

RESOLUTION NO. _____

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN JOSE DECLARING CERTAIN CITY-OWNED PROPERTY LOCATED AT 1590 GOLD STREET AS SURPLUS TO THE NEEDS OF THE CITY, AND AUTHORIZING THE CITY MANAGER TO PROCEED WITH THE SALE OF SUCH SURPLUS PROPERTY IN ACCORDANCE WITH THE APPLICABLE PROVISIONS OF THE MUNICIPAL CODE AND ANY CITY POLICIES, INCLUDING ANY AMENDMENTS THERETO, AND APPLICABLE STATE LAW

WHEREAS, the City owns a parcel of property (a portion of APN: 015-03-013) as shown on Exhibit "A" attached hereto, located at 1590 Gold Street, comprising approximately .23 acre ("Property"); and

WHEREAS, Section 4.20.070 of the San Jose Municipal Code authorizes the City Council to declare City-owned real property surplus to the needs of the City and to authorize the sale or exchange of such surplus property; and

WHEREAS, the Property is not needed for nor adaptable to municipal purposes, and the sale thereof would serve the public interest; and

WHEREAS, the sale of the Property in accordance with the San José Municipal Code as it may be amended from time to time will result in significant public benefits including revenues from the sale, return of the Property to the property tax rolls, and relief of any maintenance responsibilities by the City; and

WHEREAS, the Property should be sold in accordance with City policies and applicable state laws, including Government Code Section 54222, as applicable;

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

1. The Property is not needed for, nor adaptable to, municipal purposes, and the public interest would be served by the sale of such surplus Property; and
2. The City Manager is authorized to take such steps as necessary to notify the public that the Property may be sold and to proceed with the sale of such property in accordance with Chapter 4.20 of the San José Municipal Code, and

applicable City policies, as they may be amended from time to time, and applicable state laws.

ADOPTED this _____ day of _____, 2011, by the following vote:

AYES:

NOES:

ABSENT:

DISQUALIFIED:

CHUCK REED
Mayor

ATTEST:

DENNIS D. HAWKINS, CMC
City Clerk

EXHIBIT "A"

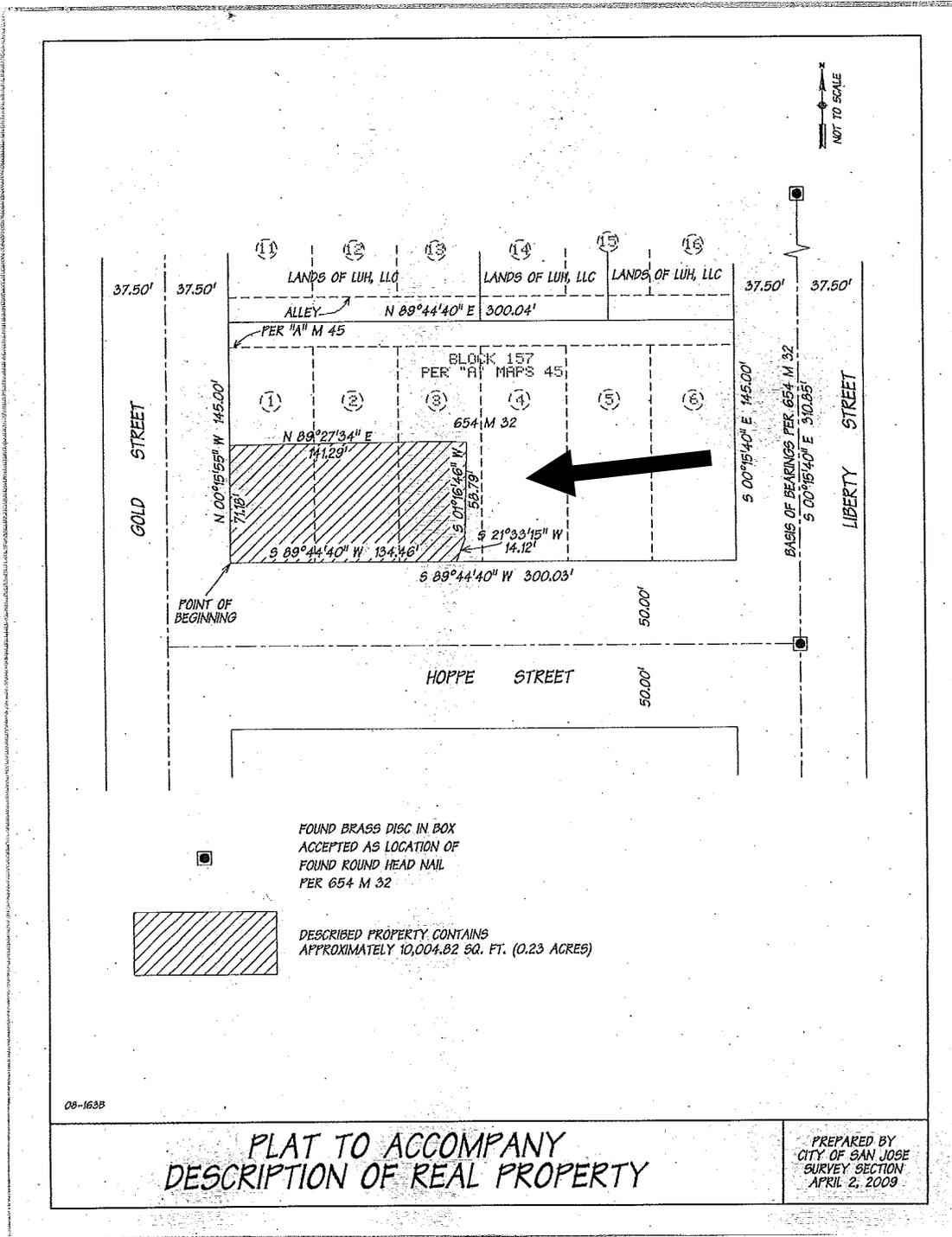


EXHIBIT _____
DESCRIPTION OF REAL PROPERTY

All that certain real property situated in the City of San Jose (Alviso), County of Santa Clara, State of California, being a portion of Lots 1, 2 and 3, Block 157 as shown on that certain Map entitled, "Plan of the Western Section of Alviso" filed for record on July 29, 1869 in Book "A" of Maps, at Page 45, Records of Santa Clara County and being more particularly described as follows:

Beginning at the southwesterly corner of said Block 157, as shown on that Record of Survey recorded on March 29, 1994 in Book 654 of Maps, at Page 32, Records of Santa Clara County; thence along the westerly line of said Block 157, N 00°15'55" W 71.18 feet; thence leaving said westerly line of Block 157, N 89°27'34" E 141.29 feet to an angle point; thence S 01°16'46" W 58.79 feet to an angle point; thence S 21°33'15" W 14.12 feet to the southerly line of said Block 157; thence along the said southerly line of Block 157, S 89°44'40" W 134.46 feet to the POINT OF BEGINNING.

The described property contains approximately 10,004.82 square feet (0.23 acres).

This description was prepared from record information and a limited field survey. The Basis of Bearings for this description is the bearing S 00°15'40" E of the centerline of Liberty Street as shown on the Record of Survey recorded on March 29, 1994 in Book 654 of Maps, at Page 32, Records of Santa Clara County.

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.



Patricia A. Cannon 4/2/09
Patricia A. Cannon, PLS 8186

015-03-013b