



Memorandum

TO: HONORABLE MAYOR
AND CITY COUNCIL

FROM: Katy Allen

**SUBJECT: DESIGNATION OF ADDITIONAL
RIGHT-OF-WAY FOR THE TAYLOR
STREET IMPROVEMENT PROJECT**

DATE: 01-08-07

Approved

Date

11/17/07

COUNCIL DISTRICT: 3

RECOMMENDATION

Approval of an ordinance designating the additional right-of-way of a 28-foot wide strip on the south side and a 18-foot wide strip on the north side of Taylor Street between Anita Street and Walnut Street, which are City-owned properties, to accommodate the Taylor Street Improvement Project.

OUTCOME

Approval of this ordinance will expand the existing right-of-way to its ultimate width to accommodate the proposed Taylor Street Improvement Project, and facilitate construction/relocation of franchised utilities along the segment on Taylor Street between Anita Street and Walnut Street.

BACKGROUND

With the completion of the State Route 87 Interchange at Taylor Street and the recent improvements of Route 880 /Coleman Interchange, Taylor Street becomes an east-west corridor connection for regional and local traffic between First Street and Coleman Avenue (map attached). In addition, Taylor Street was designated as a bike route in the Bicycle Master Plan and City's General Plan.

The goal of the project is to provide operational improvements on Taylor Street from Coleman Avenue to First Street with channelization and lengthening of the left turn pockets. Channelization is accomplished by constructing raised median islands with landscaping which will beautify the corridor. The project will also include bike lanes on both sides of Taylor Street, thus, enhancing pedestrian and bicycle accessibility and safety.

The existing public right-of-way along the segment of Taylor Street between Anita Street and Walnut Street is only 60 feet wide. In order to accommodate the proposed improvements at the aforesaid location, the right-of-way should be expanded to its ultimate width of 106 feet. The additional right-of-way needed lies entirely on City-owned property.

This project was awarded last October 23, 2006. Construction is scheduled to begin in December 2006 and expected to be completed in May 2007.

ANALYSIS

The proposed ordinance will expand the right-of-way to its ultimate width of 106 feet to accommodate the proposed improvements and it will also designate the subject strip of land as public right-of-way. The areas that staff recommends designating as public right-of-way are more particularly described on the attached Exhibits "A" thru "E".

Designating the City-owned property as public right-of-way will clarify the ultimate location of the public right-of-way, accommodate the proposed improvements, and facilitate construction/relocation of franchised utilities. In addition, the construction/relocation of public utilities is much simpler when the City can clearly show that construction/relocation of franchised utilities is within the public right-of-way. Accordingly, the ordinance will both satisfy the needs of the public record and provide the basis for utility construction/relocation requirements in conjunction with the improvements on Taylor Street.

POLICY ALTERNATIVES

Not applicable

PUBLIC OUTREACH/INTEREST

- Criteria 1:** Requires Council action on the use of public funds equal to \$1 million or greater. **(Required: Website Posting)**
- Criteria 2:** Adoption of a new or revised policy that may have implications for public health, safety, quality of life, or financial/economic vitality of the City. **(Required: E-mail and Website Posting)**
- Criteria 3:** Consideration of proposed changes to service delivery, programs, staffing that may have impacts to community services and have been identified by staff, Council or a Community group that requires special outreach. **(Required: E-mail, Website Posting, Community Meetings, Notice in appropriate newspapers)**

HONORABLE MAYOR AND CITY COUNCIL

01-08-07

Subject: Designation Of Additional Right-Of-Way For The Taylor Street Improvement Project

Page 3

The approval of this resolution does not meet any of the criteria identified by the Sunshine Reforms Work Plan. This memorandum will be posted on the City's website for the January 30, 2007 Council agenda.

COORDINATION

This project has been coordinated with the Departments of Transportation, Planning, Building and Code Enforcement, Fire, Environmental Services, Airport, Parks, Recreation and Neighborhood Services, the City Attorney's Office and the City Manager's Budget Office.

FISCAL/POLICY ALIGNMENT

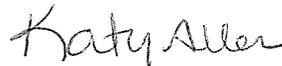
This project is consistent with the Council approved Budget Strategy Economic Recovery section in that it will spur construction spending in our local economy.

COST SUMMARY/IMPLICATIONS

There is no purchase cost to the City in establishing City -owned property as part of the public right-of-way.

CEQA

CEQA: Exempt, PP06-038.



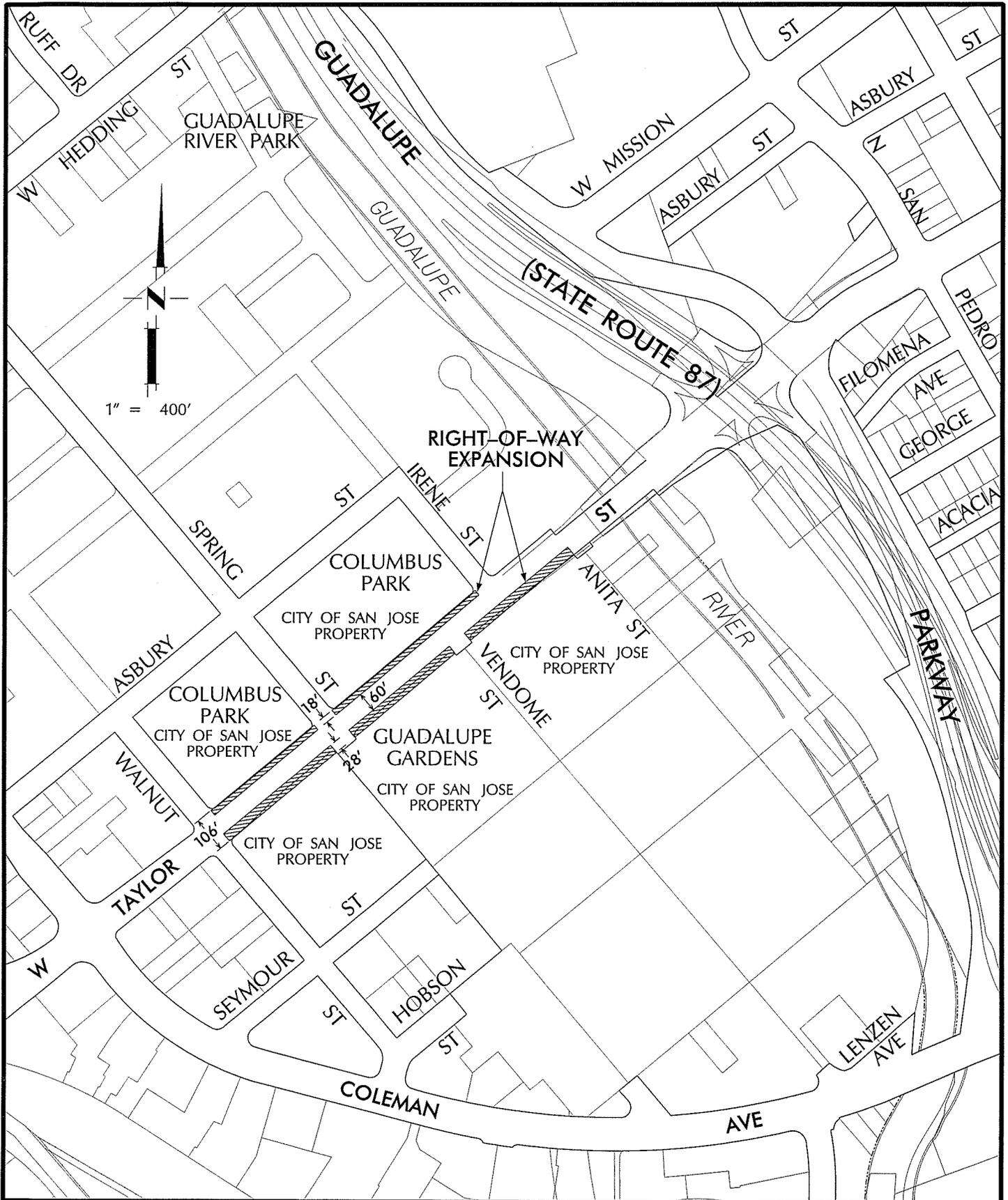
KATY ALLEN
Director, Public Works Department

For questions please contact TIMM BORDEN, DEPUTY DIRECTOR, 408-535-8300.

PD:RP:ew

(jt110706CM.Taylorv3.doc/R&B)

Attachments



TAYLOR STREET IMPROVEMENT PROJECT
RIGHT-OF-WAY EXPANSION MAP

CITY OF SAN JOSE
 DEPARTMENT OF PUBLIC WORKS
 NOVEMBER 2006

ORDINANCE NO. _____

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SAN JOSE EXPANDING A PUBLIC RIGHT-OF-WAY TO ACCOMMODATE THE TAYLOR STREET IMPROVEMENT PROJECT AND FACILITATE THE CONSTRUCTION/RELOCATION OF FRANCHISED UTILITIES.

WHEREAS, the City is implementing a project to improve Taylor Street from North First Street to Coleman Avenue; and

WHEREAS, the existing public right-of-way along the segment of Taylor Street between Anita Street and Walnut Street is only 60 feet wide and this location requires expansion of the existing public right-of-way to accommodate the proposed improvements and facilitate the construction/relocation of franchised utilities; and

WHEREAS, the expansion to 28-foot wide strip on the south side and an 18-foot wide strip on the north side for the aforementioned location are City-owned properties; and

WHEREAS, the City desires to expand the public right-of-way for the additional strips of City-owned land needed for this project.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF SAN JOSE THAT:

The approximately 28-foot wide strip on the south side and an 18-foot wide strip on the north side of Taylor Street between Anita Street and Walnut Street which are City-owned properties, and as more particularly described in Exhibits "A" to "E" of this Ordinance, is hereby authorized as public right-of-way.

RD:
12/05/06

Ord. No. _____

PASSED FOR PUBLICATION of title this _____ day of _____, 2006,
by the following vote:

AYES:

NOES:

ABSENT:

DISQUALIFIED:

VACANT:

RON GONZALES
Mayor

ATTEST:

LEE PRICE, CMC
City Clerk

EXHIBIT "A"

DESCRIPTION OF REAL PROPERTY

All that certain real property situated in the City of San Jose, County of Santa Clara, State of California, being a portion Block 3 as shown on the Map of T.S. Montgomery's Subdivision filed on January 20, 1898 in Book F-1 of Maps at Page 16, Records of Santa Clara County, and being more particularly described as follows:

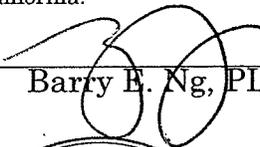
The northwesterly 28.00 feet of said Block 3 as measured at a right angle to the northwesterly line of said Block 3.

The described property contains approximately 11,468.80 square feet (0.26 acres).

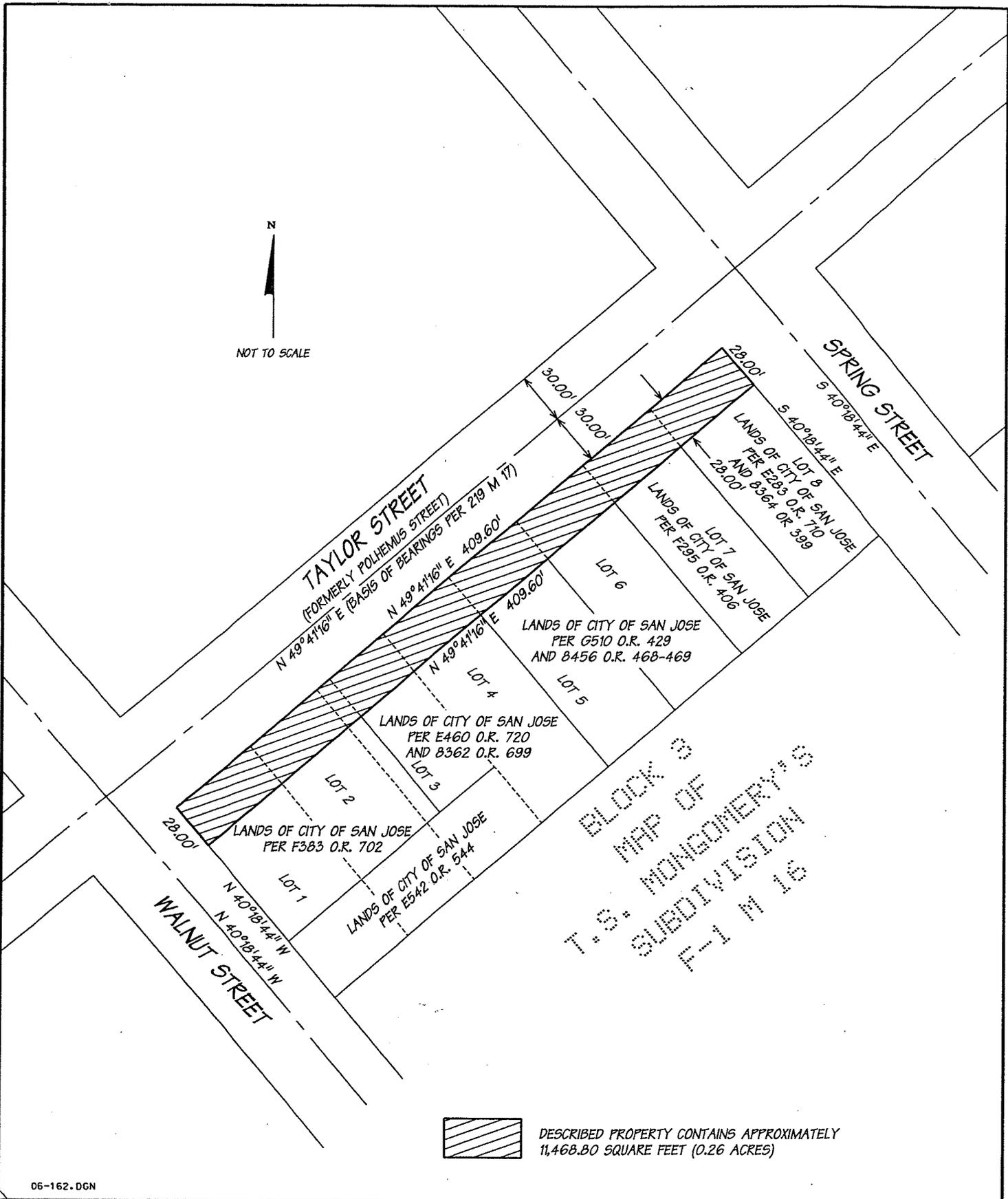
This description was prepared from record information only and does not reflect data based on a field survey.

Attached hereto and by reference a part hereof is a plat labeled "PLAT TO ACCOMPANY DESCRIPTION OF REAL PROPERTY" depicting the subject property.

The above description of real property was prepared by me in conformance with the requirements of Section 8726(g,k,l,m) of the Business and Professions Code of the State of California.

 10-25-06
Barry E. Ng, PLS 7713





DESCRIBED PROPERTY CONTAINS APPROXIMATELY
11,468.80 SQUARE FEET (0.26 ACRES)

06-162.DGN

PLAT TO ACCOMPANY DESCRIPTION OF REAL PROPERTY

PREPARED BY:
CITY OF SAN JOSE
SURVEY SECTION
OCTOBER 25, 2006

EXHIBIT "B"

DESCRIPTION OF REAL PROPERTY

All that certain real property situated in the City of San Jose, County of Santa Clara, State of California, being a portion of Block 4 as shown on the Map of T.S. Montgomery's Subdivision filed on January 20, 1898 in Book F-1 of Maps at Page 16, Records of Santa Clara County, and being more particularly described as follows:

The northwesterly 28.00 feet of said Block 4 as measured at a right angle to the northwesterly line of said Block 4.

The described property contains approximately 11,200.00 square feet (0.26 acres).

This description was prepared from record information only and does not reflect data based on a field survey.

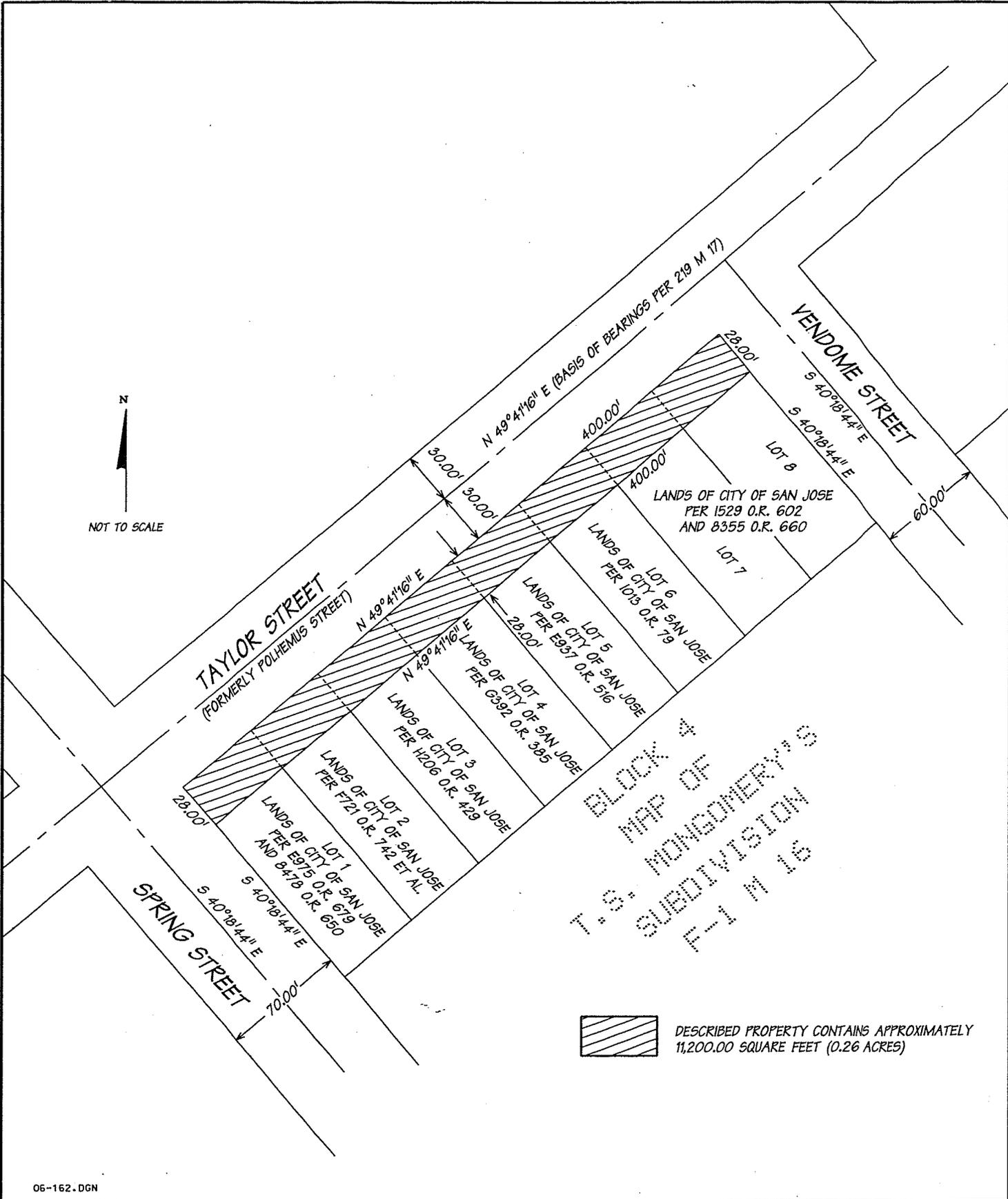
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The above description of real property was prepared by me in conformance with the requirements of Section 8726 (g,k, l, m) of the Business and Professions Code of the State of California.

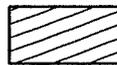
10-25-06
Barry E. Ng, PLS 7713



N
 NOT TO SCALE



BLOCK 7
 MAP OF
 MONTGOMERY'S
 SUBDIVISION
 1-1 M 16



DESCRIBED PROPERTY CONTAINS APPROXIMATELY
 11,200.00 SQUARE FEET (0.26 ACRES)

06-162.DGN

PLAT TO ACCOMPANY
 DESCRIPTION OF REAL PROPERTY

PREPARED BY:
 CITY OF SAN JOSE
 SURVEY SECTION
 OCTOBER 25, 2006

EXHIBIT "C"

DESCRIPTION OF REAL PROPERTY

All that certain real property situated in the City of San Jose, County of Santa Clara, State of California, being a portion of Block 5 as shown on the Map of T.S. Montgomery's Subdivision filed on January 20, 1898 in Book F-1 of Maps at Page 16, Records of Santa Clara County, and being more particularly described as follows:

The northeasterly 28.00 feet of said Block 5 as measured at a right angle to the northwesterly line of said Block 5.

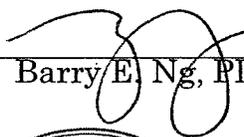
Excepting therefrom the property described in the Highway Easement Deed recorded on July 2, 2001 as Document No. 15752008, Official Records of Santa Clara County.

The described property contains approximately 10,845.55 square feet (0.25 acres).

This description was prepared from record information only and does not reflect data based on a field survey.

Attached hereto and by reference a part hereof is a plat labeled "PLAT TO ACCOMPANY DESCRIPTION OF REAL PROPERTY" depicting the subject property.

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Barry E. Ng, PLS 7713

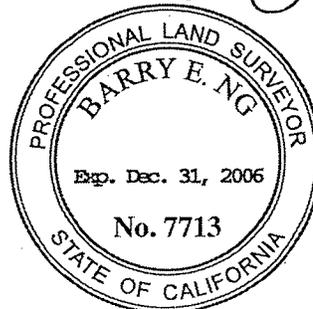


EXHIBIT "D"

DESCRIPTION OF REAL PROPERTY

All that certain real property situated in the City of San Jose, County of Santa Clara, State of California, being a portion of Lots 1 and 2, in Block 60, as shown on the "Map of University Grounds" recorded on August 25, 1866 in Book A of Maps, at Pages 80-81, Records of Santa Clara County, and being a portion of Parcel One and Parcel Two described in the Deed recorded on October 11, 1945 in Volume 1293, at Page 380, Official Records of Santa Clara County, and being more particularly described as follows:

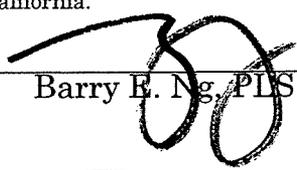
The southeasterly 18.00 feet as measured at right angles to the southeasterly lines of said Lots 1 and 2 as shown on said Map.

The described property contains approximately 7,200 square feet (0.17 acres).

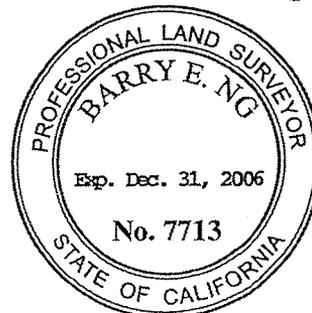
This description was prepared from record information only and does not reflect data based on a field survey.

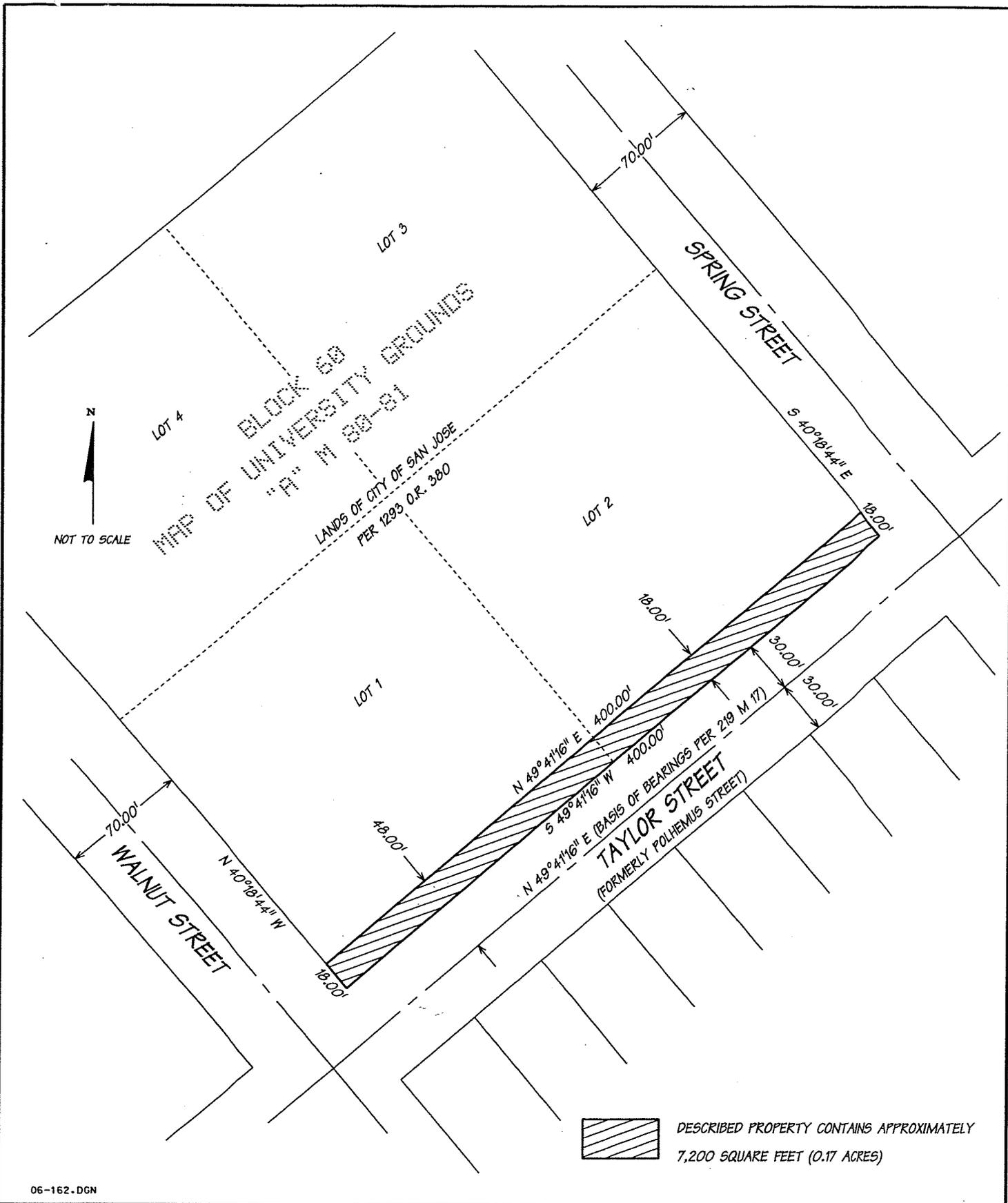
Attached hereto and by reference a part hereof is a plat labeled "PLAT TO ACCOMPANY DESCRIPTION OF REAL PROPERTY" depicting the subject property.

The above description of real property was prepared by me in conformance with the requirements of Section 8726 (g, k, l, m) of the Business and Professions Code of the State of California.


Barry E. Ng, PLS 7713

9-26-06





DESCRIBED PROPERTY CONTAINS APPROXIMATELY
7,200 SQUARE FEET (0.17 ACRES)

PLAT TO ACCOMPANY
DESCRIPTION OF REAL PROPERTY

PREPARED BY:
CITY OF SAN JOSE
SURVEY SECTION
SEPTEMBER 26, 2006

EXHIBIT "E"

DESCRIPTION OF REAL PROPERTY

All that certain real property situated in the City of San Jose, County of Santa Clara, State of California, being a portion of Lot 1 bounded by Spring, Willow and Polhemus Streets, as shown on the "Map of University Grounds" recorded on December 16, 1872 in Book E of Miscellaneous Records, at Page 27, and being a portion of Parcel Three as described in the Deed recorded on October 11, 1945 in Volume 1293, at Page 380, Official Records of Santa Clara County, and being more particularly described as follows:

The southeasterly 18.00 feet as measured at a right angle to the southeasterly line of said Lot 1 as shown on said Map.

The described property contains approximately 10,260 square feet (0.24 acres).

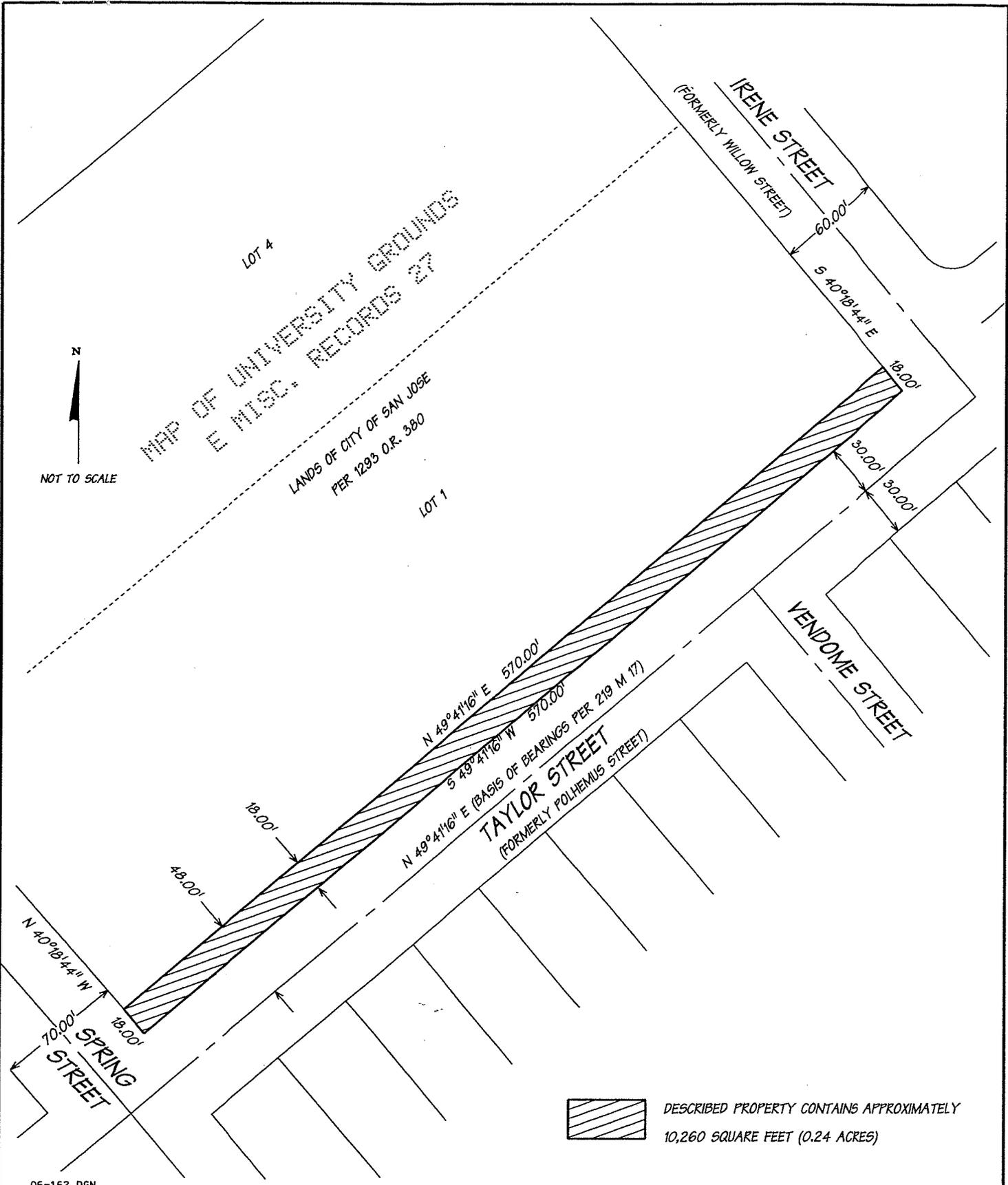
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Barry E. Ng PLS 7713 9-26-06





 DESCRIBED PROPERTY CONTAINS APPROXIMATELY
10,260 SQUARE FEET (0.24 ACRES)

PLAT TO ACCOMPANY
DESCRIPTION OF REAL PROPERTY

PREPARED BY:
CITY OF SAN JOSE
SURVEY SECTION
SEPTEMBER 26, 2006