

RESOLUTION NO. _____

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CUPERTINO
PURSUANT TO 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 OF A
PUBLIC HEARING TO CONSIDER THE VACATION OF A PUBLIC
PEDESTRIAN WALKWAY**

WHEREAS, a pedestrian walkway easement dedicated to public use presently exists in the Campo de Lozano subdivision in the City of Cupertino, as described in Exhibit A; 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 to vacate said public right-of-way; and

WHEREAS, it is deemed to be in the public interests that the City Council elects to proceed to set a public hearing to consider said vacation.

NOW, THEREFORE, BE IT RESOLVED that the City Council does hereby declare its intent to set a public hearing to consider the vacation of the aforesaid public pedestrian walkway easement.

BE IT FURTHER RESOLVED:

1. In accordance with Government Code 54953(e), the City Council will fix a teleconference meeting, without physical location, to be held on the 1st day of March, 2022, at 6:45 p.m., 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 three being posted.

BE IT FURTHER RESOLVED that this Resolution is not a project under the requirements of the California Environmental Quality Act, together with related State CEQA Guidelines (collectively, "CEQA") because it has no potential for resulting in physical change in the environment. In the event that this Resolution

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is found to be a project under CEQA, it is subject to the CEQA exemption contained in CEQA Guidelines section 15061(b)(3) because it can be seen with certainty to have no possibility that the action approved may have a significant effect on the environment. CEQA applies only to actions which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA. In this circumstance, the proposed action to vacate a public pedestrian walkway easement would have no or only a de minimis effect on the environment because the action does not disturb any physical or environmental features. The foregoing determination is made by the City Council in its independent judgment.

PASSED AND ADOPTED at a regular meeting of the City Council of the City of Cupertino this 1st day of February, 2022, by the following vote:

Members of the City Council

AYES:

NOES:

ABSENT:

ABSTAIN:

<div>SIGNED:</div> <div><div></div></div> <div>Darcy Paul, 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>

Pedestrian Walkway
Easement to be Vacated

RODRIGUES AVENUE

LEGEND

	DISTINCTIVE BORDER LINE
	SUBDIVISION LOT LINE
	CENTERLINE
	OTHER EXISTING PROPERTY OR RIGHT-OF-WAY LINES
	INDICATES FOUND MONUMENTATION AS NOTED
	INDICATES FOUND MONUMENT AS NOTED
	INDICATES SET 3/4" IRON PIPE, TAGGED L.S. 7690
P.S.E.	PUBLIC SERVICE EASEMENT
P.S.D.E.	PRIVATE STORM DRAIN EASEMENT
(R)	RADIAL BEARING
R/W	RIGHT OF WAY
E.V.A.E.	EMERGENCY VEHICLE ACCESS EASEMENT
P-#	DESIGNATES A PARKING SPACE WHICH IS EXCLUSIVE USE COMMON AREA FOR THE BENEFIT OF THE CORRESPONDINGLY NUMBERED LOT.
Y-#	DESIGNATES A YARD WHICH IS EXCLUSIVE USE COMMON AREA FOR THE BENEFIT OF THE CORRESPONDINGLY NUMBERED LOT.

LOT 6

LOT 2
2504 SF

LOT 3
3078 SF

PARCEL 1

COMMON AREA
LOT 1
26,967 SF
P.S.E. AND E.V.A.E.

324 M 39

LOT 5

LOT 4
2387 SF

LOT 5
3248 SF

PARCEL 4

Pedestrian Walkway
Easement to be
Vacated

LOT 4

LOT 6
1637 SF

LOT 7
1637 SF

LOT 8
1637 SF

LOT 9
2227 SF

SCALE: 1"=20'

EXHIBIT A

TRACT 9405 CAMPO DE LOZANO

BEING A SUBDIVISION OF THAT PROPERTY DESCRIBED
BY DEED RECORD APRIL 19, 2001, OFFICIAL RECORDS
OF SANTA CLARA COUNTY UNDER RECORDER'S SERIAL
NUMBER 15642669, AND LYING ENTIRELY WITHIN THE

CITY OF CUPERTINO, CALIFORNIA

APRIL, 2002

SCALE: 1"=20'

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LANDS OF SANTA CLARA VALLEY WATER DISTRICT