

ORDINANCE NO.

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SAN JOSE DEDICATING AS PUBLIC RIGHT-OF-WAY APPROXIMATELY 26,610 SQUARE FEET OF CITY-OWNED PROPERTY LOCATED ALONG THE SOUTHERN PROPERTY LINE OF EDENVALE GARDENS PARK AND DEDICATING AS A PUBLIC PARKING EASEMENT APPROXIMATELY 2.658 ACRES OF CITY-OWNED PROPERTY AT THE SOUTHEAST CORNER OF EDENVALE GARDENS PARK

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, there is an existing drive aisle located on the south boundary of Edenvale Gardens Regional Park ("Park") west of Edenvale Avenue, as more particularly described in Attachment 1 to this Ordinance ("Street Area"); and

WHEREAS, there is an existing surface parking lot located at the southeastern corner of the Park, as more particularly described in Attachment 2 to this Ordinance ("Public Parking Area"); and

WHEREAS, the Street Area currently is open to the public and used as a public access route for the Park and adjacent properties, but the City has not formally dedicated the Street Area to general public use; and

WHEREAS, the Public Parking Area currently is open to the public and used as a surface parking lot for the Park, but the City has not formally dedicated the Public Parking Area to general public use; and

WHEREAS, the City desires to formally dedicate the Street Area and Public Parking Area as public easements to ensure the ongoing maintenance of these public facilities in their current usage;

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

1. The Street Area, as described in Attachment 1 to this Ordinance, is hereby dedicated as public right-of-way and accepted into the City's street system as Edenvale Court.
2. The Public Parking Area, as described in Attachment 2 to this Ordinance, is hereby dedicated as an easement in favor of the public to use the surface of the Public Parking Area for vehicle parking and drive aisle purposes, subject to Park regulations as such may be amended from time to time.

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



November 26, 2018
BKF No. 20181196
Page 1 of 1

EXHIBIT "A"
Legal Description

PUBLIC STREET
(Edenvale Garden Park)

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

Being a portion of the lands described in that certain Corporation Grant Deed, conveyed to The City of San Jose, a municipal corporation, recorded on June 29, 1988 in Book K586 at Page 177, Official Records of Santa Clara County, more particularly described as follows:

BEGINNING at the southeasterly corner of said lands of The City of San Jose (K586 O.R. 177), said corner being also a point on the westerly line of Edenvale Avenue, said westerly line being also the westerly 20.00 feet, half street width of Edenvale Avenue;

Thence leaving said corner and along said westerly line of Edenvale Avenue, North $01^{\circ}48'28''$ East, 68.05 feet to the beginning of a non-tangent curve, concave to the northwest, having a Radius of 20.00 feet, with a radial line that bears South $88^{\circ}11'32''$ East;

Thence leaving said westerly line of Edenvale Avenue, southwesterly along said curve, through a central Angle of $90^{\circ}09'00''$, with an arc Length of 31.47 feet to the intersection of a line drawn parallel with and distant 48.00 feet northerly, right angle measurement, from the southerly line of said lands of The City of San Jose;

Thence along said parallel line, North $88^{\circ}02'32''$ West, 532.46 feet to the intersection with the northerly prolongation of the westerly line of said lands of The City of San Jose;

Thence along said prolongation line and said westerly line, South $01^{\circ}57'30''$ West, 48.00 feet to said southerly line of said lands of The City of San Jose;

Thence along said southerly line, South $88^{\circ}02'32''$ East, 552.64 feet to the point of **BEGINNING**.

Containing an area of 26,610 square feet, more or less.

As shown on plat attached hereto and made a part hereof as **EXHIBIT "B"**.

This legal description was prepared by me, or under my direct supervision, in conformance with the requirements of the Professional Land Surveyors Act.

John Koroyan
John Koroyan
P.L.S. No. 8883

Nov. 26, 2018
Dated



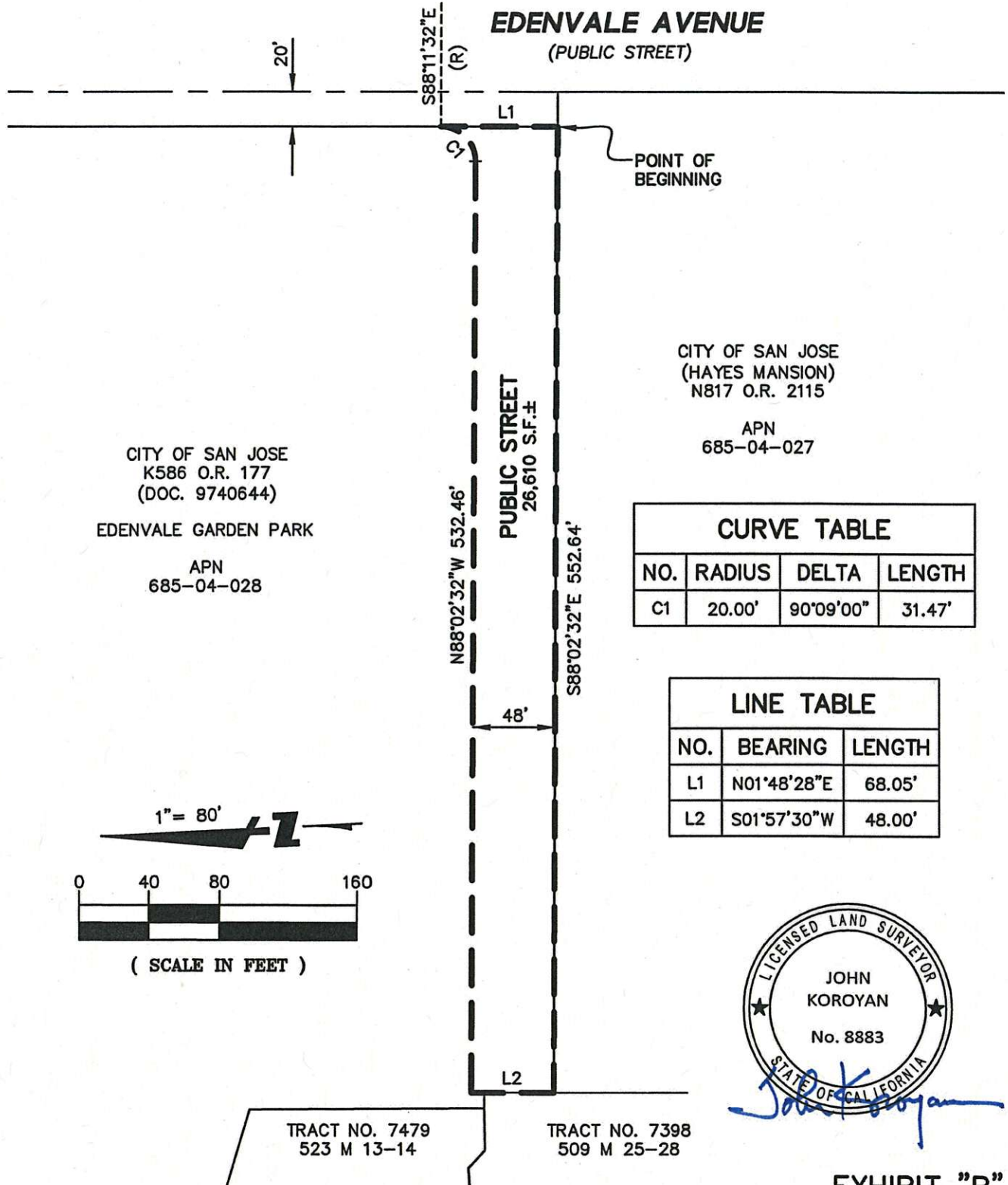


EXHIBIT "B"

K:\2018\181196_HAYES_MANSION\SUR\DWG\PLAT\PUBLIC STREET.dwg PLAT TO ACCOMPANY LEGAL DESCRIPTION



1730 N. FIRST STREET
SUITE 600
SAN JOSE, CA 95112
408-467-9100
408-467-9199 (FAX)

Subject **PUBLIC STREET**
EDENVALE GARDEN PARK, SAN JOSE, CA

Job No. 20181196

By JG Date 11-26-2018 Chkd. JVK

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November 26, 2018
BKF No. 20181196
Page 1 of 2

EXHIBIT "A"
Legal Description

PUBLIC PARKING EASEMENT
(Edenvale Garden Park)

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

Being a portion of the lands described in that certain Corporation Grant Deed, conveyed to The City of San Jose, a municipal corporation, recorded on June 29, 1988 in Book K586 at Page 177, Official Records of Santa Clara County and a portion of the lands described in that certain Corporation Grant Deed, conveyed to The City of San Jose, a municipal corporation, recorded on July 29, 1988 in Book K623 at Page 1512, Official Records of said County, more particularly described as follows:

Beginning at the southeasterly corner of said lands of The City of San Jose (K586 O.R. 177), said corner being also a point on the westerly line of Edenvale Avenue, said westerly line being also the westerly 20.00 feet, half street width of Edenvale Avenue;

Thence leaving said corner and along said westerly line of Edenvale Avenue, North $01^{\circ}48'28''$ East, 68.05 feet to a point, said point being the beginning of a non-tangent curve, concave to the northwest, having a Radius of 20.00 feet, with a radial line that bears South $88^{\circ}11'32''$ East, said point being also the **TRUE POINT OF BEGINNING** of this description;

Thence leaving said point and said westerly line of Edenvale Avenue, the following courses and distances:

- Southwesterly along said curve, through a central Angle of $90^{\circ}09'00''$, with an arc Length of 31.47 feet to the intersection of a line drawn parallel with and distant 48.00 feet northerly, right angle measurement, from the southerly line of said lands of The City of San Jose (K586 O.R. 177);
- Along said parallel line, North $88^{\circ}02'32''$ West, 245.48 feet;
- North $01^{\circ}48'28''$ East, 179.46 feet;
- North $73^{\circ}14'23''$ East, 32.20 feet;
- North $32^{\circ}54'07''$ East, 62.95 feet to the beginning of a tangent curve to the right, having a Radius of 40.00 feet;
- Northeasterly along said curve, through a central Angle of $53^{\circ}09'35''$, with an arc Length of 37.11 feet;
- North $86^{\circ}03'41''$ East, 17.82 feet to the beginning of a tangent curve to the left, having a Radius of 8.50 feet;
- Northeasterly along said curve, through a central Angle of $61^{\circ}14'29''$, with an arc Length of 9.09 feet;
- North $01^{\circ}48'28''$ East, 295.82 feet;
- South $88^{\circ}11'32''$ East, 18.49 feet to the beginning of a non-tangent curve, concave to the southeast, having a Radius of 41.00 feet, with a radial line that bears North $74^{\circ}45'31''$ West;
- Northeasterly along said curve, through a central Angle of $76^{\circ}33'59''$, with an arc Length of 54.79 feet;
- South $88^{\circ}11'32''$ East, 4.91 feet;

EXHIBIT "A"
Legal Description
PUBLIC PARKING EASEMENT
(Edenvale Garden Park)
Page 2 of 2

- North 01°48'28" East, 17.27 feet;
- South 88°11'32" East, 84.80 feet to said westerly line of Edenvale Avenue;

Thence along said westerly line, South 01°48'28" West, 594.84 feet to the **TRUE POINT OF BEGINNING** of this description.

Containing an area of 2.658 acres, more or less.

As shown on plat attached hereto and made a part hereof as **EXHIBIT "B"**.

This legal description was prepared by me, or under my direct supervision, in conformance with the requirements of the Professional Land Surveyors Act.

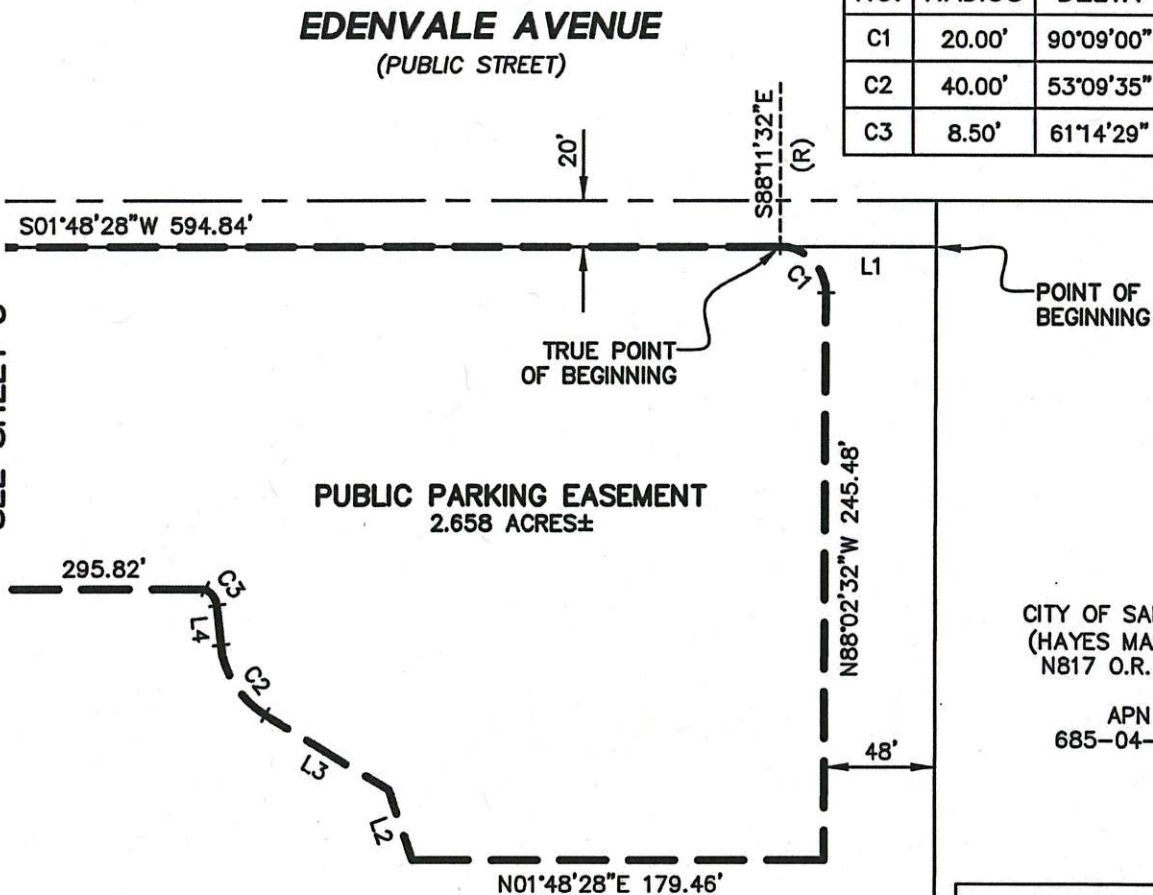
John Koroyan
John Koroyan
P.L.S. No. 8883
Nov. 26, 2018
Dated



CURVE TABLE

| NO. | RADIUS | DELTA | LENGTH |
|-----|--------|-----------|--------|
| C1 | 20.00' | 90°09'00" | 31.47' |
| C2 | 40.00' | 53°09'35" | 37.11' |
| C3 | 8.50' | 61°14'29" | 9.09' |

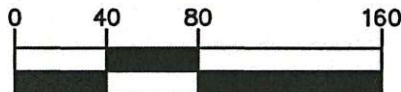
SEE SHEET 3



CITY OF SAN JOSE
K586 O.R. 177
(DOC. 9740644)
EDENVALE GARDEN PARK

APN
685-04-028

1" = 80'



(SCALE IN FEET)

LINE TABLE

| NO. | BEARING | LENGTH |
|-----|-------------|--------|
| L1 | N01°48'28"E | 68.05' |
| L2 | N73°14'23"E | 32.20' |
| L3 | N32°54'07"E | 62.95' |
| L4 | N86°03'41"E | 17.28' |

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PUBLIC PARKING EASEMENT.dwg

EXHIBIT "B"

PLAT TO ACCOMPANY LEGAL DESCRIPTION



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SAN JOSE, CA 95112
408-467-9100
408-467-9199 (FAX)

Subject **PUBLIC PARKING EASEMENT**

EDENVALE GARDEN PARK, SAN JOSE, CA

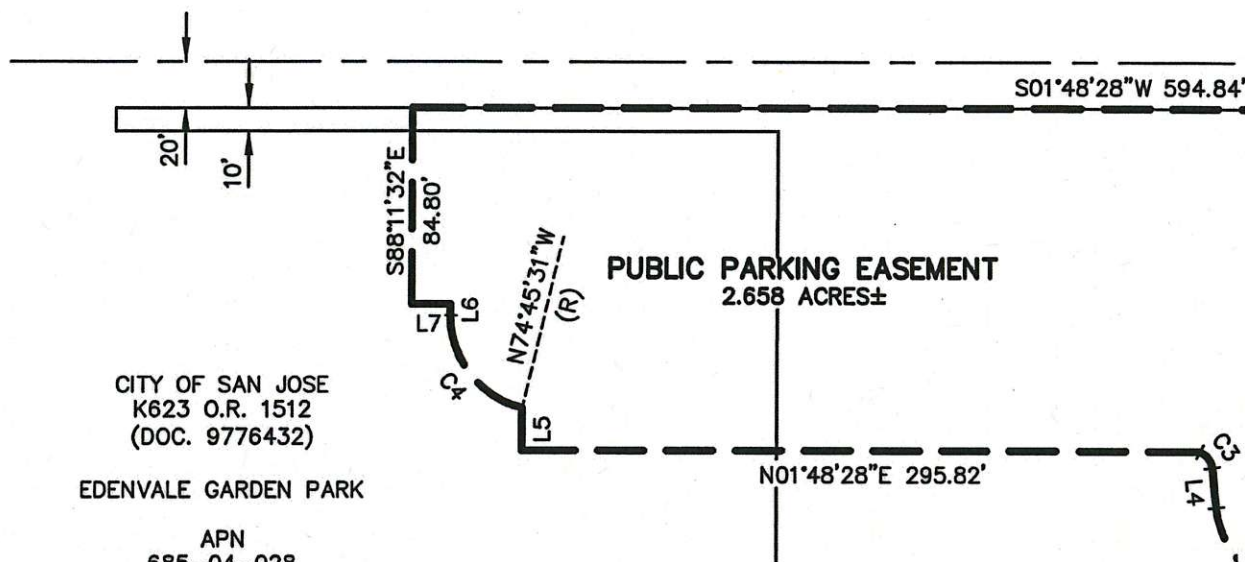
Job No. 20181196

By JG Date 11-26-2018 Chkd. JVK

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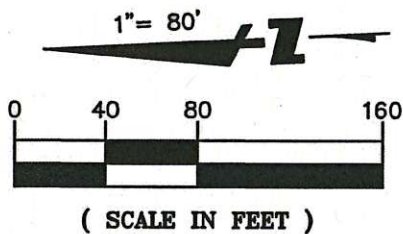
| CURVE TABLE | | | |
|-------------|--------|-----------|--------|
| NO. | RADIUS | DELTA | LENGTH |
| C3 | 8.50' | 61°14'29" | 9.09' |
| C4 | 41.00' | 76°33'59" | 54.79' |

EDENVALE AVENUE
(PUBLIC STREET)



SEE SHEET 2

| LINE TABLE | | |
|------------|-------------|--------|
| NO. | BEARING | LENGTH |
| L4 | N86°03'41"E | 17.28' |
| L5 | S88°11'32"E | 18.49' |
| L6 | S88°11'32"E | 4.91' |
| L7 | N01°48'28"E | 17.27' |



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