

County of Santa Clara
Transportation Agency
1555 Berger Dr., Bldg. #2, Rm. 205
San Jose, CA. 95112

J286 PAGE 2257

A.P.N.: 498-01-27

LANDSCAPE AND MAINTAINANCE AGREEMENT BETWEEN

KENNETH S. MANRAO

AND THE COUNTY OF SANTA CLARA

This is an agreement between Kenneth S. Manrao herein called Owner and the County of Santa Clara, herein called "County".

Whereas, the County is the owner of the real property shown shaded on the map attached hereto as Exhibit "A"; and

Whereas, the Owner desires to landscape and maintain the shaded area at its own expense; and

Whereas, the Board of Supervisors of the County of Santa Clara finds and determines that in the best public interest to grant the request of the Owner;

NOW, THEREFORE, it is mutually agreed as follows:

1. County hereby grants permission to the Owner to landscape and maintain the shaded area on the attached Exhibit "A".

2. The Owner shall assume the defense and agree to save harmless and indemnify County, its officers and employees from any liability for injury, death, loss, accident, or damage to any persons or property arising out of use of said shaded area for landscaping purposes.

3. The Owner hereby agrees at its own expense to landscape and maintain the shaded area, that said landscaping shall be kept trim and shall not interfere with sight clearance for traffic on adjacent roadways, and that said landscaping shall not, in the judgement of Road Commissioner, become a public eyesore.

4. County reserves the right to rescind the permission granted herein upon the giving of sixty (60) day written notice to Owner.

ORIGINAL

2/27/85: 1 original (to be returned) to Transportation/Property.
3/29/85: original returned

uc

5. Any notices to be sent under the terms of this agreement shall be addressed as follows:

To County: Property Division
County of Santa Clara
Transportation Agency
1555 Berger Drive, Room 205
San Jose, California 95112

To: Owner : Kenneth S. Manrao
166 Goldenrain Drive
San Jose, California 95111

TICOR TITLE INSURANCE

(Individual)

STATE OF CALIFORNIA
COUNTY OF SANTA CLARA } SS.

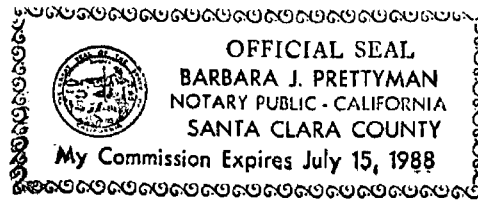
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On JANUARY 18, 1985 before me, the undersigned, a Notary Public in and for said State, personally appeared KENNETH S. MANRAO

_____, personally known to me or proved to me on the basis of satisfactory evidence to be the person whose name IS subscribed to the within instrument and acknowledged that HE executed the same.

WITNESS my hand and official seal.

Signature Barbara J. Prettyman
BARBARA J. PRETTYMAN



(This area for official notarial seal)

STAPLE HERE

GENERAL ACKNOWLEDGMENT

NO. 201

State of California
County of Santa Clara } SS.

On this the 19th day of February, 1985, before me,
Sheila E. Sonnenberg
the undersigned Notary Public, personally appeared

Rod Diridon

personally known to me
 proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is subscribed to the within instrument, and acknowledged that he executed it.
WITNESS my hand and official seal.



Sheila Sonnenberg
Notary's Signature

Page 3 - Landscape Agreement, A.P.N.: 498-01-27

Kenneth S. Manrao
Kenneth S. Manrao, The Owner

THIS SPACE FOR NOTARY

Executed this date FEB 19 1985

County of Santa Clara

By [Signature]
Chairperson, Board of Supervisors

ATTEST: DONALD M. RAIMS,
Clerk
Board of Supervisors

[Signature]

APPROVED AS TO FORM AND LEGALITY:

[Signature]
DEPUTY COUNTY COUNSEL

MONTEREY ROAD

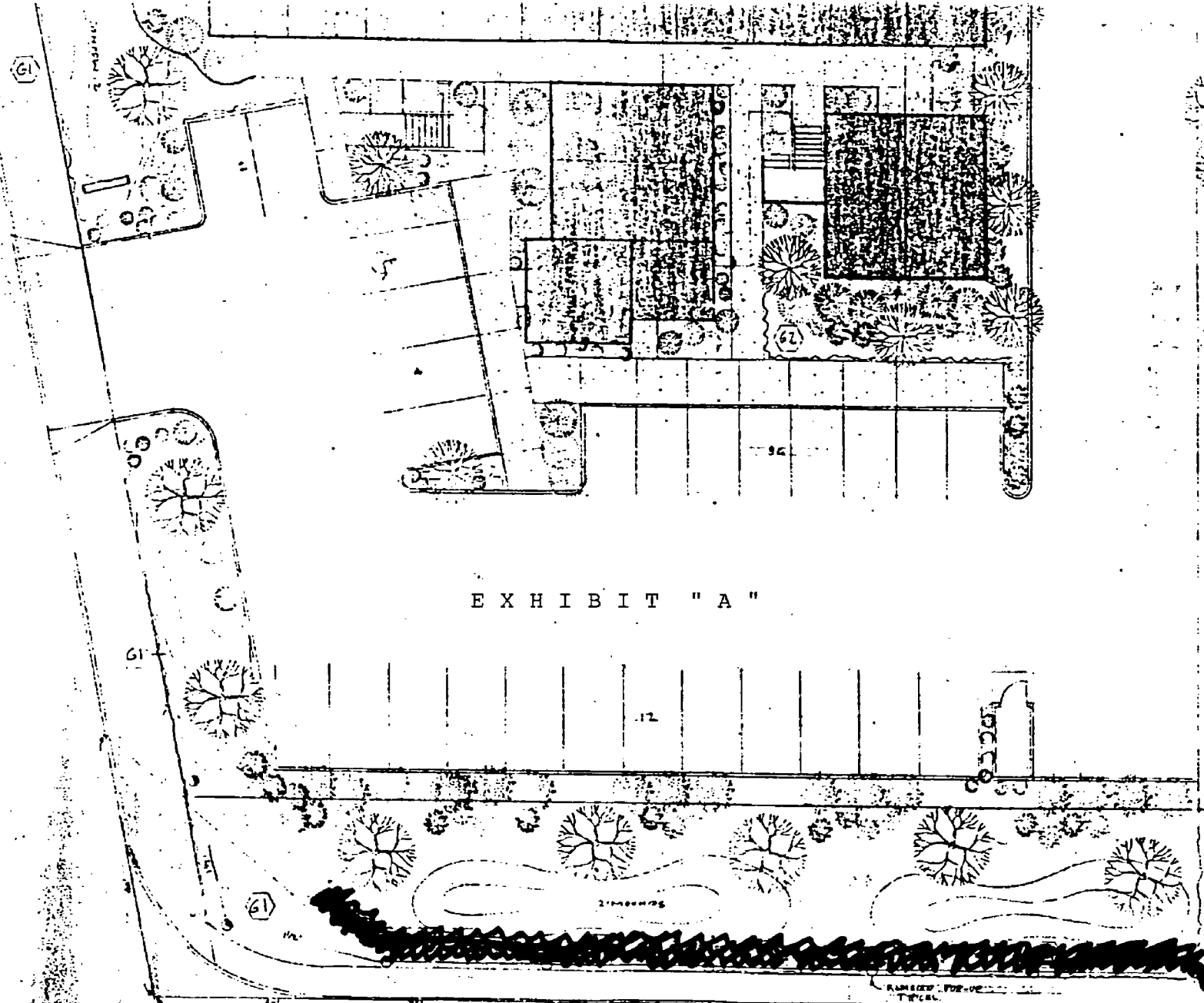


EXHIBIT "A"

LANDSCAPING ON COUNTY PROPERTY

CAPITOL EXPRESSWAY (OFF-RAMP)
PLANTING PLAN

PLANT LIST	
KEY	SYM.
TREES	
T1	Eucal.
T2	Eucal.
T3	...
T4	...
SHRUBS	
S1	Abell.
S2	Gloss.
S3	Cistu.
S4	Xylo.
S5	Agape.
S6	Procti.
GROUPS	
G1	...
G2	...

- NOTES:
1. Plant by...
 2. Quantities...
 3. Any plant...
 4. Planting to cover...
 5. ...

J 286 PA 2260-A



RECEIVED
Transportation Agency

JAN 23 1985

Transportation Dev.

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8344450

FILED FOR RECORD
AT REQUEST OF

Transportation Agency

MAR 6 11 08 AM '85

OFFICIAL RECORDS
SANTA CLARA COUNTY
GEORGE A. MANN
REGISTRAR RECORDER

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DH

COUNTY OF
SANTA CLARA

85 MAR 27 P 4 : 34

RECEIVED
BOARD OF SUPERVISORS

TRANSMITTAL MEMORANDUM

Prepared by F. Jordan

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S.D. 172

Reviewed by S. Bruce

Submitted by L. Montini

DATE: January 24, 1985

APPROVED: DIRECTOR LM

TRANSIT DISTRICT BOARD: Agenda Date _____ Item No. _____

COUNTY BOARD OF SUPERVISORS: Agenda Date February 19, 1985 Item No. _____

TRANSPORTATION COMMISSION: Agenda Date _____ Item No. _____

FROM: et FIGONE, PROPERTY, TRANSPORTATION DEVELOPMENT

SUBJECT: LANDSCAPE AGREEMENT WITH KENNETH S. MANRAO ON CAPITOL EXPRESSWAY AT MONTEREY ROAD

RECOMMENDED ACTION:

Authorize the chairperson to execute the agreement between Kenneth S. Manrao and the County of Santa Clara for the installation and maintenance of landscape improvements on Capitol Expressway at Monterey Road.

FISCAL IMPLICATIONS:

No expenditure of County funds is involved.

REASONS FOR RECOMMENDATION/BACKGROUND:

On a typical section of County expressway where access is restricted, the County is responsible for the installation of landscaping and maintenance of the landscaped areas. In some cases private companies located adjacent to these areas are allowed to landscape and maintain them with the approval of the County.

This landscape agreement, which is on the County's standard form, permits Kenneth S. Manrao to landscape and maintain the area shown on the Exhibit "A" attached to the agreement. Kenneth S. Manrao will assume liability for injury, death, loss, accident or damage to any persons or property arising out of the use of this area for landscaping purposes.

The County reserves the right to rescind this agreement after giving a sixty day written notice to Kenneth S. Manrao.

DATE: January 24, 1985

TRANSIT DISTRICT BOARD AGENDA DATE:

COUNTY BOARD OF SUPERVISORS AGENDA DATE: February 19, 1985

TRANSPORTATION COMMISSION AGENDA DATE:

SUBJECT: LANDSCAPE AGREEMENT WITH KENNETH S. MANRAO ON CAPITOL
EXPRESSWAY AT MONTEREY ROAD

CONSEQUENCES OF NEGATIVE ACTION:

The County would continue responsibility for maintenance of this area.

STEPS FOLLOWING APPROVAL:

The original fully-executed agreement will be returned to the Property Division of the Transportation Agency. The agreement will then be forwarded to the County Recorder's Office for recordation and subsequently returned to the Clerk of the Board.

EAF:FJ:kh

cc: S. Bruce, Trans. Dev.

WPLF11

