

6.

AGREEMENT BETWEEN THE CITY OF SAN JOSE AND THE COUNTY OF SANTA CLARA FOR THE CONSTRUCTION OF CAMDEN AVENUE CONNECTION: FOR THE ACQUISITION BY THE COUNTY OF SANTA CLARA OF CERTAIN REAL PROPERTY LOCATED IN THE COUNTY THAT IS NECESSARY FOR THE CONSTRUCTION OF SAID STREET CONNECTION.

THIS AGREEMENT, made and entered into this \_\_\_\_\_ day of JAN 16 1973, 19\_\_\_\_, by and between the CITY OF SAN JOSE, a municipal corporation of the State of California, hereinafter referred to as "City," and the COUNTY OF SANTA CLARA, a political subdivision of the State of California, hereinafter referred to as "County";

W I T N E S S E T H:

WHEREAS, the public interest requires that a portion of Camden Avenue between Bose Lane and Trinidad Drive be constructed in order to provide through traffic on Camden Avenue from Dwyer Avenue to Almaden Expressway; and

WHEREAS, three (3) parcels of land that are located within the County are required in order to make the street connection between said avenues; the legal description of said parcels being hereinafter more particularly described and graphically shown on a map marked Exhibit "A" that is attached hereto and made a part hereof by this reference; and

WHEREAS, for purposes of brevity, the construction work to be done on this Camden Avenue connection, including the area shown on Exhibit "A" as the "Area of County Participation" is hereinafter described as the "Project";

NOW, THEREFORE, for and in consideration of their mutual promises, covenants and agreements hereinafter set forth, and subject to the terms, provisions and conditions hereinafter set forth, the parties hereto do hereby agree as follows:

1. Preparation of Plans and Specifications. City shall, at its sole cost and expense, proceed with diligence to prepare plans and specifications for the construction of the Project and submit said plans and specifications to County for its approval.

*Orig. San Jose Public Works*

NOTICE © 2576  
Please return this document to the Board of Supervisors, Santa Clara County, Rm. 524, 70 W. Hedding St., San Jose, Calif. 95110. We shall provide County departments involved with conformed copies. Thank you. Clerk, Board of Supervisors

JAN 16 1973

2. Acquisition of Real Property. County shall acquire, by purchase or proceeding in eminent domain, title in fee simple absolute to the following described real property:

Portions of lands of Evelyn Bellantoni, as acquired by grant deed joint tenancy, as recorded November 27, 1951 in Book 2322, page 622, of Official Records of Santa Clara County.

Portions of lands of Kenneth F. Long and Helen R. Long, as acquired by deed, as recorded July 26, 1950 in Book 2022, page 155 of Official Records of Santa Clara County.

Portions of lands of Kenneth F. Long and Helen R. Long, as acquired by grant deed, as recorded December 18, 1968 in Book 8367, page 591 of Official Records of Santa Clara County.

Said portions of land are graphically shown on Exhibit "A", which is attached hereto, together with descriptions of said Exhibit "A" and described thereon as "Land to be Purchased by County." All costs incurred in the acquisition of the above described property shall be paid for by County. All of the other real property needed by City for the construction of the Project shall be or has been acquired by City.

3. Award of Contract. After approval by County of plans and specifications for the Project, acquisition of title to the real property described above by City from County, and annexation of said property by City, City shall advertise for bids for the construction of the Project, and, subject to and in accordance with applicable laws, award a contract or contracts and shall furnish all engineering services and inspection necessary for the completion of the Project in accordance with said plans and specifications. All of the costs incident to the completion of the Project, except the acquisition of the above described real property by County, shall be paid for by City.

4. Conveyance by County. Immediately upon acquisition of title by the County to said real property, either by purchase or by proceedings in eminent domain, County shall convey and grant to City full legal title to all of said property.

5. Insurance. When City awards a contract for said Project, City shall require any contractor awarded a contract for any portion of the Project to secure and maintain in full force and effect at all

times during the construction of the Project and until said Project is accepted by City, public liability and property damage insurance in forms and limits of liability, satisfactory and acceptable to both City and County, insuring the City and County, and their respective officers and employees, from and against any claim, loss, liability, cost or expense arising out of or in any way connected with the construction of the Project.

Said policy shall contain a provision that the insurance afforded thereby to City and County, and their respective officers and employees, shall be primary insurance to the full limits of liability of the policy and that if City or County, or their respective officers and employees, have any other insurance against a loss covered by such policy, that other insurance shall be excess insurance.

6. Annexation. If, at any time prior to the acquisition of the above described real property by County, said real property, or any portion thereof, is annexed to City, then City shall bear costs of acquisition of said real property, or any portion thereof, from and after the date of its annexation to City.

Immediately upon conveyance of said real property to City, City shall commence annexation proceedings to affect the annexation of the before mentioned real property to City.

7. Termination. This agreement shall terminate on June 30, 1973 if the City has not awarded a contract for the construction of the above described Project prior to that date.

8. Public Hearings and Environmental Statements. County will conduct public hearings and prepare environmental statements that may be required by existing legislation.

WITNESS THE EXECUTION HEREOF the day and year first hereinabove set forth.

APPROVED AS TO FORM:

DIANE M. LEE  
Deputy City Attorney

CITY OF SAN JOSE, a municipal corporation

By [Signature] Mayor  
"City"

ATTEST:

FRANCIS L. CREINER  
By [Signature] Deputy  
City Clerk

APPROVED AS TO FORM:

[Signature]  
Assistant/Deputy County Counsel

COUNTY OF SANTA CLARA, a political subdivision of the State of California

By [Signature]  
Chairman, Board of Supervisors

"County"

ATTEST:

[Signature]  
DONALD M. RAINS, Clerk  
Board of Supervisors

California

TRANSMITTAL MEMORANDUM

S.D. 1

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DATE: January 4, 1973

FOR: BOARD OF SUPERVISORS AGENDA OF January 16, 1973

FROM: MONTINI, PUBLIC WORKS, ENGINEERING

TITLE: COST SHARING AGREEMENT BETWEEN THE CITY OF SAN JOSE AND THE COUNTY OF SANTA CLARA FOR THE CONSTRUCTION OF CAMDEN AVENUE BETWEEN BOSE LANE AND TRINIDAD AVENUE

DESCRIPTION:

This agreement states that the County will acquire three (3) parcels of land in the unincorporated area. The City of San Jose will acquire all other lands required, and the City will bear the cost of design, inspection and construction of the proposed project. The proposed project will provide for the improvement of Camden Avenue between Bose Lane and Trinidad Avenue.

The County's estimated cost is \$25,000. Funds are available in the current FY Road Budget.

Approval is recommended.


Three (3) executed copies should be sent to:

Mr. A. R. Turturici  
Director of Public Works  
City of San Jose  
801 North First Street  
San Jose, California 95110

Attention: Mr. Al Huntsinger


LM:AKC:vlh

attachments

*LM* APPROVED: JAMES POTT 

HOWARD CAMPEN \_\_\_\_\_

AGENDA DATA: DATE: \_\_\_\_\_  
ITEM NO: \_\_\_\_\_

BOARD ACTION: JAN 16 1973 



PROJECT LOCATION

CAMDEN

AVENUE

# LOCATION MAP

County of Santa Clara

California

Office of the Board of Supervisors  
524 County Administration Building  
70 West Hedding Street  
San Jose, California 95110  
299-2323 Area Code 408

Sig Sanchez, District 1  
Dominic L. Cortese, District 2  
Charles A. Quinn, District 3  
Ralph H. Mehrkens, District 4  
Victor Calvo, District 5

January 17, 1973

Mr. A. R. Turturici  
Director of Public Works  
City of San Jose  
801 North First Street  
San Jose, Ca. 95110

Subject: Agreement with City of San Jose  
for Cost Sharing re Construction of Camden Avenue  
between Bose Lane and Trinidad Avenue

Dear Mr. Turturici:

Enclosed you will find an original and five copies of an agreement between the County of Santa Clara and the parties named above. The Board of Supervisors at its regularly scheduled meeting on January 16, 1973 authorized its Chairman to execute this agreement on behalf of the County.

After execution of all copies, we would appreciate your returning two copies to this office.

Very truly yours,

BOARD OF SUPERVISORS  
Donald M. Rains, Clerk

By: \_\_\_\_\_  
Deputy Clerk

DMR: dv  
Encls.

# RECORD OF SURVEY

OF A PORTION OF LOTS 8 AND 9 OF THE RUEBEN J. BAKER PARTITION (BOOK Q OF MAPS AT PAGE 17, SANTA CLARA COUNTY RECORDS AND LYING WITHIN

SANTA CLARA COUNTY, CALIFORNIA

SCALE: 1"=100'

OCTOBER, 1972

T.D. 211 P. 37-39

v.o. # 1548

EXHIBIT A

CURVE LENGTH			
CURVE NO.	RADIUS	DELTA	LENGTH
①	1060.89'	3°05'31"	110.05'
②	1995.89'	3°37'57"	126.54'
③	1060.89'	3°34'59"	128.08'
④	1995.89'	3°43'02"	119.49'
⑤	1060.89'	5°41'58"	105.60'
⑥	1995.89'	4°52'06"	171.91'
⑦	1000.00'	2°01'47"	35.43'
⑧	935.00'	4°43'39"	71.71'

## BASIS OF BEARING

THE BEARING N 47°24'40" W OF THE MONUMENT LINE OF ALMADEN ROAD AS SHOWN UPON THAT CERTAIN TRACT MAP RECORDED IN BOOK 204 OF MAPS AT PAGE 31, RECORDS OF SANTA CLARA COUNTY WAS TAKEN AS THE BASIS FOR BEARINGS SHOWN ON THIS MAP.

## RECORDER'S CERTIFICATE

File No. 4405414  
 Filed this 4th day of DECEMBER, 1972, at 11:30 a.m. in Book 313 of Maps at page 18 at the request of The Board of Supervisors of the County of Santa Clara.

OLGA A. PFEIFLE  
 Acting County Recorder  
**NO FEE** By Deputy Richard A. Pott

## COUNTY SURVEYOR'S CERTIFICATE

This map has been examined for conformance with the requirements of the Land Surveyor's Act this 1st day of December, 1972

JAMES T. POTT  
 County Surveyor  
 By Deputy Richard A. Pott

## SURVEYOR'S CERTIFICATE

This map correctly represents a survey made by me or under my direction in conformance with the requirements of the Land Surveyor's Act at the request of The Board of Supervisors of the County of Santa Clara in DECEMBER, 1972

Richard A. Pott  
 L.L.S. No. 3748

## RECORD OF SURVEY CERTIFICATE

THIS RECORD OF SURVEY COMPLIES WITH THE PROVISIONS OF THE SUBDIVISION MAP ACT (SEC. 11500 AND FOLLOWING OF THE BUSINESS AND PROFESSIONS CODE) AND CHAPTERS 1 THROUGH 4 OF TITLE 12 OF THE SANTA CLARA COUNTY ORDINANCE CODE AND RELATED COUNTY ORDINANCES.

DATED: 1st Dec., 1972  
JAMES T. POTT  
 COUNTY SURVEYOR

CAMDEN AVE. 4'  
 N42°36'15"E

NOTE: UNLESS OTHERWISE NOTED  
 ● INDICATES CITY MONUMENT FOUND  
 ○ INDICATES 3/4" IRON PIPE FOUND  
 ○ INDICATES 3/4" IRON PIPE SET  
 ( ) INDICATES RECORD DIMENSION  
 ⊗ INDICATES 1" IRON PIPE END IN MON. BOX

313/18

EXHIBIT A

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