City of Palo Alto
City Council Staff Report

Report Type: Action Items Meeting Date: 8/1/2011

Council Priority: Land Use and Transportation Planning

Summary Title: 200 San Antonio Zone Change

Title: PUBLIC HEARING: Adoption of an Ordinance for a Zone Change of a 1,565 square foot parcel from PF (Public Facility) to ROLM (Research Office Limited Manufacturing) at 200 San Antonio Avenue.

From: City Manager

Lead Department: Planning and Community Environment

Recommendation
Staff recommends that City Council approve the attached Ordinance (Attachment A) amending the zoning map of the City of Palo Alto to change the zoning designation for 200 San Antonio Avenue from PF Public Facility zone designation to ROLM Research Office and Limited Manufacturing zone designation.

Executive Summary
The rezoning of this small, triangular piece of property is a minor follow-up item related to a larger previously approved 45-unit multifamily residential development. The property was City of Palo Alto right-of-way with a Public Facility (PF) zoning designation but it has since been deeded over to Hewlett Packard by the City in an exchange agreement so the property could be incorporated into the approved housing project. The land exchange was part of the original project approval. The PF zone district does not allow residential uses as a permitted use; therefore, the zoning of this property must be amended to implement the residential development project as previously approved by the City Council. Research, Office and Limited Manufacturing (ROLM) is the most appropriate zone designation to select as it allows for multifamily residential development and is the zoning designation for the adjacent parcel comprising the remainder of the site. The rezoning does not increase the density of development and the Planning and Transportation Commission has unanimously recommended approval.

Background

Process History
The rezone request is a very small aspect of a much larger project that spans the Palo Alto/Mountain View City boundary line known as the Mayfield project. The proposal includes
260 residential units in Mountain View and 45 residential units in Palo Alto. The Palo Alto portion of the project was approved by the Architectural Review Board in 2008. A Vesting Tentative Map was approved by the Planning and Transportation Commission and the City Council in 2009. A Development Agreement to extend both of these approvals was recommended by the Planning and Transportation Commission and approved by the City Council in 2009. A more detailed project background can be found in the attached Planning and Transportation Commission staff report (Attachment C).

One of the ARB conditions of approval ensured public access to the development through an existing underpass roadway serving San Antonio Avenue. This condition required that the owner acquire a privately-owned parcel (Kelly Parcel) on the west side of San Antonio Avenue on which the access road to the underpass lies and then deed this parcel to the City of Palo Alto. It was discussed early on in the review process that this small piece of public property, currently zoned PF (aka the Triangular Piece) could be deeded to the project in exchange for the developer acquiring and deeding over the Kelly Parcel to the City. On January 18, 2011 the City Council approved an Exchange Agreement and Quit Claim Deed for the exchange of the 1,565 square foot subject property for the 28,098 square foot privately owned Kelly Parcel to secure and maintain a public access road to the former Mayfield Mall site at 200 San Antonio Avenue. The 1,565 square foot property to be rezoned was, until recently, part of the City of Palo Alto right-of-way but has been conveyed to Hewlett Packard through a metes and bounds description and the process will be finalized by the recordation of the Final Map.

Project Description
The application is a request to rezone the property from PF to ROLM (see location map Attachment B). The property has 99 feet of frontage along San Antonio Avenue just north of Central Expressway/Alma Street, and appears to be a vestige of land remaining from the acquisition of property for the San Antonio Avenue overpass. The area in question is not part of the current roadway and serves no current public function. It lies partially within an area that was used at one time as an access driveway to the owners of the parcel at 200 San Antonio Avenue. It currently contains three stone pine trees, ground cover and some paving and concrete curbing for a portion of the private interior ring road around the former HP parking lot. The rezoning would allow for full implementation of the site plan for the project as previously approved by the City.

Planning and Transportation Commission Review
On June 29, 2011, the Planning and Transportation Commission voted unanimously (on a 5-0-2 vote) to approve the requested rezoning with very little discussion. No members of the public spoke to this item. Meeting minutes are provided as Attachment D.

Resource Impact
The rezoning of the triangular piece does not represent a financial impact to the City. The previously approved 45 residential housing units would not be affected by this rezoning, therefore no resource impact would result from the rezoning.
**Policy Implications**
The rezoning to ROLM is consistent with the underlying land use designation of Research/Office Park and with the zoning of the adjacent property. ROLM zoning allows for residential use with a conditional use permit today, but this approval preceded changes to the zoning district and was locked in with the subsequent development agreement with the City.

**Environmental Review**
An Environmental Impact Report was prepared and certified by the City of Mountain View in June 2006 for multiple family residential development on the Mayfield site, which includes a the bulk of the project area within the city of Mountain View and this smaller site within Palo Alto.

**Attachments:**
- Attachment A: Zone Change Ordinance (DOC)
- Attachment B: Site Location Map (PDF)
- Attachment C: June 29, 2011 P&TC Staff Report (DOC)
- Attachment D: June 29, 2011 P&TC Minutes Excerpt (PDF)
- Attachment E: Applicant's Project Letter (PDF)
- Attachment F: Site Location Images (PDF)

Prepared By: Russ Reich, Senior Planner

Department Head: Curtis Williams, Director

City Manager Approval: James Keene, City Manager
Ordinance No. _____

Ordinance of the Council of the City of Palo Alto Amending the Zoning Map of the City of Palo Alto to Change the Zone Designation for 200 San Antonio Avenue From PF Public Facility Zone Designation to the ROLM Research Office Limited Manufacturing Zone Designation

The Council of the City of Palo Alto does ORDAIN as follows:

SECTION 1.  Findings and Declarations. The City Council finds and declares as follows:

(a) The Planning and Transportation Commission, after a duly noticed public hearing on June 29, 2011 has recommended that the City Council rezone the approximately 0.12 acre subject site (200 San Antonio Avenue) to the Research Office Limited Manufacturing zone designation.

(b) The Planning and Transportation Commission has reviewed the facts presented at the public hearing, including public testimony and reports and recommendations from the director of planning and community environment or other appropriate city staff.

(c) The Planning and Transportation Commission find that rezoning the Public Facility portion of the parcel to Research Office Limited Manufacturing zoning is in accord with the Palo Alto Comprehensive Plan, in that the Comprehensive Plan encourages harmonious development that meets regional needs while preserving existing neighborhoods.

(d) The Council has held a duly noticed public hearing on the matter on August 1, 2011, and has reviewed the documents prepared for the project and all other relevant information, including staff reports, and all testimony, written and oral, presented on the matter.

SECTION 2. The Council finds that the public interest, health and welfare require an amendment to the Zoning Map of the City of Palo Alto as set forth in Section 3.

SECTION 3. The Council hereby amends the Zoning Map of the City of Palo Alto to place Public Facility (PF) portion of the subject site (200 San Antonio Avenue), an approximately 0.12 acre site, within the Research Office Limited Manufacturing (ROLM) zoning district.

SECTION 4. The Council hereby finds that this rezoning is subject to environmental review under provisions of the California Environmental Quality Act (CEQA). An Environmental Impact Report was prepared for the project and it has been determined that, no potentially adverse impacts would result from the project; therefore, the project would have no significant impact on the environment.
SECTION 5. This ordinance shall be effective upon the thirty-first day after its passage and adoption.

INTRODUCED:

PASSED:

AYES:  

NOES:  

ABSENT:  

ABSTENTIONS:  

ATTEST:

____________________________  ____________________________
City Clerk  Mayor

APPROVED AS TO FORM:  APPROVED:

____________________________  ____________________________
Assistant City Attorney  City Manager

____________________________
Director of Planning and Community Environment
Proposed Zone Change
Public Facility Portion of the subject site at 200 San Antonio Avenue
PF to ROLM
Area Map

Legend
- Assessment Parcel
- 200 San Antonio Project Site
- Zone Districts
- City Jurisdictional Limits
  - Zone District Labels
- Proposed Zone Change (PF to ROLM)

This map is a product of the City of Palo Alto GIS

The City of Palo Alto assumes no responsibility for any errors or omissions in the data provided by the City of Palo Alto GIS.
TO:  
PLANNING & TRANSPORTATION COMMISSION

FROM:  
Russ Reich  
DEPARTMENT:  
Planning and Community Environment

AGENDA DATE:  
June 29, 2011

SUBJECT:  
200 San Antonio Avenue: Request by William Lyon Homes Inc, on behalf of Hewlett-Packard to initiate a Zone Change for a 1,565 square foot parcel from Public Facility (PF) to Research Office Limited Manufacturing (ROLM). Environmental Assessment: An Environmental Impact Report was prepared and certified by the City of Mountain View in June 2006 for multiple family residential development on the site in Mountain View and Palo Alto.

RECOMMENDATION:
Staff recommends that the Planning and Transportation Commission recommend that the City Council approve the Zone Change request from Public Facility (PF) to Research Office Limited Manufacturing (ROLM) at 200 San Antonio Avenue.

BACKGROUND

Process History
In June 2006, the City of Mountain View approved an Environmental Impact Report and project for the redevelopment of the Mayfield Mall/Hewlett Packard site with 450 units of multiple family housing. The entire project site, owned by Hewlett Packard and located at the corner of Central Expressway and San Antonio Avenue, contains 24 acres, 19.8 acres of which are located within the City of Mountain View and 4.2 acres of which are located within the City of Palo Alto. On October 22, 2008 the Palo Alto Architectural Review Board (ARB) conditionally approved plans for 45 multifamily units to be built upon the Palo Alto portion of the project. The following year, on February 9, 2009, City Council approved a Vesting Tentative Map for the 45 unit townhome development. On July 27, 2009, Council adopted Ordinance No. 5046 (CMR:209:09) approving a Development Agreement extending the ARB approval and Vesting
Tentative Map approval for the project to February 26, 2014, to be consistent with the expiration of approvals for the larger portion of the housing project located in the City of Mountain View.

One of the ARB conditions of approval ensured public access to the development through an existing underpass roadway serving San Antonio Avenue. This condition required that the owner acquire a privately-owned parcel (Kelly Parcel) on the west side of San Antonio Avenue on which the access road to the underpass lies and then deed this parcel to the City of Palo Alto. It was discussed early on in the review process that the small piece of public property, currently zoned PF (aka the Triangular Piece) could be given over to the project in exchange for the developer acquiring and deeding over the Kelly Parcel to the City. On January 18, 2011 the City Council approved an Exchange Agreement and quick Claim Deed for the exchange of the 1,565 square foot subject property for the 28,098 square foot privately owned Kelly Parcel to secure and maintain a public access road to the former Mayfield Mall site at 200 San Antonio Avenue.

Project Description
The application is a request to rezone the Triangular Piece from PF to ROLM (see location map Attachment C). The 1,565 square foot property was, until recently, part of the city right-of-way but has now been conveyed to Hewlett Packard through a meets and bounds description and the process will be finalized by the recordation of the Final Map. The parcel is triangular in shape with 99 feet of frontage along San Antonio Avenue just north of Central Expressway/Alma Street. The Triangular Piece appears to be a vestige of land remaining from the acquisition of property for the San Antonio Avenue overpass. The area in question is not part of the current roadway and serves no current public function. It lies partially within an area that was used at one time as an access driveway to the owners of the parcel at 200 San Antonio Avenue. It currently contains three stone pine trees, ground cover and some paving and concrete curbing for a portion of the private interior ring road around the former HP parking lot. The rezoning would provide the ability to implement the proposed site plan for the project as previously approved by the ARB, Planning and Transportation Commission, and City Council.

SUMMARY OF KEY ISSUES:
The rezone is necessary to allow for the implementation of the Project’s site plan as originally proposed. The PF zoning does not allow residential development. As a PF zoned property, the site plan would need to default to the alternative plan also approved by the ARB. The alternative plan, while less desirable, was approved as a contingency should the developer not be able to acquire the Triangular Piece from the City and be able to have the property rezoned. The rezoning of the property provides for a more desirable site layout as provided in the approved tentative map and the ARB approved site plan.

POLICY IMPLICATIONS:
The proposed project is consistent with the Comprehensive Plan and staff believes there are no other substantive policy implications.
TIMELINE
Following a favorable recommendation by the Planning and Transportation Commission the project would go before the City Council on August 1, 2011.

ENVIRONMENTAL REVIEW:
An Environmental Impact Report was prepared and certified by the City of Mountain View in June 2006 for multiple family residential development on the Mayfield site, which includes a large area within the city of Mountain View and includes this site within Palo Alto.

ATTACHMENTS:
A. Ordinance
B. Conditions/Findings
C. Location Map
D. Applicant Submittal*
E. Comprehensive Plan Table
G. P&TC Staff Report on the Development Agreement, May 27, 2209**
   P&TC Minutes on Development Agreement May 27, 2009**
H. P&TC Staff Report on the Vesting Tentative Map, January 14, 2009**
   P&TC Minutes on the Vesting Tentative Map, January 14, 2009**
I. Project Plans (Commission only)*

* Provided by Applicant
** Embedded Links to Reports

COURTESY COPIES:
Penny Ellson, Neighbor
Brian Doyle, William Lyon Homes, Inc
Peter Gilli, City of Mountain View
Art Schultz, Hewlett Packard

PREPARED BY: Russ Reich, Senior Planner

REVIEWED BY: Amy French, Manager of Current Planning/Acting Chief Planning Official

DEPARTMENT/DIVISION HEAD APPROVAL: ________________________________

Curtis Williams, Director
Wednesday, June 29, 2011
6:00 PM, Council Chambers, Civic Center, 1st Floor
250 Hamilton Avenue
Palo Alto, California 94301

ROLL CALL: 6:05 PM

P&T Commissioners:
Samir Tuma – Chair
Lee Lippert – V-Chair
Daniel Garber
Susan Fineberg
Eduardo Martinez
Arthur Keller
Greg Tanaka

Staff:
Curtis Williams, Planning Director
Donald Larkin, Sr. Assist. City Attorney
Amy French, Acting Chief Planning Official
Russ Reich, Senior Planner
Jaime Rodriguez, Chief Transportation Official
Zariah Betten, Admin. Assoc. III

AGENDIZED ITEMS:
Study Sessions:
1. Electric Vehicles
2. 355 Alma Street

Public Hearing:
3. 200 San Antonio Avenue

Chair Tuma: Well, we are going to move forward. I think Commissioner Fineberg may have
something she would like to say as we start this item.

Commissioner Fineberg: I need to recuse myself on this item. My husband is employed by
Hewlett Packard. So I have a personal conflict and will be leaving the room.

Chair Tuma: Okay, thank you. The ranks are dwindling on many fronts here. We are down to
five Commissioners, one member of the public, and one Staff member who is the City Attorney.
So with that we will go to 200 San Antonio Avenue, which is a request on behalf of HP to
initiate a zone change for a slightly less than 2,000 square foot parcel from Public Facility to
ROLM. Welcome back. If Staff has a brief presentation for us we would be happy to hear it.
Public Hearing:

3. **200 San Antonio Avenue**: Request by William Lyon Homes Inc, on behalf of Hewlett-Packard to initiate a Zone Change for a 1,968 square foot parcel from Public Facility (PF) to Research Office Limited Manufacturing (ROLM). Environmental Assessment: An Environmental Impact Report was prepared and certified by the City of Mountain View in June 2006 for multiple family residential development on the site in Mountain View and Palo Alto.

Mr. Russ Reich, Senior Planner: Good evening Chair Tuma and Commissioners. The item before you this evening is a request for a rezone from Public Facility to the Research Office and Limited Manufacturing zone district. This is a minor cleanup item so I will try to be brief.

Tonight’s rezone request is a very small aspect of a much larger project that spans the Palo Alto/Mountain View City boundary line known as the Mayfield project. The proposal includes 200 residential units in Mountain View and 45 residential units in Palo Alto. The Palo Alto portion of the project was approved by the Architectural Review Board in 2008. A Vesting Tentative Map was approved by the Planning and Transportation Commission and the City Council in 2009. A Development Agreement to extend both of these approvals was approved by the Planning and Transportation Commission and the City Council in 2009 as well.

The subject of this rezone request, the small triangular piece, is vestige of land resulting from the acquisition of land for the San Antonio Avenue overpass. It lies within an area that was used at one time as an access driveway into the property at 200 San Antonio. This piece of property was until recently city-owned property, but it was not part of the public roadway. It lies in the landscape buffer area of the Hewlett Packard office complex parking lot. The City has since
deeded over this property to Hewlett Packard through an exchange agreement such that it may be
incorporated into the approved residential development.

The rezoning is necessary due to the fact that the residential uses are not permitted within the
Public Facilities zone district. Since the surrounding property is zoned Research Office and
Limited Manufacturing, which allows residential uses it seemed the most appropriate that the
triangular piece be rezoned to this designation.

Staff recommends that the Planning and Transportation Commission recommend that the City
Council approve the request to rezone this property. The applicant’s representative, Rhonda
Neely, is here to make a brief presentation. Staff as well as the applicant is available to answer
any questions that you may have. Thank you.

Mr. Larkin: The applicant is here as well to answer any questions the Commission might have.

Chair Tuma: To make a presentation or just to answer questions? Okay. Welcome.

Ms. Rhonda Neely, Summit Land Partners: I am representing William Lyon Homes, who you
may know is in escrow to purchase the Hewlett Packard property known as the Mayfield Mall
site.

If you are not finding exhibits up there I have a few extra copies if it is helpful. You already
have it, fine.
As Staff has said we are here just to respectfully request your recommendation of approval for this zone change. We look at it as a housekeeping issue and hope you do as well. As Staff has noted this is a 1,500 square foot parcel along San Antonio Road that was deeded by the City to Hewlett Packard in exchange for a 28,000 square foot parcel called the Kelly Parcel underneath the San Antonio overpass.

An alternate land plan has been approved for this project, but we prefer the zone change because it has been contemplated. Allowing the zone change would allow a less cramped land plan and it would clean up the status of the parcel merging it into the rest of the property. It would allow the homeowner association then to maintain that piece of property, and the zone change was just always planned.

Anyway, that is really all there is to it. If you have any questions for me I am glad to answer them.

Chair Tuma: Okay, thank you. With that we will close the public hearing and come back to the Commission. I have a light from Commissioner Garber.

Commissioner Garber: Did you want to note that there is no public?

Chair Tuma: I already closed the public hearing.
MOTION

Commissioner Garber: Okay, sorry. I would like to move that the Planning and Transportation Commission support the Staff recommendation that the City Council approve the zone change request from Public Facility to Research Office Limited Manufacturing at 200 San Antonio Avenue.

SECOND

Chair Tuma: I will second that. Do you want to speak to your motion?

Commissioner Garber: I don’t think I need to.

Chair Tuma: Nor do I. Any discussion among Commissioners? Commissioner Keller.

Commissioner Keller: So sometime somebody, not necessarily now, should enlighten me on what is the difference between San Antonio Road and San Antonio Avenue. That has been driving me nuts for some period of time.

Ms. French: It may have something to do with the jurisdictions. In other words, at some point when you driving on the freeway you see San Antonio Road, and when it is one city it is one thing, when it is in another city it is another thing.
Commissioner Keller: So is San Antonio Avenue entirely within Palo Alto?

Mr. Reich: That is my understanding from the maps that we have. I was surprised to see that as well way back when this project began.

Commissioner Keller: Okay, because I am curious whether TK/CJL and all that stuff is San Antonio Road or San Antonio Avenue. Interesting.

The second thing is this change to this piece of land, in some sense this project was done prior to a CUP being required in ROLM for housing.

Mr. Reich: Yes, that is correct.

Commissioner Keller: So that is why this is being done, and even if this piece is rezoned that still carries forward?

Mr. Reich: Yes.

Commissioner Keller: Thank you. The third thing is what is happening to – I understand that we are acquiring this parcel that is being used for the underpass under the San Antonio Avenue underpass.

Mr. Reich: The Kelly Parcel, which is actually on the other side of the underpass.
Commissioner Keller: Right, where the ‘P’ is in that diagram on the screen.

Mr. Reich: Right. Right here you can actually see the outline of the Kelly Parcel.

Commissioner Keller: Right. Well, what I am wondering is where will that connect to on the other side.

Mr. Reich: What it does is provides an outlet for vehicle trips from the development to San Antonio going southbound or southwest.

Mr. Larkin: I think it is important to clarify there is an existing road that is on privately owned property but it has been used by the public for many years back since there was a shopping mall on the Mayfield site. The acquisition of the Kelly Parcel was necessary in order to guarantee that it would remain a road. So it is not a proposed change to the current access. It is simply guaranteeing that what is there currently will remain.

Commissioner Keller: I appreciate that. I actually have shopped at the JC Penney that used to be there when it was the Mayfield Mall. My question is that there is a reconfiguration of that road. So I have a question of A) how will that road that is now making sure that it stays a road so that it connects to the rest of the street network, because the street network is being redone, right?
Mr. Reich: The street network on the 200 San Antonio property is being redone, but where the Kelly Parcel is that is not changing. So on the right side of San Antonio it will connect up in the same place that it connects now even though the street network is being redone. So if you look at the maps in your packet you will see the new street work and how it connects to that existing underpass.

Commissioner Keller: So it is connecting to Avenue A?

Mr. Reich: Right.

Commissioner Keller: Okay. So my question here relates to the left turn lane that goes from San Antonio Road into Nita Avenue. What I am wondering is that left turn signal is it better to direct people and retain that left turn signal for people turning into Nita or is it better to have people go through the Kelly Parcel and go through Avenue A and improve the traffic on San Antonio Avenue?

Mr. Larkin: That was extensively discussed actually in the EIR process with the City of Mountain View. Then when the City reviewed Mountain View’s EIR as part of our project approvals we also extensively discussed that. It is not part of the purview for what is being discussed tonight. But all of those issues are already locked in through a Development Agreement. So we are really not within the purview to revisit those issues.

Commissioner Keller: Well, I appreciate that although this body never looked at the EIR.
Mr. Larkin: That is not true. This body did review the EIR at the time the project approval came through. It was required to acknowledge the review of the EIR.

Commissioner Keller: Okay, thank you. It was ages ago. I think there were certainly a lot more hearings in Mountain View than there were in Palo Alto about this, and that is certainly the case. I went to some of the hearings in Mountain View.

Well, I appreciate that that was addressed. It is relevant to the issue of the efficacy of that roadway in the Kelly Parcel, so that is why I think it is relevant to the issue. I think that this is a reasonable cleanup issue and I will vote in favor.

MOTION PASSED (5-0-2-0, Vice-Chair Lippert absent, Commissioner Fineberg conflicted)

Chair Tuma: Okay. Any other discussion, Commissioners? All those in favor of the motion say aye. (ayes) Opposed? That passes unanimously with Commissioners Lippert and Fineberg absent from this portion of the meeting.

So with that we will close that item.
Mayfield – Palo Alto  
Zone Change

Project Description

Current Land Owner:  Hewlett Packard  
Applicant / Developer:  William Lyon Homes  
Entitlement Consultant:  Summit Land Partners, LLC

Summit Land Partners, LLC ("Summit") is representing the Applicant, William Lyon Homes ("Lyon"), in this request for a zone change of a small (1,565 s.f.) out parcel associated with Lyon's proposed acquisition and development of the Mayfield Palo Alto project. This small out parcel (former street right-of-way) is commonly referred to as "the triangle piece". It is the subject of an Exchange Agreement between the City of Palo Alto and Hewlett Packard ("HP") wherein another parcel (aka "The Kelley parcel") was acquired by HP and deeded to the City of Palo Alto in return for title to the triangle piece. The City of Palo Alto currently owns the Kelley parcel and HP currently owns the triangle piece.

Mayfield Palo Alto is part of a larger project which crosses city boundaries into the City of Mountain View. The Palo Alto portion of the project was approved by the Architectural Review Board in October 2008 for the construction of 45 for-sale residential townhomes. The overall zoning for this community is ROLM.

The above-referenced ARB approval acknowledged the existence of the triangle piece along San Antonio Avenue (see exhibits). As the above-described title transfer had not yet occurred in October 2008, the ARB approved two site plans for the Mayfield Palo Alto community. One alternate assumes that the title transfer never occurs – and no portion of the project encroaches onto the triangle parcel. The other alternate assumes that the title transfer does occur (which it has) and shows the project constructed over the triangle parcel.

This request is for the final 'clean up' of the triangle piece's history by requesting it be zoned from Public Facilities to ROLM to match the balance of the project. Once the final map is recorded, the triangle piece will be merged into the rest of the property.

Your approval of this zone change is respectfully requested.

Summit Land Partners, LLC

[Signature]
Rhonda Neely  
Vice President  
949-554-6936
EXHIBIT "A"
PORTION OF SAN ANTONIO ROAD

REAL PROPERTY in the City of Palo Alto, County of Santa Clara, State of California, being a portion of Parcel No. 2 as described in the Final Order and Decree of Condemnation recorded April 18, 1982, in Book 5543 of Official Records, page 586, Santa Clara County Records, and a portion of Parcel No. 1 as described in the Final Order and Decree of Condemnation recorded April 18, 1982, in Book 5543 of Official Records, page 591, Santa Clara County Records, described as follows:

BEGINNING at the most easterly corner of said Parcel No. 2;

Thence along the southeasterly and southwesterly lines of said Parcel No. 2, the following two courses:
   1. Thence South 38°23'10" West, 66.00 feet;
   2. Thence North 51°36'50" West, 2.57 feet;

Thence North 08°36'56" East, 99.20 feet, to a point of cusp, being on the easterly line of said Parcel No. 1;

Thence along said easterly line, southerly, along a tangent curve to the left, having a radius of 36.00 feet, whose center bears South 81°20'02" East, through a central angle of 60°16'49" for an arc length of 37.37 feet, to the northeasterly line of said Parcel No. 2;

Thence along said northeasterly line, South 51°36'50" East, 20.49 feet, to the POINT OF BEGINNING.

Containing 1,565 square feet, more or less.

Said lands are shown on attached plat Exhibit "B" and made a part hereof.