

RESOLUTION NO. 63928

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN JOSE APPROVING THE ANNEXATION OF TERRITORY TO THE SILVER CREEK COUNTRY CLUB GEOLOGIC HAZARD ABATEMENT DISTRICT (GHAD)

WHEREAS, on March 31, 1992, the Council of the City of San Jose by its adoption of Resolution No. 63609, approved the formation of a geologic hazard abatement district for the Silver Creek Valley Country Club project area ("GHAD"), including the ultimate boundaries of the territories within the GHAD as more particularly described in the petition for formation; and

WHEREAS, on June 11, 1992, the Board of Directors of the GHAD, by its adoption of GHAD Resolution No. 92-04, a copy of which is attached hereto as Exhibit 1, ordered the annexation to the GHAD of the territory described on Exhibits A and B of GHAD Resolution No. 92-04; and

WHEREAS, the Council of the City of San Jose concurs that the health, safety, and welfare of the residents of said territory proposed for annexation requires annexation of said territory to the GHAD.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SAN JOSE:

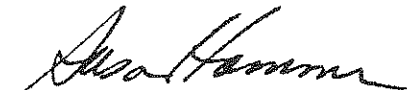
SECTION 1: The Council hereby approves the annexation to the GHAD of the territory identified on the Legal Description and the Map of the Boundaries of the Territory to be Annexed to the District attached as Exhibits A and B, respectively, to GHAD Resolution No. 92-04, Exhibit 1 hereto .

ADOPTED this 30th day of June, 1992, by the following vote:

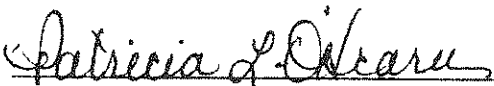
AYES: ALVARADO, BEALL, HEAD, IANNI, JOHNSON, LEWIS,
PANDORI, SAUSED0, SHIRAKAWA, STABILE; HAMMER

NOES: NONE

ABSENT: NONE


SUSAN HAMMER, Mayor

ATTEST:


PATRICIA L. O'HEARN, City Clerk

GHAD RESOLUTION NO. 92-04RESOLUTION OF THE BOARD OF DIRECTORS
OF THE SILVER CREEK VALLEY COUNTRY CLUB
GEOLOGIC HAZARD ABATEMENT DISTRICT
ORDERING THE ANNEXATION OF TERRITORY TO THE DISTRICT

WHEREAS, on June 11, 1992, the Board of Directors adopted Resolution No. 92-03, initiating proceedings for the annexation of the territory described in Exhibits "A" and "B" to the geologic hazard abatement district for the Silver Creek Valley Country Club project area ("GHAD"), and setting a public hearing on the filed petition for the annexation to the GHAD of said territory; and

WHEREAS, all owners of real property within the boundaries of said territory submitted to the Clerk of the GHAD written waivers of the notice and time period requirements for holding a public hearing; and

WHEREAS, at the time set for hearing, no owner of real property within the boundaries of said territory had made a written objection to the annexation of said territory to the GHAD; and

WHEREAS, it appeared at the hearing that owners of more than 50 percent (50%) of the assessed valuation of said territory did not object to the annexation of said territory to the GHAD, and the Board of Directors thereupon closed the hearing; and

WHEREAS, the proposed annexation of said territory to the GHAD is not subject to the California Environmental Quality Act or the Cortese-Knox Local Government Reorganization Act of 1985, in accordance with Public Resources Code Sections 26559 and 26560; and

WHEREAS, the Board of Directors finds that the annexation of said territory to the GHAD is in the interest of the public health, safety and welfare of the residents of said territory.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE SILVER CREEK VALLEY COUNTRY CLUB GEOLOGIC HAZARD ABATEMENT DISTRICT:


1. The Board hereby orders the annexation to the GHAD of the territory described in Exhibits "A" and "B", subject to approval by resolution of the City Council of San Jose.

ADOPTED this 11th day of June, 1992, by the following vote:

AYES: Juarceys, Filice, Wagner


NOES: None

ABSENT: Gustafson, Gamble



Chair of the Board of Directors of the
Silver Creek Valley Country Club
Geologic Hazard Abatement District

ATTEST:



Clerk of the Silver Creek Valley Country Club
Geologic Hazard Abatement District

EXHIBIT "A" TO PETITION FOR ANNEXATION OF
TERRITORY TO THE SILVER CREEK VALLEY
COUNTRY CLUB GEOLOGIC HAZARD ABATEMENT
DISTRICT

LEGAL DESCRIPTION OF BOUNDARIES
OF TERRITORY TO BE ANNEXED TO THE
DISTRICT

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

Being all of the Boundaries of Territories to be Ultimately Included Within the District as described in Exhibit "C" to the Petition for Formation of the Silver Creek Valley Country Club Geologic Hazard Abatement District, a copy of which is attached.

Excepting therefrom the following parcel which is currently within the District:

Being all of Tract No. 8369, a map of which was filed for record in Book 628 of Maps at Pages 2, 3, 4, 5, 6, 7, and 8, Santa Clara County Records.

Prepared by
ROY A. NELSON
CE 24934
San Jose, California

Attachment to
 EXHIBIT "A" TO PETITION FOR ANNEXATION OF
 TERRITORY TO THE SILVER CREEK VALLEY COUNTRY
 CLUB GEOLOGIC HAZARD ABATEMENT DISTRICT

9625-0
 8/28/91
 Rev. 9/11/91
 JB/SD
 Page 1 of 3

EXHIBIT "C" TO PETITION FOR FORMATION OF
 SILVER CREEK VALLEY COUNTRY CLUB
 GEOLOGIC HAZARD ABATEMENT DISTRICT

Legal Description of Boundaries of Territory
 to be ultimately included within District

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

BEGINNING at a point in the centerline of Silver Creek Road (40.00 feet wide) at the most Northerly corner of Parcel 1 as shown on that certain Parcel Map recorded December 4, 1979 in Book 455 of Maps at page 7, Santa Clara County Records; thence leaving said POINT OF BEGINNING along said centerline and along the Northeasterly boundary of said Parcel 1 the following courses, S47°12'05"E 1939.94 feet, along a curve to the right with a radius of 500.00 feet through a central angle of 01°22'49" for an arc length of 12.05 feet, S45°49'16"E 474.42 feet, along a curve to the left with a radius of 500.00 feet through a central angle of 10°17'54" for an arc length of 89.87 feet, and S56°07'10"E 617.93 feet to an angle point in the generally Westerly boundary of Parcel A as shown on that certain Parcel Map recorded December 21, 1962 in Book 155 of Maps at page 39, Santa Clara County Records; thence leaving said centerline of Silver Creek Road and said Northeasterly line of Parcel 1 along the generally Northerly line of said Parcel A N33°36'50"E 304.44 feet, N47°56'15"W 213.46 feet, and N78°45'10"E 2459.13 feet to the most Westerly corner of that certain 6.323 acre parcel of land shown on Record of Survey filed for record in Book 331 of Maps at page 52, Santa Clara County Records; thence along the line common to said Parcel A and to said 6.323 acre parcel S47°38'55"E 654.22 feet, S47°02'18"E 136.78 feet, and N80°32'15"E 256.66 feet to the point of intersection of said common line with the Southwesterly line of San Felipe Road (40.00 feet wide); thence leaving said common line along said Southwesterly line of San Felipe Road and along the generally Northeasterly line of said Parcel A the following courses: from a tangent bearing of S30°30'53"E along a curve to the left with a radius of 420.00 feet through a central angle of 22°31'17" for an arc distance of 165.09 feet; thence S53°02'10"E 119.67 feet; thence along a tangent curve to the right with a radius of 480.00 feet, through a central angle of 12°28'40", for an arc length of 104.53 feet; thence S40°33'30"E 125.82 feet; thence along a tangent curve to the right with a radius of 980.00 feet, through a central angle of 06°48'10" for an arc length of 116.36 feet; thence S33°45'20"E 155.71 feet; thence along a tangent curve to the left with a radius of 220.00 feet, through a central angle of 37°25'10", for an arc length of 143.68 feet; thence S71°10'30"E 23.94 feet; thence along a tangent curve to the right with a radius of 230.00 feet, through a central angle of 30°51'50" for an arc length of 123.90 feet; thence S40°18'40"E 274.99 feet; thence along a tangent curve to the right with a radius of 430.00 feet, through a central angle of 22°03'20", for an arc length of 165.52 feet; thence S18°15'20"E 310.71 feet; thence along a tangent curve to the left with a radius of 370.00 feet, through a central angle of 26°21'42", for an arc length of 170.24 feet; thence S44°37'02"E 816.59 feet to the most Southerly corner of that certain parcel of land described as Parcel

Attachment to
 EXHIBIT "A" TO PETITION FOR ANNEXATION OF
 TERRITORY TO THE SILVER CREEK VALLEY COUNTRY
 CLUB GEOLOGIC HAZARD ABATEMENT DISTRICT

9625-0
 8/28/91
 Rev. 9/11/91
 JB/SD
 Page 2 of 3

One in the Grant Deed from Joseph C. Hillis to Denis G. Babson, et al, recorded December 6, 1974 in Book B198 of Official Records at page 461, Santa Clara County Records; thence leaving said Southwesterly line of San Felipe Road and said generally Northeasterly line of Parcel A along the Southeasterly line of said Parcel One conveyed to Denis G. Babson, et al, said Southeasterly line also being the centerline of San Felipe Road (40.00 feet wide), N64°53'08"E 279.84 feet to the most Westerly corner of that certain 0.56 acre parcel of land conveyed to the County of Santa Clara by deed recorded January 28, 1920 in Book 501 of Deeds at page 490, Santa Clara County Records; thence leaving said Southeasterly line and said centerline, along the generally Southwesterly line of said 0.56 acre parcel the following courses: S21°32'07"E 30.06 feet, N72°02'53"E 19.28 feet, N86°22'53"E 17.38 feet, S79°17'07"E 18.29 feet, and S68°21'07"E 9.27 feet to a point on the Southwesterly line of San Felipe Road (60.00 feet wide) said point being an angle point in the Northeasterly boundary of the hereinabove mentioned Parcel A; thence continuing along said generally Southwesterly line of the 0.56 acre parcel, and along said Southwesterly line of San Felipe Road and along said Northeasterly boundary of Parcel A S65°32'02"E 536.51 feet; thence leaving said Southwesterly line of San Felipe Road and continuing along said boundary of the 0.56 acre parcel and along said boundary of Parcel A N24°27'58"E 30.00 feet to the centerline of said San Felipe Road; thence leaving said boundary of the 0.56 acre parcel along said centerline of San Felipe Road and continuing along said Northeasterly boundary of Parcel A the following courses: S65°32'02"E 1201.15 feet, along a tangent curve to the right with a radius of 1000.00 feet, through a central angle of 17°47'17", for an arc length of 310.46 feet, S47°44'45"E 22.25 feet, along a tangent curve to the right with a radius of 600.00 feet, through a central angle of 11°52'30", for an arc length of 124.35 feet, S35°52'15"E 547.40 feet, S36°45'50"E 411.48 feet, along a tangent curve to the right with a radius of 1000.00 feet, through a central angle of 08°23'55" for an arc length of 146.58 feet, S28°21'55"E 78.81 feet, along a tangent curve to the right with a radius of 500.00 feet, through a central angle of 11°25'00", for an arc length of 99.63 feet, S16°56'55"E 111.78 feet, and along a tangent curve to the left with a radius of 120.00 feet, through a central angle of 33°48'12", for an arc length of 70.80 feet to the point of intersection of said centerline with the Northeasterly prolongation of the Southeasterly line of that certain 88 acre parcel of land conveyed to William Matthews by deed recorded May 14, 1896 in Book 191 of Deeds at page 215, Santa Clara County Records; thence leaving said centerline of San Felipe Road and continuing along said boundary of Parcel A and along said Northeasterly prolongation and Southeasterly line S44°45'45"W 450.49 feet to the point of intersection thereof with the centerline of Silver Creek Road (40.00 feet wide); thence leaving said Southeasterly line along said centerline and along the generally Southeasterly boundary of said Parcel A the following courses: S81°02'24"W 731.42 feet, S67°25'00"W 155.34 feet, S26°04'55"W 419.95 feet, S10°38'30"W 199.10 feet, S19°25'05"W 179.50 feet, S87°07'20"W 244.91 feet, S70°11'35"W 244.83 feet, N88°31'00"W 214.69 feet, N66°28'05"W 250.47 feet, S87°01'30"W 144.68 feet, N75°08'20"W 247.56 feet, and N42°22'55"W 23.27 feet to the most Easterly corner of that certain parcel of land described as Parcel Two in the Grant Deed to Lee H. Brandenburg and Eric L. Brandenburg, trustees of the Silver Creek Valley trust, recorded May 6, 1987 in Book K 137 of Official Records at page

Attachment to
 EXHIBIT "A" TO PETITION FOR ANNEXATION OF
 TERRITORY TO THE SILVER CREEK VALLEY COUNTRY
 CLUB GEOLOGIC HAZARD ABATEMENT DISTRICT

9625-0
 8/28/91
 Rev. 9/11/91
 JB/SD
 Page 3 of 3

1548, Santa Clara County Records; thence leaving said centerline of San Felipe Road and said boundary of Parcel A along the Southeasterly and Southerly boundary of said Parcel Two the following courses: S35°01'20"W 715.61 feet, S54°46'20"W 217.14 feet, N87°28'00"W 3625.57 feet, and N88°00'22"W 4873.53 feet to the most Southerly corner of that certain parcel of land conveyed to PG&E by deed recorded November 9, 1971 in Book 9582 of Official Records at page 50, Santa Clara County Records; thence continuing along said boundary of Parcel Two and along the Easterly boundary of said parcel conveyed to PG&E N35°06'35"W 311.90 feet, and N53°51'00"W 161.40 feet to the most Northerly corner of said parcel conveyed to PG&E, said Northerly corner being on the Southeasterly boundary of the hereinabove mentioned Parcel 1; thence leaving said boundary of Parcel Two along the Northwesterly boundary of said parcel conveyed to PG&E and along said Southeasterly boundary of Parcel 1, S42°09'53"W 87.20 feet to the most Southerly corner of said Parcel 1; thence leaving said boundary of the parcel conveyed to PG&E, along the Southwesterly boundary of said Parcel 1, N28°35'06"W 3769.52 feet to the most Westerly corner of said Parcel 1; thence along the Northwesterly boundary of said Parcel 1 N41°11'43"E 5103.08 feet to the POINT OF BEGINNING.

Containing 1525.6 acres, more or less.

Excepting therefrom the following parcels conveyed to the City of San Jose, a Municipal Corporation, by deeds recorded:

- 1) April 5, 1991 in Book L666 of Official Records at pages 1596-1600
- 2) April 5, 1991 in Book L666 of Official Records at pages 1601-1604
- 3) April 5, 1991 in Book L666 of Official Records at pages 1605-1608
- 4) April 5, 1991 in Book L666 of Official Records at pages 1609-1613
- 5) April 5, 1991 in Book L666 of Official Records at pages 1614-1618
- 6) April 5, 1991 in Book L666 of Official Records at pages 1619-1622
- 7) April 5, 1991 in Book L666 of Official Records at pages 1623-1626
- 8) April 5, 1991 in Book L666 of Official Records at pages 1627-1630
- 9) April 5, 1991 in Book L666 of Official Records at pages 1631-1635

Also excepting therefrom all of Lot 94 of Tract No. 8373, a map of which was filed for record in Book 628 of Maps at pages 21, 22 and 23, Santa Clara County Records.

Also excepting therefrom that portion of future San Felipe Road to be conveyed to the City of San Jose.

Prepared by the firm of
 MACKAY & SOMPS
 San Jose, California