

  
CITY ATTORNEY

INTRODUCED BY COUNCILMEMBER \_\_\_\_\_

**ORDINANCE No. 12280 C. M. S.****ORDINANCE SUMMARILY VACATING A PUBLIC  
PATH LOCATED WEST OF PANORAMIC WAY,  
OAKLAND, CALIFORNIA**

WHEREAS, a certain public path was dedicated to the City of Oakland: and

WHEREAS, the path to be summarily vacated by this ordinance is located in the City of Oakland and is more particularly described as follows:

"The ten (10') foot wide strip of land lying between lot 12 and lot 50 of block "H" of the "Map of University Uplands, filed July 5, 1917, Book 16 of Maps at Page 40, Alameda County Records."

WHEREAS, the requirements of the California Environmental Quality Act (CEQA) of 1970, the guidelines as prescribed by the Secretary of Resources, and the City's environmental review regulations as amended, have been satisfied, and that in accordance with Section 15301 of the California Code of Regulations this project is exempt from the provision of the California Environmental Quality Act; and

WHEREAS, said portion of the public path has not been used for the purpose for which it was dedicated or acquired for five consecutive years prior to this proposed vacation, no public money was expended for said path during said five year period, and the vacation thereof will be in the public interest; and

WHEREAS, said summary vacation is made under Section 8333(a) of the California Streets and Highways Code, now, therefore, the City Council of Oakland does ordain as follows:

SECTION I. That the Council, because of the reasons set forth in Street and Highways Code Section 8333(a), hereby orders the summary vacation of the herein above-described public path.

SECTION II. That the City Clerk and the Clerk of this Council are hereby directed to have a certified copy of the ordinance recorded at the Office of the Recorder of Alameda County, immediately upon its final passage.

SECTION III. That from and after the date of recordation of this ordinance, said public path no longer constitutes a city right-of way.

SECTION IV. The Council finds that this summary path vacation is in compliance with the California Environmental Quality Act.

*Introduced - 9/19/00* **OCT - 3 2000**

IN COUNCIL, OAKLAND, CALIFORNIA, \_\_\_\_\_, 19

**PASSED BY THE FOLLOWING VOTE:**

AYES- BRUNNER, CHANG, MILEY, NADEL, REID, <sup>WAN</sup>RUSSO, SPEES AND  
PRESIDENT DE LA FUENTE <sup>8</sup>

NOES- *None*  
ABSENT- */&&*

ABSTENTION- *None*

ATTEST *Ceda Floyd*  
CEDA FLOYD  
City Clerk and Clerk of the Council  
of the City of Oakland, California