

Memorandum

TO: HONORABLE MAYOR AND
CITY COUNCIL

FROM: Joseph Horwedel

SUBJECT: MCKEE NO. 128

DATE: January 25, 2006

Approved

Deanna Santana

Date

1/28/06

COUNCIL DISTRICT: 5

Please place on the Consent Calendar of the February 14, 2006 City Council Agenda:

RECOMMENDATION

Adoption of a resolution initiating proceedings, amending San Jose City Council Resolution No. 72871, adopted August 30, 2005 that ordered the reorganization of the territory designated McKee No. 128, comprised of 1.19 gross acres of land more or less, located on the east side of Kirk Avenue, approximately 110 feet southerly of Summit Avenue and adjacent to the City of San Jose annexations McKee Nos. 117 and 40 and the detachment of the same from Central Fire Protection, Area No. 01 (Library Service) County Service Districts, and Sanitation District 2-3, to include the detachment of the same from County Lighting County Service District and setting February 28, 2006, at 1:30 p.m. for Council consideration on the amended reorganization.

Detachment of the territory from County Lighting County Service District was inadvertently not included within the original reorganization action because the County of Santa Clara mistakenly neglected to include this district within the "Report of the County Assessor" in connection with this territory, and so the City was not informed that this district would be affected by this proposed reorganization. The amended reorganization action would address this oversight. A map showing the affected territory is attached.

CEQA

GP2020 EIR (Resolution No. 65459). (File No. C04-090).

for *Susan Walter*
JOSEPH HORWEDEL, ACTING DIRECTOR
Planning, Building and Code Enforcement

"Exhibit A"**Annexation to the City of San Jose**

McKee No. 128, March 14, 2005

Legal Description for the annexation of Assessor's Parcel No. 559-39-002 and the adjoining portion of Kirk Avenue to the City of San Jose.

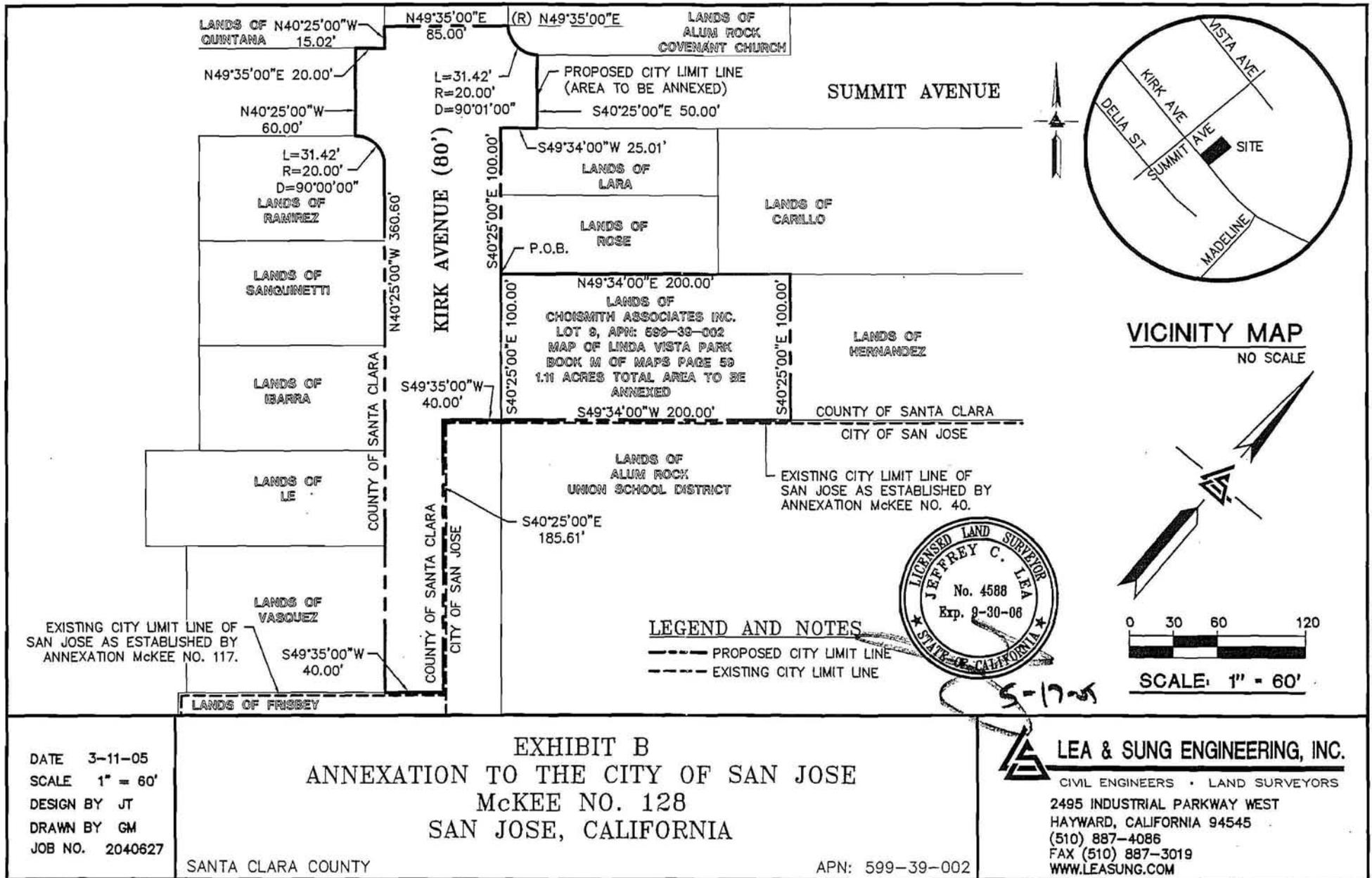
All of Lot 9 as shown on the "Map of Linda Vista Park", recorded April 19, 1909 in Book "M" of Maps at Page 59, Santa Clara County Records, and a portion of Kirk Avenue, more particularly described as follows:

Beginning at a point on the Northeasterly line of Kirk Avenue, said point being the most Westerly corner of said Lot 9; thence along the Northwesterly line of Lot 9; North 49° 34' 00" East, 200.00 feet; thence South 40° 25' 00" East, 100.00 feet to the most Easterly corner of said Lot 9 and the City Limit line of the City of San Jose as established by annexation McKee No. 40; thence along said City Limit line and the Southeasterly line of said Lot 9, South 49° 34' 00" West, 200.00 feet to the most Southerly corner of said Lot 9; thence continuing along said City Limit line South 49° 35' 00" West, 40.00 feet to a point on the centerline of Kirk Avenue and an angle point in said City Limit line; thence along said centerline, South 40° 25' 00" East, 185.61 feet to the most Northerly corner of the City Limit Line as shown on Annexation McKee No. 117; thence along said line South 49° 35' 00 West, 40.00 feet to a point on the Southwesterly line of Kirk Avenue; thence along said Southwesterly line North 40° 25' 00" West, 360.60 feet to a point of curvature; thence along the arc of a curve to the left with a radius of 20.00 feet, through a central angle of 90° 00' 00", an arc distance of 31.42 feet to the Southeasterly line of Summit Ave; thence leaving said Southeasterly line North 40° 25' 00" West, 60.00 feet to a point on the Northwesterly line of Summit Avenue; thence along said Northwesterly line North 49° 35' 00" East, 20.00 feet to the Northwesterly corner of Kirk Avenue and Summit Avenue; thence Northwesterly along Kirk Avenue North 40°25'00" West, 15.02 feet; thence North 49°35'00" East, 85.00 feet to a point on the Northeasterly line of Kirk Ave; thence Easterly along the arc of a non-tangent curve to the left the center of which bears North 49°35'00' East, having a radius of 20.00', through a central angle of 90°01'00", an arc distance of 31.42 to a point on the Northwesterly Line of Summit Avenue; thence leaving said line South 40°25'00" East, 50.00 feet to a point on the Southeasterly line of Summit Avenue; thence South 49°34'00 West, 25.01 feet to the Southeasterly corner of Kirk Avenue and Summit Avenue; thence along the Northeasterly line of Kirk Ave South 40° 25' 00" East, 100.00 feet to the point of Beginning.

Containing 1.19 acres, more or less.



Handwritten signature and date:
 5-17-05
 ANNEX. 128
 J.C.L.



DATE 3-11-05
SCALE 1" = 60'
DESIGN BY JT
DRAWN BY GM
JOB NO. 2040627

EXHIBIT B
ANNEXATION TO THE CITY OF SAN JOSE
McKEE NO. 128
SAN JOSE, CALIFORNIA

SANTA CLARA COUNTY

APN: 599-39-002



LEA & SUNG ENGINEERING, INC.

CIVIL ENGINEERS • LAND SURVEYORS

2495 INDUSTRIAL PARKWAY WEST
HAYWARD, CALIFORNIA 94545
(510) 887-4086
FAX (510) 887-3019
WWW.LEASUNG.COM