



## **CITY OF NEWPORT BEACH ZONING ADMINISTRATOR STAFF REPORT**

March 12, 2020  
Agenda Item No. 2

**SUBJECT:** Biggs Lot Line Adjustment (PA2019-232)  
▪ Lot Line Adjustment No. LA2019-003

**SITE LOCATION:** 408 Carlotta

**APPLICANT:** Dennis Biggs

**OWNER:** The Biggs Family Trust

**PLANNER:** Melinda Whelan, Assistant Planner  
949-644-3221 or mwhelan@newportbeachca.gov

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### **LAND USE AND ZONING**

- **General Plan Land Use Plan Category:** RS-A (Single-Unit Residential Attached), OS (Open Space)
- **Zoning District :** R-1 (Single-Unit Residential), OS (Open Space)

### **PROJECT SUMMARY**

A lot line adjustment to add approximately 600 square feet of homeowners' association property (Lot 14) to a private residential property at 408 Carlotta (Lot 11). The subject area is located at the entrance to the dwelling unit and between the dwelling unit and the garage (Lot 11G). There will be no change in the number of lots.

### **RECOMMENDATION**

- 1) Conduct a public hearing;
- 2) Find this project exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15305 under Class 5 (Minor Alterations in Land Use Limitations) of the CEQA Guidelines, because it has no potential to have a significant effect on the environment; and
- 3) Adopt Draft Zoning Administrator Resolution No. \_ approving Lot Line Adjustment No. LA2019-003 (Attachment No. ZA 1).

## **DISCUSSION**

- The applicant requests to adjust lot lines between two contiguous lots in the Eastbluff Community. The Eastbluff Community is developed with attached homes in clusters of two to four units. The common homeowners' association lot provides for building separation and greenbelts between these clusters.
- The property at 408 Carlotta is currently developed with a single-family residence on Lot 11 and a detached garage on Lot 11G. The adjacent Bluffs Homeowners Association (HOA) property serves as common area between the dwelling units and includes a greenbelt. Portions of the HOA property extend from the back of curb towards the subject property; including the driveway, grass area in front of the dwelling and the area between the dwelling (Lot 11) and the garage (Lot 11G)
- The property at 408 Carlotta is located within the R-1 (Single-Unit Residential) Zoning District and the adjacent HOA property (Lot 14) is located within the OS (Open Space) Zoning District. The General Plan Land Use designation of 408 Carlotta is Single-Unit Residential Attached (RS-A) and the Land Use designation for Lot 14 is Open Space (OS). The existing single-family residence and adjacent common areas on these sites are consistent with the Zoning District and General Plan Land Use designation.
- The purpose of the Lot Line Adjustment is to create a larger lot at 408 Carlotta, similar to other lot line adjustments that have been recorded throughout the Eastbluff Community and to allow for wall and patio improvements at the entry. Due to its location between the dwelling and the garage, the area in question already functions as a private courtyard and entry area for the subject property.
- The proposed Lot Line Adjustment will shift the existing front property line of 408 Carlotta approximately 16 feet forward to include the grass area and concrete area between the garage and the dwelling; and the grass area in front of the entrance to the dwelling. This will reallocate approximately 600 square feet from the HOA property to 408 Carlotta. The garage will remain on a separate lot (Lot 11G).
- The property at 408 Carlotta currently consists of 0.03 acres (1,338 square feet). The proposed lot line adjustment would increase the area to 0.044 acres (1,938 square feet).
- The subject properties are located within the Eastbluff Community, which was developed as a Planned Residential Development (PRD) in the early 1960s. Within PRD sites, the maximum building coverage throughout the development shall not exceed 40 percent of the land area being developed, exclusive of land area being set aside for the rights-of-way of public or private streets.

- According to Lot Line Adjustment No. LA 83-12, the total building coverage of the subject tracts within the Eastbluff Community is approximately 36 percent of the entire site, including the lot line adjustments. The proposed Lot Line Adjustment at 408 Carlotta will continue to maintain the minimum site area requirement of the original Planned Residential Development, with a proposed lot area of 1,938 square feet. There are no minimum lot area requirements for properties within the Open Space Zoning District.
- The existing HOA property (Lot 14) is 1.65 acres (71,955 square feet). The proposed Lot Line Adjustment would reduce the area to 1.63 acres (71,355 square feet). The boundary adjustment will have no impact on access to either property.
- The number of parcels will remain unchanged as a result of the Lot Line Adjustment and there will be no change in the density or intensity of development. Lot 11 will be expanded and Lot 14 will be reduced. The garage will remain on a separate lot (Lot 11G).
- Future development at both lots will continue to be required to comply with all applicable development standards specified by the R-1 (Single-Unit Residential) and Open Space (OS) Zoning districts, respectively. Accessory structures are permissible on the expanded parcel under the existing land use designations and zoning districts.

## **ENVIRONMENTAL REVIEW**

The project is categorically exempt under Section 15305 of the State CEQA (California Environmental Quality Act) Guidelines under Class 5 (Minor Alterations in Land Use Limitations). This exemption consists of minor alterations in land use limitations in areas with an average slope of less than 20 percent, which do not result in any changes in land use or density, including but not limited to minor lot line adjustments not resulting in the creation of any new parcel.

The proposed Lot Line Adjustment affects the shared property line between two parcels and is for the purpose of creating a larger lot at 408 Carlotta to match the existing lot lines of similar parcels within the Eastbluff Community. There will be no change in land use, density, or intensity.

The exceptions to this categorical exemption under Section 15300.2 are not applicable. The project location does not impact an environmental resource of hazardous or critical concern, does not result in cumulative impacts, does not have a significant effect on the environment due to unusual circumstances, does not damage scenic resources within a state scenic highway, is not a hazardous waste site, and is not identified as a historical resource.

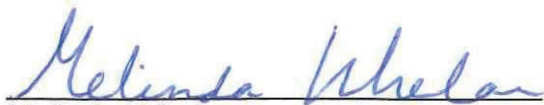
**PUBLIC NOTICE**

Notice of this application was published in the Daily Pilot, mailed to all owners of property within 300 feet of the boundaries of the site (excluding intervening rights-of-way and waterways), including the applicant, and posted on the subject property at least 10 days before the scheduled hearing, consistent with the provisions of the Municipal Code. Additionally, the item appeared on the agenda for this meeting, which was posted at City Hall and on the City website.

**APPEAL PERIOD:**

An appeal may be filed with the Director of Community Development within 10 days following the date of action. For additional information on filing an appeal, contact the Planning Division at (949) 644-3200.

Prepared by:



Melinda Whelan  
Assistant Planner

BMZ/msw

Attachments:	ZA 1	Draft Resolution
	ZA 2	Vicinity Map
	ZA 3	Lot Line Adjustment Exhibits



# **Attachment No. ZA 1**

Draft Resolution

## **RESOLUTION NO. ZA2020-###**

### **A RESOLUTION OF THE ZONING ADMINISTRATOR OF THE CITY OF NEWPORT BEACH, CALIFORNIA, APPROVING LOT LINE ADJUSTMENT NO. LA2019-003 FOR A LOT LINE ADJUSTMENT GENERALLY LOCATED AT 408 CARLOTTA (PA2019-232)**

THE ZONING ADMINISTRATOR OF THE CITY OF NEWPORT BEACH HEREBY FINDS AS FOLLOWS:

#### **SECTION 1. STATEMENT OF FACTS.**

1. An application was filed by Dennis Biggs ("Applicant"), with respect to property held in common by the Bluffs Homeowners' Association (HOA) and private residential property located at 408 Carlotta, and legally described as Lots 14, 11, and 11G of Tract No. 5463, respectively, requesting approval of a lot line adjustment.
2. The Applicant proposes to add approximately 600 square feet of the Bluffs Homeowners Association (HOA) property (Lot 14) to a private residential property at 408 Carlotta (Lot 11). The subject area is located at the entrance to the dwelling and between the dwelling and the garage. There will be no change in the number of lots as a result of this application.
3. The subject property at 408 Carlotta is designated RS-A (Single-Unit Residential Attached) by the General Plan Land Use Element and is located within the R-1 (Single-Unit Residential) Zoning District. The adjacent HOA property is designated OS (Open Space) by the General Plan Land Use Element and is located within the OS (Open Space) Zoning District.
4. The subject property is not located within the coastal zone; therefore, a coastal development permit is not required.
5. A public hearing was held on March 12, 2020, in the Corona del Mar Conference Room (Bay E-1st Floor) at 100 Civic Center Drive, Newport Beach. A notice of time, place and purpose of the hearing was given in accordance with the Newport Beach Municipal Code. Evidence, both written and oral, was presented to, and considered by, the Zoning Administrator at this hearing.

#### **SECTION 2. CALIFORNIA ENVIRONMENTAL QUALITY ACT DETERMINATION.**

1. This project is exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15305 under Class 5 (Minor Alterations in Land Use Limitations) of the CEQA Guidelines, California Code of Regulations, Title 14, Division 6, Chapter 3, because it has no potential to have a significant effect on the environment.
2. This exemption consists of minor alterations in land use limitations in areas with an average slope of less than 20 percent, which do not result in any changes in land use or density, including but not limited to minor lot line adjustments not resulting in the creation of any new

parcel. The proposed lot line adjustment affects the shared property line between two (2) parcels and is for the purpose of creating a larger lot at 408 Carlotta to match the existing lot lines of similar parcels within the Eastbluff Community. There will be no change in land use, density, or intensity.

3. The exceptions to this categorical exemption under Section 15300.2 are not applicable. The project location does not impact an environmental resource of hazardous or critical concern, does not result in cumulative impacts, does not have a significant effect on the environment due to unusual circumstances, does not damage scenic resources within a state scenic highway, is not a hazardous waste site, and is not identified as a historical resource.

### SECTION 3. REQUIRED FINDINGS.

In accordance with Newport Beach Municipal Code (NBMC) Section 19.76.020 (Procedures for Lot Line Adjustments), the following findings and facts in support of such findings are set forth:

#### Finding:

- A. *Approval of the lot line adjustment will not, under the circumstances of the particular case, be detrimental to the health, safety, peace, comfort, and general welfare of persons residing or working in the neighborhood of such proposed use or be detrimental or injurious to property and improvements in the neighborhood or the general welfare of the City, and further that the proposed lot line adjustment is consistent with the legislative intent of the title.*

#### Facts in Support of Finding:

1. The property at 408 Carlotta is currently developed with a single-family residence. The adjacent HOA property serves as common area between the dwelling units and includes a greenbelt. The proposed Lot Line Adjustment will not change the existing General Plan Land Use or Zoning District of any of the two parcels.
2. The proposed Lot Line Adjustment will not result in a development pattern that is inconsistent with the surrounding neighborhood. The Eastbluff Community is developed with attached homes in clusters of two (2) to four (4) units. The common HOA lot provides for building separation between these clusters. The 408 Carlotta property will continue to allow for single-unit development consistent with the applicable General Plan Land Use and Zoning designation. The lots will maintain their current Zoning and General Plan designation and the uses will continue to be consistent with these designations.
3. Future development at both lots will continue to be required to comply with all applicable development standards specified by the R-1 (Single-Unit Residential) and Open Space (OS) Zoning Districts, respectively. Accessory structures are permissible on the expanded parcel under the existing land use designations and zoning districts.

4. The proposed Lot Line Adjustment is consistent with the purpose identified in NBMC Chapter 19.76 (Lot Line Adjustment). The Lot Line Adjustment constitutes a minor boundary adjustment involving two (2) adjacent lots where land taken from one lot and is added to an adjacent lot. The original number of lots will remain unchanged after the adjustment. The garage will remain on a separate lot (Lot 11G).
5. The Lot Line Adjustment is consistent with the General Plan, and does not negatively impact surrounding land owners, as the adjustment affects interior property lines between two (2) adjacent lots. The existing land uses will remain and have not proven to be detrimental to the health, safety, peace, comfort, and general welfare of persons residing or working in the neighborhood.

Finding:

- B. The number of parcels resulting from the lot line adjustment remains the same as before the adjustment.*

Fact in Support of Finding:

1. The proposed lot line adjustment will adjust the property line between two (2) contiguous parcels. The number of parcels remains the same as before the lot line adjustment. The garage will remain on a separate lot (Lot 11G).

Finding:

- C. The lot line adjustment is consistent with applicable zoning regulations except that nothing herein shall prohibit the approval of a lot line adjustment as long as none of the resultant parcels is more nonconforming as to lot width, depth and area than the parcels that existed prior to the lot line adjustment.*

Facts in Support of Finding:

1. The 408 Carlotta property (Lot 11) and associated garage (Lot 11G) is located within the R-1 (Single Unit Residential) Zoning District, which is intended to permit attached single-unit dwellings. The HOA property (Lot 14) is located within the OS (Open Space) Zoning District, which is intended to maintain and protect open space areas. The proposed lot line adjustment will not change the existing use of the parcels affected. Future development at both lots will continue to be required to comply with all applicable development standards specified by the R-1 (Single-Unit Residential) and Open Space (OS) Zoning districts, respectively.
2. The proposed boundary adjustment will change the internal property lines between the subject properties, reallocating approximately 600 square feet of land from Lot 14 to 408 Carlotta (Lot 11). The purpose of the lot line adjustment is to create a larger lot at 408 Carlotta to match the existing lot lines of similar parcels within the Eastbluff Community and to allow for wall and patio improvements at the entry.

3. The subject properties are located within the Eastbluff Community, which was developed as a Planned Residential Development (PRD) in 1965. The proposed 408 Carlotta parcel will continue to maintain the minimum site area requirement of the original PRD, with a proposed lot area of 1,938 square feet. There are no minimum lot area requirements for properties within the OS Zoning District.

Finding:

- D. *Neither the lots as adjusted nor adjoining parcels will be deprived legal access as a result of the lot line adjustment.*

Fact in Support of Finding:

1. The proposed Lot Line Adjustment affects the interior property lines between two (2) adjacent lots. Legal access to the two (2) properties will be maintained along Carlotta, thus access to the subject properties will not be affected by the adjustment.

Finding:

- E. *That the final configuration of the parcels involved will not result in the loss of direct vehicular access from an adjacent alley for any of the parcels that are included in the lot line adjustment.*

Fact in Support of Finding:

1. Vehicular access to 408 Carlotta is from Carlotta, and the final configuration will not change. Vehicular access to the HOA property, Lot 14, is from Carlotta, Vista Del Oro, and Vista Cajon and the final configuration will not change.

Finding:

- F. *That the final configuration of a reoriented lot does not result in any reduction of the street site setbacks as currently exist adjacent to a front yard of any adjacent key, unless such reduction is accomplished through a zone change to establish appropriate street site setbacks for the reoriented lot. The Planning Commission and City Council in approving the zone change application shall determine that the street site setbacks are appropriate, and are consistent and compatible with the surrounding pattern of development and existing adjacent setbacks.*

Fact in Support of Finding:

1. The final configuration of the proposed parcels does not result in a requirement for revised setbacks since the parcels are not proposed to be reoriented. The required setbacks applicable to parcels in the R-1 Zoning District shall continue to apply to the adjusted parcels per the Planned Community Development.

SECTION 4. DECISION.

**NOW, THEREFORE, BE IT RESOLVED:**

1. The Zoning Administrator of the City of Newport Beach hereby finds this project is categorically exempt from the California Environmental Quality Act pursuant to Section 15305 under Class 5 (Minor Alterations in Land Use Limitations) of the CEQA Guidelines, California Code of Regulations, Title 14, Division 6, Chapter 3, because it has no potential to have a significant effect on the environment.
2. The Zoning Administrator of the City of Newport Beach hereby approves Lot Line Adjustment No. LA2019-003, subject to the conditions set forth in Exhibit "A," which is attached hereto and incorporated by reference.
3. This action shall become final and effective 10 days after the adoption of this Resolution unless within such time an appeal or call for review is filed with the Director of Community Development in accordance with the provisions of NBMC Title 19 Subdivisions.

**PASSED, APPROVED, AND ADOPTED THIS 12<sup>TH</sup> DAY OF MARCH, 2020.**

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Jaime Murillo, Zoning Administrator

**EXHIBIT "A"****CONDITIONS OF APPROVAL****Planning Division**

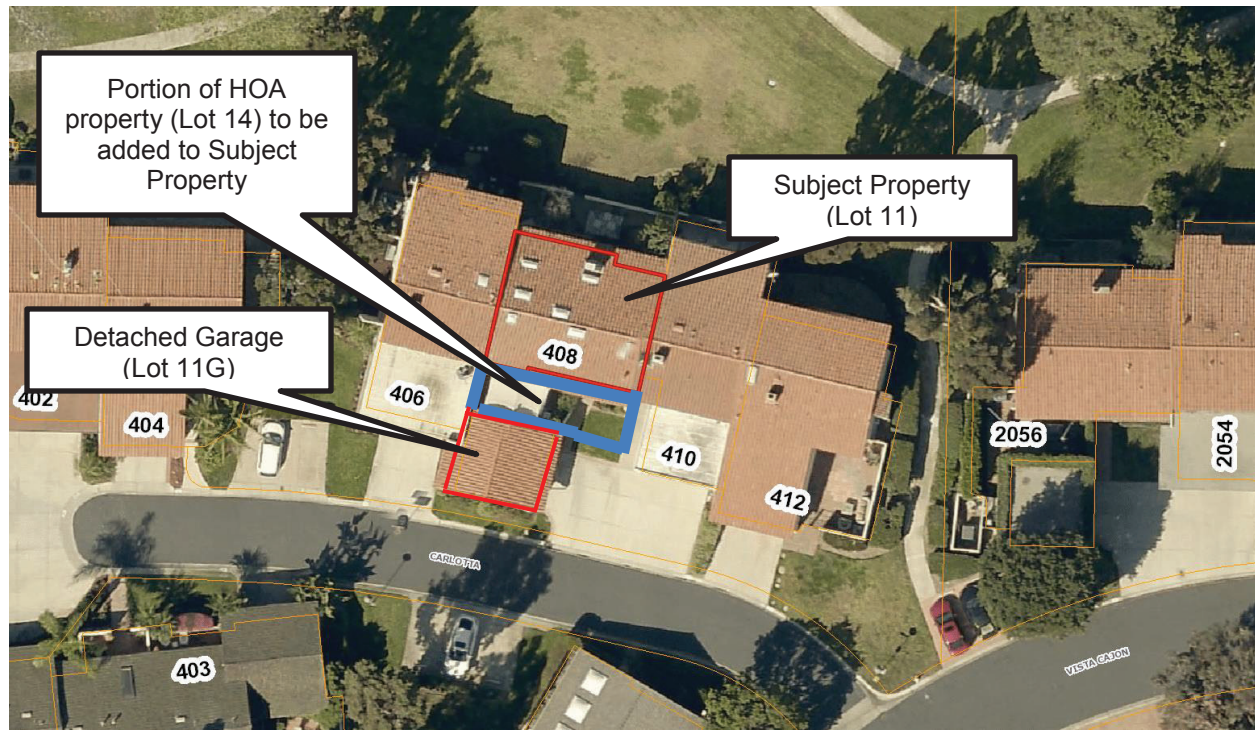
1. The project is subject to all applicable City ordinances, policies, and standards, unless specifically waived or modified by the conditions of approval.
2. Prior to the recordation of the Lot Line Adjustment, the Applicant shall submit the exhibits to the Public Works Department for final review.
3. To the fullest extent permitted by law, Applicant shall indemnify, defend and hold harmless City, its City Council, its boards and commissions, officials, officers, employees, and agents from and against any and all claims, demands, obligations, damages, actions, causes of action, suits, losses, judgments, fines, penalties, liabilities, costs and expenses (including without limitation, attorney's fees, disbursements and court costs) of every kind and nature whatsoever which may arise from or in any manner relate (directly or indirectly) to City's approval of Biggs Lot Line Adjustment including, but not limited to, Lot Line Adjustment LA2019-003 (PA2019-232). This indemnification shall include, but not be limited to, damages awarded against the City, if any, costs of suit, attorneys' fees, and other expenses incurred in connection with such claim, action, causes of action, suit or proceeding whether incurred by Applicant, City, and/or the parties initiating or bringing such proceeding. The Applicant shall indemnify the City for all of City's costs, attorneys' fees, and damages which City incurs in enforcing the indemnification provisions set forth in this condition. The Applicant shall pay to the City upon demand any amount owed to the City pursuant to the indemnification requirements prescribed in this condition.

## **Attachment No. ZA 2**

Vicinity Map



# VICINITY MAP



Lot Line Adjustment No. LA2019-003  
PA2019-232

**408 Carlotta**

# **Attachment No. ZA 3**

Lot Line Adjustment Exhibits

**Recording**

Requested by and Mail to:  
City of Newport Beach  
Public Works Dept  
Attn: Subdivision  
100 Civic Center Drive  
P.O. Box 1768  
Newport Beach, CA 92658

This Space for Recorder's Use Only

**Lot Line Adjustment/Lot Merger**

Address(es) or Property Involved: 408 Carlotta Newport Beach, CA 92660  
Owner(s) Affidavit

I (We) hereby certify under penalty of perjury that 1) I am (we are) the record owner(s) of all parcels proposed for adjustment by this application, 2) I (We) have knowledge of and consent to the filing of this application, 3) the information submitted in connection with this application is true and correct; and 4) I (We) consent to the recordation of these documents.

**RECORD OWNERS:**

Parcel 440 311 11

NAME:

[Signature]  
Signature of parcel owner

[Signature]  
Signature of parcel owner

NAME: Bluffs HOA Parcel 440 311 14

[Signature]  
Signature of parcel owner

Rene Polk Johnson - President  
Signature of parcel owner

NAME: \_\_\_\_\_ Parcel \_\_\_\_\_

\_\_\_\_\_  
Signature of parcel owner

\_\_\_\_\_  
Signature of parcel owner

NAME: \_\_\_\_\_ Parcel \_\_\_\_\_

\_\_\_\_\_  
Signature of parcel owner

\_\_\_\_\_  
Signature of parcel owner

NOTE: Each of these signatures must be notarized, using the appropriate Jurat attached and completed by a Notary Public.

Approved for Recording CITY OF NEWPORT BEACH

City Engineer: \_\_\_\_\_

Date: \_\_\_\_\_

(see attached) Susan Fritts Not Public



### ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California

County of Orange } ss.

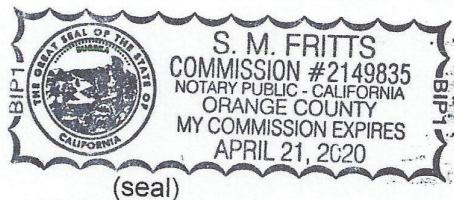
On Sept 15, 2019 before me, Susan Fritts, Notary Public

Notary Public, personally appeared Dennis Biggs, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signatures(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Susan Fritts  
Signature



### ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California

County of Orange } ss.

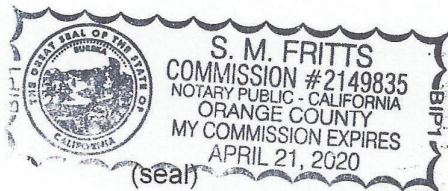
On Sept 15, 2019 before me, Susan Fritts, Notary Public

Notary Public, personally appeared Robin Suzanne Biggs, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signatures(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Susan Fritts  
Signature





## ACKNOWLEDGMENT

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State of California

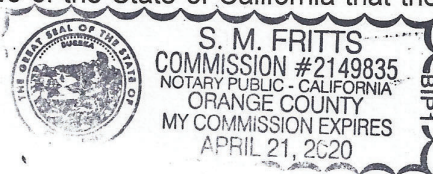
County of Orange } ss.

On 12/19/19, 2019 before me, Susan Fritts,  
Notary Public, personally appeared Humberto C. Tovares, who  
proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are  
subscribed to the within instrument and acknowledged to me that he/she/they executed the same in  
his/her/their authorized capacity(ies), and that by his/her/their signatures(s) on the instrument the  
person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing  
paragraph is true and correct.

WITNESS my hand and official seal.

S. M. Fritts  
Signature



(seal)

## ACKNOWLEDGMENT

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State of California

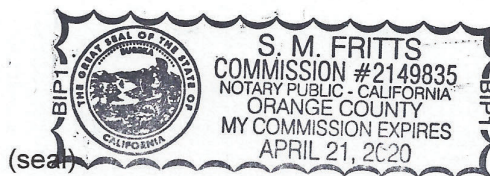
County of Orange } ss.

On 12/19, 2019 before me, Susan Fritts,  
Notary Public, personally appeared Renee Polk Johnson,  
proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are  
subscribed to the within instrument and acknowledged to me that he/she/they executed the same in  
his/her/their authorized capacity(ies), and that by his/her/their signatures(s) on the instrument the  
person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing  
paragraph is true and correct.

WITNESS my hand and official seal.

S. M. Fritts  
Signature



(seal)



**EXHIBIT "A"**  
**CITY OF NEWPORT BEACH**  
**LOT LINE ADJUSTMENT NO. LA2019-232**  
**(LEGAL DESCRIPTION)**

<b>OWNER</b>	<b>EXISTING PARCEL AP NUMBER</b>	<b>PROPOSED PARCELS REFERENCE NUMBERS</b>
<b>THE BLUFFS HOMEOWNER'S COMMUNITY ASSOCIATION, A CALIFORNIA NONPROFIT CORPORATION</b>	<b>440-311-14</b>	<b>PARCEL 14</b>
<b>DENNIS BIGGS, TRUSTEE &amp; ROBIN BIGGS, TRUSTEE OF THE BIGGS FAMILY TRUST DATED MARCH 5, 2003</b>	<b>440-311-11</b>	<b>PARCEL 11</b>

APN 440-311-11 EXISTING LEGAL

A PARCEL OF LAND IN THE CITY OF NEWPORT BEACH, COUNTY OF ORANGE, STATE OF CALIFORNIA BEING DESCRIBED AS FOLLOWS:

**PARCEL A**

LOTS 11 AND 11G AND THAT PORTION OF LOT 14, ALL OF TRACT NO. 5463, AS PER MAP RECORDED IN BOOK 195, PAGES 41 THROUGH 44, INCLUSIVE, OF MISCELLANEOUS MAPS IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY  
PARCELS 11 AND 11G AS SHOWN ON THE NEWPORT BEACH LOT LINE ADJUSTMENT NO. NBLLA 83-11, RECORDED MAY 23, 1984, AS INSTRUMENT NO. 84-214025 OF OFFICIAL RECORDS OF SAID COUNTY.  
EXCEPT THEREFROM ALL OIL, GAS, MINERALS AND OTHER HYDROCARBONS, BELOW A DEPTH OF 500 FEET, WITHOUT THE RIGHT OF SURFACE ENTRY, AS RESERVED IN INSTRUMENTS OF RECORD.  
EXCEPT THEREFROM ALL WATER AND SUBSURFACE WATER RIGHTS, BELOW A DEPTH OF 500 FEET, WITHOUT THE RIGHT OF SURFACE ENTRY, AS DEDICATED OR RESERVED IN INSTRUMENTS OF RECORD.

**PARCEL B**

EASEMENTS AS DESCRIBED IN, AND FOR THE PURPOSES SET FORTH IN, ARTICLES II AND VIII OF THAT CERTAIN RESTATED DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS RECORDED ON MAY 23, 1984 AS INSTRUMENT NO. 84-214034 OF OFFICIAL RECORDS OF SAID COUNTY.



**EXHIBIT "A"**  
**CITY OF NEWPORT BEACH**  
**LOT LINE ADJUSTMENT NO. LA2019-232**  
**(LEGAL DESCRIPTION)**

OWNER	EXISTING PARCEL AP NUMBER	PROPOSED PARCELS REFERENCE NUMBERS
THE BLUFFS HOMEOWNER'S COMMUNITY ASSOCIATION, A CALIFORNIA NONPROFIT CORPORATION	440-311-14	PARCEL 14
DENNIS BIGGS, TRUSTEE & ROBIN BIGGS, TRUSTEE OF THE BIGGS FAMILY TRUST DATED MARCH 5, 2003	440-311-11	PARCEL 11

APN 440-311-11 PROPOSED LEGAL

A PARCEL OF LAND IN THE CITY OF NEWPORT BEACH, COUNTY OF ORANGE, STATE OF CALIFORNIA BEING DESCRIBED AS FOLLOWS:

PARCEL A

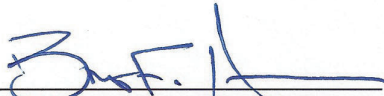
LOTS 11 AND 11G AND THAT PORTION OF LOT 14, ALL OF TRACT NO. 5463, AS PER MAP RECORDED IN BOOK 195, PAGES 41 THROUGH 44, INCLUSIVE, OF MISCELLANEOUS MAPS IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY  
 PARCELS 11 AND 11G AS SHOWN ON THE NEWPORT BEACH LOT LINE ADJUSTMENT NO. NBLLA 83-11, RECORDED MAY 23, 1984, AS INSTRUMENT NO. 84-214025 OF OFFICIAL RECORDS OF SAID COUNTY.

TOGETHER WITH A PORTION OF PARCEL 14 OF LOT LINE ADJUSTMENT NBLLA 83-11 RECORDED AS INSTRUMENT NO. 84-214025, OFFICIAL RECORDS OF SAID COUNTY, MORE PARTICULARLY DESCRIBED AS FOLLOWS:  
 BEGINNING AT THE SOUTHEASTERLY TERMINUS OF THAT CERTAIN COURSE IN THE BOUNDARY OF PARCEL 11 OF SAID NEWPORT BEACH LOT LINE ADJUSTMENT, SAID COURSE SHOWN ON SAID LOT LINE ADJUSTMENT AS "N 76°57'59" W, 29.12 FEET";  
 THENCE, ALONG SAID BOUNDARY OF PARCEL 11 THROUGH THE FOLLOWING COURSES:  
 NORTH 76°57'59" WEST, A DISTANCE OF 29.12 FEET;  
 THENCE SOUTH 13°02'01" WEST, A DISTANCE OF 1.20 FEET;  
 THENCE NORTH 76°57'59" WEST, A DISTANCE OF 11.30 FEET TO THE SOUTHEASTERLY LINE OF PARCEL 10 OF SAID LOT LINE ADJUSTMENT;  
 THENCE, ALONG SAID SOUTHEASTERLY LINE OF PARCEL 10, SOUTH 13°02'01" WEST, A DISTANCE OF 12.20 FEET TO THE NORTHEASTERLY LINE OF PARCEL 11G;  
 THENCE, ALONG THE BOUNDARY OF SAID PARCEL 11G:  
 SOUTH 76°57'59" EAST, A DISTANCE OF 21.67 FEET;  
 AND, SOUTH 13°02'01" WEST, A DISTANCE OF 3.50 FEET;  
 THENCE, LEAVING SAID PARCEL BOUNDARY, SOUTH 76°57'59" EAST, A DISTANCE OF 18.75 FEET TO THE SOUTHWESTERLY PROLONGATION OF THE SOUTHEASTERLY BOUNDARY OF SAID PARCEL 11;  
 THENCE, ALONG SAID PROLONGATION, NORTH 13°02'01" EAST, A DISTANCE OF 16.90 FEET TO THE POINT OF BEGINNING.

EXCEPT THEREFROM ALL OIL, GAS, MINERALS AND OTHER HYDROCARBONS, BELOW A DEPTH OF 500 FEET, WITHOUT THE RIGHT OF SURFACE ENTRY, AS RESERVED IN INSTRUMENTS OF RECORD.  
 EXCEPT THEREFROM ALL WATER AND SUBSURFACE WATER RIGHTS, BELOW A DEPTH OF 500 FEET, WITHOUT THE RIGHT OF SURFACE ENTRY, AS DEDICATED OR RESERVED IN INSTRUMENTS OF RECORD.

PARCEL B

EASEMENTS AS DESCRIBED IN, AND FOR THE PURPOSES SET FORTH IN, ARTICLES II AND VIII OF THAT CERTAIN RESTATED DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS RECORDED ON MAY 23, 1984 AS INSTRUMENT NO. 84-214034 OF OFFICIAL RECORDS OF SAID COUNTY.

  
 BRUCE F. HUNSAKER, PLS 5921  
 MY LICENSE EXPIRES: 12-31-2020  
 SHEET 2 OF 4





**EXHIBIT "A"**  
**CITY OF NEWPORT BEACH**  
**LOT LINE ADJUSTMENT NO. LA2019-232**  
**(LEGAL DESCRIPTION)**

<b>OWNER</b>	<b>EXISTING PARCEL AP NUMBER</b>	<b>PROPOSED PARCELS REFERENCE NUMBERS</b>
<b>THE BLUFFS HOMEOWNER'S COMMUNITY ASSOCIATION, A CALIFORNIA NONPROFIT CORPORATION</b>	<b>440-311-14</b>	<b>PARCEL 14</b>
<b>DENNIS BIGGS, TRUSTEE &amp; ROBIN BIGGS, TRUSTEE OF THE BIGGS FAMILY TRUST DATED MARCH 5, 2003</b>	<b>440-311-11</b>	<b>PARCEL 11</b>

APN 440-311-14 EXISTING LEGAL

A PARCEL OF LAND IN THE CITY OF NEWPORT BEACH, COUNTY OF ORANGE, STATE OF CALIFORNIA BEING DESCRIBED AS FOLLOWS:

**PARCEL A:**

THAT PORTION OF LOT 14 OF TRACT NO. 5463 AS SHOWN ON A MAP FILED IN BOOK 195, PAGES 41 THROUGH 44 INCLUSIVE OF MISCELLANEOUS MAPS IN THE OFFICE OF THE COUNTY RECORDER OF SAID ORANGE COUNTY, DESCRIBED AS A WHOLE AS FOLLOWS:

PARCEL 14 AS SHOWN ON THE NEWPORT BEACH LOT LINE ADJUSTMENT NO. NBLLA 83-11, RECORDED MAY 23, 1984 AS INSTRUMENT NO. 84-214025 OF OFFICIAL RECORDS OF SAID COUNTY.

EXCEPTING THEREFROM ALL OIL, GAS CASINGHEAD GAS, ASPHALTUM AND OTHER HYDROCARBONS AND ALL CHEMICAL GAS NOW OR HEREAFTER FOUND, SITUATED OR LOCATED IN ALL OR ANY PART OR PORTION OF THE LAND HEREIN DESCRIBED LYING MORE THAN 500 FEET BELOW THE SURFACE THEREOF, TOGETHER WITH THE RIGHT TO SLANT DRILL FOR AND REMOVE ALL OR ANY OF SAID OIL, GAS, CASINGHEAD GAS, ASPHALTUM AND OTHER HYDROCARBON, AND CHEMICAL GAS LYING BELOW A DEPTH OF MORE THAN 500 FEET BELOW THE SURFACE OF BUT WITHOUT ANY RIGHT WHATSOEVER TO ENTER UPON THE SURFACE OF SAID LAND OR UPON ANY LAND OR UPON ANY PART OR SAID LANDS WITHIN 500 FEET VERTICAL DISTANCE BELOW THE SURFACE THEREOF, AS RESERVED IN THE DEED, RECORDED 03/27/1987 AS INSTRUMENT NO. 87-1671350 OFFICIAL RECORDS.

**PARCEL B:**

EASEMENTS AS DESCRIBED IN, AND FOR THE PURPOSES SET FORTH IN, ARTICLES II AND VIII OF THAT CERTAIN RESTATED DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS RECORDED ON MAY 23, 1984 AS INSTRUMENT NO. 84-214034 OF OFFICIAL RECORDS OF SAID COUNTY.



**EXHIBIT "A"**  
**CITY OF NEWPORT BEACH**  
**LOT LINE ADJUSTMENT NO. LA2019-232**  
**(LEGAL DESCRIPTION)**

OWNER	EXISTING PARCEL AP NUMBER	PROPOSED PARCELS REFERENCE NUMBERS
THE BLUFFS HOMEOWNER'S COMMUNITY ASSOCIATION, A CALIFORNIA NONPROFIT CORPORATION	440-311-14	PARCEL 14
DENNIS BIGGS, TRUSTEE & ROBIN BIGGS, TRUSTEE OF THE BIGGS FAMILY TRUST DATED MARCH 5, 2003	440-311-11	PARCEL 11

APN 440-311-14 PROPOSED LEGAL

A PARCEL OF LAND IN THE CITY OF NEWPORT BEACH, COUNTY OF ORANGE, STATE OF CALIFORNIA BEING DESCRIBED AS FOLLOWS:

PARCEL A:

THAT PORTION OF LOT 14 OF TRACT NO. 5463 AS SHOWN ON A MAP FILED IN BOOK 195, PAGES 41 THROUGH 44 INCLUSIVE OF MISCELLANEOUS MAPS IN THE OFFICE OF THE COUNTY RECORDER OF SAID ORANGE COUNTY, DESCRIBED AS A WHOLE AS FOLLOWS: PARCEL 14 AS SHOWN ON THE NEWPORT BEACH LOT LINE ADJUSTMENT NO. NBLLA 83-11, RECORDED MAY 23, 1984 AS INSTRUMENT NO. 84-214025 OF OFFICIAL RECORDS OF SAID COUNTY.

EXCEPTING THEREFROM A PORTION OF PARCEL 14 OF LOT LINE ADJUSTMENT NBLLA 83-11 RECORDED AS INSTRUMENT NO. 84-214025, OFFICIAL RECORDS OF SAID COUNTY, MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHEASTERLY TERMINUS OF THAT CERTAIN COURSE IN THE BOUNDARY OF PARCEL 11 OF SAID NEWPORT BEACH LOT LINE ADJUSTMENT, SAID COURSE SHOWN ON SAID LOT LINE ADJUSTMENT AS "N 76°57'59" W, 29.12 FEET";

THENCE, ALONG SAID BOUNDARY OF PARCEL 11 THROUGH THE FOLLOWING COURSES:

NORTH 76°57'59" WEST, A DISTANCE OF 29.12 FEET;

THENCE SOUTH 13°02'01" WEST, A DISTANCE OF 1.20 FEET;

THENCE NORTH 76°57'59" WEST, A DISTANCE OF 11.30 FEET TO THE SOUTHEASTERLY LINE OF PARCEL 10 OF SAID LOT LINE ADJUSTMENT;

THENCE, ALONG SAID SOUTHEASTERLY LINE OF PARCEL 10, SOUTH 13°02'01" WEST, A DISTANCE OF 12.20 FEET TO THE NORTHEASTERLY LINE OF PARCEL 11G;

THENCE, ALONG THE BOUNDARY OF SAID PARCEL 11G:

SOUTH 76°57'59" EAST, A DISTANCE OF 21.67 FEET;

AND, SOUTH 13°02'01" WEST, A DISTANCE OF 3.50 FEET;


THENCE, LEAVING SAID PARCEL BOUNDARY, SOUTH 76°57'59" EAST, A DISTANCE OF 18.75 FEET TO THE SOUTHWESTERLY PROLONGATION OF THE SOUTHEASTERLY BOUNDARY OF SAID PARCEL 11;

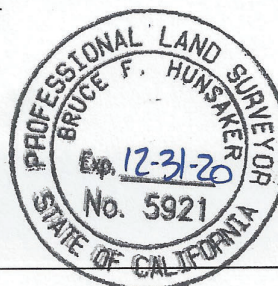
THENCE, ALONG SAID PROLONGATION, NORTH 13°02'01" EAST, A DISTANCE OF 16.90 FEET TO THE POINT OF BEGINNING.

EXCEPTING THEREFROM ALL OIL, GAS CASINGHEAD GAS, ASPHALTUM AND OTHER HYDROCARBONS AND ALL CHEMICAL GAS NOW OR HEREAFTER FOUND, SITUATED OR LOCATED IN ALL OR ANY PART OR PORTION OF THE LAND HEREIN DESCRIBED LYING MORE THAN 500 FEET BELOW THE SURFACE THEREOF, TOGETHER WITH THE RIGHT TO SLANT DRILL FOR AND REMOVE ALL OR ANY OF SAID OIL, GAS, CASINGHEAD GAS, ASPHALTUM AND OTHER HYDROCARBON, AND CHEMICAL GAS LYING BELOW A DEPTH OF MORE THAN 500 FEET BELOW THE SURFACE OF BUT WITHOUT ANY RIGHT WHATSOEVER TO ENTER UPON THE SURFACE OF SAID LAND OR UPON ANY LAND OR UPON ANY PART OR SAID LANDS WITHIN 500 FEET VERTICAL DISTANCE BELOW THE SURFACE THEREOF, AS RESERVED IN THE DEED, RECORDED 03/27/1987 AS INSTRUMENT NO. 87-1671350 OFFICIAL RECORDS.

PARCEL B:

EASEMENTS AS DESCRIBED IN, AND FOR THE PURPOSES SET FORTH IN, ARTICLES II AND VIII OF THAT CERTAIN RESTATED DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS RECORDED ON MAY 23, 1984 AS INSTRUMENT NO. 84-214034 OF OFFICIAL RECORDS OF SAID COUNTY.

  
 BRUCE F. HUNSAKER, PLS 5921  
 MY LICENSE EXPIRES: 12-31-2020  
 SHEET 4 OF 4






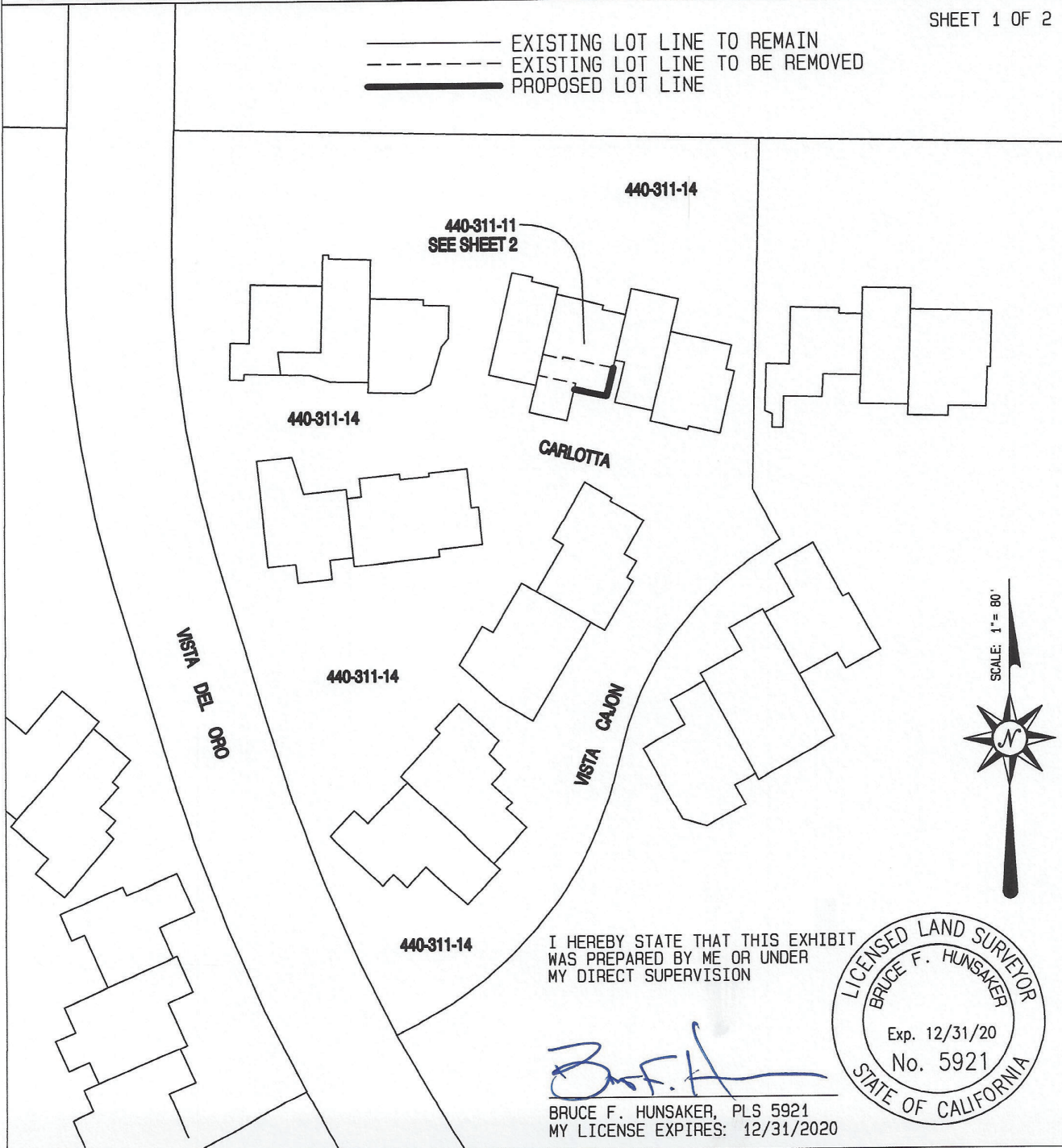


**EXHIBIT "B"**  
**CITY OF NEWPORT BEACH**  
**LOT LINE ADJUSTMENT NO. LA2019-232**  
**(MAP)**

OWNER	EXISTING PARCEL AP NUMBER	PROPOSED PARCELS REFERENCE NUMBERS
THE BLUFFS HOMEOWNER'S COMMUNITY ASSOCIATION, A CALIFORNIA NONPROFIT CORPORATION	440-311-14	PARCEL 14
DENNIS BIGGS, TRUSTEE & ROBIN BIGGS, TRUSTEE OF THE BIGGS FAMILY TRUST DATED MARCH 5, 2003	440-311-11	PARCEL 11

SHEET 1 OF 2

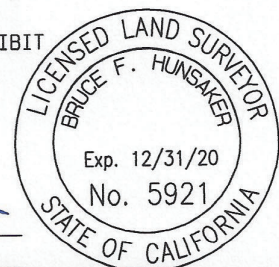
 EXISTING LOT LINE TO REMAIN  
 EXISTING LOT LINE TO BE REMOVED  
 PROPOSED LOT LINE



I HEREBY STATE THAT THIS EXHIBIT  
 WAS PREPARED BY ME OR UNDER  
 MY DIRECT SUPERVISION

*B.F.H.*

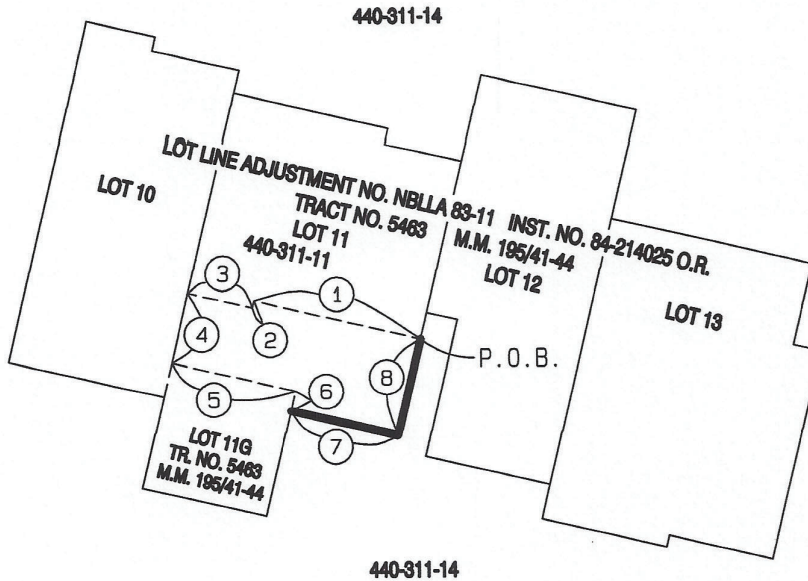
BRUCE F. HUNSAKER, PLS 5921  
 MY LICENSE EXPIRES: 12/31/2020



**EXHIBIT "B"**  
**CITY OF NEWPORT BEACH**  
**LOT LINE ADJUSTMENT NO. LA2019-232**  
**(MAP)**

OWNER	EXISTING PARCEL AP NUMBER	PROPOSED PARCELS REFERENCE NUMBERS
THE BLUFFS HOMEOWNER'S COMMUNITY ASSOCIATION, A CALIFORNIA NONPROFIT CORPORATION	440-311-14	PARCEL 14
DENNIS BIGGS, TRUSTEE & ROBIN BIGGS, TRUSTEE OF THE BIGGS FAMILY TRUST DATED MARCH 5, 2003	440-311-11	PARCEL 11

SHEET 2 OF 2



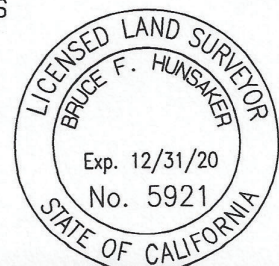
	BEARING	DISTANCE
1	NORTH 76°57'59" WEST	29.12 FEET
2	SOUTH 13°02'01" WEST	1.20 FEET
3	NORTH 76°57'59" WEST	11.30 FEET
4	SOUTH 13°02'01" WEST	12.20 FEET
5	SOUTH 76°57'59" EAST	21.67 FEET
6	SOUTH 13°02'01" WEST	3.50 FEET
7	SOUTH 76°57'59" EAST	18.75 FEET
8	NORTH 13°02'01" EAST	16.90 FEET

\_\_\_\_\_ EXISTING LOT LINE TO REMAIN  
 - - - - - EXISTING LOT LINE TO BE REMOVED  
 \_\_\_\_\_ PROPOSED LOT LINE

I HEREBY STATE THAT THIS EXHIBIT WAS  
 PREPARED BY ME OR UNDER MY DIRECT  
 SUPERVISION

*Bruce F. Hunsaker*

BRUCE F. HUNSAKER, PLS 5921  
 MY LICENSE EXPIRES: 12/31/2020








**EXHIBIT "C"**  
**CITY OF NEWPORT BEACH**  
**LOT LINE ADJUSTMENT NO. LA2019-232**  
**(SITE PLAN)**

OWNER	EXISTING PARCEL AP NUMBER	PROPOSED PARCELS REFERENCE NUMBERS
THE BLUFFS HOMEOWNER'S COMMUNITY ASSOCIATION, A CALIFORNIA NONPROFIT CORPORATION	440-311-14	PARCEL 14
DENNIS BIGGS, TRUSTEE & ROBIN BIGGS, TRUSTEE OF THE BIGGS FAMILY TRUST DATED MARCH 5, 2003	440-311-11	PARCEL 11

SHEET 1 OF 1

 EXISTING LOT LINE TO REMAIN  
 EXISTING LOT LINE TO BE REMOVED  
 PROPOSED LOT LINE

