



MEETING DATE: 03/18/04

COUNCIL AGENDA REPORT

DATE: MARCH 17, 2004
TO: MAYOR AND TOWN COUNCIL
FROM: DEBRA J. FIGONE, TOWN MANAGER
SUBJECT: ADOPT A RESOLUTION MAKING FINDINGS CONCERNING THE VALUE OF WRITTEN PROTESTS FILED AND NOT WITHDRAWN AND ORDERING THE REORGANIZATION OF THE TERRITORY KNOWN AS BLOSSOM HILL MANOR NO. 11, AND SET AN ELECTION.

Handwritten signature of Debra J. Figone

RECOMMENDATION:

Adopt a resolution making findings concerning the value of written protest filed and not withdrawn and ordering the reorganization of the territory known as Blossom Hill Manor No. 11, and set an election, either:

- a. Concurrent with the November 2004 General Election, or
b. Through a mailed ballot election conducted by the Santa Clara County Registrar of Voters on the last Tuesday in August, 2004.

BACKGROUND:

Some of the residents of Blossom Hill Manor approached the Town in early 2003 with a request to annex their property to the Town. A boundary for the annexation was determined, which includes 31 properties. The annexation process regarding this area, known for annexation purposes as Blossom Hill Manor No. 11, has been underway since December 15, 2003 when the Town Council set the date for consideration of the annexation.

Handwritten signature of Pamela Jacobs

PREPARED BY: PAMELA JACOBS
Assistant Town Manager

N:\MGR\PJacobs\Council Reports\BH annexation.wpd

Reviewed by: Assistant Town Manager, Town Attorney, Clerk, Finance, Community Development
Revised: 3/17/04 3:08 pm

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MAYOR AND TOWN COUNCIL

SUBJECT: ADOPT A RESOLUTION MAKING FINDINGS CONCERNING THE VALUE OF WRITTEN PROTESTS FILED AND NOT WITHDRAWN AND ORDERING THE REORGANIZATION OF THE TERRITORY KNOWN AS BLOSSOM HILL MANOR NO. 11, AND SET FOR AN ELECTION.

MARCH 17, 2004

The date to hear protests regarding the annexation was ultimately set for February 17, 2004, due to an error by the newspaper publishing the public hearing notice which was originally set for January 20, 2004. On February 17th, the Town Council held the public and set March 15, 2004 as the date to make findings of the value of written protests filed and not withdrawn and to take the appropriate action as prescribed by California Government Code Section 57075.

The prescribed action was to order the change of organization subject to a confirmation by the registered voters residing within the affected territory. The staff recommendation was for the annexation election to be consolidated with the November 2004 General Election, rather than being conducted via a postcard election. At the March 15th meeting, the Town Council requested that the election be conducted via a postcard election unless there were sufficient reasons to consolidate it with the General Election. Because the recommended resolution called for the election via the November 2004 General Election, Council could not take action on the resolution at that meeting.

The California Government Code requires that the findings concerning the value of written protests filed and not withdrawn be made within 30 days of the public hearing to hear protests. In this case, the public hearing was held February 17, 2004; thus, the special Town Council meeting of March 18, 2004 has been scheduled for this purpose.

DISCUSSION:

At the March 15th Council meeting, the Council asked questions regarding the postcard election that staff was not able to answer. This information is provided herein to assist the Council in making a decision regarding the election process they would like to undertake.

Since the March 15th Council meeting, the Clerk's Office has discussed this matter with the Registrar of Voters. The Clerk has learned that the last time the Registrar used the postcard election process for an annexation was for the Town of Los Gatos in 1991, and that the Registrar no longer uses this process. Rather, the choices are consolidation with a General Election or by a mailed ballot election, since there are no more than 1,000 registered voters eligible to participate. Previously, the postcard election was conducted by the Town following requirements set forth by the Registrar. The mailed ballot is conducted by the Registrar, and is subject to the scheduling set forth in the Election Code. According to the Election Code, mailed ballot elections can occur on the following dates:

- 1) The first Tuesday after the first Monday in May;
- 2) The first Tuesday after the first Monday in June; or
- 3) The last Tuesday in August.

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MAYOR AND TOWN COUNCIL

SUBJECT: ADOPT A RESOLUTION MAKING FINDINGS CONCERNING THE VALUE OF WRITTEN PROTESTS FILED AND NOT WITHDRAWN AND ORDERING THE REORGANIZATION OF THE TERRITORY KNOWN AS BLOSSOM HILL MANOR NO. 11, AND SET FOR AN ELECTION.

MARCH 17, 2004

For purposes of this election, the last Tuesday in August is the only time the election could be conducted. This is due to the California Government Code regarding annexations which requires the election to be held no sooner than 88 days after the findings are made. The August date is the first date that meets that requirement.

According to estimates provided by the County's Registrar's office, the costs for the two processes are similar. If the election is held as part of the General Election, the Town would pay for the additional costs associated with the ballot pages pertaining to the annexation on top of the minimum costs of the election. This additional cost is estimated at \$9,300. The Clerk has also learned that the minimum costs of elections are rising significantly from the \$7,000 to \$10,000 cost of previous elections. The minimum costs are now expected to be \$38,000 to \$57,000. This is due to election rising election costs that are being passed down to the counties from the state. The Registrar will not know the actual costs until later in the year.

If the election is held through a mailed ballot, the Registrar has informed the Clerk that the Registrar could conduct the election at a cost of between \$5,000 and \$10,000. In this process, the mailed ballot is mailed to all registered voters in the affected area with a return envelope to the Registrar. The Registrar is unable to provide a more exact estimate at this time.

CONCLUSION:

Both of the attached resolutions make the findings to support ordering the change of organization subject to a confirmation by the registered voters residing within the affected territory. The resolution included as Attachment 1 sets the election to be conducted concurrently with the November 2004 General Election. The resolution included as Attachment 2 sets the election to be conducted as a mailed ballot election on August 31, 2004, the last Tuesday in August as required by the Election Code. The costs associated with conducting the election with the General Election is \$9,300 and the costs associated with conducting the mailed ballot election is between \$5,000 and \$10,000. The action before Council is to adopt one of the two resolutions that make the findings and set the election.

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MAYOR AND TOWN COUNCIL

SUBJECT: ADOPT A RESOLUTION MAKING FINDINGS CONCERNING THE VALUE OF WRITTEN PROTESTS FILED AND NOT WITHDRAWN AND ORDERING THE REORGANIZATION OF THE TERRITORY KNOWN AS BLOSSOM HILL MANOR NO. 11, AND SET FOR AN ELECTION.

MARCH 17, 2004

ENVIRONMENTAL ASSESSMENT:

Is not a project defined under CEQA, and no further action is required.

FISCAL IMPACT:

The direct costs associated with the resolution in Attachment 1 is \$9,300 and the direct costs associated with the resolution in Attachment 2 is between \$5,000 and \$10,000. Implementation of either resolution will require staff time to post notices and provide information to the neighborhood affected by the annexation election.

Funds for this election will be incorporated into the FY 2004/05 recommended Town Clerk budget.

If the reorganization is approved by eligible voters, once it is certified by the State Board of Equalization, the Town will receive approximately 9.6% of the property taxes paid on property in the affected area. The Town will provide Town services to the affected area at an undetermined cost.

Attachments:

1. Resolution making findings on the value of written protests filed and not withdrawn in certain inhabited territory designated as "Blossom Hill Manor No. 11" and setting the annexation election to be conducted concurrently with the November 2004 General Election (with Exhibit A and B):
 - A. Description of Blossom Hill Manor No. 11 Annexation
 - B. Map to accompany description

2. Resolution making findings on the value of written protests filed and not withdrawn in certain inhabited territory designated as "Blossom Hill Manor No. 11" and setting the annexation election to be conducted through a mailed ballot election on the last Tuesday of August, 2004 (with Exhibit A and B):
 - A. Description of Blossom Hill Manor No. 11 Annexation
 - B. Map to accompany description

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MAYOR AND TOWN COUNCIL

SUBJECT: ADOPT A RESOLUTION MAKING FINDINGS CONCERNING THE VALUE OF WRITTEN PROTESTS FILED AND NOT WITHDRAWN AND ORDERING THE REORGANIZATION OF THE TERRITORY KNOWN AS BLOSSOM HILL MANOR NO. 11, AND SET FOR AN ELECTION.

MARCH 17, 2004

Distribution:

Neelima Palacherla, Executive Officer, Santa Clara County Local Agency Formation Commission,
County Government Center, East Wing, 70 W. Hedding Street, 11th Floor, San Jose, CA 95110

Tim Chow, Director, Environmental Resources Agency, County Government Center, East Wing, 70
W. Hedding Street, 7th Floor, San Jose, CA 95110

Gay Strand, Manager for Administrative Services, County Library Service Area, 1095 North First
Street, San Jose, CA 95112

Carol Gruetzner, 16192 Oleander Ave., Los Gatos, CA 95032 (contacted for pick-up)

Larry Gerston, 16194 Lilac Lane, Los Gatos, CA 95032 (contacted for pick-up)

Eleanor Gallmeister, 16210 Lilac Lane, Los Gatos, CA 95032 (contacted for pick-up)

RESOLUTION

RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF LOS GATOS MAKING FINDINGS ON THE VALUE OF WRITTEN PROTESTS FILED AND NOT WITHDRAWN IN CERTAIN INHABITED TERRITORY DESIGNATED AS BLOSSOM HILL MANOR NO. 11 TO THE TOWN OF LOS GATOS

WHEREAS, a petition for the annexation of certain territory to the Town of Los Gatos and detachment of said territory from Santa Clara County Library Service Area No. 1, consisting of 8.71 acres on the southerly side of Oleander Avenue and the northerly side of Lilac Lane (APN'S: 523-13-013 to 043, 523-13-053 to 063, 523-13-065, 523-26-032 to 037) has been filed by Carol Gruetzner; and

WHEREAS, on December 15, 2003, the Town Council adopted Resolution No. 2003-142 initiating proceedings for annexation of the area designated as Blossom Hill Manor No. 11; and

WHEREAS, Section 56757 of the California Government Code states that the Local Agency Formation Commission shall not review an annexation proposal to any City in Santa Clara County of unincorporated territory which is within the urban service area of the city if initiated by resolution of the legislative body and there the Town Council of the Town of Los Gatos is now the conduction authority for said annexation; and

WHEREAS, the Town of Los Gatos notified affected property owners by posting, publishing and mailing hearing notices pursuant to Sections 57025 and 57026 of the Government Code; received protests pursuant to Section 57051 of the Government Code, held a hearing on February 17, 2004, pursuant to Section 57050 of the Government Code, closed the hearing on February 17, 2004, and set March 15, 2004 as the date determine the value of written protests filed and not withdrawn and take an action as described in Section 57075 of the Government Code of the State of California;

RESOLVED by the Town Council of the Town of Los Gatos that the following findings are true and correct:

1. The project is categorically exempt from C.E.Q.A. Class No. 15319(a).
2. The territory is "Inhabited" as defined in Section 56046 of the Government Code of the State of California.
3. The territory is contiguous to existing Town Limits.
4. The territory is within the Town's urban service area as adopted by the Local Agency Formation Commission of Santa Clara County.
5. The proposal does not split line of assessment or ownership.
6. The proposed annexation does not create islands or areas in which it would be difficult to provide municipal services.
7. The proposal in consistent with the Town's adopted general plan.

8. The reason for the proposed annexation is to properly plan and provide municipal service to the area which is contiguous to the Town.
9. That the County Surveyor has determined that the boundaries of the proposed annexation are definite and certain.
10. The protest filed and not withdrawn by property owners is more than 25 percent of the number of owners of land who also own at least 25 percent of the assessed value of the land within the affected territory; and

RESOLVED, by the Town Council of the Town of Los Gatos, a municipal corporation of the County of Santa Clara, State of California, that pursuant to the provisions of Sections 57075 and 57115 of the Government Code of the State of California, the annexation to the Town of Los Gatos of that territory designated as Blossom Hill Manor No. 11, and described in real property description and map attached hereto, marked Exhibits "A" and "B", respectively, is approved, subject to a conformation of the voters by ballot to be conducted concurrently with the November 2004 General Election. Election proceeding shall be conducted by the Santa Clara County Registrar of Voters.

FINALLY RESOLVED, that upon confirmation of these annexation proceedings by an election, the territory annexed will be taxed on the regular county assessment roll in Town of Los Gatos Tax Rate A, excluding taxes for existing bonded indebtedness.

PASSED AND ADOPTED at a special meeting of the Town Council held on March 18, 2004 by the following vote:

COUNCIL MEMBERS:

AYES:

NAYS:

ABSENT:

ABSTAIN:

SIGNED:

MAYOR OF THE TOWN OF LOS GATOS
LOS GATOS, CALIFORNIA

ATTEST:

CLERK OF THE TOWN OF LOS GATOS
LOS GATOS, CALIFORNIA

EXHIBIT A
ANNEXATION TO THE TOWN OF LOS GATOS
ENTITLED
BLOSSOM HILL MANOR NO. 11

ALL OF THE REAL PROPERTY SITUATE IN SANTA CLARA COUNTY, CALIFORNIA BEING MORE PARTICULARLY BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEASTERN CORNER OF LOT 424 AS SHOWN ON THAT CERTAIN MAP ENTITLED "TRACT NO. 862, BLOSSOM HILL MANOR, UNIT NO. 4" AS FILED IN BOOK 38 OF MAPS, AT PAGES 5, 6 AND 7, SANTA CLARA COUNTY RECORDS, SAID CORNER ALSO BEING ON THE BOUNDARY LINE OF THE ANNEXATION TO THE TOWN OF LOS GATOS ENTITLED "BLOSSOM HILL ROAD NO. 8"; THENCE PROCEEDING ALONG SAID BOUNDARY LINE AND THE SOUTHERN BOUNDARY OF SAID TRACT NO. 862

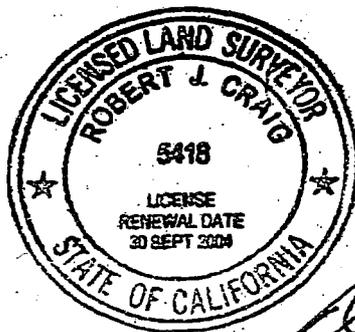
- 1) **SOUTH 89° 56' 15" WEST 548.18 FEET TO AN IRON PIPE IN THE CENTER LINE OF DAHLIA WAY; THENCE**
- 2) **NORTH 89° 59' WEST 351.24 FEET TO THE SOUTHERN COMMON CORNER OF LOTS 414 AND 415 OF SAID TRACT; THENCE LEAVING THE BOUNDARY LINE OF THE ANNEXATION TO THE TOWN OF LOS GATOS ENTITLED "BLOSSOM HILL ROAD NO. 8" AND ALONG THE BOUNDARY LINE OF THE ANNEXATION TO THE TOWN OF LOS GATOS ENTITLED "BLOSSOM HILL MANOR NO. 3" AND ALONG THE COMMON BOUNDARY OF SAID LOTS 414 AND 415 AND THE EXTENSION THEREOF**
- 3) **NORTH 0° 01' EAST 160.00 FEET TO A POINT ON THE SOUTHERN BOUNDARY OF LOT 398 OF SAID TRACT; THENCE ALONG THE LAST SAID SOUTHERN BOUNDARY**
- 4) **NORTH 89° 59' WEST 32.09 FEET TO THE SOUTHERN COMMON CORNER OF LOTS 398 AND 399 OF SAID TRACT; THENCE ALONG THE COMMON BOUNDARY OF SAID LOTS 398 AND 399**
- 5) **NORTH 0° 01' EAST 102.46 FEET TO THE NORTHERN COMMON CORNER OF SAID LOTS 398 AND 399; THENCE ALONG THE NORTHERN BOUNDARY OF SAID LOT 399**
- 6) **NORTH 89° 59' WEST 3.00 FEET TO AN IRON PIPE AT THE SOUTHERN COMMON CORNER OF PARCEL "A" AND PARCEL "B", AS SAID PARCELS ARE SHOWN UPON THAT CERTAIN MAP FILED IN BOOK 484 OF MAPS, AT PAGE 49, SANTA CLARA COUNTY RECORDS; THENCE LEAVING THE BOUNDARY LINE OF THE ANNEXATION TO THE TOWN OF LOS GATOS ENTITLED "BLOSSOM HILL MANOR NO. 3" AND ALONG THE BOUNDARY LINE OF THE ANNEXATION TO THE TOWN OF LOS GATOS ENTITLED "BLOSSOM HILL MANOR NO. 4" AND ALONG THE COMMON BOUNDARY OF SAID PARCEL "A" AND PARCEL "B"**
- 7) **NORTH 19° 09' 25" WEST 24.35 FEET TO A CHISELED "X" IN A CONCRETE WALK; THENCE**
- 8) **NORTH 0° 01' EAST 38.25 FEET TO A CHISELED "X" IN A CONCRETE WALK; THENCE**
- 9) **NORTH 31° 37' 30" EAST 15.26 FEET TO AN IRON PIPE; THENCE**

- 10) NORTH 0° 01' EAST 26.00 FEET TO AN IRON PIPE AT THE NORTHERN COMMON CORNER OF SAID PARCEL "A" AND PARCEL "B" ON THE SOUTHERN LINE OF OLEANDER AVENUE; THENCE LEAVING THE BOUNDARY LINE OF THE ANNEXATION TO THE TOWN OF LOS GATOS ENTITLED "BLOSSOM HILL MANOR NO. 4" AND ALONG THE BOUNDARY LINE OF THE ANNEXATION TO THE TOWN OF LOS GATOS ENTITLED "BLOSSOM HILL MANOR NO. 10"
- 11) NORTH 1° 22' 04" WEST 60.02 FEET TO THE NORTHERN LINE OF OLEANDER AVENUE; THENCE LEAVING THE BOUNDARY LINE OF THE ANNEXATION TO THE TOWN OF LOS GATOS ENTITLED "BLOSSOM HILL MANOR NO. 10"
- 12) EASTERLY ALONG A NON-TANGENT CURVE CONCAVE TO THE NORTHWEST FROM A RADIAL BEARING OF SOUTH 0° 01' WEST HAVING A RADIUS OF 20.00 FEET THROUGH A CENTRAL ANGLE OF 90° 00' AN ARC DISTANCE OF 31.42 FEET TO A POINT ON THE WESTERN LINE OF AZALEA WAY; THENCE
- 13) SOUTH 89° 59' EAST 60.00 FEET TO A POINT ON THE EASTERN LINE OF AZALEA WAY; THENCE
- 14) SOUTHERLY ALONG A NON-TANGENT CURVE CONCAVE TO THE NORTHEAST FROM A RADIAL BEARING OF NORTH 89° 59" WEST HAVING A RADIUS OF 20.00 FEET THROUGH A CENTRAL ANGLE OF 90° 00' AN ARC DISTANCE OF 31.42 FEET; THENCE ALONG THE NORTHERN LINE OF OLEANDER AVENUE
- 15) SOUTH 89° 59' EAST 164.00 FEET; THENCE
- 16) EASTERLY ALONG A NON-TANGENT CURVE CONCAVE TO THE NORTHWEST FROM A RADIAL BEARING OF SOUTH 0° 01' WEST HAVING A RADIUS OF 20.00 FEET THROUGH A CENTRAL ANGLE OF 90° 00' AN ARC DISTANCE OF 31.42 FEET TO A POINT OF THE WESTERN LINE OF JACARANDA WAY; THENCE
- 17) SOUTH 89° 59' EAST 60.00 FEET TO A POINT OF THE EASTERN LINE OF JACARANDA WAY; THENCE
- 18) SOUTHERLY ALONG A NON-TANGENT CURVE CONCAVE TO THE NORTHEAST FROM A RADIAL BEARING OF NORTH 89° 59" WEST HAVING A RADIUS OF 20.00 FEET THROUGH A CENTRAL ANGLE OF 90° 00' AN ARC DISTANCE OF 31.42 FEET; THENCE ALONG THE NORTHERN LINE OF OLEANDER AVENUE
- 19) SOUTH 89° 59' EAST 170.00 FEET; THENCE
- 20) EASTERLY ALONG A NON-TANGENT CURVE CONCAVE TO THE NORTHWEST FROM A RADIAL BEARING OF SOUTH 0° 01' WEST HAVING A RADIUS OF 20.00 FEET THROUGH A CENTRAL ANGLE OF 90° 00' AN ARC DISTANCE OF 31.42 FEET TO A POINT ON THE WESTERN LINE OF ESCOBAR AVENUE; THENCE
- 21) SOUTH 89° 59' EAST 60.00 FEET TO A POINT OF THE EASTERN LINE OF ESCOBAR AVENUE; THENCE
- 22) SOUTHERLY ALONG A NON-TANGENT CURVE CONCAVE TO THE NORTHEAST FROM A RADIAL BEARING OF NORTH 89° 59" WEST HAVING A RADIUS OF 20.00 FEET THROUGH A CENTRAL ANGLE OF 90° 00' AN ARC DISTANCE OF 31.42 FEET; THENCE ALONG THE NORTHERN LINE OF OLEANDER AVENUE
- 23) SOUTH 89° 59' EAST 75.00 FEET; THENCE

- 24) ALONG A TANGENT CURVE CONCAVE TO THE SOUTH HAVING A RADIUS OF 245.00 FEET THROUGH A CENTRAL ANGLE OF 15° 27' 23" AN ARC DISTANCE OF 66.09 FEET TO A POINT OF REVERSE CURVATURE; THENCE
- 25) ALONG A TANGENT CURVE CONCAVE TO THE NORTHWEST HAVING A RADIUS OF 20.00 FEET THROUGH A CENTRAL ANGLE OF 80° 13' 23" AN ARC DISTANCE OF 28.00 FEET TO A POINT ON THE NORTHWESTERN LINE OF JASMINE WAY; THENCE
- 26) SOUTH 64° 45' EAST 50.00 FEET TO A POINT ON THE SOUTHEASTERN LINE OF JASMINE WAY; THENCE
- 27) ALONG A NON-TANGENT CURVE CONCAVE TO THE EAST FROM A RADIAL BEARING OF NORTH 64° 45' WEST HAVING A RADIUS OF 20.00 FEET THROUGH A CENTRAL ANGLE OF 80° 13' 23" AN ARC DISTANCE OF 28.00 FEET TO A POINT OF REVERSE CURVATURE; THENCE ALONG THE NORTHEASTERN LINE OF OLEANDER AVENUE
- 28) ALONG A TANGENT CURVE CONCAVE TO THE SOUTHWEST HAVING A RADIUS OF 245.00 FEET THROUGH A CENTRAL ANGLE OF 24° 39' 09" AN ARC DISTANCE OF 105.42 FEET; THENCE
- 29) SOUTH 30° 19' 14" EAST 70.32 FEET; THENCE LEAVING THE NORTHEASTERN LINE OF OLEANDER AVENUE
- 30) SOUTH 59° 40' 46" WEST 60.00 FEET TO THE SOUTHWESTERN LINE OF OLEANDER AVENUE; THENCE SOUTHEASTERLY
- 31) ALONG A NON-TANGENT CURVE CONCAVE TO THE NORTHWEST FROM A RADIAL BEARING OF NORTH 59° 40' 46" EAST HAVING A RADIUS OF 20.00 FEET THROUGH A CENTRAL ANGLE OF 99° 29' 53" AN ARC DISTANCE OF 34.73 FEET TO AN IRON PIPE ON THE SOUTHERN BOUNDARY OF LOT 388 OF SAID TRACT ON THE NORTHERN LINE OF LILAC AVENUE; THENCE LEAVING LAST SAID SOUTHERN BOUNDARY
- 32) SOUTH 3° 06' 46" EAST 62.48 FEET TO THE NORTHERN COMMON CORNER OF LOTS 424 AND 425 OF SAID TRACT; THENCE ALONG THE COMMON BOUNDARY OF SAID LOTS 424 AND 425
- 33) SOUTH 17° 59' EAST 124.62 FEET TO THE POINT OF BEGINNING.

CONTAINING 8.71 ACRES (379,357 SQUARE FEET) MORE OR LESS

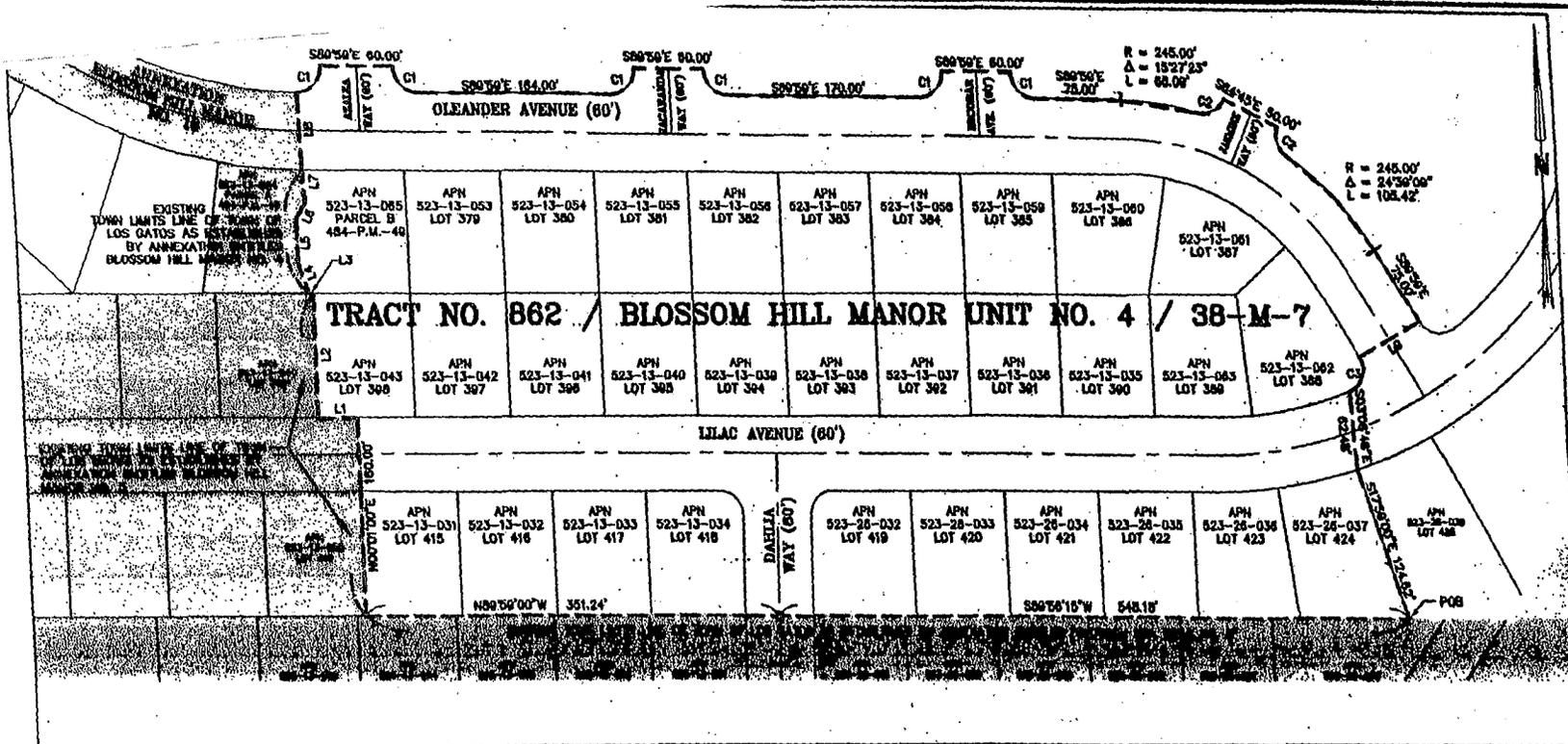
Revised Sept. 17, 2003



A handwritten signature in black ink, appearing to be "R. J. Craig", written over the seal.

9.17.03





TRACT NO. 862 / BLOSSOM HILL MANOR UNIT NO. 4 / 38-M-7



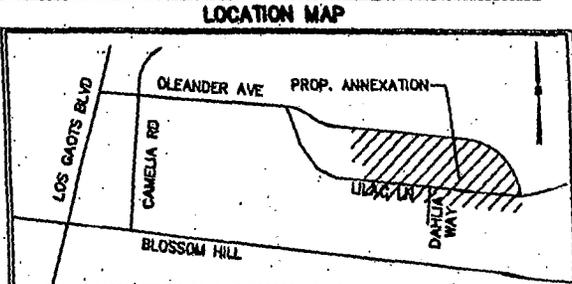
AREA
 PROPOSED AREA
 OF ANNEXATION
 8.71 ACRES ±

CURVE TABLE

C1	20.00'	90°	31.42'
C2	20.00'	60°13'23"	28.00'
C3	20.00'	99°29'53"	34.73'

LINE TABLE

L1	N89°59'00"W	32.09'
L2	N00°01'00"E	102.48'
L3	N89°59'00"W	3.00'
L4	N10°09'25"W	24.35'
L5	N00°01'00"E	38.25'
L6	N51°37'50"E	15.28'
L7	N00°01'00"E	28.00'
L8	N01°22'04"E	60.02'
L9	S59°40'48"W	60.00'



LEGEND

SHADED AREA INDICATES PARCELS CURRENTLY WITHIN EXISTING CITY LIMITS

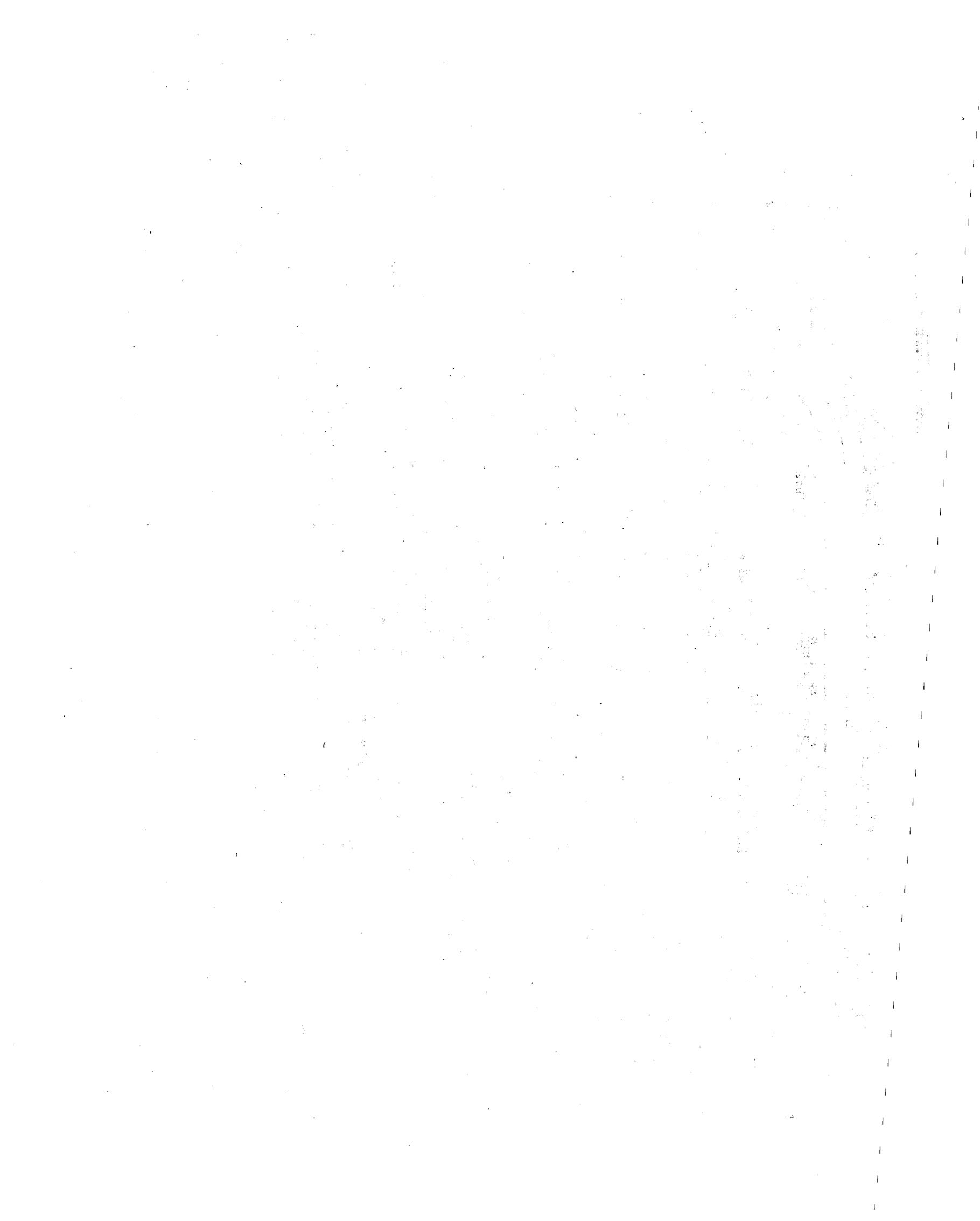
--- INDICATES BOUNDARY OF PROPOSED ANNEXATION

DUNBAR and CRAIG
 LICENSED LAND SURVEYORS
 236 N. SANTA CRUZ AVE. SUITE #104
 LOS GATOS, CA 95030
 (408) 399-0929
 9.17.03
 LICENSE NO. 5418 RENEWAL DATE 8/30/2004

REVISED SEPT. 17, 2003

PROPOSED ANNEXATION TO TOWN OF LOS GATOS	Situate in LOS GATOS	SCALE: 1 INCH = 100 FEET	DATE: SEPTEMBER 16, 2003	DRAWN: JPH	JOB NO.: 03289	SHEET ONE
ENTITLED: BLOSSOM HILL MANOR #11	County of Santa Clara, State of California	FIELDWORK:	CHECKED: RJC	INDEX: SANTA CLARA	FILE NO.	OF ONE

Exhibit B



RESOLUTION

RESOLUTION OF THE TOWN COUNCIL
OF THE TOWN OF LOS GATOS
MAKING FINDINGS ON THE VALUE OF WRITTEN PROTESTS FILED
AND NOT WITHDRAWN IN CERTAIN INHABITED TERRITORY DESIGNATED AS
BLOSSOM HILL MANOR NO. 11
TO THE TOWN OF LOS GATOS

WHEREAS, a petition for the annexation of certain territory to the Town of Los Gatos and detachment of said territory from Santa Clara County Library Service Area No. 1, consisting of 8.71 acres on the southerly side of Oleander Avenue and the northerly side of Lilac Lane (APN'S: 523-13-013 to 043, 523-13-053 to 063, 523-13-065, 523-26-032 to 037) has been filed by Carol Gruetzner; and

WHEREAS, on December 15, 2003, the Town Council adopted Resolution No. 2003-142 initiating proceedings for annexation of the area designated as Blossom Hill Manor No. 11; and

WHEREAS, Section 56757 of the California Government Code states that the Local Agency Formation Commission shall not review an annexation proposal to any City in Santa Clara County of unincorporated territory which is within the urban service area of the city if initiated by resolution of the legislative body and there the Town Council of the Town of Los Gatos is now the conduction authority for said annexation; and

WHEREAS, the Town of Los Gatos notified affected property owners by posting, publishing and mailing hearing notices pursuant to Sections 57025 and 57026 of the Government Code; received protests pursuant to Section 57051 of the Government Code, held a hearing on February 17, 2004, pursuant to Section 57050 of the Government Code, closed the hearing on February 17, 2004, and set March 15, 2004 as the date determine the value of written protests filed and not withdrawn and take an action as described in Section 57075 of the Government Code of the State of California;

RESOLVED by the Town Council of the Town of Los Gatos that the following findings are true and correct:

1. The project is categorically exempt from C.E.Q.A. Class No. 15319(a).
2. The territory is "Inhabited" as defined in Section 56046 of the Government Code of the State of California.
3. The territory is contiguous to existing Town Limits.
4. The territory is within the Town's urban service area as adopted by the Local Agency Formation Commission of Santa Clara County.
5. The proposal does not split line of assessment or ownership.
6. The proposed annexation does not create islands or areas in which it would be difficult to provide municipal services.
7. The proposal in consistent with the Town's adopted general plan.

8. The reason for the proposed annexation is to properly plan and provide municipal service to the area which is contiguous to the Town.
9. That the County Surveyor has determined that the boundaries of the proposed annexation are definite and certain.
10. The protest filed and not withdrawn by property owners is more than 25 percent of the number of owners of land who also own at least 25 percent of the assessed value of the land within the affected territory; and

RESOLVED, by the Town Council of the Town of Los Gatos, a municipal corporation of the County of Santa Clara, State of California, that pursuant to the provisions of Sections 57075 and 57115 of the Government Code of the State of California, the annexation to the Town of Los Gatos of that territory designated as Blossom Hill Manor No. 11, and described in real property description and map attached hereto, marked Exhibits "A" and "B", respectively, is approved, subject to a conformation of the voters by mailed ballot election to be conducted on August 31, 2004, the past Tuesday in August. Election proceeding shall be conducted by the Santa Clara County Registrar of Voters.

FINALLY RESOLVED, that upon confirmation of these annexation proceedings by an election, the territory annexed will be taxed on the regular county assessment roll in Town of Los Gatos Tax Rate A, excluding taxes for existing bonded indebtedness.

PASSED AND ADOPTED at a special meeting of the Town Council held on March 18, 2004 by the following vote:

COUNCIL MEMBERS:

AYES:

NAYS:

ABSENT:

ABSTAIN:

SIGNED:

MAYOR OF THE TOWN OF LOS GATOS
LOS GATOS, CALIFORNIA

ATTEST:

CLERK OF THE TOWN OF LOS GATOS
LOS GATOS, CALIFORNIA

EXHIBIT A
ANNEXATION TO THE TOWN OF LOS GATOS
ENTITLED
BLOSSOM HILL MANOR NO. 11

ALL OF THE REAL PROPERTY SITUATE IN SANTA CLARA COUNTY, CALIFORNIA BEING MORE PARTICULARLY BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEASTERN CORNER OF LOT 424 AS SHOWN ON THAT CERTAIN MAP ENTITLED "TRACT NO. 862, BLOSSOM HILL MANOR, UNIT NO. 4" AS FILED IN BOOK 38 OF MAPS, AT PAGES 5, 6 AND 7, SANTA CLARA COUNTY RECORDS, SAID CORNER ALSO BEING ON THE BOUNDARY LINE OF THE ANNEXATION TO THE TOWN OF LOS GATOS ENTITLED "BLOSSOM HILL ROAD NO. 8"; THENCE PROCEEDING ALONG SAID BOUNDARY LINE AND THE SOUTHERN BOUNDARY OF SAID TRACT NO. 862

- 1) SOUTH 89° 56' 15" WEST 548.18 FEET TO AN IRON PIPE IN THE CENTER LINE OF DAHLIA WAY; THENCE**
- 2) NORTH 89° 59' WEST 351.24 FEET TO THE SOUTHERN COMMON CORNER OF LOTS 414 AND 415 OF SAID TRACT; THENCE LEAVING THE BOUNDARY LINE OF THE ANNEXATION TO THE TOWN OF LOS GATOS ENTITLED "BLOSSOM HILL ROAD NO. 8" AND ALONG THE BOUNDARY LINE OF THE ANNEXATION TO THE TOWN OF LOS GATOS ENTITLED "BLOSSOM HILL MANOR NO. 3" AND ALONG THE COMMON BOUNDARY OF SAID LOTS 414 AND 415 AND THE EXTENSION THEREOF**
- 3) NORTH 0° 01' EAST 160.00 FEET TO A POINT ON THE SOUTHERN BOUNDARY OF LOT 398 OF SAID TRACT; THENCE ALONG THE LAST SAID SOUTHERN BOUNDARY**
- 4) NORTH 89° 59' WEST 32.09 FEET TO THE SOUTHERN COMMON CORNER OF LOTS 398 AND 399 OF SAID TRACT; THENCE ALONG THE COMMON BOUNDARY OF SAID LOTS 398 AND 399**
- 5) NORTH 0° 01' EAST 102.46 FEET TO THE NORTHERN COMMON CORNER OF SAID LOTS 398 AND 399; THENCE ALONG THE NORTHERN BOUNDARY OF SAID LOT 399**
- 6) NORTH 89° 59' WEST 3.00 FEET TO AN IRON PIPE AT THE SOUTHERN COMMON CORNER OF PARCEL "A" AND PARCEL "B", AS SAID PARCELS ARE SHOWN UPON THAT CERTAIN MAP FILED IN BOOK 484 OF MAPS, AT PAGE 49, SANTA CLARA COUNTY RECORDS; THENCE LEAVING THE BOUNDARY LINE OF THE ANNEXATION TO THE TOWN OF LOS GATOS ENTITLED "BLOSSOM HILL MANOR NO. 3" AND ALONG THE BOUNDARY LINE OF THE ANNEXATION TO THE TOWN OF LOS GATOS ENTITLED "BLOSSOM HILL MANOR NO. 4" AND ALONG THE COMMON BOUNDARY OF SAID PARCEL "A" AND PARCEL "B"**
- 7) NORTH 19° 09' 25" WEST 24.35 FEET TO A CHISELED "X" IN A CONCRETE WALK; THENCE**
- 8) NORTH 0° 01' EAST 38.25 FEET TO A CHISELED "X" IN A CONCRETE WALK; THENCE**
- 9) NORTH 31° 37' 30" EAST 15.26 FEET TO AN IRON PIPE; THENCE**

- 10) NORTH $0^{\circ} 01'$ EAST 26.00 FEET TO AN IRON PIPE AT THE NORTHERN COMMON CORNER OF SAID PARCEL "A" AND PARCEL "B" ON THE SOUTHERN LINE OF OLEANDER AVENUE; THENCE LEAVING THE BOUNDARY LINE OF THE ANNEXATION TO THE TOWN OF LOS GATOS ENTITLED "BLOSSOM HILL MANOR NO. 4" AND ALONG THE BOUNDARY LINE OF THE ANNEXATION TO THE TOWN OF LOS GATOS ENTITLED "BLOSSOM HILL MANOR NO. 10"
- 11) NORTH $1^{\circ} 22' 04''$ WEST 60.02 FEET TO THE NORTHERN LINE OF OLEANDER AVENUE; THENCE LEAVING THE BOUNDARY LINE OF THE ANNEXATION TO THE TOWN OF LOS GATOS ENTITLED "BLOSSOM HILL MANOR NO. 10"
- 12) EASTERLY ALONG A NON-TANGENT CURVE CONCAVE TO THE NORTHWEST FROM A RADIAL BEARING OF SOUTH $0^{\circ} 01'$ WEST HAVING A RADIUS OF 20.00 FEET THROUGH A CENTRAL ANGLE OF $90^{\circ} 00'$ AN ARC DISTANCE OF 31.42 FEET TO A POINT ON THE WESTERN LINE OF AZALEA WAY; THENCE
- 13) SOUTH $89^{\circ} 59'$ EAST 60.00 FEET TO A POINT ON THE EASTERN LINE OF AZALEA WAY; THENCE
- 14) SOUTHERLY ALONG A NON-TANGENT CURVE CONCAVE TO THE NORTHEAST FROM A RADIAL BEARING OF NORTH $89^{\circ} 59''$ WEST HAVING A RADIUS OF 20.00 FEET THROUGH A CENTRAL ANGLE OF $90^{\circ} 00'$ AN ARC DISTANCE OF 31.42 FEET; THENCE ALONG THE NORTHERN LINE OF OLEANDER AVENUE
- 15) SOUTH $89^{\circ} 59'$ EAST 164.00 FEET; THENCE
- 16) EASTERLY ALONG A NON-TANGENT CURVE CONCAVE TO THE NORTHWEST FROM A RADIAL BEARING OF SOUTH $0^{\circ} 01'$ WEST HAVING A RADIUS OF 20.00 FEET THROUGH A CENTRAL ANGLE OF $90^{\circ} 00'$ AN ARC DISTANCE OF 31.42 FEET TO A POINT OF THE WESTERN LINE OF JACARANDA WAY; THENCE
- 17) SOUTH $89^{\circ} 59'$ EAST 60.00 FEET TO A POINT OF THE EASTERN LINE OF JACARANDA WAY; THENCE
- 18) SOUTHERLY ALONG A NON-TANGENT CURVE CONCAVE TO THE NORTHEAST FROM A RADIAL BEARING OF NORTH $89^{\circ} 59''$ WEST HAVING A RADIUS OF 20.00 FEET THROUGH A CENTRAL ANGLE OF $90^{\circ} 00'$ AN ARC DISTANCE OF 31.42 FEET; THENCE ALONG THE NORTHERN LINE OF OLEANDER AVENUE
- 19) SOUTH $89^{\circ} 59'$ EAST 170.00 FEET; THENCE
- 20) EASTERLY ALONG A NON-TANGENT CURVE CONCAVE TO THE NORTHWEST FROM A RADIAL BEARING OF SOUTH $0^{\circ} 01'$ WEST HAVING A RADIUS OF 20.00 FEET THROUGH A CENTRAL ANGLE OF $90^{\circ} 00'$ AN ARC DISTANCE OF 31.42 FEET TO A POINT ON THE WESTERN LINE OF ESCOBAR AVENUE; THENCE
- 21) SOUTH $89^{\circ} 59'$ EAST 60.00 FEET TO A POINT OF THE EASTERN LINE OF ESCOBAR AVENUE; THENCE
- 22) SOUTHERLY ALONG A NON-TANGENT CURVE CONCAVE TO THE NORTHEAST FROM A RADIAL BEARING OF NORTH $89^{\circ} 59''$ WEST HAVING A RADIUS OF 20.00 FEET THROUGH A CENTRAL ANGLE OF $90^{\circ} 00'$ AN ARC DISTANCE OF 31.42 FEET; THENCE ALONG THE NORTHERN LINE OF OLEANDER AVENUE
- 23) SOUTH $89^{\circ} 59'$ EAST 75.00 FEET; THENCE

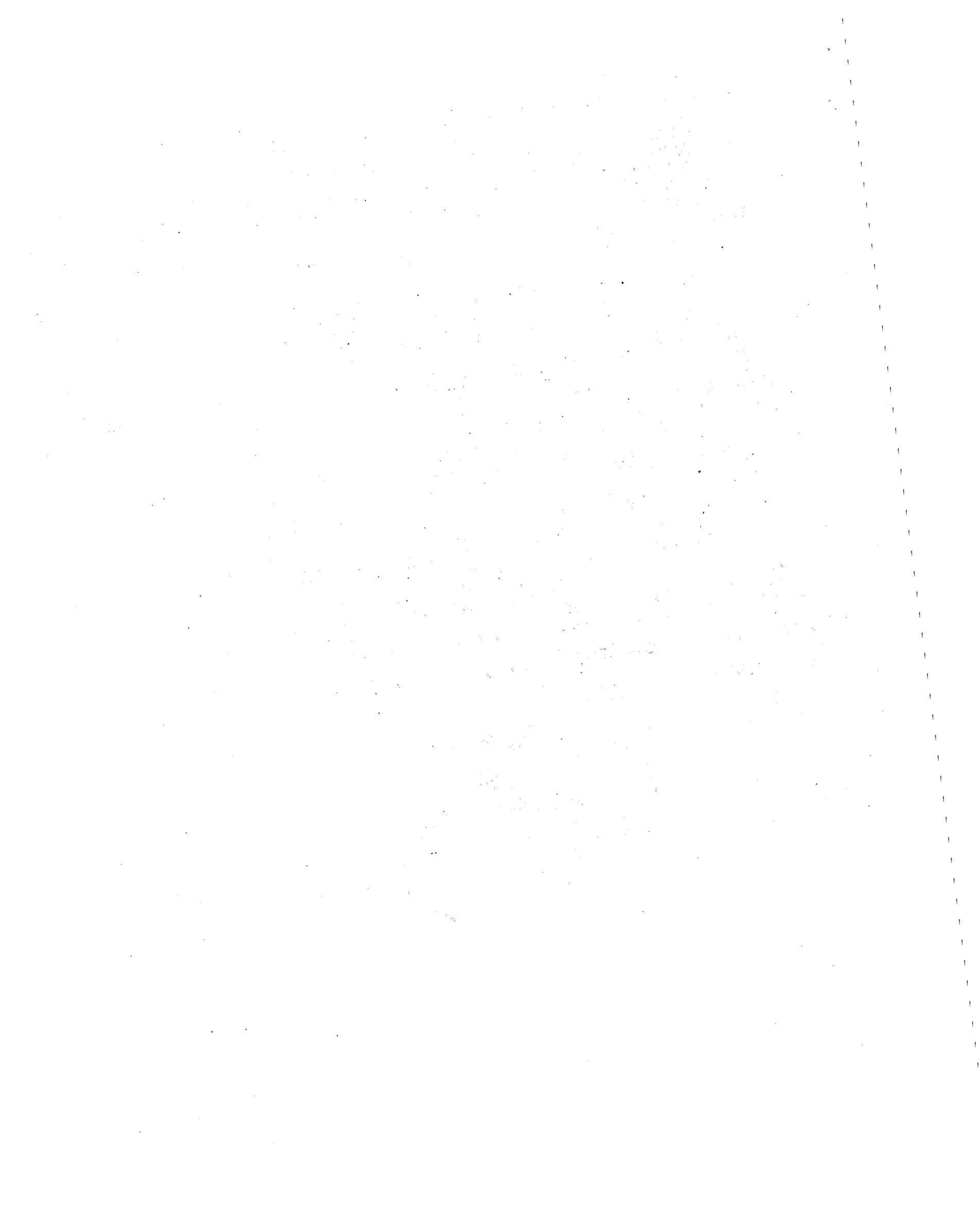
- 24) ALONG A TANGENT CURVE CONCAVE TO THE SOUTH HAVING A RADIUS OF 245.00 FEET THROUGH A CENTRAL ANGLE OF 15° 27' 23" AN ARC DISTANCE OF 66.09 FEET TO A POINT OF REVERSE CURVATURE; THENCE
- 25) ALONG A TANGENT CURVE CONCAVE TO THE NORTHWEST HAVING A RADIUS OF 20.00 FEET THROUGH A CENTRAL ANGLE OF 80° 13' 23" AN ARC DISTANCE OF 28.00 FEET TO A POINT ON THE NORTHWESTERN LINE OF JASMINE WAY; THENCE
- 26) SOUTH 64° 45' EAST 50.00 FEET TO A POINT ON THE SOUTHEASTERN LINE OF JASMINE WAY; THENCE
- 27) ALONG A NON-TANGENT CURVE CONCAVE TO THE EAST FROM A RADIAL BEARING OF NORTH 64° 45' WEST HAVING A RADIUS OF 20.00 FEET THROUGH A CENTRAL ANGLE OF 80° 13' 23" AN ARC DISTANCE OF 28.00 FEET TO A POINT OF REVERSE CURVATURE; THENCE ALONG THE NORTHEASTERN LINE OF OLEANDER AVENUE
- 28) ALONG A TANGENT CURVE CONCAVE TO THE SOUTHWEST HAVING A RADIUS OF 245.00 FEET THROUGH A CENTRAL ANGLE OF 24° 39' 09" AN ARC DISTANCE OF 105.42 FEET; THENCE
- 29) SOUTH 30° 19' 14" EAST 70.32 FEET; THENCE LEAVING THE NORTHEASTERN LINE OF OLEANDER AVENUE
- 30) SOUTH 59° 40' 46" WEST 60.00 FEET TO THE SOUTHWESTERN LINE OF OLEANDER AVENUE; THENCE SOUTHEASTERLY
- 31) ALONG A NON-TANGENT CURVE CONCAVE TO THE NORTHWEST FROM A RADIAL BEARING OF NORTH 59° 40' 46" EAST HAVING A RADIUS OF 20.00 FEET THROUGH A CENTRAL ANGLE OF 99° 29' 53" AN ARC DISTANCE OF 34.73 FEET TO AN IRON PIPE ON THE SOUTHERN BOUNDARY OF LOT 388 OF SAID TRACT ON THE NORTHERN LINE OF LILAC AVENUE; THENCE LEAVING LAST SAID SOUTHERN BOUNDARY
- 32) SOUTH 3° 06' 46" EAST 62.48 FEET TO THE NORTHERN COMMON CORNER OF LOTS 424 AND 425 OF SAID TRACT; THENCE ALONG THE COMMON BOUNDARY OF SAID LOTS 424 AND 425
- 33) SOUTH 17° 59' EAST 124.62 FEET TO THE POINT OF BEGINNING.

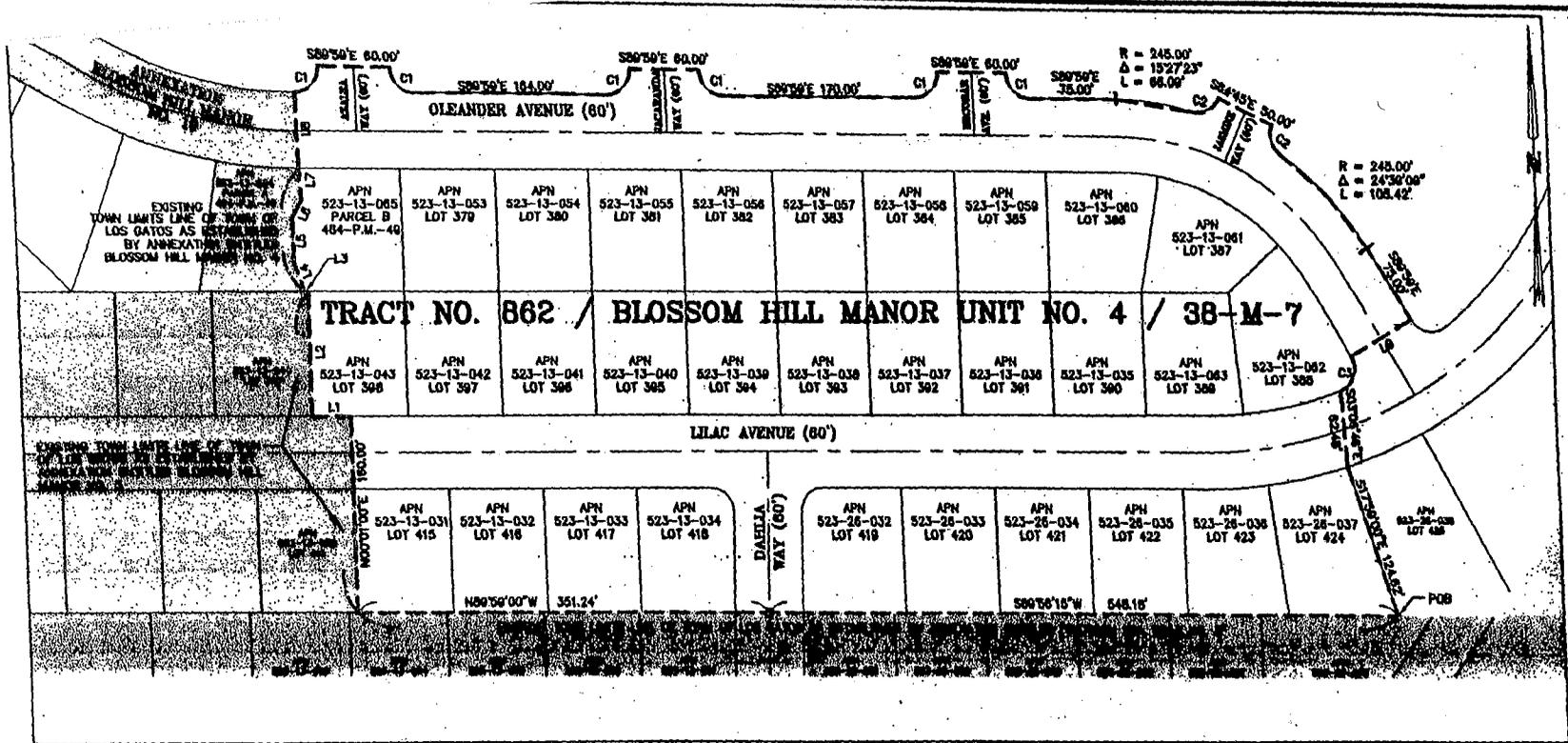
CONTAINING 8.71 ACRES (379,357 SQUARE FEET) MORE OR LESS

Revised Sept. 17, 2003



[Handwritten Signature] 9.17.03





AREA
 PROPOSED AREA
 OF ANNEXATION
 8.71 ACRES ±

CURVE TABLE

Curve	Length	Angle	Chord
C1	20.00'	90°	31.42'
C2	20.00'	80°13'23"	28.00'
C3	20.00'	99°29'53"	34.73'

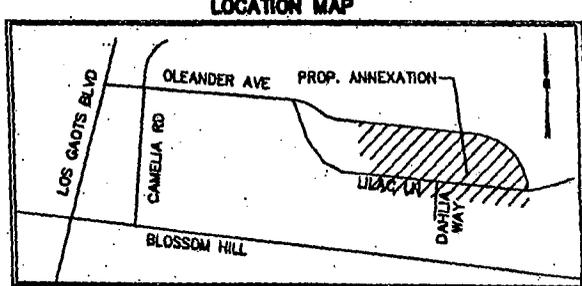
LEGEND

SHADED AREA INDICATES PARCELS CURRENTLY WITHIN EXISTING CITY LIMITS

INDICATES BOUNDARY OF PROPOSED ANNEXATION

LINE TABLE

Line	Description
L1	N89°59'00"W .32.09'
L2	N00°01'00"E 102.48'
L3	N89°59'00"W 3.00'
L4	N19°09'25"W 24.33'
L5	N00°01'00"E 38.25'
L6	N31°37'30"E 15.28'
L7	N00°01'00"E 28.00'
L8	N01°22'04"E 68.02'
L9	S59°40'46"W 80.00'



All distances shown are in feet and decimals thereof.

DUNBAR and CRAIG
 LICENSED LAND SURVEYORS
 236 N. SANTA CRUZ AVE, SUITE #104
 LOS GATOS, CA 95030
 (408) 399-8929
 9.17.03
 RENEWAL DATE 9/30/2004

REVISED SEPT. 17, 2003
 PROPOSED ANNEXATION TO
 TOWN OF LOS GATOS
 ENTITLED "BLOSSOM HILL MANOR #11"

EXHIBIT B
 Situate in
 LOS GATOS
 County of Santa Clara, State of California

SCALE: 1 INCH = 100 FEET	DRAWN: JPH	JOB NO.: 03289	SHEET
DATE: SEPTEMBER 16, 2003	CHECKED: RJC	INDEX: SANTA CLARA	ONE
FIELDWORK:	ACAD NO. 03289.dwg	FILE NO.	OF ONE

Exhibit B

