

CITY OF SANTA CLARA PUBLIC NOTICE
SALE OF PUBLIC RIGHT-OF-WAY
(Pursuant to Section 714 of the City Charter)

NOTICE IS HEREBY GIVEN that the City of Santa Clara ("City") intends to sell its right, title and interest in the property described below. The sale of the said property will be consummated on the 25th day of June, 2019 at 7:00 p.m. or soon thereafter in the City Council Chamber of the City of Santa Clara, 1500 Warburton Avenue, Santa Clara, CA 95050. At such time and place fixed for said consummation of sale, the City Council shall call for bids of said property described as contiguous public rights-of-way property.

The City intends to sell the public right-of-way for \$920,000 cash plus \$8,600,000 for utility relocation (total of \$9,520,000) and require the bidder to comply with the Conditions of Sale, including: the ability to retain existing public utilities in the roadways where they exist, reserve a utility easement for their continued operation and maintenance, and to keep the easement open and clean. All public utilities are required to be relocated and then the utility easement will be vacated.

At the above time and place, the City Council may also consider other bids received from responsible bidders that may be at least five percent (5%) in excess of the price identified below.

If any increase bid is received from a responsible bidder; at least five percent (5%) in excess of the original price offered for the property, the City Council may do any of the following: (a) accept the higher bid for said property; (b) order a new sale; (c) withdraw the property from sale; or (d) hold the overbid in abeyance for up to a thirty (30) day period to allow staff time to determine the feasibility of the higher bidder's proposal for use of the property and review the higher bidder's creditworthiness.

The City has on file in the office of the City Clerk, City Hall, 1500 Warburton Avenue, Santa Clara, CA 95050 a Conditions of Sale document identifying the legal description of all public right-of-way associated therewith (the "Conditions of Sale"). Said Conditions of Sale document is a public record and the public is invited to examine said document during regular business hours in the City Clerk's Office.

1. Description of Property: The property consists of portions of Fremont Street and Sherman Street at 575 Benton Street and surrounding properties. That portion of Fremont Street (70-foot wide right-of-way) from the extension of the easterly line right-of-way line of The Alameda to the extension of the westerly right-of-way line of Sherman Street, and that portion of Sherman Street (70-foot wide right-of-way) from the extension of the northerly right-of-way line of Benton Street (portion having a 42-foot wide half-street) to the southerly right-of-way line of El Camino Real and containing an area of approximately 57,693 square feet.
2. Price Hereto Offered for Sale of Property: \$920,000 cash plus \$8,600,000 for utility relocation (total of \$9,520,000).
3. Bidding Requirements: The initial bid must be in the amount of no less than \$920,000 cash plus \$8,600,000 for utility relocation (total of \$9,520,000), thereafter any overbid must be at least in the amount of \$9,996,000, which is five percent (5%) greater than the hereto for offered total price. Any succeeding bids must be at least \$1,000 greater than the preceding price bid price.
4. Sale Subject to Conditions: The sale is subject to the Conditions of Sale on file in the Office of City Clerk.

5. Purchase Deposit: Prior to each bid, each responsible bidder is required to submit a purchase deposit to the City Clerk either in the form of a certified check or cashier's check, made payable to the City of Santa Clara. Said deposit must be adjusted in the case of over-bidding, to equal five percent (5%) of the final cash purchase price. Any difference between the deposit check submitted and five percent (5%) of the final cash purchase price must be submitted to the City Clerk in the form of a certified check or a cashier's check no later than 5:00 p.m. on Wednesday, June 26, 2019.

Should you have any questions, please call the Public Works Department at (408) 615-3000. Written comments on this item may be submitted to the Public Works Department, City Hall, 1500 Warburton Avenue, Santa Clara 95050, by Wednesday morning of the week prior to the meeting so they can be included in the City Council Members' packets.

AMERICANS WITH DISABILITIES ACT (ADA)

In accordance with the Americans with Disabilities Act of 1990, the City of Santa Clara will ensure that all existing facilities will be made accessible to the maximum extent feasible. Reasonable modifications in policies, procedures and/or practices will be made as necessary to ensure full and equal access and enjoyment of all programs and activities for all individuals with a disability. Individuals with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities should contact the City's ADA office (408) 615-3000, to discuss meeting accessibility. In order to allow participation by such individuals, please do not wear scented products to meetings at City facilities.