

SB 330 PRELIMINARY APPLICATION

TOWN OF LOS GATOS - COMMUNITY DEVELOPMENT DEPARTMENT

110 E. MAIN STREET, LOS GATOS, CA 95030

PLANNING@LOSGATOSCA.GOV | 408-354-6872

SENATE BILL 330: HOUSING CRISIS ACT OF 2019

The Housing Crisis Act of 2019, or Senate Bill (SB) 330, became effective on January 1, 2020, and will remain in effect until it sunsets on January 1, 2025. SB 330 provides an expedited review process for housing development projects and offers greater certainty by allowing an optional vesting opportunity through the Preliminary Application process. SB 330 also addresses the State's housing shortage by creating new protections for existing housing and restrictions on certain zoning actions that may result in reduced availability of housing.

Under SB 330, a "housing development project" consisting of any of the following:

- Residential units only;
- Mixed-use developments consisting of residential and nonresidential uses with at least two-thirds of the square footage designated for residential use; or
- Transitional housing or supportive housing.

PLEASE SUBMIT APPLICATION WITH ALL REQUIRED DOCUMENTS VIA THE CITIZEN'S PORTAL:

<https://permits.losgatosca.gov/Login-and-Manage-My-Records>

PROPERTY ADDRESS:

Address of subject property Various Addresses. Primary: 14925 Los Gatos Boulevard, Los Gatos, CA 95032 Zoning North 40 Specific Plan Overlay

SUBMITTAL REQUIREMENTS:

☒ TOWN SB 330 PRELIMINARY APPLICATION FORM
☒ APPLICATION FILING FEE Does not apply
☒ SB 330 PRELIMINARY APPLICATION SUBMITTAL CHECKLIST

☐ HCD PRELIMINARY APPLICATION
☒ HAZARDOUS WASTES AND SUBSTANCES STATEMENT

APPLICANT:

Name Grosvenor USA Limited - C/O Steve Buster Phone (415) 434-0175

Email steve.buster@grosvenor.com Address One California Street, Suite 3000

City San Francisco State CA Zip 95032

I certify under penalty of perjury that all application materials and plans are true and correct.

Signature _____ Date _____

PROPERTY OWNER: (If same as above, check here ☐)

Name Yuki Farms, LLC Phone (408) 356-3019

Email edwardm@tmycap.com Address 15495 Los Gatos Blvd. Suite 11

City Los Gatos State CA Zip 95032

I hereby certify that I am the owner of record of the property described in "Property Location" above, and that I approve of the action requested herein.

Signature  Date 9-10-23

Government Code Section §65943 Statement: This is an application for a Development Permit.

SB 330 PRELIMINARY APPLICATION

COMMUNITY DEVELOPMENT AUTHORIZATION AND ACKNOWLEDGEMENT

The information contained in this application is considered part of the public record. Therefore, it will appear in both the public record file for the site address, which is available upon request, and on the permitting system on the official Town of Los Gatos website at www.losgatosca.gov. Those signing below grant the Town of Los Gatos release to copy and reproduce electronically, in whole or in part, drawings and all other materials submitted with this development application for the Town's regulatory, administrative, and legal functions, including sharing of information with other governmental entities and for compliance with the California Public Records Act

The undersigned have reviewed this document and acknowledge and agree to the statements above.

Property Owner



DATE

4-10-23

Architect/Designer



Peter Pfau, Perkins&Will



John Thatch, DAHLIN

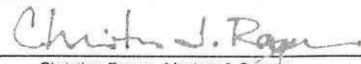


Richard Kozono, Heller Manus

DATE

4/7/23

Civil Engineer



Christian Ragan, Mackay & Samps

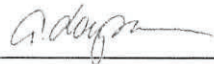
DATE

4/7/2023

Business Owner

DATE

Other



DATE

4/7/2023

A. Don Capobres, Harmonie Park Development Group

SB 330 FAQs

What is Senate Bill (SB) 330?

Through changes to land use and zoning law, SB 330 aims to remove barriers and obstructions to accelerate housing production in urban areas of the state. To increase transparency and certainty in the development application process, SB 330 allows a housing developer to submit a “preliminary application” to the Town for a housing development project.

What is a Preliminary Application?

Submittal of a preliminary application allows a developer to provide a specific subset of information on the proposed housing development ahead of providing the full amount of information required by the Town for a housing development application. Once the preliminary application is “deemed submitted” and payment of the permit processing fee is made, a housing developer is allowed to “freeze” the applicable fees and development standards that apply to their project while they assemble the rest of the material necessary for a full application submittal. Eligible projects are exempt from discretionary review and must be consistent with objective zoning and design standards. This is a voluntary process an applicant may choose to pursue if certain eligibility requirements are met.

Can Design Standards be used to evaluate projects?

The Town cannot apply new design standards to housing development projects that were adopted on or after January 1, 2020, unless the design standards meet the state law definition of “objective standards.”

Is the review process different for SB 330 eligible projects?

Yes, under SB 330, the number of public hearings allowed to consider an SB 330 project is limited to five. These include informational hearings and appeal hearings.

What are Objective Design Standards?

Objective Design Standards are development regulations that are measurable, verifiable, and knowable to all parties prior to submittal of a qualifying project. A planning review process based on objective design standards involves streamlined review with no personal or subjective judgement by a public official.

Is my project subject to the CEQA?

Yes. SB 330 does not supersede the requirements in the California Environmental Quality Act (CEQA).

SB 330 APPLICATION PROCESS

Preliminary Application

STEP 1

Applicant submits a Preliminary Application through the Town's online Citizen's Portal as a Planning pre-application. Staff will review and determine if all materials and information required by SB 330 as included in the *Town's SB 330 Preliminary Application Submittal Checklist*, have been provided such that the Preliminary Application may be "deemed submitted." If materials are found to be missing, staff will inform the applicant in writing. The applicant may upload any missing materials through the online Citizen's Portal to the assigned pre-application. The vesting date is established once the Preliminary Application is "deemed submitted." The Preliminary Application expires if a Formal Application is not submitted to the Town within 180 days of the established vesting date.



Formal Application

STEP 2

Within 180 days of the established vesting date of the Preliminary Application, the applicant submits a Formal Application (such as an Architecture and Site application) through the Town's online Citizen's Portal. Within 30 days, staff will determine whether the application is complete. If the submittal is determined to be incomplete, staff will provide a list of any deficiencies at a Staff Technical Review Committee meeting. The applicant then has 90 days to resubmit to address any deficiencies.

Upon resubmittal, staff will review the revised materials and determine whether the application is complete. If the application remains incomplete, staff will provide a list of deficiencies at a Staff Technical Review Committee meeting along with a thorough description of the specific information needed to complete the application. The applicant again has 90 days to resubmit to address any deficiencies. If, upon resubmittal, the application remains incomplete, staff will notify the applicant in writing of the outstanding deficiencies and provide a process for appealing this determination.

Once all materials, information, and fees have been provided, the application will be deemed complete.



California Environmental Quality Act (CEQA) Determination

STEP 3

As the lead agency, staff will make a CEQA determination, which may require preparation of an Initial Study prepared at the applicant's expense pursuant to the Town's adopted Fee Schedule. All resulting CEQA documents shall also be prepared at the applicant's expense. Once a final CEQA determination is made, a final decision on the application must be completed within 60 to 180 days:

- **EIR:** Within 180 days from the date of EIR certification.
- **EIR for residential, mixed-use, and transitional/supportive housing:** Within 60 days from the date of EIR certification.
- **Negative Declaration:** Within 60 days from the date of adoption.
- **Notice of Exemption:** Within 60 days from the date a Notice of Exemption is filed.



Public Hearings

STEP 4

Limited to five public hearings subject to the timelines set by CEQA. The five public hearing limit includes any hearings required for the CEQA process, consideration of the application itself, and appeals.

SB 330 PRELIMINARY APPLICATION SUBMITTAL CHECKLIST

California Government Code Section §65941.1 (a): An applicant for a housing development project, as defined in paragraph (2) of subdivision (h) of Section §65589.5, shall be deemed to have submitted a Preliminary Application upon providing all of the following information about the proposed project to the city, county, or city and county from which approval for the project is being sought and upon payment of the permit processing fee:

-
- ☒ The specific location, including parcel numbers, a legal description, and site address. See attached title report.
 - ☒ The existing uses on the project site and identification of major physical alterations to the property on which the project is to be located.
 - ☒ A site plan showing the building location(s) on the property; elevations of each building showing design, color, and material; and the massing, height, and approximate square footage, of each building that is to be occupied.
 - ☒ The proposed land uses by number of units and square feet of residential and nonresidential development using the categories in the applicable zoning ordinance.
 - ☒ The proposed number of parking spaces.
 - ☐ Any proposed point sources of air or water pollutants. None
 - ☐ Any species of special concern known to occur on the property. None
 - ☐ Any historic or cultural resources known to exist on the property.
 - ☒ The number of proposed below market price units and their affordability levels.
 - ☒ The number of bonus units and any incentives, concessions, waivers, or parking reductions requested pursuant to Section §65915.
 - ☒ Whether any approvals under the Subdivision Map Act, including, but not limited to, a parcel map, a tentative map, or a condominium map, are being requested.
 - ☒ The applicant's contact information and, if the applicant does not own the property, consent from the property owner to submit the application.
 - ☒ The number of existing residential units on the project site that will be demolished and whether each existing unit is occupied or unoccupied.
 - ☐ A site plan showing a stream or other resource that may be subject to a streambed alteration agreement pursuant to Chapter 6 (commencing with Section §1600) of Division 2 of the Fish and Game Code and an aerial photograph showing existing site conditions of environmental site features that would be subject to regulations by a public agency, including creeks and wetlands. None

SB 330 PRELIMINARY APPLICATION SUBMITTAL CHECKLIST

☒ The location of any recorded public easement, such as easements for utilities, storm drains, water lines, and other public rights-of-way. See attached Preliminary Title Report

☐ Whether a portion of the property is located within any of the following:

Yes No

- ☐ ☒ A very high fire hazard severity zone, as determined by the Department of Forestry and Fire Protection pursuant to Section §51178.
- ☐ ☒ Wetlands, as defined in the United States Fish and Wildlife Service Manual, Part 660 FW 2 (June 21, 1993).
- ☐ ☒ A hazardous waste site that is listed pursuant to Section §65962.5 or a hazardous waste site designated by the Department of Toxic Substances Control pursuant to Section §25356 of the Health and Safety Code.
- ☐ ☒ A special flood hazard area subject to inundation by the one (1) percent annual chance flood (100-year flood) as determined by the Federal Emergency Management Agency in any official maps published by the Federal Emergency Management Agency.
- ☐ ☒ A delineated earthquake fault zone as determined by the State Geologist in any official maps published by the State Geologist, unless the development complies with applicable seismic protection building code standards adopted by the California Building Standards Commission under the California Building Standards Law [Part 2.5 (commencing with Section §18901) of Division 13 of the Health and Safety Code], and by any local building department under Chapter 12.2 (commencing with Section §8875) of Division 1 of Title 2.
- ☐ ☒ A stream or other resource that may be subject to a streambed alteration agreement pursuant to Chapter 6 (commencing with Section §1600) of Division 2 of the Fish and Game Code.

HOUSING CRISIS ACT of 2019 – SB 330

PRELIMINARY APPLICATION FORM

PURPOSE

This form serves as the preliminary application for housing development projects seeking vesting rights pursuant to SB 330, the Housing Crisis Act of 2019.

GENERAL INFORMATION

An applicant for a housing development project that includes (1) residential units (2) a mix of commercial and residential uses with two-thirds of the project's square footage used for residential purposes; or (3) transitional or supportive housing, shall be deemed to have submitted a preliminary application upon provision of all of the information listed in this Preliminary Application form and payment of the permit processing fee to the agency from which approval for the project is being sought.

After submitting this Preliminary Application to the local agency, an applicant has 180 days to submit a full application or the Preliminary Application will expire.

Submittal Date Stamp^{*1,2}

^{*1}Submittal of all the information listed and payment of the permit processing fee freezes fees and development standards as of this date, unless exceptions per Government Code § 65889.5(o) are triggered.

^{*2}Note: Record keeping pertaining to which standards and fees apply at date of submittal is imperative, as **penalties may apply for imposing incorrect standards**

Notes:

1. California Environmental Quality Act (CEQA) and Coastal Act standards apply.
2. After submittal of all of the information required, if the development proponent revises the project to change the number of residential units or square footage of construction changes by 20 percent or more, excluding any increase resulting from Density Bonus Law, the development proponent must resubmit the required information so that it reflects the revisions.

SITE INFORMATION

1. **PROJECT LOCATION** - The specific location, including parcel numbers, a legal description, and site address, if applicable.

Street Address 14859 Los Gatos Blvd., et al. Unit/Space Number _____

Legal Description (Lot, Block, Tract)

Attached? YES ☒ NO ☐

See legal description on page 11 of the attached Preliminary Title Report

Assessor Parcel Number(s) 424-07-009/053/095/094/081/115/116

2. **EXISTING USES** - The existing uses on the project site and identification of major physical alterations to the property on which the project is to be located.

There are a total of 8 occupied rental residential units on site. There is also a two-story barn which will be re-purposed.

3. **SITE PLAN** - A site plan showing the building(s) location on the property and approximate square footage of each building that is to be occupied.

Attached? YES ☒ NO ☐

4. **ELEVATIONS** - Elevations showing design, color, material, and the massing and height of each building that is to be occupied.

Attached? YES ☒ NO ☐

5. **PROPOSED USES** - The proposed land uses by number of units and square feet of residential and nonresidential development using the categories in the applicable zoning ordinance.

| PROGRAM AREA | FLOOR AREA (ZONING) | SQUARE FOOTAGE OF CONSTRUCTION | UNITS |
|-------------------------|------------------------|--------------------------------------|-------|
| Multi-Family Housing | 290,166 | 441,360 | 250 |
| Eden Affordable Housing | 74,817 | 75,866 | 68 |
| Townhome | 232,363 | 319,112 | 119 |
| Commercial/Retail | 14,868 | 14,868 | |
| Community/Civic | 4,340 | 4,340 | |
| Total Residential Use | 597,346 | 836,168 | 437 |
| Total Commercial Use | 19,208 | 19,208 | |

*20% Affordable Housing in Eden Housing plus a portion of Multi-Family Housing

a. **RESIDENTIAL DWELLING UNIT COUNT:**

Please indicate the number of dwelling units proposed, including a breakdown of levels by affordability, set by each income category.

| | Number of Units |
|----------------------------------|-------------------------|
| Market Rate | 348 |
| Managers Unit(s) – Market Rate | 1 |
| Extremely Low Income | |
| Very Low Income | |
| Low Income | 88 (portion may be VLI) |
| Moderate Income | |
| Total No. of Units | 437 |
| Total No. of Affordable Units | 88 |
| Total No. of Density Bonus Units | 44 |

Other notes on units:

20 percent of the total units will be rented to lower income households as defined in Section 50079.5 of the Health and Safety Code at a monthly cost that does not exceed 30 percent of 60 percent of area median income. Very Low Income affordability may be achieved on some units but number will be determined at later date.

6. **FLOOR AREA** - Provide the proposed floor area and square footage of residential and nonresidential development, by building (attach relevant information by building and totals here):

| | Residential | Nonresidential | Total |
|---------------------------------------|-------------|----------------|---------|
| Floor Area (Zoning) | 597,346 | 19,208 | 616,554 |
| Square Footage of Construction | 836,168 | 19,208 | 855,376 |

7. **PARKING** - The proposed number of parking spaces:

492 plus 238 garage spaces within Townhomes for a total of 730 parking spaces.

8. **AFFORDABLE HOUSING INCENTIVES, WAIVERS, CONCESSIONS and PARKING REDUCTIONS** - Will the project proponent seek Density Bonus incentives, waivers, concessions, or parking reductions pursuant to California Government Code Section 65915?

YES ☒ NO ☐

If "YES," please describe:

Please see separate attachment

9. **SUBDIVISION** – Will the project proponent seek any approvals under the Subdivision Map Act, including, but not limited to, a parcel map, a vesting or tentative map, or a condominium map?

YES ☒ NO ☐

If “YES,” please describe:

Project will seek a Vesting Tentative Map

10. **POLLUTANTS** – Are there any proposed point sources of air or water pollutants?

YES ☐ NO ☒

If “YES,” please describe:

11. **EXISTING SITE CONDITIONS** – Provide the number of existing residential units on the project site that will be demolished and whether each existing unit is occupied or unoccupied. Provide attachment, if needed.

| | Occupied Residential Units | Unoccupied Residential Units | Total Residential Units |
|------------------|----------------------------------|------------------------------------|-------------------------------|
| Existing | 8 | 0 | 8 |
| To Be Demolished | 8 | 0 | 8 |

12. **ADDITIONAL SITE CONDITIONS** –

- a. Whether a portion of the property is located within any of the following:

- i. A very high fire hazard severity zone, as determined by the Department of Forestry and Fire Protection, pursuant to Section 51178?

YES ☐ NO ☒

- ii. Wetlands, as defined in the United States Fish and Wildlife Service Manual, Part 660 FW 2 (June 21, 1993)?

YES ☐ NO ☒

- iii. A hazardous waste site that is listed pursuant to Section 65962.5, or a hazardous waste site designated by the Department of Toxic Substances Control pursuant to Section 25356 of the Health and Safety Code?

YES ☐ NO ☒

- iv. A special flood hazard area subject to inundation by the 1 percent annual chance flood (100-year flood) as determined by any official maps published by the Federal Emergency Management Agency?

YES ☐ NO ☒

- v. A delineated earthquake fault zone as determined by the State Geologist in any official maps published by the State Geologist, unless the development complies with applicable seismic protection building code standards adopted by the California Building Standards Commission under the California Building Standards Law (Part 2.5 (commencing with Section 18901) of Division 13 of the Health and Safety Code), and by any local building department under Chapter 12.2 (commencing with Section 8875) of Division 1 of Title 2?

YES ☐ NO ☒

- vi. A stream or other resource that may be subject to a streambed alteration agreement pursuant to Chapter 6 (commencing with Section 1600) of Division 2 of the Fish and Game Code?

YES ☐ NO ☒

If "YES" to any, please describe:

- b. Does the project site contain historic and/or cultural resources?

YES ☐ NO ☒

If "YES," please describe:

There are no Federal or State existing historical resources on site. Although not a formally designated resource, the project site contains a Barn that is of particular interest to the community. The Barn will be re-purposed consistent with the treatment called for in the North 40 Specific Plan.

- c. Does the project site contain any species of special concern?

YES ☐ NO ☒

If "YES," please describe:

- d. Does the project site contain any recorded public easement, such as easements for storm drains, water lines, and other public rights of way?

YES ☒ NO ☐

If "YES," please describe:

Please see attached Preliminary Title Report for description of easements.

- e. Does the project site contain a stream or other resource that may be subject to a streambed alteration agreement pursuant to Chapter 6 (commencing with Section 1600) of Division 2 of the Fish and Game Code? Provide an aerial site photograph showing existing site conditions of environmental site features that would be subject to regulations by a public agency, including creeks and wetlands.

YES ☐ NO ☒

If "YES," please describe and depict in attached site map:

13. **COASTAL ZONE** - For housing development projects proposed to be located within the coastal zone, whether any portion of the property contains any of the following: Does not apply

- a. Wetlands, as defined in subdivision (b) of Section 13577 of Title 14 of the California Code of Regulations.

YES ☐ NO ☐

- b. Environmentally sensitive habitat areas, as defined in Section 30240 of the Public Resources Code.

YES ☐ NO ☐

- c. A tsunami run-up zone.

YES ☐ NO ☐

- d. Use of the site for public access to or along the coast.

YES ☐ NO ☐

14. **PROJECT TEAM INFORMATION** - The applicant's contact information and, if the applicant does not own the property, consent from the property owner to submit the application.

Applicant's Name Steve Buster

Company/Firm Grosvenor USA Limited

Address One California Street **Unit/Space Number** 3000

City San Francisco **State** CA **Zip Code** 94111

Telephone (415) 434-0175 **Email** steve.buster@grosvenor.com

Are you in escrow to purchase the property?

YES ☐ NO ☒

Property Owner of Record ☐ Same as applicant ☒ Different from applicant

Name (if different from applicant) Yuki Farms, LLC

Address 15495 Los Gatos Blvd. Unit/Space Number 11

City Los Gatos State CA Zip Code 95032

Telephone _____ Email _____

Optional: Agent/Representative Name Don Capobres

Company/Firm Harmonie Park Development Group LLC

Address 221 Bachman Avenue Unit/Space Number _____

City Los Gatos State CA Zip Code 95030

Telephone 415-710-7640 Email don@harmoniepark.com

Optional: Other (Specify Architect, Engineer, CEQA Consultant, etc.) _____

Name _____

Company/Firm _____

Address _____ Unit/Space Number _____

City _____ State _____ Zip Code _____

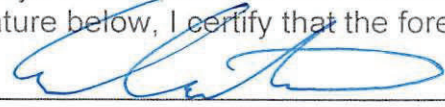
Telephone _____ Email _____

Primary Contact for Project: ☐ Owner ☐ Applicant ☒ Agent/Representative ☐ Other

PROPERTY OWNER AFFIDAVIT

Before the application can be accepted, the owner of each property involved must provide a signature to verify the Preliminary Application is being filed with their knowledge. Staff will confirm ownership based on the records of the City Engineer or County Assessor. In the case of partnerships, corporations, LLCs or trusts, the agent for service of process or an officer of the ownership entity so authorized may sign as stipulated below.

- **Ownership Disclosure.** If the property is owned by a partnership, corporation, LLC or trust, a disclosure identifying the agent for service of process or an officer of the ownership entity must be submitted. The disclosure must list the names and addresses of the principal owners (25 percent interest or greater). The signatory must appear in this list of names. A letter of authorization, as described below, may be submitted provided the signatory of the letter is included in the Ownership Disclosure. Include a copy of the current partnership agreement, corporate articles, or trust document as applicable.
 - **Letter of Authorization (LOA).** A LOA from a property owner granting someone else permission to sign the Preliminary Application form may be provided if the property is owned by a partnership, corporation, LLC or trust, or in rare circumstances when an individual property owner is unable to sign the Preliminary Application form. To be considered for acceptance, the LOA must indicate the name of the person being authorized to file, their relationship to the owner or project, the site address, a general description of the type of application being filed and must also include the language in items 1-3 below. In the case of partnerships, corporations, LLCs or trusts, the LOA must be signed by the authorized signatory as shown on the Ownership Disclosure or in the case of private ownership by the property owner. Proof of Ownership for the signatory of the LOA must be submitted with said letter.
 - **Grant Deed.** Provide Copy of the Grant Deed if the ownership of the property does not match local records. The Deed must correspond exactly with the ownership listed on the application.
 - **Multiple Owners.** If the property is owned by more than one individual (e.g., John and Jane Doe, or Mary Smith and Mark Jones) signatures are required of all owners.
1. I hereby certify that I am the owner of record of the herein previously described property located in Primary address as 14925 Los Gatos Blvd. Los Gatos, CA which is involved in this Preliminary Application, or have been empowered to sign as the owner on behalf of a partnership, corporation, LLC, or trust as evidenced by the documents attached hereto.
 2. I hereby consent to the filing of this Preliminary Application on my property for processing by the Department of Los Gatos Community Development for the sole purpose of vesting the proposed housing project subject to the Planning and Zoning ordinances, policies, and standards adopted and in effect on the date that this Preliminary Application is deemed complete.
 3. Further, I understand that this Preliminary Application will be terminated and vesting will be forfeited if the housing development project is revised such that the number of residential units or square footage of construction increases or decreases by 20 percent or more, exclusive of any increase resulting from the receipt of a density bonus, incentive, concession, waiver, or similar provision, and/or an application requesting approval of an entitlement is not filed with The Town of Los Gatos within 180 days of the date that the Preliminary Application is deemed complete.
 4. By my signature below, I certify that the foregoing statements are true and correct.

Signature 
Printed Name Edward Morimoto
Date April 10, 2023

Signature _____
Printed Name _____
Date _____

DEVELOPMENT APPLICATION SUPPLEMENT HAZARDOUS WASTES AND SUBSTANCES STATEMENT

Town of Los Gatos

Hazardous Waste and Substances Sites List

| FACILITY_ID | PE | DESCRIPTION | FACILITY_NAME | SITE_ADDRESS | CITY |
|-------------|------|--|------------------------------------|----------------------------|-----------|
| FA0250673 | 2205 | GENERATES 100 KG YR TO <5 TONS/YR | A RENTAL CENTER | 15721 LOS GATOS BL | LOS GATOS |
| FA0250604 | 2205 | GENERATES 100 KG YR TO <5 TONS/YR | A&M MOTOR SUPPLY INC | 16165 LOS GATOS BL | LOS GATOS |
| FA0259226 | 2271 | SILVER WASTE ONLY <100 KG/YR | ANNIE KRISTAL DDS | 15466 LOS GATOS BL 208 | LOS GATOS |
| FA0258242 | 2205 | GENERATES 100 KG YR TO <5 TONS/YR | ASSOCIATED PATHOLOGY MEDICAL GROUP | 105 COOPER CT A | LOS GATOS |
| FA0201983 | 2205 | GENERATES 100 KG YR TO <5 TONS/YR | AUTOBAHN LOS GATOS | 16203 LOS GATOS BL A | LOS GATOS |
| FA0250660 | 2202 | GENERATES < 100 KG/YR | BILLY JONES WILDCAT RAILROAD | 201 BLOSSOM HILL RD | LOS GATOS |
| FA0261824 | 2205 | GENERATES 100 KG YR TO <5 TONS/YR | BLOSSOM HILL CLEANERS | 15944 LOS GATOS BL | LOS GATOS |
| FA0201807 | 2205 | GENERATES 100 KG YR TO <5 TONS/YR | BLOSSOM VALLEY VALERO | 14000 BLOSSOM HILL RD | LOS GATOS |
| FA0260496 | 2205 | GENERATES 100 KG YR TO <5 TONS/YR | BOB'S GARAGE | 545 N SANTA CRUZ AV | LOS GATOS |
| FA0260992 | 2202 | GENERATES < 100 KG/YR | BR RACING | 15553 LOS GATOS BL | LOS GATOS |
| FA0263344 | 2205 | GENERATES 100 KG YR TO <5 TONS/YR | CALERA CORPORATION | 100 ALBRIGHT AV A | LOS GATOS |
| FA0263342 | 2205 | GENERATES 100 KG YR TO <5 TONS/YR | CALERA CORPORATION | 14600 WINCHESTER BL | LOS GATOS |
| FA0256033 | 2205 | GENERATES 100 KG YR TO <5 TONS/YR | CALPATH MEDICAL ASSOCIATES | 100 ALBRIGHT WY C | LOS GATOS |
| FA0252264 | 2271 | SILVER WASTE ONLY <100 KG/YR | CHRISTINA HERRERA DDS | 700 W PARR AV H | LOS GATOS |
| FA0265441 | 2202 | GENERATES < 100 KG/YR | CIRTEC MEDICAL SYSTEMS LLC | 104 COOPER CT | LOS GATOS |
| FA0265439 | 2205 | GENERATES 100 KG YR TO <5 TONS/YR | CIRTEC MEDICAL SYSTEMS LLC | 101 COOPER CT B | LOS GATOS |
| FA0201787 | 2205 | GENERATES 100 KG YR TO <5 TONS/YR | COMPUGRAPHICS USA | 120 ALBRIGHT WY | LOS GATOS |
| FA0202242 | 2205 | GENERATES 100 KG YR TO <5 TONS/YR | CUNNINGHAM'S AUTO SERVICE INC | 805 UNIVERSITY AV L | LOS GATOS |
| FA0250194 | 2272 | SILVER WASTE ONLY 100+ KG/YR & < 100 KG/MO | DRS LETTICE & KULA | 555 KNOWLES DR 201 | LOS GATOS |
| FA0240326 | 2205 | GENERATES 100 KG YR TO <5 TONS/YR | DRYCLEAN CITY | 653 N SANTA CRUZ AV | LOS GATOS |
| FA0263732 | 2206 | GENERATES 5 TO <25 TONS/YR | EL CAMINO HOSPITAL-LOS GATOS | 815 POLLARD RD | LOS GATOS |
| FA0261211 | 2205 | GENERATES 100 KG YR TO <5 TONS/YR | EL GATO CLEANERS | 15720 LOS GATOS BL | LOS GATOS |
| FA0201961 | 2202 | GENERATES < 100 KG/YR | EL GATO VETERINARY HOSPITAL | 15748 LOS GATOS BL | LOS GATOS |
| FA0255757 | 2272 | SILVER WASTE ONLY 100+ KG/YR & < 100 KG/MO | ERICH M WERNER DDS | 15000 LOS GATOS BL 6 | LOS GATOS |
| FA0266290 | 2272 | SILVER WASTE ONLY 100+ KG/YR & < 100 KG/MO | ESCUDEO DDS & TORRES DDS INC | 11 E MAIN ST | LOS GATOS |
| FA0252663 | 2202 | GENERATES < 100 KG/YR | EZ CLEANERS | 540 N SANTA CRUZ AV | LOS GATOS |
| FA0261692 | 2205 | GENERATES 100 KG YR TO <5 TONS/YR | FASHION CLEANERS & DRAPERIES | 461 N SANTA CRUZ AV | LOS GATOS |
| FA0250089 | 2272 | SILVER WASTE ONLY 100+ KG/YR & < 100 KG/MO | GARY S SCHEININ DPM | 555 KNOWLES DR 220 | LOS GATOS |
| FA0253426 | 2205 | GENERATES 100 KG YR TO <5 TONS/YR | GENUINE AUTOMOTIVE | 15367 LOS GATOS BL | LOS GATOS |
| FA0201962 | 2205 | GENERATES 100 KG YR TO <5 TONS/YR | GOODYEAR AUTO SERVICE CENTER | 15751 LOS GATOS BL | LOS GATOS |
| FA0259793 | 2271 | SILVER WASTE ONLY <100 KG/YR | GREGG TRENT DDS | 14777 LOS GATOS BL 103 | LOS GATOS |
| FA0256032 | 2205 | GENERATES 100 KG YR TO <5 TONS/YR | GYNE PATH LABORATORY INC | 100 ALBRIGHT WY C | LOS GATOS |
| FA0202199 | 2205 | GENERATES 100 KG YR TO <5 TONS/YR | JAGUAR PERFORMANCE CENTER | 608 UNIVERSITY AV | LOS GATOS |
| FA0260938 | 2271 | SILVER WASTE ONLY <100 KG/YR | JAHANARA MORTAZAVI DDS | 812 POLLARD RD 3 | LOS GATOS |
| FA0258196 | 2202 | GENERATES < 100 KG/YR | JAMES R COHEN MD | 15400 NATIONAL AV 201 | LOS GATOS |
| FA0258257 | 2202 | GENERATES < 100 KG/YR | JOHN B MCCLEVE DDS | 751 BLOSSOM HILL RD STE C | LOS GATOS |
| FA0262979 | 2271 | SILVER WASTE ONLY <100 KG/YR | JULIA H TOWNSEND DDS | 15215 NATIONAL AV 202 | LOS GATOS |
| FA0258335 | 2271 | SILVER WASTE ONLY <100 KG/YR | KOH, HEDA DDS | 15827 LOS GATOS BL B | LOS GATOS |
| FA0268089 | 2205 | GENERATES 100 KG YR TO <5 TONS/YR | LA RINCONADA COUNTRY CLUB | 17445 ZENA AV | LOS GATOS |
| FA0265485 | 2202 | GENERATES < 100 KG/YR | LARK AVENUE 76 | 15171 LOS GATOS BL | LOS GATOS |
| FA0252674 | 2205 | GENERATES 100 KG YR TO <5 TONS/YR | LOS GATOS 76 | 666 N SANTA CRUZ AV | LOS GATOS |
| FA0201922 | 2202 | GENERATES < 100 KG/YR | LOS GATOS 76 | 15380 LOS GATOS BL | LOS GATOS |
| FA0201982 | 2206 | GENERATES 5 TO <25 TONS/YR | LOS GATOS ACURA | 16151 LOS GATOS BL | LOS GATOS |
| FA0202149 | 2202 | GENERATES < 100 KG/YR | LOS GATOS ALMADEN CHEVRON | 441 LEIGH AV | LOS GATOS |
| FA0251447 | 2205 | GENERATES 100 KG YR TO <5 TONS/YR | LOS GATOS AUTO CARE | 300 LOS GATOS-SARATOGA RD | LOS GATOS |
| FA0202004 | 2205 | GENERATES 100 KG YR TO <5 TONS/YR | LOS GATOS BODY SHOP INC | 17462 SHELburne WY | LOS GATOS |
| FA0202210 | 2205 | GENERATES 100 KG YR TO <5 TONS/YR | LOS GATOS CHEVRON | 700 BLOSSOM HILL RD | LOS GATOS |
| FA0252069 | 2205 | GENERATES 100 KG YR TO <5 TONS/YR | LOS GATOS CORP YARD | 41 MILES AV | LOS GATOS |
| FA0202053 | 2272 | SILVER WASTE ONLY 100+ KG/YR & < 100 KG/MO | LOS GATOS DENTAL CENTER | 220 OAK MEADOW DR | LOS GATOS |
| FA0230485 | 2202 | GENERATES < 100 KG/YR | LOS GATOS DOG & CAT HOSPITAL | 17480 SHELburne WY | LOS GATOS |
| FA0250636 | 2205 | GENERATES 100 KG YR TO <5 TONS/YR | LOS GATOS EUROPEAN | 622 UNIVERSITY AV B | LOS GATOS |
| FA0202022 | 2205 | GENERATES 100 KG YR TO <5 TONS/YR | LOS GATOS HIGH SCHOOL | 20 HIGH SCHOOL CT | LOS GATOS |
| FA0266212 | 2205 | GENERATES 100 KG YR TO <5 TONS/YR | LOS GATOS LUXURY CARS | 620 BLOSSOM HILL RD | LOS GATOS |
| FA0201900 | 2205 | GENERATES 100 KG YR TO <5 TONS/YR | LOS GATOS SURGICAL CENTER | 15195 NATIONAL AV 100 | LOS GATOS |
| FA0201997 | 2202 | GENERATES < 100 KG/YR | LOS GATOS VALERO | 16500 LOS GATOS BL | LOS GATOS |
| FA0240239 | 2206 | GENERATES 5 TO <25 TONS/YR | MISSION OAKS HOSPITAL | 15891 LOS GATOS-ALMADEN RD | LOS GATOS |
| FA0201938 | 2206 | GENERATES 5 TO <25 TONS/YR | MOORE BUICK-PONTIAC-GMC TRUCK | 15500 LOS GATOS BL | LOS GATOS |
| FA0202201 | 2205 | GENERATES 100 KG YR TO <5 TONS/YR | MORROW'S AUTOMOTIVE | 611 UNIVERSITY AV | LOS GATOS |
| FA0258519 | 2240 | GENERATES < 10 GAL/YR | NOB HILL #604 | 15710 LOS GATOS-ALMADEN RD | LOS GATOS |
| FA0250672 | 2205 | GENERATES 100 KG YR TO <5 TONS/YR | O'REILLY AUTO PARTS #2572 | 15525 LOS GATOS BL | LOS GATOS |
| FA0257810 | 2272 | SILVER WASTE ONLY 100+ KG/YR & < 100 KG/MO | OAK MEADOW DENTAL CENTER | 210 OAK MEADOW DR | LOS GATOS |
| FA0201919 | 2205 | GENERATES 100 KG YR TO <5 TONS/YR | ORCHID CLEANERS | 15310 LOS GATOS BL | LOS GATOS |
| FA0257337 | 2271 | SILVER WASTE ONLY <100 KG/YR | ORCHID DENTAL CARE | 320 LOS GATOS-SARATOGA RD | LOS GATOS |
| FA0261357 | 2271 | SILVER WASTE ONLY <100 KG/YR | PAUL LIPPI DDS | 246 BLOSSOM HILL RD | LOS GATOS |
| FA0257711 | 2206 | GENERATES 5 TO <25 TONS/YR | PENINSULA HISTOPATHOLOGY LAB INC | 160 ALBRIGHT WY STE A | LOS GATOS |
| FA0202208 | 2205 | GENERATES 100 KG YR TO <5 TONS/YR | PREFERRED IMAGE THE | 663 UNIVERSITY AV | LOS GATOS |
| FA0240369 | 2271 | SILVER WASTE ONLY <100 KG/YR | PRITI A PATEL DDS | 15066 LOS GATOS ALMADEN RD | LOS GATOS |
| FA0201868 | 2205 | GENERATES 100 KG YR TO <5 TONS/YR | RINCONADA CLEANERS | 1488 POLLARD RD | LOS GATOS |
| FA0259284 | 2205 | GENERATES 100 KG YR TO <5 TONS/YR | RITE AID #5972 | 15920 LOS GATOS BL | LOS GATOS |
| FA0267805 | 2240 | GENERATES < 10 GAL/YR | RITZ CAMERA & IMAGE #1343 | 730 BLOSSOM HILL RD | LOS GATOS |
| FA0262115 | 2202 | GENERATES < 100 KG/YR | ROSEMARY WANG | 812 POLLARD RD 8 | LOS GATOS |
| FA0253462 | 2202 | GENERATES < 100 KG/YR | ROTTEN ROBBIE #01 | 15299 LOS GATOS BL | LOS GATOS |
| FA0265559 | 2205 | GENERATES 100 KG YR TO <5 TONS/YR | SADRA MEDICAL | 160 KNOWLES DR | LOS GATOS |
| FA0255453 | 2205 | GENERATES 100 KG YR TO <5 TONS/YR | SANTA CLARA COUNTY FIRE DEPT-SHOP | 14850 WINCHESTER BL | LOS GATOS |
| FA0202136 | 2206 | GENERATES 5 TO <25 TONS/YR | SCVWD-RINCONADA TREATMENT PLANT | 400 MORE AV | LOS GATOS |
| FA0201848 | 2205 | GENERATES 100 KG YR TO <5 TONS/YR | SCVWD-VASONA METER SHOP | 14545 OKA RD | LOS GATOS |

Town of Los Gatos

Hazardous Waste and Substances Sites List

| FACILITY_ID | PE | DESCRIPTION | FACILITY_NAME | SITE_ADDRESS | CITY |
|-------------|------|--|---------------------------------|-----------------------------------|-----------|
| FA0202073 | 2205 | GENERATES 100 KG YR TO <5 TONS/YR | SHELL OF LOS GATOS | 255 LOS GATOS-SARATOGA RD | LOS GATOS |
| FA0260221 | 2202 | GENERATES < 100 KG/YR | SHELL STATION #135565 | 255 LOS GATOS-SARATOGA RD | LOS GATOS |
| FA0264149 | 2272 | SILVER WASTE ONLY 100+ KG/YR & < 100 KG/MO | SILICON VALLEY FOOT & ANKLE | 15899 LOS GATOS-ALMADEN RD STE 11 | LOS GATOS |
| FA0252899 | 2272 | SILVER WASTE ONLY 100+ KG/YR & < 100 KG/MO | SILICON VALLEY MRI | 15405 LOS GATOS BL 104 | LOS GATOS |
| FA0202206 | 2205 | GENERATES 100 KG YR TO <5 TONS/YR | SOUTH BAY AUTO BODY & PAINT | 627 UNIVERSITY AV | LOS GATOS |
| FA0201987 | 2206 | GENERATES 5 TO <25 TONS/YR | SOUTH BAY HONDA | 16213 LOS GATOS BL | LOS GATOS |
| FA0230552 | 2206 | GENERATES 5 TO <25 TONS/YR | SPEEDEE OIL CHANGE & TUNE UP | 15643 LOS GATOS BL | LOS GATOS |
| FA0240206 | 2272 | SILVER WASTE ONLY 100+ KG/YR & < 100 KG/MO | SPORTS-OCCUPATION MED ASSOC | 555 KNOWLES DR 207 | LOS GATOS |
| FA0260826 | 2240 | GENERATES < 10 GAL/YR | STEPHANIE A BERG DDS | 8 LOS GATOS BL | LOS GATOS |
| FA0261156 | 2202 | GENERATES < 100 KG/YR | THE PAINTING PROS INC | 14960 LOS GATOS BL | LOS GATOS |
| FA0263194 | 2240 | GENERATES < 10 GAL/YR | THE YOUNG PROFESSIONALS INC | 17471 W FARLEY RD | LOS GATOS |
| FA0255595 | 2205 | GENERATES 100 KG YR TO <5 TONS/YR | TIRE PLUS/WHEELWORKS | 15553 LOS GATOS BL | LOS GATOS |
| FA0201913 | 2240 | GENERATES < 10 GAL/YR | TONY K CHOI DMD | 15251 NATIONAL AV 102 | LOS GATOS |
| FA0259025 | 2205 | GENERATES 100 KG YR TO <5 TONS/YR | ULTIMATE AUTO REPAIR | 441 LEIGH AV | LOS GATOS |
| FA0250641 | 2205 | GENERATES 100 KG YR TO <5 TONS/YR | VASONA STATION ORCHID CLEANERS | 14107 WINCHESTER BL Q | LOS GATOS |
| FA0202177 | 2272 | SILVER WASTE ONLY 100+ KG/YR & < 100 KG/MO | VCA JOHNSON VETERINARY HOSPITAL | 524 N SANTA CRUZ AV | LOS GATOS |
| FA0202256 | 2205 | GENERATES 100 KG YR TO <5 TONS/YR | VERIZON CALIF-LOS GATOS PY | 930 UNIVERSITY AV | LOS GATOS |
| FA0202046 | 2271 | SILVER WASTE ONLY <100 KG/YR | W FREY & R ROSLAND DDS | 216 BACHMAN AV | LOS GATOS |
| FA0201813 | 2206 | GENERATES 5 TO <25 TONS/YR | WALGREENS #2786 | 14100 BLOSSOM HILL RD | LOS GATOS |
| FA0256400 | 2206 | GENERATES 5 TO <25 TONS/YR | WALGREENS #7326 | 423 N SANTA CRUZ AV | LOS GATOS |
| FA0250586 | 2202 | GENERATES < 100 KG/YR | YUKI FARMS | 14927 LOS GATOS BL | LOS GATOS |

ATTACHMENTS

North 40 Phase II – SB 330 Pre-Application

8. Affordable Housing Incentives, Waivers, Concessions and Parking Reductions – Will the project proponent seek Density Bonus incentives, waivers, concessions, or parking reductions pursuant to California Government Code Section 65915?

The Project proponent will seek bonus units, incentives or concessions, waivers, and parking reductions pursuant to the State Density Bonus Law (Gov. Code § 65915). The Project is designated for 461 units in the Town’s adopted Housing Element, which equates to a density of approximately 30 dwelling units per acre (du/ac). The Project is consistent with the density specified in the Housing Element, as it proposes 437 units on the 15.3-acre project site for a gross density of 28.6 du/ac and a net density of 33.36 du/ac, assuming a 13.1 acres developable site after removing area for roadway widths. With the bonus units the Project is eligible for under the State Density Bonus Law, the Project is consistent the Town’s density limit established in the Housing Element.

As explained elsewhere in this Preliminary Application, the Project will dedicate 88 of its 437 units, twenty percent of the total, as units that will be sold or rented to lower income households, as defined in Section 50079.5 of the Health and Safety Code at a monthly cost that does not exceed 30 percent of 60 percent of the area median income. By providing this level of affordability, the Project is entitled to the following benefits under State Density Bonus Law:

- A density bonus of 35% above the otherwise maximum allowable residential density (Gov. Code § 65915(f)(1);
- Two incentives or concessions (Gov. Code § 65915(d)(2)(B); for purposes of the State Density Bonus Law, the terms “incentives” and “concessions” are interchangeable, and this summary will use “concession” going forward);
- Waivers or reductions for “any development standard that will have the effect of physically precluding the construction of a development” that provides enough affordable housing to qualify for the State Bonus Law (Gov. Code § 65915(e)); and
- Minimum parking requirements, inclusive of guest parking and including paring provided in uncovered or tandem spaces, that do not exceed the following ratios:
 - Zero to one bedroom: one onsite parking space
 - Two to three bedrooms: one and one-half onsite parking spaces
 - Four and more bedrooms: two and one-half parking spaces (Gov. Code § 65915(p)).

As detailed below, the Project proponent will request to use the State Density Bonus Law’s bonus units, concessions, waivers, and parking reduction benefits to allow the development of the Project as proposed. The discussion below is intended to identify anticipated State Density Bonus Law requests in connection with the Preliminary Application; further discussion and analysis will be provided in connection with the Project’s formal development application. In addition, although the discussion below is complete for purposes of the anticipated State Density Bonus Law requests at this time, the Project proponent reserves the right to modify the request to include different or additional concessions and waivers if needed to address additional, applicable development standards.

Bonus Units

The Housing Element establishes a base density of approximately 30 du/ac. Applied to the 13.1 net acres of the Project site, this would result in 393 units. The 35% density bonus entitles the Project to up to 530 units. The Project proposes 437 units, well within the density permitted by the Housing Element and State Density Bonus Law.

Concessions

1. Allow residential uses on the ground floor of buildings. Section 2.5.10c of the North 40 Specific Plan prohibits residential uses on the ground floor of buildings in the Northern District, which covers the Project site. Because the Housing Element designates the Project site as a site that is suitable for very low, low-, or moderate-income households at a residential density of 30 du/ac, inconsistency with this zoning standard is not a basis to deny the Project under Government Code section 65589.5(d)(5)(A). Accordingly, we do not believe that this standard is applicable to the Project. However, to the extent it applies, the Project proponent requests a concession to allow residential uses on the ground floor of buildings. Although portions of the Project incorporate commercial elements, it is not financially feasible to develop commercial spaces in the ground floor of all the buildings on the Project site. Therefore, eliminating this development standard will result in cost savings to help provide the level of affordability proposed.
2. Relief from Intersection Improvement Standards. Section 4.6 of the North 40 Specific Plan calls for the first developer in the Northern District of the Specific Plan Area to improve the Los Gatos Boulevard/Samaritan Drive/Burton Road intersection by converting the existing eastbound lane on Burton Road to a through/left turn lane, adding one dedicated eastbound left turn lane and one eastbound right turn lane on Burton Road at Los Gatos Boulevard (including widening Burton Road for about 200 feet west from Los Gatos Boulevard), and making Burton Road a through road. Although the Project proponent would be the first developer in the Northern District of the Specific Plan Area, the improvements require expanding the right-of-way over property that the Project proponent does not own or control, and the Project proponent proposes to limit Burton Road to emergency vehicle access only. Accordingly, eliminating this development standard will result in cost savings by removing the need to acquire additional land for intersection improvements; moreover, by limiting Burton Road to EV access, there is no longer a need to implement the intersection improvements previously identified.

Waivers

1. Increased Maximum Height. Section 2.5.2 of the North 40 Specific Plan sets a maximum building height of 30 feet across the Project site. The Project requires a waiver to allow the Affordable Multifamily units to achieve a maximum height of 60 feet, the Townhome units to achieve a maximum height of 37 feet, and the Mixed-Income Multifamily units to achieve a maximum height of 94 feet. The Specific Plan's development standards do not accommodate the Project's proposed density of 28.6 du/ac, which is allowed pursuant to

the adopted Housing Element. Increased height is necessary for each proposed building typology to accommodate the proposed unit count and necessary parking facilities across the Project site.

2. Modified Street Sections. Section 4.13.3 of the North 40 Specific Plan defines a 40' road section for Section 6d of North A Street with two 12' drive lanes and two 8' parking lanes. The Project proposes wider sidewalks, bicycle lanes, and reduced lane widths; accommodating all of the proposed facilities in the street would require additional right of way that would reduce the amount of developable area for buildings, resulting in a lower unit count. Therefore, the Project proponent requests a waiver from the required street section dimensions.
3. Deviations from Objective Design Standards. The Town adopted "Objective Design Standards for Qualifying Multi-Family and Mixed-Use Residential Development" that applies to multi-family and residential mixed-use developments. The Standards provide that these standards are only to be used for review of qualifying projects where Town review, approval, and/or denial is limited to only objective design standards. For projects that will proceed through the standard review process, the objective design standards would not apply. The Project has been designed to comply with as many of the objective design standards as feasible while meeting the unit count called for in the Housing Element; however, to physically fit the Project as designed at the density allowed, the following standards must be waived:
 - A.2. Short-Term Bicycle Parking requirements cannot be accommodated for residential uses while maintaining adequate space for buildings and open space.
 - 3.4.e: dimensions of long-term bicycle spaces are proposed to be accommodated with stacked parking to save space for residential units.
 - A.11.1.b: The Affordable Multifamily building cannot accommodate balconies and cannot meet the private open space requirements while maintaining the unit count; the Mixed-Income Multifamily building can accommodate balconies on only 50% of the units
 - A.12.1: The Townhomes deviate from the continuous frontage requirement
 - B.1.2: Upper story setbacks reduce the residential unit count
 - B.4.3: The Affordable Multifamily Building cannot reach 16 points through street-facing façade plan variation while maintaining its unit count
 - B.4.5: The Townhomes do not change materials at the inside corners
 - B.4.11: The Mixed-Income Multifamily Building's balconies extend into the airspace beyond the building footprint

Parking Reduction

Based on the bedroom count for the proposed residential units, Section (p)(1) of the State Density Bonus Law requires 592 parking spaces for the Project's 437 units. Section 2.5.8 of the North 40 Specific Plan requires 50 additional spaces for the Project's commercial uses, for a total of 642 spaces. The Project proposes 730 parking spaces, which satisfies the applicable parking requirements.

North 40 Phase II Master Plan

NORTH 40
PHASE II



NORTH 40 PHASE II SB330 Pre-Application

04/14/2023

PROJECT TEAM

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f 415.856.3001
www.perkinswill.com

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ASSOCIATED TOWNHOME AND AFFORDABLE

HOUSING ARCHITECT

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ASSOCIATED MULTI-FAMILY ARCHITECT

HELLER MANUS ARCHITECTS

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San Francisco, CA 94111

REAL ESTATE DEVELOPMENT CONSULTANTS

HARMONIE PARK

221 Bechtman Ave
Los Gatos, CA 95030

SHEET INDEX

A1.0 Site Plan Phase II

A1.1 Eden Affordable Housing, Building Elevations, South and West

A1.2 Eden Affordable Housing, Building Elevations, North and East

A2.1 Townhome A, 7-Plex Building Elevations

A2.2 Townhome A, 8-Plex Building Elevations

A3.1 Townhome B, 7-Plex Building Elevations

A4.1 Multi-Family Housing Elevations, South and West

A4.2 Multi-Family Housing Elevations, North and East

A4.3 Multi-Family Housing Courtyard Elevations

A7.1 Red Barn Elevations

A8.1 Pavilions A & B Elevations

A9.1 Retail Elevations

APPLICANT

Grosvenor Property Americas

One California Street, Suite 3000
San Francisco, CA 94111

Eden Housing

22645 Grand Street
Hayward, CA 94541

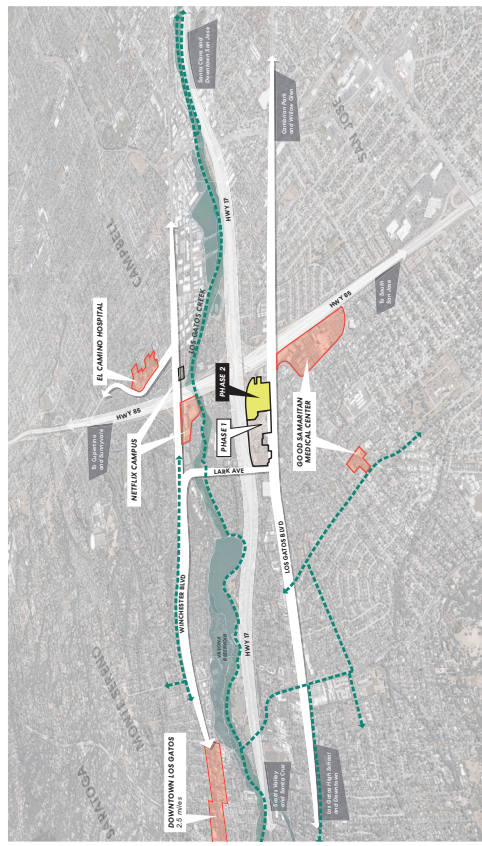


North 40 Phase II Master Plan

NORTH 40
PHASE II



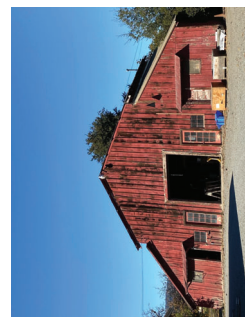
Regional Context



The Project Site



A red barn and citrus tree harken back to the region's bygone agricultural era



Heritage Oak trees interspersed between rows of almond trees



Unpaved portion of Burton Road off of Los Gatos Boulevard



Views of the Santa Cruz Mountains surround the site

Aerial view of Phase II and adjacent commercial uses along Los Gatos Boulevard

Project Description

Construction of a mixed-use master plan on approximately 15 acres of the Phase II lands of the North 40 development which are under the control of Grosvenor Americas and owned by Yuki Farms LLC. Demolition of a few single family homes will be required to implement the project. The mixed use development includes a variety of residential types including townhomes and multi-family units. Approximately 1.7 acres are planned to be donated to an affordable housing developer for an affordable housing project. The project will provide for 20% of the total homes to be available to lower income households. These are complemented by various resident amenities and community-serving ground floor commercial spaces. The new buildings are arranged around a generously-sized central public open space, open to all and visible from Los Gatos Boulevard along a pedestrian "paseo". This "Meadow" contains the existing red barn, relocated and rehabilitated for placemaking activities, complemented by two new pavilions which are designed to be adaptable for a variety of civic, community and/or retail uses for future flexibility. A new retail building is located along Los Gatos Boulevard and is designed to be sub-divisible for multiple tenants and with generous outdoor dining areas. The development includes all necessary access, circulation, streetscape and landscaping to complement and service the new buildings and to complete relevant sections of the bicycle and pedestrian routes through and around the site. On-site streets will be connected to existing Phase I streets to complete the internal circulation system as anticipated in the North 40 Specific Plan.

Project Data

| PROJECT SUMMARY | | | |
|---|-------------------------------|--------------------------------|-------|
| Site Address | North 40, Los Gatos, CA 95032 | | |
| Site Area | | 15.3 ACRES | |
| Development Areal (total block area) | | 663,120 SQFT | |
| Development Density | | 13.1 ACRES | |
| Open Space Area | | 34 DU/AC | |
| Open Space Ratio | | 8.1 ACRES | |
| | | 53% | |
| PROGRAM AREA | | | |
| PROGRAM AREA | FLOOR AREA (CONING) | SQUARE FOOTAGE OF CONSTRUCTION | UNITS |
| Multi-Family Housing | 280,166 | 441,360 | 250 |
| Eden Affordable Housing | 74,817 | 35,698 | 68 |
| Townhome | 222,363 | 319,112 | 119 |
| Commercial/Retail | 14,868 | 14,868 | |
| Community/Civic | 4,340 | 4,340 | |
| Total Residential Use | 597,346 | 836,168 | 437 |
| Total Commercial Use | 19,208 | 19,208 | |
| *20% Affordable Housing in Eden Housing plus a portion of Multi-Family Housing | | | |
| PARKING SUMMARY | | | |
| PARKING SUMMARY | PROPOSED | | |
| Multi-Family Podium Parking | | 348 | |
| Townhome in-unit Parking | | Self-Parked | |
| Eden Affordable Surface Parking | | 87 | |
| Commercial/Retail | | 50 | |
| Site Total | | 483 | |
| *Eden Affordable Surface Parking provided in parking lot and on adjacent streets. | | | |
| ***Some Commercial Parking provided in the Multi-Family Podium Parking. | | | |

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San Francisco, CA 94102
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HELLEMAN & ARCHITECTS
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San Francisco, CA 94111

WALKER STREET
1400 Walker Street
San Francisco, CA 94111

PROJECT

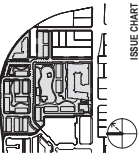
NORTH 40 PHASE II
North 40
Los Gatos, CA 95032



Grosvenor Property Americas
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San Francisco, CA 94111

Eden Housing
22845 Grand Street
Hayward, CA 94541

KEY PLAN



ISSUE CHART

| DATE | ISSUE | DESCRIPTION |
|------------|-------|-------------|
| 08/28/2023 | 001 | Job Number |

TITLE

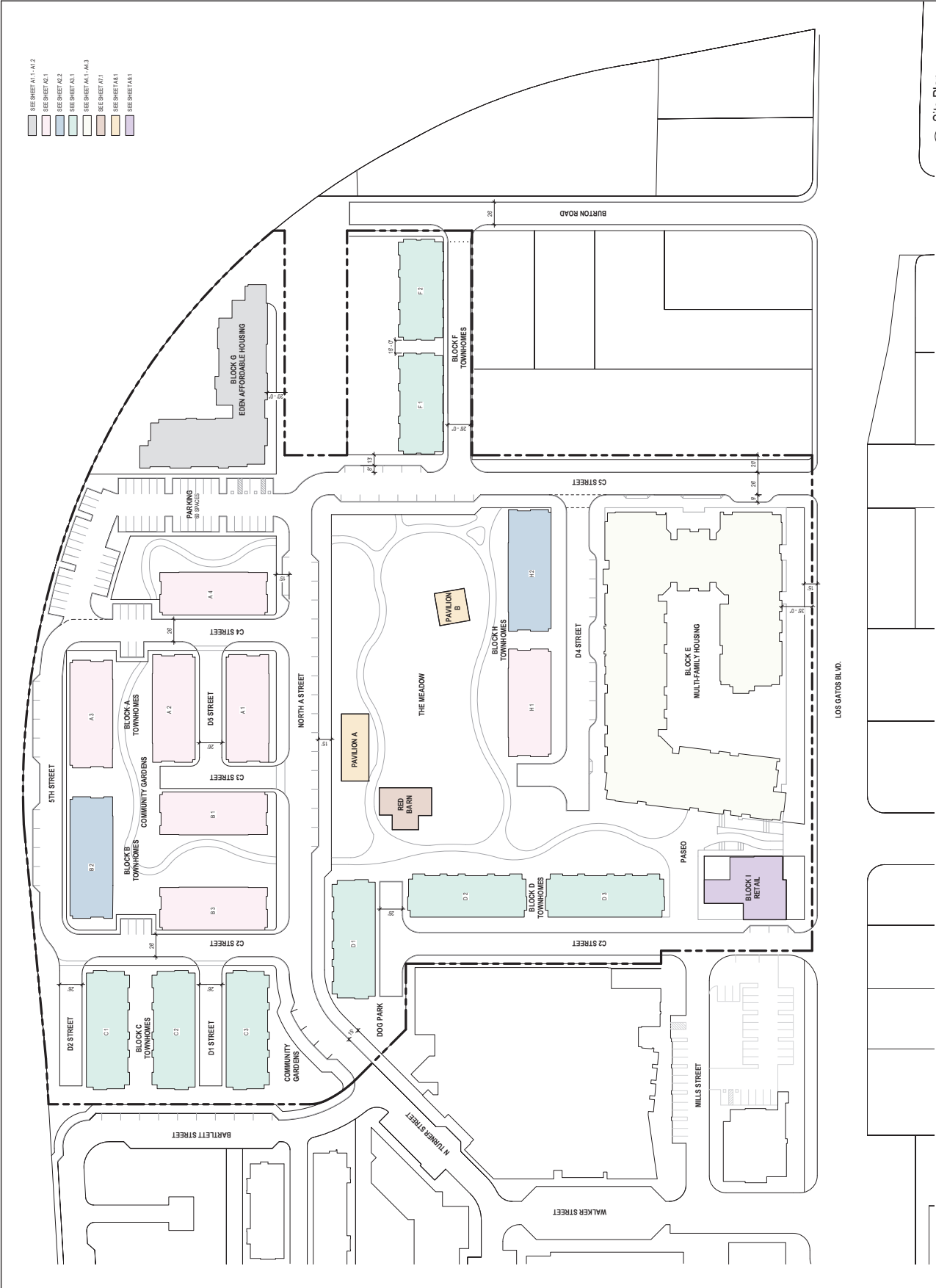
SITE PLAN PHASE II

SHEET NUMBER

A1.0

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- SEE SHEET A1.1 - A1.2
- SEE SHEET A1.1
- SEE SHEET A1.2
- SEE SHEET A1.1
- SEE SHEET A1.1 - A1.3
- SEE SHEET A1.1
- SEE SHEET A1.1
- SEE SHEET A1.1



1 Site Plan
1" = 50'-0"



ARCHITECTURE
PLANNING
INTERIORS

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HEADQUARTERS
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INTERIORS
HARRIS & WILSON
214 Montgomery Street, Suite 100
San Francisco, CA 94111

PROJECT

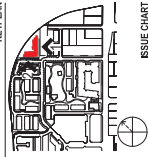
NORTH 40 PHASE II
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Los Gatos, CA 95032



Grosvenor Property Americas
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San Francisco, CA 94111

Eden Housing
22845 Grand Street
Hayward, CA 94541

KEYPLAN



ISSUE CHART

| DATE | DESCRIPTION |
|------------|-------------|
| 01/11/2023 | ISSUE 01 |

JOB NUMBER

EDEN AFFORDABLE
HOUSING BUILDING
ELEVATIONS

SHEET NUMBER

A1.1

MAXIMUM BUILDING HEIGHT +/- 60'



1 SOUTH ELEVATION
1/8" = 1'-0"

MAXIMUM BUILDING HEIGHT +/- 60'



2 WEST ELEVATION
1/8" = 1'-0"

MATERIALS KEY

- 1 ALUMINUM STOREFRONT
- 2 VINYL WINDOWS AND DOORS
- 3 COAT STUCCO WITH METAL REVEALS
- 4 HORIZONTAL SIDING WITH WOOD GRAIN FINISH
- 5 CEMENTITIOUS PANEL WITH METAL REVEALS
- 6 SMOOTH FINISH
- 7 VERTICAL SIDING
- 8 STANDING SEAM ROOF

0 4' 8' 16' 24'





ARCHITECTURE
PLANNING
INTERIORS

CONSULTANTS

ONE CONSULTANT
MCKAY & BURNS
1400 California Street, Suite 3000
San Francisco, CA 94111

HEADQUARTERS
TRANSPARENCY CONSULTANTS
100 California Street, Suite 300
San Francisco, CA 94111

ASSOCIATING ARCHITECTS
HELLER MANUS ARCHITECTS
600 Montgomery Street, Suite 1000
San Francisco, CA 94111

ASSOCIATING ARCHITECTS
MARTIN & WILLIAMS
2000 California Street, Suite 300
San Francisco, CA 94111

ASSOCIATING ARCHITECTS
MILNER & WILLIAMS
2000 California Street, Suite 300
San Francisco, CA 94111

PROJECT

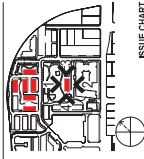
NORTH 40 PHASE II
North 40
Los Gatos, CA 95032



Grosvenor Property Americas
One California Street, Suite 3000
San Francisco, CA 94111

Eden Housing
22845 Grand Street
Hayward, CA 94541

KEYPLAN



ISSUE CHART

| DATE | DESCRIPTION |
|------------|-------------|
| 10/20/2020 | ISSUE 1 |

TOWNHOME A
7-PLEX BUILDING
ELEVATIONS
SHEET NUMBER

A2.1





ARCHITECTURE
PLANNING
INTERIORS

CONSULTANTS

ONE CONSULTANT
MCKAY & BURNS
1400 Broadway Street, Suite 1000
San Francisco, CA 94109

HEADQUARTERS
TRANSFORMATIVE CONSULTANTS
100 California Street, Suite 1000
San Francisco, CA 94111

ASSOCIATING ARCHITECTS
HELLER MANUS ARCHITECTS
600 Montgomery Street, Suite 1000
San Francisco, CA 94111

INTERIOR DESIGN
PERKINS & WILL
2 Bayview Square, Suite 100
San Francisco, CA 94133

LANDSCAPE ARCHITECTURE
FRANK STRONACH LANDSCAPE ARCHITECTS
225 Battery Ave.
San Francisco, CA 94111

PROJECT

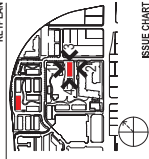
NORTH 40 PHASE II
North 40
Los Gatos, CA 95032



Grosvenor Property Americas
One California Street, Suite 3000
San Francisco, CA 94111

Eden Housing
22845 Grand Street
Hayward, CA 94541

KEYPLAN

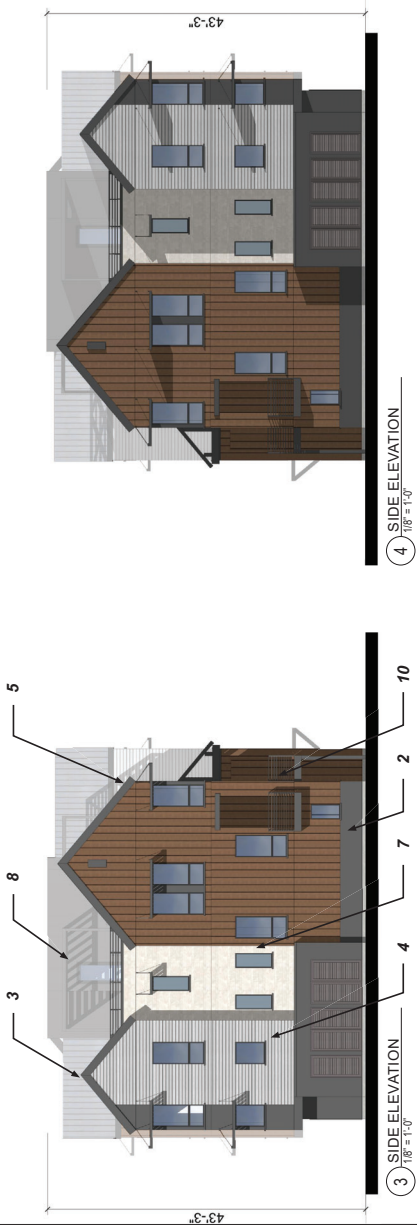
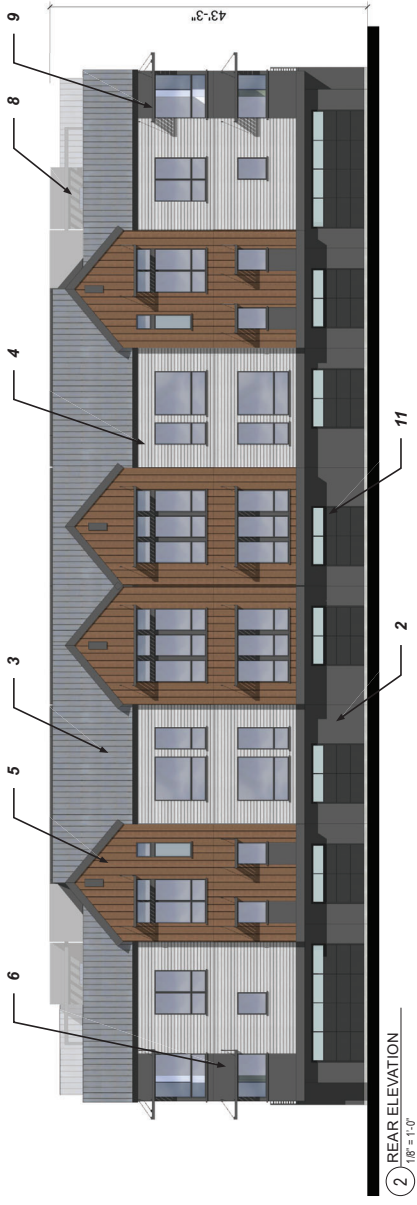


ISSUE CHART

| DATE | DESCRIPTION |
|------------|-------------|
| 10/20/2020 | 10/20/2020 |

TITLE
TOWNHOME A
8-PLEX BUILDING
ELEVATIONS
SHEET NUMBER

A2.2



MATERIALS KEY

- 1 VINYL WINDOWS AND DOORS
- 2 COAT STUCCO
- 3 WITH METAL REVEALS
- 4 STANDING SEAM METAL ROOF
- 5 HORIZONTAL LAP SIDING
- 6 BOARD AND BATTEN SIDING
- 7 SMOOTH CEMENTITIOUS PANEL
- 8 FLAT STONE VENEER
- 9 METAL TRELLIS
- 10 METAL AWNING
- 11 METAL GUARDRAIL
- 12 GARAGE DOOR WITH GLASS





ARCHITECTURE
PLANNING
INTERIORS

CONSULTANTS

CHUCK BROWN
ARCHITECTS
1400 California Street, Suite 300
San Francisco, CA 94111

HEIDRICH
100 California Street, Suite 300
San Francisco, CA 94111

HELLER MANUS ARCHITECTS
600 Montgomery Street, Suite 1000
San Francisco, CA 94111

WESTERLUND & ASSOCIATES
1700 California Street, Suite 300
San Francisco, CA 94111

WALKER & ASSOCIATES
1700 California Street, Suite 300
San Francisco, CA 94111

PROJECT

NORTH 40 PHASE II
North 40
Los Gatos, CA 95032



Grosvenor Property Americas
One California Street, Suite 3000
San Francisco, CA 94111

Eden Housing
22845 Grand Street
Hayward, CA 94541

KEYPLAN

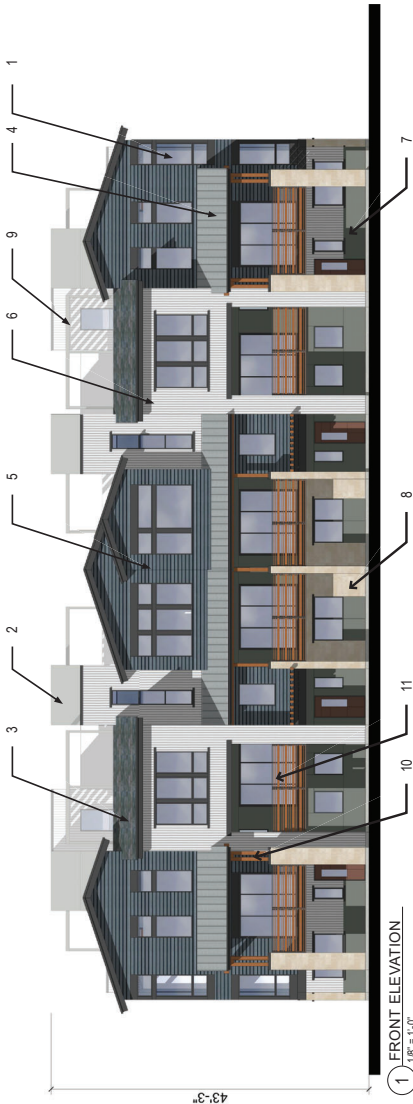


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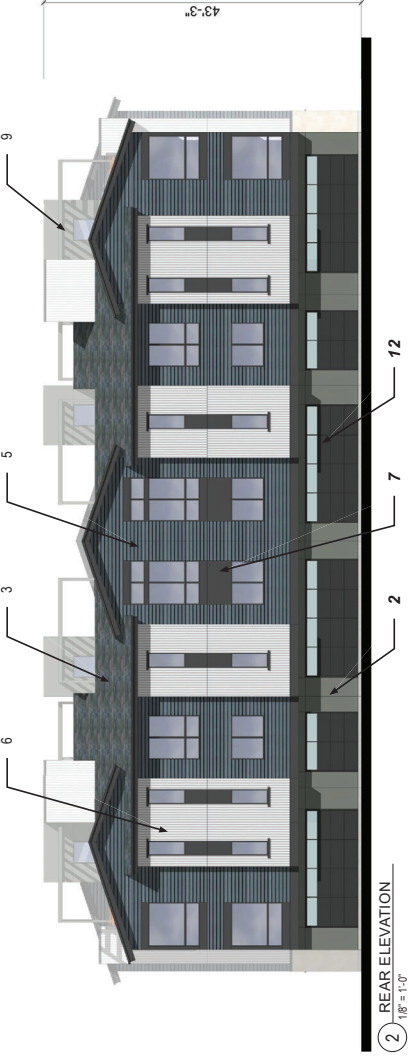
| DATE | DESCRIPTION |
|------------|-------------|
| 10/15/2020 | ISSUE 1 |

TOWNHOME B
6-PLEX BUILDING
ELEVATIONS
SHEET NUMBER

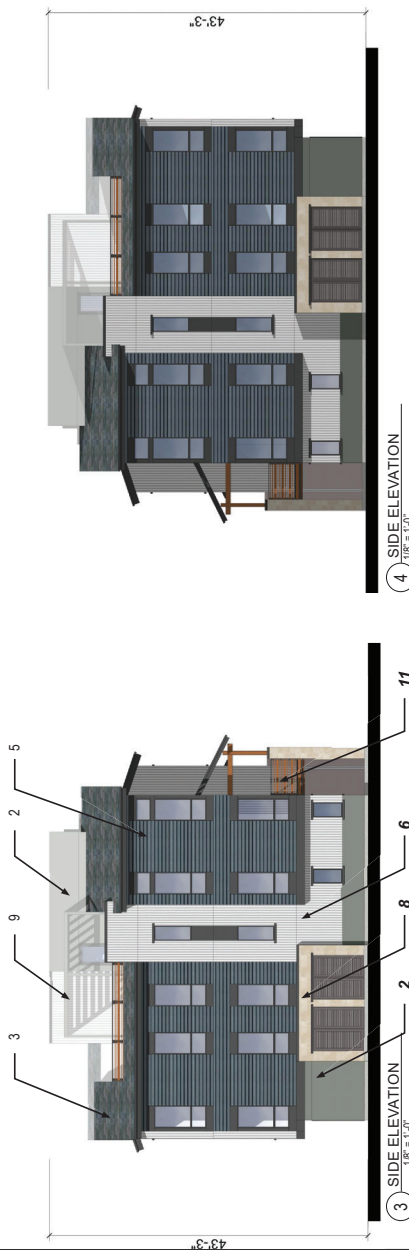
A3.1



1 FRONT ELEVATION
1/8" = 1'-0"



2 REAR ELEVATION
1/8" = 1'-0"



3 SIDE ELEVATION
1/8" = 1'-0"



4 SIDE ELEVATION
1/8" = 1'-0"

- MATERIALS KEY**
- 1 VINYL WINDOWS AND DOORS
 - 2 3 COAT STUCCO WITH METAL REVEALS
 - 3 COMPOSITE SHINGLE ROOF
 - 4 STANDING SEAM METAL ROOF
 - 5 HORIZONTAL LAP SIDING
 - 6 VERTICAL CORRUGATED METAL SIDING
 - 7 SMOOTH CEMENTICIOUS PANEL
 - 8 FLAT STONE VENEER
 - 9 METAL TRELLIS
 - 10 WOOD POST
 - 11 METAL AND COMPOSITE WOOD GUARDRAIL
 - 12 GARAGE DOOR WITH GLASS

0 4 8 16 24'



ARCHITECTURE
PLANNING
INTERIORS

CONSULTANTS

ONE CONSULTANT
MCKAY & BURNS
1400 Broadway Street, Suite 1000
San Francisco, CA 94109

HEADQUARTERS
100 California Street, Suite 1000
San Francisco, CA 94111

ASSOCIATING ARCHITECTS
HELLER MANUS ARCHITECTS
600 Montgomery Street, Suite 1000
San Francisco, CA 94111

INTERIOR DESIGNERS
PERKINS & WIL
200 Montgomery Street, Suite 1000
San Francisco, CA 94111

LANDSCAPE ARCHITECTS
HILL & EMMETT
100 California Street, Suite 1000
San Francisco, CA 94111

PROJECT

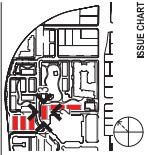
NORTH 40 PHASE II
North 40
Los Gatos, CA 95032



Grosvenor Property Americas
One California Street, Suite 3000
San Francisco, CA 94111

Eden Housing
22845 Grand Street
Hayward, CA 94541

KEYPLAN



ISSUE CHART

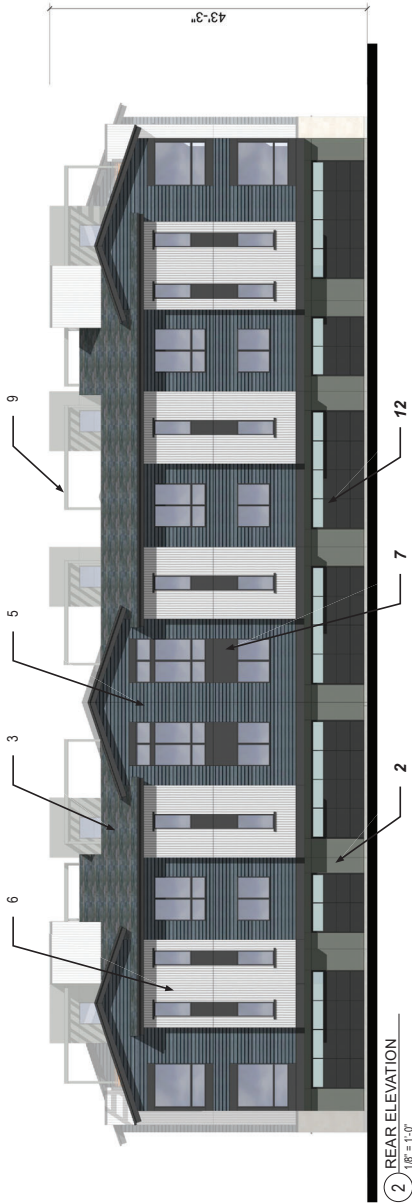
| DATE | DESCRIPTION |
|------------|-------------|
| 01/11/2023 | ISSUE 1 |

TOWNHOME B
7-PLEX BUILDING
ELEVATIONS
SHEET NUMBER

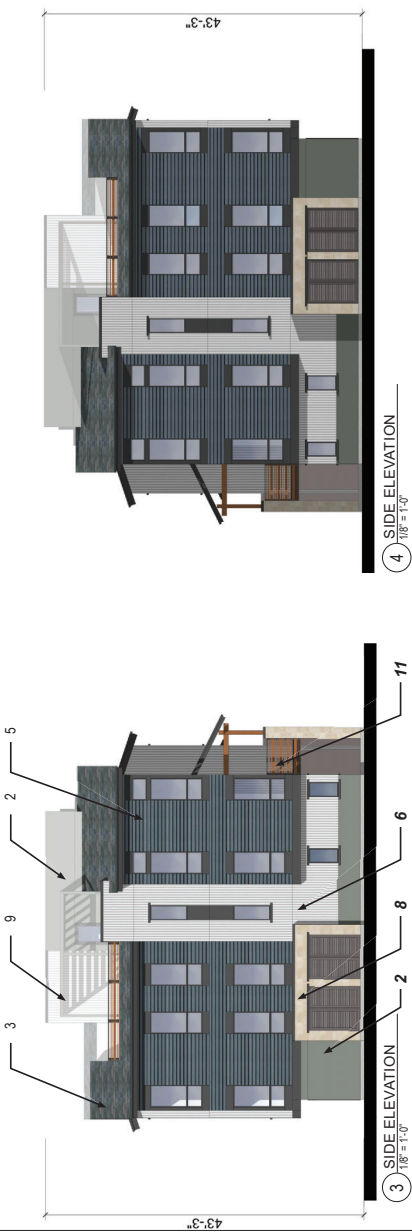
A3.2



1 FRONT ELEVATION
1/8" = 1'-0"



2 REAR ELEVATION
1/8" = 1'-0"



3 SIDE ELEVATION
1/8" = 1'-0"

MATERIALS KEY

- 1 VINYL WINDOWS AND DOORS
- 2 3 COAT STUCCO WITH METAL REVEALS
- 3 COMPOSITE SHINGLE ROOF
- 4 STANDING SEAM METAL ROOF
- 5 HORIZONTAL LAP SIDING
- 6 VERTICAL CORRUGATED METAL SIDING
- 7 SMOOTH CEMENTICIOUS PANEL
- 8 FLAT STONE VENEER
- 9 METAL TRELLIS
- 10 WOOD POST
- 11 METAL AND COMPOSITE WOOD GUARDRAIL
- 12 GARAGE DOOR WITH GLASS

0 4 8 16 24'

CONSULTANTS

ARCHITECT
HELERMAN MANUS ARCHITECTS
3452 Folsom Drive, Suite 300
Palo Alto, CA 94301

STRUCTURAL ENGINEER
TRANSCENDENT CONSULTANTS
100 California Street, Suite 201
San Jose, CA 95122

ASSOCIATED ENGINEER/ARCHITECT
DAHLIN GROUP
8885 Owens Drive
Palo Alto, CA 94303

MULTIMEDIA DESIGN & CONSTRUCTION
PERKINS & WIL
2 Bayview Plaza
San Francisco, CA 94133

REAL ESTATE DEVELOPMENT CONSULTANT
EDEN HOUSING
1740 California Street, Suite 300
San Francisco, CA 94111

PROJECT
NORTH 40 PHASE II
North 40
Los Gatos, CA 95032

GROSVENOR

EDEN
HOUSING

Grosvenor Property Americas
One California Street, Suite 3000
San Francisco, CA 94111

Eden Housing
22845 Grand Street
Hayward, CA 94541

KEY PLAN

ISSUE CHART

DATE: 11/11/2021
BY: JLM

JOB NUMBER

TITLE
MULTI-FAMILY HOUSING
SOUTH & WEST ELEVATIONS

SHEET NUMBER
A4.1

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MATERIALS KEY

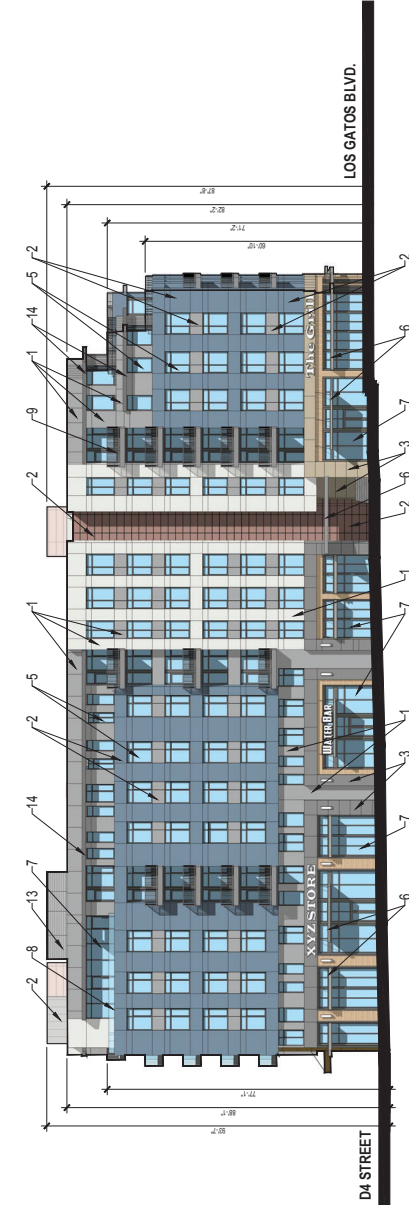
1. STUCCO
2. FIBER CEMENT PANEL
3. STONE VENEER PANEL
4. PORCELAIN TILE
5. METAL WINDOW
6. METAL GUARDRAIL
7. STOREFRONT WINDOW WALL
8. GLASS GUARDRAIL
9. GLASS & METAL ROLL UP DOOR
10. OPEN AIR METAL GRILLE DOOR
11. METAL LOUVER
12. METAL MECHANICAL SCREEN
13. METAL CORNICE



1 SOUTH ELEVATION
1/16"=1'-0"

MATERIALS KEY

1. STUCCO
2. FIBER CEMENT PANEL
3. STONE VENEER PANEL
4. PORCELAIN TILE
5. METAL WINDOW
6. METAL GUARDRAIL
7. STOREFRONT WINDOW WALL
8. GLASS GUARDRAIL
9. METAL LOUVER
10. GLASS & METAL ROLL UP DOOR
11. OPEN AIR METAL GRILLE DOOR
12. METAL LOUVER
13. METAL MECHANICAL SCREEN
14. METAL CORNICE



2 WEST ELEVATION
1/16"=1'-0"

CONSULTANTS

ONE LINER
MACKAY
3452 Franklin Drive, Suite 200
Palo Alto, CA 94303

TRANSCENDENCE CONSULTANTS
100 California Street, Suite 201
San Jose, CA 95122

ASSOCIATED TOWNHOME AND APARTMENTS
1885 Owens Drive
Palo Alto, CA 94303

DAHLIN GROUP
1885 Owens Drive
Palo Alto, CA 94303

MULTIMEDIA ARCHITECTS & DESIGN
21900 S. Bascom Avenue
San Jose, CA 95128

REAL ESTATE DEVELOPMENT CONSULTANTS
1745 S. Bascom Avenue
San Jose, CA 95128

PROJECT

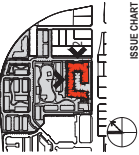
NORTH 40 PHASE II
North 40
Los Gatos, CA 95032



Grosvenor Property Americas
One California Street, Suite 3000
San Francisco, CA 94111

Eden Housing
22845 Grand Street
Hayward, CA 94541

KEYPLAN



ISSUE CHART

| DATE | DESCRIPTION |
|-----------|--------------------|
| 10/1/2021 | ISSUED FOR PERMITS |

| JOB NUMBER | PROJECT LOCATION | TITLE |
|--------------------|----------------------|-------------------------|
| 22845 GRAND STREET | MULTI-FAMILY HOUSING | NORTH & EAST ELEVATIONS |

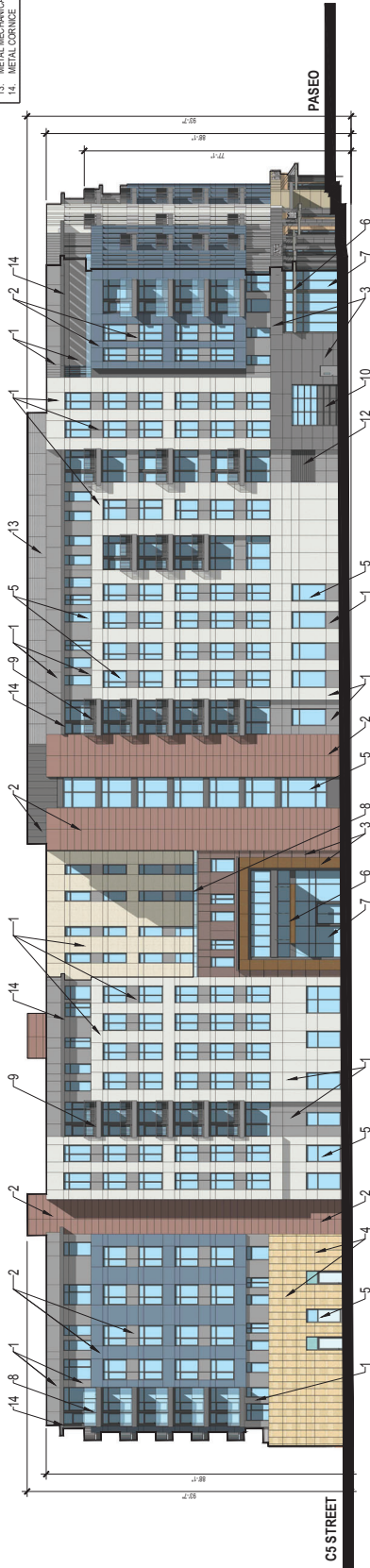
SHEET NUMBER

A4.2

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MATERIALS KEY

1. STUCCO
2. FIBER CEMENT PANEL
3. STONE VENEER PANEL
4. PORCELAIN TILE
5. METAL WINDOW
6. METAL GUARDRAIL
7. STOREFRONT WINDOW WALL
8. GLASS GUARDRAIL
9. METAL GUARDRAIL
10. GLASS & METAL ROLL UP DOOR
11. OPEN AIR METAL GRILLE DOOR
12. METAL LOUVER
13. METAL MECHANICAL SCREEN
14. METAL CORNICE



1 NORTH ELEVATION
1/16"=1'-0"

MATERIALS KEY

1. STUCCO
2. FIBER CEMENT PANEL
3. STONE VENEER PANEL
4. PORCELAIN TILE
5. METAL WINDOW
6. METAL GUARDRAIL
7. STOREFRONT WINDOW WALL
8. GLASS GUARDRAIL
9. METAL GUARDRAIL
10. GLASS & METAL ROLL UP DOOR
11. OPEN AIR METAL GRILLE DOOR
12. METAL LOUVER
13. METAL MECHANICAL SCREEN
14. METAL CORNICE



2 EAST ELEVATION
1/16"=1'-0"

0 8' 16' 32' 48'

CONSULTANTS

ONE LINER
MACKAY
3452 Franklin Drive, Suite 201
Palo Alto, CA 94303

TRANSCENDENT CONSULTANTS
100 California Street, Suite 201
San Jose, CA 95112

ASSOCIATED TOWNHOME ASSOCIATES
1885 Owens Drive
Palo Alto, CA 94303

DAHLIN GROUP
1885 Owens Drive
Palo Alto, CA 94303

PERKINS & WILL
2190 West Broadway
San Francisco, CA 94103

WILKINSON
2190 West Broadway
San Francisco, CA 94103

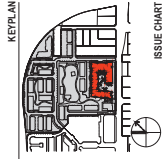
PROJECT

NORTH 40 PHASE II
North 40
Los Gatos, CA 95032



Grosvenor Property Americas
One California Street, Suite 3000
San Francisco, CA 94111

Eden Housing
22845 Grand Street
Hayward, CA 94541



| DATE | DESCRIPTION |
|------------|-------------|
| 01/11/2023 | ISSUE 001 |

JOB NUMBER
TITLE
MULTI-FAMILY HOUSING
COURTYARD ELEVATIONS

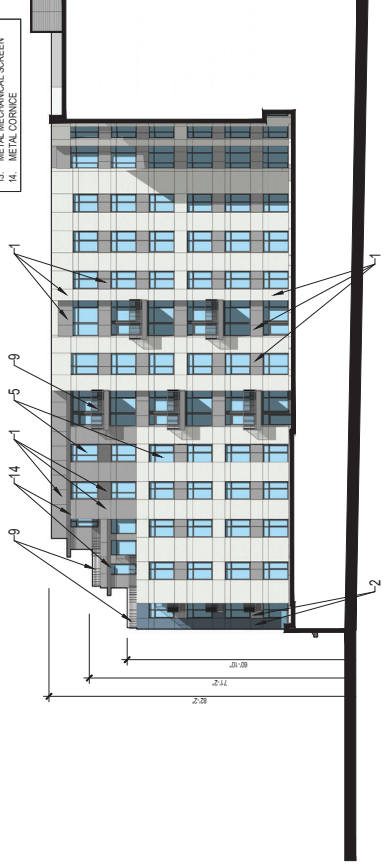
SHEET NUMBER

A4.3

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MATERIALS KEY

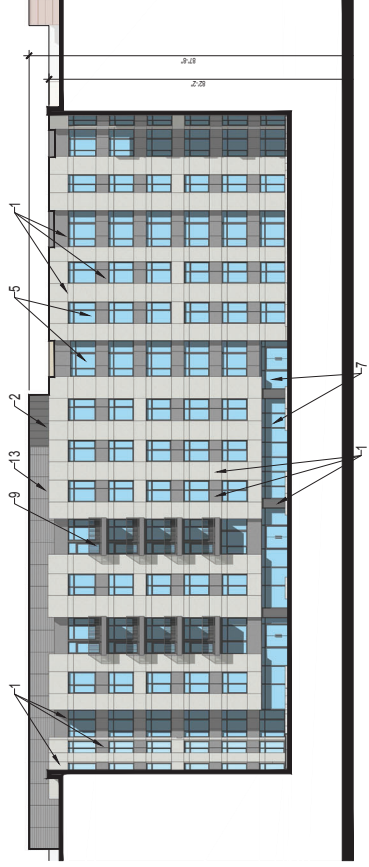
1. STUCCO
2. FIBER CEMENT PANEL
3. STONE VENEER PANEL
4. PORCELAIN TILE
5. METAL WINDOW
6. METAL CANOPY
7. STOREFRONT WINDOW WALL
8. GLASS GUARDRAIL
9. GLASS & METAL ROLL UP DOOR
10. GLASS & METAL GRILLE DOOR
11. OPEN AIR METAL GRILLE DOOR
12. METAL LOUVER
13. METAL MECHANICAL SCREEN
14. METAL CORNICE



2 COURTYARD EAST ELEVATION
1/16"=1'-0"

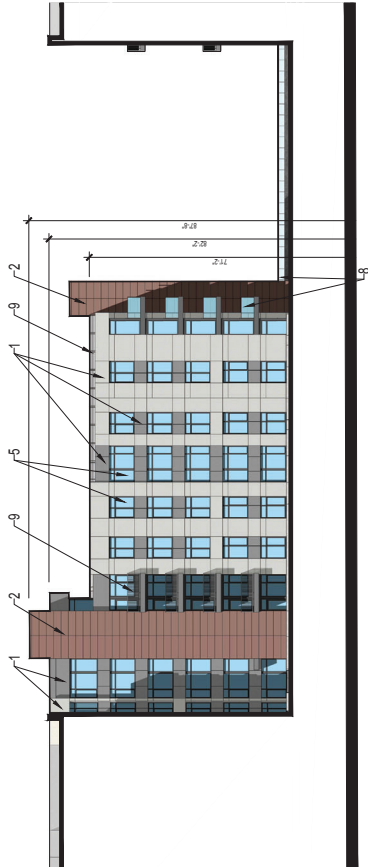
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3. STONE VENEER PANEL
4. PORCELAIN TILE
5. METAL WINDOW
6. METAL CANOPY
7. STOREFRONT WINDOW WALL
8. GLASS GUARDRAIL
9. METAL GUARDRAIL
10. GLASS & METAL ROLL UP DOOR
11. METAL MECHANICAL SCREEN
12. METAL LOUVER
13. METAL MECHANICAL SCREEN
14. METAL CORNICE

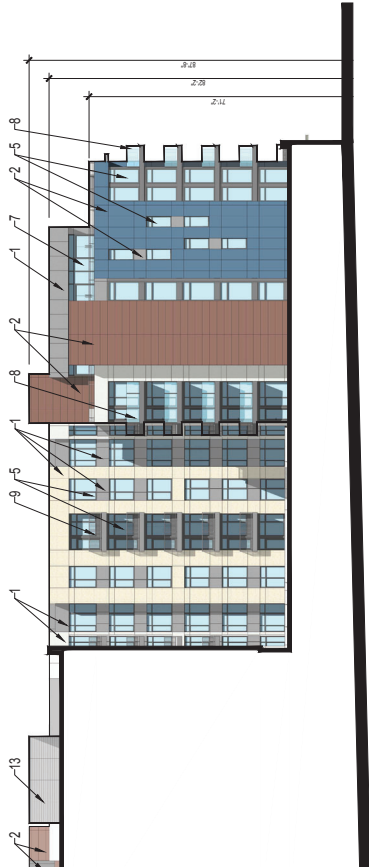


4 COURTYARD SOUTH ELEVATION
1/16"=1'-0"

1 COURTYARD NORTH ELEVATION
1/16"=1'-0"



3 COURTYARD WEST ELEVATION
1/16"=1'-0"



Perkins&Will

2 Street Street
San Francisco, CA 94103
415.774.2973
www.perkinsandwill.com

CONSULTANTS

CRAL KNOWLES
MCKAY & SOMERS
1777
Palo Alto, CA 94303

HEXAGON

1000
San Jose, CA 95128

TRANSPARENCY

1000
San Jose, CA 95128

DAHLIN GROUP

5850
Palo Alto, CA 94303

HELLEN WALKER ARCHITECTS

600 Montgomery Street, Suite 250
San Francisco, CA 94111

MANA LEE ARE

1000
San Francisco, CA 94111

PROJECT

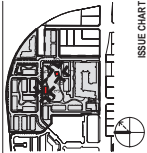
NORTH 40 PHASE II
North 40
Los Gatos, CA 95032



Grosvenor Property Americas
One California Street, Suite 3000
San Francisco, CA 94111

Eden Housing
22845 Grand Street
Hayward, CA 94541

KEYPLAN



ISSUE CHART

| DATE | DESCRIPTION |
|------------|-------------|
| 02/28/2022 | 02/28/2022 |

TITLE
Pavilions A&B
Elevations

SHEET NUMBER

A8.1

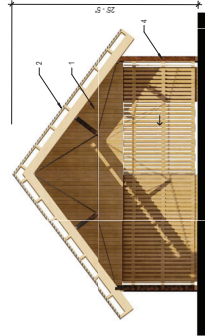
© 2022 Perkins and Will

MATERIAL KEY

1. RECYCLED GLASS Siding
2. CORRUGATED METAL ROOF
3. GULLAM
4. GULLAM
5. GULLAM
6. GULLAM
7. GULLAM
8. GULLAM
9. GULLAM
10. GULLAM
11. GULLAM
12. GULLAM
13. GULLAM



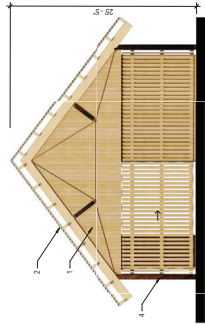
5 Pavilion B Elevation - North
18' x 1'-0"



6 Pavilion B Elevation - East
18' x 1'-0"



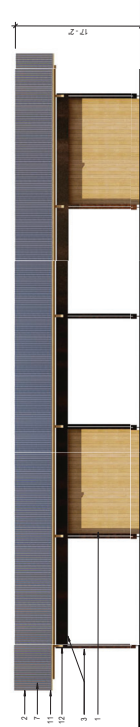
7 Pavilion B Elevation - South
18' x 1'-0"



8 Pavilion B Elevation - West
18' x 1'-0"



3 Pavilion A Elevation - South
18' x 1'-0"



1 Pavilion A Elevation - North
18' x 1'-0"



4 Pavilion A Elevation - West
18' x 1'-0"



2 Pavilion A Elevation - East
18' x 1'-0"

Perkins&Will

2 Bay Street
San Francisco, CA 94102
415.774.8300
www.perkinswill.com

CONSULTANTS

ARCHITECT
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San Francisco, CA 94108

TRANSPORTATION CONSULTANTS
HEADQUARTERS
100 California Street, Suite 1200
San Francisco, CA 94111

ARCHITECTURAL RENDERING
DAKIN GROUP
5885 Owens Drive
Palo Alto, CA 94303

STRUCTURAL ENGINEER
HEILERSMAN
605 Montgomery Street, Suite 1200
San Francisco, CA 94111

MECHANICAL ENGINEER
HKS
227 Battery Ave.
San Francisco, CA 94111

ELECTRICAL ENGINEER
HKS
227 Battery Ave.
San Francisco, CA 94111

PROJECT
NORTH 40 PHASE II
North 40
Los Gatos, CA 95032

GROSVENOR

EDEN HOUSING

Grosvenor Property Americas
One California Street, Suite 3000
San Francisco, CA 94111

Eden Housing
22845 Grand Street
Hayward, CA 94541

KEY PLAN

ISSUE CHART

Job Number
48024.000
TITLE
RETAIL ELEVATIONS

SHEET NUMBER
A9.1

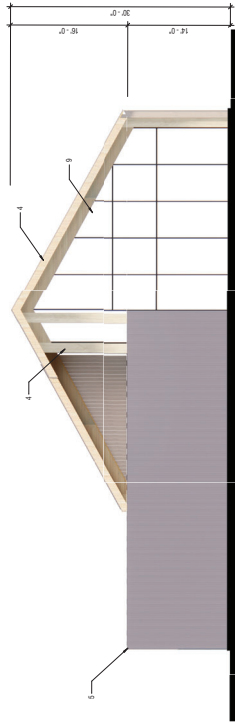
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MATERIAL KEY

1. RECYCLED CEDAR SIDING
2. CORRUGATED METAL ROOF
3. CONCRETE
4. GUMM
5. PHOTOVOLTAIC PANELS
6. STEEL STUD WALL
7. STEEL STUD WALL
8. STEEL STUD WALL
9. STEEL STUD WALL
10. STEEL STUD WALL
11. RAFTER CAP
12. WOOD SLAT & KING PARTITION



4 Retail Elevation - West
18" = 1'-0"



3 Retail Elevation - South
18" = 1'-0"



2 Retail Elevation - East
18" = 1'-0"



1 Retail Elevation - North
18" = 1'-0"

Updated 4/11/2023



First American Title Insurance Company
National Commercial Services
333 W. Santa Clara Street, Ste. 220
San Jose, CA 95113-1714

Nolan M. Kennedy
Kennedy, Archer & Giffen, PC
24591 Silver Cloud Court, Ste. 200
Monterey, CA 93940
Phone: (831)373-7500

Escrow Officer: Terri Moralez
Phone: (408)451-7838
Email: TMoralez@firstam.com

Title Officer: Michael D. Hickey
Phone: (408)451-7905
Email: mhickey@firstam.com

PRELIMINARY REPORT

In response to the above referenced application for a policy of title insurance, this company hereby reports that it is prepared to issue, or cause to be issued, as of the date hereof, a Policy or Policies of Title Insurance describing the land and the estate or interest therein hereinafter set forth, insuring against loss which may be sustained by reason of any defect, lien or encumbrance not shown or referred to as an Exception below or not excluded from coverage pursuant to the printed Schedules, Conditions and Stipulations of said Policy forms.

The printed Exceptions and Exclusions from the coverage and Limitations on Covered Risks of said policy or policies are set forth in Exhibit A attached. *The policy to be issued may contain an arbitration clause. When the Amount of Insurance is less than that set forth in the arbitration clause, all arbitrable matters shall be arbitrated at the option of either the Company or the Insured as the exclusive remedy of the parties.* Limitations on Covered Risks applicable to the CLTA and ALTA Homeowner's Policies of Title Insurance which establish a Deductible Amount and a Maximum Dollar Limit of Liability for certain coverages are also set forth in Exhibit A. Copies of the policy forms should be read. They are available from the office which issued this report.

Please read the exceptions shown or referred to below and the exceptions and exclusions set forth in Exhibit A of this report carefully. The exceptions and exclusions are meant to provide you with notice of matters which are not covered under the terms of the title insurance policy and should be carefully considered.

It is important to note that this preliminary report is not a written representation as to the condition of title and may not list all liens, defects, and encumbrances affecting title to the land.

This report (and any supplements or amendments hereto) is issued solely for the purpose of facilitating the issuance of a policy of title insurance and no liability is assumed hereby. If it is desired that liability be assumed prior to the issuance of a policy of title insurance, a Binder or Commitment should be requested.

Dated as of April 3, 2023 at 7:30 A.M.

The form of Policy of title insurance contemplated by this report is:

ALTA Extended Loan Policy and
ALTA Extended Owner Policy

A specific request should be made if another form or additional coverage is desired.

Title to said estate or interest at the date hereof is vested in:

Yuki Farms, LLC, a California limited liability company, successor by conversion to Yuki Farms, a California general partnership, as to Parcels One, Three, Four, Five, Six and Seven; and

Yuki Farms, LLC, a California limited liability company, successor by conversion to Yuki Farms, a California general partnership, successor by merger with ETPH, LP, a California limited partnership, as to Parcel Two

The estate or interest in the land hereinafter described or referred to covered by this Report is:

Fee as to Parcels One, Two, Three, Four, Five, Six and Seven; easements as to Parcels Four-A, Five-A and Six-A

The Land referred to herein is described as follows:

(See attached Legal Description)

At the date hereof exceptions to coverage in addition to the printed Exceptions and Exclusions in said policy form would be as follows:

1. General and special taxes and assessments for the fiscal year 2023-2024, a lien not yet due or payable.
2. The lien of supplemental taxes, if any, assessed pursuant to Chapter 3.5 commencing with Section 75 of the California Revenue and Taxation Code.
3. Water rights, as reserved by Leslie Walker and Mary Walker, his wife, in the Deed to Elizabeth Grant, recorded January 4, 1904 in Book 272 of Deeds, Page 528, Records of Santa Clara County.

(Affects Parcels One and Seven)

4. An easement for ingress and egress and incidental purposes, recorded September 3, 1919 as Book 494 of Deeds, Page 184.

In Favor of:

Hugh B. Moffitt and Nora Moffitt

Affects:

A portion of Parcel Two

5. An easement for poles and wires for the transmission and distribution of electricity and incidental purposes, recorded May 24, 1940 as Book 989, Page 45 of Official Records.
In Favor of: Pacific Gas and Electric Company, a California corporation
Affects: Along the Northeasterly boundary of Parcels Four, Five and Six, width not disclosed
6. An easement for underground gas main or pipe line and incidental purposes, recorded March 10, 1948 as Book 1578, Page 205 of Official Records.
In Favor of: Pacific Gas and Electric Company, a California corporation
Affects: The Northeasterly 10 feet of Parcel Five
7. An easement for underground gas main or pipe line and incidental purposes, recorded March 10, 1948 as Book 1578, Page 207 of Official Records.
In Favor of: Pacific Gas and Electric Company, a California corporation
Affects: The Northeasterly 10 feet of Parcel Four
8. An easement for underground gas main or pipe line and incidental purposes, recorded March 10, 1948 as Book 1578, Page 211 of Official Records.
In Favor of: Pacific Gas and Electric Company, a California corporation
Affects: The Northeasterly 10 feet of Parcel Six
9. An easement for poles and wires for the transmission and distribution of electricity and incidental purposes, recorded May 9, 1950 as Book 1975, Page 292 of Official Records.
In Favor of: Pacific Gas and Electric Company, a California corporation
Affects: A portion of Parcel Two
10. A waiver of any claims for damages by reason of the location, construction, landscaping or maintenance of a contiguous freeway, highway, roadway or transit facility as contained in the document recorded October 24, 1956 as Book 3640, Page 181 of Official Records.

(Affects Parcel Two)
11. A waiver of any claims for damages by reason of the location, construction, landscaping or maintenance of a contiguous freeway, highway, roadway or transit facility as contained in the document recorded October 24, 1956 as Book 3640, Page 184 of Official Records.

(Affects Parcels One and Seven)
12. A waiver of any claims for damages by reason of the location, construction, landscaping or maintenance of a contiguous freeway, highway, roadway or transit facility as contained in the document recorded March 6, 1957 as Instrument No. 1314455 in Book 3745, Page 266 of Official Records.

(Affects Parcel Three)
13. The effect of those certain water rights of way for water pipeline granted by Takeo Yuki and Miyoko Yuki to San Jose Water Works, a California corporation, recorded November 13, 1958 in Book 4228, Page 76 of Official Records and recorded February 6, 1959 in Book 4315, Page 220 of Official Records.

By Quitclaim Deed recorded April 10, 1959 in Book 4381, Page 205 of Official Records, portions of the above rights of way were quitclaimed. Reference to the record thereof is made for full particulars.

(Affects Parcels One and Two)

14. An easement for water pipe lines and incidental purposes, recorded November 13, 1958 as Book 4228, Page 80 of Official Records.

In Favor of: San Jose Water Works, a California corporation
Affects: Portions of Parcels Two and Three

Terms and provisions contained in the above document.

15. An easement for public street and road and incidental purposes, recorded July 15, 1971 as Instrument No. 4049921 in Book 9420, Page 70 of Official Records.

In Favor of: The County of Santa Clara, a political subdivision of the State of California
Affects: A portion of Parcel Two lying within Los Gatos Boulevard

16. An easement for the transmission of electric energy for communication and other purposes and incidental purposes, recorded February 14, 1972 as Instrument No. 4192947 in Book 9702, Page 562 of Official Records.

In Favor of: Western California Telephone Company
Affects: A portion of Parcel Two

The location of the easement cannot be determined from record information.

17. Abutter's rights of ingress and egress to or from Route 17 Freeway have been relinquished in the document recorded November 14, 1991 as Instrument No. 11131439 in Book L928, Page 1521 of Official Records.

(Affects Parcel Three)

18. Abutter's rights of ingress and egress to or from Route 17 Freeway have been relinquished in the document recorded January 29, 1993 as Instrument No. 11753943 in Book M607, Page 0606 of Official Records.

(Affects Parcels One, Two and Seven)

19. An easement for public utilities and incidental purposes, recorded December 22, 1993 as Instrument No. 12277089 in Book N210, Page 0770 of Official Records.

In Favor of: Pacific Gas and Electric Company, a California corporation and General Telephone Company of California, a California corporation
Affects: A portion of Parcel Two

20. Abutter's rights of ingress and egress to or from Route 17 Freeway have been relinquished in the document recorded September 13, 1994 as Instrument No. 12647502 of Official Records.

(Affects Parcel Four)

21. An option in favor of Grosvenor USA Limited, a Nevada corporation as contained in or disclosed by a document recorded November 18, 2009 as Instrument No. 20511107 of Official Records.

Document(s) declaring modifications thereof recorded February 19, 2015 as Instrument No. 22857935 of Official Records.

Document(s) declaring modifications thereof recorded December 29, 2016 as Instrument No. 23546087 of Official Records.

The effect of that certain "Quitclaim Deed (Partial Removal of Memorandum of Option) recorded May 25, 2018 as Instrument No. 23942363 of Official Records.

Document(s) declaring modifications thereof recorded May 12, 2020 as Instrument No. 24476261 of Official Records.

22. The terms, provisions and easement(s) contained in the document entitled "Storm Drainage Line Construction and Maintenance Easement Agreement" recorded May 17, 2019 as Instrument No. 24182274 of Official Records.

(Affects Parcels One, Two and Seven)

23. The terms, provisions and easement(s) contained in the document entitled "Sanitary Sewer Line Construction and Maintenance Easement Agreement" recorded May 17, 2019 as Instrument No. 24182275 of Official Records.

(Affects Parcels One, Two and Seven)

24. Any facts, rights, interests or claims which would be disclosed by a correct ALTA/NSPS survey.

25. Rights of parties in possession.

26. One of the following is required in accordance with the Subdivision Map Act (Section 66410 et seq. of the California Government Code):

- a. A certificate of compliance recorded in the public records.
- b. Filing of a final map or parcel map.
- c. A waiver of a final map or parcel map.

(Affects Parcel Seven)

27. The terms, provisions and easement(s) contained in the document entitled "Wall Maintenance Easement Agreement" recorded September 9, 2021 as Instrument No. 25094034 of Official Records.

(Affects Parcel One)

Assignment and Assumption by Yuki Farms, LLC, of Wall Maintenance Agreement recorded December 27, 2022 as Instrument No. 25413148 of Official Records.

28. The terms, provisions and easement(s) contained in the document entitled "Wall Removal and Repair Easement Agreement" recorded September 9, 2021 as Instrument No. 25094035 of Official Records.

(Affects Parcel One)

Assignment and Assumption by Market Hall Owners Association of Wall Removal and Repair Easement Agreement recorded December 7, 2022 as Instrument No. 25413149 of Official Records.

Assignment and Assumption by Yuki Farms, LLC, of Wall Removal and Repair Easement Agreement recorded December 7, 2022 as Instrument No. 25413150 of Official Records.

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| INFORMATIONAL NOTES |
|----------------------------|

ALERT - CA Senate Bill 2 imposes an additional fee of \$75 up to \$225 at the time of recording on certain transactions effective January 1, 2018. Please contact your First American Title representative for more information on how this may affect your closing.

1. Taxes for proration purposes only for the fiscal year 2022-2023.

First Installment: \$2,463.94, Paid
Second Installment: \$2,463.94, Paid
Tax Rate Area: 003-064
APN: 424-07-115

(Affects Parcel One)

2. Taxes for proration purposes only for the fiscal year 2022-2023.

First Installment: \$2,153.30, Paid
Second Installment: \$2,153.30, Paid
Tax Rate Area: 003-064
APN: 424-07-081

(Affects Parcel Two)

3. Taxes for proration purposes only for the fiscal year 2022-2023.

First Installment: \$14,704.64, Paid
Second Installment: \$14,704.64, Paid
Tax Rate Area: 003-064
APN: 424-07-094

(Affects Parcel Three)

4. Taxes for proration purposes only for the fiscal year 2022-2023.

First Installment: \$3,427.21, Paid
Second Installment: \$3,427.21, Paid
Tax Rate Area: 003-064
APN: 424-07-095

(Affects Parcel Four)

5. Taxes for proration purposes only for the fiscal year 2022-2023.

First Installment: \$2,949.31, Paid
Second Installment: \$2,949.31, Paid
Tax Rate Area: 003-064
APN: 424-07-053

(Affects Parcel Five)

6. Taxes for proration purposes only for the fiscal year 2022-2023.

First Installment: \$2,949.32, Paid
Second Installment: \$2,949.32, Paid
Tax Rate Area: 003-064
APN: 424-07-009

(Affects Parcel Six)

7. Taxes for proration purposes only for the fiscal year 2022-2023.

First Installment: \$389.01, Paid
Second Installment: \$389.01, Paid
Tax Rate Area: 003-064
APN: 424-07-116

(Affects Parcel Seven)

8. According to the public records, there has been no conveyance of the land within a period of twenty-four months prior to the date of this report, except as follows:

None

9. This preliminary report/commitment was prepared based upon an application for a policy of title insurance that identified land by street address or assessor's parcel number only. It is the responsibility of the applicant to determine whether the land referred to herein is in fact the land that is to be described in the policy or policies to be issued.

10. Should this report be used to facilitate your transaction, we must be provided with the following prior to the issuance of the policy:

A. WITH RESPECT TO A CORPORATION:

1. A certificate of good standing of recent date issued by the Secretary of State of the corporation's state of domicile.
2. A certificate copy of a resolution of the Board of Directors authorizing the contemplated transaction and designating which corporate officers shall have the power to execute on behalf of the corporation.
3. A certificate of revivor and a certificate of relief from contract voidability issued by the Franchise Tax Board of the State of California.
4. Requirements which the Company may impose following its review of the above material and other information which the Company may require.

B. WITH RESPECT TO A CALIFORNIA LIMITED PARTNERSHIP:

1. A certified copy of the certificate of limited partnership (form LP-1) and any amendments thereto (form LP-2) to be recorded in the public records;
2. A full copy of the partnership agreement and any amendments;
3. Satisfactory evidence of the consent of a majority in interest of the limited partners to the contemplated transaction;
4. A certificate of revivor and a certificate of relief from contract voidability issued by the Franchise Tax Board of the State of California.
5. Requirements which the Company may impose following its review of the above material and other information which the Company may require.

C. WITH RESPECT TO A FOREIGN LIMITED PARTNERSHIP:

1. A certified copy of the application for registration, foreign limited partnership (form LP-5) and any amendments thereto (form LP-6) to be recorded in the public records;
2. A full copy of the partnership agreement and any amendment;
3. Satisfactory evidence of the consent of a majority in interest of the limited partners to the contemplated transaction;
4. A certificate of revivor and a certificate of relief from contract voidability issued by the Franchise Tax Board of the State of California.
5. Requirements which the Company may impose following its review of the above material and other information which the Company may require.

D. WITH RESPECT TO A GENERAL PARTNERSHIP:

1. A certified copy of a statement of partnership authority pursuant to Section 16303 of the California Corporation Code (form GP-I), executed by at least two partners, and a certified copy of any amendments to such statement (form GP-7), to be recorded in the public records;
2. A full copy of the partnership agreement and any amendments;
3. Requirements which the Company may impose following its review of the above material required herein and other information which the Company may require.

E. WITH RESPECT TO A LIMITED LIABILITY COMPANY:

1. A copy of its operating agreement and any amendments thereto;
2. If it is a California limited liability company, a certified copy of its articles of organization (LLC-1) and any certificate of correction (LLC-11), certificate of amendment (LLC-2), or restatement of articles of organization (LLC-10) to be recorded in the public records;
3. If it is a foreign limited liability company, a certified copy of its application for registration (LLC-5) to be recorded in the public records;
4. With respect to any deed, deed of trust, lease, subordination agreement or other document or instrument executed by such limited liability company and presented for recordation by the Company or upon which the Company is asked to rely, such document or instrument must be executed in accordance with one of the following, as appropriate:
 - (i) If the limited liability company properly operates through officers appointed or elected pursuant to the terms of a written operating agreement, such documents must be executed by at least two duly elected or appointed officers, as follows: the chairman of the board, the president or any vice president, and any secretary, assistant secretary, the chief financial officer or any assistant treasurer;
 - (ii) If the limited liability company properly operates through a manager or managers identified in the articles of organization and/or duly elected pursuant to the terms of a written operating agreement, such document must be executed by at least two such managers or by one manager if the limited liability company properly operates with the existence of only one manager.
5. A certificate of revivor and a certificate of relief from contract voidability issued by the Franchise Tax Board of the State of California.
6. Requirements which the Company may impose following its review of the above material and other information which the Company may require.

F. WITH RESPECT TO A TRUST:

1. A certification pursuant to Section 18100.5 of the California Probate Code in a form satisfactory to the Company.
2. Copies of those excerpts from the original trust documents and amendments thereto which designate the trustee and confer upon the trustee the power to act in the pending transaction.
3. Other requirements which the Company may impose following its review of the material require herein and other information which the Company may require.

G. WITH RESPECT TO INDIVIDUALS:

1. A statement of information.

The map attached, if any, may or may not be a survey of the land depicted hereon. First American Title Insurance Company expressly disclaims any liability for loss or damage which may result from reliance on this map except to the extent coverage for such loss or damage is expressly provided by the terms and provisions of the title insurance policy, if any, to which this map is attached.

LEGAL DESCRIPTION

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

PARCEL ONE:

THAT CERTAIN PARCEL OF LAND DESCRIBED IN EXHIBIT "C" IN THE CERTIFICATE OF LOT LINE ADJUSTMENT, RECORDED DECEMBER 15, 2017 AS INSTRUMENT NO. 23828582, OFFICIAL RECORDS SANTA CLARA COUNTY RECORDS MORE FULLY DESCRIBED AS FOLLOWS:

ALL THAT CERTAIN REAL PROPERTY SITUATED IN THE TOWN OF LOS GATOS, COUNTY OF SANTA CLARA, STATE OF CALIFORNIA, BEING A PORTION OF THE LANDS OF ETPH, LP AS DESCRIBED IN INSTRUMENT NUMBER 17435615, SANTA CLARA COUNTY RECORDS, AND A PORTION OF THE LANDS OF YUKI FARMS AS DESCRIBED IN INSTRUMENT NUMBER 22878795 THROUGH 22878798, SANTA CLARA COUNTY RECORDS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWESTERLY CORNER OF THE STRIP OF LAND DEDICATED TO THE TOWN OF LOS GATOS AS DESCRIBED IN INSTRUMENT NUMBER 12040574, SANTA CLARA COUNTY RECORDS, SAID POINT BEING ON THE NORTHWESTERLY LINE OF LOS GATOS BOULEVARD COMMON TO THE SOUTHEASTERLY LINE OF SAID LANDS OF YUKI FARMS, THENCE ALONG SAID COMMON LINE SOUTH 32° 27' 21" WEST, 252.50 FEET, TO A POINT ON SAID COMMON LINE;

THENCE LEAVING SAID COMMON LINE AND ENTERING SAID LANDS OF YUKI FARMS AND SAID LANDS OF ETPH, LP THE FOLLOWING SIX (6) COURSES:

1. NORTH 57° 32' 39" WEST, 175.42 FEET;
2. SOUTH 32° 27' 21" WEST, 15.00 FEET;
3. NORTH 57° 32' 39" WEST, 296.50 FEET;
4. SOUTH 32° 27' 21" WEST, 76.41 FEET;
5. SOUTH 77° 27' 21" WEST, 81.59 FEET;
6. ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 127.00 FEET, THROUGH A CENTRAL ANGLE OF 19° 38' 14" AND AN ARC LENGTH OF 43.53 FEET;
7. ALONG A COMPOUND CURVE TO THE RIGHT HAVING A RADIUS OF 44.00 FEET, THROUGH A CENTRAL ANGLE OF 25° 21' 46" AND AN ARC LENGTH OF 19.48 FEET;
8. NORTH 57° 32' 39" WEST, 303.14 FEET, TO A POINT ON THE NORTHWESTERLY LINE OF SAID LANDS OF ETPH, LP, SAID LINE BEING COMMON TO THE SOUTHEASTERLY LINE OF THE STATE OF CALIFORNIA HIGHWAY ROUTE NUMBER 17;

THENCE ALONG THE NORTHEASTERLY LINE OF SAID LANDS OF ETPH, LP AND YUKI FARMS, COMMON TO THE SOUTHEASTERLY LINE OF STATE OF CALIFORNIA HIGHWAY 17 THE FOLLOWING TWO (2) COURSES:

1. NORTH 29° 08' 36" EAST, 52.39 FEET;
2. THENCE NORTH 27° 02' 57" EAST, 107.44 FEET, TO A POINT ON THE SOUTHWESTERLY LINE OF SAID LANDS OF YUKI FARMS;

THENCE ALONG SAID SOUTHWESTERLY LINE SOUTH 57° 32' 39" EAST 151.00 FEET;

THENCE LEAVING SAID SOUTHWESTERLY LINE AND ENTERING SAID LANDS OF YUKI FARMS NORTH 32° 22' 21" EAST, 271.00 FEET, TO A POINT ON THE NORTHWESTERLY LINE OF SAID LANDS OF YUKI FARMS;

THENCE ALONG THE NORTHEASTERLY LINE OF SAID LANDS OF YUKI FARMS, SOUTH 57° 32' 39" EAST, 749.58 FEET, TO THE POINT OF BEGINNING.

PARCEL TWO:

BEGINNING AT A POINT IN THE WESTERLY LINE OF THE SAN JOSE AND LOS GATOS ROAD, DISTANT SOUTH 31° 25' WEST, 2.195 CHAINS FROM THE COMMON CORNER OF LOTS C AND D OF THE WALKER PARTITION IN THE WESTERLY LINE OF SAID ROAD AND RUNNING THENCE ALONG THE WESTERLY LINE OF SAID ROAD SOUTH 31° 25' WEST 2.396 CHAINS TO A STAKE STANDING IN THE NORTHERLY LINE OF A RIGHT OF WAY 20 FEET WIDE; THENCE ALONG THE NORTHERLY LINE OF SAID RIGHT OF WAY AND PARALLEL TO THE LINE BETWEEN LOTS D AND C OF THE WALKER PARTITION, NORTH 58 1/2° WEST, 20.703 CHAINS TO A STAKE; THENCE AT RIGHT ANGLES TO THE LAST COURSE NORTH 31° 30' EAST, 2.396 CHAINS TO A STAKE; THENCE AT RIGHT ANGLES TO THE LAST COURSE AND PARALLEL TO THE LINE BETWEEN LOTS C AND D OF THE WALKER PARTITION, SOUTH 58 1/2° EAST, 20.703 CHAINS TO THE PLACE OF BEGINNING.

EXCEPTING THEREFROM THE 0.665 ACRE PARCEL CONVEYED TO THE STATE OF CALIFORNIA, BY DEED RECORDED OCTOBER 24, 1956 IN BOOK 3640 OFFICIAL RECORDS, PAGE 181.

ALSO EXCEPTING THEREFROM:

THAT PORTION LYING WITHIN PARCEL 1 OF THE LANDS CONDEMNED TO STATE OF CALIFORNIA FOR HIGHWAY PURPOSES, RECORDED ON JANUARY 29, 1993 AS INSTRUMENT NO. 11753943, OFFICIAL RECORDS.

ALSO EXCEPTING THEREFROM:

A TRACT OF LAND SITUATE IN THE TOWN OF LOS GATOS, COUNTY OF SANTA CLARA, STATE OF CALIFORNIA, BEING A PORTION OF THAT CERTAIN PARCEL OF LAND DEEDED TO MIYOKO YUKI, TRUSTEE, THOMAS M. YUKI, TRUSTEE AND INDIVIDUAL, BY DEED DATED AUGUST 28, 1987 AND RECORDED IN BOOK K276 PAGE 1211, OFFICIAL RECORDS OF SANTA CLARA COUNTY, AND BEING MORE SPECIFICALLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEASTERLY CORNER OF THE GRANTOR'S LAND WHICH GRANTOR'S IS 28.50 FEET PERPENDICULARLY DISTANT NORTHWESTERLY FROM THE MONUMENT LINE OF LOS GATOS BOULEVARD AND RUNNING THENCE NORTH 57° 31' 59" WEST 14.50 FEET ALONG THE SOUTHERLY LINE OF THE GRANTOR'S LAND; THENCE NORTH 32° 25' 14" EAST 158.14 FEET TO THE NORTHERLY LINE OF THE GRANTOR'S LAND; THENCE SOUTH 57° 31' 59" EAST 13.00 FEET ALONG THE NORTHERLY LINE OF THE GRANTOR'S LAND TO A POINT 28.50 FEET PERPENDICULARLY DISTANT NORTHWESTERLY FROM THE MONUMENT LINE OF LOS GATOS BOULEVARD; THENCE SOUTH 32° 28' 01" WEST 138.14 FEET; THENCE SOUTH 57° 31' 59" EAST 1.5 FEET TO A POINT 28.50 FEET PERPENDICULARLY DISTANT NORTHWESTERLY FROM SAID MONUMENT LINE; THENCE SOUTH 32° 28' 01" WEST 20.00 FEET TO THE POINT OF BEGINNING, AS GRANTED TO TOWN OF LOS GATOS, A CALIFORNIA MUNICIPAL CORPORATION ON AUGUST 9, 1993 AS INSTRUMENT NO. 12040573, OFFICIAL RECORDS.

PARCEL THREE:

BEGINNING AT A STAKE MARKED C.& L.M. STANDING AT THE COMMON CORNER FOR LOTS C AND D OF THE WALKER PARTITION IN THE WESTERLY LINE OF THE SAN JOSE AND LOS GATOS ROAD AND RUNNING THENCE ALONG THE WESTERLY LINE OF SAID SAN JOSE AND LOS GATOS ROAD. SOUTH 31° 25' WEST 2.195 CHAINS; THENCE LEAVING SAID ROAD AND RUNNING PARALLEL TO THE LINE BETWEEN SAID LOTS C AND D OF THE WALKER PARTITION, NORTH 58° 30' WEST 20.703 CHAINS TO A POINT IN THE EASTERLY LINE OF A RIGHT OF WAY 20 FEET WIDE; THENCE ALONG THE EASTERLY LINE OF SAID RIGHT OF WAY NORTH 31° 30' EAST 0.043 CHAINS TO THE NORTHERLY END OF SAID RIGHT OF WAY; THENCE NORTH 58° 30' WEST 0.303 CHAINS TO A STAKE STANDING IN THE SOUTHEASTERLY LINE OF THAT CERTAIN 10 ACRE TRACT OF LAND CONVEYED BY EVELEANO M. GRANT TO HENRY J. MARKHAM BY DEED DATED JUNE 22, 1911 IN BOOK 360 OF DEEDS, PAGE 450, RECORDS OF SANTA CLARA COUNTY, CALIFORNIA; THENCE ALONG THE SOUTHEASTERLY LINE OF SAID 10 ACRE TRACT OF LAND NORTH 31° 30' EAST 2.152 CHAINS TO A STAKE MARKED L. 1 AND G. 3 STANDING AT THE EASTERNMOST CORNER OF SAID 10 ACRE TRACT OF LAND IN THE LINE BETWEEN SAID LOTS C AND D OF THE WALKER PARTITION; THENCE ALONG THE LINE BETWEEN SAID LOTS C AND D, SOUTH 58° 30' EAST 21.006 CHAINS TO THE POINT OF BEGINNING, AND BEING A PART OF LOT D OF THE WALKER PARTITION, AS SET APART TO LESLIE WALKER BY FINAL DECREE IN PARTITION ENTERED IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA, IN AND FOR THE COUNTY OF SANTA CLARA, IN ACTION OF ROBERT WALKER, PLAINTIFF VS. LESLIE WALKER, ET AL, DEFENDANTS, ACTION NO. 11758, A CERTIFIED COPY OF WHICH DECREE WAS RECORDED ON JUNE 16, 1897 IN BOOK 198 OF DEEDS, PAGE 358, IN THE OFFICE OF THE COUNTY RECORDER OF THE COUNTY OF SANTA CLARA, STATE OF CALIFORNIA. COURSES TRUE, VARIATION, 18° EAST.

EXCEPTING THEREFROM, THAT PARCEL OF LAND LYING NORTHWESTERLY OF THE SOUTHEASTERLY LINE OF FREEWAY ROUTE 17, AS CONVEYED TO THE STATE OF CALIFORNIA, BY DEED RECORDED MARCH 6, 1957 IN BOOK 3745, PAGE 266, OFFICIAL RECORDS.

ALSO EXCEPTING THEREFROM, THAT PARCEL OF LAND CONVEYED TO THE STATE OF CALIFORNIA BY GRANT DEED RECORDED NOVEMBER 14, 1991 AS INSTRUMENT NO. 11131439 IN BOOK L928, PAGE 1521 OF OFFICIAL RECORDS, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEING A PORTION OF THAT CERTAIN PARCEL OF LAND DESCRIBED IN THE TRUST TRANSFER DEED FROM ROSE GRECO TO JOSEPH F. GRECO, AS TRUSTEE OF THE GRECO 1986 FAMILY TRUST, RECORDED OCTOBER 30, 1987 IN BOOK K342 OF OFFICIAL RECORDS AT PAGE 2014 SANTA CLARA COUNTY RECORDS DESCRIBED AS FOLLOWS;

BEGINNING AT A POINT IN THE NORTHERLY LINE OF SAID PARCEL DESCRIBED IN SAID TRUST TRANSFER DEED AT THE NORTHEASTERLY CORNER OF THAT CERTAIN PARCEL OF LAND DESCRIBED AS PARCEL 2 IN THE DEED FROM FRANK G. GRECO AND ROSE GRECO, HIS WIFE, TO THE STATE OF CALIFORNIA, RECORDED MARCH 6, 1957 IN BOOK 3745 OF OFFICIAL RECORDS AT PAGE 266 SANTA CLARA COUNTY RECORDS; THENCE FROM SAID POINT OF BEGINNING, ALONG THE NORTHERLY LINE OF SAID PARCEL DESCRIBED IN SAID TRUST TRANSFER DEED SOUTH 57° 35' 20" EAST 362.79 FEET; THENCE LEAVING SAID NORTHERLY LINE, FROM A TANGENT BEARING OF SOUTH 58° 17' 18" WEST ALONG A CURVE TO THE LEFT WITH A RADIUS OF 775.00 FEET THROUGH A CENTRAL ANGLE OF 9° 44' 59" FOR AN ARC LENGTH OF 131.88 FEET; THENCE SOUTH 48° 32' 19" WEST 14.92 FEET; THENCE ALONG A TANGENT CURVE TO THE LEFT WITH A RADIUS OF 910.00 FEET THROUGH A CENTRAL ANGLE OF 0° 29' 53" FOR AN ARC LENGTH OF 7.91 FEET TO A POINT IN THE SOUTHERLY LINE OF SAID PARCEL DESCRIBED IN SAID TRUST TRANSFER DEED; THENCE ALONG SAID SOUTHERLY LINE NORTH 57° 35' 20" WEST 294.42 FEET TO THE SOUTHEAST CORNER OF SAID PARCEL DESCRIBED TO THE STATE OF CALIFORNIA; THENCE ALONG THE EASTERLY LINE OF SAID PARCEL AS DESCRIBED IN THE ABOVE REFERENCE DEED TO THE STATE OF CALIFORNIA FROM A TANGENT BEARING OF NORTH 25° 42' 40" EAST ALONG A CURVE TO THE RIGHT WITH A RADIUS OF 4917.00 FEET, THROUGH A CENTRAL ANGLE OF 1° 41' 51" FOR AN ARC LENGTH OF 145.68 FEET TO THE POINT OF BEGINNING.

ALSO EXCEPTING THEREFROM:

A TRACT OF LAND SITUATE IN THE TOWN OF LOS GATOS, COUNTY OF SANTA CLARA, STATE OF CALIFORNIA, BEING A PORTION OF THAT CERTAIN PARCEL OF LAND DEEDED TO MIYOKO YUKI, TRUSTEE, THOMAS M. YUKI, TRUSTEE AND INDIVIDUAL, EMIKO YAMATE, PENI CHIEKO MORIMOTO AND HERBERT T. YUKI, TRUSTEE, BY DEED DATED OCTOBER 30, 1987 AND RECORDED IN BOOK K342 PAGE 2014, OFFICIAL RECORDS OF SANTA CLARA COUNTY, AND BEING MORE SPECIFICALLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEASTERLY CORNER OF THE GRANTOR'S LAND WHICH POINT IS 28.50 FEET PERPENDICULARLY DISTANT NORTHWESTERLY FROM THE MONUMENT LINE OF LOS GATOS BOULEVARD AND RUNNING THENCE NORTH 57° 31' 59" WEST 14.50 FEET ALONG THE SOUTHERLY LINE OF THE GRANTOR'S LAND; THENCE NORTH 32° 28' 01" EAST 144.87 FEET TO THE NORTHERLY LINE OF THE GRANTOR'S LAND; THENCE SOUTH 57° 31' 59" EAST 14.50 FEET ALONG THE NORTHERLY LINE OF THE GRANTOR'S LAND TO A POINT 28.50 FEET PERPENDICULARLY DISTANT NORTHWESTERLY FROM THE MONUMENT LINE OF LOS GATOS BOULEVARD; THENCE SOUTH 32° 28' 01" WEST 144.87 FEET TO THE POINT OF BEGINNING, AS GRANTED TO TOWN OF LOS GATOS, A CALIFORNIA MUNICIPAL CORPORATION ON OCTOBER 20, 1993 AS INSTRUMENT NO. 12167190, OFFICIAL RECORDS.

PARCEL FOUR:

BEING A PORTION OF PARCEL ONE AS DESCRIBED IN THE DEED FROM EVELYN NIGL TO THE STATE OF CALIFORNIA, RECORDED JULY 31, 1989 IN BOOK L038 OF OFFICIAL RECORDS AT PAGE 118 SANTA CLARA COUNTY RECORDS, AND A PORTION OF PARCEL I AS DESCRIBED IN THE DEED FROM W. GIZE AND JEAN H. GIZE, HIS WIFE, AS JOINT TENANTS TO THE STATE OF CALIFORNIA RECORDED JULY 29, 1986 IN BOOK J781 OF OFFICIAL RECORDS AT PAGE 2150 SANTA CLARA COUNTY RECORDS, DESCRIBED AS FOLLOWS:

BEGINNING AT THE MOST EASTERLY CORNER OF SAID PARCEL ONE; THENCE FROM SAID POINT OF BEGINNING, ALONG THE NORTHEASTERLY LINE OF SAID PARCEL ONE, NORTH 57° 35' 20" WEST 13.98 FEET; THENCE LEAVING SAID NORTHEASTERLY LINE FROM A TANGENT BEARING OF SOUTH 82° 52' 03" WEST, ALONG A CURVE TO THE LEFT WITH A RADIUS OF 775.00 FEET, THROUGH A CENTRAL ANGLE OF 24° 34' 45" FOR AN ARC LENGTH OF 332.47 FEET TO A POINT IN THE SOUTHWESTERLY LINE OF SAID PARCEL 1; THENCE ALONG SAID SOUTHWESTERLY LINE, AND THE SOUTHWESTERLY LINE OF SAID PARCEL ONE, SOUTH 57° 35' 20" EAST 217.85 FEET TO THE MOST SOUTHERLY CORNER OF SAID PARCEL ONE; THENCE ALONG THE SOUTHEASTERLY LINE OF SAID PARCEL ONE, NORTH 32° 24' 40" EAST 259.39 FEET TO THE POINT OF BEGINNING.

PARCEL FOUR-A:

BEING A PORTION OF PARCEL TWO AS DESCRIBED IN THE DEED FROM EVELYN NIGL TO THE STATE OF CALIFORNIA, RECORDED JULY 31, 1989 IN BOOK L038 OF OFFICIAL RECORDS AT PAGE 118 SANTA CLARA COUNTY RECORDS, DESCRIBED AS FOLLOWS:

A RIGHT OF WAY FOR INGRESS AND EGRESS OVER A STRIP OF LAND 20.00 FEET WIDE DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT THE NORTHEASTERLY LINE OF PARCEL ONE, AS DESCRIBED IN SAID DEED TO THE STATE OF CALIFORNIA. SAID POINT BEARS, ALONG SAID NORTHEASTERLY LINE NORTH 57° 35' 20" WEST 13.98 FEET FROM THE MOST EASTERLY CORNER OF SAID PARCEL ONE; THENCE FROM SAID POINT OF BEGINNING, FROM A TANGENT BEARING OF NORTH 82° 52' 03" EAST, ALONG A CURVE TO THE RIGHT WITH A RADIUS OF 775.00 FEET, THROUGH A CENTRAL ANGLE OF 2° 22' 59" FOR AN ARC LENGTH OF 32.23 FEET TO A POINT IN A LINE PARALLEL WITH AND DISTANT 20.00 FEET NORTHEASTERLY, MEASURED AT RIGHT ANGLES, FROM THE SOUTHEASTERLY PROLONGATION OF SAID NORTHEASTERLY LINE; THENCE ALONG SAID PARALLEL LINE SOUTH 57° 35' 20" EAST 601.60 FEET TO THE INTERSECTION THEREOF WITH THE NORTHWESTERLY LINE OF SOUTH BASCOM

AVENUE; THENCE LEAVING SAID PARALLEL LINE, ALONG SAID NORTHWESTERLY LINE FROM A TANGENT BEARING OF SOUTH 38° 07' 30" WEST, ALONG A CURVE TO THE LEFT WITH A RADIUS OF 10424.86 FEET, THROUGH A CENTRAL ANGLE OF 0° 06' 36" FOR AN ARC LENGTH OF 20.00 FEET TO THE INTERSECTION THEREOF WITH SAID SOUTHEASTERLY PROLONGATION; THENCE LEAVING SAID NORTHWESTERLY LINE, ALONG SAID SOUTHEASTERLY PROLONGATION AND SAID NORTHEASTERLY LINE NORTH 57° 35' 20" WEST 626.65 FEET TO THE POINT OF BEGINNING.

PARCEL FIVE:

A PART OF LOT C OF THE PARTITION OF THE LANDS OF THE ESTATE OF ELIZA JANE WALKER, DECEASED, IN THE ACTION OF ROBERT WALKER, VS. LESLIE WALKER, ET AL, IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA, IN AND FOR THE COUNTY OF SANTA CLARA, ACTION NO. 11758 AND BEING DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE SOUTHWESTERLY LINE OF LOT "C" OF THE PARTITION OF THE WALKER ESTATE AS SAID LOT C IS SHOWN UPON PARTITION MAP FILED IN THE ABOVE MENTIONED SUPERIOR COURT ACTION. SAID POINT OF BEGINNING BEING DISTANT ALONG SAID SOUTHWESTERLY LINE NORTH 58° 30' WEST 481.06 FEET FROM THE MOST SOUTHERLY CORNER OF SAID LOT "C" IN THE NORTHWESTERLY LINE OF THE SAN JOSE AND LOS GATOS ROAD; THENCE FROM SAID POINT OF BEGINNING ALONG THE SOUTHWEST LINE OF SAID LOT "C", NORTH 58° 30' WEST 73.00 FEET; THENCE LEAVING SAID LINE NORTH 31° 30' EAST 260.78 FEET TO THE SOUTHWEST LINE OF THE 20 FOOT RIGHT OF WAY HEREINAFTER DESCRIBED; THENCE ALONG SAID SOUTHWEST LINE SOUTH 58° 30' EAST 73.00 FEET; THENCE LEAVING SAID LINE, SOUTH 31° 30' WEST 260.78 FEET TO THE POINT OF BEGINNING.

PARCEL FIVE-A:

A RIGHT OF WAY FOR INGRESS AND EGRESS OVER A PART OF LOT "C" OF THE PARTITION OF LANDS OF THE ESTATE OF ELIZA JANE WALKER, DECEASED, IN THE ACTION OF ROBERT WALKER VS. LESLIE WALKER, ET AL, IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA, IN AND FOR THE COUNTY OF SANTA CLARA, ACTION NO. 11758, AS SHOWN UPON THE MAP ACCOMPANYING THE REPORT OF THE COMMISSIONERS IN SAID PARTITION ACTION, BEING A STRIP OF LAND 20 FEET WIDE, THE SOUTHWESTERLY LINE OF WHICH IS DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHERNMOST CORNER OF THAT CERTAIN 10 ACRE TRACT OF LAND DESCRIBED IN THE DEED TO D. W. WATSON, RECORDED JANUARY 8, 1900, BOOK 225 OF DEEDS, PAGE 345; THENCE ALONG THE NORTHEAST LINE OF SAID 10 ACRE TRACT OF LAND, SOUTH 58° 30' EAST, 1674.42 FEET TO THE EASTERNMOST CORNER THEREOF ON THE NORTHWEST LINE OF THE SAN JOSE AND LOS GATOS ROAD.

PARCEL SIX:

PORTION OF LOT C AS SHOWN UPON PARTITION MAP FILED IN THAT CERTAIN ACTION IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA, IN AND FOR THE COUNTY OF SANTA CLARA, ENTITLED "ROBERT WALKER VS. MYRTLE JOHNSON, ET AL", CASE NO. 11758.

BEGINNING AT A POINT IN THE SOUTHWESTERLY LINE OF SAID LOT C. SAID POINT OF BEGINNING, BEING DISTANT ALONG SAID SOUTHWESTERLY LINE, NORTH 58° 30' WEST 409.70 FEET FROM A 3/4" IRON PIPE SET AT THE MOST SOUTHERLY CORNER OF SAID LOT C IN THE NORTHWESTERLY LINE OF SOUTH BASCOM AVENUE; THENCE FROM SAID POINT OF BEGINNING ALONG THE SOUTHWESTERLY LINE OF SAID LOT C, NORTH 58° 30' WEST 71.36 FEET; THENCE LEAVING SAID LINE, NORTH 31° 30' EAST 260.78 FEET TO THE SOUTHWESTERLY LINE OF THE 20 FOOT RIGHT OF WAY HEREINAFTER DESCRIBED; THENCE ALONG SAID SOUTHWESTERLY LINE SOUTH 58° 30' EAST 74 FEET; THENCE SOUTH 31° 30' WEST 160.70 FEET; THENCE NORTH 58° 30' WEST 2.64 FEET; THENCE SOUTH 31° 30' WEST 100.08 FEET TO THE POINT OF BEGINNING.

PARCEL SIX-A:

A RIGHT OF WAY FOR INGRESS AND EGRESS OVER A STRIP OF LAND 20 FEET WIDE, THE SOUTHWESTERLY LINE OF WHICH IS DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHERNMOST CORNER OF THAT TEN ACRE TRACT OF LAND DESCRIBED IN THE DEED TO D. W. WATSON, RECORDED JANUARY 8, 1900 IN BOOK 225 OF DEEDS, AT PAGE 345, THENCE FROM SAID POINT OF BEGINNING ALONG THE NORTHWESTERLY LINE OF SAID TEN ACRE TRACT, SOUTH 58° 30' EAST 1674.42 FEET TO THE EASTERNMOST CORNER THEREOF ON THE NORTHWESTERLY LINE OF SOUTH BASCOM AVENUE AND BEING A PORTION OF LOT C AS SHOWN UPON THE PARTITION MAP FILED IN THAT CERTAIN ACTION IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA IN AND FOR THE COUNTY OF SANTA CLARA, ENTITLED "ROBERT WALKER VS. MYRTLE JOHNSON, ET AL", CASE NO. 11758.

PARCEL SEVEN:

BEGINNING AT A POINT IN THE SOUTHWESTERLY LINE OF THAT 10 ACRE TRACT CONVEYED BY LESLIE WALKER AND MARY WALKER, TO ELIZA AUBREY BY DEED DATED FEBRUARY 3, 1906 AND RECORDED FEBRUARY 3, 1906, IN BOOK 301 OF DEEDS, PAGE 504, AND DISTANT ON SAID LINE N. 58° 30' W., 11.571 CHAINS FROM THE INTERSECTION OF SAID LINE WITH THE NORTHWESTERLY LINE OF THE SAN JOSE AND LOS GATOS ROAD;
THENCE RUNNING N. 58° 30' W., 11.571 CHAINS,
THENCE N. 31° 25' E., 4.106 CHAINS;
THENCE S. 58° 30' E., 11.568 CHAINS;
THENCE S. 31° 25' W., 4.106 CHAINS TO THE PLACE OF BEGINNING AND CONTAINING 4.75 ACRES, MORE OR LESS, AND BEING A PORTION OF LOT "D" AS SET APART TO LESLIE WALKER BY FINAL DECREE IN PARTITION ENTERED IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA IN AND FOR THE COUNTY OF SANTA CLARA, IN ACTION ENTITLED ROBERT WALKER, PLAINTIFF VS. LESLIE WALKER, ET AL, DEFENDANTS, (ACTION NO. 11758) AND A CERTIFIED COPY OF SAID DECREE WAS RECORDED JUNE 16, 1897 IN BOOK 198 OF DEEDS, PAGE 358.

EXCEPTING THEREFROM THAT PORTION THERE OF INCLUDED WITHIN THE BOUNDS OF THE 2.336 ACRES, MORE OR LESS, CONVEYED TO THE STATE OF CALIFORNIA, BY DEED RECORDED OCTOBER 24, 1956, IN BOOK 3640 OFFICIAL RECORDS, PAGE 184.

ALSO EXCEPTING THEREFROM THAT PORTION INCLUDED WITHIN THE BOUNDS OF THE PARCEL OF LAND CONVEYED TO LOS GATOS SWIM AND RACKET CLUB, A CORPORATION, BY DEED RECORDED MAY 4, 1959, IN BOOK 4342 OFFICIAL RECORDS, PAGE 468.

ALSO EXCEPTING THEREFROM, THAT PORTION LYING WITHIN PARCEL 1 OF THE LANDS CONDEMNED TO STATE OF CALIFORNIA FOR HIGHWAY PURPOSES, RECORDED ON JANUARY 29, 1993 AS INSTRUMENT NO. 11753943, OFFICIAL RECORDS.

ALSO EXCEPTING THEREFROM THAT PORTION THEREOF LYING NORTHWESTERLY OF THE NORTHWESTERLY LINE OF THE 2.336 ACRE, MORE OR LESS, PARCEL OF LAND CONVEYED TO THE STATE OF CALIFORNIA, BY DEED RECORDED OCTOBER 24, 1956, IN BOOK 3640 OFFICIAL RECORDS, PAGE 184.

For reference purposes only:
APN 424-07-115 (Affects Parcel One),
424-07-081 (Affects Parcel Two),
424-07-094 (Affects Parcel Three),
424-07-095 (Affects Parcel Four),

424-07-053 (Affects Parcel Five),
424-07-009 (Affects Parcel Six) and
424-07-116 (Affects Parcel Seven)

NOTICE I

Section 12413.1 of the California Insurance Code, effective January 1, 1990, requires that any title insurance company, underwritten title company, or controlled escrow company handling funds in an escrow or sub-escrow capacity, wait a specified number of days after depositing funds, before recording any documents in connection with the transaction or disbursing funds. This statute allows for funds deposited by wire transfer to be disbursed the same day as deposit. In the case of cashier's checks or certified checks, funds may be disbursed the next day after deposit. In order to avoid unnecessary delays of three to seven days, or more, please use wire transfer, cashier's checks, or certified checks whenever possible.

If you have any questions about the effect of this new law, please contact your local First American Office for more details.

NOTICE II

As of January 1, 1991, if the transaction which is the subject of this report will be a sale, you as a party to the transaction, may have certain tax reporting and withholding obligations pursuant to the state law referred to below:

In accordance with Sections 18662 and 18668 of the Revenue and Taxation Code, a buyer may be required to withhold an amount equal to three and one-third percent of the sales price in the case of the disposition of California real property interest by either:

1. A seller who is an individual with a last known street address outside of California or when the disbursement instructions authorize the proceeds be sent to a financial intermediary of the seller, OR
2. A corporate seller which has no permanent place of business in California.

The buyer may become subject to penalty for failure to withhold an amount equal to the greater of 10 percent of the amount required to be withheld or five hundred dollars (\$500).

However, notwithstanding any other provision included in the California statutes referenced above, no buyer will be required to withhold any amount or be subject to penalty for failure to withhold if:

1. The sales price of the California real property conveyed does not exceed one hundred thousand dollars (\$100,000), OR
2. The seller executes a written certificate, under the penalty of perjury, certifying that the seller is a resident of California, or if a corporation, has a permanent place of business in California, OR
3. The seller, who is an individual, executes a written certificate, under the penalty of perjury, that the California real property being conveyed is the seller's principal residence (as defined in Section 1034 of the Internal Revenue Code).

The seller is subject to penalty for knowingly filing a fraudulent certificate for the purpose of avoiding the withholding requirement.

The California statutes referenced above include provisions which authorize the Franchise Tax Board to grant reduced withholding and waivers from withholding on a case-by-case basis.

The parties to this transaction should seek an attorney's, accountant's, or other tax specialist's opinion concerning the effect of this law on this transaction and should not act on any statements made or omitted by the escrow or closing officer.

The Seller May Request a Waiver by Contacting:
Franchise Tax Board
Withhold at Source Unit
P.O. Box 651
Sacramento, CA 95812-0651
(916) 845-4900

Privacy Policy

We Are Committed to Safeguarding Customer Information

In order to better serve your needs now and in the future, we may ask you to provide us with certain information. We understand that you may be concerned about what we will do with such information - particularly any personal or financial information. We agree that you have a right to know how we will utilize the personal information you provide to us. Therefore, together with our parent company, The First American Corporation, we have adopted this Privacy Policy to govern the use and handling of your personal information.

Applicability

This Privacy Policy governs our use of the information which you provide to us. It does not govern the manner in which we may use information we have obtained from any other source, such as information obtained from a public record or from another person or entity. First American has also adopted broader guidelines that govern our use of personal information regardless of its source. First American calls these guidelines its *Fair Information Values*, a copy of which can be found on our website at www.firstam.com.

Types of Information

Depending upon which of our services you are utilizing, the types of nonpublic personal information that we may collect include:

- Information we receive from you on applications, forms and in other communications to us, whether in writing, in person, by telephone or any other means;
- Information about your transactions with us, our affiliated companies, or others; and
- Information we receive from a consumer reporting agency.

Use of Information

We request information from you for our own legitimate business purposes and not for the benefit of any nonaffiliated party. Therefore, we will not release your information to nonaffiliated parties except: (1) as necessary for us to provide the product or service you have requested of us; or (2) as permitted by law. We may, however, store such information indefinitely, including the period after which any customer relationship has ceased. Such information may be used for any internal purpose, such as quality control efforts or customer analysis. We may also provide all of the types of nonpublic personal information listed above to one or more of our affiliated companies. Such affiliated companies include financial service providers, such as title insurers, property and casualty insurers, and trust and investment advisory companies, or companies involved in real estate services, such as appraisal companies, home warranty companies, and escrow companies. Furthermore, we may also provide all the information we collect, as described above, to companies that perform marketing services on our behalf, on behalf of our affiliated companies, or to other financial institutions with whom we or our affiliated companies have joint marketing agreements.

Former Customers

Even if you are no longer our customer, our Privacy Policy will continue to apply to you.

Confidentiality and Security

We will use our best efforts to ensure that no unauthorized parties have access to any of your information. We restrict access to nonpublic personal information about you to those individuals and entities who need to know that information to provide products or services to you. We will use our best efforts to train and oversee our employees and agents to ensure that your information will be handled responsibly and in accordance with this Privacy Policy and First American's *Fair Information Values*. We currently maintain physical, electronic, and procedural safeguards that comply with federal regulations to guard your nonpublic personal information.

CLTA/ALTA HOMEOWNER'S POLICY OF TITLE INSURANCE (02-03-10)
EXCLUSIONS

In addition to the Exceptions in Schedule B, You are not insured against loss, costs, attorneys' fees, and expenses resulting from:

1. Governmental police power, and the existence or violation of those portions of any law or government regulation concerning:
 - (a) building;
 - (b) zoning;
 - (c) land use;
 - (d) improvements on the Land;
 - (e) land division; and
 - (f) environmental protection.This Exclusion does not limit the coverage described in Covered Risk 8.a., 14, 15, 16, 18, 19, 20, 23 or 27.
2. The failure of Your existing structures, or any part of them, to be constructed in accordance with applicable building codes. This Exclusion does not limit the coverage described in Covered Risk 14 or 15.
3. The right to take the Land by condemning it. This Exclusion does not limit the coverage described in Covered Risk 17.
4. Risks:
 - (a) that are created, allowed, or agreed to by You, whether or not they are recorded in the Public Records;
 - (b) that are Known to You at the Policy Date, but not to Us, unless they are recorded in the Public Records at the Policy Date;
 - (c) that result in no loss to You; or
 - (d) that first occur after the Policy Date - this does not limit the coverage described in Covered Risk 7, 8.e., 25, 26, 27 or 28.
5. Failure to pay value for Your Title.
6. Lack of a right:
 - (a) to any land outside the area specifically described and referred to in paragraph 3 of Schedule A; and
 - (b) in streets, alleys, or waterways that touch the Land.This Exclusion does not limit the coverage described in Covered Risk 11 or 21.
7. The transfer of the Title to You is invalid as a preferential transfer or as a fraudulent transfer or conveyance under federal bankruptcy, state insolvency, or similar creditors' rights laws.

LIMITATIONS ON COVERED RISKS

Your insurance for the following Covered Risks is limited on the Owner's Coverage Statement as follows: For Covered Risk 16, 18, 19, and 21 Your Deductible Amount and Our Maximum Dollar Limit of Liability shown in Schedule A.

| Your Deductible Amount | <u>Our Maximum Dollar Limit of Liability</u> |
|--|---|
| Covered Risk 16: 1% of Policy Amount or \$2,500.00 (whichever is less) | \$10,000.00 |
| Covered Risk 18: 1% of Policy Amount or \$5,000.00 (whichever is less) | \$25,000.00 |
| Covered Risk 19: 1% of Policy Amount or \$5,000.00 (whichever is less) | \$25,000.00 |
| Covered Risk 21: 1% of Policy Amount or \$2,500.00 (whichever is less) | \$5,000.00 |

ALTA RESIDENTIAL TITLE INSURANCE POLICY (6-1-87)
EXCLUSIONS

In addition to the Exceptions in Schedule B, you are not insured against loss, costs, attorneys' fees, and expenses resulting from:

1. Governmental police power, and the existence or violation of any law or government regulation. This includes building and zoning ordinances and also laws and regulations concerning:
 - (a) and use
 - (b) improvements on the land
 - (c) and division
 - (d) environmental protectionThis exclusion does not apply to violations or the enforcement of these matters which appear in the public records at Policy Date. This exclusion does not limit the zoning coverage described in Items 12 and 13 of Covered Title Risks.
2. The right to take the land by condemning it, unless:
 - (a) a notice of exercising the right appears in the public records on the Policy Date
 - (b) the taking happened prior to the Policy Date and is binding on you if you bought the land without knowing of the taking
3. Title Risks:

- (a) that are created, allowed, or agreed to by you
 - (b) that are known to you, but not to us, on the Policy Date -- unless they appeared in the public records
 - (c) that result in no loss to you
 - (d) that first affect your title after the Policy Date -- this does not limit the labor and material lien coverage in Item 8 of Covered Title Risks
4. Failure to pay value for your title.
5. Lack of a right:
- (a) to any land outside the area specifically described and referred to in Item 3 of Schedule A OR
 - (b) in streets, alleys, or waterways that touch your land
- This exclusion does not limit the access coverage in Item 5 of Covered Title Risks.

2006 ALTA LOAN POLICY (06-17-06) EXCLUSIONS FROM COVERAGE

The following matters are expressly excluded from the coverage of this policy, and the Company will not pay loss or damage, costs, attorneys' fees, or expenses that arise by reason of:

1. a. Any law, ordinance, permit, or governmental regulation (including those relating to building and zoning) restricting, regulating, prohibiting, or relating to
 - i. the occupancy, use, or enjoyment of the Land;
 - ii. the character, dimensions, or location of any improvement erected on the Land;
 - iii. the subdivision of land; or
 - iv. environmental protection;or the effect of any violation of these laws, ordinances, or governmental regulations. This Exclusion 1(a) does not modify or limit the coverage provided under Covered Risk 5.
- b. Any governmental police power. This Exclusion 1(b) does not modify or limit the coverage provided under Covered Risk 6.
2. Rights of eminent domain. This Exclusion does not modify or limit the coverage provided under Covered Risk 7 or 8.
3. Defects, liens, encumbrances, adverse claims, or other matters
 - a. created, suffered, assumed, or agreed to by the Insured Claimant;
 - b. not Known to the Company, not recorded in the Public Records at Date of Policy, but Known to the Insured Claimant and not disclosed in writing to the Company by the Insured Claimant prior to the date the Insured Claimant became an Insured under this policy;
 - c. resulting in no loss or damage to the Insured Claimant;
 - d. attaching or created subsequent to Date of Policy (however, this does not modify or limit the coverage provided under Covered Risk 11, 13, or 14); or
 - e. resulting in loss or damage that would not have been sustained if the Insured Claimant had paid value for the Insured Mortgage.
4. Unenforceability of the lien of the Insured Mortgage because of the inability or failure of an Insured to comply with applicable doing-business laws of the state where the Land is situated.
5. Invalidity or unenforceability in whole or in part of the lien of the Insured Mortgage that arises out of the transaction evidenced by the Insured Mortgage and is based upon usury or any consumer credit protection or truth-in-lending law.
6. Any claim, by reason of the operation of federal bankruptcy, state insolvency, or similar creditors' rights laws, that the transaction creating the lien of the Insured Mortgage, is
 - a. a fraudulent conveyance or fraudulent transfer, or
 - b. a preferential transfer for any reason not stated in Covered Risk 13(b) of this policy.
7. Any lien on the Title for real estate taxes or assessments imposed by governmental authority and created or attaching between Date of Policy and the date of recording of the Insured Mortgage in the Public Records. This Exclusion does not modify or limit the coverage provided under Covered Risk 11(b).

The above policy form may be issued to afford either Standard Coverage or Extended Coverage. In addition to the above Exclusions from Coverage, the Exceptions from Coverage in a Standard Coverage policy will also include the following Exceptions from Coverage:

EXCEPTIONS FROM COVERAGE

This policy does not insure against loss or damage (and the Company will not pay costs, attorneys' fees or expenses) that arise by reason of:

1. (a) Taxes or assessments that are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the Public Records; (b) proceedings by a public agency that may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the Public Records.
2. Any facts, rights, interests, or claims that are not shown by the Public Records but that could be ascertained by an inspection of the Land or that may be asserted by persons in possession of the Land.
3. Easements, liens or encumbrances, or claims thereof, not shown by the Public Records.
4. Any encroachment, encumbrance, violation, variation, or adverse circumstance affecting the Title that would be disclosed by an

accurate and complete land survey of the Land and not shown by the Public Records.

5. (a) Unpatented mining claims; (b) reservations or exceptions in patents or in Acts authorizing the issuance thereof; (c) water rights, claims or title to water, whether or not the matters excepted under (a), (b), or (c) are shown by the Public Records.
6. Any lien or right to a lien for services, labor or material not shown by the public records.

2006 ALTA OWNER'S POLICY (06-17-06)
EXCLUSIONS FROM COVERAGE

The following matters are expressly excluded from the coverage of this policy, and the Company will not pay loss or damage, costs, attorneys' fees, or expenses that arise by reason of:

1. a. Any law, ordinance, permit, or governmental regulation (including those relating to building and zoning) restricting, regulating, prohibiting, or relating to
 - i. the occupancy, use, or enjoyment of the Land;
 - ii. the character, dimensions, or location of any improvement erected on the Land;
 - iii. the subdivision of land; or
 - iv. environmental protection;or the effect of any violation of these laws, ordinances, or governmental regulations. This Exclusion 1(a) does not modify or limit the coverage provided under Covered Risk 5.
- b. Any governmental police power. This Exclusion 1(b) does not modify or limit the coverage provided under Covered Risk 6.
2. Rights of eminent domain. This Exclusion does not modify or limit the coverage provided under Covered Risk 7 or 8.
3. Defects, liens, encumbrances, adverse claims, or other matters
 - a. created, suffered, assumed, or agreed to by the Insured Claimant;
 - b. not Known to the Company, not recorded in the Public Records at Date of Policy, but known to the Insured Claimant and not disclosed in writing to the Company by the Insured Claimant prior to the date the Insured Claimant became an Insured under this policy;
 - c. resulting in no loss or damage to the Insured Claimant;
 - d. attaching or created subsequent to Date of Policy (however, this does not modify or limit the coverage provided under Covered Risk 9 and 10); or
 - e. resulting in loss or damage that would not have been sustained if the Insured Claimant had paid value for the Title.
4. Any claim, by reason of the operation of federal bankruptcy, state insolvency, or similar creditors' rights laws, that the transaction vesting the Title as shown in Schedule A, is
 - a. a fraudulent conveyance or fraudulent transfer; or
 - b. a preferential transfer for any reason not stated in Covered Risk 9 of this policy.
5. Any lien on the Title for real estate taxes or assessments imposed by governmental authority and created or attaching between Date of Policy and the date of recording of the deed or other instrument of transfer in the Public Records that vests Title as shown in Schedule A.

The above policy form may be issued to afford either Standard Coverage or Extended Coverage. In addition to the above Exclusions from Coverage, the Exceptions from Coverage in a Standard Coverage policy will also include the following Exceptions from Coverage:

EXCEPTIONS FROM COVERAGE

This policy does not insure against loss or damage (and the Company will not pay costs, attorneys' fees or expenses) that arise by reason of:

1. (a) Taxes or assessments that are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the Public Records; (b) proceedings by a public agency that may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the Public Records.
2. Any facts, rights, interests, or claims that are not shown by the Public Records but that could be ascertained by an inspection of the Land or that may be asserted by persons in possession of the Land.
3. Easements, liens or encumbrances, or claims thereof, not shown by the Public Records.
4. Any encroachment, encumbrance, violation, variation, or adverse circumstance affecting the Title that would be disclosed by an accurate and complete land survey of the Land and not shown by the Public Records.
5. (a) Unpatented mining claims; (b) reservations or exceptions in patents or in Acts authorizing the issuance thereof; (c) water rights, claims or title to water, whether or not the matters excepted under (a), (b), or (c) are shown by the Public Records.
6. Any lien or right to a lien for services, labor or material not shown by the public records.

ALTA EXPANDED COVERAGE RESIDENTIAL LOAN POLICY (07-26-10)
EXCLUSIONS FROM COVERAGE

The following matters are expressly excluded from the coverage of this policy, and the Company will not pay loss or damage, costs, attorneys' fees, or expenses that arise by reason of:

1. a. Any law, ordinance, permit, or governmental regulation (including those relating to building and zoning) restricting, regulating, prohibiting, or relating to
 - i. the occupancy, use, or enjoyment of the Land;
 - ii. the character, dimensions, or location of any improvement erected on the Land;
 - iii. the subdivision of land; or
 - iv. environmental protection;or the effect of any violation of these laws, ordinances, or governmental regulations. This Exclusion 1(a) does not modify or limit the coverage provided under Covered Risk 5, 6, 13(c), 13(d), 14 or 16.
- b. Any governmental police power. This Exclusion 1(b) does not modify or limit the coverage provided under Covered Risk 5, 6, 13(c), 13(d), 14 or 16.
2. Rights of eminent domain. This Exclusion does not modify or limit the coverage provided under Covered Risk 7 or 8.
3. Defects, liens, encumbrances, adverse claims, or other matters
 - a. created, suffered, assumed, or agreed to by the Insured Claimant;
 - b. not Known to the Company, not recorded in the Public Records at Date of Policy, but Known to the Insured Claimant and not disclosed in writing to the Company by the Insured Claimant prior to the date the Insured Claimant became an Insured under this policy;
 - c. resulting in no loss or damage to the Insured Claimant;
 - d. attaching or created subsequent to Date of Policy (however, this does not modify or limit the coverage provided under Covered Risk 11, 16, 17, 18, 19, 20, 21, 22, 23, 24, 27 or 28); or
 - e. resulting in loss or damage that would not have been sustained if the Insured Claimant had paid value for the Insured Mortgage.
4. Unenforceability of the lien of the Insured Mortgage because of the inability or failure of an Insured to comply with applicable doing-business laws of the state where the Land is situated.
5. Invalidity or unenforceability in whole or in part of the lien of the Insured Mortgage that arises out of the transaction evidenced by the Insured Mortgage and is based upon usury or any consumer credit protection or truth-in-lending law. This Exclusion does not modify or limit the coverage provided in Covered Risk 26.
6. Any claim of invalidity, unenforceability or lack of priority of the lien of the Insured Mortgage as to Advances or modifications made after the Insured has Knowledge that the vestee shown in Schedule A is no longer the owner of the estate or interest covered by this policy. This Exclusion does not modify or limit the coverage provided in Covered Risk 11.
7. Any lien on the Title for real estate taxes or assessments imposed by governmental authority and created or attaching subsequent to Date of Policy. This Exclusion does not modify or limit the coverage provided in Covered Risk 11(b) or 25.
8. The failure of the residential structure, or any portion of it, to have been constructed before, on or after Date of Policy in accordance with applicable building codes. This Exclusion does not modify or limit the coverage provided in Covered Risk 5 or 6.
9. Any claim, by reason of the operation of federal bankruptcy, state insolvency, or similar creditors' rights laws, that the transaction creating the lien of the Insured Mortgage, is
 - a. a fraudulent conveyance or fraudulent transfer, or
 - b. a preferential transfer for any reason not stated in Covered Risk 27(b) of this policy.