

RESOLUTION NO. _____
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORGAN HILL
APPROVING THE RIGHT OF WAY AND SLOPE EASEMENT DEDICATIONS FOR
THE DEWITT AVENUE "S" CURVE REALIGNMENT PROJECT, AUTHORIZING
THE CITY MANAGER TO EXECUTE THE RIGHT OF WAY AND SLOPE
EASEMENT GRANT DEEDS TO THE COUNTY OF SANTA CLARA, AND
AUTHORIZING THE RECORDATION OF THE GRANT DEEDS

WHEREAS, the City of Morgan Hill, a municipal corporation and general law city duly organized and existing under and pursuant to the Constitution and laws of the State of California ("City"), is authorized to dedicate right of way and slope easements for the benefit of the City; and

WHEREAS, the reasons supporting the dedication of right of way and slope easements of the City to the County of Santa Clara described in, and that is the subject of, this Resolution are set forth in detail in that certain City Council Staff Report entitled "Approve Right of Way and Slope Easement Dedications for the DeWitt Avenue "S" Curve Realignment Project" submitted for City Council consideration at its meeting of December 16, 2015, submitted to the City Council by the City Manager (the "Staff Report"), the contents of which Staff Report are incorporated herein by this reference; and

WHEREAS, the consideration by City Council of the adoption of this Resolution has been duly noticed pursuant to applicable laws and has been placed upon the City Council Meeting Agenda on the date set forth in the Staff Report, or to such date that the City Council may have continued or deferred consideration of this Resolution, and on such date the City Council conducted a duly noticed public hearing on the adoption of this Resolution at which hearing the City Council provided members of the public an opportunity to comment and be heard and considered any and all testimony and other evidence provided in connection with the adoption of this Resolution; and

WHEREAS, the City Council determines that adoption of this Resolution is in the public interest.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MORGAN HILL DOES HEREBY FIND, DETERMINE, RESOLVE AND ORDER AS FOLLOWS:

Section 1. Recitals. The City Council does hereby find, determine and resolve that all of the foregoing recitals are true and correct.

Section 2. Approval and Authorizations. The City Council does further resolve, order and/or direct as follows:

- a. That the right of way and slope easement grant deeds, attached hereto as Exhibit A and incorporated herein by this reference are hereby approved for dedication to the County of Santa Clara for the DeWitt Avenue "S" Curve Realignment Project.

- b. That the City Manager is hereby delegated authority to and is authorized and directed to execute the right of way and slope easement deeds in the form attached hereto as Exhibit A.
- c. Authorize the recordation of the right of way and slope easement grant deeds.

Section 3. This Resolution shall take effect immediately upon adoption.

PASSED AND ADOPTED by the City Council of the City of Morgan Hill at its meeting held on this 16th day of December, 2015 by the following vote:

AYES:
NOES:
ABSTAIN:
ABSENT:

COUNCIL MEMBERS:
COUNCIL MEMBERS:
COUNCIL MEMBERS:
COUNCIL MEMBERS:

DATE: _____

Steve Tate, Mayor

∞ **CERTIFICATION** ∞

I, Irma Torrez, City Clerk of the City of Morgan Hill, California, do hereby certify that the foregoing is a true and correct copy of Resolution No. _____, adopted by the City Council at the meeting held on December 16, 2015.

WITNESS MY HAND AND THE SEAL OF THE CITY OF MORGAN HILL.

DATE: _____

Irma Torrez, CITY CLERK