

RESOLUTION NO. 3716

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MONTE SERENO CONFIRMING ANNEXATION (ANX 18-01) OF PROPERTY LOCATED AT 18840 SARATOGA-LOS GATOS ROAD INTO THE MONTE SERENO CITY LIMITS

WHEREAS, on June 12, 2018, the City Council of the City of Monte Sereno (“City Council”) approved Resolution No. 3695 annexing the property located at 18840 Saratoga Los Gatos Rd. (“Property”) into the City of Monte Sereno as petitioned by the sole Property owner; and

WHEREAS, Resolution No. 3695 was one of several actions by the City Council supporting a multi-family residential development project known as Montalvo Oaks Subdivision (“Project”), and

WHEREAS, the purpose of this Resolution is to confirm the findings consistent with annexations in Santa Clara County under Government Code Section 56757 and specific information under Government Code Section 56662 to support the annexation in Resolution No. 3695; and

WHEREAS, Government Code Section 56662(a) provides that if a petition for annexation is signed by the owner of the territory to be annexed, the territory is uninhabited, and no affected local agency has submitted a written demand for notice and hearing during the 10-day period, the City Council may approve the annexation without a public hearing; and

WHEREAS, the City Council conducted a public meeting on December 4, 2018 wherein this Resolution was considered.

NOW THEREFORE, BE IT RESOLVED, the City Council hereby confirms by enumerating the following findings pursuant to Government Code Section 56757 and specific information required under Government Code Section 56662 to support the annexation of the Property into the Monte Sereno city limits as shown on Exhibit A – Map and Exhibit B - Description attached hereto:

1. The City of Monte Sereno is the conducting authority pursuant to Government Code Section 56757 for annexation of the Property designated as **Annexation No. 2018-01 (Montalvo Oaks)**, and more specifically described in Exhibits A and B.

2. That the following findings are enumerated and information confirmed by the City Council:

- (a) The Property is uninhabited and comprises approximately 4.45 acres.
- (b) The Property is within the urban service area of the City as adopted by the Local Agency Formation Commission of Santa Clara County (“Commission”).

(c) The City Council on June 12, 2018 pursuant to Resolution 3692, approved a Mitigated Negative Declaration in accordance with Section 15070 et seq. of the California Environmental Quality Act guidelines for the Project, including the annexation.

(d) The City Council enacted Ordinance NS-216 on June 12, 2018 pre-zoning the subject territory with a Planned Development (PD) zoning designation.

(e) The County Surveyor has determined the boundaries of the proposed annexation to be definite and certain, and in compliance with the Commission's road annexation policies. The County Surveyor has been reimbursed for the actual cost incurred by the County Surveyor in making this determination.

(f) The annexation will not create an island as confirmed by the attached Exhibit A, and the annexation will allow the City to continue to provide efficient municipal services.

(g) The annexation does not split lines of assessment or ownership as shown on attached Exhibit A.

(h) The annexation is consistent with the City's General Plan which allows the Project as approved on June 12, 2018.

(i) The Property is contiguous to City boundaries as reflected on the attached Exhibit A.

(j) The City has complied with all conditions imposed by the Commission for inclusion of the territory in the City's Urban Service Area.

3. The owner of land of the Property has provided written consent to the reorganization and no subject agency has submitted a written request for notice and hearing.

4. Pursuant to Section 56662(a) the City waived protest proceedings.

5. Upon completion of these proceedings the Property will be annexed to the City of Monte Sereno.

6. Upon completion of these proceedings the Property will be taxed on the regular County assessment roll, including taxes for existing bonded indebtedness.

PASSED AND ADOPTED by the City Council of Monte Sereno on the 4th day of December 2018, by the following vote:

AYES: Council Members Anstandig, Rogers, Turner, Wolsheimer and Mayor Craig
NAYS: None
ABSENT: None
ABSTAIN: None



Burton Craig, Mayor

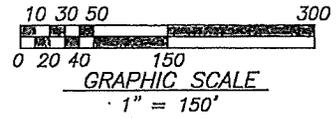
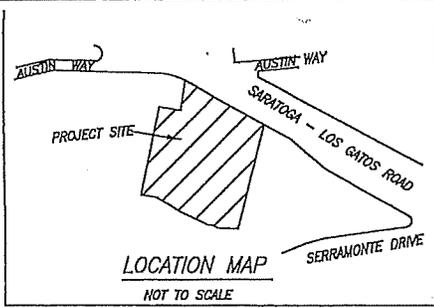
ATTEST:


Andrea Chelemengos, City Clerk
10/5/18

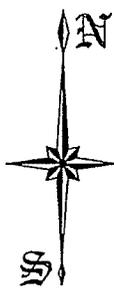
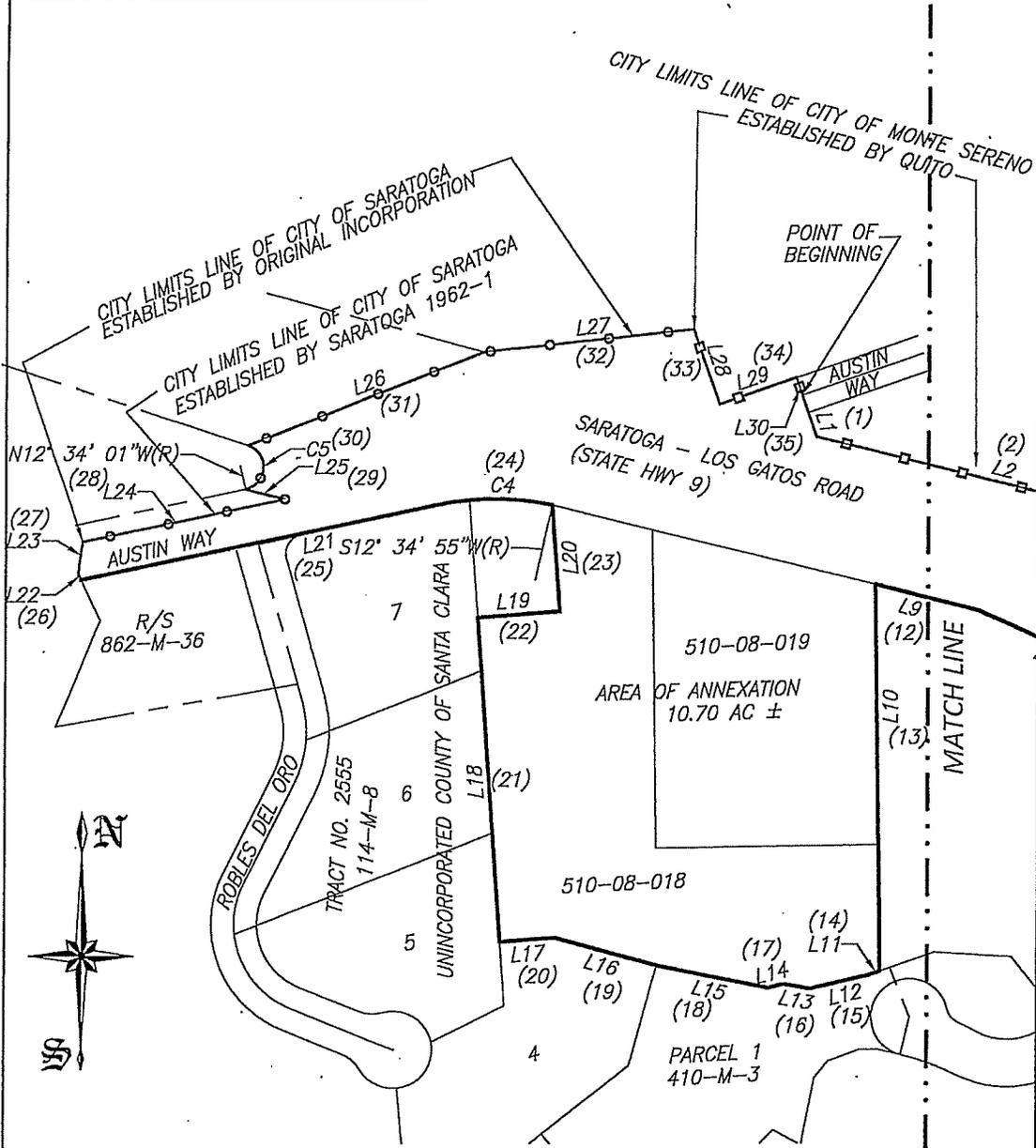
Attachments:

Exhibit A – Map

Exhibit B - Description

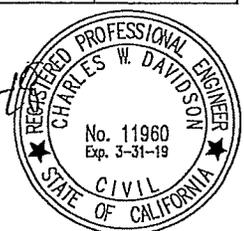


DISCLAIMER: THIS DESCRIPTION OF LAND IS NOT A LEGAL PROPERTY DESCRIPTION AS DEFINED BY THE SUBDIVISION MAP ACT AND MAY NOT BE USED AS THE BASIS FOR AN OFFER FOR SALE OF THE LAND DESCRIBED.



- EXISTING SARATOGA BOUNDARY
- EXISTING MONTE SERENO BOUNDARY
- PROPOSED MONTE SERENO BOUNDARY

ASSESSOR'S PARCEL NUMBERS:	ACREAGE:
510-08-018 & 019	4.45 ACRES ±



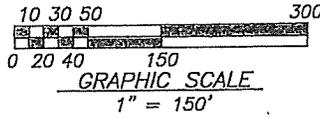
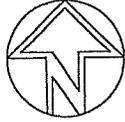
MONTE SERENO ANNEXATION NO. 2018-01
(MONTALVO OAKS)
BEING A PORTION OF THE RANCHO RINCONADA DE LOS GATOS
SANTA CLARA COUNTY, CA

DATE: 6/28/18
REVISED: 8/21/18
SCALE: 1"=150'
DRAWN BY: SKD
JOB NO.: 1866

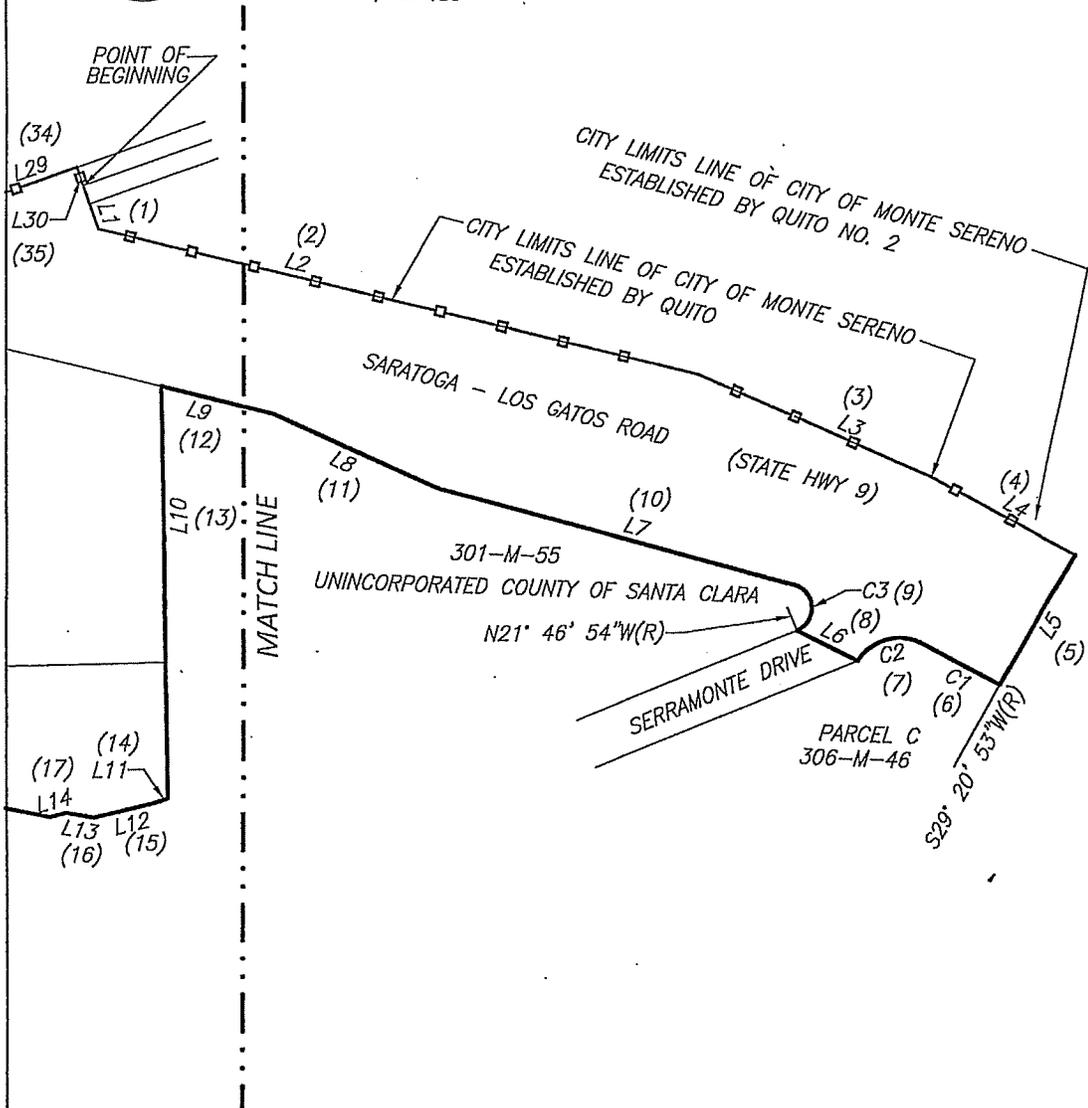
Charles W. Davidson Co.
A CALIFORNIA CORPORATION
CONSULTING CIVIL ENGINEERS
255 W. JULIAN ST. #200, SAN JOSE, CA
PH: (408) 295-8162

PLOTTER: PETER SMITH 8/29/2018 9:53 AM

EXHIBIT A



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PLOTTER: PETER SMITH 8/23/2018 10:54 AM

FILED: 10/04/2018 10:54 AM

8-23-18



PAGE 2 OF 3

<p>MONTE SERENO ANNEXATION NO. 2018-01 (MONTALVO OAKS) BEING A PORTION OF THE RANCHO RINCONADA DE LOS GATOS SANTA CLARA COUNTY, CA</p>	<p>DATE: 6/28/18 REVISED: 8/21/18 SCALE: 1"=150' DRAWN BY: SKD JOB NO.: 1966</p>	<p>Charles W. Davidson Co. A CALIFORNIA CORPORATION CONSULTING CIVIL ENGINEERS 255 W. JULIAN ST. #200, SAN JOSE, CA. PH. (408) 295-9162 R.C.E. No. 11960</p>
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EXHIBIT A

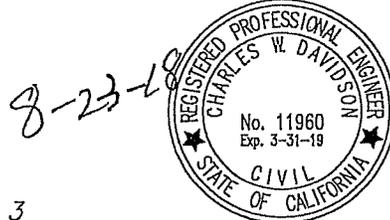


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Line Table		
Line #	Direction	Length
L1	S19° 11' 00"E	48.12
L2	S75° 52' 00"E	633.32
L3	S65° 43' 55"E	260.65
L4	S60° 48' 00"E	166.69
L5	S29° 52' 15"W	152.66
L6	N62° 48' 30"W	69.75
L7	N74° 22' 40"W	377.52
L8	N65° 11' 15"W	186.78
L9	N75° 38' 31"W	117.66
L10	S00° 48' 59"E	423.53
L11	S71° 05' 30"W	13.13
L12	S76° 28' 05"W	64.65
L13	N79° 56' 53"W	29.70
L14	S75° 25' 05"W	16.96
L15	N78° 26' 42"W	124.34

Line Table		
Line #	Direction	Length
L16	N75° 02' 21"W	115.97
L17	S85° 52' 59"W	60.00
L18	N04° 07' 01"W	356.75
L19	N85° 52' 59"E	90.00
L20	N04° 07' 01"W	117.03
L21	S77° 59' 00"W	393.05
L22	N25° 35' 50"W	7.30
L23	N08° 03' 42"E	35.41
L24	N77° 59' 00"E	226.17
L25	S75° 52' 00"E	44.51
L26	N68° 28' 08"E	275.40
L27	N83° 59' 46"E	231.63
L28	S19° 11' 00"E	86.56
L29	N70° 49' 00"E	88.11
L30	S19° 11' 00"E	20.00

Curve Table			
Curve #	Length	Radius	Delta
C1	91.08	2420.00	2° 09' 23"
C2	74.34	50.00	85° 11' 26"
C3	62.22	25.00	142° 35' 46"
C4	130.65	300.00	24° 57' 09"
C5	65.12	25.00	149° 14' 39"



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 DATE: PETER SUMI 8/23/2018 8:54 AM

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ANNEXATION NO. 2018-01

(MONTALVO OAKS)

ANNEXATION TO THE CITY OF MONTE SERENO

GEOGRAPHIC DESCRIPTION

All that certain real property situate in Rancho Rinconada De Los Gatos in the County of Santa Clara, State of California, described as follows:

BEGINNING at a point in the City Limits line of the City of Monte Sereno as described in Quito Annexation at the intersection of the centerline of Austin Way with the southeasterly boundary of said Quito Annexation; thence from said POINT OF BEGINNING continuing along said southeasterly boundary and the northwesterly line of California State Highway 9, Saratoga Los Gatos Road, as said northwesterly line was established by deed from C.C. Reher, et ux, to the State of California, recorded in Book 1003 of Official Records at page 502, Santa Clara County Records;

Thence, (1) S19°11'00"E 48.12 feet;

Thence, (2) S75°52'00"E 633.32 feet;

Thence, (3) S66°43'55"E 260.65 feet;

Thence, (4) continuing along said northwesterly line along the City Limits line of the City of Monte Sereno as described in Quito No. 2 Annexation S60°48'00"E 166.69 feet;

Thence, (5) leaving said City Limits line of Quito No. 2 Annexation southwesterly S29°52'15"W 152.66 feet to the point of intersection with the most northeasterly corner of Parcel C as shown on that certain Parcel Map filed for record in Book 306 of maps at page 46, Santa Clara County Records; said point lying in the southwesterly line of above said California State Highway 9, Saratoga Los Gatos Road;

Thence, (6) along said line from a radial bearing of S29°20'53"W along a curve to the left with a radius of 2420.00 feet through a central angle of 2°09'23" for an arc length of 91.08 feet to a point of compound curvature;

Thence, (7) along a curve to the left with a radius of 50.00 feet through a central angle of 85°11'26" for an arc length of 74.34 feet;

Thence, (8) N62°48'30"W 69.75 feet to a point in the easterly line of that certain 3.079± acre parcel of land shown on that certain Record of Survey filed for record in Book 301 of Maps at page 55, Santa Clara County Records;

Thence, (9) continuing along the boundary of last said parcel from a radial bearing of N21°46'54"W along a curve to the left with a radius of 25.00 feet through a central angle of 142°35'46" for an arc

Annexation No. 2018-01
(Montalvo Oaks)
Annexation to the City of Monte Sereno
Page 2 of 3

length of 62.22 feet to appoint in the northeasterly line of last said parcel; said point lying in the southwesterly line of Saratoga Los Gatos Road;

Thence, (10) continuing along said southwesterly line of Saratoga Los Gatos Road and said last said parcel the following courses: N74°22'40"W 377.52 feet;

Thence, (11) N65°11'15"W 186.78 feet;

Thence, (12) N75°38'31"W 117.66 feet;

Thence, (13) leaving said southwesterly line of California State Highway 9, Saratoga Los Gatos Road, and the northeasterly line of above said 3.079+- acre parcel along the westerly line of last said parcel S00°48'59"E 423.53 feet to a point in the northwesterly line of Parcel 1 as shown on that certain Parcel Map filed for record in Book 410 of Maps at pages 3 and 4, Santa Clara County Records;

Thence, (14) along said northwesterly line the following courses: S71°05'30"W 13.13 feet;

Thence, (15) S76°28'05"W 64.65 feet;

Thence, (16) N79°56'53"W 29.70 feet;

Thence, (17) S75°25'05"W 16.96 feet;

Thence, (18) N78°26'42"W 124.34 feet to the northeasterly corner of Lot 4 of Tract No. 2555, a map of which was filed for record in Book 114 of Maps at page 8, Santa Clara County Records;

Thence, (19) along the boundary of said Tract No. 2555 the following course: N75°02'21"W 115.97 feet;

Thence, (20) S85°52'59"W 60.00 feet;

Thence, (21) N04°07'01"W 356.75 feet;

Thence, (22) leaving the boundary said Tract No. 2555 N85°52'59"E 90.00 feet;

Thence, (23) N04°07'01"W 117.03 feet to a point in said southwesterly line of Saratoga Los Gatos Road;

Thence, (24) along last said line from a radial being of S12°34'54"W along a curve to the left with a radius of 300.00 feet through a central angle of 24°57'09" for an arc length of 130.65 feet;

Thence, (25) along last said line and the southeasterly line of Austin Way S77°59'00"W 393.05 feet to a point in the City Limits Line of the City of Saratoga as described in the Original Incorporation;

Thence, (26) along said City Limits line N25°35'50"W 7.30 feet;

Thence, (27) N08°03'42"E 35.41 feet to a point in the City Limits line of the City of Saratoga as described in Saratoga 1962-1 Annexation;

Annexation No. 2018-01
(Montalvo Oaks)
Annexation to the City of Monte Sereno
Page 3 of 3

Thence, (28) along last said City Limits line N77°59'00"E 226.17 feet;

Thence, (29) N75°52'00"W 44.51 feet;

Thence, (30) from a radial bearing of N12°34'01"W along curve to the left with a radius of 25.00 feet through a central angle of 149°14'39" for an arc length of 65.12 feet to a point in the City Limits line of the City of Saratoga as described in said Original Incorporation;

Thence, (31) along last said City Limit line N68°28'08"E 275.40 feet;

Thence, (32) N83°59'46"E 231.63 feet to a point in the City Limits Line of Monte Sereno as described in said Quito Annexation;

Thence, (33) along last said City Limits Line S19°11'00"E 86.56 feet.

Thence, (34) N70°49'00"E 88.11 feet;

Thence, (35) S19°11'00"E 20.00 feet to the POINT OF BEGINNING.

Containing 10.70 Acres, more or less.



For annexation purposes only. This description of land is not a legal property description as defined in the Subdivision Map Act and may not be used as the basis for an offer for sale of the land described.