY LINE OF SENTER STREET AND FROM WHICH THE POINT OF BEGINNING AN UNDERGROUND GRANITE MONUMENT STANDING AT THE POINT OF INTERSECTION OF SAID EASTERLY LINE OF SENTER STREET WITH THE CENTER LINE OF SAID CINNABAR STREET BEARS NORTH 41° 45' WEST 30.00 FEET AND RUNNING THENCE FROM SAID POINT OF BEGINNING EASTERLY ALONG SAID SOUTHERLY LINE OF CINNABAR STREET, NORTH 48° 14' 42" EAST 423.56 FEET TO AN IRON PIPE SET FLUSH AT THE POINT OF INTERSECTION OF SAID SOUTHERLY LINE OF CINNABAR STREET WITH THE WESTERLY LINE OF MONTGOMERY STREET; THENCE SOUTHERLY ALONG SAID WESTERLY LINE OF MONTGOMERY STREET, SOUTH 41° 42' 36" EAST 110.11 FEET TO A 2 INCH IRON PIPE SET FLUSH AT A POINT DISTANT 15.00 FEET MEASURED AT RIGHT ANGLES WESTERLY FROM THE CENTER LINE OF A LINE OF RAILROAD TRACKS KNOWN AS "OAKLAND LEAD"; THENCE LEAVING SAID LINE OF MONTGOMERY STREET AND RUNNING SOUTHERLY ALONG A LINE PARALLEL WITH AND DISTANT 15.00 FEET MEASURED AT RIGHT ANGLES WESTERLY FROM SAID CENTER LINE OF SAID, LINE OF RAILROAD TRACKS, SOUTH 14° 46' 06" WEST 204.74 FEET TO A 2 INCH IRON PIPE SET FIVE INCHES BELOW THE SURFACE OF THE GROUND; THENCE CURVING TANGENTIALLY TO THE LEFT AND STILL ALONG A LINE PARALLEL WITH AND DISTANT 15.00 FEET MEASURED AT RIGHT ANGLES WESTERLY FROM SAID CENTER LINE OF SAID LINE OF RAILROAD TRACKS AND ALONG A CURVE OF 588.14 FEET RADIUS THROUGH AN ANGLE OF 34° 07' 24" FOR AN ARC DISTANCE OF 350.27 FEET TO A 2 INCH IRON PIPE SET FLUSH; THENCE LEAVING SAID PARALLEL LINE AND RUNNING WESTERLY AND AT RIGHT ANGLES TO SAID EASTERLY LINE OF SENTER STREET, SOUTH 48° 15' WEST 19.40 FEET TO A 2 INCH IRON PIPE SET FLUSH AT A POINT DISTANT 14.00 FEET MEASURED AT RIGHT ANGLES EASTERLY FROM SAID EASTERLY LINE OF SENTER STREET; THENCE AT RIGHT ANGLES NORTHERLY ALONG A LINE PARALLEL WITH AND DISTANT 14.00 FEET MEASURED AT RIGHT ANGLES EASTERLY FROM SAID EASTERLY LINE OF SENTER STREET NORTH 41° 45' WEST 241.29 FEET TO A CROSS OF FIVE NAILS SET IN THE EDGE OF A LOADING PLATFORM AT A POINT IN THE SOUTHERLY LINE OF LOT 9, AS SHOWN UPON THAT CERTAIN MAP ENTITLED, "PLAT OF A BLOCK PART OF THE RANCHO POTRERO DE SANTA CLARA, AS SOLD IN SUBDIVISION BY E. S. BRADLEE", WHICH SAID MAP WAS RECORDED IN BOOK "A" OF MAPS, PAGE 52 IN THE OFFICE OF THE COUNTY RECORDER OF SANTA CLARA COUNTY, CALIFORNIA; THENCE WESTERLY ALONG SAID SOUTHERLY LINE OF SAID LOT 9, SOUTH 48° 10' WEST 14.00 FEET TO A 2 INCH IRON PIPE SET FLUSH AT THE SOUTHWESTERLY CORNER OF SAID LOT 9 AND IN SAID EASTERLY LINE OF SENTER STREET; AND THENCE NORTHERLY ALONG SAID EASTERLY LINE OF SENTER STREET, NORTH 41° 45' WEST 248.22 FEET TO THE POINT OF BEGINNING, BEING ALL OF LOTS 1, 2, 3, 4, 6, 7, 9 AND PART OF LOTS 5, 8, 10, 11, 14, 15, 18 AND 19, AND A PORTION OF AN ALLEY (NOW ABANDONED) AS THE SAME ARE SO DESIGNATED AND DELINEATED UPON THAT CERTAIN MAP ENTITLED, "PLAT OF A BLOCK PART OF THE RANCHO POTRERO DE SANTA CLARA, AS SOLD IN SUBDIVISION OF

E. S. BRADLEE", WHICH SAID MAP WAS RECORDED IN BOOK "A" OF MAPS, PAGE 52, IN THE OFFICE OF THE COUNTY RECORDER OF SANTA CLARA COUNTY, CALIFORNIA, SAID PROPERTY HEREINABOVE DESCRIBED HAVING BEEN SURVEYED BY F. A. HERRMANN, REGISTERED CIVIL ENGINEER, CERTIFICATE NO. 1616, SAN JOSE, CALIFORNIA.

PARCEL TWO:

COMMENCING AT A 2 INCH IRON PIPE SET FLUSH AT THE POINT OF INTERSECTION OF THE SOUTHERLY LINE OF CINNABAR STREET WITH THE EASTERLY LINE OF SENTER STREET (NOW ABANDONED), AND FROM WHICH POINT OF COMMENCEMENT AN UNDERGROUND GRANITE MONUMENT STANDING AT THE POINT OF INTERSECTION OF SAID EASTERLY LINE OF SENTER STREET WITH THE CENTER LINE OF CINNABAR STREET BEARS NORTH 41° 45' WEST 30.00 FEET; THENCE SOUTH 41° 45' EAST ALONG SAID EASTERLY LINE 248.22 FEET TO THE TRUE POINT OF BEGINNING OF THE PARCEL OF LAND TO BE DESCRIBED; THENCE NORTH 48° 10' 36" EAST 14.00 FEET TO A POINT IN A LINE PARALLEL WITH AND DISTANT 14.00 FEET NORTHEASTERLY MEASURED AT RIGHT ANGLES, FROM SAID EASTERLY LINE; THENCE SOUTH 41° 45' EAST ALONG SAID PARALLEL LINE 241.19 FEET; THENCE SOUTH 48° 15' WEST AT RIGHT ANGLES FROM LAST DESCRIBED COURSE, 14.00 FEET TO A POINT IN SAID EASTERLY LINE; THENCE NORTH 41° 46' WEST 241.29 FEET TO THE TRUE POINT OF BEGINNING.

EXCEPT ALL OF THE MINERALS AND MINERAL ORES OF EVERY KIND AND CHARACTER NOW KNOWN TO EXIST OR HEREAFTER DISCOVERED UPON, WITHIN OR UNDERLYING SAID LAND OR THAT MAY BE PRODUCED THEREFROM, AS RESERVED IN THE DEED FROM SOUTHERN PACIFIC COMPANY, A CORPORATION, TO CALIFORNIA CANNERS AND GROWERS ASSOCIATION, A CORPORATION, DATED NOVEMBER 28, 1966, RECORDED FEBRUARY 10, 1967 IN BOOK 7637 OFFICIAL RECORDS, PAGE 423, SANTA CLARA COUNTY RECORDS.

APN: 259-27-017



### **LEGAL DESCRIPTION**

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

BEGINNING AT A POINT OF INTERSECTION OF THE NORTHWESTERLY LINE OF JULIAN STREET WITH SOUTHWESTERLY LINE OF MONTGOMERY STREET AND RUNNING THENCE NORTHWESTERLY ALONG THE SOUTHWESTERLY LINE OF MONTGOMERY STREET FOR A DISTANCE OF 103.29 FEET TO A 2" X 3" STAKE;

THENCE SOUTHWESTERLY AND PARALLEL WITH THE NORTHWESTERLY LINE OF JULIAN STREET FOR A DISTANCE OF 53.00 FEET TO A 3/4 INCH PIPE IN THE LINE BETWEEN LOTS 25 AND 26 OF THE E.S. BRADLEE SUBDIVISION, THE MAP OF WHICH IS RECORDED IN [BOOK "A" OF MAPS, PAGE 52](#);

THENCE SOUTHEASTERLY ALONG THE LINE BETWEEN SAID LOTS 25 AND 26, FOR A DISTANCE OF 103.29 FEET TO THE NORTHWESTERLY LINE OF JULIAN STREET;

THENCE NORTHEASTERLY ALONG THE NORTHWESTERLY LINE OF JULIAN STREET FOR A DISTANCE OF 53 FEET TO THE PLACE OF BEGINNING, BEING A PORTION OF SAID LOT 25 OF THE E.S. BRADLEE SUBDIVISION AND SITUATED IN THE CITY OF SAN JOE, CALIFORNIA.

APN: 259-27-008

ARB: 259-27-008

### **LEGAL DESCRIPTION OF THE LAND**

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

#### **PARCEL ONE:**

ALL OF LOTS 26, 27 AND 28, AS DESIGNATED AND SO DELINEATED UPON MAP ENTITLED, "PLAT OF A BLOCK OF LAND PART OF THE RANCHO POTRERO DE SANTA CLARA, AS SOLD IN SUBDIVISION BY E. S. BRADLEE", WHICH SAID MAP WAS RECORDED DECEMBER 15, 1870, IN THE OFFICE OF THE COUNTY OF SANTA CLARA, STATE OF CALIFORNIA, IN VOL. "A" OF MAPS, PAGE 52, SANTA CLARA COUNTY RECORDS.

#### **PARCEL TWO:**

BEGINNING AT A POINT ON THE NORTHWESTERLY LINE OF JULIAN STREET DISTANT THEREON 203 FEET SOUTHWESTERLY FROM THE POINT OF INTERSECTION OF SAID NORTHWESTERLY LINE OF JULIAN STREET WITH THE SOUTHWESTERLY LINE OF MONTGOMERY STREET; THENCE ALONG SAID NORTHWESTERLY LINE OF JULIAN STREET SOUTH 49° 15' WEST 53 FEET; THENCE AT RIGHT ANGLES NORTH 40° 45' WEST 160 FEET; THENCE AT RIGHT ANGLES NORTH 49° 15' EAST 53 FEET; THENCE AT RIGHT ANGLES SOUTH 40° 45' EAST 160 FEET TO THE POINT OF BEGINNING AND BEING LOT 29, AS DESIGNATED AND SO DELINEATED UPON MAP ENTITLED, "PLAT OF A BLOCK OF LAND PART OF THE RANCHO POTRERO DE SANTA CLARA, AS SOLD IN SUBDIVISION BY E. S. BRADLEE", WHICH SAID MAP WAS RECORDED DECEMBER 15, 1870, IN THE OFFICE OF THE COUNTY RECORDER OF THE COUNTY OF SANTA CLARA, STATE OF CALIFORNIA, IN VOL. "A" OF MAPS, AT PAGE 52, SANTA CLARA COUNTY RECORDS.

APN: 259-27-009 ( Affects Parcel One) and 259-27-010 (Affects Parcel Two)

### Description of Real Property

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

#### PARCEL FOUR:

BEGINNING AT THE POINT OF INTERSECTION OF THE NORTHEASTERLY LINE OF LORRAINE AVENUE (60 FEET WIDE) WITH THE NORTHWESTERLY LINE OF SAN CARLOS STREET (60 FEET WIDE) AS SAID AVENUE AND STREET ARE SHOWN UPON THAT CERTAIN MAP ENTITLED, "MAP OF THE KEISER TRACT BEING A SUBDIVISION OF LOTS 7 AND 12 OF SUNOL PARTITION", WHICH MAP WAS FILED FOR RECORD ON MAY 7, 1914 IN BOOK "O" OF MAPS AT PAGE 49,

RECORDS OF SANTA CLARA COUNTY, CALIFORNIA, SAID POINT OF BEGINNING BEING ALSO THE MOST SOUTHERLY CORNER OF LOT 11, AS SAID LOT 11 IS SHOWN UPON SAID MAP; THENCE ALONG SAID NORTHEASTERLY LINE OF LORRAINE AVENUE NORTH 35 DEG. 55 MIN. 54 SEC. WEST 120.00 FEET TO THE POINT OF INTERSECTION OF SAID NORTHEASTERLY LINE WITH THE SOUTHEASTERLY LINE OF LOT 12, LAST SAID POINT BEING THE MOST SOUTHERLY CORNER OF LOT 12, AS SAID LOT 12, IS SHOWN UPON SAID MAP; THENCE ALONG THE SOUTHWESTERLY EXTENSION OF SAID LOT 12, SOUTH 54 DEG. 01 MIN. 47 SEC. WEST 30.00 FEET TO A POINT IN A LINE THAT IS PARALLEL WITH AND DISTANT 30.00 FEET, MEASURED AT RIGHT ANGLES, SOUTHWESTERLY FROM SAID NORTHEASTERLY LINE OF LORRAINE AVENUE; THENCE ALONG SAID PARALLEL LINE SOUTH 36 DEG. 55 MIN. 54 SEC. EAST 120.00 FEET TO A POINT IN SAID NORTHWESTERLY LINE OF SAN CARLOS STREET AS IT CROSSES LORRAINE AVENUE; THENCE ALONG SAID NORTHWESTERLY LINE OF SAN CARLOS STREET NORTH 54 DEG. 02 MIN. 20 SEC. EAST 30.00 FEET TO THE POINT OF BEGINNING.

259-47-077 (Parcel Four)

### LEGAL DESCRIPTION

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

#### TRACT ONE:

REAL PROPERTY IN THE CITY OF SAN JOSE, COUNTY OF SANTA CLARA, STATE OF CALIFORNIA, PART OF RANCHO EL POTRERO DE SANTA CLARA (THE SO-CALLED STOCKTON RANCHO), COMPRISING (WITH ADJOINING LAND) PORTIONS OF "BLOCK A" AND ALL OF "BLOCK B", SO DESIGNATED AND DELINEATED ON THE MAP OF ROWE'S SUBDIVISION OF THE ANDERSON TRACT IN THE RANCHO POTRERO DE SANTA CLARA, RECORDED APRIL 7, 1900 IN BOOK "F-1" OF MAPS, PAGE 44, SANTA CLARA COUNTY RECORDS, (DELINEATED ON THE RECORD OF SURVEY OF THE LANDS OF CRISTINA, ET AL FILED MAY 4, 1987 IN BOOK 573 OF MAPS, PAGE 28, SANTA CLARA COUNTY RECORDS) MORE PARTICULARLY DESCRIBED AS FOLLOWS:

#### PARCEL ONE:

BEGINNING AT THE POINT OF INTERSECTION OF THE NORTHWESTERLY LINE OF CINNABAR STREET WITH THE SOUTHWESTERLY LINE OF MONTGOMERY STREET;  
THENCE NORTHWESTERLY ALONG SAID SOUTHWESTERLY LINE OF MONTGOMERY STREET, 526.47 FEET TO THE NORTHEAST CORNER OF LOT 20 OF SAID BLOCK A;  
THENCE SOUTHWESTERLY ALONG THE NORTHWESTERLY LINES OF LOTS 19 AND 20 OF SAID BLOCK A, 295.90 FEET;  
THENCE SOUTHEASTERLY ALONG A LINE THAT IS PARALLEL WITH AND DISTANT NORTHEASTERLY 44 FEET MEASURED AT RIGHT ANGLES FROM THE CENTER LINE OF THE SOUTHERN PACIFIC RAILROAD COMPANY'S WESTWARD MAIN TRACK (SAN JOSE TO SAN FRANCISCO), 526.60 FEET, MORE OR LESS, TO A POINT ON THE NORTHWESTERLY LINE OF CINNABAR STREET;  
THENCE NORTHEASTERLY ALONG SAID LINE OF CINNABAR STREET, 295.58 FEET TO THE POINT OF BEGINNING. CONSISTING OF LOTS 5, 6, 7, 8, 9, 10, 13, 14, 20, 21, 22, 23, 24, AND PARTS OF LOTS 11, 12, 15, 16, 17, 18, AND 19, AND ALSO THE PARCEL OF LAND DESIGNATED AS "THE ANDERSON HOMESTEAD" IN SAID BLOCK A.

#### PARCEL TWO:

BEGINNING AT THE POINT OF INTERSECTION OF THE NORTHEASTERLY LINE OF SENTER STREET (NOW CLOSED) WITH THE SOUTHEASTERLY LINE OF LENZEN AVENUE;  
THENCE ALONG SAID LINE OF LENZEN AVENUE, NORTH 49° 15' EAST 330.31 FEET TO THE POINT OF INTERSECTION THEREOF WITH THE SOUTHWESTERLY LINE OF MONTGOMERY STREET;  
THENCE ALONG SAID LINE OF MONTGOMERY STREET, SOUTH 40° 45' EAST 66.19 FEET TO THE MOST NORTHERLY CORNER OF SAID LOT 20 OF BLOCK A;  
THENCE SOUTHWESTERLY ALONG THE NORTHWESTERLY LINES OF SAID LOTS 20 AND 19, 330.31 FEET TO THE NORTHEASTERLY LINE OF SENTER STREET;  
THENCE ALONG SAID LINE, NORTH 40° 45' WEST 66.05 FEET TO THE POINT OF BEGINNING.

EXCEPTING THEREFROM THAT PORTION THEREOF DESCRIBED AS FOLLOWS IN THE DEED BY RICHMOND-CHASE COMPANY TO SOUTHERN PACIFIC RAILROAD COMPANY RECORDED AUGUST 7, 1946 IN BOOK 1379, PAGE 98, OFFICIAL RECORDS, VIZ:

BEGINNING AT THE POINT OF INTERSECTION OF THE SOUTHEASTERLY LINE OF LENZEN AVENUE WITH THE NORTHEASTERLY LINE OF SENTER STREET (NOW CLOSED);  
THENCE, SOUTHEASTERLY ALONG SAID LINE OF SENTER STREET, 66.05 FEET TO THE MOST WESTERLY CORNER OF SAID LOT 19 OF BLOCK A;  
THENCE NORTHEASTERLY ALONG THE NORTHWESTERLY LINE OF SAID LOT 19, 20 FEET;  
THENCE NORTHWESTERLY, PARALLEL WITH SAID LINE OF SENTER STREET, 66.05 FEET TO A POINT IN SAID SOUTHEASTERLY LINE OF LENZEN AVENUE;  
THENCE SOUTHWESTERLY ALONG SAID LINE, 20 FEET TO THE POINT OF BEGINNING.

PARCEL THREE:

BEGINNING AT THE POINT OF INTERSECTION OF THE SOUTHEASTERLY LINE OF LENZEN AVENUE WITH THE NORTHEASTERLY LINE OF MONTGOMERY STREET;  
THENCE ALONG SAID LINE OF LENZEN AVENUE, NORTH 49° 15' EAST 38.70 FEET TO THE SOUTHWESTERLY LINE OF THE LAND AND RIGHT OF WAY OF THE SOUTHERN PACIFIC RAILROAD COMPANY;  
THENCE ALONG SAID LINE, SOUTH 57° 35' EAST 44.50 FEET TO THE NORTHERNMOST CORNER OF LOT 4 OF SAID BLOCK B;  
THENCE SOUTH 49° 10' WEST 51.82 FEET TO THE NORTHEASTERLY LINE OF MONTGOMERY STREET;  
THENCE ALONG SAID LINE, NORTH 40° 45' WEST 42.83 FEET TO THE PLACE OF BEGINNING.

PARCEL FOUR:

BEGINNING AT THE MOST WESTERLY CORNER OF THE TENTH PARCEL OF LAND DESCRIBED IN THE DEED BY A.C. MILLER TO SOUTHERN PACIFIC COMPANY RECORDED MAY 19, 1913 IN BOOK 404 OF DEEDS, PAGE 26, SANTA CLARA COUNTY RECORDS, IN THE FORMER NORTHEASTERLY LINE OF MONTGOMERY STREET (AS SAID STREET EXISTED 60 FEET IN WIDTH) DISTANT THEREON SOUTH 40° 45' EAST 42.76 FEET FROM THE SOUTHEASTERLY LINE OF LENZEN AVENUE;  
THENCE NORTH 49° 15' EAST, ALONG THE NORTHWESTERLY LINE OF SAID TENTH PARCEL, 50.61 FEET TO A POINT ON THE SOUTHWESTERLY RIGHT-OF-WAY LINE OF THE SOUTHERN PACIFIC RAILROAD COMPANY;  
THENCE SOUTH 57° 23' EAST ALONG SAID LINE, 101.65 FEET;  
THENCE CONTINUING SOUTHEASTERLY ALONG SAID RIGHT-OF-WAY LINE ON A TANGENT CURVE TO THE LEFT, HAVING A RADIUS OF 980.366 FEET, AN ARC DISTANCE OF 102.18 FEET TO A POINT ON THE NORTHEASTERLY LINE OF SAID TENTH PARCEL;  
THENCE ALONG SAID LINE, SOUTH 40° 45' EAST 203.21 FEET TO THE MOST EASTERLY CORNER THEREOF;  
THENCE ALONG THE SOUTHEASTERLY LINE THEREOF, SOUTH 49° 15' WEST 114.00 FEET TO A POINT ON SAID FORMER NORTHEASTERLY LINE OF MONTGOMERY STREET;  
THENCE NORTH 40° 45' WEST ALONG SAID LINE OF MONTGOMERY STREET, 396.81 FEET TO THE POINT OF BEGINNING.

PARCEL FIVE:

A PORTION OF MONTGOMERY STREET, DESCRIBED AS FOLLOWS:

BEGINNING AT THE POINT OF INTERSECTION OF THE NORTHWESTERLY LINE OF CINNABAR STREET WITH THE SOUTHWESTERLY LINE OF MONTGOMERY STREET;  
THENCE NORTH 40° 45' WEST, ALONG SAID LINE OF MONTGOMERY STREET, 592.80 FEET TO THE POINT OF INTERSECTION THEREOF WITH THE SOUTHEASTERLY LINE OF LENZEN AVENUE;

THENCE NORTH 49° 15' EAST ALONG THE NORTHEASTERLY PROLONGATION OF SAID LINE OF LENZEN AVENUE, 54.00 FEET TO THE POINT OF INTERSECTION THEREOF WITH THE SOUTHWESTERLY LINE OF THAT PORTION OF MONTGOMERY STREET ABANDONED AND CLOSED AS A PUBLIC STREET BY ORDINANCE NO. 2046 ADOPTED FEBRUARY 1, 1926 BY THE CITY OF SAN JOSE;  
THENCE SOUTH 40° 45' EAST ALONG SAID SOUTHWESTERLY LINE, 592.80 FEET TO THE POINT OF INTERSECTION THEREOF WITH THE NORTHWESTERLY LINE OF CINNABAR STREET;  
THENCE SOUTH 49° 15' WEST ALONG THE PROLONGATION OF THE NORTHWESTERLY LINE OF CINNABAR STREET 54.00 FEET TO THE POINT OF BEGINNING.

PARCEL SIX:

BEGINNING AT THE INTERSECTION OF THE NORTHWESTERLY LINE OF CINNABAR STREET WITH THE NORTHEASTERLY LINE OF MONTGOMERY STREET;  
THENCE NORTH 40° 45' WEST ALONG SAID LINE OF MONTGOMERY STREET, 153.23 FEET;  
THENCE NORTH 49° 15' EAST 114 FEET;  
THENCE NORTH 40° 45' WEST 204.51 FEET TO A POINT ON THE SOUTHWESTERLY LINE OF THE LAND AND RIGHT-OF-WAY OF THE SOUTHERN PACIFIC RAILROAD COMPANY;  
THENCE ALONG SAID LINE, SOUTH 63° 35' EAST 31.05 FEET,  
SOUTH 66° 35' EAST 51.20 FEET,  
SOUTH 69° 35' EAST 51.20 FEET,  
SOUTH 72° 35' EAST 51.20 FEET,  
SOUTH 75° 35' EAST 51.20 FEET,  
SOUTH 78° 35' EAST 51.20 FEET,  
SOUTH 81° 35' EAST 51.20 FEET,  
SOUTH 84° 35' EAST 51.20 FEET,  
SOUTH 87° 35' EAST 51.20 FEET, AND  
SOUTH 87° 45' EAST 2.05 FEET, TO THE NORTHWESTERLY LINE OF CINNABAR STREET;  
THENCE SOUTH 49° 15' WEST ALONG SAID LINE, 368.33 FEET TO THE PLACE OF BEGINNING.  
CONSISTING OF ALL OF LOTS 1, 2, AND 3 IN SAID BLOCK B.

PARCEL SEVEN:

THE PORTION OF MONTGOMERY STREET ABANDONED AND CLOSED AS PUBLIC STREET BY SAID ORDINANCE NO. 2046, VIZ:

BEGINNING AT THE INTERSECTION OF THE NORTHWESTERLY LINE OF CINNABAR STREET WITH THE NORTHEASTERLY LINE OF MONTGOMERY STREET;  
THENCE SOUTH 49° 15' 07" WEST, 6 FEET;  
THENCE NORTH 40° 45' WEST 592.80 FEET;  
THENCE NORTH 49° 15' EAST, 6 FEET TO THE INTERSECTION OF THE SOUTHEASTERLY LINE OF LENZEN AVENUE WITH THE NORTHEASTERLY LINE OF MONTGOMERY STREET;  
THENCE SOUTH 40° 45' EAST ALONG SAID LINE OF MONTGOMERY STREET, 592.80 FEET TO THE PLACE OF BEGINNING.

EXCEPTING FROM THE ABOVE DESCRIBED PARCELS, THAT CERTAIN PARCEL CONVEYED TO THE PENINSULA CORRIDOR JOINT POWERS BOARD, A PUBLIC AGENCY BY DEED RECORDED OCTOBER 1, 2001 AS INSTRUMENT NO. 15890588, OFFICIAL RECORDS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE INTERSECTION OF THE NORTHEASTERLY LINE OF AN SIXTY FOOT (60.00 FT) STRIP OF LAND DESCRIBED IN THE DEED TO THE JOINT POWERS BOARD RECORDED DECEMBER 27, 1991 IN INSTRUMENT NO. 11181648 OF OFFICIAL RECORDS IN THE OFFICE OF THE COUNTY RECORDER OF SANTA CLARA COUNTY, AND BEING THE SAME LANDS

AS DESCRIBED IN THE DEED TO SOUTH PACIFIC COAST RAILROAD COMPANY RECORDED MAY 9, 1881 IN BOOK 59 OF DEEDS AT PAGE 531 IN THE OFFICE OF THE COUNTY RECORDER OF SANTA CLARA COUNTY, WITH THE SOUTHEASTERLY LINE OF LENZEN AVENUE AS SAID AVENUE IS SO LAID DOWN ON THE LANDS FORMERLY KNOWN AS THE RANCHO POTRERO DE SANTA CLARA;

THENCE ALONG SAID SOUTHEASTERLY LINE, NORTH 49° 47' 35" EAST, 20.00 FEET TO THE MOST NORTHERLY CORNER OF THAT CERTAIN PARCEL OF LAND DESCRIBED IN THE DEED TO SOUTHERN PACIFIC RAILROAD COMPANY RECORDED AUGUST 7, 1946 I VOLUME 1379 OF OFFICIAL RECORDS AT PAGE 98 IN THE OFFICE OF THE COUNTY RECORDER OF SANTA CLARA COUNTY AND THE TRUE POINT OF BEGINNING;

THENCE CONTINUING NORTH 49° 47' 35" EAST, 48.72 FEET TO THE BEGINNING OF A NON-TANGENT CURVE, CONCAVE TO THE NORTHEAST, HAVING A RADIUS OF 1260.74, AND TO WHICH POINT A RADIAL LINE BEARS SOUTH 68° 44' 16" WEST;

THENCE SOUTHEASTERLY, THROUGH A CENTRAL ANGLE OF 06° 13' 20", AN ARC LENGTH OF 136.91 FEET TO A POINT OF CUSP WITH THE NORTHEASTERLY LINE OF THAT CERTAIN PARCEL OF LAND DESCRIBED IN THE DEED TO SOUTHERN PACIFIC COMPANY RECORDED MAY 19, 1913 IN BOOK 404 OF DEEDS AT PAGE 16 IN THE OFFICE OF THE COUNTY RECORDER OF SANTA CLARA COUNTY;

THENCE ALONG SAID NORTHEASTERLY LINE OF SAID PARCEL (404 DEEDS 16), NORTH 40° 12' 17" WEST, 65.41 FEET TO THE NORTHWESTERLY LINE OF LOT 19, BLOCK A, AS SAID LOT AND BLOCK ARE SHOWN AND SO DESIGNATED ON THAT MAP ENTITLED "MAP OF ROWE'S SUBDIVISION OF THE ANDERSON TRACT IN THE RANCHO POTRERO DE SANTA CLARA" RECORDED APRIL 7, 1900 IN BOOK "F-1" OF MAPS AT PAGE 44 IN THE OFFICE OF THE COUNTY RECORDER OF SANTA CLARA COUNTY;

THENCE ALONG SAID NORTHWESTERLY LINE OF LOT 19, SOUTH 49° 47' 35" WEST, 11.39 FEET TO THE NORTHEASTERLY LINE OF SAID PARCEL OF LAND DESCRIBED IN THE DEED TO SOUTHERN PACIFIC RAILROAD COMPANY (VOL. 1379 OR 98);

THENCE ALONG SAID NORTHEASTERLY LINE, NORTH 40° 12' 17" WEST, 66.25 FEET TO THE TRUE POINT OF BEGINNING.

ALSO EXCEPTING FROM THE ABOVE DESCRIBED PARCELS, THAT CERTAIN PARCEL CONVEYED TO THE PENINSULA CORRIDOR JOINT POWERS BOARD, A PUBLIC AGENCY BY DEED RECORDED OCTOBER 1, 2001 AS INSTRUMENT NO. 15890588, OFFICIAL RECORDS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE SOUTHWESTERLY LINE OF FIFTY FOOT (50.00 FT) STRIP OF LAND DESCRIBED IN THE DEED TO THE SAN FRANCISCO AND SAN JOSE RAILROAD RECORDED SEPTEMBER 4, 1863 IN BOOK 'R' OF DEEDS AT PAGE 308 IN THE OFFICE OF THE COUNTY RECORDER OF SANTA CLARA COUNTY, WITH THE SOUTHEASTERLY LINE OF LENZEN AVENUE AS SAID AVENUE IS SO LAID DOWN ON THE LANDS FORMERLY KNOWN AS THE RANCHO POTRERO DE SANTA CLARA;

THENCE ALONG SAID SOUTHWESTERLY LINE OF SAID STRIP OF LAND ('R' DEEDS 308) THE FOLLOWING 11 COURSES;

1. SOUTH 57° 03' 00" EAST, 44.43 FEET;
2. SOUTH 56° 51' 00" EAST, 101.64 FEET TO THE BEGINNING OF A TANGENT CURVE, CONCAVE

TO THE NORTHEAST, HAVING A RADIUS OF 980.32 FEET;

3. THENCE ALONG SAID CURVE 102.17 FEET, THROUGH A CENTRAL ANGLE OF 5° 58' 18";

4. SOUTH 63°03'00" EAST, 31.05 FEET;

5. SOUTH 69° 03' 00" EAST, 51.20 FEET;

6. SOUTH 72° 03' 00" EAST, 51.20 FEET;

7. SOUTH 75° 03' 00" EAST, 51.20 FEET;

8. SOUTH 78° 03' 00" EAST, 51.20 FEET;

9. SOUTH 81° 03' 00" EAST, 51.20 FEET;

10. SOUTH 84° 03' 00" EAST, 51.20 FEET;

11. SOUTH 87° 03' 00" EAST, 51.20 FEET;

12. SOUTH 87° 13' 00" EAST, 0.70 FEET TO THE NORTHWESTERLY LINE OF CINNABAR STREET AS SAID STREET IS SO LAID DOWN ON THE LANDS FORMERLY KNOWN AS THE RANCHO POTRERO DE SANTA CLARA;

THENCE ALONG SAID NORTHWESTERLY LINE, SOUTH 49° 47' 07" WEST, 53.27 FEET TO THE BEGINNING OF A NONTANGENT CURVE, CONCAVE WESTERLY, HAVING A RADIUS OF 30.00 FEET, AND TO WHICH POINT A RADIAL LINE BEARS SOUTH 76° 29' 05" EAST;

THENCE NORTHERLY, LEAVING SAID NORTHWESTERLY LINE, THROUGH A CENTRAL ANGLE OF 45° 27' 35", AN ARC LENGTH OF 23.80 FEET;

THENCE NORTH 80° 23' 13" WEST, 99.66 FEET TO THE BEGINNING OF A TANGENT CURVE, CONCAVE NORTHERLY, AND HAVING A RADIUS OF 1000.00 FEET;

THENCE NORTHWESTERLY, ALONG THE ARC OF SAID CURVE 428.53 FEET, THROUGH A CENTRAL ANGLE OF 24° 33' 10";

THENCE NORTH 55° 50' 03" WEST, 125.55 FEET TO SAID SOUTHEASTERLY LINE OF LENZEN AVENUE;

THENCE ALONG SAID SOUTHEASTERLY LINE, NORTH 49° 47' 35" EAST, 8.63 FEET TO THE POINT OF BEGINNING.

TRACT TWO:

A NON-EXCLUSIVE EASEMENT FOR VEHICULAR INGRESS AND EGRESS, AS SET FORTH IN THAT CERTAIN EASEMENT AGREEMENT RECORDED MAY 27, 2009 AS INSTRUMENT NO. 20267291 OF OFFICIAL RECORDS.

TRACT THREE:

A NON-EXCLUSIVE EASEMENT FOR VEHICULAR INGRESS AND EGRESS, AS SET FORTH IN THAT CERTAIN RECIPROCAL EASEMENT AGREEMENT RECORDED MAY 27, 2009 AS INSTRUMENT NO. 20267292 OF OFFICIAL RECORDS.

APN: 259-26-017



### LEGAL DESCRIPTION

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

A PORTION OF LOTS 8, 9, 10, 11 AND 12, OF BLOCK 3, A SAID LOTS AND BLOCK ARE SHOWN ON THAT CERTAIN MAP ENTITLED, "MAP OF THE KEISER TRACT, BEING A SUBDIVISION OF LOTS 7 AND 12 OF THE SUNOL PARTITION", WHICH MAP WAS FILED FOR RECORD IN THE OFFICE OF THE RECORDER OF THE COUNTY OF SANTA CLARA, STATE OF CALIFORNIA, ON MAY 7, 1914 IN BOOK O OF MAPS, PAGE 49, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE MOST SOUTHERLY CORNER OF LOT 12, AS SAID LOT IS HEREINABOVE DESCRIBED; THENCE ALONG THE SOUTHEASTERLY LINE OF SAID LOT 12, NORTH 54 DEG. 03 MIN. 04 SEC. EAST 26.53 FEET TO A POINT OF CUSP IN THE GENERAL WESTERLY LINE OF MONTGOMERY STREET, AS SAID WESTERLY LINE IS DESCRIBED IN THAT CERTAIN LIS PENDENS FILED FOR RECORD IN THE OFFICE OF THE RECORDER OF THE COUNTY OF SANTA CLARA, ON APRIL 16, 1969 IN BOOK 8501 OF OFFICIAL RECORDS, PAGE 579; THENCE ALONG SAID WESTERLY LINE THE FOLLOWING TWO COURSES AND DISTANCES:

NORTHEASTERLY AND NORTHERLY ALONG A TANGENT CURVE TO THE LEFT, WITH A RADIUS OF 75.00 FEET, THROUGH A CENTRAL ANGLE OF 76 DEG. 39 MIN. 04 SEC., AN ARC DISTANCE OF 100.34 FEET TO A POINT OF REVERSE CURVATURE, AND NORTHERLY ALONG A REVERSE CURVE TO THE RIGHT, WITH A RADIUS OF 678.00 FEET, THROUGH A CENTRAL ANGLE OF 19 DEG. 12 MIN. 36 SEC., AN ARC DISTANCE OF 227.32 FEET TO THE SOUTHERLY LINE OF PARCEL 72, AS SAID PARCEL IS SHOWN UPON THAT CERTAIN RECORD OF SURVEY FILED MARCH 30, 1972 IN BOOK 298 OF MAPS, AT PAGES 38 THROUGH 45, IN THE OFFICE OF THE RECORDER OF SANTA CLARA COUNTY, THENCE ALONG THE SOUTHERLY LINE OF SAID PARCEL 72, SOUTH 42 DEG. 26 MIN. 04 SEC. WEST 4.73 FEET TO THE EAST CORNER OF PARCEL 60A, AS SAID PARCEL IS SHOWN ON SAID RECORD OF SURVEY; THENCE ALONG THE SOUTHEASTERLY LINE OF SAID PARCEL 60A, SOUTH 28 DEG. 53 MIN. 20 SEC. WEST 53.39 FEET; THENCE SOUTHWESTERLY ALONG A TANGENT CURVE TO THE RIGHT, WITH A RADIUS OF 640.00 FEET, THROUGH A CENTRAL ANGLE OF 8 DEG. 00 MIN. 00 SEC., AN ARC DISTANCE OF 89.36 FEET; THENCE SOUTH 36 DEG. 53 MIN. 20 SEC. WEST 5.40 FEET TO THE EAST CORNER OF PARCEL 73, AS SAID PARCEL IS SHOWN ON SAID RECORD OF SURVEY; THENCE ALONG THE SOUTHEASTERLY LINE OF SAID PARCEL 73, SOUTH 29 DEG. 33 MIN. 04 SEC. WEST 50.95 FEET TO THE SOUTHWESTERLY LINE OF SAID LOT 12; THENCE ALONG SAID SOUTHWESTERLY LINE SOUTH 35 DEG. 56 MIN. 54 SEC. EAST 187.42 FEET TO THE SAID POINT OF BEGINNING OF THIS DESCRIPTION.

APN: 261-37-016 (affects portion of lots 8, 9 and 10) and 261-37-029 (affects portion of lots 11 and 12)

### **LEGAL DESCRIPTION OF THE LAND**

APN: 261-37-020 and 261-37-021

PARCEL ONE: LOT NO. THIRTEEN (13) IN BLOCK NO. THREE (3) OF THE KAISER TRACT ACCORDING TO A MAP OF SAID TRACT OF RECORD IN THE OFFICE OF THE COUNTY RECORDER OF THE COUNTY OF SANTA CLARA, STATE OF CALIFORNIA, IN BOOK "O" OF MAPS, AT PAGE 49, RECORDS OF THE OFFICE OF THE COUNTY RECORDER OF THE COUNTY OF SANTA CLARA, STATE OF CALIFORNIA.

PARCEL TWO: LOT NUMBERED FOURTEEN (14) IN BLOCK THREE (3) AS DESIGNATED ON MAP ENTITLED, "MAP OF THE KAISER TRACT, BEING A SUBDIVISION OF LOTS 7 AND 12, OF SUNOL PARTITION, SAN JOSE, CALIFORNIA", AND WHICH MAP WAS FILED IN THE OFFICE OF THE COUNTY RECORDER OF THE COUNTY OF SANTA CLARA, STATE OF CALIFORNIA, ON MAY 7, 1914, IN BOOK "O" OF MAPS, PAGE 49, RECORDS OF SAID COUNTY, EXCEPTING FROM PARCELS ONE AND TWO ABOVE ALL THAT PORTION THEREOF CONVEYED TO THE SANTA CLARA COUNTY FLOOD CONTROL AND WATER DISTRICT BY DEED DATED SEPTEMBER 12, 1972, RECORDED OCTOBER 24, 1972 IN BOOK 0079, PAGE 38, SERIES NO. 4376861, OFFICIAL RECORDS, AND BEING DESCRIBED AS FOLLOWS: PARCEL 66A AS SHOWN ON THAT CERTAIN RECORD OF SURVEY FILED MARCH 30, 1972 IN BOOK 298 OF MAPS AT PAGES 38 AND 45 INCLUSIVE, IN THE OFFICE OF THE RECORDER, COUNTY OF SANTA CLARA, STATE OF CALIFORNIA.

**LEGAL DESCRIPTION OF THE LAND**

LOT 15, IN BLOCK 3, AS SHOWN ON THAT CERTAIN MAP ENTITLED, "MAP OF THE KAISER TRACT BEING A SUBDIVISION OF LOTS 7 AND 12 OF SUNOL PARTITION, SAN JOSE, CALIFORNIA", WHICH MAP WAS FILED FOR RECORD IN THE OFFICE OF THE RECORDER OF THE COUNTY OF SANTA CLARA, STATE OF CALIFORNIA ON MAY 7, 1914 IN BOOK "O" OF MAPS, AT PAGE 49. EXCEPTING THEREFROM THAT PORTION CONVEYED TO SANTA CLARA COUNTY FLOOD CONTROL AND WATER DISTRICT BY DEED RECORDED ON DECEMBER 7, 1963 IN BOOK 0676 OF OFFICIAL RECORDS, PAGE 246 AND BEING DESCRIBED AS PARCEL 67A ON THAT CERTAIN RECORD OF SURVEY RECORDED ON MARCH 30, 1972 IN BOOK 298 OF MAPS, PAGES 38 AND 45.

APN: 261-37-023