

ORDINANCE NO.

**AN ORDINANCE OF THE COUNCIL OF THE CITY OF
SAN JOSE DEDICATING AS PUBLIC RIGHT-OF-WAY
APPROXIMATELY 6,483 SQUARE FEET OF CITY-
OWNED PROPERTY AT THE NORTHERNMOST
TERMINUS OF 21ST STREET**

WHEREAS, Section 1702 of the San José City Charter provides that the City Council of the City of San José (“City”) by ordinance may authorize the opening, establishment and/or maintenance of streets or other public ways in or through any of the public parks, public places or other public property of the City; and

WHEREAS, in December 1951, the City vacated a portion of North 21st Street north of Santa Clara Street, resulting in the San Jose Unified School District (“District”) incorporating the vacated street into the San Jose High School campus; and

WHEREAS, the portion of North 21st Street vacated by the City included approximately 6,483 square feet identified as Parcel E on Exhibit “A” of this Ordinance (“Parcel E”); and

WHEREAS, in 2006, the District conveyed ownership of Parcel E to the City as part of an exchange of various property interests between the parties; and

WHEREAS, Parcel E has curb, gutter and sidewalk improvements, and has, and continues to, function as a street providing vehicle and pedestrian access to Roosevelt Community Center and the Park; and

WHEREAS, the City desires to formally dedicate as public right-of-way Parcel E;

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

The area, Parcel "E", as described in Exhibit A to this Ordinance, is hereby dedicated as public right-of-way and accepted into the City's street system as part of 21st Street.

PASSED FOR PUBLICATION of title this ____ day of _____, 2018 by the following vote:

AYES:

NOES:

ABSENT:

DISQUALIFIED:

SAM LICCARDO
Mayor

ATTEST:

TONY J. TABER, CMC
City Clerk

EXHIBIT " _____ "
DESCRIPTION OF REAL PROPERTY

All that certain Real Property situate in the City of San Jose, County of Santa Clara, State of California, being a portion of Twenty First Street (Formerly Sullivan Avenue) abandoned by Ordinance No. 4011 recorded in Book 2353 of Official Records at Page 296, Santa Clara County and being all of PARCEL "E" as described in that certain GRANT DEED recorded as Document No. 18985508, on June 22, 2006, Santa Clara County Records, being more particularly described as follows:

BEGINNING at a point in the easterly line of said Twenty-First Street distant thereon 364.00 feet northerly from the intersection thereof with the northerly line of Santa Clara Street (80 feet wide) said point being on the southerly terminus of said abandoned portion of Twenty-First Street by said Ordinance No. 4011;

Thence from said point of beginning along the northerly extension of said easterly line of abandoned Twenty-First Street North 30° 45' 00" West, 108.60 feet;

Thence leaving said northerly extension of said easterly line of abandoned Twenty-First Street South 59° 15' 00" West, 60.00 feet to the westerly line of abandoned Twenty-First Street;

Thence along the westerly line of abandoned Twenty-First Street South 30° 45' 00" East, 108.00 feet to the southerly terminus of said abandoned portion of Twenty-First Street;

Thence along said southerly terminus of said abandoned portion of Twenty-First Street North 59° 15' 00" East, 60.00 feet to the point of beginning.

The described property contains approximately 6,483.60 square feet, more or less.

Plat labeled " _____ " to accompany this description and by reference made a part hereof. This description, and plat attached, has been compiled from record data and not a field survey.

The above description of real property was prepared by me, or under my supervision, in conformance with the requirements of Section 8726 (g, k, l, m) of the Business and Professions Code of the State of California.



Steve G. Choy, PLS 6672



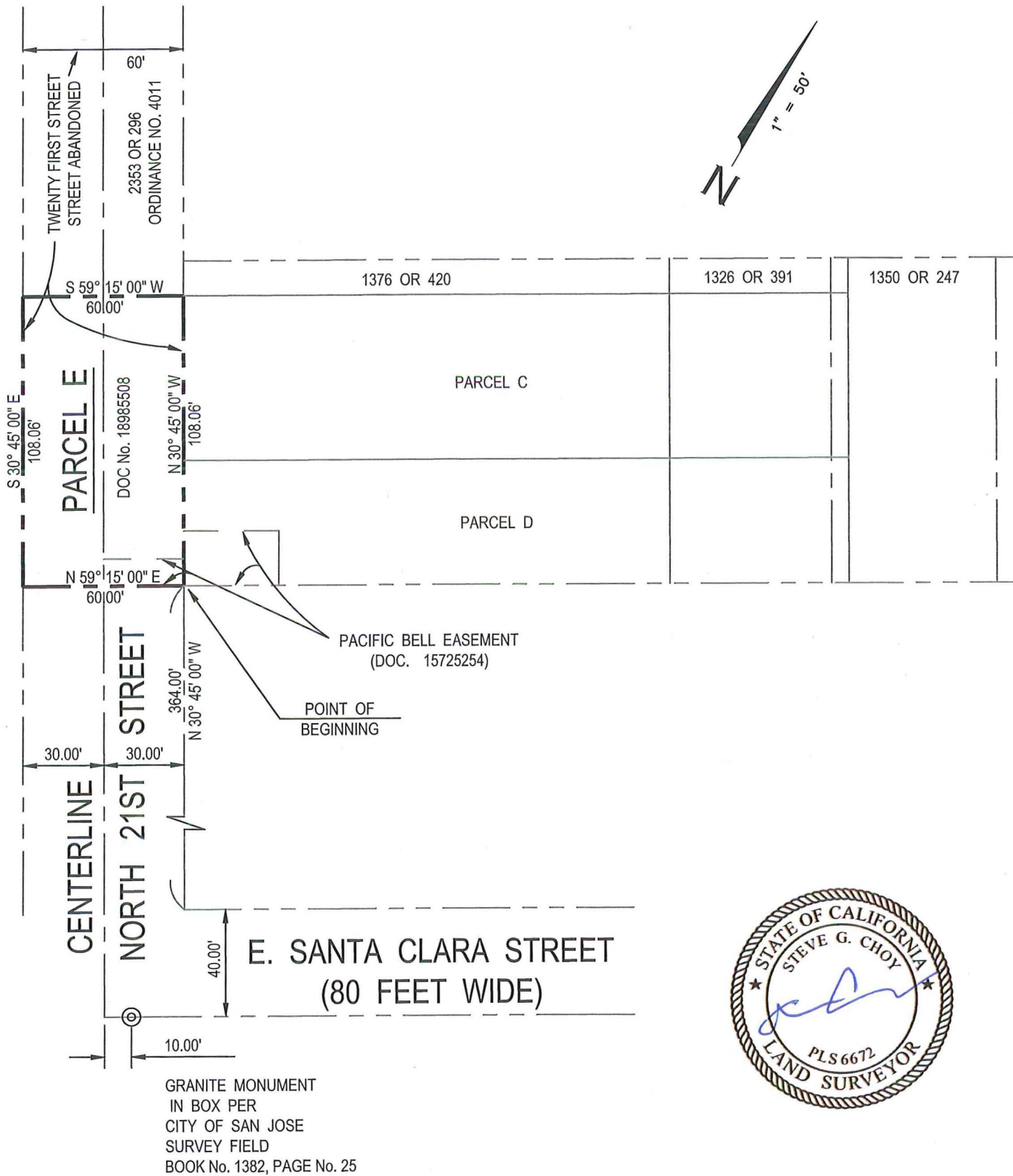


EXHIBIT " "

TO ACCOMPANY

DESCRIPTION OF REAL PROPERTY

PREPARED BY
 CITY OF SAN JOSE
 SURVEY SECTION
 APR. 17, 2018