


CITY COUNCIL ACTION REQUEST			
Department(s): Office of Economic Development and Cultural Affairs	CEQA: DOC 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), and addenda thereto.	Coordination: CAO, CMO - Budget Office, PW, and PBCE	Dept. Approval: /s/ Nanci Klein
Council District(s): 3			CMO Approval:  9/2/2022
SUBJECT: PERMANENT PUBLIC SERVICE EASEMENT AGREEMENT WITH PACIFIC GAS AND ELECTRIC COMPANY FOR THE COLEMAN HIGHLINE DEVELOPMENT PROJECT			
RECOMMENDATION:			
Adopt a resolution authorizing the City Manager, or designee, to negotiate and execute all documents necessary for a permanent easement agreement with Pacific Gas and Electric Company (PG&E), to install and maintain new electrical and/or communication facilities on a portion of APN 230-46-040 to support construction of the Coleman Highline Development Project (Project).			
BASIS FOR RECOMMENDATION:			
<p>The Project is located near the corner of Coleman Avenue and Airport Boulevard in San José. The Project includes six new office buildings, four new supportive amenity buildings totaling 1.5 million square feet of leasable space, and four parking structures. The easement area is identified as a portion of APN 230-46-040 (property), as described in Exhibit A and depicted in Exhibit B. The permanent easement will allow PG&E and the developer to install and maintain new electrical and communication facilities on the property in order to provide necessary infrastructure for buildings 1 and 2 of the Project.</p> <p>The Project is currently in various stages of completion, with four of the six office buildings occupied. The Project is currently being served by Silicon Valley Power, which originates from Santa Clara's jurisdiction. The electrical load of the project has exceeded Silicon Valley Power's installed capacity. The portion of the Project that remains to be electrified is within the City of San José's jurisdiction, so PG&E will be the provider. The cost of preparing the engineering plans and installing the appropriate facilities, connections, and other equipment required for the Project will be paid by the developer.</p> <p>Staff considers the proposed easement essential for completing the Project and does not believe granting the proposed easement right to PG&E will adversely affect the design or operations of future projects. PG&E will pay the City of San José \$26,820 for the easement, which is determined to be fair market value.</p> <p>Commission Recommendation/Input: No commission recommendation or input is associated with this action.</p> <p>Climate Smart San José: The recommendation in this memorandum has no effect on Climate Smart San José energy, water, or mobility goals.</p>			
COST AND FUNDING SOURCE:			
No costs are associated with this action and revenue for this agreement is estimated at \$26,820.			
FOR QUESTIONS CONTACT: Kevin Ice, Real Estate Manager, at (408) 535-8197.			

Exhibit A
Easement Area Legal Description

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A18049-8
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EXHIBIT "A"
LEGAL DESCRIPTION
PACIFIC GAS & ELECTRIC EASEMENT

ALL THAT CERTAIN REAL PROPERTY SITUATE IN THE CITY OF SAN JOSE, COUNTY OF SANTA CLARA, STATE OF CALIFORNIA, BEING A PORTION OF THE PROPERTY DESCRIBED IN THAT CERTAIN GRANT DEED RECORDED ON AUGUST 05, 1942, IN BOOK 1104, AT PAGE 546, OFFICIAL RECORDS OF SANTA CLARA COUNTY, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE BRASS ROD WITH PUNCH IN MONUMENT BOX "LS 4526", AS SHOWN ON THAT RECORD OF SURVEY FILED FOR RECORD ON JANUARY 8, 2009 IN BOOK 830 OF MAPS AT PAGE 7, OFFICIAL RECORDS OF SANTA CLARA COUNTY;

THENCE ALONG THE CENTERLINE OF COLEMAN AVENUE A 100' WIDE PUBLIC STREET, SOUTH 57° 34' 50" EAST, 621.17 FEET;

THENCE LEAVING SAID CENTERLINE OF COLEMAN AVENUE, NORTH 32° 25' 10" EAST, 67.80 FEET TO A POINT ON THE SOUTHEASTERLY LINE OF THE PROPERTY DESCRIBED IN THAT CERTAIN LEASE AGREEMENT RECORDED ON NOVEMBER 18, 1960 IN BOOK 4985 AT PAGE 682, OFFICIAL RECORDS OF SANTA CLARA COUNTY;

THENCE ALONG THE ARC OF A 50.00 FOOT NON-TANGENT RADIUS CURVE TO THE LEFT, WHOSE CENTER POINT BEARS NORTH 35° 25' 56" EAST, THROUGH A CENTRAL ANGLE OF 29° 44' 20", AN ARC DISTANCE OF 25.95 FEET TO **THE POINT OF BEGINNING**;

THENCE LEAVING SAID SOUTHEASTERLY LINE, ALONG THE FOLLOWING THREE (3) COURSES AND DISTANCES:

- 1) NORTH 32° 24' 56" EAST, 59.50 FEET,
- 2) NORTH 77° 00' 49" EAST, 24.51 FEET,
- 3) SOUTH 57° 34' 50" EAST, 9.63 FEET TO THE WESTERLY RIGHT-OF-WAY LINE OF AIRPORT BLVD (93' WIDE PUBLIC STREET), AS SHOWN ON THAT RECORD OF SURVEY, FILED FOR RECORD ON JUNE 26, 1996, IN BOOK 678 OF MAPS AT PAGES 7-8, OFFICIAL RECORDS OF SANTA CLARA COUNTY;

THENCE ALONG SAID RIGHT-OF-WAY LINE THE FOLLOWING TWO (2) COURSES AND DISTANCES:

- 1) ALONG THE ARC OF A 335.47 FOOT RADIUS NON-TANGENT CURVE TO THE LEFT, WHOSE CENTER POINT BEARS SOUTH 51° 56' 20" EAST, THROUGH A CENTRAL ANGLE OF 05° 44' 19", AN ARC DISTANCE OF 33.60 FEET,
- 2) ALONG THE ARC OF A 50.00 FOOT RADIUS CURVE TO THE RIGHT, THROUGH A CENTRAL ANGLE OF 60° 15' 40", AN ARC DISTANCE OF 52.59 FEET TO **THE POINT OF BEGINNING**.

CONTAINING 1,490 SQUARE FEET OR 0.0342 ACRES OF LAND, MORE OR LESS.

THE BEARING OF SOUTH 57°34'50" EAST TAKEN ON THE MONUMENT LINE OF COLEMAN AVENUE AS SHOWN ON THAT PARCEL MAP FILED FOR RECORD ON SEPTEMBER 1, 2021, IN BOOK 941 OF MAPS AT PAGES 30-36, OFFICIAL RECORDS OF SANTA CLARA COUNTY WAS TAKEN AS THE BASIS FOR ALL BEARINGS SHOWN HEREON.

AS SHOWN ON EXHIBIT "B" ATTACHED HERETO AND BY THIS REFERENCE MADE A PART HEREOF.

KIER & WRIGHT CIVIL ENGINEERS & SURVEYORS, INC.



RODNEY A. STEWART II P.L.S. 9225



12/20/2021
DATE

EXHIBIT B
Map of Easement Area

