

RESOLUTION NO. 25-XXX

A RESOLUTION OF THE CUPERTINO CITY COUNCIL SUMMARILY VACATING A PORTION OF STREET ALONG 21831 HERMOSA AVENUE (APN 357-16-107)

WHEREAS, the property owners of 21831 Hermosa Avenue made an application to the City of Cupertino to vacate a portion of street along his property, as described in Exhibit "A" and shown in Exhibit "B" (hereinafter the "Street Vacation Area"), to better facilitate a proposed development project within their private property; and

WHEREAS, subdivision (a) of Section 8334 along with Section 8334.5 of the Streets and Highways Code of the State of California authorizes the City Council to summarily vacate a portion of a street if there is an excess right-of-way of a street not required for street purposes, and there are no public utility facilities located within the street; and

WHEREAS, the Director of Public Works has determined the Street Vacation Area to be in excess, and that there are no public utility facilities located within the Street Vacation Area; and

WHEREAS, a new public utility easement will be recorded concurrently over the Street Vacation Area; and

WHEREAS, the City Council elects to proceed with a summary vacation of the Street Vacation Area pursuant to the provisions of Section 8335 et seq. of the Streets and Highways Code of the State of California.

NOW, THEREFORE, BE IT RESOLVED that the City Council does hereby:

- 1) Adopt the Resolution based upon all other evidence submitted, and makes the following findings:
 - a. The Street Vacation Area is an excess right-of-way of street not required for street purposes, and
 - b. There are no public utility facilities located within the Street Vacation Area.
- 2) Order that the Street Vacation Area shall be and hereby is summarily vacated based upon the findings made and the provisions of Section 8334(a) and 8334.5 of the Streets and Highways Code of the State of California.

Resolution No. _____

Page 2

- 3) Direct the City Clerk to record at Santa Clara County Records this Resolution, including Exhibit "A" and Exhibit "B" attached hereto.
- 4) Declare the Street Vacation Area will no longer constitute a street from and after the date of recordation of this Resolution.

PASSED AND ADOPTED at a regular meeting of the City Council of the City of Cupertino this 20th day of May, 2025, by the following vote:

Members of the City Council

AYES:

NOES:

ABSENT:

ABSTAIN:

<div>SIGNED:</div> <div><div></div></div> <div>Liang Chao, Mayor City of Cupertino</div>	<div><div></div></div> <div>Date</div>
<div>ATTEST:</div> <div><div></div></div> <div>Kirsten Squarcia, City Clerk</div>	<div><div></div></div> <div>Date</div>