



Lot Line Adjustment Application

Planning, Building and Code Enforcement

Staff will assign **FILE #**

INSTRUCTIONS. Complete pages 1 and 2 of this form and attach all documents as listed on page 3. All materials must be prepared by a licensed Land Surveyor or Civil Engineer authorized to practice land surveying pursuant to the Professional Land Surveyors Act.

APPOINTMENT REQUIRED. Submit the package in person at the Planning and Development Services Offices, 3rd floor, City Hall. Schedule your required appointment online at www.sanjoseca.gov/PlanningAppointments or call 408-535-3555.

USE THE COMPUTER-FILLABLE FORM AT WWW.SANJOSECA.GOV/PLANNINGAPPLICATIONS OR PRINT CLEARLY USING INK.

1. SURVEYOR/CIVIL ENGINEER INFORMATION

| | |
|---|------------|
| NAME: | LICENSE #: |
| NAME OF FIRM <small>IF APPLICABLE</small> : | PHONE: |
| ADDRESS: | |
| EMAIL: | |

2. CONTACT INFORMATION IF DIFFERENT FROM ABOVE

| | |
|---|--------|
| NAME: | PHONE: |
| NAME OF FIRM <small>IF APPLICABLE</small> : | EMAIL: |
| ADDRESS: | |

3. PROPERTY INFORMATION

EXISTING USE OF PROPERTY BRIEFLY DESCRIBE:

PURPOSE OF LOT LINE ADJUSTMENT BRIEFLY DESCRIBE:

ENTER INFORMATION FOR EACH PARCEL. Refer to the example table, Site Exhibit, on page 5. A maximum of four adjoining parcels is allowed per application.

| PARCEL: | A | B | C | D |
|---|---|---|---|---|
| APN: | | | | |
| NET AREA BEFORE: <small>(acres or sq. ft.)</small> | | | | |
| NET AREA AFTER: <small>(acres or sq. ft.)</small> | | | | |

OFFICE USE ONLY

| | | | |
|----------------|-----------|-------------------|----------|
| DATE RECEIVED: | ZONING: | COUNCIL DISTRICT: | PAID: \$ |
| BY: | LOCATION: | | |

AFFIDAVIT OF OWNERSHIP

ALL SIGNATURES MUST BE NOTARIZED. PLEASE ATTACH THE NOTARY FORM.

I(we) am(are) the owner(s) of, or have the lawful Power of Attorney for, the property for which a Lot Line Adjustment approval is sought.

| | |
|---|----------------------|
| PROPERTY OWNER NAME: | TITLE IF APPLICABLE: |
| NAME OF FIRM IF APPLICABLE: | PHONE: |
| EMAIL: | |
| ADDRESS Number: Street: City: State: Zip: | |

● SIGNATURE of Property Owner DATE [MM/DD/YYYY]

| | |
|---|----------------------|
| PROPERTY OWNER NAME: | TITLE IF APPLICABLE: |
| NAME OF FIRM IF APPLICABLE: | PHONE: |
| EMAIL: | |
| ADDRESS Number: Street: City: State: Zip: | |

● SIGNATURE of Property Owner DATE [MM/DD/YYYY]

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● SIGNATURE of Property Owner DATE [MM/DD/YYYY]

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|---|----------------------|
| PROPERTY OWNER NAME: | TITLE IF APPLICABLE: |
| NAME OF FIRM IF APPLICABLE: | PHONE: |
| EMAIL: | |
| ADDRESS Number: Street: City: State: Zip: | |

● SIGNATURE of Property Owner DATE [MM/DD/YYYY]

IF THERE ARE ADDITIONAL PROPERTY OWNERS, PLEASE ATTACH A SHEET TO PROVIDE THE ABOVE INFORMATION.

APPLICATION PACKAGE

You must submit the following documents along with this application. Document size: 8.5"X11"

- 1. Legal Description: Wet-signed, stamped original + 4 copies**
Provide the standard metes-and-bounds description for each property and the area to be added and/or subtracted.
 - » Label the Legal Description as "Exhibit A." An example of a Legal Description is shown on page 4.
- 2. Plat Map: Wet-signed, stamped original + 4 copies**
Provide a survey-quality Plat Map showing the existing and proposed parcel boundaries. The Plat Map is a graphic representation of the Legal Description and will be recorded at the County of Santa Clara.
 - » Also label the Plat Map as "Exhibit A."
- 3. Site Plan Exhibit: Wet-signed, stamped original + 5 copies**
The Site Plan Exhibit must be legible, showing all dimensions of existing and proposed parcel boundaries, footprints of all existing and proposed building, setbacks, and transfer areas.
 - » Draw to scale and date; see example on page 5.
 - » Label: "Lot Line Adjustment, Exhibit B, [Name of Property Owner or Suitable Title]"
 - » Include a table that identifies the area (acres or sq. ft.) for each existing and proposed parcel.
 - » Show entire boundaries for all parcels proposed to be reconfigured. If more than one sheet is needed, please provide a key map showing all subject parcels.
- 4. Affidavit of Ownership: Use page 2 of this form.**
Be sure to notarize all signatures.
- 5. Title Report - 2 copies**
Provide two copies of the preliminary title report for all property subject to this application. The Title Report must be dated within 90 days of the submittal.
- 6. Fees:** Application fees must be paid at the time of submittal. See the Planning Division Fee Schedule at www.sanjoseca.gov/planningfees. Fees charged will include:
 - Lot Line Application fee
 - Citywide Planning fee
 - Interdepartmental Referral fees (if applicable)
 The County Recorder will collect a separate recording fee upon recordation of the Legal Description and Plat Map.

RECORDING, ADJUSTMENTS AND CORRECTIONS

- The Applicant must get the Lot Line Adjustment officially recorded at Santa Clara County and provide proof of recordation to the City of San José Planning Division.
- An approved Lot Line Adjustment shall be null and void without further act of the City of San José in the event that said permit is not recorded with the Grand Deed conveying the real property within 180 days (six months) of the approval date.
- A certified Legal Description and Plat Map that is part of an approved Lot Line Adjustment (recorded or pending recordation) may be corrected through a Lot Line Correction if the needed correction meets the provisions of the Section 19.40.120 of the San José Municipal Code. Otherwise, a new Lot Line Adjustment will need to be submitted.
- If the certified Legal Description and Plat Map that is part of an approved Lot Line Adjustment permit is incorrect, the applicant is solely responsible for filing a new application for a Lot Line Adjustment or Lot Line Correction and payment of applicable fees. The City will not waive fees associated with a new Lot Line Adjustment application.

PROCESSING SCHEDULE

Planning Staff

- Logs in application, assigns File Number, and collects fees.
- Confirms that each owner who is party to the request has signed the Affidavit of Ownership form.
- Reviews application pursuant to Title 19, Section 19.08.440.
- Reviews with other City Departments and obtains any pertinent data.
- Processes environmental document.
- When necessary, makes field inspection.
- Prepares a recommendation to the Director of Planning.

Director of Planning

- Reviews the recommendation and approves or denies the application with the requirement stating as follows:
- If approved, a letter is sent to the engineer/applicant and property owner(s) to inform them of the approval and that simultaneous recordation is now required by the property owner with the corresponding Grant Deeds within 6 months (180 days). The applicant must return to the Planning Division an endorsed copy of the recorded Grant Deed, Lot Line Adjustment Permit with plot plan and legal description within the specified 180 days. Thereafter, the permit becomes invalid.
- If denied, copies are sent to the engineer/applicant and property owner(s). There is no appeal process for a denied Lot Line Adjustment, however, it may be possible to apply for a Tentative Map to accomplish your objectives; speak with a City planner for more information.

Questions?

Speak with a planner at 408-535-3555. Visit www.sanjoseca.gov/planning for phone service hours.

EXAMPLE OF LEGAL DESCRIPTION

EXHIBIT A
LOT LINE ADJUSTMENT FOR
LANDS OF _____

PARCEL A

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

All of Lot 47, Tract No. 2238, Fairglen Addition, Unit No. 1 recorded October 28, 1958 in Book 99 of Maps at page 15, Santa Clara Records.

and, in addition thereto, the following area:

Beginning at the most northerly common corner of Lot 47 and Lot 48, as said common corner and lots are shown upon that certain Tract No. 2238, Fairglen Addition, Unit No. 1 recorded October 28, 1958 in book 99 of Maps at page 15, Santa Clara County Records.

Thence, from said Point of Beginning, South 8°57'46" West, 99.20 feet along the common boundary between said Lots 47 and 48.

Thence, North 8°00'19" West, 83.69 feet to a point in the northwesterly line of said Lot 47;

Thence, North 60°49'15" East, 31.05 feet along said northwesterly line to the Point of Beginning.

Containing 11,724.90 square feet of land, more or less.

PARCEL B

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

All of Lot 8, Tract No. 2238, Fairglen Addition, Unit No. 1 recorded October 28, 1958 in Book 99 of Maps at page 15, Santa Clara Records.

and, excepting therefrom, the following area:

Beginning at the most northerly common corner of Lot 47 and Lot 48, as said common corner and lots are shown upon that certain Tract No. 2238, Fairglen Addition, Unit No. 1 recorded October 28, 1958 in book 99 of Maps at page 15, Santa Clara County Records.

Thence, from said Point of Beginning, South 8°57'46" West, 99.20 feet along the common boundary between said Lots 47 and 48.

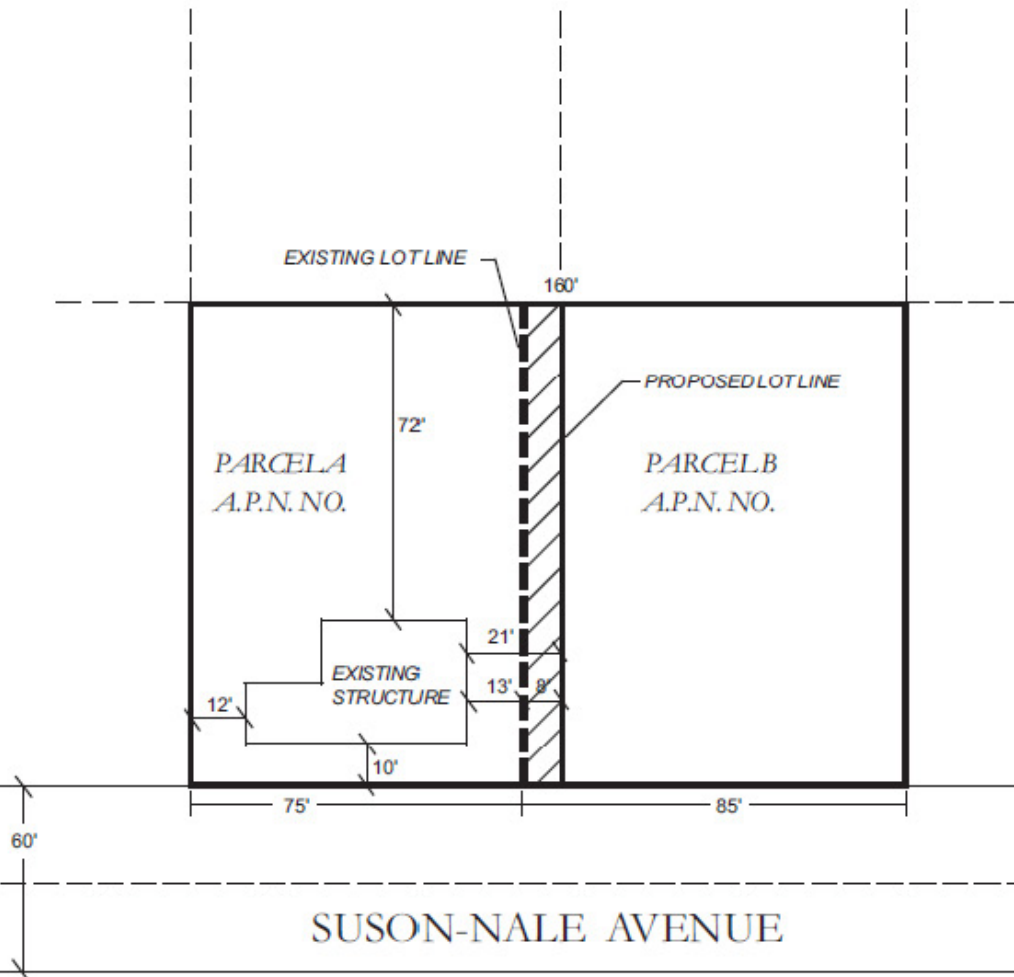
Thence, North 8°00'19" West, 83.69 feet to a point in the northwesterly line of said Lot 47;

Thence, North 60°49'15" East, 31.05 feet along said northwesterly line to the Point of Beginning.

Containing 11,724.90 square feet of land, more or less.

EXHIBIT A
PAGE ____ OF ____

EXAMPLE SITE EXHIBIT



SUSON-NALE AVENUE

| LOT AREA (sq. ft.) | PARCEL A | PARCEL B | ACRES |
|--------------------|----------|----------|-------|
| EXISTING | 8250 | 9350 | |
| PROPOSED | 9130 | 8470 | |



PROPERTY TO BE TRANSFERRED

LOT LINE ADJUSTMENT PLAT, EXHIBIT "B" LANDS OF NALE, ET AL

TITLE OF PLAT _____
 ENGINEERING COMPANY _____
 ADDRESS _____
 PHONE NUMBER _____
 ENGINEER'S LICENSE NO. SEAL _____

DATE _____
 SCALE _____
 PAGE ___ OF ___