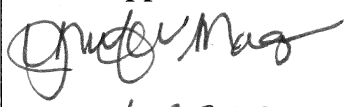


**CITY COUNCIL ACTION REQUEST**

|                                       |  |  |   |
|---------------------------------------|--|--|---|
| <b>Department(s):</b><br>Public Works | <b>CEQA:</b><br>Categorically Exempt,<br>File No. ER19-065,<br>CEQA Guidelines<br>Section 15303 New<br>Construction or<br>Conversion of Small<br>Structures. | <b>Coordination:</b><br>CAO, DOT and OED | <b>Dept. Approval:</b><br>/s/ Matt Cano   |
| <b>Council District(s):</b><br>5      |  |  | <b>CMO Approval:</b><br><br>11-25-19 |

**SUBJECT: APPROVAL OF AN ORDINANCE DESIGNATING ADDITIONAL PUBLIC RIGHT-OF-WAY FOR WIDENING OF MOUNT PLEASANT ROAD**

**RECOMMENDATION:**

Approve an ordinance that will designate an approximately 775 square foot portion of City-owned property located on the west side of Mount Pleasant Road, northwest of Mount Pleasant Court, as public right-of-way.

**BASIS FOR RECOMMENDATION:**

The City is implementing the Mt. Pleasant Pedestrian & Bike Traffic Safety Improvements Project on Mt. Pleasant Road between Rocky Mountain Drive and Mt. Pleasant Court. The project includes construction of a missing sidewalk and enhanced crosswalks. In addition, the project includes upgrading existing curb ramps and street lighting to current standards within the project limit. The project will enhance safety for all modes of transportation and is funded by a grant from the Vehicle Emissions Reductions Based at Schools.

In order to maintain a smooth transition and continuous sidewalk, the project will require an encroachment into a City owned property on the west side of Mt. Pleasant Road. This is an abandoned fire station which is currently vacant (Assessor's Parcel No. 647-24-042.) See attached location map.

The recommended ordinance would result in the designation of public right-of-way boundary in alignment with the actual physical improvements of the Mt. Pleasant Road. The designation is for a piece of land on the southeast corner of the parcel measuring approximately 775 square feet or 0.018 acres.

The City's Office of Economic Development's Real Estate Division was consulted and is in support of the ordinance.

Climate Smart San Jose: The recommendation in this memo has no effect on Climate Smart San Jose energy, water, or mobility goals.

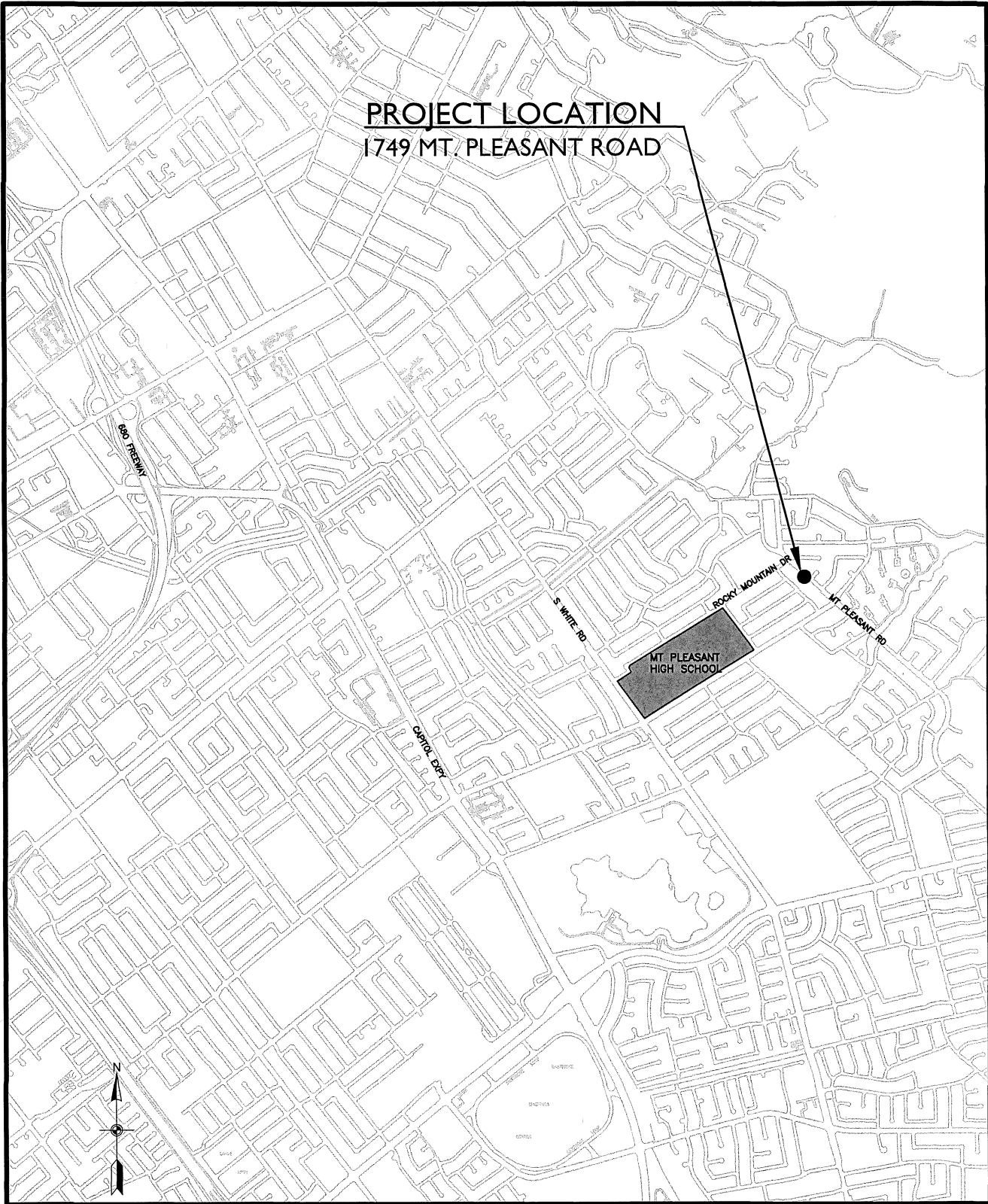
Commission Recommendation/Input: No commission recommendation or input is associated with this action.

**COST AND FUNDING SOURCE:**

There is no purchase cost to the City in establishing City-owned property as part of the public right-of-way.

**FOR QUESTIONS CONTACT:** Michael O'Connell, Deputy Director, (408) 535-8300

Attachment – Location and Site Maps  
 Exhibit "A" – Legal Description  
 Exhibit "A-1" – Plat to accompany Legal Description



LOCATION MAP

**EXHIBIT "A"**  
**LEGAL DESCRIPTION**

All that certain Real Property situate in the City of San José, County of Santa Clara, State of California, being a portion of that parcel of land granted to the City of San José by City Title Insurance Company in that certain grant deed recorded as Document No. 2546294 on December 31, 1963, Santa Clara County Records, and as shown on that Tract Map No. 2450 Mt. Pleasant Unit No. 13 filed for record April 28, 1960 in Book 132 of Maps at Page 7, Santa Clara County Records, and being more particularly described as follows:

**Commencing** at the point of intersection of the Southwesterly line of Mt. Pleasant Road (20-foot half width) with the most Easterly corner of the lands of Borelli, as shown upon said Tract Map No. 2450;

Thence along said Southwesterly line of said Mt. Pleasant Road, South  $49^{\circ} 58' 46''$  East 134.94 feet to the **True Point of Beginning** for this description;

Thence leaving said Southwesterly line, along a tangent curve to the right with a radius of 28.00 feet and a central angle of  $51^{\circ} 35' 29''$ , having an arc length of 25.21 feet;

Thence along a reverse curve to the left with a radius of 38.00 feet, a central angle of  $51^{\circ} 14' 27''$ , and having an arc length of 33.98 feet with a radial bearing of South  $40^{\circ} 22' 16''$  West to the Northerly corner of Parcel A, as shown upon that certain Parcel Map filed for record in the office of the Recorder of the County of Santa Clara, State of California, on December 21, 2004 in Book 779 of Maps, Page 38;

Thence continuing along the projected Northerly line of said Parcel A, North  $57^{\circ} 03' 00''$  East 26.15 feet to said Southwesterly line of Mt. Pleasant Road, as shown upon said Tract Map No. 2450;

Thence along said Southwesterly line, North  $49^{\circ} 58' 46''$  West 59.13 feet, to the **True Point of Beginning**.


The property described above contains approximately 775 square feet (0.018 acres).

This description was prepared from record information and a limited field survey.

Attached hereto and by reference a part hereto is a plat labeled "EXHIBIT A-1 PLAT TO ACCOMPANY LEGAL DESCRIPTION" depicting the subject property.

The Basis of Bearings for this description is the Bearing North 49° 58' 46" West, on the Monument line as shown upon that certain Parcel Map filed for record in the office of the Recorder of the County of Santa Clara, State of California, on December 21, 2004 in Book 779 of Maps, Page 38;

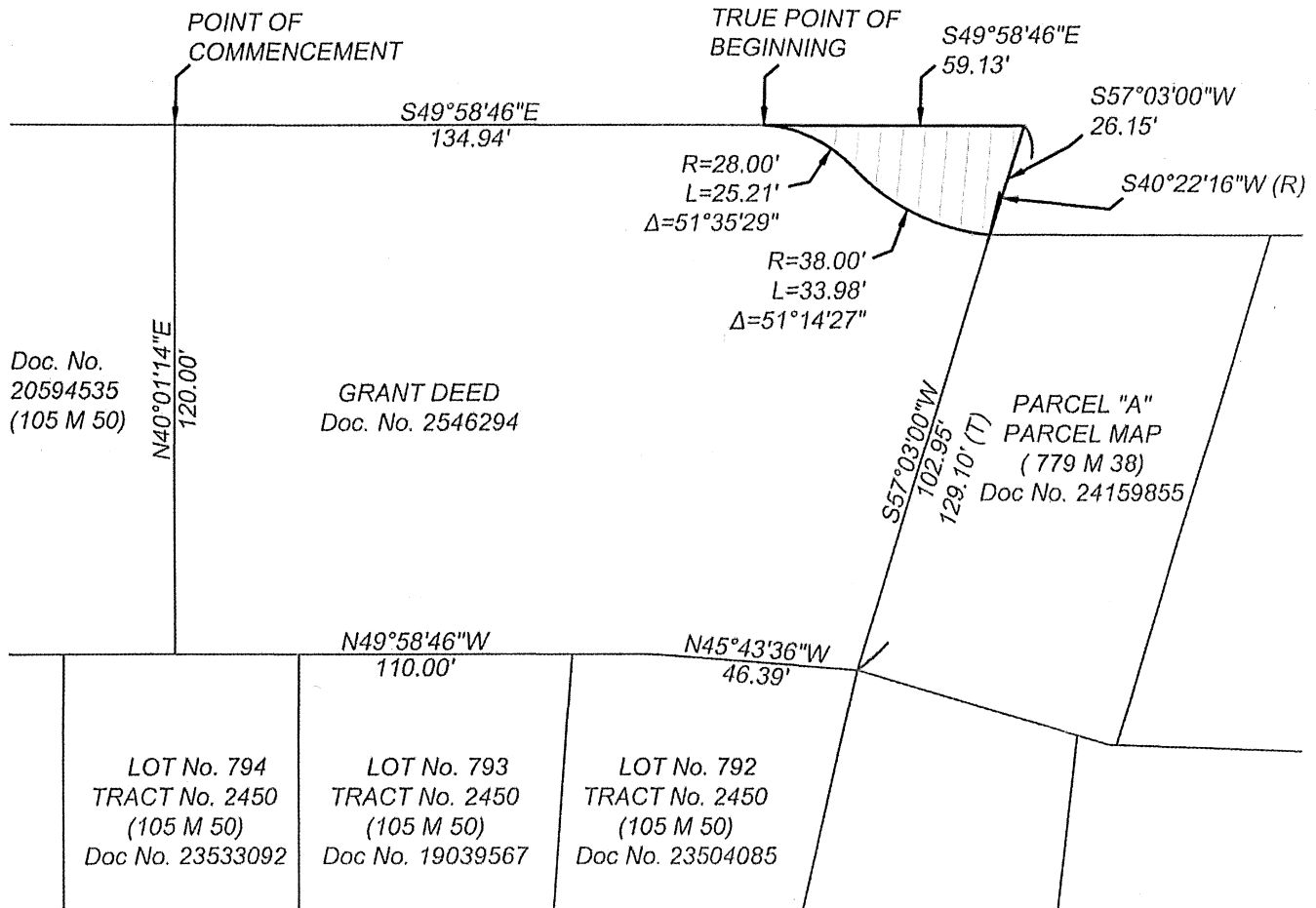
The above description of real property was prepared by me, or under my supervision, in conformance with the requirements of Section 8726 (g, k, l, m) of the Business and Professions Code of the State of California.

  
Steve G. Choy, PLS 6672

TRACT NO. 4719  
( 266 M 38)

MT.  
PLEASANT  
COURT

MT. PLEASANT RD



## LEGEND



AREA FOR PUBLIC STREET EASEMENT  
APPROXIMATELY 775+/- SQ. FT. (0.018 AC.)



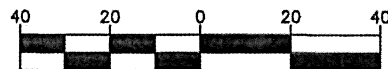
RIGHT OF WAY/PROPERTY LINES

( )

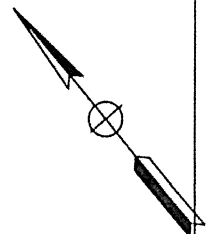
MAP BOOK AND PAGE REFERENCE

(T)

TOTAL DISTANCE



SCALE: 1"=40'

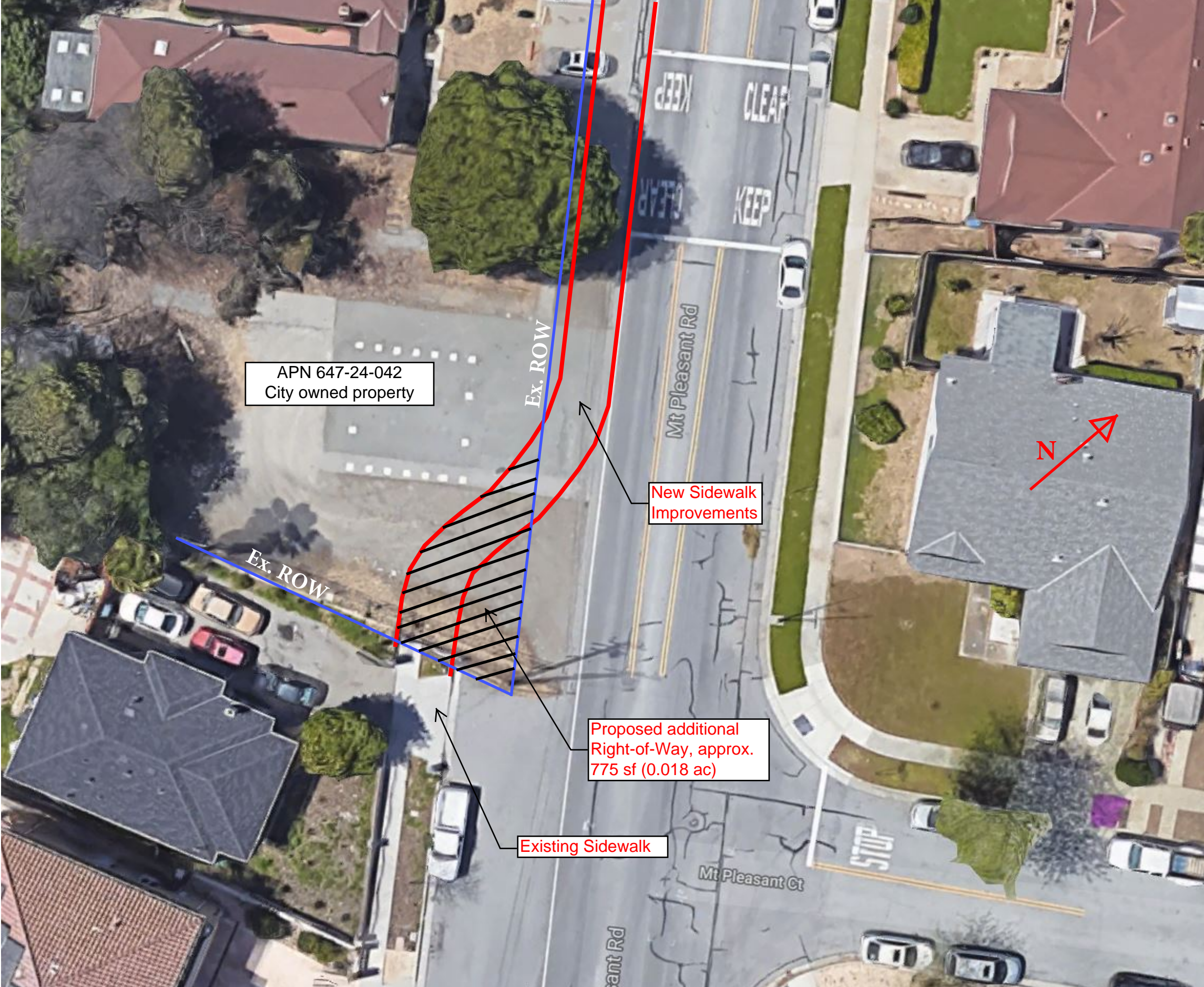


SHEET 1 OF 1

EXHIBIT A-1  
PLAT TO ACCOMPANY  
LEGAL DESCRIPTION

PREPARED BY CITY  
OF SAN JOSE  
SURVEY SECTION  
OCT. 24, 2019





**Site Map**