



CITY COUNCIL ACTION REQUEST

Department(s): Office of Economic Development	CEQA: Determination of Consistency with the FMC/Coleman Avenue EIR (SCH# 1999122059), the Airport West Stadium and Great Oaks Place Project EIR (SCH# 2009052053), the General Plan 2040 FEIR (SCH# 2009072096), the General Plan 2040 FSEIR (SCH# 2009072096), and addenda thereto.	Coordination: CAO, CMO-Budget Office, PW, PBCE	Dept. Approval: /s/ Nanci Klein
Council District(s): 3			CMO Approval:  9/23/2020

SUBJECT: PERMANENT WATER EASEMENT BETWEEN THE CITY OF SAN JOSE AND SAN JOSE WATER COMPANY

RECOMMENDATION:

Adopt of a resolution authorizing the City Manager, or his designee, to execute all documents necessary for a permanent water easement agreement with the San Jose Water Company to install water facilities on a portion of APN 230-46-085 in support of the Coleman Highline Project construction.

BASIS FOR RECOMMENDATION:

The Coleman Highline Development Project (“Project”) is located near the Avaya Soccer Stadium on Coleman Avenue in San Jose on a portion of APN 230-46-085 (the “Property”), as described in Exhibit A and depicted in Exhibit B. The Project includes two new office buildings that total 350,000 square feet of leasable space. Work on the property includes surface parking and infrastructure to support the new Project buildings; this work requires granting a permanent easement to the San Jose Water Company (“SJWC”). The proposed easement will allow SJWC to install new water service lines on Earthquake Way, in order to provide and maintain necessary water services for building and fire protection uses.

The Project is currently completing core and shell improvements for each building and needs water services to be installed in order to commission the close-out to allow for tenant improvements to proceed. The cost of preparation of the engineering plans, trenching and installation of the appropriate pipes, connections, and other equipment required for water service to the Project will be paid by the Developer.

The portion of the easement area covering APN 230-46-085 will ultimately become a public right of way when the new streets are completed and declared by the City. Staff considers the proposed easement essential for completing the Coleman Highline development project and does not believe granting the proposed easement right to SJWC will adversely affect the design or operations of future projects.

Commission Recommendation/Input: No commission recommendation or input is associated with this action.

Climate Smart San Jose: The recommendation in this memo has no effect on Climate Smart San José energy, water, or mobility goals.

COST AND FUNDING SOURCE:

This resolution has no fiscal impact. No costs are associated with this action.

FOR QUESTIONS CONTACT: Nanci Klein, Director of Economic Development, at (408) 535-8184.

EXHIBIT "A"
LEGAL DESCRIPTION
FOR: WATER LINE EASEMENTS

Water Line Easements situated in the City of San Jose, County of Santa Clara, State of California, being a portion of Adjusted Parcel B as described in the Lot Line Adjustment Permit recorded on June 22, 1999 as Document No. 14867793, Official Records of Santa Clara County, being more particularly described as follows:

AREA 1

BEGINNING at a point on the southwesterly easement line of that certain twenty foot (20.00') wide Water Line Easement described as Strip 2, said point also being the southerly terminus of said Strip 2 centerline described as South 32° 25' 10" West 361.50 feet in the Easement Agreement by and between the City of San Jose and San Jose Water Company recorded on March 7, 2017 as Document No. 23597764, Official Records of Santa Clara County;

Thence along said southwesterly easement line North 57° 34' 50" West 10.00 feet to the northwesterly line of said Strip 2;

Thence leaving said southwesterly line and continuing along the following two (2) courses and distances:

1. South 32° 25' 10" West 47.90 feet;
2. North 57° 34' 50" West 56.02 feet to the southeasterly line of Lot "D" as described in the Grant Deed recorded on October 25, 2018 as Document No. 24049727, Official Records of Santa Clara County;

Thence along said southeasterly line South 32° 25' 10" West 20.00 feet;

Thence leaving said southeasterly line and continuing the following three (3) courses and distances:

1. South 57° 34' 50" East 56.02 feet;
2. South 32° 25' 10" West 169.83 feet;
3. North 57° 34' 50" West 56.02 feet to the said southeasterly line of Lot "D";

Thence along said southeasterly line the following two (2) courses and distances:

1. South 32° 25' 10" West 7.13 feet;
2. Along the arc of a tangent curve to the right having a radius of 20.00 feet through a central angle of 41° 57' 43" for an arc distance of 14.65 feet;

Thence leaving said southeasterly line the following four (4) courses and distances:

1. South 57° 34' 50" East 61.14 feet;
2. South 32° 25' 10" West 20.50 feet;

3. South 57° 34' 50" East 20.00 feet;
4. North 32°25'10" East 278.73 feet to said southwesterly line of said Strip 2;

Thence along said southwesterly easement line North 57° 34' 50" West 10.00 feet to the Point of Beginning.

Containing 7,865± Square feet or 0.1806 Acres of land.

AREA 2

BEGINNING at the most westerly corner of that certain Water Line Easement described as Area 1 in the Easement Agreement by and between the City of San Jose and San Jose Water Company recorded on June 18, 2014 as Document No. 22624317, Official Records of Santa Clara County;

Thence North 32° 25' 10" East 15.00 feet along the northwesterly line of said Area 1;

Thence leaving said northwesterly line along the following two (2) courses and distances:

1. North 57° 34' 50" West 10.50;
2. South 32° 25' 10" West 15.00 feet to a point on the northeasterly easement line of said Water Line Easement Strip 2 as described in the Easement Agreement by and between the City of San Jose and San Jose Water Company recorded on March 7, 2017 as Document. No. 23597764, Official Records of Santa Clara County;

Thence along said northeasterly line South 32° 25' 10" East 15.00 feet to the Point of Beginning.

Containing 158 ± Square feet or 0.0036 Acres of land.

As shown on EXHIBIT "B" attached hereto, and by this reference made a part hereof.

Description prepared by Kier & Wright Civil Engineers & Surveyors, Inc.

This legal description was prepared by me or under my direction in accordance with the professional land surveyors act.

3-12-2020
Date


Ryan M Amaya, LS 8134



COLEMAN AVENUE

LINE TABLE		
LINE #	DIRECTION	LENGTH
L1	N57°34'50"W	10.00'
L2	S32°25'10"W	47.90'
L3	N57°34'50"W	56.02'
L4	S32°25'10"W	20.00'
L5	S57°34'50"E	56.02'
L6	S32°25'10"W	169.83'
L7	N57°34'50"W	56.02'
L8	S32°25'10"W	7.13'
L9	S57°34'50"E	61.14'
L10	S32°25'10"W	20.50'
L11	S57°34'50"E	20.00'
L12	N32°25'10"E	278.73'
L13	N57°34'50"W	10.00'
L14	N32°25'10"E	15.00'
L15	N57°34'50"W	10.50'
L16	S32°25'10"W	15.00'
L17	S57°34'50"E	10.50'

LEGEND

---	PROPERTY LINE
- - - -	EASEMENT LINE
DOC.	DOCUMENT
NO.	NUMBER
SQ. FT.	SQUARE FEET
W.L.E.	WATER LINE EASEMENT

CHAMPIONS DRIVE
(61' WIDE FUTURE PUBLIC STREET)

LANDS OF
THE CITY OF SAN JOSE

NEW LOT 5
(DOC. NO. 23864278)

NEW LOT 3
(DOC. NO. 23864278)

NEW LOT 2
(DOC. NO. 23864278)

LOT D
GRANT DEED
(DOC. NO. 24049727)

L8
R=20.00'
D=41°57'43"
L=14.65'

EARTHQUAKES WAY
(90' WIDE FUTURE PUBLIC STREET)

WATER EASEMENT
AGREEMENT "AREA 1"
(DOC. NO. 22624317)

10.50' WATER LINE
EASEMENT AREA 2
(158± SQ. FT.)

POINT OF BEGINNING
W.L.E. AREA 2

20.00' WATER LINE
EASEMENT (STRIP 2)
(DOC. NO. 23597764)



KIER+WRIGHT

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EXHIBIT "B"
WATER LINE EASEMENT
PLAN TO ACCOMPANY
LEGAL DESCRIPTION
SAN JOSE, CALIFORNIA

DATE	DEC., 2019
SCALE	1" = 80'
BY	CJ
JOB NO.	A18034-13
SHEET	1 OF 1