

CITY OF CUPERTINO
NOTICE OF PUBLIC HEARING

VACATE PORTIONS OF EASEMENTS ON PROPERTIES NEAR THE NORTH APPROACH TO THE DON BURNETT BICYCLE-PEDESTRIAN BRIDGE.

NOTICE IS HEREBY GIVEN that at its meeting of Monday, November 5, 2012, the Cupertino City Council will conduct a public hearing to consider the City's intent to vacate portions of easements on properties near the north approach to the Don Burnett Bicycle-Pedestrian Bridge. The map and legal description are on file in the City Clerk's office at Cupertino City Hall, 10300 Torre Avenue. Council will meet at 6:45 p.m., Council Chamber, Community Hall, 10350 Torre Avenue, Cupertino, California. Interested parties are invited to attend and be heard. If you wish to challenge the City Council's action in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the City of Cupertino City Hall at, or prior to, the public hearing.

RESOLUTION NO. 12-116

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CUPERTINO DECLARING ITS INTENTION TO ORDER VACATION OF A PORTION OF PUBLIC STREET EASEMENT AS PROVIDED IN SECTION 8320 ET SEQ. OF THE STREETS AND HIGHWAYS CODE OF THE STATE OF CALIFORNIA, FIXING TIME AND PLACE FOR PUBLIC HEARING AND PROVIDING FOR NOTICE THEREOF

WHEREAS, a portion of the Public Street Easement recorded July 29, 1969 as Book 8620, page 487 of Official Records and more particularly described in legal description and map attached hereto and made part hereof as Exhibits "C" and "D", is deemed unnecessary for present and prospective public street purposes; and WHEREAS, the City Council elects to proceed pursuant to the provisions of Section 8320 et seq. of the Streets and Highways Code of the State of California; and WHEREAS, it is deemed to be in the public interests that the City Council elects to proceed to order said vacation. NOW, THEREFORE, BE IT RESOLVED that the City Council hereby declares its intention to vacate the aforesaid portions of Public Street Easement. BE IT FURTHER RESOLVED: 1. That the 5th day of November, at 6:45 p.m., in the Community Hall, 10350 Torre Avenue, Cupertino, California, is the time and place fixed for hearing on the above proposed vacation; 2. That the aforesaid date is not less than 15 days from passage of this resolution pursuant to law; 3. That the City Clerk shall cause a certified copy of this resolution to be published in the manner prescribed by law, and shall cause certified copies to be posted along the line of said easements proposed to be vacated at least 10 days before the date of hearing and no more than 300 feet apart with a minimum of 3 being posted. PASSED AND ADOPTED at a regular meeting of the City Council of the City of Cupertino this 2nd day of October, 2012, by the following vote:

<u>Vote</u>	<u>Members of the City Council</u>
AYES:	Santoro, Mahoney, Chang, Sinks, Wong
NOES:	None
ABSENT:	None
ABSTAIN:	None
ATTEST:	

APPROVED:

/s/Grace Schmidt
Grace Schmidt, City Clerk

/s/Mark Santoro
Mark Santoro, Mayor, City of Cupertino

/GRACE SCHMIDT/
CITY CLERK
PUBLISH 10/12/12