

RESOLUTION NO. 75194

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN JOSE DECLARING CERTAIN CITY-OWNED PROPERTY LOCATED AT SENTER ROAD NORTH OF CAPITOL EXPRESSWAY AS SURPLUS TO THE NEEDS OF THE CITY, APPROVING THE SALES AGREEMENT, AND AUTHORIZING THE DIRECTOR OF GENERAL SERVICES TO EXECUTE ALL RELATED DOCUMENTS NECESSARY FOR THE TRANSFER OF SUCH PROPERTY TO THE ADJACENT PROPERTY OWNER, SENTER ROAD SERVICE STATION LP.

WHEREAS, Section 4.20.050 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 private sale of such land for fair market value to adjoining owners; and

WHEREAS, the City owns a parcel of property, as shown on Exhibits "A" and "B" attached hereto, which is along Senter Road, comprising approximately .067 acre; and

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

WHEREAS, the fair market value of the subject parcel was determined to be One Hundred Two Thousand One Hundred Forty-Eight and 00/100 Dollars (\$102,148.00); and

WHEREAS, transfer of the City Property will result in significant public benefits including return of the property to the property tax rolls, 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 as shown on Exhibit "A" is not needed for, nor adaptable to, municipal purposes, and the public interest would be served by the sale of such surplus real property; and
2. The Agreement for Sale of Surplus City-Owned Real Property to the adjacent property owner, Senter Road Service Station LP, for a sum of no less than \$102,148, is approved; and

3. The Director of General Services is authorized to execute on behalf of the City all other documents necessary for the transfer of City Property to the adjacent property owners.

ADOPTED this 8th day of December, 2009, by the following vote:

AYES: CAMPOS, CHIRCO, CHU, CONSTANT, HERRERA,
KALRA, LICCARDO, NGUYEN, OLIVERIO, PYLE, REED.

NOES: NONE.

ABSENT: NONE.

DISQUALIFIED: NONE.



CHUCK REED
Mayor

ATTEST:



LEE PRICE, MMC
City Clerk