

RESOLUTION NO.

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN JOSE DECLARING A PORTION OF THE CITY-OWNED CHAMPIONS WAY PROPERTY (APN 230-59-002) AS SURPLUS TO THE NEEDS OF THE CITY

WHEREAS, the City of San José (“City”) owns a portion of Champions Way (APN 230-59-002), as depicted in the memorandum to the City Council from Nanci Klein, Assistant Director of Economic Development; and

WHEREAS, this portion of Champions Way (“Property”) is located in the City of Santa Clara (“Santa Clara”) and is part of the future right of way within the Coleman Highline development project; and

WHEREAS, the City cannot designate the Property as public right of way since it is outside of the City’s jurisdiction; and

WHEREAS, Santa Clara will not accept the service obligation for an orphan road segment that requires travel through San José to access; and

WHEREAS, due to the lack of service on the orphan road, the City proposes to declare this Property as surplus property so that it can sell the Property to the adjacent property owner for use as a private road; and

WHEREAS, the Property would transfer encumbered with an Emergency Vehicle Access easement, which will allow the adjacent property owner to privately maintain the road segment within Santa Clara while ensuring access to the roadway is perpetually available; and

WHEREAS, on January 17, 2020, City staff notified the appropriate parties, in compliance with California's Surplus Land Act, of the City's intention to declare the Property as surplus to the needs of the City and allow the parties the opportunity to notify the City of their interest in acquiring the property;

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

The City Council hereby declares a portion of the City-owned Champions Way property (APN 230-59-002) as surplus to the needs of the City.

ADOPTED this _____ day of _____, 2020, by the following vote:

AYES:

NOES:

ABSENT:

DISQUALIFIED:

SAM LICCARDO
Mayor

ATTEST:

TONI J. TABER, CMC
City Clerk