



REPORT TO PLANNING COMMISSION

Hearing Date: March 11 , 2013

File Number: 2013-7007

SUBJECT: **Mark and Heather Russell (Applicant):** Application for an addition to an existing one story home located at **701 Dartshire Way** in a R-O Zoning District (APN: 309-13-045).

Motion **2013-7007** - Design Review to allow the construction of a first story addition with a floor area ratio of 26.3% (approximately 4,450.5 square feet of floor area).

REPORT IN BRIEF:

Existing Site Conditions Single-Family Residential

Surrounding Land Uses

North Single-Family Residential

South Single-Family Residential

East Single-Family Residential

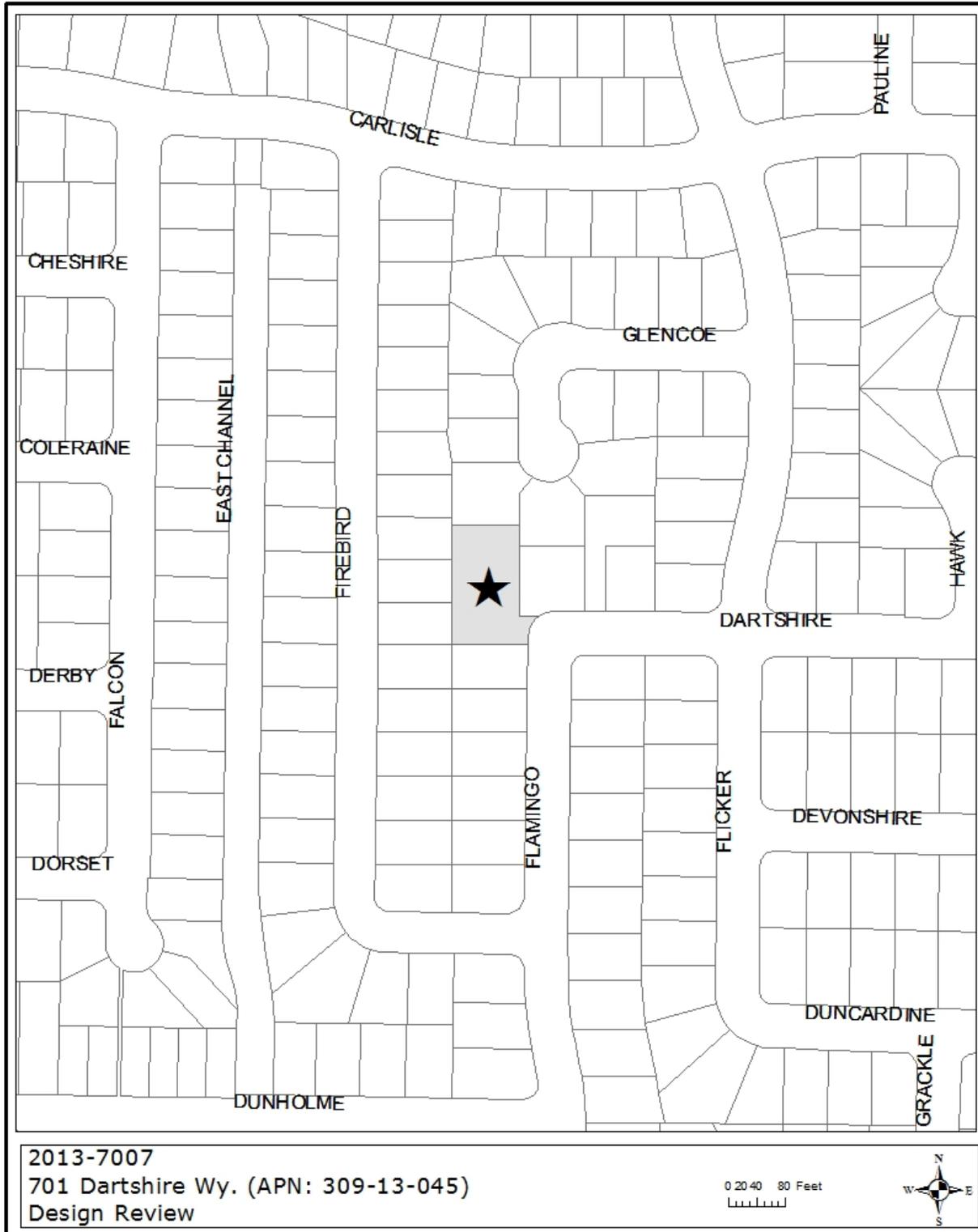
West Single-Family Residential

Issues Design

Environmental Status A Class 1 Categorical Exemption relieves this project from California Environmental Quality Act provisions and City Guidelines.

Staff Recommendation Approve with conditions

VICINITY MAP



PROJECT DATA TABLE

	EXISTING	PROPOSED	REQUIRED/ PERMITTED
General Plan	Residential Low Density	Same	Residential Low Density
Zoning District	R-O	Same	R-O
Lot Size (s.f.)	16,941	Same	6,000
Gross Floor Area (s.f.)	3,129.4	4,450.5	3,600 s.f. threshold (Threshold for Planning Commission Review)
Lot Coverage (%)	18.5%	26.3%	45% max.
Floor Area Ratio (FAR)	18.5%	26.3%	45% threshold (Threshold for Planning Commission Review)
Building Height	16' 6"	16' 6"	30' max.
No. of Stories	1	1	2 max.
Setbacks			
Front:	n/a	59' 6"	20' min.
East Side:	12' 1"	5' 1"	4' min.
West Side:	14'	14'	6' min.
South Side:	42' 4"	10'	6' min.
Rear	63'	63'	20' min.
Parking			
Total Spaces	6	6	4 min.
Covered Spaces	3	3	2 min.

★ Starred items indicate deviations from Sunnyvale Municipal Code requirements.

BACKGROUND:

The existing single-story home was constructed in the early 1980's and is approximately 3,129 square feet in size resulting in a 18.5% Floor Area Ratio (FAR). There have been no previous design review applications, but at the beginning of 2005 it was finalized and recorded that two portions of Dartshire Way were vacated by the City and acquired by the applicant. In 2006 the applicant bought a third vacated portion of Dartshire Way and proceeded to have their lot line adjusted and the vacated portions added to their parcel (Attachment D).

DISCUSSION:

Requested Permit(s)

The applicant is requesting approval of a Design Review application to allow the construction of a first-story addition of 1321.1 square feet resulting in a total floor area of 4,450.5 square feet and Floor Area Ratio of 26.3%.

- **Design Review**

The Design Review is required to be reviewed by the Planning Commission since the Gross Floor Area exceeds 3,600 square feet. The Planning Commission may take into account the proposed architecture, existing neighborhood and adopted Single-Family Design Techniques. The analysis below provides information for the Planning Commission's consideration.

DESIGN REVIEW:

Architecture

The existing ranch-style architecture of the home is similar to other homes in the neighborhood. The proposed addition will extend the master bedroom to allow for a larger room and a master bathroom where the existing living room is currently located. An addition will also be constructed at the end of the garage to create a workshop area for the applicant as a replacement for one of two tough-sheds currently located in the rear yard. These two additions will not significantly affect the exterior appearance of the home. Both additions will be visible from the street, but will meet current setback requirements and maintain the existing exterior details. The new family room and office will have a raised ceiling height, but will not affect the overall building height. Plate heights will remain the same as the existing home for the rest of the house and siding will be continued on the exterior of the additions.

Privacy

There will be no privacy issues as the proposed setbacks will meet current zoning requirements and remain as a one-story home.

Gross Floor Area

A Gross Floor Area greater than 3,600 square feet requires review by the Planning Commission. A large gross floor area can typically be a concern for an existing neighborhood depending on lot sizes. However, this site has an unusually large lot area stemming from the acquired street vacations which allows for a larger than normal gross floor area for a single story while maintaining a small Floor Area Ratio. As can be seen in the table below, the lot size of the applicant's property is more than double the majority of surrounding properties.

Address:		Lot Area (s.f.):
709	Glencoe	6,174
711	Glencoe	8,448
712	Glencoe	8,190
724	Glencoe	10,290
728	Glencoe	7,980
1453	Flicker	6,240
737	Dartshire	6,116
729	Dartshire	9,583
709	Dartshire	8,372
701	Dartshire	16,941
1459	Flamingo	6,510
1463	Flamingo	6,510
1467	Flamingo	6,324
1471	Flamingo	6,510
1470	Firebird	6,572
1466	Firebird	6,572
1462	Firebird	6,510
1458	Firebird	6,572
1454	Firebird	6,060
1450	Firebird	6,120
1446	Firebird	6,360
1442	Firebird	6,420
1438	Firebird	6,180

As previously discussed, the additions would not affect adjacent properties as current setback requirements will be met. The proposed additions are only at a first-story level maintaining a consistency within the primarily one-story neighborhood.

Applicable Design Guidelines and Policy Documents

The proposed home is consistent with the adopted Single-Family Design Techniques since the proposed design generally maintains the existing form and the streetscape character of the existing neighborhood. Recommended findings related to the Single-Family Home Design Techniques are located in Attachment A.

Development Standards

The proposed project complies with the applicable Development Standards as set forth in the Sunnyvale Municipal Code. The following have been identified as items for clarification for the Planning Commission:

- **Site Layout**

The existing home is generally centered on the property, with an existing driveway in the side yard. The proposed addition will be located along two of the three side yards of the home and meets all setback requirements.

- **Parking/Circulation**

The proposed addition will not affect parking requirements as it already exceeds them with a three car garage and three uncovered parking spaces within the existing driveway. There are no proposed modifications to the parking layout as part of this project.

- **Landscaping and Tree Preservation**

No protected significant trees are proposed to be removed in conjunction with this project.

- **Green Building Requirements**

The proposed project is required to comply with current Green Building requirements. The applicant will be required to submit a green building checklist and achieve a minimum of 80 points. The applicant has included a preliminary Green Building checklist, demonstrating that points can be achieved.

Environmental Review

A Class 1 Categorical Exemption relieves this project from California Environmental Quality Act provisions and City Guidelines.

FISCAL IMPACT

No fiscal impacts other than normal fees and taxes are expected.

PUBLIC CONTACT

Staff has not received any comments at the time the staff report was prepared.

Notice of Public Hearing	Staff Report	Agenda
<ul style="list-style-type: none"> • Published in the <i>Sun</i> newspaper • Posted on the site • 61 notices mailed to property owners and residents adjacent to the project site 	<ul style="list-style-type: none"> • Posted on the City of Sunnyvale's Web site • Provided at the Reference Section of the City of Sunnyvale's Public Library 	<ul style="list-style-type: none"> • Posted on the City's official notice bulletin board • Posted on the City of Sunnyvale's Web site

CONCLUSION

The new additions are compatible with the surrounding neighborhood and have been designed to meet all development standards required in the R-0 Zoning district.

Findings and General Plan Goals: Staff was able to make the required Findings based on the justifications for the Design Review and the Recommended Conditions of Approval (Attachment B). Recommended Findings and General Plan Goals are located in Attachment A.

ALTERNATIVES

1. Approve the Design Review with the conditions in Attachment B.
2. Approve the Design Review with modified conditions.
3. Deny the Design Review and provide direction to staff and the applicant where changes should be made.

RECOMMENDATION

Recommend Alternative 1 to the Planning Commission: Approve the Design Review with the conditions in Attachment B.

Prepared by:

Elise Lieberman
Project Planner

Reviewed by:

Gerri Caruso
Principal Planner

Attachments:

- A. Recommended Findings
- B. Recommended Conditions of Approval
- C. Site and Architectural Plans
- D. Street Vacation and Parcel Line Adjustment Documents

RECOMMENDED FINDINGS

Design Review

The proposed project is desirable in that the project's design and architecture conforms with the policies and principles of the Single Family Home Design Techniques.

Basic Design Principle	Comments
<i>2.2.1 Reinforce prevailing neighborhood home orientation and entry patterns</i>	The addition will maintain the existing neighborhood pattern along the streetscape as no modifications to the existing home orientation or front façade are proposed.
<i>2.2.2 Respect the scale, bulk and character of homes in the adjacent neighborhood.</i>	The addition is modest in size and maintains a scale similar to other homes in the neighborhood.
<i>2.2.3 Design homes to respect their immediate neighbors</i>	The addition will be limited to the first floor; therefore, privacy and visual impacts to neighbors are minimal.
<i>2.2.4 Minimize the visual impacts of parking.</i>	The project does not propose any modifications to the layout of the parking for the site.
<i>2.2.5 Respect the predominant materials and character of front yard landscaping.</i>	There are no planned modifications to the landscaping associated with this project.
<i>2.2.6 Use high quality materials and craftsmanship</i>	The proposed addition utilizes high quality materials that will match the existing home.
<i>2.2.7 Preserve mature landscaping</i>	No protected trees will be removed as part of this project

**RECOMMENDED
CONDITIONS OF APPROVAL AND
STANDARD DEVELOPMENT REQUIREMENTS
MARCH 11, 2013**

Planning Application 2013-7007

701 Dartshire Way

Design Review to allow the construction of a first story addition with a floor area ratio of 25.5% (approximately 4,327.5 square feet of floor area).

The following Conditions of Approval [COA] and Standard Development Requirements [SDR] apply to the project referenced above. The COAs are specific conditions applicable to the proposed project. The SDRs are items which are codified or adopted by resolution and have been included for ease of reference, they may not be appealed or changed. The COAs and SDRs are grouped under specific headings that relate to the timing of required compliance. Additional language within a condition may further define the timing of required compliance. Applicable mitigation measures are noted with “Mitigation Measure” and placed in the applicable phase of the project.

In addition to complying with all applicable City, County, State and Federal Statutes, Codes, Ordinances, Resolutions and Regulations, Permittee expressly accepts and agrees to comply with the following Conditions of Approval and Standard Development Requirements of this Permit:

GC: THE FOLLOWING GENERAL CONDITIONS AND STANDARD DEVELOPMENT REQUIREMENTS SHALL APPLY TO THE APPROVED PROJECT.

GC-1. CONFORMANCE WITH APPROVED PLANNING APPLICATION:

All building permit drawings and subsequent construction and operation shall substantially conform with the approved planning application, including: drawings/plans, materials samples, building colors, and other items submitted as part of the approved application. Any proposed amendments to the approved plans or Conditions of Approval are subject to review and approval by the City. The Director of Community Development shall determine whether revisions are considered major or minor. Minor changes are subject to review and approval by the Director of Community Development. Major changes are subject to review at a public hearing. [COA] [PLANNING]

GC-2. PERMIT EXPIRATION:

The permit shall be null and void two years from the date of approval by the final review authority at a public hearing if the approval is not exercised, unless a written request for an extension is received prior

to expiration date and is approved by the Director of Community Development. [SDR] [PLANNING]

GC-3. TITLE 25:

Provisions of Title 25 of the California Administrative Code shall be satisfied with dependence on mechanical ventilation. [SDR] [BUILDING]

BP: THE FOLLOWING CONDITIONS SHALL BE ADDRESSED ON THE CONSTRUCTION PLANS SUBMITTED FOR ANY DEMOLITION PERMIT, BUILDING PERMIT, GRADING PERMIT, AND/OR ENCROACHMENT PERMIT AND SHALL BE MET PRIOR TO THE ISSUANCE OF SAID PERMIT(S).

BP-1. CONDITIONS OF APPROVAL:

Final plans shall include all Conditions of Approval included as part of the approved application starting on sheet 2 of the plans. [COA] [PLANNING]

BP-2. ARCHITECTURE:

All exterior materials and colors of the additions shall match that of the existing structure. [COA] [PLANNING]

BP-3. BLUEPRINT FOR A CLEAN BAY:

The building permit plans shall include a “Blueprint for a Clean Bay” on one full sized sheet of the plans. [SDR] [PLANNING]

BP-4. BEST MANAGEMENT PRACTICES:

The project shall comply with the following source control measures as outlined in the BMP Guidance Manual and SMC 12.60.220. Best management practices shall be identified on the building permit set of plans and shall be subject to review and approval by the Director of Public Works:

- a) Storm drain stenciling. The stencil is available from the City's Environmental Division Public Outreach Program, which may be reached by calling (408) 730-7738.
- b) Landscaping that minimizes irrigation and runoff, promotes surface infiltration where possible, minimizes the use of pesticides and fertilizers, and incorporates appropriate sustainable landscaping practices and programs such as Bay-Friendly Landscaping.
- c) Appropriate covers, drains, and storage precautions for outdoor material storage areas, loading docks, repair/maintenance bays, and fueling areas.

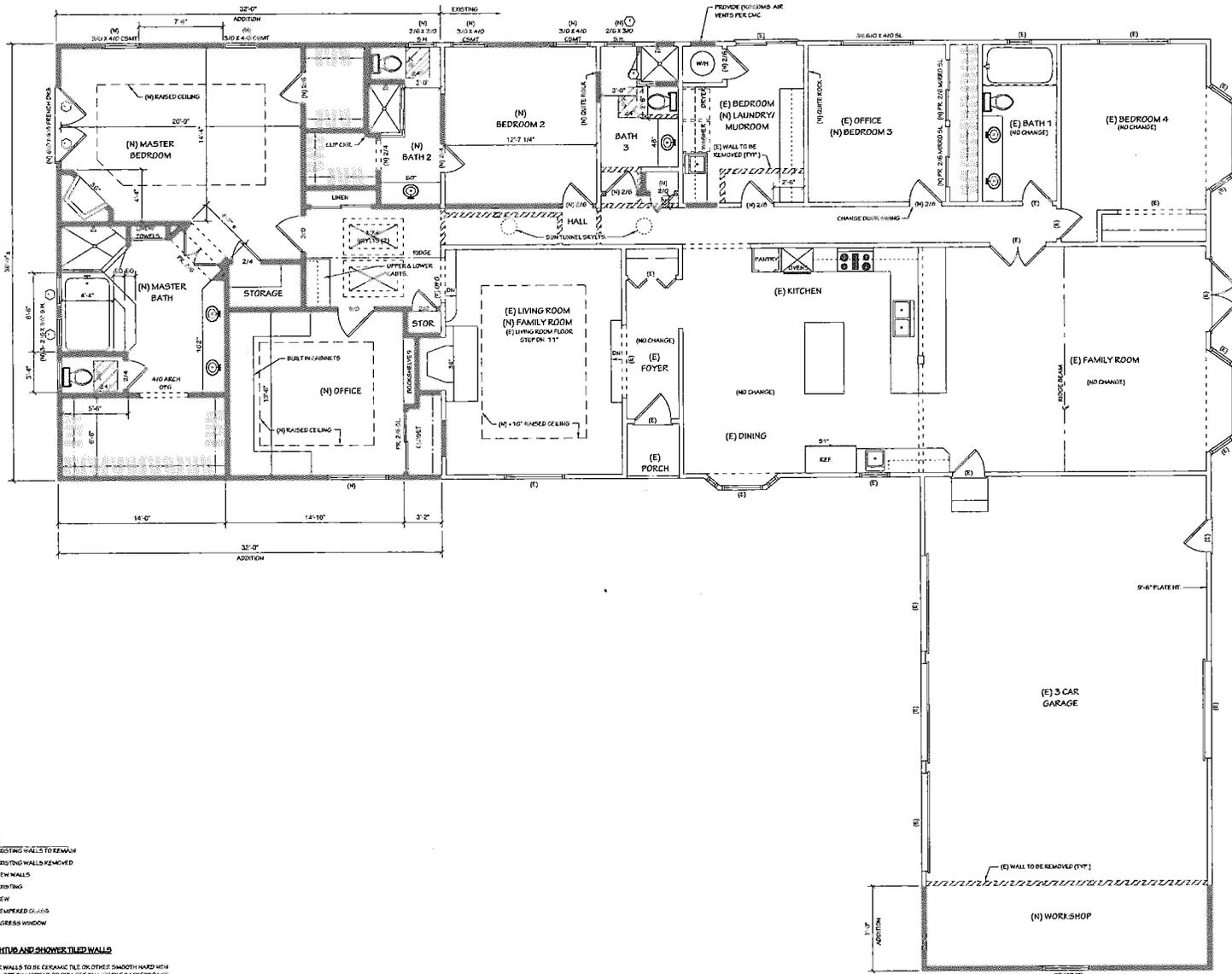
- d) Covered trash, food waste, and compactor enclosures.
- e) Plumbing of the following discharges to the sanitary sewer, subject to the local sanitary sewer agency's authority and standards:
 - i) Discharges from indoor floor mat/equipment/hood filter wash racks or covered outdoor wash racks for restaurants.
 - ii) Dumpster drips from covered trash and food compactor enclosures.
 - iii) Discharges from outdoor covered wash areas for vehicles, equipment, and accessories.
 - iv) Swimming pool water, spa/hot tub, water feature and fountain discharges if discharge to onsite vegetated areas is not a feasible option.
 - v) Fire sprinkler test water, if discharge to onsite vegetated areas is not a feasible option. [SDR] [PLANNING]

DC: THE FOLLOWING CONDITIONS SHALL BE COMPLIED WITH AT ALL TIMES DURING THE CONSTRUCTION PHASE OF THE PROJECT.

DC-1. BLUEPRINT FOR A CLEAN BAY:

The project shall be in compliance with stormwater best management practices for general construction activity until the project is completed and either final occupancy has been granted. [SDR] [PLANNING]

DC-2. No protected trees shall be removed as part of this permit. [SDR] [PLANNING]



Legend

- EXISTING WALLS TO REMAIN
- - - - EXISTING WALLS REMOVED
- ===== NEW WALLS
- (E) EXISTING
- (N) NEW
- ⊙ TEMPERED GLASS
- ⊙ EGRESS WINDOW

BATHING AND SHOWER-TILED WALLS

SHOWER AND TUB/SHOWER WALLS TO BE CERAMIC TILE OR OTHER SMOOTH HANDED NON-ADSORBENT SURFACE MAT. SET ON WETBACK OR DRY-SET 1/2" TILE BACKER BOARD OVER 1/2" FIBER OR EQ. MOISTURE RESISTANT UNDERLAY. 1/2" (MIN) ABOVE DRAIN INLET.
 NOTE: WATER RESISTANT GYPSUM BOARD SHALL BE USED OVER GLASS OR BRANFOR. RETARDER IN SHOWERS OR BATH TUB COMPARTMENTS PER IRC SECTION R310.2.2

PROPOSED FLOOR PLAN

Scale: 1/4" = 1'-0"

REVISIONS	BY

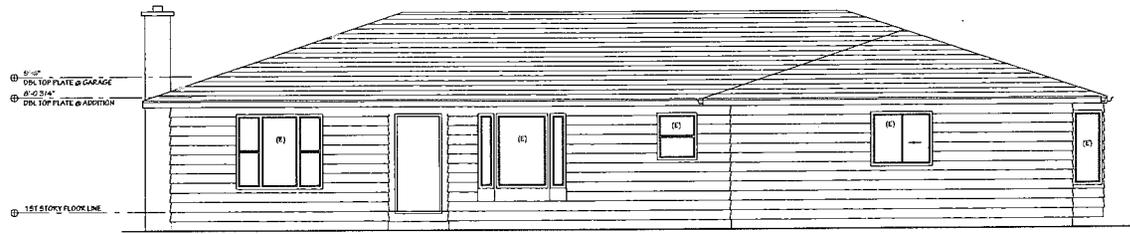
LOUIS DORCICH
 ARCHITECT
 P.O. BOX 270, SUNNYVALE, CA 95085
 TEL: 415.336.9778 FAX: 415.336.9778

PROPOSED ADDITION / REMODEL TO
RUSSELL RESIDENCE
 701 DARTSHIRE WAY
 SUNNYVALE, CA

PROPOSED FLOOR PLAN

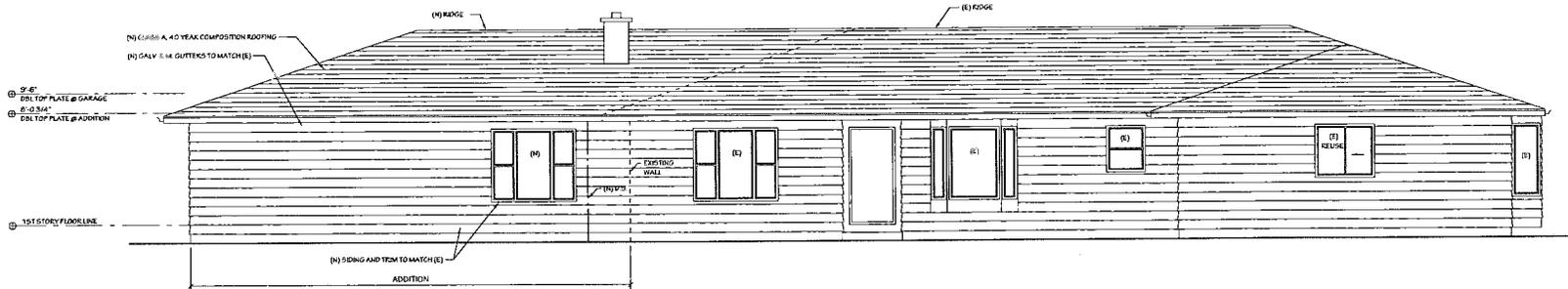
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 Job:

Sheet: **3**
 of 6 Sheets



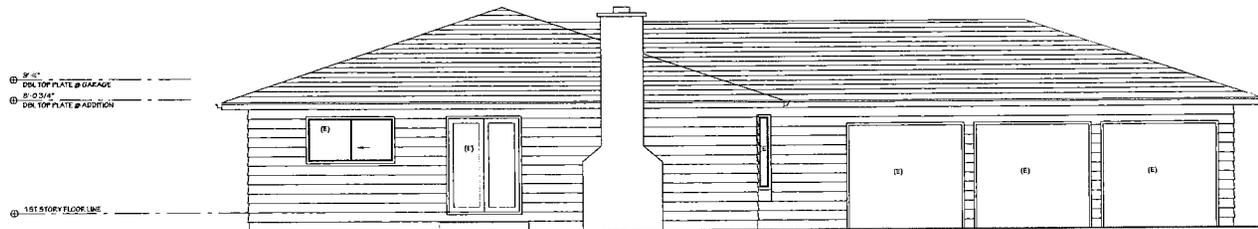
EXISTING EAST (FRONT) SIDE ELEVATION

SCALE 1/4" = 1'-0"



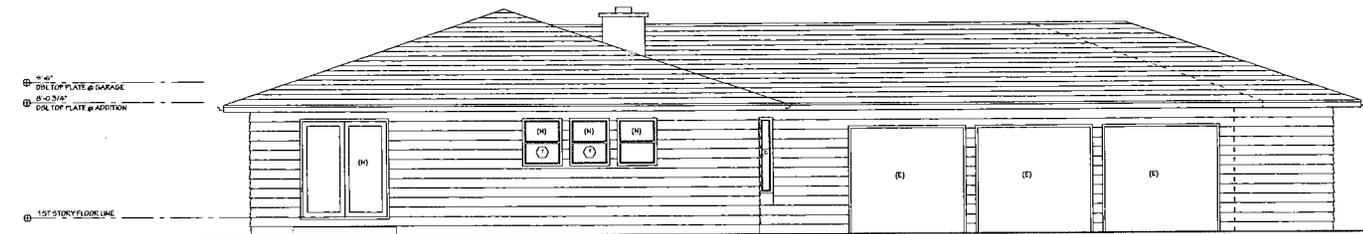
PROPOSED EAST (FRONT) SIDE ELEVATION

SCALE 1/4" = 1'-0"



EXISTING SOUTH SIDE ELEVATION

SCALE 1/4" = 1'-0"



PROPOSED SOUTH SIDE ELEVATION

SCALE 1/4" = 1'-0"

EXTERIOR ELEVATIONS

Scale: 1/4" = 1'-0"

REVISIONS	BY

LOUIS DORCICH
 ARCHITECT
 P.O. BOX 7200, SUNNYVALE, CA 95097-0720
 TEL: (415) 435-9278 FAX: (415) 435-9278
 WWW.LDARCHITECT.COM

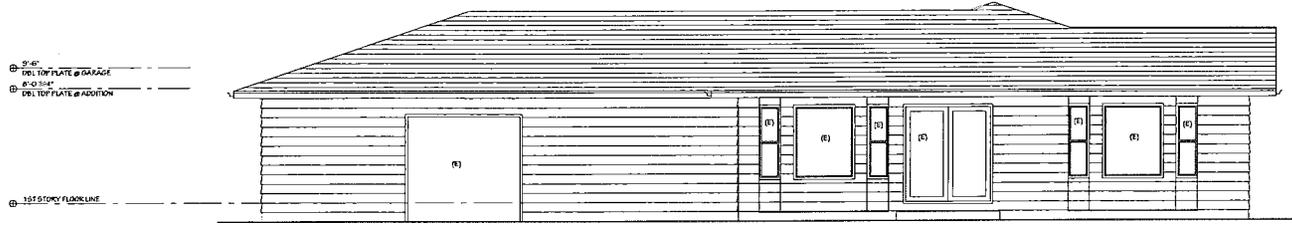
PROPOSED ADDITION / REMODEL TO:
RUSSELL RESIDENCE
 701 DARTSHIRE WAY
 SUNNYVALE, CA

EXTERIOR ELEVATIONS

Date: 05/10/12
 Scale: as shown
 Drawn: MaB / LD
 Job:
 Sheet:

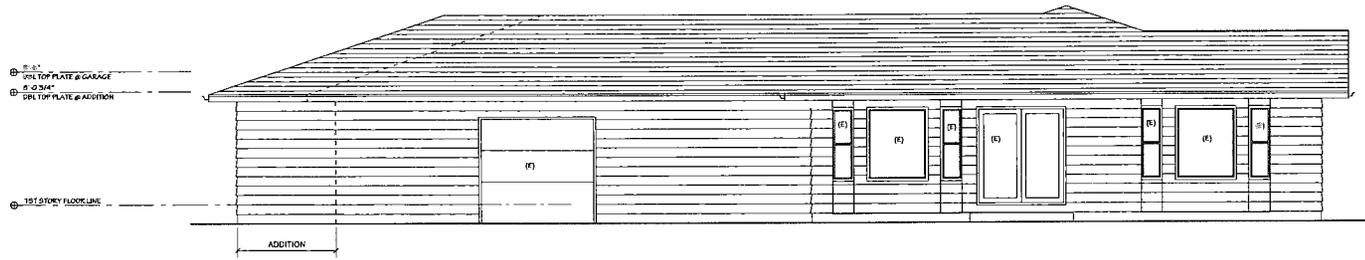
5

of 6 Sheets



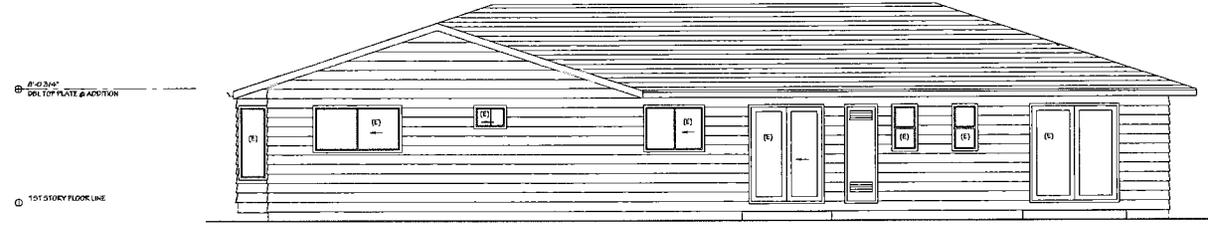
EXISTING NORTH SIDE ELEVATION

SCALE 1/4" = 1'-0"



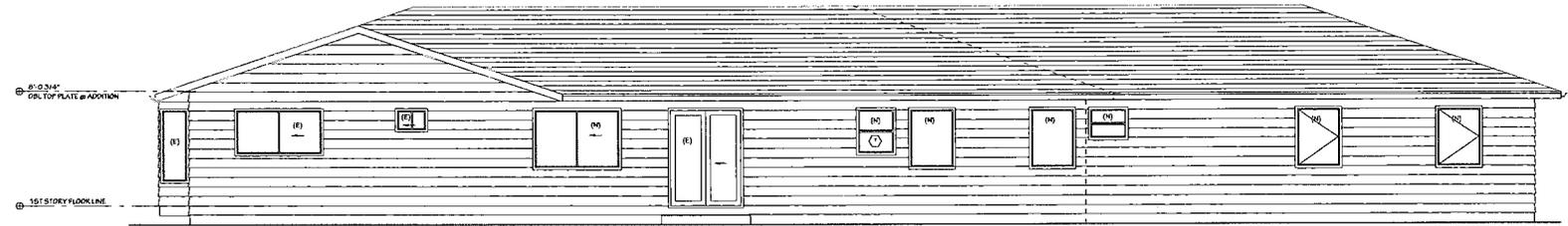
PROPOSED NORTH SIDE ELEVATION

SCALE 1/4" = 1'-0"



EXISTING WEST (REAR) SIDE ELEVATION

SCALE 1/4" = 1'-0"



PROPOSED WEST (REAR) SIDE ELEVATION

SCALE 1/4" = 1'-0"

EXTERIOR ELEVATIONS

Scale: 1/4" = 1'-0"

REVISIONS	BY

LOUIS DORCICH
 ARCHITECT
 P.O. BOX 2708, SUNNYVALE, CA 95090
 TEL: (415) 961-1111
 FAX: (415) 961-0788

PROPOSED ADDITION / REMODEL TO
RUSSELL RESIDENCE
 131 DARTSHIRE WAY
 SUNNYVALE, CA

EXTERIOR ELEVATIONS

Date: 05/10/12
 Scale: as shown
 Drawn: MaB / LD
 Job:

Sheet
6
 of 6 Sheets

CONFORMED COPY: This document has not been compared with the original.
SANTA CLARA COUNTY CLERK-RECORDER

RECORDED AT REQUEST OF:
THE CITY CLERK OF THE
CITY OF SUNNYVALE

Doc#: 18229441
2/11/2005 8:45 AM

WHEN RECORDED MAIL TO:
City of Sunnyvale
Susan Ramos, City Clerk
P.O. Box 3707
Sunnyvale, CA 94088

✓
2-15-05
SAT. 3

NO RECORDING FEE PURSUANT TO
STREETS & HIGHWAYS CODE § 8325
& GOVERNMENT CODE § 27383

RESOLUTION NO. 148-05

130

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
SUNNYVALE VACATING A PORTION OF DARTSHIRE WAY
AND RESERVING A PUBLIC UTILITY EASEMENT

WHEREAS, the City of Sunnyvale, pursuant to Streets and Highways Code Section 8300, *et seq.*, is authorized to vacate street rights-of-way; and

WHEREAS, that certain land known as a portion of Dartshire Way (hereinafter "Dartshire right-of-way"), more particularly described in Exhibits A-1 through A-6 attached hereto, consisting of six (6) pages, is a dedicated street right-of-way that is not developed as a street and is not in use as a public street; and

WHEREAS, Pacific Gas and Electric and SBC California have stated that there are or may be utilities in place and in use on the Dartshire right-of-way and require the reservation of a public utility easement if the Dartshire right-of-way is vacated, which easement is described in Exhibit B-1 and shown on Exhibit B-2; and

WHEREAS, the proposed vacation of the Dartshire right-of-way has been reviewed by appropriate City departments and the Project Review Committee; and

WHEREAS, a Notice of Public Hearing to consider the vacation of the Dartshire right-of-way was published for at least two successive weeks prior to the February 8, 2005, public hearing in a newspaper that is published in the City of Sunnyvale and is designated for the publication of notices and at least three copies of then notice of hearing were posted at least two weeks before the hearing along the Portion of the Dartshire right-of-way to be vacated, pursuant to Sections 8322 and 8323 of the Streets and Highways Code; and

WHEREAS, the adjacent property owners have consented to the vacation of the Dartshire right-of-way; and

Certified as a true copy

By Susan A. Ramos

WHEREAS, on February 8, 2005, the City Council held a hearing on the proposed vacation of the Dartshire right-of-way and heard evidence and testimony from all persons interested; and

WHEREAS, the City Council finds that the public interest will be served by extinguishing the City's interest in the Dartshire right-of-way, reserving and exempting from the vacation a public utility easement in a portion of the right-of-way being vacated.

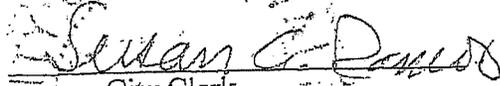
NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SUNNYVALE THAT:

1. The City Council finds and determines that:
 - (a) Vacation of the Dartshire right-of-way is in conformity with the General Plan; and
 - (b) The Dartshire right-of-way is not useful as a bicycle path or route; and
 - (c) The Dartshire right-of-way is unnecessary for present or prospective public use or purpose.
2. The City Council hereby vacates and closes the Dartshire right-of-way, as more particularly described in Exhibits A, pursuant to Streets and Highways Code §§ 8320 *et seq.*, reserving and exempting therefrom a public utility easement in a portion of the right-of-way being vacated, as described and shown in Exhibit B.
3. The City Council hereby authorizes and directs the City Clerk to record a certified copy of this resolution, attested by the City Clerk under seal, with the Santa Clara County recorder's office.
4. Commencing with the date of recording of this resolution, the Dartshire right-of-way shall no longer be a public street easement.

Adopted by the City Council at a regular meeting held on February 8, 2005, by the following vote:

AYES: LEE, HAMILTON, FOWLER, CHU, SWEGLES, MILLER, HOWE
NOES: NONE
ABSTAIN: NONE
ABSENT: NONE

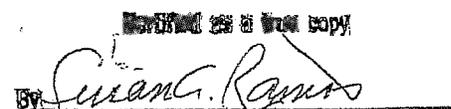
ATTEST:


City Clerk

(SEAL)

APPROVED:


Mayor

Revised as a true copy

City Clerk of the City of Sunnyvale



January 31, 2005
BKF No. 20046019-10
Page 1 of 1

EXHIBIT "A-1"
FOR VACATION PURPOSES

PARCEL A

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

Being a portion of Dartshire Way, formerly Panama Avenue, being 40 feet in width, as shown in Map of the Lewis Subdivision No. 5, filed in Book "O" of Maps at Page 54 on June 18th 1914, Records of Santa Clara County, more particularly described as follows:

BEGINNING at the southwesterly corner of Lot 7 as designated in Book "O", of maps at page 54 and common to the north line of said Dartshire Way, as designated on said Map of the Lewis Subdivision No 5.;

Thence leaving said corner and along the north line of said Dartshire Way, North 89°35'00" East, 96.00 feet to the southwest corner of lot 11 designated on that certain map of Tract No. 3181 entitled "Greentree Unit No.1" filed May 17th 1962 in Book 147 Page 12 & 13, Official Records of Santa Clara County;

Thence leaving said corner of said Lot 11, South 00°25'00" East 20.00 feet to the centerline of said Dartshire Way;

Thence along said centerline of Dartshire Way, South 89°35'00" West, 96.00 feet to a point on the east line of Lot 83, designated on that certain map of Tract No. 3234 entitled "Greentree Unit No. 2" filed August 3rd, 1962 in book 150 at maps on page 37;

Thence along said east line of Lot 83, North 00°25'00" West, 20.00 feet to the **POINT OF BEGINNING**.

Parcel A contains an area of 1920 square feet, more or less.

For: BKF Engineers

By: 
Davis Thresh, P.L.S. No. 6868
License expires: 9-30-2006

Dated: 1-31-2005





January 31, 2005
BKF No. 20046019-10
Page 1 of 1

EXHIBIT "A-3"
FOR VACATION PURPOSES

PARCEL B

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

Being a portion of Dartshire Way, formerly known as Panama Avenue, being 40 feet in width as shown on Map of the Lewis Subdivision No. 5, filed in Book "O" of Maps at Page 54 on June 18th 1914, Records of Santa Clara County, more particularly described as follows:

BEGINNING at the northeast corner of Lot 1, as designated on map of Tract No. 2944, entitled "Fairwood" filed June 15th 1961 in Book 134 of Maps at Pages 8 and 9, Records of Santa Clara County and common with the south line of said Dartshire Way.

Thence South 89°35'00" West, 109.76 feet to the southeast corner of Lot 83, as designated on map of Tract No. 3234 entitled "Greentree" Unit No.2 filed August 3rd 1962 in book 150 maps at page 37.

Thence leaving said corner of said Lot 83, North 00°25'00" West, 20.00 feet to the centerline of said Dartshire Way, formerly known as Panama Avenue, being 40 feet in width;

Thence along said centerline of Dartshire Way, North 89°35'00" East, 110.79 feet to the beginning of a non-tangent curve, concave to the east, having a radius of 40.00 feet, from said point a radial line bears South 77°24'50" East;

Thence southerly along said curve, having a central angle of 13°00'48" and an arc length of 9.09 feet;

Thence South 00°25'38" East 10.99 feet to the **POINT OF BEGINNING**

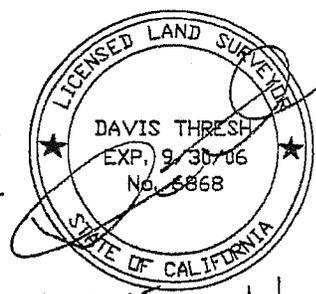
Parcel "B" contains an area of 2198 square feet, more or less.

For: BKF Engineers

By: 
Davis Thresh, P.L.S. No. 6868
License expires: 9-30-2006

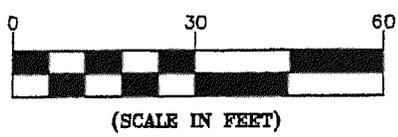


Dated: 1-31-2005



LOT 10
TRACT NO. 3181
GREENTREE UNIT NO. 1
309-13-028
712 GLENCOE CT
SUNNYVALE, CA 94087
147 M 12&13

LOT 11
TRACT NO. 3181
GREENTREE UNIT NO. 1
309-13-039
709 DARTSHIRE WAY
SUNNYVALE, CA 94087
147 M 12&13



LEGEND

- P.U.E. PUBLIC UTILITY EASEMENT
- W.C.E. WIRE CLEARANCE EASEMENT
- P.O.B. POINT OF BEGINNING
- (R) RADIAL
- () 1 RECORD DATA PER 147 M 12&13
- () 2 RECORD DATA PER 134 M 8&9

*LOT 7
BOOK "O" PAGE 5A*

PARCEL B
217 PM 38
701 DARTSHIRE WAY
SUNNYVALE, CA 94087
APN 309-13-040
0.286 ACRES ±

701

PROPOSED VACATION TO
709 DARTSHIRE WAY
SUNNYVALE, CA 94087

709

2'x15' AE
147 M 12&13

(FORMERLY PANAMA AVE)
DARTSHIRE WAY

PROPOSED VACATION TO
701 DARTSHIRE WAY
SUNNYVALE, CA 94087
N89°35'00"E 110.79'

PARCEL "B" (2198 SQ. FT.)
VACATION TO
1459 FLAMINGO WAY
SUNNYVALE, CA 94087

44.76'
S77°24'50"E (R)

Δ=13°00'48"
R=40.00'
L=9.09'

S89°35'00"W 109.76'

*LOT 10
BOOK "O" PAGE 5A*

5' P.U.E.
TRACT NO. 2944
FAIRWOOD
134 M 8&9

P.O.B.

LOT 1
TRACT NO. 2944
FAIRWOOD
309-27-044
1459 FLAMINGO WAY
SUNNYVALE, CA 94087
134 M 8&9

5' W.C.E.
TRACT NO. 2944
FAIRWOOD
134 M 8&9

1459

500'25'38"E
10.99'
(S00'25'00"E)2
S00'25'38"E

FLAMINGO WAY

3'

3'

LOT 81
TRACT NO. 3234
GREENTREE UNIT NO. 2
150 M 37

LOT 82
TRACT NO. 3234
GREENTREE UNIT NO. 2
150 M 37

LOT 83
TRACT NO. 3234
GREENTREE UNIT NO. 2
150 M 37

N00°25'00"W
20.00'

LOT 12
TRACT NO. 2944
FAIRWOOD
309-27-055
1458 FIREBIRD WAY
SUNNYVALE, CA 94087
134 M 8&9

LOT 11
TRACT NO. 2944
FAIRWOOD
134 M 8&9

LOT 2
TRACT NO. 2944
FAIRWOOD
134 M 8&9

K:\SURO4\046019\DWG\VAC PLAT2.dwg
SUNNYVALE, SANTA CLARA COUNTY, CALIFORNIA

ADDRESS: 1459 FLAMINGO WAY, SUNNYVALE, CA. 94087



981 RIDDER PARK DRIVE
SUITE 100
SAN JOSE, CA 95131
408-467-9100
408-467-9199 (FAX)

Subject VACATION PLAT
Job No. 20046019-10
By SM Date 1-31-05 Chkd. JVK
SHEET 1 OF 1



January 31, 2005
BKF No. 20046019-10
Page 1 of 1

EXHIBIT "A-5"

FOR VACATION PURPOSES

PARCEL C

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

Being a portion of Dartshire Way, formerly know as Panama Avenue, being 40 feet in width as shown on Map of the Lewis Subdivision No. 5, filed in Book "O" of Maps at Page 54 on June 18th 1914, Records of Santa Clara County, more particularly described as follows:

BEGINNING at the southwest corner of Lot 11, designated on map of Tract No. 3181 entitled "Greentree Unit No. 1" filed in Book 147 Maps at Pages 12 & 13 Records of Santa Clara County;

Thence North 89°35'00" East 26.21 to the beginning of a non-tangent curve, concave to the east, having a radius of 40.00 feet, from said point a radial line bears South 43°56'52" East;

Thence southerly along said curve, having a central angle of 33°27'57" and an arc length of 23.36 feet to a point on the centerline of said Dartshire Way;

Thence South 89°35'00" West 14.79 feet along said centerline of said Dartshire Way;

Thence North 00°25'00" West 20.00 feet to the **POINT OF BEGINNING**.

Parcel "C" contains an area of 384 square feet, more or less.

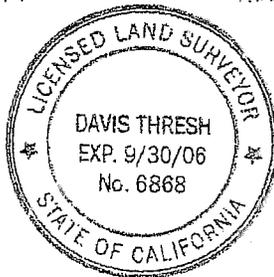
For: BKF Engineers

By: _____

Davis Thresh, P.L.S. No. 6868
License expires: 9-30-2006

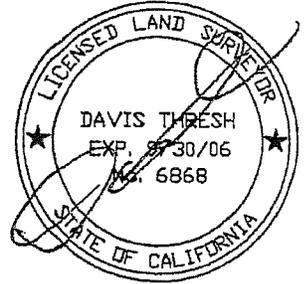
Dated: _____

1-31-2005

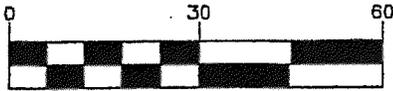


PARCEL A
217 PM 38
711 GLENCOE CT
SUNNYVALE, CA 94087
APN 309-13-27
0.207 ACRES ±

LOT 10
TRACT NO. 3181
GREENTREE UNIT NO. 1
309-13-028
712 GLENCOE CT
SUNNYVALE, CA 94087
147 M 12&13



1-31-2005



(SCALE IN FEET)

LEGEND

- P.U.E. PUBLIC UTILITY EASEMENT
- W.C.E. WIRE CLEARANCE EASEMENT
- P.O.B. POINT OF BEGINNING
- (R) RADIAL BEARING
- () RECORD DATA PER 147 M 12&13

LOT 7
BOOK "O" PAGE 5A

PARCEL B
217 PM 38
701 DARTSHIRE WAY
SUNNYVALE, CA 94087
APN 309-13-040
0.286 ACRES ±

LOT 11
TRACT NO. 3181
GREENTREE UNIT NO. 1
309-13-039
709 DARTSHIRE WAY
SUNNYVALE, CA 94087
147 M 12&13

PARCEL "C" (384 SQ. FT.)
VACATION TO
709 DARTSHIRE WAY
SUNNYVALE, CA 94087

P.O.B.

N00°25'00"W
20.00'

N89°35'00"E
26.21'

2'X15' AE
147 M 12&13

PROPOSED VACATION TO
701 DARTSHIRE WAY
SUNNYVALE, CA 94087

(FORMERLY PANAMA AVE)
DARTSHIRE

PROPOSED VACATION TO
1459 FLAMINGO WAY
SUNNYVALE, CA 94087

S89°35'00"W
14.79'
(14.78')

Δ=33°27'57" (33°37'45")
R=40.00'
L=23.36'

WAY

5' P.U.E.
TRACT NO. 2944
FAIRWOOD
134 M B&G

LOT 10
BOOK "O" PAGE 5A

5' W.C.E.
TRACT NO. 2944
FAIRWOOD
134 M B&G

LOT 1
TRACT NO. 2944
FAIRWOOD
309-27-044
1459 FLAMINGO WAY
SUNNYVALE, CA 94087
134 M B&G

**FLAMINGO
WAY**

K:\SUR04\046019\DWG\VAC PLAT3.dwg
SUNNYVALE, SANTA CLARA COUNTY, CALIFORNIA

ADDRESS: 709 DARTSHIRE WAY, SUNNYVALE, CA. 94087



981 RIDDER PARK DRIVE
SUITE 100
SAN JOSE, CA 95131
408-467-9100
408-467-9199 (FAX)

Subject VACATION PLAT

Job No. 20046019-10

By SM Date 1-31-05 Chkd. JVK

SHEET 1 OF 1



January 31, 2005
BKF No. 20046019-10
Page 1 of 2

EXHIBIT "B-1"
PUBLIC UTILITY EASEMENT
DARTSHIRE WAY

An easement for public utility purposes and incidents thereto in, over, through, across, beneath, and upon that parcel of land situated in the City of Sunnyvale, County of Santa Clara, State of California being a portion of Dartshire Way, as designated on the Parcel Map, filed December 21st 1966 in book 217 of map at page 38, Santa Clara County Records, more particularly described as follows:

BEGINNING at a point on the westerly line of Flamingo Way, said point also being the northeast corner of lot 1, as designated on the map of Tract No. 2944 entitled "Fairwood", filed June 15th 1961 in book 134 of maps at pages 8 and 9;

Thence along the northerly line of said Lot 1, South 89°35'00" West, 109.76 feet to the southeast corner of lot 83, as designated on the map of Tract No. 3234 entitled "Greentree Unit No. 2", filed August 3rd 1962 in book 150 of maps at page 37;

Thence along the east line of said Lot 83, North 00°25'00" West 40.00 feet to the southwest corner of Parcel "B" as designated on said Parcel Map;

Thence along the southerly line of said Parcel "B", North 89°35'00" East 4.94 feet;

Thence leaving said southerly line of Parcel "B", South 08°05'02" East 30.27 feet;

Thence parallel with said northerly line of said Lot 1, Tract No. 2944, North 89°35'00" East 51.97 feet;

Thence North 00°25'00" West 5.24 feet;

Thence parallel with said northerly line of said Lot 1, Tract No. 2944, North 89°35'00" East 49.04 feet to the beginning of a non-tangent curve, concave to the east, having a radius of 40.00 feet, from which a radial line bears South 84°19'55" East, said point also being on the westerly line of said Flamingo Way;

Thence southerly, along said curve and along said westerly line of Flamingo Way, through a central angle of 06°05'43", and an arc length of 4.26 feet;

Thence continue along said westerly line of Flamingo Way, South 00°25'38" East 10.99 feet to the **POINT OF BEGINNING**.

Containing an area of 1,563 square feet, more or less.

A plat showing the above-described parcel is attached hereto and made a part hereof as Exhibit "B".

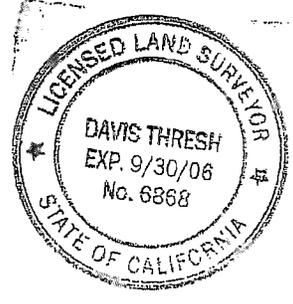
EXHIBIT "B-1"

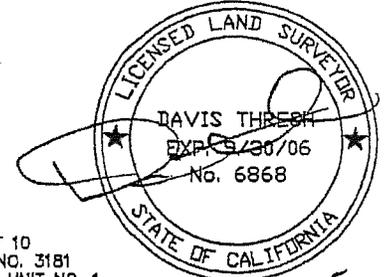
For: BKF Engineers

By: [Signature]

Davis Thresh, P.L.S. No. 6868
License expires: 9-30-2006

Dated: 1-31-2005



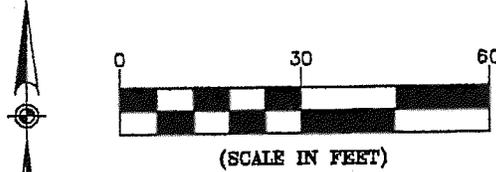


LOT 80
TRACT NO. 3234
GREENTREE UNIT NO. 2
150 M 37

PARCEL A
217 PM 38
711 GLENCOE CT
SUNNYVALE, CA 94087
APN 309-13-27
0.207 ACRES ±

LOT 10
TRACT NO. 3181
GREENTREE UNIT NO. 1
309-13-028
712 GLENCOE CT
SUNNYVALE, CA 94087
147 M 12&13

LOT 81
TRACT NO. 3234
GREENTREE UNIT NO. 2
150 M 37



PARCEL "B"
217 PM 38
701 DARTSHIRE WAY
SUNNYVALE, CA 94087
APN 309-13-040
0.286 ACRES ±

LEGEND

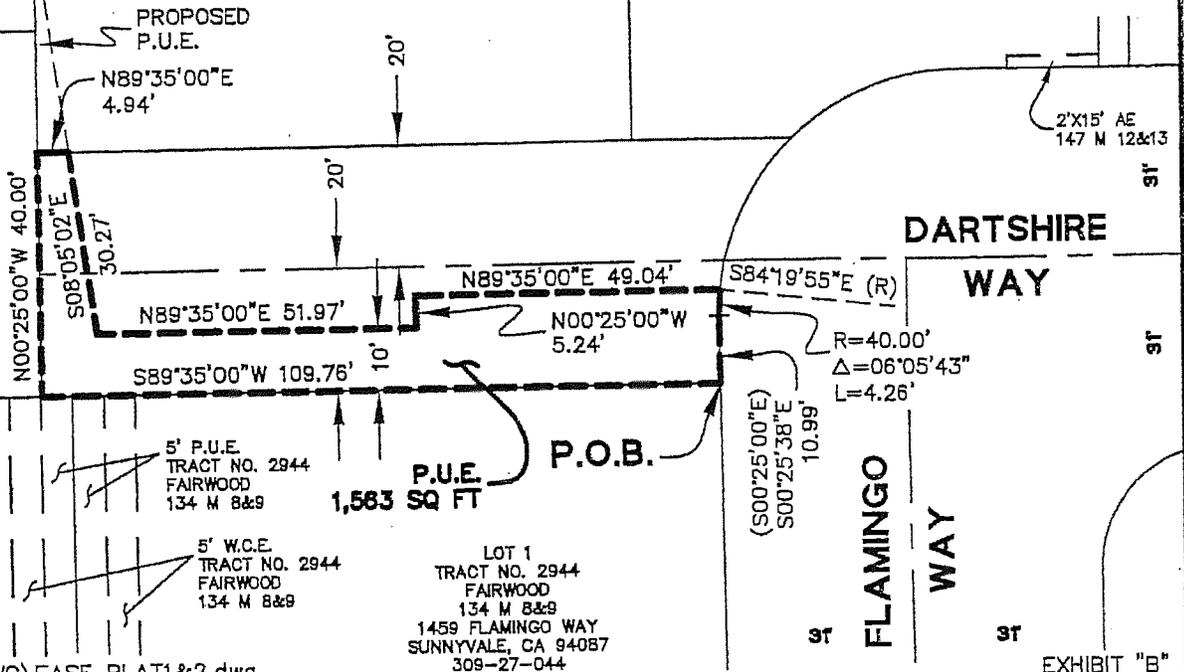
- P.U.E. PUBLIC UTILITY EASEMENT
- W.C.E. WIRE CLEARANCE EASEMENT
- P.O.B. POINT OF BEGINNING
- (R) RADIAL
- () RECORD DATA PER 134 M 8&9

LOT 11
TRACT NO. 3181
GREENTREE UNIT NO. 1
147 M 12&13
709 DARTSHIRE WAY
SUNNYVALE, CA 94087
309-13-039

LOT 82
TRACT NO. 3234
GREENTREE UNIT NO. 2
150 M 37

LOT 83
TRACT NO. 3234
GREENTREE UNIT NO. 2
150 M 37

LOT 12
TRACT NO. 2944
FAIRWOOD
134 M 8&9
1458 FIREBIRD WAY
SUNNYVALE, CA 94087
309-27-055



K: \SUR04\046019\DWG\EASE PLAT1&2.dwg
SUNNYVALE, SANTA CLARA COUNTY, CALIFORNIA

EXHIBIT "B"
PLAT TO ACCOMPANY LEGAL DESCRIPTION



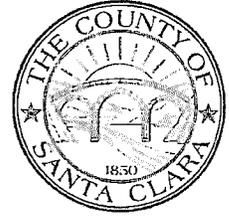
981 RIDDER PARK DRIVE
SUITE 100
SAN JOSE, CA 95131
408-467-9100
408-467-9199 (FAX)

Subject PUBLIC UTILITY EASEMENT PLAT
EXHIBIT "B"
Job No. 20046019-10
By SM Date 1-31-05 Chkd. JVK
SHEET 1 OF 1

County of Santa Clara

Office of the County Assessor

County Government Center, East Wing
70 West Hedding Street
San Jose, California 95110-1771
FAX (408) 298-9446
www.scc-assessor.org



Lawrence E. Stone, Assessor Assessment Change Notice

Date of Notice: 10/20/2006

Notice No: 008455

Document: 18222579 R

Parcel: 309-13-045

RUSSELL, MARK L ET AL

701 DARTSHIRE WY
SAN JOSE CA 94087

Subject: Assessor Parcel Number Change

For property tax purposes and per the State of California Revenue and Taxation Code, Section 327:

The Assessor Parcel Number(s) below have been changed effective for the assessment roll year(s) 2007-08

Reason for Change:

PROPERTY BOUNDARY CHANGE PER RECORDED DOCUMENT

Old Parcel(s): 309-13-040 309-13-043 309-27-056

New Parcel(s): 309-13-045

If you require further clarification, please call (408) 299-5559.

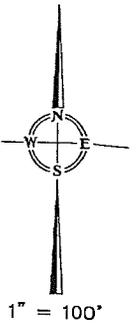
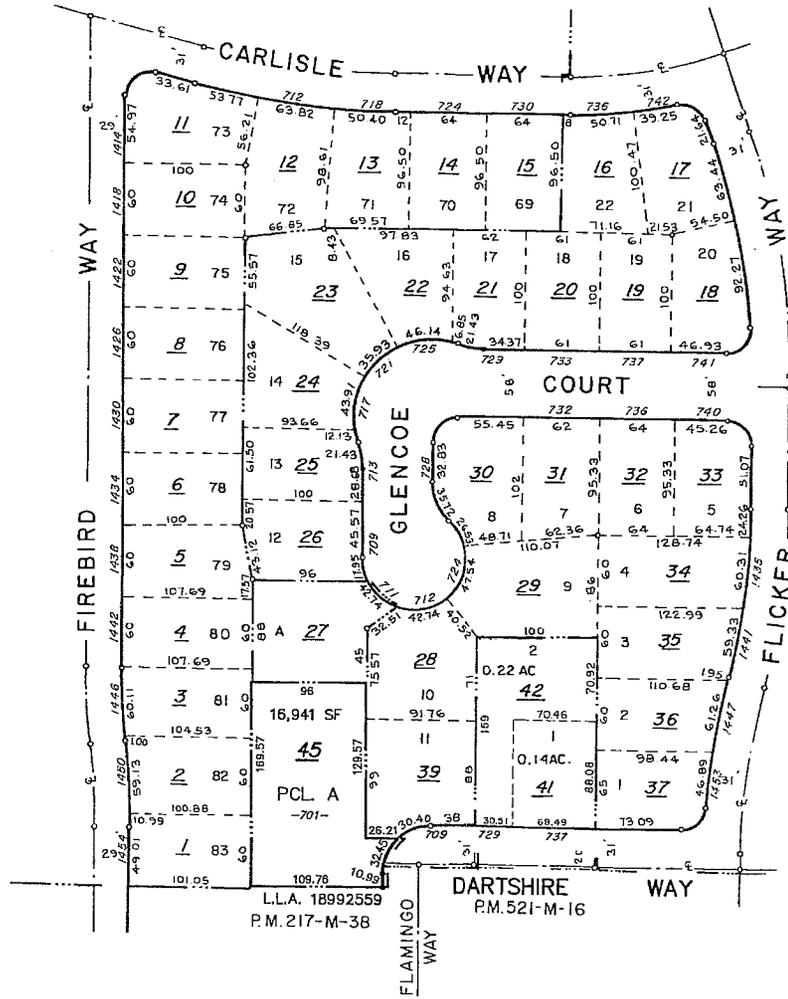
Very Truly Yours,

MARIAN SHANK
Marian Shank
Mapping Identification Unit
Assessment Services Division

LAWRENCE E. STONE
County Assessor

6

TRACT N° 3234
GREENTREE UNIT N° 2



14

12

TRACT N° 3181
GREENTREE UNIT N° 1

ATTACHMENT D
Page 13 of 22

27

LAWRENCE E. STONE - ASSESSOR
Cadastral map for assessment purposes only.
Compiled under R. & T. Code, Sec. 327.
Effective Roll Year 2007-2008

RECORDING REQUESTED BY American Title Company

NAME: City of Sunnyvale
Escrow No NCS-107966-SC

WHEN RECORDED MAIL TO:

NAME: City of Sunnyvale/Engineering Division

ADDRESS: P.O. Box 3707

CITY/STATE/ZIP: Sunnyvale, CA 94088-3707

(DOCUMENT WILL ONLY BE RETURNED TO NAME & ADDRESS IDENTIFIED ABOVE)

WE HEREBY CERTIFY THIS TO BE A TRUE AND
CORRECT COPY OF THE ORIGINAL RECORDED

ON: 6/28/06 INSTRUMENT # 18992559

COUNTY OF: Santa Clara

FIRST AMERICAN TITLE COMPANY

L. Bugade

(SPACE ABOVE FOR RECORDER'S USE)

RECORD WITHOUT FEE UNDER
GOVERNMENT CODE SECTION 6103

CERTIFICATE OF COMPLIANCE
(Lot Line Adjustment)

Owners of Property Affected:

Mark L. Russell and Heather C. Russell

Descriptions of Properties Affected:

Parcel A: that certain real property being a merger of Parcel B, as shown on that certain Parcel Map, Filed in Book 217 of Maps at page 38, Records of Santa Clara County, and that portion of the vacated Dartshire Way, formerly Panama Avenue, being 40 feet in width, as vacated by the City of Sunnyvale under that certain Resolution No. 148-05, recorded February 11, 2005, as Document No. 18229441, Santa Clara County Records. Portions of said vacation were further conveyed to Mark L. Russell and Heather C. Russell by Robert A. Conrad and Elizabeth C. Conrad by Quitclaim Deed recorded February 7, 2005, as Document No. 18222579, and also conveyed by Rachel Parks, by Quitclaim Deed recorded February 22, 2005, as Document No. 18241428, Santa Clara County Records.

Notice is hereby given that the property configuration described in Exhibits A and B as shown on the accompanying plat, attached hereto and made a part hereof, does not create separate parcels but only adjusts the lot lines between said Parcel A and said vacated portion of Dartshire Way, as hereinabove described. The new parcel configurations resulting therefrom comply with the provisions of Division 2, Title 7 of the Government Code of the State of California, cited as the Subdivision Map Act, and all local ordinances enacted pursuant thereto. No further representations are made nor implied.

Further, that as a result of this Certificate of Compliance for Lot Line Adjustment, the sale, lease or financing of any parcel described and shown on said Exhibit shall not constitute a violation of the Subdivision Map Act or of local ordinance. However, development or redevelopment of the parcels may require issuance of a permit or permits, or other grants of approval.

Review for compliance with
Zoning and Building Codes.

Reviewed by: [Signature]

Date: 5.16.06

Approved by:

[Signature]

Marvin A. Rose
Director of Public Works
City of Sunnyvale

Date: 6/23/06

OWNER(S) CERTIFICATE
FOR LOT LINE ADJUSTMENT

OWNERS OF PARCEL B and VACATED PORTIONS OF DARTSHIRE WAY
(FORMERLY PANAMA AVENUE):

Mark L Russell
Heather C. Russell

[Signature] Mark L. Russell DATE: 6/21/06
Signature Printed Name

[Signature] Heather C. Russell DATE: 6/21/06
Signature Printed Name

(Signature(s) to be notarized)

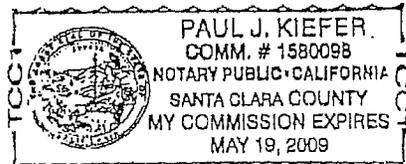
State of California)
County of Santa Clara (SS

On JUNE 21, 2006 before me, PAUL J. KIEFER Notary Public,
personally appeared MARK L. RUSSELL / HEATHER C. RUSSELL

personally known to me (or 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 its/his/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

Signature [Signature] (Seal)





March 9, 2005
BKF No. 20046019-10
Page 1 of 2

EXHIBIT "A"

LOT LINE ADJUSTMENT
701 Dartshire Way, Sunnyvale, CA 94087

PARCEL A

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

Being a merger of Parcel B, as shown on that certain Parcel Map, Filed in Book 217 of Maps at page 38, Records of Santa Clara County, and that portion of the vacated Dartshire Way, formerly Panama Avenue, being 40 feet in width, more particularly described as follows.

BEGINNING at the northeast corner of Lot 1, as shown on Map of Tract No. 2944, entitled "Fairwood", filed in Book 134 of Maps at page 8 and 9, Records of Santa Clara County, said point also being on the westerly line of Flamingo Way, 62 feet in width, as shown on said Map of Tract No. 2944;

Thence South 89°35'00" West 109.76 feet along the northerly line of said Lot 1, and Lot 12 of said Map of Tract No. 2944, to the southeast corner of Lot 83, as shown on Map of Tract No. 3234, entitled "Greentree Unit No.2", filed in Book 150 of Maps at page 37, Records of Santa Clara County;

Thence North 00°25'00" West 169.57 feet along the easterly line of said Lot 83, Lots 82 and Lot 81 of said Map of Tract No. 3234 to the northwest corner of Parcel "B", filed in Book 217 Maps at page 38;

Thence along the northerly line of said Parcel "B" North 89°35'00" East 96.00 feet to a point on the westerly line of Lot 10 of Map of Tract No. 3181, entitled "Greentree Unit No. 1", filed in Book 147 of Maps at page 12 and 13, Records of Santa Clara County;

Thence leaving said northerly line along said westerly line South 00°25'00" East 129.57 feet to the southwest corner of said Lot 11 of said Map of Tract No. 3181;

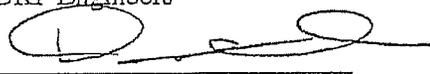
Thence along said southerly line North 89°35'00" East 26.21 feet to a point on the northerly line of said Dartshire Way as shown on said Map of Tract No. 3181, said point also being the beginning of a non-tangent curve, concave to the southeast, having a radius of 40.00 feet, from said point a radial line bears South 43°56'52" East;

Thence southwesterly along said curve, through a central angle of 46°28'46" and an arc length of 32.45 feet to said westerly line of Flamingo Way;

Thence along said westerly line South 00°25'38" East 10.99 feet, to the POINT OF BEGINNING.

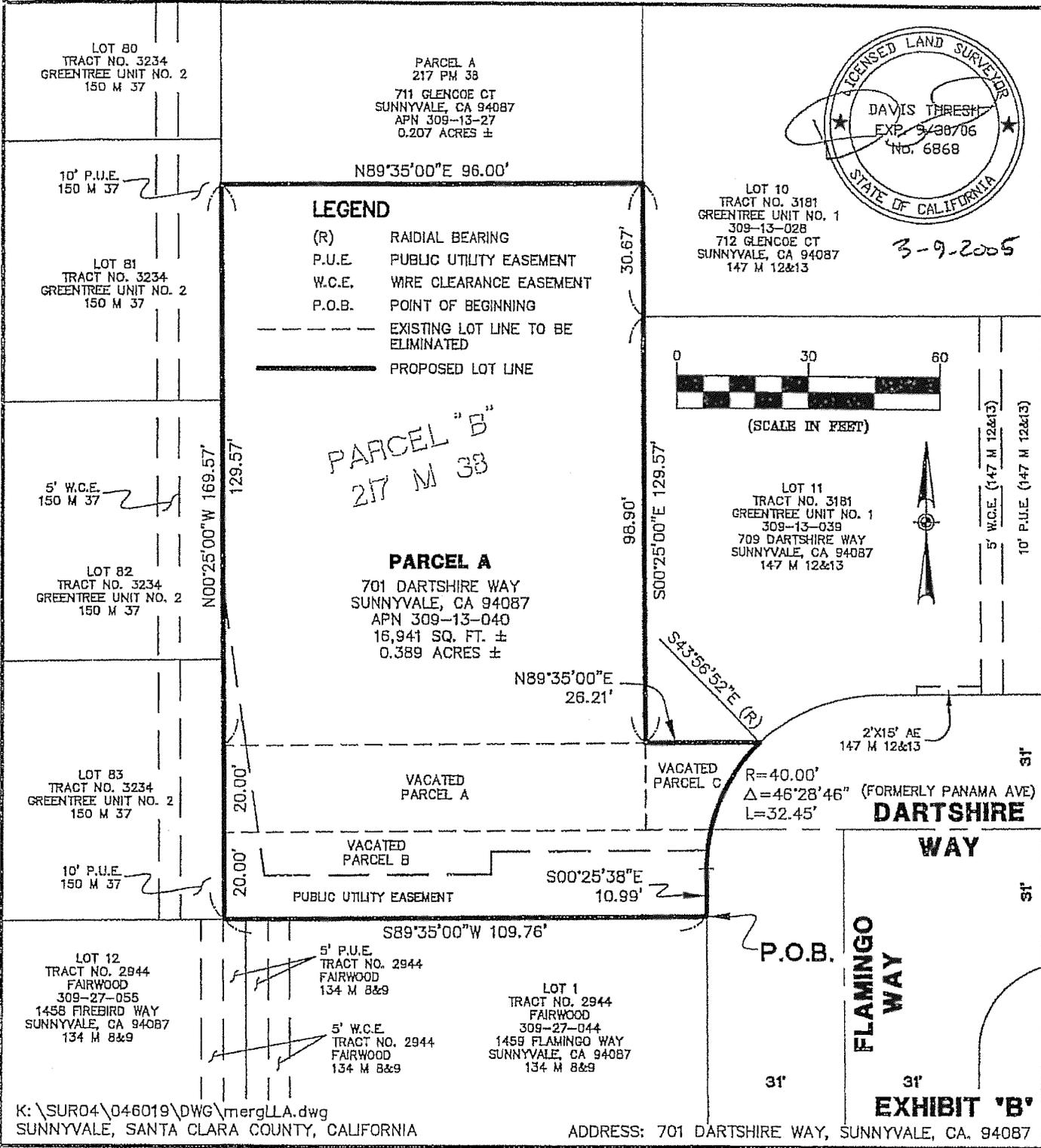
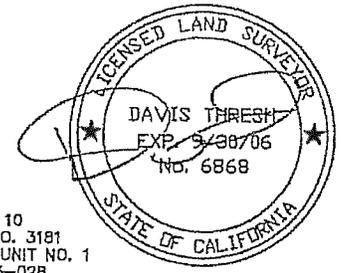
Parcel A contains an area of 16941 square feet, more or less.

For: BKF Engineers

By: 

Davis Thresh, P.L.S. No. 6868
License expires: 9-30-2006

Dated: 3-9-2005



K: \SUR04\046019\DWG\mrgLLA.dwg
SUNNYVALE, SANTA CLARA COUNTY, CALIFORNIA

ADDRESS: 701 DARTSHIRE WAY, SUNNYVALE, CA. 94087



981 RIDDER PARK DRIVE
SUITE 100
SAN JOSE, CA 95131
408-467-9100
408-467-9199 (FAX)

Subject LOT LINE ADJUSTMENT PLAT
EXHIBIT 'B'

Job No. 20046019-10 SCALE: 1"=30'

By SM Date 3-9-05 Chkd. JVK

SHEET 1 OF 1

RECORDING REQUESTED BY
First American Title Insurance Company
National Commercial Services

AND WHEN RECORDED MAIL TO:
Mark L. Russell and Heather C. Russell
701 Dartshire Way
Sunnyvale, CA 94087

WE HEREBY CERTIFY THIS TO BE A TRUE AND
CORRECT COPY OF THE ORIGINAL RECORDED

ON: 6/28/06 INSTRUMENT # 18992560
COUNTY OF: Santa Clara

FIRST AMERICAN TITLE COMPANY
BY [Signature]

Space Above This Line for Recorder's Use Only

A.P.N.: 309-13-040

File No.: NCS-102966-SC (LT)

GRANT DEED

The Undersigned Grantor(s) Declare(s): DOCUMENTARY TRANSFER TAX \$0.00; CITY TRANSFER TAX \$0.00;
SURVEY MONUMENT FEE \$

[] _____
Signature of Declarant

- [] computed on the consideration or full value of property conveyed, OR
- [] computed on the consideration or full value less value of liens and/or encumbrances remaining at time of sale,
- [] unincorporated area; [x] City of Sunnyvale, and
- [x] Exempt from transfer tax; Reason: **Conveyance pursuant to Lot Line Adjustment.**

[Signature]
Declarant's signature (must be signed if no transfer tax is being paid)

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged,
Mark L. Russell and Heather C. Russell, husband and wife, as community property with right of survivorship

hereby GRANT(s) to **Mark L. Russell and Heather C. Russell, husband and wife, as community property with right of survivorship**

the following described property in the City of **Sunnyvale**, County of **Santa Clara**, State of **California**:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF.

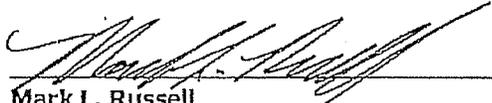
Dated: 06/23/2006

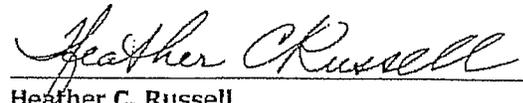
A.P.N.: 309-13-040

Grant Deed - continued

File No.: NCS-102966-
SC (LT)

Date: 06/22/2006


Mark L. Russell


Heather C. Russell

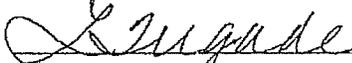
STATE OF California)SS
COUNTY OF Santa Clara

On June 23, 2006, before me, L. TUGADE

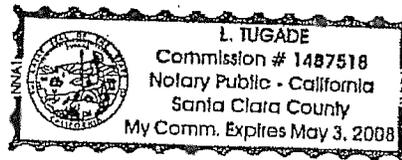
Notary Public, personally appeared
MARK L. RUSSELL & HEATHER C. RUSSELL, personally known to me
(or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to
the within instrument and acknowledged to me that he/she/they executed the same in his/her/their 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.

WITNESS my hand and official seal.

Signature



My Commission Expires: 5/3/2008



This area for official notarial seal

Notary Name: _____

Notary Phone: _____

Notary Registration Number: _____

County of Principal Place of Business: _____



October 29, 2005
BKF No. 20046019-10
Page 1 of 2

EXHIBIT "A"

**LOT LINE ADJUSTMENT
701 Dartshire Way, Sunnyvale, CA 94087**

PARCEL A

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

Being a merger of Parcel B, as shown on that certain Parcel Map, Filed in Book 217 of Maps at page 38, Records of Santa Clara County, and that portion of the vacated Dartshire Way, formerly Panama Avenue, being 40 feet in width, more particularly described as follows.

BEGINNING at the northeast corner of Lot 1, as shown on Map of Tract No. 2944, entitled "Fairwood", filed in Book 134 of Maps at page 8 and 9, Records of Santa Clara County, said point also being on the westerly line of Flamingo Way, 62 feet in width, as shown on said Map of Tract No. 2944;

Thence South $89^{\circ}35'00''$ West 109.76 feet along the northerly line of said Lot 1, and Lot 12 of said Map of Tract No. 2944, to the southeast corner of Lot 83, as shown on Map of Tract No. 3234, entitled "Greentree Unit No.2", filed in Book 150 of Maps at page 37, Records of Santa Clara County;

Thence North $00^{\circ}25'00''$ West 169.57 feet along the easterly line of said Lot 83, Lots 82 and Lot 81 of said Map of Tract No. 3234 to the northwest corner of Parcel "B", filed in Book 217 Maps at page 38;

Thence along the northerly line of said Parcel "B" North $89^{\circ}35'00''$ East 96.00 feet to a point on the westerly line of Lot 10 of Map of Tract No. 3181, entitled "Greentree Unit No. 1", filed in Book 147 of Maps at page 12 and 13, Records of Santa Clara County;

Thence leaving said northerly line along said westerly line South $00^{\circ}25'00''$ East 129.57 feet to the southwest corner of said Lot 11 of said Map of Tract No. 3181;

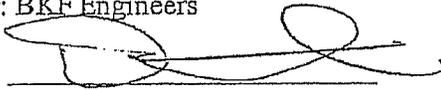
Thence along said southerly line North $89^{\circ}35'00''$ East 26.21 feet to a point on the northerly line of said Dartshire Way as shown on said Map of Tract No. 3181, said point also being the beginning of a non-tangent curve, concave to the southeast, having a radius of 40.00 feet, from said point a radial line bears South $43^{\circ}56'52''$ East;

Thence southwesterly along said curve, through a central angle of $46^{\circ}28'46''$ and an arc length of 32.45 feet to said westerly line of Flamingo Way;

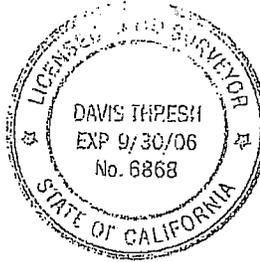
Thence along said westerly line South 00°25'38" East 10.99 feet, to the **POINT OF BEGINNING.**

Parcel A contains an area of 16941 square feet, more or less.

For: BKF Engineers

By: 

Davis Thresh, P.L.S. No. 6868
License expires: 9-30-2006



Dated: 11-9-2005