

AGREEMENT BETWEEN CITY OF SAN JOSE AND
COUNTY OF SANTA CLARA FOR ACQUISITION
OF RIGHT OF WAY FOR GUADALUPE PARKWAY
AND CAPITOL EXPRESSWAY.

WHEREAS, City has heretofore requested County to amend Article I (g) of the County of Santa Clara Expressway Policy Resolution adopted December 27, 1960, to include (in addition to the acquisition of rights of way for Guadalupe Parkway) the acquisition of rights of way for a portion of Capitol Expressway from Narvaez Road to Tuers Road, provided that not more than Sixteen Million Ninety-two Thousand Dollars (\$16,092,000.00) of 1961 Expressway Bond Funds shall be expended for the Guadalupe Parkway and the aforesaid portion of Capitol Expressway; and

WHEREAS, the Santa Clara County Trafficways Committee on March 13, 1963, recommended the aforesaid amendment be made to said policy resolution;

NOW, THEREFORE, City and County agree as follows:

County shall execute an amendment to the County of Santa Clara Expressway Policy Resolution dated December 27, 1960, to provide that Article I (g) thereof shall read as follows:

"I. (g) Guadalupe Parkway and Capitol Expressway -

(1) Guadalupe Parkway:

State Route 68 in the vicinity of Guadalupe River to State Route 114 in the vicinity of Pearl Avenue--acquire rights of way necessary to construct a freeway to State Freeway standards in accordance with the precise location to be adopted by the California Highway Commission; and

(11) Capitol Expressway:

Narvaez Road to Tuers Road--acquire rights of way necessary to construct an ultimate six-lane expressway;

(111) In no event shall more than \$16,092,000 be expended for right of way acquisition described in (1) and (11) above."

In consideration for County's execution of the foregoing amendment, City does hereby agree that in the event the acquisition of rights of way for Guadalupe Parkway and Capitol Expressway exceed the sum of Sixteen Million Ninety-two Thousand Dollars (\$16,092,000.00) and County expends the said sum of \$16,092,000.00 for acquisition of rights of way for Guadalupe Parkway and Capitol Expressway, City shall, at its sole cost and expense, provide such funds, other than 1961 County Expressway Bond Funds, as shall be necessary to acquire the rights of way for the Guadalupe Parkway from State Route 68 in the vicinity of Guadalupe River to State Route 114 in the vicinity of Pearl Avenue.

IN WITNESS WHEREOF, County and City have caused this agreement to be executed as of APR 22 1963.

COUNTY OF SANTA CLARA

ATTEST:

JEAN PULLAN, Clerk of the Board of Supervisors.

Jean Pullan

By

[Signature]
Chairman of the Board of Supervisors

CITY OF SAN JOSE, a municipal corporation

By

Robert Weld
Mayor

And

[Signature]
City Manager

ATTEST:

FRANCIS L. GREINER

[Signature]
City Clerk

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Capitol Expressway

113
May 8, 1963

Mr. Francis Greiner, City Clerk
City of San Jose
First and Mission Streets
San Jose 10, California

Subject: Amended Agreement for Acquisition of
Right-of-Way -- Guadalupe Parkway and
Capitol Expressway.

Dear Mr. Greiner:

Enclosed you will find the original and three copies of an amended Agreement between the County of Santa Clara and the City of San Jose relating to the acquisition of right-of-way for the Guadalupe Parkway and the Capitol Expressway project. This amended Agreement contains the requested correction in the spelling of Narvaez Road.

The Board of Supervisors authorized its Chairman to execute this Agreement on behalf of the County at its meeting on April 22, 1963. After execution on behalf of the City of San Jose, we would appreciate your returning two fully executed copies to this office.

Very truly yours,

BOARD OF SUPERVISORS

Mrs. Jean Pullan
Clerk of the Board

JP:DMR:mo'd
Encls.

cc: Dept. of Public Works

April 25, 1963

Mr. Frank Groiner
City Clerk
City of San Jose
First & Mission
San Jose 10, California

Subject: Agreement for acquisition of right of way
Guadalupe Parkway and Capitol Expressway

Dear Mr. Groiner:

Enclosed you will find the original and four copies of an agreement between the County of Santa Clara and the City of San Jose relating to the acquisition of right of way for the Guadalupe Parkway and the Capitol Expressway projects.

The Board of Supervisors at its regularly scheduled meeting on April 22, 1963, authorized its Chairman to execute this agreement on behalf of the County. After execution on behalf of the City of San Jose, we would appreciate your returning two fully executed copies to this office.

Very truly yours,

BOARD OF SUPERVISORS

Mrs. Joan Pullan, Clerk
of the Board of Supervisors

JP:DMR:be
Encl.
cc: Public Works Dept.

ORDINANCE NO. 10649

AN ORDINANCE OF THE CITY OF SAN JOSE AUTHORIZING THE MAYOR AND CITY MANAGER TO EXECUTE AN AGREEMENT BETWEEN CITY OF SAN JOSE AND COUNTY OF SANTA CLARA FOR ACQUISITION OF RIGHT OF WAY FOR GUADALUPE PARKWAY AND CAPITOL EXPRESSWAY.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF SAN JOSE:

The Mayor and City Manager are hereby authorized to execute, on behalf of the City of San Jose, that certain agreement entitled, "Agreement Between City of San Jose and County of Santa Clara for Acquisition of Right of Way for Guadalupe Parkway and Capitol Expressway", form dated 4/8/63, which provides that County shall execute an amendment to the County of Santa Clara Expressway Policy Resolution dated December 27, 1960, to provide that Article I (g) thereof shall read as follows:

"I. (g) Guadalupe Parkway and Capitol Expressway -

(i) Guadalupe Parkway:

State Route 68 in the vicinity of Guadalupe River to State Route 114 in the vicinity of Pearl Avenue--acquire rights of way necessary to construct a freeway to State Freeway standards in accordance with the precise location to be adopted by the California Highway Commission; and

(ii) Capitol Expressway:

~~Narvaez Road~~ ^{Narvaez Av} to Tuers Road--acquire rights of way necessary to construct an ultimate six-lane expressway;

(iii) In no event shall more than \$16,092,000 be expended for right of way acquisition described in (i) and (ii) above."

and that in consideration for County's execution of the foregoing amendment, City agrees that in the event the acquisition of rights of way for

Guadalupe Parkway and Capitol Expressway exceed the sum of Sixteen Million Ninety-two Thousand Dollars (\$16,092,000.00) and County expends the said sum of \$16,092,000.00 for acquisition of rights of way for Guadalupe Parkway and Capitol Expressway, City shall, at its sole cost and expense, provide such funds, other than 1961 County Expressway Bond Funds, as shall be necessary to acquire the rights of way for the Guadalupe Parkway from State Route 68 in the vicinity of Guadalupe River to State Route 114 in the vicinity of Pearl Avenue.

Reference is hereby made to a copy of said agreement on file in the office of the City Clerk for all of its terms, provisions and conditions.

PASSED TO PRINT this 8th day of April, 1963, by the following vote:

AYES: Councilmen - Hathaway, Pace, Shaffer, Solari and Welch.

NOES: Councilmen - None

ABSENT: Councilmen - Doerr and Fischer.

Robert I. Welch
ROBERT I. WELCH, Mayor

ATTEST:

FRANCIS L. GREINER
City Clerk