



# Historic Resources Board

## Staff Report (ID # 9125)

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**Report Type:** Study Session **Meeting Date:** 4/26/2018

**Summary Title:** Study Session for Preliminary Parcel Map with Exception: 874 Boyce

**Title:** 864 Boyce Avenue [19PLN-00030]: Historic Resources Board Study Session Review to Discuss a Preliminary Parcel Map with Exception for Subdivision of the Property at 874 Boyce Avenue into Two Parcels and Addition of a One-Story Dwelling on the Proposed Rear Parcel. The single-family residence at 874 is listed on the Local Historic Resources Inventory as a Category 4 Building

**From:** Hillary Gitelman

### Recommendation

Staff recommends that the Historic Resources Board (HRB) take the following action:

1. Conduct a study session review of the proposal to:
  - (a) subdivide a parcel containing a Local Inventory Category 4 resource (Preliminary Parcel Map with Exception application 19PLN-00030),
  - (b) record a preservation covenant for the existing home at 874 Boyce Avenue, and
  - (c) construct a single-story home on the proposed lot behind 874 Boyce Avenue.

### Report Summary

The applicant proposes to sub-divide a 12,402 square foot (sf) lot containing a historic property into two parcels. The larger, street-fronting parcel (approximately 7,000 square feet) would contain the Category 4 historic resource at 874 Boyce Avenue, built in 1927. The smaller parcel (approximately 5,400 square feet) to the rear would be a vacant parcel.

The vacant, rear parcel would be addressed 880 Boyce, which is the address of the former home behind 874 Boyce, built in 1926 and demolished in 1931. The applicant intends to develop the vacant lot, following recordation of the parcel map and historic preservation covenant for 874 Boyce. The applicant has prepared plans showing the resource at 874 Boyce

and concept plans for a proposed single-story home on the proposed rear lot (880 Boyce). A location map is provided (Attachment A).

The Planning and Transportation Commission and City Council review and act on Parcel Maps with Exceptions, which are subject to review under the California Environmental Quality Act (CEQA). Staff is required to analyze whether or not the proposed subdivision will have an adverse impact upon the existing listed historic resource. This report provides background related to the listed resource – two “sister” homes (872 and 874 Boyce) built in 1927 – to support the HRB study session discussion.

## Background

### Historic Inventory Properties

The Palo Alto Historic Inventory form for 872 and 874 Boyce attached to this report (as Attachment B) notes, “this pair of individually elegant and matched houses carefully placed to enhance the simple formality of their design”. The image on the following page shows the façade of 874 Boyce that faces its “sister house” at 872 Boyce Avenue, across the existing driveway that serves the three existing homes at 872, 874, and 876 Boyce.

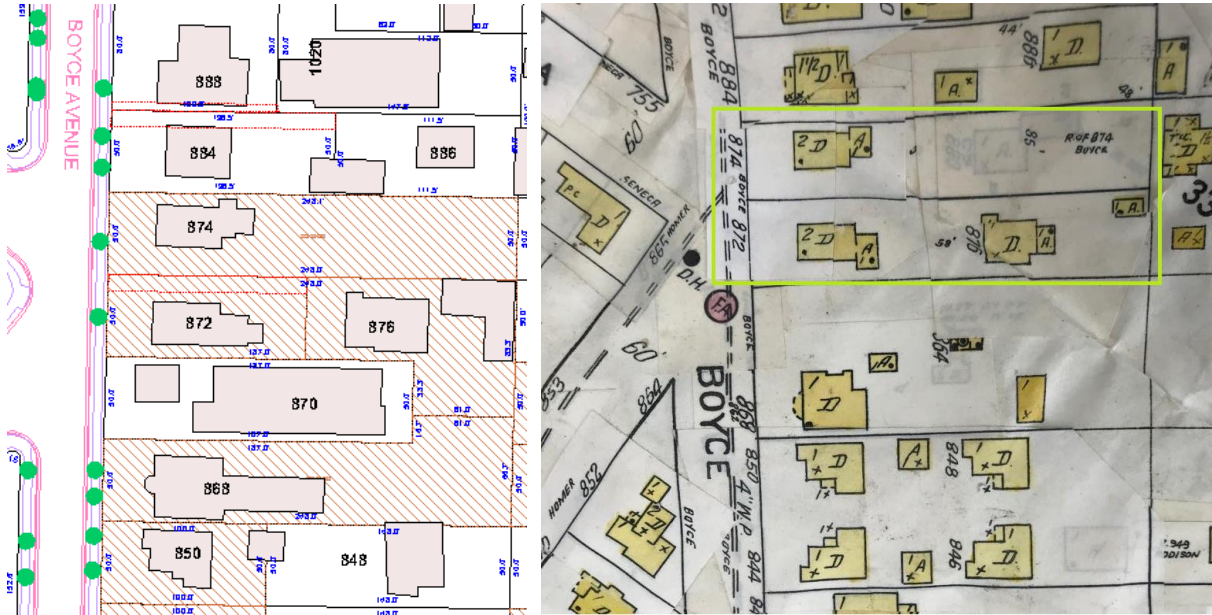


*874 Boyce façade that faces 872 Boyce*



*872 Boyce façade that faces 874 Boyce*

The below images show the footprints of the homes at 874, 872 and 876 Boyce Avenue today (left image) and as shown on the 1930's Sanborn Map (right image).



The Sanborn map (at right) shows a paste-over of the former 880 Boyce home footprint behind 874 Boyce, demolished sometime after 1931. The 1926 Assessor's map below shows the footprint of 880 Boyce before demolition. 880 Boyce appears to have existed prior to construction of the 'sister' homes. The home at 826 Boyce was constructed in 1928.

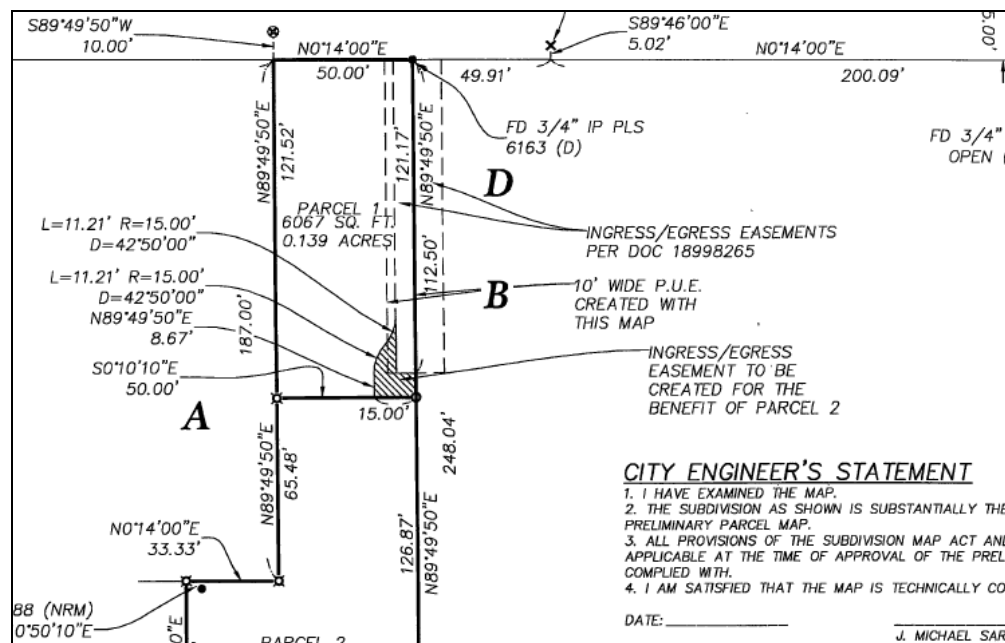


1926 Assessor's Map

### 872 and 876 Boyce Subdivision

In 2012, the City approved the subdivision of the property containing 872 Boyce and 876 Boyce. The sister home (872 Boyce) has a recorded preservation covenant associated with the 2012 lot split. The rear home (876 Boyce) is on a flag lot, but the flag lot area is over 20% greater than the 6,000 minimum lot size for the R-1 Zone. No exception was required for the lot split; the map was approved by the Director of Planning and Community Environment (PCE). The

driveway from Boyce Avenue has served only three developed parcels and is not considered a 'private street'. Below is an image of the adjacent property's 2012 parcel map.



Parcel Map for 872 and 876 Boyce

### Applicable Municipal Codes

**Historic Review:** PAMC Title 16, Section 16.49.050 allows for staff level approval of minor exterior alterations which will not adversely affect the exterior architectural characteristics or the historical or aesthetic value of the historic structure, its site or surroundings. Additionally, if CEQA analysis indicates there may be a potential impact to a historic resource, the Planner refers the application to the Historic Resources Board. However, a project that is consistent with the Secretary of the Interior's Standards for the Treatment of Historic Properties would not have a significant adverse impact on a resource.

There is no proposal to modify the resource at 874 Boyce, other than to subdivide the lot that contains the home. Staff would review building permit plans for the rear home to ensure the resulting development would not impact the resource at 874 Boyce. The HRB may wish to comment on the compatibility of the design for the proposed single-story home with the resource at 874 Boyce.

**Subdivision Incentive for Historic Preservation:** These codes, adopted by City Council in 2009, allow creation of smaller flag lots in the R-1 zone district, and are found in two different titles of the Palo Alto Municipal Code (PAMC): Title 18 (Zoning) and Title 21 (Subdivision).

- PAMC Section 18.12.140 allows subdivision of R-1 property resulting in a small sized flag lot (a flag lot area having less than the standard R-1 lot area) to preserve an existing resource. Flag lots are not otherwise allowed to be created in the R-1 zone district.

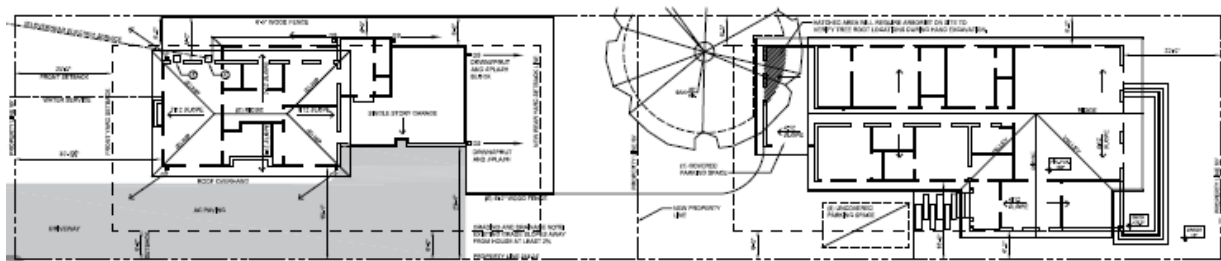
- PAMC Section 21.20.301 allows the PCE Director to approve a flag lot in the R-1 zone district without the need for an exception, for historic preservation purposes.
- The process requires recordation of a preservation covenant for the historic resource on the property to be subdivided. Attachment D is a sample covenant (the covenant that was recorded for the property at 872 Boyce).

The HRB is not required to make findings for the requested subdivision; this is the purview of the Planning and Transportation Commission.

## Discussion

### HRB Purview

The focus of the HRB in this study session is principally associated with the project's impact to the Category 4 historic resource at 874 Boyce. The HRB may wish to provide feedback on the proposed lot size for 874 Boyce and on the proposed flag lot and new single-story home's compatibility with the home at 874 Boyce. The HRB may provide direction regarding any project revisions deemed necessary to ensure compliance with the Secretary of the Interior Standards. The arrangement of homes appears to be similar to 'cottage cluster' homes elsewhere in Palo Alto such as in College Terrace, and viewable in a nearby cottage cluster. Below is an image of the proposed lot split (and parcel sizes will be adjusted on hard copy plans for the HRB) to create a 7,000 square foot lot for the existing home at 874 Boyce and approximately 5,400 square foot lot for the proposed one-story home on the new lot (880 Boyce) to the rear.



Discussion regarding compliance with the subdivision code and zoning code will be provided in the Planning and Transportation Commission staff report. The HRB is not required or requested to comment on subdivision and zoning code compliance resulting from the proposed lot-split.

## Environmental Review

The subject project (subdivision) will be assessed in accordance with the authority and criteria contained in the California Environmental Quality Act (CEQA), the State CEQA Guidelines, and the environmental regulations of the City. The Planning and Transportation Commission staff report will provide an analysis of the project with respect to CEQA.

**Report Author & Contact Information**

Amy French, AICP, Chief Planning Official  
(650) 329-2336

[Amy.french@cityofpaloalto.org](mailto:Amy.french@cityofpaloalto.org)

**HRB<sup>1</sup> Liaison & Contact Information**

Amy French, AICP, Chief Planning Official  
(650) 329-2336

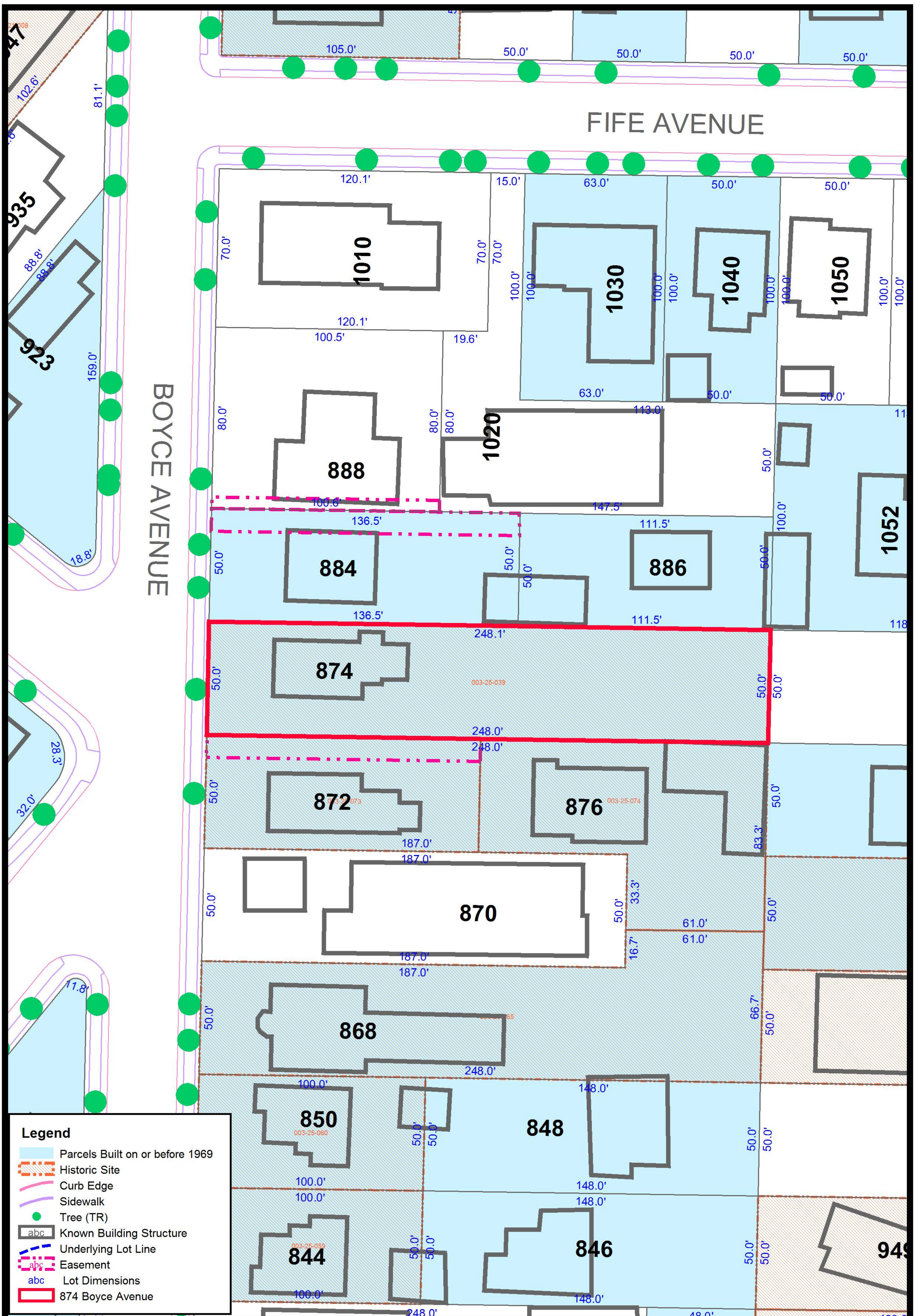
[amy.french@cityofpaloalto.org](mailto:amy.french@cityofpaloalto.org)

**Attachments:**

- Attachment A: Location Map (PDF)
- Attachment B: Historic Inventory Form for 872-874 Boyce Avenue (PDF)
- Attachment C: Zoning Code Subdivision Incentive for Historic Preservation (DOCX)
- Attachment D: Sample Covenant (872 Boyce Avenue) (PDF)

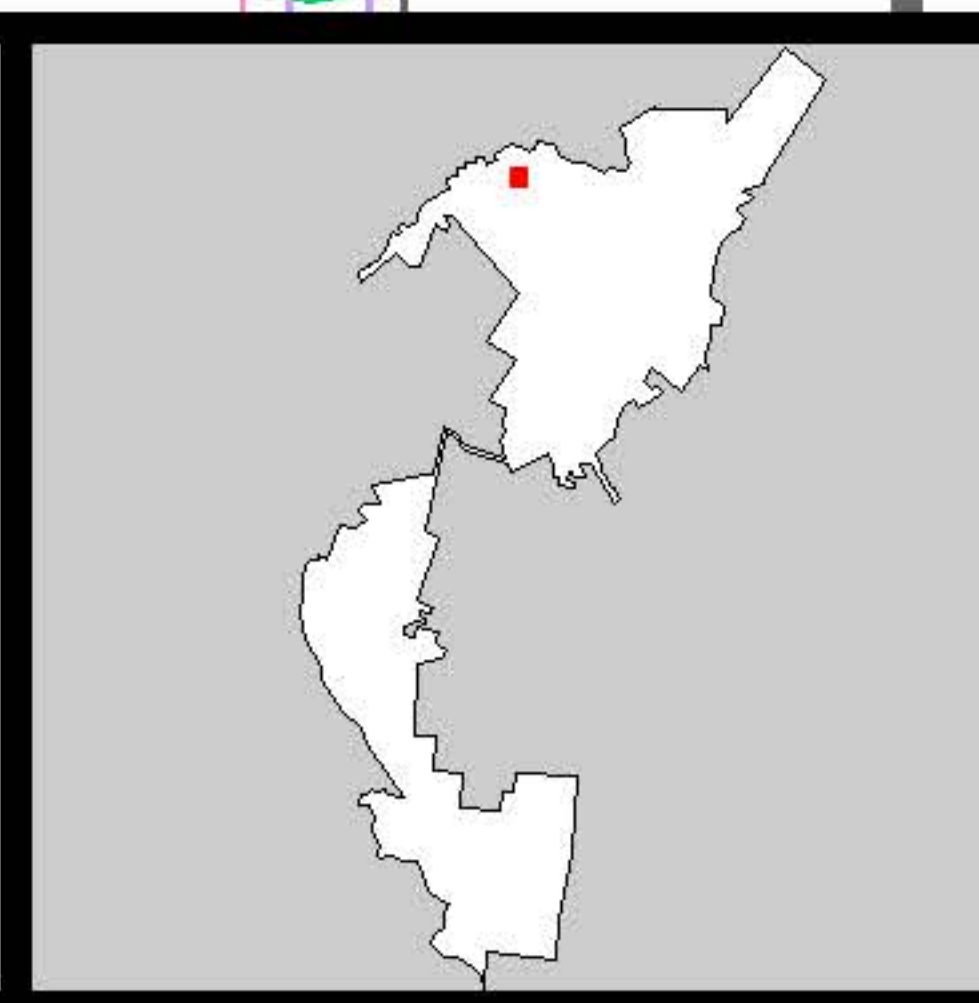
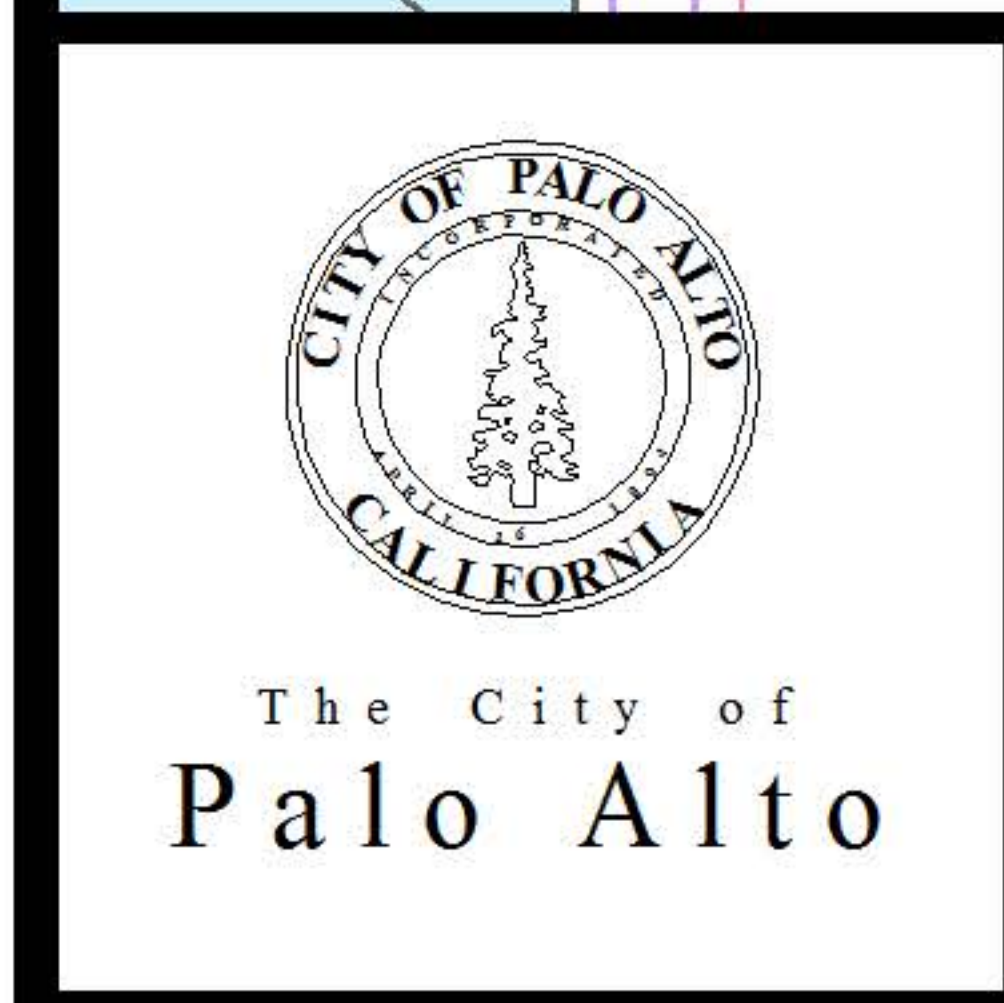
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<sup>1</sup> Emails may be sent directly to the HRB using the following address: [hrb@cityofpaloalto.org](mailto:hrb@cityofpaloalto.org)



**Legend**

- Parcels Built on or before 1969
- Historic Site
- Curb Edge
- Sidewalk
- Tree (TR)
- Known Building Structure
- Underlying Lot Line
- Easement
- Lot Dimensions
- 874 Boyce Avenue



Location Map: 874 Boyce Avenue

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

HISTORIC RESOURCES INVENTORY

(State use only)

Ser \_\_\_\_\_ Site \_\_\_\_\_ Mo. \_\_\_\_\_ Yr. \_\_\_\_\_  
 UTM \_\_\_\_\_ Q \_\_\_\_\_ NR \_\_\_\_\_ SHL \_\_\_\_\_  
 Lat \_\_\_\_\_ Lon \_\_\_\_\_ Era \_\_\_\_\_ Sig \_\_\_\_\_  
 Adm \_\_\_\_\_ T2 \_\_\_\_\_ T3 \_\_\_\_\_ Cat \_\_\_\_\_ HABS \_\_\_\_\_ HAER \_\_\_\_\_ Fed \_\_\_\_\_

IDENTIFICATION Cat. IV

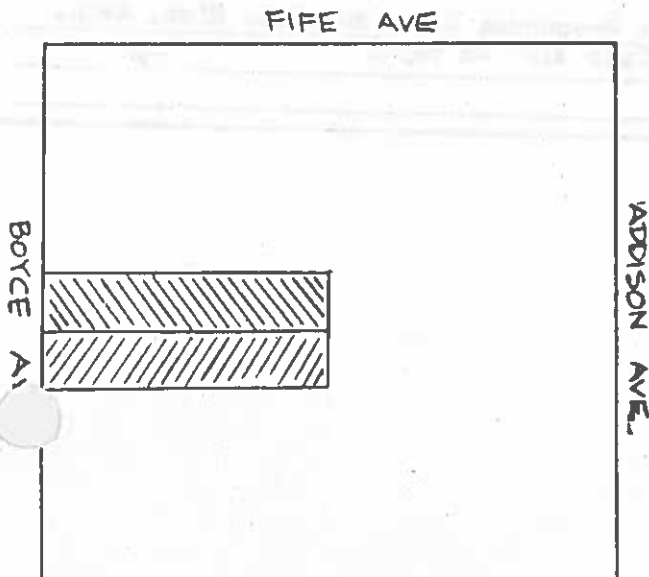
1. Common name: \_\_\_\_\_
2. Historic name, if known: \_\_\_\_\_
3. Street or rural address 872 and 874 Boyce Street  
 City: Palo Alto ZIP: \_\_\_\_\_ County: Santa Clara  
872 - Janet and Lester Loops
4. Present owner, if known: 874 - Ryan Morris Address: same  
 City: \_\_\_\_\_ ZIP: \_\_\_\_\_ Ownership is: Public  Private
5. Present Use: Residential Original Use: Residential  
 Other past uses: \_\_\_\_\_

DESCRIPTION

6. Briefly describe the present physical appearance of the site or structure and describe any major alterations from its original condition:

These Renaissance Revival-styled structures are identical and are placed opposite each other across the shared driveway. The decorative eave treatment and Palladian arch theme of these two-story, hip-roofed stucco structures lend sophistication to a simple design. The rear cottage does not share the style but is not incompatible.

7. Locational sketch map (draw and label site and surrounding streets, roads, and prominent landmarks):



- B. Approximate property size:  
 Lot size (in feet) Frontage 50  
 Depth 248;  
 or approx. acreage \_\_\_\_\_
9. Condition: (check one)  
 a. Excellent  b. Good  c. Fair   
 d. Deteriorated  e. No longer in existence
10. Is the feature a. Altered?  b. Unaltered?
11. Surroundings: (Check more than one if necessary)  
 a. Open land  b. Scattered buildings   
 c. Densely built-up  d. Residential   
 e. Commercial  f. Industrial   
 g. Other
12. Threats to site:  
 a. None known  b. Private development   
 c. Zoning  d. Public Works project   
 e. Vandalism  f. Other
13. Date(s) of enclosed photograph(s): 1978



872-874 Boyce

NOTE: The following (Items 14-19) are for structures only.

14. Primary exterior building material: a. Stone  b. Brick  c. Stucco  d. Adobe  e. Wood   
f. Other
15. Is the structure: a. On its original site?  b. Moved?  c. Unknown?
16. Year of initial construction 1927 This date is: a. Factual  b. Estimated
17. Architect (if known): \_\_\_\_\_
18. Builder (if known): Findley and Kingham
19. Related features: a. Barn  b. Carriage house  c. Outhouse  d. Shed(s)  e. Formal garden(s)   
f. Windmill  g. Watertower/tankhouse  h. Other  Rear cottage, 1928 i. None   
A. Anderson, builder

SIGNIFICANCE

20. Briefly state historical and/or architectural importance (include dates, events, and persons associated with the site when known):  
This is a pair of individually elegant and matched houses, carefully placed to enhance the simple formality of their design. They were built for Matilda (872) and Frances E. Wagner (874), widowed sisters-in-law; Matilda added the rear cottage, as well. Both occasionally invested in real estate in the city; this was especially true of Frances Wagner. She lived very briefly in her house at 874, while Matilda's daughter Virginia and her husband Oscar G. Peterson, occupied 872 Boyce until 1938. Frances Wagner remained in the community until the 1940s and was a violin teacher. Her husband Arthur came to Palo Alto in 1917 as the YMCA Secretary at Camp Fremont in Menlo Park. The Petersons were followed at 872 by a number of short-term tenants until the house was occupied by Walter G. Wood (1956-1968) and his wife Georgia. Wood, a graduate of Syracuse and Santa Clara Universities, was a photolithographer for Lenkurt Co. The present owners acquired the house in 1972. At 874 Boyce, the R.E. Quist family were occupants from 1934 to 1944, after which the house has been the residence of Evan F. and the late Georgana Morris.

21. Main theme of the historic resource: (Check only one): a. Architecture  b. Arts & Leisure   
c. Economic/Industrial  d. Exploration/Settlement  e. Government  f. Military   
g. Religion  h. Social/Education

22. Sources: List books, documents, surveys, personal interviews, and their dates: P.A. City Directories, P.A. Times 4/4/24; 10/11, 10/22/27; 3/9, 3/14, 9/5, 11/23/28; 11/2/37; 5/28/68; 9/17/68; interviews 1985, Janet Loops, Evan Morris

23. Date form prepared: 1978, 1985 By (name): Historic Resources Board and P.A. Hist. Assn.  
Address: 250 Hamilton Ave City Palo Alto Ca 94301 ZIP: \_\_\_\_\_  
Phone: \_\_\_\_\_ Organization: \_\_\_\_\_

(State Use Only)

### **18.12.140 Historical Review and Incentives**

(a) Historic residence review, as required in [Chapter 16.49](#) of Title 16 of the Palo Alto Municipal Code, is required in the R-1 district and R-1 sub-districts for alterations or modifications to any residence designated on the city's Historic Inventory as Category 1 or Category 2 historic structure as defined in Section [16.49.020](#) of this code or any contributing structure located within a locally designated historic district. The Category 1 or Category 2 designation process for becoming a historic structure is contained in [Chapter 16.49](#) of Title 16 of the Municipal Code.

(b) Exemptions to gross floor area requirements are available for historic residences pursuant to the definition of gross floor area in Section [18.04.030\(65\)\(C\)\(ii\)](#). Home improvement exceptions provide for additional square footage and certain other exceptions for historic homes pursuant to Section [18.12.120](#).

(c) Notwithstanding other provisions of this chapter, existing parcels containing two residences may be subdivided into more than one ownership, where all of the following circumstances exist:

(1) At least one residence is designated on the City's Historic Inventory as a Category 1, Category 2, Category 3, or Category 4 historic structure as defined in Section [16.49.020](#) of this code or are contributing structures located within a locally designated historic district or are eligible for the National or California Registers; and

(2) No increase in the total number of residences on the site is proposed; and

(3) Separate lots are proposed to be created, each with a minimum lot size not less than 4,000 square feet in the R-1 district if only one residence is historic or 80% of the minimum lot size for the R-1 subdistricts; if both residences are historic and subject to a covenant, the allowable minimum lot size is 2,000 square feet; and

(4) The resultant parcel lines may create less than minimum lot size (no less than the area stated in item (3) of this section), site width and depth, setback and daylight plane encroachments, floor area and site coverage exceeding the maximum allowable for existing development with respect to each new parcel, without the need for approval of a Variance or Home Improvement Exception, but would not generally increase any existing noncomplying building features; however, minor additions for functional improvements may be allowed at the discretion of the Director of Planning and Community Environment; and

(5) The Historic Resources Board has determined that at least one existing residence on the property has historic integrity and qualifies for listing on the City's Historic Inventory.

(6) A covenant is recorded to run with the land in perpetuity, assuring that the historic residences will be preserved and maintained consistent with the Secretary of the Interior's Standards for Historic Rehabilitation through compliance with Historic Resources Board review and recommendations. The covenant will stipulate that HRB review is required for all major projects on the site including significant changes to any non-historic residence. Any modifications to a non-historic residence must be compatible with the historic residence and satisfy the Secretary of Interior's Standards for Historic Compatibility.

(7) The two residences on the property were in existence as of January 28, 2009.

(8) Application of the state Historic Building Code is available for use on any eligible building.

(9) Residences subject to a covenant must meet all government health, life and safety codes.

(Ord. 5051 § 4, 2009; Ord. 4869 § 14 (Exh. A [part]), 2005)



Fees . . .	- No Fees
Taxes . . .	
Copies . . .	
AMT PAID	

This document is recorded  
for the benefit of the City of Palo Alto  
and is entitled to be recorded  
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After recordation, mail to:  
OFFICE OF THE CITY ATTORNEY  
250 Hamilton Avenue  
Palo Alto, CA 94301

REGINA ALCOMENDRAS  
SANTA CLARA COUNTY RECORDER  
Recorded at the request of  
Chicago Title

RDE # 009  
1/25/2013  
8:00 AM

**AGREEMENT AND DECLARATION OF COVENANTS AND RESTRICTIONS  
FOR HISTORIC PRESERVATION  
872-876 Boyce Avenue  
Assessor's Parcel 003-25-067 (to change after lot split)**

This Agreement and Declaration of Covenants and Restrictions for Historic Preservation is entered into as of December 7th, 2012, by and between Lester W. Loops and Janet L. Loops, or their successor, Trustee of the Lester and Janet Loops Revocable Trust dated August 13, 2004, and H. Rod Miller and Eileen L. Zefting (collectively, "Covenanters"), and the City of Palo Alto, a California chartered city and municipal corporation ("City").

**RECITALS**

A. Covenanters are the owner of a parcel of real property, generally located at 872-876 Boyce Avenue, City of Palo Alto, County of Santa Clara, State of California and more particularly described in Exhibit A, attached hereto and incorporated herein ("Historic Site"). The Historic Site has been included in the City's Historic Inventory as a Category IV Property.

B. The residence located at 872 Boyce is a historic site ("872 Historic Site") and the residence located at 876 Boyce is not a historic site ("876 Site").

C. Covenanters intend to sub-divide the Historic Site into two legal parcels whereby one parcel will contain the 872 Historic Site and the other parcel will contain the 876 Site, as shown on Exhibit B.

D. As a condition for the subdivision to comply with Palo Alto Municipal Code Section 18.12.140, a covenant shall be recorded for the 872 Historic Site to ensure it is developed and maintained in conformance with the Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings.

E. The Covenanters acknowledge and agree that the Covenants and restrictions in this Declaration are reasonable and acceptable conditions in an exchange for benefits received by Covenanters.

## AGREEMENT

NOW, THEREFORE, Covenanters declare and covenant as follows:

1. 872 Historic Site Shall be Rehabilitated and Maintained as a Historic Property. The 872 Historic Site shall be burdened by the following restriction, which shall run with the 872 Historic Site and be binding upon the successors and assigns of Covenanters, and that the 872 Historic Site shall be held, used, sold, conveyed, pledged, mortgaged and leased subject to and in accordance with the following restriction:

The building and improvements existing on the 872 Historic Site as of the date of this Declaration shall be rehabilitated and maintained in accordance with the Secretary of the Interior's Standards for Historic Rehabilitation, (36 Code of Federal Regulations Part 67) through compliance with the Historic Resources Board ("HRB"). HRB review is required for all major projects on the site including significant changes to any non-historic residence. Any modifications to a non-historic residence must be compatible with the residence and satisfy the Secretary of Interior's Standards for Historic Compatibility.

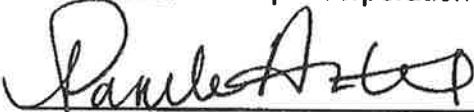
2. Covenants Running with the Land. The covenants set forth herein shall be covenants running with the land and shall be binding upon Covenanters and their legal representatives, heirs, successors and/or assigns. Each of the covenants of the Covenanters is expressly made for the benefit of the City of Palo Alto, and shall run with and burden the 872 Historic Site. This Agreement is intended to be binding upon and enforceable against successive owners of the 872 Historic Site under all applicable provisions of California law, including but not limited to Section 1468 of the California Civil Code.

3. Enforcement and Legal Expenses. City shall have the right to pursue any remedy at law or equity to secure Covenanters' compliance with the agreement, covenant and restrictions in this Declaration. If any legal action or proceeding is brought by City because of any default of Covenanters or to enforce a provision of this Declaration, the prevailing party shall be entitled, in addition to any other relief, to recover reasonable attorneys' fees and court costs from the losing party as determined

by the court in which said action or proceeding is pending. The failure to enforce any of the agreements, covenants and restrictions set forth herein shall not be deemed to be a waiver of the right to do so thereafter.

IN WITNESS WHEREOF, the parties have executed this Agreement and Certification on the dates set forth below.

**CITY OF PALO ALTO,**  
a California municipal corporation

  
Assistant City Manager  
Pamela Aratil

**COVENANTERS**

  
Lester W. Loops, Trustee

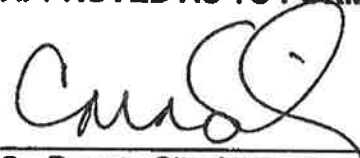
Dated: 12/07/2012

  
Director of Planning and  
Community Environment

  
Janet Loops, Trustee


Dated: 12/7/12

**APPROVED AS TO FORM:**

  
Sr. Deputy City Attorney  
Asst.

  
H. Rod Miller

Dated: Dec 7, 2012

  
Eileen L. Zefing

Dated: 12/7/12

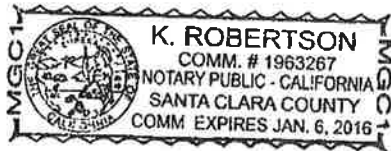
**CERTIFICATE OF ACKNOWLEDGMENT**  
(Civil Code § 1189)

STATE OF CALIFORNIA        )  
  )  
COUNTY OF SANTA CLARA    )

On Dec 7, 12, before me, K Robertson, a notary public in and for said County, personally appeared Lester W Loops & Janet Loops who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under penalty of perjury under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.



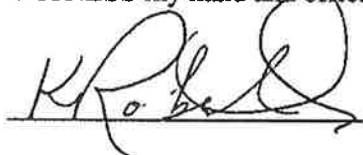
**CERTIFICATE OF ACKNOWLEDGMENT**  
(Civil Code § 1189)

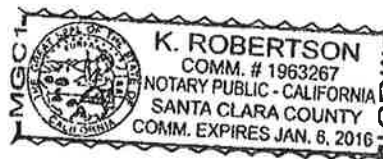
STATE OF CALIFORNIA        )  
  )  
COUNTY OF SANTA CLARA    )

On Dec 7, 12, before me, K Robertson, a notary public in and for said County, personally appeared H. Rod Miller & Eileen L. Zeffing who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under penalty of perjury under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.







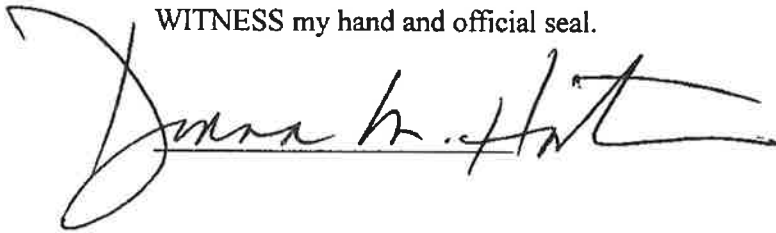
**CERTIFICATE OF ACKNOWLEDGMENT**  
(Civil Code § 1189)

STATE OF CALIFORNIA        )  
  )  
COUNTY OF SANTA CLARA    )

On JANUARY 17, 2013, before me, DONNA M. HARTMAN, a notary public in and for said County, personally appeared PAMELA ANTI who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) ~~is/are~~ subscribed to the within instrument and acknowledged to me that he/~~she/they~~ executed the same in his/~~her/their~~ authorized capacity(ies), and that by ~~his/her/their~~ signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under penalty of perjury under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.



## **EXHIBIT A**

### **Legal Description**

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE CITY OF PALO ALTO, COUNTY OF SANTA CLARA, STATE OF CALIFORNIA, AND IS DESCRIBED AS FOLLOWS:

#### **PARCEL ONE:**

A PORTION OF LOTS 27 and 29, as said lots are shown on that certain Map entitled, "Map of the Re-Survey and Re-Subdivision of the Boyce Addition to the Town of Palo Alto", which Map was recorded February 27, 1906 in Book L of Maps, at page 23, Santa Clara County Records, more particularly described as follows:

**BEGINNING** at a point on the Easterly line of Boyce Avenue, distant  $S0^{\circ} 14'$  West 250.00 feet from the Southerly line of Fife Avenue as said Avenues are shown on said Map; thence along said Easterly line of Boyce Avenue South  $0^{\circ} 14'$  West 50.00 feet to the common line of said Lots 27 and 29; thence along said common line and parallel with said Southerly line of Fife Avenue, North  $89^{\circ} 49'$  East 187.00 feet; thence parallel with said Easterly line of Boyce Avenue, South  $0^{\circ} 14'$  West 33.33 feet; thence parallel with said Southerly line of Fife Avenue North  $89^{\circ} 49'$  East 51.02 feet to the Easterly line of Lot 29; thence along said Easterly line and the Easterly line of Lot 27, North  $0^{\circ} 15'$  East 83.33 feet; thence parallel with said Southerly line of Fife Avenue, South  $89^{\circ} 49'$  West 248.04 feet to the point of beginning, and as described in that certain Certificate of Compliance executed by The City of Palo Alto, recorded April 17, 1991 as Instrument No. 10867615 in Book L 677, Official Records, page 1289.

#### **PARCEL TWO**

A perpetual right and nonexclusive easement for purposes of ingress and egress, right of way, and for purposes incidental to the foregoing, including, without limitation, the right to perform the improvements, repair and maintenance discussed in this Agreement, described as follows:

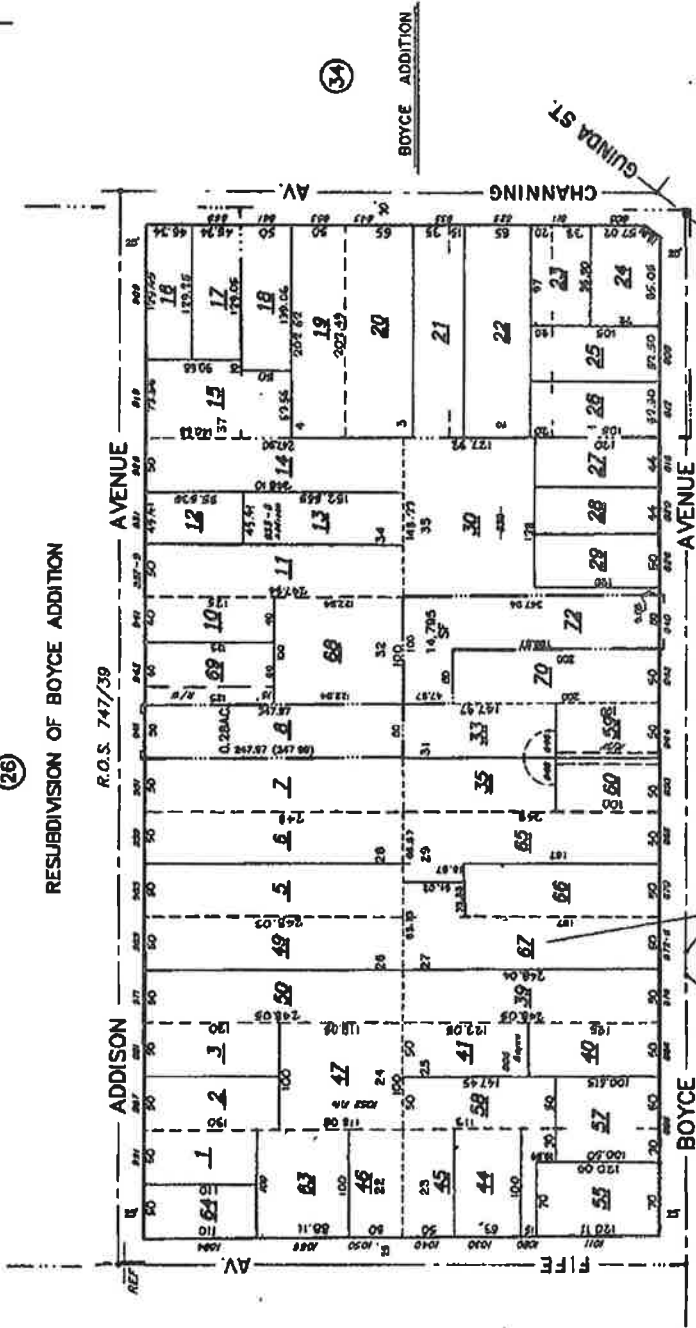
Being a portion of that certain Parcel described in that Deed Recorded April 25, 2000, Document Number 15224315 in the Office of the Recorder of the County of Santa Clara, State of California, and more particularly described as follows:

A strip of land 10.33 feet wide the Southerly line described as follows:

**BEGINNING** at a point on the Easterly line of Boyce Avenue, distant thereon 250.00 feet Southerly from the point of intersection of said Easterly line of Boyce Avenue with the Southerly line of Fife Avenue; thence along the Southerly line of said Document Number 15224315, 112.50 feet to the terminus of this description, as granted in the Reciprocal Easements and Maintenance Agreement Recorded July 3, 2006 as Instrument No. 18998265.



(26) RESUBDIVISION OF BOYCE ADDITION



PIQ (Property in Question) (31)

This is not a survey of the land and is inserted as a matter of information only, and while the same is compiled from information we believe to be correct, no liability is assumed by Chicago Title Company as to the correctness of said information.

Exhibit A Page 2

# EXHIBIT B

1" = 40'

BOYCE AVE. (30' WIDE)

FLOOD ZONE

BASE OF REARNS

872 Boyce

878 Boyce

PARCELS, ADJOINERS AND REFERENCE DATA

NO.	DESCRIPTION
A	800 7401202 740001-75-001
B	800 7401202 740002-75-002
C	800 7401202 740003-75-003
D	800 7401202 740004-75-004
E	800 7401202 740005-75-005
F	800 7401202 740006-75-006
G	800 7401202 740007-75-007
H	800 7401202 740008-75-008

**NOTES**

- 1. SET 1/4" P.O.P. PLASTIC PILE TYS ONLY
- 2. SET 1/4" P.O.P. PLASTIC TYS ONLY
- 3. SET 1/4" P.O.P. PLASTIC TYS ONLY
- 4. SET 1/4" P.O.P. PLASTIC TYS ONLY
- 5. SET 1/4" P.O.P. PLASTIC TYS ONLY
- 6. SET 1/4" P.O.P. PLASTIC TYS ONLY
- 7. SET 1/4" P.O.P. PLASTIC TYS ONLY
- 8. SET 1/4" P.O.P. PLASTIC TYS ONLY
- 9. SET 1/4" P.O.P. PLASTIC TYS ONLY
- 10. SET 1/4" P.O.P. PLASTIC TYS ONLY
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- 13. SET 1/4" P.O.P. PLASTIC TYS ONLY
- 14. SET 1/4" P.O.P. PLASTIC TYS ONLY
- 15. SET 1/4" P.O.P. PLASTIC TYS ONLY

**LEGEND**

- 1. SET 1/4" P.O.P. PLASTIC PILE TYS ONLY
- 2. SET 1/4" P.O.P. PLASTIC TYS ONLY
- 3. SET 1/4" P.O.P. PLASTIC TYS ONLY
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- 15. SET 1/4" P.O.P. PLASTIC TYS ONLY

**OWNER'S STATEMENT**

**DIRECTOR OF PLANNING AND COMMUNITY ENVIRONMENT CERTIFICATE**

**RECORDER'S STATEMENT**

**COVENANT STATEMENT**

**PARCEL MAP**

**L. Wade Hammond**

**LICENSED LAND SURVEYOR**

**STATE OF GEORGIA**