



## REPORT TO COUNCIL City of Sacramento

915 I Street, Sacramento, CA 95814-2671  
www. CityofSacramento.org

CONSENT  
June 10, 2008

Honorable Mayor and  
Members of the City Council

**Title: Vacation of a Portion of the Alley Adjacent to Loaves and Fishes at  
North C Street**

**Location/Council District:** Public alleyway located between North C Street and North 12<sup>th</sup> Street (see Location Map-Attachment 2) (District 1).

**Recommendation:** Adopt a **Resolution** vacating a portion of the public alleyway located between North C Street and North 12<sup>th</sup> street for the Loaves and Fishes reorganization project.

**Contact:** Jerry Lovato, Senior Engineering Technician, (916) 808-7918;  
Thomas Adams, Engineering Technician, (916) 808-7929

**Presenters:** None

**Department:** Transportation

**Division:** Engineering Services

**Organization No:** 3431

### Description/Analysis

**Issue:** Loaves and Fishes is planning to reorganize its facility located at North 12<sup>th</sup> Street. The expansion will include the portion of the subject alleyway to be vacated. The City of Sacramento will retain a public service easement over the vacated portion of the subject alleyway. This will allow continued use and access for maintenance and repair of the utilities located within this subject area. A summary of the project's history is included in Attachment 1.

**Policy Considerations:** The Council action recommended in this report is consistent with the City's Strategic Plan to promote and support economic vitality and is in compliance with California Streets and Highways Code, sections 8330 through 8334, which establish the procedure for the summary vacation of streets, excess right-of-ways, and easements.

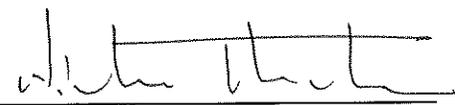
**Committee/Commission Action:** The City Planning Division reviewed the vacation of the public alleyway and determined that is consistent with the City's general plan.

**Environmental Considerations:** The Environmental Planning Services section of the Development Services Department reviewed the proposed vacation of the Right-of-Way and determined that it is exempt from the California Environmental Quality Act (CEQA) under section 15061(b)(3) of the CEQA guidelines. Projects that fall under section 15061(b)(3) are determined to have no significant effect on the environment. Any future development of the property must comply with all regulatory requirements.

**Rationale for Recommendation:** Once vacated the area will allow more space for the proposed relocation of Friendship Park.

**Financial Considerations:** Loaves and Fishes (applicant) is responsible for all fees required to process the vacation application and holds all financial responsibility of any conditions placed on this vacation request.

**Emerging Small Business Development (ESBD):** None

Respectfully Submitted by:   
Nicholas Theocharides  
Engineering Services Manager

Approved by:   
Jerry Way  
Director of Transportation

Recommendation Approved:

  
RAY KERRIDGE  
City Manager

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## **Background**

### **Vacation of a Portion of the Alley Adjacent to Loaves and Fishes at North C Street**

JTS Engineering Consultants on behalf of Loaves and Fishes has requested the vacation of a portion of the alleyway bounded by North 12<sup>th</sup> Street, North C Street and Ahern Street (see Attachment 2).

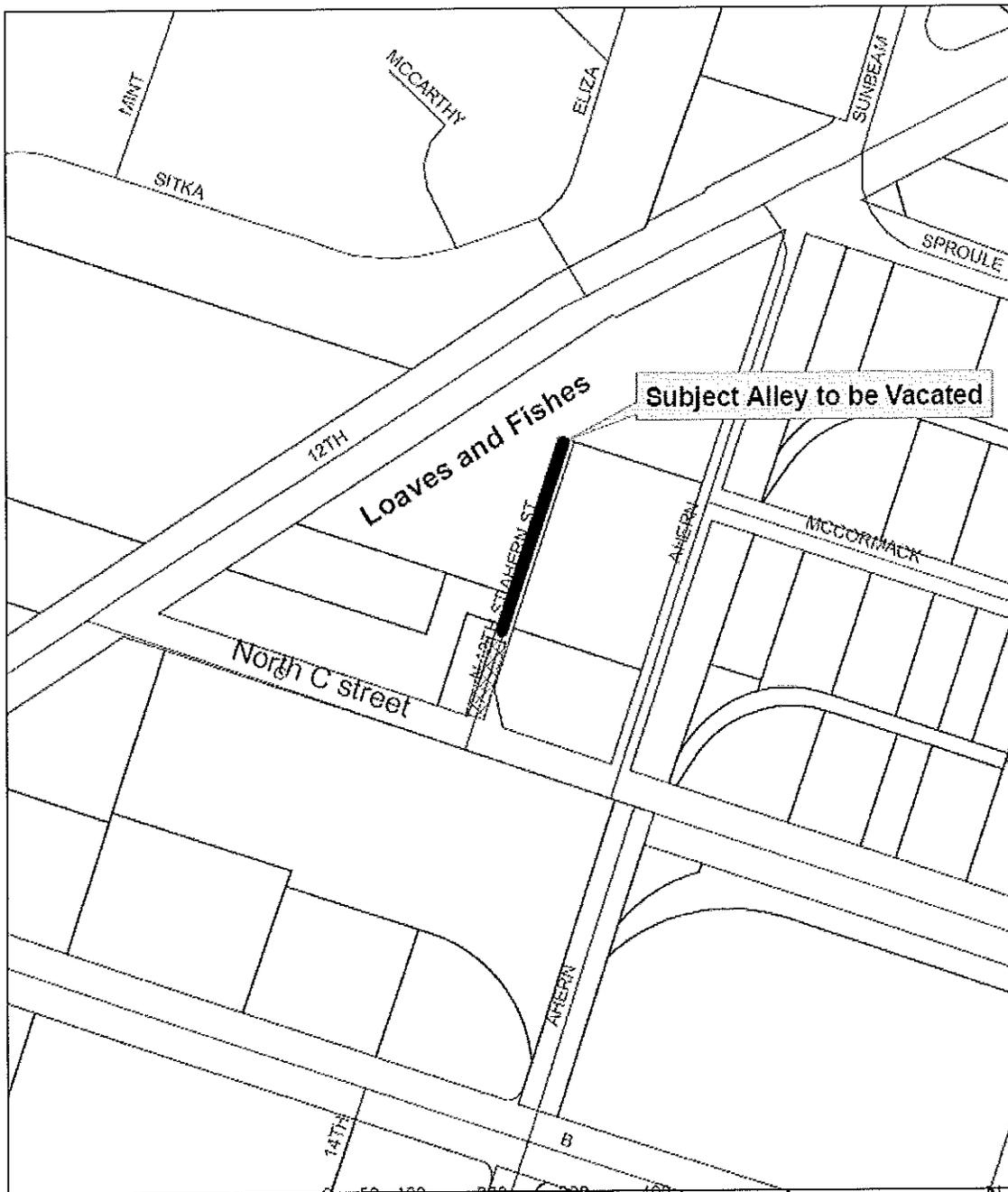
The subject alleyway is adjacent to the Loaves and Fishes facility and the City of Sacramento Fire Station. The fire station is still in use and the portion of the alleyway immediately adjacent to this station will not be vacated. The alleyway will still be accessible for vehicles to access the fire station once the portion of the alleyway has been vacated.

This request for vacation of the alleyway will assist in Loaves and Fishes' development of Friendship Park within their facility. Once vacated and recorded Loaves and Fishes will retain the subject area as part of their real property.

Staff finds that this request for vacation conforms to California Streets and Highways Code sections 8334 and 8340; in addition, various City agencies and utility companies have reviewed the proposed vacation and support it. Staff thus recommends that the City Council approve this vacation request.

### Alley Vacation for Loaves and Fishes

-  Portion Will Not be Vacated
-  Portion to be Vacated



Portion of Alley Bounded between North C Street, 12th Street and Ahern



**RESOLUTION NO.**

Adopted by the Sacramento City Council

**VACATION OF A PORTION OF THE ALLEYWAY ADJACENT TO  
LOAVES AND FISHES AT NORTH C STREET**

**VACATION PROCEEDING NO. VAC07-013**

**BACKGROUND**

- A. Loaves and Fishes intend to reorganize and develop its facility around Friendship Park. There is an alleyway adjacent to the Loaves and Fishes that has been requested for vacation within the City of Sacramento. The subject alleyway is described in Exhibits A and B to this resolution.
  
- B. As required by Sacramento City Code section 2.112.080 and California Government Code section 65402, the City Planning Director reviewed the proposed vacation and concluded that the vacation is consistent with the City's general plan.

**BASED ON THE FACTS SET FORTH IN THE BACKGROUND, THE CITY COUNCIL  
RESOLVES AS FOLLOWS:**

- Section 1.** The City Council hereby finds and determines, from all the evidence submitted, that the public alleyway is unnecessary for present or prospective public use and is not useful as a non-motorized transportation facility. Accordingly, in accordance with chapter 3 (General Vacation) of the Public Streets, Highways, and Service Easements Vacation Law (which begins at S&H Code section 8300), the City Council hereby vacates the public alleyway, subject to the following:
  - (a) In accordance with S&H Code section 8340, the City reserves and excepts from the vacation a public-service easement along the vacated portion of the alleyway for all of the purposes described in S&H Code section 8340, subdivisions (a) and (c).
  
- Section 2.** Pursuant to Streets and Highways Code Section 8306 and 8340, the City of Sacramento reserves a Public Service Easement along the vacated portions of the subject alleys which are more specifically described in Exhibit A and B of this resolution for all the purposes and reasons described in Streets and Highways Code Sections 8306 and 8340 including, but not limited to, the right at any time, or from time to time, to

construct, maintain, operate, replace, remove, or renew any public service facilities in, upon, or over and across the subject property to be vacated.

**Section 3.** The vacation of the subject public alleyway north of North C Street within Council District 1, more specifically described in Exhibit A and Exhibit B is made pursuant to State of California Streets and Highways Code, Division 9, Part 3, Chapter 4. Pursuant to California Streets and Highways Code Section 8334, the City Council finds that the public alleyways, more specifically described in Exhibit A and Exhibit B are an excess right-of-way not required for street purposes and pursuant to California Streets and Highways Code Section 892, are not useful as a non-motorized transportation facility.

**Table of Contents:**

Exhibit A: Legal Description

Exhibit B: Exhibit Plat/Map

EXHIBIT "A"

LEGAL DESCRIPTION  
FOR  
ALLEY ABANDONMENT  
PAGE 1 OF 1

ALL THAT CERTAIN PROPERTY SITUATED IN THE CITY OF SACRAMENTO,  
COUNTY OF SACRAMENTO, STATE OF CALIFORNIA, DESCRIBED AS FOLLOWS:

ALL THAT PORTION OF 14<sup>TH</sup> STREET RIGHT OF WAY AS DEPICTED ON "THE  
MAP OF PART OF SACRAMENTO CITY" FILED AT THE OFFICE OF THE  
RECORDER OF SACRAMENTO COUNTY IN BOOK 1 OF MAPS, MAP NO. 8 (1BM8)  
AND LYING WITHIN BLOCK NUMBER 40 BOUNDED BY 13<sup>TH</sup> STREET, NORTH "C"  
STREET, 14<sup>TH</sup> STREET AND NORTH "D" STREET MORE PARTICULARY  
DESCRIBED AS FOLLOWS:

A STRIP OF LAND 20.00 FEET IN UNIFORM WIDTH BY APPROXIMATELY 240.00  
FEET LONG LYING ADJACENT AND WESTERLY OF SAID 14<sup>TH</sup> STREET,  
ADJACENT AND SOUTHERLY OF SAID CENTERLINE OF NORTH "D" STREET,  
ADJACENT AND NORTHERLY OF THE EASTERLY PROLONGATED NORTHERLY  
BOUNDARY OF PROPERTY DEEDED TO CITY OF SACRAMENTO DESCRIBED IN  
DEED FILED IN BOOK 88-08-21 OR PAGE 1408 EXTENDED TO THE CENTERLINE  
OF SAID 14<sup>TH</sup> STREET AS DEPICTED IN ATTACHED EXHIBIT.

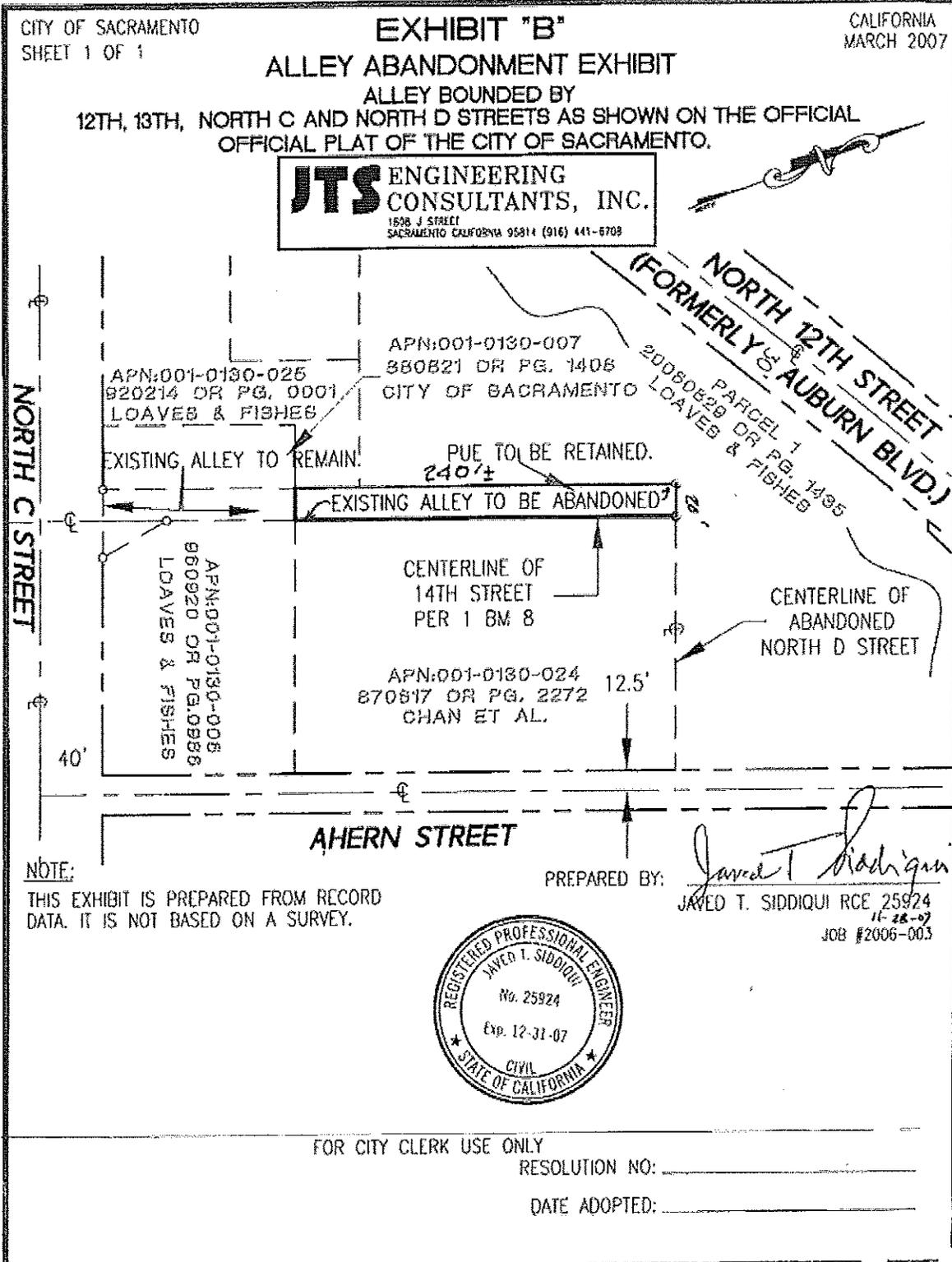
END OF LEGAL DESCRIPTION

PREPARED BY JTS ENGINEERING CONSULTANTS, INC. FROM RECORD DATA.

  
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JAVED T. SIDDIQUI, RCE 25924

DATE: 11-28-2007





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