

RESOLUTION NO. _____

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN JOSE DECLARING 21,022 SQUARE FEET OF LAND COMPRISED OF THREE SMALL FRAGMENTS OF LAND ON ALMA AVENUE AND WILLOW STREET AS SURPLUS REAL PROPERTY BASED UPON A FINDING AND DETERMINATION THAT THE PUBLIC INTEREST WILL BE SERVED BY THE CONVEYANCE THEREOF AND APPROVING A PURCHASE AND SALE AGREEMENT BETWEEN THE CITY OF SAN JOSE AND SANTA CLARA VALLEY WATER DISTRICT FOR THE SALE OF THE PROPERTIES IN THE AMOUNT OF \$445,000

WHEREAS, the City of San Jose ("City") holds fee ownership of three fragment pieces of real property, approximately 21,022 square feet, located along Alma Avenue and Willow Street, as described in Exhibit A1, A2, and A3 and depicted in Exhibit B1, B2, and B3, attached hereto ("the Properties"); and

WHEREAS, the San José Municipal Code ("Code") authorizes the Council to declare City-owned real property surplus to the needs of the City and to authorize the sale or exchange of such surplus property; and

WHEREAS, Section 4.20.080 of the Code authorizes the City Council to convey any surplus City-owned property to any other governmental or public agency; and

WHEREAS, the City negotiated the sale of the Properties directly with Santa Clara Valley Water District ("SCVWD"), in the amount of \$445,000, which represents the fair market value of the Properties; and

WHEREAS, the City will retain Public Road Easement, Public Service Easement and Public Sidewalk Easement across the Properties; and

WHEREAS, the City desires to approve an agreement for sale of the Properties to SCVWD in the amount of \$445,000, and authorize the execution of all documents necessary to complete the transaction;

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

1. The public interest would be served by the sale of such Properties.
2. The City Manager is authorized to execute a Purchase and Sale Agreement between the City of San Jose and Santa Clara Valley Water District for the sale of the Properties in the amount of \$445,000.
3. The City Manager is authorized to execute a Quitclaim Deed to transfer the Properties to the Santa Clara Valley Water District is hereby approved.

ADOPTED this _____ day of _____, 2019, by the following vote:

AYES:

NOES:

ABSENT:

DISQUALIFIED:

SAM LICCARDO
Mayor

ATTEST:

TONI J. TABER, CMC
City Clerk