

**RECORD WITHOUT FEE PURSUANT
TO GOV'T CODE SECTION 6103**

Recording Requested by:

Office of the City Attorney
City of Santa Clara, California

When Recorded, Mail to:

Office of the City Clerk
City of Santa Clara
1500 Warburton Avenue
Santa Clara, CA 95050

Form per Gov't Code Section 27361.6

[SPACE ABOVE THIS LINE FOR RECORDER'S USE]

RESOLUTION NO. _____

**A RESOLUTION OF THE CITY OF SANTA CLARA, CALIFORNIA,
DEDICATING THAT CERTAIN PORTION OF REAL PROPERTY
OWNED BY THE CITY OF SANTA CLARA LOCATED AT 2330
MONROE STREET FOR USE AS AN UNDERGROUND ELECTRIC
EASEMENT [APN 216-05-009 (2023-24)]**

WHEREAS, the City of Santa Clara ("City" or "Grantor"), is the owner of real property commonly known as the 2330 Monroe Street, Santa Clara, California, as shown on Exhibit B, ("Property"), which is attached hereto and incorporated herein; and,

WHEREAS, in accordance with the Disposition and Development Agreement between the City and Freebird Development Co. ("Developer"), the City entered into a 55-year ground lease with Developer to facilitate construction of affordable housing units on Property;

WHEREAS, the City will require access to certain areas of the Property to repair, replace, and maintain underground electric utility facilities;

WHEREAS, to preserve the City's ability to access the easement area in light of Developer's leasehold interest, and to record the location of the easement, the City now desires to dedicate a portion of the Property as an Underground Electric Easement and retain the underlying fee title; and,

WHEREAS, the City hereby finds and determines that a portion of the Property, as shown as

easement on Exhibits A and B ("Easement") which are attached hereto and incorporated herein, shall be dedicated for Underground Electric purposes.

BE IT RESOLVED BY THE CITY OF SANTA CLARA, AS FOLLOWS:

1. That Grantor hereby grants and dedicates the Easement described more fully in Exhibits A and B attached hereto, in, on, under, along and across real property at 2330 Monroe Street in the City of Santa Clara to the City of Santa Clara as an easement and right of way in, on, under, along and across the real property of grantor for the purpose of constructing and reconstructing, installing, operating, maintaining, repairing, and/or replacing underground electrical distribution and/or communication systems, and appurtenances thereto, including a reasonable right of ingress and egress over adjoining lands of Grantor. The underground system will consist of conduits, cables, vaults and splice boxes installed flush with or below grade and other necessary and desired appurtenances. Transformers and switches will be mounted above grade on a concrete pad. Portions of the Easement may be used for driveway(s), landscaping (excluding trees), and parking, as well as for other purposes which, as determined by the City, will not interfere with the use of the Easement.

The Easement shall be for the exclusive use of the City of Santa Clara. Private facilities, except those which connect to facilities of the City, shall be excluded from the Easement, and no private structures shall be constructed on the Easement.

2. Constitutionality, Severability. If any section, subsection, sentence, clause, phrase, or word of this Resolution is for any reason held by a court of competent jurisdiction to be unconstitutional or invalid for any reason, such decision shall not affect the validity of the remaining portions of the Resolution. The City of Santa Clara, California, hereby declares that it would have passed this Resolution and each section, subsection, sentence, clause, phrase, and word thereof, irrespective of the fact that any one or more section(s), subsection(s), sentence(s), clause(s), phrase(s), or word(s) be declared invalid.

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3. Effective Date. This Resolution shall become effective immediately.

I HEREBY CERTIFY THE FOREGOING TO BE A TRUE COPY OF A RESOLUTION PASSED
AND ADOPTED BY THE CITY OF SANTA CLARA, CALIFORNIA, AT A REGULAR MEETING
THEREOF HELD ON THE ____ DAY OF _____, 2023, BY THE FOLLOWING VOTE:

AYES: COUNCILORS

NOES: COUNCILORS

ABSENT: COUNCILORS

ABSTAINED: COUNCILORS

ATTEST: _____
NORA PIMENTEL, MMC
ASSISTANT CITY CLERK
CITY OF SANTA CLARA

Attachments incorporated by reference:

1. Exhibit "A"
2. Exhibit "B"

EXHIBIT "A"
LEGAL DESCRIPTION
UNDERGROUND ELECTRIC EASEMENT

All that real property situated in the City of Santa Clara, County of Santa Clara, State of California, being a portion of that parcel of land as described under "SE Corner of San Tomas Expressway and Monroe Street, Santa Clara, California" in that certain Grant Deed to The Housing Authority of the City of Santa Clara, a public body corporate and politic, recorded June 23, 2011 as Document Number 21216119, Official Records of County of Santa Clara, State of California, more particularly described as follows:

COMMENCING at the most Easterly corner of said parcel of land; thence along the general Northeasterly line of said parcel of land the following four (4) courses: 1) North 64°01'08" West, 24.49 feet to the POINT OF BEGINNING, 2) continuing North 64°01'08" West, 123.10 feet, 3) North 73°07'44" West, 63.92 feet, and 4) along a tangent curve to the left with a radius of 60.00 feet, through a central angle of 25°40'33", an arc length of 26.89 feet; thence South 73°07'44" East, 88.87; thence South 64°01'30" East, 108.02 feet; thence South 27°34'31" West, 17.42 feet; thence North 71°01'58" West, 49.66 feet; thence South 19°07'54" West, 15.98 feet; thence South 70°56'03" East, 17.01 feet; thence North 19°00'00" East, 6.01 feet; thence South 71°01'58" East, 38.26 feet; thence South 27°34'31" West, 32.95 feet; thence South 59°01'32" East, 20.88 feet; thence North 75°58'28" East, 7.17 feet to the general Southeasterly line of said parcel of land (Document Number 21216119); thence along last said line, North 35°16'00" East, 12.27 feet; thence South 75°58'28" West, 13.16 feet; thence North 59°01'32" West, 10.02 feet; thence North 27°34'31" East, 58.31 feet to the POINT OF BEGINNING.

CONTAINING 2,652 square feet, more or less.

PREPARED BY LUK AND ASSOCIATES



JACQUELINE LUK, PLS 8934

DATE: 6/08/2023

This real property description has been prepared by me or under my direction in conformance with the Professional Land Surveyors Act.

LEGEND

---	EXTERIOR PROPERTY LINE OF SUBJECT PARCEL
- . - . -	MONUMENT LINE
---	STREET RIGHT OF WAY LINE
---	ADJOINER LOT LINE
- - - - -	EASEMENT LINE
○	TIE
●	FOUND STANDARD CITY MONUMENT PER (R1)
DOC. NO.	DOCUMENT NUMBER
S.F.±	SQUARE FEET, MORE OR LESS
(R1)	REFERENCE
P.O.B.	POINT OF BEGINNING
P.O.C.	POINT OF COMMENCEMENT
APN	ASSESSOR'S PARCEL NUMBER
(T)	TOTAL
SVP	SILICON VALLEY POWER
(R)	RADIAL BEARING

REFERENCE

(R1) MAP OF TRACT NO. 2992, BOOK 134 OF MAPS,
PAGES 26-27, SANTA CLARA COUNTY RECORDS.

BASIS OF BEARINGS

FOUND MONUMENTS ON SHERATON DRIVE,
TAKEN AS NORTH 84°47'30" EAST, AS SHOWN
ON THE MAP OF TRACT NO. 2992, RECORDED
IN BOOK 134 OF MAPS, PAGES 26-27, SANTA
CLARA COUNTY RECORDS, WAS USED AS THE
BASIS OF BEARINGS FOR THIS SURVEY.

LINE TABLE

LINE	LENGTH	BEARING	LINE	LENGTH	BEARING
L1	17.42'	S27°34'31"W	L9	7.17'	N75°58'28"E
L2	49.66'	N71°01'58"W	L10	12.27'	N35°16'00"E
L3	15.98'	S19°07'54"W	L11	13.16'	S75°58'28"W
L4	17.01'	S70°56'03"E	L12	10.02'	N59°01'32"W
L5	6.01'	N19°00'00"E	L13	58.31'	N27°34'31"E
L6	38.26'	S71°01'58"E	L14	14.01'	N26°09'22"E
L7	32.95'	S27°34'31"W	L15	37.18'	N35°16'00"E
L8	20.88'	S59°01'32"E			

EXHIBIT B-1

UNDERGROUND ELECTRIC EASEMENT 2330 MONROE STREET SANTA CLARA, CALIFORNIA

Prepared By
Luk and Associates
Civil Engineers - Land Surveyors
738 Alfred Nobel Drive
Hercules, California 94547
JUNE 2023 SCALE: 1"=40'

APN 224-37-068
THE HOUSING AUTHORITY OF
THE CITY OF SANTA CLARA
DOC. NO. 21216119

UNDERGROUND ELECTRIC EASEMENT
2652 S.F.±



SHEET 1

PLOT DATE: JUNE 7, 2023