

RESOLUTION NO. _____

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN JOSE INITIATING REORGANIZATION PROCEEDINGS FOR THE ANNEXATION AND DETACHMENT OF CERTAIN TERRITORY DESIGNATED AS PARKER NO. 28, DESCRIBED MORE PARTICULARLY HEREIN, AND SETTING THE DATE, TIME AND PLACE FOR CONSIDERATION OF SUCH REORGANIZATION

WHEREAS, the City of San José desires to initiate proceedings, pursuant to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000, Division 3, commencing with Section 56000 of the California Government Code, as the same may be amended from time to time, of the annexation of territory designated as Parker No. 28 to the City of San José, and the detachment of certain territory from the Santa Clara County Central Fire Protection District, West Valley Sanitation District, Santa Clara County Lighting Service Area, and Santa Clara County Library Services; and

WHEREAS, this proposal includes an annexation to the City of San José of certain unincorporated territory located within the County of Santa Clara and within the Urban Service Area of said City which is not subject to review by the Santa Clara County Local Agency Formation Commission as provided under Section 56757 of the California Government Code; and

WHEREAS, such territory is known by the short form designation of "**Parker No. 28**," and a description of the boundaries of this territory is set forth in Exhibit "A," entitled "Parker No. 28, Annexation to City of San José, Geographic Description," attached hereto and incorporated herein by this reference, which description is subject to correction or revision as required; and

WHEREAS, a map showing the location of such territory is attached hereto as Exhibit "B" entitled "Parker No. 28 Plat Map" and incorporated herein by this reference; and

WHEREAS, the subject real property, comprising approximately 1.36 acres located on the northeast corner of Calico Avenue and Woodard Road (APN 414-27-018) and covers the adjacent streets including Calico Avenue at the project frontage and approximately 661.3 feet of Woodard Road to the east of Calvin Avenue, and is contiguous to the City of San José and is within the City's Urban Service Area; and

WHEREAS, the subject property currently is receiving or will receive the following benefits from the City, to wit: all municipal services, not limited to street maintenance, street light, law enforcement, sanitary sewer, code enforcement, street sweeping, garbage collection, and fire protection; and

WHEREAS, on April 20, 2021, the City Council adopted Ordinance No. [REDACTED] approving the pre-zoning of a portion of the territory (APN 414-27-018) to the R-1-8 Single-Family Residence Zoning District (under File No. C19-025) and will be so zoned upon its annexation to the City of San José in accordance with Section 20.120.300 of the Zoning Ordinance (Title 20 of the San José Municipal Code); and

WHEREAS, the City of San José is the Lead Agency for environmental review for the reorganization known as "Parker No. 28" under the California Environmental Quality Act of 1970, as amended ("CEQA"); and

WHEREAS, the environmental impacts of this project were addressed by a Final Program Environmental Impact Report entitled, "Envision San José 2040 General Plan," under Planning File No. PP09-011 and findings were adopted by City Council Resolution No. 76041 on November 1, 2011, and the Supplemental Environmental Impact Report for the Envision San José, 2040 General Plan, Greenhouse Gas Reduction Strategy, under Planning File No. PP15-060 and findings were adopted by City Council Resolution No. 77617 on December 15, 2015, and Addenda thereto; and

WHEREAS, the County Surveyor of Santa Clara County has found the real property description of the subject property and the map of the subject property (Exhibits "A" and "B," respectively) to be in accordance with California Government Code Section 56757, the boundaries to be definite and certain, and the proposal to be in compliance with the Santa Clara County's Local Agency Formation Commission's annexation policies; and

WHEREAS, as provided in Government Code Section 56757, the City Council of the City of San José shall be the conducting authority for a reorganization initiated by resolution of the City Council, and the City Council by this resolution is proposing the reorganization described in this Resolution; and

WHEREAS, all owners of land included in this proposal have consented to this annexation; and

WHEREAS, Government Code Section 56662 provides that if a proposal for an annexation is accompanied by proof that all owners of land within the affected territory have given their written consent the City Council may approve or disapprove the annexation without public hearing; and

WHEREAS, this proposal is consistent with the sphere of influence of the City of San José; and

WHEREAS, the reason for the proposed reorganization is as follows: to annex the subject territory and detach the same from special districts to eliminate a duplication of services;

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

That the City Council of the City of San José hereby initiates proceedings for the proposed reorganization of the designated territory described herein and sets May 18, 2021 at 6:30 p.m., via a virtual City Council meeting, as the date, time and place for consideration of such reorganization. This Council is hereby designated as the conducting authority of said proceedings.

ADOPTED this ____ day of _____, 20__, by the following vote:

AYES:

NOES:

ABSENT:

DISQUALIFIED:

SAM LICCARDO
Mayor

ATTEST:

TONI J. TABER, CMC
City Clerk

County of Santa Clara

Planning and Development

Office of the County Surveyor

County Government Center

70 West Hedding Street, E. Wing, 7th Floor

San Jose, California 95110

(408) 299-5730



January 6th, 2021

Mrs. Angela Wang
Planner
City of San Jose
Planning Division
200 E. Santa Clara Street, 3rd Floor
San Jose, CA. 95113

SUBJECT: Parker No. 28 Annexation

Dear Mrs. Wang,

The attached revised description and map dated December 9th, 2020 of territory proposed for annexation to the City of San Jose, entitled **Parker No. 28** is in accordance with Government Code Section 56757 (c) (2). The boundaries of said territory are definite and certain. The proposal is in compliance with the Local Agency Formation Commission's road annexation policies.

Sincerely,

August Hanks, PLS 9274
County Surveyor
amh



Attachment

cc: LAFCO Executive Officer (w/ attachment)
Tuan Au, County Assessor's Office (w/ attachment)

EXHIBIT "A"
PARKER NUMBER 28
ANNEXATION TO CITY OF SAN JOSE
GEOGRAPHIC DESCRIPTION

All that real property, situated in the unincorporated area of the County of Santa Clara, State of California, in Section 2, Township 8 South, Range 1 West, Mount Diablo Base and Meridian, more particularly described as follows:

BEGINNING at the most southeasterly corner of the Parker No. 2A Annexation, said corner also being the most southeasterly corner of Lot 113 of that certain Map entitled, "Tract No. 2209, Calico Homes Unit No. 2", recorded in the Office of the Recorder, Santa Clara County, in Book "97" of maps, at page 41, said point also lying on the northerly line of Woodard Road (60.00 feet wide);

- (1) Thence leaving said annexation and at right angles of said northerly line of Woodard Road South $0^{\circ}06'40''$ West 60.00 feet to a point on the southerly line of Woodard Road as shown on that certain Map entitled, "Tract No. 392, Camden Gardens", recorded in the Office of the Recorder, Santa Clara County, in Book "12" of maps, at page 45,
- (2) Thence along said southerly line of Woodard Road North $89^{\circ}53'20''$ West 661.30 feet to the most southeasterly corner of the Parker No. 22 Annexation;
- (3) Thence along the easterly line of said Parker No. 22 Annexation North $0^{\circ}06'40''$ East 60.00 feet to the northerly line of said Woodard Road;
- (4) Thence along the northerly line of Woodard Road South $89^{\circ}53'20''$ East 174.07 feet to the intersection of the westerly line of Calico Avenue (60.00 feet wide) and the northerly line of Woodard Road (60.00 feet wide);
- (5) Thence along the westerly line of said Calico Avenue North $0^{\circ}05'40''$ West 125.00 feet to the southerly line of the Parker No. 2A Annexation to the City of San Jose;

Thence along the southerly and westerly lines of the Parker No. 2A Annexation, the following four (4) courses.

- (6) North $89^{\circ}53'20''$ East 60.00 feet;
- (7) South $89^{\circ}53'20''$ East 97.00 feet;
- (8) South $0^{\circ}05'40''$ East 125.00 feet;
- (9) South $89^{\circ}53'20''$ East 330.22 feet to the POINT OF BEGINNING and containing 59,304 S.F., more or less.

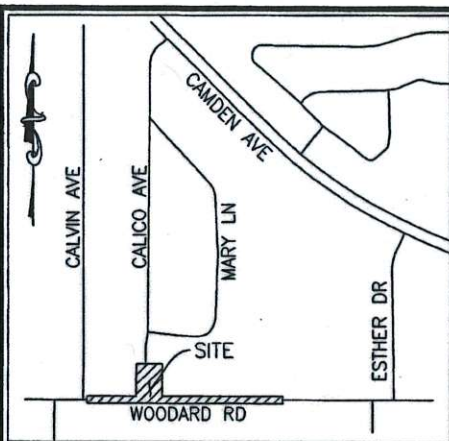
For assessment purposes only. This description of land is not a legal property description as defined in the Subdivision Map Act and may not be used as the basis for an offer for sale of the land described.



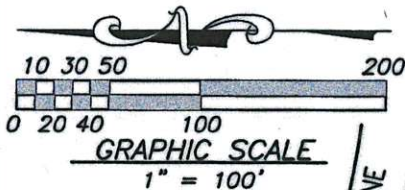
Porfirio Oscar Osuna
President
Osuna Engineering Inc.
PLS 8921



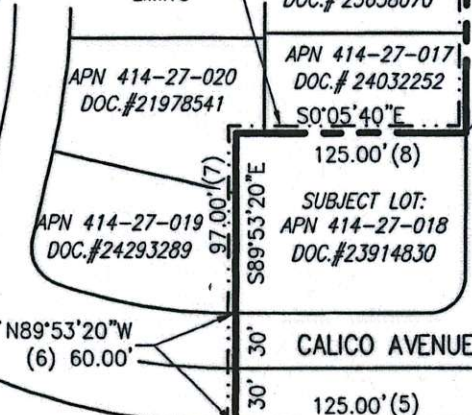
1-08-21



VICINITY MAP
N.T.S.



EXISTING CITY
OF SAN JOSE
LIMITS



NOTES:

1. DISTANCES AND DIMENSIONS ARE SHOWN IN FEET AND DECIMALS THEREOF.
2. THE DISTINCTIVE BORDER LINE DENOTES THE BOUNDARY. THE AREA WITHIN THE DISTINCTIVE BOUNDARY IS 59,299 SF OR 1.361 ACRES

LEGEND

- BOUNDARY LINE OF PROPOSED ANNEXATION
- - - - - EXISTING CITY OF SAN JOSE LIMIT LINE
- CENTERLINE

DISCLAIMER:
FOR ASSESSMENT PURPOSES ONLY. THIS DESCRIPTION OF LAND IS NOT A LEGAL PROPERTY DESCRIPTION AS DEFINED IN THE SUBDIVISION MAP ACT AND MAY NOT BE USED AS THE BASIS FOR AN OFFER FOR SALE OF THE LAND DESCRIBED.

EXHIBIT "B" PARKER NUMBER 28 PLAT MAP

SAN JOSE, CALIFORNIA

DATE: 1/08/21
SCALE: 1"=100'
DRAWN BY: O.O.
CHECKED BY: O.O.
JOB NO.: 1723

OSUNA ENGINEERING, INC.
117 BERNAL RD., #70-336
SAN JOSE, CALIFORNIA
PH (408) 721-2100
PLS NO. 8921
PORFIRIO OSCAR OSUNA



EXHIBIT "B"

(File No. C19-025; Parker No. 28)

