

RESOLUTION NO. 73907

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN JOSE APPROVING THE SALE OF A WATER LINE EASEMENT TO KB HOMES SOUTH BAY, AND AUTHORIZING THE DIRECTOR OF PUBLIC WORKS TO EXECUTE CERTAIN DOCUMENTS NECESSARY TO COMPLETE THE TRANSFER OF THE EASEMENT

WHEREAS, KB Homes South Bay (“KB Homes”) is developing a 105 single-family detached residential unit development on the south side of William Street west of McLaughlin Avenue, and is constructing a new public street, South 22nd Street, as part of the new development; and

WHEREAS, KB Homes requires a 2,402 square foot easement in an area approximately 160 feet long by 15 feet wide at the southernmost part of the City-owned Martin Landfill, between Forestdale Avenue and the proposed South 22nd Street, and as depicted in Exhibit A of this resolution, as a water line easement in order to provide sufficient water flow required by the San José Fire Department for the residential development; and

WHEREAS, the City of San José desires to sell the water line easement to KB Homes for the amount of \$159,733;

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

1. The sale of a water line easement over a City-owned landfill, as depicted in Exhibit A of this resolution, to KB Homes South Bay in the amount of \$159,733 for the installation and extension of a water line to the existing Forestdale Avenue waterline, is approved.
2. The Director of Public Works is authorized to execute any documents necessary to complete the transfer of the easement.

ADOPTED this 26th day of June, 2007, by the following vote:

AYES:	CAMPOS, CHIRCO, CHU, CONSTANT, CORTESE, LICCARDO, NGUYEN, OLIVERIO, PYLE, WILLIAMS; REED
NOES:	NONE
ABSENT:	NONE
DISQUALIFIED:	NONE

CHUCK REED
Mayor

ATTEST:

LEE PRICE, MMC
City Clerk