

RESOLUTION NO.

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN JOSE DECLARING A PORTION OF THE CITY-OWNED CHAMPIONS WAY PROPERTY (APN 230-59-002) AS SURPLUS TO THE NEEDS OF THE CITY

WHEREAS, the City of San José (“City”) owns a portion of Champions Way in fee simple (portion of APN 230-59-002), as depicted in the memorandum to the City Council from Nanci Klein, Director of Economic Development, dated October 27, 2020 (“Property”); and

WHEREAS, in 2014, the City sold the land that would become the Coleman Highline project to a subsidiary of Hunter Storm, Cap Tranche 2 LLC, and the valuation for that sale included compensation to the City for the future right of way parcels within the development area; however, for convenience, it was decided to have the City retain future rights of way; and

WHEREAS, the Property is a portion of planned roadway located in the City of Santa Clara (“Santa Clara”) and any potential future transfer of the Property would be encumbered with an Emergency Vehicle Access easement to ensure the City’s access to the segment area is perpetually available within Santa Clara; and

WHEREAS, the City has determined that fee ownership of the Property is not needed, nor adaptable to municipal purposes, and that a transfer of the Property will better serve the public interest; and

WHEREAS, following the City Council’s adoption of this Resolution, City staff will notify the appropriate parties, in compliance with California’s Surplus Land Act, that the City has declared the Property as surplus to the needs of the City and not necessary for the

City's use and allow the parties the opportunity to notify the City of their interest in acquiring the Property;

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

The City Council hereby declares a portion of the City-owned Property on Champions Way (a portion of APN 230-59-002) as surplus to the needs of the City and not necessary for the City's use pursuant to Cal. Gov. Code Section 54221(b)(1).

ADOPTED this _____ day of _____, 2020, by the following vote:

AYES:

NOES:

ABSENT:

DISQUALIFIED:

SAM LICCARDO
Mayor

ATTEST:

TONI J. TABER, CMC
City Clerk