

CITY COUNCIL ACTION REQUEST

Department: PBCE	CEQA: Envision 2040 General Plan FEIR, Supplemental Program EIR, and addenda thereto.	Coordination: City Attorney and Santa Clara County LAFCO	Dept. Approval: /s/ Rosalynn Hughey
Council District: 10			CMO Approval:  6-6-19

SUBJECT: INITIATE PROCEEDINGS FOR THE ANNEXATION OF SNELL No. 31

RECOMMENDATION:

Adopt a resolution initiating proceedings and setting Tuesday, June 25, 2019 at 1:30 p.m., or soon thereafter as the matter may be heard, for City Council consideration of the reorganization of territory designated as Snell No. 31, which involves the annexation to the City of San José of approximately 30.9-gross acres of land generally bordered by Martial Cottle Park to the north and west, Chynoweth Avenue to the south, and Snell Avenue to the east, and the detachment of the same from the appropriate special districts including Central Fire Protection, and Area No. 01 (Library Services) County Service.

BASIS FOR RECOMMENDATION:

Martial Cottle Park is a County park located in the Edenvale area of the City, and is generally bounded by Branham Lane to the north, Highway 85 and Chynoweth Avenue to the south, Snell Avenue to the east, and the Vistapark Drive/Hyde Park Drive residential neighborhood to the west. With the exception of the subject 30.9-acre parcel at the northwest corner of the intersection of Chynoweth Avenue and Snell Avenue, the entire park was annexed into the City boundaries in 2013 (City Council Resolution No. 76734). The subject parcel had been planned to be included in the park; however, the property was subject to the Life Estate of Mr. Martial Cottle Lester and was not annexed with the remainder of the park in 2013. The life estate expired in 2015, and the County is requesting to annex the parcel into the City. The annexation is required as follows: (i) to allow connection to City services such as water and sewer; (ii) to allow roadway safety improvements along Chynoweth Avenue and Snell Avenue, to be constructed as a portion of the street right-of-way along the subject parcel within the County boundary; and (iii) to bring the parcel into the City boundaries with the larger parcel annexation.

This annexation proposal is being conducted in accordance with Section 56662 of the California Government Code for annexations that have consent of all landowners and for which no public hearing or notice is required. Additionally, there are no inhabitants on the subject site, which constitutes uninhabited territory (California Government Code Section 56046 defines uninhabited territory as territory with 11 or fewer residents). A full report will be provided to the Council in conjunction with their consideration of the ordering annexation on June 25, 2019.

OUTCOME:

Upon completion of the annexation/reorganization proceedings, the approximately 30.9-gross acre area of unincorporated Santa Clara County designated as Snell No. 31 will be within the incorporated area of the City of San José. This territory would then be eligible to connect to City's infrastructure and municipal services.

COST AND FUNDING SOURCE:

No costs associated with this action.

FOR QUESTIONS, CONTACT: Robert Manford, Deputy Planning Director, (408) 535-7900

Attachments: Legal Description and Plat Map

24-99045
10/15/03
THM

LEGAL DESCRIPTION
* PARCEL 1 - LESTER LIFE ESTATE
30.9 +/- ACRE PARCEL

All that certain real property situate in the County of Santa Clara, State of California described as follows:

BEGINNING at a point on the centerline of Snell Avenue distant thereon North 0°15' West 153.00 feet from the intersection thereof with the centerline of Chynoweth Avenue as shown on that certain map of Tract No. 4926 Montecito which map was filed for record in Book 282 of Maps, at Pages 20, 21 and 22, Santa Clara County Records;

Thence, leaving said **POINT OF BEGINNING** and said centerline of Snell Avenue, South 89°50'46" West 1105.03 feet;

Thence, North 03°08'53" West, 205.93 feet;

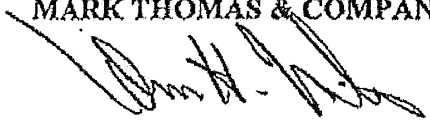
Thence, North 00°03'29" East 996.78 feet;

Thence, North 88°54'31" East 1110.20 feet to a point on said centerline of Snell Avenue;

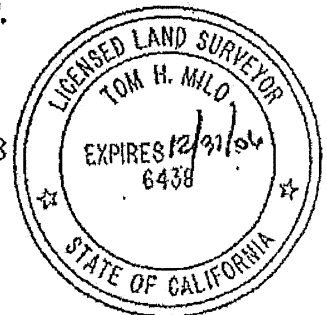
Thence, along said centerline, South 00°15'00" East 1220.58 feet to the **POINT OF BEGINNING**.

Containing 30.94 acres of land, more or less.

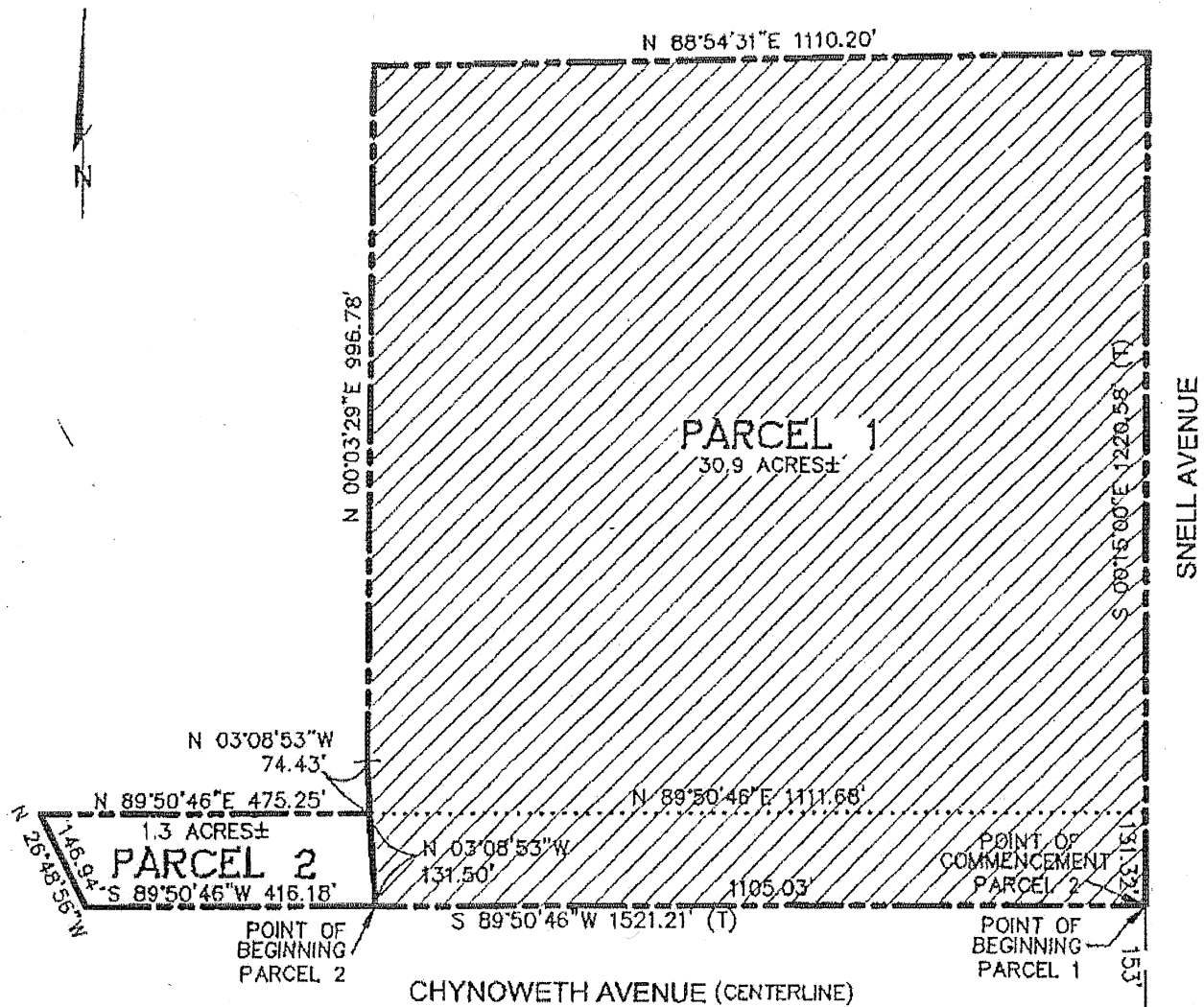
MARK THOMAS & COMPANY, INC.


Tom H. Milo
Expiration Date

L.S. No. 6438
12/31/2006



CITY OF SAN JOSE
COUNTY OF SANTA CLARA
STATE OF CALIFORNIA



PLAT TO ACCOMPANY DESCRIPTION OF PARCEL 1 LESTER LIFE ESTATE			
MARK THOMAS & COMPANY, INC. Providing Engineering, Surveying, and Planning Services 90 ARCHER ST SAN JOSE, CA. 95112 (408) 453-5373			
DESIGNED BY DCJ	APPROVED ON 10-15-03	JOB NO. 24-99046	SHEET 1 OF 1
CHKD BY THW	BY TOM H. MILO	FILE NO. #	
DATE 10/15/2003	L.S. NO. 6438 EXP. 12/31/08		
SCALE 1"=250'			