

RESOLUTION NO. 74582

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN JOSÉ DECLARING .05 ACRES OF CITY-OWNED PROPERTY AT THE SOUTHEAST CORNER OF SANTA TERESA STREET AND COLEMAN AVENUE AS SURPLUS TO THE NEEDS OF THE CITY, APPROVING THE DONATION AGREEMENT FOR EXECUTION BY THE CITY CLERK, AND AUTHORIZING THE DIRECTOR OF PUBLIC WORKS TO EXECUTE ALL NECESSARY DOCUMENTS TO COMPLETE THE TRANSFER TO THE COUNTY OF SANTA CLARA

WHEREAS, Section 4.20.060 (B) (2) of the San José 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 disposition of such property to other governmental entities; and

WHEREAS, the City owns a parcel of property, as shown on Exhibits“A” attached hereto, at the southeast corner of Santa Teresa Street and Coleman Avenue comprising approximate .05 acre; and

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

WHEREAS, donation of the property will relieve the City of maintenance and liability for the parcel;

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

1. The Property as shown on Exhibit “A” is not needed for, nor adaptable to, municipal purposes, and the public interest would be served by the transfer of such surplus real property to the County of Santa Clara for public purposes; and
2. The Agreement for Donation of Surplus City-Owned Real Property to the County of Santa Clara is approved; and
3. The City Clerk is authorized to execute the Donation Agreement on behalf of the City and the Director of Public Works is further authorized to execute on behalf of the City all other documents necessary to implement the Donation Agreement and to complete the transfer of City Property to the County of Santa Clara.

ADOPTED this 16th day of September, 2008, by the following vote:

AYES: CHIRCO, CHU, CONSTANT, CORTESE, LICCARDO,
NGUYEN, OLIVERIO, PYLE, WILLIAMS; REED.

NOES: NONE.

ABSENT: CAMPOS.

DISQUALIFIED: NONE.

CHUCK REED
Mayor

ATTEST:

LEE PRICE, MMC
City Clerk