

RESOLUTION NO. 74383

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN JOSE DECLARING CERTAIN CITY-OWNED PROPERTY AS SURPLUS TO THE NEEDS OF THE CITY AND AUTHORIZING THE DIRECTOR OF PUBLIC WORKS TO EXECUTE AN AGREEMENT TO SELL AND ALL NECESSARY DOCUMENTS NECESSARY TO TRANSFER FEE TITLE TO THE COUNTY OF SANTA CLARA FOR EXPRESSWAY PURPOSES WITH A RESERVATION OF EASEMENTS FOR THE PURPOSES OF STORM DRAINS AND CATCH BASINS CROSSING THE TRANSFERRED PROPERTY.

WHEREAS, Section 4.20.060 (B) 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 enter into a negotiated sale of the property to any governmental entity; and

WHEREAS, the City owns a parcel of property, as shown on Exhibit "A" attached hereto, comprising approximately 5,303 square feet adjacent to Capitol Expressway, which will be used to widen Capitol Expressway in order to provide direct access to and from the Seven Trees Community Center and Branch Library ; and

WHEREAS, transfer of the City Property will result in significant public benefits including improved access to the Seven Trees Community Center and Branch Library, and relief of any maintenance responsibilities by the City.

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

1. The Property described on Exhibit "B" attached hereto is not needed for municipal purposes, and the public interest would be served by the transfer of such surplus real property; and
2. The transfer of fee title to the County of Santa Clara as a donation to the County for expressway purposes, with a reservation of easement(s) for storm drains and catch basins, is approved; and
3. The Director of Public Works is further authorized to execute on behalf of the City all other documents necessary for the transfer of City Property to the County of Santa Clara.

ADOPTED this 20th day of May, 2008, by the following vote:

AYES: CAMPOS, CHIRCO, CHU, CORTESE, LICCARDO,
NGUYEN, OLIVERIO, PYLE, WILLIAMS, REED

NOES: NONE.

ABSENT: CONSTANT.

DISQUALIFIED: NONE.

CHUCK REED
Mayor

ATTEST:

LEE PRICE, MMC
City Clerk