

# Memorandum

To: CHAIR AND COMMISSIONERS

CTC Meeting: June 7-8, 2006

Reference No.: 2.3c.  
Action Item

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Subject: **RELINQUISHMENT RESOLUTION**

## **RECOMMENDATION:**

The Department of Transportation recommends the California Transportation Commission (Commission) approve the following relinquishment resolution that will transfer a highway facility no longer needed for the state highway system to the local agency identified in the summary.

## **ISSUE:**

It has been determined that the facility described below is not essential to the proper functioning of the state highway system and may be disposed of by relinquishment.

## **BACKGROUND:**

Pursuant to Section 73 of the Streets and Highways Code, the removal of a state highway, either in whole or in part, from the state highway system requires a relinquishment approved by the Commission. It has been determined that this facility is no longer essential to the state highway system. The facility is in a state of good repair. The local authorities have been advised of the pending relinquishment a minimum of 90 days prior to the Commission meeting for both superseded highways and collateral facilities pursuant to Section 73 of the Streets and Highways Code. Any exceptions or unusual circumstances are described in the summary. Upon the recording of the approved relinquishment resolution in the county where the facility is located, all right, title and interest of the State in and to the facility to be relinquished will be transferred to the local agency identified in the summary.

## **RESOLUTION:**

Resolution No. R-3635 – 4-SC1-101-PM 40.5 (KP 65.26) (Request No. 56067) – 1 Segment Relinquishes right of way in the city of San Jose, at Channing Avenue and Seaboard Avenue, consisting of reconstructed and relocated city streets, frontage roads and cul-de-sacs. The city of San Jose, by freeway agreement dated February 25, 2003, agreed to accept title upon relinquishment by the State. The 90-day notice period expired March 12, 2006, without exception.