

*Roads Costs & Agmts
Cost Sharing - Bascom
Campbell City*

December 3, 1969

Mrs. Dorothy Trevethan
City Clerk
City of Campbell
75 North Central Avenue
Campbell, California

Subject: Cooperative Agreement between the County of Santa Clara and the City of Campbell covering acquisition of land required for Bascom Avenue Widening in the name of the City of Campbell

Dear Mrs. Trevethan:

Enclosed please find a fully executed copy of the captioned agreement approved by the Board of Supervisors at its meeting on December 2, 1969.

Very truly yours,

BOARD OF SUPERVISORS
Mrs. Jean Pullan, Clerk

By: _____
Deputy Clerk

JP:kb

Encl. 1

cc: Frank T. Lewis, City of Campbell (w/cpy Agmt)
Public Works Dept. (w/2 cps Agmt)
County Counsel (w/Agmt)
Finance (w/Agmt)

California

TRANSMITTAL MEMORANDUM

S.D. _____

Page 1 of 1

DATE: November 21, 1969

FOR: BOARD OF SUPERVISORS AGENDA OF December 2, 19 69

FROM: HODGE, REAL ESTATE DIVISION

TITLE: COOPERATIVE AGREEMENT COVERING ACQUISITION BY COUNTY
OF LAND REQUIRED FOR BASCOM AVENUE WIDENING

DESCRIPTION:

City of Campbell, agreement covers acquisition of one parcel of land within City limits of Campbell. Agreement provides for deposit by Campbell of \$5,915.00, which includes overhead charges, and further provides that actual cost will be determined after property has been acquired.

Recommended Action:

Execute Agreement. Forward original and one copy of the executed agreement to the City of Campbell, Attn: Frank T. Lewis.

EDH:o's

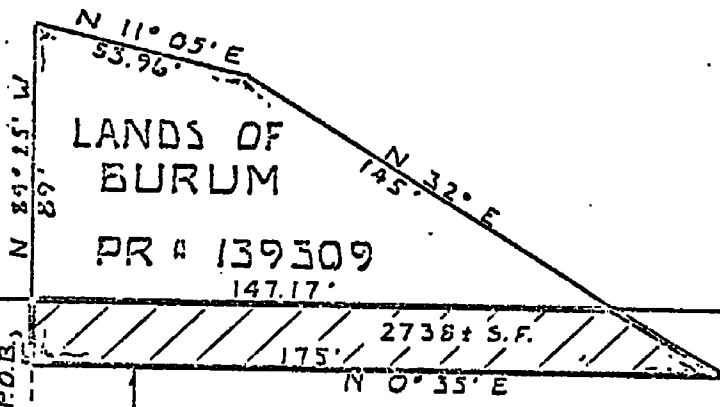
APPROVED: JAMES POTT _____ HOWARD CAMPEN _____

AGENDA DATA: DATE: _____ BOARD ACTION: _____

ITEM NO: _____

DEC 2 1969

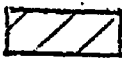
SCALE 1" = 50'



MONUMENT LINE
BASCOM AVENUE

SOUTHWEST EXPRESSWAY

LAND TO BE GRANTED TO THE CITY OF CAMPBELL

 Land to be granted to City

Prepared by the Office of the City Engineer, Campbell, California

B/L

AGREEMENT BETWEEN COUNTY OF SANTA CLARA AND
CITY OF CAMPBELL RELATING TO THE ACQUISITION
OF REAL PROPERTY FOR THE BASCOM AVENUE PROJECT

This is an agreement between the County of Santa Clara, State of California (County), and the City of Campbell, a municipal corporation (City), relating to the acquisition of real property located in the City for the Bascom Avenue Project.

WHEREAS, City has requested and County is willing to acquire in the name of City, at the sole expense of City, certain real parcel. of land located in the City,

NOW, THEREFORE, County and City shall perform the following obligations:

SECTION I

For and in consideration of the covenants and conditions to be kept and performed by City in this agreement, County shall:

1. Acquisition of Real Property

Appraise and acquire, in the name of City, at the sole expense of City, the fee title to that certain parcel of real property located in City and more particularly described in Exhibit "A", attached hereto and incorporated herein by this reference.

2. Clearance of Improvements

County, as agent of City, shall have the right to handle clearance and removal of improvements, by sale or by demolition. Net proceeds from any sale shall be credited to City, and any demolition costs shall be added to the basic overhead charge as hereinafter provided.

3. Final Accounting

Upon completion of the acquisitions of the afore-said parcel and upon the determination of the actual costs thereof, to furnish City with a detailed accounting of costs

J-LO

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incurred. City will promptly pay to County any balance due to County. County will refund to City any balance in excess of the actual costs of acquisition as determined by the final accounting.

SECTION II

For and in consideration of the covenants and conditions to be performed by County as set forth in this agreement, City shall:

1. Agent of City

Designate County, by appropriate action of the governing body of City, as agent of City in the acquisition of the real property herein described. Any suit in eminent domain will be filed in the name of City, after an appropriate resolution to condemn has been passed and adopted by City and designating County as agent of City in such proceedings.

2. Deposit of Funds

Deposit with County promptly upon receipt of a statement therefor, the sum of \$ 5,915.00, which shall represent the estimated cost for appraising, negotiating and acquiring the real parcel of land described herein. City shall promptly advance to County any supplemental deposits as may be necessary to acquire said parcels. Actual cost to City shall be determined after the parcels have been acquired and shall be computed as follows:

(a) Rights of Way

Right of way costs shall be the actual cost to County for the fee value of the real property acquired by County, including any severance or other damages, either negotiated or assessed in a proceeding in eminent domain, and legal interest as provided by law.

(b) Overhead

Overhead costs shall be a lump sum of \$850.00 per parcel or subparcel, which amount includes such indirect charges as appraisal fees, preliminary title reports, negotiation fees, filing fees, escrow fees and title insurance fees. Should it become necessary to acquire said parcels through eminent domain proceedings, there shall be added to the basic overhead charge the actual costs of trial which shall include jury fees, expert witness fees, legal fees, cost of preparation of maps, diagrams and exhibits, transportation fees of jury to view property, transcript fees, publication costs, meals for jurors while deliberating, fees for service of process, witness fees, and such other charges necessarily incurred in trial. In addition, any demolition costs incurred shall be added to the basic overhead costs of \$850.00 per parcel. Overhead costs shall not include payments made by County to the owner or owners of real property for the fee value thereof and/or damages.

3. Payment to County

Pay to County promptly on receipt of the statement of final accounting, the amount shown by the final accounting to be owing to County over and above any advance deposits of City for said acquisition of real property and clearance of improvements.

IN WITNESS WHEREOF, the parties hereto have caused

this agreement to be executed by their respective officers,
duly authorized, By the City on DEC 2 1969, and
by the County on DEC 2 1969.

COUNTY OF SANTA CLARA

By *[Signature]*
Chairman, Board of Supervisors

ATTEST: JEAN PULLAN, Clerk
Board of Supervisors

Jean Pullan

CITY OF CAMPBELL

By *[Signature]*
Mayor

ATTEST:

[Signature]
City Clerk

APPROVED AS TO FORM

Gerald Thompson 11/21/69
Assistant County Counsel

EXHIBIT "A"

COMMENCING at the intersection of the easterly prolongation of the most northerly line of the parcel of land described in the Deed from Walter R. Keesling, et al, to Santa Clara Valley Water Conservation District, recorded December 28, 1962 in Book 5845 of Official Records in the Office of the Recorder, County of Santa Clara, State of California, at Page 286, with the monument line established for record on the map entitled "Record of Survey of a Monument Line of South Bascom Avenue, from Union Avenue to West San Carlos Street," filed for record in Book 247 at Pages 35 to 56, inclusive, in said County Recorder's office;

THENCE, Westerly along said prolongation to the most northeasterly corner of said parcel of land, said corner being the TRUE POINT OF BEGINNING of this description;

THENCE, continuing westerly along said most northerly line to the intersection thereof with a line parallel with and 47.00 feet distant westerly, measured at right angles, from said monument line;

THENCE, Southerly along said parallel line approximately 77 feet to the intersection thereof with a southerly line of said parcel of land;

THENCE, Northeasterly along said southerly line to the intersection thereof with the most easterly line of said parcel of land, such intersection being a southeasterly corner of said parcel of land;

THENCE, Northerly along said most easterly line to the POINT OF BEGINNING of this description.

RESOLUTION NO. 2751

BEING A RESOLUTION AUTHORIZING EXECUTION OF AGREEMENT WITH THE COUNTY OF SANTA CLARA RELATING TO THE ACQUISITION OF REAL PROPERTY FOR THE BASCOM AVENUE PROJECT UNIT II.

BE IT RESOLVED, by the City Council of the City of Campbell that the Mayor and City Clerk be and they are hereby authorized, empowered and directed for and on behalf of said City, to enter into and execute with County of Santa Clara, State of California, an agreement to acquire real property for the Bascom Avenue Project Unit II in the name of the City of Campbell.

PASSED AND ADOPTED this 10th day of November, 19 69, by the following vote:

AYES: Councilmen: Chamberlin, Doetsch, Rogers, Smeed, Hyde

NOES: Councilmen: None


ABSENT: Councilmen: None

APPROVED:



Homer H. Hyde Mayor

ATTEST:



Dorothy Trevethan City Clerk