




DEPARTMENT OF PUBLIC WORKS
POLICY

STREET AND EASEMENT VACATIONS

Documents – The following documents are to be submitted with the request for street vacations:

- A **Formal Request** for vacation, with the application fee as set per the current Public Works Fee Schedule.
- **Letters of review and approval** from all Utility companies that may have some interest in the street or easement to be vacated. These letters must be signed by the utility company and indicate their approval of the vacation. (See the attached examples)
- A copy of the Tract or Parcel Map by which the street or easement was created (if applicable).
- A current **Title Report** addressing the underlying fee title of the public street or easement to be vacated. If the easement proposed for vacation does not involve fee title interest (such as a slope easement), no title report is required.
- A **Plat Map and Legal Description** of the street or easement to be vacated. The plat and legal description must be prepared by a Licensed Land Surveyor or Registered Civil Engineer authorized to practice land surveying (license number lower than 33966).

The vacation process requires approximately 12 weeks between the acceptance of the Formal Request for vacation and the final City Council hearing deciding the approval of the vacation. The street or easement may then be deemed vacated upon the recordation of the City Council resolution. If the City holds a fee interest in the vacated property, then a continuing process including obtaining an appraisal, and negotiating a purchase and sale of the will follow the successful vacation. This acquisition process may take several months.



Timm Borden
DIRECTOR OF PUBLIC WORKS
CUPERTINO, CALIFORNIA

DATE: 11/8/13

Attached: Sample Utility Letters

SAMPLE LETTER TO UTILITY COMPANY

Bold indicates information specific to your request

Utility Company Name & Address

Date

SUBJECT: REQUEST FOR UTILITY APPROVAL OF THE VACATION OF:
Description of Street or Easement proposed for vacation.

Dear **Contact Name**:

As the property owner, developer or owner's agent of the property located at **property location** I/We are applying to the City of Cupertino for the vacation of the **Description of Street or Easement proposed for vacation** adjacent to or across our property. One of the requirements of the City's application is the consent of your company to vacate, or vacate with the retention of an easement which meets your requirements.

Attached for your convenience are copies of the following: (check applicable boxes)

- Assessor's Parcel Map for APN **Assessor Parcel Number**
- Parcel Map or Final Map that legally mapped the area.
- Plat of the property showing the easement / right-of-way to be vacated
- Property description and/or description of the easement
- Explanation of the proposed disposition of the easement or right-of-way, and an anticipated date by which I need the information.

If you have any questions regarding this request please contact me at phone number.

Property Owner Name
Property Owner Address

**SAMPLE LETTER APPLICANT PREPARES FOR
UTILITY COMPANY’S USE IN RESPONDING**

Bold indicates information specific to your request

ENDORSEMENT APPROVAL

Timm Borden
Director of Public Works
City of Cupertino
10300 Torre Ave
Cupertino, California 95014

Dear Mr. Borden;

SUBJECT: VACATION OF Description of Street or Easement proposed for vacation.

Utility Company Name has reviewed the attached application for the vacation of **Description of Street or Easement proposed for vacation** and has the following response:

No objection to the vacation

No objection to the vacation, but with the following reservation: _____

Objects to the proposed vacation for the following reasons: _____

A plat map is attached for your information.

Utility Contact Name

Utility Company Name

Utility Company Address