



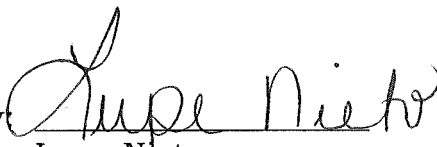
CITY OF SAN JOSÉ, CALIFORNIA

Office of the City Clerk
200 East Santa Clara Street
San José, California 95113
Telephone (408) 535-1260
FAX (408) 292-6207

LIST OF ANNEXATIONS AND THEIR EFFECTIVE DATES

	Resolution Number	Effective Date	Recording Number
2711 Franklin #54	75181	11/17/2009	20519109
2712 Franklin #55	75182	11/17/2009	20519108
2713 Parker #27	75183	11/17/2009	20519107
2714 Sunol #82	75184	11/17/2009	20521781

Lee Price, MMC
City Clerk

By: 
Lupe Nieto
Office of the City Clerk

Dated: 12/01/2009



CONFORMED COPY: This document has
not been compared with the original.
SANTA CLARA COUNTY CLERK-RECORDER

Doc#: 20519109

11/24/2009

12:42 PM

CERTIFICATE OF COMPLETION

I, Neelima Palacherla, Executive Officer of the Santa Clara County Local Agency Formation Commission, issue this Certificate of Completion pursuant to Government Code Sections 57200 and 57201.

I hereby certify that I have examined **Resolution No. 75181** for a reorganization attached hereto. I have found this document to be in compliance with Government Code Section 56757 authorizing cities within the County of Santa Clara to assume authority over certain changes in government organization; and Government Code Section 56375.3 authorizing the annexation of certain unincorporated islands after notice and hearing, and waiving protest proceedings.

The name of the City is: **San Jose.**

The entire City is located in Santa Clara County.

The change of organization completed is a **REORGANIZATION** which includes an annexation to the **City of San Jose** and detachment(s) from the following:

County Sanitation District 2-3
Santa Clara County Lighting Service Area
Central Fire Protection District
County Library Service Area

A map and description of the boundaries of the change of organization are appended hereto.

The title of this proceeding is: **San Jose Pocket #43: Franklin No. 54 (Inhabited)**


The City has complied with all conditions imposed by the Commission for inclusion of the territory in the City's Urban Service Area.

The change of organization was ordered subject to the following terms and conditions: **NONE.**

The date of adoption of the City Resolution ordering the reorganization is **11/17/09.**

I declare under the penalty of perjury in the State of California that the foregoing is true and correct.

Dated: 11/23/09



Neelima Palacherla, Executive Officer
LAFCO of Santa Clara County

Attachments: City Resolution and Map (Exhibit A)

RESOLUTION NO. 75181

**A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN JOSÉ
MAKING DETERMINATIONS AND ORDERING THE REORGANIZATION
OF CERTAIN INHABITED, UNINCORPORATED ISLAND TERRITORY
DESIGNATED AS FRANKLIN NO. 54, SUBJECT TO LIABILITY FOR
GENERAL INDEBTEDNESS OF THE CITY**

WHEREAS, the City Council desires to consider the annexation of certain unincorporated territory to the City of San José and detachment of said territory from the Central Fire Protection, County Lighting County Service, County Sanitation District No. 2-3, and Area No. 01 (Library Services) County Service Districts; which territory consists of 39 ± acres generally bounded by Lewis Road to the north, Monterey Road to the west, Singleton Road to the south and Sunburst Drive to the east, San Jose (more specifically identified in Exhibit "A"), and

WHEREAS, the distinctive short form designation of the territory proposed to be reorganized is **Franklin No. 54**; and

WHEREAS, the City of San José, by its Resolution No. 75120 adopted on October 6, 2009 duly initiated reorganization proceedings for the annexation and detachment of this certain inhabited and unincorporated territory and set the time and place for consideration of such reorganization in accordance with the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000, as the same may be amended from time to time; and

WHEREAS, the Council of the City of San José was duly designated as the conducting authority for further proceedings to reorganize the territory described herein by said Resolution No. 75120; and

WHEREAS, said territory is inhabited and not all land owner(s) of land included in the proposal consent to this annexation; and

WHEREAS, Section 56757 of the California Government Code states that the Local Agency Formation Commission shall not review an annexation proposal to any City in Santa Clara County of unincorporated territory which is within the urban service

area of the City if initiated by resolution of the legislative body, and, therefore, the City Council of the City of San José is now the conducting authority for said annexation insofar that the City initiated these reorganization proceedings under and pursuant to its Resolution No. 75120; and

WHEREAS, the reason(s) for the proposed reorganization, as set forth in the City's Resolution No. 75120 Initiating reorganization proceedings, is to reduce or eliminate an unincorporated island of County territory located within the limits of City jurisdiction that is surrounded by or substantially surrounded by City territory and to facilitate subsequent development of the territory with residential and commercial uses; and

WHEREAS, the following special districts would be affected by the proposed annexation: the Central Fire Protection, County Lighting County Service, County Sanitation District No. 2-3, and Area No. 01 (Library Services) County Service Districts; and

WHEREAS, the proposed annexation would provide for the use of City services; and

WHEREAS, the City's Resolution No. 75120 fixed November 17, 2009 at 7:00 p.m., in the Council Chambers of the City of San José, City Hall, 200 East Santa Street, San José, California, as the date, time and place said Council would consider said reorganization; and

WHEREAS, the regular County assessment roll is utilized by the City; and

WHEREAS, land and improvements within the territory shall be liable for the general indebtedness of the City of San José existing at the time of annexation; and

WHEREAS, this project is covered under the San Jose 2020 Environmental Impact Report, Resolution No. 65459, which became final on August 16, 1994, and this Council has considered and approves said Environmental Impact Report and adopted Resolution No. 65459, prior to taking any action on this proposed reorganization; and

WHEREAS, if required or necessary, affected property owners have waived any Proposition 218 election that may pertain to this reorganization proposal; and

WHEREAS, the following facts pertain to the findings required by the Council in accordance with Government Code Section 56757:

1. The unincorporated territory proposed for reorganization is within the City's Urban Service Area, as adopted by the Santa Clara Local Agency Formation Commission.
2. The County Surveyor has determined the boundaries of the proposed to be definite and certain, and in compliance with the Santa Clara County Local Agency Formation Commission's road annexation policies.
3. The proposal does not split lines of assessment or ownership in that all affected parcels are being organized in their entirety.
4. The proposal does not create islands or areas in which it would be difficult to provide municipal services in that the completion of reorganization proceedings would result in the reduction of a County "pocket" of unincorporated territory.
5. The proposal is consistent with the City's adopted General Plan in that existing and future urban development should be located within cities.
6. The territory is contiguous to existing City limits.
7. The City has complied with all conditions imposed by the Commission for inclusion of the territory in the City's Urban Service Area as follows:
 - A. No such conditions imposed.
8. The pre-zoning designation on the subject territory is R-1-8 Single-Family Residence Zoning District as to approximately 27.5 gross acres, R-2 Two-Family Residence Zoning District as to approximately 4.7 gross acres, R-M Multi family Residence Zoning District as to approximately 4 gross acres, and CG Commercial General Zoning District as to approximately 3 gross acres, in as much as the City Council on September 29, 2009 enacted an ordinance so pre-zoning the subject territory.

WHEREAS, the following facts pertain to the findings required by the Council in accordance with Government Code Section 56375.3:

1. The size of the subject unincorporated County territory in its entirety is less than one hundred fifty (150) acres; and

2. The unincorporated County territory constitutes an unincorporated island of County territory that is surrounded by or substantially surrounded by City territory on all sides; and
3. The unincorporated County territory is not a gated community where urban services are provided by a community service district; and
4. The unincorporated County territory is considered developed in that residential and office development is located on the subject properties; and
5. The unincorporated County territory is not prime agricultural land under the provisions of California Government Code Section 56064; and
6. The unincorporated County territory currently is receiving or will receive the following benefits from the City, to wit: all municipal services; and
7. The island of unincorporated County territory was created on May 1, 1984, which is prior to January 1, 2000.

WHEREAS, evidence pertaining to the proposed reorganization was presented to the City Council at the City Council's public hearings on this matter.

NOW, THEREFORE, BE IT RESOLVED THAT THE COUNCIL OF THE CITY OF SAN JOSE HEREBY FINDS:

1. That it is the conducting authority pursuant to Section 56757 of the Government Code for the annexation of property designated "Franklin No. 54," more particularly shown upon that certain map attached hereto as Exhibit "A," which exhibit is incorporated herein by this reference;
2. That the following findings are made by the City Council for the City of San José:
 - a. That said territory is inhabited and comprises approximately 39 ± acres.
 - b. That the annexation is consistent with the orderly annexation of territory within the City's urban service area and is consistent with the City policy for annexation when annexed (providing City Services).
 - c. That the City Council has considered and adopted a Final EIR entitled, "San Jose 2020 General Plan," Resolution No. 65459, which addressed the impacts of the project and became final on August 16, 1994. This proposal is in compliance with the California Environmental Quality Act and in that the adopted EIR considers the environmental impacts of the proposed change.

- d. That the City Council on September 29, 2009, enacted an ordinance pre-zoning the subject territory with the following zoning designation: R-1-8 Single-Family Residence Zoning District as to approximately 27.5 gross acres, R-2 Two-Family Residence Zoning District as to approximately 4.7 gross acres, R-M Multi family Residence Zoning District as to approximately 4 gross acres, and CG Commercial General Zoning District as to approximately 3 gross acres.
 - e. That the territory is within the City's urban service area as adopted by the Local Agency Formation Commission of Santa Clara County.
 - f. That the County Surveyor has determined the boundaries of the proposed annexation to be definite and certain, and in compliance with the Commission's road annexation policies; and pursuant to agreement the County has agreed to incur the costs of making this determination.
 - g. That the proposed annexation does not create islands or areas in which it would be difficult to provide municipal services. This reorganization reduces or eliminates an unincorporated county "pocket" and is adjacent to and surrounded or substantially surrounded by City territory on all sides.
 - h. That the proposed annexation does not split lines of assessment or ownership.
 - i. That the proposed annexation is consistent with the City's General Plan.
 - j. That the territory to be annexed is contiguous to existing City limits.
 - k. That the City has complied with all conditions imposed by the Commission for inclusion of the territory in the City's urban service area.
3. That the following additional findings are hereby made by the City Council for the City of San José:
- a. The size of the subject unincorporated County territory in its entirety is less than one hundred fifty (150) acres; and
 - b. The unincorporated County territory constitutes an unincorporated island of County territory that is surrounded by or substantially surrounded by City territory on all sides; and
 - c. The unincorporated County territory is not a gated community where urban services are provided by a community service district; and

- d. The unincorporated County territory is considered developed in that residential and commercial development is located on the subject properties; and
 - e. The unincorporated County territory is not prime agricultural land under the provisions of California Government Code Section 56064; and
 - f. The unincorporated County territory currently is receiving or will receive the following benefits from the City, to wit: all municipal services; and
 - g. The island of unincorporated County territory was created on May 1, 1984, which date is prior to January 1, 2000.
- 4. That all affected local agencies that will gain or lose territory as a result of this reorganization have consented in writing to a waiver of protest proceedings.
 - 5. That all property owners and registered voters have been provided written notice of this proceeding.
 - 6. That said annexation is hereby ordered without any further protest of these reorganization proceedings pursuant to Sections 56757 and 56375.3 of the California Government Code and is subject to the following additional terms and conditions: None.

BE IT FURTHER RESOLVED that upon completion of these reorganization proceedings the territory reorganized will be taxed on the regular County assessment roll, including taxes for existing bonded indebtedness, and that the City Council hereby takes the additional following actions:

- 1. The City Council hereby orders the territory designated as **Franklin No. 54** reorganized and organized to include the following changes of organization: (a) the following districts are detached: Central Fire Protection, County Lighting County Service, County Sanitation District No. 2-3, and Area No. 01 (Library Services) County Service Districts; and (b) the designated territory **Franklin No. 54** shall be annexed into the City of San José. The City of San José, as conducting authority, reorganized such territory as indicated above (with or without notice or hearings), it being found and concurred in that the territory involved in the reorganization is inhabited and not all the owners of land within the territory have filed a written petition for the City Council to initiate said reorganization.
- 2. The City Council further hereby describes the exterior boundaries of the territory reorganized as all that real property in the County of Santa Clara, State of California, shown upon that certain map attached hereto as Exhibit "A" and incorporated herein by this reference.

ADOPTED this 17th day of November, 2009, by the following vote:

AYES: CHIRCO, CHU, HERRERA, KALRA, LICCARDO,
NGUYEN, OLIVERIO, PYLE, REED.

NOES: NONE.

ABSENT: CAMPOS, CONSTANT.

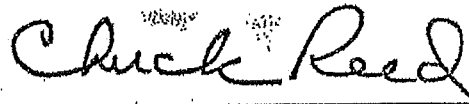
DISQUALIFIED: NONE.

ATTEST:


LEE PRICE, MMC
City Clerk

Attachment: Exhibit "A"

Island Ord.Res
jf



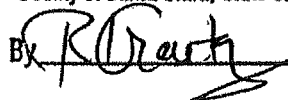
CHUCK REED
Mayor

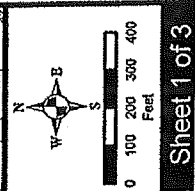
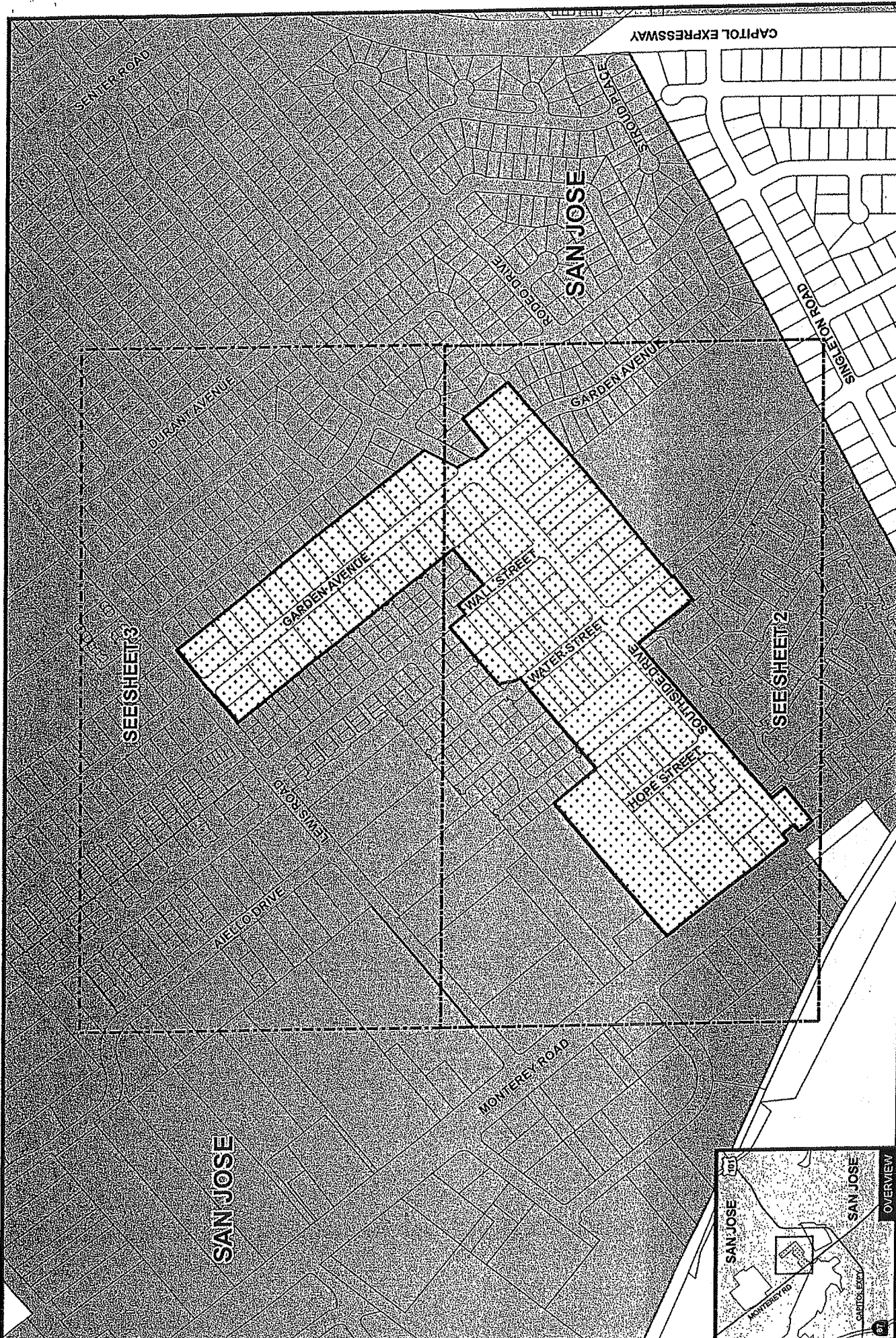
The foregoing instrument is
a correct copy of the original
on file in this office.

Attest:

LEE PRICE
City Clerk

City Clerk of the City of San José
County of Santa Clara, State of California

By  Deputy



- LEGEND:
- Area of Annexation
 - Incorporated Lands
 - Unincorporated Lands

EXHIBIT "A"
San Jose Pocket Annexation No. 43
Franklin No. 54
39 Acres +/-
 Prepared by the Office of the County Surveyor
 May 18, 2009
 Gwendolyn Gao, County Surveyor

County of Santa Clara
 Department of Planning and Development
 Office of the County Surveyor
 County Government Center, East Wing
 70 West Hedding Street, 7th Floor
 San Jose, California 95110

TITLE:

OVERVIEW

SAN JOSE

DURANT AVENUE

WELLS DRIVE

LEWIS ROAD

GARDEN AVENUE

SAN JOSE

SUNBURST DRIVE

SEESHEET 2

WALL STREET

49724042
49724041

49724006
49724005

49724007
49724008
49724009

49724010
49724011
49724012

49724013
49724014
49724015

49724016
49724017
49724018

49724030
49724031
49724032

49724033
49724034
49724035

49724028
49724029
49724030

TITLE:

EXHIBIT "A"

LEGEND:

- Area of Annexation
- Incorporated Lands
- Unincorporated Lands

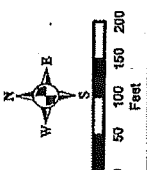
County of Santa Clara
Department of Planning and Development
Office of the County Surveyor
County Government Center, East Wing
70 West Hedding Street, 7th Floor
San Jose, California 95110



San Jose Pocket Annexation No. 43
Franklin No. 54
39 Acres +/-

Prepared by the Office of the County Surveyor
May 16, 2009
Gwendolyn Gee, County Surveyor

12345678 Assessor's Parcel Number



County of Santa Clara
Office of the County Assessor
County Government Center
70 West Hedding Street
San Jose, CA 95110-1771
Fax (408) 298-9446



Lawrence E. Stone, Assessor

REPORT OF THE COUNTY ASSESSOR

Date Report: May 14, 2009
Prepared:
Title of Proposal: Franklin No. 54
Type of Application: Anx/Detach to City
Conducting Authority: City of San Jose

1. Review of Proposal

- Location: 104 APNs near Monterey & Lewis Roads
- Assessor's Parcel Numbers: see list attached
- Respective Net value of assessed parcels as of last July 1: see list attached

2. Conformity to Lines of Assessment or Ownership

- ☒ Boundaries of proposal conform.
- ☐ Boundaries of proposal fail to conform to lines of assessment per attached map.
- ☐ Upon annexation, lines of assessment will no longer be split by TRA lines within this proposal.

3. Special Districts

Special districts within the proposed area include:

TRA 66-014	TRA 66-029
066-014 79 FRANKLIN MCKINLEY ELEM. SCHOOL	066-029 79 FRANKLIN MCKINLEY ELEM. SCHOOL
066-014 134 EAST SIDE UNION HIGH SCHOOL	066-029 134 EAST SIDE UNION HIGH SCHOOL
066-014 201 SAN JOSE COMM. COLLEGE	066-029 201 SAN JOSE COMM. COLLEGE
066-014 215 BAY AREA JT(1,7,21,28,38,41,43,48,49,57) AIR QUALITY MGMT.	066-029 215 BAY AREA JT(1,7,21,28,38,41,43,48,49,57) AIR QUALITY MGMT.
066-014 219 CENTRAL-ZONE No. 01 FIRE PROTECTION	066-029 219 CENTRAL-ZONE No. 01 FIRE PROTECTION
066-014 313 CO LIGHTING COUNTY SERVICE	066-029 322 SANTA CLARA VALLEY COUNTY WATER
066-014 322 SANTA CLARA VALLEY COUNTY WATER	066-029 327 SANTA CLARA VALLEY ZONE E-1 COUNTY WATER
066-014 327 SANTA CLARA VALLEY ZONE E-1 COUNTY WATER	066-029 335 SANTA CLARA COUNTY IMPORTATION WATER-MISC
066-014 335 SANTA CLARA COUNTY IMPORTATION WATER-MISC	066-029 371 CENTRAL FIRE PROTECTION
066-014 371 CENTRAL FIRE PROTECTION	066-029 376 SANTA CLARA VALLEY-ZONE W-4 COUNTY WATER
066-014 376 SANTA CLARA VALLEY-ZONE W-4 COUNTY WATER	066-029 377 AREA NO. 01, LIBRARY BENEFIT ASSESSMENT COUNTY SERVICE
066-014 377 AREA NO. 01, LIBRARY BENEFIT ASSESSMENT COUNTY SERVICE	066-029 378 AREA NO. 01 (LIBRARY SERVICES) COUNTY SERVICE
066-014 378 AREA NO. 01 (LIBRARY SERVICES) COUNTY SERVICE	

Prepared By:

Anita Badger, Property Identification & Title Technician
(408) 299-5506
anita.badger@asr.sccgov.org

ASSESSORS PROJECT 2033

ANNEXATION TO CITY OF SAN JOSE

APN	TRA	7/01/08 NET VALUE
497-15-044	066-014	\$19,526
497-15-045	066-014	\$26,345
497-15-046	066-014	\$127,664
497-16-001	066-014	\$793,560
497-16-002	066-014	\$71,910
497-16-003	066-014	\$48,979
497-16-038	066-014	\$25,637
497-16-039	066-014	\$579,321
497-16-040	066-014	\$127,406
497-16-041	066-014	\$94,191
497-16-042	066-014	\$541,215
497-16-043	066-014	\$13,364
497-16-044	066-014	\$27,051
497-16-045	066-014	\$751,546
497-16-046	066-014	\$747,093
497-16-047	066-014	\$894,641
497-16-048	066-014	\$175,164
497-17-015	066-014	\$90,588
497-17-016	066-014	\$161,115
497-17-017	066-014	\$3,304
497-22-001	066-014	\$550,000
497-22-002	066-014	\$382,262
497-22-003	066-014	\$172,384
497-22-004	066-014	\$177,123
497-22-005	066-014	\$165,772
497-22-006	066-014	\$25,499
497-22-007	066-014	\$200,572
497-22-008	066-014	\$22,159
497-22-009	066-014	\$173,880
497-22-010	066-014	\$321,214
497-22-011	066-014	\$304,217
497-22-012	066-014	\$48,715
497-22-013	066-014	\$219,438
497-22-014	066-014	\$21,774
497-22-015	066-014	\$445,869
497-22-016	066-014	\$417,072
497-22-017	066-014	\$448,800
497-22-018	066-014	\$291,263
497-22-019	066-014	\$21,089
497-22-020	066-014	\$699,233
497-22-021	066-014	\$26,695
497-22-022	066-014	\$100,840
497-22-023	066-014	\$714,000
497-22-024	066-014	\$291,431
497-22-025	066-014	\$264,686
497-22-026	066-014	\$485,599

APN	TRA	7/01/08 NET VALUE
497-22-027	066-014	\$20,690
497-22-028	066-014	\$0
497-22-029	066-014	\$501,741
497-22-030	066-014	\$308,409
497-22-031	066-014	\$230,329
497-22-032	066-014	\$302,286
497-22-033	066-014	\$336,764
497-22-034	066-014	\$116,567
497-22-035	066-014	\$113,007
497-22-036	066-014	\$703,742
497-22-037	066-014	\$360,656
497-22-038	066-014	\$223,776
497-22-039	066-014	\$205,605
497-22-040	066-014	\$243,691
497-22-042	066-014	\$149,782
497-22-043	066-014	\$1,397,177
497-22-044	066-014	\$268,289
497-22-045	066-029	\$243,232
497-22-046	066-029	\$393,637
497-23-005	066-029	\$377,089
497-24-005	066-014	\$533,000
497-24-006	066-014	\$166,487
497-24-007	066-014	\$14,949
497-24-008	066-014	\$44,111
497-24-009	066-014	\$626,750
497-24-010	066-014	\$599,161
497-24-011	066-014	\$706,223
497-24-012	066-014	\$673,000
497-24-013	066-014	\$48,861
497-24-014	066-014	\$39,569
497-24-015	066-014	\$30,072
497-24-016	066-014	\$476,335
497-24-017	066-014	\$24,272
497-24-018	066-014	\$94,629
497-24-019	066-014	\$32,712
497-24-020	066-014	\$34,472
497-24-021	066-014	\$576,800
497-24-022	066-014	\$516,231
497-24-023	066-014	\$56,669
497-24-024	066-014	\$175,839
497-24-025	066-014	\$109,662
497-24-027	066-014	\$419,597
497-24-028	066-014	\$30,426
497-24-029	066-014	\$36,019
497-24-030	066-014	\$638,909
497-24-031	066-014	\$35,568

5/14/2009

FRANKLIN NO. 54

Page 3 of 3

ASSESSORS PROJECT 2033

ANNEXATION TO CITY OF SAN JOSE

APN	TRA	7/01/08 NET VALUE
497-24-032	066-014	\$487,363
497-24-033	066-014	\$197,584
497-24-034	066-014	\$72,027
497-24-035	066-014	\$121,400
497-24-036	066-014	\$533,500
497-24-037	066-014	\$240,030
497-24-038	066-014	\$245,486
497-24-039	066-014	\$269,168
497-24-040	066-014	\$35,666
497-24-041	066-014	\$366,561
497-24-042	066-014	\$169,776
497-55-115	066-014	\$799,660
		\$29,086,219
TOTAL # APNS	104	