

CITY OF CUPERTINO
NOTICE OF PUBLIC HEARING

VACATE A PORTION OF CITY RIGHT OF WAY ON FINCH AVENUE, BETWEEN STEVENS CREEK BOULEVARD AND VALLCO PARKWAY.

NOTICE IS HEREBY GIVEN that at its meeting of Tuesday, May 1, 2012, the Cupertino City Council will conduct a public hearing to consider the vacation of City Right of Way on Finch Avenue, between Stevens Creek Boulevard and Vallco Parkway. 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. 12-029

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CUPERTINO DECLARING ITS INTENTION TO ORDER VACATION OF A PORTION OF FINCH AVE 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, that portion of a City street known as Finch Avenue and more particularly described in legal description and map attached hereto and made part hereof as Exhibits "A" and "B", 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 portion of City street. BE IT FURTHER RESOLVED: 1. That the 1st day of May, 2012, 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 20th day of March, 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:
s/s Grace Schmidt
Grace Schmidt, Acting City Clerk

APPROVED:
s/s/ Mark Santoro
Mark Santoro, Mayor

/GRACE SCHMIDT/
ACTING CITY CLERK
PUBLISH 4/20/12