



Norman E. Matteoni  
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Barton G. Hechtman  
Gerry Houlihan

July 23, 2021

Via US Mail and Email to Clerk@LosGatosCA.gov

Members of the Planning Commission  
Town of Los Gatos  
110 East Main Street  
Los Gatos, CA 95030

Re: ASA # S-21-003, July 28, 2021

Dear Chair and Members of the Commission;

Our firm represents the adjacent owner, David Ebrahimi (APN Nos. 510-46-006 and 510-46-007, lying to the immediate west and uphill of the applicant's parcel (see Exhibit 1).

First, there is no objection to the design of the house.

But, in any approval the Town must recognize and protect the Wood Road right of way as shown on the attached map shown in blue (Exhibit 2).

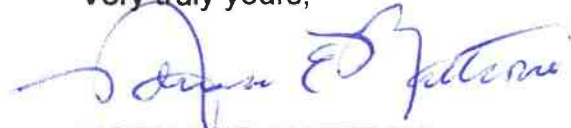
The Town by lot line adjustment (Subdivision Application M-16-001) in 2016 included the property within the right of way as part of both the lot for which building approval is sought and the downhill adjacent lot the east.

The maps submitted for the lot line application shows the section of Wood Road through what is labeled Parcel B (the property under application) (Exhibit 3). The legal right of way was also acknowledged on a plat accompanying legal description for this application as then APN 510-47-043 (Exhibit 4). All that the lot adjustment did was make the underlying fee of this portion of Wood Road part of Parcel B.

The lot line adjustment did not abandon the right of way. There is no record of the Town having acted in accordance with its ordinance

for abandoning a public road right of way. See <https://www.losgatosca.gov/DocumentCenter/View/17552> and Streets and Highways Code § 8300 et seq.

Very truly yours,

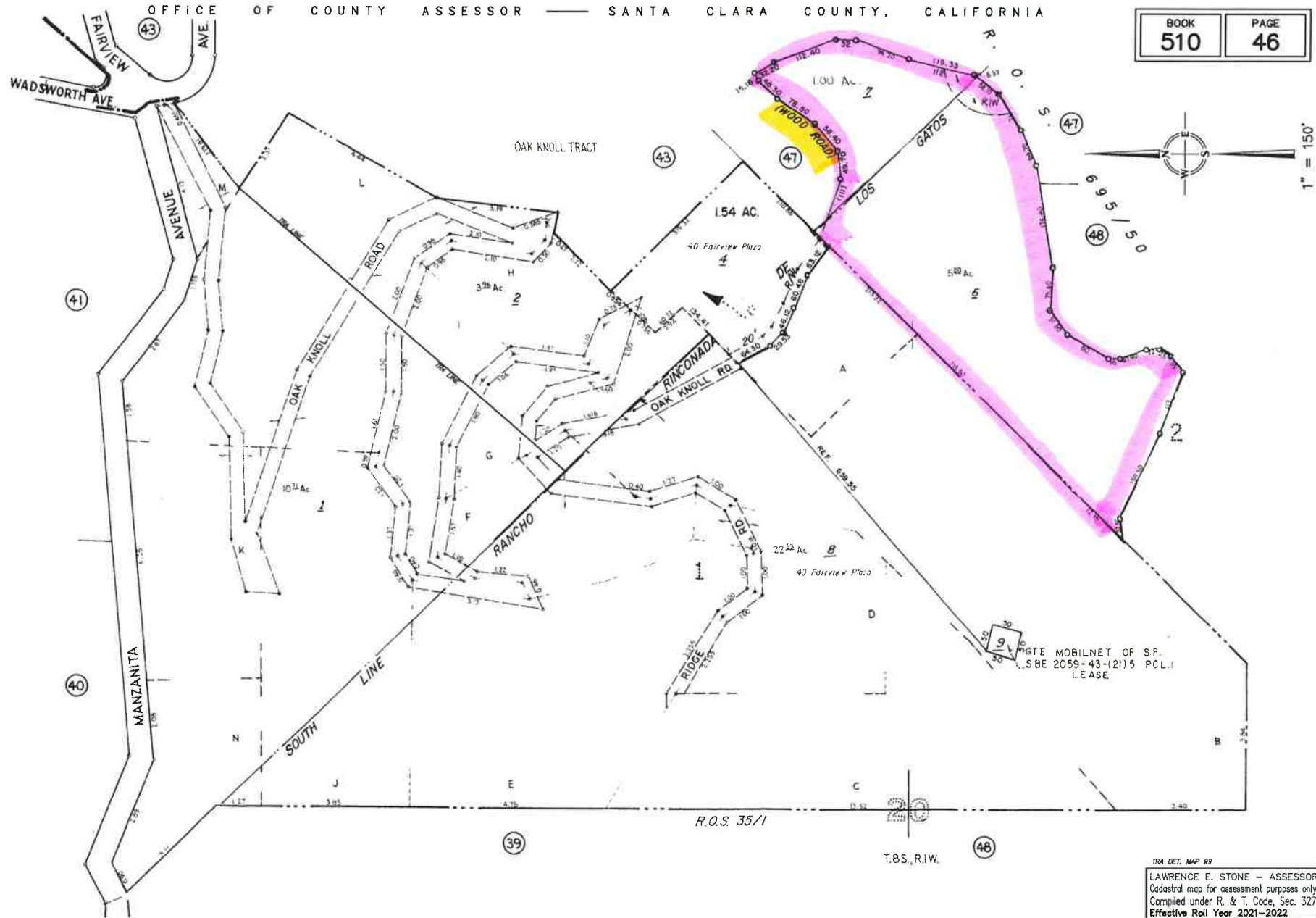


NORMAN E. MATTEONI

NEM:jlc  
Enclosures

- cc:
- Robert Schultz, Los Gatos Town Attorney  
(via Email: [attorney@losgatosca.gov](mailto:attorney@losgatosca.gov))
  - Sean Mullin, Associate Planner  
(via Email: [smullin@losgatosca.gov](mailto:smullin@losgatosca.gov))
  - David Ebrahimi (via Email: [debrahimi04@gmail.com](mailto:debrahimi04@gmail.com))

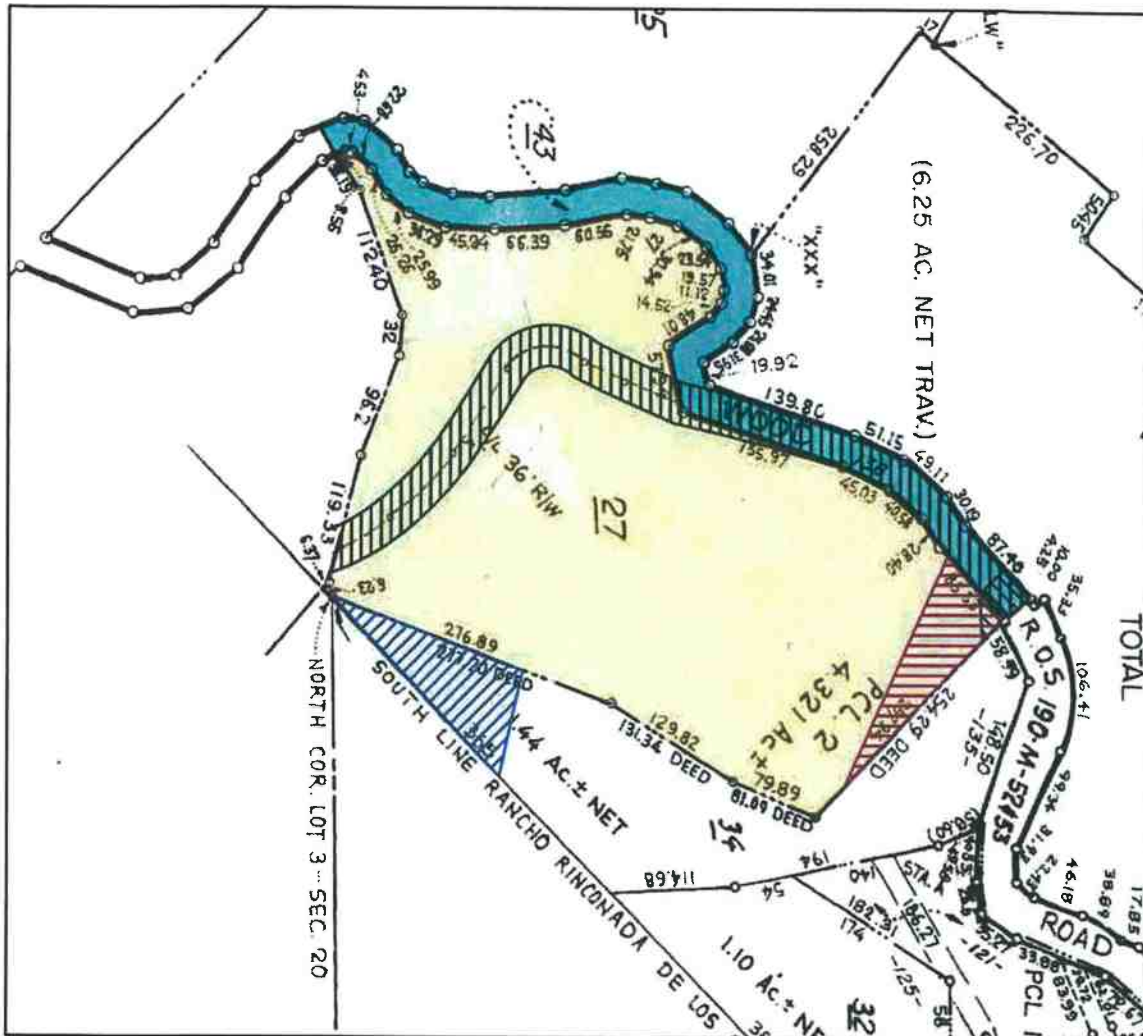
# **Exhibit 1**



TRA DET. MAP 89  
 LAWRENCE E. STONE — ASSESSOR  
 Cadastral map for assessment purposes only.  
 Compiled under R. & T. Code, Sec. 327.  
 Effective Roll Year 2021-2022.

# **Exhibit 2**

Scale 1 inch = 106.28 feet



**Legend**

- PARCEL ONE - Property In Question, Fee
- PARCEL TWO
- PARCEL THREE - Easement
- Item No. 5 - Easement for Road  
In 08/20/1973 Bk0524 Pg215 of Official Records  
Affects said portion as described in the document
- Item No. 6 - Easement for Public Utilities  
In 07/30/1974 Inst # 4819030  
BkB16 Pg232 of Official Records  
Affects said portion as described in the document
- Item No. 7 - Easement for Ingress & Egress  
In 07/31/1974 Inst # 4820200  
BkB18 Pg553 of Official Records  
Affects said portion as described in the document
- Item No. 8 - Easement for Landscaping  
In 08/31/2012 Inst # 21832886 of Official Records  
Affects said portion as described in the document
- Item No. 9 - Easement for Ingress & Egress  
In 08/31/2012 Inst # 21832887 of Official Records  
Affects said portion as described in the document
- Item No. 10 - Easement for Public Utilities  
In 08/31/2012 Inst # 21832886 of Official Records  
Affects said portion as described in the document

<p><b>Fidelity National Title Company</b> 675 N. First Street, 4th Floor San Jose, CA 95112</p>	Title Order No. : FSBC-2061500695, Preliminary Report dated February 25, 2015	Drawing Date :03/13/2015 - FNFI
	Reference :	Assessor's Parcel No. : 510-47-027 & 043
	Property : 138 Wood Road, Los Gatos, CA	Date :
<p>Any discrepancies, conflicts in boundary lines, shortages in area, encroachments, or any other facts which a correct survey would disclose and are not shown by the public records. This plat is for your aid in locating your land with reference to streets and other parcels. While this plat is believed to be correct, the Company assumes no liability for any reason of reliance thereon.</p>	<p>Plat Showing : PARCEL 2 AS SHOWN ON THAT CERTAIN RECORD OF SURVEY MAP WHICH WAS FILED IN THE OFFICE OF THE RECORDER OF THE COUNTY OF SANTA CLARA, STATE OF CALIFORNIA ON FEBRUARY 10, 1965 IN BOOK 190 OF MAPS, PAGE 52 AND 53.</p>	
		<p>Sheet 1 of 1 Archive #</p>

# **Exhibit 3**



APN	EXISTING ABLA	PROPOSED NEW ABLA
510-47-043	0.8 ABLA	0.8 ABLA
510-47-027	4.3 ABLA	4.3 ABLA

See 1/25 and 1/26 and proposed new areas shown on attachments only.

Note: Current zoning for parcels shown in adjustment.



1515 SERRANO AVENUE  
SAN DIEGO, CA 92108  
PHONE (619) 591-1700  
FAX (619) 591-1700

**PROPOSED LOT LINE ADJUSTMENT MAP**  
 PREPARED FOR: **RADE PROPERTIES, LLC**  
 PREPARED BY: **RADE PROPERTIES, LLC**  
 DATE: **APRIL 7, 2018**  
 COUNTY: **SAN DIEGO, CA**  
 SHEET: **1 OF 1**

**NOTE 1:** LBLA was shown based on the latest available information. The boundary property line shown on this map is based on the latest available information. The boundary property line shown on this map is based on the latest available information. The boundary property line shown on this map is based on the latest available information.

**NOTE 2:** Data is representative in the legal description. The boundary property line shown on this map is based on the latest available information. The boundary property line shown on this map is based on the latest available information. The boundary property line shown on this map is based on the latest available information.

**NOTE 3:** A full review of the 100-foot buffer for the property line and performance of the boundary property line is required. The boundary property line shown on this map is based on the latest available information. The boundary property line shown on this map is based on the latest available information. The boundary property line shown on this map is based on the latest available information.

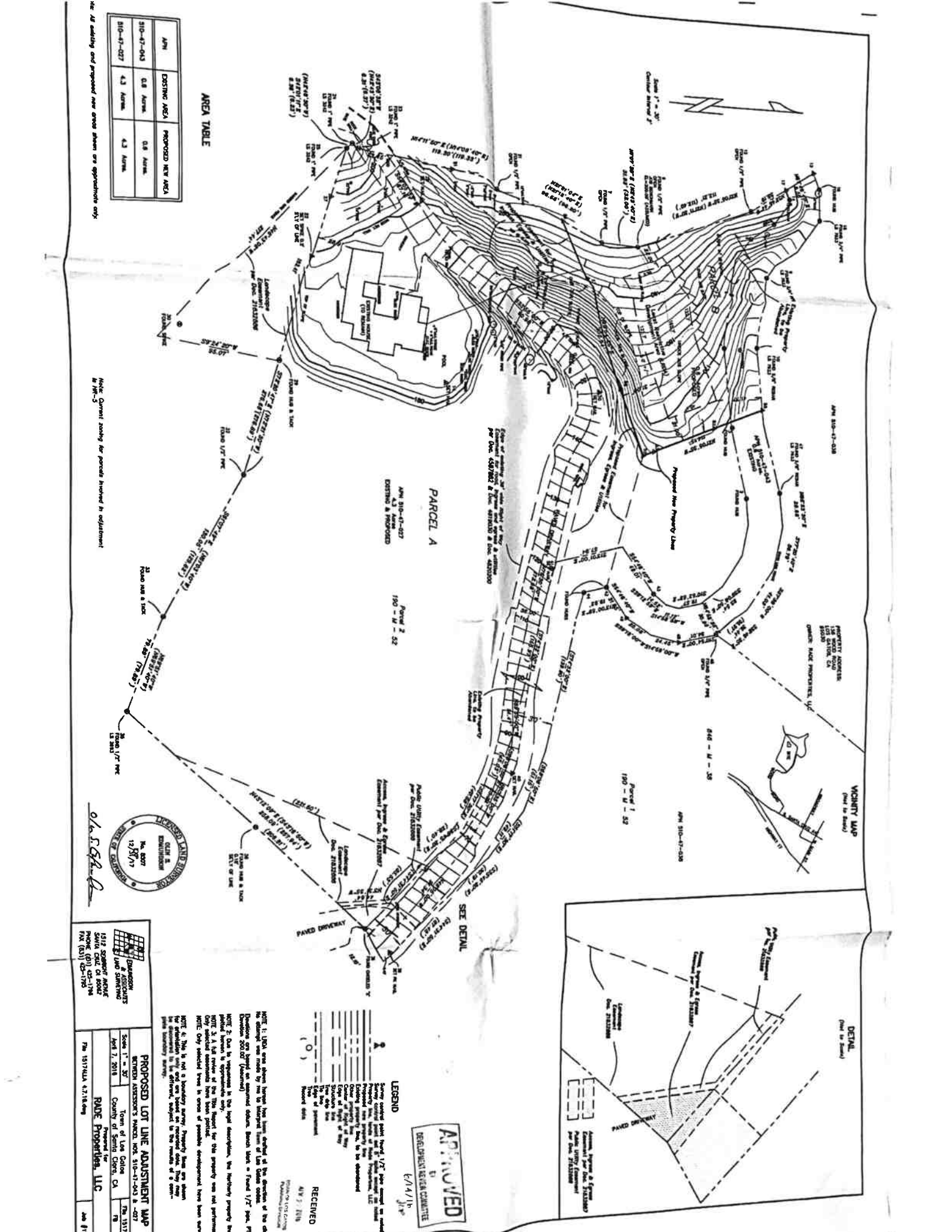
**NOTE 4:** This is not a boundary survey. Property lines are shown for information only. The boundary property line shown on this map is based on the latest available information. The boundary property line shown on this map is based on the latest available information. The boundary property line shown on this map is based on the latest available information.

**LEGEND**

- Survey control point (VCP) spot shown on attached plan sheet.
- Proposed boundary line shown on attached plan sheet.
- Existing boundary line shown on attached plan sheet.
- Proposed boundary line shown on attached plan sheet.
- Existing boundary line shown on attached plan sheet.
- Proposed boundary line shown on attached plan sheet.
- Existing boundary line shown on attached plan sheet.
- Proposed boundary line shown on attached plan sheet.
- Existing boundary line shown on attached plan sheet.

**APPROVED**  
 DEVELOPMENT REVIEW COMMITTEE  
 6/14/18

**RECEIVED**  
 APR 21 2018  
 Planning Services



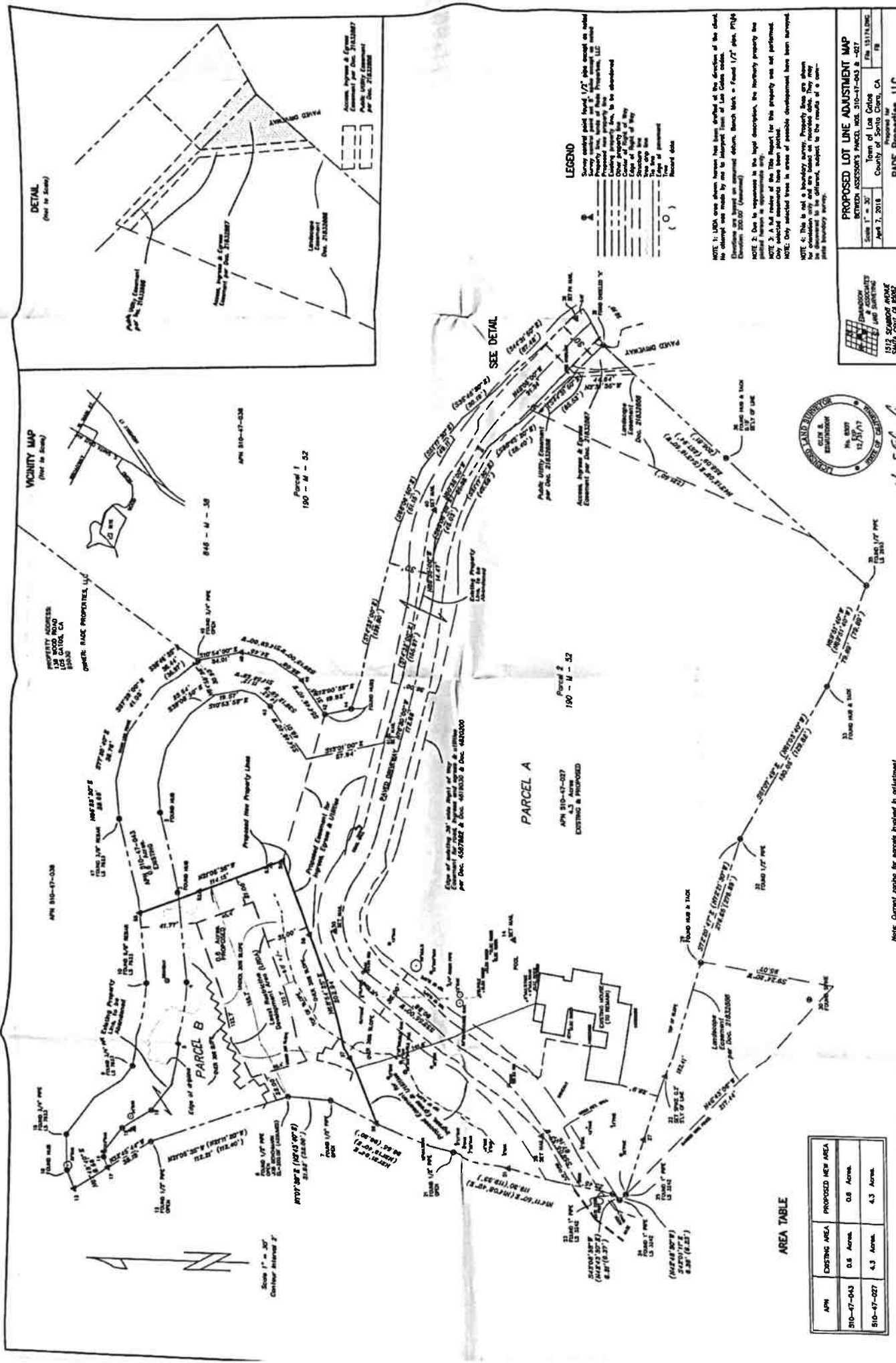
**VICINITY MAP**  
 (Not to Scale)

**DETAIL**  
 (Not to Scale)

**APPROVED**  
 DEVELOPMENT REVIEW COMMITTEE  
 6/14/18

**RECEIVED**  
 APR 21 2018  
 Planning Services





DETAIL  
(See for Survey)

VICINITY MAP  
(See for Survey)

PROPERTY ADDRESS:  
128 WOOD ROAD  
LOS GATOS, CA  
95030

OWNER: RACE PROPERTIES, LLC

Scale 1" = 30'  
Datum: NAD 83

LEGEND

- Survey control point based 1/2" plot created on public Property, the basis of this Proposition, LLC
- Existing survey lines, to be abandoned
- Other property lines
- Edge of Right of Way
- Structure line
- Proposed lot line
- Edge of easement
- Proposed area

NOTE 1: UDA area shown herein has been verified by the direction of the clerk. No attempt was made by me to interpret laws of Los Gatos codes.  
 NOTE 2: This is not a boundary survey. Property lines are shown for information only and are based on recorded data. They may differ from actual boundaries, subject to the results of a corner boundary survey.  
 NOTE 3: A full review of the Title Report for this property was not performed. Only selected items have been checked.  
 NOTE 4: Only selected items in areas of possible development have been surveyed.

**PROPOSED LOT LINE ADJUSTMENT MAP**  
 BETWEEN ASSESSOR'S PARCELS NOS. 310-47-043 & -027  
 Scale 1" = 30'  
 Date: July 7, 2018  
 County of Santa Clara, CA  
 Prepared for: RACE PROPERTIES, LLC

1512 SCARLETT AVENUE  
 SAN JOSE, CALIF 95128






AREA TABLE

APN	EXISTING AREA	PROPOSED NEW AREA
310-47-043	0.8 Acre	0.8 Acre
310-47-027	4.3 Acre	4.3 Acre

Note: Current zoning for parcels involved is adjustment

# **Exhibit 4**

**EXHIBIT "C"**  
**PLAT TO ACCOMPANY LEGAL DESCRIPTION**  
**FOR LOT LINE ADJUSTMENT**

-  Parcel/lot line abandoned
-  Easement created for access and utilities with documents provided
-  Existing Wood Road

Scale 1" = 100'



**Existing Property Line, to be Abandoned**      APN 510-47-038

Lands of Ebrahimi

846 - M - 38

APN 510-47-043

APN 510-47-038

Parcel 1

190 - M - 52

**PARCEL B**

FOUND 1/2" OPEN PIPE

37.19'  
 202.94'  
 N68°54'25" E

83.75'  
 N21°05'35" W  
 114.16'

Point of Beginning

Edge of existing 36' wide Right of Way as per Doc. 4820200, B18, Page 553

FOUND 1/2" OPEN PIPE

**PARCEL A**

**Existing Property Line, to be Abandoned**

APN 510-47-027

Parcel 2  
 190 - M - 52

N21°31'04" E  
 N21°19'40" E  
 96.54' (96.20')  
 59.35'  
 N4°11'50" E  
 N14°08'40" E  
 119.30' (119.38')

FOUND 1" PIPE  
 LS 3242

Existing and current access to lands of Ebrahimi

**LEGEND**

- Set 1/2" pipe LS 8307
- ⊗ Found monument as noted



1512 SEABRIGHT AVENUE  
 SANTA CRUZ, CA 95062  
 PHONE (831) 425-1796  
 FAX (831) 425-1795

VNM mark-up 6/12/19



*Olin S. Edmundson*  
 10/11/16

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