

**CITY OF CUPERTINO
NOTICE OF PUBLIC HEARING
VACATION OF AN EASEMENT FOR STORM DRAIN RETENTION BASIN
PURPOSES LOCATED ON 23500 CRISTO REY DRIVE**

NOTICE IS HEREBY GIVEN that at its meeting of Tuesday, December 4, 2018, the City Council of the City of Cupertino will conduct a public hearing to consider the City's intent to vacate an easement for storm drain retention basin purposes located on 23500 Cristo Rey Drive. The map and legal description are on file in the City Clerk's office at Cupertino City Hall, 10300 Torre Avenue. Council meets 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. **IMPORTANT NOTICE:** Please be advised that pursuant to Cupertino Municipal Code 2.08.100 written communications sent to the Cupertino City Council, Commissioners or City staff concerning a matter on the agenda are included as supplemental material to the agenda item. These written communications are accessible to the public through the City's website and kept in packet archives. You are hereby admonished not to include any personal or private information in written communications to the City that you do not wish to make public; doing so shall constitute a waiver of any privacy rights you may have on the information provided to the City. Notify the City Clerk's office at cityclerk@cupertino.org or 408-777-3223 if you wish to see the exhibits as noted in the body of the resolution.

RESOLUTION NO. 18-106

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CUPERTINO
DECLARING ITS INTENTION TO ORDER VACATION OF AN EASEMENT FOR
STORM DRAIN RETENTION BASIN PURPOSES LOCATED ON 23500 CRISTO
REY DRIVE 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, an easement for storm drain retention basin purposes located on 23500 Cristo Rey Drive, and more particularly described per Document No. 10533472, recorded on May 23, 1990, attached hereto and made part hereof as Exhibit "A", is to be vacated; 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, a new storm drain retention basin easement is to be dedicated superseding the existing storm drain retention basin easement; 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 storm drain retention basin easement.

BE IT FURTHER RESOLVED:

1. That the 4th day of December, 2018, 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 property 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 5th day of November, 2018, by the following vote:

<u>Vote</u>	<u>Members of the City Council</u>
AYES:	Paul, Sinks, Chang, Scharf, Vaidhyanathan

NOES: None

ABSENT: None

ABSTAIN: None

ATTEST:

/s/Grace Schmidt

Grace Schmidt, City Clerk
City of Cupertino

APPROVED:

/s/Darcy Paul

Darcy Paul, Mayor,

CITY OF CUPERTINO

/GRACE SCHMIDT/

CITY CLERK

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