

RESOLUTION NO. \_\_\_\_\_

**A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN JOSE DECLARING CERTAIN CITY-OWNED PROPERTY LOCATED AT THE INTERCHANGE OF ROUTE 101 AND YERBA BUENA ROAD AS SURPLUS TO THE NEEDS OF THE CITY**

**WHEREAS**, the City of San José (“City”) owns parcels of property as shown on Exhibit “A” attached hereto, located at the interchange of Route 101 and Yerba Buena Road (“Property”); and

**WHEREAS**, Chapter 4.20 of the San José Municipal Code authorizes the City Council to declare City-owned real property surplus to the needs of the City, and Section 4.20.080 allows the City to authorize the transfer of such surplus property through direct sale to government agencies; and

**WHEREAS**, the State of California (Caltrans) requires right-of-way transfers from the City in connection with the construction of freeway improvements between Capitol Expressway and Yerba Buena Road of the Route 101/ Capitola Expressway interchange; and

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

**WHEREAS**, the transfer of the Property to State in accordance with the San José Municipal Code as it may be amended from time to time will result in significant public benefits including improvements from the Route 101 Freeway Project, which will reduce traffic congestion, improve mobility and traffic safety, and improve local access to East San José and the Evergreen areas; and

**WHEREAS**, the Property will be transferred as may be further authorized by the City Council in accordance with City policies and applicable law;

**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 transfer of such surplus Property; and
2. Transfer of the Property shall be on such terms and conditions as may be further authorized by City Council, in accordance with Chapter 4.20 of the San José

RD:KDJ:NGA  
12-14-11

Municipal Code, and applicable City policies, as they may be amended from time to time, and other applicable law.

ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2011, by the following vote:

AYES:

NOES:

ABSENT:

DISQUALIFIED:

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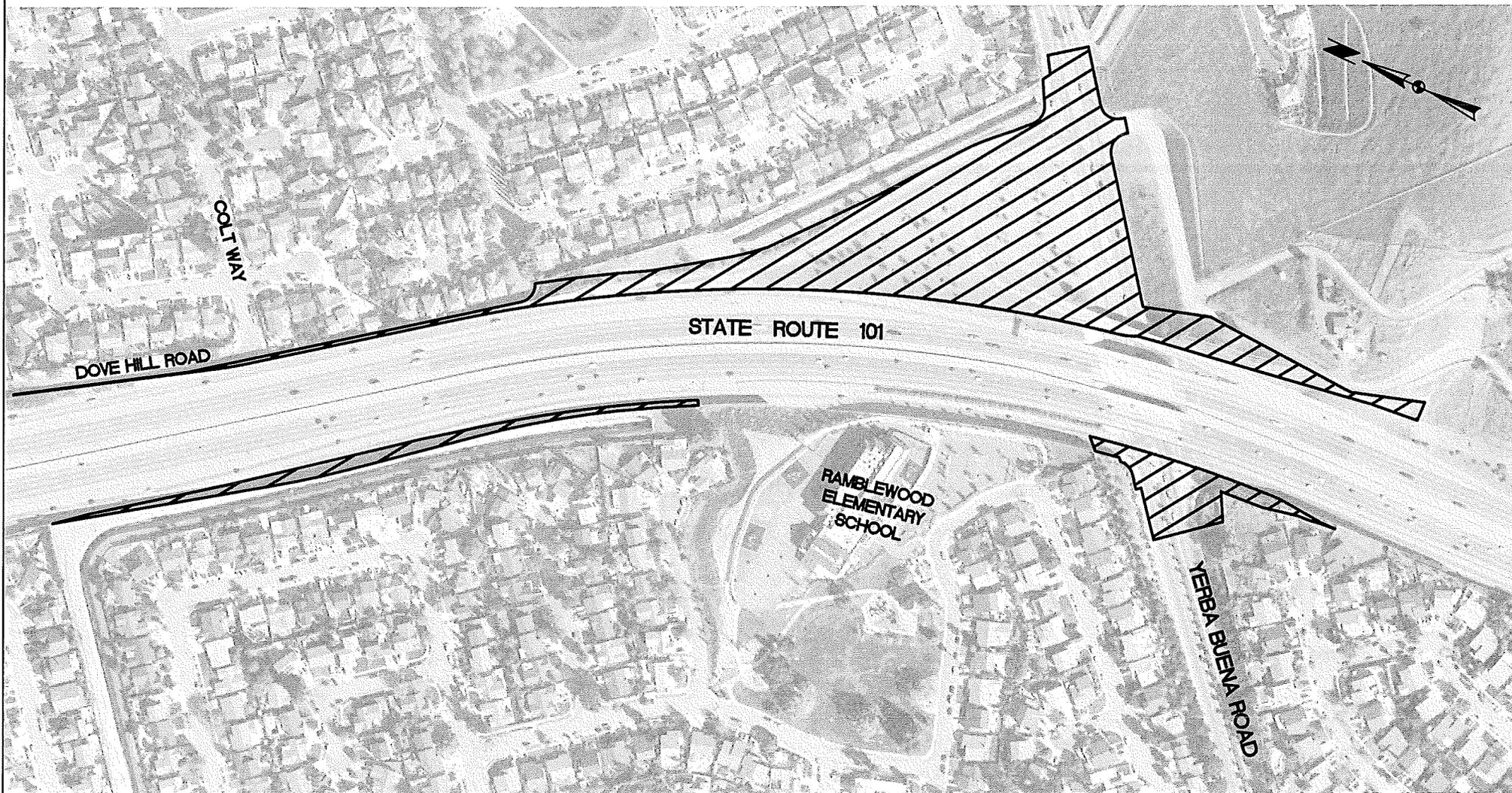
CHUCK REED  
Mayor

ATTEST:

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DENNIS D. HAWKINS, CMC  
City Clerk

# ROUTE 101 IMPROVEMENT PROJECT CAPITOL EXPRESSWAY TO YERBA BUENA ROAD



 SURPLUS PROPERTY

SCALE: 1"=300'

DRAFT--Contact the Office of the City Clerk at (408) 535-1260 or [CityClerk@sanjoseca.gov](mailto:CityClerk@sanjoseca.gov) for final document.

Department of Transportation  
December 2011