

Legal Description

APN: 264-73-001 TRA: 17-193 CITY: San Jose COUNTY: Santa Clara

Exhibit "A"

A CONDOMINIUM COMPRISED OF:

PARCEL ONE:

UNIT 129, OF BUILDING COMMON AREA PARCEL 1, OF LOT 16, AS SUCH UNIT IS SHOWN ON THE CONDOMINIUM PLAN MONTE VISTA CONDOMINIUMS, PHASE 1, RECORDED ON JUNE 19, 2007 AS DOCUMENT NO. 19475073, IN THE OFFICIAL RECORDS OF THE COUNTY OF SANTA CLARA, STATE OF CALIFORNIA ("PODIUM PLAN") AND DESCRIBED AND DEFINED IN THE DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS OF MONTE VISTA RECORDED JUNE 20, 2007, AS DOCUMENT NO. 19476598, OF OFFICIAL RECORDS TOGETHER WITH ANY AMENDMENTS, MODIFICATIONS, OR ANNEXATIONS THERETO, AS MAY OCCUR FROM TIME TO TIME ("DECLARATION"), BEING A PORTION OF LOT 16 AS SHOWN ON THAT CERTAIN MAP ENTITLED "TRACT NO. 9805", FILED FOR RECORD ON NOVEMBER 17, 2006, IN BOOK 809 OF MAPS AT PAGES 1 THROUGH 4, INCLUSIVE, SANTA CLARA COUNTY RECORDS.

PARCEL TWO:

AN UNDIVIDED ONE-THIRTY-SIXTH (1/36) INTEREST AS TENANT IN COMMON IN AND TO BUILDING COMMON AREA PARCEL 1, AS SHOWN ON THE PODIUM PLAN.

ALSO EXCEPTING AND RESERVING THEREFROM THE FOLLOWING:

(A) ALL NUMBERED CONDOMINIUM UNITS SHOWN ON THE PODIUM PLAN AND DESCRIBED IN THE DECLARATION.

(B) EXCLUSIVE USE COMMON AREAS FOR POSSESSION, USE AND ENJOYMENT OF THOSE AREAS DESIGNATED ON THE PODIUM PLAN AND DEFINED IN THE DECLARATION AS DECKS, PARKING SPACES, PATIOS AND STORAGE SPACES.

(C) NON-EXCLUSIVE EASEMENTS FOR USE, ENJOYMENT, INGRESS, EGRESS AND SUPPORT IN AND TO THE BUILDING COMMON AREA PARCEL 1, AS SHOWN ON THE PODIUM PLAN AND DESCRIBED IN THE DECLARATION, AND

(D) ALL EASEMENTS AS PROVIDED FOR IN THE DECLARATION. PARCEL THREE: NON-EXCLUSIVE EASEMENTS FOR USE, ENJOYMENT, INGRESS, EGRESS AND SUPPORT IN AND TO THE BUILDING COMMON AREA, AS SHOWN ON THE PODIUM PLAN AND DESCRIBED IN THE DECLARATION, FOR THE BENEFIT OF PARCEL ONE, ABOVE.

PARCEL THREE:

NON-EXCLUSIVE EASEMENTS FOR USE, ENJOYMENT, INGRESS, EGRESS AND SUPPORT IN AND TO BUILDING COMMON AREA PARCEL 1 AND THE PROJECT COMMON AREA, AS SHOWN ON THE PODIUM PLAN AND DESCRIBED IN THE DECLARATION AND IN THE DECLARATION OF ANNEXATION, FOR THE BENEFIT OF PARCEL ONE ABOVE.

PARCEL FOUR:

(A) EXCLUSIVE EASEMENTS APPURTENANT TO PARCEL ONE ABOVE, FOR THE USE, OCCUPANCY, AND POSSESSION OF THE DECK AND PATIO SHOWN AS P, D AND THE CORRESPONDING UNIT NUMBER ON THE PODIUM PLAN, AS SAID EASEMENT(S) IS/ARE PROVIDED FOR IN THE DECLARATION.

(B) AN EXCLUSIVE EASEMENT FOR THE POSSESSION, USE AND ENJOYMENT OF THE PARKING SPACE(S) SHOWN AS TS-265 ON THE PODIUM PLAN AND DESCRIBED IN THE DECLARATION.

(C) AN EXCLUSIVE USE EASEMENT FOR THE POSSESSION, USE AND ENJOYMENT OF THE STORAGE SPACE SHOWN AS SS-~~114~~ ON THE PHASE 5 CONDOMINIUM PLAN RECORDED SEPTEMBER 6, 2007 AS DOCUMENT NO. 19576560 OF OFFICIAL RECORDS, AS SAID EASEMENT IS PROVIDED FOR IN THE DECLARATION.