



REPORT TO COUNCIL City of Sacramento

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

CONSENT
August 26, 2008

Honorable Mayor and
Members of the City Council

Title: The Summary Vacation of the Alleyway Bounded by Arden Way and Calvados Avenue between Forrest Street and Oxford Street

Location/Council District: Alleyway between Arden Way, Calvados Avenue, Forrest Street and Oxford Street in Council District 2 (see Attachment 1).

Recommendation: Adopt a Resolution vacating the public alleyway located within Council District 2 between Arden Way, Calvados Avenue, Forrest Street and Oxford Street described in Exhibit A and Exhibit B of the Resolution reserving to the City a public service easement.

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

Presenters: Not Applicable

Department: Transportation

Division: Engineering Services

Organization No: 15001181

Description/Analysis

Issue: Mr. Dan Friedlander has requested the vacation of the subject public alleyway as part of a proposed development for a mixed-use retail/office building. Mr. Friedlander is in the process of purchasing one of the adjacent parcels owned by the City of Sacramento (APN: 275-0141-007) for the purpose of his proposed development. The alleyway will become part of the parking lot and access area for the adjacent parcels. In addition to this request, the public service easement across the alleyway will be reserved.

A summary of the project's history is included in Attachment 1, Page 3.

Policy Considerations: The Council action recommended in this report is consistent with the City's Strategic Plan to promote infill development, rehabilitation, and reuse that contributes positively to the surrounding areas and assists in meeting neighborhood and other City goals, and is in compliance with California Streets and Highways Code Sections 8330 through 8336, which

establish the procedure for the summary vacation of streets, alleys, and easements.

Environmental Considerations:

California Environmental Quality Act (CEQA): Status is exempt under Section 15061(b)(3) in which this activity has no potential of causing any significant effect on the environment.

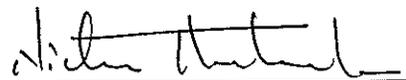
Sustainability Considerations: None

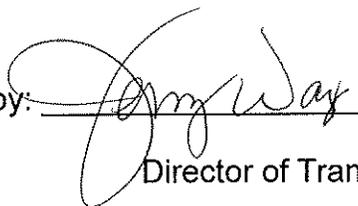
Committee/Commission Action: None

Rationale for Recommendation: Staff along with various agencies supports this vacation request along with proposed use once the alleyway has been vacated.

Financial Considerations: The applicant is responsible for all fees required to process this application and there is no cost to the City.

Emerging Small Business Development (ESBD): None

Respectfully Submitted by: 
Nicholas Theocharides
Engineering Services Manager

Approved by: 
Jerry Way
Director of Transportation

Recommendation Approved:

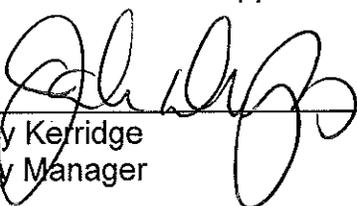

Ray Kerridge
City Manager

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Background

**The Vacation of the Alleyway Bounded by Arden Way and Calvados Avenue
between Forrest Street and Oxford Street.**

Mr. Dan Friedlander has requested the vacation of the subject alleyway located in north Sacramento. This subject alleyway has been dedicated and accepted within the City of Sacramento for public use on the original Plat of North Sacramento Subdivision No. 1. This request is being processed under the Streets and Highways Code (S&HC) Sections 8330-8336 as a summary vacation for City Council approval.

Mr. Friedlander owns two of the four parcels adjacent to the subject alleyway and is in the process of purchasing one of adjacent parcels owned by the City of Sacramento (APN: 275-0141-007). After purchase of the city parcel Mr. Friedlander's other parcels will be merged together and encompass his proposed mixed-use retail/office development. The City of Sacramento has a water treatment facility located on this parcel and an easement over this parcel will exist for the City of Sacramento to maintain this facility.

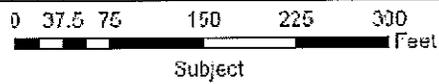
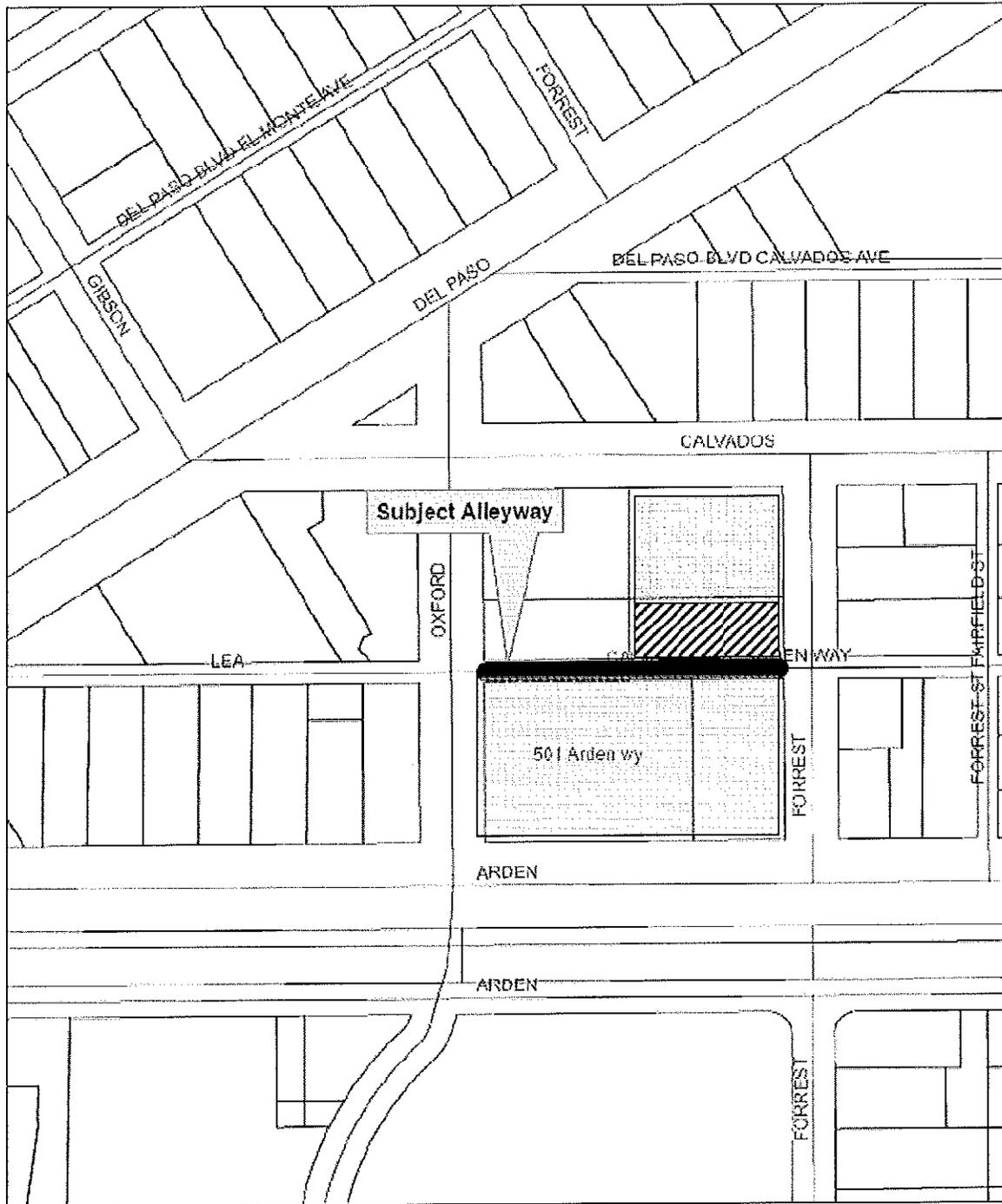
The abandoned alleyway will become part of the parking lot for the proposed development. There will be a reserved public service easement across the alleyway once vacated and an ingress and egress easement will be recorded for access for the Fire Department and the adjoining property owner located at parcel no. 275-0141-004.

Various City departments and utility companies have reviewed this request and support the proposed vacation.

Attachment 2

Alley Vacation

-  -Mr. Friedlander's Existing Parcels
-  -City Parcel to be Sold



RESOLUTION NO.

Adopted by the Sacramento City Council

**THE SUMMARY VACATION OF THE ALLEYWAY BOUNDED BY ARDEN WAY AND CALVADOS AVENUE BETWEEN FORREST STREET AND OXFORD STREET, WITHIN COUNCIL DISTRICT 2
VACATION PROCEEDING NO. VAC 08-013**

BACKGROUND

- A. Mr. Daniel Friedlander has requested the vacation of the public alleyway bounded by Arden way and Calvados Avenue between Forrest Street and Oxford Street.
- B. The City of Sacramento Planning Director reviewed this vacation proceeding pursuant to Sacramento City Code 2.112.080 and State of California Government Code Section 65402 and concluded that this 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. Subject to the conditions below in Section 2 and reservation below in Section 3, the public alleyway bounded by Arden Way and Calvados Avenue between Forrest Street and Oxford Street within Council District 2, more specifically described in Exhibit A and Exhibit B of this resolution is hereby ordered vacated.
- Section 2. This vacation is subject to the following conditions:
 - a. The applicant must submit a Lot Line adjustment application for parcels (APN: 275-0141-007, 008) which are adjacent to subject alleyway and which the Department of Transportation, in its sole discretion, determines to be acceptable.
 - b. The applicant must grant an ingress and egress easement to the City of Sacramento for parcel (APN: 275-0141-007) which the General Services Real Estate Division, in its sole discretion, determines to be acceptable.
- Section 3. Pursuant to Streets and Highways Code Section 8306 an 8340, the City of Sacramento reserves a Public Service Easement along the vacated subject alley which is 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 alleyway to be vacated.

- Section 4. The vacation of the public alleyway within Council District 2, 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.
- Section 5. The City Council finds that the said vacation has been submitted to and reported on by the City's Planning Division and finds that the said vacation is consistent with the City's General Plan.
- Section 6. The conditions specified in Section 2 of this Resolution must be completed within two years of the date of this Resolution. If all conditions are not completed within the two years specified this Resolution approving the vacation shall become void, unless the City Council grants one or more time extensions.
- Section 7. The City Clerk shall cause a certified copy of this Resolution, attested by the City Clerk under seal, to be recorded. The vacation shall be effective when the City Clerk records this Resolution with the County Recorder.

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- Exhibit A: Legal Description
Exhibit B: Exhibit Plat/Map

EXHIBIT A

ABANDONMENT OF ALLEY BLOCK 17, 11 MAPS 26

LEGAL DESCRIPTION:

All that certain real property situate in the City of Sacramento, County of Sacramento, State of California, described as follows:

Being the 20 foot wide Alleyway of Block 17, as shown on that certain Subdivision Map entitled "Plat of North Sacramento Subdivision No. 1", filed in Book 11 of Maps, at Page 26, Official Sacramento County Records, also being the 20 foot Alleyway shown on that certain Parcel Map, filed in Book 156 of Parcel Maps, at Page 13, Official Records of said County, and being more particularly described as follows:

Beginning at the Southwest corner of Lot 10 of Block 17, as said lot and block are shown on said Subdivision Map, thence along the South line of said lot North $89^{\circ}43'15''$ East 275.90 feet to the Southeast corner of Lot 3, as said lot is shown on said Subdivision Map, said corner also being a point on the West right of way line of Forrest Street, as said street is shown on said maps; thence along said right of way and it's projection thereof, in a Southerly direction South $00^{\circ}24'38''$ East 20.00 feet to the Northeast corner of Parcel 1, as said parcel is shown on said Parcel Map; thence leaving said right of way line along the North line of said lot, South $89^{\circ}43'15''$ West 275.95 feet to the Northwest corner of Parcel 2, as said parcel is shown on said Parcel Map, said corner also being a point on the East right of way line of Oxford Street, as said street is shown on said maps; thence along said right of way line and it's projection thereof, in a Northerly direction North $00^{\circ}15'12''$ West 20.00 feet to the Point Of Beginning of this description, containing 0.13 acres more or less of land.


Timothy G. Blair, P.L.S. 8278



Surveyors Group, Inc.
FRI 05-16
02-01-08

EXHIBIT B

