

RESOLUTION NO. _____

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN JOSE SETTING A PUBLIC HEARING TO CONSIDER WHETHER TO VACATE CHABOLLA ALLEY BETWEEN NORTH SAN PEDRO STREET AND TERRAINE STREET

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

SECTION 1. Pursuant to Chapter 3 of Part 3 of Division 9 of the Streets and Highways Code of the State of California, the City Council desires to initiate proceedings to vacate Chabolla Alley between North San Pedro Street and Terraine Street. The alley proposed for vacation is more particularly described in Section 6 of this Resolution.

SECTION 2. Notice is hereby given that the City Council will conduct a public hearing on the proposed vacation at 1:30 p.m., or as soon thereafter as the matter can be heard, on the 18th day of December, 2012, in the Council Chambers located at City Hall on 200 East Santa Clara Street, San José, California. At the public hearing, all persons interested in, or objecting to, the proposed vacation may appear and be heard. The City Council will consider all evidence presented at the hearing in order to determine whether to vacate Chabolla Alley.

SECTION 3. On November 9th, 2012, the Director of Public Works approved the plat map entitled "Plat To Accompany Description For Vacation Of Chabolla Alley Between North San Pedro Street and Terraine Street" (hereinafter "Plat Map"). The Plat Map shows Chabolla Alley proposed for vacation. The City Clerk is directed to file the Plat Map in the Office of the City Clerk and to make it available for examination by any persons desiring to do so.

SECTION 4. The City Clerk is further directed to cause this Resolution to be published in its entirety for at least two successive weeks prior to the public hearing in a newspaper of general circulation in the City of San José.

SECTION 5. The Director of Public Works is directed to cause notices of the proposed vacation to be posted as conspicuously along the line of alley proposed to be vacated. The notices shall be posted at least two (2) weeks before the date set for the public hearing. Such notices shall be posted not more than 300 feet apart, but at least three (3) notices shall be posted. The notices shall state the passage of this Resolution and the time and place of the public hearing.

SECTION 6. The alley proposed to be vacated is all that real property situated in the City of San Jose described as follows:

BEGINNING AT THE INTERSECTION OF THE SOUTHWESTERLY LINE OF NORTH SAN PEDRO STREET AND THE NORTHWESTERLY LINE OF CHABOLLA ALLEY AS SHOWN ON THAT CERTAIN MAP ENTITLED "RECORD OF SURVEY OF A PORTION OF CHABOLLA ALLEY" RECORDED APRIL 27TH, 1949 IN BOOK 23 OF MAPS, PAGE 1 OF RECORDS OF SANTA CLARA COUNTY;

THENCE SOUTH 30° 39' 00" EAST, ALONG LAST MENTIONED SOUTHWESTERLY LINE, A DISTANCE OF 30.00 FEET TO THE SOUTHEASTERLY LINE OF SAID CHABOLLA ALLEY;

THENCE SOUTH 59° 21' 00" WEST, A DISTANCE OF 159.18 FEET;

THENCE SOUTH 87° 53' 00" WEST, A DISTANCE OF 48.03 FEET;

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THENCE SOUTH 60° 32' 05" WEST, A DISTANCE OF 98.70 FEET, TO THE NORTHEASTERLY SIDE OF TERRAINE STREET, AS SAID STREET IS SHOWN UPON SAID MAP;

THENCE NORTH 30° 43' 30" WEST ALONG SAID SOUTHEASTERLY LINE, A DISTANCE OF 16.86 FEET TO THE NORTHWESTERLY LINE OF CHABOLLA ALLEY;

THENCE NORTH 60° 32' 05" EAST, ALONG LAST MENTIONED NORTHWESTERLY LINE, A DISTANCE OF 104.63 FEET;

THENCE NORTH 79° 17' 10" EAST, CONTINUING ALONG THE NORTHWESTERLY LINE OF CHABOLLA ALLEY, A DISTANCE OF 28.38 FEET;

THENCE NORTH 59° 21' 00" EAST, A DISTANCE OF 168.80 FEET TO THE POINT OF BEGINNING, CONTAINING 7,408 SQUARE FEET (0.17 ACRES) MORE OR LESS.

RD:VMT
11-15-12

ADOPTED this _____ day of _____, 2012, by the following vote:

AYES:

NOES:

ABSENT:

DISQUALIFIED:

CHUCK REED
Mayor

ATTEST:

DENNIS D. HAWKINS, CMC
City Clerk