

ORDINANCE NO.

**AN ORDINANCE OF THE COUNCIL OF THE CITY OF
SAN JOSE DEDICATING AS PUBLIC RIGHT-OF-WAY
APPROXIMATELY 299,336 SQUARE FEET OF CITY-
OWNED PROPERTY AS PART OF COLEMAN AVENUE,
EARTHQUAKES WAY, WONDO WAY, AVIATION
AVENUE AND CHAMPIONS WAY.**

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, on August 19, 2003, the City Council adopted Resolution No. 71716 that certified the FMC/Coleman Avenue Project Environmental Impact Report, which analyzed a development project that included the widening of Coleman Avenue and the construction of new streets named Champions Way, Wondo Way, Aviation Avenue and Earthquakes Way on City-owned property (collectively, “New Public Streets”); and

WHEREAS, on February 22, 2012, May 29, 2013 and July 15, 2019, the Director of Planning, Building and Code Enforcement approved Planned Development Permits PD11-002 (“Avaya Stadium”), PD12-019 and PD19-012 (collectively “Coleman Highline” and collectively with Avaya Stadium, the “Land Use Approvals”), respectively, authorizing the development projects that would construct the New Public Streets as a condition of approval; and

WHEREAS, the City subsequently entered into several public improvement agreements with the developers for the Coleman Highline and Avaya Stadium projects that require the developers to construct right-of-way improvements over the New Public Streets as anticipated by the Land Use Approvals; and

WHEREAS, this Ordinance was found to be in conformance with the FMC/Coleman Avenue Environmental Impact Report (Resolution No. 71716), the Airport West Stadium and Great Oaks Place Project Environmental Impact Report (Resolution No. 75309), the Envision San José 2040 General Plan Final Environmental Impact Report (Resolution No. 76041), the Envision San José 2040 General Plan Final Supplemental Environmental Impact Report (Resolution No. 77671), and addenda thereto; and

WHEREAS, the City desires to dedicate as public right-of-way the New Public Streets as anticipated by the Coleman Highline and Avaya Stadium projects;

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

Each of the New Public Streets, as specifically described in Exhibit A and Exhibit B to this Ordinance, iss hereby dedicated as public right-of-way and accepted into the City's street system as part of Coleman Avenue, Earthquakes Way, Wondo Way, Aviation Avenue and Champions Way.

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PASSED FOR PUBLICATION of title this ____day of _____, 2021 by the following vote:

AYES:

NOES:

ABSENT:

DISQUALIFIED:

SAM LICCARDO
Mayor

ATTEST:

TONY J. TABER, CMC
City Clerk

EXHIBIT "A"
LEGAL DESCRIPTION

All that certain real property situated in the City of San Jose, County of Santa Clara, State of California, being a portion of Parcel One and Parcel Two as described in the Grant Deed recorded on January 19, 2011 as Document No. 21052358, Official Records of Santa Clara County and a portion of Adjusted Parcel B as described in the Lot Line Adjustment Permit recorded on June 22, 1999 as Document No. 14867793, Official Records of Santa Clara County said property being more particularly described as follows:

PUBLIC STREET AREA 1 - "EARTHQUAKES WAY"

COMMENCING at the most Easterly corner of said Adjusted Parcel B, said corner being on the southwesterly line of Coleman Avenue, shown as "Proposed Coleman Ave." on that certain Record of Survey filed for on January 25, 1960 in Book 116 of Maps, at Page 18, Official Records of Santa Clara County.

Thence northwesterly along the northeasterly line of said Adjusted Parcel B, also being said southwesterly line of Coleman Avenue, North 57°34'50" West 613.02 feet to the most northerly corner of the property described in the Grant Deed recorded on November 14, 2012 as Document No. 21950036, Official Records of Santa Clara County to the **POINT OF BEGINNING**;

Thence along the general northwesterly line of said Grant deed, South 32°25'10" West 12.46 feet to the northwesterly line of the property described as Parcel One in the Grant Deed recorded on December 9, 2015 as Document No. 23166921, Official Records of Santa Clara County;

Thence continuing along said general northwesterly line of said Grant Deed the following four (4) courses and distances:

1. Along a non-tangent curve to the left, concave to the south, to which point a radial line bears North 22°24'06" East, having a radius of 30.00 feet, through a central angle of 79°58'56", for a distance of 41.88 feet;
2. South 32°25'10" West 735.36 feet;
3. Along the arc of a curve to the right, having a radius of 40.00 feet, through a central angle of 90°00'00", for a distance of 62.83 feet to a point hereon described as Point "A";
4. North 16°30'35" West 92.85 feet to a point on the southwesterly line of the property described as Lot D in the Lot Line Adjustment Permit recorded on October 25, 2018, as Document No. 24049607, Official Records of Santa Clara County;

Thence along the southerly and southeasterly lines of said Lot D and the property described as New Lot 2 in the Grant Deed recorded on February 8, 2018 as Document No. 23864441, Official Records of Santa Clara County the following three (3) courses and distances;

1. Along a non-tangent curve to the left, to which point a radial line bears South 32°25'10" West, having a radius of 20.00 feet, through a central angle of 90°00'00", for a distance of 31.42 feet;

2. North 32°25'10" East 694.36 feet;
3. Along the arc of a curve to the left, having a radius of 30.00 feet, through a central angle of 90°00'00", for a distance of 47.12 feet;

Thence along the northeasterly lines of said New Lot 2 and the properties described as New Lot 5 and New Lot 6 in the Grant Deed recorded on February 8, 2018 as Document No. 23864278, Official Records of Santa Clara County and the property described as Lot A in said Lot Line Adjustment Permit Document No. 24049607, North 57°34'50" West, 1035.59 feet to a point hereon described as Point "B";

Thence leaving said northeasterly line North 32°25'10" East 12.00 feet to the southwesterly line of Coleman Avenue;

Thence southeasterly along said southwesterly line South 57°34'50" East, 1180.37 feet to the Point of Beginning.

Containing 85,860 ± Square Feet or 1.9711± Acres of land.

As shown on Exhibit "B" attached hereto and by this reference made a part hereof.

PUBLIC STREET AREA 2 – "WONDO WAY"

BEGINNING at said Point "A" as defined in said Public Street Area 1 for Earthquakes Way, said point also being on a northeasterly line of the property described as Parcel One in said Grant Deed Document No. 23166921;

Thence leaving said northeasterly line and along the southwesterly line of said Public Street Area 1 "Earthquakes Way", North 16°30'35" West 92.85 feet to a point on the southwesterly line of the property described as Lot D in said Lot Line Adjustment Permit Document No. 24049607;

Thence northwesterly along the southwesterly lines of said Lot Line Adjustment Permit for the properties described as Lot B, Lot C and said Lot D and also along the southwesterly line of Parcel One as described in that Grant Deed recorded on March 15, 2018 as Document No. 23888776, Official Records of Santa Clara County, North 57°34'50" West, 1905.77 feet to a point on the City Limit line for the City of San Jose and City of Santa Clara as shown on said Record of Survey, said point also being North 57°34'50" West, 664.17 feet from the southeasterly terminus of that line described as North 57°34'50" West, 940.63 feet in last said Parcel One.

Thence leaving said southwesterly line of said Parcel One and continuing along said City Limit Line South 0°05'36" East 72.34 feet to a point on the northeasterly line of "City Fields Lot 2" as described in that Grant Deed recorded on December 14, 2018 as Document No. 24082130, Official Records of Santa Clara County;

Thence southeasterly along the northeasterly lines of said "City Fields Lot 2" and the property described as "City Fields Lot 3" in that Grant Deed recorded on December 14, 2018 as

Document No. 24082131, Official Records of Santa Clara County, and the northeasterly line of the property described as said Parcel One, South 57°34'50" East, 1936.87 feet to the Point of Beginning.

Containing 117,204 ± Square Feet or 2.6906 ± Acres of land.
As shown on Exhibit "B" attached hereto and by this reference made a part hereof.

PUBLIC STREET AREA 3 – "AVIATION AVENUE"

BEGINNING at said Point "B" as defined in said Public Street Area 1 for Earthquakes Way, said point also being on the northeasterly line of said Lot A;

Thence leaving said northeasterly line along the northwesterly line of said Public Street Area 1 for Earthquakes Way, North 32°25'10" East 12.00 feet to the southwesterly line of Coleman Avenue;

Thence northwesterly along said southwesterly line North 57°34'50" West, 1126.63 feet;

Thence leaving said southwesterly line, South 32°25'10" West 12.00 feet to the northeasterly line of the property described as Parcel One in said Grant Deed Document No. 23888776, said Point hereon described as Point "C";

Thence along the northeasterly and southeasterly lines of said Parcel One the following four (4) courses and distances:

1. South 57°34'50" East, 920.63 feet;
2. Along the arc of a curve to the right, having a radius of 30.00 feet, through a central angle of 90°00'00", for a distance of 47.12 feet;
3. South 32°25'10" West, 694.36 feet;
4. Along the arc of a curve to the right, having a radius of 20.00 feet, through a central angle of 90°00'00", for a distance of 31.42 feet to a point of cusp, and a point on the northeasterly line of the Public Street Area 2 for Wondo Way;

Thence southeasterly leaving said Parcel One, along said northeasterly line, South 57°34'50" East, 130.00 feet to a point of cusp on the southwesterly line of said Lot B;

Thence leaving said northeasterly line along the northwesterly lines of said Lot B and the northwesterly and northeasterly lines of said Lot A the following four (4) courses and distances:

1. Along a non-tangent curve to the left, concave to the northeast and to which point a radial line bears South 32°25'10" West, having a radius of 20.00 feet, through a central angle of 90°00'00", for a distance of 31.42 feet;
2. North 32°25'10" East, 694.36 feet;
3. Along the arc of a curve to the right, having a radius of 30.00 feet, through a central angle of 90°00'00", for a distance of 47.12 feet;

4. South 57°34'50" East, 56.00 feet to the Point of Beginning.

Containing 81,069 ± Square Feet or 1.8611 ± Acres of land.

As shown on Exhibit "B" attached hereto and by this reference made a part hereof.

PUBLIC STREET AREA 4 – "CHAMPIONS WAY"

BEGINNING at said Point "C" as defined in said Public Street Area 3 for Aviation Avenue, said point also being on a northeasterly line of said Parcel One as described in that Grant Deed as Document No. 23888776;

Thence leaving said northeasterly line along the northwesterly line of said Public Street Area 3 for Aviation Avenue, North 32°25'10" East, 12.00 feet to the southwesterly line of Coleman Avenue;

Thence northwesterly along said southwesterly line North 57°34'50" West, 90.00 feet to the southeasterly line of Lot Five as shown on that certain Map of Tract No. 10532 filed for record on October 6, 2020 in Book 933 of Maps at Pages 38 through 42, Official Records of Santa Clara County;

Thence along said southeasterly line South 32°25'10" West, 197.10 feet to a point on said City Limit line for the City of San Jose and City of Santa Clara;

Thence southeasterly along said City Limit line South 0°05'36" East 111.63 feet to a point on the northwesterly line of said Parcel One;

Thence along said northwesterly line and northerly line of said Parcel One the following two (2) courses and distances:

1. North 32°25'10" East 249.24 feet;
2. Along the arc of a curve to the right, having a radius of 30.00 feet, through a central angle of 90°00'00", for a distance of 47.12 feet to Point C and the Point of Beginning.

Containing 15,203± Square Feet or 0.3490± Acres of land.

As shown on Exhibit "B" attached hereto and by this reference made a part hereof.

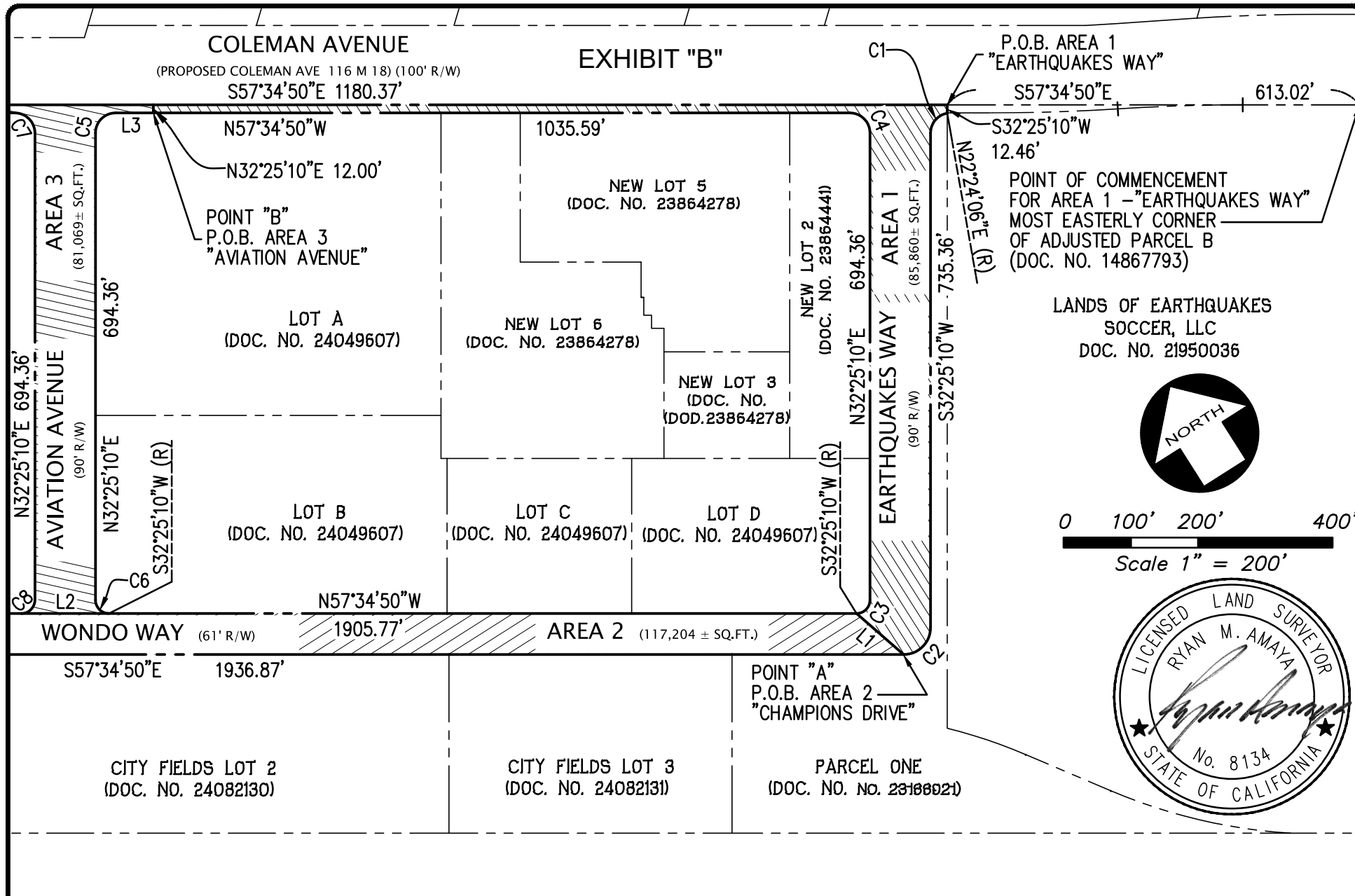
**Description prepared by Kier & Wright Civil Engineers & Surveyors, Inc.
This legal description was prepared by me or under my direction in accordance with the
professional land surveyors act.**

7-20-2021

Date


Ryan M. Amaya LS 8134





KIER+WRIGHT

3350 Scott Boulevard, Building 22
Santa Clara, California 95054

Phone: (408) 727-6665
www.kierwright.com

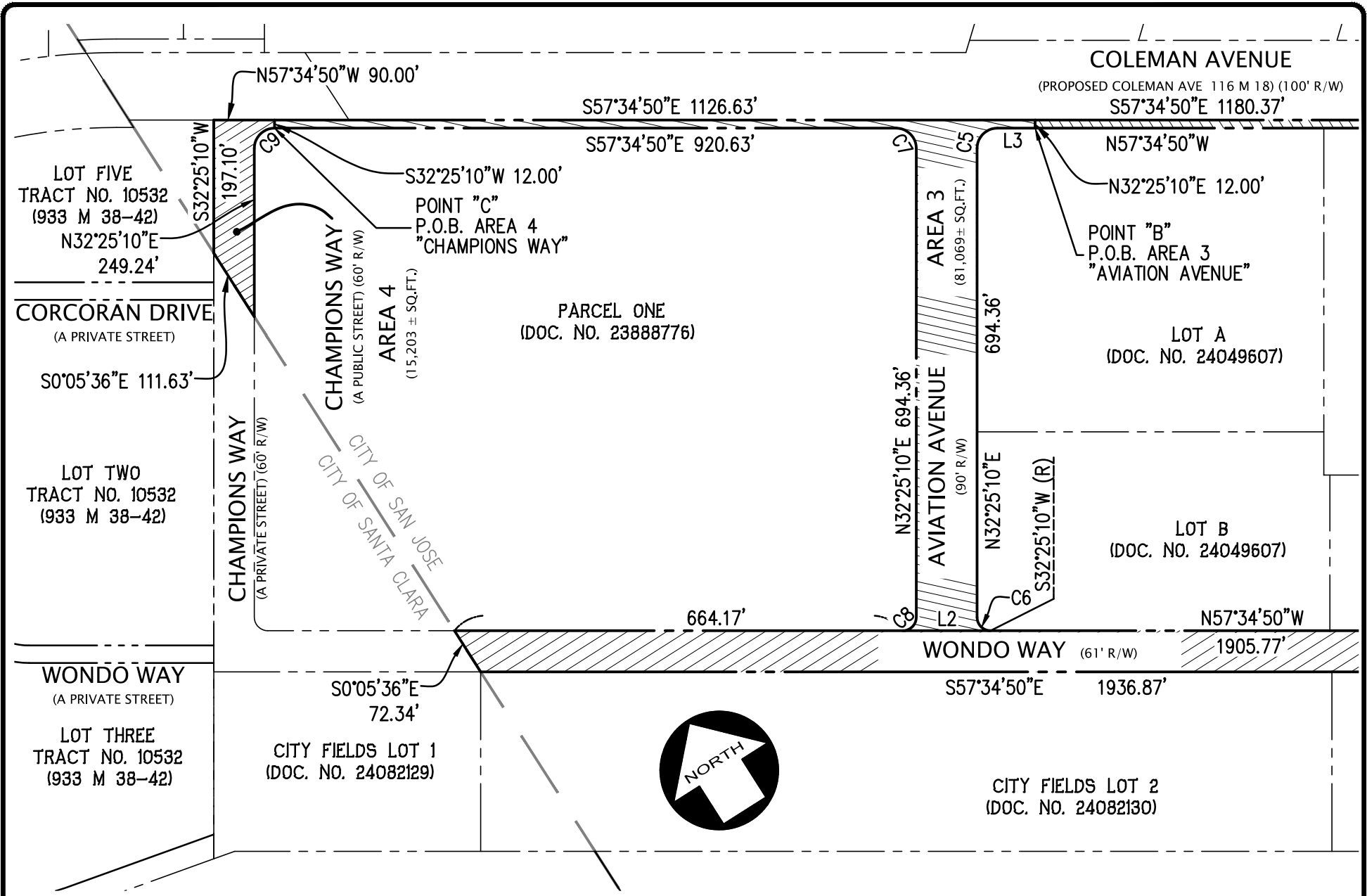
EXHIBIT "B"
PUBLIC STREET DEDICATION AREAS

SANTA CLARA

SANTA CLARA COUNTY

CALIFORNIA

| | |
|---------|---------------|
| DATE | JULY 19, 2021 |
| SCALE | 1" = 200' |
| BY | CJ |
| JOB NO. | A18034 |
| SHEET | 1 OF 3 |



KIER+WRIGHT
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EXHIBIT "B"
PUBLIC STREET DEDICATION AREAS

SANTA CLARA SANTA CLARA COUNTY CALIFORNIA

| | |
|---------|---------------|
| DATE | JULY 19, 2021 |
| SCALE | 1" = 200' |
| BY | CJ |
| JOB NO. | A18034 |
| SHEET | 2 OF 3 |

| CURVE TABLE | | | |
|-------------|--------|-----------|--------|
| CURVE # | RADIUS | DELTA | LENGTH |
| C1 | 30.00' | 79°58'56" | 41.88' |
| C2 | 40.00' | 90°00'00" | 62.83' |
| C3 | 20.00' | 90°00'00" | 31.42' |
| C4 | 30.00' | 90°00'00" | 47.12' |
| C5 | 30.00' | 90°00'00" | 47.12' |
| C6 | 20.00' | 90°00'00" | 31.42' |
| C7 | 30.00' | 90°00'00" | 47.12' |
| C8 | 20.00' | 90°00'00" | 31.42' |
| C9 | 30.00' | 90°00'00" | 47.12' |

| LINE TABLE | | |
|------------|-------------|---------|
| LINE # | DIRECTION | LENGTH |
| L1 | N16°30'35"W | 92.85' |
| L2 | S57°34'50"E | 130.00' |
| L3 | S57°34'50"E | 56.00' |

ABBREVIATIONS

| | |
|-----|---------------------|
| OR | OFFICIAL RECORDS |
| POC | POINT OF COMMENCING |
| POB | POINT OF BEGINNING |
| (R) | RADIAL BEARING |

LEGEND

| | |
|-------------------|-----------|
| LOT LINE | — — — — — |
| STREET DEDICATION | — — — — — |



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EXHIBIT "B" PUBLIC STREET DEDICATION AREAS

SANTA CLARA

SANTA CLARA COUNTY

CALIFORNIA

| | |
|---------|---------------|
| DATE | JULY 19, 2021 |
| SCALE | AS SHOWN |
| BY | CJ |
| JOB NO. | A18034 |
| SHEET | 3 OF 3 |