

#13.

March 18, 1964

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

Subject: Right of Entry Permit -- Lawrence Expressway  
Property -- City Park Purposes. ~~\_\_\_\_\_~~

Dear Mr. Greiner:

Enclosed you will find the original of a Right of Entry permit granted by the County of Santa Clara to the City of San Jose relating to County owned property acquired for the Lawrence Expressway project and pending purchase to the City of San Jose for park purposes.

The Board of Supervisors at its regularly scheduled meeting on March 16, 1964 authorized its chairman to execute this permit on behalf of the County. The enclosed copies are for your records.

Very truly yours,

BOARD OF SUPERVISORS

Mrs. Jean Pullan  
Clerk of the Board

JP:DMR:jc

Encls.

cc: Public Works w/permit

BOARD OF SUPERVISORS

RIGHT OF ENTRY

Permission is hereby granted to the City of San Jose, its agents, employees and contractors, to enter upon that portion of the undersigned's land as described on Exhibit "A", which is attached hereto, incorporated herein by reference and made a part hereof as though set forth at length herein, for the purpose of surveying, grading and planting bushes, shrubbery, trees and any and all other similar growths as are normally associated with public parks.

It is understood that this permission is not a waiver in any way of the right to compensation for such land or of any remedy authorized by law to secure payment therefor.

This permission is granted on the understanding that the City of San Jose will hereafter, without unnecessary delay, negotiate with the undersigned and any other person, if any, having any right, title or interest in the property described in Exhibit "A" to agree upon terms of compensation, and that if any agreement cannot be reached the City of San Jose will promptly commence eminent domain proceedings to have such compensation determined. This permission shall continue in effect pending such negotiations.

Dated: MAR 1 6 1964

COUNTY OF SANTA CLARA, a political subdivision of the State of Calif.

ATTEST:

*Donald M. Rains*

By *MJ Spangler*  
Chairman, Board of Supervisors

Clerk of the Board of Supervisors

DONALD M. RAINS

Assistant Clerk Board of Supervisors

*approved as to form  
Herbert Thompson  
Deputy County Counsel*

MAR 1 6 1964

Date \_\_\_\_\_  
APPROVED M/D  
RE: CE GC PC DPW FLD  
ABSTAINS: \_\_\_\_\_

*(Signature)*

Beginning at the point of intersection of the Southerly line of Tract Number 2900 as said line is shown on that certain map filed for record in Book 132 of maps at pages 24 and 25 in the Office of the Recorder, County of Santa Clara, State of California with a Westerly line of Tract Number 1978 as said line is shown on that certain map filed for record in Book 93 of Maps at page 54 in the office of said Recorder, said point being Westerly 11.73 feet from the most Southerly corner of said Tract Number 2900; thence from said point of beginning North  $73^{\circ} 36' 00''$  West for a distance of 308.63 feet along said Southerly line of Tract Number 2900 to a point; thence along a curve to the right from a tangent bearing South  $11^{\circ} 04' 16''$  West through a central angle of  $9^{\circ} 30' 26''$  with a radius of 2366 feet and a length of 392.60 feet to a point; thence South  $20^{\circ} 34' 42''$  West for a distance of 496.34 feet to a point; thence along a tangent curve to the left through a central angle of  $25^{\circ} 08' 30''$  with a radius of 1683 feet and a length of 738.51 feet to a point; thence South  $4^{\circ} 33' 48''$  East for a distance of 97.70 feet to a point in the Northerly line of Tract Number 1893 as said line is shown on that certain map filed for record in Book 108 of maps at page 34 in the office of said recorder; thence South  $79^{\circ} 08' 40''$  East along said Northerly line of Tract Number 1893 for a distance of 114.98 feet to the intersection thereof with the Westerly line of the aforementioned Tract Number 1978; thence Northerly along the various courses and distances of the Westerly line of said Tract Number 1978 to the point of beginning.

Excepting and reserving unto the County of Santa Clara any and all rights of ingress to or egress from the land herein conveyed over and across the Westerly line thereof.

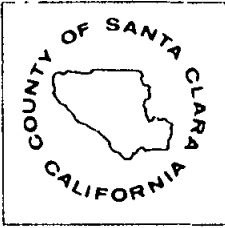
It is the purpose of the foregoing exception and reservation to provide that no easement of access shall attach or be appurtenant to the property hereby conveyed by reason of the fact that the same abuts upon a County Freeway.

EXHIBIT "A"

RECEIVED  
PUBLIC WORKS  
FEB 19 10 51 AM '64  
COUNTY OF  
SANTA CLARA

county of santa clara

S.D. 4



TRANSMITTAL MEMORANDUM

DEPARTMENT OF PUBLIC WORKS

DATE: March 6, 1964

FOR: BOARD OF SUPERVISORS AGENDA OF March 16, 19 64

FROM: Hodge, Right of Way Division, Public Works

TITLE: Right of Entry to the City of San Jose Pending Purchase for Park Purposes of Lawrence Expressway Unit VI - Excess Land

DESCRIPTION:

Parcel 2846-19, 20

City requires said Right of Entry in order to begin grading, planting bushes and trees incident to development of a public park. Full agreement and deed is being processed and will be presented to the Board at a later date.

1

APPROVED:

*James T. Pott*

JAMES T. POTT, COUNTY ENGINEER

AGENDA DATA

DATE: \_\_\_\_\_

ITEM NO: \_\_\_\_\_

BOARD ACTION \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

*Lawrence Expressway*  
*Glen*

March 18, 1964

Mr. G. R. Gunn, Manager  
Pacific Gas & Electric Company  
750 West Olive Avenue  
Sunnyvale, California

Subject: Service Riser Pipe Agreement -- Lawrence Expressway and Arques

Dear Mr. Gunn:

Enclosed you will find the original and one copy of a Service Riser Pipe Agreement between the County of Santa Clara and the Pacific Gas and Electric Company relating to installation and maintenance of a service riser pipe on the southwest riser quadrant at the Lawrence Expressway and Arques Avenue.

The Board of Supervisors at its regularly scheduled meeting on March 16, 1964 authorized its chairman to execute this agreement on behalf of the County.

We are also enclosing a certified excerpt of the minutes covering this action. After execution on behalf of the Pacific Gas and Electric Company, we would appreciate your returning the fully executed copy to this office.

Very truly yours,  
BOARD OF SUPERVISORS

Mrs. Jean Pullan  
Clerk of the Board

JP:DMR:jc

Encls.

March 23, 1964

**Pacific Gas and Electric Company  
Sunnyvale, California**

The following is an excerpt from the minutes of the meeting of the Board of Supervisors of the County of Santa Clara held March 16, 1964, Minute Book #38:

"On motion of Supervisor Mehrkens, seconded by Supervisor Sanchez, it is unanimously ordered that the Chairman be authorized to execute an agreement between the County and the Pacific Gas and Electric Company covering installation and maintenance of Service Riser Pipe on pole located on the Northwest corner of Lawrence Expressway at Arques Avenue, in accordance with the terms and conditions of said agreement."

ATTEST: JEAN PULLAN  
Clerk of the Board

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

jc

AGREEMENT COVERING SERVICE RISER PIPE

AGREEMENT between PACIFIC GAS AND ELECTRIC COMPANY, a California corporation,  
hereinafter called Pacific, and COUNTY OF SANTA CLARA

....., hereinafter called Permittee:

1. Pacific hereby gives Permittee permission, free of rent and on the terms and conditions herein stated, to install, maintain and use equipment, consisting of a service riser pipe and wires and appliances connected therewith, on the pole which is designated below or on the reverse side hereof or on the sheet attached hereto.

2. Permittee shall install and maintain said equipment at its sole risk and expense in the location on said pole designated by Pacific and up to a point eight feet above the ground level. When making such installation Permittee shall leave such length of conductor at the top of said riser pipe as may be necessary, and shall furnish such other materials as may be required, to enable Pacific to complete the connection to its overhead system. Pacific will make no charge for completing said installation. Pacific will thereafter maintain said installation above said eight-foot level at Permittee's expense.

3. In the event Pacific desires to have said equipment rearranged on said pole or relocated upon another pole, Pacific shall at its expense rearrange, or detach and reinstall, said equipment above said eight-foot level, and Permittee shall supply any additional materials required therefor and perform all work below said level at its sole risk and expense.

4. Within thirty days after being given written notice by Pacific to do so, and on condition that Pacific shall have removed Permittee's equipment down to said eight-foot level, Permittee shall remove the remainder of said equipment from said pole, and at the expiration of said time all rights of Permittee to use said pole shall cease. If Permittee shall not have removed said equipment from said pole within said time Pacific shall have the right to do so at Permittee's risk and expense.

5. This permission shall not be assigned in whole or in part without the written consent of Pacific first being had.

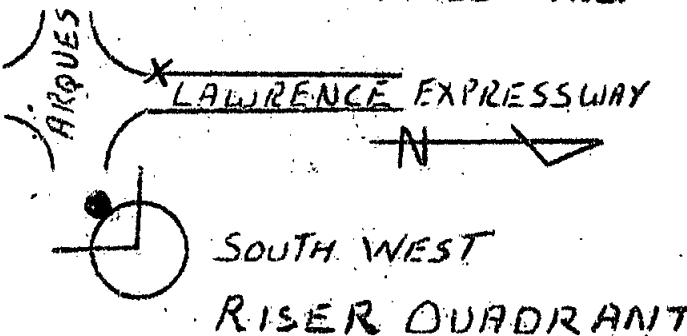
6. Any notice to Permittee hereunder shall be deemed given on the date of its deposit in a United States post office enclosed in an envelope, postage prepaid, and addressed to Permittee at last known address.

7. Time is of the essence hereof.

Executed this..... day of MAR 16 1964, 19.....

RISER POLE LOCATION:

N/W CORNER LAWRENCE EXPRESSWAY  
& ARQUES SUNNYVALE INC.



PACIFIC GAS AND ELECTRIC COMPANY

By [Signature]  
For: San Jose Division Manager

COUNTY OF SANTA CLARA

[Signature]  
Chairman of the Board of Supervisors  
20 West Hedding, San Jose, California

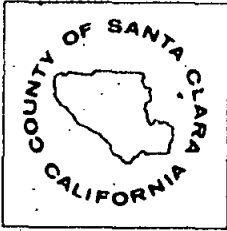
cc: Public Works 3-26-64



RECEIVED  
BOARD OF SUPERVISORS

MAR 25 11:11 AM '64

COUNTY OF  
SANTA CLARA



TRANSMITTAL MEMORANDUM

DEPARTMENT OF PUBLIC WORKS

DATE: March 6, 1964

FOR: BOARD OF SUPERVISORS AGENDA OF March 16, 19 64

FROM: Steffani, Design, Public Works

TITLE: Service Riser Agreements with P. G. & E. on Lawrence Expressway Unit I.

DESCRIPTION:

When executed, the attached agreement will permit the County to install equipment on P. G. & E. poles necessary to energize the electrolier installations on Lawrence Expressway Unit I.

There are two agreements attached. Both copies of each should be signed and returned to:

Mr. G. R. Gunn, Manager  
Pacific Gas & Electric Co.  
750 W. Olive Avenue  
Sunnyvale, California

One completed copy will then be returned to the County.

APPROVED:

*James T. Pott*

JAMES T. POTT, COUNTY ENGINEER

AGENDA DATA

DATE: \_\_\_\_\_

ITEM NO: \_\_\_\_\_

BOARD ACTION \_\_\_\_\_

\_\_\_\_\_

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