

RESOLUTION NO. \_\_\_\_\_

**A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN JOSE (A) DECLARING THE PROPERTY DESCRIBED AS APN 244-22-001 AS “EXEMPT SURPLUS LAND” TO THE NEEDS OF THE CITY UNDER CAL. GOV. CODE §54221(F)(1)(B) AS THE LAND IS NOT NECESSARY FOR THE CITY’S USE, IT IS LESS THAN ONE-HALF-ACRE IN SIZE, AND IS NOT CONTIGUOUS TO LAND OWNED BY A STATE OR LOCAL AGENCY THAT IS USED FOR OPEN-SPACE OR LOW- AND MODERATE-INCOME HOUSING PURPOSES; AND (B) DIRECTING THE CITY MANAGER OR THEIR DESIGNEE TO NEGOTIATE AND EXECUTE A PURCHASE AND SALE AGREEMENT AND QUITCLAIM DEED, AND ALL OTHER NECESSARY DOCUMENTS TO EFFECTUATE THE PROPERTY TRANSFER TO SPARTAN RIDING CARDINAL MUSTANGS LLC FROM THE CITY OF SAN JOSE, FOR THE SALE OF APN 244-22-001 FOR THE CONSIDERATION OF \$601,000 BY DIRECT NEGOTIATION UNDER SAN JOSE MUNICIPAL CODE SECTION 4.20.030 AND IN ACCORDANCE WITH COUNCIL POLICY NO. 7-13**

**WHEREAS**, the City owns a vacant parcel of land situated between two industrial parcels (2095 and 2115 Ringwood Avenue), bounded on the west by Southern Pacific railroad tracks and on the east by Ringwood Avenue (Property), measuring approximately 0.48 acre (20,909 square feet) in area, approximately 30 feet wide, and is linear in shape which is not independently developable; and

**WHEREAS**, the Property, a former railroad right-of-way but no longer contains railroad infrastructure, is identified by Assessor’s Parcel Number (APN) 244-22-001; and

**WHEREAS**, the two adjacent parcels are owned and operated by Spartan Riding Cardinal Mustangs LLC, which is an affiliate of Silicon Valley Mechanical, a full-service, design-build contractor specializing in HVAC, piping, and plumbing; and

**WHEREAS**, in late 2024, Spartan Riding Cardinal Mustangs LLC approached the City about acquiring the Property for the purposes of connecting the two industrial parcels they own to the north and south; and

**WHEREAS**, the Property is not large enough to support development on its own, and would only be developable after assembling with the adjacent parcels; and

**WHEREAS**, there is no known City use for the Property, the location is not identified for future development, and the Property requires ongoing maintenance by the City to deter against trespass or potential liability; and

**WHEREAS**, the City commissioned an appraisal of the property that determined the highest and best use of the Property was for assemblage with the adjacent industrial properties for additional business use and determined the fair market value of the property to be \$601,000; and

**WHEREAS**, the City has reviewed the appraisal and concurs with the fair market value determination and recommends the sale of the property to Spartan Riding Cardinal Mustangs LLC at the stated price; and

**WHEREAS**, the Property is “exempt surplus land” under California Government Code §54221(f)(1)(B) Code §54221(f)(1)(B) and conforms to San José Municipal Code Section 4.20.030 as well as Council policy No. 7-13 because of its “exempt surplus land” designation” and, as it is less than one half-acre in size, is not contiguous to land owned by a state or local agency that is used for open-space or low- and moderate-income housing purposes, and will be sold to an adjacent property owner for fair market value; and

**WHEREAS**, upon adoption of the resolution the Property will be declared as “exempt surplus land” to the needs of the City;

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

- A. The approximately 20,909-square foot property located between 2095 and 2115 Ringwood Avenue (APN 244-22-001) is hereby declared as “exempt surplus land” to the needs of the City under Cal. Gov. Code §54221(f)(1)(B) as the land is not necessary for the City’s use, it is less than one-half-acre in size, and is not contiguous to land owned by a state or local agency that is used for open-space or low- and moderate-income housing purposes; and
- B. The City Manager or their designee is hereby authorized to negotiate and execute a Purchase and Sale Agreement and Quitclaim Deed, and all other necessary documents to effectuate the property transfer to Spartan Riding Cardinal Mustangs LLC from the City of San José, for the sale of APN 244-22-001 for the consideration of \$601,000 by direct negotiation under San José Municipal Code Section 4.20.030 and in accordance with Council Policy No. 7-13.

ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2025, by the following vote:

AYES:

NOES:

ABSENT:

DISQUALIFIED:

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MATT MAHAN  
Mayor

ATTEST:

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TONI J. TABER, MMC  
City Clerk