

RESOLUTION NO. _____

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY
OF SUNNYVALE DECLARING ITS INTENTION AND
SETTING A PUBLIC HEARING TO CONSIDER THE
VACATION OF A PORTION OF CARL ROAD WESTERLY
OF BORREGAS AVENUE AND RESERVING PUBLIC
UTILITY EASEMENTS THEREIN**

WHEREAS, Section 8320 *et seq.* of the California Streets and Highways Code authorizes the City Council to initiate a proceeding and set a hearing for a general vacation of a public street if it determines that the street is unnecessary for present or prospective public use; and

WHEREAS, the City Council intends to vacate a portion of Carl Road westerly of Borregas Avenue ("Carl Road"), as described in the legal description and depicted in the plat map, attached hereto as Exhibit A; and

WHEREAS, Carl Road has provided the public with access to the San Francisco Bay Trail since 2010, and vacating Carl Road is one of the first steps in moving forward with the Sunnyvale Clean Water Program build out; and

WHEREAS, Pacific Gas and Electric, Frontier Communication, XO Communication and AT&T, have no objection to the vacation of the public streets; and

WHEREAS, the proposed vacation of the public streets shall not in any way affect or disturb any other existing easements for public utility purposes belonging to either the City of Sunnyvale or to any public utility.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SUNNYVALE THAT:

1. The City Council desires to initiate the proceeding to vacate the public street located on portions of Carl Road, as further described in Exhibit "A"; and
2. The City Council directs the Director of Public Works to post Notices of Street Vacation at least two weeks prior to the hearing as required by California Streets and Highways Code section 8323; and
3. The City Council directs the City Clerk to publish the hearing notice for two successive weeks in The Sun in accordance with Streets and Highways Code section 8322; and

4. The City Council directs the City Clerk to set a public hearing on November 13, 2018, at the hour of 7:00 p.m. at the meeting place of the City Council located at City Hall, Council Chambers, 456 West Olive Avenue, Sunnyvale, California to hear evidence offered by persons interested.

Adopted by the City Council at a regular meeting held on _____, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

RECUSAL:

ATTEST:

APPROVED:

City Clerk
(SEAL)

Mayor

APPROVED AS TO FORM

City Attorney

EXHIBIT A

VACATION OF A PORTION OF CARL ROAD

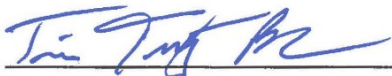
PUBLIC RIGHT OF WAY

All that property situated in the City of Sunnyvale, County of Santa Clara, State of California, being a portion of Carl Road (40 feet wide) as dedicated per that certain Map entitled, "Map of the J.T. Murphy Subdivision No. 3", recorded in the office of the County Recorder of the County of Santa Clara, on October 17, 1896, in Book "I" of Maps, Page 45, and further shown on that Record of Survey recorded in the office of said County on February 2, 2009, in Book 830 of Maps, Page 16, and more particularly described as follows:

Commencing at a point on the northwest corner of Lot 80 of said J.T. Murphy Subdivision No. 3; thence along the westerly line of said Lot 80, South 14°51'05" West, a distance of 481.30 feet, to the intersection of the northerly right of way line of Carl Road, said point also being the **Point of Beginning**; thence along said northerly right of way, South 75°08'20" East, a distance of 733.25 feet, to a point of intersection at the westerly right of way line of Borregas Avenue (50 feet wide); thence along said westerly right of way line, South 14°51'05" West, a distance of 40.00 feet, to a point of intersection at the southerly right of way line of said Carl Road; thence along said right of way line, North 75°08'20" West, a distance of 733.25 feet, to a point of intersection at the westerly parcel line of Lot 78 of said J.T. Murphy Subdivision No. 3; thence northerly along the westerly line of said Lot 78 and Lot 80, North 14°51'05" East, a distance of 40.00 feet, to the **Point of Beginning**.

Containing 0.67 acres or 29,330 square feet, more or less.

This real property description has been prepared at Mark Thomas & Company, Inc., by me, or under my direction, in conformance with the Professional Land Surveyors Act.



Travis Timothy Bohan, LS 8965

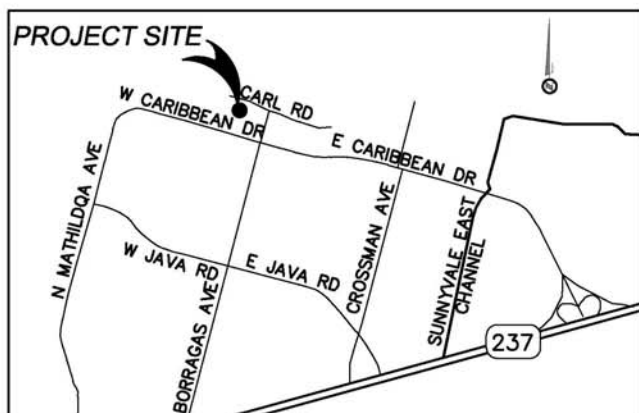
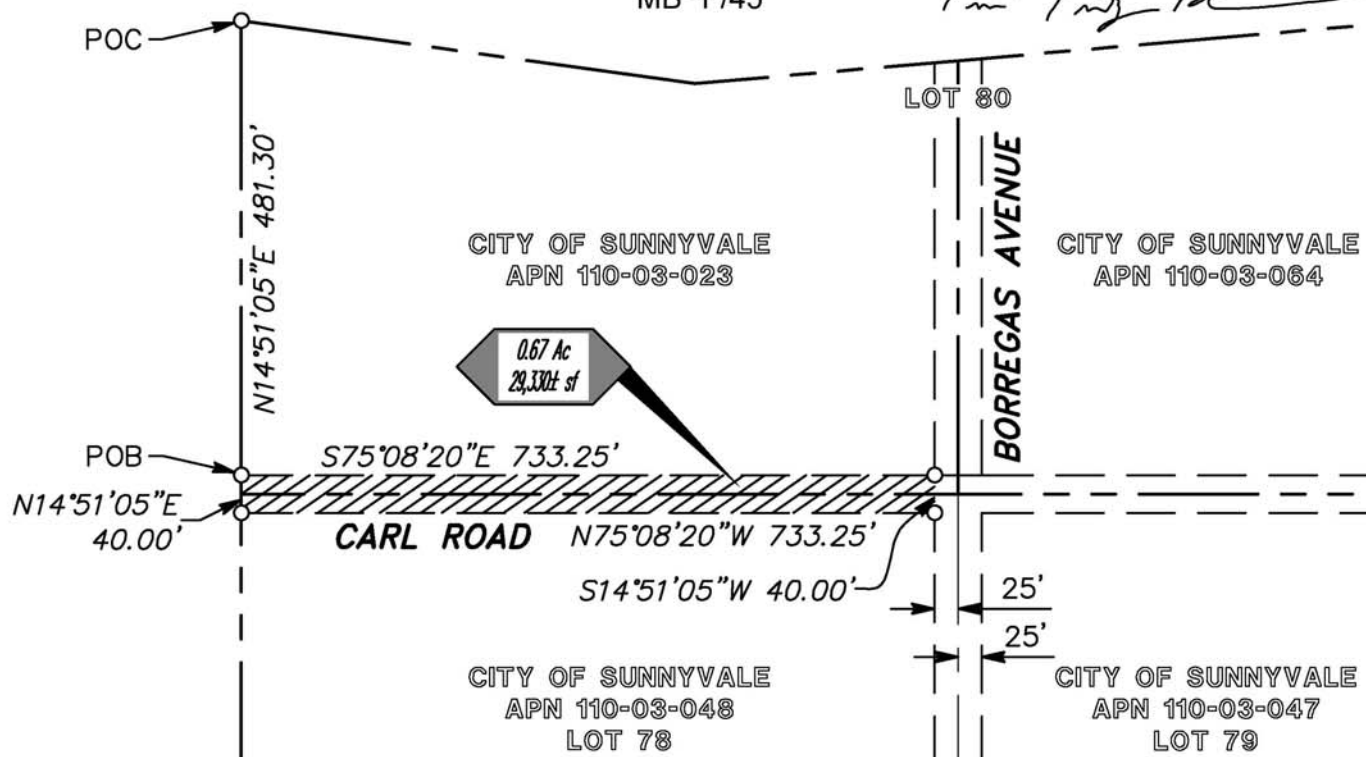
JUNE 9, 2017

Date

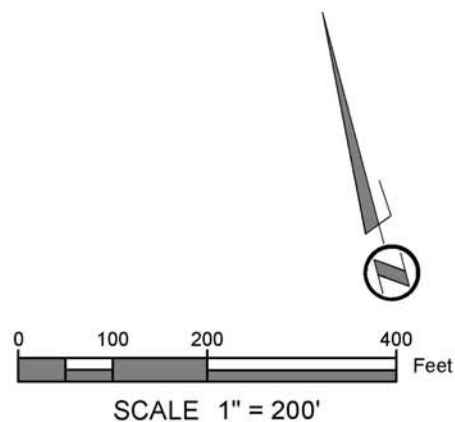
POB POINT OF BEGINNING
POC POINT OF COMMENCEMENT
○ DIMENSION POINT
▨ AREA TO BE VACATED



J.T. MURPHY SUBDIVISION
NO. 3 OF LOT 3A
MB "I"/45



VICINITY MAP



SHEET 1 OF 1



MARK THOMAS

Scale: 1" = 200'
Date MAY 2017
Drawn By AMM
Checked By TTB

Portion of CARL ROAD to be Vacated
Plat to Accompany Legal Description
In the City of Sunnyvale
Santa Clara County, California