

**BOARD OF DIRECTORS
SANTA CLARA VALLEY WATER DISTRICT**

RESOLUTION NO. 18-

**AUTHORIZING CONVEYANCE OF DISTRICT LANDS COMMONLY KNOWN AS
ASSESSOR'S PARCEL NO. 259-25-054 BY QUITCLAIM DEED TO
MICHAEL G. AKATIFF AND CHRISTY D. AKATIFF, TRUSTEES OF THE
MICHAEL G. AKATIFF AND CHRISTY D. AKATIFF REVOCABLE TRUST, OR
THEIR SUCCESSORS IN INTEREST**

WHEREAS, Santa Clara Valley Water District (District) is the owner of that certain real property located in the City of San Jose, County of Santa Clara, State of California, commonly known as APN: 259-25-054, more particularly described in EXHIBIT A attached hereto (Property); and

WHEREAS, the Property, a very small remnant parcel, no longer has utility for District functions and projects, and is no longer needed for District purposes; and

WHEREAS, Section 31 of the District Act provides that the Board of Directors may reconvey real property to the former owner by whom the property was conveyed, or from whom the property was condemned by the District, or the owner's successor in interest for fair market value; and

WHEREAS, Michael G. Akatiff and Christy D. Akatiff, Trustees of the Michael G. Akatiff and Christy D. Akatiff Revocable Trust (Buyer) are the former owner or qualifying "successor in interest" by whom the property was conveyed to the District; and

WHEREAS, The District desires to sell the Property to Buyer and Buyer desires to purchase the Property from District for not less than fair market value.

NOW, THEREFORE BE IT RESOLVED by the Board of Directors of the Santa Clara Valley Water District as follows:

1. The recitals are incorporated herein by this reference.
2. THAT this Board does hereby determine that certain interest in real property of the District described on Exhibit A, attached hereto and made a part hereof, is no longer necessary to be retained for the uses and purposes thereof.
3. THAT pursuant to Cal. Water Code Appendix Section 60-31, the Board will reconvey real property interests described in Exhibit A to Michael G. Akatiff and Christy D. Akatiff, Trustees of the Michael G. Akatiff and Christy D. Akatiff Revocable Trust (the "Akatiff Revocable Trust"), the former owner or qualifying successor in interest for fair market value.
4. THAT the "Santa Clara Valley Water District Real Property Purchase and Sale Agreement Real Estate File No. 3015-386.4" with the Akatiff Revocable Trust (the "PSA") is approved by the Board at its regular meeting on October 9, 2018, and that the Chief Executive Officer is authorized to execute said PSA and the necessary real estate documents identified therein.

Authorizing Conveyance of District Lands Commonly Known as Assessor's Parcel No. 259-25-054 by Quitclaim Deed to Michael G. Akatiff and Christy D. Akatiff, Trustees of the Michael G. Akatiff and Christy D. Akatiff Revocable Trust, or Their Successors in Interest

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PASSED AND ADOPTED by the Board of Directors of the Santa Clara Valley Water District by the following vote on October 9, 2018:

AYES: Directors

NOES: Directors

ABSENT: Directors

ABSTAIN: Directors

SANTA CLARA VALLEY WATER DISTRICT

RICHARD P. SANTOS
Chair/Board of Directors

ATTEST: MICHELE L. KING, CMC

Clerk/Board of Directors

Authorizing Conveyance of District Lands Commonly Known as Assessor's Parcel No. 259-25-054 by Quitclaim Deed to Michael G. Akatiff and Christy D. Akatiff, Trustees of the Michael G. Akatiff and Christy D. Akatiff Revocable Trust, or Their Successors in Interest

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EXHIBIT A

LEGAL DESCRIPTION OF LAND OF SANTA CLARA VALLEY WATER DISTRICT

No. of Pages: 1

Exhibit Attachments: Attachment 1: Legal Description of Land of Santa Clara Valley Water District

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3015-386.4

Order Number:NCS-913383-SC

EXHIBIT A

LEGAL DESCRIPTION

Real property in the City of San Jose, County of Santa Clara, State of California, described as follows:

BEING A PORTION OF THE LANDS DESCRIBED AS "PARCEL FOUR" AND "PARCEL FIVE" IN THE DEED RECORDED DECEMBER 03, 1991 AS INSTRUMENT NO. 11150551 IN BOOK L950, PAGE 1714 OF OFFICIAL RECORDS, IN THE OFFICE OF THE RECORDER OF THE COUNTY OF SANTA CLARA, STATE OF CALIFORNIA, TO WIT:

BEGINNING AT A POINT ON THE NORTHEASTERLY LINE OF AUTUMN STREET, DISTANT THEREON NORTH 40° 35' 00" WEST, 318.50 FEET FROM THE POINT OF INTERSECTION OF THE NORTHEASTERLY LINE OF AUTUMN STREET WITH THE NORTHWESTERLY LINE OF HOWARD STREET, SAID POINT BEING THE MOST WESTERLY CORNER OF SAID "PARCEL FOUR"; THENCE ALONG THE NORTHWESTERLY LINES OF SAID "PARCEL FOUR" AND "PARCEL FIVE" AS DESCRIBED IN SAID DEED, NORTH 49° 25' 00" EAST, 59.00 FEET; THENCE CONTINUING ALONG SAID LINE NORTH 71° 55' 00" EAST, 241.91 FEET; THENCE CONTINUING ALONG SAID LINE NORTH 60° 24' 00" EAST, 145.74 FEET; THENCE LEAVING SAID LINE, SOUTH 22° 27' 16" EAST, 25.99 FEET; THENCE SOUTH 65° 03' 45" WEST, 42.65 FEET; THENCE ALONG A CURVE TO THE RIGHT, HAVING A RADIUS OF 673.26 FEET, THROUGH A CENTRAL ANGLE OF 06° 40' 00" FOR AN ARC DISTANCE OF 78.34 FEET; THENCE SOUTH 71° 43' 45" WEST, 27.82 FEET; THENCE ALONG A CURVE TO THE LEFT, HAVING A RADIUS OF 2970.00 FEET, THROUGH A CENTRAL ANGLE OF 03° 34' 39" FOR AN ARC DISTANCE OF 185.44 FEET TO A POINT OF COMPOUND CURVATURE THENCE ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 550.00 FEET, THROUGH A CENTRAL ANGLE OF 11° 02' 16" FOR AN ARC DISTANCE OF 105.95 FEET TO A POINT ON THE NORTHEASTERLY LINE OF AUTUMN STREET; THENCE ALONG SAID LINE NORTH 40° 35' 00" WEST, 8.32 FEET TO THE POINT OF BEGINNING.

EXCEPTING FROM THE ABOVE PARCEL ALL THOSE PORTIONS OF THE LAND GRANTED TO THE CITY OF SAN JOSE, A MUNICIPAL CORPORATION OF THE STATE OF CALIFORNIA IN THOSE GRANT DEEDS RECORDED DECEMBER 01, 2008 AS INSTRUMENT NO. 20056603, 20056604 AND 20056605 AND IN QUITCLAIM DEED RECORDED OCTOBER 11, 2013 AS INSTRUMENT NO. 22412567, ALL OF OFFICIAL RECORDS.

APN: 259-25-054

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