

## Legislation Details (With Text)

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<b>Type:</b>	Community & Economic Development	<b>Status:</b>	Agenda Ready
<b>File created:</b>	6/9/2022	<b>In control:</b>	City Council
<b>On agenda:</b>	6/21/2022	<b>Final action:</b>	
<b>Title:</b>	Conditional Summary Vacation, Declaration of Surplus, and Sale of a Portion of Block 64 Alleyway Between East Virginia Street and Martha Street. - RENUMBERED FROM ITEM 2.12		
<b>Sponsors:</b>			
<b>Indexes:</b>			
<b>Code sections:</b>			
<b>Attachments:</b>	1. Memorandum, 2. Resolution		

Date	Ver.	Action By	Action	Result
6/21/2022	1	City Council		

### **Conditional Summary Vacation, Declaration of Surplus, and Sale of a Portion of Block 64 Alleyway Between East Virginia Street and Martha Street. - RENUMBERED FROM ITEM 2.12**

Conduct a public hearing and adopt a resolution to authorize the following:

- (a) Approve the report of the Director of Public Works setting forth the facts justifying the conditional summary vacation of an approximately 4,059 square foot portion of the Block 64 alleyway between E. Virginia Street and Martha Street (Vacation Property);
  - (b) Conditionally vacate the Vacation Property, which after the satisfaction of the conditions, will be superseded by relocation;
  - (c) After satisfaction of the condition, direct the City Clerk to record a certified copy of the resolution of vacation for the Vacation Property with the Office of the Recorder, County of Santa Clara;
  - (d) Declare the Vacation Property of the City-owned Block 64 alleyway as “exempt-surplus land” to the needs of the City under Cal. Gov. Code §54221(f)(1)(E) as the land is a former street, right of way, or easement and if being sold to an owner of adjacent property as well as Cal. Gov. Code §54221(f)(1)(C) in that the Vacation property is being exchanged by the City for other lands necessary for the City’s use;
  - (e) Direct the City Manager to negotiate and execute a Purchase and Sale Agreement and Quitclaim Deed, and all other necessary documents to effectuate the transfer to D’Amico Tire Service Company, Inc., a California Corporation, from the City of San José, for the sale of the portion of the surplus City-owned Vacation Property for the consideration of \$65,241.80 by direct negotiation under San José Municipal Code Section 4.20.070 and in accordance with Council Policy No. 7-13(D)(1) as the transferee is an adjacent property owner and the transaction is for fair market value;
  - (f) Authorize the City Manager, or her designee, to negotiate and execute all other documents necessary to accept the fee title ownership of an approximately 3,602 square foot portion of the property owned by James L. D’Amico, known as Assessor’s Parcel Number 472-17-034 (Swap Property) and complete the transactions; and
  - (g) Authorize the City Manager to enter into all other documents necessary to effectuate these transactions.
- CEQA: Not a Project, File No. PP17-003, Agreements/Contracts (new or amended) resulting in no physical changes to the environment. Council District 3. (Economic Development and Cultural Affairs/Public Works)
- [RENUMBERED FROM ITEM 2.12 (22-946)]**